

**NOTICE OF PUBLIC HEARING – BYLAWS NO. 2152
NOTICE OF DEVELOPMENT VARIANCE PERMIT APPLICATION**

Notice is hereby given that the Council of the Town of Sidney will hold a Public Hearing in respect of Bylaw No. 2152, being the proposed amendment to Zoning Bylaw No. 2015 for the Town of Sidney for the site shown below in Figure 1.

All persons who believe that their property is affected by the proposed amending bylaw will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw at the Public Hearing to be held at the Sidney Town Hall, 2440 Sidney Avenue, Sidney, BC on **Monday, May 14, 2018 at 7:00 p.m.** Written submissions can be received at the Town Hall prior to 4:00 p.m. on May 14, 2018.

The property which would be affected by the bylaw amendment is:

Civic Addresses: 9830, 9832, 9838, 9842 & 9844 Third Street

Legal Address: Lot 1, Section 11, Range 4 East, North Saanich District, Plan EPP79638

The lands that are subject to the proposed amendment is shown hatched on the plan below:

*This amendment is to allow for the extensive costs (\$1,800,000 – 2,300,000) for customized commercial-level design of the Theatre to be absorbed by the project and still maintain the viability for Casman Properties to be able to proceed with the Theatre in the project as designed.

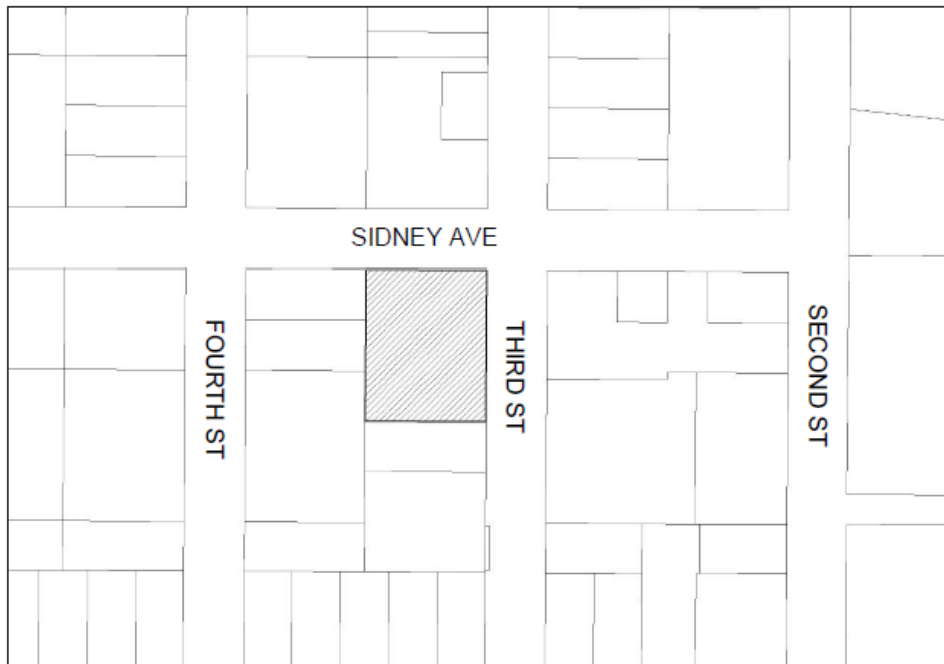


Figure 1

***Please note:**
This will maintain the variance granted to the 5,000sf Theatre for the past 20 years in which there was no parking required/provided. This variance would result in the Town of Sidney not requiring the \$10,000/ pay-in-lieu per stall for the 29 stalls that have never been required of the Theatre.

BYLAW NO. 2152 - ZONING BYLAW NO. 2015 AMENDMENT*

The purpose of Bylaw No. 2152 is to amend Zoning Bylaw No. 2015 by exempting the floor area of the proposed new movie theatre (Star Cinema) from the overall allowable floor area of the 6 storey, 45 unit mixed-use development proposed for the site.

DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DV100248

Council is also considering the issuance of a Development Permit and Development Variance Permit (DVP) in connection with the above noted zoning amendment for the site. The DVP application is to relax certain bylaw requirements for the proposed development, as follows:

Zoning Bylaw No. 2015	Bylaw Requirement	Proposed
Section 5.4.1: Maximum Height	15.0 m (49.2 ft)	22.6 m (74.1 ft)
Section 5.4.1: Number of Store	4	6
Off-Street Parking Bylaw No. 2140		
Number of Vehicle Parking Spaces	88	59*
Number of Bicycle Parking Spaces	55	40



To view staff reports and plans related to this proposal, please go to www.sidney.ca then click on "Development in Sidney".

Copies of the proposed bylaw and DVP application, as well as all background documentation, may be inspected during normal working hours of 8:30 a.m. to 4:00 p.m., Monday to Friday (excluding statutory holidays) from **April 24, 2018 to May 14, 2018** at the Sidney Town Hall, 2440 Sidney Avenue, Sidney, BC V8L 1Y7. Further inquiries may be directed to the Development Services Department, telephone 250-656-1725 or by email at developmentservices@sidney.ca.

Correspondence may be submitted by mail or email to the addresses noted above and must be received no later than 4:00 p.m. on the day of the Public Hearing, Monday, May 14, 2018. All correspondence submitted will form part of the public record and may be published in a meeting agenda.

Corporate Officer

Casman's Commitment:

Working with Casman, it is clear they are working hard to **ensure the longevity of the theatre in Sidney**. In addition to taking on the costly renovations to accommodate a theatre in their project, they will:

- will continue to honour our current rent rate (which will result in approximately a 36% discount from market rates for new commercial lease space in downtown Sidney)
- provide financial assistance, in relocating, and operations so Star Cinema maintains their presence and service to the community throughout the duration of the construction of the new building via a temporary location

Additional information re: Parking

- Casman's new development will not affect the town's parking lot, located behind the theatre
- Casman is not asking for any variance for the additional 7 + 4 spaces (*expansion of Star Cinema's square footage and the other commercial spaces on the first floor*) and will be paying \$110,000
- Casman's request is asking the Town of Sidney to maintain the parking variance they have already granted to Star Cinema's 5000sf for the past 20 years.