

8. INDUSTRIAL ZONE REGULATIONS

PART 8A

PURPOSE OF CHAPTER

The purpose of this Chapter is to provide detailed regulations and requirements over and above the general regulations provided in Chapters 4 and 5, for specific industrial zones, and for specific industrial uses. The intent is to:

- (a) identify locations for future industrial development in the City, and to protect those areas from the encroachment of commercial and residential uses;
- (b) protect industries from the adverse effects of other incompatible industries;
- (c) reduce to a minimum the impact of industries on surrounding non-industrial land uses;
- (d) to protect the health and safety of residents and workers in the area;
- (e) to prevent the detrimental effects to the use or development of adjacent properties or the general neighbourhood;
- (f) foster the City's industrial base and maintain a diversified industrial economy for the general welfare of residents; and
- (g) encourage industrial investment, modernization and expansion by providing for stable and predictable industrial environments. [1992/9250]

PART 8B

REGULATIONS FOR ALL INDUSTRIAL ZONES

8B.1 APPLICATION [1995/9736]

Every land use in an industrial zone shall comply with the regulations in this Part.
[1992/9250]

8B.2 YARD REDUCTIONS

Notwithstanding Table 5.8, Chapter 5, the provisions in this Subpart shall apply to all non-residential developments in industrial zones. [1992/9250]

2.1 SIDE YARD VARIANCE FOR LOTS ABUTTING ALLEYS

- (1) The minimum width of a required side yard abutting an alley or road right-of-way may be reduced by one-half ($\frac{1}{2}$) of the width of an abutting alley or road right-of-way.
- (2) The width of the side yard after the reduction mentioned in subsection (1) shall not be less than 450 millimetres.

2.2 REAR YARD VARIANCE FOR LOTS ABUTTING ALLEYS

The minimum depth of rear yard required in this Bylaw may be reduced by one-half ($\frac{1}{2}$) the width of any abutting public alley or utility right-of-way.
[1992/9250]

8B.3 ENCROACHMENTS ON BUFFERS AND EASEMENTS

No structure shall encroach on a City buffer or easement unless the prior approval of the City is obtained and an agreement entered into with the City pursuant to Section 235 of *The Act*. [1992/9250, 2013-64]

8B.4 EXCEPTIONS TO HEIGHT REQUIREMENTS

- (1) Subject to subsection (2), any height limitation in this Bylaw shall not apply to:
 - (a) church spires, belfries, cupolas, penthouses and domes which are not used for human occupancy; or
 - (b) chimneys, ventilators, skylights, water tanks, bulkheads, radio, television or microwave towers and antenna and similar features or necessary mechanical appurtenances usually situated above the roof level.
- (2) The features mentioned in subsection (1) shall be erected only to such height or area as is necessary to accomplish the purpose they are to serve. [1992/9250]

8B.5 PERMITTED ENCROACHMENTS

5.1 FIRE ESCAPE

- (1) A fire escape may project into any required yard.
- (2) Where an industrial development abuts a lot zoned residential, the fire escape may only project 1.5 metres into any required yard, but not closer than 150 millimetres to a lot line. [1992/9250]

5.2 UNCOVERED PLATFORMS

- (1) Balconies, steps or other uncovered platforms may project into any required front or rear yard, except where the industrial development abuts a lot zoned residential, in which case a projection of only 1.5 metres shall be allowed.
- (2) Uncovered platforms or decks that are not more than 300 millimetres in height do not require setbacks. [1992/9250]

5.3 WHEELCHAIR RAMP

Wheelchair ramps may encroach into any required yard. [1992/9250]

5.4 PORCH

A porch that does not exceed three square metres may project into the required front yard. [1992/9250].

8B.6 INDUSTRIAL USE APPLICATIONS

Every operator of a proposed industrial use that utilizes hazardous materials shall make an application to the City in accordance with the discretionary use process in Chapter 18 of this Bylaw. [1992/9250]

PART 8C

REGULATIONS FOR SPECIFIC INDUSTRIAL ZONES

8C.1 LIGHT INDUSTRIAL ZONE (IA, IA1)

1.1 INTENT

- (1) This zone is intended to provide for the location of industrial uses engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including:
 - (a) processing;
 - (b) fabrication;
 - (c) assembly;
 - (d) treatment;
 - (e) packaging;
 - (f) incidental storage;
 - (g) sales; and
 - (h) distributionof a wide range of industrial products.
- (2) Service establishments related to the industrial activities in the zone may also be allowed.
- (3) The IA1 zone is confined to existing industrial properties located on the fringes of the Inner City; hence, development standards are designed to ensure compatibility with the adjacent Inner City residential areas. [1996/9776]
- (4) Uses that may be offensive by reason of noise, smell or other forms of pollution are excluded. [1992/9250]

1.2 PERMITTED USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

1.3 DISCRETIONARY USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

1.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.8 of Chapter 5.
- (2) Exceptions to the required development standards in Table 5.8 are specified in Part 8B, above. Refer to:
 - (a) Subpart 8B.2 regarding reductions to required yard setbacks;
 - (b) Subpart 8B.4 regarding exceptions to the height requirements; or
 - (c) Subparts 8B.3 and 8B.5 for permitted encroachments on easements and required yards respectively. [1992/9250]

1.5 ADDITIONAL REGULATIONS

- (1) Storage of Goods

No storage of goods shall be permitted in any side yard.
- (2) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.
- (3) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.
- (4) Accessory Uses

Accessory uses in this zone shall be subject to the provisions in Chapter 11.
- (5) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.
- (6) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(7) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(8) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(9) Signs

The erection of signs in this zone shall be in accordance with the provisions in Chapter 16.

(10) Public Amenities

The development of public amenities in this zone in exchange for floor area bonuses shall be in accordance with the regulations in Chapter 17.

(11) Development Permits

Applications for development permits in this zone shall be made in accordance with the provisions in Chapter 18. [1992/9250]

8C.2 MEDIUM INDUSTRIAL ZONE (IB, IB1)

2.1 INTENT

- (1) This zone is intended to provide for a wide range of manufacturing, processing, assembly, distribution, service and repair activities that carry out some of their operations outdoors or require outdoor storage.
- (2) As a rule, any nuisance associated with outdoor storage should not extend beyond the boundaries of the site. In order to ensure this, outside storage is allowed only if it is enclosed within a wall or other adequate screen, as provided in Chapter 4.
- (3) In order to ensure that the zone is, to the greatest extent possible, separated from any adjacent residential development by industries that are more compatible with residential development, it will be restricted to locations on the interior of industrial areas along collector roadways. [1992/9250]

2.2 PERMITTED USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

2.3 DISCRETIONARY USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

2.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.8 of Chapter 5.
- (2) Exceptions to the required development standards in Table 5.8 are specified in Part 8B, above. Refer to:
 - (a) Subpart 8B.2 regarding reductions to required yard setbacks;
 - (b) Subpart 8B.4 regarding exceptions to the height requirements; or
 - (c) Subparts 8B.3 and 8B.5 for permitted encroachments on easements and required yards respectively. [1992/9250]

2.5 EXCEPTION TO DEVELOPMENT STANDARDS

Notwithstanding section 2.4, the minimum required front yard for the following area shall be 7.5 metres:

any development within the Ross Industrial Subdivision, Alliance Industrial Subdivision, all those lands included within Registered Plan No. 70R18593 and Registered Plan No. 72R27589, all of Section 33-17-19-W2nd Meridian, all that portion of Section 28-17-19-W2nd Meridian bounded by the northern boundary of the CPR right-of-way on the south and the eastern boundary of Park Street on the west. [1992/9250]

2.6 ADDITIONAL REGULATIONS

(1) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.

(2) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.

(3) Accessory Uses

Accessory uses in this zone shall be subject to the provisions in Chapter 11.

(4) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.

(5) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(6) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(7) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(8) Signs

The erection of signs in this zone shall be in accordance with the provisions in Chapter 16.

(9) Public Amenities

The development of public amenities in this zone in exchange for floor area bonuses shall be in accordance with the regulations in Chapter 17.

(10) Development Permits

Applications for development permits in this zone shall be made in accordance with the provisions in Chapter 18. [1992/9250]

8C.3 HEAVY INDUSTRIAL ZONE (IC, IC1)

3.1 INTENT

- (1) This zone is established to accommodate industrial uses which, due to appearance, noise, odour, risk of emission of toxic waste, risk of fire or explosion hazards, or other types of nuisance, are incompatible with commercial, residential and other land uses. As such, new office, business and retail use are limited, and new residential uses are not allowed. In addition, no development shall take direct access to a local residential street or residential collector street.

- (2) Site development regulations are limited to the minimum standards necessary for safe, functional, efficient and scientifically sound development. [1992/9250]

3.2 PERMITTED USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

3.3 DISCRETIONARY USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

3.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.8 of Chapter 5.
- (2) Exceptions to the required development standards in Table 5.8 are specified in Part 8B, above. Refer to:
 - (a) Subpart 8B.2 regarding reductions to required yard setbacks;
 - (b) Subpart 8B.4 regarding exceptions to the height requirements; or
 - (c) Subparts 8B.3 and 8B.5 for permitted encroachments on easements and required yards respectively. [1992/9250]

3.5 ADDITIONAL REGULATIONS

(1) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.

(2) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.

(3) Accessory Uses

Accessory uses in this zone shall be subject to the provisions in Chapter 11.

(4) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.

(5) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(6) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(7) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(8) Signs

The erection of signs in this zone shall be in accordance with the provisions in Chapter 16.

(9) Public Amenities

The development of public amenities in this zone in exchange for floor area bonuses shall be in accordance with the regulations in Chapter 17.

(10) Development Permits

Applications for development permits in this zone shall be made in accordance with the provisions in Chapter 18. [1992/9250]

8C.4 PRESTIGE INDUSTRIAL SERVICE ZONE (IP)

4.1 INTENT

- (1) This zone is designed to promote industrial development and related business service uses which incorporate high standards of design, landscaping and open space.
- (2) While related business uses may dominate developments in this zone, the zone is not intended for retail or personal service uses serving non-commercial customers.

- (3) The zone will be in locations that:
 - (a) are visible to the travelling public;
 - (b) are served by adequate facilities and services; and
 - (c) provide buffer for adjacent residential and commercial uses.
- (4) Outside operations will be:
 - (a) allowed in the rear yard only;
 - (b) well screened from public view; and
 - (c) limited to the loading and unloading of materials.
- (5) The IP zone implements the Development Plan guidelines to promote a clean and safe environment which will support a high quality of life for all City residents.

4.2 PERMITTED USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

4.3 DISCRETIONARY USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

4.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.8 of Chapter 5.
- (2) Exceptions to the required development standards in Table 5.8 are specified in Part 8B, above. Refer to:
 - (a) Subpart 8B.2 regarding reductions to required yard setbacks;
 - (b) Subpart 8B.4 regarding exceptions to the height requirements; or
 - (c) Subparts 8B.3 and 8B.5 for permitted encroachments on easements and required yards respectively. [1992/9250]

4.5 ADDITIONAL REGULATIONS

(1) Storage of Goods

No storage of goods shall be permitted in any side or rear yard.

(2) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.

(3) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.

(4) Accessory Uses

Accessory uses in this zone shall be subject to the provisions in Chapter 11

(5) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.

(6) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(7) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(8) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(9) Signs

The erection of signs in this zone shall be in accordance with the provisions in Chapter 16.

(10) Public Amenities

The development of public amenities in this zone in exchange for floor area bonuses shall be in accordance with the regulations in Chapter 17.

(11) Development Permits

Applications for development permits in this zone shall be made in accordance with the provisions in Chapter 18. [1992/9250]

8C.5 INDUSTRIAL TUXEDO PARK ZONE (IT)

5.1 INTENT

- (1) The Industrial Tuxedo Park Zone is intended to provide for light to medium industrial uses in existing industrial properties in the Tuxedo Park area. Allowable uses in the zone will include commercial and service establishments associated with industrial uses.
- (2) Activities that carry out some of their operations outdoors or require outdoor storage will also be allowed. However, as a rule, any nuisance associated with outdoor storage should not extend beyond or be apparent beyond the boundaries of the site. In order to ensure this, outdoor storage is allowed only if it is enclosed within a wall or other adequate screen.

5.2 PERMITTED USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

5.3 DISCRETIONARY USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

5.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.8 of Chapter 5.
- (2) Exceptions to the required development standards in Table 5.8 are specified in Part 8B, above. Refer to:
 - (a) Subpart 8B.2 regarding reductions to required yard setbacks;
 - (b) Subpart 8B.4 regarding exceptions to the height requirements; or
 - (c) Subparts 8B.3 and 8B.5 for permitted encroachments on easements and required yards respectively. [1992/9250]

5.5 ADDITIONAL REGULATIONS

(1) Outdoor Storage

No outdoor storage shall be permitted in a side yard which is less than three metres wide.

(2) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.

(3) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.

(4) Accessory Uses

Accessory uses in this zone shall be subject to the provisions in Chapter 11.

(5) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.

(6) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(7) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(8) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(9) Signs

The erection of signs in this zone shall be in accordance with the provisions in Chapter 16.

(10) Public Amenities

The development of public amenities in this zone in exchange for floor area bonuses shall be in accordance with the regulations in Chapter 17.

(11) Development Permits

Applications for development permits in this zone shall be made in accordance with the provisions in Chapter 18. [1992/9250]

8C.6 DEWDNEY AVENUE WAREHOUSE ZONE (WH)

6.1 INTENT

- (1) The intent of the Dewdney Avenue Warehouse Zone is to preserve the warehouse character of the 1800 to 2300 Dewdney Avenue area through the retention and reuse of the existing warehouses.
- (2) The zone will allow a wide range of administrative, service, retail, wholesale and light manufacturing uses that:
 - (a) complement each other;
 - (b) can operate safely in existing or remodelled warehouses and historic structures;
 - (c) can operate with limited floor area; and
 - (d) will complement rather than compete with the Downtown zone.
- (3) To encourage the:
 - (a) expansion of new and established businesses; and
 - (b) development of a unique identity for the area,additional floor space in an arcade setting in the rear of buildings will be encouraged. At the same time, activities that require outside storage will not be allowed in the zone.
- (4) This zone supports the Development Plan objective to encourage the adaptive reuse of heritage properties. [1992/9250]

6.2 PERMITTED USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

6.3 DISCRETIONARY USES

As specified in Table 5.3 of Chapter 5. [1992/9250]

6.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.8 of Chapter 5.

- (2) Exceptions to the required development standards in Table 5.8 are specified in Part 8B, above. Refer to:
 - (a) Subpart 8B.2 regarding reductions to required yard setbacks;
 - (b) Subpart 8B.4 regarding exceptions to the height requirements; or
 - (c) Subparts 8B.3 and 8B.5 for permitted encroachments on easements and required yards respectively. [1992/9250]

6.5 ADDITIONAL REGULATIONS

(1) Accessory Uses

- (a) Except as provided in clause (b), accessory uses in this zone shall be subject to the provisions in Chapter 11.
- (b) Notwithstanding the accessory use provisions of Chapter 11, a retail use as an accessory use to a warehousing or wholesaling principal use shall be restricted in area to not more than 40% of the total gross floor area. [1992/9250]

(2) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.

(3) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.

(4) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.

(5) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(6) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(7) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(8) Signs

The erection of signs in this zone shall be in accordance with the provisions in Chapter 16.

(9) Public Amenities

The development of public amenities in this zone in exchange for floor area bonuses shall be in accordance with the regulations in Chapter 17.

(10) Development Permits

Application for development permits in this zone shall be made in accordance with the provisions in Chapter 18. [1992/9250]

PART 8D

REGULATIONS FOR SPECIFIC INDUSTRIAL USES

In addition to any other zone and use regulations in this Bylaw, the following land uses shall conform to the regulations specified in this Part. [1992/9250]

8D.1 JUNK YARD/SALVAGE YARD

1.1 INTENT

These regulations are intended to provide performance standards for the development and maintenance of junkyards or salvage yards in order to:

- (a) reduce the potential of contaminating ground water and other natural ecosystems; and
- (b) improve the visual character of industrial zones. [1992/9250]

1.2 APPLICATION

These regulations apply to land uses involved in salvaging operations including, but not limited to, outdoor storage and sale of:

- (a) waste paper;
- (b) rags;
- (c) scrap metal;
- (d) any other discarded materials intended for sale or recycling;
- (e) two or more unlicensed or inoperative equipment or vehicles for collection, dismantling and salvage; and
- (f) salvage materials for recycling purposes. [1992/9250]

1.3 ENCLOSURE

- (1) The salvage or junk yard shall be:
 - (a) completely screened by a solid wall or fence of at least 1.83 metres high; and
 - (b) in no case shall the fence be lower than the stockpile of the items in the yard.
- (2) No activity associated with the yard shall be located within the required setback or buffer area. [1992/9250]

1.4 HAZARDOUS SUBSTANCES

For any portion of a site occupied by a junkyard or salvage operation which is devoted to the collection or handling of hazardous material as defined in Chapter 2 of this Bylaw, the applicable performance regulations contained in Table 10.3 of this Bylaw shall apply. [2000/10209]

1.5 LOCATION

No new junkyard or salvage operation shall be located in a Moderate or High Sensitivity Overlay Zone mentioned in Chapter 10 of this Bylaw. [2000/10209]

1.6 SURFACE RUN-OFF

The flow of surface run-off from the junkyard onto any:

- (a) adjoining land;
- (b) stream; or
- (c) sewer system

shall be redirected into holding tanks, settling ponds or similar retention areas on site. [1992/9250]

1.7 DISCONTINUATION

All evidence of the junkyard or salvage operation shall be removed by the property owner within 60 days of the discontinuation of operation. [1992/9250]

1.8 NON-CONFORMING SALVAGE YARD/JUNKYARD

A salvage or junkyard operation which does not conform to the provisions of this Subpart, shall be subject to the non-conforming use provisions in Chapter 13. [1992/9250]

8D.2 HAZARDOUS/DANGEROUS WASTE FACILITY

2.1 INTENT

These regulations are intended to provide performance standards for the development and maintenance of hazardous or dangerous waste facilities so as to reduce the:

- (a) potential of contaminating ground water and other natural ecosystems; and
- (b) negative impact of such facilities on residential and other sensitive land uses. [1992/9250]

2.2 APPLICATION

These regulations shall apply to land uses involved in the storage or processing of hazardous or dangerous waste. The regulations shall also apply in addition to other requirements specified elsewhere in this Bylaw, or by City Council as part of the discretionary use review process. [1992/9250]

2.3 RELATION TO AQUIFER SYSTEM AND WATER BODIES

- (1) No new hazardous waste facility shall be situated:
 - (a) over the Condie Aquifer or its recharge area, the Regina Aquifer, or any other regional aquifer or its recharge area; or
 - (b) within the 1:500 year flood plain of any stream, river or lake. [1992/9250; 1997/9920]
- (2) Notwithstanding subsection (1):
 - (a) existing hazardous waste facilities within the Low Aquifer Sensitivity Zone, as shown in Figure 10.1 of Chapter 10, may be expanded, in accordance with the requirements of this chapter and other requirements of this Bylaw; and
 - (b) new hazardous waste facilities may be developed in the Low Aquifer Sensitivity Zone, as shown in Figure 10.1, in accordance with the requirements of this chapter and other requirements of this Bylaw. [1997/9920]

2.4 SEPARATION DISTANCES

- (a) Every hazardous waste facility shall be located at least:
 - (i) 100 metres from a residence, hospital, senior citizens' home, school, day care centre, prison, group home or health care facility where materials are in indoor storage; [1997/9920]
 - (ii) 500 metres from a residence, hospital, senior citizens' home, school, day care centre, prison, group home or health care facility where materials are in outdoor storage. [1997/9920]
- (b) 1,000 metres from any licensed well, lake or other permanent natural body of water used as a community water supply, and shall be at least 300 metres from any other non-intermittent water sources, or any other permanent water body; and
- (c) 150 metres from any drainage channel, major system swale or intermittent tributary creek or Wascana Creek. [1992/9250]

2.5 ACCESS TO ESSENTIAL SERVICES

Every hazardous waste facility shall be:

- (a) within 500 metres of a truck route or hazardous material transportation route with access to same without passing through or directly adjacent to a residential, institutional or public service, or shopping centre zone; and
- (b) in an area serviceable by the Regina Fire Services Department and Hazardous Materials Response Team or be under contract with same. [1992/9250]

2.6 SITE PREPARATION

Every hazardous waste facility shall be situated where:

- (a) the site can be prepared with a minimum of 1 metre of unfractured low permeability soil or the equivalent thereof (1×10^{-7} cm/sec when subjected to a head of 0.305 metres of water); and
- (b) the continuous thickness of native material having suitable permeability (minimum average 1×10^{-6} cm/sec when subjected to a head of 0.305 metres of water) is 10 metres or greater. [1992/9250]

2.7 BUFFER AND AESTHETICS

Every hazardous waste facility shall be on a site where the owner can maintain a reasonable buffer zone to mitigate any negative aesthetic aspects of the operation. A buffer zone does not have to be owned by the facility owner, but it should be under his control. [1992/9250]

8D.3 ADULT ENTERTAINMENT ESTABLISHMENT [2014-8]

3.1 INTENT

The following regulations respecting adult entertainment facilities are intended to provide appropriate locations for such facilities in order to:

- (a) minimize potential hazards due to traffic congestions, visual distractions and other dangers;
- (b) protect surrounding uses from the potential adverse effects of adult entertainment establishments; and [1992/9250]
- (c) accommodate the development of adult entertainment uses in a manner which, through the provision of pedestrian access and relation to adjoining land uses, would ensure their operation as an independent and discrete entity. [1995/9746]

3.2 CLASSIFICATION [2014-8]

The following uses are adult entertainment establishments under this Bylaw:

- (a) adult arcade;
- (b) adult retail outlet/bookstore;
- (c) Adult Entertainment Establishment;
- (d) adult motion picture theatre; and
- (e) massage parlour.

3.3 SEPARATION DISTANCE

No person shall establish an adult entertainment establishment or enlarge an existing establishment closer than 182.88 metres from:

- (a) another adult entertainment establishment;
- (b) a residential land use zone;

- (c) a single or multiple-unit residence; [2015-1]
- (d) a church or religious institution;
- (e) an elementary or high school;
- (f) public park;
- (g) child day care centre/home or nursery school; [1992/9250; 1995/9736]
- (h) club; [1995/9746; 2003-6]
- (i) funeral home or crematory; [1995/9746]
- (j) vocational school; [1995/9746; 2003-6]
- (k) enclosed rink; [1995/9746; 2003-6]
- (l) bowling centre; or [1995/9746; 2003-6]
- (m) recreational service facility. [2003-6]

3.4 MEASUREMENT OF SEPARATION DISTANCE

The 182.88 metre distance mentioned in Section 3.3 shall be a straight line, measured from the nearest point of that portion of a lot used or proposed to be used for an adult entertainment establishment to the nearest point of:

- (a) that portion of a lot used for another adult entertainment establishment;
- (b) a lot owned or leased, or that portion of a lot leased for:
 - (i) a residence;
 - (ii) a church or religious institution;
 - (iii) an elementary or high school;
 - (iv) a public park;
 - (v) child day care centre/home or nursery school; or [1995/9736]
- (c) the boundary line of a residential zone. [1992/9250]

3.5 NON-CONFORMING FACILITIES

Any Adult Entertainment Establishment which does not conform to the provisions of this Subpart, including any establishment which does not conform to the separation distance requirement, shall be subject to the non-conforming use provisions in Chapter 13. [1992/9250]