



TOWN OF SIDNEY

OFFICIAL COMMUNITY PLAN BYLAW 1612

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Bylaw Number 1612

May 23, 2000

**Amended up to and including
Amendment Bylaw Number 1901**

**Consolidated for Convenience only
10 July 2006**

- Amendment 1 Bylaw No. 1635, July, 2000 [Amendment to Residential Policies];
- Amendment 2 Bylaw No. 1638, August, 2000 [Map Change - Commercial Sub-Area 1 to Multi-Family High Density Residential];
- Amendment 3 Bylaw No. 1712, February 11, 2002 [Removal of Road Dedication Area – Oakville Avenue];
- Amendment 4 Bylaw No. 1740, September 9, 2002 [Map Change – Single Family – Low Density – Level 1 (RES-1) to Single Family – Low Density (RES-1)];
- Amendment 5 Bylaw No. 1745, October 15, 2002 [Map Change – Single-Two Family (RES-2) to Single Family-High Density (RES-1.2)];
- Amendment 6 Bylaw No. 1751, November 12, 2002 [Map Change – Commercial-Sub Area 1 (COM-1) to Commercial – Sub-Area 1.1 (COM-1.1)];
- Amendment 7 Bylaw No. 1756, February 24, 2003 [Map Change – Single Two Family (RES-2) to Single Family – High Density (RES-1.2)];
- Amendment 8 Bylaw No. 1772, June 23, 2003 [Map Change – Neighbourhood Commercial (COM-5) to Multi-Family – Low Density (RES-3)];
- Amendment 9 Bylaw No. 1777, August 11, 2003 [Map Change – Marine Commercial (M-2) to Marine Transportation (M-3)];
- Amendment 10 Bylaw No. 1801, January 12, 2004 [Map Change – Single Family High Density (Res-1.2 to Multi-Family – Low Density (Res-3) and Multi-Family – Low Density (Res-3) to Multi-Family – Congregate/Intermediate (Res-6)];
- Amendment 11 Bylaw No. 1814, March 22, 2004 [Text Change and Figure 3 (Industrial – Sub Areas) amended];
- Amendment 12 Bylaw No. 1824, June 28, 2004 [Map Change – Multi-Family Low Density Residential (RES-3) to Multi-Family Medium Density Residential (RES-4)];
- Amendment 13 Bylaw No. 1830, August 9th, 2004 [Text Change – Section 2(C), Specific Planning Objectives and Policies];
- Amendment 14 Bylaw No. 1852, January 9th, 2006 [Text Change – Section C(1), Specific Planning Objectives and Policies, Residential, Policies (Adding a new category) and Map Change – from Institutional (INS) to Multi-Family High Density (RES-7)];
- Amendment 15 Bylaw No. 1860, August 15th, 2005 [Text Change – Adding Section 18 – Regional Growth Strategy Context Statements];
- Amendment 16 Bylaw No. 1870, November 28th, 2005 [Map Change – Single-Family High Density Residential (RES 1.2) to Multi-Family Medium Density Residential (RES-4)]
- Amendment 17 Bylaw No.1872 – 2285 Ocean Avenue - Pending
- Amendment 18 Bylaw No. 1888 (Text and Map Change) – 10421 Resthaven Drive
- Amendment 19 Bylaw No. 1897 – 10230 Bowerbank – Pending final adoption
- Amendment 20 Bylaw No. 1901 – (Map Change – Multi-Family – Low Density (RES-3) to Multi-Family – High Density – Level 1 (RES-5.1) - 2374 Brethour Avenue/9956/9964/9972 Fifth Street

Repealed by Official Community Plan Bylaw 1920

TOWN OF SIDNEY

BYLAW NO. 1612

A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN PURSUANT TO PART 26 OF THE MUNICIPAL ACT:

WHEREAS under the Municipal Act, Council may adopt one or more Community Plans;

WHEREAS under the Municipal Act, Council has examined Schedules “A” and “B” in conjunction with the Five Year Capital Expenditure Plan and all applicable Waste Management Plans; and

WHEREAS under the Municipal Act, a copy of the regional context statement, that is included in the Community Plan, has been referred to the Board of the Capital Regional District for comment:

The Council of the Town of Sidney, in open meeting assembled, enacts as follows:

1. That **Schedule “A”** and **Schedule “B”** attached to and forming part of this bylaw are hereby adopted as the Official Community Plan for the Town of Sidney.
2. That Official Community Plan Bylaw No. 1140 and amendments thereto are hereby repealed.
3. That this bylaw may be cited as “**Official Community Plan Bylaw No. 1612**”.

Introduced and read a first time the	10 th	day of	April, 2000
Read a second time the	10 th	day of	April, 2000
Public Hearing held the	23 rd	day of	May, 2000
Read a third time the	23 rd	day of	May, 2000
Reconsidered and finally adopted the	23 rd	day of	May, 2000

MAYOR

CLERK

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OFFICIAL COMMUNITY PLAN NO. 1612
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SECTION 1 **APPLICATION:**

This plan applies to all of the land and water areas within the boundaries of the Town of Sidney.

Schedule "B" to this Official Community Plan will be interpreted as follows:

1. Where a land use designation boundary follows a street, the boundary is deemed to be at the centre line of the street;
2. Where a land use designation boundary lies between two parcels, the boundary is deemed to be the parcel boundary; and
3. Where a land use designation boundary follows a shoreline, the boundary is deemed to be located at the ordinary high water mark.

SECTION 2 **GOALS, OBJECTIVES AND POLICIES:**

A. MISSION STATEMENT:

The mission statement for this document is:

To maintain and enhance the quality of life and support the economic diversity and competitiveness of the Town of Sidney.

GOALS:

The Official Community Plan Goals are as follows:

1. To maintain and enhance the following:
 - (a) The small town character of Sidney in terms of people's ability to relate to their social environment,
 - (b) The existing diversity of use and place,
 - (c) Areas of natural beauty and ecological sensitivity,
 - (d) Employment opportunities,
 - (e) Sidney as the commercial and industrial centre of the Saanich Peninsula, and
 - (f) Environmental quality;
2. To preserve and enhance Sidney's unique ocean side amenities, so that they may be enjoyed by all local residents and visitors to Sidney;
3. To promote a mixed community in terms of the socio-economic characteristics of its residents;
4. To promote the Town of Sidney as an attractive and interesting destination for tourists; and
5. To promote and encourage the use of Information Technology within the Town of Sidney

B. GENERAL OBJECTIVES AND POLICIES:

OBJECTIVES:

The following objectives apply to all areas:

1. To encourage a diversity of building heights and designs;
2. To encourage development that permits direct sunlight to reach the street and public gathering points;
3. To avoid major changes in building height and mass at the edges of high density residential areas and at the edges of commercial and high impact major institutional areas by designating lower density multiple residential development between the higher density areas and single family areas;
4. To encourage the maintenance and enhancement of view corridors to the sea;
5. To encourage the provision of green space;
6. To encourage alternatives to surface parking, such as Payment in Lieu and underground parking;
7. To retain and enhance the Industrial Areas; and
8. To encourage Accessibility and Universal Design.

POLICIES:

1. Official Community Plan implementing bylaws will be revised, or where necessary created, to ensure the realization of this Plan (e.g. Zoning Bylaw 1660).
2. The use of density transfers will be considered where in the best interest of the Town. Density transfers, which are not in keeping with the content of this Bylaw will receive a public hearing prior to implementation;
3. Diversity of place will be encouraged through the maintenance, enhancement and creation of intimate spaces, corridors and walkways; and
4. View corridors along streets which terminate at the sea's edge will be maintained, and where practical enhanced, through the vertical and horizontal expansion of the open space created by a street's terminus at the sea's edge. The level of expansion will increase as the proximity to the sea increases;

C. SPECIFIC PLANNING OBJECTIVES AND POLICIES:

1. RESIDENTIAL:

OBJECTIVES:

Residential objectives are as follows:

1. To ensure housing densities and height are compatible with the small town character of Sidney;
2. To maintain the scale and character of single family areas;
3. To maintain the area surrounding the Downtown Core as the focus for medium to high density multi-family residential development;
4. To allow a range of housing densities to encourage a variety of housing;
5. To encourage housing for households with children and households comprised of young adults;
6. To encourage housing for all income groups;
7. To encourage adaptable housing for disabled people;
8. To recognize secondary suites in single-family dwellings as a legitimate housing form; and
9. To encourage residential intensification in the downtown core, above commercial development

POLICIES:

1. Residential development is limited to the areas designated in Schedule "B" as follows:
 - a. Single Family - Low Density, (RES-1)
 - b. Single Family - Low Density - Level 1, (RES-1.1)
 - c. Single Family - High Density, (RES-1.2)
 - d. Single Family - Modular, (RES-1.3)
 - e. Single-Two Family, (RES-2)
 - f. Multi-Family - Low Density, (RES-3)
 - g. Multi-Family - Medium Density, (RES-4)
 - h. Multi-Family - Medium Density - Level 1, (RES-4.1)
 - i. Multi-Family - Medium Density - Level 2, (RES-4.2)
 - j. Multi-Family - High Density, (RES-5)
 - k. Multi-Family – High Density – Level 1 (RES-5.1)
 - l. Multi-Family – Congregate/Intermediate. (RES-6)
 - m. Multi-Family – Independent, Congregate Assisted Living (RES-7)
2. In medium and high density areas, Council may approve a higher number of units per hectare and floor space ratio up to a maximum of 25 per cent if a development includes non-market housing;
3. All areas designated (1) Multi-Family - Low Density (**RES-3**); (2) Multi-Family -Medium Density (**RES-4**); (3) Multi-Family - Medium Density - Level 1 (**RES-4.1**); (4) Multi-Family - Medium Density - Level 2 (**RES-4.2**); (5) Multi-Family - High Density (**RES-5**); (6) Multi-Family – High Density – Level 1 (**RES-5.1**); (7) Multi-Family - High Density – Congregate/Intermediate (**RES-6**) and (8) Multi-Family High Density – Independent Congregate, Assisted Living (**RES-7**) in Schedule "B" are designated as Development Permit Areas and are subject to the objectives and guidelines of the section of this Plan entitled "Multi-Family Development Permit Areas;"
4. All areas designated Single Family – High Density (**RES-1.2**), and which have a lot area less than 460 square metres, in Schedule "B" are designated as Development Permit Areas and are subject to the objectives and guidelines of the section of this plan entitled "Single Family – High Density Residential Development Permit Areas;"

5. Residential development categories are as follows¹:
 - a. Single Family - Low Density **RES-1**
 Maximum units per hectare: 20
 Purpose: to provide for single family dwellings,
 - b. Single Family - Low Density - Level 1 **RES-1.1**
 Maximum units per hectare: 20
 Purpose: to provide for single family dwelling with Secondary Suites,
 - c. Single Family - High Density **RES-1.2**
 Maximum units per hectare: 40
 Purpose: to encourage modest single family dwellings,
 - d. Single Family - Modular **RES-1.3**
 Maximum units per hectare: 25
 Purpose: to provide for single family dwellings of modular construction,
 - e. Single-Two Family **RES-2**
 Maximum units per hectare: 30
 Purpose: to provide for single and two family dwellings,
 - f. Multi-Family – Low Density **RES-3**
 This residential designation allows for the development of:
 1. Townhouse or Apartment Dwellings,
 2. Single Family Dwellings
 - i. **Townhouse or Apartment Dwellings:**
 Maximum units per hectare: 38
 Purpose: to provide for townhouse and apartment developments of a low density. Small scale developments will be encouraged,
 - ii. **Single Family Dwellings:**
 Maximum units per hectare: 44
 Purpose: to encourage modest single family dwellings,
 - g. Multi-Family - Medium Density **RES-4**
 Maximum units per hectare: 50
 Purpose: to provide for multi-family housing at a density level between Multi-Family - High Density and Multi-Family - Low Density,
 - h. Multi-Family - Medium Density - Level 1 **RES-4.1**
 Maximum units per hectare: 65
 Purpose: to provide for medium density multi-family housing,
 - i. Multi-Family - Medium Density - Level 2 **RES-4.2**
 Maximum units per hectare: 73
 Purpose: to provide for medium density multi-family housing,
 - j. Multi-Family - High Density **RES-5**
 Maximum units per hectare: 75
 Purpose: to provide for high density multi-family housing,
 - k. Multi-Family - High Density – Level 1 **RES-5.1**
 Maximum units per hectare: Not applicable
 Purpose: to provide for high density multi-family housing with densities in excess of 75 uph;

¹ In determining units per hectare, secondary suites are not considered a unit but are included in the floor space ratio. In calculating units per hectare and floor space ratios, net lot areas will be used. Moreover, the units per hectare and floor space ratio standards in the commercial-residential categories apply to the residential component only.

- I. Multi-Family - High Density – Congregate/Intermediate **RES-6**
Maximum units per hectare: Not applicable
Purpose: to provide for forms of assisted living such as: Congregate Care Facilities and Intermediate Care Facilities, and also may consist of a Seniors Centre and other accessory uses. Any commercial component shall be associated to the Seniors center or the assisted living units.
 - m. Multi-Family – High Density – Independent, Congregate, Assisted Living **RES-7**
Maximum units per hectare: 120
Purpose: To provide for forms of assisted living such as Independent, Congregate and Assisted Living Facilities, and also may consist of places of assembly, other types of facilities such as daycare for youth and seniors that are associated to a Place of Worship and Seniors Residents shall be permitted.
- 6. In medium and high density areas, Council may approve a higher number of units per hectare, floor space ratio and height if the development includes amenities for the Town.

2. **COMMERCIAL:**

OBJECTIVES:

Commercial objectives are as follows:

1. To maintain and enhance Sidney as the commercial centre for the northern segment of the Saanich Peninsula;
2. To maintain and enhance a continuous streetscape along those streets located within the areas designated Commercial (**COM**), Commercial – Sub-Area 1 (**COM-1**), Commercial – Sub-Area 1.1 (**COM-1.1**), and Commercial – Sub-Area 4 (**COM-4**);
3. To promote a waterfront tourism area to attract tourists;
4. To maintain the commercial area as the focal point of Sidney;
5. To maintain the commercial and hi-tech focus of Sidney in the downtown core;
6. To intensify the residential use of downtown Sidney to make it more vibrant, safe and attractive;
7. To improve the availability and anticipate future demand for parking in the commercial area; and
8. To encourage improvements to the design and/or fabric of building facades and/or structures through the implementation of the development guidelines.

POLICIES:

1. Commercial development is limited to the areas designated in Schedule "B" as:

a. Commercial	COM
b. Commercial - Sub-Area 1	COM-1
c. Commercial - Sub-Area 1.1	COM-1.1
d. Commercial -Sub-Area 2	COM-2
e. Commercial - Sub-Area 3	COM-3
f. Commercial - Sub-Area 4	COM-4
2. Commercial development is limited as follows:
 - a. All uses will be commercial, institutional, residential, assembly and amusement in combination with each use and must be compatible,
 - b. No residential dwelling units will be located below a storey containing non-residential uses, with the exception of the properties stated in 2(d)(ii) and 2(f),
 - c. In areas designated Commercial (**COM**) in Schedule "B", residential development is limited as follows:
 - i. The maximum number of residential units per hectare is 70,
 - d. In areas designated Commercial - Sub-Area 1 (**COM-1**) in Schedule "B", residential development is limited as follows:
 - i. The maximum number of residential units per hectare is 85, and
 - ii. Despite Commercial Policies 2(b), for those properties located along the east side of First Street, between Bevan Avenue and Oakville Avenue, the lowest storey may contain residential dwelling units in combination with compatible (1) commercial or (2) institutional uses,
 - e. In areas designated Commercial – Sub-Area 1.1 (**COM-1.1**) in Schedule "B", residential development is limited as follows:
 - i. In two, three and four storey buildings, residential development is limited to the second, third and fourth stories,
 - ii. The maximum number of residential units per hectare is 166, and
 - iii. The enclosure of any balconies are not permitted,
 - f. In areas designated Commercial (**COM**), or Commercial - Sub-Area 1 (**COM-1**) in Schedule "B", the following apply:
 - i. Despite Commercial Policies 2.b., along the south side of James White Boulevard and Sidney Avenue, those sections of a building which face James White Boulevard or Sidney Avenue may have residential development on all stories, and

- ii. Despite Commercial Policies 2.b., along the north side of Oakville Avenue, those sections of a building which face Oakville Avenue may have residential development on all stories,
 - g. The eastern segment of the areas designated Commercial (**COM**), Commercial - Sub-Area 1 (**COM-1**) or Commercial – Sub-Area 1.1 (**COM-1.1**) in Schedule "B" will be maintained and enhanced for commercial operations orientated towards pedestrians,
 - h. In areas designated Commercial - Sub-Area 2 (**COM-2**) in Schedule "B", commercial development will be orientated to the servicing of the traveling public; however, Council will not consider any rezoning to such uses until the Town of Sidney Traffic Study has been completed and the location of a possible interchange has been established,
 - i. In areas designated Commercial - Sub-Area 3 (**COM-3**) in Schedule "B", development is limited to marine commercial uses which are compatible with surrounding residential uses,
 - j. In areas designated Commercial - Sub-Area 4 (**COM-4**) in Schedule "B" development is limited to commercial and residential uses which are compatible with both on-site commercial uses and adjacent commercial and residential uses;
3. The following areas are designated as Development Permit Areas and are subject to the Objectives and Guidelines stipulated in the Town of Sidney Official Community Plan:
- a. Commercial (**COM**) – subject to Commercial Objectives and Guidelines,
 - b. Commercial - Sub-Area 1 (**COM-1**) – subject to Commercial – Sub-Area 1 Objectives and Guidelines,
 - c. Commercial - Sub-Area 1.1 (**COM-1.1**) – subject to Commercial Objectives and Guidelines,
 - d. Commercial - Sub-Area 3 (**COM-3**) – subject to Commercial – Sub-Area 3 Objectives and Guidelines, and
 - e. Commercial - Sub-Area 4 (**COM-4**) – subject to Commercial – Sub-Area 4 Objectives and Guidelines.

However, the requirements for Development Permits for balcony enclosures (with the exception of Commercial – Sub-Area 1.1 (**COM-1.1**)), in the above areas will be limited to:

- a. the first balcony enclosure on the upper most storey of the building, or
 - b. the first balcony enclosure below the upper most storey of the building, and
 - c. Furthermore enclosures which are not the same as an existing enclosure which has previously been approved by Development Permit excluding differences necessitated by variations in balcony dimensions but not those caused by differences in roof treatment;
- 4. The creation of public places designed for the temporary congregation of people (e.g. plazas) is encouraged;
- 5. The development of maritime related commercial activities is encouraged;
- 6. Downtown revitalization is encouraged as a means to promote commercial activities and the physical unification and upgrading of the commercial area surrounding Beacon Avenue; and
- 7. The creation of a Business Improvement Area, or Areas, is seen as a key component in downtown revitalization.

3. **NEIGHBOURHOOD COMMERCIAL:**

OBJECTIVES:

Neighbourhood Commercial objectives are as follows:

1. allow for convenient commercial development in residential areas, and
2. To ensure neighbourhood commercial developments are compatible with the surrounding residential neighbourhood.

POLICIES:

1. Neighbourhood commercial development is limited to the areas designated as Neighbourhood Commercial (**COM-5**) in Schedule "B";
2. All uses will be commercial and primarily orientated to meeting the needs of the surrounding residential neighbourhood;
3. All areas designated Neighbourhood Commercial in Schedule "B" are designated as Development Permit Areas and are subject to the Objectives and Guidelines of the section of this Plan entitled "Neighbourhood Commercial Development Permit Areas."

However, the requirements for Development Permits for balcony enclosures will be limited to:

- (a) The first balcony enclosure on the upper most storey of the building, or
- (b) The first balcony enclosure below the upper most storey of the building, and
- (c) Furthermore enclosures which are not the same as an existing enclosure which has previously been approved by Development Permit excluding differences necessitated by variations in balcony dimensions but not those caused by differences in roof treatment.

4. **HARBOUR ROAD MARINE:**

OBJECTIVES:

1. To maintain and expand a mix of marine industrial, commercial and residential uses on Harbour Road in order to:
 - a. Provide safe, secure, full-service, and publicly accessible marine facilities to boaters and pedestrians, and
 - b. Promote and expand marine recreational, commercial, and marine industrial activity at Tsehum Harbour.
2. To ensure that residential development on both sides of Harbour Road will be permitted only where it is compatible with the marine industrial and commercial uses; and
3. To ensure that the uses on both the south and north sides of Harbour Road are compatible and that the uses on the south side incorporate a transitional buffer zone between the adjoining residential area along Allbay Road.

POLICIES:

1. Harbour Road Marine development is limited to the area designated as Harbour Road Marine (HRM) in Schedule "B" (hereafter referred to as the Harbour Road Marine Area);
2. Development of the Harbour Road Marine Area north of Harbour Road is limited as follows:
 - a. All uses will be marine industrial, commercial, or residential in combination with marine industrial or commercial,
 - b. The primary focus will be on marine industrial or commercial uses,
 - c. Marine industrial, commercial, and residential uses will be limited to those capable of maintaining the unique mix of marine industrial or commercial uses within the Harbour Road Marine Area and which are complementary to the marine character of the Harbour Road Marine Area,
 - d. Residential uses will be limited to one unit per 550 square metres of land and will be subject to a Restrictive Covenant expressing knowledge of marine industrial and commercial uses, and
 - e. A combination of hard and soft landscaping will be used to create a safer, more lively, and publicly accessible pedestrian environment;
3. Development of the Harbour Road Marine Area south of Harbour Road is limited as follows:
 - a. The use of land is limited as follows:
 - i. Uses will be marine industrial, commercial or residential,
 - ii. Residential uses will be subject to a Restrictive Covenant expressing knowledge of marine industrial and commercial uses,
 - iii. Marine industrial and commercial uses will be limited to those which are complementary to the marine industrial character of the Harbour Road Marine Area, and
 - iv. Marine industrial and commercial development will be focused towards Harbour Road; the use of the rear of each lot will be limited to create a buffer between the commercial uses and the residential uses south of the Harbour Road Marine Area;
 - b. The maximum residential density is 38 units per hectare; and
 - c. Development of the area shown hatched in **Figure 2** is dependent upon additional road dedication.
4. All areas north of Harbour Road which are designated Harbour Road Marine in Schedule "B" are designated as Development Permit Areas and are subject to the Objectives and Guidelines of the section of this Plan entitled "Harbour Road North Development Permit Areas";
5. All areas south of Harbour Road which are designated Harbour Road Marine in Schedule "B" are designated as Development Permit Areas and are subject to the Objectives and Guidelines of the section of this Plan entitled "Harbour Road South Development Permit Areas".

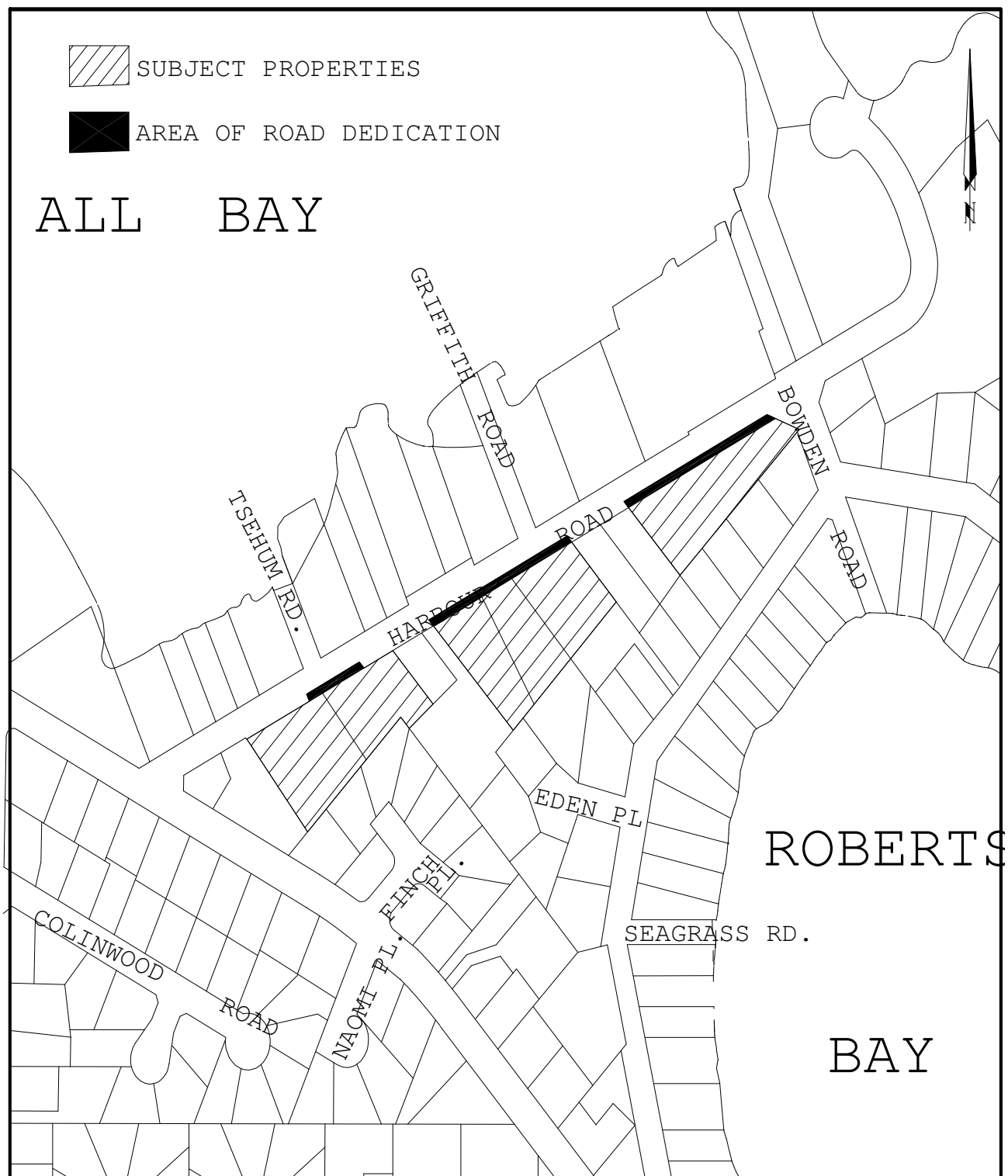


FIGURE 2: HARBOUR ROAD MARINE AREA ADDITIONAL ROAD DEDICATION REQUIRED

5. INDUSTRIAL:

OBJECTIVES:

Industrial Objectives are as follows:

1. To promote industrial activity within Sidney, west of the Pat Bay Highway except for the marine industrial activity located along Harbour Road;
2. To ensure industrial activity does not adversely affect non-industrial areas;
3. To promote the development of hi-tech industry; and
4. To encourage an attractive industrial environment.

POLICIES:

1. Industrial development is limited to those areas designated as Industrial in Schedule "B".
2.
 - (a) All uses will be industrial or commercial in nature,
 - (b) Commercial uses will be limited to those capable of maintaining the unique mix of industrial and commercial uses which exist in the area designated industrial, and
 - (c) The primary focus of the industrial area will be on hi-tech, light and medium industrial uses;
3. Industrial rezoning of the area bounded by Henry Avenue, Galaran Road, Beacon Avenue and the Patricia Bay Highway will be in accordance with the following conditions:
 - (a) With the exception of Lot 5, Plan 11746 and Lot 6, Plan 11746, re-zonings shall occur from either a northerly or southerly direction, however, will be limited to entire Sub-Areas as shown in **Figure 3**;
4. The Town will work with the Victoria Airport Authority (VAA) to promote hi-tech growth on VAA lands adjacent to the Town's industrial area; and
5. All areas designated Industrial in Schedule "B" are designated as Development Permit Areas and are subject to the Objectives and Guidelines of the section of this Plan entitled "Industrial Development Permit Areas".

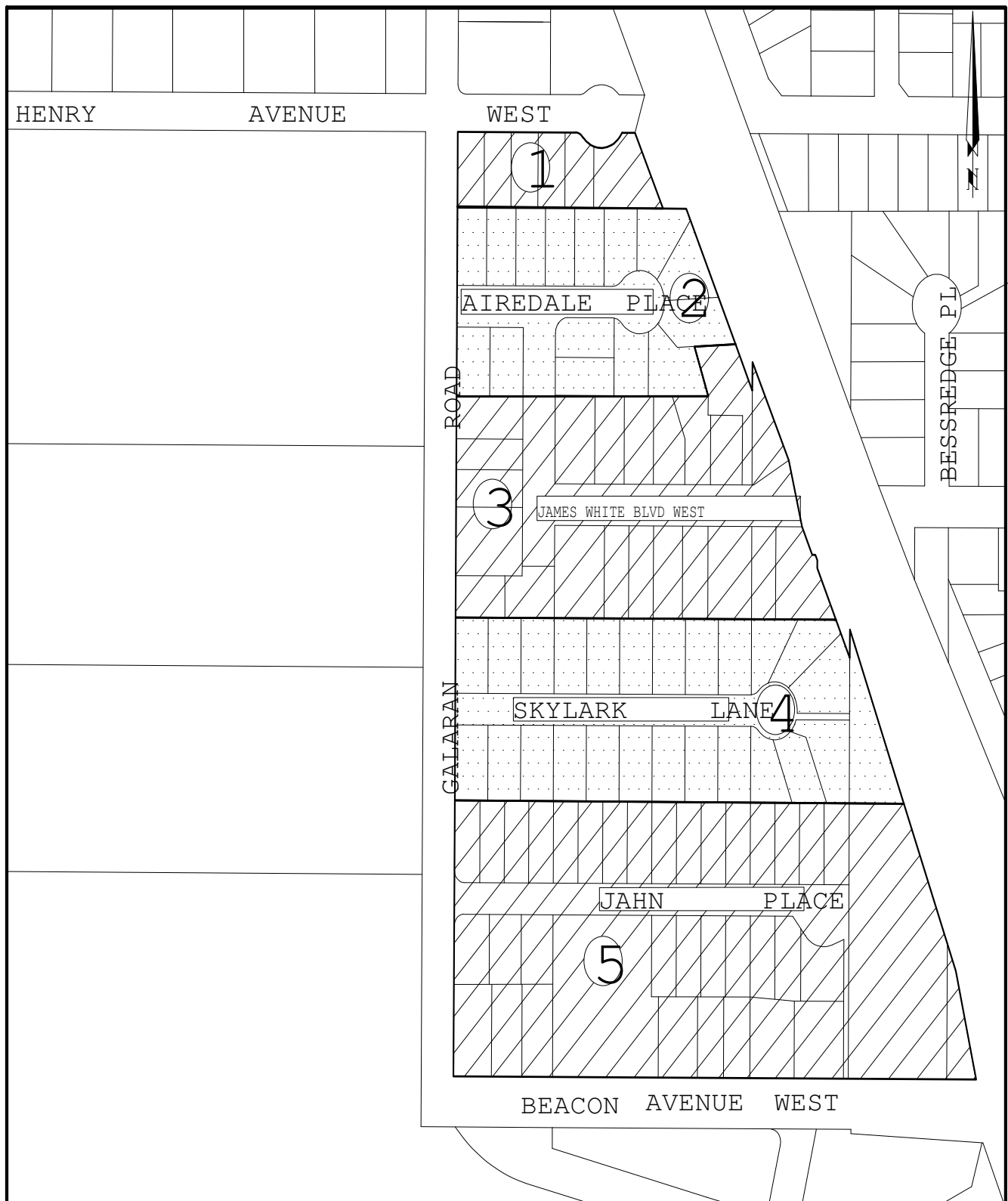


FIGURE 3

INDUSTRIAL SUB-AREAS

6. MARINE:

OBJECTIVES:

The Marine objective is to encourage the use of the sea in a manner which ensures compatibility between all forms of marine recreation, marine navigation and the natural environment.

POLICIES:

1. Marine development is limited to those areas designated as Marine in Schedule "B";
2. Promote a diverse mix of marine recreational uses;
3. Encourage both safe and efficient navigation of boats within the Town's boundaries; and
4. Maintain and enhance access to boat launching facilities.

7. MARINE COMMERCIAL:

OBJECTIVE:

The Marine Commercial objective is to encourage tourist-oriented marine uses at the Port Sidney Marina.

POLICIES:

1. Marine Commercial development is limited to those areas designated as Marine Commercial in Schedule "B";
2. The Town will encourage commercial and recreational uses at the Port Sidney Marina;
3. Promote the enhancement of safe, secure, full-service, publicly accessible marina facilities;
4. Enhance and maintain marine-oriented festivities such as the Sidney Boat Show;
5. Aggressively promote and market marinas through local tourist organization; and
6. Promote the completion of the Bevan Fishing Pier and artificial reef.

8. MARINE TRANSPORTATION:

OBJECTIVE:

The Marine Transportation objective is to encourage marine transportation oriented uses in the area of the Beacon Wharf and Anacortes Ferry Terminal.

POLICIES:

1. Marine Transportation development is limited to those areas designated as Marine Transportation in Schedule "B";
2. The Town should maintain and enhance the potential for small-cruise ship and Sidney Spit Ferry docking facilities at the Beacon Avenue Dock; and
3. The Town should endeavor to retain and enhance the Anacortes Ferry service and terminal, as a viable marine transportation centre.

9. INSTITUTIONAL:

OBJECTIVES:

1. To designate land for a range of public and private institutional uses;
2. To ensure that institutional development occurs in a manner which is sensitive to the character of the surrounding neighbourhood; and
3. To encourage institutional facilities within the Town of Sidney.

POLICIES:

1. Institutional development is limited to those areas designated Institutional in Schedule "B";
2. Training facilities for the Provincial Emergency Program, Fire, Police and Public Works Departments will be located away from residential and environmentally sensitive areas; and
3. The integration of the character of institutional facilities with that of the surrounding area is encouraged.

10. PUBLIC OPEN SPACE, PARKS AND LEISURE FACILITIES:

OBJECTIVES:

The objectives for public open space, parks and leisure facilities are as follows:

1. To develop and maintain parks, public open spaces, and leisure facilities in response to the needs of residents of all age groups;
2. To create an integrated waterfront public open space network for a variety of activities;
3. To co-ordinate and foster recreational services and facilities for residents in co-operation with the Capital Regional District and local community service organizations;
4. To integrate the downtown core as an important part of the public open space network; and
5. To create a comprehensive and integrated trail system that is both accessible and easily recognized.

POLICIES:

1. Parkland, public open space, and leisure facilities will be developed in response to the needs of all age groups, the immediate neighbourhood and the community at large;
2. The Town will work with service organizations, neighbourhood groups, and sports associations in acquiring and developing playground equipment, sports facilities, and other amenities, both active and passive;
3. The provision of parkland upon the subdivision of land will be in the form of monies in lieu of parkland which will be used for the acquisition of parkland throughout the Town;
4. A comprehensive waterfront open space plan will be developed;
5. A comprehensive trail-system plan will be developed;
6. The completion of the waterfront walkway, particularly from Ocean Avenue to Mount Baker Avenue, will be encouraged through land acquisition or the securing of statutory right of ways;
7. The Town will work with the commercial community to make Sidney an attractive center for trade and tourism by helping to provide the following:
 - (a) Landscaping,
 - (b) Flags, banners and decorations,
 - (c) Street furniture, and
 - (d) Other amenities;
8. Community festivities and events are encouraged;
9. The enhancement of streetscapes will be encouraged through (1) tree preservation and (2) tree planting on public open spaces and streets;
10. The unique natural vegetation in Reay Creek Park and Peter Grant Park will be preserved; and
11. The presence of indigenous plants will be encouraged in all parks.

11. **ENVIRONMENTAL:**

The Environmental Objectives and Policies are broken down into two categories:

1. Environmentally Sensitive Lands, and
2. Environment

ENVIRONMENTALLY SENSITIVE LANDS:

OBJECTIVES:

1. To encourage and facilitate the protection of the following ecologically significant land and water areas within the Town, for the benefit of present and future generations:
 - (a) Roberts Bay - To protect and enhance the marine-life and wildlife of Roberts Bay,
 - (b) Mermaid Creek – To protect and conserve Mermaid Creek as an important salt marsh and estuarine habitat,
 - (c) Reay Creek - To protect and enhance Reay Creek as an important habitat for salmon, cutthroat trout, other aquatic life and wildlife,
 - (d) Peter Grant Park - To protect and enhance Peter Grant Park as a habitat for small mammals and birds,
 - (e) Beaufort Road Area - To protect the Beaufort Road stand of Douglas Fir and Arbutus as (1) rare and fragile vegetation, and (2) an important wildlife habitat,
 - (f) The waterfront along Lochside - To protect and enhance the waterfront, located between the Town boundaries to the south and Tulista Park to the north, as an important habitat for migratory waterfowl;
2. To control and regulate development in environmentally sensitive areas; and
3. To protect and enhance Sidney's urban environment.

POLICIES:

1. Environmentally sensitive lands are limited to those areas designated as Environmental Areas in **Figure 4**. The Policies regarding them, are as follows:
 - (a) **Roberts Bay:**
 - i. The Town will work with the Canadian Wildlife Service and local conservation groups to maintain the Roberts Bay Environmental Area as a wildlife heritage area, and
 - ii. The zoning designation of the shore land, intertidal and deep water zones of the Roberts Bay Environmental Area will be monitored to protect the marine-life and wildlife from harassment or habitat loss, deterioration, or contamination;
 - (b) **Mermaid Creek:**
 - i. The Town will work co-operatively with other levels of Government and non government organizations to protect and conserve the area as a salt marsh and estuarine habitat,
 - ii. The Town should adopt the methods outlined in "Stream Stewardship: A Guide for Planners and Developers" and "Land Development Guidelines for the Protection of Aquatic Habitat", to advise residents abutting Mermaid Creek on environmentally sound methods of landscaping and the control of erosion and pollution,
 - iii. The Town will work to ensure that existing storm drains draining into Mermaid Creek will not negatively impact the habitat;

- (c) **Beaufort Road:**
 - i. A "tree preservation area" surrounding Roberts Bay, including the Beaufort Road Environmental Area will be created for the identification, protection and preservation of trees which are rare, fragile, or important wildlife habitat including the Douglas Fir and Arbutus of the Beaufort Road Environmental area, and
 - ii. Future rezoning consideration should be given for the Beaufort Road Area to ensure the retention of larger lot sizes (i.e. minimum lot areas of 929 square metres);
- (d) **Reay Creek:**
 - i. The Town will work co-operatively with the District of North Saanich and the Victoria Airport Authority to monitor and maintain a continual well-water supply to Reay Creek, to ensure year round water flow adequate to maintain fish,
 - ii. The land surrounding the upper and lower portion of Reay Creek, which lies within the District of North Saanich, is recognized as an integral part of the creek system. The Town will work with the District of North Saanich and the Victoria Airport Authority to take measures to protect, conserve and enhance those portions of the creek, and
 - iii. The Town should adopt the methods outlined in "Stream Stewardship: A Guide for Planners and Developers" and "Land Development Guidelines for the Protection of Aquatic Habitat", to advise residents abutting Reay Creek on environmentally sound methods of landscaping, and the control of erosion and pollution;
- (e) **Lochside Waterfront:**
 - i. The Town will (1) ensure that uses of the Lochside waterfront will have a low environmental impact and (2) that the Lochside waterfront will be maintained as a greenway corridor;
- (f) **Peter Grant Park:**
 - i. The Town will ensure that Peter Grant Park will remain as a Municipal Park and be maintained as a habitat for small mammals and birds;
- 2. The Town will identify and designate the following environmentally sensitive areas as development permit areas under Municipal Act Section 879 (1) (a):
 - i. Roberts Bay,
 - ii. Mermaid Creek,
 - iii. Reay Creek,
 - iv. Peter Grant Park,
 - v. Beaufort Road, and
 - vi. The waterfront along Lochside;
- 3. The Town may support local conservation group efforts in protecting, conserving and enhancing Sidney's environmentally sensitive areas;
- 4. The Town should encourage the use and retention of native vegetation to preserve natural biological diversity;
- 5. The Town should endeavor to adopt a standard review process to evaluate the environmental implications of development proposals in environmentally sensitive areas; and
- 6. The Town should apply, where appropriate, the powers available through the Municipal Act, such as conservation covenants, for the purpose of conserving environmentally sensitive lands.

ENVIRONMENT:

OBJECTIVES:

1. To encourage public education and awareness initiatives on the protection and enhancement of the ecosystem;
2. To support and promote reuse, recycling, composting, and waste reduction; and
3. To work cooperatively with other local governments, First Nations and the Victoria Airport Authority towards implementing the objectives of the Green/Blue Spaces Strategy.

POLICIES:

1. The Town should support recycling and composting initiatives by participating in pilot projects, disseminating information to the public, and reducing municipal waste;
2. The Town will continue to work with Federal and Provincial agencies in enforcing environmental pollution regulations;
3. The Town may support local conservation group efforts in promoting environmental education and awareness within the community;
4. The Town should support public awareness regarding the importance of water conservation through public education initiatives that acknowledge water as a valuable and limited natural resource; and
5. The Town should agree to work cooperatively with other local governments, First Nations and the Victoria Airport Authority to implement a Storm Water Management Program to monitor and assess the impacts of storm water in the area.

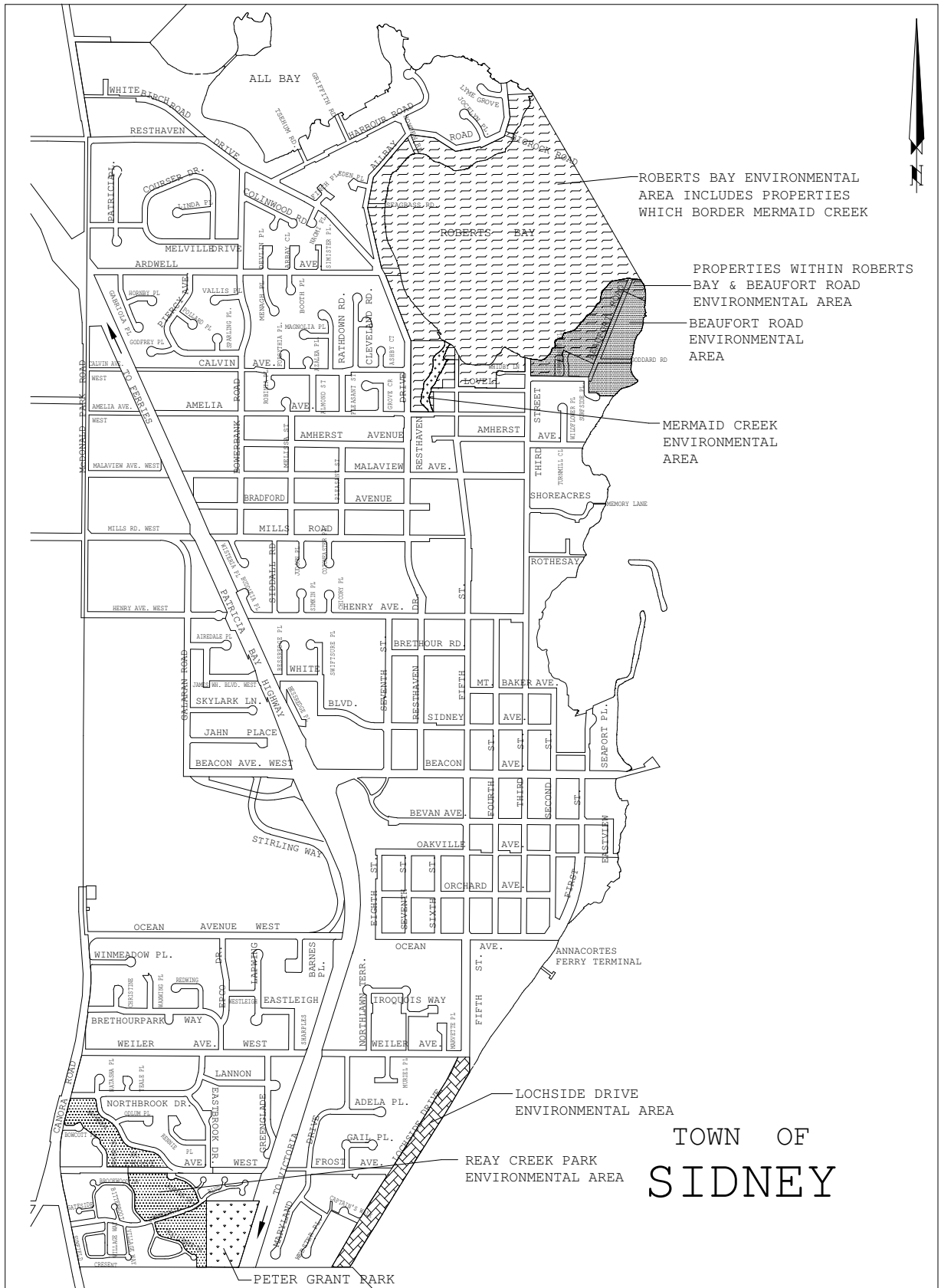


FIGURE 4 ENVIRONMENTAL AREAS

12. CULTURAL ACTIVITIES AND FACILITIES:

OBJECTIVES:

The objectives for cultural activities and facilities are as follows:

1. To maintain and develop cultural facilities and activities in response to the needs of residents of all socio-economic backgrounds;
2. To promote Sidney as a cultural destination; and
3. To promote cultural activities and facilities in conjunction with local and regional cultural organizations, businesses and community service organizations.

POLICIES:

1. Local cultural activities and facilities should be maintained, encouraged, and developed in response to the needs of residents of all socio-economic backgrounds;
2. The Town should continue to actively pursue the redevelopment of the Sanscha Hall grounds as a prominent cultural facility;
3. The Town should work with local and regional cultural organizations, businesses, and community service organizations to acquire and develop community facilities which will meet the needs of local residents and cultural organizations;
4. The Town should actively encourage Sidney as a destination for tourism, by working with local businesses and community service organizations to develop and expand local events and facilities;
5. The Town should work with the community to maintain and develop the historical collection of the Sidney Museum to provide the community with a sense of their history;
6. The Town should work with the community to maintain and develop the Marine Mammal Museum to provide the community with a sense of their marine environment; and
7. The Town should ensure a sufficient supply of playgrounds and playground equipment to meet community needs and to ensure that all existing playgrounds are continuously upgraded and maintained.

13. HERITAGE:

OBJECTIVES:

Heritage objectives are as follows:

1. To preserve and enhance heritage resources (including the physical, cultural and natural environment);
2. To encourage the recording of the history of Sidney;
3. To encourage community support of heritage preservation; and
4. To recognize significant examples of heritage preservation within the community.

POLICIES:

1. Continue the encouragement of heritage preservation, including the updating of the heritage registry for the purpose of identifying and retaining heritage sites, buildings and streetscapes;
2. Consider the use of incentives to encourage the preservation of heritage designated structures;
3. Support efforts to obtain assistance, including funding, from sources such as the B.C. Heritage Trust and the Downtown Revitalization Program;
4. Continue to encourage owner acceptance of heritage designation;
5. Subject to available resources, facilitate voluntary conservation methods through education;
6. Create, where development permit areas exist, design guidelines to ensure heritage resources in the area are maintained or enhanced;
7. Determine potential means to encourage conservation as stipulated in Part 27 of the Municipal Act;
8. Encourage the adoption of B.C. Heritage Guidelines and Principles to protect the Town's heritage;
9. Complete the development of a Sidney Heritage Resource Management Plan (HRMP) that sets goals, objectives and policies for heritage conservation; and
10. Maintain the Sidney Heritage Inventory as a guide for identifying heritage resources of value, including buildings, structures and trees.

14. **TRANSPORTATION:**

The Transportation Objectives and Policies are broken down into five Categories:

1. Road Network,
2. Public Transportation,
3. Cycling and Pedestrian Transportation,
4. Regional Concerns, and
5. Public Parking

ROAD NETWORK:

OBJECTIVES:

The road network objective is to provide a safe, convenient and efficient road transportation network to facilitate increased mobility and accessibility for the movement of people and goods within and adjacent to Sidney by:

1. Alleviating existing traffic and parking problems in the downtown core resulting from local and tourist generated traffic, and from the conflict between through traffic and local destination traffic;
2. Improving the movement of commercial vehicles through the industrial area of Sidney; and
3. Improving future access to Sidney and the Pat Bay Highway.

POLICIES:

1. A set of integrated standards for facilitating the movement of automobiles, public transit, cyclists, pedestrians and power mobility-vehicles for the disabled will be established, monitored and maintained in conjunction with local interest groups;
2. The street classification system presented in **Figure 5** identifies arterial highway, collector and local roads;
3. The road network in Sidney will continue to be analyzed in terms of the convenient and safe movement of vehicles;
4. Promote public awareness programs to effectively convey information about transportation planning decisions and the rationales behind them;
5. Encourage the establishment of a permanent Transportation Advisory Committee consisting of transportation specialists, stakeholders and public representatives to address transportation planning issues, recognizing that Ministry of Transportation and Highways have indicated construction of any interchange for access to Sidney is not presently budgeted and unlikely to occur before 2010, unless safety issues arise;
6. The principle access point to the Pat Bay Highway may be in the proximity of Bevan / Beacon Avenue. Conceptual designs of this and other options assessing land requirements and social impacts will be prepared when construction of an interchange is scheduled in the Ministry of Transportation and Highway's budget forecast. Additional access points will be located at McTavish Road in North Saanich and McDonald Park Road;
7. The Town will continue to work with the Ministry of Transportation and Highways to improve access between Sidney, the Pat Bay Highway, the Victoria International Airport and District of North Saanich;
8. Linkage between east and west Sidney will be improved. A potential option may be reconnecting Beacon Avenue at grade level and lowering Pat Bay Highway underneath; and
9. Any proposed Highway improvements shall ensure (1) that an appropriate site, south of Beacon Avenue, remains available for the future redevelopment of the Sanscha Hall and (2) that access be provided to the Lands immediately west of the Pat Bay Highway.

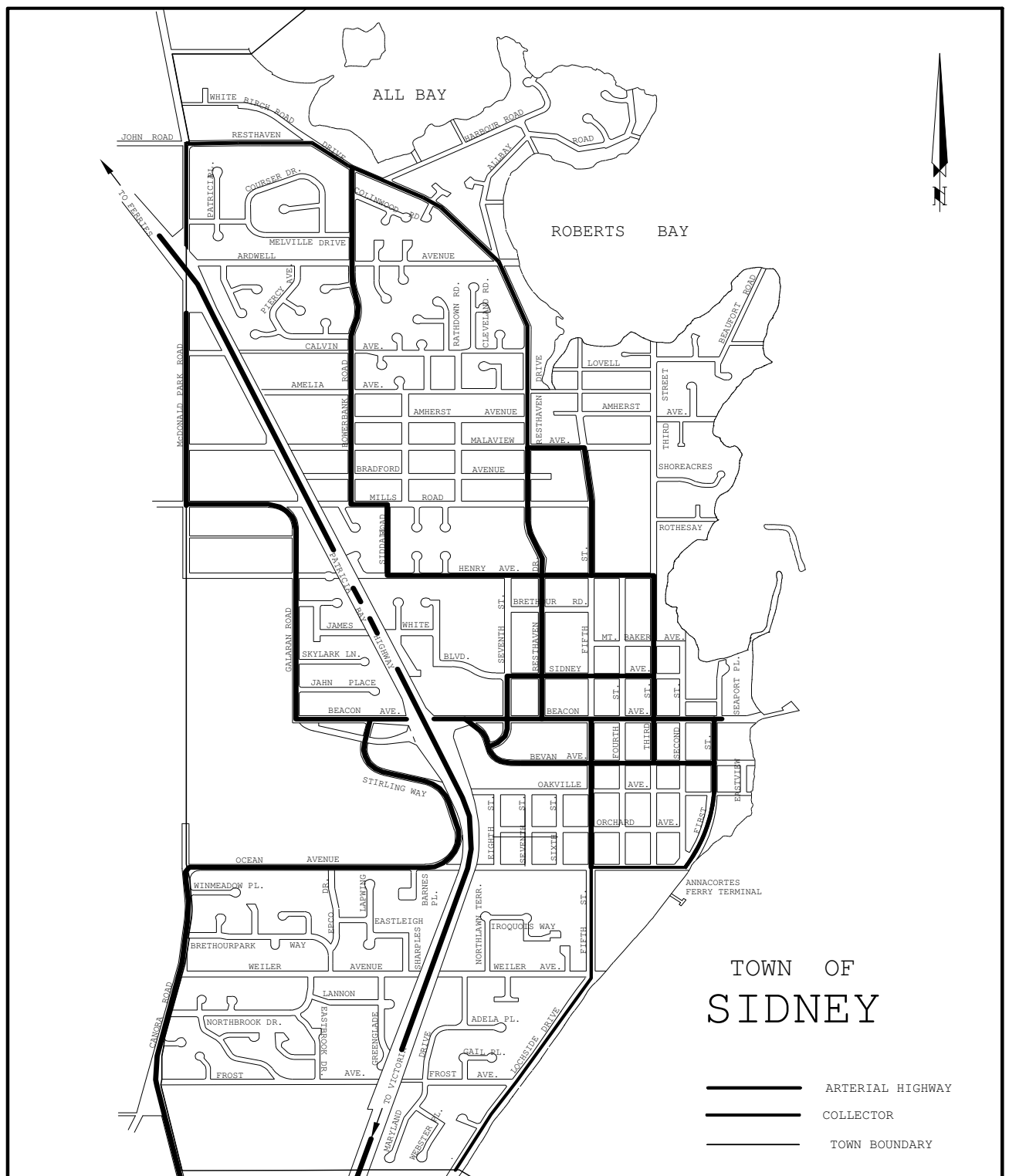


FIGURE 5: STREET CLASSIFICATION SYSTEM

PUBLIC TRANSPORTATION:

OBJECTIVE:

The public transportation objective is to work with public transit companies to promote the provision of a fast, frequent and convenient public transportation system for the Town, connecting it with other municipalities and major destinations.

POLICIES:

1. The Town will work with the Victoria Regional Transit Commission, the Ministry of Transportation and Highways, and adjacent municipalities to establish park-and-ride and car-pooling facilities;
2. The creation of express transportation services is advocated from Swartz Bay to Victoria, stopping at major destinations;
3. The Town should explore the feasibility of a “public transportation centre” in the downtown core; and
4. The Town will work with the Victoria Regional Transit Commission to establish better transit service between areas on the peninsula and Sidney.

CYCLING AND PEDESTRIAN TRANSPORTATION:

OBJECTIVES:

Cycling and pedestrian transportation objectives are as follows

1. To promote cycling and walking as integral components of the overall transportation network; and
2. To influence future residential, commercial and industrial development patterns in order to facilitate cycling and walking.

POLICIES:

CYCLING NETWORK:

1. In conjunction with local community cycling groups, peninsula cycling groups, the Capital Regional District and the Ministry of Transportation and Highways, a safe and convenient integrated cycling network will be developed to compliment other modes of transportation;
2. In conjunction with local community cycling groups, the promotion and establishment of bicycle parking facilities downtown, and in other high density areas will be encouraged; and
3. When reviewing proposals for multi-family residential developments, the Town may require bicycle parking facilities.

PEDESTRIAN NETWORK:

1. A network of sidewalks, footpaths and walkways will be provided to encourage safe and convenient pedestrian movement throughout the Town; and
2. Encourage traffic-calming methods to ensure increased safety of pedestrians and users of power mobility-vehicles.

REGIONAL CONCERNS:

OBJECTIVE:

The regional transportation objective is to support an integrated and compatible multi-modal regional transportation system.

POLICY:

The Town will work with other levels of government and agencies in an attempt to maintain and improve levels of accessibility to the Victoria International Airport, the Pat Bay Highway, Swartz Bay Ferry Terminal, Tsehum Harbour, Port Sidney, Sidney Spit, the Anacortes Ferry Terminal, the downtown core and the industrial areas.

PUBLIC PARKING:

OBJECTIVE:

The public parking objective is to ensure the provision of effective and attractive public parking well-suited to serving the needs of residents, tourists and local businesses

POLICIES:

1. The Town will complete a parking study, within the downtown core, every 5 years;
2. The Town will work towards the development of both municipal and privately owned multi-level parking structures. Funding for the municipal structures should, come in part, from mandatory “cash in lieu” payments for future downtown core developments; and
3. Pedestrian corridors should be incorporated into the design of new buildings to provide easy and inviting access from parking lots to the business area.

15. INFRASTRUCTURE AND SERVICES²:

OBJECTIVES:

Infrastructure and services objectives are as follows:

1. To manage infrastructure and services such that:
 - (a) Sufficient capacity exists to meet demand,
 - (b) Adequate operation and maintenance programs are carried out in order to maximize the life of public works systems, and
 - (c) their construction and location is sympathetic to adjacent land uses; and
2. To ensure that municipal government services carried out by other agencies are done in a manner which provides maximum benefit to the Town.

POLICIES:

1. Infrastructure systems will be maintained and upgraded to meet demand;
2. In accordance with development servicing standards, all new developments will be required to have underground wiring. In addition, the Town will work towards replacing the existing above ground wiring with underground wiring;
3. The Capital Regional District delivery of municipal services within Sidney will be monitored; and
4. When reviewing new development proposals, consideration will be given to the 5-year Capital Plan; any amendments to the plan necessary to accommodate new development will be supported in whole or in part by the developer.

² Infrastructure and services refer to infrastructure systems including sanitary sewer, storm drainage, water supply, sewage treatment plant, and utility services.

16. HAZARDOUS CONDITIONS:

OBJECTIVE:

The hazardous conditions objective is to establish flood plain levels in accordance with the Ministry of Environment's guidelines

POLICY:

In conjunction with the Ministry of Environment, a Flood Plain Bylaw will be developed.

17. TEMPORARY COMMERCIAL AND INDUSTRIAL USES:

OBJECTIVES:

1. To allow Town Council to designate sites within the Town of Sidney for temporary Commercial and Industrial uses subject to the issuance of a permit; and
2. To set general conditions regarding the issuance of temporary commercial and industrial use permits.

POLICIES:

1. Temporary Commercial and Industrial Uses will be subject to the issuance of a Temporary Commercial or Industrial Use Permit;
2. Temporary Commercial uses may be allowed in those areas designated as Temporary Commercial Area 1 as shown in **Figure 6**;
3. The issuance of a Temporary Commercial Use Permit for Temporary Commercial Area 1 will be conditional upon conformance to the following requirements:
 - (a) The site will be limited to a Temporary Commercial Use,
 - (b) Temporary Use Permits will generally be restricted to special events,
 - (c) Any structures which are erected will be in accordance with the Building and Fire Codes,
 - (d) All sanitary and health regulations relating to the permitted use will be adhered to,
 - (e) Pedestrian and vehicle travel paths shall be lit,
 - (f) Site, landscaping and screening requirements may be required, and
 - (g) Signs shall meet the conditions of the Sign Bylaw requirements;
4. Where public property is used by private or community organizations, the Town shall be indemnified and saved harmless from any and all losses, damages, costs and liabilities arising out of any personal injury, death or property damage occurring on the site during the period covered by the permit; and
5. The applicant, where required, shall restore the land described in the permit to its natural state within thirty (30) days of expiration of the permit.

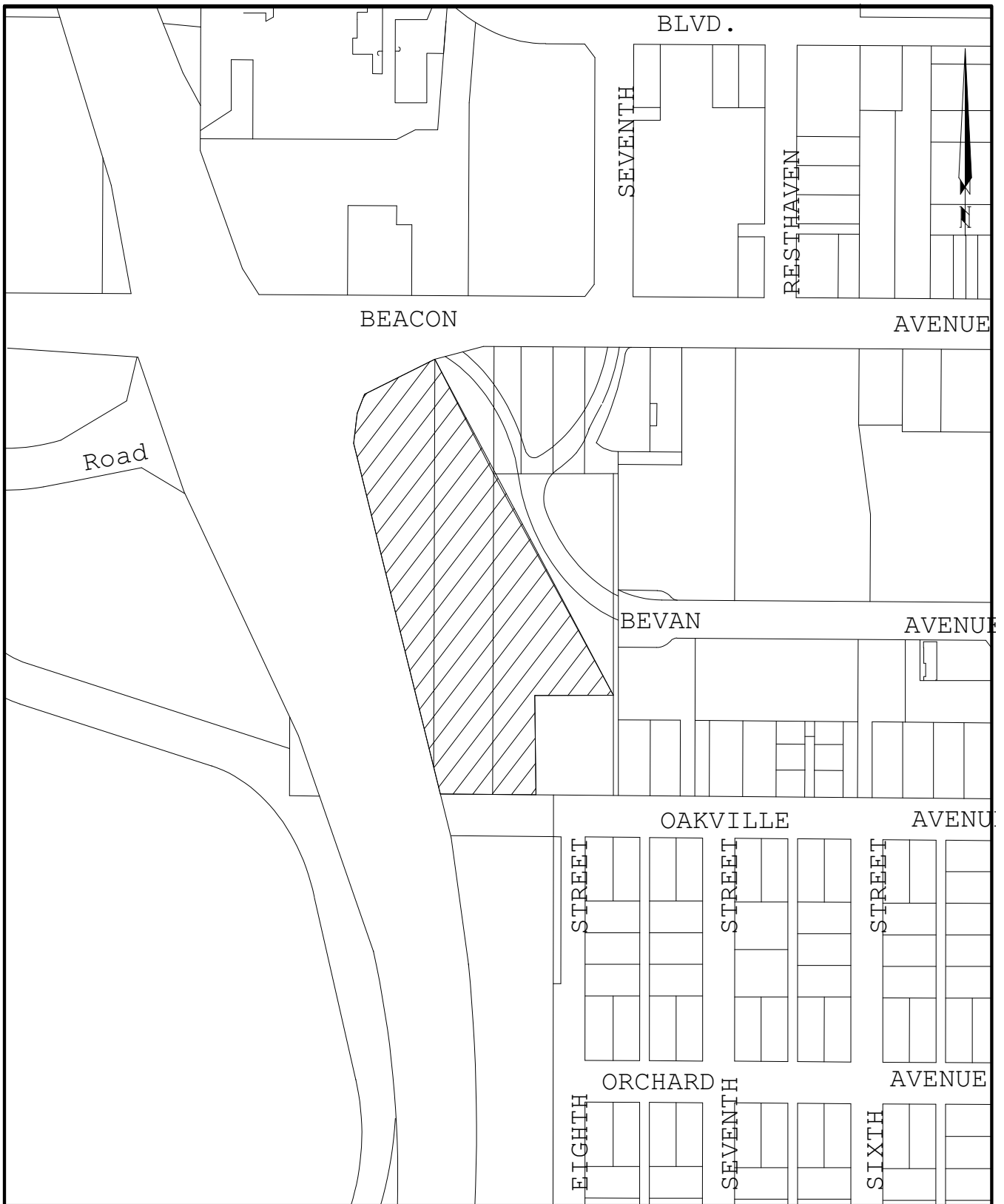


FIGURE 6: TEMPORARY COMMERCIAL AREA 1

18. REGIONAL GROWTH STRATEGY CONTEXT STATEMENTS:

REGIONAL CONTEXT STATEMENT:

The purpose of this Regional Context Statement is to describe how the Town of Sidney's goals and objectives will conform with the strategies within the Regional Growth Strategy of the Capital Regional District.

1.1 KEEP URBAN SETTLEMENT COMPACT:

Sidney Policy: The Town will promote medium to high density development in proximity to the downtown.

OBJECTIVES:

1. The Town is largely built out and as such growth will be mainly accommodated through higher density redevelopment in and in close proximity to the downtown;
2. The Town of Sidney Official Community Plan will contain policies that direct commercial and higher density residential development to the Town's central area, thereby endeavouring to keep the urban settlement compact; and
3. The Town is entirely within the urban containment boundary.

1.2 PROTECT THE INTEGRITY OF RURAL COMMUNITIES:

Sidney Policy: The Town will endeavour to manage growth to permit other municipalities to promote rural lifestyles.

OBJECTIVES:

1. The Town will permit higher densities, promote secondary suites and create a livable community, thus facilitating a rural lifestyle in adjacent communities; and
2. The Town will promote industrial and commercial growth, and by permitting responsible residential densification, the Town will help ease pressures of growth on rural communities.

2.1 PROTECT REGIONAL GREEN AND BLUE SPACES:

Sidney Policy: The Town will endeavour to protect the green and blue space designations consistent with the Regional Growth Strategy. The exception is the Harbour Road area which is a working harbour,

OBJECTIVES:

1. The Town recognizes and will protect the green and blue space with the exception of the water area that is home to the Harbour Road working harbour area which is highlighted on Map 4 of the Regional Growth Strategy;
2. The Town will continue to maintain policies in the Official Community Plan and Development Permit Areas to maintain areas other than the working harbour as Environmentally Sensitive Areas;
3. Access to the waterfront and walkways along the waterfront will be a major component of the Town's policies; and
4. The Town will maintain policies which protect Regional Green and Blue Spaces.

2.2 MANAGE NATURAL RESOURCES & THE ENVIRONMENT SUSTAINABILITY:

Sidney Policy: The Town will endeavour to manage natural resources and the environment to ensure sustainability.

OBJECTIVES:

1. The Town will regulate development along the waterfront except the working harbour and within designated areas, with the goal of protecting environmentally sensitive areas;
2. The Town will endeavour to protect Mermaid Creek and Ray Creek so that fish habitat may be enhanced; and
3. The Town will endeavour to monitor and manage the environmental needs of the community.

3.1 BUILD COMPLETE COMMUNITIES:

Sidney Policy: The Town will continue to ensure that Sidney remains and is enhanced as a complete community.

OBJECTIVES:

1. The Town will endeavour to ensure all amenities are within a walking distance of the downtown core;
2. The Town will develop policies that will encourage a balanced population;
3. Sidney will endeavour to continue to be a primary service center for the Saanich Peninsula providing social, retail, industrial, professional and leisure services;
4. Sidney will endeavour to continue to be a primary employment center for the Saanich Peninsula providing a balanced mix of employment opportunities; and
5. The Town will endeavour to continue to provide a mix of balanced amenities for all residents.

3.2 IMPROVE HOUSING AFFORDABILITY:

Sidney Policy: The Town will encourage a variety of housing types.

OBJECTIVES:

1. The Town will provide for a bonus density of up to 25% when non-profit housing is provided;
2. The Town by varying densities will endeavour to encourage housing for all income groups; and
3. The Town will continue to work with developers and with other resources in an endeavour to promote affordability.

4.1. INCREASE TRANSPORTATION CHOICE:

Sidney Policy: The Town will continue to monitor and promoted policies to accommodate a variety of transportation choices.

OBJECTIVES:

1. The Town will continue to promote walkability;
2. The Town will continue to develop in a manner that permits people to live close to the downtown core, therefore facilitating increased transportation choices and less reliance on private automobiles;
3. The Town will endeavour to encourage increased use of bicycles by maintaining its connection with the Lochside Trail and by safely accommodating bicycles on streets and where practical in bicycle only lanes;
4. Sidney will endeavour to promote its role as a public transportation hub for the Peninsula with link to the airport, ferry and metropolitan core; and
5. The Town will endeavour to improve access and egress to and from the Regional Highway System.

5.1 STRENGTHEN THE REGIONAL ECONOMY:

Sidney Policy: The Town will continue to recognize the Economic benefits of large and small industry and commerce within the community.

OBJECTIVES:

1. The Town will continue to accommodate industry and commerce so that it will grow and progress as a major service and employment center for the Saanich Peninsula;
2. The Town will continue to accommodate developments in its industrial areas, working harbours and commercial areas so that its role as an economic center of the Saanich peninsula is maintained and enhanced; and
3. The Town will endeavour to accommodate home based businesses.

D. DEVELOPMENT PERMIT AREA OBJECTIVES AND GUIDELINES

1. SINGLE FAMILY HIGH DENSITY RESIDENTIAL:

The Single Family High Density Residential Development Permit Areas are designated under special consideration of the Ministry of Municipal Affairs and Housing in a letter to the Town dated March 13, 1997.

OBJECTIVES:

The Objectives of this designation are to encourage (1) the integration of new housing into existing residential neighbourhoods and (2) to create affordable housing through small lot developments.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) Dwellings on lots over 460 square metres, and
- (b) For exterior alterations that do not change the F.S.R. or Lot Coverage.

GUIDELINES:

Development permits issued in these areas will be accordance with the following guidelines:

Building Treatment – Overall:

- 1. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from the abutting streets);
- 2. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to building elevations as viewed from the streetscape;
- 3. Development should promote a pedestrian oriented streetscape;
- 4. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style, and exterior materials of the building including the colour and texture of the exterior materials);

Building Treatment: - Orientation:

- 5. Buildings will be designed to ensure that they do not turn their backs upon the street;

Landscaping and Lighting:

- 6. Mature trees should be retained;

Servicing:

- 7. New buildings will be serviced with underground wiring; and

General:

- 8. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

2.

MULTI-FAMILY RESIDENTIAL:

The Multi-Family Residential Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) a stimulating urban environment through the balance of urban diversity and compatibility, (2) a high standard of design, (3) the integration of new housing into existing residential neighbourhoods and (4) the pedestrian orientation of development.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) Signs; and
- (b) Development Permits for balcony enclosure will be limited to:
 - i. The first balcony enclosure on the upper most storey of the building;
 - ii. The first balcony enclosure below the upper most storey of the building;
or
 - iii. Enclosures which are not the same as an existing enclosure which was necessitated by variations in balcony dimensions but not those caused by differences in roof treatment.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment – Overall:

1. New buildings should be "massed" to give the impression of small blocks in scale and harmony with Sidney's small town character;
2. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets);
3. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront, and (2) streetscapes;
4. Developments should promote a pedestrian orientated streetscape and waterfront;
5. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

6. Building elevations which are visible from the street or waterfront should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or waterfront;
7. Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, orientated and designed to minimize their affect on the following: on-site residential uses, adjacent properties and views from the street and waterfront;

Building Treatment - Design:

8. The exterior finish of buildings, excluding roof treatments, should be brick, concrete, architecturally faced block, stucco, wood or any combination of these materials;
9. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
10. Roofs will be gabled, mansard, or hipped. However, other interesting roof treatments will be considered;
11. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;

Building Treatment - Land Abutting Single Family or Two Family Residential Areas:

12. Developments which abut (1) an area designated in Schedule "B" for single family or two family residential use or (2) a street which abuts such an area should meet the following additional guidelines:
 - (a) Vehicle access and egress will, where feasible, be from streets which do not abut an area designated for single family or two family residential use, and
 - (b) Garbage containers, garbage compounds and parking, loading unloading and storage areas will, where feasible, be orientated and located away from the areas designated for single family or two family residential use

Pedestrian Facilities:

13. On-site pedestrian walkways should be surfaced with interlocking brick or other appropriate surfacing materials;
14. Along the waterfront area, as indicated in ***Public Open Space, Parks, and Leisure Facilities Policy #6***, a 4.6 metre wide strip abutting the landward side of the natural boundary will remain free of development with provision for public access by means of a statutory right-of-way or other legal means. Provision will be made for access around any structure, or development that extends below the natural boundary. In this public access "strip", a public walkway will be constructed;

Parking Facilities:

15. Unless enclosed, on-site, hard surfaced areas should be surfaced with materials which avoid a monotonous appearance;
16. Landscaping should be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
17. Parking should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront;

Landscaping and Lighting:

18. Landscaping, street furniture, and lighting on private and public property should promote an interesting streetscape while fostering a pedestrian environment;
19. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds, and storage, loading and unloading areas should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront. On-site screening should include landscaping;
20. Fencing should incorporate landscaping;
21. Hard landscaping should consist of compatible materials;

22. Landscaping using vegetation should be of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and, where they exist, above ground utilities;
23. Mature trees should be retained;
24. Landscaping should be used to create a tree canopy over public sidewalks;
25. Site lighting should not utilize high-intensity lights and will be ornamental and in scale with a pedestrian environment;
26. The planting of indigenous and drought resistant materials should be considered, where feasible;

Children's Play Areas:

27. Where provided, play areas for children should be integrated into the site development, allow for a high degree of visual supervision from the primary windows of more than 2 units, be separated from traffic and parking areas and allow for sunlight penetration. Furthermore, play areas will not be located adjacent to streets and should not be located on the periphery of the site or adjacent to walkways;

Servicing:

28. New buildings will be serviced with underground wiring; and

General:

29. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

3.

COMMERCIAL:

The Commercial Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) a stimulating urban environment through the balance of urban diversity and compatibility, (2) a high standard of design, (3) a commercial prominence at street level, with a residential prominence above, and (4) the pedestrian orientation of the area located east of Resthaven Drive.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres.
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment – Overall:

1. New buildings should be "massed" to give the impression of small blocks in scale and harmony with Sidney's small town character;
2. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets)
3. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront and (2) streetscapes;
4. Developments should promote a pedestrian orientated streetscape and waterfront;
5. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

6. Building elevations which are visible from the street or waterfront should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or waterfront;
7. The ground floor of buildings will be street orientated;
8. The front elevation of buildings situated on property which abuts Beacon Avenue will be orientated towards Beacon Avenue;
9. The development of property which abuts Beacon Avenue should, where feasible, include lane access to the rear of the development. The lane access must be secondary and cannot be from Beacon Avenue;
10. Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, orientated and designed to minimize their affect on the following: on-site residential uses, adjacent properties and views from the street and waterfront;

Building Treatment - Setback:

11. The maximum setback for any portion of a new building, excluding walkways and courtyards, from an abutting street is 4.5 metres. The minimum setback is 1 metre;

Building Treatment - Height:

12. Along Beacon Avenue, roof designs should be integrated into the third storey or, if applicable, a fourth storey;

Building Treatment - Design:

13. The exterior finish of buildings, excluding roof treatments, should be brick, concrete, architecturally faced block, stucco, wood or any combination of these materials;
14. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
15. Roofs will be gabled, mansard, or hipped. However, other interesting roof treatments will be considered;
16. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;
17. For each building face, the horizontal dimension of ground floor windows, excluding glass door components, should not exceed 60 percent of the building frontage and should be a minimum of 0.3 metres above the sidewalk elevation;
18. Flashing lights on the exterior of buildings and structures are prohibited with the exception of decorations during special events approved by Council and during seasonal holidays;

Building Treatment - Land Abutting Residential Areas:

19. Developments which abut (1) an area designated in Schedule "B" for residential use or (2) a street which abuts such an area should meet the following additional guidelines:
 - (a) The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be compatible with the areas designated for residential use,
 - (b) Vehicle access and egress will, where feasible, be from streets which do not abut an area designated for residential use, and
 - (c) Garbage containers, garbage compounds and parking, loading, unloading and storage areas will, where feasible, be oriented and located away from the areas designated for residential use;

Pedestrian Facilities:

20. On-site pedestrian walkways and public sidewalks, should be surfaced with interlocking brick or other appropriate surfacing materials. However, on a public sidewalk, where a single surface material already exists, that material shall be continued for the remainder of the block, with the exception of Beacon Avenue which must be surfaced with interlocking block;

Parking Facilities:

21. Unless enclosed, on-site, hard surfaced areas should be surfaced with materials which avoid a monotonous appearance;
22. Landscaping should be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
23. Parking should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront;
24. The exterior facade of the ground floor and site development of Multi-Level Parkades should be compatible with the streetscape and be developed in accordance with these Commercial Development Permit Guidelines;

Landscaping and Lighting:

25. Landscaping, street furniture, and lighting on private and public property should promote an interesting streetscape while fostering a pedestrian environment;
26. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds, and storage, loading and unloading areas should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront. On-site screening should include landscaping;
27. Fencing should incorporate landscaping;
28. Hard landscaping should consist of compatible materials;
29. Landscaping using vegetation should be (1) integrated into hard landscaping features, (2) protected by hard landscaping features and (3) of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and, where they exist, above ground utilities;
30. Mature trees should be retained;
31. Landscaping should be used to create a tree canopy over public sidewalks;
32. Site lighting should not utilize high-intensity lights and should be ornamental and in scale with a pedestrian environment;
33. The planting of indigenous and drought resistant materials should be considered, where feasible;

Children's Play Areas:

34. Where provided, play areas for children should be integrated into the site development, allow for a high degree of visual supervision from the primary windows of more than 2 units, be separated from traffic and parking areas and allow for sunlight penetration. Furthermore, play areas will not be located adjacent to streets and should not be located on the periphery of the site or adjacent to walkways;

Signs:

- 35. Signs should be of a design which promotes streetscape harmony and continuity;
- 36. Signs should be integrated into the building facade or landscaping;
- 37. Signs should be unobtrusive and in scale with their surroundings;
- 38. Signs should respect the architectural character of (1) the building to which they relate and (2) adjacent buildings and their signs and awnings;
- 39. Sign and building colour should be in harmony;
- 40. Overall sign plans for buildings that house three or more commercial businesses should be submitted for approval;
- 41. Building canopies and awnings should be coordinated with building signage;
- 42. Signs should be orientated away from residentially designated land;
- 43. Signs should not interfere with the residential nature of on-site and adjacent residential uses;

Servicing:

- 44. New buildings will be serviced with underground wiring; and

General:

- 45. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

4. COMMERCIAL - SUB-AREA 1:

The Commercial - Sub-Area 1 Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) a stimulating urban environment through the balance of urban diversity and compatibility, (2) a high standard of design and (3) the pedestrian orientation of the area.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres; and
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the guidelines listed for Commercial Development Permit Areas.

5. **COMMERCIAL - SUB-AREA 3:**

The Commercial - Sub-Area 3 Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objective of this designation is to encourage marina orientated development which is compatible with the surrounding multi-family dwellings.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres; and
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment - Overall:

- 1. New buildings should be "massed" to give the impression of small blocks in scale and harmony with Sidney's small town character;
- 2. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets);
- 3. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront and (2) streetscapes;
- 4. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be compatible with adjacent residential uses;
- 5. Developments should promote a pedestrian orientated streetscape;
- 6. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

- 7. Building elevations which are visible from the street or the waterfront should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or the waterfront;

8. Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, orientated and designed to minimize their affect on adjacent properties and views from the street and waterfront;

Building Treatment - Design:

9. The exterior finish of buildings, excluding roof treatments, should be brick, concrete, architecturally faced block, stucco, wood or any combination of these materials;
10. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
11. Roofs should be gabled, mansard, or hipped. However, other interesting roof treatments will be considered;
12. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;
13. Flashing lights on the exterior of buildings and structures are prohibited with the exception of decorations during special events approved by Council and during seasonal holidays;

Pedestrian Facilities:

14. On-site pedestrian walkways should be surfaced with interlocking brick or other appropriate surfacing materials;

Parking Facilities:

15. Unless enclosed, on-site, hard surfaced areas should be surfaced with material which avoid a monotonous appearance;
16. Landscaping will be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
17. Parking should be screened from view from adjacent properties, streets and the waterfront;
18. The exterior facade of the ground floor and site development of Multi-Level Parkades should be compatible with the streetscape and be developed in accordance with these development permit guidelines;

Landscaping and Lighting:

19. Landscaping, street furniture, and lighting on private and public property should promote an interesting streetscape while fostering a pedestrian environment;
20. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds and storage, loading and unloading areas should be screened from view from adjacent properties, streets and the waterfront. On-site screening should include landscaping;
21. Fencing should incorporate landscaping;
22. Hard landscaping should consist of compatible materials;
23. Landscaping using vegetation should be (1) integrated into hard landscaping features, (2) protected by hard landscaping features and (3) of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and, where they exist, above ground utilities;
24. Mature trees should be retained;

25. Landscaping should be used to create a tree canopy over public sidewalks;
26. Site lighting should not utilize high-intensity lights and will be ornamental, and in scale with a pedestrian environment;
27. The planting of indigenous and drought resistant materials should be considered, where feasible;

Signs:

28. Signs should be of a design which promotes streetscape harmony and continuity;
29. Signs should be integrated into the building facade or landscaping;
30. Signs should be unobtrusive and in scale with their surroundings;
31. Signs should respect the architectural character of (1) the building to which they relate and (2) adjacent buildings and their signs and awnings;
32. Sign and building colour should be in harmony;
33. Overall sign plans for buildings that house three or more commercial businesses should be submitted for approval;
34. Building canopies and awnings should be coordinated with building signage;
35. Signs should be orientated away from surrounding residentially designated land;
36. Signs should not interfere with the residential nature of adjacent properties;

Servicing:

37. New buildings will be serviced with underground wiring; and

General:

38. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

6. COMMERCIAL - SUB-AREA 4:

The Commercial Sub-Area 4 Development Permit Area is designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to ensure that development on the Sidney waterfront occurs in a manner which (1) maintains and improves public access to the waterfront; (2) encourages the pedestrian orientation of the area and (3) ensures well-designed Commercial / Residential uses that are compatible with both on-site commercial uses and adjacent commercial and residential uses.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres; and
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment - Overall:

1. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and buildings vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets);
2. No expanse of the exterior surface of a building that extends more than one storey vertically or is the width of one residential or commercial unit, as the case may be, should be finished with a single material;
3. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront and (2) streetscapes;
4. Building facades along each frontage of the site must be articulated such that no expanse of exterior wall greater than the width of one residential or commercial unit, as the case may be, should constitute a single plane at any elevation;
5. Developments should promote a pedestrian oriented streetscape and waterfront;
6. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior materials of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

7. Building elevations which are visible from the street or waterfront should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or waterfront;
8. The ground floor of buildings will be street oriented;
9. Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, oriented and designed to minimize their affect on the following: on-site residential uses, adjacent properties and views from the street and waterfront;

Building Treatment - Design:

10. The exterior finish of buildings, excluding roof treatments, should be brick, concrete, architecturally faced block, stucco, wood or any combination of these materials;
11. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
12. Roofs will be gabled, mansard, or hipped. However, other interesting roof treatments may be considered;
13. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;
14. Flashing lights on the exterior of buildings and structures are prohibited with the exception of decorations during special events approved by Council and during seasonal holidays;

Parking Facilities:

15. Parking should be screened from view from adjacent properties, streets, and the waterfront;
16. Unless enclosed, on-site, hard surfaced areas should be surfaced with materials which avoid a monotonous appearance;
17. Landscaping should be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
18. The exterior facade of the ground floor and site development of Multi-Level Parkades should be compatible with the streetscape and be developed in accordance with these Commercial - Sub-Area 4 Development Permit Guidelines;

Pedestrian Facilities:

19. Pedestrian access to commercial units and to residential lobby areas should be designed and constructed such that the distinction between the public and private realm is apparent but not obtrusive. In particular, finished surfacing should be different in private and public areas but changes in elevation should be minimized;
20. Seating areas should be located at several points along the commercial frontages of the properties (Seaport Place, Beacon Avenue and the Seawall area) and along the pedestrian route leading to the Bevan Fishing Pier;
21. On-site pedestrian walkways and public sidewalks should be surfaced with interlocking brick or other appropriate surfacing materials. However, on a public sidewalk, where a single surface material already exists, that material shall be continued for the remainder of the block, with the exception of Beacon Avenue which must be surfaced with interlocking block;

Landscaping and Lighting:

22. Landscaping using vegetation should be (1) integrated into hard landscaping features (2) protected by hard landscaping features and (3) of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and, where they exist, above ground utilities;
23. The planting of indigenous and drought resistant materials should be considered, where feasible;
24. On-site outdoor lighting should be designed to provide a distinctive design theme compatible with the existing light standards on Town streets, the seawall and the fishing pier;
25. Site lighting should not utilize high-intensity lights and should be ornamental and in scale with a pedestrian environment;
26. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds, and storage, loading and unloading areas should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront. On-site screening should include landscaping;
27. Fencing should incorporate landscaping;
28. Hard landscaping should consist of compatible materials;
29. Mature trees should be retained;
30. Landscaping should be used to create a tree canopy over public sidewalks;

Children's Play Areas:

31. Where provided, play areas for children should be integrated into the site development, allow for a high degree of visual supervision from the primary windows of more than 2 units, be separated from traffic and parking areas and allow for sunlight penetration. Furthermore, play areas will not be located adjacent to streets, should not be located on the periphery of the site or adjacent to walkways, and should preferably overlook the sea;

Signs:

32. Signs should be of a design which promotes streetscape harmony and continuity;
33. Signs should be integrated into the building facade or landscaping;
34. Signs should be unobtrusive and in scale with their surroundings;
35. Signs should respect the architectural character of (1) the buildings to which they relate and (2) adjacent buildings and their signs and awnings;
36. Sign and building colour should be in harmony;
37. Overall sign plans for buildings that house three or more commercial businesses should be submitted for approval;
38. Building canopies and awnings should be coordinated with building signage;
39. Signs should not interfere with the residential nature of on-site and adjacent residential uses;

Servicing:

40. New buildings will be serviced with underground wiring; and

General:

41. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

7.

NEIGHBOURHOOD COMMERCIAL:

The Neighbourhood Commercial Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) the integration of neighbourhood commercial uses into existing residential neighbourhoods, (2) building design that is sympathetic to the surrounding residential area and (3) the pedestrian orientation of development.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres; and
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment - Overall:

1. New buildings should be "massed" to give the impression of small blocks in scale and harmony with Sidney's small town character;
2. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets);
3. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront and (2) streetscapes;
4. The scale, size, shape, massing, siting, roof line and exterior finish of buildings should be compatible with adjacent residential uses;
5. Developments should promote a pedestrian orientated streetscape and waterfront;
6. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

7. Building elevations which are visible from the street or waterfront should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or waterfront;
8. The ground floor of buildings will be street orientated;
9. Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, orientated and designed to minimize their affect on the following: on-site residential uses, adjacent properties and views from the street and waterfront;

Building Treatment - Design:

10. The exterior finish of buildings, excluding roof treatments, should be brick, architecturally faced block, stucco, wood or any combination of these materials;
11. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
12. Roofs will be gabled, mansard, or hipped. However, other interesting roof treatments will be considered;
13. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;
14. For each building face, the horizontal dimension of ground floor windows, excluding glass door components, should not exceed 60 percent of the building frontage and should be a minimum of 0.3 metres above the sidewalk elevation;
15. Flashing lights on the exterior of buildings and structures are prohibited with the exception of special events approved by Council and during seasonal holidays;

Pedestrian Facilities:

16. On-site pedestrian walkways will be surfaced with interlocking brick or other appropriate surfacing materials. However, on a public sidewalk, where a single surface material already exists, that material shall be continued;

Parking Facilities:

17. Unless enclosed, on-site, hard surfaced areas should be surfaced with a variety of materials which avoid a monotonous appearance;
18. Landscaping should be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
19. Parking should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront;

Landscaping and Lighting:

20. Landscaping, street furniture, and lighting on private and public property should promote an interesting streetscape while fostering a pedestrian environment;
21. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds, and storage, loading and unloading areas should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront. On-site screening should include landscaping;
22. Landscaping vegetation should be of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation should be of a type or located in such a manner as to be compatible with underground utilities and, where they exist, above ground utilities;

23. Where a use is likely to generate heavy vehicle or pedestrian traffic (e.g. gas stations and convenience stores), landscaping vegetation should be integrated into, and protected by, hard landscaping features;
24. Development should be screened from abutting properties by landscaping;
25. Mature trees should be retained;
26. Landscaping should be used to create a tree canopy over public sidewalks;
27. Site lighting should not utilize high-intensity lights and should be ornamental, and in scale with a pedestrian environment;
28. The planting of indigenous and drought resistant materials should be considered, where feasible;

Signs:

29. Signs should be of a design which promotes streetscape harmony and continuity;
30. Signs should be integrated into the building facade or landscaping;
31. Signs should be unobtrusive and in scale with their surroundings;
32. Signs should respect the architectural character of (1) the building to which they relate and (2) adjacent buildings and their signs and awnings;
33. Sign and building colour should be in harmony;
34. Overall sign plans for buildings that house three or more commercial businesses should be submitted for approval;
35. Building canopies and awnings should be coordinated with building signage;
36. Signs should be orientated away from residential uses where possible;
37. Signs should not interfere with the residential nature of on-site and adjacent residential uses;

Servicing:

38. New buildings will be serviced with underground wiring; and

General:

39. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

8.

HARBOUR ROAD NORTH:

The Harbour Road North Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) a stimulating urban environment through the balance of urban diversity and compatibility, (2) the promotion and expansion of the unique marine industrial, commercial and residential character of the area, and (3) the pedestrian friendliness of the area.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres; and
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment - Overall:

1. New buildings should be "massed" to give the impression of small blocks in scale and harmony with Sidney's small town character;
2. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets);
3. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront, and (2) streetscapes;
4. Developments should promote a pedestrian orientated streetscape;
5. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

6. Building elevations which are visible from the street or waterfront should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or waterfront;

7. The first storey (at street elevation) of buildings, visible from Harbour Road, will be orientated towards Harbour Road;

Building Treatment - Design:

8. The exterior finish of buildings, excluding roof treatments, should be brick, concrete, architecturally faced block, stucco, wood, extruded metal siding or any combination of these materials;
9. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
10. Roofs will be gabled, mansard, or hipped. However, other interesting roof treatments will be considered;
11. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;
12. For each building face, the horizontal dimension of ground floor windows, excluding glass door components, should not exceed 60 percent of the building frontage and will be a minimum of 0.3 metres above the sidewalk elevation;
13. Flashing lights on the exterior of buildings and structures are prohibited with the exception of decorations during special events approved by Council and during seasonal holidays;

Pedestrian Facilities:

14. On-site pedestrian walkways should be surfaced with interlocking brick or other appropriate surfacing materials;

Parking Facilities:

15. Landscaping should be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
16. Parking should be screened from view from on-site residential uses, adjacent properties and streets;
17. The exterior facade of the ground floor and site development of Multi-Level Parkades should be compatible with the streetscape and be developed in accordance with these Harbour Road North Development Permit Guidelines;

Landscaping and Lighting:

18. Landscaping, street furniture, and lighting on private and public property should promote an interesting streetscape, while fostering a pedestrian environment;
19. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds, and storage, loading and unloading areas should be screened from view from on-site residential uses, adjacent properties, streets and the waterfront. On-site screening should include landscaping;
20. Hard landscaping should consist of compatible materials;
21. Landscaping using vegetation should be (1) integrated into hard landscaping features, (2) protected by hard landscaping features and (3) of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and where they exist above ground utilities;
22. Mature trees should be retained;
23. Landscaping should be used to create a tree canopy over public sidewalks;

24. Site lighting should not utilize high-intensity lights and should be ornamental and in scale with a pedestrian environment;
25. The planting of indigenous and drought resistant materials should be considered, where feasible;

Signs:

26. Signs should be of a design which promotes streetscape harmony and continuity;
27. Signs should be integrated into the building facade or landscaping;
28. Signs should be unobtrusive and in scale with their surroundings;
29. Signs should respect the architectural character of (1) the building to which they relate and (2) adjacent buildings and their signs and awnings;
30. Sign and building colour should be in harmony;
31. Overall sign plans for buildings that house three or more commercial businesses should be submitted for approval;
32. Building canopies and awnings should be coordinated with building signage;
33. Signs should be orientated away from residentially designated land;
34. Signs should not interfere with the residential nature of on-site and adjacent residential uses;

Servicing:

35. New buildings will be serviced with underground wiring; and

General:

36. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

9.

HARBOUR ROAD SOUTH:

The Harbour Road South Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) a stimulating urban environment through the balance of urban diversity and compatibility, (2) the creation of an area complementary to the marine industrial, commercial and residential uses along the north side of Harbour Road, while sensitive to the residential area surrounding Allbay Road and (3) the pedestrian friendliness of the area.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) When canvas awnings with or without sign overlays provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres.
- (b) Unlit or front lit, suspended, projecting signs provided
 - i. The sign faces does not exceed one (1) square metre; and
 - ii. The distance between the sign face does not exceed 0.1 metres; and
- (c) Unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior and occupying a rectangular area on a building exterior of not more than one (1) square metre.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment - Overall:

- 1. New buildings should be "massed" to give the impression of small blocks in scale and harmony with Sidney's small town character;
- 2. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid monotonous streetscapes and building vistas (i.e. building vistas as viewed from (1) within the development and (2) the abutting streets);
- 3. The scale, size, massing, shape, siting, roof line and exterior finish of buildings should be compatible with adjacent land designated in Schedule "B" for residential use;
- 4. The design of buildings should be compatible with adjacent buildings to promote visual harmony especially in regards to (1) building elevations as viewed from the waterfront and (2) streetscapes;
- 5. Developments should promote a pedestrian orientated streetscape;
- 6. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Orientation:

7. Building elevations which are visible from the street or Tsehum Harbour should be treated as front elevations for the purpose of ensuring that buildings do not turn their backs upon the street or Tsehum Harbour;
8. The first storey (at street elevation) of buildings, visible from Harbour Road, will be orientated towards Harbour Road;
9. Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, orientated and designed to minimize their affect on abutting properties designated in Schedule "B" for residential use;

Building Treatment - Design:

10. The exterior finish of buildings excluding roof treatments should be brick, concrete, architecturally faced block, stucco, wood, extruded metal siding or any combination of these materials;
11. Architectural details should be used to avoid visual monotony caused by large expanses of any one material;
12. Roofs should be gabled or peaked;
13. Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening;
14. For each building face, the horizontal dimension of ground floor windows, excluding glass door components, should not exceed 60 percent of the building frontage and will be a minimum of 0.3 metres above the sidewalk elevation;
15. Flashing lights on the exterior of buildings and structures are prohibited with the exception of decorations during special events approved by Council and during seasonal holidays;

Pedestrian Facilities:

16. On-site pedestrian walkways should be surfaced with interlocking brick or other appropriate architectural surfacing materials;

Parking Facilities:

17. Landscaping should be an integral part of the design of parking facilities by separating and breaking up the visual monotony;
18. Parking should be screened from view from on-site residential uses, adjacent properties, streets, and the waterfront;
19. The exterior facade of the ground floor and site development of Multi-Level Parkades should be compatible with the streetscape and be developed in accordance with these Harbour Road South Development Guidelines;

Landscaping and Lighting:

20. Landscaping, street furniture, and lighting on private and public property should promote an interesting streetscape while fostering a pedestrian environment;
21. Unsightly site elements including utility kiosks, utility meters, garbage containers, garbage compounds, and storage, loading and unloading areas should be screened from view from on-site residential uses, adjacent properties, streets, the waterfront and the sea. On-site screening should include landscaping;
22. Hard landscaping should consist of compatible materials;

23. Landscaping using vegetation should be (1) integrated into hard landscaping features, (2) protected by hard landscaping features and (3) of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and where they exist above ground utilities;
24. Mature trees should be retained;
25. Despite Harbour Road South Development Permit Areas guideline 23, vegetation will be incorporated to act as a buffer to the abutting land designated in Schedule "B" for residential use;
26. Landscaping should be used to create a tree canopy over public sidewalks;
27. Site lighting should not utilize high-intensity lights and should be ornamental and in scale with a pedestrian environment;
28. The planting of indigenous and drought resistant materials should be considered, where feasible;

Children's Play Areas:

29. Where provided, play areas for children should be integrated into the site development, allow for a high degree of visual supervision from the primary windows of more than 2 units, be separated from traffic and parking areas and allow for sunlight penetration. Furthermore, play areas will not be located adjacent to streets and should not be located on the periphery of the site or adjacent to walkways;

Signs:

30. Signs should be of a design which promotes streetscape harmony and continuity;
31. Signs should be integrated into the building facade or landscaping;
32. Signs should be unobtrusive and in scale with their surroundings;
33. Signs should respect the architectural character of (1) the building to which they relate and (2) adjacent buildings and their signs and awnings;
34. Sign and building colour should be in harmony;
35. Overall sign plans for buildings that house three or more commercial businesses should be submitted for approval;
36. Building canopies and awnings should be coordinated with building signage;
37. Signs should be orientated away from residentially designated land;
38. Signs should not interfere with the residential nature of on-site and adjacent residential uses;

Servicing:

39. New buildings will be serviced with underground wiring; and

General:

40. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

10.

INDUSTRIAL:

The Industrial Development Permit Areas are designated under Section 879(1)(e) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to encourage (1) development that is compatible with surrounding non-industrial development, (2) an attractive environment that is desirable for future development and (3) the provision of resilient landscaping.

EXCEPTIONS:

A Development Permit is not required for the following:

- (a) Canvas awnings provided
 - i. When erected no portion exceeds 4.0 metres in height as measured from finished grade;
 - ii. The vertical extent of the awning does not exceed 1.5 metres; and
 - iii. The awning does not project from the building face a distance exceeding 1.5 metres and
- (b) Signs which are not visible from the Patricia Bay Highway.

GUIDELINES:

Development permits issued in these areas will be in accordance with the following guidelines:

Building Treatment - Overall:

- 1. An addition to an existing building should be in keeping with the architectural context of the existing building (i.e. the architectural style and exterior material of the existing building including the colour and textures of the exterior materials);

Building Treatment - Design:

- 2. Roofs should be gabled, flat, mansard, hipped, or peaked;

Building Treatment - Land Abutting Residential Areas:

- 3. Developments which abut (1) land zoned for residential use or (2) a street, excluding the Patricia Bay Highway, should meet the following additional guidelines:
 - (a) Where feasible, industrial access should be from streets which do not abut the residentially zoned land,
 - (b) Building design, roof lines, and exterior finish should be sympathetic with the residentially zoned land,
 - (c) Unsightly roof elements, including mechanical equipment and vents, should be enclosed by roof parapets or other forms of solid screening,
 - (d) Along Galaran Road from Henry Avenue to Beacon Avenue and along Henry Avenue from Galaran Road to the Patricia Bay Highway, building exteriors which are orientated towards the residentially zoned land and are not screened by another structure will reflect office, show room, retail or similar uses, and those portions of a building which are orientated towards the residentially zoned land and are not screened by another structure will consist of offices, show rooms, retail areas or similar uses provided they are part of the development proposal,

- (e) Garbage containers, garbage compounds and parking, loading, unloading and storage areas will be located, oriented and designed to minimize their affect on the adjacent properties,
- (f) On the exterior of buildings, architectural details should be used to avoid visual monotony caused by large expanses of any one material, and
- (g) Landscaping should be an integral part of the site design and parking facilities by separating and breaking up the visual monotony;

Landscaping and Lighting:

- 4. Utility kiosks, storage areas and garbage containers and compounds should be screened by building components or landscaping;
- 5. Hard landscaping should be of compatible materials;
- 6. Landscaping using vegetation will be (1) integrated into hard landscaping features, (2) protected by hard landscaping features and (3) of a type and sufficient maturity to be hardy and resistant to abuse. Furthermore, landscaping vegetation will be of a type or located in such a manner as to be compatible with underground utilities and where they exist above ground utilities;
- 7. Landscaping should promote streetscape harmony;
- 8. Along Galaran, Mills and McDonald Park Road frontages, a 3 metre wide landscaped strip is required. Along other street frontages, a 1.5 metre wide landscaped strip is required. The landscaped strip will extend the entire length of the street frontages;
- 9. Landscaping should be used to add visual diversity to parking areas;
- 10. Lots which abut the Patricia Bay Highway will provide a 6 metre wide strip of soft landscaping abutting the highway to screen development from the highway. A maximum of 30 percent of the length of the soft landscaping strip may be used for display purposes provided the display is integrated into the landscaping strip, the display area is surfaced with a dust-free material, and no portion of the display is higher than 3.7 metres as measured from the natural elevation;
- 11. Despite Industrial Development Permit Areas Guideline 10, developments which abut, or are visible from the Patricia Bay Highway will meet the following additional guidelines:
 - (a) Fascia signs shall be on an approved sign band running on a horizontal plane on the building face,
 - (b) No more than two fascia signs shall be permitted per business,
 - (c) Building fascia signs shall be restricted to below the roof eave,
 - (d) The vertical extent of building fascia signs shall be limited to a maximum of 30 percent of the sign's length, and
 - (e) The maximum height for free standing signs shall not exceed 4.9 metres in height; and

General:

- 12. Unless explicitly varied by the above guidelines, developments will abide by all other applicable regulations.

11. **ENVIRONMENTALLY SENSITIVE AREAS:**

The Environmentally Sensitive Development Permit Areas are designated under Section 879(1)(a) of the *Municipal Act*.

OBJECTIVES:

The objectives of this designation are to ensure that any future development being proposed within an area designated as an Environmentally Sensitive Area (i.e., Roberts Bay; Mermaid Creek; Beaufort Road; Reay Creek; Peter Grant Park; and Lochside Waterfront) does not negatively impact the environmental significance of that area.

GUIDELINES:

Development permits issued in an Environmentally Sensitive Area will be in accordance with the following guidelines:

Roberts Bay:

1. Subdivision or construction on properties abutting Roberts Bay shall occur in such a way that any potential negative impact on the existing habitat is minimized. The means of mitigating this impact shall be through issuance of Development Variance Permits as well as other initiatives permitted within the Municipal Act;
2. Where circumstances merit, an environmental impact assessment may be required prior to consideration of applications for subdivision, rezoning and construction. The cost of any impact assessment is to be borne by the applicant for the proposal;
3. On properties abutting Roberts Bay, any development including walkways, buildings and structures, excluding retaining walls, shall not effect more than 10% of the property area that is located between the natural boundary and a line running parallel 7.5 metres from the natural boundary;
4. The Town may permit the construction of a retaining wall along the entire width of the property, where the owner provides a report prepared by a professional engineer, certifying that the construction of the wall is required to control erosion of the owner's land. In addition, the retaining wall must be designed so as to minimize both the removal of natural vegetation and negative impact on the marine and wildlife habitat;

Mermaid Creek:

5. No Development shall be permitted in this area and all public access shall be prohibited;

Reay Creek:

6. All future developments on properties abutting Reay Creek will be located such that the negative impact on the existing aquatic habitat is minimized;
7. On properties abutting Reay Creek, no building or structure shall be located within 7.5 metres of the natural boundary;
8. Where circumstances merit, an environmental impact assessment may be required prior to consideration of applications for subdivision, rezoning and construction. The cost of any impact assessment is to be borne by the applicant for the proposal;

9. In order to encourage conformity with the methods outlined in “Stream Stewardship: A Guide for Planners and Developers” and “Land Development Guidelines for the Protection of Aquatic Habitat”, consideration of variances and more flexible zoning will be encouraged;
10. To minimize rapid water run-off into Reay Creek, the use of permeable surface materials shall be encouraged within an area 15 metres from the rear property line abutting Reay Creek;

Peter Grant Park:

11. Peter Grant Park shall remain as a Municipal Park and shall be managed as a habitat for small mammals and birds;

Beaufort Road:

12. All future development will be located such that the negative impact on the existing vegetation is minimized;
13. Where circumstances merit, an environmental impact assessment may be required prior to consideration of applications for subdivision, rezoning and construction. The cost of any impact assessment is to be borne by the applicant for the proposal;
14. For all future development, a tree retention plan will be submitted to the Manager of Parks, for the purpose of ensuring that as many trees as possible have been retained;
15. Consideration of variances and more flexible zoning will be encouraged as a means of promoting tree retention;
16. Surfacing materials for driveways, patios and walkways shall consist of a permeable surface (i.e. interlocking block, grass Crete, crushed rock);
17. Use of concrete in hard landscaping material shall be minimized to limit changes in the Ph level of the soil;

Lochside Waterfront:

18. The use of the Lochside Waterfront shall be limited to low impact recreational uses such as walking, sea kayaking, and cycling; and
19. The Town will work to ensure that any storm drains draining into the waterfront do not significantly impact the habitat of the area