

Greenfield Development Requirements



Summary

Greenfield Development refers to the development of raw land to a finished state as residential, commercial or industrial. This document summarizes the general process for the developer and identifies the probable fees associated with that development. Please note the timeline is based on the developer providing complete information at the time of each application. Incomplete information will result in delays to the timeline outlined below.

Timelines

Annexation decision from date of submission (not contested):	2 to 4 months
Annexation decision from date of submission (contested):	4 months to one year
Concept plan review & approval:	Three to six months
Amendments to statutory plans :	Two months
Subdivision application review and decision:	60 to 90 days
Development agreement preparation and approval:	90 to 180 days

Where the Greenfield Development occurs outside the city's jurisdiction, amendments to statutory plans, subdivision applications and development agreements cannot be processed by the city until the annexation has been approved by the province.

Preparatory work to complete an annexation application may require three to six months depending upon the number of landowners and/or parcels included. An annexation application is submitted by a municipality for a decision by the Saskatchewan Municipal Board.

Probable Fees

Concept plan review	\$5,300.00
Amendments to statutory plans (each amendment)	\$250.00
Subdivision application review	\$125.00 + \$125.00 for each lot & \$500.00 review fee
Development agreement preparation	\$15,000.00 (payable by developer before agreement initiated.
Offsite development levies	\$69,000/acre for commercial or industrial property and \$36,000.00/acre for residential.

Fees are subject to change and applicants are advised to consult the city's website at www.yorkton.ca for a list of current fees for these or other applications or consult with staff.

Greenfield Development

1. Communication

Information requests by developers interested in Greenfield Development within the City of Yorkton can be directed to the Planning & Engineering Department to the following staff:

Planning

Gord Shaw MCIP PPS
Director
Phone: 306.786.1727
Email: gshaw@yorkton.ca

Michael Eger
Planner
Phone: 306.786.1758
Email: megeer@yorkton.ca

Engineering

Joshua Mickleborough, P.Eng.
Manager of Engineering Services
Phone: 306.786.1734
Email: jmickleborough@yorkton.ca

Geomatics

Wayne Neufeld
Geomatics Technologist
Phone: 306.786.1731
Email: wneufeld@yorkton.ca

Information requirements from other city departments or external departments or agencies can be arranged through this department. This ensures that there is one point of contact with the municipality.

2. Concept Plan Approval

A concept plan must be prepared by a developer, or consultant, that demonstrates how the proposed subdivision development can occur in a sustainable manner and its relationship to existing infrastructure. Depending upon the project scope, the concept plan should include the following:

- A map which includes the following information (if one sheet is not sufficient to contain the entire site, the map may be divided into sections to be shown on separate sheets of equal sizes, with reference on each sheet to the adjoining sheets): boundaries of the property; North arrow; date, scale, zone district(s) in which the lot(s) are located; existing and proposed streets: existing and proposed contour lines based on topographical surveys not older than two years, at one metre intervals inside the property and within 200 feet of any portion of the property; title plans; existing and proposed streams and easements; a small key map giving the general location of the parcel to the remainder of the municipality.
- Proposed circulation plans, including access streets and lanes, sidewalks and pathways.
- Existing and proposed wooded areas, buffer areas or hazardous areas (environmental reserves) and landscaped parks or schools (municipal or school reserves).
- Copies of a plan of survey prepared by a Saskatchewan Land Surveyor showing the site to be developed and ownership and areas in hectares and acres.
- Any plans, photographs, or other materials considered necessary to properly evaluate the proposed development.
- A detailed report showing:
 - i.) The impact of additional traffic resulting from the proposed development (Transportation Impact Assessment);
 - ii) An environmental assessment of the property (Phase I or Phase II, if necessary)

- iii) A geotechnical review of the subject property.
- Project phasing.
- Servicing of the development (separate maps for water, sewer and storm)
- Public consultation.

This plan should show land uses as residential (single family and multi-family), commercial, business park, open space, major roadways and servicing, i.e., water, sewer and storm.

This document is approved by City Council as a concept plan for the entire subdivision. This is not a statutory plan.

The municipality may require the developer to submit the concept plan in conjunction with statutory plan amendments or after the adoption of such amendments and prior to development.

Depending upon the complexity of the development proposal, staff may require up to ninety (90) days completing its review and submitting proposed changes to the developer prior to submission to the Planning & Infrastructure Commission and City Council. Staff will prepare a recommendation for the Planning & Infrastructure Commission which provides direction to City Council on planning related matters.

Public consultation by the developer with adjacent property owners is highly recommended and is to be included as part of the concept plan information.

Servicing plans shall show the size of pipe proposed and connection points to municipal services. The developer must demonstrate to the satisfaction of the municipality that existing services can accommodate proposed flows from the subdivision. Storm water flow modeling must include a 1:5 minor storm event and 1:100 major storm events. The developer is responsible for identifying where storm ponds are to be included in the development as part of the storm water servicing plan. Storm water ponds are not to be included as part of municipal reserve requirements.

3. Amendments to Statutory Plans

Amendments to the Municipal Development Plan and the Zoning Bylaw will be required as part of the approval process for Greenfield Development.

Applications for each type of amendment are available from the city's website at www.yorkton.ca.

Council may amend the Zoning Bylaw or Municipal Development Plan in accordance with the procedure set out in Sections 207 through 212, inclusive, of *The Planning and Development Act, 2007* and subsequent amendments thereto.

All applications for a Zoning Bylaw or Municipal Development amendment shall be submitted on the prescribed form and shall (if for a purpose other than a clarification of an existing provision of these bylaws) include a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*.

All applications must state:

- i) reasons in support of the amendment;
- ii) the legal description and civic address of the property as well as the contact information of the applicant and the registered owners of the property; and,
- iii) information regarding the surrounding land uses.

At the discretion of the Planner, additional information may be required in order for City Council to make a decision on an application.

The amendment application may be referred by the Planner to:

- i) any City Department for review and comment;
- ii) the Planning & Infrastructure Commission for consideration and recommendation to Council; and,
- iii) Council for first reading and to establish a date for a public hearing to be held prior to second and third reading.

All applications are required to be advertised once per week for two (2) successive weeks in a newspaper circulating within the City prior to second reading by Council. The first notice shall be placed no earlier than twenty-one (21) days prior to the date set by Council for a public hearing regarding the proposed amendment.

If the amendment involves the rezoning of land to a different zoning district, all land owners within 75 metres of the site for which an application is made shall be notified by mail of the application, and the date on which Council will hold a public hearing regarding the application.

All public notification shall contain the following information:

- i) the legal description and civic address of the land which is the subject of the application (if applicable);
- ii) the purpose of the proposed amendment;
- iii) one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
- iv) the date, place, and time that Council will hold a public hearing on the proposed amendment; and,
- v) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing.

Council, after considering any representations made at the public hearing, other relevant information and documentation, and/or the Development Plan, or other regulatory plan or bylaw affecting the application and the provisions of the Zoning Bylaw, may proceed to alter the proposed amendment, pass the proposed amendment, defer the amendment application for more information, or defeat the proposed amendment.

Any alterations to the amendment application are required to be re-advertised in accordance with the Act.

If Council refuses an application for an amendment, the City shall not accept another application on the same land for the same or similar purpose until six (6) months have passed after the date of such refusal.

If deemed necessary, and in accordance with the provisions of the *Act*, the City may initiate an amendment to the Zoning Bylaw and Municipal Development Plan affecting any parcel of land without the owner's consent.

Council shall, prior to consideration of an application, notify the affected landowner(s) in writing of the proposed amendment and provide a summary of the effects of the amendment.

When third reading of the bylaw is approved, the municipality will forward Municipal Development Plan amendments to the Ministry of Municipal Affairs for its approval. No bylaw amendment to the Municipal Development Plan is effective until such time as the Minister approves it.

Each complete application may require between seven to eight weeks from the initiation by a developer to when City Council approves third reading of a bylaw. Ministerial approval may require up to three months. The city will continue to work with the developer through this time lag in order to keep the project moving forward.

4. Subdivision Application

Circulation of Subdivisions

All applications for subdivision shall be submitted on the prescribed *Schedule I: Application to Subdivide Land*, and include all required information, as noted in Sections 3.12. and 3.13 of the Zoning Bylaw, and shall include an application fee in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*

Upon receipt of a completed subdivision application, the Planner shall at a minimum, send a copy of the plan and application for comment to:

- i) Saskatchewan Power Corporation
- ii) Saskatchewan Energy
- iii) Saskatchewan Telecommunications
- iv) Access Communication
- v) The City of Yorkton Public Works/Engineering Department and others

Where deemed appropriate, the Planner shall also send a copy of the subdivision for comment to the following:

- i) Other provincial agencies;
- ii) Saskatchewan Water Authority;
- iii) Any other authority, agency, department, council or board that in the opinion of the Development Officer might be affected by the proposed subdivision.

The authorities from whom comments are requested by the Planner pursuant to sections 3.11.2 and 3.11.3 of the Zoning Bylaw shall have forty (40) days to respond to the Planner after the day on which the comments are requested. The Planner may extend the time for submission of comments upon the written request of City Council. After the 40-day period, or the period of extension granted, has expired, the Planner shall submit the Application to City Council with a recommendation.

Within ninety (90) days of receiving a complete subdivision application, the City shall either issue a Certificate of Approval or a Reason for Denial to the applicant.

Major Subdivision Applications

All applications for major subdivisions shall be required to pay a fee in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*. In conjunction with the *Act* and the requirements of this Bylaw, all major subdivisions shall incorporate the following:

- i) A plan on transparent material of good quality entitled "Plan of Proposed Subdivision" at a scale of 1:500, 1:1000, 1:2000, or 1:5000, whichever is most appropriate to clearly show the content of the plan. The Planner may accept a plan drawn to another scale if unique circumstances warrant departure from the standard scales described.
- ii) Distances illustrated in metres and decimals thereof and areas in square metres or hectares, whichever is most appropriate to the scale of the plan and the areas involved.
- iii) A bold dashed line around the land that is being subdivided outlined in a bold dashed line, along with the scale and the north point, the date of the preliminary survey, a full legal

description and a clear five centimetre by eight centimetre space for the designated City signing authorities.

- iv) The signature of the registered landowner or a person authorized to act on the owner's behalf, and a Saskatchewan Land Surveyor or a Professional Community Planner.
- v) All water courses and standing bodies of water with the bank and the level of water at the date of preliminary survey, the approximate outline of wooded areas, the location of existing permanent buildings and other developments and the approximate location of any existing or proposed bridges or road crossings over a water course.
- vi) The location and dimensions of any adjacent subdivision of land record under a descriptive title or registered plan number including all streets, lanes, blocks and parcels with their designations;
- vii) The location, dimensions and boundaries of:
 - a) each new lot to be created;
 - b) any dedicated land and area thereof
 - c) existing or proposed utility lines and the right of way of each of those lines;
 - d) every provincial highway or public highway; and
 - e) streets, roads and lanes.
- viii) The location of any existing or proposed railway lines or spur tracks.
- ix) Provisions for the widening or eventual widening of a highway or street to the minimum widths specified in the Definitions Section of this Bylaw if the proposed subdivision abuts a provincial highway or street which is designated for widening by the Department of Highways and Transportation.
- x) Required subdivision features and amenities, such as but not limited to pedestrian-ways, lighting, landscaping, buffers, storm water facilities, and passive and active forms of recreation.

Environmental or Municipal Reserve Dedication

The Planning and Development Act, 2007, under section 185(1) (c) and (d) identifies when environmental reserve is to be provided.

The amount of municipal reserve required in a subdivision is calculated less the area dedicated as environmental reserve as per section 186(4) of the Act. The calculation of MR is based on 10% of the land area proposed for a residential subdivision or 5% for a non-residential subdivision [section 186(3) (a) of the Act]. Municipal reserves will generally be taken as land in residential subdivisions and as money in non-residential subdivisions.

Storm ponds are not to be included as part of a municipal reserve or in calculating municipal reserve requirements.

Developers are responsible for the landscaping of municipal reserves to the satisfaction of the municipality. The specifications for landscaping shall be provided in the Engineering Design Standards or in the absence of these standards at the direction of the municipality.

An engineering or planning consultant will be familiar with requirements for environmental or municipal reserve dedication required at the time of concept plan or subdivision plan preparation.

Floodplain or floodway

A floodplain is treated as environmental reserve in subdivision applications. This is because this area is generally not accessible to the public. The floodway may be treated as municipal reserve if it can be

shown by the developer to the satisfaction of the municipality to be accessible to the public and/or can be utilized as park space.

There must be no net loss of floodplain where a portion of it is to be filled in to provide developable land. The developer must demonstrate to the satisfaction of the municipality where additional floodplain is created within the subdivision to compensate for the loss.

It is the developer's responsibility to consult with either the federal and/or provincial authorities for any required permits when constructing adjacent to a watercourse.

5. Development Agreement

A development agreement/servicing agreement will be required as part of the approval process. This agreement will deal with servicing of the proposed subdivision as well as roads, development levies, reserve requirements and other items related to the development.

The cost for the preparation of this agreement is \$15,000.00 which is payable by the developer to the municipality prior to initiating it. This agreement is registered on title by the municipality.

6. Offsite Development Levies

Offsite development levies are to pay for the past and future capital improvements to the wastewater treatment plant, the water treatment plant, collection lines and distribution lines as well as arterial roadways. These levies are generally paid at the time of signing the development agreement but may, at the discretion of the municipality, be paid as each building permit is approved. The current offsite development levies are \$69,000/acre for commercial or industrial property and \$36,000/acre for residential.

7. Servicing

It is the developer's responsibility to service the subdivision and to make connections to existing municipal services. A servicing plan must be approved by the municipality through the concept plan review for water, sewer and storm mains.

Installation of services must conform to existing engineering standards or, in the absence of standards, to standard engineering practices acceptable to the municipality.

The developer is responsible for completing testing requirements on water mains in accordance with standard engineering practices and providing results to the municipality. When there is a test that demonstrates failure, the developer shall be responsible for conducting further tests of the water main until the results are satisfactory to the municipality. All sanitary mains shall be videoed by an independent company at the cost of the developer and to the satisfaction of the municipality. A copy of the video must be provided to the municipality as part of the as-built documentation by the developer.

8. Roads and Lanes

It is the developer's responsibility to construct roads and lanes within a subdivision and to provide paved access from existing municipal roads. Where the municipal road has a gravel surface, it will be the responsibility of the developer to cost share in upgrading that surface with the municipality and/or with other developers. Where the municipal road structure is deemed by the municipality in consultation with the developer to be insufficient to carry the amount or type of traffic expected to be generated

from the subdivision, it will be the responsibility of the developer to cost share in upgrading that structure with the municipality and/or with other developers.

All testing shall be the responsibility of the developer to the satisfaction of the municipality and must conform to standard engineering practices and be to the satisfaction of the municipality. Where a test demonstrates failure, the developer shall be required to undertake remedial work and conduct further tests to the satisfaction of the municipality. All test results must be provided to the municipality.

9. Warranty Period

A warranty period will be required by the municipality for the services, roads and lanes, and municipal reserve lands.

The warranty period for services, roads and lanes will be one year from the time of the Construction Completion Certificate. An inspection shall be conducted by the developer and municipality at the end of the one year time period to determine deficiencies. If there are no deficiencies, the municipality will issue a Final Completion Certificate and assume responsibility for the services, roads and lanes. The developer shall be responsible for completing any deficiencies before the municipality will assume responsibility of services, roads and lanes.

The warranty period for municipal reserve lands shall be two growing seasons for trees and shrubs and one growing season for grass. All trees and shrubs that die within that time period must be replaced by the developer at no cost to the municipality. Any area of grass that does not catch shall be reseeded to the satisfaction of the municipality within the next growing season.

Faulty materials shall be replaced and any defects discovered and failures which occur during the warranty period shall be rectified to the satisfaction of the municipality and in accordance with contract documents, including, if deemed necessary by the municipality, replacement of all or a portion of the works installed by the developer.

Where replacement occurs, the warranty period begins again from the municipality's acceptance of the works.

All costs resulting from the necessity to do work under the warranty period, whether it is done by the developer or the municipality, shall be borne by the developer. The developer shall be liable to the municipality for all expenses, losses or damages incurred by it as a result of such faulty materials and defective workmanship. The developer shall also be responsible for the costs associated with the engineering, inspection and testing work resulting from these defects.

10. Letter of Credit

A developer shall be responsible for providing to the municipality an irrevocable Letter of Credit valued at 50% (fifty percent) of the work to occur within and/or outside the subdivision. The Letter of Credit is to ensure that in the event of a default by the developer the work can be completed to the satisfaction of the municipality in a timely manner. The Letter of Credit may be released by the municipality if it is satisfied the works are completed to its satisfaction following completion of the warranty period.

The terms of the Letter of Credit shall be to the satisfaction of the municipality.