

**TOWN OF SIDNEY**  
**ADVISORY PLANNING COMMISSION MEETING**  
**VIRTUAL MEETING – 3:00 P.M.**

**June 1, 2021**

*Meetings are video recorded and posted on the Town's website*

**AGENDA**

1. **CALL TO ORDER:**
2. **ADOPTION OF AGENDA:**
3. **ADOPTION OF MINUTES:**                      April 6, 2021
4. **AMENDMENTS TO OFF-STREET PARKING AND LOADING BYLAW NO. 2140**  
Presentation by Corey Newcomb, Senior Manager of Long-Range Planning
5. **ITEMS DISPOSITION BY COUNCIL:**
6. **MEETING ADJOURNMENT:**

# TOWN OF SIDNEY



## ADVISORY PLANNING COMMISSION MEETING MINUTES

April 6, 2021

Meeting held via Zoom Videoconferencing

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### **PRESENT:**

Chairperson: Kelly Bull-Tomer

Members: Bernandine van der Meer, Douglas Watt, Lucina Baryluk, Richard Novek, Andrew Tidman

Council Liaison: Councillor Chad Rintoul

Applicant: Don Pedde, William Peereboom, Dallas Rudd

Staff: Alison Verhagen, Senior Manager of Current Planning  
Richard Roy, Municipal Planner  
Kelly Albucz, Development & Administrative Coordinator

Absent: Clarence Bolt, John Crowhurst, Denny Gelinis

### 1. **CALL TO ORDER:**

The Chair called the meeting to order at 3:00 p.m.

Chair welcomed, and Commission members made introductions to new member Andrew Tidman.

Chair congratulated new Vice-Chair Clarence Bolt.

### 2. **ADOPTION OF AGENDA:**

**Moved by: D. Watt, seconded by: B. van der Meer that the Agenda be adopted as circulated.**

**MOTION CARRIED**

### 3. **ADOPTION OF MINUTES:**

**Moved by: B. van der Meer, seconded by: D. Watt that the Minutes of January 19, 2021 be adopted as circulated.**

**MOTION CARRIED**

#### 4. **DEVELOPMENT PERMIT APPLICATION NO. DP100819**

10478 & 10482 Resthaven Drive

##### **PROPOSAL:**

The proposal is to construct two new 2.5 storey multi-family residential buildings on the property at 10482 Resthaven Drive property that will become part of the recently approved multi-family residential development on the adjacent property at 10478 Resthaven Drive (approved by Development Permit No. DP100817).

Alison Verhagen gave a brief overview on the proposed development.

Presenter: Wil Peereboom, Victoria Design Group

- Phase II of project 10478 Resthaven Drive
- Main pedestrian access to Unit 15 in block C is through the statutory right of way along the west side of the property. . Removing exterior stair on unit 15 resolved issues that had been experienced in the driveway area related to Block A
- Garbage area/storage: oversized garages with oversized doors are proposed for all units. Garbage and recycling collection are not on same day, so owners will need to place items according to pick-up schedule. The applicant's plan is to keep garbage and recycling contained by not having them permanently situated outside
- The floor plan of the designated adaptable unit also has enough room in the garage to allow for garbage storage
- Flex room in basement for optional bedroom or rec room
- No variances are requested
- Permeable pavers are used to allow for drainage on lot
- Second floor overhang will keep containers in a dryer area for pick-up

##### **Record of Decision:**

- Generally APC thought it was an attractive development fitting into the neighbourhood however there were concerns related to livability, including balconies and backyard areas.
- Concerns regarding density of project as it affects parking in this neighbourhood and ability to handle garbage and recycling pickup.
- While meeting requirements for accessibility, concerns were expressed regarding access to patios and stairs.
- Garbage and recycling pickup formed a significant part of the discussion, and were recognized as a challenge to be resolved by Council and the proponent with no apparent solutions found during discussion.
- Some APC members felt the density is too much for this site while others felt that the bylaws related to densification need to be revisited (such as rules relating to parking, garbage, accessibility, etc.)

**Moved by: B. van der Meer, seconded: A. Tidman that the Advisory Planning Commission recommends to Council that Development Permit Application No. DP100819 (to permit the construction of a 2.5 storey multi-family residential townhouse development) be approved, subject to the following conditions:**

1. **That the property owner address Design Guideline 20.3.9 (garbage and recycling areas) to the satisfaction of the Senior Manager of Current Planning; and**

2. **That prior to issuance of building permit, the property owner shall:**
  - a. **register a restrictive covenant on the title of the property prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age; and**
  - b. **Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development.**

**Opposed: D. Watt  
MOTION CARRIED 5:1**

5. **ITEMS DISPOSITION BY COUNCIL:**

Councillor Chad Rintoul gave an update on recent Council meetings.

6. **ADJOURNMENT:**

**Moved by: D. Watt, seconded by: R. Novek that the meeting be adjourned.**

**MOTION CARRIED UNANIMOUSLY**

Meeting adjourned at 4:31 p.m.

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CHAIRPERSON  
Kelly Bull-Tomer



## TOWN OF SIDNEY

### Report to Advisory Planning Commission

**TO:** Chair and Members of the Commission  
**FROM:** Corey Newcomb, Senior Manager of Long Range Planning  
Alison Verhagen, Senior Manager of Current Planning  
**DATE:** May 27, 2021 FILE NO.: 3900-02  
**SUBJECT:** Bylaw No. 2217 – Proposed Amendments to Off-Street Parking and Loading  
Bylaw No. 2140

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#### **PURPOSE:**

The purpose of this report is to provide APC with information on Bylaw No. 2217, which is an amendment to Off-Street Parking and Loading Bylaw No. 2140.

#### **BACKGROUND**

The proposed amendments covered by this draft bylaw were reviewed by the Committee of the Whole at the October 19, 2020 meeting and subsequently by Council at the October 26, 2020 regular Council meeting. After considering the proposed amendments, Council resolved the following:

*That the staff report dated October 13, 2020, be received for information and that a bylaw to amend Off-Street Parking and Loading Bylaw No. 2140 be brought forward for Council's consideration.*

*MOTION CARRIED UNANIMOUSLY*

*That staff review Section 4 of Bylaw No. 2140 regarding Vehicle Off-Street Parking and Loading Requirements, and include in the proposed amending Bylaw, to make it a requirement in commercial and mixed use developments with commercial space of a certain minimum size, that the calculated requirements for commercial parking spaces, and loading zone must be allocated and available to those public uses in the development.*

*MOTION CARRIED UNANIMOUSLY*

As per the first resolution, staff brought an amending bylaw, Bylaw No. 2217, forward to Council for consideration at the May 25, 2021 regular Council meeting. After further consideration, Council referred this bylaw amendment to the Advisory Planning Commission for review and comment.

The amending bylaw includes some additional amendments to sections of the bylaw suggested by the Committee of the Whole in October 2020, which are identified in the discussion below.

The second resolution requires additional work and may be affected by the outcome of the Official Community Plan (OCP) update project, which is currently underway. The changes necessary to achieve the intended outcome of this resolution have significant implications for building and urban design, particularly in Sidney's downtown core. In the interests of getting the other amendments adopted in a timely manner, staff will continue working on an approach to the second resolution over the coming months. For that reason, the intent of the second resolution is not addressed in the current draft bylaw.

## **DISCUSSION:**

Since the adoption of Off-Street Parking and Loading Bylaw No. 2140 in September 2017, a number of changes have taken place which affect the application of this bylaw. As a result, staff are proposing a number of amendments to the bylaw, as follows:

### **1. A specific standard for the provision of accessible parking**

In December 2018, the Province of BC removed the requirement for accessible parking from the BC Building Code, due to the fact it was considered a “non-building” matter. As a result, the regulation of accessible parking has essentially been left to local governments. Although Sidney does have an accessible parking section currently in the bylaw, it is only a partial requirement and is dependent on now-defunct BC Building Code regulations.

Staff are proposing a comprehensive update to this section of the bylaw to ensure that a high standard of accessible parking is provided with new developments in Sidney. This includes a higher proportion of accessible spaces as a percentage of overall spaces than was previously required, an updated standard for accessible parking space widths, and also the requirement for an accessible aisle beside an accessible parking space. Staff have ensured that these new standards are consistent with national best practices, as well as other local jurisdictions’ accessible parking regulations for local consistency. Staff have also consulted with local experts on accessible parking standards on several occasions in the preparation of this bylaw amendment.

At the October 19, 2020 Committee of the Whole meeting, the Committee recommended that the number of accessible parking spaces in residential buildings with fewer than 10 units be changed from 0 to 1; this update has been made to the most recent version of the amending bylaw.

### **2. A new limitation on the ‘pay in lieu’ provision**

Acting on previous direction from Council, staff have reviewed the pay in lieu provision in the bylaw. (This provision allows a property owner to pay a specified amount in lieu of providing parking spaces within a specified area of downtown Sidney.) Based on a review of other jurisdictions and previous developments which have utilized this provision, staff originally recommended a cap on the total number of spaces eligible for this option of 25% of the total number of spaces required for the project. This would limit overuse of this option in future developments.

In terms of the current amount charged for each space (currently \$10,000) staff have also reviewed this and found it consistent with both the cost of recent surface parking space installations in Sidney (which comprise the vast majority of constructed spaces with these funds) as well as the amount being charged in other similar jurisdictions. Pay in lieu funds go into a dedicated reserve fund and can only be used to construct new public parking spaces or provide active transportation infrastructure.

At the October 19, 2020 Committee of the Whole meeting, the Committee recommended that the maximum allowable percentage of spaces that may be paid for in lieu be reduced from 25% to 20%. In addition, the pay in lieu amount has been increased from \$10,000 per space to \$15,000 per space as a result of the Committee’s comments.

### **3. A comprehensive Electric Vehicle (EV) charging equipment requirement**

Significant growth in EV ownership over the last few years has highlighted the need to ensure that new multi-family buildings are equipped with charging equipment at completion, primarily due to the difficulties in retrofitting buildings with this equipment after they are occupied (typically the significant cost of a retrofit is the major limiting factor.) The proposed requirement builds on work done elsewhere in the region by the District of Saanich and the Capital Regional District to

establish specific performance requirements for charging, in order to ensure that the equipment that gets installed meets a minimum level of charging performance. The proposed standards are consistent with other jurisdictions in the region, as well as the recommendations that the Town has received from the Victoria Electric Vehicle Association.

Of note, at this time staff are only proposing an EV charging requirement for buildings which contain multi-family residential dwelling units. The reason for this is because of the difficulties that these buildings face in doing an EV charging “retrofit”. A typical scenario is that there are one or two EV owners in a building of this type, and the remaining owners are unwilling to bear the substantial cost related to providing these few EV owners with charging equipment. This is contrasted with a commercial or single-family building, where the provision of EV charging equipment is generally a single owner’s decision and easily decided upon.

As this change will add to the construction cost of multi-family buildings, the District of Saanich undertook a significant level of engagement with the development industry at the time of drafting their own bylaw amendment (Sidney staff attended some of these events). This engagement found that a majority of developers were seriously considering or had already adopted a policy of installing at least some EV charging equipment in their projects, primarily in response to market demand. Due to Saanich’s significant influence on development in Greater Victoria, this engagement process was essentially a regional engagement process that included a broad range of developers. Based on this, staff are proposing to move forward with this amendment without further consultation of the development industry.

**4. Other minor amendments**

Based on staff’s experience applying Bylaw No. 2140 over the past few years, a number of minor amendments to bicycle parking regulations are also being proposed. These include allowing bicycle rooms in multi-family and mixed use buildings to be located in an underground parking garage (with the requirement for a bicycle ramp) as well as changes to the provision of outdoor bicycle parking which conflict with Zoning Bylaw requirements and in staff’s opinion are more appropriately located within design guidelines in the OCP.

**STAFF RECOMMENDATION:**

**That the staff report be received for information and that Bylaw No. 2177 (a bylaw to amend Off-Street Parking and Loading Bylaw No. 2140) be brought forward for Council’s consideration.**

Respectfully submitted,

I concur,



Corey Newcomb, MCIP RPP  
Senior Manager of Long  
Range Planning



Alison Verhagen, MCIP RPP  
Senior Manager of Current  
Planning

Attachment:

Appendix A: Draft amendments to Bylaw No. 2140

TOWN OF SIDNEY

BYLAW NO. 2140

**A BYLAW TO PROVIDE OFF-STREET PARKING AND LOADING SPACE REGULATIONS FOR THE TOWN OF SIDNEY**

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**WHEREAS** Section 525 of the Local Government Act authorizes the Town of Sidney to, by bylaw, regulate, prohibit and impose requirements in relation to off-street parking and loading spaces;

**NOW THEREFORE** the Council of the Town of Sidney, in open meeting assembled, enacts as follows:

**SECTION 1: TITLE**

- 1.1 This Bylaw may be cited for all purposes as Town of Sidney, Off-Street Parking and Loading Bylaw No. 2140.

**SECTION 2: ADMINISTRATION**

**2.1 Conformity with Official Community Plan:**

This Bylaw is consistent with and gives effect to the policies of the Town of Sidney, Official Community Plan Bylaw 1920. No amendment to this Bylaw shall be made which deviates from the policies of the Official Community Plan without the prior amendment of the Official Community Plan.

**2.2 Provision:**

Where the terms of this Bylaw require the provision of parking areas, loading areas, access aisles or bicycle parking spaces, every owner or occupier of buildings, structures or land shall, upon the lot in question, provide and maintain these facilities in accordance with the standards and requirements as contained within this Bylaw.

**2.3 Non-Conforming Buildings, Uses and Structures:**

A continuation of a non-conforming use, building or structure shall be subject to the provisions of the *Local Government Act of British Columbia*.

**2.4 Inspection:**

The Building Official, or any other official of the Town of Sidney appointed by Council, is hereby authorized to enter, at all reasonable times, upon any lot or premises to ascertain whether the provisions of this Bylaw are being obeyed.

**2.5 Violation:**

1. Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done or neglects to do any act or thing in contravention of this Bylaw, shall be deemed guilty of an offence of this Bylaw and shall be liable to the penalties herein imposed; and
2. Each day that such an offence of this Bylaw is caused to continue, or allowed to continue, constitutes a separate offence.

**2.6 Penalties:**

Any person guilty of an offence is punishable in accordance with the *Offence Act of British Columbia*.

**2.7 Severability:**

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason found invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

### **SECTION 3: INTERPRETATION AND DEFINITIONS**

#### **3.1 Section References:**

Section references are to this Bylaw unless otherwise noted.

#### **3.2 Definitions:**

The Definitions as established in Section 3 of Town of Sidney, Zoning Bylaw No. 2015 are applicable in the interpretation of this Bylaw.

In this Bylaw, unless otherwise stated, the following definitions shall apply:

**Access Aisle:** An area of land, building, structure or part thereof between a street and a Parking Area or Loading Area used by vehicles for access to and from the parking or loading area.

**Accessible:** An area and its facilities, or both, which is easy to approach, enter, exit, operate, participate in, pass to and from, and use safely and independently by persons with disabilities.

**Bicycle Parking, Class I:** An enclosed building or area within a building providing secure and weatherproof bicycle parking.

**Bicycle Parking, Class II:** A bicycle rack.

**Bicycle Parking Space:** A space to park one bicycle.

**Car Share Membership:** means a permanent membership with an organization whose principal business is to provide car-sharing vehicles, which are available 24 hours a day, 7 days a week, at publicly accessible locations, to all community members who pay a membership fee to the organization.

**Electric Vehicle:** means a vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle's batteries.

**Electric Vehicle Energy Management System (EVEMS):** means a system to control electric vehicle charging infrastructure electrical loads comprised of monitor(s), communications equipment, controller(s), timer(s) and other applicable devices.

**Electric Vehicle Charging Infrastructure:** means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between an electric circuit and an electric vehicle.

**Energized Outlet:** means a connecting point in an Electric Vehicle Charging Infrastructure system at which electrical current can be connected to an electric vehicle charging station.

**Level 2 Charging:** means Level 2 electric vehicle charging as defined by SAE International's J1772 standard.

~~**Electric Vehicle Charging Station:** An electrical outlet capable of supporting the energy demand to charge an electric vehicle.~~

**Loading Area:** An area of land, building, structure or part thereof used for the temporary parking of one vehicle for the loading or unloading of merchandise, materials or persons; does not include a maneuvering aisle or parking space.

**Maneuvering Aisle:** An area of land, building, structure or part thereof (1) immediately adjacent to a parking or loading space and used exclusively for access to or egress from a parking or loading space, or (2) providing vehicle access between parking or loading spaces.

**Marked Accessible Aisle:** An area provided adjacent to an Accessible Parking Space to allow additional maneuvering space for the loading and unloading of vehicles by persons with disabilities.

**Parkade:** A multi-level parking structure, either above or below ground.

**Parking Area:** A parking space and associated maneuvering aisles; does not include impound or wrecking yards.

**Parking Space:** An area of land, building, structure or part thereof for the parking of one vehicle; does not include a maneuvering aisle or loading space.

**Parking Space in Tandem:** One parking space located immediately behind another parking space where both spaces are for the exclusive use of one dwelling unit.

**Street:** A highway, road, bridge, viaduct, lane or any other way open to public use; does not include an easement on private property.

**Town:** The Municipality of the Town of Sidney.

**Use:** The purpose for which land, buildings or structures are used.

**Vehicle:** A trailer or any motorized conveyance for transporting goods or people on land.

## **SECTION 4: VEHICLE OFF-STREET PARKING AND LOADING REQUIREMENTS**

### **4.1 Calculation of Parking and Loading Requirements:**

*Parking space requirements may be found in section 4.11.3.*

1. Where continuous seating (e.g. a bench) is provided, each 0.5 metre of width shall be counted as one seat.
2. Unless otherwise provided for in this Bylaw, where area is used as a unit of measure for the calculation of required parking or loading spaces, the calculation shall be based upon 80% of gross floor area.
3. In the case of different uses located on the same lot, the total parking and loading space requirement shall be the sum of the requirements of the various uses computed separately. However, parking and loading space requirements for places of worship and associated halls shall be the greater of the requirements for the two uses calculated separately, provided the two are not used concurrently in contributing to vehicular parking requirements.
4. When the calculation of parking space requirements results in a fractional figure, it shall be rounded upward to the nearest whole number.

### **4.2 Storage of Uninsured Vehicles:**

No more than one (1) uninsured vehicle shall be kept on any lot unless completely enclosed within a building.

### **4.3 Commercial Vehicle Parking and Storage:**

Storage and parking of commercially-licensed vehicles, semi-trailers and trailers which exceed a gross vehicle weight of 4,200 kg is prohibited on properties designated as RES-1, RES-2, RES-2.1 and RES-3 in the Town of Sidney Official Community Plan, unless the vehicle is on the lot for the purpose of delivering or collecting the material or supplies to or from the property.

### **4.4 On-Site Parking and Loading:**

All required parking and loading spaces shall be located on the same lot as the building, structure or use for which they are intended to serve, except as permitted under subsections 4.5 and 4.6.

**4.5 Off-Site Parking:**

1. If sufficient parking spaces cannot be provided on the same lot, required parking spaces may be located on another lot within 30 metres of the building, structure or use that the space is intended to serve.
2. Off-site parking shall be secured on title by an access and parking agreement in accordance with the following:
  - a. The agreement shall state (1) the location and number of parking spaces provided off-site, (2) the terms of any agreement between the owner of the off-site parking area and the owner of the building, structure or use requiring off-site parking spaces, and (3) terms for the maintenance and where applicable the construction of the off-site parking area; and
  - b. The agreement shall require the approval of the Town and the Town shall be a co-signatory.

**4.6 Payment in Lieu of Parking:**

In areas designated Industrial (M1) under Zoning Bylaw No. 2015 or within the boundary shown on Schedule A, Payment in Lieu Boundary:

1. At the option of the owner or occupier of the building, structure or land, rather than provide the parking space(s) required in this Bylaw, the owner or occupier may pay to the Town the sum of \$~~10~~15,000.00 for each parking space required by this Bylaw up to a maximum of 20% of the total number of required parking spaces, which the Town will deposit into a reserve fund to be used for the provision of public parking spaces or for facilities that support walking, cycling and transit or other transportation options.
2. At the option of the owner or occupier of the building, structure or land that is within the area designated as COM-1 by the Official Community Plan, up to 50% of the monies referred to in Section 4.6.1 may be used towards the purchase of permanent car-share memberships registered to the units in the building and confirmed in writing by the car-share operator.
3. The monies referred to in Section 4.6.1 are payable in accordance with the provisions of Section 525 of the *Local Government Act*.

**4.7 Accessible Parking Spaces~~Parking Spaces for Disabled Persons:~~**

1. As part of the total number of required off-street parking spaces listed within Section 4.11.3, Accessible Parking Spaces shall be provided as follows:

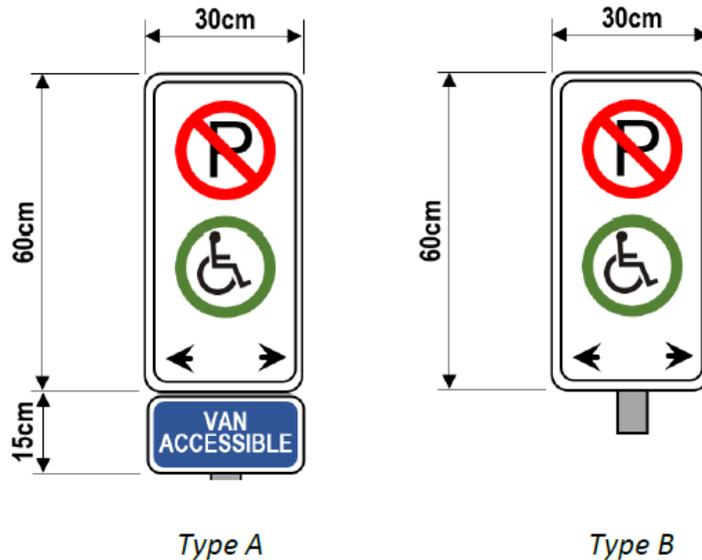
<u>Total Required Number of Off-Street Parking Spaces</u>	<u>Required number of Accessible Parking Spaces for residential uses</u>		<u>Required number of Accessible Parking Spaces for all other uses</u>	
	<u>Type A</u>	<u>Type B</u>	<u>Type A</u>	<u>Type B</u>
<u>1 to 9</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>
<u>10 to 25</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>1</u>
<u>26 to 50</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>1</u>
<u>51 to 100</u>	<u>2</u>	<u>1</u>	<u>2</u>	<u>2</u>
<u>For each additional increment of 25 spaces or portion thereof</u>		<u>1 additional space</u>		<u>1 additional space</u>

2. One Marked Accessible Aisle shall be provided adjacent to each Accessible Parking Space. One Marked Accessible Aisle may provide access for up to two Accessible Parking Spaces.

3. Accessible Parking Spaces shall be located to allow for the shortest possible access route to the building entrance designed to service disabled persons.
4. Where the total number off-street parking spaces required by this bylaw is reduced by a Development Variance Permit or the Payment in Lieu provision, the original number of required off-street parking spaces shall be used to calculate the number of accessible parking spaces required.
5. The following signage is required to identify Accessible Parking Spaces:
  - a. A sign in compliance with the Motor Vehicle Act Regulations, with minimum dimensions of 30cm x 60cm at the end of each Accessible Parking Space, either post-mounted or affixed to the building face at a height of 1.5 metres above grade;
  - b. An additional blue sign 30cm x 15cm indicating "Van Accessible" for all Type A Accessible Parking Spaces, located below the required sign indicated in Section 4.7 (5) (a); and,
  - c. Every Accessible Parking Space surface shall be painted with the International Symbol of Accessibility.

#### Information Notes

##### *Illustration of Accessible Parking Signage*



6. Accessible Parking Spaces and Marked Accessible Aisle surfaces shall:
  - a. Be finished in a hard, non-slip surface;
  - b. Have a maximum grade in any direction of no more than 2%; and,
  - a-c. Have curb ramps between parking spaces and entrances to buildings to accommodate wheelchair access.

#### 4.8 Location and Siting:

##### 1. General:

- a. Parking or loading areas shall only be permitted in those areas specified.

- b. Nothing in this bylaw shall restrict the provision of underground parking or loading areas.
  - c. Access aisles are permitted in a front, rear, interior side or exterior side yard, unless otherwise stated in this bylaw or the Town of Sidney Zoning Bylaw.
  - d. Access aisles are not permitted to access directly on to Beacon Avenue.
2. Neighbourhood Residential (RES-1) and Intensive Single Family Residential Areas (RES-2) Areas:
- a. Parking areas shall be permitted in a rear, interior side, exterior side or front yard, provided that if located in a front or exterior side yard the parking areas occupy no more than 50% of each yard area and that any portion above 30% coverage be constructed with permeable materials.
  - b. Parking spaces for secondary suites shall not be part of a Parking Space in Tandem.
3. Multi-Family Residential Areas (RES-3):
- a. Parking areas shall be permitted only within a rear or interior side yard.
  - b. Parking areas shall be permitted (1) within the first storey, provided they do not occupy more than 40% of the gross floor area of the first storey, or (2) within a half storey.
  - c. The combined area of Parking Areas and Access Aisles shall not constitute more than 50% of the area of the lot on which they are situated.
  - d. Parking spaces shall be located a minimum of 1.0 metre from any lot line.
4. Downtown Commercial (COM-1) and Neighbourhood Commercial (COM-2) Areas:
- a. Excluding Parkades, the combined area of Parking Areas, Loading Areas and Access Aisles shall not constitute more than 50% of the area of the lot on which they are situated.
  - b. Parking Areas and Loading Areas are not permitted in a front or exterior side yard.
  - c. In a Parkade, parking areas shall be permitted on all storeys.
5. Industrial (IND) Areas:
- a. Parking or loading areas shall be permitted in a front, rear, interior side or exterior side yard provided that they are no closer to:
    - i. Highway 17 than 6.0 metres,
    - ii. Galaran, Mills or McDonald Park Road than 3.0 metres, or
    - iii. any other street than 1.5 metres;
6. Harbour Road Marine (HRM) Areas:
- a. Parking or loading areas shall be permitted in a front, rear, interior side or exterior side yard, provided they are no closer to an interior side lot line than the required setbacks in the Town of Sidney Zoning Bylaw.
7. Institutional (INS) Areas:
- a. Parking or loading areas shall be permitted (1) within the first storey, provided they do not occupy more than 50% of the gross floor area of the first storey, or (2) within a half storey.

- b. Parking or loading areas shall be permitted in a front, rear, interior side or exterior side yard provided they are located the following minimum distance from the respective lot line:
  - 1. front 3.0 metres
  - 2. rear 1.5 metres
  - 3. interior side 1.5 metres
  - 4. exterior side 2.0 metres

**4.9 Development and Maintenance Standards:**

1. General:

Unless otherwise stated, the regulations of Section 4.9 shall apply to all uses except for single- and two-family dwellings.

2. Access Aisles:

- a. Access aisles shall be provided for all parking and loading areas.
- b. Access aisles for parking areas shall have a minimum width of 3.6 metres for one-way travel, and 5.5 metres for two-way travel.
- c. Access aisles for loading areas shall have a minimum width equal to the width of the largest loading space for one-way travel or double the width of the largest loading space for two-way travel.

3. Maneuvering Aisles:

- a. Individual parking spaces must be arranged so that each space has unobstructed access to and from a maneuvering aisle so that a vehicle occupying the space is able to enter and leave the lot in a forward motion except those parking spaces which are designated tandem.
- b. In parking areas, maneuvering aisles shall be provided in accordance with standard traffic engineering practices.

4. Parking and Loading Space Dimensions and Standards:

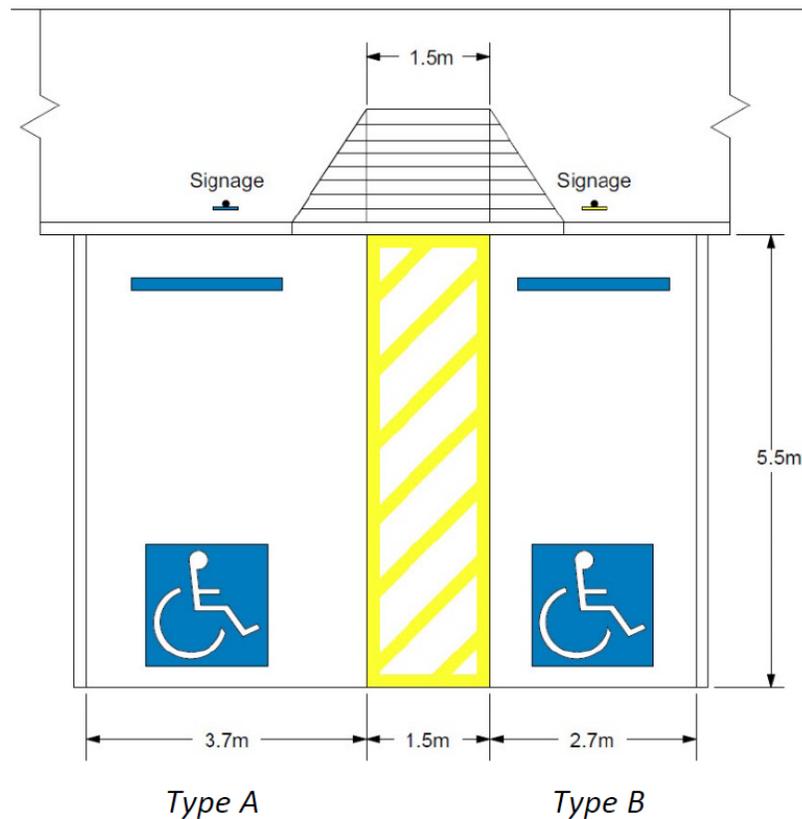
a. All vehicle parking spaces shall meet the minimum dimensions of the “standard space” referred to in Section 4.9.4.b, except where another type of parking space or dimension is permitted or required by this bylaw.

a.b. Including single- and two-family dwellings, all vehicle parking spaces shall have clear minimum dimensions for the full length and width of the parking space as follows:

	<u>Width of Space</u>	<u>Length of Space</u>	<u>Height over Space</u>
<u>Standard Parking Space</u>	<u>2.7 m</u>	<u>5.8 m</u>	<u>2.0 m</u>
<u>Small Car Parking Space</u>	<u>2.5 m</u>	<u>5.0 m</u>	<u>2.0 m</u>
<u>Parallel Parking Space</u>	<u>2.5 m</u>	<u>7.0 m</u>	<u>2.0 m</u>
<u>Accessible Parking Space – Type A</u>	<u>3.7 m</u>	<u>5.8 m</u>	<u>2.3 m</u>
<u>Accessible Parking Space – Type B</u>	<u>2.7 m</u>	<u>5.8 m</u>	<u>2.3 m</u>
<u>Marked Accessible Aisle</u>	<u>1.5 m</u>	<u>5.8 m</u>	<u>2.3 m</u>

**Information Notes**

*Illustration of Accessible Parking Dimensions*



c. A Marked Accessible Aisle shall be clearly marked with white or yellow diagonal line markings.

b-d. Loading spaces shall have the following clear minimum dimensions:

Length	9.0 metres
Width	3.0 metres
Vertical clearance	4.3 metres

e. A vehicle parking space that abuts a continuous structure on one side, such as a wall, must have a minimum width of 2.7m.

e. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.

<u>Length</u>	<u>Width</u>
---------------	--------------

d. Standard Space 5.8 metres 2.7 metres

e. Small Space 5.0 metres 2.5 metres

f. Parallel Space 7.0 metres 2.5 metres

g-f.

5. Surfacing:

Parking areas, loading areas, and access and maneuvering aisles shall be:

a. (1) sSurfaced with asphalt, concrete, interlocking block or a similar finish so as to provide a surface that is durable and dust-free.

b. , and (2) gGraded and drained to properly dispose of all surface water.

6. Wheel Stops:

All parking and loading spaces shall include concrete wheel stops.

7. Lighting:

Parking and loading areas shall be illuminated in accordance with common engineering practices and standards.

8. Signage

- a. Visitor parking spaces shall be clearly marked with the words "VISITOR PARKING ONLY" on the parking space surface or with signage.
- b. One-way maneuvering aisles shall be clearly marked with traffic flow directional arrows on the aisle surface.
- c. Loading spaces shall be clearly marked with the words "LOADING SPACE ONLY" on the aisle surface or with signage.
- d. Small car parking spaces shall be clearly marked with the words "SMALL CAR" on the parking space surface or with signage.

9. Provision of Electric Vehicle Charging Infrastructure

- a. In all buildings that contain Multi-Family Residential dwelling units, Electric Vehicle Charging Infrastructure shall be provided to all parking spaces and terminate in an Energized Outlet capable of providing a minimum of Level 2 Charging.
- b. Details of Electric Vehicle Charging Infrastructure shall be provided as part of all building permit applications, where required.
- c. Where an Electric Vehicle Energy Management System (EVEMS) is utilized to provide electric vehicle charging capability to multiple parking spaces, the following energy performance requirements shall be met or exceeded:

<u>Minimum Circuit Breaker Rating (AMPS)</u>	<u>Maximum Number of Chargers per Circuit</u>
<u>20</u>	<u>2</u>
<u>30</u>	<u>3</u>
<u>40</u>	<u>5</u>
<u>50</u>	<u>6</u>
<u>60</u>	<u>8</u>
<u>70</u>	<u>9</u>
<u>80</u>	<u>11</u>
<u>90</u>	<u>13</u>
<u>100</u>	<u>18</u>
<u>125</u>	<u>19</u>
<u>150</u>	<u>23</u>

**4.10 Small Car Parking Spaces:**

1. Small car parking spaces shall be permitted up to a maximum of 30% of the total number of spaces required.

**4.11 Required Off-Street Parking Spaces:**

1. Notwithstanding any other section of this bylaw, a change from one commercial use to another commercial use or from one industrial use to another industrial use in an existing building requires no further provision of parking spaces, provided that the number of existing parking spaces on the property at the time of the change in use is maintained.
2. Parking spaces shall be provided in accordance with the requirements in Section 4.11.3. In the case of a use not specifically mentioned, the number of spaces shall be calculated on the basis of a similar use as determined by the Director of Development Services;
3. Required Parking Spaces:

Use	Required Parking Spaces (Minimum)
Aircraft repair, storage	1 per 90m <sup>2</sup>
Appliance Repair Shop in Commercial Zones	1 per 40m <sup>2</sup>
Assembly Hall, Library, Museum	1 per 15m <sup>2</sup>
Banks	1 per 40m <sup>2</sup>
Bed and Breakfast	1 per principal dwelling unit plus 1 per room
Billiard Hall	2 per table
Bowling Alley, Bowling Green	3 per lane
Building supply and lumber outlet	1 per 90m <sup>2</sup>
Child Care Facility	1 per 5 children licensed by the Province
Congregate Care Housing or Life lease Units	0.5 per unit
Dwelling, Abbeyfield	0.75 per bedroom
Dwelling, Apartment	1.0 per dwelling unit
Dwelling, Secondary suite	1 per secondary suite
Dwelling, Single-family	1 per dwelling unit
Dwelling, Townhouse	1 per dwelling unit
Dwelling, Two-family	1 per dwelling unit
Equipment rental or repair centre	1 per 40m <sup>2</sup>
Financial Institutions	1 per 40m <sup>2</sup>
Ambulance station	4
Gas Bar	2
High Traffic Home Occupation	1
Hospital	1 per 4 beds
Hotel, Inn	0.75 per hotel unit
Intermediate Care Facility	0.2 per bed plus 0.25 per bed for visitors
Manufacturing	1 per 90m <sup>2</sup>
Marinas	0.5 per berth
Motels	1 per unit
Office	1 per 40m <sup>2</sup>
Personal Service Establishments	1 per 40m <sup>2</sup>
Place of Worship	1 per 5 seats
Police station	1 per 40m <sup>2</sup>
Recycling Depots	1 per 40m <sup>2</sup> or 4 parking spaces, whichever is the lesser
Research Laboratory	1 per 90m <sup>2</sup>

Use	Required Parking Spaces (Minimum)
Restaurant, Class I or Class II	1 per 5 seats
Retail, excluding Outdoor Retail	1 per 40m <sup>2</sup>
School, Adult Education	4 per classroom
School, Senior High	4 per classroom
School, Primary, Elementary and Junior High	1 per classroom
Service Station	1 plus 3 per bay
Taxi service or dispatch centre	2 plus 1 per taxi
Vehicle repair garage	3 per bay
Vehicle sales or rental showroom	1 per 20m <sup>2</sup>
Veterinary Clinics	1 per 40m <sup>2</sup>
Warehouse	1 per 180m <sup>2</sup>

**4.12 Required Off-Street Loading Spaces:**

1. Loading spaces shall be provided in accordance with the requirements in Section 4.12.2.
2. Required Loading Spaces:

Use	Required Loading Spaces (Minimum)
Commercial, Industrial and Institutional, excluding places of worship	1 for 300m <sup>2</sup> to 2000m <sup>2</sup> 1 for each additional 2000m <sup>2</sup> or fraction thereof

**SECTION 5 BICYCLE PARKING REQUIREMENTS**

**5.1 General:**

1. Bicycle parking shall be provided in accordance with the requirements in Section 5 of this bylaw.
2. Bicycle parking spaces provided in accordance with this Bylaw shall be located on the same lot as the building, structure, or use they are intended to serve.

**5.2 Calculation of the Required Number of Bicycle Parking Spaces:**

1. Where area is used as a unit of measure for the calculation of bicycle parking spaces, the calculation shall be based upon 80% of gross floor area.
2. When the calculation of the required minimum number of bicycle parking spaces result in a fractional figure, it shall be rounded upward to the nearest whole number.
3. In the case of different uses occupying the same lot, the total required minimum number of bicycle parking spaces shall be the sum of the required minimum number of bicycle parking spaces of the various uses computed separately.

**5.3 Class I Bicycle Parking Standards:**

1. General:

Class I bicycle parking shall be provided in accordance with Section 5.4 of this bylaw and consist of bicycle parking spaces and racks in conformance with Section 5.3.2 within a bicycle room or have the required bicycle parking spaces provided within a

required parking space, provided that the required parking space is an additional 0.6m in length greater than that required in Section 4.9.4a of this bylaw.

2. Bicycle Room:

- a. Bicycle rooms shall have solid walls and a roof or ceiling.
- b. Each bicycle parking space in a bicycle room shall be provided with a minimum of 0.4 metres in width.
- c. The whole interior of the bicycle room shall be visible from the entry door.
- d. A storage unit associated with an apartment dwelling may also be considered as a bicycle room for the purposes of this bylaw, provided that the storage unit has minimum internal dimensions of 2.5 metres by 2.0 metres and is located on the ground floor or in an underground parkade.
- e. ~~Where b~~ Bicycle rooms are in a building they shall be located within one floor of grade and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles should be located on the ground floor off the vestibule or corridor to the main building elevator.

5.4 Required Class I Bicycle Parking Spaces:

Use	Required Spaces - Minimum
<b>Residential:</b>	
Apartment Dwelling	1 per unit
Congregate Care Housing, Intermediate Care Facilities	4
<b>Commercial:</b>	
Hotels, Motels	1 per 500m <sup>2</sup> of GFA, with a minimum of 2
All other uses	2 plus 1 per each 125m <sup>2</sup> of GFA
<b>Institutional:</b>	
Schools, Libraries, Museums, Hospitals, Fire Stations, Police Stations, Ambulance Stations, Public Works Yards	1 per 250m <sup>2</sup> of GFA, with a minimum of 2
Places of Worship	6
<b>Industrial &amp; Marine-Industrial:</b>	
All uses	1 per 500m <sup>2</sup> of GFA, with a minimum of 2

5.5 Class II Bicycle Parking Standards:

- 1. Class II bicycle parking shall be provided in accordance with Sections 5.5 and 5.6 of this bylaw.
- 2. Each bicycle parking space must be independently accessible from a sturdy rack designed for frame, not wheel-only, support.
- 3. Racks shall be of a design such that the user is able to lock a bicycle frame and one wheel to the rack with a u-shaped lock.
- 4. Racks shall be securely anchored to the ground or a wall to prevent removal of the racks.
- 5. Access shall be provided from each bicycle space to a street.
- 6. ~~Rack location should allow for a high degree of visual surveillance by building occupants or from streets which abut the lot.~~

~~7. Racks shall be sheltered from rain and weather conditions.~~

~~8.6.~~ Class II bicycle parking shall be permitted in a front, rear, interior side or exterior side yard provided that they are no closer than 1.5 metres to any lot line.

~~9.7.~~ On properties designated as COM-1 or COM-2, where building design does not allow space on private property at the front or exterior side of a building for Class II bicycle parking, the property owner or occupant shall pay \$100 per required Class II space to a reserve fund to be used for the provision of public parking spaces or for facilities that support walking, cycling and transit or other transportation options.

~~10.8.~~ Provision of the required Class II Bicycle Parking Spaces in Section 5.6 for buildings that contain a combination of the listed uses shall not be cumulative.

## 5.6 Required Class II Bicycle Parking Spaces

USE	Required Spaces - Minimum
<b>Residential:</b>	
Apartment dwelling	6 per building
Congregate Care Housing, Intermediate Care Facility	6 per building
<b>Commercial:</b>	
All uses	6 per building
<b>Institutional:</b>	
All uses	6 per building
<b>Industrial &amp; Marine-Industrial:</b>	
All uses	6 per building

## SECTION 6: ENACTMENT

### 6.1 Repeal of Previous Bylaw:

Bylaw No. 1661 of the Town of Sidney (Off Street Parking and Loading Bylaw) and all subsequent amendments to that bylaw are hereby repealed.

### 6.2 Effective Date of Bylaw:

This Bylaw shall come into force on the date of adoption by Council.

Read a first time the 14<sup>th</sup> day of August, 2017.

Read a second time the 14<sup>th</sup> day of August, 2017.

Read a third time the 14<sup>th</sup> day of August, 2017.

Adopted the 11<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER