

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the CR-CO Zone, Commercial Residential Cook and Oliphant District, and to rezone land known as 1041 Oliphant Avenue and 212 Cook Street, 214 Cook Street, 216 Cook Street and 220 Cook Street from the R3-A2 Zone, Low Profile Multiple Dwelling District to the CR-CO Zone, Commercial Residential Cook and Oliphant District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1077)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption “PART 4 GENERAL COMMERCIAL ZONES” by adding the following words:

“4.81 CR-CO Commercial Residential Cook and Oliphant District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule “B” after Part 4.81 the provisions contained in Schedule 1 of this Bylaw.
4. The land known as 1041 Oliphant Avenue and 212 Cook Street, 214 Cook Street, 216 Cook Street and 220 Cook Street, legally described as:
  - (a) Lot 1, Fairfield Farm Estate, Victoria City, Plan 8570;
  - (b) Lot 2, Fairfield Farm Estate, Victoria City, Plan 8570;
  - (c) Lot 10, Block 1, Fairfield Farm Estate, Victoria City, Plan 917;
  - (d) Lot 11, Block 1, Fairfield Farm Estate, Victoria City, Plan 917, Except Part in Plan 8570.
  - (e) Lot 12, Block 1, Fairfield Farm Estate, Victoria City, Plan 917, Except Part in Plan 8570.

and shown hatched on the attached map, is removed from the R3-A2 Zone, Low Profile Multiple Dwelling District, and placed in the CR-CO Zone, Commercial Residential Cook and Oliphant District.

READ A FIRST TIME the	<b>24<sup>th</sup></b>	day of	<b>November</b>	2016
READ A SECOND TIME the	<b>24<sup>th</sup></b>	day of	<b>November</b>	2016
Public hearing held on the		day of		2016
READ A THIRD TIME the		day of		2016
ADOPTED on the		day of		2016

CITY CLERK

MAYOR

**PART 4.81 – CR-CO ZONE, COMMERCIAL RESIDENTIAL COOK AND OLIPHANT DISTRICT****4.81.1 Definitions**

In this Zone:

- a. “Artisan studio” means a building or portion thereof used for the practice of a trade or craft requiring artisan skills, but not offensively dirty or noisy in its operation, including but not limited to garment making, tailoring, goldsmithing, silversmithing and jewellery-making, shoe and leather repairing and pottery making
- b. “Arts studio” means a building, or portion thereof, used for the creation, display, instruction or sale of arts
- c. “Live-work” means a self-contained dwelling unit that is combined with commercial space, which is limited to the following commercial uses:
  - i. Artisan studio
  - ii. Arts studio
  - iii. High tech
  - iv. Office
  - v. Personal service

provided that at least one of the residents of such accommodation and no more than three additional non-residents work in the unit

- d. “Personal service” means the use of a building or portion thereof to provide professional grooming services to a person including but not limited to hairstylists, aestheticians and spa services
- e. “Rooftop structure” means elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilations systems, solar heating panels, green roof systems or similar structures that project above a roof

**4.81.2 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Multiple dwelling
- b. Financial service
- c. Office
- d. Arts studio
- e. Artisan studio
- f. Live-work
- g. Retail sales
- h. Personal service

## PART 4.81 – CR-CO ZONE, COMMERCIAL RESIDENTIAL COOK AND OLIPHANT DISTRICT

- i. Restaurant
- j. High tech
- k. Day Care
- l. Kindergarten
- m. Home occupation subject to the regulations in Schedule “D”

### 4.81.3 Location and Siting of Permitted Uses

- a. Subject to 4.81.3.b, all self-contained dwelling units must be located on the western side of the building or on the second or higher storey
- b. A live-work unit must:
  - i. be located on the first storey of the building;
  - ii. be located on the north or east frontages of the building; and
  - iii. locate the commercial use within the front 4m of a building frontage and separated from the residential use by a partition wall at least 1.5m high
- c. Commercial units must be located on the first storey on the north or east building frontage

### 4.81.4 Lot Area

- a. Lot area (minimum) 2015m<sup>2</sup>

### 4.81.5 Floor Space Ratio

- a. Floor space ratio (maximum) 2.2:1

### 4.81.6 Height, Storeys

- a. Principal building height (maximum) excluding any rooftop structure 16.5m
- b. Storeys (maximum) excluding any rooftop structure 5

# **PART 4.81 – CR-CO ZONE, COMMERCIAL RESIDENTIAL COOK AND OLIPHANT DISTRICT**

## **4.81.7 Setbacks, Projections**

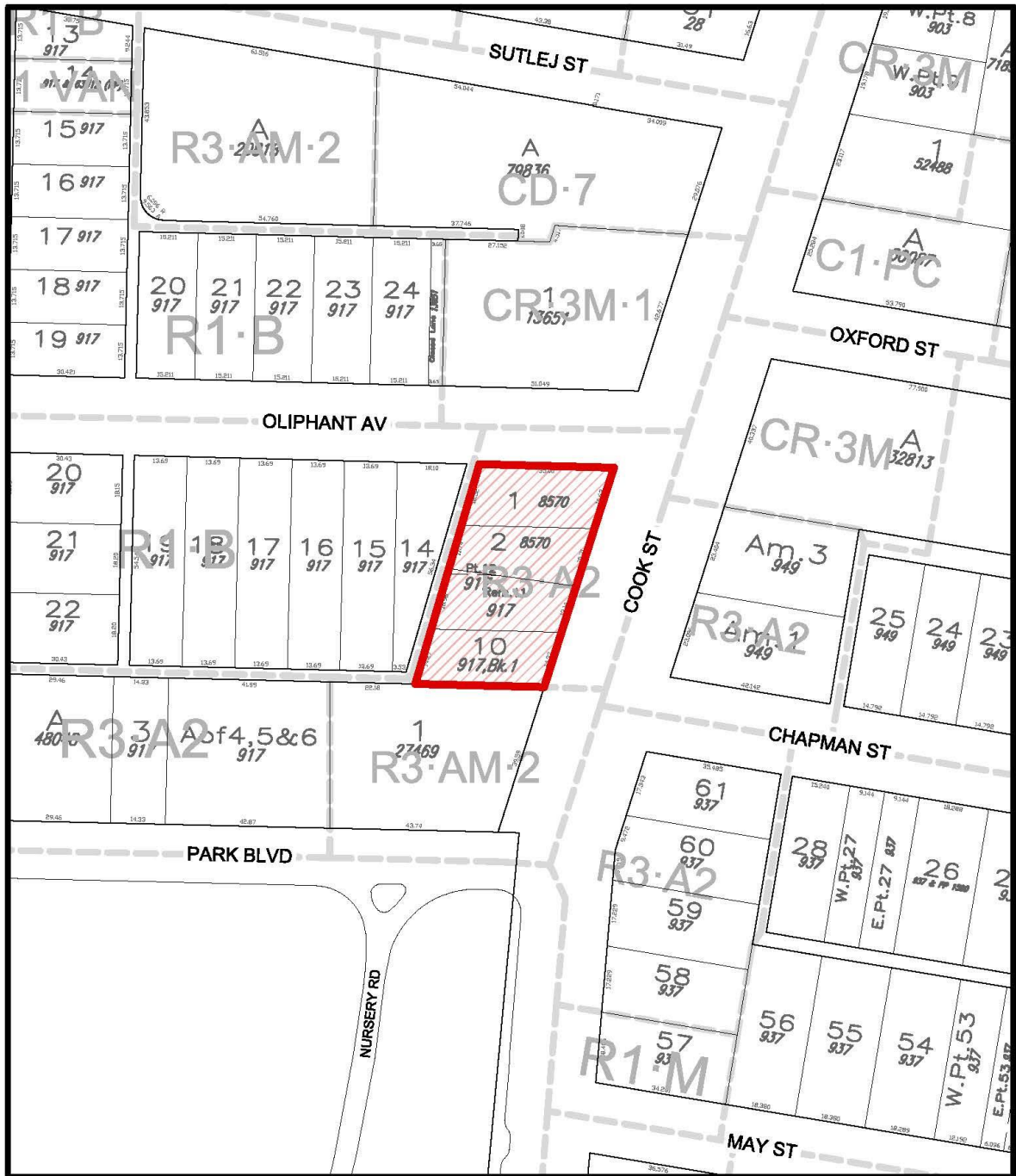
- |   |   |
|---|---|
| a. Cook Street <u>setback</u> (minimum)   | 2.3m for portions of the <u>building</u> on the <u>first storey</u><br>1.1m for portions of the <u>building</u> on the second and third <u>storeys</u><br>3.5m for portions of the <u>building</u> on the fourth and fifth <u>storeys</u> |
| b. <u>Rear yard</u> (lane) <u>setback</u> (minimum)                                       | 8.4m for portions of the <u>building</u> on the first, second and third <u>storeys</u><br>11.2m for portions of the <u>building</u> on the fourth and fifth <u>storeys</u>  |
| c. South <u>yard</u> <u>setback</u> (minimum)   | 5m  |
| d. Oliphant Avenue <u>setback</u> (minimum)   | 1.8m for portions of the <u>building</u> on the <u>first storey</u><br>0.8m for portions of the <u>building</u> above the <u>first storey</u>   |
| e. Any <u>balcony</u> or deck that faces Cook Street may project into a setback (maximum) | 1m  |

## **4.81.8 Site Coverage, Open Site Space**

- |                                     |     |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum)   | 50% |
| b. <u>Open site space</u> (minimum) | 31% |

## **4.81.9 Vehicle and Bicycle Parking**

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|--|--|
| a. Vehicle and bicycle parking (minimum) | Subject to the regulations in Schedule "C" |
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1041 Oliphant Avenue and  
212, 214 & 220 Cook Street

Rezoning #00472

Bylaw #16-090

