

BYLAW NO. 2018-2

THE REGINA ZONING AMENDMENT BYLAW, 2018 (No. 2)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

- 1 *Regina Zoning Bylaw No. 9250* is amended in the manner set forth in this Bylaw.
- 2 Chapter 2, Part 2C is amended by adding the following definition in alphabetical order:

““**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) of a restaurant.”

- 3 Chapter 5, Part 5B, Table 5.2 is amended by adding the following row in alphabetical order under the section "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
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- 4 Chapter 5, Part 5B, Table 5.2 is amended by adding, in sequential order, the following under the section "Notes":

- “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.”

- 5 Chapter 5, Part 5B, Table 5.3 is amended by adding the following row in alphabetical order under the section "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
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Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Solicitor

6 Chapter 5, Part 5B, Table 5.3 is amended by adding, in sequential order, the following under the section "Notes":

- “42. Refer to Subpart 11C.5. Must be accessory to a principal use.
- 43. Permitted if seating capacity is 24 persons or less.”

7 Chapter 7, Part 7C, Section 7C.1, Subsection 1.5(1)(a) is repealed.

8 Chapter 7, Part 7C, Section 7C.2, Subsection 2.5(1)(a) is repealed.

9 Chapter 7, Part 7C, Section 7C.3, Subsection 3.5(1)(a) is repealed.

10 Chapter 7, Part 7C, Section 7C.5, Subsection 5.5(2) is repealed.

11 Chapter 11, Part 11C is amended by adding the following section after Section 11C.4:

## **“11C.5 OUTDOOR EATING AND DRINKING AREAS**

### **5.1 INTENT**

The regulations of this subpart are intended to ensure that Outdoor Eating and Drinking Areas:

- (a) are encouraged to animate public amenities (e.g. sidewalks, parks, plaza, etc.); and
- (b) fit the context of their neighbourhoods.

### **5.2 APPLICATION**

An Outdoor Eating and Drinking Area, including its supporting structures, is subject to the regulations of this Bylaw including this Subpart.

### **5.3 OUTDOOR EATING AND DRINKING AREA REQUIREMENTS**

- (1) No screening or buffering is required between an Outdoor Eating and Drinking Area and a public street, public sidewalk or public park.
- (2) Outdoor Eating and Drinking Areas are subject to the visual screening and buffering requirements of Eating and Drinking Places in Table 15.6 of Chapter 15 with respect to uses not mentioned in 5.3(1).

- (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.
- (4) Unless a condition of a permit specifies otherwise, an Outdoor Eating and Drinking Area shall not require parking or loading spaces in addition to the requirements of the principal use.
- (5) No portion of an Outdoor Eating and Drinking Area, including supporting structures, shall replace or be developed on parking stalls or landscaping required by this or other bylaws.

12 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 29th DAY OF January 2018.

READ A SECOND TIME THIS 29th DAY OF January 2018.

READ A THIRD TIME AND PASSED THIS 29th DAY OF January 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

\_\_\_\_\_  
City Clerk

ABSTRACT

BYLAW NO. 2018-2

THE REGINA ZONING AMENDMENT BYLAW, 2018 (No. 2)

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PURPOSE: To amend *Regina Zoning Bylaw No. 9250*.

ABSTRACT: The proposed zoning amendment is intended to provide consistent regulations for an Outdoor Eating and Drinking Area as an accessory use in all commercial and industrial zones.

STATUTORY AUTHORITY: Section 46 of *The Planning and Development Act, 2007*.

MINISTER'S APPROVAL: N/A

PUBLIC HEARING: Required, pursuant to section 207 of *The Planning and Development Act, 2007*.

PUBLIC NOTICE: Required, pursuant to section 207 of *The Planning and Development Act, 2007*.

REFERENCE: Regina Planning Commission, January 10, 2018, RPC18-2.

AMENDS/REPEALS: Amends *Regina Zoning Bylaw No. 9250*.

CLASSIFICATION: Regulatory

INITIATING DIVISION: City Planning and Development  
INITIATING DEPARTMENT: Development Services

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Solicitor