



**Sidney**

**ZONING BYLAW UPDATE PROJECT  
DRAFT BYLAW NO. 2275**

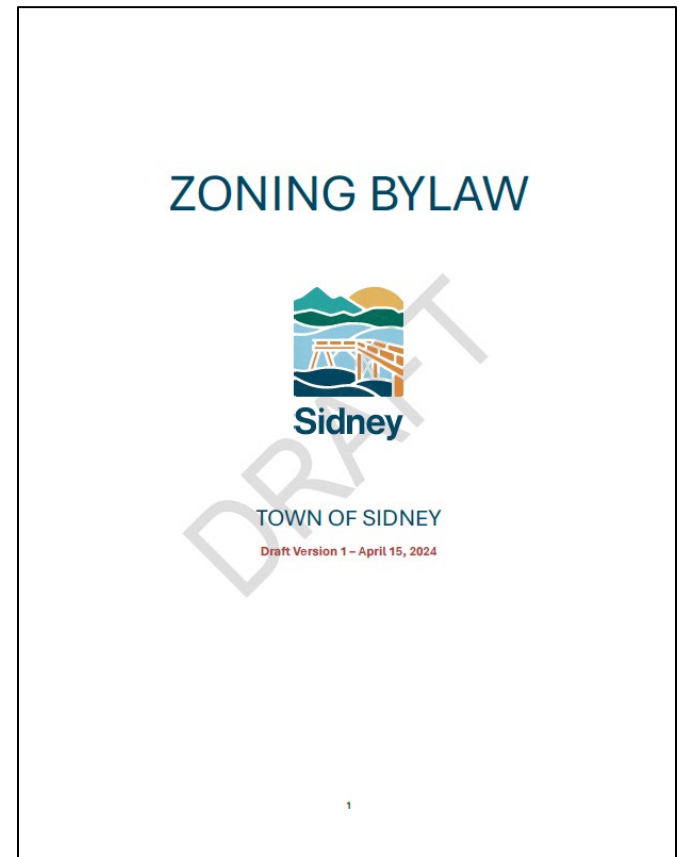
Presentation to Committee of the Whole

April 15, 2024

# Presentation Overview

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- Project Overview and Background
- OCP Policy Context
- SSMUH (Bill 44) changes
- Review changes to other zoning groups, sections
- Next Steps



# Project Overview and Background

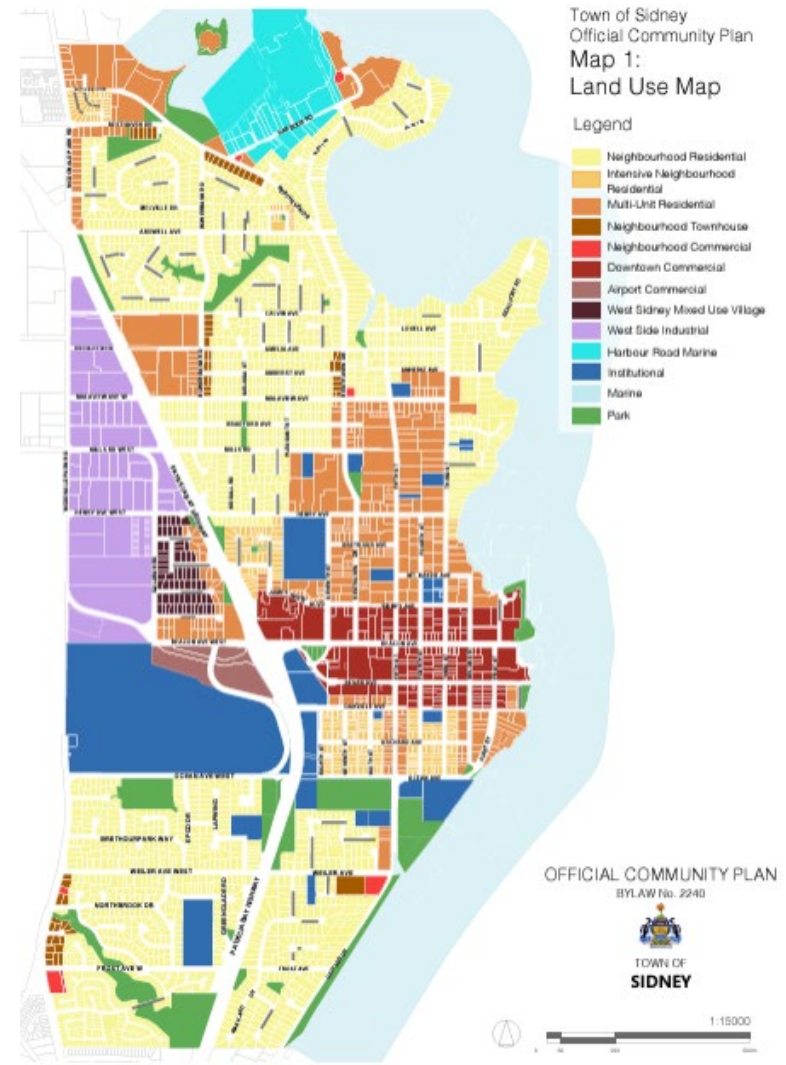
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- New Official Community Plan adopted in June 2022
- Zoning Bylaw update initiated early 2023 (Strategic Plan)
- Fall of 2023, Provincial housing legislation (Bill 44 etc.)
- Mandated June 30, 2024 completion date (Bill 44)
- Comprehensive review and update to every section of the bylaw
- Overall structure kept

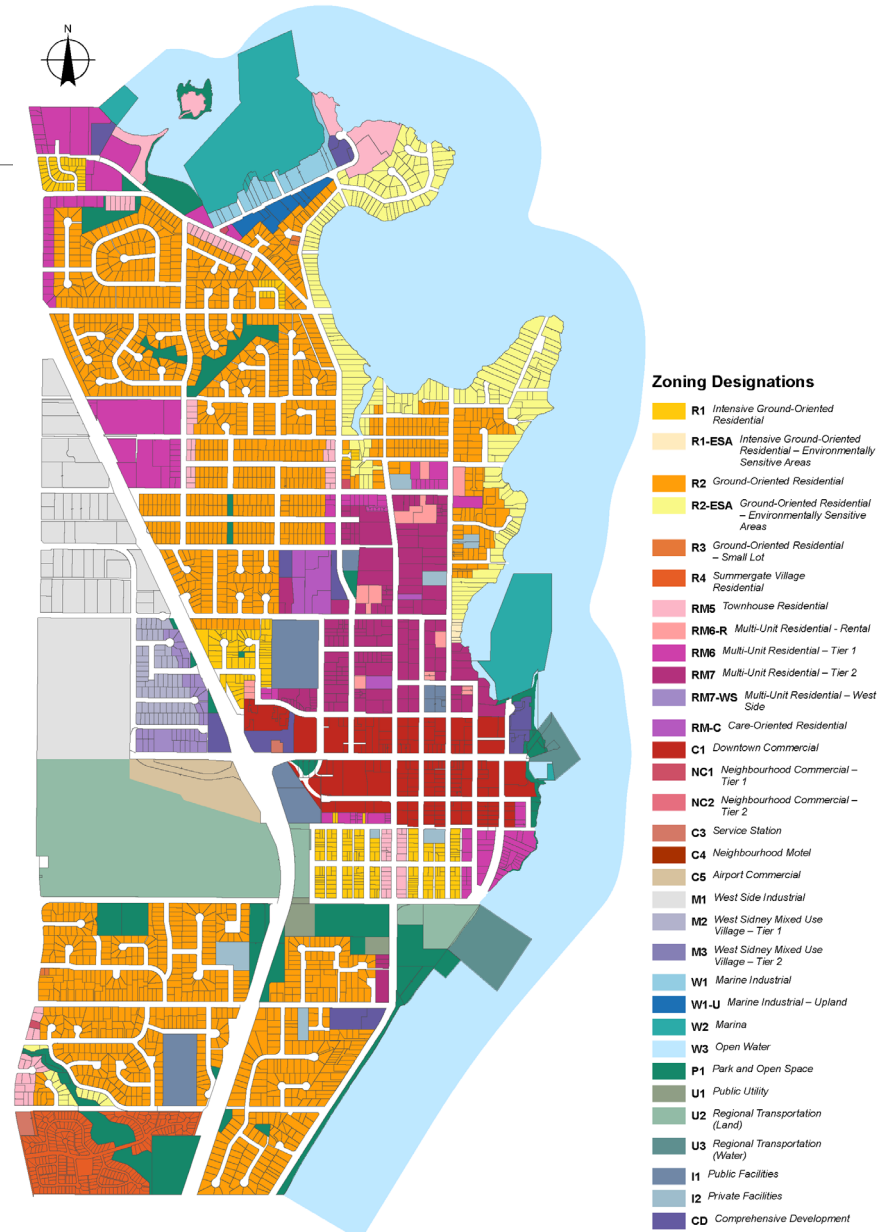


# OCP Policy Context

- Attainable and Affordable Housing
- Environmental Preservation
- Review of Density and Housing Form
- Climate Action and Sea Level Rise
- Implementing the West Side Local Area Plan (WSLAP)
- Industrial and Marine-Industrial Areas



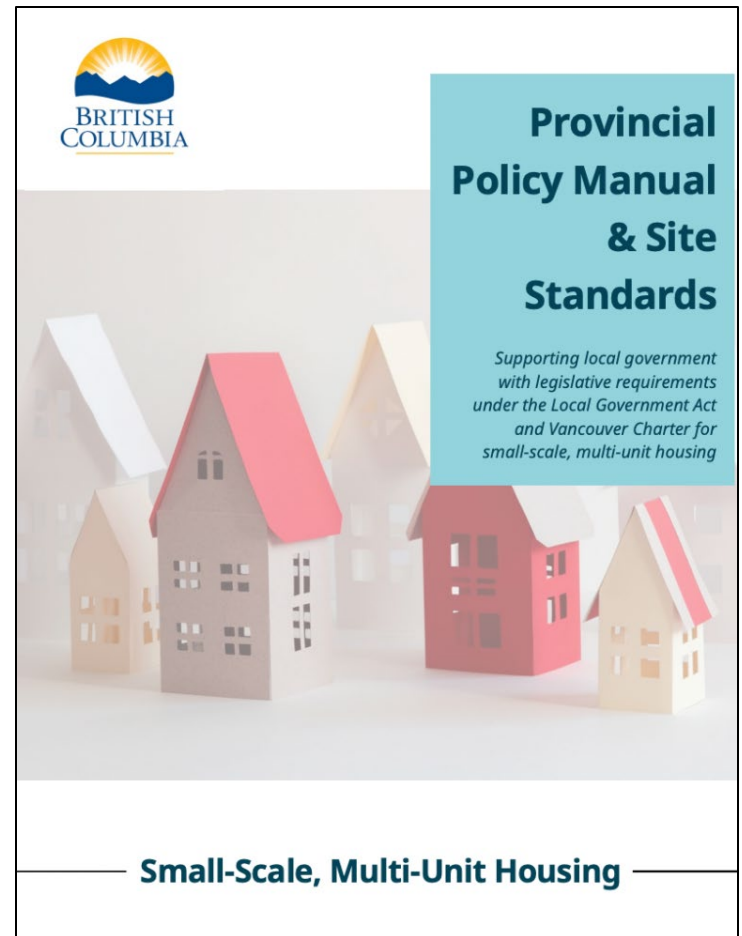
# OCP to Zoning



# Small Scale Multi-Unit Housing (Bill 44)

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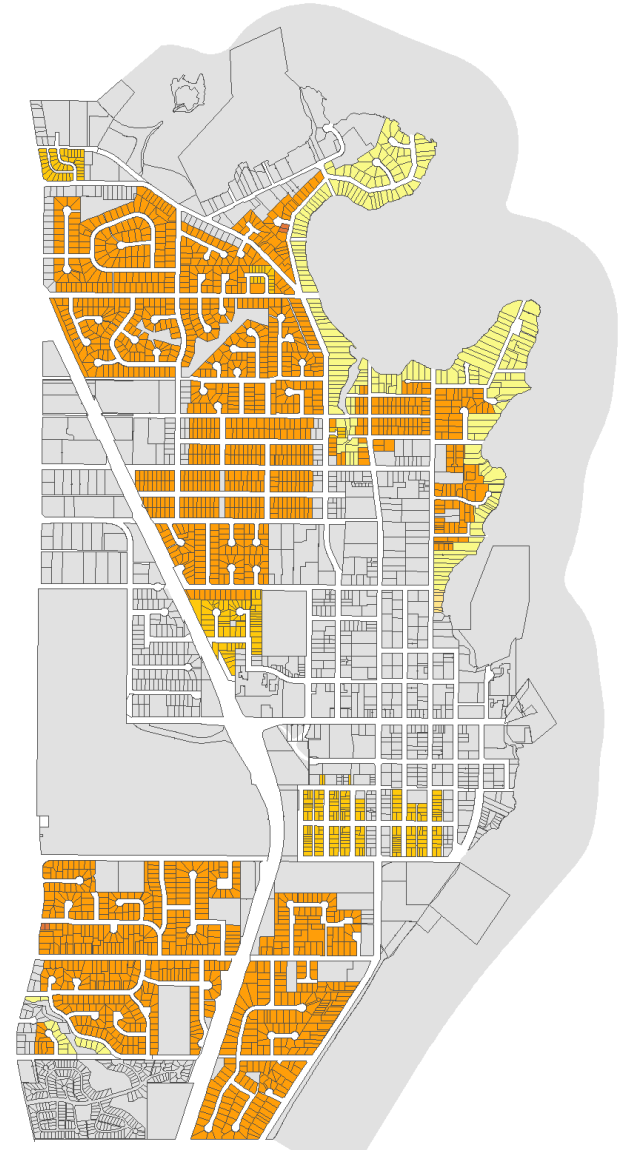
- Bill 44 requires zoning update by June 30, 2024
- Must permit 3 or 4 units on all single-family and duplex lots
- Must consider Provincial policy manual
- Must be pre-zoned, but can utilize Development Permit (DP) process



# Neighbourhood Residential Zones

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- New section in response to legislation; new zoning group name
- 6 new zones to replace 8
- Simplification of uses
- More flexible building envelope
- Approach is to provide a transition between existing and new





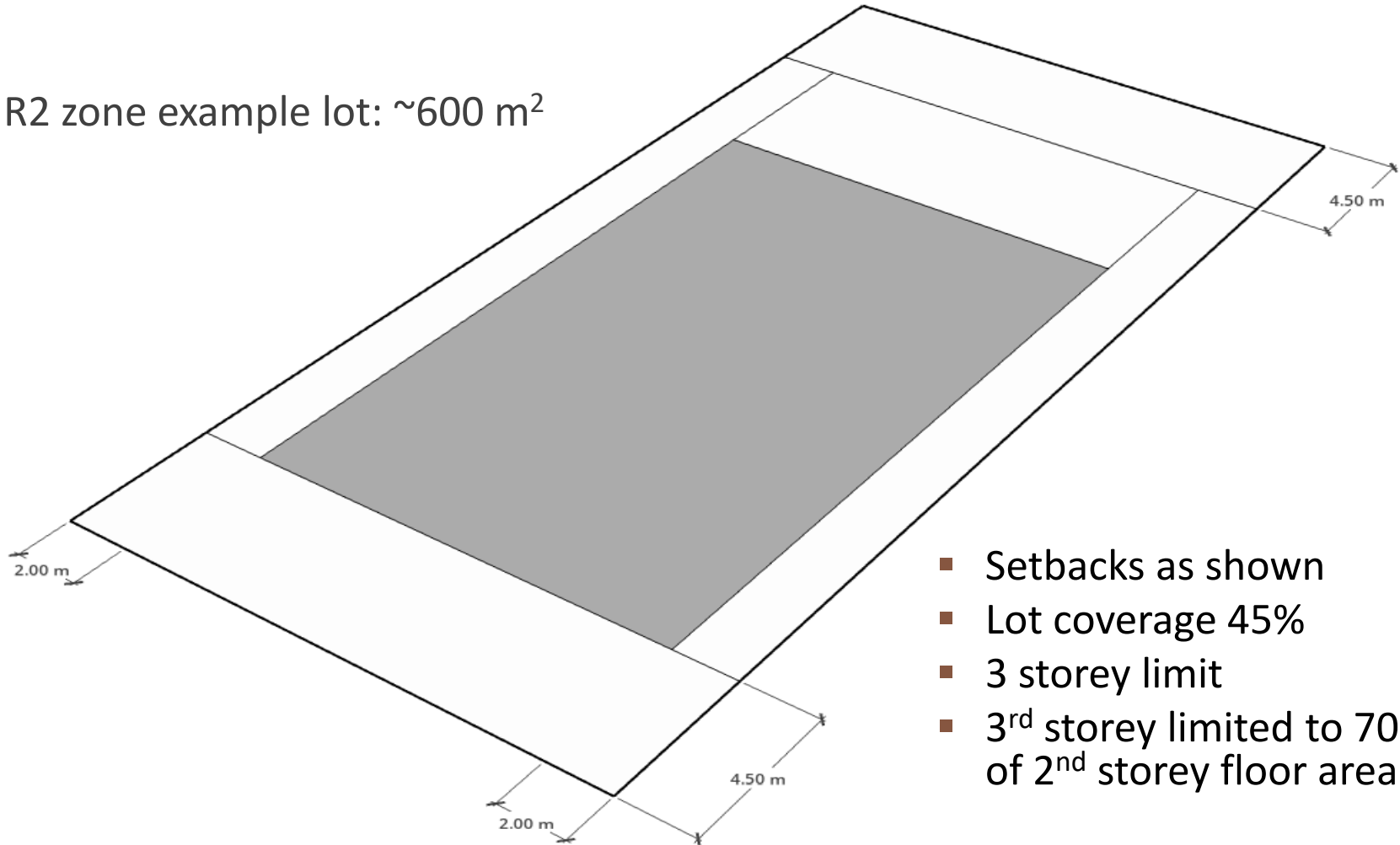




# Visualizing Bill 44 – building envelope

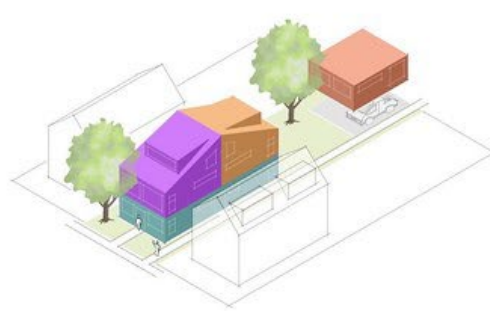
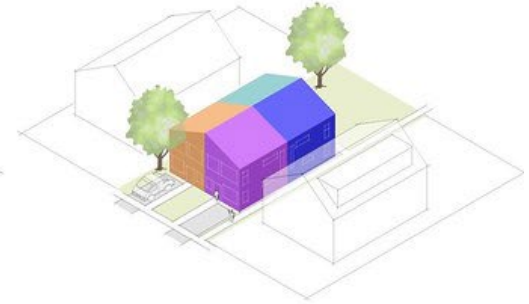
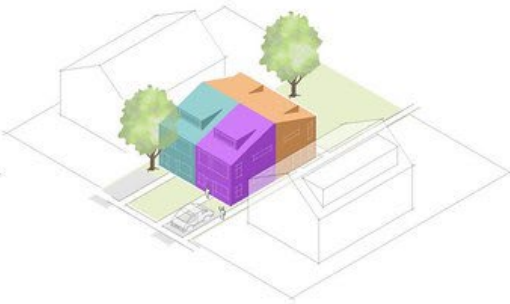
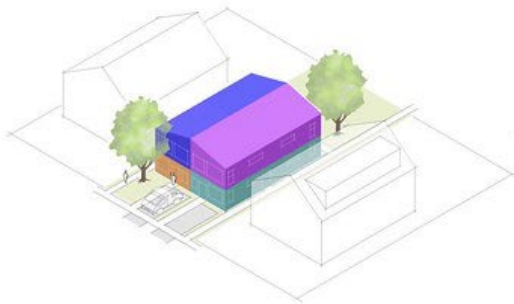
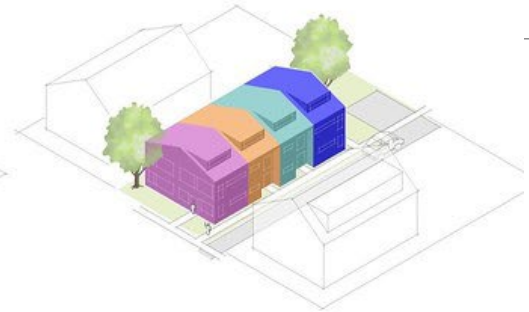
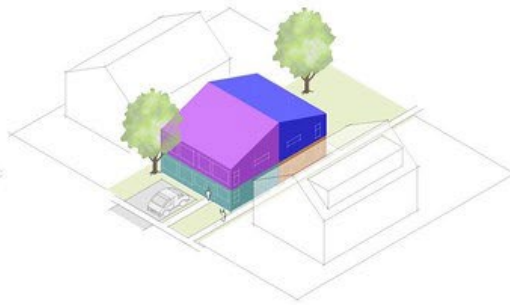
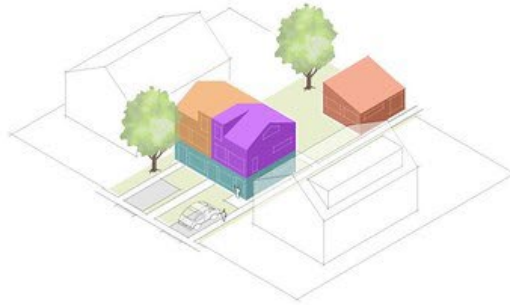
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R2 zone example lot:  $\sim 600 \text{ m}^2$



- Setbacks as shown
- Lot coverage 45%
- 3 storey limit
- 3<sup>rd</sup> storey limited to 70% of 2<sup>nd</sup> storey floor area

# Visualizing Bill 44 – built form options



# Neighbourhood Residential Summergate Village (R4)

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- Amendment to current R4 zone
- Would only permit “manufactured homes” following previous Council direction
- Will replace the Land Use Contract with similar regulations (e.g. setbacks, lot coverage, etc.)
- Land Use Contract expires June 30, 2024
- Natural boundary setback



# Other Bylaw Sections, somewhat in sequence

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## Zoning Bylaw Structure

**Enactment**

**Administration**

**Definitions**

**Establishment of Zones**

**Permitted and Conditional Uses**

*All Zones & by Zoning Group*

**Buildings and Structures**

*All Zones & by Zoning Group*

**Landscape Design**

**Adaptable Housing**

# Bylaw Enactment

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TOWN OF SIDNEY

BYLAW NO. 2275

A BYLAW TO ADOPT A ZONING BYLAW FOR THE TOWN OF SIDNEY PURSUANT TO PART 14 OF THE LOCAL GOVERNMENT ACT.

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## ■ Administrative necessities

**WHEREAS** under Part 14: Division 5 of the Local Government Act Council may enact zoning and other development regulations;

**AND WHEREAS** the Town of Sidney has enacted "Town of Sidney Zoning Bylaw No. 2015, 2012" and now wishes to repeal and replace that bylaw;

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

1. This bylaw includes Appendix A - Zoning Map, attached to and forming an integral part of this bylaw.
  2. "Town of Sidney Zoning Bylaw No. 2015, 2012" is repealed.
  3. This bylaw comes into force July 1, 2024.
  4. This bylaw may be cited as "Zoning Bylaw No. 2275".
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# Sections 1, 2, and 3

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- Section 1: Administration and Interpretation
  - Minor changes only to this section; updates to provide consistency with other Town of Sidney bylaws
- Section 2: Definitions
  - Clarified intent of some definitions
  - Removed definitions (e.g. *Bed and Breakfast, Shipping Container*)
  - Added needed new ones: (e.g. *Affordable Housing*)
- Section 3: Establishment of Zones
  - Lays out zones and zoning groups
  - New “Neighbourhood Residential” zoning group + some changes to other zoning groups.



# 4.1 General Use Regulations

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- New shipping container regulation (4.1.4.d), definition
- Temporary construction office – two allowable (4.1.8)
- Short Term Rentals – minor changes to clarify intent (4.1.11)

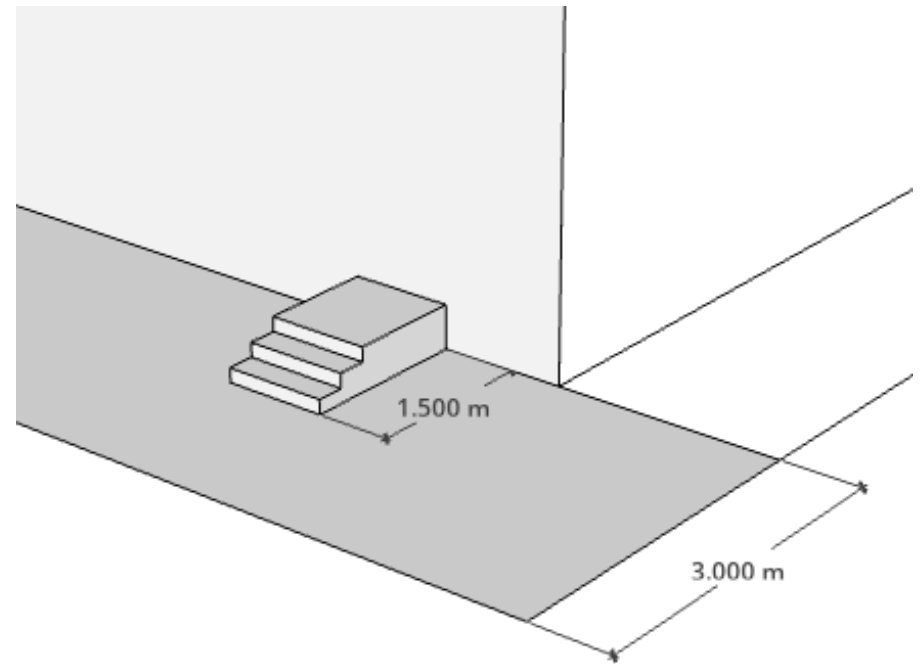




# 5.1 Building and Structure Regs

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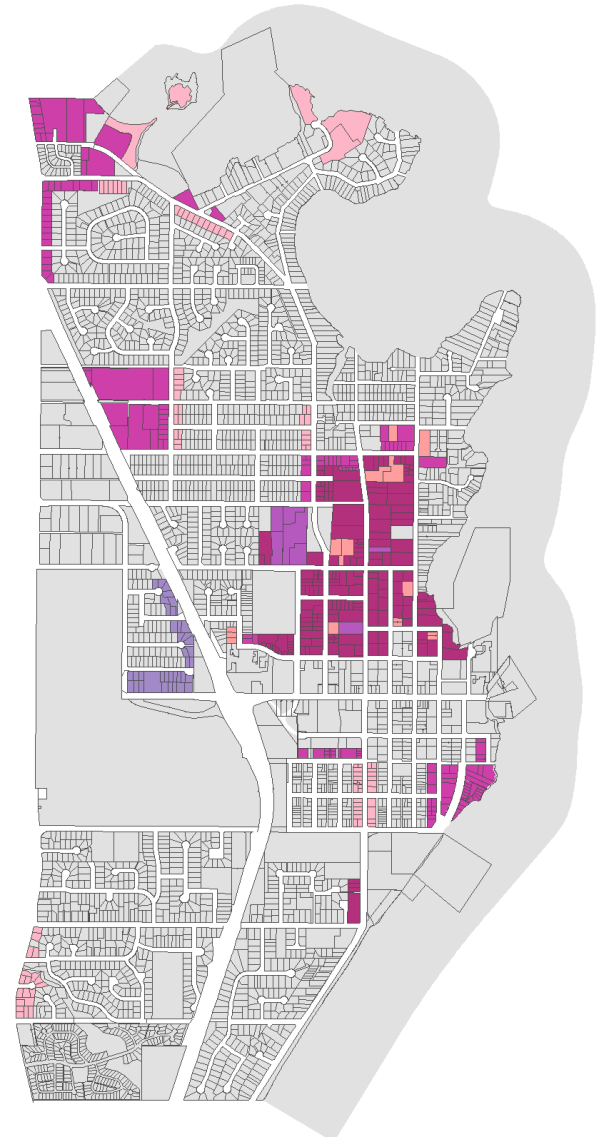
- Largely minor amendments
- Reduction in size of rooftop access structures
- Revised setback projection allowances



# Multi-Unit Residential Zones

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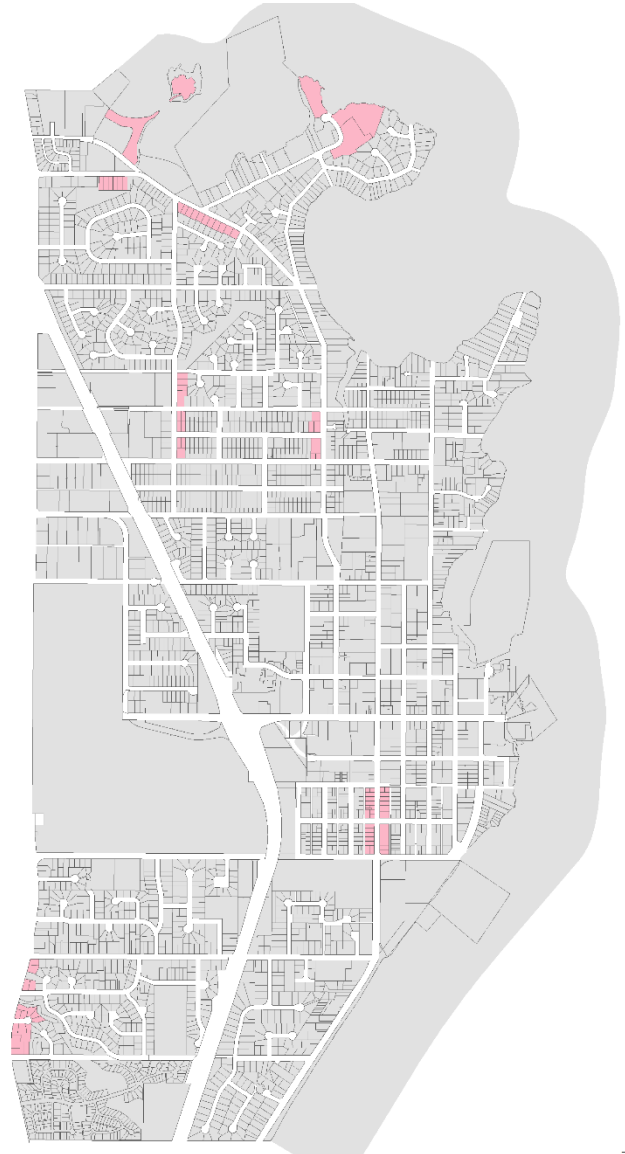
- Changes to each zone in this group
- Two new zones; one amended
- Increase in open area in RM5, RM6 and RM7 – setbacks and lot coverage
- Min. lot areas increased per OCP



# Multi-Unit Residential RM5 Zone

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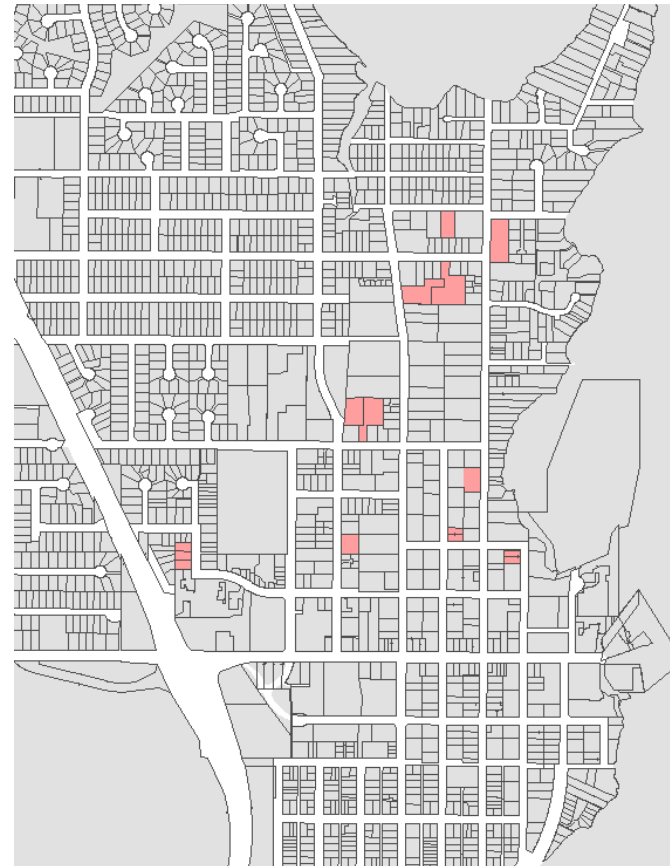
- New “Neighbourhood Townhouse” zone (apartment use removed)
- Applied to OCP areas; some existing RM5 townhouses retained as RM5
- Existing single-family and duplex uses retained
- Lot coverage reduced 5%
- Side setbacks increased



# Multi-Unit Residential – Rental RM6-R Zone

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- Rental tenure only
- Only applied to 14 existing PBR buildings
- Protection of vital rental housing
- Increased Council discretion with redevelopment
- Owner notification



# Multi-Unit Residential – West Side RM7-WS Zone

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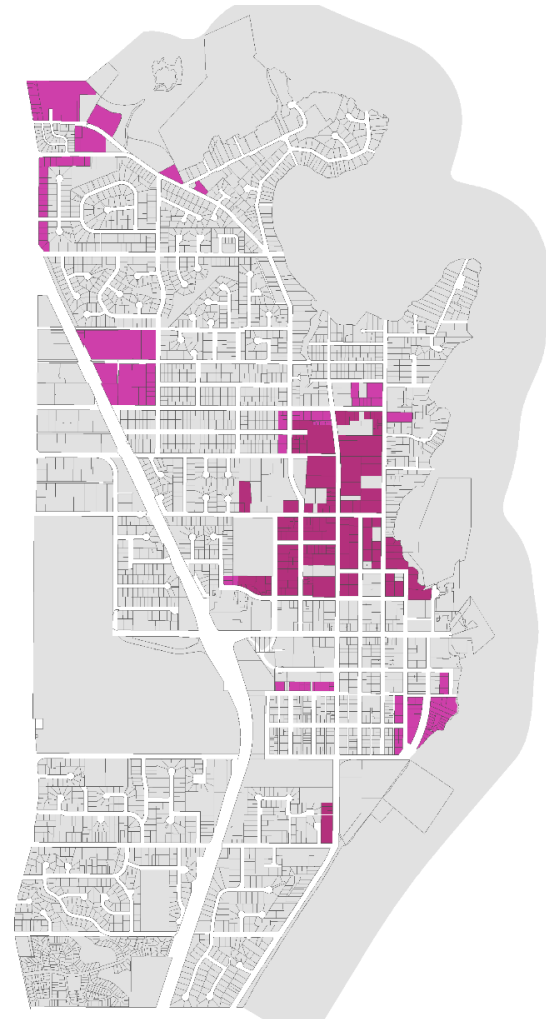
- As per WSLAP
- Area would be affected by Bill 44; not possible to retain existing R2 zoning
- 4 storeys, 6 with 20% affordable housing
- Pre-zoned with built-in “bonus density” provisions
- DP required



# Multi-Unit Residential RM6 & RM7 – Land Use Change

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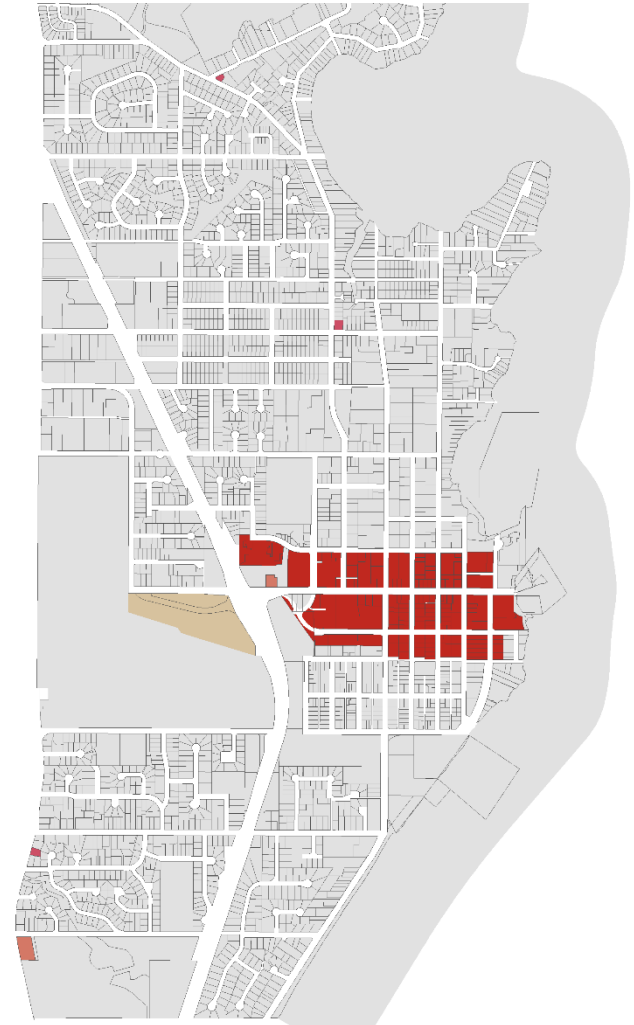
- Lot coverage reduced 10%, setbacks increased
- Transition most RM5 to RM6 due to Bill 44 changes in scale
- Most RM6 properties changed to RM7 to adjust scale and facilitate redevelopment of older building stock



# Commercial Zones

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- One land use change; MWC parking lot
- Adjustments to Neighbourhood Commercial zones (NC1 and NC2)
- Other minor changes in permitted uses
- Modeling of C1 zoning parameters; no change
- Limitations on surface parking in C1
- Adjustments to setbacks near residential in C1





# Industrial Zones

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- M1 zone retained; 2 new zones: M2 & M3
- Retaining existing R2 in Galaran area no longer possible (due to Bill 44), replaced with M2
- M2 is modest scale, potential for mixed use
- M3 zone per OCP and WSLAP policy



# Industrial

## M2 - Zone Mixed Use Village Tier 1

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- Commercial/light industrial uses
- 2 storeys (existing scale)
- 2 dwelling units above commercial
- Existing single-family and duplex uses retained
- Start of mixed-use transition; DP required



# Industrial M3 Zone – Mixed Use Village Tier 2

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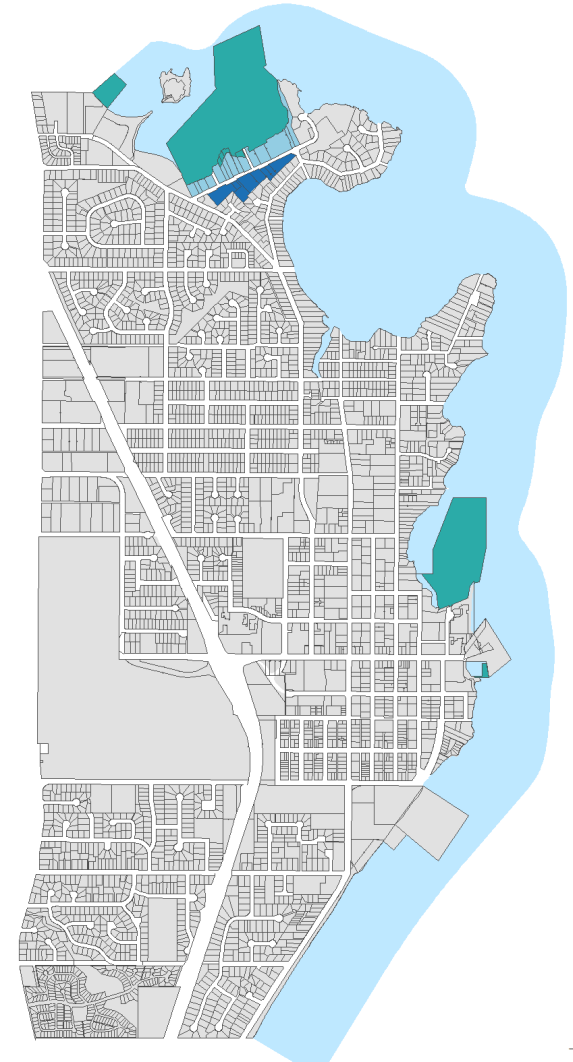
- Commercial/light industrial uses
- Potential for housing in upper storeys
- Bonus density provisions
- Rezoning to M3 is required + DP
- Council approval needed



# Marine Zones

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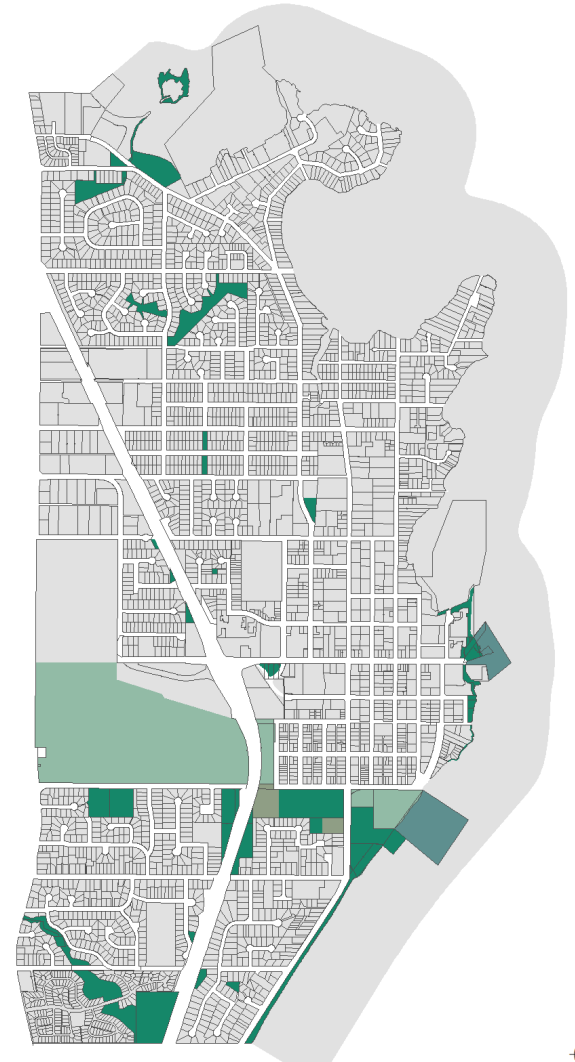
- Strengthen marine-industrial as per OCP; reduce permitted residential dwellings
- Protection for adjacent residential uses
- Limit office uses to marine focus
- Some limited changes to spatial regulations



# Parks and Utility Zones

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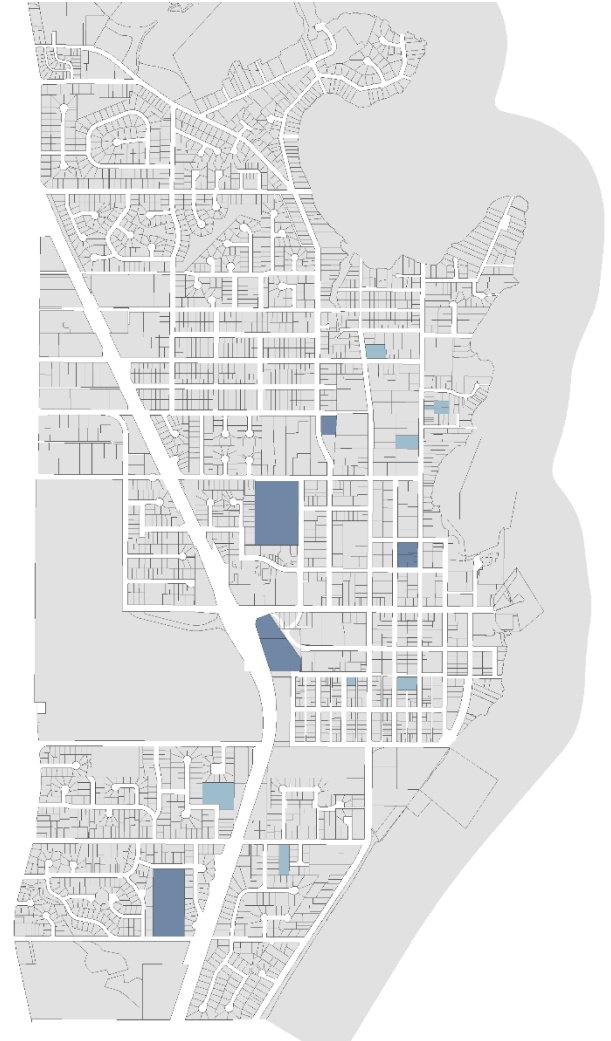
- Regulate restaurant noise per other zones (e.g. Beacon Wharf)
- Recognize boat launch commercial uses (Tulista)



# Institutional Zones

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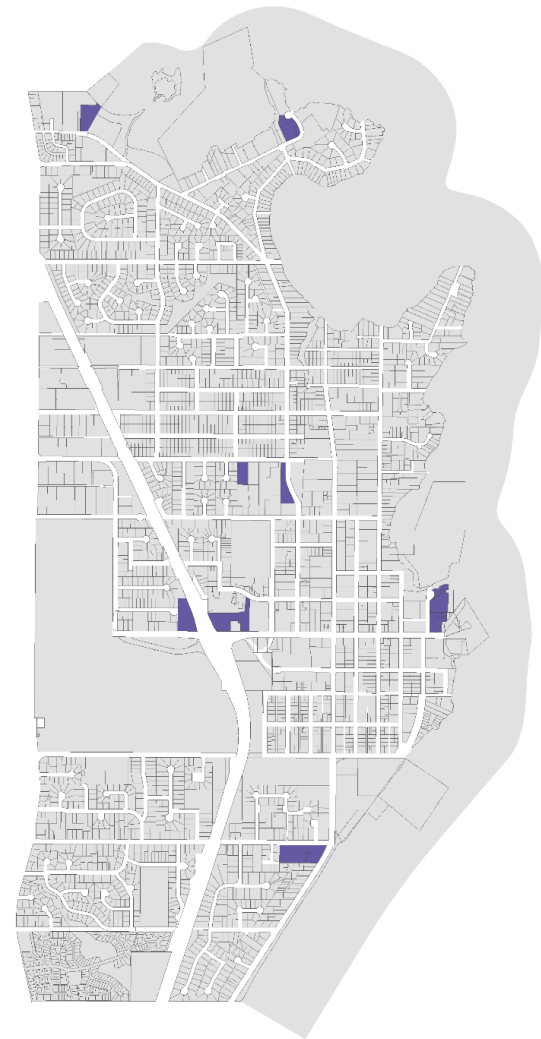
- Added some uses for MWC activities
- More inclusive language for places of worship
- Food Bank added as a permitted use in both zones



# Comprehensive Development (CD) Zones

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- 34 CD zones; 24 removed, largely due to Bill 44 requirements
- Most rolled into either R or RM zones
- 10 remaining, most complex sites like SHOAL Centre
- CD1 should be removed





# Section 6: Landscape Design

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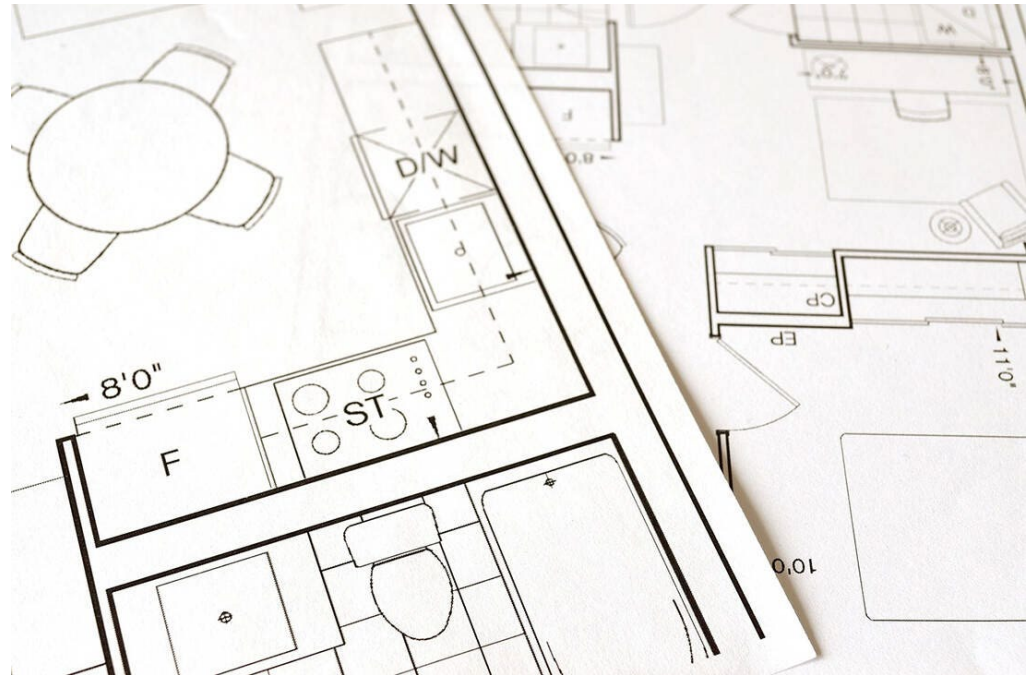
- Largely minor amendments
- “Gate” included as part of a fence
- Screening for shipping containers, heat pumps
- Lighting for dwelling unit pathways
- Tree planting area



# Section 7: Adaptable Housing

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No changes to this  
section pending  
Provincial direction



# Next Steps

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- Undertake community engagement process
- Potential referral to APC
- Report back to Council with engagement results
- Staff will recommend changes
- Proceed to bylaw readings + public hearing
- Adopt by end of June 2024

## Zoning Bylaw Adoption Process Overview



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Questions?