

## PART 4.102 – CR-CP ZONE, COOK AND PENDERGAST DISTRICT

### 4.102.1 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. Retail sales
- e. Restaurant
- f. Personal service
- g. High tech
- h. Day care
- i. Home occupation subject to the regulations in Schedule “D”
- j. Accessory Buildings subject to the regulations in Schedule “F”

### 4.102.2 Location and Siting of Permitted Uses

- a. Commercial uses must be located on the first storey in those parts of the building that are within 35 metres from Cook Street.
- b. Residential uses are not permitted on the first storey in those parts of a building within 30 metres from Cook Street.

### 4.102.3 Lot Area

- a. Lot area (minimum) 2800m<sup>2</sup>

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### 4.102.4 Community Amenities

- a. As a condition of additional density pursuant to Part 4.102.5, a monetary contribution of \$161,356.80 must be provided to the Victoria Housing Reserve Fund prior to issuance of a Building Permit.
- b. As a condition of additional density pursuant to Part 4.102.5, a monetary contribution of \$136,163.47 must be provided to the Local Amenities Reserve Fund prior to issuance of a Building Permit.
- c. As a condition of additional density pursuant to Part 4.102.5, the owner shall grant the City, prior to issuance of a Building Permit, an irrevocable right of first refusal to purchase a space of no less than 230m<sup>2</sup> (2,500 sq. ft.), suitable for community use within a building in the City within 200 metres of this Zone, at a price no more than 79.6% of the fair market value of that space, as determined by a mutually agreed upon Appraisal Institute of Canada appraiser.
- d. Until the amenity contributions identified in Part 4.102.4 a. and b. are paid in full, they shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #20-081 is adopted and each year thereafter, by adding to the base contribution amounts in Part 4.102.4 a. and b. an amount calculated by multiplying that base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.
- e. For the purposes of this Part 4.102.4 “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

### 4.102.5 Floor Area, Floor Space Ratio

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|---|--------|
| a. <u>Floor space ratio</u> where the amenities have not been provided pursuant to Part 4.102.4 (maximum) | 1:1    |
| b. <u>Floor space ratio</u> where the amenities have been provided pursuant to Part 4.102.4 (maximum)     | 2.19:1 |

### 4.102.6 Height, Storeys

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|---|-------|
| a. Principal <u>building height</u> (maximum) | 13.5m |
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### 4.102.7 Setbacks, Projections

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|---|---|
| a. Cook Street <u>setback</u> (minimum)   | 0.0m for the first <u>storey</u> of a <u>building</u><br>2.5m for portions of a <u>building</u> above the first <u>storey</u> |
| b. <u>Rear yard setback</u> (minimum)   | 3.5m for portions of a <u>building</u> that are more than 0.6m above <u>grade</u>   |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum)                | 4.0m  |
| d. <u>Side yard setback</u> on a flanking street for a <u>corner lot</u> (minimum)  | 3.0m  |
| e. Any <u>balcony</u> , stairs, canopy or deck may project into a setback (maximum) | 2.5m  |

### 4.102.8 Site Coverage, Open Site Space

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|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum)   | 66% |
| b. <u>Open site space</u> (minimum) | 34% |

### 4.102.9 Vehicle and Bicycle Parking

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|--------------------|--|
| a. Vehicle parking | Subject to the regulations in Schedule “C” |
| b. Bicycle parking | Subject to the regulations in Schedule “C” |

Bylaw 20-081 adopted July 15, 2021