

# TOWN OF SIDNEY

## BYLAW 2258

### A BYLAW TO AMEND ZONING BYLAW NO. 2015

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

This Bylaw may be cited as "**Zoning Bylaw No. 2015, Amendment No. 43, Bylaw No. 2258**".

That Town of Sidney Bylaw No. 2015 be amended as follows:

1. By adding the following to Section 3.9, Comprehensive Development Zones,

Zone	Address	Intent of the Zone
CD43	2180 Beacon Ave. W.	To provide for multi-unit residential dwellings at a high density.

2. By adding the following regulations to Section 4.9.8, Permitted and Conditional Uses Table, Comprehensive Development Zones 29 through 43,

Use	CD43
Accessory Use, Building, or Structure	P
Apartment Dwelling	P
Home Occupation	C (4.9.19)

3. By adding the following regulations to Section 5.9.1, General Spatial Regulations Table, Comprehensive Development Zones,

Zone	Maximum Residential Density	Minimum Lot Area	Maximum Lot Coverage	Maximum Height	Maximum Storeys
CD43	1.7 FAR	6000 m <sup>2</sup>	37%	19m	5

4. By adding the following regulations to Section 5.9.2, Setback Regulations Table, Comprehensive Development Zones,

Zone	Minimum Front Setback	Minimum Rear Setback	Minimum Side Interior Setback	Minimum Side Exterior Setback
CD43	4.5m	4.5m	9m	4.5m

5. By adding the following subsections to Section 5.9.3, Comprehensive Development Building Regulations:

- i. In CD Zone 43:

- i. 20% of all apartment units shall be adaptable units as per Section 7. All calculations shall round up to the nearest whole number.
- ii. prior to the issuance of Building Permit, the property owner shall:
  - a) Enter into a Housing Agreement with the Town to secure all units within the development as rental for a minimum time period of 30 years from the date of occupancy, and to secure

20% of the total number of units as below market rentals for a minimum time period of 20 years from the date of occupancy;

- b) Install off-site works and frontage improvements on Beacon Avenue West and Jahn Place to the satisfaction of the Director of Engineering, or pay bonding to secure the installation of the required works;
  - c) Install surfacing and drainage improvements on the pedestrian connection between Jahn Place and Beacon Avenue West;
  - d) Install a water main connection across the subject property connecting the Jahn Place main to the Beacon Avenue West main, or pay bonding to secure the installation of this work;
  - e) Register a statutory right of way on title for construction, operations and maintenance of the new water main between Jahn Place and Beacon Avenue West, and a future water main between Jahn Place and Skylark Lane;
  - f) Pay a parks contribution of \$242,276 less any payable Parks DCC amount, to be used for parkland acquisition;
  - g) Register a restrictive covenant on the title of the property prohibiting the future owner or strata council from passing any bylaws that may restrict occupancy of the building based on age;
  - h) Register a noise covenant acknowledging industrial, airport, and highway noise and activity;
  - i) Register a restrictive covenant on title acknowledging the details and maintenance schedule required for the on-site storm water management system;
  - j) Provide a 2-metre-wide road dedication along the Beacon Avenue West frontage for the purpose of road widening and improvements;
  - k) Register a 1-metre-wide statutory right of way along the Beacon Avenue West frontage for installation of frontage improvements;
  - l) Register a statutory right of way for underground water main infrastructure from the Beacon Avenue west frontage to the north property line and connecting to the Jahn Place frontage; and
  - m) Register a statutory right of way for public access across the property from the Jahn Place frontage on the west lot line to the north lot line and east connecting to the public multi-use pathway adjacent to Highway 17.
6. By amending Appendix A to Zoning Bylaw 2015 by relabeling the hatched area shown below in Figure 1 and known as Lot A, Section 11, Range 3 East, North Saanich District, Plan VIP79049 from Comprehensive Development 23 (CD23) to Comprehensive Development 43 (CD43).  
Civic Address: 2180 Beacon Avenue West

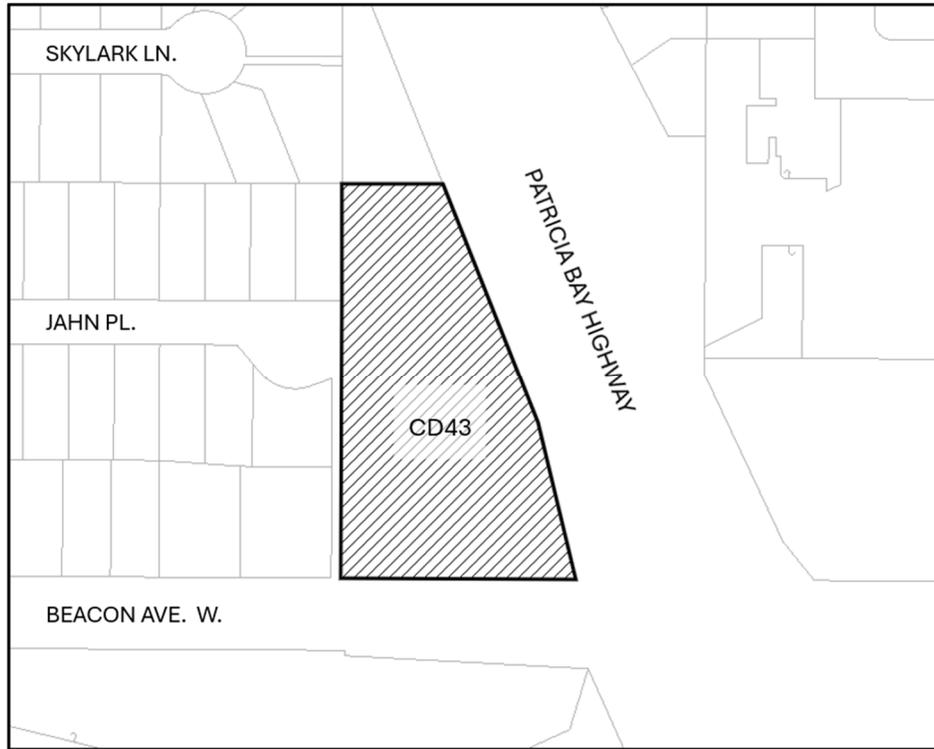


Figure 1

Read a first time the \_\_\_\_\_ day of \_\_\_\_\_  
Read a second time the \_\_\_\_\_ day of \_\_\_\_\_  
Read a third time the \_\_\_\_\_ day of \_\_\_\_\_  
Ministry of Transportation & Infrastructure approval this \_\_\_\_\_ day of \_\_\_\_\_  
Adopted the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER