



TOWN OF SIDNEY

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?

While the applicant need not be the property owner, the property owner must authorize the application. Where a property is owned by a company or society, the application must be signed by a person with signing authority. Where a property is owned by more than one person, signatures of all owners are required. For strata lots or 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 from the Development Services department at Town Hall, or Town of Sidney website (www.sidney.ca), and return the form with the application fee and all required information. Before you make a formal application be sure to discuss your project with a Development Services staff person. To make an appointment or for more information, contact the Development Services department at 656-1725.

How long does it take?

OCP amendment applications take approximately three to four months to process. However, this time may vary depending on whether or not the application is complete, its complexity and the number of other applications before Council.

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

What is the cost?

The cost of an OCP amendment application ranges from \$1300.00 to \$1700.00, plus a \$900.00 public hearing fee and a \$200 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 \$900.00 public hearing fee and a \$200 mail-out deposit.

Who makes the decision?

The decision of whether or not 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 process for an OCP amendment, as shown on the attached flow chart.

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.
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1. Submission of Application

- **Preliminary discussion (recommended):** the applicant meets with Development Services Department staff to discuss the proposed project and review applicable planning regulations.
- **Application received:** The applicant submits an application, drawings, fees and other required information.
- **Check application package:** Development Services staff review the application package to ensure all information has been provided. If all the correct information is provided, the application will proceed. If there is missing information, staff will contact the applicant and require this information before the application will proceed.
- **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 has to remain on the property for the duration of the Official Community Plan Amendment application process.

- **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 75 metre (246 foot) radius of the subject property, as per Section 3.8 of Land Use Procedures Bylaw No. 1380.

2. Application Review & Report

- **Staff Review:** Development Services staff will conduct an initial review of the application.
- **Referrals:** Major applications may be referred to utility companies (BC Hydro, Telus and Fortis BC Gas) and other Town of Sidney departments (Building Inspection, Engineering, Fire and Parks). Applications may also be referred to other agencies if relevant, such as the RCMP or Provincial ministries. This allows for the input of comments or concerns relating to the 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.
- **Detailed Report:** Staff checks the proposal for conformance with relevant Town bylaws, such as the OCP, Zoning, Off-Street Parking and Loading and Screening Bylaw. A report is prepared by staff for the Committee of the Whole, summarizing the project, and providing recommendations. Once the Committee of the Whole agenda is finalized (usually the Thursday before a meeting), a copy of the report is sent to or made available for pickup by 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 Committee of the Whole reviews the application and staff report. The applicant is expected to make a presentation to the Committee on their proposal at the meeting. The Committee of the Whole may refer the application to one or more of the Advisory Committees for comment or directly to Council with a recommendation.
- **Committee Referral:** The most common advisory committee that reviews planning applications is the Advisory Planning Commission:
 - **Advisory Planning Commission (APC):** The APC usually meets on the first and third Tuesday of each month, and provides recommendations to Council on matters relating to planning and land use. Applications are referred to the APC:

1. if they involve single-family high-density, multi-family residential, commercial, industrial, or marine;
2. if they involve properties designated as Heritage or Environmentally Sensitive; or
3. at Council's discretion.

Applicants are expected to make a brief presentation about their proposal to the Advisory Planning Commission.

- **Council:** Council usually meets at 7:00 p.m. in the 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).

4. **Bylaw Adoption Process**

- **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 Review & Referrals:** In accordance with Provincial requirements, amendments to the OCP are reviewed in light of 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, School District, Capital Regional District or District of North Saanich.
- **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) may in certain situations be mailed to neighbouring residents and property owners.
- **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 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 order to allow the applicant and the Town the opportunity to sign any agreements, such as restrictive covenants, prior to final adoption.

OCP Amendment Application Process

