INTRODUCTION

DISTRICT OF OAK BAY

Infill Housing Program

In 2022, Council endorsed an Infill Housing Strategy. The Strategy was built through robust public and stakeholder engagement as well as technical analysis, and put forward Guiding Principles and Key Directions for an infill housing program appropriate for Oak Bay.

The Infill Housing Strategy Guiding Principles include:

1. **Provide Diverse Housing Options** - by encouraging diverse housing sizes and forms
2. **Support Ease of Implementation** - by updating the District's Bylaws to support infill
3. **Cherish What the Community Loves** - by preserving open space, supporting sustainability, and heritage

While the Strategy was set to be implemented in 2023, the Province of BC then announced new Housing Legislation that the District must respond to.

Now, the Oak Bay Housing Action Program will respond to the Provincial Legislation and Council Priority Projects related to housing, and builds on the key directions from the Infill Housing Strategy.

Housing Action Program

The Housing Action Program aims to increase housing supply, create more diverse housing choice and over time, contribute to more affordable housing.

As shown below, the Program is made up of nine Council Priority Projects (CPPs) that will be implemented over the next five years. Over this time, there will be many opportunities for community input along the way.

Today, we are at the start of this process, working to implement #72: Update Zoning Bylaw to meet Provincial Small-Scale Multi-Unit Housing requirements by June 30, 2024.

Today's Open House

The following series of boards share information about how the District is proposing to refine its approach to infill housing, meet the Provincial mandates, and ensure that new growth is thoughtfully incorporated into Oak Bay's ambitions as a community.

Please read about this work and join us in discussion. We want to hear about your hopes, concerns, and ideas for infill housing in Oak Bay. Your feedback will help us understand what matters most to the Oak Bay community.

Along with the technical analysis, direction from the Province and direction from the District Council, your input will be used to refine the Zoning Bylaw Updates and inform future related updates.



visit **https://connect.oakbay.ca/housing-action-program** *to stay up to date as more information becomes available!*

PROVINCIAL HOUSING LEGISLATION

DISTRICT OF OAK BAY

Introduction

In the spring of 2023, the Province of BC introduced the Homes for People Plan which aims to increase housing supply and create more diverse housing options in BC. To implement the Homes for People Plan, the Province brought forward several legislative changes.

Each of the following Provincial Acts will bring changes to the District's land use planning framework. The first required change is to incorporate infill housing (small scale multi-unit housing) into the Zoning Bylaw by June 30, 2024.

Bill 43: Provincial Housing Supply

Under this Act, the District of Oak Bay received a Housing Target Order to meet 664 new housing units by 2028. The Infill Program is a key part of working towards this target.

Bill 44: SSMUH and Pro-Active Planning

This Act requires municipalities to allow small-scale multi-unit housing (SSMUH) in areas otherwise restricted to single-family and duplex homes. The District must update its Zoning Bylaw to accommodate SSMUH by June 30, 2024.

Bill 44 also requires all local governments to update their housing needs reports (HNRs) using a standardized methodology over a 20-year time horizon. Official Community Plans (OCPs) will need to be updated by December 31, 2025 and reviewed every five years, to plan for these housing needs.

Additionally, Public Hearings are no longer allowed for zoning bylaw amendment applications for new housing development that are consistent with the OCP.

Bill 46: Housing Statues (Development Financing) Amendment Act

Infrastructure and amenity upgrades may be required to support new development made possible by Bill 44. Development Cost Charges (DCC) are being expanded from parkland acquisition, sewer and storm water upgrades to include fire protection facilities (e.g. fire halls), police facilities, solid waste facilities, among other items. A new Amenity Cost Charge (ACC) tool is being introduced to fund amenities like community and recreation centres, as well as daycares and libraries, to support complete and livable communities.

The District does not currently have a DCC program and therefore will prepare an Amenity Cost Charge and Development Cost Charge Bylaw to support ongoing development over the coming year.



Image by Small Housing BC

This example of infill housing is illustrative only, and future work will be undertaken to determine infill housing forms most appropriate for Oak Bay.

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SMALL-SCALE MULTI-UNIT HOUSING

DISTRICT OF OAK BAY

SSMUH in Oak Bay

Under Bill 44, the Province requires local governments to allow for increased density – in the form of small-scale multi-unit housing (SSMUH) or 'infill housing' – on lots currently zoned for single-family and duplexes.

Specifically, the District of Oak Bay's bylaws must:

- Permit up to 3 or 4 units on single-detached and duplex lots depending on the lot size*;
- Consider site standards to enable infill housing like parking, heights, setbacks, lot coverage, floor area ratio and unit size.

The Provincial Policy Manual and Site Standards provides guidance for municipalities to consider on site standards to enable small-scale, multi-unit housing.

*Note: with some exceptions - see large parcels and heritage properties

SSMUH and Infill Housing

SSMUH (or infill housing) is ground-oriented housing typically built at a similar scale to single-detached and duplex housing.

Accordingly, infill can realize additional housing without drastically impacting 'look and feel' of existing neighbourhoods. Examples include secondary suites, garden suites, townhomes, triplexes, duplexes, fourplexes, and heritage conversions.

Through the Infill Housing Strategy, we heard support for various types of infill housing across the District, including secondary suites, garden suites, townhomes, and duplexes.

Although an Infill Housing Strategy-like program will still be created, it now must accommodate the mandated densities put forward by the Province (up to four units on most residential lots).

The following boards introduce the recommended changes to the Zoning Bylaw and Parking Facilities Bylaw and how they build upon key directions from the Oak Bay Infill Housing Strategy, to support infill best suited for the Oak Bay context.



Images by Small Housing BC

The sketches show examples of infill housing. These images are illustrative only, and future work will be undertaken to determine infill housing forms most appropriate for Oak Bay.

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LOCAL LAND USE FRAMEWORK

DISTRICT OF OAK BAY

The Local Land Use Framework

Implementing infill housing will require updates to the District's Official Community Plan (OCP), Zoning Bylaw, Parking Facilities Bylaw and Development Permit Area Guidelines. Each document plays an important role in the land use framework.

Official Community Plan

The OCP presents the long-term vision for our community and governs land use. It sets out objectives, policies, and land use designations that guide planning and land use decisions. The future land use designations outline what kind of new development is envisioned and where. The OCP also establishes Development Permit Areas where a Development Permit is required prior to any development taking place.

Development Permit Area Guidelines

The Development Permit Area Guidelines (contained in the OCP) guide the form and character of buildings, landscapes and other objectives of the OCP.

Zoning Bylaw

The Zoning Bylaw sets regulations for development that help to achieve the OCP vision. It divides the land in Oak Bay into zones, determines what types of buildings and structures are allowed and their associated densities. It regulates building height, setbacks and how much of the lot can be covered in paving and structures.

Updating the Zoning Bylaw by June 30th, 2024 with the required densities set by the Province is a priority. In future work, the OCP, Development Permit Guidelines, and associated Bylaws will be updated to accommodate infill and anticipated growth and change.

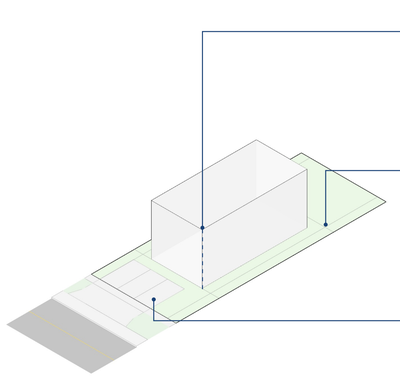
Parking Facilities Bylaw

The Parking Facilities Bylaw regulates requirements for parking facilities, including the number of parking spaces required for different uses and build types, its size, and location.

Tree Protection Bylaw

The Tree Protection Bylaw regulates pruning and cutting of protected trees. It also contains requirements for future tree canopy coverage for development.

Key Bylaw Terms



Height

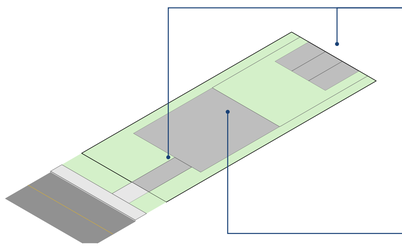
The maximum allowable height of buildings and structures on a property.

Setbacks

The minimum distance that a building or structure must be set back from property lines, streets, alleys, or other features.

Parking Standards or Regulations

The minimum or maximum number of parking spaces and design parameters. Note: parking requirements in Oak Bay are regulated through the Parking Facilities Bylaw.

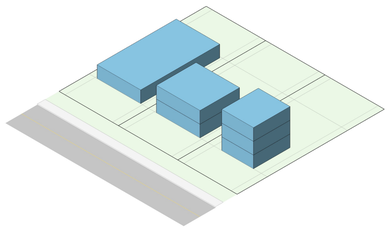


Lot Paved Area

Governs the maximum allowable amount of a lot that can be covered by paved surfaces such as driveways, parking lots, walkways. Regulating paved area helps to manage stormwater, island heat effect, and aesthetics.

Lot Coverage

Lot coverage regulations determine the maximum percentage of a lot that can be covered by buildings or structures; this helps to ensure adequate open space.



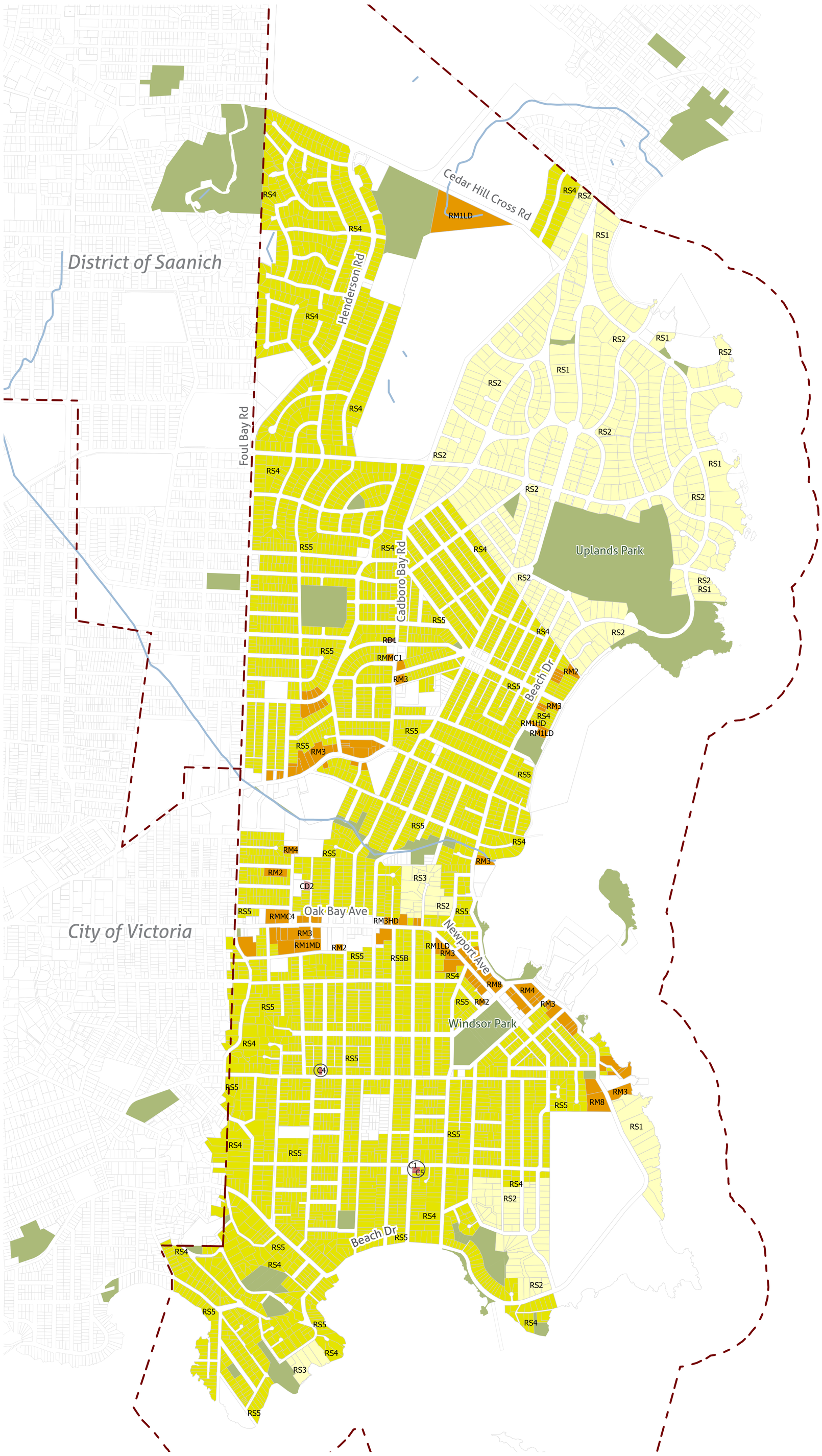
Floor Area Ratio

FAR is used as one way to control the massing of buildings relative to lot size. It is calculated by dividing the total floor area of a building by the area of the parcel of land on which the building is located. The diagram shows three examples of the same FAR.

visit **https://connect.oakbay.ca/housing-action-program** *to stay up to date as more information becomes available!*

ZONES SUBJECT TO SSMUH

DISTRICT OF OAK BAY



District of Oak Bay
Small-Scale, Multi-Unit Housing
Map A: Restricted Zones

N

1:25,000 @ 8.5x11"

0 500 1000

Zones

- Single Family Residential
  Large Lot (RS1, RS-2, RS-3)
- Single Family Residential
  Small Lot (RS4, RS-5, RS-5B)
- Two-Family Residential
  (RD-1)
- Comprehensive Development (CD-2)
- Multi-Family Dwelling
  (RM-1LD, RM-1MD, RM-1HD, RM-2, RM-3, RM-3HD, RM-4, RM-8, RM-MC1, RM-MC4)
- Commercial
  (C-1, C4, C5)

Base

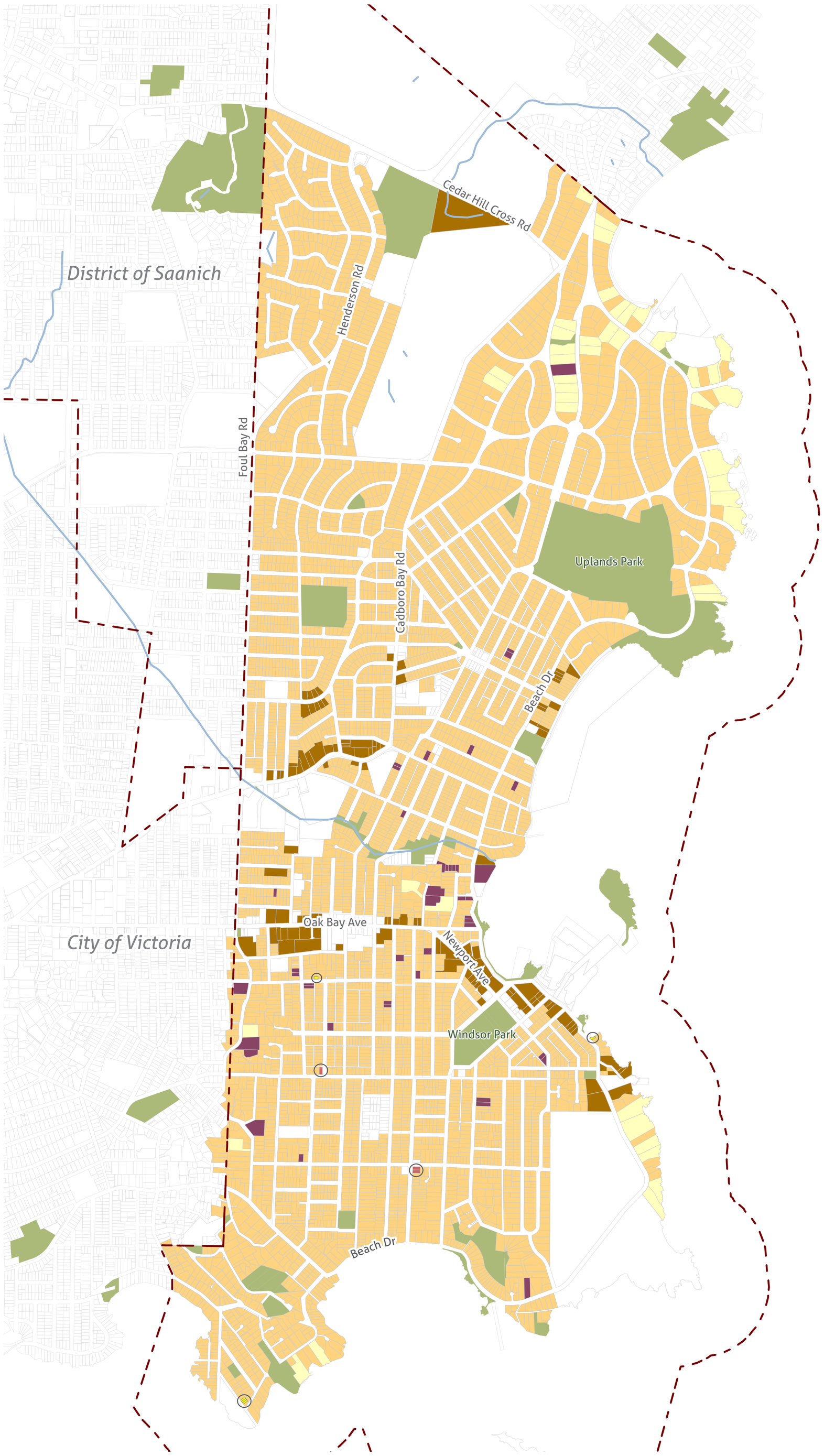
- Parcels
- Parks
- District Boundary
- Freshwater

The map above illustrates the District's existing zones which are subject to the Provincial Small-Scale, Multi-Unit Housing legislation.

visit **https://connect.oakbay.ca/housing-action-program** *to stay up to date as more information becomes available!*

SSMUH DENSITIES

DISTRICT OF OAK BAY



District of Oak Bay
Small-Scale, Multi-Unit Housing
Map B: Proposed Maximum Densities

N

1:25,000 @ 8.5x11"

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Prescribed Suites/Units

- 2 Units and/or ADU (>4050sqm)
- 3 Units (<280sqm)
- 4 Units (>280sqm, <4050sqm)
- Heritage Designated Lots (2 Units and/or ADU)
- Commercial Lots (4 Units)
- Multi-Family Lots (4 Units or Apartment Forms)

Base

- Parcels
- Parks
- District Boundary
- Freshwater

The map above illustrates the densities required to meet the Province's Small-Scale Multi-Unit Housing legislation. The following series of boards highlight recommended changes to the Oak Bay Zoning Bylaw in order to meet these requirements by the June 30th Provincial deadline.

visit **https://connect.oakbay.ca/housing-action-program** *to stay up to date as more information becomes available!*

LARGER LOT ZONES (RS-1, RS-2, RS-3)

DISTRICT OF OAK BAY

Introduction

Bill 44 requires the District to allow up to three to four units depending on the lot size (with some exceptions - see large parcels and heritage properties). To meet this mandate, the District is proposing changes to the District's Zoning Bylaw.

Through previous engagement, we know the community cherishes permeable space, tree protection, and the existing neighbourhood character.

The District's recommended changes aim to respect these values while meeting Provincial requirements and supporting a mix of housing types and forms.

The models and table to the right illustrate the changes to the Zoning Bylaw that are recommended to meet the Provincial mandate. Note that single-family detached dwellings will still be permitted.

Recommended changes to zoning provisions include:

- Adjust maximum permitted floor area ratio to encourage SSMUH
- Reduce per unit parking from two to one space per unit and remove covered parking requirement
- Remove minimum unit size to accommodate a range of housing types and sizes
- Setbacks, heights, and site lot coverage are recommended to be retained
- No changes to minimum lot size

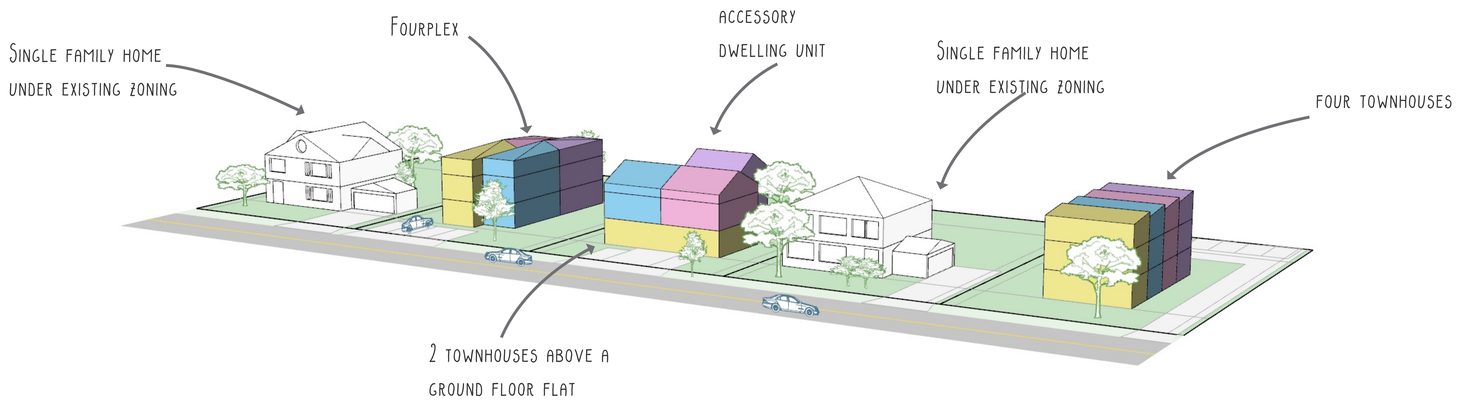
Large Parcels

On parcels 4,050 m2 or more (approximately 1 acre), Bill 44 requires the District to allow maximum densities through zoning of one detached unit with a secondary suite and/or accessory dwelling unit.

Most of these parcels are in the Uplands neighbourhood and, at this time, the Official Community Plan does not envision increased density in that area given the unique character and values of the original subdivision layout.

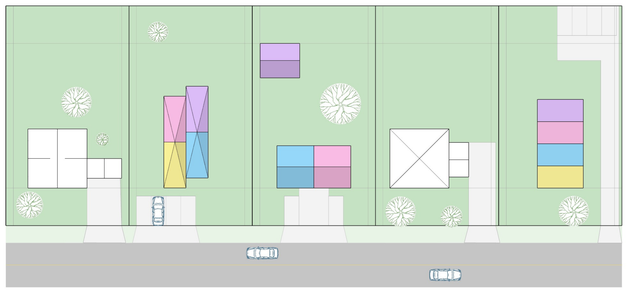
In the future, the District will complete a more in-depth analysis of the potential for large lots to determine where greater density may be appropriate in Oak Bay.

Illustration showing potential infill housing (up to 4 units and 4 parking spaces) with existing single family detached homes on a standard R-3 zoned lot.



		RS-1		RS-2		RS-3	
	PROVINCIAL GUIDANCE	EXISTING	RECOMMENDED	EXISTING	RECOMMENDED	EXISTING	RECOMMENDED
MIN FRONT SETBACK	min 5-6m	10.7 m	10.7 m	10.7 m	10.7 m	7.6 m	7.6 m
MIN REAR SETBACK	min 6 m	7.6 m	7.6 m	7.6 m	7.6 m	7.6 m	7.6 m
MIN SIDE SETBACK	min 1.2 m	3 m	3 m	3 m	3 m	1.5 m	1.5 m
MAX ROOF HEIGHT	11 m	9.1 m	9.2 m	9.1 m	9.2 m	9.1 m	9.2 m
MAX COVERAGE	25-40%	30%	30%	30%	30%	30%	30%
PARKING SPACES / INFILL UNIT	1	2	1	2	1	2	1
MAX FAR	none	0.4	0.2 for SD 0.25 for infill	0.4	0.3 for SD 0.4 for infill	0.4	0.4 for SD 0.45 for infill
MIN PARCEL SIZE	N/A	4,047 m2	4,047 m2	2,226 m2	2,226 m2	1,115 m2	1,115 m2

Notes:
The table above describes recommended changes for site standards of primary dwellings. Accessory dwelling units are recommended to have smaller front, rear, and side setbacks.
Maximum coverage is shown as the combined lot coverage for primary and accesory dwelling units.
SD refer to single detached dwellings.





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LARGER LOT ZONES

DISTRICT OF OAK BAY

Share Your Thoughts

From your perspective, do you feel the **recommended changes to zoning provisions** honour the District's Guiding Principles for infill housing while meeting the Provincial mandate*?

Tell us why by adding a sticky note with your thoughts below...



Infill Strategy (2022) Guiding Principles

1. **Provide Diverse Housing Options** - by encouraging diverse housing sizes and forms
2. **Support Ease of Implementation** - by updating the District's Bylaws to support infill
3. **Cherish What the Community Loves** - by preserving open space, supporting sustainability, and heritage

Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

I'm not sure

*Note: Under Bill 44, the District must accommodate the Provincial prescribed densities.

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SMALLER LOT ZONES (RS-4, RS-5, RS-5B, CD-2, RD-1)

DISTRICT OF OAK BAY

Introduction

Bill 44 requires the District to allow up to three housing units on parcels smaller than 280m2, and up to four units on larger parcels. Meeting this mandate within smaller lot zones requires careful considerations of trade offs related to parking, building heights, permeable space and tree protection, and unit size.

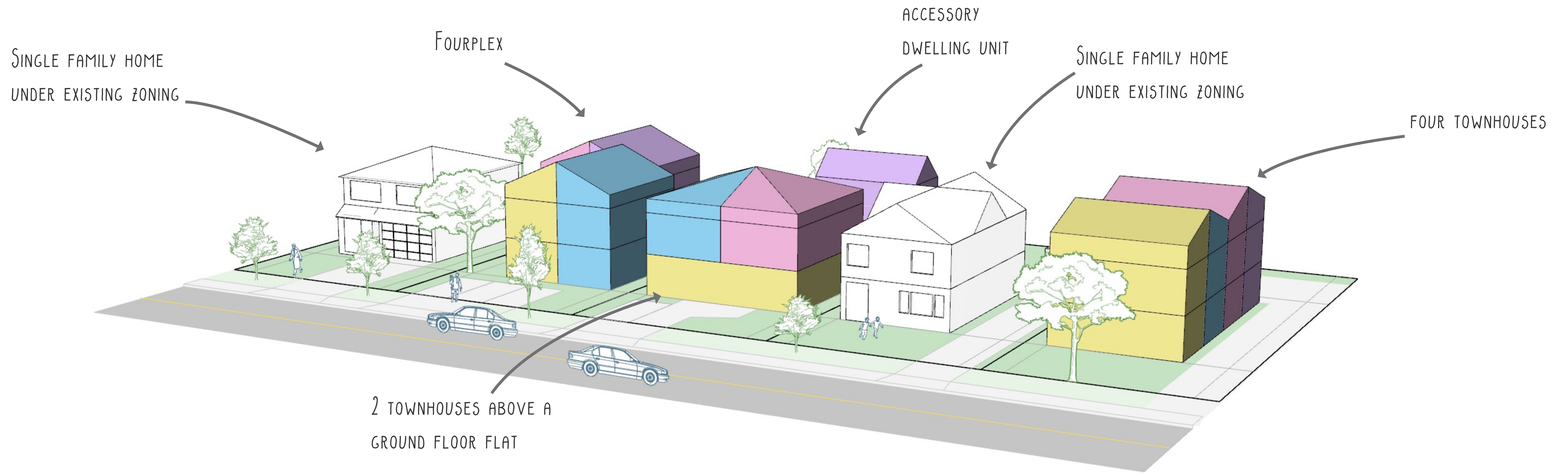
The District's recommended changes aim to maintain the neighbourhood 'look and feel' as much as possible, preserve trees and permeable space, and ensure unit sizes are livable, while meeting Provincial requirements and supporting future development.

The models and table to the right illustrate changes to the Zoning Bylaw that are recommended to meet the Provincial mandate. Note that single-family detached dwellings will still be permitted.

Recommended changes to zoning provisions include:

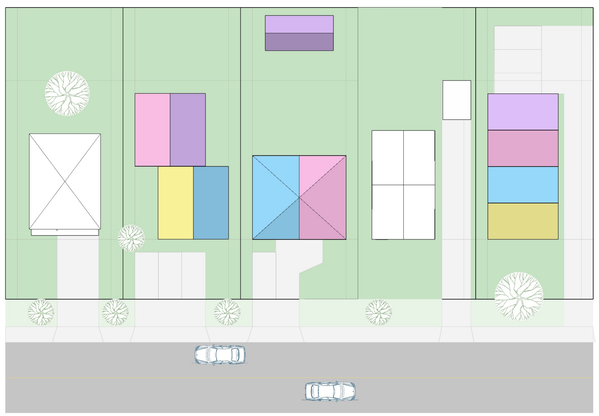
- Consolidate RS-5, RS-5B, CD-2 and RD-1 zones while retaining some site-specific parameters
- Remove floor area ratio restrictions in RS-4 and RS-5, because other zoning regulations already limit the maximum building size
- Increase maximum heights to enable more liveable space and encourage infill housing on more constrained lots, regardless of lot breadth
- Reduce per unit parking requirements, remove covered parking requirement, and increase allowable amount of paved surface in front yards
- Setbacks and site lot coverage are intended to be retained to protect trees and greenspace
- No changes to minimum lot sizes

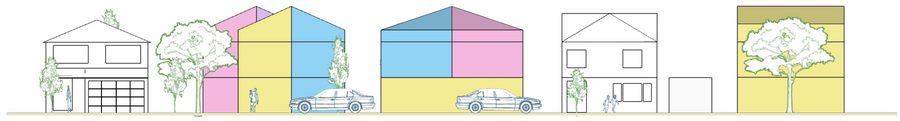
Illustration showing potential infill housing (up to 4 units and 3 parking spaces) with existing single family detached homes on a standard R-5 zoned lot.



		RS-4		RS-5		RS-5B		CD-2		RD-1	
	PROVINCIAL GUIDANCE	EXISTING	RECOMMENDED	EXISTING	RECOMMENDED	EXISTING	RECOMMENDED	EXISTING	RECOMMENDED	EXISTING	RECOMMENDED
MIN FRONT SETBACK	min 2 m	7.6 m	6m	7.6 m	6 m	6 m	6 m	5.5 - 6.4 m	6 m	7.6 m	6 m
MIN REAR SETBACK	min 1.5 m	7.6 m	7.6 m	7.6 m	7.6 m	9.2 m	7.6 m	7.3 - 11 m	7.6 m	7.6 m	7.6 m
MIN SIDE SETBACK	min 1.2 m	1.5 m	1.5 m	1.5 m	1.5 m	1.8 m	1.5 m	1.7 - 2.0 m	1.5 m	1.5 m	1.5 m
MAX ROOF HEIGHT	11 m	9 .1 m	10 m	9.1 m	10 m	9.1 m	10 m	9.1 m	10 m	9.1 m	10 m
MAX COVERAGE	50%	30%	30%	30%	30%	36%	36%	24.2-34.5%	34.5%	25%	30%
PARKING SPACES / UNIT	1	2	0.75	2	0.75	2	0.75	2	0.75	2	0.75
MAX FAR	none	0.4	0.4 for SD, none for infill	0.4	0.4 for SD, none for infill	0.75	0.4 for SD, none for infill	0.5-0.6	0.4 for SD, none for infill	0.4	0.4 for SD, none for infill
MIN PARCEL SIZE	N/A	948 m2	948 m2	558 m2	558 m2	557 m2	557 m2	356 - 394 m2	356 - 394 m2	663 m2	558 m2

Notes: The table above describes recommended changes for site standards of primary dwellings Accessory dwelling units are recommended have smaller front, rear, and side setbacks.
Maximum coverage is shown as the combined lot coverage for primary and accesory dwelling units. SD refer to single detached dwellings.





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SMALLER LOT ZONES

DISTRICT OF OAK BAY

Share Your Thoughts

From your perspective, do you feel the **recommended changes to zoning provisions** honour the District's Guiding Principles for infill housing while meeting the Provincial mandate*?

Tell us why by adding a sticky note with your thoughts below...



Infill Strategy (2022) Guiding Principles

1. **Provide Diverse Housing Options** - by encouraging diverse housing sizes and forms
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Agree

Somewhat agree

Neutral

Somewhat disagree

Disagree

I'm not sure

*Note: Under Bill 44, the District must accommodate the Provincial prescribed densities.

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HERITAGE PROPERTIES

DISTRICT OF OAK BAY

Heritage Designation Bylaw

The community of Oak Bay cherishes the rich heritage of its homes and neighbourhoods. Some heritage homes in Oak Bay are protected through a Heritage Designation Bylaw, recognizing their distinctive character and value.

Heritage protections will remain in place for the properties within the District that are subject to a Heritage Designation Bylaw. The District intends to meet the Provincial requirements and continue to support development applications that preserve and restore heritage values. Recommended changes to zoning provisions will allow for one primary unit and up to two additional units on homes protected through the Heritage Designation Bylaw.

Other Heritage Tools

Only properties designated under a Heritage Designation Bylaw are exempt from requirements to permit up to 4 units; however, the District will continue to use other tools to recognize and protect heritage values in the community:

Heritage Register

The Oak Bay Community Heritage Register is an official list of properties deemed to be of heritage value or character, as adopted by resolution of Oak Bay Municipal Council. It provides formal recognition for historic places and is a useful planning tool for other land use planning processes in the municipality. Entry in the Heritage Register does not offer heritage protection, and is not a formal designation.

Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a tool used to negotiate the terms of an agreement with a property owner to protect a heritage property. An HRA can vary or supplement the conditions of other bylaws or permits, including use or density.

Heritage Conservation Area

Oak Bay has designated the Prospect Heritage Conservation Area in the OCP to provide long-term protection for this distinctive neighbourhood. Heritage Alteration Permits are required for subdivision, building additions, new construction or the alteration of existing buildings, structures, land or features.





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OTHER ZONES WITH RESTRICTED RESIDENTIAL USES

DISTRICT OF OAK BAY

Introduction

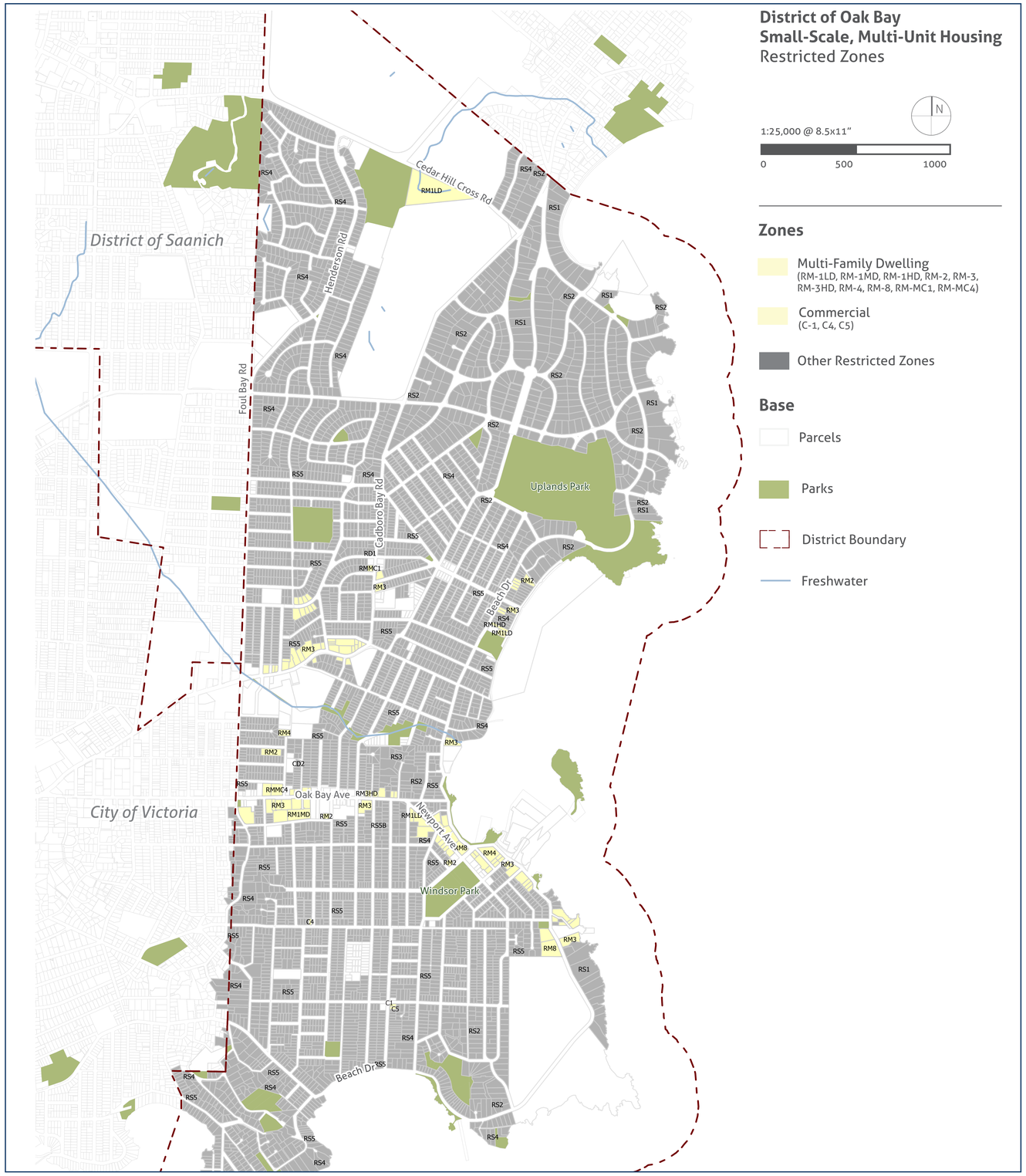
Bill 44 also applies to certain commercial and multi-family zones which restrict uses to single detached, under certain conditions. Under the Provincial mandate, the District must allow up to 4 units as a minimum density in these zones, even though these are considered secondary uses in these locations.

In the commercial mixed-use zones, the District's recommended changes aim to encourage mixed-use development by prioritizing neighbourhood-scale commercial uses and enabling residential density within existing forms.

The District's multi-family zones currently restrict residential uses to single detached where minimum lot sizes are not met; these zones currently reference standards for single detached residential in the RS-5 zone and are proposed to reflect all amendments made in that zone.

Recommended changes to zoning provisions include:

- Remove floor area ratio restrictions for infill residential uses (through FAR)
- Increase maximum height to 10 m regardless of lot frontage
- Reduce the amount of required parking per unit to 0.75 stall / unit
- For the commercial mixed-use, in lieu of infill housing types, permit up to 4 apartment units above commercial at-grade



visit **https://connect.oakbay.ca/housing-action-program** *to stay up to date as more information becomes available!*

OTHER ZONES

DISTRICT OF OAK BAY

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Agree	Somewhat agree	Neutral	Somewhat disagree	Disagree	I'm not sure

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NEXT STEPS

DISTRICT OF OAK BAY

Thank you!

Thank you for sharing your feedback. Your input will be used to refine the recommended updates to the Zoning Bylaw Updates that will be presented to Council in June, as well as preliminary ideas that can help to inform future updates to the Official Community Plan and Development Permit Guidelines.

Next Steps

SSMUH Bylaw Updates by June 30, 2024

- May 6 - Join us for a Special Committee Meeting of the Whole Monday, 6:00 pm, Monterey Recreation Centre to learn more about the HAP and ask questions of Council.
- June 3 - Special Council meeting to present draft Bylaw(s) for Council consideration with a recommendation for First and Second Reading.
- June 24 - Regular Council meeting for Council consideration of the Bylaw(s) for Third Reading and Adoption.

To provide any additional feedback or questions on the Bylaw Updates, please email District staff at **planning@oakbay.ca.**

Should you wish to share your input with Mayor and Council please email at **obcouncil@oakbay.ca.**

Subsequent Amendments to Refine the Infill Housing Program

- July- Revise the OCP to ensure the Residential Infill Development Permit Area guidelines apply to infill housing where no rezoning is required.

HAP Implementation

As the District continues to implement the HAP, there will be many opportunities to provide your input on Council Priority Projects related to housing. Sign up for project updates on the Connect Oak Bay website (link below).

Is there anything else you'd like to share?

YOUR THOUGHTS HERE

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