

BYLAW NO. 2019-64

THE REGINA ZONING 2019 AMENDMENT BYLAW (No.2)

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THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1 Schedule A of Bylaw 2019-19, being *The Regina Zoning Bylaw, 2019* is amended in the manner set forth in this bylaw.

2 In Chapter 2, the definition “Residential Business” is repealed and the following substituted:

“**Residential Business**” means an accessory land use conducted in a Dwelling Unit by the resident of the Dwelling Unit for monetary gain.”

3 In Chapter 2, the definition “**Service Trade**” is repealed and the following substituted:

“**Service Trade**” means a land use class of various land use types where services are provided to members of the general public. This land use class includes the following land uses:”

4 In Chapter 2, the definition “**Service Trade, Adult**” is repealed and the following substituted:

“**Service Trade, Body Rub Establishment**” means a land use where:

- (a) services are offered, solicited or administered to the human body for sensual or sexual pleasure; or
- (b) the primary function of the activity offered, solicited, advertised or administered is kneading, rubbing, touching, massage or other stimulation of the human body by a person who is not an active member in good standing of either the Massage Therapist Association of Saskatchewan, Inc. or the Natural Health Practitioners of Canada. Excludes the land use “Service Trade, Clinic”; or
- (c) a premise advertised as or equipped or arranged to provide the services described in (a) and includes but is not limited to a service advertised as “sensual”, “sexy” or by any other word or any depictions having like meaning or implication.

Excludes the land use “**Assembly, Adult**”.

5 “Service Trade, Adult” is struck out and “Service Trade, Body Rub Establishment” is substituted wherever it appears.

6 In Chapter 2, the definition “**Service Trade, Clinic**” is amended to add “For the purposes of massage services an accredited member shall mean an active member in good standing with either the Massage Therapist Association of Saskatchewan, Inc. or the Natural Health Practitioners of Canada.” after “nature”.

7 Section T2.2 in tables 3A.T2, 3B.T2, 3C.T2, 3D.T2, 3E.T2 and 3F.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause 2(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with an “Open Space, Active” land use.”

8 Section T2.4 in tables 3A.T2, 3B.T2, 3C.T2 and 3D.T2 is amended by:

(a) repealing subsection (2) and substituting the following:

“(2) The “Assembly Community” or “Institution, Day Care” land use may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause 3(a) and substituting the following:

“(a) a straight line measured from the nearest point of the portion of the building used for “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with an “Assembly Community” or “Institution, Day Care” land use.”

9 In Chapter 3E, section 1ET2.3 in table 3E.T2 is amended by:

(a) striking out “1E” in the section number;

(b) repealing subsection (2) and substituting the following:

“(2) The “Assembly Community” or “Institution, Day Care” land use may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(c) repealing clause 3(a) and substituting the following:

“(a) a straight line measured from the nearest point of the portion of the building used for “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with an “Assembly Community” or “Institution, Day Care” land use.”

10 In Chapter 3F, section T2.4 in table 3F.T2 is amended by:

(a) repealing subsection (2) and substituting:

“(2) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause 3(a) and substituting the following:

“(a) a straight line measured from the nearest point of the portion of the building used for “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with an “Institution, Day Care” land use.”

11 In Chapter 4A, section T2.2 in table 4A.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Education” and “Institution, Day Care” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot

with the “Institution, Education” or “Institution, Day Care” land use.”

- 12 In Chapter 4A, section T2.3 in table 4A.T2 is amended by:
- (a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”
  - (b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”
- 13 In Chapter 4A, section T2.6 in table 4A.T2 is amended by:
- (a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”
  - (b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”
- 14 In Chapter 4B, section T2.8 in table 4B.T2 is amended by:
- (a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care”, “Institution, Education” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”
  - (b) repealing subsection (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the

building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care”, “Institution, Education” or “Open Space, Active” land use.”

15 In Chapter 4B, section T2.14 in table 4B.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”

16 In Chapter 4C, section T2.2 in table 4C.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care”, “Institution, Education” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care”, “Institution, Education” or “Open Space, Active” land use.”

17 In Chapter 4C, section T2.14 in table 4C.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”

18 In Chapter 4D, section T2.3 in table 4D.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Education” and “Institution, Day Care” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Education” or “Institution, Day Care” land use.”

19 In Chapter 4D, section T2.4 in table 4D.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

20 In Chapter 5A, section T2.6 in table 5A.T2 is amended by:

(a) repealing subsection (2) and substituting the following:

“(2) The “Institution, Day Care” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (3)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” or “Open Space, Active” land use.”

21 In Chapter 5B, section T2.7 in table 5B.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

(c) repealing subsection (3) including clauses (a) and (b) and substituting the following:

“(3) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment”, “Retail Trade, Adult” or “Assembly Adult” land use.

(4) The measurement required in (3) shall be:

(a) a straight line, measured from the nearest point of the portion of the building used or proposed to be used for the “Service Trade, Body Rub Establishment”, “Retail Trade, Adult” or “Assembly, Adult” land use to the nearest portion of the lot with the “Open Space, Active” land use.

(b) assessed as of the date of receipt of a complete application as

determined by the Development Officer.”

22 In Chapter 5B, section T2.8 in table 5B.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Adult”, or “Retail Trade, Adult” land use may not be established or enlarged on a lot that is closer than 182.88 metres from:

(a) an “Assembly, Adult”, “Retail Trade, Adult” or “Service Trade, Body Rub Establishment” land use; or

(b) a “Sensitive Lot.””

(b) adding the following subsections after subsection (3):

“(4) The “Service Trade, Body Rub Establishment” land use may not be established or enlarged where it is closer than 182.88 metres from any of the following land uses:

(a) “Assembly, Community”;

(b) “Institution, Education”;

(c) “Institution, Day Care”;

(d) “Open Space, Active”;

(e) another lot containing a “Service Trade, Body Rub Establishment” land use; or

(f) a Sensitive Lot.

(5) The measurement required in (4) shall be:

(a) a straight line, measured from the nearest point of the portion of the building used or proposed to be used for the “Service Trade, Body Rub Establishment” to the nearest portion of the lot with any of the land uses mentioned in (4); and

(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.

(6) Any application submitted for a development permit in respect of a “Service Trade, Body Rub Establishment” land use must include the consent of the property owner.”

23 In Chapter 5C, section T2.5 in table 5C.T2 is amended by repealing subsection (3) including clauses (a) and (b) and substituting the following:

- “(3) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment”, “Retail Trade, Adult” or “Assembly Adult” land use.
- (4) The measurement required in (3) shall be:
  - (a) a straight line, measured from the nearest point of the portion of the building used or proposed to be used for the “Service Trade, Body Rub Establishment”, “Retail Trade, Adult” or “Assembly, Adult” land use to the nearest portion of the lot with the “Open Space, Active” land use.
  - (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.”

24 In Chapter 5C, section T2.7 in table 5C.T2 is amended by:

- (a) repealing subsection (4) and substituting the following:

“(4) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

- (b) repealing clause (5)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

25 In Chapter 5C, section T2.8 in table 5C.T2 is amended by:

- (a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Adult” or “Retail Trade, Adult” land use may not be established or enlarged on a lot that is closer than 182.88 metres from:

- (a) a lot containing an “Assembly, Adult, “Retail Trade, Adult” or “Service Trade, Body Rub Establishment” land use; or
- (b) a “Sensitive Lot.””

(b) adding the following subsections after clause (1)(b):

“(2) The “Service Trade, Body Rub Establishment” land use may not be established or enlarged where it is closer than 182.88 metres from any of the following land uses:

- (a) “Assembly, Community”;
- (b) “Institution, Education”;
- (c) “Institution, Day Care”;
- (d) “Open Space, Active”;
- (e) another lot containing a “Service Trade, Body Rub Establishment” land use; or
- (f) a “Sensitive Lot.”

(3) The measurement required in (2) shall be:

- (a) a straight line, measured from the nearest point of the portion of the building used or proposed to be used for the “Service Trade, Body Rub Establishment” to the nearest portion of the lot with any of the land uses mentioned in (2).
- (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.

(4) Any application submitted for a development permit in respect of a “Service Trade, Body Rub Establishment” land use must include the consent of the property owner.”

26 In Chapter 6A, section T2.2 in table 6A.T2 is amended by adding the following subsections in the column headed “Land Use Specific Regulations”:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment” land use.

(2) The measurement required in (1) shall be:

- (a) a straight line, measured from the nearest point of the portion of the building used for the “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.
- (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.”

27 In Chapter 6A, section T2.3 in table 6A.T2 is amended by adding the following

subsections after clause (2)(b):

“(3) The “Institution, Day Care”, “Institution, Education” or “Open Space, Active” land use may not be established where they will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment” land use.

(4) The measurement required in (3) shall be:

- (a) a straight line, measured from the nearest point of the portion of the building used for the “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care”, “Institution, Education” or “Open Space, Active” land use.
- (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.”

28 In Chapter 6B, section T2.1 in table 6B.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with an “Open Space, Active” land use.”

29 In Chapter 6B, section T2.4 in table 6B.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot

with the “Institution, Day Care” land use.”

30 In Chapter 6C, section T2(a).1 in table 6C.T2(a) is amended by:

(a) repealing subsection (2) and substituting the following:

“(2) The “Open Space, Active” and “Institution, Education” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (3)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with an “Open Space, Active” or “Institution, Education” land use.”

31 In Chapter 6C, section T2(a).6 in table 6C.T2(a) is amended by:

(a) repealing subsection (2) and substituting the following:

“(2) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (3)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

32 In Chapter 6C, section T2(a).7 in table 6C.T2(a) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the

building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”

33 In Chapter 6C, section T2(b).1 in table 6C.T2(b) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

34 In Chapter 6C, section T2(b).2 in table 6C.T2(b) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”

35 In Chapter 6C, section T2(b).6 in table 6C.T2(b) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

- “(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

36 In Chapter 6C, section T2(c).4 in table 6C.T2(c) is amended by:

- (a) repealing subsection (1) and substituting the following:

- “(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

- (b) repealing clause (2)(a) and substituting the following:

- “(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

37 In Chapter 6C, section T2(c).6 in table 6C.T2(c) is amended by:

- (a) repealing subsection (1) and substituting the following:

- “(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

- (b) repealing clause (2)(a) and substituting the following:

- “(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

38 In Chapter 6C, section T2(d).4 in table 6C.T2(d) is amended by:

- (a) repealing subsection (1) and substituting the following:

- “(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

- (b) repealing clause (2)(a) and substituting the following:

- “(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

39 In Chapter 6C, section T2(d).6 in table 6C.T2(d) is amended by:

- (a) repealing subsection (1) and substituting the following:

- “(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

- (b) repealing clause (2)(a) and substituting the following:

- “(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

40 In Chapter 6C, section T2(e).4 in table 6C.T2(e) is amended by:

- (a) repealing subsection (1) and substituting the following:

- “(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

- (b) repealing clause (2)(a) and substituting the following:

- “(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

41 In Chapter 6C, section T2(e).6 in table 6C.T2(e) is amended by:

- (a) repealing subsection (1) and substituting the following:

- “(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.”

42 In Chapter 6D, section T2.1 in table 6D.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

43 In Chapter 6E, section T2(a).2 in table 6E.T2(a) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care” and “Institution, Education” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” or “Institution, Education” land use; and.”

44 In Chapter 6E, section T2(a).3 in table 6E.T2(a) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” and “Open Space, Active” land uses

may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” or “Open Space, Active” land use.”

45 In Chapter 6E, section T2(b).3 in table 6E.T2(b) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” and “Institution, Day Care” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” or “Institution, Day Care” land use.”

46 In Chapter 6E, section T2(b).5 in table 6E.T2(b) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

47 In Chapter 6E, section T2(c).2 in table 6E.T2(c) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” and “Institution, Day Care” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” or “Institution, Day Care” land use.”

48 In Chapter 6E, section T2(c).3 in table 6E.T2(c) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

49 In Chapter 6E, section T2(d).2 in Table 6E.T2(d) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” and “Institution, Day Care” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the

building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” or “Institution, Day Care” land use.”

50 In Chapter 6E section T2(d).3 in table 6E.T2(d) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

51 In Chapter 6E, section T2(e).5 in table 6E.T2(e) is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community”, “Institution, Day Care” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community”, “Institution, Day Care” or “Open Space, Active” land use.”

52 In Chapter 6F, section T2.6 in Table 6F.T2 is amended by:

(a) repealing subsection (2) and substituting the following:

“(2) All land uses under T2.6 may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (3)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with any of the land uses mentioned in T2.6.”

53 In Chapter 6G, section T2.2 in table 6G.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Day Care”, “Institution, Education” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care”, “Institution, Education” or “Open Space, Active” land use.”

54 In Chapter 6G, section T2.9 in table 6G.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”

55 In Chapter 7B, section T2.4 in table 7B.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Institution, Education”, “Institution, Day Care” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause (2)(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Education” or “Institution, Day Care” land use.”

56 In Chapter 7B, section T2.6 in table 7B.T2 is amended by:

(a) repealing subsection (2) and substituting the following:

“(2) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause 3(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.”

57 In Chapter 7C, section T2.1 in table TC.T2 is amended by:

(a) repealing subsection (1) and substituting the following:

“(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”

(b) repealing clause 2(a) and substituting the following:

“(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use.”

58 In Chapter 7C, section T2.3 in table 7C.T2 is amended by adding the following sections after “Outdoor Use Only.”:

- “(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment” land use.
- (2) The measurement required in (1) shall be:
  - (a) a straight line, measured from the nearest point of the portion of the building used for the “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.
  - (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.”

59 In Chapter 7D table 7D.T2 is amended by:

- (a) striking out section number “T1.1” and substituting “T2.1”
- (b) striking out section number “T1.2” and substituting “T2.2”
- (c) repealing subsection (1) in section T1.1 and substituting the following:
  - “(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”
- (d) repealing clause (2)(a) in section T1.1 and substituting the following:
  - “(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Open Space, Active” land use; and”

60 In Chapter 7E, section T2.1 in table 7E.T2 is amended by:

- (a) repealing subsection (1) and substituting the following:
  - “(1) The “Institution, Education” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use.”
- (b) repealing clause (2)(a) and substituting the following:

“(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” or “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Education” or “Open Space, Active” land use.”

61 In Chapter 7E, section T2.2 in table 7E.T2 is amended by adding the following subsections in the column entitled “Land Use Specific Regulations”:

“(1) The “Assembly, Community” land use may not be established where it will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment” land use.

(2) The measurement required in (1) shall be:

(a) a straight line, measured from the nearest point of the portion of the building used for the “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Assembly, Community” land use.

(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.”

62 In Chapter 7E, section T2.3 in table 7E.T2 is amended by adding the following subsections in the column entitled “Land Use Specific Regulations”:

“(1) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Service Trade, Body Rub Establishment” land use.

(2) The measurement required in (1) shall be:

(a) a straight line, measured from the nearest point of the portion of the building used for the “Service Trade, Body Rub Establishment” land use to the nearest portion of the lot with the “Institution, Day Care” land use.

(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.”

### **Transitional**

63 Notwithstanding any other provision of this bylaw, any Adult Service, Body Rub Establishment use which existed on September 23, 2019 may apply for an exemption from the requirement to maintain a separation distance of 182.88 metres from another Adult Service, Body Rub Establishment by submitting a completed development permit application as determined by the development officer within the first 30 days

of the coming into force of this Bylaw. Should the Adult Service, Body Rub Establishment provide proof satisfactory to the development officer of its existence on September 23, 2019 the development officer shall not require it to maintain a 182.88 metre separation distance from any other Adult Service, Body Rub Establishment that also qualifies for this exemption. The exemption shall apply only so long as: the use continues without interruption greater than 12 months; and the building is not damaged to the extent that the cost of repair is more than 75% of the construction cost to replace the building above its foundation.

**Coming into force**

64 This Bylaw comes into force on the date of coming into force of The Regina Zoning Bylaw, 2019 No. 2019-19.

READ A FIRST TIME THIS 29<sup>th</sup> DAY OF January 2020.

READ A SECOND TIME THIS 29<sup>th</sup> DAY OF January 2020.

READ A THIRD TIME AND PASSED THIS 29<sup>th</sup> DAY OF January 2020.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk (SEAL)

CERTIFIED A TRUE COPY

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

ABSTRACT

BYLAW NO. 2019-64

THE REGINA ZONING 2019 AMENDMENT BYLAW, 2019 (No.2)

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PURPOSE:	To provide for separation distances from Body Rub Establishments.
ABSTRACT:	This bylaw implements separation distances between Body Rub Establishments and the following uses: “Institution, Education”, “Institution Day Care”, “Open Space, Active”, “Assembly, Community”, other Body Rub Establishments and “sensitive lots”.
STATUTORY AUTHORITY:	Section 49 of <i>The Planning and Development Act, 2007</i> .
MINISTER’S APPROVAL:	n/a
PUBLIC HEARING:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
PUBLIC NOTICE:	Advertised in the Leader Post November 30, 2019 and December 7, 2019.
REFERENCE:	Priorities and Planning Committee, November 20, 2019, PPC19-13
AMENDS/REPEALS:	<i>The Regina Zoning Bylaw, 2019</i> No. 2019-19
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	Planning and Community Development
INITIATING DEPARTMENT:	Planning and Development Services