

Workplace Transformation Journey: Corporate Reorganization Bylaw Repeals

ISSUE

This report recommends the repeal of four bylaws that were identified during the Workplace Transformation Journey: Corporate Reorganization bylaw review as being obsolete.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the City Solicitor be directed to prepare bylaws to repeal:

1. Bylaw No. 5257, *The Local Improvement Procedure Bylaw*;
2. Bylaw No. 4486, *A bylaw of The City of Saskatoon to adopt Section 3 of The Lord's Day (Saskatchewan) Act*;
3. Bylaw No. 5631, *A bylaw of the City of Saskatoon to provide for the regulation of Planned Unit Developments*; and
4. Bylaw No. 5048, *A Bylaw to appoint The Saskatchewan Society for the Prevention of Cruelty to Animals (Saskatoon Branch) as Poundkeeper for The City of Saskatoon*.

BACKGROUND

At its November 19, 2018 Regular Business Meeting, City Council considered the report of the City Manager dated November 13, 2018, recommending the approval of a new corporate structure. City Council resolved, in part:

“That the City Solicitor be instructed to bring back any necessary bylaw amendments resulting from the approval of the new corporate structure.”

During the bylaw review undertaken to implement this resolution, the City Solicitor identified four bylaws that no longer serve their purposes and should be repealed.

DISCUSSION/ANALYSIS

The Local Improvement Procedure Bylaw

This bylaw was passed pursuant to *The Local Improvements Act*, RSS 1965, c 154. *The Local Improvements Act* was replaced by *The Local Improvements Act, 1993*, SS 1993, c L-33.1 (the “1993 Act”), effective January 1, 1994. The process to be followed by a city for local improvements changed in the 1993 Act and the bylaw no longer

accurately reflects what must be done by bylaw for local improvements. Further, the bylaw sets uniform rates for certain local improvements, which rates have not been updated since 1994. The 1993 Act provides that uniform rates fixed in a bylaw only remain in force for three years from the date of the bylaw, so the rates are long expired.

While it may be possible to amend *The Local Improvement Procedures Bylaw* to comply with the 1993 Act, the City of Saskatoon (the “City”) has not undertaken a local improvement for over a decade. In the event a local improvement is desired in the future, it is preferable to enact a new local improvement bylaw at that time to ensure compliance with the 1993 Act and any amendments. The existing *Local Improvement Procedure Bylaw* is obsolete and should be repealed.

A bylaw of The City of Saskatoon to adopt Section 3 of The Lord’s Day (Saskatchewan) Act (the “Lord’s Day Act Bylaw”)

The Lord’s Day (Saskatchewan) Act, RSS 1978, c L-34, was repealed by *The Miscellaneous Statutes Repeal and Amendment Act, 2018*, SS 2018, c 19, effective May 9, 2018. As such, the Lord’s Day Act Bylaw is obsolete and should be repealed.

A bylaw of the City of Saskatoon to provide for the regulation of Planned Unit Developments (the “PUD Bylaw”)

The Planning and Development Act, RSS 1978, c P-13 (the “old Act”) permitted the development and use of planned unit developments (“PUDs”). *The Planning and Development Act, 2007*, SS 2007, c P-13.2 (the “new Act”) refers only to PUDs that were concluded pursuant to the old Act. The use of land is now regulated through the *Official Community Plan* and the *Zoning Bylaw* rather than through the use of PUDs. As a result, no new PUDs can be initiated. The process to vary existing PUDs is set out in the new Act. The PUD Bylaw is obsolete and should be repealed.

A Bylaw to appoint The Saskatchewan Society for the Prevention of Cruelty to Animals (Saskatoon Branch) as Poundkeeper for The City of Saskatoon (the “SPCA Bylaw”)

The Animal Control Bylaw, 1999 designates the SPCA as the Poundkeeper for the City and sets out all of the duties of a Poundkeeper. The City and the SPCA have entered into much more recent agreements than the draft contract ratified by the 1970 SPCA Bylaw. The SPCA Bylaw is obsolete and should be repealed.

IMPLICATIONS

There are no financial, legal, social, or environmental implications identified.

NEXT STEPS

Repealing bylaws must be prepared and passed to implement the recommendations. Public notice must be given for the repeal of *The Local Improvement Procedures Bylaw*.

Report Approval

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