

PART 8G

HT – HEIGHT OVERLAY ZONE

8G.1 INTENT

The Height Overlay zone is intended to modify the height of buildings or structures in areas with unique conditions, special circumstances, or where relaxed development standards are appropriate.

8G.2 APPLICATION

- (1) The Height Overlay zone shall be used to modify the development standard for maximum height of buildings in the underlying zone.
- (2) The Height Overlay zone shall apply to the following:
 - (a) all development on properties that are within the horizontal surface of the outer limits, approach surfaces or transitional surfaces, as defined in the *Aeronautics Act, 1985* and *Regina Airport Zoning Regulations*. The applicable area is shown in Figure 8G.F.1 for reference purposes only.
 - (b) lands in the vicinity of the Wascana Centre, as shown in Figure 8G.F.2 for reference purposes only;
 - (c) any other area at the approval of Council.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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.

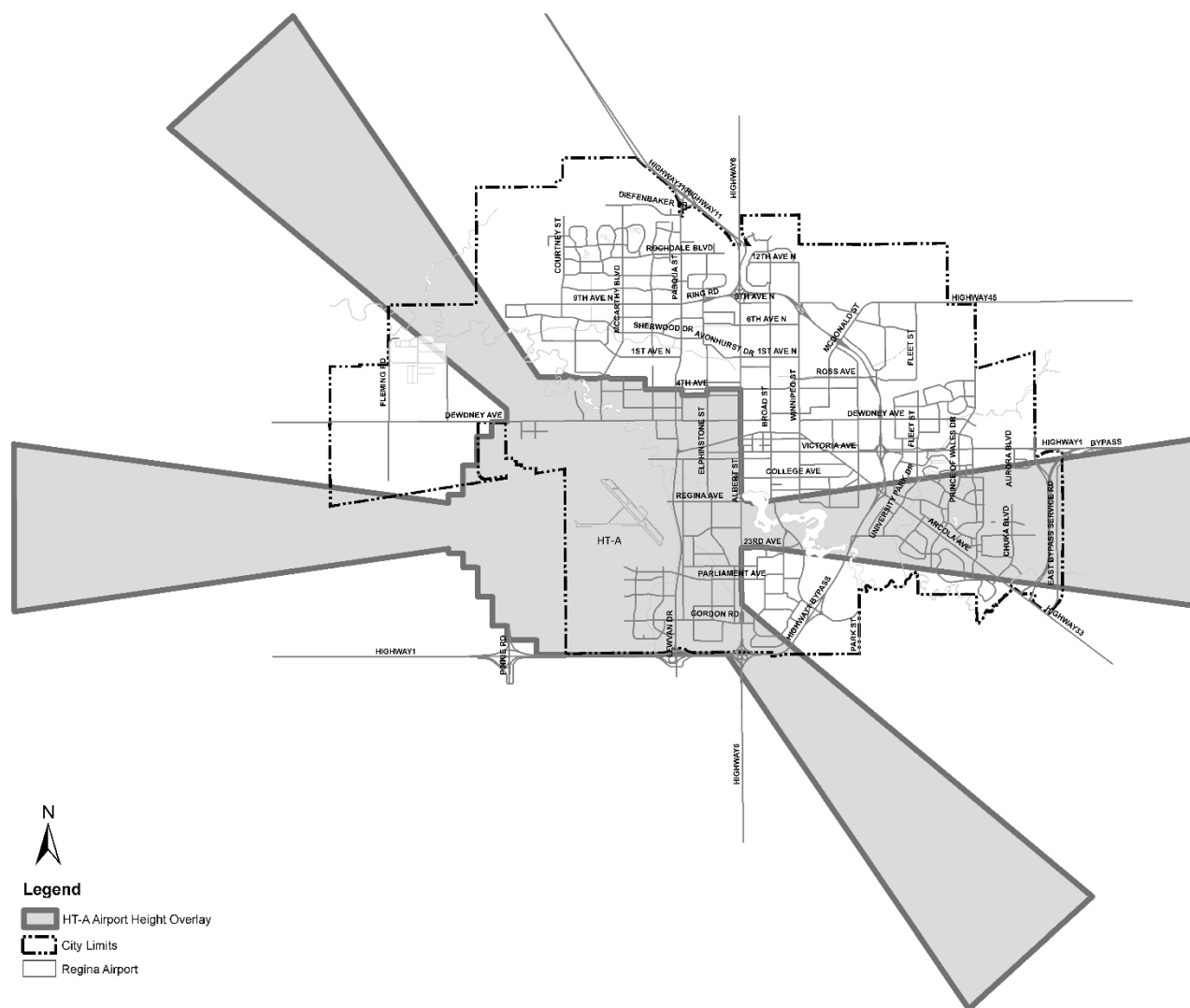


Figure 8G.F.1: Height Overlay Area in the Vicinity of the Airport

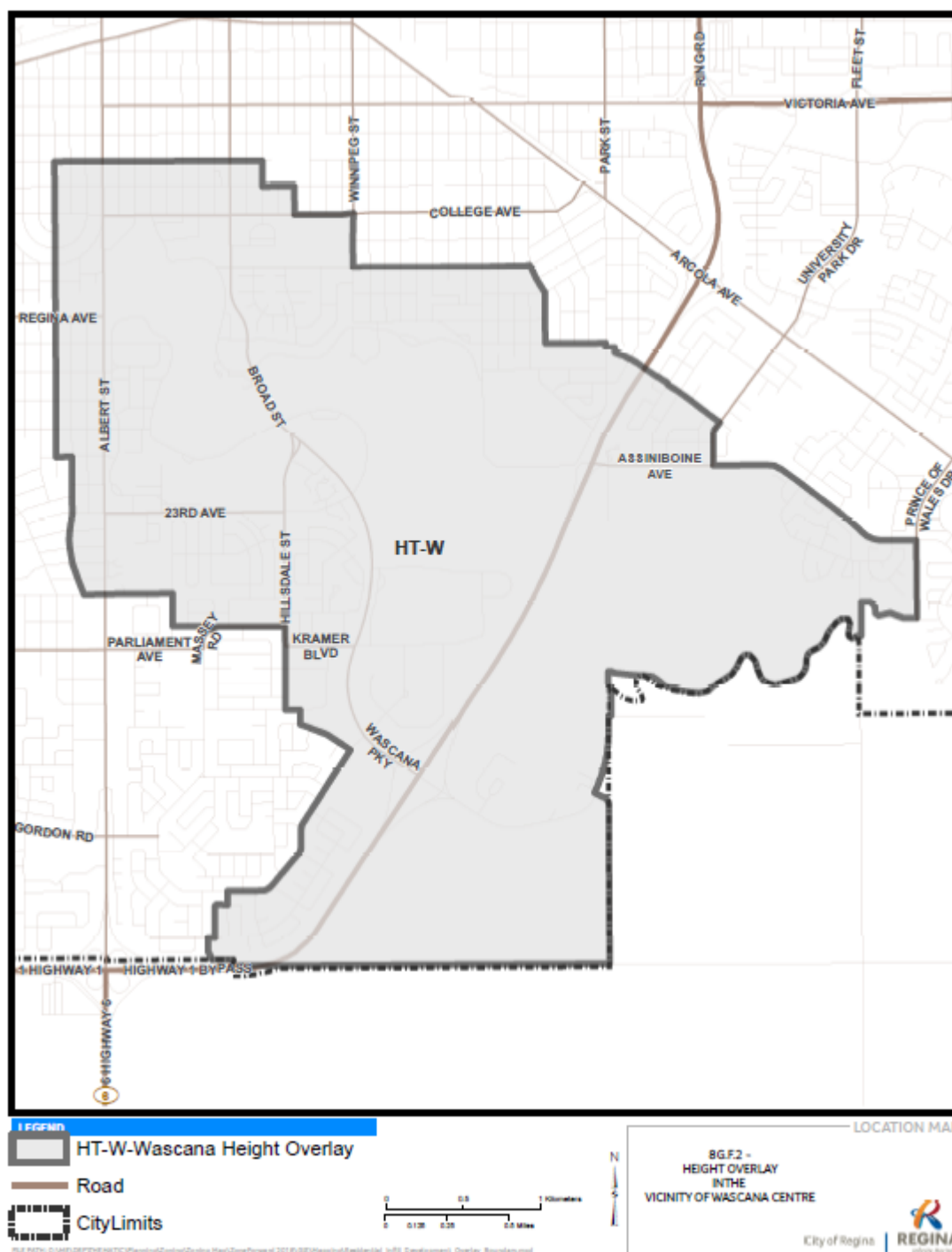


Figure 8G.F.2: Height Overlay Area in the Vicinity of the Wascana Centre

8G.3 LAND USE REQUIREMENTS

3.1 PERMITTED LAND USES

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

3.2 DISCRETIONARY LAND USES

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

3.3 PROHIBITED LAND USES

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

8G.4 DEVELOPMENT STANDARDS

- (1) The development standards of the underlying zone shall apply, except the maximum height standard for buildings.
- (2) No building or structure in the vicinity of the Regina International Airport shall exceed the elevation of the horizontal surface of the outer limits, approach surfaces or transitional surfaces, as defined in the *Aeronautics Act, 1985* and *Regina Airport Zoning Regulations*.
- (3) In the vicinity of Wascana Centre, the maximum permitted height shall be 13 metres. Any development exceeding 13 metres in height shall be considered as a discretionary use subject to review by and include consultation with the Provincial Capital Commission.
- (4) In areas not identified under subclause 8G.4(2) or 8G.4(3) the maximum height shall be determined by the Development Officer.
- (5) Notwithstanding subclauses 8G.3(2), 8G.3(3), and 8G.3(4), where the maximum height of the underlying zone is lower than the maximum height of the Height Overlay zone, the maximum height of the underlying zone shall apply.

8G.5 ADDITIONAL DEVELOPMENT STANDARDS

Any application for a development permit on lands subject to section 8G.2(2)(a) shall be accompanied by:

- (a) approval from Transport Canada, Nav Canada, and the Regina Airport Authority, indicating that these entities have reviewed the proposed

development and it does not contravene the *Aeronautics Act, 1985* and *Regina Airport Zoning Regulations* ; and

- (b) certification by a professional engineer or architect licensed to practice in Saskatchewan, confirming that the proposed development complies with the height requirements of the *Aeronautics Act, 1985* and *Regina Airport Zoning Regulations*.