



Bylaw No. 7748

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Office Consolidation

A BYLAW OF THE CITY OF REGINA TO REGULATE AND CONTROL THE SUBDIVISION OF LAND

No. 7748

Including Amendments to July 29, 2020

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

- a) the original bylaw and of all bylaws amending it; and**
- b) the fact of passage of the original and all amending bylaws.
and must be consulted for purposes of interpretation and application of the law.**

<u>AMENDMENTS</u>	<u>DATE PASSED</u>	<u>MINISTER APPROVED</u>
Bylaw No. 7811	June 11, 1984	June 25, 1984
Bylaw No. 7926	January 21, 1985	February 21, 1985
Bylaw No. 8149	November 9, 1985	January 15, 1986
Bylaw No. 8375	February 12, 1987	February 24, 1987
Bylaw No. 8743	November 14, 1988	March 10, 1989
Bylaw No. 8816	March 19, 1989	April 14, 1989
Bylaw No. 9122	December 3, 1990	January 16, 1991
Bylaw No. 9281	December 16, 1991	January 8, 1992
Bylaw No. 9435	December 14, 1992	December 23, 1992
Bylaw No. 9533	August 30, 1993	September 20, 1993
Bylaw No. 9537	September 20, 1993	October 7, 1993
Bylaw No. 9666	December 19, 1994	
Bylaw No. 9761	December 18, 1995	
Bylaw No. 9862	January 20, 1997	
Bylaw No. 10174	December 20, 1999	
Bylaw No. 10263	December 18, 2000	
Bylaw No. 2003-3	January 27, 2003	February 12, 2003
Bylaw No. 2005-45	June 20, 2005	July 21, 2005
Bylaw No. 2008-70	November 3, 2008	January 27, 2009 (Repealed by 2009-18)
Bylaw No. 2009-11	Not Approved	(Repealed by 2009-18)
Bylaw No. 2009-18	April 6, 2009	June 16, 2009

<u>AMENDMENTS</u>	<u>DATE PASSED</u>	<u>MINISTER APPROVED</u>
Bylaw No. 2011-64	December 19, 2011	
Bylaw No. 2016-45	June 27, 2016	July 28, 2016
Bylaw No. 2020-28	July 29, 2020	

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BYLAW NO. 7748

A BYLAW OF THE CITY OF REGINA
TO REGULATE AND CONTROL THE
SUBDIVISION OF LAND

WHEREAS *The Planning and Development Act, 1983*, provides that Council may by Bylaw make regulations not inconsistent with the provisions of the said Act or any regulations made pursuant thereto, for regulating and controlling the subdivision of land. (#2003-3, s. 3, 2003)

NOW, THEREFORE, THE CITY OF REGINA ENACTS AS FOLLOWS:

1. SUBDIVISION OF LAND

Any owner proposing to subdivide any land within the corporate limit of the City of Regina for the purpose of lease, sale, transfer, use or development, shall make application for approval of the subdivision to the City of Regina in accordance with the following regulations and *The Planning and Development Act, 2007*. (#2003-3, s. 3, 2003, #2016-45, s. 2, 2016)

2. DEFINITIONS

In these regulations:

- 1) "Act" means *The Planning and Development Act, 2007*.
- 2) "Arterial Street" means a street or roadway designed to carry traffic from one area of the City to another, with intersections at grade.
- 3) "City Clerk" means the City Clerk of the City of Regina.
- 4) "City Council" or "Council" means the Council of the City of Regina.
- 5) "Collector Street" means a street or roadway designed to intercept, collect and distribute traffic between local and arterial streets, with direct access to abutting properties.
- 6) "Commission" means the Regina Planning Commission.
- 7) "Controlled Access Arterial Street" means a street or roadway designed to carry traffic from one area of the City to another, with full or partial control of access.
- 8) "Cul-de-sac" means a minor residential dead-end street with one end open to traffic and with a turnaround at the other end.

- 9) "Development Officer" means the Executive Director of City Planning and Development or his or her designate.
- 10) Repealed.
- 11) "Environmental Reserve" means a parcel of land as defined by section 185 of the Act.
- 12) "Industrial Street" means a street designed primarily to provide access to abutting industrial property.
- 13) "Lane" means a public highway intended primarily to provide access to the rear of abutting properties and does not include a road allowance, road or street.
- 14) "Minor Residential Street" means a residential street designed to provide access to a limited number of abutting residential properties.
- 15) "Municipal Reserve" means a parcel of land dedicated to the public use and owned by the City.
- 16) "Public Reserve" means a parcel of land dedicated to the public use and owned by the Crown.
- 17) "Residential Street" means a street designed primarily to provide access to abutting residential property.
- 18) "Service Street" means a street or roadway contiguous and generally parallel to a highway, expressway and controlled access arterial street, designed to intercept, collect and distribute traffic desiring to cross, enter, or leave such major roadways.
- 19) "Severance" means:
 - (a) the subdivision of one lot, block or portion thereof into two "sites" having contiguous frontage on a street, or
 - (b) the subdivision of a portion of a lot or block and the consolidation of the portion severed with an immediately adjacent site having contiguous frontage on a street.
- 19A) "Site" means a lot or large area of land developed or intended to be developed as one unit.
- 20) "Subdivision" means any division of land and includes a 'severance' as herein defined.

21) “Walkway” means a parcel of land as described in section 201 of the Act. (#8149, ss. 1 and 2, 1985; #8743, s. 1, 1988; #2003-3, ss.3 and 5, 2003, #2011-64, s. 4, 2011, #2016-45, ss. 3, 4, 5 and 6, 2016)

PART I

APPLICATION AND APPROVAL PROCEDURE

3. APPLICATION FOR APPROVAL OF A SUBDIVISION

- 1) Each application shall be accompanied by documents in writing including the following:
 - a) a full-scale plan of proposed subdivision and a 21.6 cm x 27.9 cm photo mechanical transfer of the plan;
 - b) the appropriate examination fee as provided for in *The Development Application Fee Bylaw, 2008*;
 - c) the names and addresses of the owner or owners of the land to be subdivided, and if requested, an abstract of title of the land affected;
 - d) a written report on the proposed subdivision including the following:
 - i) the need for the subdivision;
 - ii) the suitability of the land for the proposed development including a general description of existing topographic and physical features in the area;
 - iii) an explanation of the proposed development including anticipated population densities, school population projections and the relationship of the development to existing and proposed services, road networks and land uses in the immediate environs;
 - iv) the feasibility and approximate cost of installation of engineering and utility services including design and standards of services to be required, the services to be installed by the owner and the City and the approximate time of installation of such services.

- 2) Where the proposed subdivision is part of a larger area, in the same ownership, the whole of which may eventually be subdivided, the developer shall submit an overall concept plan for the whole area for approval by City Council prior to approval of the subdivision. The overall concept plan shall include the following information:
 - a) an overall concept plan showing the general scheme of the subdivision designating the parts intended for different classes of land use for the whole area drawn on a metric scale of 1:2000 or 1:5000 as may be most appropriate to clearly show the content of the plans with contour intervals of 0.5 metres or less referred to a stated geodetic datum and including such features as major and collector roads and streets, bus routes, parks, school sites, major commercial facilities, multi-family developments, major drainage and other particulars or data as may be required by the regulations herein or by the Development Officer;
 - b) a report on the overall concept plan including population densities for different classes of residential use, school population projections, and the relationship of the overall development to existing and proposed services and facilities, road network and the land uses in its immediate environs and to the City as a whole.
- 3) Such other information or data as may be required by the regulations herein or by the Development Officer.
- 4) The plan of proposed subdivision shall be drawn to a metric scale of 1:500, 1:1000, or 1:2000 as may be appropriate to clearly show the intent of the plan and shall include the following information:
 - a) a title with the words "Proposed Subdivision of _____";
 - b) the words, "the subdivision proposed herein (outlined in red) is approved under the provisions of Bylaw No. _____ of the City of Regina, dated this _____ day of _____ A.D. 20____. City Clerk _____. This approval is valid for a period of two years from date of issuance of approval;"
 - c) the signature of the owner or owners and of a Saskatchewan Land Surveyor or a professional planner who is a member of the Saskatchewan Professional Planners Institute;
 - d) the scale to which the plan is drawn, the north point clearly indicated and the date on which the plan was prepared including the date of any revision to the plan;

- e) the boundaries of the area to be subdivided including the calculated hectareage of the area and any public reserves;
 - f)
 - i) contour intervals of 0.5 metres referred to a stated geodetic datum for the land to be subdivided. Where data is available, contour lines shall extend beyond the land to be subdivided a distance equal to one half of the width and length of the subdivided portion or 150 metres, whichever is the lesser; or
 - ii) where the slope of the land is regular, give the elevation of the land at each change of direction along the boundary of the land to be subdivided;
 - g) the location and dimensions of any existing permanent structures and buildings;
 - h) topographic and physical features including drainage channels, creek bed, open bodies of water and their normal and high water level elevations, wooded areas, and the location and dimensions of existing pipelines, utility, road and railway rights-of-way for the land to be subdivided;
 - i) the locations, dimensions and designation of every proposed street, lane, lot, block, public reserve or other unit of land;
 - j) distances in metres and decimals thereof and areas in square metres or hectares, as may be appropriate to the scale of the plan and the areas involved;
 - k) such other features, particulars or data as may be required by the regulations herein or the Development Officer.
- (#8149, s. 3, 1985; #8816, s. 1, 1989; #9533, s. 1, 1993; #2003-3, ss. 4, 6, 7 and 8, 2003, #2016-45, ss. 7 and 9, 2016)

3A. SUBDIVISION APPROVAL AUTHORITY

- 1) Council hereby delegates to the Development Officer the responsibility to exercise or carry out all of the powers and duties of Council as an approving authority for subdivision applications as provided in this Bylaw.
- 2) The Development Officer shall serve as the approving authority for the following types of applications for a subdivision certificate of approval:

- a) subdivisions or consolidations by plan;
 - b) re-issuance of certificates of approval; and
 - c) registration of leases pursuant to section 121 of the Act.
- 3) City Council shall serve as the approving authority for the following types of subdivision applications:
- a) any application listed in subsection (2) that the Development Officer concludes should be denied; and
 - b) any other subdivision application that, in the opinion of the Development Officer, should be reviewed by Council.
- 4) In acting as the approving authority for subdivisions described in subsection (2), the Development Officer shall have all of the powers accorded to a subdivision approving authority in the provisions of the Act, including the authority to:
- a) require, waive or defer public or municipal reserve as set out in sections 186, 187, and 190 of the Act; and
 - b) waive provisions of this Bylaw in accordance with section 133 of the Act.”
- (#2003-3, s. 9, 2003, #2016-45, ss. 9 and 10, 2016)

4. SUBDIVISION APPROVAL PROCEDURE

- 1) A draft application may be made to the Development Officer for the purpose of review, advice and information to assist the applicant prior to making formal application for the approval of the subdivision.
- 2) A formal application for approval of a subdivision shall be made in writing to the Development Officer who shall keep a register of subdivision applications.
- 3) A subdivision application shall be:
 - a) approved;
 - b) approved in part;

c) approved subject to:

i) the conditions authorized by section 172 of the Act; or

ii) compliance with a directive issued pursuant to section 130 of the Act; or

d) refused;

within 90 days from the day on which the application is determined to be in its complete and final form.

- 4) An application is deemed to be in complete and final form when all application and examination fees and information required of the applicant by the Development Officer have been received.
- 5) The Development Officer shall refer the application to, and request the technical comments of the appropriate City departments, utility agencies, and provincial and federal departments and agencies.
- 6) Due consideration will be given to the technical comments received from the affected departments and agencies.
- 7) For those applications in subsection 3A. 3) where Council acts as the approving authority, the Development Officer shall submit a report to the Regina Planning Commission for a recommendation to Council. The Development Officer shall notify the applicant of Council's decision and in the case of an approval, shall provide a certificate of approval and an endorsed plan of proposed subdivision as set out in subsection 12).
- 8) For those applications where the Development Officer acts as the approval authority, the Development Officer shall, by letter, inform the applicant of the intended decision, along with any proposed conditions authorized by sections 130 and 172 of the Act.
- 9) If the applicant disagrees with a condition of approval proposed by the Development Officer, the applicant may, within 30 days of the date of the letter referred to in subsection 8), request that the matter of the condition be referred to Council for consideration.
- 10) Upon receipt of a request for Council review of a condition, the Development Officer shall refer the matter of the condition directly to Council for review. The scope of Council's review shall be limited to the appropriateness of the condition, and Council shall, in its discretion, confirm, vary or remove the condition.

- 11) Upon receipt of a decision of Council made pursuant to subsection 10) and upon execution of a servicing agreement between the City and the applicant (where such agreement is a condition of approval), the signature of the City Clerk shall be endorsed on the plan of proposed subdivision, together with the seal of the City and the approval date.
- 12) A certificate of approval signed by the City Clerk and the endorsed plan of proposed subdivision shall be forwarded to the applicant by the Development Officer.
- 13) Council shall forward a copy of any decision:
 - a) refusing an application for subdivision;
 - b) approving an application for subdivision in part;
 - c) approving an application for subdivision subject to development standards issued pursuant to section 130 of the Act; or
 - d) revoking an approval of a proposed subdivision;

to the applicant by registered mail or personal service and shall, at the same time, advise the applicant of his right to appeal pursuant to section 228 of the Act.
- 14) Council or the Development Officer may, where they consider it advisable, revoke an approval of a proposed subdivision where:
 - a) the plan of subdivision has not been approved by the Controller of Surveys; or
 - b) title to the land has not been issued;

and the Development Officer shall, by registered mail, promptly notify the applicant and the Controller of Surveys accordingly.
- 15) Subject to the other provisions of the Act, Council or the Development Officer may relieve the applicant from compliance with any applicable subdivision regulation which is considered impractical or undesirable because of circumstances peculiar to a proposed subdivision.
- 16) Where a subdivision application is approved with specific development standards pursuant to section 130 of the Act, refused or revoked and the decision is not appealed, no subsequent application, which is substantially the same as the application already determined shall be made within six months of the date of the decision.

(#7811, s. 1, 1984; #8149, s. 4, 1985; #8816, s. 1, 1989; #9533, s. 1, 1993; #2003-3, s. 10, 2003, #2016-45, ss. 11, 12, 13 and 14, 2016)

4A. Repealed (#2020-28, s.23, 2020)

5. APPLICATION FOR APPROVAL OF SEVERANCE

- 1) An application to Council for approval of a severance shall be made in writing to the Development Officer.
- 2) Each application shall be accompanied by documents in writing including the following:
 - a) the appropriate examination fee as provided for in *The Development Application Fee Bylaw, 2008*.
 - b) the names and addresses of the owner or owners of the land to be severed;
 - c) the reason for the severance and the proposed use of the land;
 - d) a surveyor's certificate in the case of existing buildings or structures if in the opinion of the Development Officer, the proposed severance may affect any requirements of the City's Zoning and Building Bylaws;

- e) a plan of proposed subdivision or a sketch plan that shows:
 - i) the location, dimension and boundaries of the land to be subdivided and of the new parcel to be created;
 - ii) the existing and proposed land uses on and adjacent to the site;
 - iii) the location of existing buildings on the land to be subdivided;
 - iv) any adjacent subdivision;
 - v) prominent natural features;
 - vi) the location of existing or proposed utility lines and the right-of-way of each such utility line;
 - vii) the location and dimensions of highways, streets and roads;
 - f) such other information or data as may be required by the regulations herein or by the Development Officer.
- (#2003-3, ss. 4 and 12, 2003, #2016-45, s. 16, 2016)

6. SEVERANCE APPROVAL PROCEDURE

- 1) A severance application shall be approved or refused within 30 days from the date of receipt of the application.
- 2) Upon receipt of a severance application the Development Officer shall examine the application and certify the application if it complies with the following provisions:
 - a) the proposed division of land does not alter the direction of frontage of any existing property;
 - b) the proposed division of land will not change the limit of any street or lane or affect in any way public utilities or utility rights-of-way;
 - c) the proposed division of land will not establish any conditions contrary to the requirements of any regulations contained herein or any other bylaw or regulations of the City of Regina.
- 3) Repealed.

- 4) In cases where hectarage assessment is applicable, such payment shall be made to the City through the execution of a servicing agreement prior to approving the severance application.
- 5) Upon certification by the Development Officer the severance application shall be deemed to be approved and the City Clerk shall execute the form of approval on behalf of the City.
- 6) A letter of approval of the severance application shall be forwarded to the applicant by the City Clerk.
- 7) Repealed.
- 8) Where the Development officer is unable to certify a severance application because of non-compliance with the regulations herein, he or she shall deny approval of the application and notify the applicant of the Development Officer's decision.

(#8816, s. 1, 1989; #2003-3, ss. 4 and 13, 2003, 2016-45, s. 17, 2016)

7. SUBDIVISION AND SEVERANCE APPROVAL

Council's or the Development Officer's approval of a plan of proposed subdivision or severance shall cease to be valid on expiry of two years from the date of issuance of the certificate of approval thereof unless the plan of proposed subdivision or severance has been registered in the Land Titles Registry.

(#9533, s. 1, 1993; #2003-3, s. 14, 2003)

8. Repealed.

(#8375, s. 1, 1987; #9122, s. 1, 1990; #9281, s. 1, 1991; #9435, s. 1, 1992; #9537, s. 1, 1993; #9666, s. 1, 1994; #9761, s. 1, 1995; #9862, s. 1, 1997, #10174, s. 1, 1999; #10263, s. 1, 2000; #2003-3, s. 15, 2003; #2005-45, s. 1, 2005; #2009-18, s. 2, 2009)

9. APPEAL

- 1) Where:
 - a) an application for a proposed subdivision or severance is refused;
 - b) an application for a proposed subdivision or severance is approved in part;
 - c) an application for a proposed subdivision or severance is approved subject to specific development standards issued pursuant to section 130 of the Act;

- d) approval of an application for a proposed subdivision or severance is revoked;
- e) an agreement pursuant to section 172 of the Act has not been entered into within the specified time limit; or
- f) the applicant for subdivision or severance approval objects to producing any information requested by Council or the Development Officer other than information that is required by the subdivision regulations to accompany the application;

the applicant may appeal the decision by filing a written notice of appeal with the Development Appeals Board in the first instance and may appeal further to the Provincial Planning Appeals Board in accordance with section 226 of the Act.

- 2) In the case of an appeal pursuant to clause (1)(a), (b), (c) or (d), the person shall file his appeal within 30 days after the date on which he is served with a copy of the decision of Council or the Development Officer.
- 2) Council, if it considers it necessary, may appeal a decision of the Development Appeals Board to the Saskatchewan Municipal Board in accordance with section 226 of the Act.

(#2003-3, s. 16, 2003, #2016-45, ss. 18 and 19, 2016)

PART II

GENERAL PROVISIONS APPLICABLE TO SUBDIVISION OF LAND

10. SUITABILITY OF LAND

All land to be subdivided and the subdivision thereof, shall be suited to the purpose for which the subdivision is intended having regard to:

- 1) topography and physical condition of the land;
- 2) soil characteristics;
- 3) surface and sub-surface drainage;
- 4) potential flooding, subsidence and erosion;
- 5) convenience of access;

- 6) availability, adequacy and the economical provision of utilities and services;
 - 7) existing and prospective use of land in the immediate vicinity;
 - 8) segregation of pedestrian and vehicular traffic and of traffic flow between main and minor thoroughfares and the protection of public safety by ensuring adequate sight distances at intersections;
 - 9) the dimension, shape, orientation and accessibility of each lot or parcel of land;
 - 10) the use or proposed use of land and the use and proposed use of land in the immediate vicinity;
 - 11) the protection of provincial highways and major roads;
 - 12) protection against pollution;
 - 13) anticipated need for school sites, recreational facilities and parks;
 - 14) the protection of significant natural or historical features;
 - 15) its conformance with the development plan and the zoning bylaw or development policies adopted by Council;
 - 16) other matters which in the opinion of Council or the Development Officer may prejudice sound development in the vicinity.
- (#2003-3, s. 16, 2003)

11. NEED FOR SUBDIVISION

No land shall be subdivided unless:

- 1) the necessary services can be provided in an orderly and economical manner for the development and any future extension thereof;
- 2) the subdivision is not contrary to the development plan, the zoning bylaw or development policies adopted by Council.

12. ACCESS TO LOTS AND PARCELS

Every lot or parcel shall have legal and primary access provided thereto by a street.

13. PUBLIC AND MUNICIPAL RESERVES

- 1)
 - a) Every plan of subdivision shall make provision for the dedication to the public use of ten percent of the land to be subdivided in the case of a residential subdivision and five percent in the case of non-residential subdivision, and shall not include the land required to be provided as Environmental Reserve subject to the requirements of section 186 of the Act;
 - b) Subject to section 186 of the Act, additional public or municipal reserve may be required to be provided by Council or the Development Officer.
- 2) The requirements of this section shall not apply to:
 - a) land intended for use as railway station ground or right-of-way, or for a right-of-way for a ditch, canal, retention lake, pipeline, telephone line, power transmission line or a reservoir or sewage lagoon;
 - b) land to be resubdivided other than under a replotting scheme for the purpose of correcting or rearranging boundaries, or land previously included in an area subject to the requirements of this section;
 - c) the land is to be subdivided into lots of 4.5 hectares or more and is to be used solely for agricultural purposes.
- 3) Public Reserves shall be designated on a subdivision plan as "Public Reserve R1", "Public Reserve R2", etc., and Municipal Reserves shall be designated on a subdivision plan as "Municipal Reserve R1", "Municipal Reserve R2", etc.
- 4) Where it appears that public or municipal reserve dedication serves no practical purpose or for any other reason would be unnecessary or undesirable, Council or the Development Officer may direct that:
 - a) the public or municipal reserve requirements be waived in whole or in part and in lieu thereof the applicant be required to pay the City a sum of money equal to the value of the land that would otherwise have been dedicated to the public use in accordance with the provisions of section 187 of the Act;
 - b) the public or municipal reserve requirements be deferred in whole or in part until a further subdivision is made.

- 5) Where the dedication of public or municipal reserve land is deferred the City shall register an interest based on the direction in the land registry against the title to the land to which the direction relates to protect its interest in the future requirement of dedicating to the public use the required amount of land as per section 190 of the Act.
- 6) Public or municipal reserve shall only be used for:
 - a) public park or buffer strip;
 - b) a public recreation area;
 - c) school purposes;
 - d) a natural area;
 - e) a public building or facility;
 - f) any other use which the provincial regulations may specify.
- 7) Subject to the requirements of section 199 of the Act, Council may lease a municipal reserve for the purposes described in subsection 6.
(#2003-3, s. 16, 2003, #2016-45, ss. 20, 21, 22 and 23, 2016)

14. ENVIRONMENTAL RESERVES

- 1) Where the land to be subdivided contains ravines, swamps, natural or man-made drainage courses or other areas that in the opinion of the City are unsuitable for building sites or other private uses, these lands shall be dedicated as environmental reserve in the name of the Crown.
- 2) An environmental reserve may be used as a public park or it shall be left in its natural state.
- 3) Council or the Development Officer may accept, at its discretion, as part of the public or municipal reserve dedication requirement any lands that may be dedicated to environmental reserve.
- 3) Environmental reserves shall be designated on a subdivision plan as "Environmental Reserve R1", "Environmental Reserve R2", etc.
(#2003-3, s. 16, 2003)

15. BUFFER STRIPS

- 1) Where Council or the Development Officer is of the opinion that a plan of proposed subdivision requires the provision of land as a buffer between adjacent land put to use not compatible with that proposed for the subdivision, the owner of the land shall provide, without compensation, land sufficient for that purpose and any land so provided shall be in addition to the dedication of lands as required by the provisions of Section 13 herein.

- 2) Buffer strips shall be no less than 7.5 metres in width when placed along major arterial and expressway right-of-way or 4.0m when required in any other location.
 - 3) Subject to section 179 of the Act, Council may authorize the sale of a buffer strip if it is no longer required to separate incompatible land uses.
 - 4) Notwithstanding subsection 1), Council or the Development Officer may accept at its discretion, buffer strips as part of the public municipal reserve dedication requirements in accordance with subsection 186(6) of the Act.
 - 5) All buffer strips on a plan of subdivision shall be designated as follows:
 - (a) "Buffer Strip PB1", "Buffer Strip PB2"..., etc., if title is to issue to the crown;
 - (b) "Buffer Strip MC1", "Buffer Strip MB1"..., etc., if title is to issue to the City.
 - 6) Where in the opinion of Council or the Development Officer, buffer strips are not required, Council or the Development Officer may require that all or any of the following conditions be met instead:
 - i) Satisfactory landscaping be provided at the applicant's cost within the road rights-of-way or within the boulevard portion of road rights-of-way;
 - ii) Satisfactory fencing at the applicant's cost be provided on private property;
 - iii) Restrictive covenant agreements be registered in the land registry pursuant to section 235 of the Act against the titles to double frontage lots; and
 - iv) The applicant's compliance with any other pertinent conditions that Council or the Development Officer may specify.
- (#7926, s. 1, 1985; #8743, s. 1, 1988; #2003-3, ss. 3 and 16, 2003, #2016-45, 24, 25 and 26, 2016)

16. PUBLIC STREETS

1) Design

All streets shall be designed and located with due regard to:

- a) topography;
- b) existing and prospective use of land in the vicinity;
- c) present and future traffic requirements;
- d) separation of pedestrian and vehicular traffic;
- e) continuity of utility lines.

2) Rights-of-way

- a) the minimum street right-of-way widths shall be as follows:

i)	controlled access arterial street	45 metres
ii)	arterial street	30 metres
iii)	collector street	22 metres
iv)	industrial street	24 metres
v)	residential street	18 metres
vi)	minor residential street	15 metres
vii)	service street adjoining or intersecting a controlled access arterial street or highway	18 metres.

3) Street Lengths and Cut-offs at Intersections

Street lengths and cut-off requirements shall be as follows:

- a) street lengths measured between successive intersections shall not be excessive having due regard to convenience of vehicular access;
- b) in residential subdivisions continuous street frontage shall not exceed 365 metres and a cul-de-sac shall not exceed 120 metres in length except in cases where City Council or the Development Officer may indicate a greater length subject to any conditions it may specify;
- c) a service street shall extend to a designated access point connecting to a controlled access arterial street or highway, or it may be of such

length as Council or the Development Officer may indicate;

- d) streets shall intersect as nearly as possible at right angles;
- e) controlled access arterial streets, arterial streets and collector streets shall be continuous, or connect with an intersecting street and such streets shall be without jog or offset;
- f) streets with jogs or centre line offsets of less than 45 metres shall be prohibited;
- g) dead-end streets without a turnaround at the end shall be prohibited;
- h) the turnaround on a cul-de-sac shall have a minimum diameter of 30 metres;
- i) all corners at intersections between two streets shall be cut off by a straight line a distance of not less than 4.5 metres from the point of intersection, but the area so cut off shall not be deducted from the total area in calculating minimum lot or parcel sizes;
- j) all streets shall intersect with other streets.

4) Gradients

Gradients for arterial and collector streets shall not exceed four percent and for all other streets, six percent.

5) Naming

Every street shall be named or numbered and shall conform with any prescribed system of street naming and numbering adopted by Council.

(#2003-3, s. 16, 2003)

17. LANES, WALKWAYS

1) Lanes

- a) lanes need not be provided except in cases where in the opinion of Council or the Development Officer rear access to lots and parcels is required;
- b) where lanes are required and where they abut multiple housing, commercial or industrial lots or parcels, they shall be 9 metres in width, and in all other cases lanes shall be 6 metres in width;

- c) notwithstanding the provisions of Section 17, Subsection 1 b) hereof, in those areas currently subdivided Council or the Development Officer may determine and approve a lane to be 6 metres in width and not 9 metres in width as herein required on an application for resubdivision thereof;
- d) a lane shall connect with a street or another lane except that where one end of the lane is to be closed a turning space 12 metres square or in diameter shall be provided;
- e) all corners at intersections between two lanes shall be cut off by a straight line a distance of not less than 3 metres from the point of intersection but the area so cut off shall not be deducted from the total area in calculating minimum lot or parcel sizes.

2) Walkways

- a) walkway parcels for pedestrian access shall be provided where required;
- b) walkway parcels shall not be less than 3 metres or such greater width as may be required;
- c) minimum walkway parcel widths in connection to park or school - 5 metres;
- d) all walkway parcels shall be designated on a plan of subdivision as follows:
 - i) walkway parcels as "W1", "W2", etc.;
 - ii) joint walkway parcels as "W1", "W2", etc.;
- e) no walkway shall be leased or exchanged for another parcel of land;
- f) subject to the provisions of section 201 of the Act, Council, by bylaw, may authorize the sale of walkways where they are considered to be no longer necessary.

(#2003-3, s. 16, 2003, #2016-45, s. 27, 2016)

18. VESTING

- 1) All buffer strips not transferred to the City and all streets, lanes, public reserves, and environmental reserves on a subdivision plan shall be vested in the Crown in Right of the Province of Saskatchewan.

- 2) All walkway parcels shall be transferred to the City of Regina.
- 3) All municipal reserves and buffer strips transferred to the City shall be in the name of the City.

19. LOTS AND PARCELS

- 1) All lots and parcels except walkway parcels and buffer strips on a plan of subdivision shall conform to the minimum site dimensions and area requirements of the City Zoning Bylaw.
- 2) Through lots or double frontage lots shall not be permitted unless a registered buffer strip is provided continuously between the lots and abutting right-of-way or that the conditions of Section 15, Subsection 6 are met.
- 3) The side property lines of all lots and parcels shall be as nearly as possible at right angles or radial to the street lines.

(#8743, s. 1, 1988)

20. REPLOTTING AND REQUIRED SUBDIVISIONS

These regulations shall apply to replotting schemes and required subdivisions but may be subject to such modifications in the replotting and required subdivision procedures as are specified in the Act.

(#2003-3, s. 3, 2003, #2016-45, s. 28, 2016)

21. SERVICING AGREEMENT

- 1) Where required, the applicant for subdivision approval shall enter into a servicing agreement with the City, as per section 172 of the Act, outlining the applicant's obligations to provide, install, or construct paved streets and lanes, sidewalks, curbs, gutters, boulevards, watermains and laterals, hydrants, street lighting, drains and drainage ditches, bridges, culverts, dikes, land fill, area grading and levelling of land, connections to existing services, connecting and boundary streets, landscaping of parks and boulevards, street tree planting, street name plates, public recreational facilities, or other works that Council or the Development Officer may require, and stating:
 - a) the respective obligations of the owner and the City of Regina relating to planting, construction, installation, operation, repair, replacement, and maintenance of specified works and services;
 - b) the construction and planting standards to be adopted and complied with;

- c) the manner of cost sharing and recovery;
 - d) the time periods within which specific construction, planting and installation works are to be completed;
 - e) hectareage assessment rates which will be levied on the subdivision in accordance with City Council's policy.
- (#2003-3, s. 17, 2003, #2016-45, s. 29, 2016)

22. RESIDENTIAL SUBDIVISION RESTRICTIONS

- 1) A residential subdivision proposal shall not be approved if the property in question is situated within 300 metres of land which is used or authorized for use as:
 - a) an intensive livestock operation;and within 1600 metres of land which is used or authorized for use as:
 - b) a sewage treatment plant or a sewage lagoon.
 - 2) An application for subdivision approval for the purpose of developing:
 - a) an intensive livestock operation;
 - b) a sewage treatment plant or a sewage lagoon;shall not be approved unless the use referred to in clause (a) is situated at least 300 metres and, in clause (b), at least 1600 metres from any residential development or land that is authorized for use for residential purposes.
 - 3) A residential subdivision proposal shall not be approved if the property in question is situated within 457 metres of land which is used or authorized for use as a landfill for the disposal of garbage or refuse.
 - 4) An application for subdivision approval for the purpose of developing a landfill for the disposal of garbage or refuse shall not be approved unless situated at least 457 metres from any residential development or land that is authorized for use for residential purposes.
- (#7811, s. 1, 1984)

23. SEVERABILITY

If a Court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Council to pass the remainder of the Bylaw and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force and effect.

24. Bylaw No. 5091 be and the same is hereby repealed.

25. This Bylaw shall come into force and take effect upon receiving the approval of the Minister of Urban Affairs.

NOTE 1: Approval of the Minister of Urban Affairs was received on May 24, 1984.

NOTE 2: Bylaw No. 7811, with the exception of Section 1(l), amended this bylaw to incorporate the changes directed by the Minister of Urban Affairs. The original had already been updated to include the changes, and therefore, the amendments in Bylaw No. 7811 have not been noted.

READ A FIRST TIME THE 26th DAY OF MARCH A.D. 1984;

READ A SECOND TIME THE 26th DAY OF MARCH A.D. 1984;

READ A THIRD TIME AND PASSED THE 26th DAY OF MARCH A.D. 1984.

Mayor

City Clerk

Approved by the Minister of Urban Affairs
for the Province of Saskatchewan, this
24 day of May A.D. 1984

Minister of Urban Affairs

Except for:

1. The words "the owner's compliance with any conditions, requirements and modification to the subdivision application that Council may specify including" in Part I, Section 4 (11).

2. Part II, Section 11, subsections 1 and 2.
3. Part I, Section 6(1) the word "modify".
4. All of Part II, Section 13(1)(b) but the words "Subject to Section 193(6) of the Act, additional public or municipal reserve may be required to be provided by Council" are retained.
5. Part II, Sections 17, 18 and 19 all references to utility parcels.
6. Part II, Section 22(1)(a) and 22(2)(a).