

# Appendix A

Proposed Amendments to <i>Regina Zoning Bylaw No. 9250</i> (Outdoor Eating and Drinking Areas)																																																																								
Page	Section	Existing Provision/Regulation	Proposed Provision/Regulation										Rationale																																																											
2.33	NEW	[New Definitions]	Add the following definitions to Chapter 2:  “OUTDOOR EATING AND DRINKING AREA” – an accessory use located outside of a building where food or beverages are served or consumed. This includes, but is not limited to, the outdoor portion(s) or a restaurant.										<p>The current Zoning Bylaw does not include a definition for “Outdoor Eating and Drinking Area”.</p> <p>This new definition captures Outdoor Eating and Drinking Areas, such as patios, as an accessory use.</p>																																																											
5.13, 5.14, 5.17, 5.20	TBL 5.2 TBL 5.3	[New Land Use to Tables]	Add “Outdoor Eating and Drinking Area” under SERVICES in Tables 5.2 and 5.3.										<p>The Tables of Land Uses are amended to clarify the use of Outdoor Eating and Drinking Areas.</p> <p>Notes 48 and 42 ensures that the use is only considered as an accessory use (similar to a secondary suite).</p> <p>Notes 49, 50, 51 and 43 list Outdoor Eating and Drinking Areas as permitted uses in cases where intensity is low and (in commercial zones) where the Outdoor Eating and Drinking Area helps to create a more vibrant transition between commercial uses and public spaces.</p>																																																											
<table><tr><th colspan="12">TABLE 5.2: TABLE OF LAND USES - COMMERCIAL ZONES</th></tr><tr><th>Land Use Type</th><th>NC</th><th>LC1</th><th>LC2</th><th>LC3</th><th>MS</th><th>MX</th><th>HC</th><th>MAC3</th><th>MAC</th><th>DSC</th><th>D</th></tr><tr><th colspan="12">SERVICES</th></tr><tr><td>Outdoor Eating and Drinking Area<sup>48</sup></td><td>p<sup>49</sup> D</td><td>p<sup>49</sup> D</td><td>p<sup>49</sup> D</td><td>p<sup>49</sup> D</td><td>p<sup>50</sup> D</td><td>p<sup>50</sup> D</td><td>p<sup>51</sup> D</td><td>p<sup>51</sup> D</td><td>p<sup>51</sup> D</td><td>p<sup>51</sup> D</td><td>p<sup>51</sup> D</td></tr><tr><td colspan="12">48. Refer to Subpart 11C.5. Must be accessory to a principal use. 49. Permitted if total outdoor seating capacity on the lot is 12 persons or less and operates entirely between the building containing the principal use and a public sidewalk, public plaza or public park abutting the lot. 50. Permitted if seating capacity is 16 persons or less and the Outdoor Eating And Drinking Area is located entirely between the building containing the principal use and a public sidewalk, public plaza or public park abutting the lot. 51. Permitted if outdoor seating capacity is 24 persons or less and the Outdoor Eating And Drinking Area is located entirely between the building containing the principal use and a public sidewalk, public plaza or public park abutting the lot.</td></tr></table>													TABLE 5.2: TABLE OF LAND USES - COMMERCIAL ZONES												Land Use Type	NC	LC1	LC2	LC3	MS	MX	HC	MAC3	MAC	DSC	D	SERVICES												Outdoor Eating and Drinking Area <sup>48</sup>	p <sup>49</sup> D	p <sup>49</sup> D	p <sup>49</sup> D	p <sup>49</sup> D	p <sup>50</sup> D	p <sup>50</sup> D	p <sup>51</sup> D	p <sup>51</sup> D	p <sup>51</sup> D	p <sup>51</sup> D	p <sup>51</sup> D	48. Refer to Subpart 11C.5. Must be accessory to a principal use. 49. Permitted if total outdoor seating capacity on the lot is 12 persons or less and operates entirely between the building containing the principal use and a public sidewalk, public plaza or public park abutting the lot. 50. Permitted if seating capacity is 16 persons or less and the Outdoor Eating And Drinking Area is located entirely between the building containing the principal use and a public sidewalk, public plaza or public park abutting the lot. 51. Permitted if outdoor seating capacity is 24 persons or less and the Outdoor Eating And Drinking Area is located entirely between the building containing the principal use and a public sidewalk, public plaza or public park abutting the lot.											
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Page	Section	Existing Provision	Proposed Provision/Regulation				Rationale				
			TABLE 5.3: TABLE OF LAND USES - INDUSTRIAL ZONES								
			Land Use Type		IA, IA1	IB, IB1	IC, IC1		IP	IT	WH
			SERVICES								
			Outdoor Eating and Drinking Area <sup>42</sup>		p <sup>43</sup> D	p <sup>43</sup> D	P		p <sup>43</sup> D	p <sup>43</sup> D	p <sup>43</sup> D
			42. Refer to Subpart 11C.5. Must be accessory to a principal use. 43. Permitted if seating capacity is 24 persons or less								
7.6	7C.1	1.5 ADDITIONAL REGULATIONS  (1) Eating and Drinking Place (a)	Repeal 7C.1.5 (1)(a)				The regulations for outdoor eating and drinking areas are being standardized across all applicable zones.				
7.8	7C.2	2.5 ADDITIONAL REGULATIONS  (1) Eating and Drinking Place [2015-80]	Repeal 7C.2.5 (1)(a)				The regulations for outdoor eating and drinking areas are being standardized across all applicable zones.				
7.11	7C.3	3.5 ADDITIONAL REGULATIONS  (1) Eating and Drinking Place	Repeal 7C.3.5 (1)(a)				The regulations for outdoor eating and drinking areas are being standardized across all applicable zones.				
7.16	7C.5	5.5 ADDITIONAL REGULATIONS  (2) Eating and Drinking Places [2001-78]	Repeal 7C.5.5 (2)				The regulations for outdoor eating and drinking areas are being standardized across all applicable zones.				

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11.12	NEW	New Subpart	<p>Add new Subpart Part 11C in Chapter 11 as follows:</p> <p>11C.5 OUTDOOR EATING AND DRINKING AREAS</p> <p>5.1 INTENT</p> <p>The regulations of this subpart are intended to ensure that Outdoor Eating and Drinking Areas:</p> <p>(a) are encouraged to animate public amenities (e.g. sidewalks, parks, plazas, etc.); and</p> <p>(b) fit the context of their neighbourhoods.</p> <p>5.2 APPLICATION</p> <p>An Outdoor Eating and Drinking Area, including its supporting structures, is subject to the regulations of this Bylaw including this Subpart.</p>	<p>This Subpart lays out requirements for outdoor eating and drinking areas, as an accessory use, regardless of which zone they are located in.</p>
			<p>5.3 OUTDOOR EATING AND DRINKING AREA REQUIREMENTS</p> <p>(1) No screening or buffering is required between an Outdoor Eating and Drinking Area and a public street, public sidewalk or public park.</p> <p>(2) Outdoor Eating and Drinking Areas are subject to the visual screening and buffing requirements of Eating and Drinking Places in Table 15.6 of Chapter 15 with respect to uses not mentioned in 5.3 (1).</p> <p>(3) When considering an Outdoor Eating and Drinking Area as a discretionary use, the City can include conditions in addition to 5.3 (2) to ensure that it is screened in a way that limits the impacts of noise, light and other potential nuisances on nearby residential or institutional uses.</p> <p>(4) Unless a permit condition specifies otherwise, an Outdoor Eating and Drinking Area shall not require parking or loading spaces in addition to the requirements of the principal use.</p> <p>(5) No portion of an Outdoor Eating and Drinking Area, including supporting structures, shall replace or be developed on parking or landscaping required by this or other bylaws.</p>	<p>The intent of this amendment is to encourage outdoor eating and drinking areas. The principal use will still be required to meet its parking and landscaping requirements, however additional requirements have not been imposed for the outdoor eating and drinking areas due to their temporary/seasonal nature. New parking requirements may be proposed at the conclusion of the Comprehensive Zoning Bylaw Review.</p> <p>Allowing for more outdoor eating and drinking areas also helps to creates more vibrant and active streets/communities. This is achieved, in part, by adjusting screening requirements along sidewalks, parks and other public spaces to enhance the interaction between outdoor eating and drinking areas, while limiting the impact of eating and drinking areas on neighbouring private uses. This is consistent with the goal of ensuring outdoor eating and drinking areas fit the context of their surrounding built environment.</p>