

# TOWN OF SIDNEY

# **Report to Advisory Planning Commission**

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

DATE: December 2, 2025 File No. 9601 Fourth Street (Land)

**SUBJECT:** Development Permit Application No. DP100855

9601 Fourth Street

# **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 note that this triplex is one of three separate triplex developments proposed on properties in close proximity to each other. A similar triplex is proposed on the neighbouring property to the east at 2436 Ocean Avenue and another is proposed 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 V2 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 Fourth Street and 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 a combination of shiplap composite siding and off-white 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 Fourth Street.

# LOCATION:

The subject property is located on the north-east side of Fourth Street and Ocean Avenue (see aerial photo attached as Appendix A). This development proposal is adjacent to the west of 2436 Ocean Avenue, where another development permit application has been submitted to redevelop the site with a three-unit residential development. 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, Zoning designations and existing land uses on surrounding properties:

Table 1: Surrounding Land Use, Zoning and OCP Designations

	OCP Designation	Zoning Designation	Current Land Use(s)
North, East	Intensive Neighbourhood	R1 - Intensive Ground-	Single-family dwellings, small-lot single
and West	Residential	Oriented Residential	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 from Fourth Street on the west 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 one protected boulevard tree near the northwest corner of the property 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 to meet 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 is designed so that the private balconies of each unit are oriented southwards which will help to maximize access to sunlight. The lower balconies are recessed so that they are fully covered and the eaves on the third storey project to allow for shading and weather protection. A tree is proposed to be planted on the south side of the property, which will help to provide shade to Unit 2 when it is mature.
- 24.4.15 Use simple shifts in massing and changes in exterior colours and textures to articulate façades.

  The building incorporates recessed and projecting elements that help articulate the south and west façades.
- 24.4.22 Prioritize high efficiency heat recovery ventilation systems and electric heat pump technologies.
- 25.3.19 Noise producing mechanical equipment should be located in order to reduce disturbance to neighbouring properties, with consideration of acoustic and visual screening.
- 25.3.34 Where screening structures are necessary, they should use consistent design, materiality, and scale that complements the building.
  - The proposal includes one heat pump per unit, with two located on the east side of the property away from public view and one recessed within the building envelope. Each heat pump is to be screened with horizontal 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.
- 25.3.11 Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces.
- 25.3.12 Driveways on corner lots should be sited as far away from the intersection as possible.
- 25.4.9 The impact of garage doors on the street should be minimized through recessing the garage entrance, high quality garage door design, and utilizing a secondary frontage if on a corner lot or a lane
  - This property is situated uniquely in this neighbourhood with it being on a corner lot with frontages on both Ocean Avenue and Fourth Street but with no vehicular connection between the two streets and no laneway access. Parking is located within individual garages for each unit on the property, with two of the three garage doors receded in the building envelope, minimizing the impact of parking areas from the street. Parking is accessed from the northwest side of the property off of Fourth Street, which acts as a secondary street in relation to Ocean Avenue being the primary frontage for this property.
- 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.
- 25.5.4 Create visual interest by providing variations in height and massing within the design.

  The buildings in the surrounding neighbourhood were built under previous zoning regulations that only permitted up to 2.5 storeys in height; the current bylaw permits up to three storeys. The

proposed building accounts for the transition in natural grade between Fourth Street and Ocean Avenue and incorporates a step back at the third storey which helps to reduce the massing relative to the adjacent buildings along Ocean Avenue. Interest is maintained on the upper storeys of the elevations visible above the neighbouring properties through changes in colour and material.

- 25.3.15 Avoid large expanses of uniform materials and flat monotonous façades facing streets and public open spaces.
- 25.3.29 Break up the perceived mass of large buildings by incorporating visual breaks in façades.
- 25.3.30 Incorporate subtle vertical and horizontal recesses / articulation on large primary façades (e.g. cladding details).
  - The design utilizes recessed and projecting elements to create visual interest and add definition to the building. To ensure the building elevations remain cohesive, these shifts in massing are complemented by variations in material and colour.
- 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.

Planting beds are located along the southwest side of the building, adding interest to the site while framing on-site pathways and the entrances along Ocean Avenue. Planting areas have been situated in areas to avoid conflicts with underground 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.

- 25.4.10 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 facades.
- 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.
  - The building uses a combination of shiplap composite siding as well as grey and off-white stucco on the facades with metal accents along the edges of the building. The neutral toned colours and wood-like elements help to integrate the proposed building into the existing neighbourhood. The south side of the building include large windows and is complemented with glass and aluminum guard rails. Building materials are used consistently throughout each elevation.
- 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.
- 25.4.23 Permeable surfaces, grasscrete, or narrow wheel lanes with planting in the middle are encouraged where the frequency of use does not necessitate full paving (i.e. additional parking spaces or guest parking).
- 25.5.2 A hard-surfaced connection should be provided between the dwelling and the street or lane.

Parking areas and pathways on-site are proposed to be surfaced in permeable pavers. Narrow borders are to be used in parking areas to add visual interest and delineate parking areas for each unit. Concrete pavers are proposed at each entryway and to connect the south entrances to the sidewalk on Ocean Avenue.

- 25.5.1 Consideration should be given to how the overall property functions (i.e. parking, outdoor space, landscaping, building orientation, storage, etc.) for each dwelling on the property.

  The functional aspects of the overall development have been considered, including but not limited to on-site connectivity, access, details such as turning templates for parking areas, and the locations for solid waste pick up and storage.
- 25.5.5 Doors, windows, or landscaping should reinforce the location of the entry for each dwelling on the property.
- 25.4.3 Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.
- 25.3.35 Ensure main building entries are clearly visible with direct sight lines from the fronting street.
- 25.3.36 Provide weather protection such as awnings and canopies at primary building entries.

  The main entrances to Units 1 and 2 are directly visible from the street and connected to Ocean Avenue by a pathway out to the sidewalk. A path connects the front of the property to the parking areas off Fourth Street. The entrance to Unit 3 is accessed directly from Fourth Street by a ramp. The entrances fronting Ocean Avenue are recessed into the building while the entrance for Unit 3 has a canopy overhead, providing weather protection while accentuating the entryways from each fronting street.
- 25.5.7 Roofs should be varied and/or pitched to reduce the bulk of the building and to emphasize a human scale.
- 25.5.11 Roof structures that span both units in a singular, monolithic roof form are discouraged. Developments are encouraged to break up the building mass by articulating the roofline with secondary roof elements and by incorporating features such as dormers, gables, and architectural detailing in the roof structure.
  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.
- 25.5.10 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.
- 25.4.13 Limit overlook into adjacent properties' private spaces and interiors through use of skylights, clerestory/piano windows, and obscure glazing.
- 25.4.14 Upper-level decks, balconies, and exterior stairs should be oriented to avoid overlook and to incorporate privacy screening (see landscape guidelines).
  Consideration has been given in the design to off-set the windows along common lot lines in order to maintain privacy. Windows along the east 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. DP100856) 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.
- 25.5.12 All elevations facing streets or public spaces should have an equal level and quality of design in detailing. Architectural features that 'turn the corner' are encouraged.
- 25.3.13 Site buildings and orient primary façades and entries to the fronting street or a central open space to create street/edge definition and activity.
- 25.3.14 On corner sites, orient building façades and entries to both fronting streets.

25.5.3 On corner lots, lots with laneway access or double fronting lots, dwellings should be oriented to face the street or lane.

The primary façade along Ocean Avenue incorporates more articulation and massing changes to maximize definition and engagement with the street. While the level of massing articulation varies between the front of the property and the side of the building, the quality and selection of the materials and finishes remain consistent across all street facing elevations.

# **DISCUSSION:**

The applicant has given consideration through the design to the unique site specifications for each proposed triplex on the adjacent properties 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 additions 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 Town's 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:

- 1. That Development Permit Application No. DP100855 (to permit the form and character of a threeunit residential development) for the property at 9601 Fourth Street be approved, subject to the condition that the property owner shall, prior to the issuance of Building Permit:
  - a. 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

Appendix A: 2023 Aerial Photo of 9601 Fourth Street, 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:

# 9601 Fourth Street

SIDNEY, BC



## **KEY PLAN:**



## PROJECT INFORMATION:

SITE ADDRESS:

9601 FOURTH ST. SIDNEY, BC V8L 2Y5

LOT 6, BLOCK 23, PLAN VIP 1552, SECTION 10, RANGE 4E, NORTH SAANICH LAND DISTRICT

PID: 007-210-043

## PROJECT DIRECTORY:

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

STRUCTURAL ENGINEER:

SURVEYOR:

WEY MAYENBURG LAND SURVEYING INC.

250.656.5155 BRENT@WEYSURVEYS.COM

### **SCOPE OF WORK:**

CONSTRUCTION OF A NEW TRIPLEX

## **SHEET INDEX:**

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

A3.1 SECTIONS

HOYT DESIGN CO

5196 Rambler Road Victoria, BC V8Y 2H3 250.999.9893 hello@hoyt.co | www.hoyt.co

9601 Fourth St.

ISSUE DATE: 25Oct23 REV 10

Cover Sheet



F.C.L.:

F.S.R:

LOT AREA: 512.0m2

FLOOR ELEVATIONS: FIRST FLOOR: SECOND FLOOR: 6.15m

THIRD FLOOR: 9.25m GARAGE SLAB:

- STORM

UNIT 2

94.4m2

158.9m2

N/A

28 2m2 (EXEMPT)

PROPOSED

49.8% (255.0m2)

PROPOSED

10.38m

2.18m

AVERAGE GRADE: 2.24m

> ALLOWABLE PROPOSED NO RESTRICTION

GROSS FLOOR AREA: ALLOWABLE PROPOSED

UNIT 1 FIRST FLOOR: 61.3m2 SECOND FLOOR

THIRD FLOOR: 161.4m2 (0.70\* 230.6m2) GARAGE: EXEMPT UNIT / BUILDING TOTAL:

LOT COVERAGE: ALLOWABLE HOUSE: 50.0% (256.0m2)

HEIGHT: ALLOWABLE HOUSE: 10.5m

SETBACKS: ALLOWABLE PROPOSED FRONT (S): 4.5m 4.81m 3.39m REAR (N): 3.0m 3.07m SIDE (W): 3.0m 2.0m

VERAGE GRADE CALC. POINT ELEVATION (HOUSE 2.21m

50.0% 47.7m

GRAVEL DRIVEWA

Gravel

30

0.9

- Water Meter

RETAINING WALLS (TYP

CONCRETE SLAB

Street

Fourth

Utility Pole

EXISTING WATER CONNEC (TO BE VERIFIED FOR RE-L TO BE CAPPED & ABANDON IF NECESSARY)

UNIT 3 BUILDING 18.1m2 143.9m2 41.8m2 230.6m2 152.3m2 152.3m2 34.1m2 (EXMEPT) 24 6m2 (EXEMPT) 86 9m2 (EXEMPT) 212.2m2 526.9m2



2 Streetscape Elevation (Fourth St) 1:150

2426 OCEAN AVENUE





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EXISTING BUILDING FOOTPRINT

EXISTING BUILDING FOOTPRINT 2436 OCEAN AVE.

With Overhangs

EXISTING BUILDING FOOTPRINT (9617 FOURTH STREET)

16.76

PROPOSED

BUILDING

FOOTPRINT

Gutter Line

UNIT 23

T. @ 0.20% Catch Basin

Overhanging Deck UNIT 1 6.28

DIC V

Lot 6

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9601 Fourth St.

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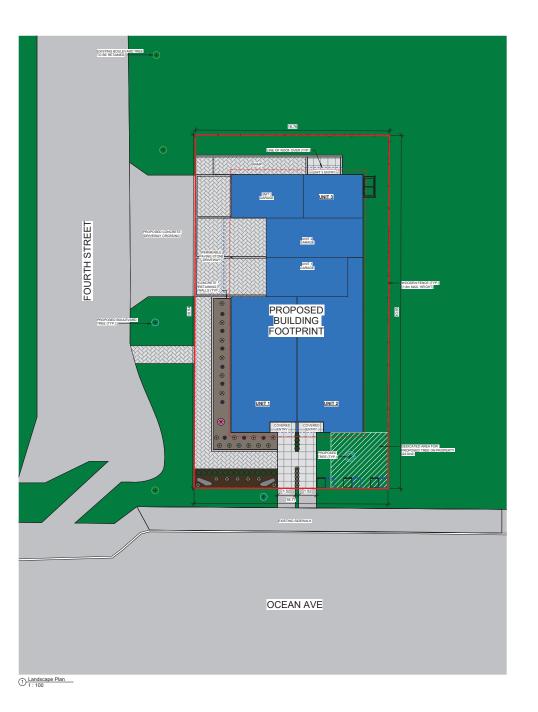
ISSUE DATE: 25Oct23 REV 10

Site Plan & Zoning

A0.1

Analysis

Streetscape Elevation - Ocean Ave (9601 3 Fourth St.) 1 : 125





























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# 9601 Fourth St.

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Landscape Plan



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# 9601 Fourth St.

ISSUE DATE: 250ct23 REV 10

Development Perspectives





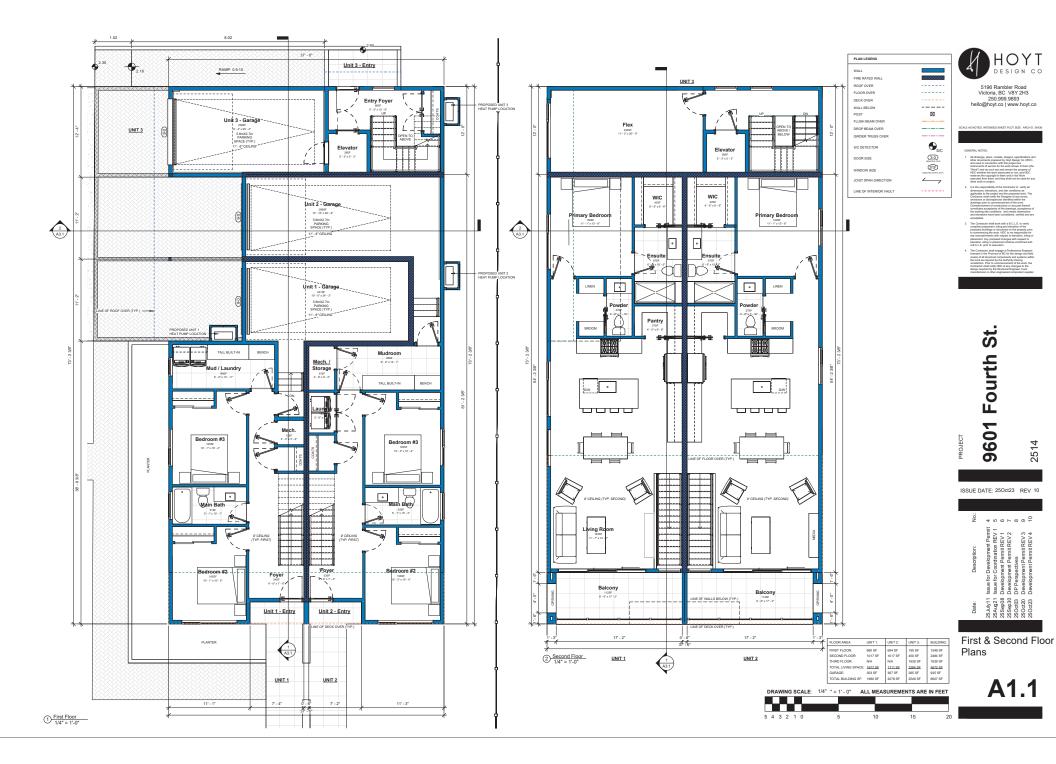


NORTHWEST PERSPECTIVE

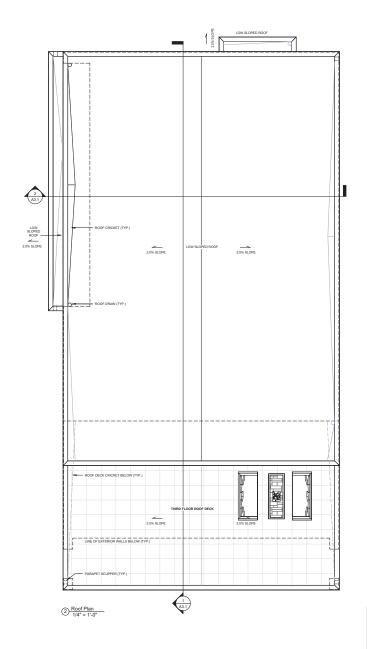




SOUTHEAST PERSPECTIVE











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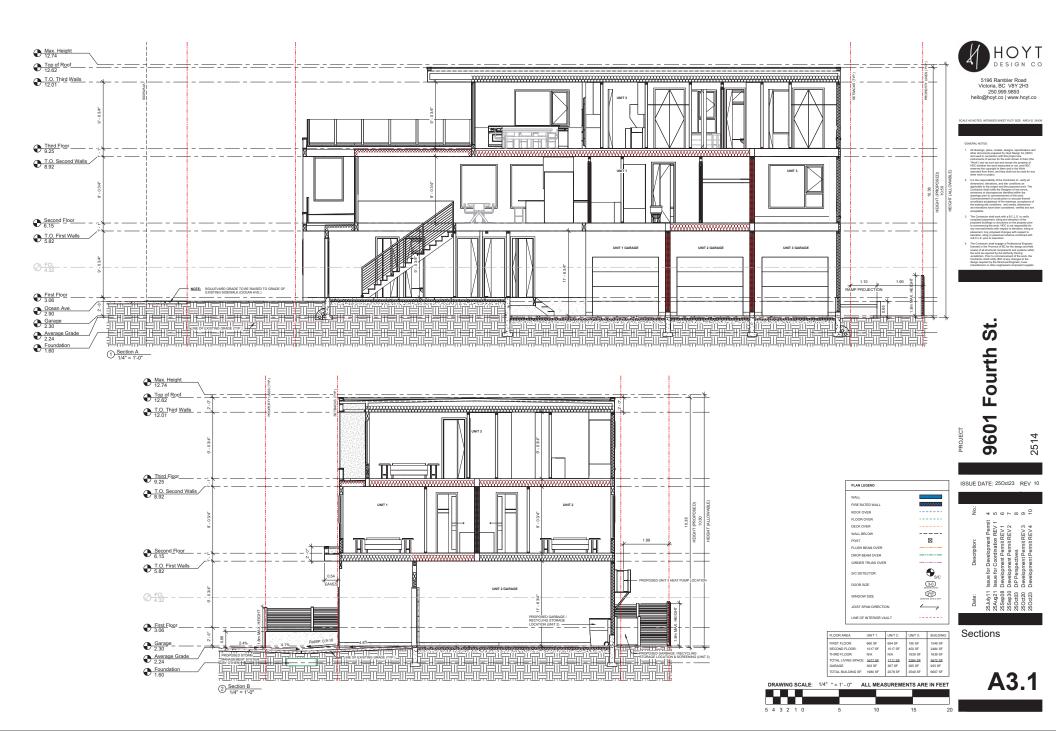
Third Floor & Roof Plans



UNIT 1: UNIT 2: UNIT 3: BUILDING:







# 9601 Fourth Street

SIDNEY, BC

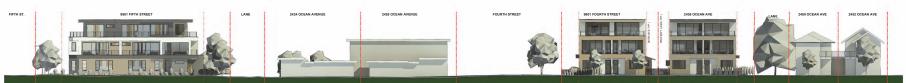




1) Streetscape - Fourth St (9601 Fourth St.)



2 Streetscape - Ocean Ave (9601 Fourth St.)



3 Streetscape - Ocean Avenue Development









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9601 Fourth St.

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Development Perspectives & Streetscape

# PROPOSED TRIPLEXES:

SIDNEY, BC

# 9601 Fourth Street & 2436 Ocean Avenue









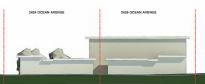




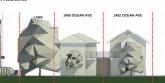












# Appendix C: Zoning Comparison

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> )	512 m <sup>2</sup> (5,511 ft <sup>2</sup> )	Conforms
Lot Coverage	50%	49.8%	Conforms
Height	Max: 10.5 metres (34.4 ft)	10.38 metres (34.1 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)	4.81 metres (15.8 ft)	Conforms
Rear (North)	Min: 3.0 metres (9.8 ft)	3.39 metres (11.1 ft)	Conforms
Interior Side (East)	Min: 2.0 metres (6.6 ft)	2.18 metres (7.2 ft)	Conforms
Exterior Side (West)	Min: 3.0 metres (9.8 ft)	3.07 metres (10.1 ft)	Conforms