

# CITY OF PRINCE ALBERT BYLAW NO. 8 OF 2019

*A Bylaw of the City of Prince Albert to regulate the installation and maintenance of private crossings across City of Prince Albert sidewalks and boulevards.*

WHEREAS the Council of the City of Prince Albert is empowered to pass a bylaw that regulates the installation and maintenance of private crossings in the City of Prince Albert pursuant to the Cities Act, being chapter C-11.1 of the Statutes of Saskatchewan, 2002 as Amended.

NOW THEREFORE THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

## SHORT TITLE

1. This Bylaw may be cited as "The Crossing Bylaw" or "Bylaw".

## PURPOSE

2. The purpose of this Bylaw is to give the City Engineer authority to issue Permits granting Crossings between Parcels and Streets and prescribing terms under which such Permits may be revoked.

## DEFINITIONS

3. In this Bylaw, unless the context otherwise requires, the expression:

- (a) **“City”** means, the City of Prince Albert;
- (b) **“Crossing”** means, any opening provided to afford vehicular access from a Street to the Parcel abutting there on;
- (c) **“City Engineer”** means, the director of public works for the City of Prince Albert or anyone authorized to act on their behalf;
- (d) **“Garage Door Width”** means, the greatest distance between the edge of one garage door to the edge of another along the same wall of a garage;
- (e) **“Lane”** means, a street or alley intended primarily to give access to the rear of a property.
- (f) **“Owner”** means, the registered owner of any Parcel served by a Crossing;
- (g) **“Parcel”** means, a titled parcel of land;
- (h) **“Permit”** means a permit issued under the Crossing Bylaw to grant a Crossing;
- (i) **“Public Highway”** means, a street or road allowance vested in the Crown in right of Saskatchewan or set aside for the purposes of the Crown in right of Saskatchewan pursuant to the North-West Territories Act or an Act of Saskatchewan, and includes anything erected on or in connection with the public highway;
- (j) **“Street”** means, any public highway, road, square or thoroughfare to which parcels of land abut, but not lanes, walkways or bridges;
- (k) **“Zoning Bylaw”** means, Bylaw No. 1 of 2019 as amended, or any bylaw enacted in its stead.

#### UNAUTHORIZED CROSSINGS PROHIBITED

- 4. No Owner shall construct, maintain, use or allow to be used a Crossing except in accordance with the terms and conditions of a Permit.
- 5. For any Crossing that that precedes this Bylaw:
  - a. If an Owner maintains a Crossing prior to the Effective Date of this Bylaw and the Crossing is not the subject of a written Permit and the Crossing does not

predate the establishment of the Street, a Permit is hereby deemed to be issued.

## PERMITS

6. Any Owner who desires to have a Crossing to serve his Parcel shall:
  - a. make application to the City in writing, in a form substantially similar to Appendix "A" attached to and forming part of this Bylaw, for the construction of each Crossing; and
  - b. If requested to do so by the City Engineer, prepare a transportation impact assessment or traffic flow analysis performed by a qualified professional engineer describing the effect the proposed Crossing will have on the safe and efficient movement of traffic on Streets and within the property; and
  - c. Pay the required fees as prescribed in Schedule "A".
7. The City Engineer shall consider the application of a Permit having regard to the safe and efficient movement of traffic.
8. The City Engineer shall notify the Owner or its agent or representative as to whether the application has been granted or refused.
9. If the City Engineer denies an application for a Crossing, the City Engineer shall offer the applicant at least one means of accessing the property that would be acceptable to the City Engineer, however indirect or circuitous, provided that the Parcel is eligible for vehicular access as per the Zoning Bylaw, and that safe and efficient movement of traffic is maintained.
10. The City Engineer may issue a Permit in accordance with the following schedule:
  - a. Residential: 1 Crossing with a maximum width of 6 metres or the Garage Door Width plus 1 metre, but not exceeding 60% of the property's frontage or 9 metres.



- b. Multi-Family Residential: 1 Crossing 6 metres maximum in width or 2 crossings with a combined maximum width of 9 metres but not exceeding 60% of the property's frontage.
- c. Commercial: Up to 2 Crossings, at the discretion of the City Engineer, 11 metres in maximum width, subjected to section 6.b).
- d. Industrial: Up to 2 Crossings, 12 metres maximum in width, subjected to section 6.b).
- e. For signalized intersections, the following minimum corner clearances, measured from curb face, shall be observed:
  - i. Arterials – 70 metres
  - ii. Collectors – 55 metres
  - iii. Local Industrial – 50 metres
  - iv. Local – 15 metres
- f. For un-signalized intersections, the following minimum corner clearances, measured from curb face, shall be observed:
  - i. Arterials – 30 metres
  - ii. Collectors – 20 metres
  - iii. Local Industrial – 30 metres
  - iv. Local – 10 metres
- g. The minimum distance between two driveway Crossings is 2 metres.
- h. Crossings shall be constructed at least 1 metre (residential) and 3 metres (commercial and industrial) away from a property line in order to accommodate curb returns.
- i. The minimum distance between a Crossing and a Lane in a residential zone is 3 metres. For commercial and industrial zones, the distance between a Crossing and a Lane is subjected to section 6 b). Zones are specified as per the Zoning Bylaw.

11. All Permits are deemed to run with the Parcel and shall be deemed to be assigned to and binding upon any subsequent Owners of the Parcel to which they grant access by Crossings.

12. Crossings shall be constructed in accordance with the City's Standard Details and Master Specifications, as amended.
13. A shared Crossing between two property lines may only be permitted at the discretion of the City Engineer. A written shared driveway agreement must be completed between the Parcel Owner's and a copy provided to the City Engineer prior to any Permit being issued.
14. Any Crossing constructed as provided in this Bylaw shall be constructed, repaired, maintained in good condition at all times and, when discontinued, removed and replaced by a walk and/or curb similar to the adjoining walk and/or curb, all at the expense of the Owners.
15. If the Owner fails to construct, repair, maintain in good condition at all times and, when discontinued, fails to remove and replace the structure with a walk and/or curb similar to the adjoining walk and/or curb, as set out in Section 14 hereto, the City may give notice to the Owner to construct, repair, maintain or remove and replace the Crossing. If such construction, repair, maintenance or removal or replacement is not completed within thirty days after the service of such notice, the City may do such work as it considers necessary at the expense of the Owner.
16. If any amount required to be paid under the terms of this Bylaw is not paid within thirty days after completion of the work of construction, maintenance, repair, removal or replacement of the walk and/or curb, the City in addition to cancelling the Permit, may recover the amount by adding it to the taxes on the property or by action or suit.
17. Any Permit for a Crossing may be cancelled thirty days after notice of such cancellation has been delivered to the Owner.

## OFFENCES AND PENALTIES

18. A person who contravenes a provision of this Bylaw is guilty of an offence.
19. A person who is found guilty of an offence is liable to a fine in an amount not less than that established by this Bylaw and Schedule "B" and not exceeding that described in the Cities Act, being chapter C-11.1 of the Statutes of Saskatchewan, 2002 as amended.
20. A person who commits an offence may:
  - j. if a violation ticket is issued in respect of the offence; and
  - k. if the violation ticket specifies the fine amount established by this Bylaw for the offence;make a voluntary payment equal to the specified fine.
21. In the case of an offence that is of a continuing nature, each day on which the offence continues shall constitute a separate offence.
22. Bylaw No 43. Of 1965 and all amendments thereto are hereby repealed.

### Coming Into Force

23. This bylaw shall come into force and effect on, from and after the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 21<sup>ST</sup> DAY OF May ,AD 2019.

READ A SECOND TIME THIS 21<sup>ST</sup> DAY OF May ,AD 2019.

READ A THIRD TIME AND PASSED THIS 21<sup>ST</sup> DAY OF May ,AD 2019.



MAYOR



CITY CLERK

SCHEDULE A – SCHEDULE OF FEES

Bylaw No. 8 of 2019

Effective May 21, 2019.

The Application Fee for a Crossing Permit is:

- a. \$0.00 for a residential property
- b. \$375.00 for a non-residential property

Where,

A residential property is defined as three or less self-contained dwelling units located on one site that is used for residential purposes,

And,

A Non-Residential property is defined as, but not limited to, a multi-family unit, commercial or industrial property.



SCHEDULE B – SCHEDULE OF FINES

Bylaw No. 8 of 2019

Effective May 21, 2019.

Maintaining a Crossing without a Permit or contrary to the terms of the Permit is subjected to a \$150.00 fine.



# APPENDIX 'A' - PRINCE ALBERT Crossing Permit Application

OFFICE USE ONLY

No. \_\_\_\_\_

Date \_\_\_\_\_

## APPLICANT INFORMATION

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
City Province Postal Code

Contact Information: \_\_\_\_\_  
Phone Number Email

## PRESENT OWNER (skip section if same as applicant)

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
City Province Postal Code

Contact Information: \_\_\_\_\_  
Phone Number Email

## SUBJECT PROPERTY

Civic Address: \_\_\_\_\_  
City Province Postal Code

Legal Address: \_\_\_\_\_  
Lot Block/Parcel Plan

## SITE PLAN REQUIREMENTS - see back of page

A site plan prepared in CAD or by hand must be provided as part of this application and be complete with the information on the back of this page.

## SUBMISSION:

In Person: Public Works | City Hall      or by      Email: publicworks@citypa.com  
1084 Central Avenue  
Prince Albert | SK | S6V 7P3      Questions? 306-953-4900

## TERMS AND CONDITIONS

I, the undersigned, being the owner(s) and/or agent for the owner, of the above property hereby acknowledge that no development will commence without the approval of the City of Prince Albert or without paying the required permit application fee of \$ \_\_\_\_\_. I understand that I must comply with the specifications of the City of Prince Albert and regulations as set forth in Bylaw No. 8 of 2019, as amended.

\_\_\_\_\_  
Applicant Full Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

## PERMIT TO CONSTRUCT A CROSSING

OFFICE USE ONLY

Permission is hereby granted to the above named applicant to construct and maintain a crossing at the subject property as set out in the plan attached including all mark-ups provided by the City. The crossing is to conform to the City of Prince Albert specifications and regulations as set forth in Bylaw No. 8 of 2019, as amended.

\_\_\_\_\_  
for CITY ENGINEER

\_\_\_\_\_  
Date Signed

Stamp



# APPENDIX 'A' - PRINCE ALBERT

## Crossing Permit Application

### SITE PLAN

### SAMPLE PLAN

	<p>The sample plan shows a property bounded by a lane to the north, 123 Avenue to the east, and 123 Street to the south. The property contains an existing house (Civic # 123) and a garage (6 m wide). A proposed driveway (Asphalt) is shown with a width of 4 m. Dimensions include a 10 m distance from the house to the driveway, a 1 m distance from the driveway to the property line, and a 1.5 m distance from the driveway to the street. A catch basin is located 7 m from the driveway and 10 m from the street. A hydrant and tree are also indicated.</p>
--	---

### SITE PLAN REQUIREMENTS

A site plan (CAD or hand sketch) is a requirement of this application and must show the following information:

1. Civic address, property lines. All dimensions in meters.
2. Location and name of all streets, lanes and alleys bordering the subject property.
3. All existing building/structures on the subject property, with dimensions to the curb.
4. Existing and proposed driveway/crossing and on site parking areas (if any) with dimensions.
5. Dimensions relative to the driveway/crossing for any city trees, sidewalks, boulevard curbs, utility poles, manholes, hydrants, light poles or any other service or structure.
6. Proposed driveway type. Asphalt or Concrete?

**CITY REVIEW** - The comments provided by the City of take precedence over any discrepancy from the applicants initial submission.

OFFICE USE ONLY

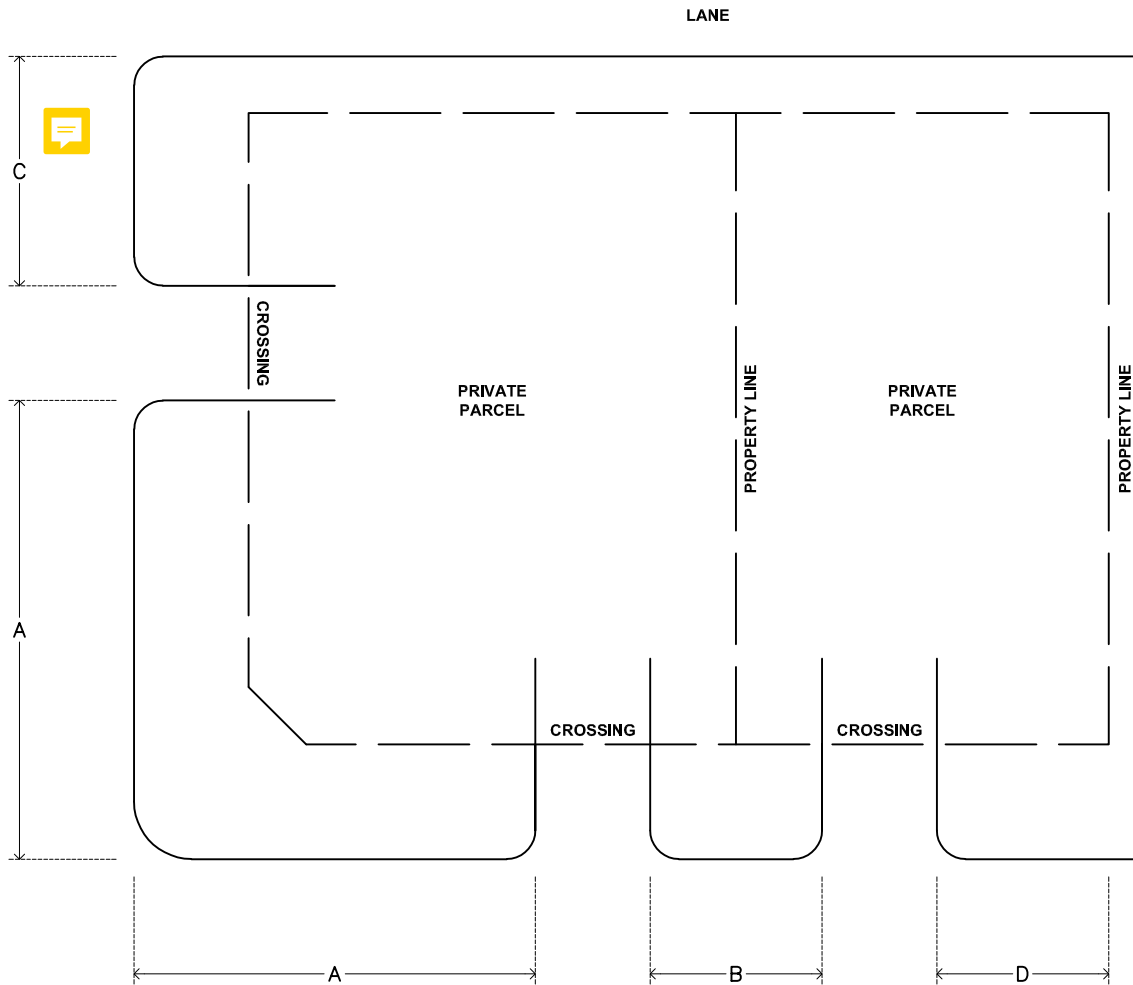
CC Stamp Elevation: \_\_\_\_\_

Reference Elevation: \_\_\_\_\_ at \_\_\_\_\_



# APPENDIX 'B' - PRINCE ALBERT

## LOCATION OF CROSSINGS



Road Classification	Crossing Distance to			
	Signalized	Un-Signalized	Another Crossing	Lane
	A	A	B	C
Arterial	70	30	*	*
Collector	55	20	*	*
Local Industrial	50	30	*	*
Local	15	10	2	3

**D, Distance from a crossing to a property line:** Residential 1m  
Commercial 3m  
Industrial 3m

**All distances are minimums and are in meters.**

**\* Subjected to the approval of a traffic flow analysis.**