



Guide to Official Community Plan Amendments

What is the Official Community Plan?

The Town of Sidney Official Community Plan (OCP) is a statement of policies and objectives to guide future land use and development in the Town. The OCP establishes general land use designations within the Town, such as areas for residential, commercial, industrial, institutional, and marine uses. Within each of these designations there are policies and objectives which work toward maintaining and enhancing the quality of life in Sidney.

The OCP also provides development guidelines for buildings and land developments within Development Permit Areas.

When do I need to apply for an amendment?

The most common reason for applying for an amendment to the OCP is if you are proposing a zoning amendment which does not conform to the OCP (for example, if you want to rezone a property for commercial use, but the OCP designation allows only residential uses).

Who can apply?

A property owner can apply for an OCP amendment, or they can authorize someone else to make the application on their behalf. Authorization must be received in writing. Where a property is owned by a company or society, the application must be signed by a person with signing authority and must include a copy of the corporate registry naming the individuals with signing authority. Where a property is owned by more than one person, signatures of all owners are required. For strata buildings, approval is also required from the Strata Council.

How do I apply?

To apply for an amendment to the OCP, obtain an application form and checklist from the Town Hall, or the Town of Sidney website (www.sidney.ca) and return them with the application fee and all required information. Before you make a formal application, be sure to discuss your project with a Planning staff member in the Development Services Department. To make an appointment, or for more information, contact the Development Services Department at 250-656-1725 or developmentsservices@sidney.ca.

How long does it take?

OCP amendment applications take approximately four to six months to process. However, this time may vary depending on whether the submitted application package is complete, its complexity, and the number of other applications under review.

If the OCP Amendment also requires a Zoning Amendment, a Development Permit, or a Development Variance Permit, the applications can be submitted and reviewed concurrently, thus streamlining the development process.

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What is the cost?

The cost of an OCP amendment application ranges from \$1300.00 to \$1700.00, plus a \$1500.00 public hearing fee and a \$300 mail-out deposit.

If the application is a joint OCP amendment and Zoning Bylaw amendment, the combined application fee ranges from \$1800.00 to \$2500.00, plus a \$1500.00 public hearing fee and a \$300 mail-out deposit. Fees are set in Land Use Procedures Bylaw No. 1380.

Who makes the decision?

The decision on whether to approve an OCP amendment application is made by Council.

What is the process of amending the OCP?

The following is a summary of the application procedure for an OCP amendment, as shown on the attached flowchart.

NOTE: At any time in the following process, Council or Committee of the Whole may table an application, refer it for comment or reject it.

1. Submission of Application

- **Preliminary discussion (recommended):** The applicant meets with Development Services Department planning staff to discuss the proposed project and review applicable planning regulations.
- **Public Meeting (recommended):** The applicant meets with members of the public to discuss the proposed project and gauge public support.
- **Application received:** The applicant submits an application, drawings, fees and other required information. Development Services staff review the application package to ensure all information has been provided. If there is missing information, staff will contact the applicant and require this information before the application package will be accepted as complete and proceeds for review.
- **Installation of Notice of Development application sign:** Once a completed application package is received, the applicant shall install a “Notice of Development Application Sign” on the subject property within two weeks, as per Section 3.5-7 of Land Use Procedures Bylaw No. 1380. The sign must remain on the property for the duration of the Official Community Plan Amendment application process.
- **Radius Mail-out Notice:** Once a completed application package is received, staff mail a Notice of Development Application within two weeks to residents and property owners within a 100 metre (328 foot) radius of the subject property, as per section 3.8 of Land Use Procedures Bylaw No. 1380.

2. Application Review & Report

- **Staff Review:** Planning staff will conduct an initial review of the application.

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- **Referrals:** Applications may be referred to other Town of Sidney departments (Building Inspection, Engineering, Fire, Parks, and Public Works). Applications may also be referred to other agencies if relevant, such as the RCMP or Provincial ministries or to third party utility providers (BC Hydro, Telus, etc.). This allows for the input of comments or concerns relating to design, location or other aspects of the proposal.
- **Development Review Committee (DRC):** The DRC is a committee made up of representatives of each Town of Sidney department. They review major planning applications and comment on matters relevant to their departments. Planning staff gather comments and provide a summary to the applicant.
- **Detailed Report:** Staff check the proposal for conformance with relevant Town bylaws, such as the Official Community Plan, Zoning, Off-Street Parking and Loading and Screening Bylaw. A report is prepared by staff for the Committee of the Whole, summarizing the project, outlining any areas which do not conform to Town bylaws or are of concern, and providing recommendations. In accordance with Provincial requirements, amendments to the OCP are reviewed in relation to such things as the capital expenditure program and any waste management or economic strategy plans that may be in place. If affected, they are also referred to other government bodies such as the Ministry of Transportation and Transit, School District, Capital Regional District or District of North Saanich. Comments and staff recommendations on these points will be included in the report to Committee of the Whole. Once the Committee of the Whole agenda is finalized (usually the Thursday before a meeting), a link to the meeting agenda package which includes the staff report is sent to the applicant.

3. Committee & Council Review

- **Committee of the Whole:** The Committee of the Whole is a sub-committee of Council which usually meets at 6:00 p.m. in Council Chambers on the first and third Monday of each month. The applicant is expected to make a presentation to the Committee on their proposal at the meeting and submit any presentation materials (e.g. PowerPoint/PDF presentation, drawings, etc.) by 12:00pm on Tuesday prior to the meeting. The Committee of the Whole may refer the application to the Advisory Planning Commission for comment, or directly to Council with a recommendation. Committee of the Whole's recommendation is received by the Mayor and Council at a Regular Council meeting, where Council considers it and makes a resolution(s) on the matter.
- **Advisory Planning Commission (APC):** The APC usually meets on the first and third Tuesday of each month at 2:00 pm and provides recommendations to Council on matters relating to planning and land use. Applications are referred to the APC:
 1. if they propose new development in a designated development permit area: Intensive Neighbourhood Residential, Neighbourhood Townhouse, Multi-Unit Residential, Neighbourhood Commercial, Downtown Commercial, West Sidney Mixed Use Village, West Side Industrial, and Harbour Road Marine;
 2. if they involve properties designated as Heritage or Environmentally Sensitive; or
 3. at Council's discretion.

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Applicants are expected to make a brief presentation about their proposal to the Advisory Planning Commission and submit the presentation by 12:00pm on the day before the meeting.

- **Council:** Council meetings are usually held at 6:00 p.m. in Council Chambers on the second and fourth Monday of each month. They review the recommendations from the various committees. If Council is satisfied that the internal review is complete, they will initiate a public review of the application by authorizing staff to draft the amending bylaw for their consideration. This may be done subject to certain conditions being met (such as the submission of revised drawings). If any revisions are made to the drawings after the initial submission, applicants must submit updated hard copies before the permit can be issued.

4. Bylaw Adoption Process

- **Preparation of draft bylaw amendment:** Planning staff draft a bylaw which would amend the OCP to allow the proposed development.
- **Bylaw 1st and 2nd Reading:** Once the amending bylaw is drafted, it is placed on a Council meeting agenda for their consideration. If the bylaw is given first and second reading, a time and date for a public hearing and consideration of third reading and adoption is set.
- **Statutory Reviews & Referrals:** Staff send the bylaw for any necessary approvals as per Council's previous resolutions on what other government bodies to consult with and as per provincial legislation for approval. In accordance with Provincial requirements, amendments to the OCP may be referred to other government bodies such as the Ministry of Transportation and Transit, School District, Capital Regional District or District of North Saanich. This ensures that all agencies and government bodies which may be affected by the amendments are made aware of them and have opportunity for input.
- **Radius Mail-out Notice & Advertise in Newspaper:** Prior to the public hearing, notification of the proposed amendments and public hearing (1) is advertised in two consecutive editions of a local newspaper, and (2) in most situations will be mailed to neighbouring residents and property owners within 100 metres of the subject property. Development Services staff prepare and send the radius mail out and the newspaper advertisement. The notice will include the time and location of the public hearing.
- **Public Hearing:** Public hearings, which are held during regular Council meetings, allow for public input on the proposed amendment. Council receives both verbal and written presentations from any interested persons. The applicant is expected to answer questions from Council regarding the proposal.
- **Council-3rd Reading & Adoption/Rejection:** Council considers all public input on the proposed OCP amendment and typically:
 - gives the bylaw third reading and adoption; or
 - rejects the application.

Council may give the bylaw a third reading and adoption at the same Council meeting as the public hearing is held. However, Council may also table the application after third reading in

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order to allow the applicant and the Town the opportunity to sign any agreements, such as restrictive covenants, prior to final adoption.

Contact Us:

Development Services Department

By Email: developmentservices@sidney.ca

By Phone: 250-656-1725

In Person: 2440 Sidney Ave, Sidney BC V8L 1Y7

(Monday to Friday 8:30 am – 4:00 pm excluding statutory holidays)

www.sidney.ca



OCP Amendment Application Process

