

NOTICE OF PUBLIC HEARING BYLAWS NO. 2131 AND 2132



Notice is hereby given that the Council of the Town of Sidney will hold a Public Hearing in respect of Bylaw No. 2131, being the proposed amendment to Official Community Plan Bylaw No. 1920; and Bylaw No. 2132, being the proposed amendment to Zoning Bylaw No. 2015 for the Town of Sidney.

All persons who believe that their property is affected by the proposed amending bylaws will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws at the Public Hearing to be held at the Sidney Town Hall, 2440 Sidney Avenue, Sidney, BC on **Monday, March 27, 2017 at 7:00 p.m.** Written submissions can be received at the Town Hall prior to 4:00 p.m. on March 27, 2017 or at the Public Hearing itself.

The purpose of Bylaw No. 2131 is to amend Official Community Plan (OCP) Bylaw No. 1920 by altering existing policies to reflect the change from "units per hectare" to "floor area ratio" (FAR) within Zoning Bylaw 2015.

Specifically, the proposed changes are:

- 1) retain a reworded general OCP policy on increased density in each occurrence in Section 5, Residential, and Section 6, Downtown Commercial, of the bylaw;
- 2) remove the specific density limits in the OCP and add new base and bonus FAR maximums to the Zoning Bylaw; and
- 3) remove the lists of possible community amenities from Section 5, Residential, Section 6, Downtown Commercial, and Schedule B: Downtown / Downtown Waterfront Local Area Plan section 3.4 and add a list of possible community amenities to the Bonus Density and Community Amenity Contribution Policy.

The purpose of Bylaw No. 2132 is to amend Zoning Bylaw No. 2015 by incorporating a number of amendments to change how density is calculated and regulated; remove existing "bonus density" zones and rezone most previously approved developments with "bonus density" zonings to appropriate standard zones; add requirements for family-sized units; and add a requirement for a minimum number of storeys for townhouse dwellings.

Specifically, the proposed changes are:

- 1) amending the definitions of Units Per Hectare and Density, replacing the definition of Floor Space Ratio with a new one for Floor Area Ratio, and adding definitions for Base Density and Bonus Density;
- 2) adding a new section with specific exclusions to the calculation of total floor space;
- 3) changing the regulations for maximum density in the RM5, RM6, RM7, RM-C, C1 and C2 zones from a "units per hectare" calculation to a "floor area ratio" calculation, using base and bonus FAR maximum density levels;
- 4) removing the "bonus density" section for existing developments on properties zoned CD40 (i.e. those that were approved previously with a component of bonus density) from the bylaw, and rezoning those properties back to Downtown Commercial (C1);
- 5) retaining the CD40 zone for the property at 9830 Fourth Street, due to its unique development aspects;
- 6) removing the "bonus density" sections for existing development on properties zoned RM5-B and RM7-B (i.e. those that were approved previously with a component of bonus density) from the bylaw, and rezoning those properties back to their respective RM5 and RM7 zonings, and retaining the requirement for a specific amenity contribution for the development at 2447 Henry Avenue;
- 7) adding requirements for the Multi-family and Commercial zones for a minimum percentage of units to be three-bedroom family-oriented housing with a minimum required total floor area and certain location within a building for each unit; and
- 8) adding a requirement for townhouse dwellings to be a minimum of two storeys and for the second storey to have a certain minimum finished habitable floor area.

To view a staff report related to these bylaw amendments, please go to www.sidney.ca then click on "Projects and Initiatives" --> "Downtown Mixed Use & Multifamily Density Review" or contact the Development Services Department at the Town Hall.

The properties that would be affected by removing the "bonus density" section for existing development on properties zoned CD40 (i.e. those that were approved previously with a component of bonus density) from the bylaw, and rezoning those properties back to Downtown Commercial (C1) are known as:

Strata Lots 1-10, Section 11, Range 4 East, North Saanich District, Plan EPS635 (9776 Fourth St);

Strata Lots 1-17, Section 10, Range 4 East, North Saanich District, Plan VIS7119 (9751 Fourth St and 2440-2444 Bevan Ave);

Strata Lots 1-25, Section 11, Range 4 East, North Saanich District, Plan EPS2645 (9818 Third St);

Strata Lots 1-17, Section 10, Range 4 East, North Saanich District, Plan EPS2019 (9715-9719 First St);

Strata Lots 1-26, Section 10, Range 4 East, North Saanich District, Plan EPS2951 (2405-2411 Bevan Ave); and

Lot A, Section 10, Range 4 East, North Saanich District, Plan EPP61128 (9710 Fourth St).

The lands that are subject to the proposed amendments are as shown hatched on the plan below:



Figure 1

The property that would be affected by removing the "bonus density" section for existing developments on properties zoned RM5-B (i.e. those that were approved previously with a component of bonus density) from the bylaw, and rezoning those properties back to Multi-Family Low Density Residential (RM5) is known as:

Lot 4, Section 10, Range 4 East, North Saanich District, Plan 5315 Including the Area Designated on SRW Plan VIP69656 (9667 First Street).

The land that is subject to the proposed amendments is as shown hatched on the plan below:



Figure 2

The properties that would be affected by removing the "bonus density" section for existing developments on properties zoned RM7-B (i.e. those that were approved previously with a component of bonus density) from the bylaw, and rezoning those properties back to Multi-Family High Density Residential (RM7) are known as:

Lot A, Section 11, Range 4 East, North Saanich District, Plan EPP68635 (2475 Mt. Baker Avenue); and

Lots 1-8, Section 12, Range 4 East, North Saanich District, Plan VIS844 and That Part of Road Dedication on Plan 470, Section 12, Range 4 East, North Saanich District, as shown on Plan EPP64080 (2447 Henry Avenue).

The lands that are subject to the proposed amendments are as shown hatched on the plan below:

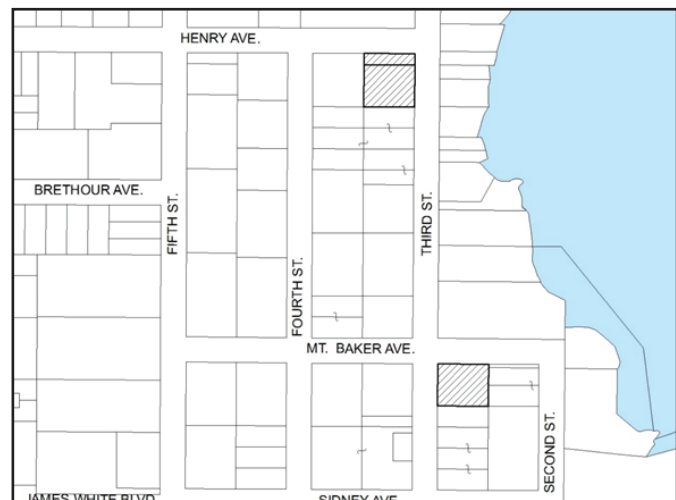


Figure 3

Copies of the proposed bylaws and all background documentation may be inspected during regular working hours of 8:30 a.m. to 4:00 p.m., Monday to Friday (excluding statutory holidays) from March 14, 2017 to March 27, 2017 at the Sidney Town Hall, 2440 Sidney Avenue, Sidney, BC. Further inquiries may be directed to the Development Services Department, telephone 250-656-1725 or by email at developmentservices@sidney.ca.

Correspondence may be submitted by mail to the address above or by email to developmentservices@sidney.ca and must be received no later than 4:00 p.m. on the day of the Public Hearing. All correspondence submitted will form part of the public record and may be published in a meeting agenda.