Farming in the City:
Investigating the Policy Implications for Urban Farming in Regina

FOOD REGINA
COMMUNITY RESEARCH UNIT
Farming in the City: Investigating the Policy Implications for Urban Farming in Regina

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Prepared For:
Food Regina

Prepared By:
Osazuwa Osayomwanbor – University of Regina

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Introduction

In 2014, Regina’s Community Food Systems Steering Committee (CFSSC)\(^1\), a coalition of groups interested in food security and local food security, commissioned an environmental scan of Regina’s food system. The aim of the study was to provide an understanding of ‘the assets, gaps and priorities’ within Regina’s local food system. The resulting report, *Environmental scan: Conventional and Indigenous food systems and gaps in the Regina area, SK* by Qualman et. al (2014), was considered the first step toward ensuring Regina’s food security.

The study revealed among other things that there is a need to further study Regina’s local food system, including the need to identify possible alternatives that support its local food systems. According to the report, concerns over sustainability in the food systems and food security imply that necessary action needs to be taken to mitigate the negative effects of food insecurity or unsustainable food systems practices. As part of its recommendations, Qualman et. al (2014) pointed to the need for consultations with communities and groups within Regina to build an understanding of their food needs, experiences and perspectives. The CFSSC undertook a year of consultations and heard from over 425 people.

This current report, while not commissioned as a sequel to Qualman et. al (2014), focuses on one of the many themes from those consultations, which is the growing interest in urban agriculture in Regina. Urban agriculture has a unique role in supporting local food systems and fostering not only a sense of community, but also food security and environmental sustainability. Therefore, the mandate of this current study is to investigate the growing trend in urban agricultural practices in Canada to help understand how policy systems across multiple jurisdictions facilitate or hinder the urban agriculture phenomenon. This study serves to inform the people of Regina and particularly, its urban agriculture community about the implications of municipal bylaws and policies on urban agricultural activities in Regina. To that end, we must mention that it serves less as an analysis of urban agricultural practices in Regina.

This study will briefly discuss the concept of urban agriculture, its growth and spread in Canada, and position Regina within the broad Canadian spectrum. While it points to the implications of Regina’s policy systems on urban agriculture, it also uses the policy frameworks of other cities to suggest what needs to change if the urban agriculture landscape in Regina must improve. Lastly, this report presents what it considers as best practice in urban agriculture, providing practical actions and activities that are required for urban agriculture to thrive within Regina.

Urban Agriculture: Concept, Practice, History and Trends

Urban agriculture is commonly defined based on its use of urban spaces for farming. Usually, when we think of farming, we conjure images of large tracts of cultivated rural lands. However, in recent times, the emergence of farms of different scales within and around urban centres is changing that perception. But while we at least now have a sense that farming may not necessarily be a rural phenomenon, conceptualizing urban agriculture mainly based on its use of urban spaces is a considerably narrow view of the phenomenon of urban agriculture. This is because in doing so, we ignore other defining characteristics of urban agriculture, particularly the way it intertwines with typical urban socio-economic, ecological and food

\(^1\) Now incorporated as a non-profit, Food Regina. See [www.foodregina.ca](http://www.foodregina.ca) for more information.
systems by providing an avenue for social cohesion, community development, environmental sustainability, food security and even urban aesthetics.

Therefore, for this study, we define urban agriculture as all activities involved in growing, processing and distributing food (plant and animal) as well as managing their waste within urban spaces by urban people who through their utilization of urban resources and deployment of sustainable techniques contribute to local urban food systems (Mougeot, 2000).

Urban agriculture can take several forms including roof top farms, community gardens (using urban spaces like parks and vacant lots and even road side), market gardens, backyard farms, apiaries, school gardens, greenhouse farming, urban livestock farming, therapeutic gardens, hydroponic farms and city fruit gleaning (Toronto Food Policy Council, 2012). Though it has gained substantial attention in the last few decades, urban agriculture is certainly not a new idea in Canada.

**History and Trends in Canada**

In the last 100 years, interest in urban agriculture especially in the form of community gardens has fluctuated. There are about six different epochs or strong waves of community garden efforts in Canada (Fairholm, 1999). The ‘Relief Gardens’ during World War I and the ‘Victory Gardens’ during World War II (see Fig 1 below) are two prime examples (Fairholm, 1999; Mosby, 2014).

2 There is not a general agreement on the definition of ‘local’. So, for this report, ‘local’ food systems refer to all activities related to the growing, distribution and consumption of food within the municipality.
Figure 1: Posters encouraging urban gardening during the war years

But apart from those two examples, there was a huge push for increased community gardening during the Great Depression. Even as far back as the 1890s, community gardening had become somewhat popular among railway workers who utilized plots of land at town stations across the country for growing vegetables. Between WWI and WWII, there were extensive farming activities on vacant lots within many cities in Canada as well.

In all these examples, one common trend is a certain level of state interest/support. Especially for the war years and the period of the Great Depression, the involvement of the state in efforts to grow food no doubt made a difference as it bolstered people’s resolve to grow food in their garden as an act of civic involvement, national pride and patriotism. And as history shows, at the time state interest and support waned, the fervour that surrounded urban farming also waned. Further, the period after WWII saw a pattern of urbanization that was counter intuitive to the idea of urban farming as land use regulations favoured other forms of community development practices and a different perspective to urbanization. Thus, it became difficult for urban farmers to compete with other land users for access to urban lands.

Today, while it is fair to say there is considerable interest in urban agriculture, this current trend in urban agriculture, though starting in the 1970s, only gained traction in the last two decades (Fairholm, 1999). This wave of urban agriculture is shaped by a different set of actors and motivations, particularly the need to resolve challenges related to sustainability, health and environmental impacts of the current food system. The urban agriculture landscape today, shaped by new actors and motivations has thus come to embrace many more forms than just community gardening.

In different cities in Canada, different forms of urban agriculture, including community gardening, have produced different outcomes. Also, unlike some of the efforts at growing foods within urban spaces in the past that have taken the form of a national agenda, this current wave of urban farming has been driven mostly at community and City levels. Thus, different cities are at different levels of development and while urban agriculture activities are thriving in some, others are just starting to warm up to the trend and yet others are scaling back their urban agriculture efforts owing to urban planning and development needs. This difference in outcome is shaped by the relationship between municipal governments and community groups as well as the capacity of community groups to mobilize interest in urban agriculture within their communities, especially the interests of influential community members, including policy makers.

According to MacRae and Donahue (2013), about 60 city governments in Canada are currently at different levels of involvement in urban agriculture activities, especially from a food policy perspective (see table below).

With some of Canada’s best cases of urban agriculture (Toronto, Vancouver and Calgary) featuring in the top third of the chart, it seems reasonable to argue that: (1) “civic support and city regulations and policy” is mostly necessary to the development of a vibrant urban agricultural system (Fairholm, 1999, p.16) and (2) the unevenness of policy systems across Canada is one of the strongest challenges for the current urban agriculture interest.
Table 1: Level of state action in current urban agriculture systems across Canada

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Number</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>STRONG MUNICIPAL SUPPORT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cat. 1 - Initiative financed by municipality &amp; directed by municipal staff with external groups advising</td>
<td>3</td>
<td>Edmonton, Calgary, Metro Vancouver</td>
</tr>
<tr>
<td>Cat. 2 - CSO/government hybrid with conduit through municipal council &amp; municipal financing, political champions and dedicated or supportive staff to implement strategies</td>
<td>3</td>
<td>City of Toronto, City of Vancouver, Markham (ON)</td>
</tr>
<tr>
<td>Cat. 3 - Like Cat. 2, but without govt staff and financing; or conduit through departments and govt staff with in-kind financing</td>
<td>14</td>
<td>Huntsville (ON), Waterloo Region (ON), Kamloops (BC)</td>
</tr>
<tr>
<td>Cat. 4 - Conduit to decision makers through “secondary” agencies and their staff, some grant financing from governments</td>
<td>15</td>
<td>Montreal, GTA Agricultural Action Committee (ON), Saskatoon</td>
</tr>
<tr>
<td>Cat. 5 - Government officials sit on CSO roundtable or project committee, limited government funding and participation in implementation</td>
<td>16</td>
<td>Kaslo (BC), Sudbury (ON), Gatineau (QC)</td>
</tr>
<tr>
<td>WEAK SUPPORT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cat. 6 - No direct government involvement</td>
<td>13</td>
<td>Okanagan (BC), Winnipeg, St. John's (NL)</td>
</tr>
</tbody>
</table>

Source: MacRae and Donahue (2013)

However, apart from the uneven policy landscape, other issues that seem to be obstacles to developing urban agricultural systems in Canada includes land use, health, marketing/distribution, waste management as well as identifying the appropriate scale of urban farms. Indeed, while the relevance of these issues are recognized, the increasing popularity of urban agriculture and use of urban spaces for farming across Canada indicates that the challenges these issues produce are being met and managed adequately if the right policy instruments are put in place. Currently, cities like Vancouver, Montreal, Ottawa, Waterloo and Toronto are several miles ahead in Canada. Also, Edmonton and Calgary have made strides in recent years and can be said to be doing better in comparison to their prairie neighbours. Although Regina and Saskatoon have a strong history of community gardens (a form of urban agriculture) they can hardly be said to have progressed much when we discuss urban agriculture in its holistic sense.

Urban Agriculture in Regina

Regina shares a similar history with Canada as a whole when it comes to urban agriculture. In fact, Hansen (2008) says that community gardens may have been started in Regina as early as the 18th century by Europeans who settled in the Prairies, but this was mostly done individually without any group coordination. In the following years, as Hansen (2008) points out, the formation of the Regina Vacant Lots Gardening Association (RVLGA) in 1913
changed the individualized nature of urban farming practices in Regina as the RVLGA took
on the task of emphasizing the need for, and ensuring collective gardening.

The activities of the RVLGA dovetailed into the community gardens of WWI and the state of
community gardening in Regina since then has pretty much followed the national pattern
already described. In 1999, the City of Regina was reported to have “eight different garden
sites with over 700 plots”, and the largest community garden at the time was Grow Regina
Community Garden with over 250 plots (Fairholm, 1999). In comparison, the current state of
urban agriculture in Regina indicates an increase both in the number of community gardens
and in the number of plots as the table below shows (Grow Regina’s estimated 250 plots
garden cannot be the largest in Regina anymore because the South Zone Community Garden
reports that it has over 300 plots). Figure 2 below shows the location of all community
gardens in Regina as of 2016.

Figure 2: Regina’s Community Gardens on Google Maps

![Google Maps Community Gardens](http://www.google.ca/maps/@50.464502,-104.5919427,15z/data=!4m2!6m1!1szmwS_oHgs-3c.kf9CobEbxoZc)

While commendable, we must exercise some caution not to assume that the increase in
community gardens in Regina implies that Regina has a robust urban agriculture system. The
robustness of urban agriculture involves more than an expanded cultivation of urban lands,
because the concept of urban agriculture is more than just the cultivation of urban lands. It
also involves taking advantage of all available opportunities to maximize urban agriculture
potentials. In Regina, we can hardly say this is the case. It is important that Regina opens the
space for different other urban agricultural practices, including roof top farming, market
gardens, backyard farms, apiary farms, school gardens, greenhouse farming, urban livestock
farming, therapeutic gardens, hydroponic farms, and any other urban farming practice that is considered practical within the context of the city’s history, culture and resources. While beekeeping, school gardens, fruit gleaning, and other practices exist, they are not widespread and are often informal or “under the radar”. In general, if we assess the trends in overall urban agriculture in Regina, it is almost as though the idea of growing community gardens distracts from other forms of urban agriculture and takes precedence as well. This for example is demonstrated by several prohibitions, including the prohibition on urban chicken farming, an action that has made some conclude that instead of growing, urban agriculture in Regina is shrinking.

Interestingly, more than just being an indication of positive or negative development in urban farming practices, the case of urban chicken is one that also demonstrates how policy actions and processes could become an obstacle for the development of urban agriculture. While the reasons for prohibiting urban chickens have some strong arguments in their favour, just like many other forms of urban agriculture not currently practiced in Regina, the fact that these activities are thriving in many other cities across Canada is an indication that the perceived challenges could be managed if there is the will (political and civil). Indeed, with specific reference to urban chickens, Regina can learn from such cities as Vancouver, Victoria, Kelowna, Surrey, Montreal, Gatineau, Moncton, Whitehorse, Guelph, Waterloo, Brampton, Grand Prairie, Airdrie, and Peace River whose citizens can raise chickens within urban limits (Silver, 2014; McKechnie, 2015). Based on the successes in these cities, others like Edmonton have put in place a robust process of piloting urban chicken practices. It is noteworthy that Edmonton is currently in its second urban chicken pilot project after a very successful first pilot.

Unfortunately, in Regina, apart from urban chickens, other regulations prohibit the use of urban lands for farming practices that are considered common in several other jurisdictions, like market gardening. Indeed, this one is interesting because the major factor that differentiates market gardens (prohibited in Regina) from community gardens (allowed in Regina) is the fact that market gardens grow food for profit while community gardens do not. Since Regina already has a strong system of community gardens, allowing market gardens might be a way to expand the urban agriculture system, attracting other actors like non-profit and other community groups who may see an opportunity in using such gardens to engage more with community, grow and diversify their income stream and support local food or community based causes. Thus, this model of urban agriculture does not necessarily transform urban farms into commercial machines, rather, it extends the scale of the farming operation to sufficiently support local systems (either food or social systems), while supplementing income for interested groups. In most places where this form of urban farming is allowed, their operations have largely taken this shape and performed this function.

To be clear, this is not an attempt to undermine the extent of the impact that community gardens are having on Regina communities or the development of community gardens in Regina over the years. There are no doubts that community gardens play a very strong social and cultural role in Regina communities (Hansen, 2008). But the point remains that that even within the community garden framework, we could be doing more if certain steps are taken from a policy and regulatory point of view. Thus, in the next section, we will focus on analysing aspects of the City of Regina bylaws that have considerably impacted the urban agriculture landscape in Regina.
Regina Bylaws and Urban Agriculture

For an analysis of policy and regulatory implications on urban agriculture in Regina, we obtained the full set of active bylaws in Regina from the City of Regina, through the City Clerk’s Office. From the list of all bylaws available, 12 were considered relevant to urban agriculture activities. Also, we analysed 3 other legal/policy instruments (the Apiaries Act, the Cities Act, and the Community Gardens Policy) due to their legal and policy implications on urban agriculture in Regina. Thus, in total, 15 documents were used for analysing regulatory impact on urban agriculture, and how policy and regulations shape opportunity and challenges for urban agriculture in Regina. The discussion of bylaw implications was largely done through content analysis of these bylaws.

With varying relevance or impact, only the most critical to urban agriculture in Regina are discussed in the body of this report. (See the appendix for a full outline of the opportunities and challenges in all relevant bylaws.) Also, this report has not covered every form of urban agriculture, but a select few namely: beekeeping, market gardens, livestock farming and community gardens. These four were selected because Regina has a strong potential to grow its urban agriculture system by engaging more in these four forms of urban agriculture. Therefore, this analysis would point out how the bylaws shape the opportunities and challenges for these four forms of urban agriculture in Regina.

With all bylaws, bear in mind that enforcement is most often done on a complaint basis. While some practices such as beekeeping are not prohibited by name, for example, if a neighbour complained about the sound or perceived danger, an enforcement officer might act on the complaint. Likewise, there are anecdotal reports of Regina residents raising chickens with their neighbours’ compliance, against bylaw regulations.

Beekeeping in Regina: Challenges and Opportunities

Beekeeping or apiary farming within the urban agriculture framework basically involves the growing, harvesting and distribution of bees and bee products within urban limits. In some places, this has been done in private backyards, unused public lands or even on roof tops. Interestingly, Saskatchewan has a rich history of beekeeping dating back to as early as 1922 with the formation of The Saskatchewan Beekeepers Association (The Saskatchewan Bee Keepers Association, 2016). Also, Saskatchewan, along with Alberta and Manitoba is reported to be home to about 475,000 bee colonies, producing about two-third of Canada’s 75 million pounds of honey annually, according to the Canadian Honey Council (The Canadian Honey Council, 2016). Beekeepers in Saskatchewan are either commercial or hobby farmers. However, in relation to urban beekeeping (that is whether apiary farms can be established within city limits), the Saskatchewan Beekeepers Association (2016) advises that “before starting make sure to check your local bylaws to ensure backyard beekeeping is allowed in your community”. In keeping with that advice, we considered the full suite of bylaws and identified 13 bylaws and legal instruments that may have an impact on whether anyone interested can engage in urban beekeeping.

There are no bylaws that specifically prohibit urban beekeeping. Bees are not on the list of prohibited “livestock” in the Animal Bylaw. However, there are bylaws that can impact the operation of apiary farms. As Figure 3 below indicates, there is a good spread of issues covered by the bylaws. They do not necessarily impact urban beekeeping equally; some bylaws impact more than others. So, we will only focus on the most crucial regulations in the following text, with other regulations addressed in the appendix.
The Impacts of the Apiaries Act on Urban Beekeeping

This is a provincial Act that regulates all activities related to beekeeping in the province and so, to engage in any activity related to beekeeping or ownership of an apiary farm, the provisions of this Act must be followed. The Act not only provides regulations, but also direction. For example, the Act directs that: “No person shall own or have in his, her or its possession or control any bees, honeycomb or brood comb unless that person has a valid certificate” (Section 3). This rule is applicable whether the interested person is an urban or suburban farmer. This is important for safety purposes, and the bureaucratic procedures around obtaining a certificate are not cumbersome.

Further, the Apiaries Act maintains that: “A certificate may not be transferred or assigned” (Section 3.6) and that such certificate may be cancelled at the prompting of the owner or the discretion of the designated provincial official (the Provincial Minister). Based on the provisions of this Act (Section 6), there is a clear indication that importation of bees and beekeeping equipment can only be done with the approval or permission of government officials. Interestingly, while the Act does not prohibit the sales of honey from apiary farms with all the needed permits, distribution and sales of materials related to bee farming is strongly regulated:

No person shall, without a permit from the minister, sell, offer for sale, rent, lend or otherwise dispose of bees, honeycombs, brood combs, bees on comb or used beekeeping equipment (Section 7)

The Impacts of the Licensing Bylaw on Urban Beekeeping

The Licensing Bylaw provides guidelines for the operation of businesses and determines whether an entity is considered a business and as such permitted to sell products. So, as it relates to urban apiary farmers, while the Apiaries Act (section 7) makes it clear that permits are generally required to own a bee farm or sell products of such bee farms3, the Licensing Bylaw provides insight as to whether urban apiary farmers (apiary farmers operating from a residential/living space or anywhere else within the City) who possesses all the required

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3 As noted already, the Apiaries Act is silent on issues related to location. So, one assumes that its provisions are general; irrespective of whether a farm is situated in an urban or suburban location
permits and licenses can distribute and sell the products of their apiary farm. Therefore, the bylaw’s definition of a resident business is important:

\[
\text{Any business that operates from a premise, located on property in the City that is not assessed and taxed as commercial or industrial property and has total revenue for the year in excess of $5,000.00, but does not include a non-profit corporation that is incorporated, continued or registered pursuant to The Non-profit Corporation Act, 1995 (Saskatchewan) or equivalent from other provinces in Canada.}
\]

Any urban farmer who sells product is required to have a business license: Section 8 (1) of the Licensing Bylaw states “A person shall not carry on a resident business or a non-resident business unless that person has a valid and subsisting licence issued by the City.” (The amount of revenue, stated in the definition, is actually irrelevant to whether a licence is required; the distinction is simply that if less than $5,000 in revenue is generated, the licence fee is refunded.) The other bylaw that may impact whether an urban farmer gets a business licence is The Regina Zoning Bylaw – a license can be denied if the urban farmer wants to use a residence to do something that is not allowed in this bylaw.

However, beekeeping is not specifically named in any City of Regina bylaws. Anecdotal reports from urban beekeepers in Regina reveal that neighbour consent is usually sought before a beekeeper sets up a hive, and honey is often given away to show appreciation of this. This means that, as McKinnon (2015) mentions, since neighbour consent and alignment ‘helps’ keep apiary farms within neighbourhoods, the level of control that an interested citizen may have over the decision to keep and sell bees and bee products can be said to shrink because of ambiguities in the regulations or absence of regulatory provisions that protects such farmers.

In February 2016, the City of Winnipeg amended their zoning bylaw to support urban beekeeping. You can see their guidelines on beekeeping and the process for approval here: http://www.winnipeg.ca/ppd/planning/beekeeping/

Market Gardening in Regina: Challenges and Opportunities

The case of market gardens in Regina is not only interesting, but more so intriguing. This is because the major difference between market gardens and community gardens is the for-profit nature of market gardens. As noted already, Regina has a long history of community and backyard gardens but has never been known for engaging in activities required to develop market garden operations basically because, in Regina, as per the Community Garden Policy, foods grown on these public lands are not to be sold: “Produce and other plants grown on the site are for the personal use of those using the garden or for donation to a non-profit organization” (City of Regina, n.d.). They are largely for personal or social ends because as Hansen (2008, p.68) puts it, the history of community gardening in Regina has been shaped by a culture of “self-help and as an alternative to charity”.

While the need for creating farms for social ends are undoubtedly invaluable and should be encouraged, the desire to transcend that model emerges when we understand urban
agriculture as fundamentally a means to improve/support local food systems. So, more than just the idea of growing foods on urban spaces and supplementing local livelihoods, urban agriculture can be an alternative to the current food system which many scholars have identified as unsustainable (Clapp, 2012; Magdoff and Tokar, 2010; Weis, 2007). To achieve that, urban farms must be free to decide on whether to participate in other aspects of the food chain, including processing and sales.

At this point, it is important we clarify that the similarity in structure between community and market gardens does not imply that community gardens need to necessarily make the transition to becoming a market garden. This is because most community gardens may not possess the required operational scale to make their business viable for activities like food processing. Thus, in many places, the market garden model has mostly become the arena for other community based actors who typically have the capacity to mobilize larger spaces, labour power, networks and other resources needed to engage in the several activities of the food chain. The success of this model of urban farming in Ontario for example has meant that groups like the Black Creek Community farm and Albion Hills Community farm has joined in the urban agriculture practices to expand its use and application and as they do, they have involved other actors such as non-governmental organizations (NGOs) like the United Way and food banks in providing fresh foods for their communities and earned revenues from selling their food products to other actors like community members, local food processors, supermarkets, school/university cafeterias and hotels (Albion Hills Community Farm, 2012; Black Creek Community Farm, 2016; Corey, Routley & Wakefield, 2013; Dorn, 2005; Hadrer & Benner, 2010; Toronto Food Policy Council, 2012). And as they do so, supplement their dwindling revenue streams. This model of urban farming is therefore different from the community garden model, which in some places have permission to sell urban farm products, but usually directly or at places like a farmer’s market.

Therefore, market gardens present an excellent opportunity to get a different set of actors involved in urban farming and expand urban agriculture activities. From the experience of other cities, we realize that the inclusion of these other actors in urban farming is critical to achieving a successful market garden system (Kouri, 2013). For example, in cities like Kamloops and Saskatoon, consideration is being put into creating a local food hub “to act as a network hub, providing an important conduit for local food” (Kouri2013; Bentley, Mazzotta & Hardman, 2014); connecting food growers to other key actors who can engage fully in different aspect of the food chain. Also, Toronto (interesting when we consider the dense urban nature of Toronto) has embraced the market garden model of urban agriculture (Toronto Food Policy Council, 2012). The fact that the current urban agriculture policy system in Regina largely excludes permission to sell urban farm products to an extended number of local actors who can move those foods through the chain is an indication that there is potentially a large pool of docile actors whose participation could enrich Regina’s urban agriculture space.

However, we note that accommodating market gardens in Regina’s urban agriculture system will not necessarily need a full policy reboot in every case as some existing policies only seem to be tweaked or extended. For example, under the Clean Property bylaw, there is already provision for the use of mobile carts or vending units for sales of certain products from specific locations subject to permission from the City officials. Perhaps the biggest
policy change required for Regina to have a viable market garden system will be allowing sales of garden produce or urban farm produce in general (that is, produce from farms within urban spaces, either residential/living spaces or open urban lands like open lands and parks).

On the flip side, however, we do realize that substantial changes would be required for some bylaws if Regina is to have a viable market garden system. Thus, we analysed the bylaws, and we found provisions in 11 that pose considerable challenges to Market Garden operations. Some of the most crucial challenges will be discussed in the following section.

Figure 4: Bylaws impacting Market Garden operations in Regina

The Impacts of the Licensing Bylaw and Regina Zoning Bylaw on Market Gardening

According to the Zoning Bylaw, home-based businesses are permitted in all residential and commercial zones (except the highway zone), as are community gardens. A resident business, as defined in the previous section on beekeeping, does not preclude gardening as a business. However, chapter six does prohibit selling or displaying merchandise on the premise of a home business, and regulates advertising on the premises. Selling is permitted in commercial zones.

Market gardens are not mentioned by that term in the bylaw; according to the bylaw, “agricultural production” is permitted in some industrial zones but is not defined in the document. Examples given in “permitted uses” include feedlots and vegetable production.

The zoning bylaw affects garden business in other ways. It outlines requirements for building structures (e.g. greenhouses) and home composting (size of composters and materials allowed to be composted are specified).

The land size required for a conventional market garden could require development permits and might only be allowed in certain zones, such as industrial zones. However, SPIN farming in Saskatoon offers an example of how to run a profitable urban vegetable farm without contravening bylaws, and has lessons for Regina. SPIN (small plot intensive) farming usually involves urban gardening in a number of small places – neighbours’ backyards, for example – and intensive growing. In Saskatoon, according to SPIN farmer Jared Regier (pers. comm.) and the Saskatoon Business License Bylaw and Zoning Bylaw:

1. Produce can be sold from any commercially zoned site but not on residentially zoned sites.
2. Produce can be pre-sold and delivered directly to the homes of the customers.
3. These rules are only relevant for unprocessed produce.
The Impacts of the Traffic and Clean Property Bylaws on Market Gardening

The Traffic Bylaw gives an indication of what could be expected of sales from private properties, namely that in cases of backyard garden in private homes, such businesses should not be conducted in ways that they interfere with the regular traffic, the ingress or egress of a neighbour’s property or access to fire, police or maintenance vehicles.

In terms of selling produce, it is interesting that the Clean Property Bylaw specifically indicates what can be sold from a mobile sidewalk vending unit. These units can only be operated with a license, in approved locations on public property. The bylaw states that:

- **Alongside or in lieu of prepared food, at the discretion of the Planning Department, vendors may also sell:**
  - Fresh produce
  - Live or cut flowers

(Schedule “K”)

The number of licenses given out for these units is limited, and it is up to the reader to decide if this is a worthwhile business opportunity to pursue.

Livestock Farming in Regina: Challenges and Opportunities

Urban livestock production can take several forms, but in most Canadian cities, urban livestock farming often involves backyard chicken farm operations and Regina is no exception. The Regina Animal Bylaw defines chickens, turkey, duck, goat, mull, camel and other animals that are kept for agricultural purposes as “livestock”. This definition does not therefore include animals like cats and dogs. However, with specific reference to livestock, the bylaw states that:

- **“No person shall keep livestock in any area of the City unless the livestock are kept as part of a public agricultural exhibition or exposition operation or agricultural fair” (Section 5)**

There are several considerations driving this prohibition, especially regarding chickens. One is their reputation as “noisy cluckers, stinky poopers, carriers of deadly disease and magnets for predators” (Marcellin, 2014; McKechnie, 2015). Another possible reason is that the “animal control” units in some cities are preoccupied by the myriads of issues relating to dogs and cats and likely considers it a stretch to include chickens on their roster of responsibilities (Marcellin, 2014).

“I think the fact that our farm plots are just like backyard gardens made this activity acceptable in residential neighbourhoods. When negotiating my business license I made the point that we were just like a yard care service that people hire to keep their yard in good shape. The difference is that our yards, when cared for, leave us with a bunch of produce. We go into the yard, quietly do our work and leave with a few boxes of lettuce, as opposed to a truck of grass clippings. There is no law that specifically allows or rules out home delivery and the licensing department reasoned that I wouldn't be causing any neighbourhood disturbance by carrying out these deliveries so they were ok with it.”

- Jared Regier, 2017, personal communication
These considerations notwithstanding, there are about “40 municipalities in Canada that allow urban hens—usually limited to four to six birds, no roosters—including Vancouver, Victoria, Guelph and Gatineau. And pretty much every major American city is chicken-friendly”, with some even allowing goats (Marcellin, 2014). Over the last few years, many cities have made progress in advancing policy and regulatory frameworks that permit urban chickens. In some cases, including Edmonton, to accommodate urban chickens, cities are not just relaxing their regulations on urban chicken but are working towards changing their entire policy.

In Regina, there is yet no indication that such changes are being planned and so identifying what needs to change to accommodate urban chickens would be a useful and proactive step. Hence, we analysed the entire City of Regina Bylaws and legal instruments and found 12 bylaws that are critical to urban livestock farming (see Figure 6 below). These 12 bylaws were analysed for opportunities and challenges and some of the most relevant ones are discussed below.

**Figure 5: Bylaws impacting urban Livestock Farming operations in Regina**

### Urban Livestock Farming

- The Wastewater and Storm Water Bylaw
- The Clean Property Bylaw
- The Noise Abatement Bylaw
- The Traffic Bylaw
- Bylaw of The City of Regina for The Control and Destruction of Rats
- The Regina Zoning Bylaw
- The Licensing Bylaw
- The Cities Act
- The Building Bylaw
- The Waste Management Bylaw
- The Animal Bylaw
- The Regina Water Bylaw

**The Impacts of the Regina Animal Bylaw on Urban Livestock Farming**

The Regina Animal Bylaw is the bylaw with the strongest impact on urban livestock. And though it is meant to address issues related to all animals, the prohibition placed on raising livestock within city limits shuts out every possibility for citizens interested in urban livestock practices. That is not to say the bylaw requires a full revamp to care for issues related to livestock, because, while seemingly strongly focused on dogs and cats, its provisions can be extended to apply to livestock. For example, the following provisions of the bylaw which emphasizes the need for proper sanitary conditions for non-livestock animals could be easily extended to livestock:
“Where an animal is housed or kept in a run, the owner shall ensure that the run is kept in a sanitary condition protecting the health and safety of the animal and any other living being” (Section 24.1)

“No owner shall allow an animal’s defecation to accumulate on the property where the animal is kept to such an extent that, in the opinion of an Animal Protection Officer, it is reasonably likely to annoy or pose a health risk to others” (Section 27.2)

“An owner of an animal shall remove that animal’s defecations from the property where the animal is kept and shall dispose of the defecation in a sanitary manner” (Section 27.3)

Clearly, this bylaw is recognizing that though there are risks (mostly health related) inherent in keeping animals (cats and dogs) within city limits, those risks can be mitigated with adequate care for their ‘sanitary condition’. By that same token therefore, prohibiting urban livestock on the basis of their risks to people’s health implies a refusal to accept that maintaining adequate sanitary care for livestock can mitigate their risk to people’s health.

Indeed, there are genuine conversations that could be had on the risks associated with keeping urban livestock. Interestingly, in places where those conversations are happening, they are finding solutions or mitigation actions. For example, the idea that keeping urban chickens will attract more rodents like rats is popular, but mitigating it only involves keeping chicken feed away because the rodents are interested in the feed and not the chicken themselves (McKechnie, 2015).

Community Gardens in Regina: Challenges and Opportunities

Community gardens, in comparison to other forms of urban agriculture discussed so far enjoy a better level of policy support in Regina. In many places, the key issue impacting community gardening is zoning regulations. Interestingly, in Regina, the zoning bylaw permits community gardens to be established across all the different land zones. Perhaps, this is one reason for the increase in the number of community gardens in Regina discussed above. Also, it is an indication that the continued growth and development of community gardens in Regina does not hinge on zoning regulations as much as it does on other bylaws or general administrative hoops associated with establishing community gardens in Regina.

Thus, while we generally applaud the opportunities created by the zoning bylaw for community gardening practices, there is a sense that there are still gaps, which when filled would enhance the expansion of Regina’s community gardening practices. For this reason, we analysed the entire suite of bylaws in Regina for possible challenges to community gardening practices, and we found about 11 bylaws that could pose some challenge to community garden development. The most crucial bylaw provisions are discussed below.
The Impacts of Bylaws on Community Gardening in Regina

The nature of community gardens is such that their operations are usually in spaces that are currently unoccupied and in many cases, lack basic utilities/infrastructures. So, for it to be operational, a community garden needs to have all the necessary utilities and services and therefore the issue of red tape is crucial. Several provisions in the bylaws indicate how much of a challenge this can be for citizens intending to set-up community gardens. For example, the Parks and Open Space bylaw does not allow the construction of that any structure (big or small) in public parks or spaces except after obtaining a permit from the City.

Further, we realize that community garden face huge operational challenges owing to provisions in the Clean Property Bylaw that seem to suggest that the cleanness of the city is infringed upon when vehicles driving on muddy or unpaved parking lots get on city roads. This is challenging because it adds to the cost of establishing a community garden since it means that the plots used by some gardens may not have paved parking lots.

Further, in terms of waste management, the Waste Management bylaw authorizes City officials to determine which property is considered a ‘designated property’. This means that waste management services in sites such as community gardens, is not guaranteed but at the discretion of City officials. Though it is impossible to predetermine what criteria the City officials employ, the bylaw assures in Section 5 that all ‘designated properties’ will get waste management service. However, for ‘non-designated properties’, the bylaw states the following:

“Every owner of a non-designated property shall have a waste management plan for the property which shall include:

(a) an arrangement for waste storage under the care and control of the owner or occupant of the non-designated property that is accessible for use by the owner or occupant(s) of the non-designated property;

5 Definition: “designated property” means a building or buildings intended for residential use with no more than four dwelling units per assessment account or such other building as the Deputy City Manager shall determine from time to time (Waste Management Bylaw, 2012)
(b) separate waste storage for garbage and recyclable material;

(c) an arrangement for regular removal, transportation and disposal of waste to an appropriate disposal or processing site; and

(d) recyclable material shall be transported to and processed at a materials recovery facility” (Section 35)

Clearly, the major challenge facing community gardens in Regina would be related to securing all necessary permits to make the garden usable as land use is almost already guaranteed by the zoning bylaw.

The issues we have identified so far are just a few of the challenges impacting urban agriculture in Regina. These issues, we must acknowledge, do not lend themselves to an easy fix and perhaps, it may be reasonable to imagine that they will require that the City makes incremental progress. Hence, it is important that we give attention to the changes that cities across Canada are making to accommodate or improve urban agricultural practices as interest in urban agriculture grows nationwide, both from the citizens and government. In the next section, a few of such incremental changes will be discussed, highlighting possible learnings for Regina.

Changes in Policy: Three Case Studies from the Prairies

In this section, specific changes made by four municipalities namely, Saskatoon, Moose Jaw, Prince Albert and Edmonton will be discussed. These cities were selected because they are reasonably comparable to Regina. Also, we believe that the policy changes made by these cities are achievable in Regina. However, we must mention that these are not recommendations. Rather, they are provided to only demonstrate the difference that even small and incremental policy changes can contribute to changes in the urban agriculture landscape. For recommendations to be made, more consultation will be needed, along with further research.

Saskatoon: Vacant Lot and Adaptive Re-Use Incentive Program

This program, more than anything else serves to enable citizens who are interested in engaging in community garden practices. The purpose of this policy is to encourage development and use of existing vacant sites in some areas of the city, including the Downtown. It provides financial and/or tax based incentives to owners of eligible properties or to users of such lands in case they are not the owners but have a signed agreement with the land owners (The City of Saskatoon, 2016). Under this policy, “an amendment to the VLAR Incentive Program Policy was approved to allow for gardening on vacant lots as an interim use” on June 27, 2016 (The City of Saskatoon, 2016). Therefore, to encourage citizens to engage more in community gardening on unused urban lands, the City of Saskatoon awards “an annual grant for the property owner equal to 50% of municipal land tax, for up to five years” (The City of Saskatoon, 2016). In cases where the owner is different from the gardener(s), the award goes to the gardener(s) if they present an agreement from the land owner that permits them to use such lands for community gardening purposes. However, “to earn the incentive, applicants must convert a minimum of 50% or 100 m2 of a vacant lot, whichever is smaller, into a garden and maintain the site in a safe and orderly manner” (The City of Saskatoon, 2016).
Indeed, a policy that provides financial incentives for community gardeners or their organizations would be interesting for Regina. For one thing, we appreciate that the current system does not allow community gardeners or the organizations that run them to sell products from the gardens. Hence, an incentive system would certainly be a welcome revenue source, one that could be deployed by the gardeners or their organizations in developing critical infrastructure necessary to improve the community garden or even to expand it for more people who are interested.

There is also the potential for such policy to benefit the City in several ways. First, community gardens beautify the city and create more green spaces within the city. Also, since having such incentives impacts the capacity of community gardens to accommodate more people, it is believed that more fresh and healthy foods would be produced from such gardens, therefore contributing to the overall health of the population. The health of a population is always important because of the ripple effect it could have on several other aspects of society including cost of Medicare. Second, community gardening plays a vital role in social cohesion; providing the space for people within community to engage on issues of mutual interest. This is critical for social development, especially in an expanding and multicultural society like Regina. Third, community gardens provide useful learning for its members. Practical life skills can be learned from farming activities. Hence, having more community gardens means giving more people the chance to learn such skills. Lastly, research shows that community gardens positively impact the values of properties within their immediate vicinities. For example, “in Milwaukee, properties within 250 feet of gardens experienced an increase of $24.77 with every foot and the average garden was estimated to add approximately $9,000 a year to the city tax revenue” (Gardening Matters, 2012).

**Moose Jaw and Prince Albert: Considering a Bylaw Review**

According to MacRae and Donahue (2013, p.2), across Canada, about “64 local and regional municipalities are working to improve the food system, using a mix of municipal policies, programs and civil-society interventions”. They further mention that “more Canadian municipalities are engaged in food systems work, but operate without the benefit of the types of organizational arrangements identified in this research” (MacRae & Donahue, 2013, p. 2). Thus, it is no surprise that Moose Jaw is taking steps in this direction. However, the extent and scale of changes that are made to municipal bylaws depends on many other factors, including the acceptance of urban agriculture, political will to make needed changes as well as the capacity of community groups and individuals who are interested in urban agriculture to influence these changes. While it is not within the scope of this report to comment on those issues in relation to Regina, it is important to note that in some cases, even marginal changes may be enough to bring the needed changes that will accommodate specific forms of urban agriculture.

Moose Jaw and Prince Albert exemplify this point. Recently, in both cities, local officials are said to be considering the possibility of reviewing specific aspects of their bylaws to accommodate urban chickens (Hemingway, 2016; Maxwell, 2016). In both cities, the “Keeping of Animals” and “Zoning” bylaws are the two most crucial pieces of legislation impacting the urban chicken idea and the changes that needs to be made are quite marginal. In Moose Jaw for example, the challenge that citizens have with urban chicken is that the Keeping of Animals bylaw seems to have a broad definition of prohibited animals that includes chickens. And then in Prince Albert, the delineation of what constitutes agricultural land is the major issue as only people living in the “south of the North Saskatchewan River” are currently considered to be in the agricultural zone (Maxwell, 2016). Also, other changes or inclusions that may be required would be to take into account things like noise, smell and...
rodents. These changes are by no means wholesale, but sufficient to support the raising of chickens within urban perimeters. In Regina, the changes required may not be the same as those in Moose Jaw and Prince Albert, but based on what this report shows, there are a few amendments that can be done to ease the process for citizen who are interested in keeping chickens within the city.

**Edmonton: Policy Changes and Reviews**

Currently, urban agriculture in Edmonton is guided by a comprehensive local food system strategy documented in the 2012 report titled: *fresh: Edmonton's Food and Urban Agriculture Strategy* (Falkenberg et al., 2012). Due to the scale of the changes that would be required, these recommendations were meant to be implemented “over time as the Edmonton Food Council is established, partnerships are formed, research is continued, resources are allocated and progress builds towards results” (Falkenberg et al., 2012 p. v). Though huge, the strategy is impressive because it indicates an understanding that urban agriculture is more than just the growing of plants or raising of animals within urban limits. The strategy demonstrates a systems approach to food and as such Edmonton has decided to create a plan where each element not only links to the other but “must be successful for the whole to properly thrive” (Falkenberg et al., 2012 p. 64). According to the *fresh* strategy, the focus of Edmonton’s food system is to:

1. Create a stronger, more vibrant local economy
2. Foster a healthier, more food secure community
3. Create healthier ecosystems
4. Use less energy, and create less emissions and waste
5. Create more vibrant, attractive and unique places

And to achieve these goals, the *fresh* strategy recommended that the City of Edmonton expands its use of urban agriculture by:

1. Pursuing urban agriculture opportunities in existing and developing neighbourhoods
2. Developing partnership to support innovation in urban agriculture
3. Supporting for-profit urban and peri-urban agriculture
4. Examining opportunities for citizens to keep bees and raise hens

So, between 2012 when this strategy was launched and now, the indication is that the City of Edmonton has taken concrete steps to expand its urban agriculture footprint. It has made changes to policies and bylaws that have been identified as not compatible with the urban agriculture expansion drive. In this regard, two bylaws that have been reviewed and have been changed are the Zoning and Animal Licensing and Control bylaws.

Due to the changes made to the Animal Licensing and Control Bylaw, citizens are now able to keep bees if they possess a license/permit from the City Manager (The City of Edmonton, 2016). As for chickens, Edmonton is currently running its second pilot to test the feasibility of urban chickens after a very successful first pilot. If the results remain positive, no bylaw amendments would be required for citizens who are interested in keeping chickens because the current changes cover the issues related to urban chicken and only stipulates that a license would be required. As for zoning, the expansion of the agricultural zones permits the use of more lands for urban agriculture, especially community garden activities. Also, while the Zoning bylaw still requires urban farmers (plants and livestock) who intend to sell products of their farm to acquire a development permit, new rules exclude lands used for community and backyard gardening purposes from acquiring a development permits, a major step in reducing possible administrative bottlenecks for citizens interested in community gardening.
So, by making these amendments to their bylaws, Edmonton is poised to make a difference in at least four categories of urban agriculture namely: livestock farming (amendments allow both raising of chicken and sales of poultry products subject to permission of the City), bee farming (amendments allows bee farming within the City and sales of bee farm products subject to permission from the City), community garden (amendment has expanded the zones for which community garden activities can take place and has lifted the requirement to acquire a development permit) and market garden (the City is determined to expand its use of market gardens by allowing sales of products of urban farms). These changes put together will serve as needed catalyst for a positive impact on local food production in Edmonton, thereby supporting its local economy and local food systems.

Conclusion

There is no doubt that policy frameworks are critical for a successful application of urban agricultural systems. What we have seen so far in Regina is that there are aspects of urban agriculture that are not as supported by policy as is the case in some other places. Clearly, Regina has a foundation in urban agriculture that revolves around its historic support for community gardens that can be enhanced to meet modern and new forms of urban farming. Also, there is indication that Regina citizens are willing to get involved in several different aspects of urban agriculture based on the feedback from the Qualman et. al (2014) report. This report therefore calls for a holistic review of the challenges facing urban agriculture in Regina, some of which have been identified already, with a view to making needed changes. It is hoped that with strong citizen action and political will, Regina citizens will see the desired policy changes that will usher in a new era of urban farming practices in Regina.
References


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### DEFINITIONS

#### Regina Animal Bylaw No. 2009-44
- “animal” means any mammal excluding humans, or any reptile or amphibian
- “livestock” means i) a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat; ii) domestically reared or kept reindeer, moose, elk or bison; iii) farm bred fur bearing animals including fox and mink; iv) animals of the bovine species; v) a chicken, turkey, duck, goose or pheasant; and vi) all other animals that are kept for agricultural purposes
- “run” means a structure designed and used for the keeping or containment of an animal;

#### The Apiaries Act, 2005
- “apiary” means a place where bees are kept;
- “beekeeper” means a person who holds a certificate
- “bees” means honey bees (Apis mellifera)

#### The Cities Act
- “business” means any of the following activities, whether or not for profit and however organized or formed: (i) a commercial, merchandising or industrial activity or undertaking; (ii) the carrying on of a profession, trade, occupation, calling or employment; (iii) an activity providing goods or services

#### Clean Property Bylaw No. 9881
- "Garbage" includes any material intended or taken for disposal at the City Landfill
- "Litter" includes the discard or deposit of garbage which creates or contributes to untidiness or unsightliness, except in a proper garbage receptacle or Landfill site
- "Public Property" means any real property owned or under the control and management of the City of Regina, including a public highway
- Approved Vending Site means a location on the road-right-of-way as permitted on an annual basis and determined by the Director to be appropriate for vending.
- Food or Beverage Vending Unit - means a street vending unit used to sell any type of food or beverage product to the public

#### Licensing Bylaw No. 2006-86
- "business" means “business” within the meaning of The Cities Act.
- “resident business” means any business that operates from a premise, located on property in the City that is not assessed and taxed as commercial or industrial property and has total revenue for the year in excess of $5,000.00, but does not include a non-profit corporation that is incorporated, continued or registered pursuant to The Non-profit Corporation Act, 1995 (Saskatchewan) or equivalent from other provinces in Canada.

#### Noise Abatement Bylaw No. 6980
- "Residential Building" means a building which is constructed as a dwelling place for human beings and includes a hotel or motel.

#### Parks & Open Space Bylaw No. 2004-27
- “park” means property owned by, or made available by a lease, agreement or otherwise to the City, that is established, dedicated, set apart or made available for use as a public park, garden, outdoor rink, athletic field or playground;
• “open space area” includes pathways, floodplains, roadway medians, buffer strips, public walkways, traffic islands and utility parcels that are owned by or made available by a lease, agreement or otherwise to the City but does not include boulevards.

**Traffic Bylaw No. 9900**
- "pedestrian mall" means a street or portion thereof designated for use by pedestrians and which prohibits or restricts vehicle use on all or any part of its width.
- "public highway" means a street, alley or other road designed and intended for or used by the general public for the passage of vehicles, but does not include any privately or publicly owned area primarily intended to be used for the parking of vehicles and the necessary passageways on that area.

**Regina Water Bylaw No. 8942**
- "commercial premises" means those premises in which a business, profession, industry, trade or commerce is carried on, and includes all premises not falling within the definitions of "standard residential premises" and "multi-residential premises”.
- "premises" means land, buildings or part thereof occupied or used for any purpose and includes designated property.

**Waste Management Bylaw No. 2012-63**
- “bundle” means tied yard waste;
- “property” means a parcel of land registered at Information Services Corporation;
- “waste” means garbage, recyclable material, yard waste, organic material, household hazardous waste, bulky waste items, and such other items as the Deputy City Manager shall so designate;
- “yard waste” means waste from gardening or horticultural activities and includes grass, leaves, plants, tree and hedge clippings, and sod.

**Wastewater and Storm Bylaw No. 2016-24**
- "clear water waste" means water originating from sources other than public sewage works or private sewage works, that meets applicable law for release into the environment, and may include, but is not limited to: (i) water from roof; (ii) remediated groundwater; (iii) impounded storm drainage or impounded groundwater; (iv) non-contact cooling water; or (v) weeping tile discharge.

**Regina Zoning Bylaw No. 9250**
- “RESIDENTIAL BUSINESS” – an occupation, profession, activity, or use conducted for monetary gain from a residentially assessed property that: (a) is customary, incidental, and a secondary use to the residential dwelling unit; and (b) does not alter the exterior of the property or affect the residential character of the neighbourhood. [2014-78]
- “COMMUNITY GARDEN” – a property used to grow vegetables, flowers and other plants for the personal use of the gardeners/growers or for donation to non-profit organizations.
Appendix B – Regulations Related to Beekeeping

**BEEKEEPING – Challenges and Opportunities**

### The Apiaries Act, 2005

- No person shall own or have in his, her or its possession or control any bees, honeycomb or brood comb unless that person has a valid certificate.
- Subject to subsection (3), no person shall import any beekeeping equipment that has been used in an apiary outside Saskatchewan or any bees in packages or cages, bees on comb, brood combs, or honeycombs into Saskatchewan unless that person is a beekeeper and has obtained an import permit from the minister.
- No person shall, without a permit from the minister, sell, offer for sale, rent, lend or otherwise dispose of bees, honeycombs, brood combs, bees on comb or used beekeeping equipment.
- Any person who purchases or acquires used beekeeping equipment shall advise the minister and provide any information the minister requests.
- No beekeeper or other person who is aware of the existence of disease, either in an apiary or elsewhere, shall conceal from the minister the existence of the disease.
- Every beekeeper or other person shall, on request by the minister, disclose the location of all bees, honeycombs and brood combs in his, her or its possession or control and give the details of any measures employed to prevent or suppress disease among those bees or in those honeycombs or brood combs.
- A beekeeper must report any prescribed information to the minister within prescribed deadlines.
- No person shall allow any honeycombs, brood combs, honey, beeswax, sugar syrups, feeders, or any other beekeeping equipment to be exposed in a manner that could attract foraging bees.

### Licensing Bylaw No. 2006-86

- Licence Required 8 (1) A person shall not carry on a resident business or a non-resident business unless that person has a valid and subsisting licence issued by the City. (2) A licence is required for each premise where a resident business is operated in the City.
- Term of Licence 11 All licences issued pursuant to this Bylaw shall be for a calendar year, or the remaining portion of the calendar year in which it is issued and shall expire on December 31st of the year in which the licence was issued.
- No person shall make, continue, cause or permit to be made or continued, any unreasonably loud or excessive noise likely to disturb any reasonable person within the City of Regina.
  - Factors for determining whether a sound is an unreasonably loud or excessive noise likely to disturb any reasonable person include, but are not limited to, the following: (a) land use and zoning of the surrounding area, including proximity of the sound to any residential use or other use containing sleeping quarters; (b) time of day and day of week; duration; volume; type or nature of the sound; the frequency of occurrence; the nature of the activity from which the sound emanates; and any other relevant factor. (b) No person shall emit or cause the emission of any loud, unusual or unnecessary noise, or noises which annoy, disturb, injure, endanger, or detracts from the comfort, repose, health, peace or safety of others within the City of Regina.
- No person shall load or unload motor trucks in any area designated as being a residential zone or within one City block of the boundary of such zone between the hours of ten (10:00) o’clock in the evening and seven (7:00) o’clock in the next forenoon.
### Traffic Bylaw No. 9900
- No person shall obstruct, interfere with or interrupt the free passage of traffic on any public highway.

### Waste Management Bylaw No. 2012-63
- No person shall cause, permit or allow waste to be placed anywhere other than a container or commercial bin.
- No person shall permit or allow waste stored or set out for city waste service to: (a) create offensive odours; or (b) become untidy.

### Wastewater and Storm Bylaw No. 2016-24
- No person shall discharge or release wastewater to any location other than the public sewage works or a private sewage works; No person shall release or allow the discharge of any substance into the storm sewer except storm water, allowable clear water waste or such other substance as the City Manager may allow; No person shall dispose of any substance into a plumbing system of a premises prior to connection of a plumbing system to either the public sewage works or a private sewage works.
- No person shall discharge or release into a public sewage works any of the substances in Schedule A to this Bylaw except with written approval from the City Manager, provided the substances release; (a) will not have an adverse effect; and b) does not contain a substance that is above the approved concentration limit as described in Schedule B to this Bylaw.

#### SCHEDULE A PROHIBITED SUBSTANCES
The following substances shall not be released into the sewer system: (a) wastewater, liquid or vapour having a temperature greater than 65°C; (b) an explosive substance, involving solvents or petroleum derivatives such that: (i) wastewater from the premises will exhibit the characteristics of a flammable liquid, or (ii) the explosive substance could cause or contribute to an explosion or support wastewater; (c) (d) (e) (f) garbage other than properly shredded garbage, provided however that shredded garbage shall not be discharged from a garbage disposal unit operated by a motor having a horsepower rating greater than one-third horsepower unless a permit has been obtained from the City; a solid or viscous substance in a quantity, or of such size, as to be capable of causing obstruction to the flow in a public sewage works, including ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, animals or animal parts, animal feces and blood; pesticides or herbicides; corrosive, noxious or malodorous material or substance which, either by itself or by reaction with other wastes, is capable of: (i) causing damage to the public sewage works; (ii) creating a public nuisance or hazard; or (iii) preventing any person entering the sewers for purposes of maintenance or repair; (g) materials which, either by itself or upon the reaction with other material becomes highly coloured; (h) materials from oil or petroleum; (i) wastewater having a pH rating less than 5.5 or greater than 9.0; (j) (k) (l) (m) (n) unused or waste pharmaceuticals; radio-active substances; grit; corrosive or toxic wastewater or other wastes which could adversely affect the sewer system; hazardous waste or waste dangerous goods; (o) microbiological laboratory waste; or (p) biomedical waste; or any other classification of biomedical waste in The Saskatchewan Biomedical Waste Management Guidelines, 2008.

### Control and Destruction of Rats Bylaw - 5963
THAT every person owning, occupying or controlling land or premises within the City of Regina shall control or destroy any rats found on the land and premises as well as in the area lying between the centre line between any street, road or alley adjoining the land and the nearest boundary of the land.

EVERY person owning, occupying or controlling land or premises in the City of Regina shall take such measures as may be deemed necessary to prevent the ingress of rats into buildings from the exterior or from one building to another which measures shall include, without limiting the generality of the foregoing: by treatment with material impervious to the gnawing of rats filling of all or potential openings in exterior walls, ground or first floors, basements, roofs and foundations, that may be reached by climbing or burrowing placing of traps, and placing of such poisons as may be approved for use against rats.

EVERY person owning, occupying or controlling land or premises in the City of Regina shall take all necessary precautions to keep their land and premises in such condition that any building, equipment, material, portable shack, trailer or any other property either real or personal attached to or located on the land or premises shall not provide shelter or protection for rats including, without limiting the generality of the foregoing, to stack any lumber, boxes, barrels, cans, containers or similar materials on open racks that are elevated not less than eighteen (18) inches above the ground.

Regina Zoning Bylaw No. 9250

- Except with Day Care Home operation, no person other than a resident of the dwelling unit shall be engaged in a residential business as an employee or volunteer.
- No merchandise shall be displayed or sold on the premise.
- No advertising that carries the address of the dwelling in which the residential business is conducted shall be placed in any media including telephone, trade or other directories, newspapers, magazines, flyers, signs, radio or television.
- No advertising display sign shall be allowed where the residential business is conducted.
- In accordance with Chapter 4 of this Bylaw, no equipment or process used in the residential business shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable, either by sensory perception or by scientific instruments, at or beyond the property lines of the lot where the residential business is located. In addition, no solid or liquid wastes shall be created that are incompatible or unacceptable for discharge into the municipal waste and wastewater service or are considered a risk to the neighbourhood.
- Visits to the premises by clients or customers shall be by appointment only.
- No use or operation shall discharge toxic or noxious materials: (a) across the boundaries of the site; (b) through infiltration into the subsoil; into the sewage disposal system, except as otherwise provided by The Sewer Service Bylaw No. 5601; or (d) into a stream.

OPPORTUNITIES

The Apiaries Act

- A person who wants to be a beekeeper shall apply for a certificate by completing a form provided by the minister.
- Any person aggrieved by an order made pursuant to section 13 may appeal on a question of law to a judge of the Court of Queen’s Bench within 30 days after the date of the order.
### MARKET GARDENING – Challenges and Opportunities

#### Licensing Bylaw No. 2006-86
- **Licence Required** (1) A person shall not carry on a resident business or a non-resident business unless that person has a valid and subsisting licence issued by the City. (2) A licence is required for each premise where a resident business is operated in the City.
- **Term of Licence** All licences issued pursuant to this Bylaw shall be for a calendar year, or the remaining portion of the calendar year in which it is issued and shall expire on December 31st of the year in which the licence was issued.
- **Noise** No person shall make, continue, cause or permit to be made or continued, any unreasonably loud or excessive noise likely to disturb any reasonable person within the City of Regina. (ii) Factors for determining whether a sound is an unreasonably loud or excessive noise likely to disturb any reasonable person include, but are not limited to, the following: (a) land use and zoning of the surrounding area, including proximity of the sound to any residential use or other use containing sleeping quarters; (b) time of day and day of week; duration; volume; type or nature of the sound; the frequency of occurrence; the nature of the activity from which the sound emanates; and any other relevant factor. (b) No person shall emit or cause the emission of any loud, unusual or unnecessary noise, or noises which annoy, disturb, injure, endanger, or detracts from the comfort, repose, health, peace or safety of others within the City of Regina.
- **Loading and Unloading** No person shall load or unload motor trucks in any area designated as being a residential zone or within one City block of the boundary of such zone between the hours of ten (10:00) o'clock in the evening and seven (7:00) o'clock in the next forenoon.

#### Regina Zoning Bylaw No. 9250
- **Area Occupancy** Except for Day Care Home operation, no residential business shall occupy more than 25 percent of the gross floor area of the dwelling unit. For the purpose of this section, the gross floor area of the dwelling unit shall include any attached garage or accessory building.
- **Employee/Volunteer** Except with Day Care Home operation, no person other than a resident of the dwelling unit shall be engaged in a residential business as an employee or volunteer.
- **Merchandise** No merchandise shall be displayed or sold on the premise.
- **Advertising** No advertising that carries the address of the dwelling in which the residential business is conducted shall be placed in any media including telephone, trade or other directories, newspapers, magazines, flyers, signs, radio or television.
- **Display Sign** No advertising display sign shall be allowed where the residential business is conducted.
- **Equipment** In accordance with Chapter 4 of this Bylaw, no equipment or process used in the residential business shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable, either by sensory perception or by scientific instruments, at or beyond the property lines of the lot where the residential business is located. In addition, no solid or liquid wastes shall be created that are incompatible or unacceptable for discharge into the municipal waste and wastewater service or are considered a risk to the neighbourhood.
- **Visits** Visits to the premises by clients or customers shall be by appointment only.
- **Compost Bin** No compost bin, collection, storage or processing area shall:
(a) exceed four cubic metres in volume; or
(b) be located so as to cause deterioration to a common fence.

- Materials that create obnoxious odour or attract pests, such as meat scraps, fats, cooking oils, and animal waste shall not be added to a compost collection. Also, plant materials infected with disease, noxious weeds and poisonous plants shall not be incorporated in a compost collection.

- No use or operation shall discharge toxic or noxious materials: (a) across the boundaries of the site; (b) through infiltration into the subsoil; into the sewage disposal system, except as otherwise provided by The Sewer Service Bylaw No. 5601; or (d) into a stream

**Wastewater and Storm Bylaw No. 2016-24**

- No person shall discharge or release wastewater to any location other than the public sewage works or a private sewage works: No person shall release or allow the discharge of any substance into the storm sewer except storm water, allowable clear water waste or such other substance as the City Manager may allow; No person shall dispose of any substance into a plumbing system of a premises prior to connection of a plumbing system to either the public sewage works or a private sewage works

- No person shall discharge or release into a public sewage works any of the substances in Schedule A to this Bylaw except with written approval from the City Manager, provided the substances release; (a) will not have an adverse effect; and b) does not contain a substance that is above the approved concentration limit as described in Schedule B to this Bylaw. SCHEDULE A PROHIBITED SUBSTANCES The following substances shall not be released into the sewer system: (a) wastewater, liquid or vapour having a temperature greater than 65°C; (b) an explosive substance, involving solvents or petroleum derivatives such that: (i) wastewater from the premises will exhibit the characteristics of a flammable liquid, or (ii) the explosive substance could cause or contribute to an explosion or support wastewater; (c) (d) (e) (f) garbage other than properly shredded garbage, provided however that shredded garbage shall not be discharged from a garbage disposal unit operated by a motor having a horsepower rating greater than one-third horsepower unless a permit has been obtained from the City; a solid or viscous substance in a quantity, or of such size, as to be capable of causing obstruction to the flow in a public sewage works, including ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, animals or animal parts, animal feces and blood; pesticides or herbicides; corrosive, noxious or malodorous material or substance which, either by itself or by reaction with other wastes, is capable of: (i) causing damage to the public sewage works; (ii) creating a public nuisance or hazard; or (iii) preventing any person entering the sewers for purposes of maintenance or repair; (g) materials which, either by itself or upon the reaction with other material becomes highly coloured; (h) materials from oil or petroleum; (i) wastewater having a pH rating less than 5.5 or greater than 9.0; (j) (k) (l) (m) (n) unused or waste pharmaceuticals; radio-active substances; grit; corrosive or toxic wastewater or other wastes which could adversely affect the sewer system; hazardous waste or waste dangerous goods; (o) microbiological laboratory waste; or (p) biomedical waste; or any other classification of biomedical waste in The Saskatchewan Biomedical Waste Management Guidelines, 2008.

**Control and Destruction of Rats Bylaw - 5963**

- THAT every person owning, occupying or controlling land or premises within the City of Regina shall control or destroy any rats found on the land and premises as well as in the area lying between the centre line between any street, road or alley adjoining the land and the nearest boundary of the land
• EVERY person owning, occupying or controlling land or premises in the City of Regina shall take such measures as may be deemed necessary to prevent the ingress of rats into buildings from the exterior or from one building to another which measures shall include, without limiting the generality of the foregoing: by treatment with material impervious to the gnawing of rats filling of all or potential openings in exterior walls, ground or first floors, basements, roofs and foundations, that may be reached by climbing or burrowing, placing of traps, and placing of such poisons as may be approved for use against rats.

• EVERY person owning, occupying or controlling land or premises in the City of Regina shall take all necessary precautions to keep their land and premises in such condition that any building, equipment, material, portable shack, trailer or any other property either real or personal attached to or located on the land or premises shall not provide shelter or protection for rats including, without limiting the generality of the foregoing, to stack any lumber, boxes, barrels, cans, containers or similar materials on open racks that are elevated not less than eighteen (18) inches above the ground.

### Clean Property Bylaw No. 9881

- Subject to the Regina Traffic Bylaw, no person shall place, leave or operate any temporary structure, furniture or Mobile Food Vending Unit used for the purpose of serving food or seating customers on Public Property or any part of a Public Highway except for a Sidewalk Vendor or owner of a Mobile Food Vending Unit who has obtained a valid permit pursuant to this Bylaw.

### Noise Abatement Bylaw No. 6980

- No person shall load or unload motor trucks in any area designated as being a residential zone or within one City block of the boundary of such zone between the hours of ten (10:00) o'clock in the evening and seven (7:00) o'clock in the next forenoon.
- Domestic Noises: (a) No person shall operate a power garden tool, hedge trimmer, roto-tiller, power or hand lawn mower, or snow clearing device powered by an engine of any description in a residential zone between the hours of ten (10:00) o'clock in the evening and seven (7:00) o'clock in the next morning.

### Parks & Open Space Bylaw No. 2004-27

- No person shall carry on any commercial activity within a park or open space area without obtaining: (a) (b) the appropriate licence pursuant to Bylaw No. 9565, being The Licensing Bylaw; and the prior written approval of the Deputy City Manager.

### Traffic Bylaw No. 9900

- No person shall obstruct, interfere with or interrupt the free passage of traffic on any public highway.
- No person shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track mud or debris upon a public highway.

### Waste Management Bylaw No. 2012-63

- No person shall cause, permit or allow waste to be placed anywhere other than a container or commercial bin.
- The owner or occupant of a designated property shall ensure that containers assigned to that designated property are: (a) stored in a location at the designated property that is under the care and control of the owner or occupant of that designated property; (b) used to set out waste for city waste services; (c) remain with that designated property; (d) are kept clean; (e) are maintained in good condition; (f) are not altered in any way, including any alteration of the exterior; and (g) are available to the City, its contractors.
or agents, within a reasonable time for the purposes of inspection, maintenance or repair.

- No person shall permit or allow waste stored or set out for city waste service to: (a) create offensive odours; or (b) become untidy; the waste storage area shall be kept clean; the waste storage area shall be secured against theft or loss; the waste storage area shall be maintained in good condition; the waste storage area shall not create offensive odours; the waste storage area shall be kept tidy; and the waste storage area shall not attract insects, rodents, vermin or other disease vectors.

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<tr>
<th>OPPORTUNITIES</th>
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<tr>
<td>Clean Property Bylaw No. 9881</td>
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<tr>
<td>- The Director may issue a permit, in a form as set out in Schedule &quot;C&quot; of this Bylaw, to place, leave or operate a newspaper stand, sidewalk vending unit, outdoor restaurant furniture, Mobile Vending Unit or similar object or to conduct a sidewalk sale or similar activity on Public Property</td>
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<tr>
<td>- The vending shall be from mobile units such as hand carts or push carts that can be removed from the street each night. Vendors will be granted approval to vend from specific locations and these locations may not be changed without proper approval from the City</td>
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| Regina Zoning Bylaw No. 9250 |
| - The following types of odours shall be exempt from the requirements of subsection (1): (a) (b) (c) common domestic odours such as food preparation; odours from temporary or seasonal agricultural harvesting activities; and odours from construction and maintenance activities between 7 a.m. and 10 p.m |
Appendix D – Regulations Relating to Livestock Farming

### LIVESTOCK FARMING – Challenges and Opportunities

<table>
<thead>
<tr>
<th>CHALLENGES</th>
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<tr>
<td><strong>Regina Animal Bylaw No. 2009-44</strong></td>
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<tr>
<td>• Prohibition Against Livestock 26 No person shall keep livestock in any area of the City unless the livestock are kept as part of a public agricultural exhibition or exposition operation or agricultural fair.</td>
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<td>• Runs 24(1) Where an animal is housed or kept in a run, the owner shall ensure that the run is kept in a sanitary condition protecting the health and safety of the animal and any other living being.</td>
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<td>• An owner shall ensure a run on the owner’s property is located no closer than 5 metres from a dwelling unit located on an adjacent property.</td>
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<td>• An owner shall not use a fence separating the owner’s property from an adjacent property as one of the sides of the animal run.</td>
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<td>• An owner shall ensure that a run on the owner’s property is constructed of material of sufficient strength and in a manner adequate to: (a) confine the animal. The run shall: prevent the entry of young children; provide protection from the elements for the animal; provide adequate light and ventilation for the animal; and be kept in a sanitary and clean condition.</td>
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<td>• No owner shall allow an animal’s defecation to accumulate on the property where the animal is kept to such an extent that, in the opinion of an Animal Protection Officer, it is reasonably likely to annoy or pose a health risk to others.</td>
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<tr>
<td>• An owner of an animal shall remove that animal’s defecations from the property where the animal is kept and shall dispose of the defecation in a sanitary manner.</td>
</tr>
</tbody>
</table>

| **Licensing Bylaw No. 2006-86** |
| • Licence Required 8 (1) A person shall not carry on a resident business or a non-resident business unless that person has a valid and subsisting licence issued by the City. (2) A licence is required for each premise where a resident business is operated in the City. |
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| • No person shall make, continue, cause or permit to be made or continued, any unreasonably loud or excessive noise likely to disturb any reasonable person within the City of Regina. (ii) Factors for determining whether a sound is an unreasonably loud or excessive noise likely to disturb any reasonable person include, but are not limited to, the following: (a) land use and zoning of the surrounding area, including proximity of the sound to any residential use or other use containing sleeping quarters; (b) time of day and day of week; duration; volume; type or nature of the sound; the frequency of occurrence; the nature of the activity from which the sound emanates; and any other relevant factor. (b) No person shall emit or cause the emission of any loud, unusual or unnecessary noise, or noises which annoy, disturb, injure, endanger, or detracts from the comfort, repose, health, peace or safety of others within the City of Regina |

| **Building Bylaw No. 2003-7** |
- Where a building or any part thereof is altered, these requirements apply to the parts of the building that are altered. These requirements apply where the whole or any part of a building is relocated either within or into the municipality.
- No person shall work or authorize or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.

**Noise Abatement Bylaw No. 6980**

- No person shall make, continue, cause or permit to be made or continued, any unreasonably loud or excessive noise likely to disturb any reasonable person within the City of Regina.
- (ii) Factors for determining whether a sound is an unreasonably loud or excessive noise likely to disturb any reasonable person include, but are not limited to, the following: (a) land use and zoning of the surrounding area, including proximity of the sound to any residential use or other use containing sleeping quarters; (b) (c) (d) (e) (f) time of day and day of week; duration; volume; type or nature of the sound; the frequency of occurrence
- (b) No person shall emit or cause the emission of any loud, unusual or unnecessary noise, or noises which annoy, disturb, injure, endanger, or detracts from the comfort, repose, health, peace or safety of others within the City of Regina
- (d) Every person who owns, or has the care or control of, or keeps or harbours, any animal which by reason of excessive barking or excessive howling disturbs other persons is guilty of an offence under this Bylaw.

**Waste Management Bylaw No. 2012-63**

- No person shall cause, permit or allow waste to be placed anywhere other than a container or commercial bin.
- No person shall permit or allow waste stored or set out for city waste service to: (a) create offensive odours; or (b) become untidy; the waste storage area shall be kept clean; the waste storage area shall be secured against theft or loss; the waste storage area shall be maintained in good condition; the waste storage area shall not create offensive odours; the waste storage area shall be kept tidy; and the waste storage area shall not attract insects, rodents, vermin or other disease vectors.

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| OPPORTUNITIES |
| Building Bylaw No. 2003-7 |
| Building permits/regulations do not apply to accessory buildings not greater than 10 m² in building area provided they do not create a hazard. |