

# City of Regina Development Guide

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# Introduction

This document is a guide to help developers, builders, property owners, City Council, and anyone interested in knowing about land use planning and development within the City of Regina (City). If there is any disagreement between the information in this guide and City bylaws, the provisions in the bylaws supersede the guide.

## City-wide Policies and Bylaws to Support Growth

### ***Design Regina: The Official Community Plan Bylaw No. 2013-48***

- *Design Regina: The Official Community Plan, 2013* (OCP) is an overarching city-wide policy document that is used to guide growth, development, servicing and other important issues. The aim is to create a sustainable city where social, environmental, and economic concerns are addressed alongside creating a place where people want to live, work and play.
- The OCP is a comprehensive policy framework that guides the physical, environmental, economic, social, and cultural development of the city's growth to 300,000 people while also setting the stage for its longer-term development.
- The OCP is broken down into two parts: Part A is the Citywide Plan, and Part B is comprised of Secondary Plans.

### ***The Regina Zoning Bylaw, 2019 Bylaw No. 2019-19***

- *The Regina Zoning Bylaw, 2019* (Zoning Bylaw) provides regulations for land use and development within Regina. The intention of this bylaw is to control and regulate the construction, reconstruction, alteration and use of buildings, structures and land for residence, business, industrial and other specific uses.
- Zoning ensures that neighbourhoods are developed in an orderly manner and helps to protect the character and stability of neighbourhoods.
- Zoning determines the most ideal locations for development, considering aspects like transportation networks, businesses, residential, recreational uses (such as parks) and industrial uses.

### ***Subdivision Bylaw, Bylaw No. 7748***

- *The Subdivision Bylaw No. 7748* (Subdivision Bylaw) regulates and controls the subdivision of land in the city.



## Planning Hierarchy

The City has a variety of cascading planning tools to guide and regulate development that are directed by provincial legislation, including *The Planning & Development Act, 2007* and *The Statements of Provincial Interest*. The OCP is the overarching policy document to guide the city's future growth and development. Under the OCP, there are more detailed policies and plans to accomplish the goals set out in the OCP, including Master Plans (e.g. Transportation Master Plan, Recreation Mater Plan, Water Master Plan) and Secondary Plans - OCP policy for specific areas of the city. The Master Plans and Secondary Plans act as a bridge between the high-level policy of the OCP and the more detailed planning such as Concept Plans to regulations and standards in the Zoning Bylaw that regulate site development.



**The above City planning tools are directed by provincial legislation:**

- *The Planning & Development Act, 2007*
- *The Statements of Provincial Interest*



# Secondary and Concept Plan Applications

Secondary Plans and Concept Plans are used by the City of Regina (City) to guide the development of new neighbourhoods and employment areas in the city. These planning instruments are also used to guide the redevelopment or intensification of existing neighbourhoods and employment areas.

Secondary Plans and Concept Plans provide direction for:

- land-use (zoning),
- the provision of community services (parks, recreation and schools),
- the provision of utility services (water, wastewater and stormwater), and
- the provision of transportation services (roadways and transit).

Secondary Plans and Concept Plans include a combination of text, maps and graphics. They are supported by accompanying technical reports that substantiate proposed solutions for the utility and transportation networks proposed in the plans.

## Secondary Plans

The OCP Part B is a collection of Secondary Plans. Secondary Plans for residential neighbourhoods are also typically called Neighbourhood Plans. Secondary Plans are adopted by City Council and approved by the Province of Saskatchewan.

Secondary/Neighbourhood Plans:

- Provide direction for major land use decisions and set out infrastructure requirements; and
- Guide growth and development for large areas within the city, such as neighbourhood development or commercial areas.

Secondary Plans include:

- Conceptual location of major land-uses
- Conceptual location of major open spaces
- Major road networks (collectors and arterials)
- Major utility systems (trunks, force mains and stormwater channels)

Where a Secondary Plan applies to a proposed new residential or commercial area, it sets the stage for more detailed planning such as concept plans and rezoning.



## Concept Plans

Concept Plans generally apply to smaller site areas than Secondary Plans, such as development phases within an overarching Secondary/Neighbourhood Plan area, major infill or redevelopment site. It sets the stage for more detailed planning: rezoning and subdivision. Concept plans are adopted and approved by City Council.

Concept Plans include:

- Detailed location of specific land-uses
- Detailed location of specific open spaces
- Detailed location of road, transit and pedestrian networks, signalized intersections and transit stops
- Detailed location of utility networks
- Specific location of drainage ponds

## Application Process

The City's [Guidelines for Preparing Secondary Plan & Concept Plans](#) provide basic information to assist applicants in preparing a Secondary Plan and/or Concept Plan.

Applicants are encouraged to get in [contact](#) with the City prior to submitting the application to ensure that they have all the required information to make for a seamless process.

## Complete Neighbourhood Guidelines Review Tool

Applicants submitting a Secondary Plan and/or Concept Plan Application will also need to complete the [review tool](#):

- The review tool helps applicants meet the policies within the OCP that are also relevant to complete neighbourhood design and development.

Once the applicant is ready to proceed, they must submit the [Secondary Plan/Concept Plan Application Form](#), the review tool and the information outlined in the Application Checklist to the City, where it will be subject to the review process.

## Secondary and Concept Plan Amendment

Prior to the request to amend the Secondary and Concept Plan, the applicant must contact the Planning & Development Services Department to request a pre-application meeting. This is mandatory to identify if any revisions to the servicing reports are required. Once the applicant is ready to proceed, the application must be submitted with a cover letter and the proposed plans along with a servicing memo (if identified as a required document during the pre-application meeting).



# Development Applications

Once a Concept Plan is approved by City Council, the land can be zoned and subdivided in accordance with the Zoning Bylaw and Subdivision Bylaw.

Before deciding to change the use or density of land, subdividing land or constructing a new building, it is important to check the existing zone designation for the property of interest by referencing the [Zoning Bylaw](#) online, using the [Zoning Bylaw 2019 Map](#), submitting a [service request](#) online, contacting the City at 306-777-7000 or visiting City Hall. Applicants may review the required Development Application [Fees](#) online.

Note that a developer may submit the subdivision application concurrently with the rezoning application.

The time frame for each application varies depending on the complexity and if revisions are required. But typically, anything going to Council will take four months from when the application is fully complete and the acknowledgement letter is sent.

## Zoning Bylaw Amendment

Zoning determines the possible permitted and discretionary uses of the land parcel, as well as regulations about lot size, coverage, placement of buildings among others and other development standards.

If the future development or improvement is not in agreement with the zoning, an applicant may submit an application to the City requesting to amend the Zoning Bylaw. Typical amendment requests involve changes of land use designation or zoning changes.

Prior to submitting the application, the applicant may [contact](#) the Planning & Development Services Department for a preliminary consultation. The [Zoning Bylaw Amendment Application](#), supporting documentation and fees should be submitted to the City for review.

## Contract Zoning Amendments

Contract Zoning Amendments (Contract Zones) are used to rezone land to accommodate unique zoning situations on an individual basis. A Contract Zone is granted by City Council, and must be completed within certain conditions, terms and/or time limits.

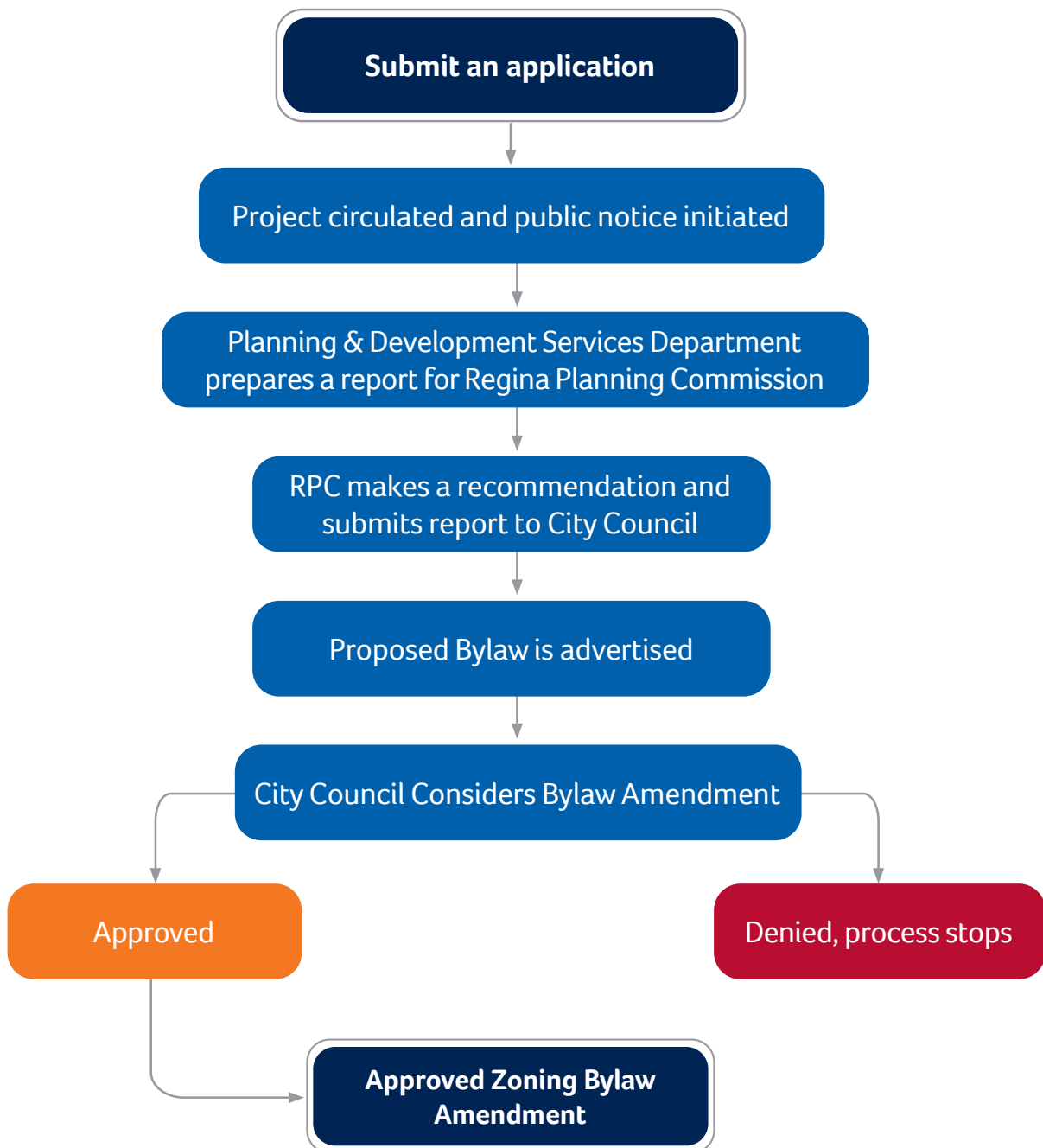
A Contract Zone may be designated only on:

- Small or irregularly shaped lots
- Lots restricted by physical barriers such as water courses, slopes, roadways and railways
- Infill sites in higher density residential or mixed-use areas
- Sites accommodating unique development opportunities

The [Contract Zoning Application](#), supporting documentation and fees should be submitted to the City for review.



# Zoning Bylaw Amendment Procedure



## Discretionary Use

[Discretionary Use Applications](#) determine if the use of land, buildings or other structures may be developed at the specific location at the discretion of City Council or if the application meets the specific criteria in the Zoning Bylaw, then it may be decided by the Development Officer. Discretionary uses are usually higher impact land uses that may have offsite impacts and require more analysis than permitted uses.

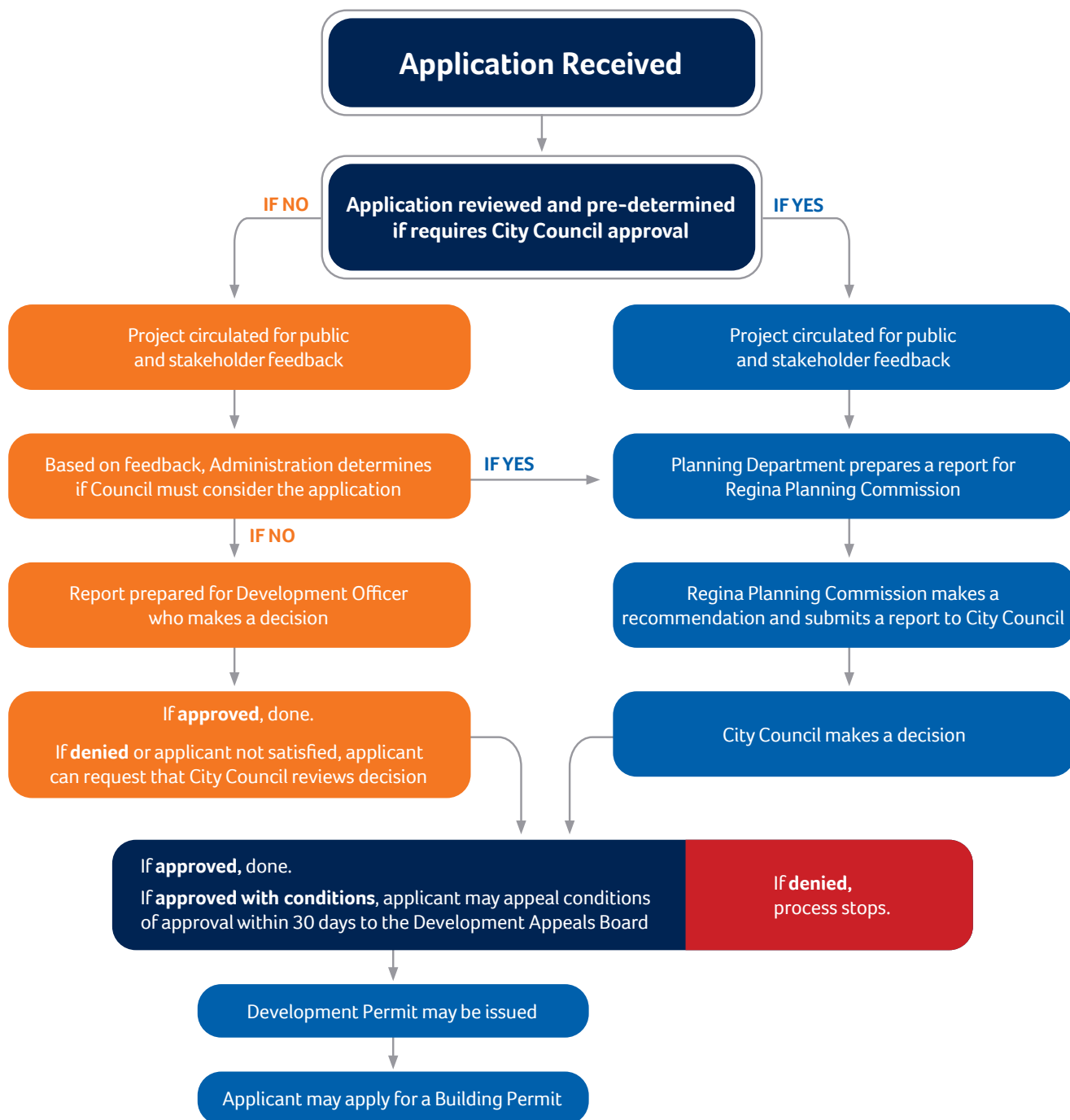
Prior to submitting the application, the applicant may get in [contact](#) with the Planning & Development Services Department for a preliminary consultation. The applicant may need to attach the [Industrial Use Application](#) to the [Discretionary Use Application](#) if applicable (e.g. contains hazardous materials or there is another potential environmental impact). The Development Officer will review the application for completeness in accordance with the Zoning Bylaw. Once it is determined to be complete by the Development Officer, the application is circulated, and public signage is initiated. A report is then made that evaluates the suitability, and a written decision follows. If the applicant is dissatisfied with the decision, they may apply for City Council to review the report and decision.

Every discretionary use application shall be evaluated based on:

- Consistency with the vision, goals and policies of the OCP
- Consistency with the objectives and policies of any applicable special study or policy document for the site, area or neighbourhood, with emphasis on:
  - land use;
  - intensity of the development; and
  - impact on public facilities, infrastructure or services.
- Consistency with the regulations of the Zoning Bylaw
- Potential adverse impacts or nuisances affecting:
  - nearby land, development, land uses or properties;
  - neighbourhood character;
  - the environment;
  - traffic;
  - a public right-of-way; and
  - any other matter(s) affecting public health and safety.



# Discretionary Use Application Approval Process



## Subdivision Application

### What is Subdivision?

Subdivision is the division of land to enable the legal registration of streets and parcels of land; land may be subdivided into parcels and lots to accommodate various developments. Subdivisions also create or move property lines. An applicant may apply for the City's approval to subdivide the property of interest; the subdivision shall be in accordance with standards in the current Zoning Bylaw and Subdivision Bylaw.

### The Subdivision Process

Prior to submitting an application, the applicant may [contact](#) the Planning Department for a preliminary consultation. Once the applicant is ready to proceed, the [Subdivision Application Form](#), supporting documentation and fees should be submitted to the City for review.

Subdivision applications must be approved by the Development Officer or City Council and may be subject to conditions of approval. Subdivision applications are most often approved by City Administration (Development Officer); however, if the Development Officer recommends denial, a report is submitted to Regina Planning Commission and City Council for consideration.

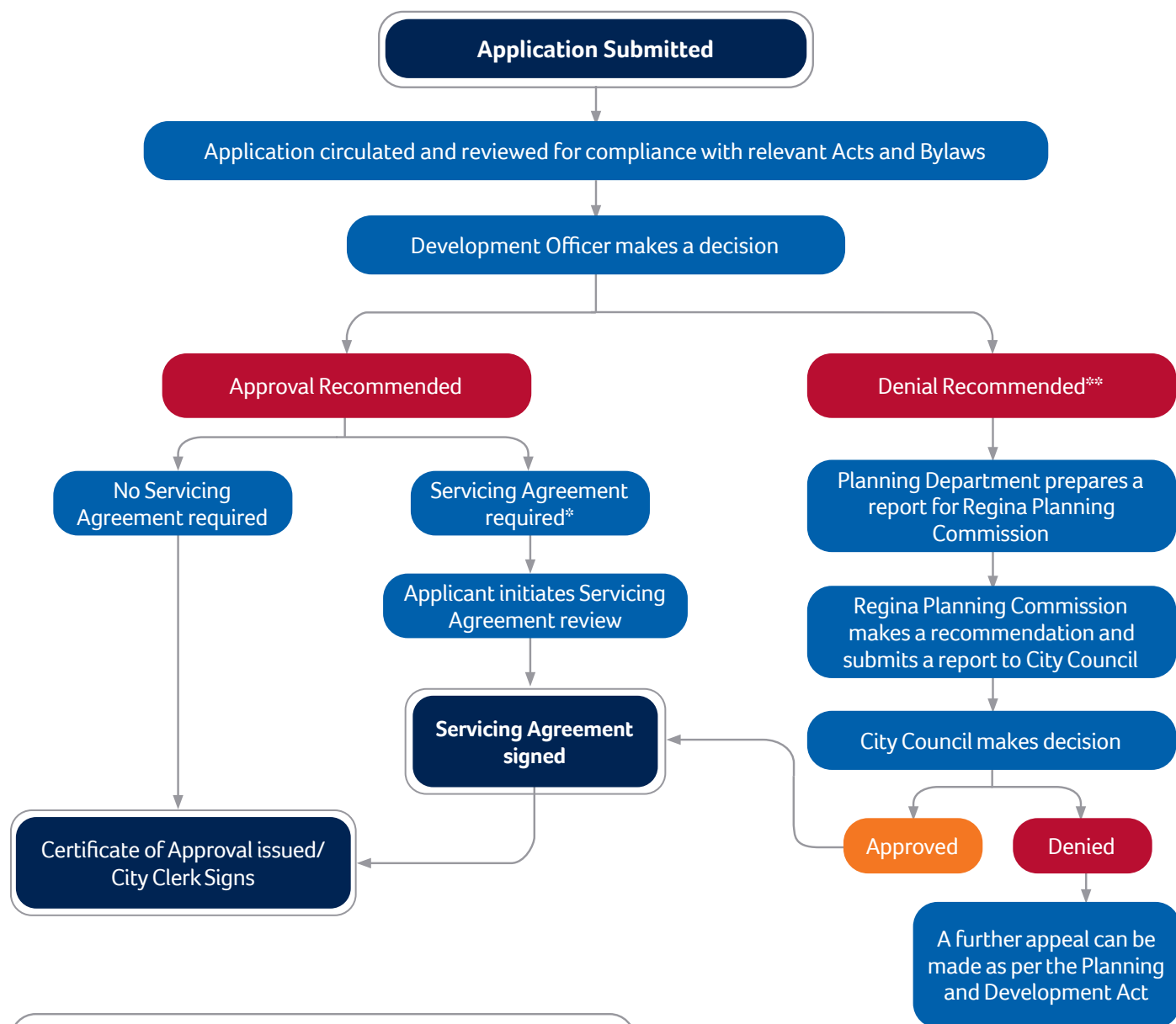
It is common for a subdivision taking place in a greenfield to have a servicing agreement. This agreement is to provide services and facilities that directly or indirectly serve the subdivision and must be signed before the application can proceed. Once the applicant receives a Certificate of Approval and an executed Plan of Proposed Subdivision from the City, the applicant must submit the required documentation to the Provincial Land Registry to create legal parcels of land.

Depending on the complexity, a subdivision with no servicing agreement is typically completed within six to eight weeks. However, when a servicing agreement is involved, the application goes to the Engineering Department to decide on the servicing required, and it can take anywhere from two months up to a year.

Within 30 days of receiving the Development Officer's or City Council's decision, an applicant may appeal the decision to the Development Appeals Board in accordance with *The Planning and Development Act, 2007*.



# Subdivision Application Process



\* IF A SERVICING AGREEMENT IS REQUIRED, SUBDIVISION APPROVAL WILL NOT BE RELEASED UNTIL AFTER THE SERVICING AGREEMENT IS SIGNED

\*\* IF APPLICATION WARRANTS COUNCIL CONSIDERATION

### **Servicing Agreement Fees and Development Levies**

Servicing Agreement Fees (or SAFs) and Development Levies are development charges the City collects for the recovery of growth costs. Growth costs are recovered to build new infrastructure, support growth, pay down existing debt for past growth works and avoid taxpayers paying fees that serve growth.

Development charges must be paid when any new development requires more servicing capacity than is currently provided for that site. This could include widening existing roads, expansions to water and wastewater treatment plants, and building new parks and recreation facilities.

SAFs are only charged in new (greenfield) growth areas on the periphery of the city. The former intensification levy for existing areas was repealed in 2021.

### **Severance**

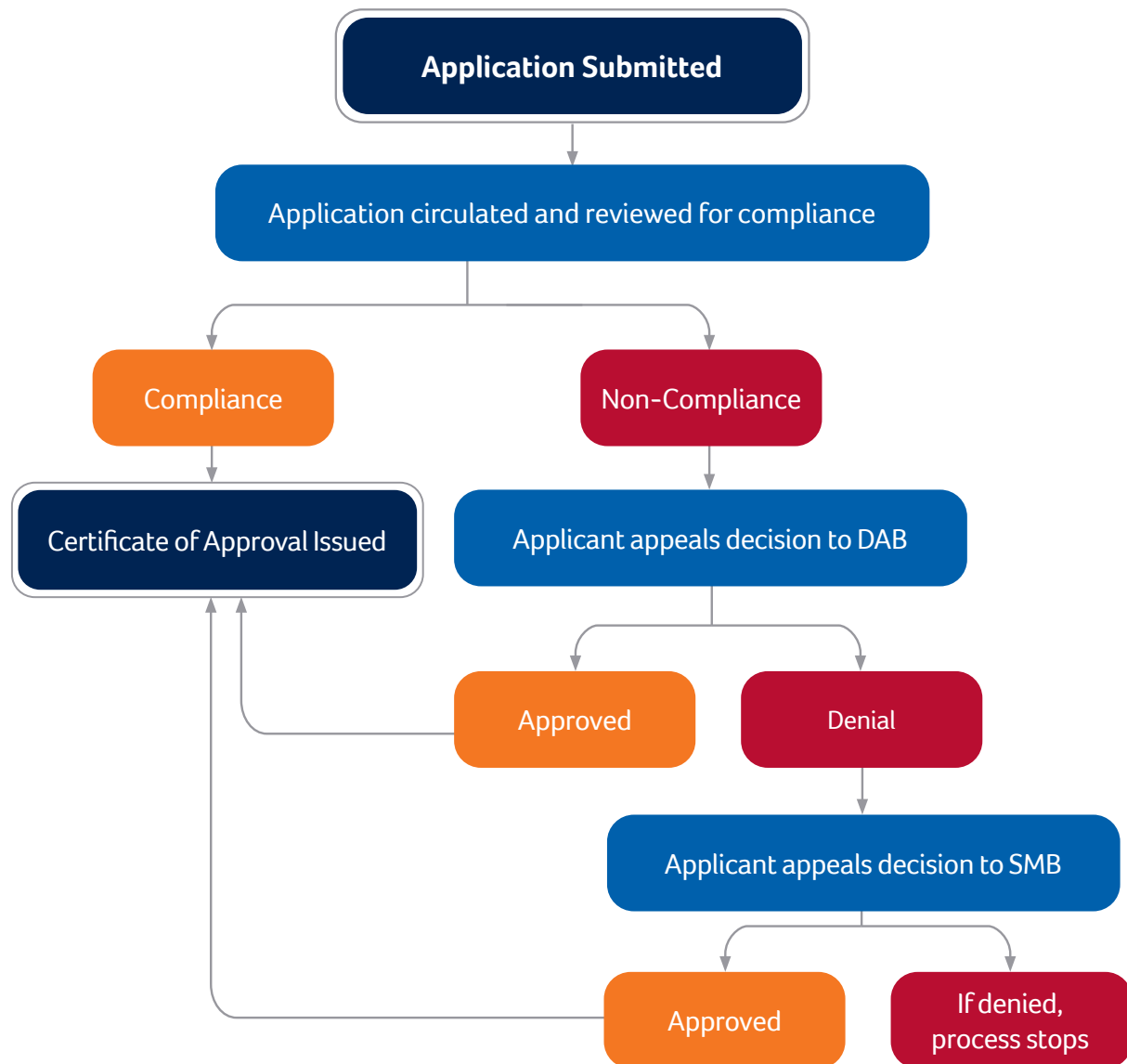
A severance is the subdivision of one lot, block, or portion thereof into two “sites” having contiguous frontage on a street and shall not alter the direction of frontage of any existing property. The applicant will need to complete a [Severance Application Form](#) and submit the information outlined in the checklist to the City for review.

Severances are circulated to affected civic departments for comment. If the severance is acceptable, the City Clerk executes the certificate of approval on behalf of the City. In the event of non-compliance with the applicable regulations, the application must be forwarded to City Council, who shall refuse approval.





# Severance Application Process



## Development Permit

Development permit applications determine if the use of land, building or other structures may be developed at a specific location. A permit will be issued authorizing a development according to the Zoning Bylaw. All development proposals must obtain a development permit prior to any development occurring in accordance with *The Planning & Development Act, 2007*. Typically, the submission of a building permit constitutes a submission of a development permit, and separate permits will be issued confirming compliance.

First, the applicant should determine the zoning of the property - to do so, visit the online version of the [City's Zoning Bylaw](#), check the [Zoning Bylaw Map](#) online or [Contact](#) the City.

Within each zone designation, specific land uses are either permitted, prohibited or discretionary; refer to the [Quick Reference Summary](#) to see land uses and the classifications.

### Permitted Use:

- A use or development to which an owner is entitled to a development permit provided the use or development conforms to the applicable development standards and regulations in the Zoning Bylaw.

### Prohibited Use:

- A use of land, building or other structure that is not permissible in a zone.

### Discretionary Use:

- A use of land, building or other structure that may be permitted in a zone only at the discretion of and at a location specified by City Council.

If the use of the proposed development is considered Discretionary Use, then the a [Discretionary Use Application](#) will need to be submitted to the City first.

If the use of the proposed development is considered a permitted use, the applicant may submit a [Development Permit Application](#) or Building Permit application. Legislation requires that a development permit be issued if the proposal complies with the Zoning Bylaw. Public Notice is not required.

## Minor Zoning Variance

If an applicant has a minor variance to the regulations, requirements, and standards of the Zoning Bylaw, the applicant may submit a [Minor Zoning Variance Application](#) to the Development Officer. The applicant is asking for a relaxation to a certain Zoning Regulation; however, the maximum amount of the minor variance cannot exceed 10% variation of the Zoning Bylaw requirements, and the development must still conform to the Zoning Bylaw with respect to the use of the land. Minor variance may apply to:

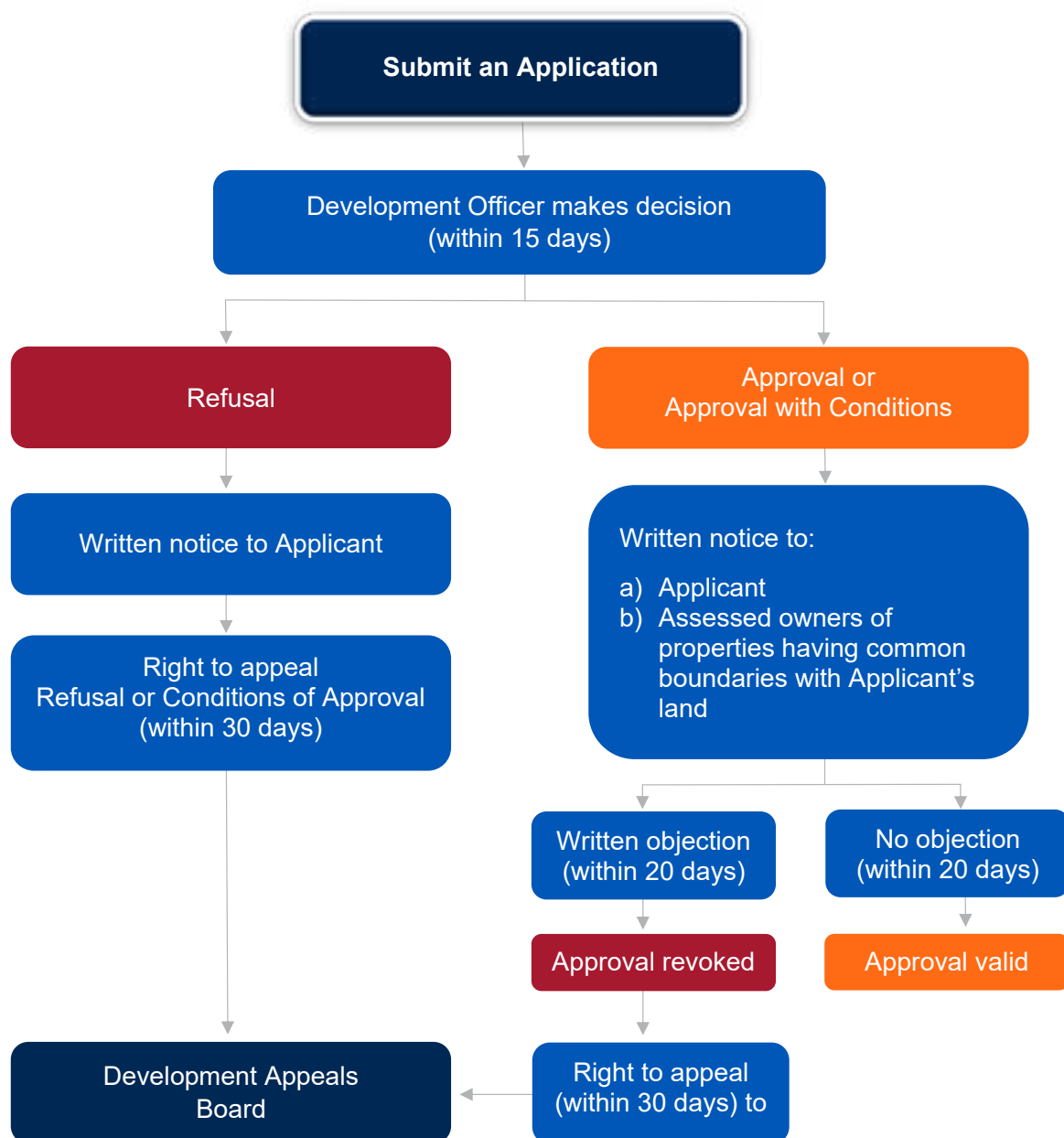
- Minimum lot area
- Minimum lot frontage
- Minimum yard setback or step-back distance
- Maximum lot coverage
- Maximum floor area ratio, provided the maximum height is not varied
- Maximum height of a principal or accessory building, provided the maximum floor area ratio is not varied
- Minimum required parking
- Maximum area for accessory building

Minor Variance decisions of approval are sent by mail to abutting property owners who have the right to register objection within 20 days. If objections are submitted, the approval is revoked.

The applicant may appeal the refusal of a Minor Zoning Variance within 30 days to the Development Appeals Board.



# Minor Zoning Variance Procedure



## Development Appeals

A Development Appeal is a request to the Development Appeals Board for a variation of certain zoning regulations within the Zoning Bylaw applied to a specific property.

An individual has the right to appeal to the Development Appeals Board,

- where the Development Officer:
  - is alleged to have misapplied the Zoning Bylaw in issuing a development permit;
  - refuses to issue a development permit because it would contravene the Zoning Bylaw; or
  - issues an Order to Comply.

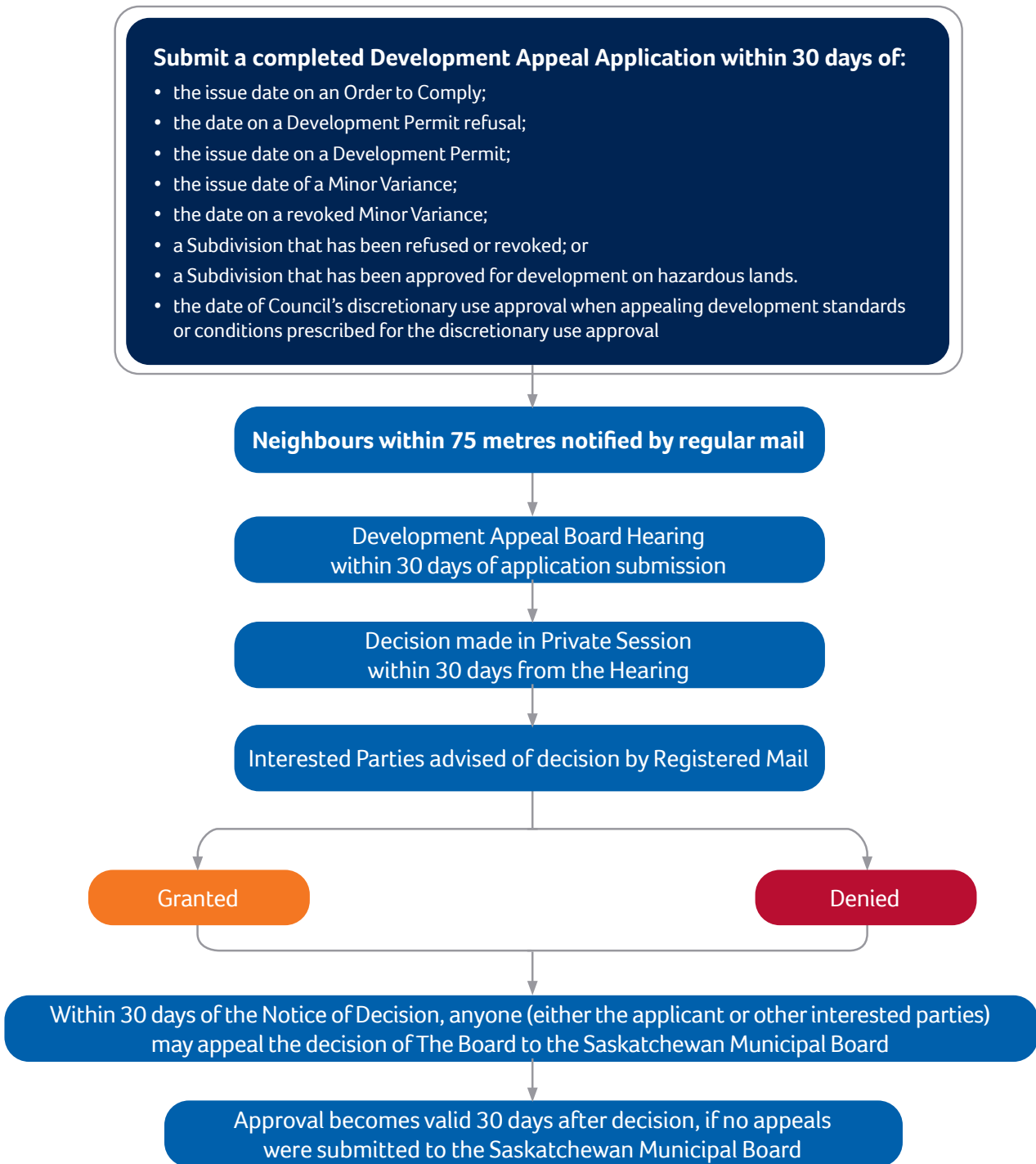
- Or where:
  - a Discretionary Use approval was issued with prescribed development standards or conditions and the applicant is of the opinion that the development standards and conditions exceed those necessary to secure the objectives of the Zoning Bylaw;
  - a Minor Variance was revoked based on an objection by a property owner having a common boundary;
  - a Minor Variance was refused;
  - a Minor Variance was approved with terms and conditions;
  - a Subdivision has been refused or revoked; or
  - a Subdivision has been approved with specific development standards for a development on hazardous land.

Before submitting the [Development Appeal Application](#), the applicant may [contact](#) the Planning & Development Services Department for a preliminary consultation.





# Development Appeal Procedure



## Building Permit

Building Permits are required for many different projects from new home construction & additions, home improvement or demolition; refer to the City's [website](#) for the list of projects that require permits and what information is required in the specific application process.

## Public Notice

The City ensures the public notice requirements set out in *The Public Notice Policy Bylaw* are met. The City stresses that planning is a transparent and collaborative process and encourages the public to share their thoughts.

Depending on the type of application, different requirements must be met. Applications that go to Council, such as Zoning Bylaw Amendments, Secondary Plan and Concept Plan Amendments, and Discretionary Use Applications, require some

form of public notice. Newspaper advertisements, Regina.ca, City Hall public notice board, mail notices, and signage posted on the site are all forms of public notice. In some cases, the City may also hold open houses and public meetings. An open house is a come-and-go event where the community can ask City staff and the applicant questions. A public meeting is a more formal event with an agenda and presentation as well as an opportunity for the community to ask questions.

In accordance with the public notice requirements of *The Public Notice Policy Bylaw, 2020*, neighbouring property owners within 75 metres of the proposed development receive written notice of the application. Administration receives feedback and summarizes the public's comments in the report. For contract zoning bylaw amendments, public comments will be noted and could impact conditions in the contract zone agreement.

# Resources

- Contact the City of Regina (<https://www.regina.ca/about-regina/contact-us/>)
- More information about City Planning (<https://www.regina.ca/business-development/land-property-development/planning/index.html>)
- City of Regina land development information and application forms (<https://www.regina.ca/business-development/land-property-development/land-development/>)
- City of Regina Zoning Bylaw (<https://www.regina.ca/bylaws-permits-licences/bylaws/regina-zoning-bylaw/>)
- City of Regina Public Notice Bylaw (<https://www.regina.ca/bylaws-permits-licences/bylaws/Public-Notice-Bylaw/>)

