

Bylaw No. 6537

**A Bylaw of The City of Saskatoon to provide for
controlling the subdivision of land**

**Codified to Bylaw No. 9351
(January 25, 2016)**

BYLAW NO. 6537

A bylaw of The City of Saskatoon to provide for controlling the subdivision of land.

WHEREAS The Planning and Development Act, 1983, provides that Council may by bylaw make regulations not inconsistent with the provisions of the said Act for controlling the subdivision of land;

NOW THEREFORE the Council of The City of Saskatoon enacts as follows:

1. The regulation for controlling the subdivision of land hereunto annexed and marked Appendix "A" and forming part of this bylaw are hereby approved.
2. From and after the date on which this Bylaw becomes effective, all applications for subdivision of land in the City of Saskatoon shall comply with and be subject to the provisions of this bylaw.
3. Bylaw No. 5534 and all amendments thereto are hereby repealed.
4. This bylaw shall come into force and take effect on receiving the approval of the Minister of Urban Affairs.

Read a first time this 18th day of February, A.D. 1985.

Read a second time this 18th day of February, A.D. 1985.

Read a third time and passed this 17th day of June, A.D. 1985.

"C. Wright"

Mayor

"S. MacKeigan"

A/City Clerk

(SEAL)

"A P P R O V E D by
Deputy Minister of
Municipal Government
Ken Pontikes
August 4, 1998"

Appendix “A” to Bylaw No. 6537

1. Title

These regulations may be cited as The Subdivision Regulations.

2. Interpretation

In these regulations:

- (a) "Act" means *The Planning and Development Act, 2007*;
 - (b) "City" means The City of Saskatoon;
 - (c) "Council" means the Council of The City of Saskatoon;
 - (d) "cul-de-sac" means a street with only one end open to traffic;
 - (e) "Development Officer" means the General Manager of the Planning and Building Department of The City of Saskatoon;
 - (f) "standing body of water" means a lake, pond, reservoir, lagoon, swamp, marsh or any other area containing standing surface water, either permanently or intermittently;
 - (g) "utility line" means a water or gas transmission pipe, an electrical supply cable, a telecommunications transmission line or a sewage pipe, whether privately or publicly owned, providing service to property in the municipality or in an immediately adjacent area and located in the ground or overhead, and includes any facilities that are required to enable the local delivery of the utility;
 - (h) "water course" means a river, stream, creek, gully, ravine, spring coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently;
- 2.1 (1) Council delegates the responsibility to approve applications for subdivision approval to the Development Officer as provided in these Regulations.
- (2) The Development Officer may:
- (a) approve an application;

- (b) approve an application in part;
 - (c) approve an application subject to conditions authorized by *The Planning and Development Act, 1983* and these Regulations.
 - (d) approve an application subject to compliance with a directive issued pursuant to Section 142 of *The Planning and Development Act, 1983*;
 - (e) relieve an applicant from compliance, in whole or in part, with a requirement of these Regulations as provided in Section 146 of *The Planning and Development Act, 1983*;
 - (f) issue a certificate of approval for the subdivision, endorsed to indicate that the approval is granted in accordance with these Regulations, subject to the waiver of any provision of these Regulations as provided in Section 146 of *The Planning and Development Act, 1983*; and
 - (g) register a caveat in the appropriate Land Titles Office with respect to the land, indicating which regulations were waived and including the notice of decision.
- (3) If the Development Officer concludes that an application for subdivision should be denied, the Development Officer shall refer the application to Council who shall act as the approving authority with respect to that application.
- (4) In acting as the approving authority under Subsection (3), Council may exercise or carry out all of the powers or duties conferred or imposed on it as an approving authority.

3. Register

The Development Officer shall keep a register of subdivision applications.

4. Form and Accompanying Documentation re Applications

An application to The City of Saskatoon for subdivision approval is made by submitting to the Development Officer:

- (a) an application Form A of the Appendix together with:

- (i) in the case of a proposed subdivision that creates two or more new parcels of land or creates streets, lanes or other public lands, material and documentation that complies with Section 5;
 - (ii) in the case of a proposed subdivision that creates only one new parcel of land and does not affect streets, lanes or other public lands, material and documentation that complies with Section 6; or
- (b) the appropriate fees as set out in Section 8.

5(1) Plan of Proposed Subdivision

A plan of proposed subdivision is required to:

- (a) be on a stable base, transparent material of good quality;
- (b) be drawn at a scale of 1:500, 1:1000, 1:2000 or 1:5000, whichever is most appropriate to clearly show the content of the plan, but the Development Officer may accept a plan drawn to another scale if exceptional circumstances warrant departure from the standard scales described;
- (c) show distances in metres and decimals thereof and areas in square metres or hectares, whichever is most appropriate to the scale of the plan and the areas involved;
- (d) show the land intended for subdivision outlined in a bold dash line, the area thereof, the scale and the north point, the date of the preliminary survey and have a full legal description and a clear five centimetre by eight centimetre space for the approving authority's decision;
- (e) be titled "Plan of Proposed Subdivision";
- (f) be signed by the registered owner of the land that is the subject of the application or a person authorized to apply on his behalf and a Saskatchewan Land Surveyor or a Professional Community Planner;
- (g) show all water courses and standing bodies of water with the bank and the level of water at the date of preliminary survey, the approximate outline of wooded areas, the location of existing permanent buildings and other developments and the approximate location of any existing or proposed bridges or road crossings over a water course;

- (h) show the location and dimensions of any adjacent subdivision of land of record under a descriptive title or registered plan number including all streets, lanes, blocks and parcels with their designations;
- (i) show the location, dimensions and boundaries of:
 - (i) each new lot to be created;
 - (ii) any dedicated land and the area thereof;
 - (iii) existing or proposed utility lines and the right of way of each of those lines;
 - (iv) every provincial highway or public highway; and
 - (v) streets, roads and lanes;
- (j) show the location of any existing or proposed railway lines or spur tracks; and
- (k) make provision for the widening or eventual widening of a highway or street to the minimum widths specified in Section 16, if the proposed subdivision abuts a provincial highway or street which is designated for widening by the Department of Highways and Transportation.

5(2) The plan of proposed subdivision required by this Section must also be submitted in a digital, AutoCad compatible version in a format and by a means acceptable to the City.

6. Metes-and-Bounds Description

An application for subdivision approval that is not based on a plan of proposed subdivision is required to be accompanied by a metes-and-bounds description that is sufficient for Land Titles purposes and a sketch plan showing:

- (a) the location, dimensions and boundaries of the land to be subdivided and of the new parcel to be created;
- (b) the existing and proposed land uses on and adjacent to the site;
- (c) the location of existing buildings on the land to be subdivided;
- (d) any adjacent subdivision;
- (e) prominent natural features;

- (f) the location of existing or proposed utility lines and the right of way of each such utility line;
- (g) the location and dimensions of highway, streets, roads and lanes; and
- (h) the provision for the eventual widening of a highway or street to the minimum widths specified in Section 14, if the proposed subdivision abuts a provincial highway or street which is designated for widening by the Department of Highways and Transportation.

7. Additional Information

- (1) The Development Officer may require information to be supplied by an applicant in addition to that required pursuant to Sections 4 to 6, if the approving authority is of the opinion that such additional information is necessary in order to comply with Section 12.
- (2) If the Development Officer required additional topographic information pursuant to Subsection (1), the approving authority may require that the proposed subdivision show:
 - (a) if there are great variations in the height of the land, contour lines which:
 - (i) are at one-metre intervals or less;
 - (ii) are based on elevations referred to the National Datum, or a suitable stated local datum showing the date of survey; and
 - (iii) extend beyond the land to be subdivided a distance equal to one half the width and length of the subdivided portion or 150 metres, whichever is less; or
 - (b) if there are small variations in the height of the land, spot elevations at each change of direction along the boundary of the land to be subdivided.
- (3) In the case of a proposed subdivision intended to subdivide part only of a larger area, the whole of which may eventually be subdivided, the Development Officer may require that the proposed subdivision:
 - (a) show contours and other topographical information for the whole of the larger area;

- (b) include a suitable design for the future subdivision showing the general scheme of subdivision for the whole area, the parts thereof intended for different uses including dedicated lands, residential, schools, commercial and industrial development and the provision of utilities.

8. Fees

- (1) The fee for examination of an application for approval of a subdivision is \$650.00.
- (2) The fee for a Certificate of Approval issued by the City is \$115.00 per new lot approved, to a maximum of \$4,600.00 per subdivision application, excluding those parcels designated on the plan as dedicated lands or parcels to be used for public works.
- (3) The fee for reissuance of a Certificate of Approval is \$25.00.

9. When Application is Complete

An application is deemed not to have been received in complete and final form until all fees and information required of the applicant by the Development Officer are received.

10. Referral of Application to Other Authorities

- (1) On receipt of an application for subdivision approval in complete and final form, the Development Officer shall send a copy of it to and request the comments of the appropriate planning commissions.
- (2) Where directed by the Development Officer or Council, the applicant shall refer an application for subdivision approval to any other authority, agency, department, council or board which may be affected by the proposed subdivision for comment on the application.
- (3) Subject to Subsection (5), the authorities from whom comments are requested pursuant to Subsections (1) or (2) shall submit their comments within 40 days following the date on which the comments are requested.
- (4) The Development Officer or Council may deal with an application for subdivision approval after the expiration of the 40-day time period described in Subsection (3) or an extension granted pursuant to Subsection (5) whether or not the comments have been received.

- (5) The Development Officer or Council may extend the time for submitting comments on the written request of and for the benefit of a planning commission described in Subsection (1).
- (6) A planning commission described in Subsection (1) may, by resolution, recommend approval or refusal of a subdivision application to the Development Officer or Council.

11. Time Limit re Decision

Notwithstanding any other provision of these regulations, the time prescribed within which the Development Officer or Council is required to make a decision on an application for subdivision approval is 90 days from the day on which the application is received by the Development Officer in its complete and final form.

12. Considerations to be Taken in to Account by Approving Authority

In making a decision as to whether or not to approve an application for subdivision approval, the Development Officer or Council shall:

- (a) consider the comments and resolutions submitted to it pursuant to Section 10, but is not bound by them; and
- (b) consider the suitability of the land for the proposed subdivision having regard to:
 - (i) its topography;
 - (ii) its soil characteristics;
 - (iii) its surface and subsurface drainage;
 - (iv) any potential flooding, subsidence, landslides and erosion;
 - (v) the availability and adequacy of a water supply, a sewage disposal system and solid waste disposal;
 - (vi) the economical provision of services;
 - (vii) the existing and prospective uses of land in the vicinity;
 - (viii) the provision of layout of streets and lanes;

- (ix) the provision of access;
- (x) the protection of provincial highways and major roads;
- (xi) the segregation of pedestrian and vehicular traffic and of traffic flow between major and minor streets and the protection of public safety by ensuring adequate sight distances at intersections;
- (xii) the design and orientation of the subdivision including the size and shape of each lot;
- (xiii) the need to minimize the likelihood of air, water, soil or noise pollution by the subdivision or the need to protect the subdivision from such pollution by outside influences;
- (xiv) the anticipated need for school sites, recreation facilities and parks;
- (xv) the proposed storage or use of chemicals, flammable liquids or radioactive materials licensed by the Atomic Energy Control Board;
- (xvi) the protection of critical fish and wildlife habitat; and
- (xvii) the protection of significant natural or historical features.

13. Limitations on Approval

- (1) The Development Officer or Council shall not approve an application for subdivision approval for residential purposes if the land that is the subject of the application is situated:
 - (a) within 457 metres of land that is used or authorized for use as a landfill for the disposal of garbage or refuse;
 - (b) within 300 metres of land that is used or authorized for use as an intensive livestock operation within the meaning of *The Pollution (By Livestock) Control Act*, unless the intensive livestock operation is situated at least 300 metres from any residential development or land that is authorized for use for residential purposes.

14. Streets

- (1) In this section:
 - (a) "arterial street" means a street that serves major traffic flows between the principal areas of traffic generation with direct access to adjacent development being limited;
 - (b) "collector street" means a street that serves traffic between local and arterial streets with access to adjacent development generally allowed;
 - (c) "expressway" means a roadway or street with fully controlled access and intersections that are either at grade or grade-separated;
 - (d) "freeway" means a roadway or street with fully controlled access, free-flowing traffic and all intersections grade-separated;
 - (e) "local street" means a street providing direct access to abutting properties along its length and not intended to carry through traffic, other than to adjoining streets;
 - (f) "minor street" means a local street not exceeding 500 metres in length and includes a cul-de-sac.
- (2) Streets included in or adjacent to a proposed subdivision are to be classified with regard to present and future traffic requirements, adjoining uses and topography.
- (3) The minimum width for each class of street is:
 - (a) in the case of a provincial highway or provincial highway connectors, the minimum width required by the Department of Highways and Transportation;
 - (b) in the case of freeways and expressways, 45 metres;
 - (c) in the case of an arterial street 30 metres;
 - (d) in the case of a collector street, 22 metres;
 - (e) in the case of a local street providing frontage access to industrial, commercial or residential properties, but not connecting different land uses, 18 metres;

- (f) in the case of a minor street which cannot be physically constructed beyond 500 metres or a cul-de-sac, 15 metres.
- (4) Street lengths may not exceed 400 metres between intersecting streets, but the Development Officer or Council may accept a greater length due to topography or special circumstances.
- (5) The length of a cul-de-sac including an adequate turning area may not exceed 150 metres except when an emergency access is provided, in which case the length may be extended to 260 metres.
- (6) The maximum gradient for:
 - (a) major and collector streets is 5 percent; and
 - (b) minor streets is 7 percent.
- (7) Streets and lanes are to be laid out so that they are constructed on land which has a natural cross slope of less than 15 percent.
- (8) Every lane is required to:
 - (a) be minimum of six metres and a maximum of ten metres in width; and
 - (b) connect at each end with a street or another lane but if one end is to be permanently closed and by the nature of the subdivision design cannot be extended in the future, a turning area having a diameter or a width that is not less than three metres wider than the width of the lane is required to be provided.
- (9) Walkways that are included in a proposed subdivision as secondary access are to be provided in such a way as to provide convenient pedestrian movement through the subdivision and to be a of a minimum width of 1.5 metres.
- (10) Every parcel or lot in a proposed subdivision is required to be accessible from a street.
- (11) A proposed subdivision that abuts a controlled access highway as defined in *The Highways and Transportation Act* is required to have convenient physical access provided to it by a local street which connects with or can be connected with the public highway system.
- (12) If a subdivision abuts a provincial highway but does not have access to it, a buffer strip may be required between the provincial highway and the proposed subdivision.

- (13) The following conditions and standards apply to the manner of laying out of streets:
- (a) streets other than cul-de-sacs are to be continuous or connected with an intersecting street;
 - (b) streets are to intersect as nearly as possible at right angles, and street corners are to be rounded or cut off if considered necessary by the Development Officer or Council; and
 - (c) intersections sharing the same street as mentioned in clauses (a) and (b) are to be at least 45 metres apart as measured from the center point of each intersection unless the Development Officer or Council waives this requirement due to natural features.
- (14) Every street is to be named or numbered in conformity with or continuation of an existing system of naming or numbering the streets in the vicinity.

15. Residential Lots

- (1) Residential lots which do not have access to a rear lane must be a minimum of 33 metres in depth.
- (2) No residential lot may front on two parallel or approximately parallel streets.
- (3) The side lines of all residential lots are required to be at right angles or radial to the street center line as nearly as possible.
- (4) The depth to frontage ratio for residential lots may not exceed 3:1.
- (5) the following requirements apply to the dimensions and layout of residential blocks:
 - (a) Subject to Clause (b), intersecting streets determining block lengths are to be provided at intervals that adequately serve cross traffic and at intervals of 400 metres or less;
 - (b) The Development Officer or Council may accept block lengths longer than 400 metres if topographic or other circumstances justify departures from the maximum set out in Clause (a);
 - (c) In blocks longer than 150 metres, the Development Officer or Council may require walkways to be provided to ensure adequate pedestrian access; and

- (d) The width of a residential block is to be sufficient to allow for two tiers of lots having a minimum depth of 30 metres.

16. Commercial or Industrial Lots

- (1) The minimum dimensions and areas of commercial or industrial lots are:
 - (a) frontage, 7.5 metres;
 - (b) area, 225 square metres; and
 - (c) depth, 30 metres.
- (2) No lot may front on two parallel or approximately parallel streets unless the Development Officer or Council having regard to the circumstances of the intended development and the site, is satisfied that the creation of a lot which does front on two such streets is justified and approves such creation.
- (3) The side lines of all lots are required to be at right angles or radial to the street centre line as nearly as possible.

17. Inspection

- (1) Any land included in a proposed subdivision is subject to inspection by the Development Officer or a person directed by the Development Officer.
- (2) The Development Officer or a person directed by the Development Officer may at any reasonable time enter on land which is the subject of a proposed subdivision for the purpose of obtaining information in connection with the land and the proposed subdivision.

18. Subject to the provisions of *The Planning and Development Act*, if the Development Officer or Council is of the opinion that compliance with a requirement of Section 14, 15 and 16 hereof is impractical or undesirable because of circumstances peculiar to a proposed subdivision, it may:

- (a) relieve the applicant from compliance, in whole or in part, with the requirement; and
- (b) issue a certificate of approval for the subdivision, endorsed to indicate that the approval is granted in accordance with the subdivision regulations subject to the waiver of a provision of those regulations and the reasons for the waiver

APPENDIX •

TABLE 1

(Section 16)

RESIDENTIAL LOTS

<u>Type of Lot</u>	<u>Frontage (Metres)</u>	<u>Mean Width (Metres)</u>	<u>Mean Depth (Metres)</u>	<u>Area (Square Metres)</u>
Detached dwelling units:				
Rectangular lots:				
With lane...	12	--	30	360
Without lane...	15	--	33	450
Non-rectangular lots:				
With lane...	11	15	30	360
Without lane...	11	15	30	450
Semi-detached dwelling units:				
Rectangular lots:				
With lane...	8.5	--	30	255
Without lane...	10.5	--	33	315
Non-rectangular lots:				
With lane...	7.5	10.5	30	315
Without lane...	7.5	10.5	33	---

APPLICATION FOR SUBDIVISION - FORM 'A'
PURSUANT TO SECTION 136 - PLANNING AND DEVELOPMENT ACT, 1983
CITY OF SASKATOON - BYLAW Nº 6537

DATE OF APPLICATION: _____
CURRENT LEGAL DESCRIPTION:

REGISTERED OWNER OF LAND:
NAME: _____
ADDRESS: _____

POSTAL CODE: _____ TELEPHONE: _____

AGENT AUTHORIZED TO ACT ON BEHALF
OF OWNER:
NAME: _____
ADDRESS: _____

POSTAL CODE: _____ TELEPHONE: _____

IS THE SUBDIVISION TO BE MADE BY:
 (a) PLAN OF SUBDIVISION
 (b) WRITTEN DESCRIPTION
(ONLY WHERE APPLICABLE)

EXISTING USE OF LAND AND BUILDINGS:

INTENDED FUTURE USE OF LAND AND
BUILDINGS: _____

STATE SPECIFIC PURPOSE OF PROPOSED SUBDIVISION: _____

IF PROPOSED SUBDIVISION OF LAND DOES NOT COMPLY FULLY WITH SUBDIVISION REGULATIONS
INDICATE WHICH SECTION OF THE REGULATIONS YOU ARE REQUESTING TO BE WAIVED BY CITY
COUNCIL AND PROVIDE SECIFIC REASONS FOR EACH REQUEST:

APPLICATION NO.

FOR OFFICE USE ONLY

ADDITIONAL INFORMATION

- THIS APPLICATION MUST BE SUBMITTED IN ACCORDANCE WITH THE REQUIREMENTS OF BYLAW NO. 6537 BEING THE SUBDIVISION REGULATIONS OF THE CITY OF SASKATOON.
- IN THE CASE OF A PLAN OF PROPOSED SUBDIVISION A REDUCTION COPY OF THE TRANSPARENT BASE OF NOT GREATER IN SIZE THAN 28CM X 43CM (11" X 17") IS ALSO REQUIRED FOR PROCESSING PURPOSES.
- LETTERS FROM
 - A) SASKATCHEWAN TELECOMMUNICATIONS
 - B) SASKATCHEWAN POWER CORPORATION
 - C) CITY ENGINEERING DEPARTMENT
 - D) CITY ELECTRICAL DEPARTMENT

INDICATING WHETHER EASEMENTS ARE REQUIRED AND IF THEY ARE REQUIRED A DESCRIPTION OF SAME. THE LOCATION AND DIMENSIONS OF ALL EXISTING AND PROPOSED UTILITY EASEMENTS SHALL BE INDICATED UPON THE PLAN OF PROPOSED SUBDIVISION OR A SKETCH PLAN OF A SUBDIVISION BY METES AND BOUNDS DESCRIPTION.

- LETTER FROM THE CITY ENGINEER INDICATING WHETHER AREA DEVELOPMENT CHARGES WILL BE REQUIRED AND IF SO THE AMOUNT OF SAME.
- THIS APPLICATION MAY OR MAY NOT REQUIRE THE DEDICATION OF LANDS FOR PUBLIC USE PURSUANT TO SECTION 189 OF THE PLANNING AND DEVELOPMENT ACT, 1983.

REQUIRED FEES

PAYMENT OF \$20.00 IS REQUIRED TO ACCOMPANY THIS APPLICATION.

THE FEE FOR THE ISSUANCE OF A CERTIFICATE OF APPROVAL IS \$15.00 FOR EACH LOT APPROVED TO A MAXIMUM OF \$500.00, EXCLUDING THOSE PARCELS DESIGNATED ON THE PLAN AS DEDICATED LANDS OR PARCELS FOR PUBLIC WORKS.

THE FEE FOR RE-ISSUANCE OF A CERTIFICATE OF APPROVAL IS \$25.00.

I _____, HEREBY CERTIFY THAT I HAVE BEEN AUTHORIZED BY THE REGISTERED OWNER TO ACT ON BEHALF OF SUCH OWNER IN THE MATTER OF THIS APPLICATION.

SIGNATURE OF AUTHORIZED AGENT

I HEREBY CERTIFY THAT ALL THE ABOVE STATEMENTS CONTAINED WITHIN THIS APPLICATION ARE TRUE, AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH, AND BY VIRTUE OF THE CANADA EVIDENCE ACT.

REGISTERED OWNER OR AUTHORIZED AGENT

FOR OFFICE USE ONLY

DATE OF APPLICATION CERTIFIED COMPLETE: _____

RECOMMENDATION OF: MUNICIPAL PLANNING COMMISSION _____

TECHNICAL PLANNING COMMISSION _____

DATE OF APPROVAL OR DENIAL BY CITY COUNCIL: _____

ISSUANCE OF CERTIFICATE OF APPROVAL: AMOUNT PAID: _____ DATE: _____

PL 010 (10-84)