

Pelican Lake First Nation Urban Reserve Creation

ISSUE

This report provides City Council with the proposed content of the Municipal Services and Compatibility Agreement between the City of Saskatoon and Pelican Lake First Nation. This is required as part of the Treaty Land Entitlement Framework Agreement prior to land being set apart as Entitlement Reserve in an Urban Municipality.

RECOMMENDATION

1. That City Council approve the proposed content of the Municipal Services and Compatibility Agreement; and
2. That His Worship the Mayor and the City Clerk be authorized to execute the Agreement.

BACKGROUND

Pelican Lake owns the parcel of land at 1944 St. George Avenue in the Exhibition area in Saskatoon. Pelican Lake wishes to have 1944 St. George Avenue designated as an Urban Reserve.

The Treaty Land Entitlement Framework Agreement requires that where an Entitlement Band requests that land in an Urban Municipality be granted reserve status, the Entitlement Band and the Urban Municipality negotiate an Agreement for the provision and payment of municipal services as compensation to the Urban Municipality for loss of taxes, levies or grants-in-lieu, which, but for the setting apart of the Entitlement Reserve, could reasonably have been expected to have been received by the Urban Municipality.

DISCUSSION/ANALYSIS

The Agreement with Pelican Lake is very similar to the Agreements that exist for other Urban Reserves in Saskatoon and consist of two main features:

1. The City agrees to provide all regular City services to the property in return for an annual fee-for-service payment from Pelican Lake. This payment will be calculated to be the same amount in each year as would be paid in municipal and library property taxes if the land was subject to municipal taxation.

The City services provided to the land are of the same type and level that is provided to all similarly zoned land in a similar state of development in the City.

This amount includes local improvement charges, Business Improvement District levies and any other special charges or levies that would be permitted as if the land were not reserve land.

2. The Agreement requires bylaw compatibility. It is agreed that the occupation, use, development and improvement of the property will, at all times, be essentially the same as similarly zoned properties in the City.

The bylaw compatibility of the land speaks to matters such as land use zoning compatibility; building standards, including consideration of building development permits as well as plan examination and site inspections; fire standards, including fire inspections and emergency services; public health and safety; and business regulations.

The overall intent of the Agreement is to recognize and respect Pelican Lake's separate jurisdiction while also recognizing the need for cooperation and coordination between Pelican Lake and the City.

Pelican Lake First Nation Chief and Council approved the content of the Agreement through a Band Council Resolution on September 22, 2022. Pelican Lake has also approved a Police Services Agreement for the property which was considered by the Board of Police Commissioners on November 17, 2022.

We are pleased to provide the proposed content of the Municipal Services and Compatibility Agreement to City Council in support of Pelican Lake. If granted reserve status by the Federal Government, this will mark the 9th Urban Reserve within the boundaries of Saskatoon.

NEXT STEPS

Once approved by Pelican Lake Band Council and Saskatoon City Council, the Municipal Services and Compatibility Agreement will be signed by the parties at a formal signing ceremony, which will be arranged for the near future.

Report Approval

Written by: Jodi Manastyrski, Senior Solicitor
Approved by: Cindy Yelland, City Solicitor