

1 AUTHORITY AND ADMINISTRATION

PART 1A TITLE & AUTHORITY

1A.1 CITATION

This Bylaw may be cited as The Regina Zoning Bylaw, 2019 (No. 2019-19)

1A.2 LEGISLATIVE AUTHORITY

1.1 AUTHORITY

This Bylaw is passed pursuant to the authority of *The Planning and Development Act, 2007*.

1.2 LEGISLATIVE INTENT

The regulations, standards and other requirements of this Bylaw are intended to implement or facilitate those goals and policies of *Design Regina: The Official Community Plan Bylaw 2013-48* that are best addressed through zoning.

PART 1B PURPOSE AND APPLICATION

1B.1 PURPOSE OF THE ZONING BYLAW

The purpose of this Bylaw is to control the use of land and regulate development in the City of Regina to provide for the amenity of the area and for the health, safety and general welfare of the residents of Regina.

1B.2 SEVERABILITY

2.1 INVALID PROVISION

If a court of competent jurisdiction holds that any portion of this Bylaw is, for any reason, invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the holding of the court shall not affect the validity of the remaining portions of the Bylaw.

2.2 INVALID APPLICATION

If any court of competent jurisdiction holds that the application or enforcement of any portion of this Bylaw to a particular land, property, area, development, building or structure is invalid, that judgement shall not affect the application of that provision to any other land, property, area, development, building or structure that is not specifically included in the judgement.

1B.3 APPLICATION

3.1 MORE RESTRICTIVE REGULATION APPLIES

Where any land, development or property is affected by more than one regulation of this Bylaw, the regulation(s) that are more restrictive shall prevail unless specifically stated otherwise.

3.2 RESPONSIBILITY OF THE PROPERTY OWNER(S)

The issuance of a development permit or any other approval issued pursuant to this Bylaw relates only to the requirements of the Zoning Bylaw and does not relieve the applicant or permittee from the requirements of any other legislation, bylaws or encumbrances that may apply to the land or development.

3.3 CONFLICT BETWEEN TEXT AND ILLUSTRATION

If there is any ambiguity or conflict between the text of this Bylaw and any caption, illustration, or table, the text shall prevail.

PART 1C

SCOPE, JURISDICTION AND TRANSITION

1C.1 SCOPE

1.1 CITY OF REGINA

This Bylaw applies to land, development and property within the municipal boundaries of the City of Regina.

1.2 ALL LAND AND PROPERTY

No land shall be used, developed, modified or maintained for any purpose except in conformity with this Bylaw.

1.3 MULTIPLE OCCUPANCY

In the case of a lot or building containing more than one land use, the regulations for each land use shall apply to the appropriate portion of the land or building being used.

1C.2 COMING INTO FORCE

This Bylaw comes into force on the date that is [30 days] after the date that it is approved by the minister as defined in *The Planning and Development Act, 2007*.

PART 1D

ADMINISTRATION – OFFICERS AND BOARDS

1D.1 DEVELOPMENT OFFICER

1.1 APPOINTMENT

- (1) The Executive Director, City Planning and Community Development is appointed as the Development Officer for the purpose of administering this Bylaw and *The Planning and Development Act, 2007*.
- (2) The Development Officer may, by written authorization, delegate their authority or any portion thereof to any other person to act as a Development Officer for the purpose of administering this Bylaw and *The Planning and Development Act, 2007*.

1.2 POWERS AND DUTIES OF THE DEVELOPMENT OFFICER

- (1) The Development Officer is authorized to exercise and shall carry out all of the powers and duties required to be performed by the Development Officer pursuant to this Bylaw and *The Planning and Development Act, 2007*, including, but not limited to, carrying out all actions necessary to administer and enforce this Bylaw.
- (2) Further to and without limiting the generality of subsection (1), the Development Officer is delegated the authority and responsibility to exercise and carry out any and all of the powers and duties conferred or imposed on council as an approving authority pursuant to *The Planning and Development Act, 2007* or this Bylaw, including those respecting the following:
 - (a) Discretionary use applications, except for discretionary use applications meeting the following criteria and for which authority and responsibility shall be exercised by City Council:
 - (i) any application that:
 - (A) relates to a location within 30 metres of an established residential neighbourhood, or residential zoned property excluding vacant or undeveloped land; and
 - (B) proposes an increase in intensity, or is likely to generate impacts beyond the site boundaries that are inconsistent with the existing or planned character of the neighbourhood; or

- (ii) any application that proposes a development that has raised significant degree of concern by the public as determined by the Development Officer; or
 - (iii) any application that relates to a land use which this Bylaw or the Official Community Plan explicitly requires consideration by City Council or which the Development Officer determines should be considered by City Council due to the potential for community impact.
- (b) approval of plans and drawings in a Direct Control District;
 - (c) Architectural Control District development permits; and
 - (d) approval of development agreements related to any application as considered necessary to be entered into for the purpose of carrying out the provisions of *The Planning and Development Act, 2007* or this Bylaw.

(#2021-44, s.4, 2021, #2022-30, s. 6, 2022)

1D.2 DEVELOPMENT APPEALS BOARD

2.1 ESTABLISHMENT

The Development Appeals Board of the City of Regina is hereby established and shall hear and determine appeals in accordance with *The Planning and Development Act, 2007*.

2.2 APPOINTMENT AND MEMBERSHIP

Council shall appoint no fewer than three persons and no more than nine person to constitute the members of the Development Appeals Board.

PART 1E

ADMINISTRATION – REQUIREMENTS AND PROCEDURES

1E.1 DEVELOPMENT PERMITS

1.1 NO DEVELOPMENT WITHOUT DEVELOPMENT PERMIT

- (1) Unless a development permit is expressly not required by this Bylaw, no person shall undertake any development or commence any use without first obtaining a development permit.
- (2) No building permit or is valid unless a subsisting development permit where such permit is required by this Bylaw, has been issued and remains valid.
- (3) Development permits for signs shall be administered pursuant to the Application requirements as set out in Chapter 11.

(#2019-61, s.2-3, 2020)

1.2 GENERAL DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- (1) Every application for a development permit shall be submitted to the Development Officer in accordance with the requirement of this Bylaw or as specified by the Development Officer and, depending on the scope of the proposed development, shall be accompanied by the following:
 - (a) a site plan indicating the location of all existing and planned improvements, including parking and loading areas;
 - (b) a landscape plan where the proposed development will result in a change in the required site landscaping;
 - (c) floor plan(s) indicating all existing and proposed development;
 - (d) elevation plan(s) where the proposed development is a new development, or an existing development requires exterior changes;
 - (d.1) a traffic study that details the potential impacts on local traffic or circulation (plan) at the discretion of the Development Officer;
 - (e) any other information specified elsewhere in this Bylaw or by the Development Officer; and

(f) payment of the applicable fees.

- (2) The Development Officer may require that an applicant provide any additional information necessary to verify the compliance of the proposed use or development with the regulations prescribed by this Bylaw before reviewing an application.
- (3) The Development Officer may require an applicant to enter into a development agreement with the City and register an interest against the title of the affected lands for the purpose of carrying out the provisions in *The Planning and Development Act, 2007* or in this Bylaw as a condition of a development permit.

(#2020-33, s.5, 2020, #2022-30, s. 7, 2022, #2024-9, s.6, 2024)

1.3 REPEALED (#2022-4, S. 4, 2022)

1.4 SPECIFIC DEVELOPMENT PERMIT REQUIREMENTS FOR A RESIDENTIAL BUSINESS

- (1) In addition to the requirements of sections 1.2, every application for a development permit for a Residential Business shall include all of the following:
 - (a) a detailed written description of the exact nature of the Residential Business;
 - (b) a written description of the materials, equipment and vehicles that will be used in the operation of the Residential Business and where they will be stored;
 - (c) a letter of approval for the Residential Business from the property owner and/or property manager;
 - (d) a copy of Provincial licence for any “Institution, Day Care” land use providing childcare service for more than eight children; and
 - (e) a copy of the Saskatchewan Provincial Health authority’s approval for any “Food & Beverage, Catering” or “Service Trade, Personal” land uses.
- (2) The Development Officer may waive the requirement to provide any information set out in subsection (1).
- (3) For the purposes of this section, the Residential Business license application shall be the development permit application.

(#2025-15, s. 5, 2025)

1.5 SPECIFIC DEVELOPMENT PERMIT REQUIREMENTS FOR THE ARCHITECTURAL CONTROL DISTRICT OVERLAY ZONE FOR FORMER DIOCESE OF QU'APPELLE (AC1.DCD-QP)

- (1) In addition to the requirements of sections 1.2, every application for a development permit in the Architectural Control District Overlay Zone for Former Diocese of Qu'Appelle (AC1.DCD-QP) shall be accompanied by building construction drawings.
- (2) The building construction drawings are required to be drawn at a standard metric scale and at a specific detail to allow review for compliance with standards in Appendix A and shall include the following:
 - (a) fully dimensional and annotated plans of all floors;
 - (b) fully dimensional and annotated elevations of all sides of the building;
 - (c) fully dimensional and annotated longitudinal section of the building;
 - (d) all materials and colours on all elevations are to be listed on elevational drawings, and/or in a finish schedule, detailing:
 - (i) wall cladding, grout, trim, corner boards, door and window surround;
 - (ii) gable end wall cladding and details outlined in (i);
 - (iii) bay cladding and details as outlined in (i);
 - (iv) roof materials;
 - (v) main roof: soffits, fascia, eaves trough;
 - (vi) porch roof: soffits, fascia, eaves trough;
 - (vii) porch floors, and stairs to the house/porch;
 - (viii) columns and column bases, balustrades; and
 - (ix) windows, doors, and including garage doors;
 - (e) clearly annotated existing finishes and/or materials;
 - (f) elevations on all floors; and
 - (g) slopes of all roofs.

- (3) In addition to the any information for a site plan that may be required under section 1.2, the site plan shall indicate the location of all existing and planned improvements, parking and loading areas, including the following:
 - (a) finished grade elevations at the midpoint of each property line;
 - (b) finished grade elevations at all building corners, garage corners, centre of the garage door and main entry to the building;
 - (c) top of new footing elevations;
 - (d) dimensions of all buildings from all property lines, and from all other buildings;
 - (e) location and sizes of porches, decks, patios, stairs and ramps;
 - (f) slope of driveway;
 - (g) slope of finished grade; and
 - (h) surface drainage pattern, including the location, size and depth of swales.

1.6 SPECIFIC DEVELOPMENT PERMIT REQUIREMENTS FOR BROWNFIELD SITES

- (1) Every application for a development permit on a brownfield site shall be accompanied by confirmation, in a form acceptable to the Development Officer, that the proposed development is compatible with the condition of the site:
 - (a) from the Ministry of Environment, or
 - (b) based on documents registered in the environmentally impacted sites registry established pursuant to *The Environmental Management and Protection Act, 2010* (e.g. remediation report submitted by a qualified environmental engineer); and
- (2) Notwithstanding the requirements in subsection (1), the City may impose additional requirements for a brownfield site that is being redeveloped to include a Dwelling use.

(#2023-23, s. 5, 2023)

1.6A SPECIFIC DEVELOPMENT PERMIT REQUIREMENTS FOR RETAIL TRADE CANNABIS

- (1) In addition to the requirements of section 1.2, every application for a development permit for a “Retail, Trade, Cannabis” land use must:

- (a) identify and include the consent of the property owner; and
 - (b) include written confirmation, in a form satisfactory to the Development Officer, verifying that the applicant has completed the initial application for a cannabis retail store permit from the Saskatchewan Liquor and Gaming Authority.
- (2) Subject to subsection (8), where “Retail Trade, Cannabis” is a permitted land use, no development permit may be issued for a “Retail Trade, Cannabis” land use where said use is, or once established, will be closer than 60 metres from any of the following existing land uses or future land uses identified on an approved secondary or concept plan:
- (a) in the Downtown Direct Control District, another “Retail Trade, Cannabis”;
 - (b) in any zone other than the Downtown Direct Control District:
 - (i) another “Retail Trade, Cannabis”;
 - (ii) “Assembly, Community”;
 - (iii) “Institution, Day Care”;
 - (iv) “Open Space, Active”; or
 - (v) “Institution, Education”.
- (3) The measurement required in subsection (2) shall be:
- (a) a straight line, measured from the nearest point of the portion of the building used or proposed to be used for the “Retail, Trade, Cannabis” to the nearest portion of the lot with any of the uses identified in subsection (2); and
 - (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.
- (4) Notwithstanding any other regulation in this Bylaw, otherwise permitted additions to or enlargements of existing “Retail Trade, Cannabis” are exempt from subsection (2).
- (5) For the purpose of separating “Retail Trade, Cannabis” from “Assembly, Community” uses, the uses to which the separation applies are limited to enclosed rinks, public libraries and community centres.

- (6) For the purpose of separating “Retail Trade, Cannabis” from “Institution, Education” uses, the “Institution, Education” land use shall include any existing “Institution, Education” land use or future “Institution, Education” land use identified on an approved secondary or concept plan and shall exclude post-secondary institutions and adult learning facilities.
- (7) For the purpose of separating “Retail Trade, Cannabis” from “Open Space, Active” uses, the uses to which the separation applies are limited to “Open Space, Active” that incorporates playground equipment, structures or apparatus customarily intended especially for the enjoyment of children or athletic fields or parks adjoining an “Institution, Education” land use.
- (8) A development permit may be issued for a “Retail Trade, Cannabis” land use where the use is or, once established, will be closer than 60 metres from any use identified in subsection (2), if approved as a discretionary use in accordance with this Bylaw.

(#2021-62, s. 4, 2021)

1.6B SPECIFIC DEVELOPMENT PERMIT REQUIREMENTS FOR SERVICE TRADE, RESIDENTIAL SHORT TERM ACCOMMODATION

- (1) In addition to the requirements of section 1.2, the Short Term Accommodation Licence application shall be deemed to be the development permit application for both the Service Trade, Residential Short Term Accommodation use and the Residential Business use, as it relates to the short term accommodation, for the purposes of this Chapter.
- (2) The Development Officer may waive the requirement to provide any information set out in section 1.2.

(#2020-45, s.4, 2020, #2020-64, s.4, 2020)

1.6C SPECIFIC DEVELOPMENT PERMIT REQUIREMENTS FOR TEMPORARY USES

This section aims to identify and classify temporary land uses and determine the requirements under which such uses may develop.

- (1) Intent

These regulations allow the use of vacant or underutilized land and the portion of the land within the City of Regina for temporary use. The key intentions are to:

- (a) Provide opportunities for activities to use underutilized land.
- (b) Ensure any temporary uses do not cause undesirable impacts on the surrounding area.

- (c) Provide clarity on applicable development standards for temporary developments on a site.
- (d) Ensure that the premises are restored to their original condition when the temporary use ceases.

No temporary use or structures shall be developed except in accordance with the provisions of this section.

(2) Criteria for Approval

- (a) The Development Officer shall take the following factors into account when determining if a building, structure or use is approved per this section:
 - (i) The practicality of removing the use at the end of the approval period, with consideration given factors such as the time of year, and the equipment required to remove it;
 - (ii) The duration of similar uses in the city.
 - (iii) Impacts, such as noise, dust, odour, traffic, and proximity to sensitive lot(s).
 - (iv) The general characteristics of use; and
 - (v) Consistency with and use made of adjacent lands.
- (b) The Development Officer can approve, deny, or approve with conditions necessary to ensure the temporary use does not impact the surrounding land uses.
- (c) All temporary uses pursuant to this section be a permitted use on the lot in which the permit relates for the duration of the approval only.
- (d) Temporary uses that are determined to be Accessory Uses per Subpart 1E.2 shall only be considered per those standards.

(3) General Requirements

Notwithstanding any other provision in this Bylaw, the following requirements shall apply to temporary uses:

- (a) Every application for temporary use shall follow development permit requirements in accordance with the requirements in subpart 1E.1 or unless otherwise specified in this Bylaw.
- (b) There are no site landscaping requirements for temporary uses.
- (c) No development standards shall apply to temporary structures, with the exception of yard setbacks, which shall comply with the applicable zone.
- (d) The temporary use or structure must not permanently alter the site.

- (e) Any temporary structures and signs associated with temporary use must be removed when the temporary use is discontinued, or when the permit expires.
 - (f) Tents and other temporary structures must be located so as not to obstruct the normal operations of any permanent use, or traffic circulation patterns of the property.
 - (g) Any sign used for temporary use shall comply with the requirements in Chapter 11 of this Bylaw.
- (4) Validity
- (a) All temporary uses permits shall be approved for the minimum amount of time required for the type and intent of use, but no more than 12 months.
 - (b) At the request of the applicant a temporary use permit may be extended by the Development Officer for no more than one additional period of up to 12 months.
 - (c) The Development Officer may terminate the temporary use approval if it is determined that the operation does not comply with the conditions of approval.
- (5) Exemptions From Development Permit
- Following temporary use or structures are exempt from requiring a development permit from the City.
- (a) Temporary structures or tents collectively cover up to 60 square metres in area.
- (6) Uses Prohibited as Temporary Use
- The following land uses shall not be considered under this Section:
- (a) “Transportation, Parking Lot”.
 - (b) Dwellings or temporary residential accommodations.
 - (c) Any discretionary land use within the zone.

1.7 VALIDITY

- (1) Subject to (2) and (3), a development permit shall be valid for a period of two years from the date it is issued.
- (2) Notwithstanding subsection (1), if a building permit has been issued to pursue the development authorized by the development permit, the development permit shall continue to be valid so long as the building permit is valid.

- (3) a development permit for a sign issued pursuant to Chapter 11 shall be subject to any periods of validity as set out in that Chapter and if no validity period is indicated the permit shall not expire.

(#2019-61, s.4-5, 2020)

1.8 EXEMPTIONS FROM DEVELOPMENT PERMIT

- (1) Except on land subject to an Architectural Control District Overlay Zone, no development permit shall be required pursuant to this Bylaw for the following:
- (a) the maintenance and repair of infrastructure (including public works, public services and public utilities) carried out under the authority of the municipality, the province or the federal government;
 - (b) any of the following as an accessory use, building or structure:
 - (i) a building or structure that is:
 - (A) 10 square metres or less in area;
 - (B) 4 metres or less in height;
 - (C) not connected to water, sewer or natural gas;
 - (D) not used for human habitation; and
 - (E) not on a permanent foundation.
 - (ii) an uncovered platform or deck that is 600 millimetres in height or lower;
 - (iii) an ornamental or decorative structure;
 - (iv) a single flagpole;
 - (v) a fence;
 - (vi) a single clothesline or other device for drying laundry without electricity or fuel;
 - (vii) a household recreational activity structure, provided that it is moveable;
 - (viii) a private swimming pool;
 - (ix) a gazebo that covers 25 square metres or less in area; or
 - (x) additional exterior insulation as a part of energy retrofits on the existing building envelope or structure.

- (2) Developments exempt from requiring a development permit pursuant to subsection (1), remain subject to all other applicable regulations of this Bylaw.

(#2019-61, s.6-7, 2020, #2023-47, s. 5, 2023, #2024-9, s. 7, 2024)

1.9 ENCROACHMENTS AND SITE TRIANGLES

- (1) No land use, structure, building or development shall encroach onto any land owned or controlled by the City including any easement, buffer strip, a road right-of-way, a public reserve, a municipal reserve or an environmental reserve unless the prior written approval of the City is obtained and an agreement entered into with the City pursuant to section 235 of *The Planning and Development Act, 2007*.
- (2) All land uses, structures, buildings, development(s) and landscaping shall conform to the Intersection Sight Line Controls set out in *The Traffic Bylaw No. 9900*.

1.10 DEVELOPMENT NEAR RAILWAYS

- (1) The regulations in this section shall apply to any development on a lot that:
 - (a) contains a railway line; or
 - (b) abuts a lot which contains a railway line.
- (2) Every lot identified in subsection (1) shall have a fence of a minimum height of 1.83 metres erected along every lot line abutting a railway right-of-way.
(#2024-9, s. 8, 2024)

1.11 ISSUANCE OF DEVELOPMENT PERMITS

- (1) Where an application for a development permit is made with respect to a permitted use or a discretionary use that has been approved in accordance with this Bylaw, the Development Officer shall issue a development permit where the development is in conformity with this Bylaw and *The Planning and Development Act, 2007*.
- (2) The Development Officer may refuse to issue a development permit if the proposed development or use contravenes or will, upon completion, be in contravention of any federal or provincial laws or any City bylaw.
- (3) Issuance of a development permit does not relieve an applicant from compliance with any other legislation, bylaws or other encumbrances that may apply or be attached to the subject property.

(#2020-33, s. 6, 2020, #2022-30, s. 8, 2022)

1E.2 ACCESSORY USES, BUILDINGS, AND STRUCTURES

2.1 DETERMINATION OF ACCESSORY STATUS

The Development Officer is authorized to determine whether a land use, building or structure is accessory to a principal use based on the following factors:

- (a) the size of the lot;
- (b) the nature, intensity and scale of the principal use and the accessory use;
- (c) whether the land use, building or structure will:
 - (i) serve a principal use, building or structure;
 - (i) be subordinate or incidental in nature, scale and impact to the principal use, building or structure; and
 - (iii) contribute to the comfort, convenience, safety or necessity of the principal use, building or structure it serves; and
- (d) the use made of adjacent lots and potential for adverse impacts related to nuisances, public health and safety, or neighbourhood character.

(#2020-33, s.7, 2020, #2023-23, s. 6, 2023)

2.2 REQUIREMENTS OF AN ACCESSORY USE, BUILDING OR STRUCTURE

- (1) An accessory use, building or structure may be developed in any zone subject to the requirements of this Bylaw.
- (2) No accessory use, building or structure shall be developed unless construction of the principal use is underway or complete.
- (3) No accessory use, building or structure shall be used unless the principal use, building or structure has been developed and is in use, except as otherwise authorized by a development agreement or as specifically permitted otherwise by this Bylaw.
- (4) Except as specifically permitted otherwise by this Bylaw, an accessory use, building or structure shall be located on the same lot as the associated principal use.

- (5) All accessory uses, buildings and structures shall be removed from a lot from which the associated principal building, structure or use has been removed.
- (6) Except as specifically permitted otherwise by this Bylaw, no accessory use, building or structure shall include a habitable space.

(#2020-47, s.4, 2020)

1E.3 DISCRETIONARY USE

3.1 APPLICATION

- (1) Any land use, land use intensity, development, structure or activity is considered to be discretionary and subject to this subpart if:
 - (a) it is listed as discretionary in:
 - (i) any provision of this Bylaw; or
 - (ii) the terms or conditions of a Contract Zone;
 - (b) any hazardous material or dangerous good will be used, stored, processed or produced on the lot;
 - (c) the Development Officer has determined that a House-Form Building or a Residential Business land use will significantly impact the front or side streetscape; or
 - (d) the Development Officer has determined that there may be environmental concerns or factors that can affect or be affected by development, including but not limited to:
 - (i) artesian water pressure;
 - (ii) potential impact on biodiversity; or
 - (iii) impact to environmental goals outlined in *The Official Community Plan*.
- (2) The City is authorized to specify a time limit on a discretionary use.

3.2 APPLICATION REQUIREMENTS

In addition to the requirements prescribed in subpart 1E.1, the Development Officer may require that an applicant provide any additional information deemed necessary to evaluate the suitability of the proposed development before reviewing a discretionary use application.

3.3 SPECIFIC DISCRETIONARY USE APPLICATION REQUIREMENTS FOR USES INVOLVING HAZARDOUS MATERIALS

- (1) In addition to the requirements of section 1E.3.2, every application for a development permit made in respect of a discretionary use involving use, storage, processing or production of hazardous material(s) or dangerous good(s) shall also be accompanied by a report:
 - (a) identifying all hazardous material(s) which are stored, used, processed or produced on the site;
 - (b) providing a full description of all hazardous material(s) and dangerous good(s), including:
 - (i) the materials and goods produced or processed;
 - (ii) the manufacturing processes employed; and
 - (iii) the industry type(s) that will store, use, process or produce the material(s) and good(s);
 - (c) identifying potential nuisances and environmental effects created by the development in terms of glare, air emissions, vibrations, noise, storm water, solid waste, liquid waste(s), hazardous materials and dangerous goods;
 - (d) identifying the specific location(s), boundaries, maximum amounts and maximum concentrations of hazardous material(s) and dangerous good(s) on the lot;
 - (e) identifying mitigation measures to contain, reduce or eliminate any of the nuisances and environmental effects mentioned in clause (iii);
 - (f) demonstrating compliance with the Hazardous Material and Dangerous Good Standards in section 1E.3.3; and
 - (g) in the case where the Development Officer is reasonably concerned that a proposed land use or proposed development could present environmental hazards and/or health risks, that includes a Community Impact Analysis (CIA) prepared by a qualified engineer licensed to practice in Saskatchewan, and based on the components and elements provided in Table 1.T1.

TABLE 1.T1: ELEMENTS OF A COMMUNITY IMPACT ANALYSIS (CIA)	
DEVELOPMENT COMPONENT	REQUIRED ELEMENTS FOR REPORT
Site Preparation and Construction	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • site preparation and construction such as cleaning and grading.
Process Operation	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • analysis of the process operations using a process flowchart. • approximate material balance of raw materials, products and waste. Maximum as well as normal operating levels should be provided. • operations should be identified as either continuous, batch, intermittent or emergency. Sources of noise, air, water and solid waste pollution should be enumerated and their output quantified in relation to the process flow diagram.
Raw Material Handling	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • details of off-loading, conveying, pre-treatment, storage and similar operations performed on site. • information on source and quantities of pollutants likely to be produced during each operation.
Energy-producing Operations	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • pollutants (emissions, discharges and solid wastes) resulting from the energy producing operations should be identified and quantified. • the handling procedures for fuel and other needs should be identified.
Transportation Requirements	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • pipeline, roadway or railway requirements
Accidents and Hazards	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • identify any potential hazardous materials, their location, quantities stored and in-process. • identify the possible ways in which failure of the plants could present a hazard to the surrounding environment. • identify possible routes leading to the hazardous failures, such as operator errors, fatigue or aging plant facilities, corrosion, loss of process control, overfilling, impurities, fire, explosion and flooding. • quantify the probability of these failures occurring and their consequences. • where spillage is unavoidable, examine schemes to ensure its containment and routing to a collection and disposal system on site. • identify possible risks and potential consequences, in qualitative and quantitative terms, to the surrounding community, of accidental spills, emissions or fires involving hazardous materials as scoped in agreement with the Development Officer.
Waste Disposal and Control	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • waste disposal and methods of control should be described in relation to continuous, batch, intermittent and emergency processes for the development. • waste reduction, recovery and recycling schemes should also be discussed.
Monitoring	The proposed development should be described in terms of the following elements: <ul style="list-style-type: none"> • monitoring or surveillance systems which support normal control systems or provide emergency warning or control for accidents and spills. • details of programs to monitor internal (factory) and external (ambient) pollution.

3.4 ADMINISTRATION'S REVIEW

Unless otherwise provided in this Bylaw, upon submission, an application for a discretionary use shall be processed as follows:

- (a) the Development Officer shall review the discretionary use application for completeness in accordance with the requirements of sections 1E.3.2, 1E.3.3 and 1E.3.4;
- (b) an application will not be deemed complete until the Development Officer is satisfied that the applicant has submitted all the required information for the application to be processed and evaluated;
- (c) once an application is deemed complete:

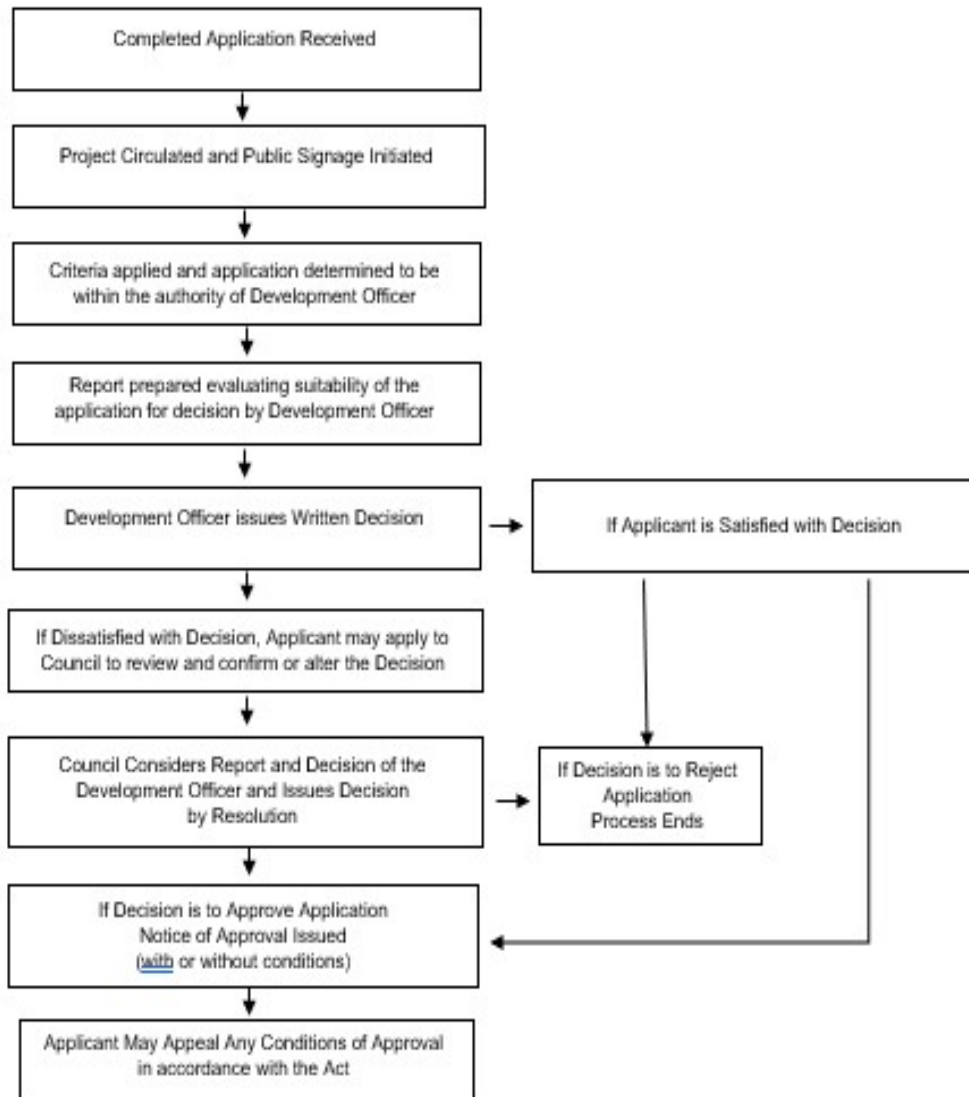


Figure 1.E1 Discretionary Use Process for Application Within the Authority of Development Officer

(#2022-30, s. 9, 2022)

- (i) notice of the application will be given in accordance with the public participation process prescribed in Part 1G;
- (ii) pursuant to subsection 1D.1.2(2), if the application is within the authority of the Development Officer it will be processed in accordance with the procedure specified in Figure 1.E1; and

- (iii) pursuant to subsection 1D.1.2(2), if the application is within the authority of City Council it will be processed in accordance with the procedure specified in Figure 1.E2

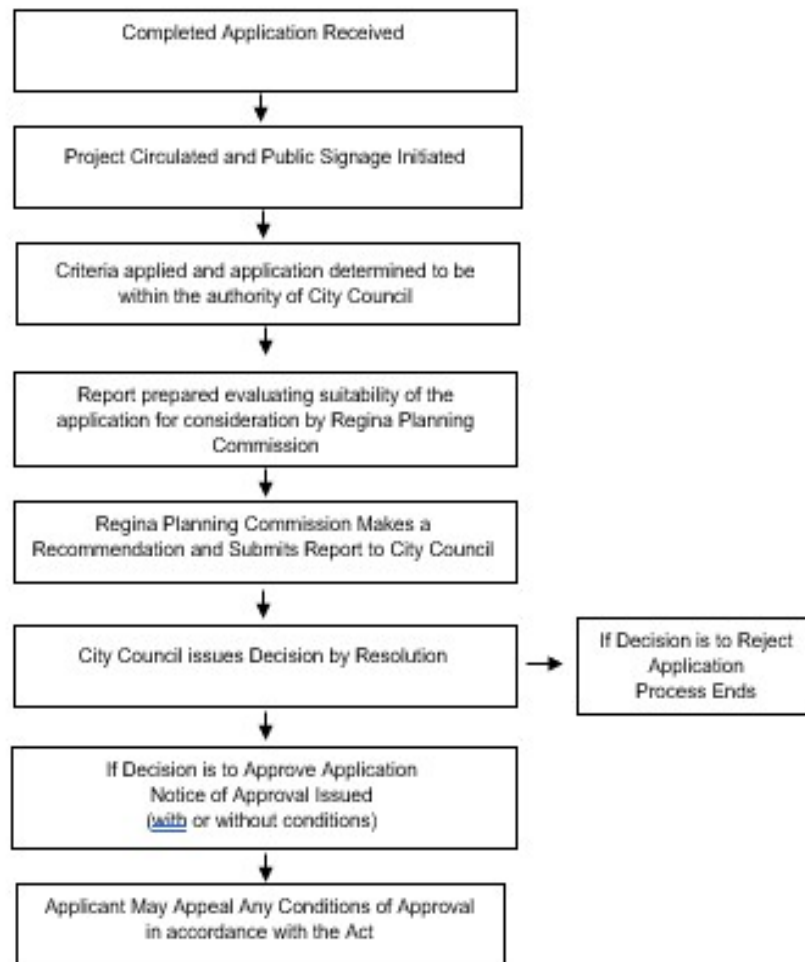


Figure 1.E2 Discretionary Use Process for Application Within the Authority of Council

(#2021-44, s.5, 2021, #2022-30, s. 10, 2022)

3.5 REVIEW CRITERIA

Every application for a discretionary use shall be evaluated based on the following criteria:

- (a) consistency with the vision, goals and policies of the *Official Community Plan*;

- (b) consistency with the objectives and policies of any applicable special study or policy document for the site, area or neighbourhood, with emphasis on:
 - (i) land use;
 - (ii) intensity of the development; and
 - (iii) impact on public facilities, infrastructure or services;
- (c) consistency with the regulations of this Bylaw; and
- (d) potential adverse impacts or nuisances affecting:
 - (i) nearby land, development, land uses, or properties;
 - (ii) neighbourhood character;
 - (iii) the environment;
 - (iv) traffic;
 - (v) a public right-of-way; and
 - (vi) any other matter(s) affecting public health and safety.

3.5A REVIEW CRITERIA FOR RETAIL TRADE, CANNABIS DISCRETIONARY USES

In addition to the criteria prescribed in section 3.5, every application for a discretionary use for “Retail Trade, Cannabis” made pursuant to subsection 1.6A(8) shall be evaluated based on the location and visibility of the proposed “Retail Trade, Cannabis” unit in relation to any land use of the type identified in subsection 1.6A(2) that is located within 60 metres. For greater certainty, the presence of physical barriers, visual connection between land uses, or the specific use made of the separated land use having regard for “presence of youth” will be considered in the review process.

(#2021-62, s. 5, 2021)

3.6 DISCRETIONARY USE NOTICE OF DECISION, ADDITIONAL CONDITIONS, VALIDITY AND TIME EXTENSION

- (1) Upon completing its review of an application for a discretionary use, the Development Officer or City Council, as the case may be, shall issue to the applicant a written notice of its decision in accordance with *The Planning and Development Act, 2007*.

- (2) In approving a discretionary use application, the Development Officer or City Council, as the case may be, may impose conditions regarding development orientation, site layout, setbacks, landscaping, buffering, screening, and/or development standards that, in the opinion of the City, will:
 - (a) achieve City vision, goals and policies as communicated in the Official Community Plan and other policy documents;
 - (b) mitigate nuisances and aesthetic concerns caused by activities pertaining to land use and land use intensities;
 - (c) prevent potential nuisance(s) from extending beyond a lot's boundaries;
 - (d) address potential concerns regarding hazardous material(s) and dangerous goods including the production, processing, use, storage or transportation of hazardous material(s) and dangerous goods;
 - (e) protect heritage developments, Direct Control Districts, Sensitive Lots or Major Roadways; or
 - (f) address other potential concerns and considerations of a lot, a location, or a development, raised during review and public participation process associated with the proposed discretionary use.
- (3) If an application for discretionary use is approved, the Development Officer shall issue a written notice of approval subject to any applicable development standards or conditions prescribed in accordance with *The Planning and Development Act, 2007* and this Bylaw.
- (4) Subject to Subsection (5), a notice of approval issued pursuant to subsection (3) shall be valid for a period of two years from the date it is issued.
- (5) The Development Officer may grant an extension, with or without conditions, to the period of validity of a notice of approval issued pursuant to subsection (3) for up to a maximum of two years from the original expiry date of the approval issue if:
 - (a) the Development Officer is satisfied that the project is still suitable in light of the surrounding context and the original review of the discretionary use application; and
 - (b) the applicant has submitted an application for extension before the expiration of the notice of approval.

(#2022-30, s. 11, 2022)

3.7 REVIEW OF DEVELOPMENT OFFICER DECISION

Where an applicant is dissatisfied by a decision of the Development Officer made pursuant to clause 3.4(c) and makes application to Council to review the decision in accordance with the Act:

- (a) the application for review must be made by the applicant, in writing, and delivered to the Office of the City Clerk within 30 days after the date of the written decision of the Development Officer; and
- (b) on receipt of an application for review, the matter shall be submitted directly to Council for consideration as an item on the agenda of the next available regular meeting of Council and shall include a copy of the written notice of the Development Officer's decision and the report evaluating the suitability of the application on which the decision was based.

3.8 EFFECT OF DENIAL

No development proposal for which a discretionary use application has been rejected shall be resubmitted for a period of 12 months from the date of the rejection, except on grounds that the proposal has been modified to constitute a new discretionary use proposal as determined by the Development Officer.

(#2020-33, s. 9 1E3.6-3.10, 2020, #2021-44, s.6, 2021)

1E.4 INFORMATION STANDARDS

4.1 CERTIFICATION REQUIREMENTS

- (1) All information provided in accordance with the application requirement of this Bylaw shall be certified as follows:
 - (a) all site boundaries, subdivisions shall be certified by a Professional Surveyor;
 - (b) all architectural drawings shall be certified by a Professional Architect registered in Saskatchewan;
 - (c) all site planning shall be certified by a Registered Professional Planner, Professional Land Surveyor or Professional Landscape Architect;
 - (d) subdivision layout design shall be certified by a Registered Professional Planner or Professional Land Surveyor; and

(e) all landscape designs shall be certified by a Professional Landscape Architect registered with the Canadian Society of Landscape Architects.

(2) Notwithstanding Subsection 1E.4.1(1) above, all information shall be in a form acceptable to the Development Officer.

(#2022-30, s. 12, 2022)

PART 1F

EXCEPTIONS TO STANDARDS

1F.1 MINOR VARIANCE

1.1 APPLICATION

The authority and procedures prescribed in this Subpart apply to all minor variance applications.

1.2 AUTHORITY

- (1) The Development Officer is authorized to vary the regulations, requirements and standards of this Bylaw by a maximum of 10 percent in relation to any one or more of the following:
 - (a) minimum lot area;
 - (b) minimum lot frontage;
 - (c) minimum yard setback or step-back distance;
 - (d) maximum lot coverage;
 - (e) maximum floor area ratio, provided the maximum height is not varied;
 - (f) maximum height of a principal or accessory building, provided the maximum floor area ratio is not varied; and
 - (g) Repealed (#2025-15, s. 6, 2025)
 - (h) maximum area for accessory building.
- (2) The Development Officer shall establish and maintain a record of minor variance applications and the decision issued in relation each application.

(3) (Repealed #2024-57, s. 4, 2024)
(#2022-48, s. 4, 2022)

1.3 INITIATION

- (1) An application for a minor variance may be made by:
 - (a) the property owner(s); or
 - (b) a qualified professional (e.g. a Registered Professional Planner, Professional Engineer, Licenced Architect, contractor), on behalf of the property owner(s).

1.4 APPLICATION REQUIREMENTS

- (1) Every application for a minor variance shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.
- (2) Every application for a minor variance shall be submitted in the manner and form specified by the Development Officer.
- (3) The Development Officer may require that an applicant provide any additional information deemed necessary to evaluate the suitability of the proposed minor variance before reviewing an application.
- (4) An application for a minor variance shall include the signatures of all registered owners listed on the property title.

1.5 DECISION

- (1) Unless otherwise provided in this Bylaw, an application for a minor variance shall be processed by the Development Officer and a notice of decision issued in accordance with *The Planning and Development Act, 2007*.
- (2) Notwithstanding section (1), if subsequent to the decision notice being issued, the Development Officer receives written consent to the variance from each assessed owner of property having a common boundary with the applicant's land, the decision shall come into effect immediately and the 20-day waiting period otherwise prescribed in *The Planning and Development Act, 2007*, shall be waived.

1.6 RIGHT OF APPEAL

If an application for a minor variance is refused, revoked or approved with conditions, the applicant may appeal the decision to the Development Appeals Board in accordance with *The Planning and Development Act, 2007*.

1.7 EFFECT OF REFUSAL

No application for a minor variance which has been refused shall be resubmitted for a period of 12 months from the date of the notice of the Development Officer's decision, except on grounds of new evidence or proof of change of factors that the Development Officer finds to be valid.

1F.2 EXCEPTIONS TO DEVELOPMENT STANDARDS AND PARKING REQUIREMENTS

2.1 APPLICATION

- (1) The requirements of this Subpart apply to development permit applications where specific exceptions to the development standards or parking requirements may be authorized by the Development Officer as prescribed in this Bylaw and the applicant is requesting such exceptions.
- (2) In order to obtain an exception to development standards or parking requirements, the applicant may be required to provide certain facilities, services or matters as prescribed in this Bylaw.
- (3) The Development Officer may require the applicant to enter into a development agreement with the City and register an interest on the title of the affected lands with respect to:
 - (a) the exception to the development standard or parking requirement;
 - (b) any public amenity to be provided in exchange for the exception, as appropriate;
 - (c) and any other related matters necessary to facilitate the granting of the exception.
- (4) The Development Officer may require the applicant to provide a letter of credit, performance bond or any other form of assurance the Development Officer considers necessary to ensure the development is carried out in accordance with the conditions of approval or other terms of a development agreement required by subsection (3).
- (5) The Development Officer may impose conditions on the development as a condition of approval of the exception to development standards or parking requirements in accordance with this Subpart.

2.2 AUTHORITY

- (1) The Development Officer is authorized to vary the regulations, requirements and standards of this Bylaw.
- (2) The Development Officer shall establish and maintain a record of exemption to development standard and parking requirement applications and the decision issued in relation each application.

2.3 APPLICATION REQUIREMENTS

- (1) Every application for an exception to a development standard shall:
 - (a) be submitted in the manner and form specified by the Development Officer; and
 - (b) be submitted together with the development permit application to which it relates in accordance with this Bylaw.
- (2) The Development Officer may require that an applicant provide any additional information deemed necessary to evaluate the suitability of granting the proposed exception before reviewing an application.

2.4 APPLICATION REVIEW

The Development Officer shall review the application submitted in accordance with section 1F.2.3 and evaluate the proposed exception based on the following criteria:

- (a) whether the proposed exception will have significantly greater negative impact on surrounding neighbourhoods than the same development would have without the exception; and
- (b) in cases where there is a risk of significant negative impact, whether modifications to the exception, project, or proposed amenity can address concerns and mitigate risks;

2.5 PUBLIC AMENITY

- (1) The public amenity for which the exception to development standards or parking requirement is granted shall remain for the life of the building or land use in respect of which it was approved.
- (2) Notwithstanding subsection (1), the owner of the development which received an exception to development standards or parking requirements may reduce or discontinue the provision of the public amenity if:

- (a) the exception to the development standard or parking requirement is no longer required; or
- (b) upon agreement of the City:
 - (i) another public amenity of equal or greater market value is substituted; or
 - (ii) the equivalent to the market value of the public amenity is paid to the City.
- (3) With regard to clause 1F.2.5(2)(b), the market value of the public amenity shall be determined by the City.
- (4) Unless otherwise specified in the development agreement mentioned in subsection 1F.2.1(3), the owner of the development in respect of which a public amenity was developed shall be responsible to maintain all elements of the public amenity, including but not limited to landscaping, parking, seating, lighting, safety and security.

2.6 PARKING RELAXATION

- (1) In addition to the requirements of sections 2.1 to 2.5, the requirements prescribed in this section apply to the granting of exceptions to the minimum motor vehicle parking requirements in this Bylaw.
- (2) The exceptions to parking standards prescribed in this section shall not:
 - (a) be used in conjunction with a minor variance for parking, or any other parking reduction mechanism;
 - (b) apply to Dwelling Unit(s) in buildings other than Building, Stacked; or
 - (c) apply to a development on any lands zoned Contract.
- (3) A parking reduction shall only be considered if it is submitted as part of a complete development permit application.
- (4) The maximum exception to the parking requirements in this Bylaw shall be as indicated in Table 1.T2 and at locations identified in Figure 1.F1.
- (5) Where the proposed development is on a site that is in more than one location identified in Table 1.T2, the applicable location is the one which allows the largest maximum exception.
- (6) If an exception to parking requirement results in a fractional parking stall being required:

- (a) any fraction up to and including one-half shall be disregarded; and
 - (b) any fraction over one-half shall be deemed to be equivalent to one full stall.
- (7) The owner of the development receiving the exception shall pay to the City:
- (a) for each parking stall that is no longer required, an amount of:
 - (i) \$2,500 in the DCD-WH – Dewdney Avenue Warehouse Direct Control District; or
 - (ii) \$7,000 in all other zones; or
 - (b) by agreement of the City, an amount greater than or equal to the requirement in clause (a):
 - (i) in transit facilities; or
 - (ii) as a public amenity

TABLE 1.T2: PARKING EXCEPTION AREAS			
Sec.	Locations	Maximum Exception to Minimum Required Motor Vehicle Parking	Public Amenity Requirement
T2.1	Growth Plan Areas¹		
	<ul style="list-style-type: none"> • Within the City Centre 	Up to 75 per cent	(1) Where the proposed parking exception is: <ul style="list-style-type: none"> (a) up to 30 per cent, no public amenity or payment-in-lieu is required. (b) above 30 per cent, a public amenity or payment-in-lieu shall be provided. (2) Notwithstanding clause 1(b), no public amenity or payment-in-lieu is required for a reduction of five or fewer parking stalls.
	<ul style="list-style-type: none"> • Within an Urban Centre. • Within 100 m of an Urban Centre². • Within an Urban Corridor 	Up to 60 per cent	
	<ul style="list-style-type: none"> • Within 500 m of an Express Transit Corridor³. • Within an Intensification Area. 	Up to 50 per cent	
<ul style="list-style-type: none"> • Within the Residential Infill Development Boundary 	Up to 40 per cent		
T2.2	Any Area not identified in T2.1	Up to 30 per cent	---
Notes: ¹ As illustrated in Figure 1.F1: Growth Map. ² Measured from the property line of the proposed site to the property line of the Urban Centre. ³ Measured from the property line of the proposed site along public streets leading the nearest transit stop on the Express Transit Corridor.			

- (8) Every application for an exception to parking requirements under this section must include a parking analysis undertaken by a Registered

Professional Planner, Professional Engineer or Licenced Architect demonstrating that the proposed parking is appropriate for the use on the site.

- (9) To determine whether the reduced parking requirement is appropriate, the Development Officer shall use the considerations outlined in subsection (10) to assess the application for a parking exception.
- (10) To determine the level of exception to parking requirements for a land use on a site, the Development Officer will consider:
 - (a) whether the proposed relaxation will create or exacerbate traffic or parking concerns;
 - (b) whether the proposed relaxation will have overall adverse impacts on neighbouring properties or uses;
 - (c) the findings of a traffic impact assessment;
 - (d) whether the proposed land use(s) conflicts with City policy goals;
 - (e) the nature of the proposed land use(s);
 - (f) the design and orientation of existing and proposed development(s);
 - (g) whether the proposed development(s) or land use(s) will be used predominantly by residents or populations who have specific needs and are less likely to require parking;
 - (h) whether the proponent can demonstrate that access to the lot, the development and the land use(s) is prioritized for walking, bicycle and other non-motor vehicular transportation options and/or public transit services;
 - (i) what pedestrian, bicycle and transit facilities are provided beyond those required by this Bylaw;
 - (j) whether the proponent can demonstrate that the proposal promotes adaptive reuse of existing buildings – especially those that offer heritage value, cultural value or aesthetic value to the public realm; and
 - (k) other considerations the Development Officer deems appropriate to assist in their review.

2.7 OTHER EXCEPTIONS TO PARKING STANDARDS

At the discretion of the Development Officer, for adaptive re-use of existing buildings, where reasonable alternatives do not exist, space to accommodate bicycle parking requirements may be accommodated in place of up to two required vehicle parking stalls.

2.8 EXCEPTIONS TO LANDSCAPE AND AESTHETIC SCREENING STANDARDS

The Development Officer may consider alternatives to or relaxations of the requirements of landscape and aesthetic screening requirements of each zone on case by case basis having regard for the overall intent of standards or practicality of implementing the standard when the applicant or agent provides a written submission outlining reasons for proposing alternate standards. Such reasons may include:

- (a) conflict with another bylaw;
- (b) conflict with registered easements or existing utility services;
- (c) potential risk to safety having regard for Crime Prevention Through Environmental Design (CPTED) principles;
- (d) allowing for hard surfacing in lieu of exposed soil for development of plazas or active building fronts;
- (e) allowing for covered soil trenches for tree root growth; and
- (f) other, as determined by the Development Officer.

2.9 REMOVAL OF PARKING REQUIREMENTS

Notwithstanding any other provision of this Bylaw, all references in this Bylaw to a motor vehicle parking requirement shall be interpreted as a recommendation, not a requirement. All references to bicycle parking, accessible parking, passenger drop-off or loading stalls shall be interpreted as a requirement, and, where applicable, shall be determined based on the recommended motor vehicle parking stalls, even if no motor vehicle parking is provided.

(#2020-33, s.10-11, 2020, #2021-2, ss. 5-6, 2021, #2024-4, s. 4, 2024, #2024-57, s. 5, 2024)

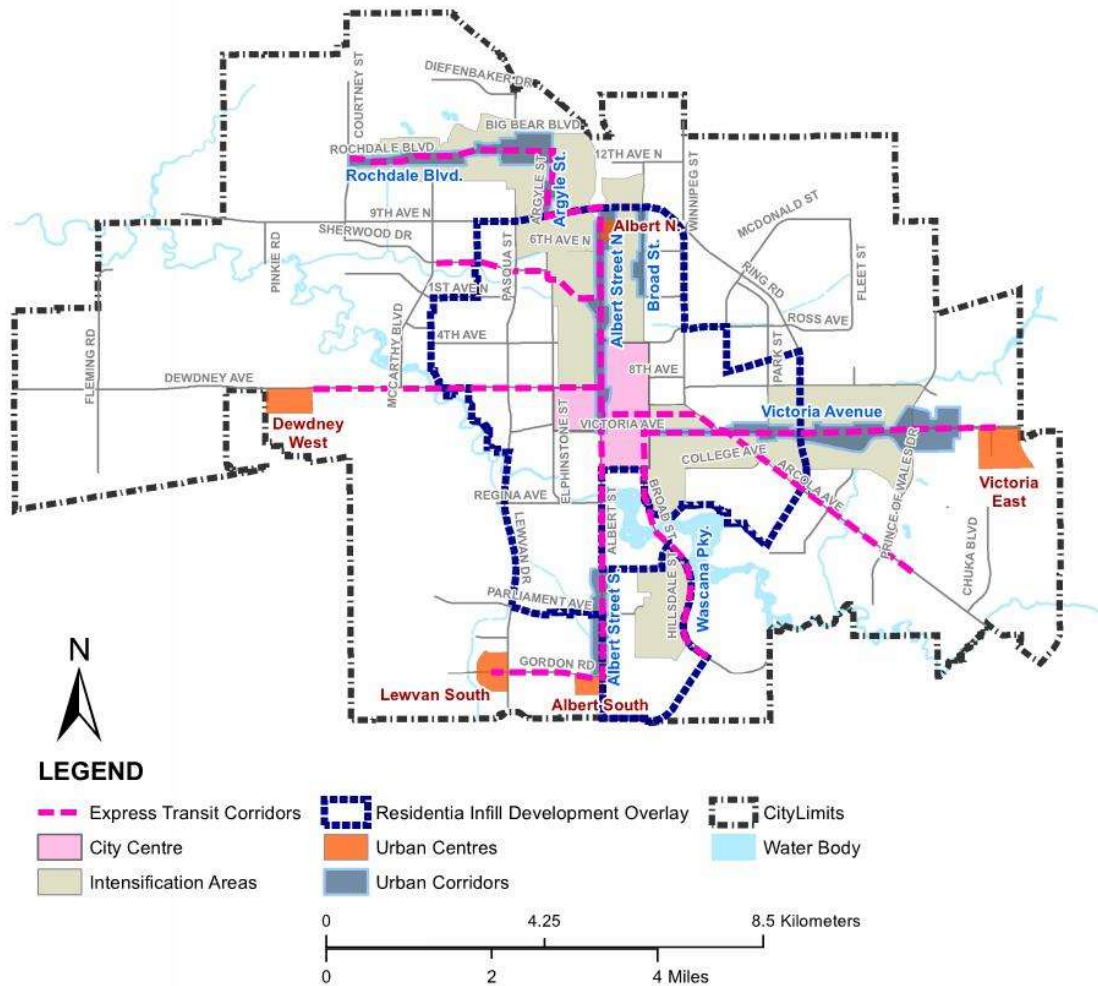


Figure 1.F1: Growth Map

(#2023-23, s. 7, 2023)

1F.3

Repealed (2025-15, s. 7, 2025)

1F.4 ZONING AMENDMENTS

4.1 APPLICATION REQUIREMENTS

- (1) An application for a Zoning Bylaw amendment shall be made to the Development Officer.
- (2) An application for a Zoning Bylaw amendment shall be made in the manner and form specified by the Development Officer.

4.2 DIRECT CONTROL DISTRICT

- (1) The City may apply a Direct Control District designation to a location if it is satisfied that one or more of the following contexts apply to the proposed location:
 - (a) the area is constrained by natural environmental conditions which would be unbuildable under a conventional zone;
 - (b) hazardous land uses are contemplated, requiring the need for special development controls to limit potential impact(s) on surrounding area;
 - (c) City Council identifies the area to have considerable significance due to its historic, architectural or environmental character;
 - (d) a secondary plan identifies circumstances unique to the area that require the need for specific development provisions to protect the area, ensure compatibility with other areas or encourage a unique form of development; or
 - (e) where the City considers it appropriate to allow land uses, land use intensities, built forms, or development standards that are not achievable through conventional zoning provisions.
- (2) Council may, through a development agreement with the applicant, specify the conditions necessary to ensure that developments in the district conform to *The Official Community Plan*, a special study adopted by Council, or *The Planning and Development Act, 2007*.

4.3 EFFECT OF DENIAL

No development proposal for which a Zoning Amendment application has been rejected shall be resubmitted for a period of 12 months from the date of the rejection, except on grounds that the proposal has been modified to constitute a new zoning amendment proposal as determined by the Development Officer.

(#2022-30, s. 13, 2022)

1F.5 DEVELOPMENT WITHIN INTENSIFICATION AREAS

5.1 PRIMARY INTENSIFICATION AREAS

- (1) Residential Zones - Notwithstanding any other provisions of this bylaw:
 - (a) the requirements of this subsection apply to all lots zoned R1-Residential Detached, RU-Residential Urban, RN-Residential Neighbourhood, RL-Residential Low-Rise, and RH-Residential High-Rise within the Primary Intensification Areas shown in Figure 10F.1: Intensification Boundary and Areas in Part 10B – Intensification Areas of the Zoning Bylaw;
 - (b) lots zoned R1-Residential Detached, RU-Residential Urban and RN-Residential Neighbourhood and meeting the requirements of clause 1F.5.1 (1)(a) may be permitted to have more than four dwelling units per building;
 - (c) a proposed development containing more than four dwelling units per building on any lot meeting the requirements of clause 1F.5.1(1)(a) shall be subject to the development standards and regulations of the RH – Residential High-Rise zone, except the following:
 - (i) the height requirements of Table 3D.T1:

Residential High-Rise Zone Building Types shall not apply;
 - (ii) where both next-door lots are zoned Residential, the front yard setback shall be at least the average of the actual front yard setbacks of the next-door lots to a maximum of the farthest front yard setback of a next-door lot;
 - (iii) where there is only one next-door lot zoned Residential, the front yard setback shall be the greater of the actual front yard setback of the Residential next-door lot or the minimum required front yard setback of the RH-Residential High-Rise zone; and
 - (iv) where neither of the next-door lots is zoned

Residential or does not contain a principal building, the front yard setback shall be the minimum required front yard setback of the RH-Residential High-Rise zone; and

- (d) where a building is proposed pursuant to subsections 1F.5.1(1)(c):
 - (i) the drawings submitted as part of the development permit application shall indicate the front yard setback of the proposed building; and
 - (ii) the applicant shall submit a surveyor's certificate showing the actual front yard setback(s) of the next-door lot(s).
- (2) Mixed-Use Zones - Notwithstanding any other provisions of this bylaw:
 - (a) the requirements of this subsection apply to all lots zoned ML-Mixed Low-Rise within the Primary Intensification Areas shown in Figure 10F.1: Intensification Boundary and Areas in Part 10B – Intensification Areas of the Zoning Bylaw;
 - (b) a proposed development containing more than four dwelling units per building on any lot meeting the requirements of clause 1F.5.1(2)(a) shall be subject to the development standards and regulations of the MH – Mixed High-Rise zone. except the following:
 - (i) the height requirements of Table 4B.T1: Mixed High-Rise Zone Building Types shall not apply.
- (3) Direct Control Districts - Notwithstanding any other provisions of this bylaw:
 - (a) the requirements of this section apply to all lots zoned DCD-CS - Centre Square Direct Control District, DCD-QP - Former Diocese Of Qu'Appelle Lands Direct Control District and DCD-CBM - Chuka Boulevard Mixed Direct Control District within the Primary Intensification Areas shown in Figure 10F.1: Intensification Boundary and Areas in Part 10B – Intensification Areas of the Zoning Bylaw;

- (b) lots zoned Low-Density Residential Policy Area within DCD-QP - Former Diocese of Qu'Appelle Land Direct Control District and meeting the requirements of clause 1F.5.1 (3)(a) may be permitted to have more than four dwelling units per building;
- (c) a proposed development with more than four dwelling units per building on any lot meeting the requirements of clause 1F.5.1(3)(a) shall be subject to the following requirements:
 - (i) the permitted height for the principal building shall be 20 metres, irrespective of the building type and height requirements of the underlying zone(s); and
 - (ii) all other development standards and regulations of the underlying zone shall apply.”

5.2 Secondary Intensification Areas

- (1) Residential Zones - Notwithstanding any other provisions of this Bylaw:
 - (a) The requirements of this subsection apply to all lots zoned R1- Residential Detached, RU- Residential Urban, RN-Residential Neighbourhood within the Secondary Intensification Areas shown in Figure 10F.1: Intensification Boundary and Areas in Part 10B – Intensification Areas of the Zoning Bylaw.
 - (b) Lots zoned R1-Residential Detached, RU-Residential Urban and RN-Residential Neighbourhood and meeting the requirements of clause 1F.5.2 (1)(a) may be permitted to have more than four dwelling units per building.
 - (c) A proposed development containing more than four dwelling units per building on any lot meeting the requirements of clause 1F.5.2(1)(a) shall be subject to the development standards and regulations of the RL – Residential Low-Rise zone, except the following:
 - (i) The maximum permitted building height shall not exceed 15 metres in all cases.
 - (ii) Where both next-door lots are zoned Residential, the front yard setback shall be at least the average of the actual front yard setbacks of the next-door lots to a maximum of the farthest front yard setback of a next-door lot;

- (iii) Where there is only one next-door lot zoned Residential, the front yard setback shall be the greater of the actual front yard setback of the Residential next-door lot or the minimum required front yard setback of the RL-Residential Low-Rise zone; and
 - (iv) Where neither of the next-door lots is zoned Residential or does not contain a principal building, the front yard setback shall be the minimum required front yard setback of the RL-Residential Low-Rise zone.
- (d) Where a building is proposed pursuant to subsections 1F.5.2(1)(c):
- (i) The drawings submitted as part of the development permit application shall indicate the front yard setback of the proposed building; and
 - (ii) The applicant shall submit a surveyor's certificate showing the actual front yard setback(s) of the next-door lot(s)."

(#2024-23, s. 4, 2024, #2024-42, s. 7, 8, 9, 10, 2024)

PART 1G

PUBLIC NOTICE REQUIREMENTS

1G.1 PUBLIC NOTICE

1.1 APPLICATION OF PUBLIC NOTICE POLICY BYLAW

Unless explicitly stated otherwise in this Bylaw, public notice of all development matters or applications requiring public notice will be given in accordance with Bylaw 2020-28, being The Public Notice Policy Bylaw, 2020.

1.2 PUBLIC NOTICE COSTS

The applicant shall be responsible for the applicable costs related to complying with any public notice requirements.

1.3 SIGN POSTING DURATION

The sign required by section 1.1 shall remain on the subject property during the entire Zoning Bylaw amendment or discretionary use process, and shall be removed following a decision by the City to approve or deny the application.

1.4 COST ALLOCATION

The applicant shall be responsible to pay all applicable costs associated with the sign-posting process.

(#2020-28, S.22, 2020)

PART 1H

NON-CONFORMITIES

1H.1 REGULATIONS FOR ALL NON-CONFORMITIES

Non-conforming uses, buildings and sites are subject to *The Planning and Development Act, 2007*.

1H.2 REGULATIONS FOR SPECIFIC NON-CONFORMITIES

2.1 NON-CONFORMING LOT

- (1) If, upon the coming into force of this Bylaw, a lot does not comply with the dimensional standards required for minimum lot area or minimum lot frontage as prescribed by this Bylaw, the lot may still be developed for a permitted or discretionary use provided the owner or applicant submits information to establish that the lot:
 - (a) was either lawfully established in the Saskatchewan Land Titles Registry; or
 - (b) the subject of an agreement for transferring the lot executed prior to the adoption of this Bylaw; and conformed to the dimensional standards existing at the time it was registered in the Saskatchewan Land Titles or the agreement was concluded.
- (2) Where a lot's dimensional standards are non-conforming, that lot shall not be subdivided unless either:
 - (a) the subdivision will reduce or eliminate the non-conforming dimensional standards; or
 - (b) Council is satisfied that the subdivision is necessitated by federal, provincial or municipal government action.

PART 1I

ENFORCEMENT

1I.1 VIOLATION AND PENALTY

- (1) Any person who violates any provision of this Bylaw is guilty of an offence, and is liable on summary conviction to the penalties specified in Section 243 of *The Planning and Development Act, 2007*.
- (2) The passage of this Bylaw does not affect the right of the City of Regina to prosecute any violation of any previous bylaw, if the violation occurred while that bylaw was in effect.

1I.2 ZONING BYLAW ENFORCEMENT

2.1 AUTHORITY AND DUTY TO ENFORCE

The Development Officer is authorized to enforce the Bylaw in accordance with *The Planning and Development Act, 2007*.
(#2024-9, s. 9, 2024)