

3.105.1 Definitions

In this Zone:

- a. “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
- b. “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 and tailoring; goldsmithing, silversmithing and jewellery-making; shoe and leather repairing and; pottery making
- c. “Arts studio” means a building, or portion thereof, used for the creation, display, instruction or sale of arts
- d. “Live work” means a self-contained dwelling unit that may also be combined with commercial space, limited to the following commercial uses:
 - i. Artisan studio
 - ii. Arts studio
 - iii. High tech
 - iv. Office
 - v. Personal serviceprovided only that at least one of the residents of such accommodation and no more than three additional non-residents work in the unit

3.105.2 Community Amenities

- a. As a condition of additional density pursuant to Part 3.105.6.b, a monetary contribution of \$261,750 allocated to the following funds, as adjusted pursuant to Part 3.105.2.b must be provided as a community amenity:
 - i. \$100,000 to the Housing Reserve Fund, and
 - ii. \$96,312.50 to the Downtown Core Area Public Realm Improvement Fund, and
 - iii. \$65,437.50 to the Heritage Buildings Seismic Upgrade Fund
- b. The amenity contribution in the amount of \$261,750 (the “Base Contribution”) shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw No. 15-033 is adopted and each year thereafter, by adding to the Base Contribution an amount calculated by multiplying the Base Contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period

For the purpose of this part 3.105.2, “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function

3.105.3 Permitted Uses in this Zone

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

- a. Multiple dwelling
- b. Bakeries used predominantly for the retail sale of bakery products sold from the premises
- c. Financial service
- d. Offices
- e. Artisan studio
- f. Live-work
- g. Transient accommodation and transient accommodation accessory uses
- h. Retail sales
- i. Theatres, auditoriums, gymnasiums and other places of recreation or worship
- j. Personal service
- k. Restaurants
- l. Clubs
- m. Hospitals, private hospitals, nursing homes, intermediate care facilities and community care facilities
- n. High tech
- o. Public building
- p. Daycare
- q. Kindergarten

3.105.4 Location and Siting of Permitted Uses

- a. Subject to 3.105.4.b, all self-contained dwelling units must be located on the second or higher storey
- b. A live work unit may be located on the ground floor, provided the residential portion of the unit is located either:
 - i. on the second or higher storey, or
 - ii. at the rear of the ground floor, and not within 6m of the building frontage

3.105.5 Lot Area

- a. Lot area (minimum) 1370m²

PART 3.105 – R3-C-Y ZONE, CENTRAL AREA RESIDENTIAL YATES STREET DISTRICT

3.105.6 Density

- | | |
|--|-------|
| a. <u>Floor space ratio</u> (maximum) where the community amenity has not been provided pursuant to Part 3.105.2 | 3:1 |
| b. <u>Floor space ratio</u> (maximum) where the community amenity has been provided pursuant to Part 3.105.2 | 5.5:1 |

3.105.7 Height

<u>Building height</u> (maximum)	50m (excluding enclosed non-habitable service areas, mechanical equipment, elevator control rooms, enclosed stair landings and elevator landings)
----------------------------------	---

3.105.8 Setbacks, Projections

- | | |
|--|---|
| a. <u>Front yard setback</u> (Yates Street) (minimum) | 0m (for portions of the <u>building</u> below 15m in <u>height</u>)
3m (for portions of the building above 15m in height) |
| b. <u>Rear yard setback</u> (minimum) | 0m (for portions of the <u>building</u> below 15m in <u>height</u>)
3m (for portions of the building above 15m in height) |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum) | 0m (for portions of the <u>building</u> below 15m in <u>height</u>)
3m (for portions of the building above 15m in height) |
| d. Any <u>balcony</u> or deck on the front, rear or side elevation may project into a <u>setback</u> (maximum) | 1.5m |

3.105.9 Vehicle and Bicycle Parking

- | | |
|------------------------------|--|
| a. Vehicle parking (minimum) | Subject to the regulations in Schedule "C" |
| b. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |