

4. GENERAL DEVELOPMENT REGULATIONS

PART 4A

PURPOSE OF CHAPTER

- (1) This Chapter is designed to identify and provide regulations that are applicable to any land use or development on any site, irrespective of the land use zone in which it is located.
- (2) The Chapter is intended, generally, to facilitate the implementation of the objectives of the *Regina Development Plan* to protect the local biophysical environment. [1992/9250]

PART 4B

REGULATIONS APPLICABLE TO ALL LAND USES

4B.1 USE REGULATIONS

Every use or development of land or building shall comply with all the use regulations and requirements of Chapter 5 relating to the types of uses to which land may be put. [1992/9250]

4B.2 DEVELOPMENT STANDARDS/IRREGULAR LOT FRONTAGES

- (1) Every use or development of land or building shall comply with all the development standards of Chapter 5 relating to the maximum permitted intensity of land use expressed as floor area ratios, height, setback from property lines and public rights-of-way, and minimum separation distance between structures. [1992/9250; 1993/9488]
- (2) The minimum lot frontage on lots having a curved front lot line shall be measured as the distance between the side lot lines along a line drawn parallel to and six metres distance from tangent to the midpoint of the front lot line as shown on Figure 4.1A. [1993/9488; 2017-23]
- (3) The minimum lot frontage on corner lots shall be measured as the distance six metres along a line drawn perpendicular to the fronting street as shown on Figure 4.1B. [2017-23]

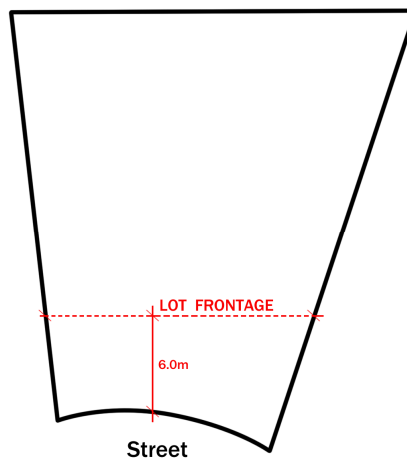


Figure 4.1A: Minimum Lot Frontage on Curved Front Lots [2017-23]

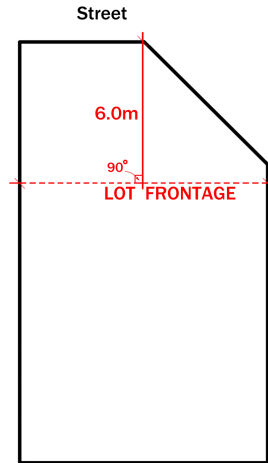


Figure 4.1B: Minimum Lot Frontage on Corner Lots [2017-23]

4B.3 PARKING AND LOADING REGULATIONS

Every use or development of land or building shall comply with all the requirements provided in Chapter 14 pertaining to the provision of parking and loading facilities. These regulations address issues such as minimum required parking spaces, and the screening of such areas. [1992/9250]

4B.4 LANDSCAPING REGULATIONS

Every use or development of land or building shall comply with all the landscape and buffer regulations provided in Chapter 15. The landscape and buffer regulations are the minimum required landscaping of developed land, and the minimum buffers between adjoining land use zones or incompatible land uses. [1992/9250]

4B.5 SIGN REGULATIONS

Every use or development of land or building shall comply with all the regulations and requirements of Chapter 16 dealing with signs. The sign regulations address issues such as the type, number, size, location, maximum area of signs, and types of signs that are permitted on a site. [1992/9250]

4B.6 ADMINISTRATIVE AND PROCEDURAL REGULATIONS

Every use or development of land or building shall comply with all the administrative and procedural regulations of Chapter 18 dealing with procedures necessary to secure review and approval of a land use or development. Such regulations and restrictions address both procedural and technical requirements. [1992/9250]

4B.7 ENVIRONMENTAL PROTECTION STANDARDS

Every new use or alteration to an existing development of land or building shall comply with all the regulations in this Subpart regarding the acceptable levels of nuisance such as lighting, noise, odour, heat, glare, and smoke that may be created. [1992/9250]

7.1 PURPOSE

The purpose of the environmental protection standards are to allow nuisances associated with land uses to be identified, and by so doing:

- (a) prevent land use activities from being conducted in any manner that is dangerous, injurious, or objectionable to the City; and
- (b) protect land use from arbitrary exclusion from certain zones and locations on the basis of past nuisance associated with the type of activity. [1992/9250]

7.2 APPLICATION

The environmental protection standards in this Chapter shall be the minimum that all land use activities shall meet. [1992/9250]

7.3 AIR POLLUTION

No use or operation shall discharge into the atmosphere any air contaminants, visible emissions, smoke or particulate matter which exceed those measures prescribed by the Province of Saskatchewan under *The Clean Air Act*, and *The Clean Air Regulations*. [1992/9250]

7.4 ELECTROMAGNETIC INTERFERENCE

No use or operation shall create any electromagnetic disturbance, which adversely affects any operations or equipment other than those on the site where the disturbance originates. [1992/9250]

7.5 FIRE AND EXPLOSION

- (1) No materials, which could decompose by detonation (such as explosives), shall be located less than 121.92 metres from a residential zone.
- (2) Subsection (1) shall not apply to the storage or usage of liquefied petroleum or natural gas for normal residential or business purposes.
- (3) All activities and storage of flammable and explosive materials shall be provided with adequate safety and fire fighting equipment in accordance with *The Regina Fire Bylaw*. [1992/9250; 2017-23]

7.6 HEAT

- (1) No use or operation shall emit heat that increases the ambient air temperature by more than 3°C at the property line of any adjacent property, whether measured in the air, on the ground or in any structure on the adjacent property.
- (2) Subsection (1) does not apply to:
 - (a) a parking lot; or
 - (b) an automobile. [1992/9250]

7.7 GLARE

- (1) No land use or establishment shall produce a direct or sky-reflected, dazzling light or reflection of that light beyond its lot lines.
- (2) Subsection (1) shall not apply to:
 - (a) signs or floodlighting of parking areas otherwise permitted by this Bylaw; or
 - (b) solar panels or other energy conservation features on the exterior of a building. [1992/9250]

7.8 NOISE

- (1) All noise shall be muffled so that for a cumulative period of not more than 15 minutes in any hour, it does not exceed the standards outlined in Table 4.2.
- (2) Except for the exempt classes mentioned in subsection (3), in no event shall the sound-pressure level of noise radiated continuously from a use or operation exceed at any lot line of the site where the noise originates, the values shown in Table 4.2. [2002-2]
- (3) The following noises shall be exempt from the provisions of this section:
 - (a) noises from construction and maintenance activities between 7 a.m. and 10 p.m.;
 - (b) noises from safety signals, emergency vehicles and equipment, warning devices and emergency pressure release valves;
 - (c) noises from motor vehicles, such as automobiles, trucks, airplanes and railway; and

- (d) ordinary domestic noises such as voices, parties, music, which are subject to *The Regina Noise Abatement Bylaw*.
- (4) All noise measurements shall be measured in A-weighted decibels (dBA), and made with a sound level metre which satisfies the requirements for Type 2 Sound Level Meter in the American National Specification for Sound Level Meter.
- (5) Sound pressure levels shall be measured at the lot lines of the site where the noise originates, at a height of at least 1.2 metres above the ground surface. [1992/9250; 2002-02]

TABLE 4.2: MAXIMUM NOISE LEVELS		
LAND USE ZONE	MAXIMUM ALLOWABLE SOUND PRESSURE NOISE LEVEL (IN DECIBELS - dBA)	
	7 a.m. to 10 p.m.	10 p.m. to 7 a.m. [2001/10264]
All Residential Zones	60	55
All Commercial Zones	70	60
All Other Zones Within 30 metres of a Residential Zone	70	65
All Other Zones	85	75

7.9 ODOUR

- (1) Except for uses and operations mentioned in subsection (2), no use shall generate any odour which reaches the property line of the abutting property either at ground level or at any habitable elevation. [2002-2]
- (2) The following types of odours shall be exempt from the requirements of subsection (1):
- (a) common domestic odours such as food preparation;
 - (b) odours from temporary or seasonal agricultural harvesting activities; and
 - (c) odours from construction and maintenance activities between 7 a.m. and 10 p.m. [1992/9250]

7.10 HAZARDOUS MATERIALS

- (1) The requirements of this section apply to all uses and operations involving one or more of the following:
 - (a) micro-organism cultures;
 - (b) pesticides;
 - (c) biological products;
 - (d) hazardous materials defined in Chapter 2; and
 - (e) infectious agents.
- (2) All uses or operations involving such hazardous materials shall submit a written description of such materials and the operations involving the materials conducted on the property as required in Part 18C of Chapter 18. [1992/9250]

7.11 VIBRATIONS

No use or operation shall produce vibration which, measured at the ground level of the abutting property line, exceeds 0.0051 metres per second in particle velocity, using seismic or electronic vibration measuring equipment such as the Type 1553 Vibration Meter. [1992/9250]

7.12 WASTE MATERIALS

No use or operation shall discharge toxic or noxious materials:

- (a) across the boundaries of the site;
- (b) through infiltration into the subsoil;
- (c) into the sewage disposal system, except as otherwise provided by *The Sewer Service Bylaw No. 5601*; or
- (d) into a stream. [1992/9250]

7.13 EXTERIOR LIGHTING

All exterior lighting on private property (excluding lighting within public rights-of-way and public properties) shall conform to the following requirements:

- (a) the lighting fixture shall be oriented in such a manner that any illumination from it is deflected away from any adjacent residential premises. The use of shielded luminaries and careful fixture placement is encouraged to ensure compliance with this requirement; [2002-02]
- (b) the amount of illumination from the exterior lighting, as measured at the lot lines of the site where the lighting originates, shall not exceed the levels specified in Table 4.3; [2002-02]
- (c) the light fixtures shall not be located within any required landscaped buffer; and
- (d) flashing, flickering or other lighting fixtures which may distract motorists shall not be used, except where permitted in Chapter 16 of this Bylaw. [1992/9250]

TABLE 4.3: MAXIMUM ILLUMINATION STANDARDS	
AREA	NIGHT LIGHT INTENSITY (LUX)
COVERED PARKING, LOADING AND CIRCULATION AREAS	
General Parking and Pedestrian Circulation	50
Ramp and Corner	10
Entrance Area	50
Stairway	10
OPEN PARKING FACILITIES	
Surface Parking Area	9
BUILDING EXTERIORS	
Active Entrances	50
Inactive Entrances	10
Building Surroundings	10

7.14 ADMINISTRATION AND ENFORCEMENT OF ENVIRONMENTAL STANDARDS

The Development Officer shall enforce the environmental standards in accordance with the provisions of Subpart 18E.2 of Chapter 18. [1992/9250]

4B.8 INTERSECTION SIGHT LINE CONTROL AND DRIVEWAY DEVELOPMENT

8.1 INTENT

The regulations in this Subpart recognize the dual function of the City roadways to:

- (a) move vehicular and pedestrian traffic between different parts of the City; and
- (b) provide public access to individual properties located along the roadways.

As these functions have conflicting requirements, it is the intent of these regulations to maintain an appropriate balance. [1992/9250]

8.2 APPLICATION

Whenever a development site takes vehicular access from a roadway, the requirements in this Subpart shall apply. [1992/9250]

8.3 INTERSECTION SIGHT LINE CONTROL

Every development site is subject to the sight line control regulations of the *Regina Traffic Bylaw*. [2002-2]

Figure 4.1 deleted [2002-2]

8.4 DRIVEWAY CROSSING

- (1) A driveway crossing may be permitted in locations that meet the requirements of the City and the guidelines in subsections (2) to (9). [2003-1; 2017-23]

- (2) General Location

The crossing should be provided where:

- (i) movement in and out of the driveway crossing will cause as little traffic interference as possible; and
- (ii) a parking pad exists or there is a valid permit or physical evidence of intention to construct one on a private property.

(3) Freeway or Expressway Location

The crossing should not be installed to provide access to a roadway designed to function as a freeway or expressway with a designated speed limit of 70 kilometres per hour or higher. [2017-23]

(4) Arterial Route Location

A commercial driveway crossing would be allowed where the street is primarily fronted by commercial development and has a designated speed limit of 50 kilometres per hour.

(5) Collector Route or Local Street Location

(a) A residential, commercial or industrial driveway crossing would be generally allowed on a collector or local street. But it is not necessary to install a driveway crossing on a local street where a rolled curb already exists, except where the City has determined that reinforcing bars are required, in which case a new curb will be required. [2003-1; 2017-23]

(b) In no case should a driveway crossing be situated within the sight line triangles identified in the intersection site line controls specified in Figures 4.1, 4.2 and 4.3 for residential, commercial and industrial driveway crossings respectively. [2015-1]

(6) Number of Crossings

A development site would normally be allowed a maximum of two one-way (such as a circle driveway) or one two-way driveway crossing per frontage.

(7) Position of Driveway

A two-way driveway crossing should be positioned at 90° to the street. A one-way commercial driveway crossing should be angled in the direction of entry or exit. The minimum angle allowable for a one-way driveway crossing is 70°. [1996/9776]

(8) Design

- (a) The width of a driveway crossing should normally be constructed to align with the driveway or parking pad on private property, and should not exceed the width specified in Figures 4.2, 4.3 and 4.4 for residential, commercial and industrial driveway crossings respectively.
- (b) The driveway crossing shall be constructed to comply with the most recent City of Regina standard specifications and drawings for crossing curb, gutter, boulevard, and sidewalk.

(9) Multiple Driveways

The location and dimensions of all multiple driveways should be approved by the City prior to installation. [1992/9250; 2003-1; 2017-23]

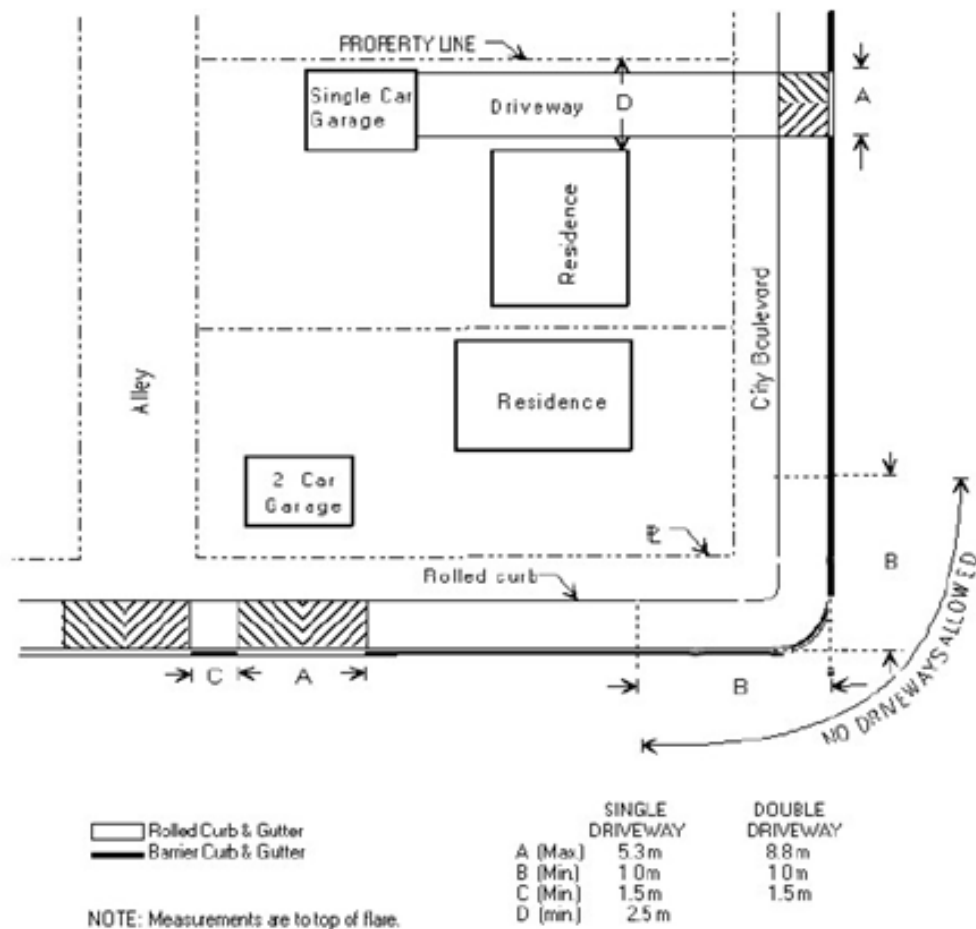
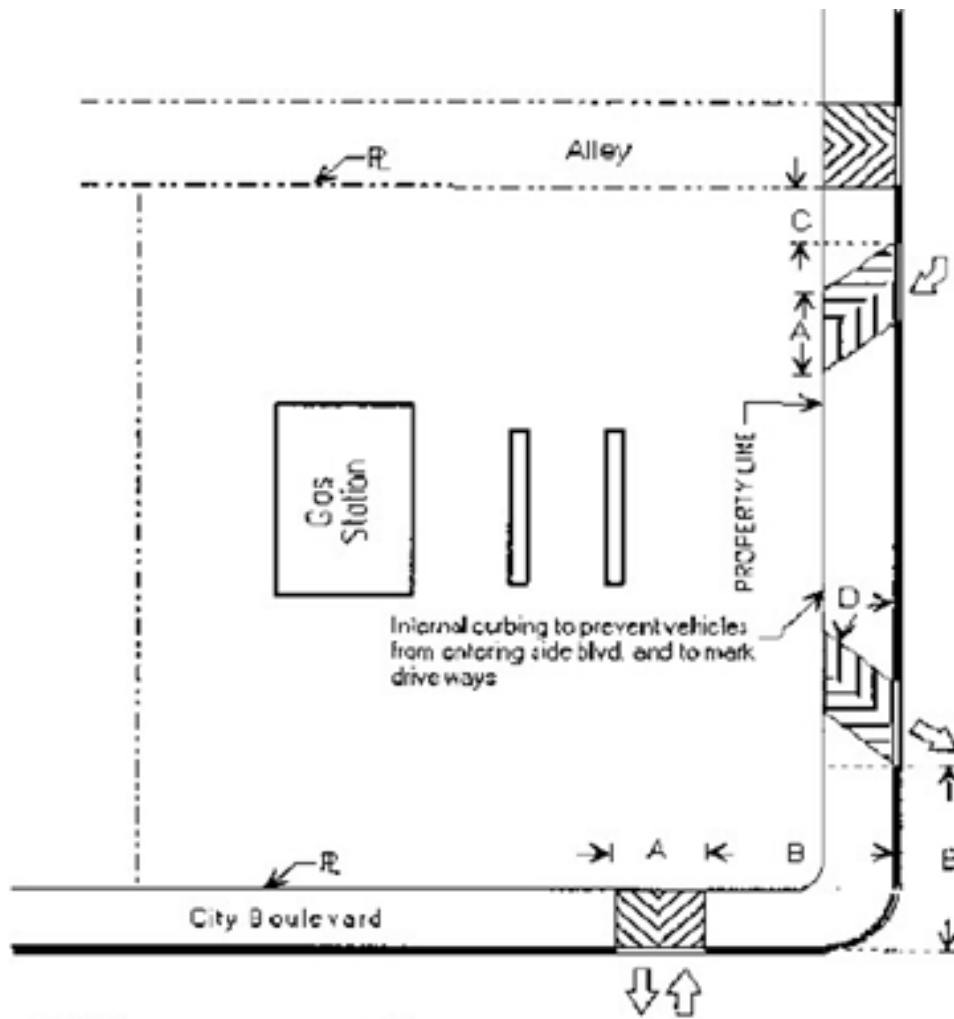


Figure 4.2: Residential Driveway Crossing Design [2015-1]



NOTE: Measurements are to top of flare.

	ONE WAY DRIVEWAY	TWO WAY DRIVEWAY
A (Max.)	5.0m	10.0m
B (Min.)	10.0m	10.0m
C (Min.)	3.0m	3.0m
D angle	70-90 deg.	90 deg.

Figure 4.3: Commercial Driveway Crossing Design [2015-1]

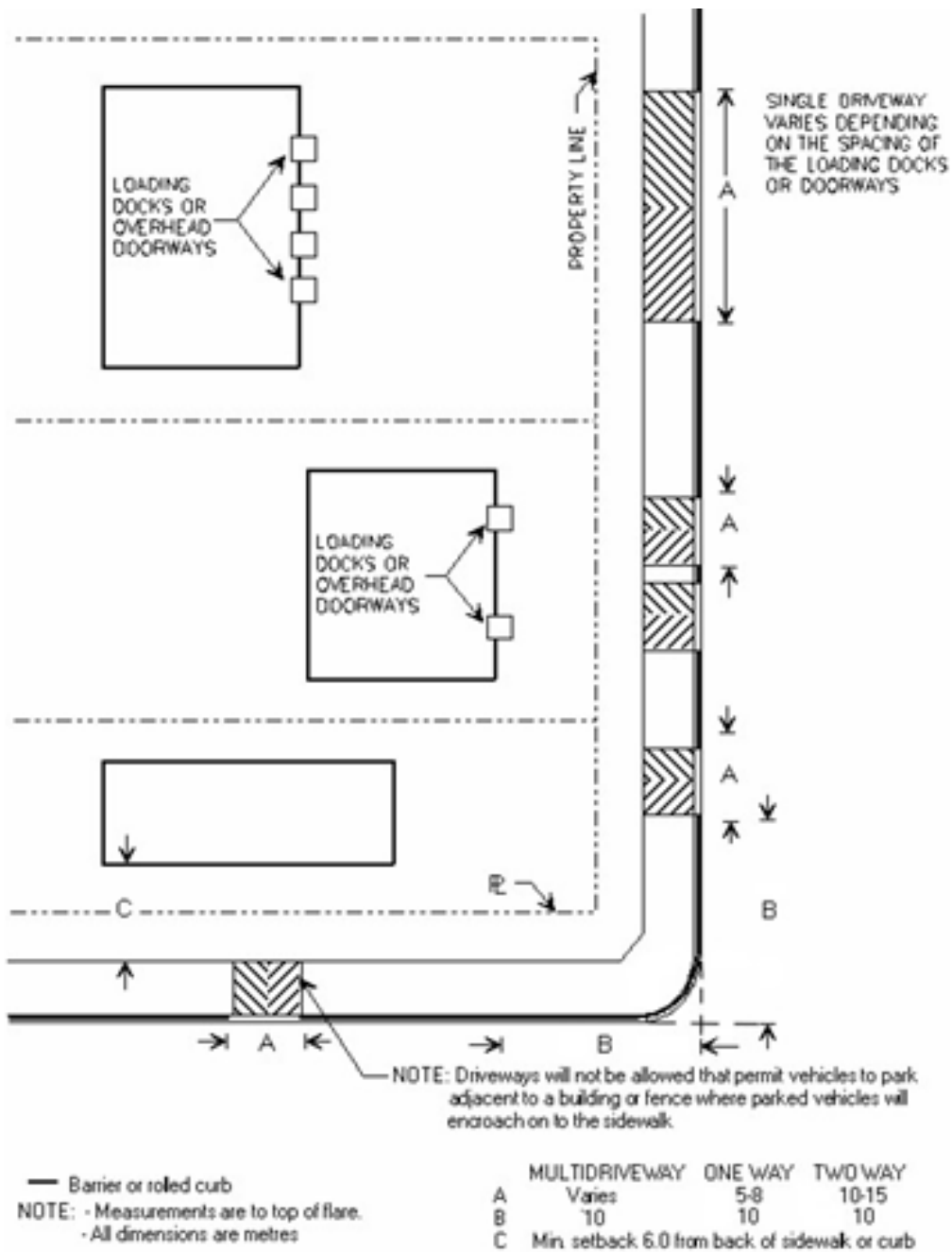


Figure 4.4: Industrial Driveway Crossing Design [2015-1]

4B.9 HABITABLE USE [2014-44]

- (1) Only buildings or structures designed for the purpose of year round human habitation; and that have been developed or constructed legally through the issuance of a building permit, may be used as a dwelling unit as defined in this bylaw and as allowed within the applicable zone designation.
- (2) The use of Fifth Wheel Trailers, Motor Homes-Class A, Motor Homes-Class C, Recreational Vehicles, Tents, Tent Trailers, and Travel Trailers, as defined in this bylaw, for commercial purposes or habitation shall be prohibited in all zones except where such use is expressly permitted by this bylaw.
- (3) No other form of trailer or vehicle shall be used for human habitation unless expressly permitted by this bylaw.

PART 4C

REGULATIONS FOR SELECTED GENERAL LAND USES

4C.1 CHILD AND ADULT DAY CARE CENTRES/NURSERY SCHOOL [1995/9736; 2001/10264]

1.1 INTENT

The intent of the regulations in this Subpart is to ensure compatibility between the provision of day care/nursery services and surrounding land uses. It is also intended to encourage the dispersion of those services throughout the City so that they are available at convenient locations.

1.2 SITE REQUIREMENTS

The most stringent lot area, coverage, frontage, and yard regulations of the zone in which the use is located shall apply. [1992/9250]

1.3 PROVINCIAL GOVERNMENT REGULATIONS [2001/10264]

Day care providers should be aware that child day care centres and child day care homes are also governed by *The Child Care Act* and *Regulations*, which are administered by the Province of Saskatchewan.

1.4 PARKING AND DROP-OFF SPACE REQUIREMENTS

Day care centres/nursery schools shall provide parking and drop-off areas in compliance with Chapter 14. [1992/9407; 2005-34]

1.5 LANDSCAPING

- (1) Landscaping compatible with the neighbouring residential properties and consistent with the neighbourhood character must be provided and maintained.
- (2) Additional landscaping may be required to provide increased screening from adjacent dwelling units.

1.6 DAY CARE CENTRES IN DETACHED DWELLINGS – Repealed. [2016-6]**1.7 SPACING REQUIREMENT**

No more than 1 day care centre shall be allowed in a single block face in a residential zone.

1.8 DAY CARE HOMES – Repealed. [2006-14]**4C.2 PUBLIC USES/FACILITIES****2.1 PUBLIC USES PERMITTED IN ALL ZONES**

This Bylaw permits the use of land or the use, construction or reconstruction, of a building or structure for the purpose of:

- (a) public service of the City;
- (b) any public undertaking of a public utility commission, or any other board or commission of the City;
- (c) the Province of Saskatchewan established or exercising authority under any general or specific statute of Saskatchewan; or
- (d) any committee or local authority established by bylaw of the City, provided that:
 - (i) such use, building or structure shall comply with the applicable height, floor area ratio, and yard regulations;
 - (ii) there shall be no exterior storage of goods, materials or equipment in any Residential Zone; and
 - (iii) such building or structure shall be designed and maintained in general harmony with the buildings and structures in that zone. [1992/9250]

2.2 EXCEPTION

Notwithstanding section 2.1, where a use is specifically permitted in the Institutional Zone or Public Service Zone, it shall only be permitted in that zone. [1992/9250]

4C.3 OUTDOOR MERCHANDISE DISPLAY

3.1 INTENT

The following regulations are intended to provide regulations for the display of merchandise outside an enclosed building in order to preserve the character of the streetscape. [1992/9250]

3.2 APPLICATION

- (1) These regulations apply to any land use in which the display for sale or rental of merchandise or equipment outside an enclosed building is an integral part of its operations.
- (2) The land uses mentioned in subsection (1) may include but are not limited to the following:
 - (a) vehicle sales or rental;
 - (b) prefabricated housing;
 - (c) monument sales;
 - (d) implement sales; and
 - (e) used merchandise.
- (3) The land uses mentioned in subsection (1) do not include the storage or display of:
 - (a) inoperative vehicles or equipment; or
 - (b) other materials typically associated with junkyard or salvage operations. [1992/9250]

3.3 DISPLAY OF ITEMS

- (1) No item shall be displayed in a landscaped area.
- (2) The display items shall not be located in a manner that will reduce the number or inhibit the use of parking stalls required to be provided on the property in accordance with Chapter 14 of this Bylaw.
- (3) The display area shall be separated from any vehicular parking or circulation area by a minimum of 3.05 metres;

- (4) The separation distance mentioned in subsection (3) shall be clearly marked by a physical separation such as a curb, fence, line of planters or paved area. [1992/9250]

3.4 VISIBILITY

No sign, screen, enclosure, buffer, landscape material, or display item shall interfere with on-site or off-site traffic visibility. [1992/9250]

3.5 FIXTURES

Where display items are removed from the display area, all support fixtures or structures used to display the goods shall be removed within 10 days of the removal of the goods. [1992/9250]

3.6 LANDSCAPED BUFFER

A landscaped buffer shall be provided for the display facility in accordance with Chapter 15, Part 15C, of this Bylaw. [1992/9250]

4C.4 OUTDOOR STORAGE FACILITY

4.1 INTENT

These regulations are designed to provide performance standards for the maintenance of outdoor storage facilities in order to:

- (a) reduce adverse visual effects resulting from those facilities; and
- (b) enhance public health and safety by preventing the contamination of the urban environment from materials transported directly and indirectly from the sites. [1992/9250]

4.2 APPLICATION

- (1) These regulations apply to all land uses in which any activity, besides loading and parking, is located outdoors.
- (2) The land uses mentioned in subsection (1):
 - (a) include but are not limited to:
 - (i) contractors' storage yards;
 - (ii) equipment yards; and
 - (iii) lumber yards; but

- (b) exclude:
 - (i) storage yards for inoperative vehicles and equipment, or other materials commonly associated with a junkyard or salvage yard; and
 - (ii) storage of fuel, oil or gas in tanks connected to a heating plant on the premises. [1992/9250]

4.3 REPEALED. [2003-1]

4.4 OPENING IN WALL

- (1) There shall be no more than one opening in the fence or wall facing any street for each 100 metres of fence length.
- (2) The opening mentioned in subsection (1) shall not exceed 6.096 metres in width, and shall be provided with a solid gate, which must be kept closed except for the passage of vehicles.
- (3) Where vehicles or equipment are stored, they shall be maintained in an operable condition, otherwise the facility shall be deemed a junkyard and shall be subject to the applicable requirements of Chapter 8 respecting junkyards. [1992/9250]

4.5 LOCATION

- (1) No outdoor storage facility shall be located on a designated:
 - (a) open space;
 - (b) landscaped area; or
 - (c) landscaped buffer.
- (2) The storage items shall not be located in a manner that will reduce the number or inhibit the use of parking stalls required to be provided on the property in accordance with Chapter 14 of this Bylaw.
- (3) The storage area shall be separated from any vehicular parking or circulation area by a minimum of 3.05 metres.
- (4) The separation distance mentioned in subsection (3) shall be clearly marked by a physical separation such as a curb, fence, line of planters or paved area.

- (5) Neither:
 - (a) the enclosure; nor
 - (b) the materials being stored shall interfere with on-site or off-site traffic visibility. [1992/9250]

4C.5 RADIO COMMUNICATION ANTENNA SUPPORT STRUCTURES

5.1 INTENT

- (1) These regulations supplement the regulations of the Department of Communications (Canada) for the construction or modification of commercial radio communication antenna support structures. [1995/9736]
- (2) They are designed to ensure that aesthetics and land use considerations are considered in the development of radio communication antenna support structures. In particular, it is desirable to:
 - (a) minimize adverse visual effects of the structure through careful design, siting, and vegetative screening;
 - (b) avoid potential damage to adjacent properties from tower failure through careful siting of the tower structures;
 - (c) allow new antenna structures in urban residential areas only if a comparable site is not available outside the City limits; and
 - (d) protect the public from the effects of environmental emission by the transmission equipment on the support structures. [1992/9250]

5.2 APPLICATION

- (1) These regulations apply to radio communication tower and accessory facilities approved by the Department of Communications, and for which form 16-946 Antenna and Antenna Structure Declaration is required.
- (2) Antenna support structures associated with the following uses are exempt from these regulations:
 - (a) amateur radio operations, to which Section 11C.3 of this Bylaw shall apply; and [1995/9736]
 - (b) license-exempt users including users of the General Radio Service (GRS or CB radio). [1992/9250]

5.3 HEIGHT OF BUILDING

Support structures mounted on buildings shall be considered a part of the principle structure and subject to the height regulations provided for the building and land use zone. [1992/9250]

5.4 SETBACKS FOR GROUND MOUNTED SUPPORT STRUCTURE

- (1) Ground mounted support structures shall be:
 - (a) located on the site so as to provide a minimum distance from all property lines equal to:
 - (i) 20% of the height of the structure; or
 - (ii) the distance between the base of the structure and the peripheral guy wire anchors; and
 - (b) set back from other on-site and off-site towers and supporting structures far enough so that one tower will not strike another tower or supporting structure if the structure fails. [1992/9250]

5.5 GUY WIRE/ANCHOR LOCATION

- (1) All guy wire anchors shall be:
 - (a) located entirely within the boundaries of the property and in no case less than the setback requirements for that zone; and
 - (b) located so as to provide a minimum of a 3.05 metre horizontal setback from any overhead utility line. [1992/9250]

5.6 BUILDINGS, LANDSCAPING AND BUFFERING

- (1) All structures and buildings developed in connection with the support structure shall be in accordance with the applicable regulations for the zone in which the structure is located.
- (2) Subject to subsection (1), every site shall be landscaped in accordance with the applicable landscaping and buffering regulations in Chapter 15.
- (3) Existing on-site vegetation shall be preserved to the maximum extent possible.
- (4) A chain-link fence or wall of not less than 2.44 metres high shall be provided around each site, and all access to the site shall be provided through a locked gate. [1992/9250]

5.7 APPLICATION PROCEDURE

Every application for a development permit for a radio communication support structure shall be in accordance with Chapter 18 of this Bylaw. [1992/9250]