

Notice:

This document has been consolidated for convenience only and contains reproductions of the *Regina Zoning Bylaw No. 9250*. The official Bylaw and amendments thereto are available from the City Clerk's Office at (306)777-7262, and should be consulted for all purposes of interpreting and applying the law or when certified copies are required.

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1. TITLE, PURPOSE AND JURISDICTION

PART 1A

TITLE AND AUTHORITY FOR ZONING BYLAW

1A.1 CITATION

This Bylaw may be cited as the *Regina Zoning Bylaw No. 9250*. [1992/9250]

1A.2 LEGISLATIVE AUTHORITY

2.1 AUTHORITY

This Bylaw is passed under the authority of *The Planning and Development Act, 1983*. [1992/9250]

2.2 REFERENCE TO OTHER STATUTES

References to *The Planning and Development Act, 1983* and other statutes of the Province of Saskatchewan and the Government of Canada are provided in the Bylaw to assist the reader. Accordingly, such references are not all-inclusive, and should not in any way be construed so as to limit the application or interpretation of this Bylaw. [1992/9250]

2.3 LEGISLATIVE INTENT

The regulations and requirements in this Bylaw are intended to implement the objectives, policies and strategies of the *Regina Development Plan* which are best addressed through zoning. [1992/9250]

PART 1B

PURPOSE OF ZONING BYLAW

1B.1 GENERAL PURPOSE

The regulations and requirements in this Bylaw are the minimum or maximum requirements essential to promote the public amenity, health, safety and general welfare of the residents of the City of Regina. [1992/9250]

1B.2 OTHER PURPOSES

Other purposes of the Bylaw are to:

- (a) protect the character and maintain the stability of residential, business and industrial areas of the City, and to promote the orderly and beneficial development of such areas;
- (b) provide privacy and convenience of access to property;
- (c) encourage the protection of ground water resources;
- (d) provide adequate light and air, including access to sunlight and wind for energy systems;
- (e) avoid undue concentration of population by regulating and limiting the height of buildings;
- (f) regulate the size and open spaces surrounding buildings;
- (g) divide the City into land use zones for controlling and regulating the construction, reconstruction, alteration and use of buildings, structures, and land for residence, business, industrial and other specified uses;
- (h) limit congestion in the City streets by providing off-street parking of motor vehicles; and
- (i) define the duties of the development review officers, boards and commissions. [1992/9250]

1B.3 SEPARABILITY

3.1 INVALID PROVISION

If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, 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. [1992/9250]

3.2 INVALID APPLICATION

If any Court declares the application or enforcement of any portion of this Bylaw to a particular property, building or structure to be invalid, that judgement shall not affect the application of that provision to any other property, building or structure which is not specifically included in the judgement. [1992/9250]

1B.4 APPLICATION

4.1 MORE RESTRICTIVE REGULATION APPLIES

Where a property is affected by any regulations in this Bylaw and by regulations of the Province of Saskatchewan or the Government of Canada, the regulations which are more restrictive shall prevail. [1992/9250]

4.2 PROVINCIAL AND FEDERAL STATUTES APPLY

Notwithstanding any other provision of this Bylaw, no land shall be developed or used, and no structure erected or maintained in violation of any provincial or federal statutes or regulations. [1992/9250]

4.3 NO BUILDING OR LAND USE IN VIOLATION OF BYLAW

- (1) No building structure or land use located within the City of Regina shall be constructed, erected, modified, converted, enlarged, reconstructed, altered, placed or maintained, except in conformity with the provisions of this Bylaw.
- (2) In the case of mixed-occupancy or mixed-use, the regulations for each land use shall apply to the appropriate portion of the structure or land being used.
- (3) No land shall be used, modified or maintained for any purpose except in conformity with the provisions of this Bylaw. [1992/9250; 1992/9407]

1B.5 APPLICATION EXEMPTION

5.1 NON-CONFORMITIES

Except as provided in Chapter 13 of this Bylaw, under provisions for:

- (a) non-conforming lots;
- (b) non-conforming uses;
- (c) non-conforming landscaping; and
- (d) non-conforming signs,

no lot, building, structure, development or premises, shall be used or occupied and no applicable permit granted except in conformity with this Bylaw. [1992/9250]

5.2 OTHER USES

- (1) The following uses shall be exempt from the use regulations of this Bylaw:
 - (a) utility installations; and
 - (b) railroad facilities.
- (2) This exemption does not preclude the regulation of the construction of the facilities where specifically provided in this Bylaw. [1992/9250]

PART 1C

JURISDICTION OF ZONING BYLAW

1C.1 CITY OF REGINA

This Bylaw applies to land within the corporate limits of the City of Regina. [1992/9250]

1C.2 RE-APPROVAL AND REPEAL

2.1 BYLAW No. 8484

- (1) This Bylaw carries forward by re-approval, some of the provisions of the *Regina Zoning Bylaw No. 8484*. The provisions which are carried forward continue in force so that all rights and liabilities that have accrued under it are preserved and may be enforced, unless explicitly given up by specific provisions of this Bylaw.
- (2) All provisions of the *Regina Zoning Bylaw No. 8484* that are not re-approved in this Bylaw are repealed.
- (3) The passage of this Bylaw does not affect the right of the City of Regina to prosecute any violation of the previous Bylaw, if the violation occurred while the Bylaw was in effect. [1992/9250]

1C.3 COMING INTO FORCE

This Bylaw comes into force on the date it is approved by the Minister of Community Services. [1992/9250]

1C.4 TRANSITION

4.1 ZONE EQUIVALENCIES

- (1) For the purpose of interpreting the transitional provisions of this Chapter, the land use zones of this Bylaw are deemed to be equivalent to the land use zones of the *Regina Zoning Bylaw No. 8484* as provided below:

(H) is deemed equivalent to (H)
AIR is deemed equivalent to AIR
C is deemed equivalent to C
D is deemed equivalent to D
DC is deemed equivalent to DC
DSC is deemed equivalent to DSC
F is deemed equivalent to F
FW is deemed equivalent to FP
H is deemed equivalent to H
HC is deemed equivalent to HC, HS
I is deemed equivalent to I
IA is deemed equivalent to IA, IA1
IB is deemed equivalent to IB, IB1
IC is deemed equivalent to IC, IC1
IP is deemed equivalent to IP
IT is deemed equivalent to IT, IIT
LC1 is deemed equivalent to LC1
LC2 is deemed equivalent to LC2
LC3 is deemed equivalent to LC3
MAC is deemed equivalent to MAC1, MAC2
MAC3 is deemed equivalent to MAC3
MS is deemed equivalent to MS
MX is deemed equivalent to RM, CR, ICC
NC is deemed equivalent to NC, TAS
PS is deemed equivalent to PS
PUD is deemed equivalent to PUD
R1 is deemed equivalent to R1
R1A is deemed equivalent to R1A
R2 is deemed equivalent to R2
R3 is deemed equivalent to R3
R4 is deemed equivalent to R4
R4A is deemed equivalent to R4A
R5 is deemed equivalent to R5
R6 is deemed equivalent to R6
R7 is deemed equivalent to R7
R8 is deemed equivalent to R8
RR is deemed equivalent to RR
TAR is deemed equivalent to TAR
UH is deemed equivalent to UH
WC is deemed equivalent to WC
WH is deemed equivalent to WH

- (2) No differences between the regulations of the land use zones of this Bylaw and the *Regina Zoning Bylaw No. 8484* shall affect the interpretation of these equivalencies. [1992/9250]

4.2 PREVIOUS DEVELOPMENT PERMITS

Notwithstanding any conflicts with the provisions of this Bylaw regulating:

- (a) site size or site dimensions;
- (b) maximum height;
- (c) minimum yard setbacks; and
- (d) the provision of amenity spaces;

where a development permit has been issued for a development, building or structure in accordance with the regulations of the *Regina Zoning Bylaw No. 8484*, the development, building or structure shall not as a result of the passage of this Bylaw be non-conforming, but shall be permitted at that location. However, the use of the land, building or structure shall not be changed except in conformity with this Bylaw. [1992/9250]

4.3 PRIOR SUBDIVISION

Where a subdivision creating a site was approved prior to the date this Bylaw came into effect, but the dimensions of a site do not conform with the development regulations governing site size or site dimensions of this Bylaw applying to it on the date this Bylaw came into effect, the Development Officer may issue a development permit for a site which would have conformed with the regulations governing minimum site size and site dimensions of the equivalent land use zone of the *Regina Zoning Bylaw No. 8484*. [1992/9250]

4.4 EXISTING DISCRETIONARY USES CONTINUE

Any existing use of land, building or structure in any land use zone which was approved as a discretionary use under any previous Regina Zoning Bylaw shall, following the passage of this Bylaw, continue to be a discretionary use at that location. However, the use of the land, building or structure shall not be changed except in conformity with this Bylaw. [1992/9250]

4.5 EXISTING PERMITTED USES CONTINUE

Where a use of land, building or structure in any land use zone was listed as permitted use under any previous Regina Zoning Bylaw, but that use is now listed as a discretionary use in this Bylaw, that use may be continued at that location as a permitted use. However, any change in use of the land, building or structure shall be in conformity with this Bylaw.