PART 8K
RID – RESIDENTIAL INFILL DEVELOPMENT
OVERLAY ZONE

8K.1 INTENT

Residential Infill Development Overlay zone is intended to establish specific requirements for buildings and structures located within Regina’s infill boundary.

8K.2 APPLICATION

(1) The Residential Infill Development Overlay zone shall apply to all lots within the area of the infill boundary as shown on the Figure 8K.F.12.

(2) The overlay zone shall be in addition to and shall overlay all other zones where it is applied so that any parcel of land lying in the overlay zone shall also lie in one or more of the other zones provided for by this Bylaw. The effect is to create a new zone, which has the characteristics and limitations of the underlying zones, together with the characteristics and limitations of the overlay zone.

(3) Unless specifically exempted, the regulations, standards and criteria of the overlay zone shall also supplement and be applied in addition but not in lieu of any regulations, standards and criteria applicable to the underlying zone.

(4) In the event of conflict between the requirements of the overlay zone and those of the underlying zone, the overlay zone requirements shall apply, unless specifically exempted.

(5) In the event of conflict between the requirements of this overlay zones and another overlay zone, the overlay zone with the most stringent requirements shall apply, unless specifically exempted.

(6) In addition to the development standards in subpart 8K.4, every development permit application relating to a use or development in the Residential Infill Development Overlay zone shall also be evaluated with respect to the manner in which the proposed use or development conforms to the regulations prescribed in subpart 8K.5.

(7) Notwithstanding section 1E.3.8 (1) of Chapter 1, if the Development Officer concludes that an application for a development permit in the Residential Infill Development Overlay zone is not in conformity with the regulations prescribed in subpart 8K.5, the Development Officer shall not issue a
development permit but may, upon request of the applicant, refer the application to City Council for reconsideration as a discretionary use.

8K.3 LAND USE REQUIREMENTS

3.1 PERMITTED AND DISCRETIONARY LAND USES

(1) All permitted uses in the underlying zone are also permitted in this zone.

(2) All discretionary uses in the underlying zone are also discretionary in this zone.

3.2 PROHIBITED LAND USES

All prohibited uses in the underlying zone are also prohibited in this zone.

8K.4 DEVELOPMENT STANDARDS

4.1 FRONT YARD SETBACK

(1) For a proposed building containing four units or less on a lot zoned Residential, the following conditions shall apply in determining front yard setback to the non-garage portion of the proposed building:

(a) where both next-door lots are zoned Residential, the front yard setback to the non-garage portion of the proposed building shall be:

(i) at least the average of the actual front yard setbacks of the next-door lots; and

(ii) to a maximum of the farthest front yard setback from the property line of a next-door lot (see Figure 8K.F1).

(b) where there is only one next-door lot that is zoned Residential, the front yard setback to the non-garage portion of the proposed building shall be plus or minus one metre of the front yard setback of the next-door lot;

(c) where neither of the next-door lots is zoned Residential or does contain a principal building, the front yard setback to the non-garage portion of the proposed building shall be the minimum required front yard setback of the underlying zone;

(d) notwithstanding clauses 8K.4.1(1)(a), (b) and (c), in no case shall the front yard setback of the proposed building be less than 3.0 m.
(2) For a proposed building containing four units or less on a lot zoned Residential, the front yard setback to the garage portion shall be the farthest of:

(a) 6.0 metres; or

(b) the minimum front yard setback established in subsection 8K.4.1(1) (see Figure 8K.F1).

(3) Where a building is proposed pursuant to subsections 8K.4.1(1) and (2):

(a) the drawings submitted as part of the development permit application shall indicate front yard setback of the proposed building; and

(b) the applicant shall submit a surveyor’s certificate showing the actual front yard setback (s) of the next-door lot (s).
4.2 BUILDING HEIGHT

(1) For a proposed building containing two units or less on a lot zoned Residential, the maximum building height shall be the greater of:

(a) 8.5 metres; or
(b) the average of the actual building height of all existing principal buildings on the same block face as the proposed development (see Figure 8K.F2).

(2) Where a development is proposed pursuant to subsection 8K.4.2(1):

(a) the drawings submitted as part of the development permit application shall indicate the height of the proposed building; and

(b) the average building height of existing principal buildings on the block face shall be determined based on estimates established by the Development Officer or, if the applicant disagrees with the Development Officer’s estimate, based on surveyor’s certificates submitted by the applicant showing the actual building height of each principal building on the same block face as the proposed development.

Figure 8K.F2: Illustration of Building Height

4.3 HEIGHT EXCEPTIONS

(1) Subject to subsection 8K.4.3(2), the height limitation mentioned in subsection 8K.4.2(1) shall not apply to any of the following:

(a) a spire;

(b) a belfry;

(c) a cupola;
(d) a dome;
(e) a chimney;
(f) a ventilator;
(g) a skylight;
(h) a water tank;
(i) a bulkhead;
(j) a communication antenna;
(k) any features or mechanical appurtenances, usually situated above the roof level, that is, in the opinion of the Development Officer, similar to the above list.

(2) The features mentioned in subsection 8K.4.3(1):
   (a) may not include an elevator or staircase enclosure, or a mechanical penthouse;
   (b) may not be used for human habitation; and
   (c) shall be erected only to such minimum height or to accomplish the purpose they are to serve.

4.4 **FIRST FLOOR HEIGHT**

(1) The height of the first floor of a proposed building containing four Dwelling Units or less on a lot zoned Residential, when measured from grade, shall be no more than 1.37 metres above grade (see Figure 8K.F3).

(2) In the case of a building constructed pursuant to subsection 8K.4.4(1), the drawings submitted as part of the development permit application shall indicate the height of the first floor from grade.
4.5 SIDE YARD SETBACK

(1) For a proposed building containing four Dwelling Units or less on a lot zoned Residential, where lot frontage is less than 10.0 metres:

(a) the minimum side yard setback on one side shall be 1.2 metres; and

(b) the minimum side yard setback on the other side shall be 0.6 metres.

(2) For all other proposed building types, the standards of the underlying zone shall apply.

8K.5 DESIGN GUIDELINES

5.1 DEFINITIONS

For the purposes of this subpart, the following terms shall have the meaning assigned to them by this section.

“parallel massing” means the physical bulk of a building where the primary ridge of the pitched roof is parallel to the front wall of the building.

“perpendicular massing” means the physical bulk of a building where the primary ridge of the pitched roof is perpendicular to the front wall of the building.
“storey” means the portion of a building between the top of any floor and the top of the floor immediately above it. If there is no floor above it, the portion between the top of the floor and the ceiling above it. This does not include the portion of the building that is the basement.

5.2 Location and Organization

Primary views shall be oriented towards adjacent streets, parks and open spaces.

5.3 Porch and Uncovered Balcony, Deck or Platform

Porches and uncovered balconies, decks or platforms at the front or rear of a building shall be adequately screened to avoid overlook onto flanking properties.

5.4 Massing

(1) For a flat roof structure the following shall apply:

(a) a one storey Building, Detached with a dwelling is not subject to front or side wall stepback provisions stated in clause 8K.5.4(1)(b);

(b) for a two to three storey Building, Detached with a flat roof that contains a dwelling:

(i) where a minimum side yard setback of 1.2 metres on both sides is utilized, side walls may incorporate a maximum height of 8.5 metres (See Figure 8K.F4); and

(ii) where a side yard setback of less than 1.2 metres is utilized on one side, the side wall above 7.2 metres in height shall incorporate a stepback of a minimum 1.2 metres from the side property line (See Figure 8K.F5);

(c) where no front porch is provided, the front façade of a flat roof structure above 7.2 metres measured from the established grade shall be setback from the remainder of the façade by a minimum of 0.6 metres (See Figure 8K.F6); and

(d) where a front porch is provided no front façade setback is required.
Figure 8K.F4: Flat Roof Building with Side Yard Setback of 1.2 Metres

Figure 8K.F5: Flat Roof Building with Side Yard Setback Less Than 1.2 Metres
(2) For a pitched roof structure the following shall apply:

(a) a one storey Building, Detached with a dwelling is not subject to front, side or angular plane provisions stated in clause 8K.5.4(2)(b):

(b) a two to three storey Building, Detached with a pitched roof that contains a dwelling, shall be consistent with to either the pitched roof perpendicular massing provisions in clause (c) or the pitched roof parallel massing provisions in clause (d);

(c) for a pitched roof with perpendicular massing:

(i) all portions of the structure shall be contained within 45 degree angular planes starting at 7.2 metres measured from the established grade at the sidewalls, and sloping from the sidewalls to the middle of the structure (See Figure 8K.F7);

(ii) where no front porch is provided, the front façade shall be contained within a 45 degree angular plane starting at 7.2 metres measured from the established grade (See Figure 8K.F8); and

(ii) where a front porch is provided, clause 2(c)(ii) does not apply; and
(d) for a pitched roof with parallel massing:

(i) all portions of the structure shall be contained within 45 degree angular planes starting at 7.2 metres measured from the established grade at the front and rear walls, and sloping from the front and rear towards the middle of the structure (See Figure 8K.F9);

(ii) side walls are not required to fit within an angular plane (See Figure 8K.F10). However, the area of the side wall above 7.2 metres measured from the established grade shall not exceed 60% of the total available side wall area. The permitted side wall area
may be distributed anywhere within the available side wall area (See Figure 8K.F11); and

(iii) front and rear wall angular plane provisions shall be followed whether or not there is a front porch.

Figure 8K.F9: Parallel Massing on Pitched Roof Building – Side Elevation

Figure 8K.F10: Parallel Massing on Pitched Roof Building – Front Elevation
Figure 8K.F11: Maximum Side Wall Area