

# TOWN OF SIDNEY

# Report to Advisory Planning Commission

TO: Chair and Commission Members FROM: Celina Fletcher, Municipal Planner

DATE: December 2, 2025 File No. 2436 Ocean Avenue (Land)

SUBJECT: Development Permit Application No. DP100856

2436 Ocean Avenue

# **PURPOSE:**

The purpose of this report is to provide information on a proposed three-unit residential development and to seek comments and a recommendation from the Advisory Planning Commission to Council on the form and character of the development.

# DESCRIPTION OF PROPOSED DEVELOPMENT:

Staff would like to note that the Town has received an application for a similar triplex proposed on the neighbouring property at 9601 Fourth Street as well as an application for a proposed triplex at the northeast intersection of Ocean Avenue and Fifth Street at 9601 Fifth Street. While each development is given independent consideration, staff believe this is a unique opportunity for the Advisory Planning Commission to review the designs in conjunction with one another.

The proposed development would involve the construction of a building containing three residential dwelling units on the subject property (see Drawing Set V1 in Appendix B). An existing single-family dwelling would be removed from the site to allow for the proposed development. The two dwelling units fronting Ocean Avenue are designed to have two bedrooms on the main floor and living space and a primary bedroom on the upper level. The third dwelling unit would be accessed from the rear of the property via a pathway from Ocean Avenue along the property, and from the lane. The third dwelling unit would be contained primarily on the third floor with some living space located on the second floor. The building would be a modern architectural style with a flat roof and have a combination of shiplap composite siding and grey stucco on the facades with metal accents along the edges of the building. One on-site vehicle parking space for each dwelling unit is to be accommodated within garages for each unit, accessed from the lane on the east side of the property.

# LOCATION:

The subject property is located on Ocean Avenue, to the west of the lane between Third and Fourth Street (see aerial photo in Appendix A). The surrounding neighbourhood to the north, east, and west is established with single-family dwellings of varying ages. The Sidney/Anacortes ferry terminal and Tulista Park are located to the south of the property, across Ocean Avenue. The following table outlines the Official Community Plan and Zoning designations and existing land uses on surrounding properties:

Table 1: Surrounding Land Use, Zoning and OCP Designations

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|--|---|--|---|--|--|--|--|
|  | OCP Designation                           | Zoning Designation                         | Current Land Use(s)   |  |  |  |  |
| North, East<br>and West  | Intensive<br>Neighbourhood<br>Residential | R1 - Intensive Ground-Oriented Residential | Single-family dwellings, small-lot single-family dwellings, 1 and 2 storeys |  |  |  |  |
| South  | Institutional                             | U2 - Intensive Ground-Oriented Residential | Sidney/Anacortes ferry terminal   |  |  |  |  |

# OFFICIAL COMMUNITY PLAN BYLAW NO. 2240:

The subject site is designated as Intensive Neighbourhood Residential in the Town of Sidney Official Community Plan (OCP). Located on the south side of the downtown core, the OCP encourages increased residential density in this area in order to provide for a pedestrian-friendly neighborhood close to downtown amenities. Staff are of the opinion that the proposed development generally complies with the objectives and policies in the OCP, particularly those that encourage a variety of housing types and forms.

Although the OCP does not currently address small-scale multi-unit housing (SSMUH) typologies or densities that are contained within the recently updated Zoning Bylaw, these are explicitly excluded from the requirement to be consistent with official community plans. OCPs are not required to be updated immediately to comply with SSMUH requirement, so there may be some inconsistencies with small-scale multi-unit housing building forms until the Town's Official Community Plan is updated as per Bill 44.

# **ZONING BYLAW NO. 2275:**

The subject property is currently zoned Intensive Ground-Oriented Residential (R1), the intent of which is to provide for intensive ground-oriented housing of all types up to 4 units on smaller lot sizes. Staff have reviewed the proposal and have determined that it is in full conformance with the Zoning Bylaw.

# OFF-STREET PARKING AND LOADING BYLAW NO. 2140

The proposed development complies with the bylaw requirements by providing one standard vehicle parking space for each dwelling unit, at a total of three parking spaces. Vehicle parking is located within a single car garage for each unit that is accessed via the lane on the east side of the property. Two of the garages are recessed into the building which would allow for an additional two in-tandem vehicle parking spaces in the driveway area. There are no bicycle parking requirements for this type of residential development.

# TREE PRESERVATION BYLAW NO. 2138

There are no bylaw-protected trees on the property, however, there is a protected boulevard tree to the southeast corner of the property at the entrance to the lane which is not expected to be affected by the proposed development. No protected trees are proposed for removal.

Submitted landscape plans indicate an unobstructed 24 m<sup>2</sup> tree planting area within the front yard of the property to comply with the landscaping requirements in section 6 of the Zoning Bylaw. The applicant is proposing to plant one new tree in this area.

# INTENSIVE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PERMIT GUIDELINES:

As the property is located within an area designated under the OCP as Intensive Neighbourhood Residential, new development on the site is subject to the General Form and Character, General Residential, and Intensive Neighbourhood Residential Development Permit Area Guidelines. The purpose of these guidelines is to address the form and character of the proposed development, including landscaping and the siting, exterior design and finish of the building.

Overall, staff are of the opinion that the proposed development is generally consistent with the applicable design guidelines. There are several guidelines that staff would like to highlight:

# **Environmental Sustainability**

- 24.4.7 Design and orient buildings to maximize solar access to adjacent streets and public spaces, while also considering optimizing for solar orientation to improve energy performance and occupant comfort.
- 24.4.9 Use appropriately designed exterior shading devices (such as fixed awnings or retractable canopies, roofs projections, overhangs, and fixed fins) to block unwanted solar gains in warmer months while maximizing solar gains from lower winter sunlight. Additional considerations include:
  - a. Their use should be prioritized on southern elevations;
  - b. Shading is not necessary on north facing façades; and

- c. Vertical fins are a good strategy to use for blocking incoming summer sun on western elevations.

  Generally, overhangs and fins should be approximately 0.6 m to allow for winter sun penetration while blocking summer midafternoon sun.
- 24.4.32 Place deciduous trees on the south and west sides of buildings, particularly in front of windows and outdoor living spaces.

The building's design maximizes solar access, with all private balconies for each unit oriented southward. Lower balconies are recessed and the eaves on the third storey project to allow for shading and weather protection. A deciduous tree is proposed to be planted on the south side of the property, which will eventually help to provide shade to Unit 1 when it is mature.

- 24.4.22 Prioritize high efficiency heat recovery ventilation systems and electric heat pump technologies.
- 25.3.34 Where screening structures are necessary, they should use consistent design, materiality, and scale that complements the building.

Heat pumps are proposed for the development, with two located on the west side of the property away from public view and one recessed within the building envelope on the east side of the property. Each heat pump is to be screened with composite siding, matching the shiplap composite siding used throughout the building face.

# **General Form and Character**

- 25.3.2 Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features.

  This property is situated uniquely, where it fronts Ocean Avenue and has vehicular access off the east side of the property via the lane. While the building is mainly oriented towards Ocean Avenue, it is designed in a way that continues to provide visual interest along the portion of the property facing the laneway.
- 25.3.4 Develop in a manner compatible with adjacent structures and uses.
- 25.3.24 Integrate new developments with the existing neighbourhood by considering the transition between building heights and massing, paying particular attention to building elevations visible from the public realm (waterfront, streetscapes).
- 25.3.28 Step back the upper storeys of buildings and arrange the massing and siting of buildings to consider shadowing on lower level units, adjacent buildings, as well as public and open spaces such as sidewalks, plazas, and courtyards.
  While the current zoning bylaw permits three storeys, the surrounding buildings along Ocean Avenue were constructed under previous zoning regulations that only permitted up to 2.5 storeys.

Avenue were constructed under previous zoning regulations that only permitted up to 2.5 storeys. The proposed building manages this transition in height and natural grade by incorporating a step back at the third storey; this helps to reduce the perceived massing of the building, making it appear more consistent with the established scale of the neighbourhood.

- 24.4.15 Use simple shifts in massing and changes in exterior colours and textures to articulate facades.
- 25.5.4 Create visual interest by providing variations in height and massing within the design.

Visual interest and definition are created along the main street frontage through strategic shifts and massing inherent to the building, specifically the use of recessed entries and balconies and the stepped back third storey. Consistent material and colour applications on all building elevations contribute to a defined and engaging presence to the streetscape.

- 25.3.47 Provide landscaping in strategic locations throughout the site to frame building entrances, soften edges, screen parking garages, and break up long façades.
- 25.3.61 Landscaping should be compatible with underground utilities and above ground utilities where they exist.

Landscaping serves to define pedestrian pathways and entrances facing Ocean Avenue. Planting areas have been positioned in areas to avoid conflicts with underground and above ground utilities.

# **General Residential & Intensive Neighbourhood Residential**

- 25.4.2 Design all residential buildings and units to have easy access to useable private or semiprivate outdoor amenity space.
- 25.4.5 Porches, balconies, and decks facing a street should present an open and accessible appearance that encourages interaction between the dwelling and the street.
   Each unit has a south-facing balcony that can be directly accessed from the living room of each unit. The balconies are generally set back into the building envelope, allowing for privacy for each individual unit while glass balcony railings allow for limited interaction with the street.
- 25.5.5 Doors, windows, or landscaping should reinforce the location of the entry for each dwelling on the property.
- 25.4.7 Design primary unit entrances to provide:
  - a. A clearly visible front door directly accessible from a public street or publicly accessible pathway; and
  - b. Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies.
- 25.3.36 Provide weather protection such as awnings and canopies at primary building entries.

  Each individual unit has its own separate entrance. The two units fronting Ocean Avenue have

main entrances directly visible from the street that are raised to match the grade of the sidewalk. These two entrances are recessed into the building, providing weather protection while further accentuating the entryways from Ocean Avenue. The third unit is directly accessed from the lane by a ramp that leads up to a covered porch. A path connects the front of the property to the parking areas and laneway to the east of the property.

- 25.4.10 Architectural elements and materials should be chosen to convey a feeling of quality and permanence. Cladding materials and architectural detailing should break up large flat surfaces and monotonous façades.
- 25.3.41 Consider the colours and materials of adjacent or neighbouring buildings when selecting material and building colour to provide consistency and balance of the overall streetscape.
- 25.3.42 Building materials should be used consistently throughout all building elevations that are visible from the street and public open spaces.
  - Building materials are used consistently throughout each elevation. The building uses a combination of shiplap composite siding and stucco in various shades of grey, accented with metal along the edges of the building. The south side of the building include large windows and is complemented with glass and aluminum guard rails.
  - The proposed colours and materials of the building are in keeping with those of surrounding properties while contributing towards a unified, modern aesthetic along the Ocean Avenue streetscape.
- 25.5.10 Windows should be located and designed to maximize light penetration into a dwelling's interior while minimizing views into neighbouring properties and dwellings.
- 25.4.12 Window openings on sidewalls should be planned to avoid aligning with windows of adjacent dwellings.
  - Consideration has been given in the design to off set the windows along common lot lines in order to maintain privacy. Windows along the west side of the property are arranged in a way so they are off set from the existing adjacent building (as well as the proposed building under Development Permit Application No. DP100855) to minimize direct sightlines into the neighbouring property to the east. Minimal window openings at the rear of the property help to reduce overlook into the adjacent property to the north. Balconies are oriented towards the street, which help to avoid impacts to the privacy of neighbouring properties.
- 25.5.7 Roofs should be varied and/or pitched to reduce the bulk of the building and to emphasize a human scale.

While the roof is not pitched, the roof of the third storey is stepped back adding variation in height that helps to break up the massing of the building.

- 25.4.21 Use textured, permeable paving for hard surfaced areas such as walkways, patios, driveways, and parking areas.
- 25.4.22 Hard-surfaced driveways and parking areas should be surfaced with materials that avoid a monotonous appearance.
- 25.5.2 A hard-surfaced connection should be provided between the dwelling and the street or lane. Parking areas and the pathway along the east side of the property are proposed to be surfaced paving stones. The entryways for each unit are to be surfaced in concrete pavers, as well as the path from Units 1 and 2 to the sidewalk. Parking areas for each unit are to be delineated by borders to add visual interest.

# **DISCUSSION:**

The applicant has given consideration through the design to the unique site specifications for each property at 9601 Fourth Street and 2436 Ocean Avenue, despite their apparent similarities. The floor plans of the two dwellings are nearly identical, however, the windows facing the common lot lines are off set which will help to minimize overlook between buildings. Building materials and colours vary slightly but remain complementary to present cohesive addition to the Ocean Avenue streetscape.

The subject property has a relatively low natural grade, below 5 metres geodetic elevation. Development on properties with an existing elevation below 5 metres is guided by the Interim Flood Construction Level (FCL) Policy DV-014. As per the policy, the applicant has provided a report from a qualified Professional Engineer assessing flood hazard on the site and recommending a site-specific minimum floor elevation (FCL – flood construction level) for the development. The Engineer's report assesses the proposed elevations of the development, and states that the construction is safe for the uses intended as per legislation in section 56 of the *Community Charter*. As per the Town's policy, a covenant is required to be registered on title to require that the development be constructed in accordance with the Engineer's report. The covenant would also serve to notify future owners of the flood risk.

# **RECOMMENDATION:**

That Development Permit Application No. DP100856 (to permit the form and character of a three-unit residential development) for the property at 2436 Ocean Avenue be approved, subject to the condition that the property owner shall, prior to the issuance of Building Permit:

1. Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development.

| Submitted By: | Celina Fletcher, Municipal Planner                |
|---------------|---|
| Concurrence:  | Alison Verhagen, Director of Development Services |

Attachments: Appendix A: Aerial photo of property

Appendix B: Drawings

Appendix C: Zoning Comparison Report

Presenter: Ryan Hoyt, Applicant

Appendix A: 2023 Aerial Photo of 2436 Ocean Ave, showing Zoning (black) and OCP (white) designations, with the subject property outlined in blue.



# OCP Designation Legend:

INS: Institutional

RES-2: Intensive Neighbourhood Residential RES-3: Multi-Unit Residential

PROPOSED TRIPLEX:

# 2436 Ocean Ave.

SIDNEY, BC

## **PROJECT INFORMATION:**

SITE ADDRESS:

LOT 7, BLOCK 23, PLAN VIP 1552, SECTION 10, RANGE 4E, NORTH SAANICH LAND DISTRICT

OUBVEYOR

WEY MAYENDURO LAND OURVEYING INC. 250.656.5155 BRENT@WEYSURVEYS.COM

## **SCOPE OF WORK:**

CONSTRUCTION OF A NEW TRIPLEX

**SHEET INDEX:** 

A0.0 COVER SHEET
A0.1 SITE PLAN & ZONING ANALYSIS
A0.2 LANDSCAPE PLAN
A0.3 DEVELOPMENT PERSPECTIVES

A1.1 FIRST & SECOND FLOOR PLANS A1.2 THIRD FLOOR & ROOF PLANS

A2.1 ELEVATIONS A2.2 ELEVATIONS

A3.1 SECTIONS



201-5325 Cordova Bay Road Victoria, BC V8Y 2L3 250.999.9893 hello@hoyt.co | www.hoyt.co

# 2436 Ocean Ave.

ISSUE DATE: 250ct23 REV 5

Cover Sheet

**A0.0** 

## **PROJECT DIRECTORY:**

DESIGNER:

GENERAL CONTRACTOR: LIVIN LARGE PROPERTIES RLARGE@LIVINLARGEPROPERTIES.CA 250.208.7306





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and developes have been considered, verified and are acceptable.

The Contractor shall sucht with a B.C.L.S. to verify complaint placement, sking and aleastics of the prepased shall large or structures on the property prior to commencing the work. HOC is not responsible for any enroundements with respect to develop, sking or

I DOLLEY, pilot to execution.

The Contractor shat engage o Professional Engineer focused in the Province of BC for the design and field review of all shouthard components and systems within the work on equivalent by the Authority Harriery Justicideon, Prior to commencement of the work, the contractor shall notify HDC of larve charges to fine.

2436 Ocean Ave

1SSUE DATE: 250ct23 REV 5



# Site Plan & Zoning Analysis



| AVERAGE GRADE CALC. | FORKT | ELEVATION (N | ELEV

SEWER STORM WATER

900 (340) 3400 1403

## **R1 ZONING ANALYSIS:**

LOT AREA: 511.0m2

FLOOR ELEVATIONS: FIRST FLOOR: SECOND FLOOR: 6

THIRD FLOOR: 9.25m GARAGE SLAB: 2.30m

AVERAGE GRADE: 2.54m

F.C.L.: 4.32n

GARAGE:

UNIT / BUILDING TOTAL:

F.S.R: ALLOWABLE PROPOSED

NO RESTRICTION N/A

NO RESTRICTION NA

34.2m2 (EXEMPT)

 GROSS FLOOR AREA:
 ALLOWABLE UNIT 1

 FIRST FLOOR:
 64.5m2

 SECOND FLOOR:
 181.4m2 (0.70° 230.6m2)

 THIRD FLOOR
 161.4m2 (0.70° 230.6m2)

 LOT COVERAGE:
 ALLOWABLE
 PROPOSED

 HOUSE:
 50.0% (255.5m2)
 49.9% (255.6m2)

 HEIGHT:
 ALLOWABLE
 PROPOSED

 HOUSE:
 10.5m
 10.08m

EXEMPT

| SETBACKS: 10.5m | 10.06m | 1

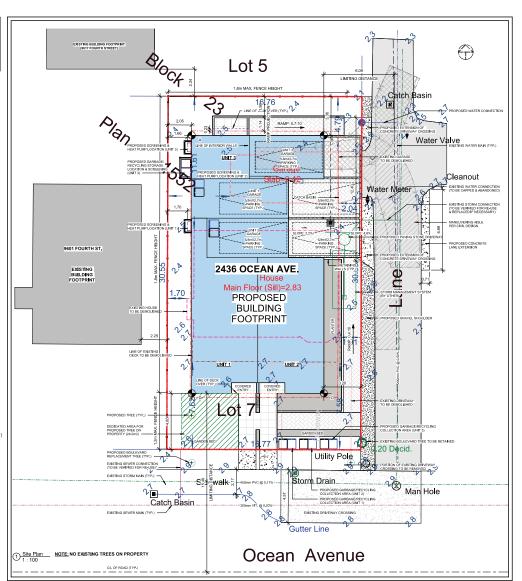
UNIT 2 UNIT 3 BUILDING

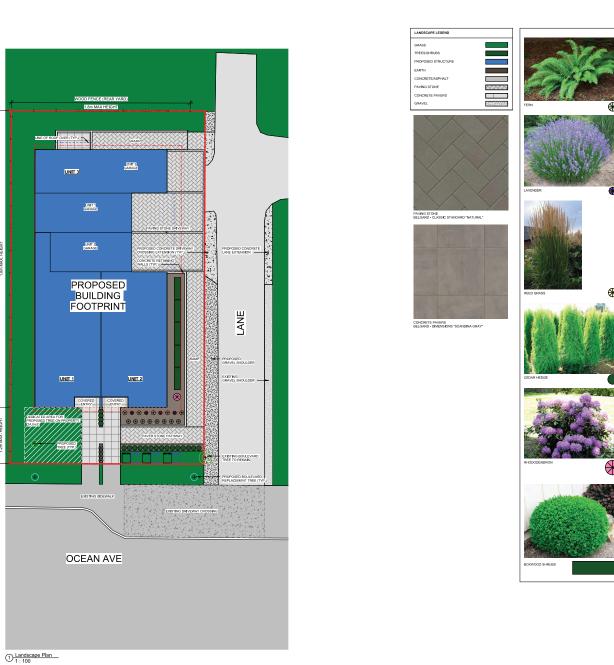
61.3m2 17.8m2 143.6m2

94.4m2 41.8m2 230.6m2

NA 152.3m2 152.3m2

28.0m2 (EXEMPT) 24.3m2 (EXEMPT) 88.5m2 (EXEMPT 185.7m2 528.5m2







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# 2436 Ocean Ave

ISSUE DATE: 25Oct23 REV 5

Landscape Plan

A0.2



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# 2436 Ocean Ave.

ISSUE DATE: 250ct23 REV 5

Development Perspectives

A0.3

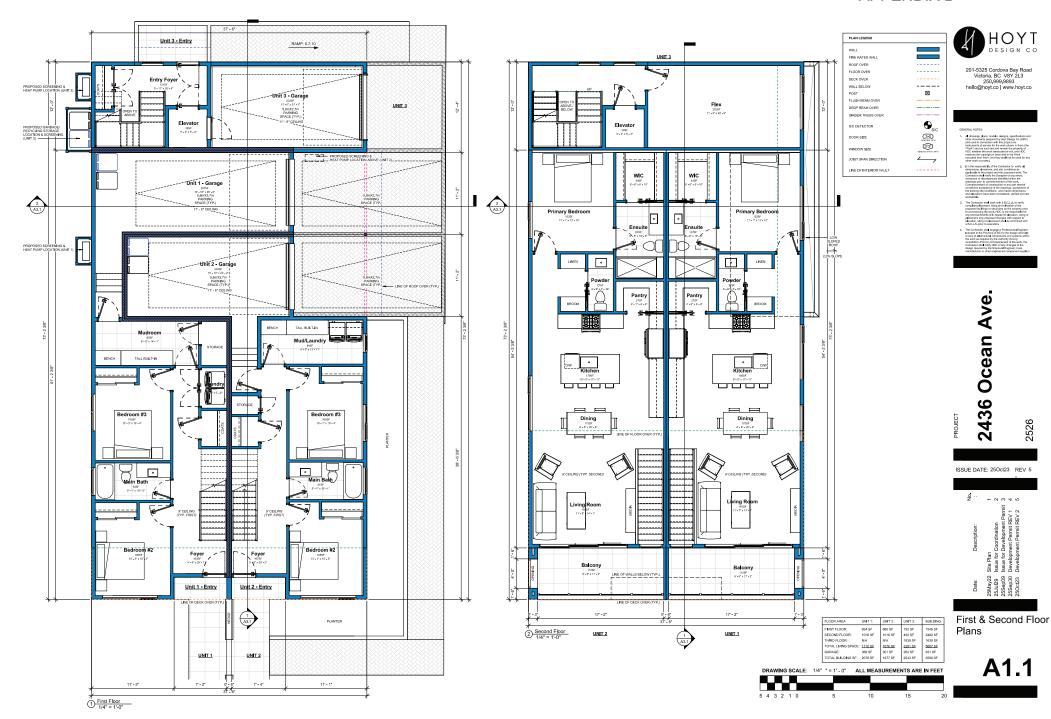


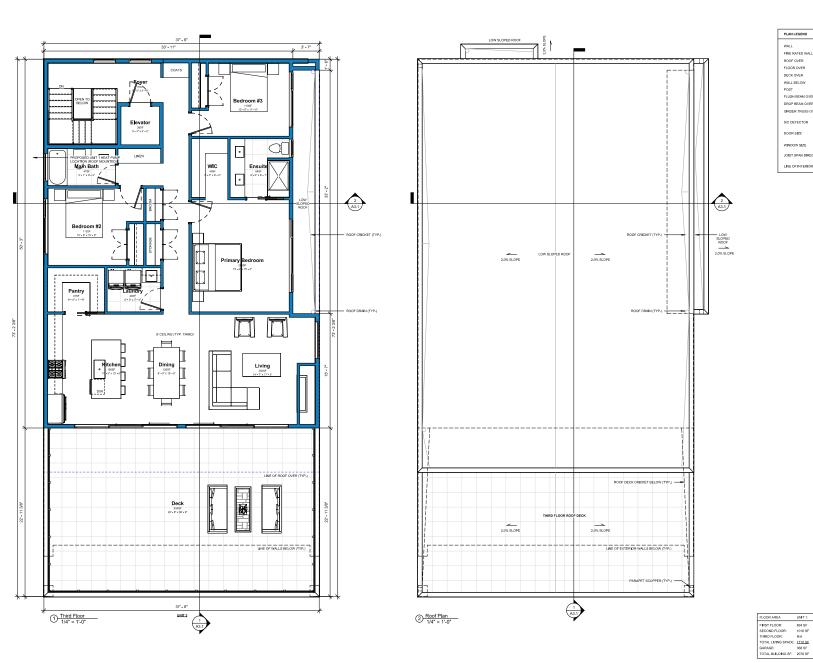


SOUTHWEST PERSPECTIVE









PLAN LEGEND FIRE RATED WALL ROOF OVER FLOOR OVER DECK OVER -----WALL BELOW DROP BEAM OVER GIRDER TRUSS OVER ⊕<sub>s/c</sub> S/C DETECTOR S/C
SINCTED TOVE
SINCE
SINCTED TOVE
SINCE
SINC DOOR SIZE JOIST SPAN DIRECTION LINE OF INTERIOR VAULT

HOYT DESIGN CO 201-5325 Cordova Bay Road Victoria, BC V8Y 2L3 250,999,9893 hello@hoyt.co | www.hoyt.co

# 2436 Ocean Ave

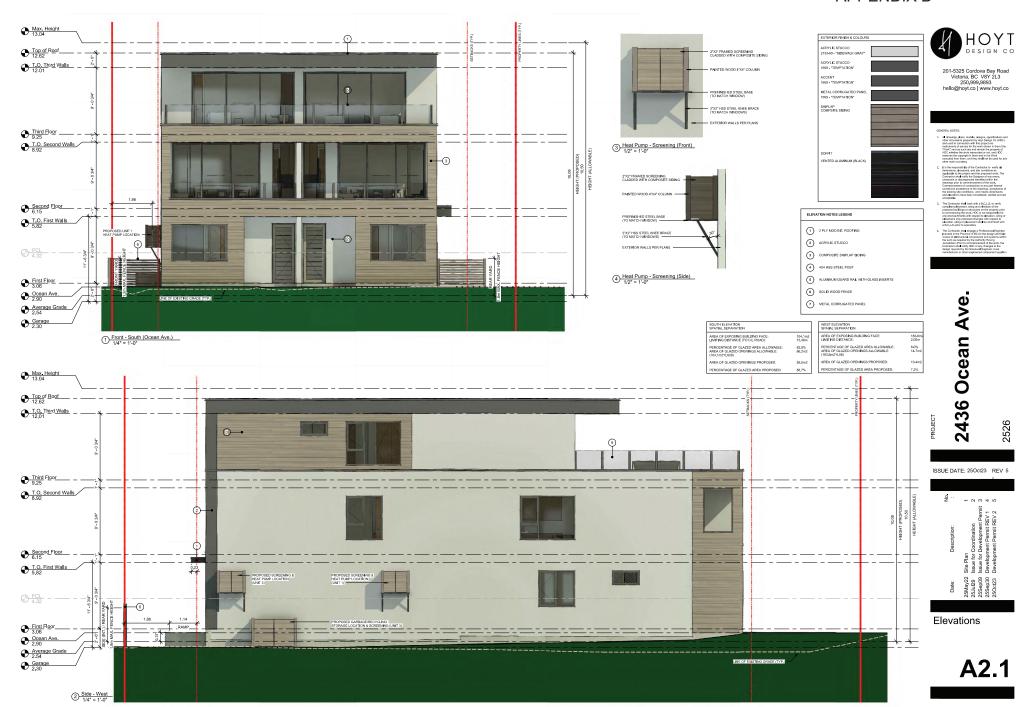
ISSUE DATE: 25Oct23 REV 5

Third Floor & Roof Plans

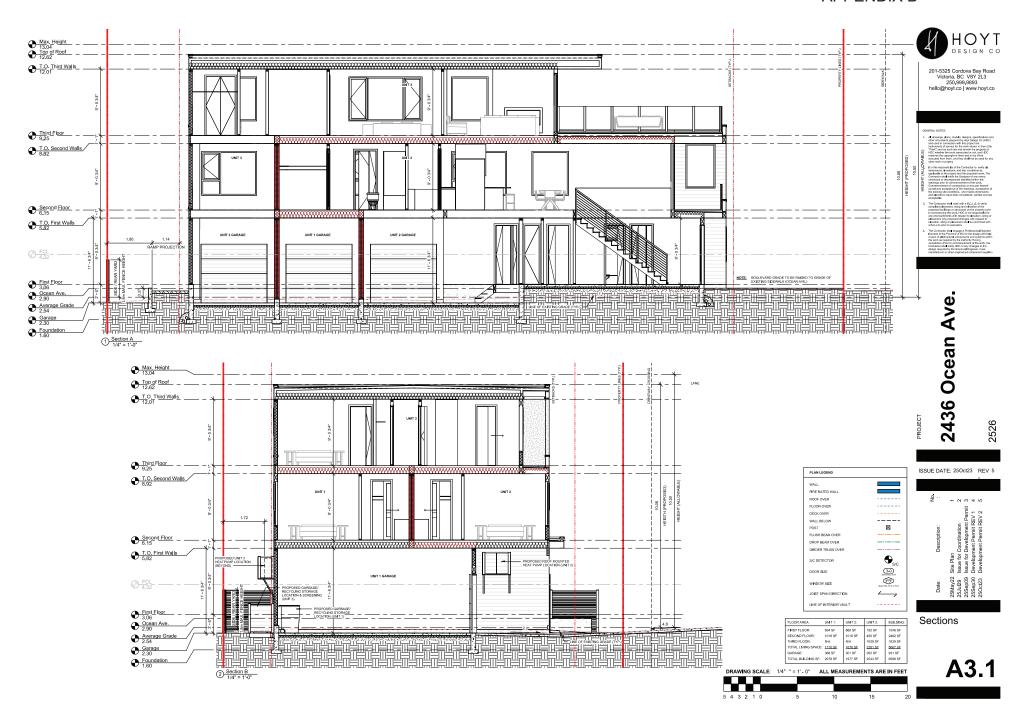


660 SF 1016 SF N/A 1676 SF 301 SF 1977 SF

1546 SF 2482 SF 1639 SF 5667 SF 931 SF 6598 SF























# Appendix C: Zoning Comparison

| Section                        | Permitted in R1 Zone                             | Proposed Development                        | Conforms |
|--------------------------------|--|---|----------|
| Permitted Uses                 | Dwelling unit                                    | Dwelling unit                               | Conforms |
| Density                        | Max. 4 dwelling units                            | 3 dwelling units                            | Conforms |
| Lot Area                       | Min: 250 m <sup>2</sup> (2,691 ft <sup>2</sup> ) | 511 m <sup>2</sup> (5,500 ft <sup>2</sup> ) | Conforms |
| Lot Coverage                   | 50%  | 49.9%                                       | Conforms |
| Height                         | Max: 10.5 metres (34.4 ft)                       | 10.08 metres (33.1 ft)                      | Conforms |
| Storeys                        | Max: 3 storeys                                   | 3 storeys                                   | Conforms |
| Size of 3 <sup>rd</sup> Storey | Max. 70% of the floor below                      | 66%   | Conforms |
| Setbacks:                      |  |   |          |
| Front (South)                  | Min: 4.5 metres (14.8 ft)                        | 4.85 metres (15.9 ft)                       | Conforms |
| Rear (North)                   | Min: 3.0 metres (9.8 ft)                         | 3.36 metres (11.0 ft)                       | Conforms |
| Interior Side (West)           | Min: 2.0 metres (6.6 ft)                         | 2.05 metres (6.7 ft)                        | Conforms |
| Interior Side (East)           | Min: 2.0 metres (6.6 ft)                         | 3.20 metres (10.5 ft)                       | Conforms |