Bylaw No. 6537 The Subdivision Bylaw, 1985

BYLAW NO. 6537

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

WHEREAS *The Planning and Development Act, 2007*, 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 regulations 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 Bylaw No. 5534 and all amendments thereto are hereby repealed.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 Government Relations.

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"		"S. MacKeigan"	
Mayor		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"

1. Title

These regulations may be cited as <u>The Subdivision Regulations</u>.

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 Community Services 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 refusal or approval of all subdivision applications to the Development Officer subject to compliance with all requirements of these Regulations.
 - (2) The Development Officer may:
 - (a) refuse an application;

- (b) approve an application;
- (c) approve an application in part;
- (d) approve an application subject to conditions authorized by The Planning and Development Act, 2007 and these Regulations;
- (e) approve an application subject to compliance with a directive issued pursuant to Section 130 of *The Planning and Development Act, 2007*;
- (f) relieve an applicant from compliance, in whole or in part, with a requirement of these Regulations as provided in Section 133 of *The Planning and Development Act, 2007*;
- (g) 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 133 of *The Planning and Development Act, 2007*; and
- (h) 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. 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 *The Development Applications Fee Bylaw, 2020.*

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 the owner's 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 Ministry of Highways and Infrastructure.
- **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:

- 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 Ministry of Highways and Infrastructure.

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.** (Repealed Bylaw No. 9726 November 30, 2020)

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 Canadian Nuclear Safety Commission;
- (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 Agricultural Operations 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 Ministry of Highways and Infrastructure:
 - (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;
- 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
 - 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

Type of Lot	Frontage (Metres)	Mean Width (Metres)	Mean Depth	Area (Square Metres)
Detached dwelling units:				
Rectangular lots:				
With lane	12		30	360
Without lane	15		33	450
Non-rectangular lots:	154			
With lane	11	15	30	360
Without lane	11	15	30	450
Semi-detached dwelling units:				
Rectangular lots:		84		
With lane	8.5		30	. 255
Without lane	10.5		33	315
* Management of the property of the second o				
Non-rectangular lots:				
With lane	7.5	10.5	30	315
Without lane	7.5	10.5	33	

Form "A" Certificate of Approval for Subdivision



Application Form

CERTIFICATE OF APPROVAL FOR SUBDIVISION

Pursuant to Section 127 - Planning and Development Act, 2007

	Date of App	plication: File N	O.:
Applicant Information			
REGISTERED OWNER(S) OF	THE SITE	AUTHORIZED AGENT TO ACT ON E	EHALF OF OWNER
Name:		_ Name:	
Address:		A1 62 16	
City/Prov.:	Postal Code:	The state of the s	
Phone:	Fax:	_ Phone: F	ax:
E-mail:		E-mail:	
Property Information			
Legal Description:			
Civic Address:			
Existing Use of Land and	Duildings	Intended Future Use of Land ar	d Buildings
Existing Ose of Land and	Dullulligs	intenueu ruture Ose or Land ar	a Dananigs
<u></u>		<u> </u>	
,			
State the Specific Purpos	e of Proposed Subdivisi	ion (attach additional material if necessary)	
		,,,	
-			
-			
Zoning District(s):	Is t	this subdivision related to a rezoning ap	plication? Y N
No. of lots proposed:	Subdivision area (ha)	If yes to above, state file i	10.:
Required Attachments	5		
		tion, Leasehold Parcel, Bare land Cond wing for our consideration and records:	ominium and Utility
1. Plan of Proposed Subdi	vision		Copy Attached
		and existing buildings. The Plan must be an or ot larger than 11" x 17", must also be submitted.	
2. Letter(s)			Copy Attached 🗖
, ,	listed in "Appendix A" providing	comments on easements, servicing requirement	• —
		than 11"x17"), showing the intended developme	
	л preшнитату zoning compliance	e examination for bare land condominium propos	Copy Attached
4. Digital File An AutoCAD compatible format	to accompany all applications b	y Plan. E-mail to: subdivisions@saskatoon.c a	0A020
5. Application Fee		,	Copy Attached
Fee of \$650.00 to accompany the	пь аррпсацоп.		

Schedule "A" (Page 2 of 3)

APPLICATION FOR CERTIFICATE OF APPROVAL FOR SUBDIVISION

PAGE 2

Required Fees

Application Fee (must accompany this application)

\$650.00

o Fee for Re-issuance of a Certificate of Approval

\$25.00

Approval Fee of \$115.00 per lot or Bare land Unit to a max. of \$4,600.00, excluding parcels designated on the plan as dedicated lands or parcels for public works (payable upon issuance of the Certificate of Approval).

Subdivision Application Process

- o The application is examined by staff to determine that all relevant documents have been submitted.
- If complete, the application is evaluated as to conformance with the Subdivision Bylaw No. 6537, Zoning Bylaw No. 8770, and Official Community Plan Bylaw No. 8769.
- If approved, a Certificate of Approval will be issued to the applicant once the applicable conditions of approval have been satisfied (e.g. - servicing agreements, required easements, payment of area development charges, money-in-lieu of municipal reserve and approval fees).
- o If any application is recommended for denial, a report is sent to City Council.
- Upon issuance of the Certificate of Approval, applicant may proceed to submit a Plan of Survey to the Controller of Surveys for approval to register the Plan with the Information Services Corporation (ISC) of Saskatchewan.
- Subject to Section 228 of The Planning and Development Act, 2007, an applicant may appeal the decision of the approving authority to the Development Appeals Board.
- An application may require the Dedication of Lands for Public Use pursuant to Section 181 of *The Planning and Development Act, 2007*, at a rate of 10% of the land being subdivided for Residential Purposes and 5% of the land being subdivided for Industrial and Commercial Purposes. At the Approving Authority's discretion, moneyin-lieu of the dedication requirement may be required.
- Subdivisions will be processed in 30-60 days. If recommended for denial, Council's decision must be issued within 90 days of a complete application.

Declaration of Applicant/Agent

I,, behalf of such owner(s) in the ma	hereby certify that I have bee tter of this application.	n authorized by the registered owner(s) to act on			
		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 <i>The Canada Evidence Act</i> .					
		Signature of Owner(s) of Authorized Agent			
FOR OFFICE USE ONLY:		OL WIND			
Cash Receipt No.:	Amount Paid:	Cheque No.:			

Schedule "A" (Page 3 of 3)

APPLICATION FOR CERTIFICATE OF APPROVAL FOR SUBDIVISION

PAGE 3

Appendix 'A' - List of Agency Representatives to Contact Respecting Proposals for Subdivision

All subdivision applications involving a Plan of Subdivision, Plan of Consolidation, Leasehold Parcel, Plan of Bare land Condominium, and Certificate of Approval for a Utility Transmission Line or Pipeline, must be circulated to all of the agencies listed below for comment.

REFERRALS FOR ALL SUBDIVISION APPLICATIONS

City of Saskatoon, Community Services

Department

Parks Division 1101 Avenue P North Saskatoon, SK S7K 7K6

Phone: 306-975-3182 Fax: 306-975-3034

Recreation and Community Development Division

City Hall, 222 - 3rd Avenue North

Saskatoon, SK S7K 0J5

Phone: 306-975-3340 Fax: 306-975-3185

City of Saskatoon, Transportation & Utilities

Department

Land Development Section City Hall, 222 - 3rd Avenue North Saskatoon, SK S7K 0J5

Phone: 306-975-2462 Fax: 306-975-2971

Public Works - Solid Waste 330 Ontario Avenue Saskatoon, SK S7K 2H5

Phone: 306-975-2332 Fax: 306-975-2500

Saskatoon Light & Power

322 Brand Road

Saskatoon, SK S7K 0J5

Phone: 306-975-2618 Fax: 306-975-3057

Transit Services 301 - 24th Street West Saskatoon, SK S7L 6R8

Phone: 306-975-3118 Fax: 306-975-7532

Saskatoon Police Service

Planning Section

Box 1728

Saskatoon, SK S7K 3R6

Phone: 306-975-8275

Fax: 306-975-8319

SaskPower

1370 Fletcher Road, Box 1560 Saskatoon, SK S7K 3R3

Phone: 306-934-7799 Fax: 306-934-7933

SaskEnergy

408 - 36th Street East Saskatoon, SK S7K 6K8

Phone: 306-975-8544 Fax: 306-975-8598

SaskTel

140 - 1st Avenue North, 5th Floor Saskatoon, SK S7K 1W8

Phone: 306-931-5290 Fax: 306-931-5121

Shaw Cablesystems 2326 Hanselman Avenue

Saskatoon, SK S7L 5Z3

Phone: 306-665-3728 Fax: 306-244-0105

Saskatoon Public School Division

310 - 21st Street East Saskatoon, SK S7K 6C8

Phone: 306-683-8243 Fax: 306-683-8207

Greater Saskatoon Catholic Schools

420 - 22nd Street East

Saskatoon, SK S7K 1X3

Phone: 306-221-4576 Fax: 306-668-7296

Canada Post

817 - 51st Street East Saskatoon, SK S7K 0G9

Phone: 306-668-6706 Fax: 306-668-6714

Saskatoon Fire Department

Main Hall, 125 Idylwyld Drive South

Saskatoon, SK S7K 1L4

Phone: 306-975-2578 Fax: 306-975-2589