

BYLAW NO. 2020-28
THE PUBLIC NOTICE POLICY BYLAW, 2020

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

PART I
PURPOSE AND STATUTORY AUTHORITY

Purpose

- 1 The purpose of this Bylaw is to adopt a public notice policy that sets out minimum notice requirements, acceptable methods of giving notice and the required contents of notice to be followed with respect to those matters prescribed in *The Cities Act* and *The Planning and Development Act, 2007* for which public notice is required to be given.

Authority

- 2 The authority for this Bylaw is section 102 of *The Cities Act* and section 24 of *The Planning and Development Act, 2007*.

PART II
INTERPRETATION

Definitions

- 3 In this Bylaw:
- “Council” means the council of the City of Regina; and
- “development officer” means development officer as defined in *The Planning and Development Act, 2007*.

Calculation of Time

- 4 The calculation of days as expressed in this Bylaw shall be calculated using calendar days and including the day of publication or posting but excluding the day of the Council meeting.

PART III
THE CITIES ACT

Adoption of Public Notice Policy – Cities Act

- 5 Public notice of all matters for which public notice must be given pursuant to *The Cities Act* shall be given in accordance with this Part.

Public Notice Requirements

- 6(1) Public notice of a matter required by this Part shall be given at least seven days before the date of the Council meeting at which the matter is to be initially considered by way of:

- (a) publishing the notice in a local newspaper with at least weekly circulation in the city of Regina;
 - (b) posting the notice at City Hall; and
 - (c) posting the notice on the City's website.
- (2) The notice required by subsection (1) shall include a general description of the matter to be considered and the date, time and place of the Council meeting at which the matter will be considered.

No Notice of Subsequent Meetings

- 7 Notice will be given in accordance with this Part only when Council initially considers a matter. Unless otherwise directed by Council, no notice will be given of any subsequent meeting of Council at which the matter will be considered.

PART IV

THE PLANNING AND DEVELOPMENT ACT, 2007

Application of Act

- 8 The public notice requirements set out in section 55, subsection 69(9), section 83 and Part X of *The Planning and Development Act, 2007* shall not apply.

Matters for Which Public Notice Must Be Given

- 9 Public notice of the following matters requiring public notice be given pursuant to *The Planning and Development Act, 2007* shall be given in accordance with this Part:
- (a) the adoption, amendment or repeal of a bylaw for an official community plan or zoning bylaw;
 - (b) the adoption, amendment or repeal of a development levy bylaw;
 - (c) the application for discretionary use approval;
 - (d) the adoption, amendment or repeal of a bylaw authorizing the sale of all or any part of a buffer strip or the exchange or sale of all or any part of a municipal reserve;
 - (e) the voiding of a contract zoning agreement respecting the rezoning of land;
 - (f) the adoption, amendment or repeal of an interim development control bylaw; and

- (g) the passing of a resolution to adopt or amend a concept plan.

Matters For Which a Public Hearing Must Be Held

- 10(1) For those matters mentioned in clauses 9(a), 9(b) and 9(d), after the first reading of the bylaw and before the second reading of the bylaw, Council shall hold a public hearing.
- (2) At the public hearing mentioned in subsection (1), Council:
 - (a) shall ensure that all persons who wish to make representations relevant to the proposed bylaw are heard or provided the opportunity to have written submissions read into the record;
 - (b) shall ensure that minutes of the public hearing are recorded;
 - (c) may receive all representations on the same day or, if it considers it advisable, adjourn the hearing until all representations are received.
- (3) If a hearing is adjourned pursuant to clause (2)(c), Council may subsequently sit and receive the representations on the date fixed for the reconvened hearing.

Method and Contents of Notice

- 11 As required in accordance with the specific provisions of this Part, Council shall give notice of its intention to consider any matter set out in section 9 by one or more of the following methods:
 - (a) sign posting, which for the purposes of this Part, means that notice of the matter shall be posted on one or more public notification signs installed on the property which is the subject of the matter to be considered, unless:
 - (i) in the opinion of the development officer, the subject property is in a remote location or the site conditions render the property inaccessible;
 - (ii) in the case of a discretionary use application, the unit is entirely within a building that is not directly accessible from the outside; or
 - (iii) Council has exempted the matter from sign posting;
 and such notice shall:
 - (iv) contain a description of the matter or change being proposed and where additional information may be obtained;

- (b) advertisement, which for the purpose of this Part means that notice of the matter shall be published in a local newspaper with at least weekly circulation in the city of Regina, and such notice shall:
 - (i) contain a description of the proposed bylaw or resolution and the reasons for the same;
 - (ii) describe the affected area by:
 - (A) civic address, legal description, or by including a map; or
 - (B) in the case of a matter or bylaw of general application, the type of property affected but not the specific location of each property affected;
 - (iii) indicate where and when any proposed bylaw may be examined;
 - (iv) set out the date, time and place at which a public hearing will be held or, if no public hearing is required, the date, time and place of the Council meeting at which the matter will be considered, and
 - (v) outline the procedure by which any required public hearing will be conducted;
- (c) written notice, which for the purpose of this Part means that notice of the matter shall:
 - (i) be sent by regular mail to each assessed owner of property within a 75 metre radius of the boundary of the property which is the subject of the matter to be considered and to the assessed owner of the subject property, but only if such owner is not the applicant;
 - (ii) contain:
 - (A) a description of the matter to be considered;
 - (B) an outline of the approval process under which Council is considering the matter; and
 - (C) details regarding when, where and how comments on the matter may be submitted; and
 - (iii) be deemed to be given on the date the notice is postmarked; or

- (d) City Hall notice board and website posting, which for the purpose of this Part means that notice of the matter shall be posted in the display in the City Hall foyer and published on the City's website until determination of the matter by Council and such notice shall:
 - (i) in the case of any matter subject to advertisement, contain the same information as is required to be included for that purpose; or
 - (ii) in the case of any matter not subject to advertisement, contain:
 - (A) a description of the matter to be considered;
 - (B) an outline of the approval process under which Council is considering the matter;
 - (C) the date, time and place of the Council meeting at which the matter will be considered; and
 - (D) details regarding when, where and how comments on the matter may be submitted.

Public Notice Requirements – Official Community Plan

- 12(1) Public notice of Council's intention to consider a bylaw amending or repealing an official community plan bylaw shall be given at least 14 days before the date of the required public hearing by way of:
 - (a) advertisement; and
 - (b) City Hall notice board and website posting.
- (2) Public notice of Council's intention to consider a bylaw adopting an official community plan bylaw shall be given by way of:
 - (a) advertisement, published twice, each at least seven days apart, with the first such advertisement occurring at least 28 days before the date of the required public hearing; and
 - (b) City Hall notice board and website posting at least 28 days before the date of the required public hearing.

Public Notice Requirements – Zoning Bylaw

- 13(1) Public notice of Council's intention to consider a bylaw amending or repealing a zoning bylaw shall be given at least 14 days before the date of the required public hearing by way of:

- (a) sign posting;
- (b) advertisement;
- (c) written notice; and
- (d) City Hall notice board and website posting;

provided that, if the proposed amendment is of general application and not in relation to a specific property, the notice requirements in clauses (a) and (c) shall not apply.

- (2) Public notice of Council's intention to consider a bylaw adopting a zoning bylaw shall be given by way of:
 - (a) advertisement, published twice, each at least seven days apart, with the first such advertisement occurring at least 28 days before the date of the required public hearing; and
 - (b) City Hall notice board and website posting at least 28 days before the date of the required public hearing.

Public Notice Requirements – Development Levy Bylaw

- 14 Public notice of Council's intention to consider a bylaw adopting, amending or repealing a development levy bylaw shall be given at least 14 days before the date of the required public hearing by way of:
 - (a) advertisement; and
 - (b) City Hall notice board and website posting.

Public Notice Requirements – Discretionary Use Application

- 15 Public notice of Council's consideration of an application for discretionary use shall be given at least 14 days before the date of the Council meeting at which the matter is to be initially considered by way of:
 - (a) sign posting;
 - (b) written notice; and
 - (c) City Hall notice board and website posting.

Public Notice Requirements – Buffer Strip and Municipal Reserve

16 Public notice of Council's intention to consider a bylaw adopting, amending or repealing a bylaw authorizing the sale of all or any part of a buffer strip or the exchange or sale of all or any part of a municipal reserve shall be given at least 14 days before the date of the required public hearing by way of:

- (a) sign posting;
- (b) advertisement; and
- (c) City Hall notice board and website posting.

Public Notice Requirements – Voiding Contract Zone

17 Public notice of Council's intention to declare a contract zone agreement void shall be given at least 14 days before the date of the Council meeting at which the matter is to be initially considered by way of:

- (a) advertisement; and
- (b) City Hall notice board and website posting.

Public Notice Requirements – Interim Development Control Bylaw

18 No notice or public hearing is required before the passing of an interim development control bylaw, but Council shall, within 30 days after the date that such a bylaw is adopted, amended or repealed, give notice of the bylaw:

- (a) in a local newspaper with at least weekly circulation in the city of Regina at least once; and
- (b) on the City Hall notice board and City website for a period of no less than 7 consecutive days.

Public Notice Requirements – Concept Plan

19 Public notice of Council's intention to consider the passing of a resolution to adopt or amend a concept plan shall be given at least 14 days before the date of the Council meeting at which the matter is to be initially considered by way of:

- (a) sign posting;
- (b) advertisement; and
- (c) City Hall notice board and website posting.

No Notice of Subsequent Meetings

- 20 Notice will be given in accordance with this Part only when Council initially considers a matter or holds a public hearing, as the case may be. Unless otherwise directed by Council, no notice will be given of any subsequent meeting at which the matter will be considered.

Alteration of Bylaws

- 21 If, as a result of the consideration of representations made in accordance with section 10 or for any other reason, Council proposes to alter a bylaw mentioned in clauses 7(a), 7(b) and 7(d), Council may pass the bylaw as altered without requiring that public notice of the proposed alterations be given.

**PART VI
TRANSITIONAL**

Bylaw 2019-19

- 22 Upon the coming into force of this Bylaw, Part 1.G of Bylaw No. 2019-19, being *The Regina Zoning Bylaw, 2019* is amended as follows:

- (a) by striking out the title “**PUBLIC NOTICE SIGNAGE**” and substituting the title “**PUBLIC NOTICE REQUIREMENTS**”; and
- (b) by repealing section 1G.1 in its entirety and substituting the following:

“1G.1 PUBLIC NOTICE

1.1 APPLICATION OF PUBLIC NOTICE POLICY BYLAW

Unless explicitly stated otherwise in this Bylaw, public notice of all development matters or applications requiring public notice will be given in accordance with Bylaw 2020-28, being *The Public Notice Policy Bylaw, 2020*.

1.2 PUBLIC NOTICE COSTS

The applicant shall be responsible for the applicable costs related to complying with any public notice requirements.”

Bylaw 7748

- 23 Upon the coming into force of this Bylaw, section 4A of Bylaw No. 7748, being *A Bylaw of the City of Regina To Regulate and Control the Subdivision of Land* is repealed.

Bylaw 2008-66

- 24 Upon the coming into force of this Bylaw, Appendix “A” of Bylaw 2008-66, being *The Development Application Fee Bylaw, 2008* is amended by repealing the line “Advertising Fee \$1,500” and substituting “Advertising Fee A cost recovery fee will be charged based on current Leader Post pricing”.

Bylaw 2003-8

- 25 Upon the coming into force of this bylaw, Bylaw No. 2003-8, being *The Public Notice Policy Bylaw* is repealed.

Effective Date

- 25 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 29th DAY OF July 2020.

READ A SECOND TIME THIS 29th DAY OF July 2020.

READ A THIRD TIME AND PASSED THIS 29th DAY OF July 2020.

Mayor

City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

ABSTRACT

BYLAW NO. 2020-28

THE PUBLIC NOTICE POLICY BYLAW, 2020

PURPOSE:	The purpose of this Bylaw is to adopt a public notice policy with respect to those matters prescribed in <i>The Cities Act</i> and <i>The Planning and Development Act, 2007</i> for which public notice is required to be given.
ABSTRACT:	This Bylaw establishes minimum notice requirements, acceptable methods of giving notice and the required contents of notice to be followed with respect to those matters prescribed in <i>The Cities Act</i> and <i>The Planning and Development Act, 2007</i> for which public notice is required to be given.
STATUTORY AUTHORITY:	The authority for this Bylaw is section 102 of <i>The Cities Act</i> and section 24 of <i>The Planning and Development Act, 2007</i> .
MINISTER’S APPROVAL:	Not required.
PUBLIC HEARING:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
PUBLIC NOTICE:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
REFERENCE:	Priorities and Planning Committee, May 19, 2020, PPC20-7; City Council, June 30, 2020, CR20-62.
AMENDS/REPEALS:	Amends Bylaw 2019-19, <i>The Regina Zoning Bylaw</i> ; Amends Bylaw 7748, <i>A Bylaw of the City of Regina To Regulate and Control the Subdivision of Land</i> ; Amends Bylaw 2008-66, <i>The Development Application Fee Bylaw, 2008</i> Repeals Bylaw No. 2003-8, <i>The Public Notice Policy Bylaw</i>
CLASSIFICATION:	Administrative
INITIATING DIVISION:	City Planning & Community Development
INITIATING DEPARTMENT:	Planning & Development Services