DISTRICT OF OAK BAY

PREPARED FOR: Council
FROM: Andre Boel, Director of Community Building and Planning
MEETING DATE: May 16, 2024
SUBJECT: Infill Housing and Provincial Housing Mandate

RECOMMENDATION(S)

THAT the report titled “Infill Housing and Provincial Housing Mandate”, authored by Andre Boel, Director of Community Building and Planning Services, dated May 16, 2024 be received.

And that Council consider the following staff recommendation(s):

1. That Council direct staff to draft the necessary bylaw amendments for the large lot zones (R-1, R-2, and RS-3) for site planning considerations as outlined in Part 2 and Attachment 1 of the staff report titled “Infill Housing and Provincial Housing Mandate”, dated May 16, 2024 to ensure the Infill Housing Program viability for:
    a) Lot coverage
    b) Setbacks and Step-Backs
    c) Paved surfaces
    d) Height
    e) Floor area ratio; and
    f) Parking

2. That Council direct staff to draft the necessary bylaw amendments for the small lot zones (RS-4, RS-5) for site planning considerations as outlined in Part 2 and Attachment 1 “Infill Housing and Provincial Housing Mandate”, dated May 16, 2024 to ensure the Infill Housing Program viability for:
    a) Lot coverage
    b) Setbacks and Step-Backs
    c) Paved surfaces
    d) Height
    e) Floor area ratio; and
    f) Parking

3. That Council provide direction to staff on larger lots unit allocation as outlined in Part 1 of the staff report titled “Infill Housing and Provincial Housing Mandate”, dated May 16, 2024.

4. That Council provide direction to staff on other form and character and other policies and regulation including those outlined in Part 3 of the staff report titled “Infill Housing and Provincial Housing Mandate”, dated May 16, 2024.

EXECUTIVE SUMMARY OF REPORT

This report is supports a continuation of the discussion from the May 6, 2024 Special Committee of the Whole meeting regarding the Infill Housing Program and Provincial Housing Mandates.

Additionally, this report provides;

- background on the District's Housing Action Program and Infill Housing Program;
- more details on the proposed zoning amendments for the RS zones (Attachment 1);
- the communications and engagement summary (Attachment 2); and
- further information and options related to the following key topics raised by Council on May 6, 2024 and the by public through this process:
    1. Larger Lots Unit Allocation
    2. Parking
    3. Site Coverage - Paved and Open Space
    4. Setbacks and Step-Backs
    5. Height
    6. Floor Area Ratio
    7. Development Permit Areas
    8. Owner Occupancy Requirement
    9. Heritage
    10. Retaining Existing Housing Stock and Tree Canopy

BACKGROUND/HISTORIC CONTEXT

Housing Action Program

In 2021, Council directed staff to develop an Infill Housing Program for Oak Bay; the Infill Housing Strategy was endorsed by Council in 2022. 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 Oak Bay Infill Housing Program.

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*

With the adoption of the Infill Housing Strategy in 2022, Phase 2 of the Program, the Infill Housing regulatory framework, was scheduled for implementation in 2023. Phase 2 was paused when the Province announced hat sweeping legislative changes (mainly Bill 44) to increase housing supply were coming that could potentially conflict with the framework of the Infill program.

As details of the Provincial program emerged, Staff presented a series of reports to Council through November and December 2023 identifying where Provincial Housing Directives and existing housing related Council Priority Projects (CPP) aligned or conflicted. This resulted in the prioritization of initiatives that supported compliance with new Provincial legislated requirements in the form of the Oak Bay Housing Action

Program (HAP) and a reduction in priority of other initiatives outside that mandate, such as the Village Area Plan.

It is important to note that both the District's priority projects and the new Provincial mandate share the goal of increasing housing supply, creating more diverse housing choice over time, and contributing to more affordable housing. The HAP is made up of the following CPPs that are scheduled for delivery starting in 2024 and continuing through to 2028:

- 2024:
  - CPP #72 - Small Scale Multi-Unit Housing (SSMUH) Zoning Bylaw Updates
  - CPP #73 - Official Community Plan (OCP) Bylaw Updates
  - CPP #80 - Development Cost Charge Bylaw and Amenity Cost Charge Bylaw
  - CPP #74 -Housing Needs Report
- 2025:
  - CPP #75 - Full Scale Official Community Plan Review
  - CPP #76 - Full Scale Zoning Bylaw Review
- 2024-2028:
  - CPP #77 - Housing Supply Act and Response to Housing Target Order
  - CPP #78 - Optimize Development Processes

As the Provincial mandate's timelines for SSMUH are considerably shorter than the District's previous timeline for broad community wide implementation of Infill Housing, the technical analysis and assessments for infrastructure are being undertaken in tandem with the roll out of the SSMUH to better understand infrastructure servicing capacity and community amenities needs and how those align with planned or projected growth and change in the community.

Infill Housing Program (SSMUH) Bylaw Updates
In January 2024 a request for proposals for Infill Housing Bylaw updates was issued and Modus Planning Design and Engagement was awarded the contract that included scope for CPP# 72 SSMUH Housing Zoning Bylaw Updates and CPP#73 OCP Bylaw Updates.

The approach to date has included the following:

<u>Background Research and Analysis</u>
A review of existing bylaws, plans, reports, studies, legislation, and Provincial Policy Manual in the context of the District's land use.

- GIS analysis
- bylaw and policy assessment
- visual diagrams and modelling

This research and analyses was used to develop the options presented to the public at the three engagement events and the Special Committee of the Whole on May 6, 2024.

Communications and Engagement
Details on the engagement and communications can be found in the IAP2 Framework Engagement section of this report. The communications and engagement summary is provided as Attachment 2.

Council
Council was presented with the options for the Infill Housing Program bylaw updates at the Special Committee Meeting of the Whole on May 6, 2024 at the Monterey Recreation Centre. At this meeting members of the public asked Council questions about the options and individual Councillors shared their initial thoughts with the public and staff.

A follow up Special Committee Meeting of the Whole was scheduled for May 16, 2024 to continue the discussion and provide direction to staff to inform the initial bylaw amendments for the Infill Housing Program.

ANALYSIS
Options presented through the engagement opportunities and to the May 6th meeting represent staff and consultant recommendations based on the key directions from the Oak Bay Infill Housing Strategy and the requirement to be in compliance with Provincial legislation by the June 30th deadline. Through public consultation and discussion at the Special Committee Meeting of the Whole staff identified specific components of the program that would benefit from further discussion. Those components are not independent of each other, rather they have varying degrees of interconnection that must be considered.

Staff have completed a review of public input and Council comments and have outlined a number of options that could be used to inform the preferred direction. Staff are seeking Council's direction for the changes to the current proposed regulatory framework to inform the draft bylaw amendments. More details on the zoning parameters for RS-1 through RS-5 are included in Attachment 1.

As Council moves through these discussions it is important to keep in mind that the Infill Housing Program is iterative and will include a series of phases. Given the legislated deadline of June 30, 2024 it is important to prioritize what is considered a required change, supportive change or other considerations. Staff have offered guidance on the timing and priorities in the below.

	Mandated housing changes (by June 30, 2024)	**Other Infill Housing regulations (summer / fall)**	**Other housing OCP and Zoning Bylaw Review (By end of 2025)**
REQUIRED			
Density for SSMUH (units per lot)	required		
SUPPORTIVE			
Site planning regulations ensuring viable Infill / SSMUH development options	required to be considered	potential further changes	
OTHER			

Form and character control, and other policies and regulation		scheduled	potential further changes

Table 1: Types of changes and their timing for Infill Housing and Provincial Housing Directives

Council may opt to formulate preferences or requests for scoping future phases and aspects of the Infill Housing Program.

Where possible, insights were gleaned from the round 3 survey responses from the Infill Housing Strategy (2022) as this survey had a large sample size and specific questions related to these topics. Key takeaways are also included from the engagement feedback received through spring engagement on the Infill Housing Program Updates.

The following topics are grouped to reflect changes that are required, supportive or other considerations needed to meet the legislative requirements and implement the Infill Housing Program in Oak Bay.

PART 1 - REQUIRED CHANGES

Density for Small Scale Multi-Unit Housing (Units per lot)

1. Larger Lots - Unit Allocation

Through Bill 44, the *Local Government Act* now sets out several conditions where certain parcels that would otherwise meet the restricted zone definition are exempt from the requirement to amend zoning to permit 3 to 4 units. As part of the exemptions provided for within s.481.4(1)(e) of the legislation, lots equal or greater than 4,050m2 (43,593ft2) are exempt from the requirements to permit a minimum of 3 to 4 units. The Provincial Policy Manual and Site Standards provide that rationale for this exemption as a desire to retain their future potential for subdivision and higher density in urban and suburban contexts.

Currently, the Official Community Plan does not support an increase in density in the Uplands neighbourhood.

The recommended approach presented to Council and the public is to apply this exemption to all lots in the District that meet the restricted zone definition that are equal to or greater than 4,050m2. The table below indicates 55% of properties meeting this criteria are in the Uplands Neighbourhood, 45% are in other areas of the District.

	Within Uplands	**Outside of Uplands**
Lots over 4,050m2	33	27

Table 2: Lots equal or greater than 4,050m2

Further options:

1. do not exercise the exemption and increase the permitted density of up to 4 units across all lots, including those over 4,050m2
2. increase permitted densities beyond 4 units for multi-residential (future phase)

PART 2 - SUPPORTIVE CHANGES

Site Planning Considerations to Ensure Infill Program Viability

1. Parking

Of all the bylaw regulations, on-site parking requirements often have the greatest influence on the viability of SSMUH forms. Typical single family dwelling lots in urban and suburban setting are generally not large enough to accommodate multiple dwelling units with their required setbacks and parking stall requirements for each unit. The inclusion of on-site parking requirements have significant consequences or trade-offs for the use of space (open, permeable, paved), buildable area, as well as the configuration and siting of buildings on lots. Removing or reducing parking requirements can increase the viability and reduce costs for some SSMUH housing forms but in some cases parking maximums or requiring no parking may decrease the viability.

Through the Infill Housing Strategy (2022) Phase 3 Survey responses showed varying levels of support for these types of concepts. Over 50% supported One Parking Space Per Unit, Tandem Parking Options and Alternatives to Parking (covered bike / scooter charging options). There were differing opinions on Two Parking Spaces Per Unit, Parking Dependent on # of Bedrooms, Parking Dependent on Proximity to Transit and Allowing More Paved Area with about four-in-ten opposed.

The recommended changes presented to Council and the public in large lot zones was to reduce per unit parking minimums and remove the covered parking requirement, whereas in small lots zones was to reduce per unit parking minimum requirements, remove the covered parking requirement, and increase allowable amount of paved surface in front yards.

The recommended changes for parking presented to the public and Council are:

Provincial Guidance	Zone	Existing	Recommended
1 space/unit	RS-1, RS-2, RS-3	2 space/unit	1 space/unit
1 space/unit	RS-4, RS-5, RS-5B, CD-2, RD-1	2 space/unit	0.75 / unit

Table 3: Parking requirements summary

We heard through engagement that overall, there was support for the recommended changes to parking (i.e., 1 parking space per infill unit on larger lots, and 0.75 spaces per unit on smaller lots). There were suggestions for further reductions to parking, and ideas to improve active and public transportation. At the same time, there were some concerns with parking reductions, particularly increased congestion on streets.

Further options:

1. lower parking requirements in small lot zones (RS-4, RS-5, RS5B, CD-2, RD-1)
2. introduce a parking range with a maximum of 1 space and a minimum of 0.5 space per unit in small lot zones (RS-4, RS-5, RS-5B, CD-2, RD-1)
3. introduce a parking maximum for onsite parking in small lots zones (RS-4, RS-5, RS-5B, CD-2, RD-1)
4. link parking requirements to access to transit stops and availability of active transportation infrastructure (future phase)
5. embed transportation demand measures as part of the Infill Housing Program (future phase) or Council Priority Project

2. Site Coverage - Paved and Open Space

In addition to lot coverage regulations for buildings and structures the zoning bylaw also includes a paved surface regulation as a separate measure of site coverage. The definition within a zoning bylaw of what is required for site coverage regulations can be reflective of community values and influence the type of development and surfaces on the lot and across the community. Paved surface restrictions or open space requirements can help to ensure a consistent pattern of development, improve livability of new housing units and principal housing units retained on site, protect pervious surfaces that support groundwater recharge and effective stormwater management as well as tree canopy.

Currently the zoning bylaw defines:

> "PAVED SURFACE" means an area of land surfaced by asphalt, macadam, concrete, interlocking bricks, paving stones, gravel or other similar material.

Currently the zoning bylaw regulates through Section 4.15.1 Siting of Paved Surfaces

> "In all RS zones, the use of more than 25% of the front yard and 25% of the rear yard as a paved surface is prohibited."

The paved surface regulations as part of the recommended changes are:

- RS1, RS-2, and RS-3 remain at 25% paved surface
- RS 4 increase to 40% paved surface
- RS 5 increase to 50% paved surface

These recommended changes presented to Council and the public for paved surface regulations are directly related to the recommended changes and modelling site considerations related to onsite parking. If Council wishes to explore any of the further options as noted below it would likely influence the paved surface regulations as currently recommended.

Further options:

1. reduce onsite surface parking
2. introduce a definition for 'permeable surface' and introduce an associated metric
3. revise the paved surface definition and general regulations for softscaping, open space and landscaping in the general regulations section of the zoning bylaw (future phase)

3. Setbacks and Step-Backs

Setbacks are often designed to create a consistent look and feel on a street and mitigate concerns about adjacent uses. Step-backs refer to the step-like recession in the profile of a building usually implemented for purposes such as preservation of sunlight or to create a plane or steps with the building massing.

Within the Zoning Bylaw there is a provision for the RS-3, RS-4 and RS-5, and RD-1 zones as follows:

"in respect of a principal building containing more than one storey, the interior side lot line setback of the second storey and all portions of the building above the second storey shall be a distance not less than 3.0 m (9.8 feet)."

In the context of these zones (RS-3, RS-4, RS-5 and RD-1) there is interior side setback of 1.5m from the interior lot line, therefore if someone builds to the minimum setback at the first storey they would be required to step-back the second storey and above an additional 1.5m for a total of 3m as outlined in the model below.

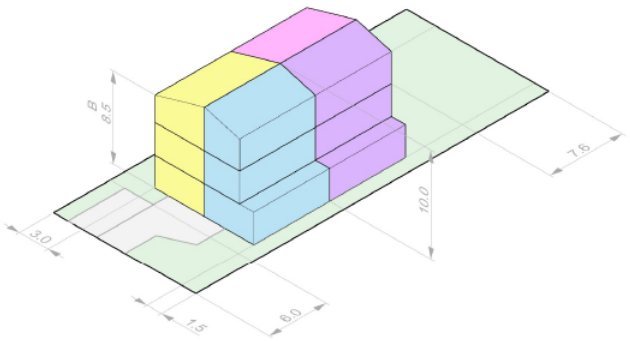


Figure 1. Principal building model demonstrating second storey and above setback requirement

The second storey setback requires more design considerations and in certain instances a variance application. This regulation limits the livable floor area of the home, although through modelling shows that it would not be enough to significantly impact the available floor area of the units. The intention behind the second storey setback is understood to influence massing and there may be more suitable tools to control form and character that Council may wish to consider.

The recommended changes to Council and the public did not include the removal of these sections from the zoning bylaw; however the feedback and discussions at the May 6, 2024 Special Committee of the Whole indicated there may be interest in further discussing this aspect of the zoning bylaw.

Further options:

1. removing the requirement for a second storey setback
2. consider further design, form and character controls (future phase)

4. Height

To accommodate additional units on a lot, permitted building heights can be increased to maintain open or permeable space on a lot and accommodate infill units within the required distances from property lines and/or between buildings for compliance with the BC Building Code.

The Infill Housing Strategy (2022) round 3 survey indicated 62% support for allowing taller buildings to help maintain open spaces while allowing new housing types to be accommodated on site.

The Zoning Bylaw currently defines and regulates height for residential buildings in three ways:

- Occupiable height, which restricts ‘the vertical distance measured from grade to the highest occupiable floor'
- Building Height, which generally refers to ‘the vertical distance between grade and the top of the highest exterior wall’; and
- Roof Height, which is ‘the vertical distance between grade and the highest part of the highest part of a building’

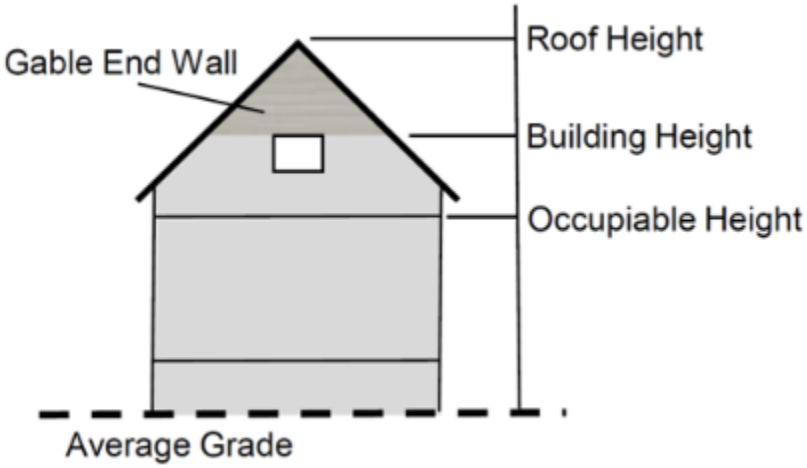


Figure 2: Height diagram from zoning bylaw

These definitions have historically helped to shape storeys, building heights, roof shapes and architectural features such as gables and dormer walls, as well as impacting the ability to situate interior living spaces through occupiable height restrictions. The regulation of heights with three ways unnecessarily creates complexity in building design and application review.

Current recommendations are to maintain both sets of definitions for Building Height and Roof Height while eliminating Occupiable Height in the interim as a way to continue shaping pitched roofs, encourage liveable space on the highest levels of infill housing, and to prevent large building masses with flat roofs.

The recommended changes in the large lot zones are to round up the existing height maximum, whereas in the small lots zones increase maximum heights to enable more liveable space and encourage infill housing on more constrained lots, regardless of lot breadth.

Provincial Guidance	Zone	Existing	Recommended
11m	RS-1, RS-2, and RS-3	9.1m	9.2m
11m	RS-4, RS-5, RS-5B, CD-2, RD-1	9.1m	10m

Table 4: Height summary table

Maximum Building Heights and Roof Heights based on lot breadth continue to be recommended at this time for all single detached forms as well as for infill housing

within the larger RS-1, RS-2 and RS-3 zones. Within the smaller lot RS-4 and consolidated RS-5, a maximum Roof Height of 10 m is recommended across all lot sizes in order to better support 3 storeys of liveable and marketable dwelling units on lots with smaller frontages. In conjunction with Roof Heights of 10 m, Building Heights of 8.5 m are recommended which are comparable to the shapes created through the Bylaw's existing regulations. More details on the proposed parameters for each of the RS zones including building and structures can be found in Attachment 1.

The feedback and discussions at the May 6, 2024 Special Committee of the Whole indicated interest in better understanding the recommended approach. This section is intended to be provided for information.

5. Floor Area Ratio

Floor area ratio (FAR) is one way to control the massing of buildings relative to lot size. It is also used as a measure of density in the District's Zoning Bylaw. 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. It is not just a measure of the footprint of the building on the land but rather the sum of all usable floor area of the building relative to land.

The Provincial Policy Manual and Site Standards advises against the use of FAR and that when combined with a limit of number of units that the intensity of development can be regulated for the buildable area through setbacks, lot coverage and height regulations instead. This would provide greater flexibility and enable builders to create infill that is appropriate size, intensity for the lot, livable for occupants and marketable to owners and renters.

The recommended changes in the large lot zones are to adjust the maximum permitted FAR to encourage infill housing and to remove FAR restrictions in the small lots zones because zoning regulations already limit the maximum building size in those zones.

The recommended changes for FAR presented to the Council and public are:

Provincial Guidance	Zone	Existing	Recommended
None	RS-1	0.4	0.2 for SD 0.25 for infill
None	RS-2	0.4	0.3 for SD 0.4 for infill
None	RS-3	0.4	0.4 for SD 0.45 for infill
None	RS-4	0.4	0.4 for SD none for infill
None	RS-5	0.4	0.4 for SD none for infill
None	RS-5B	0.75	0.4 for SD none for infill

Table 5 FAR Summary Table

Further details on existing and proposed parameters for RS zones can be found in Attachment 1. This shows the calculations for maximum build out for FAR.

The feedback and discussions at the May 6, 2024 Special Committee of the Whole indicated interest in this topic particularly in relation to massing and density.

Further options:

1. include an FAR for small lots for infill and include FAR exemptions to incentivize certain forms and articulation (future phase)
2. consider increasing FAR in RS-3 up to 0.55 for infill to allow for more livable space and a more consistent tiered approach through the RS zones
3. include regulations for second or third storeys through coverage percentage of the first storey

PART 3: OTHER – FORM AND CHARACTER AND OTHER POLICIES AND REGULATIONS

1. Development Permit Areas

Development permit areas (DPAs) are in important tool available under the *Local Government Act* Section 488 that local government in BC can use to establish conditions under which land alternation and new development takes place. DPAs are designated through OCPS and the guidelines can be specified in either the OCP or Zoning Bylaw.

The District's OCP in Section 8.3.1 currently includes an Infill Residential Development Permit Area and establishes objectives for form and character and to promote energy conservation, water conservation, and reduction of GHG emissions. This Infill Residential DPA applies to Oak Bay's established neighbourhoods including infill single detached, duplex, triplex, laneway house, and garden suite options. The Infill Residential DPA focuses on site planning and building, landscape, and access, circulation and parking area guidelines. The Infill Residential DPA includes an exemption whereby Development Permits are not required when the proposed development of land or renovation or alteration of a building does not require a rezoning to create additional residential units. Since the Bill 44 requirements for SSMUH require permitting increased densities in restricted zones as of right, the DPA as written with this exemption would not apply and development of up to 4 units could take place without requiring an application for a Development Permit.

Local governments may continue to use DPAs, provided they do not unreasonably restrict the ability to use land at the use or density prescribed in Bill 44. The Provincial Policy Manual and Site Standards acknowledges local governments have the ability to define "intensive residential", however local governments are discouraged from using DPAs to control the form and character of SSMUH developments up to six units in all but exceptional circumstances. The Province also recommends guidelines do not create barriers for infill housing. The Province has also indicated they intend to produce standardized design templates.

Recognizing the importance of "preserving what we cherish", the recommended approach is to revise the Infill DPA to apply to infill housing where no rezoning is required.

Further options:

1. Amend the Infill DPA to apply to the largest projects (e.g. size threshold)
2. Produce a new Infill DPA with detailed design guidelines including form and character and capture good practices in infill development
3. Review and revise zoning bylaw regulations to regulate key aspects of form and character in lieu of DPA (future phase)

2. Owner Occupancy Requirement

In 2022, after several rounds of community consultation and studies, the District developed an adopted a secondary suite program. Secondary suites are permitted in all single family (RS) zones in Oak Bay.

As part of the secondary suite program and the general regulations identified in the zoning bylaw include that the registered owner(s) of the property must occupy either the primary dwelling unit or the secondary suite as their principal residence. An owner's declaration of secondary suite form must be completed and signed. The feedback and discussions at the May 6, 2024 Special Committee of the Whole indicated interest in potentially removing this requirement.

While this requirement is followed when a new secondary suite is constructed it is challenging to enforce at time of change of owners and it may create barriers to additional infill housing. The Provincial guidance also advises against this kind of requirement.

Further option:

1. removal of the requirement that a registered owner(s) must occupy one of the units as their principal residence and complete and sign an owner's declaration.

3. Heritage

The community 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.

The Infill Housing Strategy (2022) Phase 3 survey described the following that "Oak Bay's heritage assets contribute to community identity and sense of pride. The District can allow for lot subdivision and/or parking reductions for homes that are currently in or are added to the heritage registry." Responses indicated 77% support for incentives for heritage retention of buildings with heritage value and or parking reductions for homes that are in or are put in the heritage registry.

As part of the exemptions provided for within s.481.4(1)(b) of the *Local Government Act* lands that are subject to heritage designation bylaw on or before November 30, 2023 are exempt from the 3 to 4 unit requirement. The properties must permit only up to 2 units - the principal unit and either a secondary suite or accessory dwelling unit. Local governments can continue to use heritage designation bylaws providing the designation allows for the density that is required to be permitted for infill as per the *Local Government Act.*

The Provincial Policy Manual and Site Standards indicates local governments must not use certain authorities in such a way that unreasonably prohibits or restricts the use or

density of use required to be permitted. This includes s.614 designation of heritage conservation areas and s.586 power in relation to a heritage alteration permit.

The recommended approach presented to Council and the public is to apply this exemption to heritage designated properties and provide for up to 2 units. The feedback and discussions on May 6, 2024 Special Committee of the Whole indicated the broader interest in how to maintain heritage values on properties that are designated by bylaw and not designated by bylaw.

Further options:

1. increase the density for up to 4 units on heritage bylaw designated properties
2. limit the form of infill housing types on heritage properties (e.g. heritage conversions for plex housing or accessory dwelling units)
3. create incentives based on the zoning parameters to retain houses with heritage value (e.g. relax parking requirements or provide for additional density through FAR or lot coverage, property tax exemptions or reductions for heritage revitalization agreements) (future phase)

4. Retaining Existing Housing Stock and Tree Canopy

As outlined by the Infill Housing Strategy, one of the guiding principles in Cherish what the community loves by preserving open space, supporting sustainability and heritage.

The Infill Housing Strategy (2022) Phase 3 survey described the following that "the community would like to see infill housing that has a positive impact on the environment and climate. Generally, it is better for the environment (less material in the landfill, lower greenhouse gas emissions) if people retain and renovate existing homes, compared to demolishing and building new. The District can provide incentives for people to retain and renovate existing buildings, instead of demolishing and rebuilding." Responses indicated 78% support for the District providing incentives for people to retain and renovate existing homes.

This was also reinforced by what we heard through the engagement at the open houses as a key takeaway and that comments illustrated that the community of Oak Bay highly values greenspaces, existing trees, and tree canopy cover. Feedback emphasized a strong desire to preserve and enhance greenspaces and protect trees alongside new development. Some comments supported the recommended increase in building heights to preserve natural areas, and others suggested increasing heights further. At the same time, there was some desire to increase lot coverage (the area of a lot covered by buildings), especially in smaller lot zones, to maintain existing homes and facilitate infill housing.

The feedback and discussions on May 6, 2024 Special Committee of the Whole indicated the broader interest in how we could incentivize and retain these values through the Infill Housing Program.

Further options:

1. Consider reducing the rear setback for projects that retain the existing principal buildings (future phase)
2. Financial waivers or reductions (future phase)
3. Flexibility to create tradeoffs for reduction in setbacks or increased height as a means to incentivize preservation of significant trees (future phase)

Next Steps
The deliverables that are currently underway for the Infill Housing Program include:

- Drafting amending bylaws for the Zoning Bylaw and the Parking Facilities Bylaw
- Additional modelling and refinements to inform further options for Council consideration

June 3 Special Council Meeting
Presentation of the draft amending bylaws for the Zoning Bylaw and the Parking Facilities Bylaw to meet provincial requirements for Council consideration with a recommendation for first and second reading.

June 24 Regular Council Meeting
Council consideration of the amending Zoning Bylaw and Parking Facilities Bylaw for third reading and adoption.

Other Infill Housing Regulations (summer/fall)
Development of form and character control and other potential further changes for site planning regulations ensuring viable infill.

OPTIONS
1.That staff draft the necessary bylaw amendments for Infill Housing to meet the Provincially Legislated requirements as presented in this report and in attachment 1.

2. That staff draft the necessary bylaw amendments for Infill Housing to meet the Provincially Legislated requirements as presented in this report and in attachment 1 with changes.

3. Alternative or additional direction.

ADVISORY BODY RECOMMENDATIONS WITH MINUTES EXCERPT (IF APPLICABLE)
n/a

COUNCIL PRIORITY SUPPORTED
Housing

FINANCIAL IMPACT
n/a

IAP2 FRAMEWORK ENGAGEMENT
☒ **INFORM** ☒ **CONSULT** ☐ **INVOLVE** ☐ **COLLABORATE**

As part of the Infill Housing Program Updates engagement was undertaken to inform and Consult.

Communications

There were a variety of communications methods used to inform the community about engagement activities including websites, social media, print and email targeted at reaching a broad cross section of the community. These included:

- connect.oakbay.ca/housing-action-program
- Connect Oak Bay Newsletter
- oakbay.ca
- District's Facebook
- District's Instagram
- District's Twitter
- Email to community contacts, commissions, and project subscribers
- Posters at Monterey Recreation Centre, Oak Bay Recreation Centre and Municipal Hall
- Oak Bay News advertisements on April 18, 25 and May 2

Public Consultation

The engagement included information to introduce the project and help inform and collect feedback from the public on the recommended changes to the District's regulatory framework. It described what was on the table for influence and what is Provincially mandated. The engagement events were designed to target a broad cross section of community members by providing both online and in person events, at different times, days and locations. The community events included:

- Online Webinar April 25 from 6:00pm to 7:30pm on Zoom with 90 participants
- Open House May 1 from 4:00pm to 7:00pm at the Windsor Pavilion with 220 participants
- Open House May 4 from 1:00pm to 4:00pm at the Monterey Recreation Centre with 120 participants
- Special Committee of the Whole meeting on May 6, 2024 with 96 members of the public in attendance

Key Takeaways

The key takeaways from this engagement are as follows:

Greenspace and Tree Protection

Comments illustrated that the community of Oak Bay highly values greenspaces, existing trees, and tree canopy cover. Feedback emphasized a strong desire to preserve and enhance greenspaces and protect trees alongside new development. Some comments supported the recommended increase in building heights to preserve natural areas, and others suggested increasing heights further. At the same time, there was some desire to increase lot coverage (the area of a lot covered by buildings), especially in smaller lot zones, to maintain existing homes and facilitate infill housing.

Housing need and affordability

Open house participants expressed support for increasing the housing supply in Oak Bay. Particularly, there were comments about the need for diverse and affordable housing options for families, seniors, future generations, and renters. There were suggestions and questions about ensuring housing affordability, increasing co-op and social housing supply, and establishing policies to promote affordable housing.

Parking and transportation

Overall, there was support for the recommended changes to parking (i.e., 1 parking space per infill unit on larger lots, and 0.75 spaces per unit on smaller lots). There were suggestions for further reductions to parking, and ideas to improve active and public transportation. At the same time, there were some concerns with parking reductions, particularly increased congestion on streets.

Form & character
Open house participants expressed a desire for new housing to fit well with the existing neighbourhood. Feedback shared appreciation for human-scale design, a balance of nature and built form, verandahs, and careful window placements that allow for sunlight and privacy.

An engagement summary report has now been produced and can be found in Attachment 2 of this report.

TIMELINE/PROCESS/NEXT STEPS
This report provides the background of the Housing Action Program and the Infill Housing Program to date, more details on the proposed zoning parameters for the RS zones, the communications and engagement summary, and further options for topics raised by Council and the public.

On June 3 at the Special Council Meeting Council will be presented with the draft amending bylaws for the Zoning Bylaw and the Parking Facilities Bylaw to meet provincial requirements for Council consideration with a recommendation for first and second reading.

On June 24 at the Regular Council Meeting Council will consider the amendment bylaw to the Zoning Bylaw and amendment bylaw to Parking Facilities Bylaw for third reading and adoption.

Respectfully submitted,

Andre Boel, Director of Community Building and Planning

I have read and consider staff's recommendation to be supportable for Council's consideration.

Selina Williams

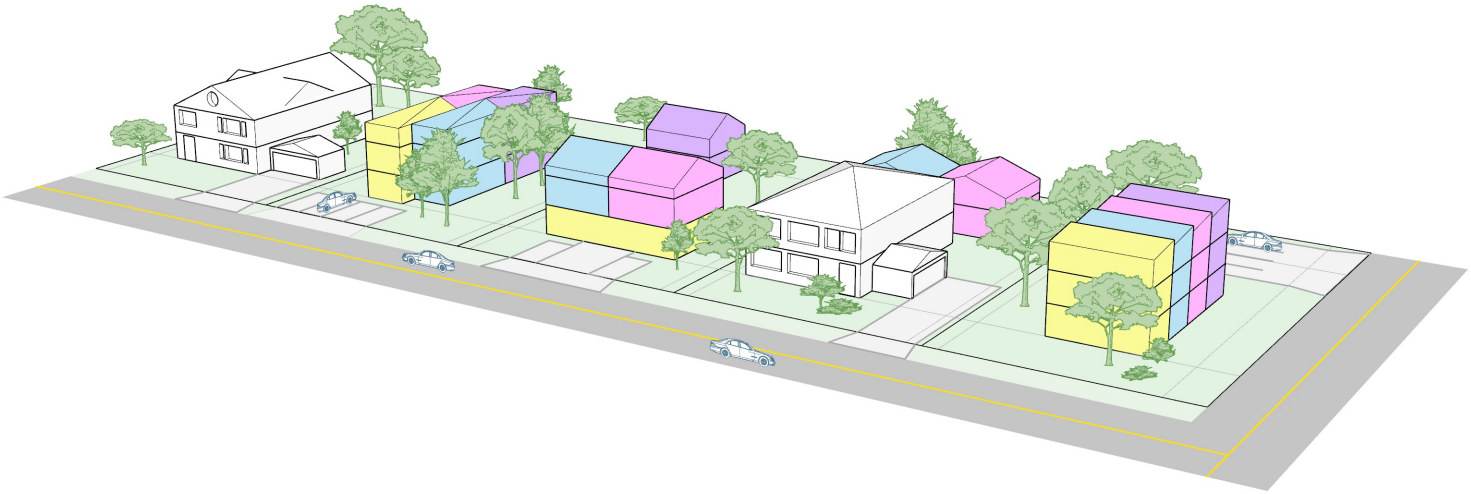
_____
Selina Williams, Chief Administrative Officer

ATTACHMENTS(S):
Attachment 1_Oak Bay-Proposed-Zoning-Amendments-Infill-HousingProgam - v1
Attachment 2_ Oak Bay Infill Housing Program - Engagement Summary_FINAL

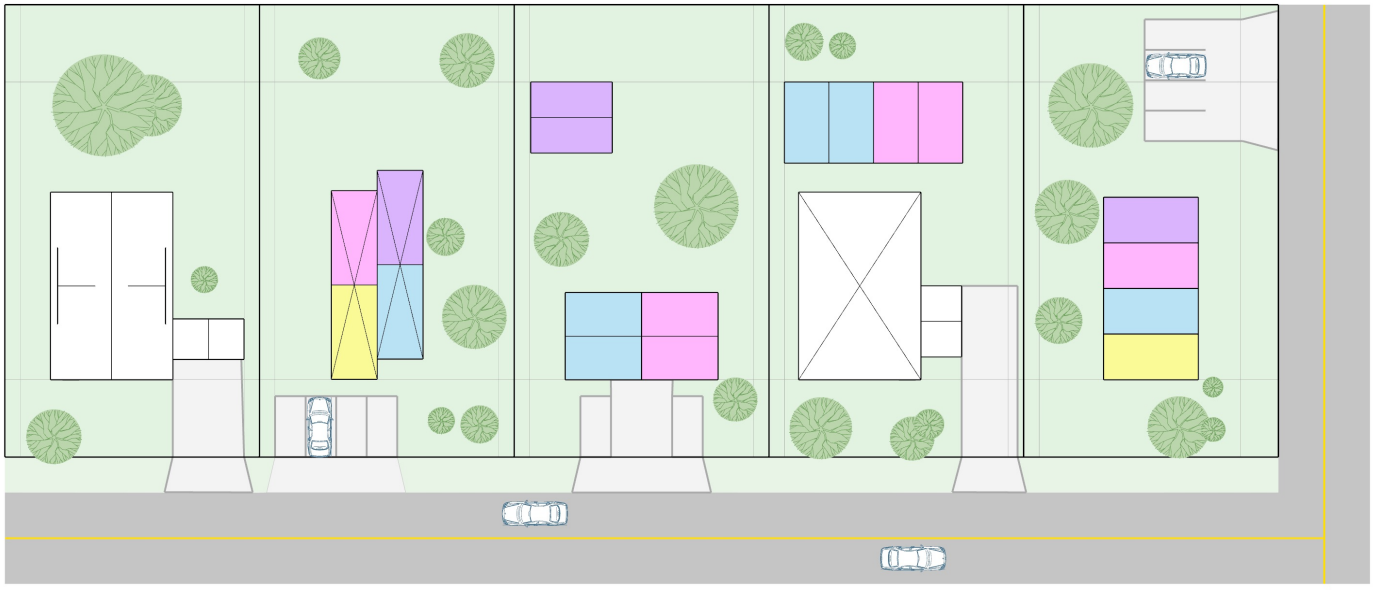
Large Lot Zones | RS-1, RS-2, RS-3

The models below illustrate potential infill scenarios under the recommended zoning provisions for larger lot zones. The homes in white represent existing single family homes under existing RS-3 zoning, and the colourful homes show potential infill housing (up to 4 units) in various configurations.

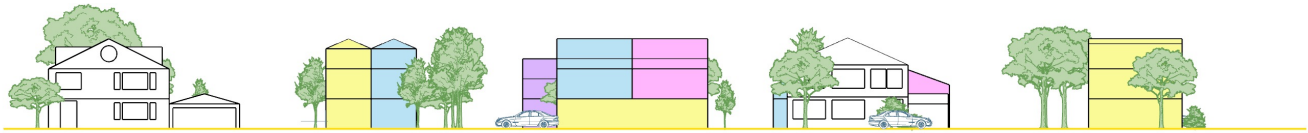
Infill Scenario - Perspective



Infill Scenario - Plan



Infill Scenario - Elevation



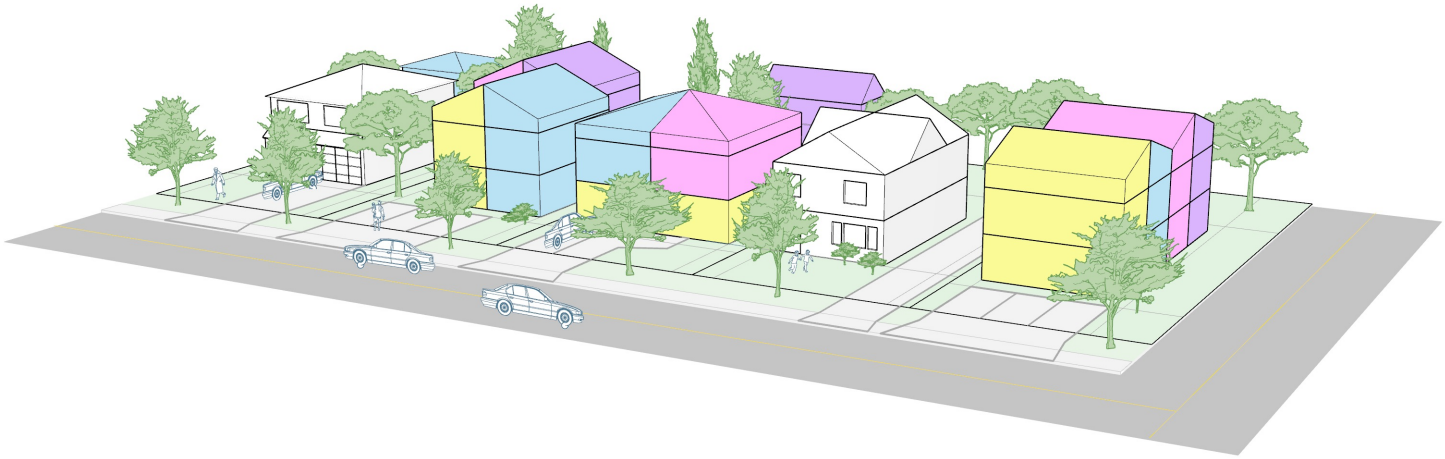
Zoning Parameter	Provincial Site Standards	Existing Parameters	Proposed Parameters
Front line Setback	• Min 5 -6 m	• Principal Building: 10.66 m • Accessory Building or Structure: 10.66 m • Contextual front yard setback applies	• Principal Building: 10.7 m • Accessory Building or Structure: 10.7 m
Rear Lot Line Setback	• Min. 6 m for principal building • Minimum 1.5 m for ADUs	• Principal Building: 7.62 m • Accessory Building or Structure: 1.52 m	• Principal Building: 7.6 m • Accessory Dwelling Unit, Accessory Building or Structure: 1.5 m
Side Lot Line Setback	• Min. 1.2 m	• Interior, Principal Building: 3.0 m • Interior, Accessory Building or Structure: 1.52 m • Exterior: 7.62 m (all) **Uplands** • Interior, Principal Building: 3.0 - 4.57 m (function of lot breadth) • Total of all setbacks: 6.0 - 12.19 m (function of lot breadth)	• Interior, Principal Building: 3.0 m • Interior, Accessory Building or Structure: 1.5 m • Exterior: 7.6 m (all) **Uplands** • Principal Building: 3.0 - 4.57 m, total 6.0 - 12.19 m (function of lot breadth) • Accessory Building or Structure: 1.52 m
Maximum Height	• Max. 11 m to mid-point of pitched roof or highest point of flat roof • at least 8 m for ADU	• Principabl Building, Building Height: 4.10 m - 7.32 m • Principal Building, Occupiable Height: 2.56 m - 4.57 m • Principal Building, Roof Height: 5.12 m - 9.14 m • Accessory Building, Building Height: 3 m • Occupiable Height: 0.25 m • Roof Height: 4.6 m • Accessory Structure, Building Height: 4.6 m	• Principal Building, Roof Height: 5.12 m - 9.14 m based on lot breadth • Principal Building, Building Height: 4.10 m - 7.32 m based on lot breadth • Accessory Dwelling Unit, Roof Height: 6.0 m • Accessory Dwelling Unit, Building Height: 4.4 m • Accessory Building, Roof Height: 4.6 m • Accessory Building, Building Height: 3 m • Accessory Structure, Building Height: 4.6 m
Maximum Number of Storeys	• 3 storeys for principal dwellings • 2 storeys for ADU	• N/A	• 3 storeys for principal dwellings • 2 storeys for ADU
Maximum Lot Coverage	• 25-40%	• Principal Building: 25% • Accessory Building: 5% • Accessory Structure: 5%	**One-unit Residential** • Principal Building: 25% • Accessory Building: 5% • Accessory structure: 5% **SSMUH** • Principal, Accessory and ADUs combined: 30% • Accessory Structure: 5%
Off-Street Parking Requirements	• 1 space/unit	• 2 spaces/unit	• One-unit Residential: 2 spaces/unit • SSMUH: 1 space/unit
Maximum Paved Coverage	• none	• maximum 25% paved coverage in front yard and 25% in the rear yard	• maximum 25% paved coverage in front yard and 25% in the rear yard
FAR	• none	• 0.4 + 0.05 for Accessory Buildings	**One-unit Residential** • 0.2 for One-unit Residential including a maximum 0.05 for Accessory Buildings **SSMUH** • 0.25 Principal Buildings and Accessory Buildings combined
Minimum Floor Area	• none	• 150 m2	• none
Maximum Build-out (on minimum lot size)	• none	• 1,619 m^2 (17,425 ft^2) **Per unit** • 405 m^2 (4,356 ft^2)	• 809 m^2 (8,712 ft^2) **Per unit** • 253 m^2 (2,396 ft^2)

Zoning Parameter	Provincial Site Standards	Existing Parameters	Proposed Parameters
Front line Setback	• Min 5 -6 m	• Principal Building: 10.66 m • Accessory Building or Structure: 10.66 m • Contextual front yard setback applies	• Principal Building: 10.7 m • Accessory Building or Structure: 10.7 m
Rear Lot Line Setback	• Min. 6 m for principal building • Minimum 1.5 m for ADUs	• Principal Building: 7.62 m • Accessory Building or Structure: 1.52 m	• Principal Building: 7.6 m • Accessory Dwelling Unit, Accessory Building or Structure: 1.5 m
Side Lot Line Setback	• Min. 1.2 m	• Interior, Principal Building: 3.0 m • Interior, Accessory Building or Structure: 1.52 m • Exterior: 7.62 m (all) **Uplands** • Interior, Principal Building: 3.0 - 4.57 m (function of lot breadth) • Total of all setbacks: 6.0 - 12.19 m (function of lot breadth)	• Interior, Principal Building: 3.0 m • Interior, Accessory Building or Structure: 1.5 m • Exterior: 7.6 m (all) • Total all lot lines: 4.6 m **Uplands** • Principal Building: 3.0 - 4.57 m, total 6.0 - 12.19 m (function of lot breadth) • Total of all setbacks: 6.0 - 12.19 m (function of lot breadth)
Maximum Height	• Max. 11 m to mid-point of pitched roof or highest point of flat roof • at least 8 m for ADU	• Principal Building, Building Height: 4.10 m - 7.32 m • Principal Building, Occupiable Height: 2.56 m - 4.57 m • Principal Building, Roof Height: 5.12 m - 9.14 m • Accessory Building, Building Height: 3 m • Accessory Building, Occupiable Height: 0.25 m • Accessory Building, Roof Height: 4.6 m • Accessory Structure, Building Height: 4.6 m	• Principal Building, Roof Height: 5.12 m - 9.14 m based on lot breadth • Principal Building, Building Height: 4.10 m - 7.32 m based on lot breadth • Accessory Dwelling Unit, Roof Height: 6.0 m • Accessory Dwelling Unit, Building Height: 4.4 m • Accessory Building, Roof Height: 4.6 m • Accessory Building, Building Height: 3 m • Accessory Structure, Building Height: 4.6 m
Maximum Number of Storeys	• 3 storeys for principal dwellings • 2 storeys for ADU	• N/A	• 3 storeys for principal dwellings • 2 storeys for ADU
Maximum Lot Coverage	• 25-40%	• Principal Building: 25% • Accessory Building: 5% • Accessory Structure: 5%	**One-unit Residential** • Principal Building: 25% • Accessory Building: 5% • Accessory Structure: 5% **SSMUH** • Principal, Accessory and ADUs combined: 30% • Accessory Structure: 5%
Off-Street Parking Requirements	• 1 space/unit	• 2 spaces/unit	• One-unit Residential: 2 spaces/unit • SSMUH: 1 space/unit
Maximum Paved Coverage	• none	• maximum 25% paved coverage in front yard and 25% in the rear yard	• maximum 25% paved coverage in front yard and 25% in the rear yard
FAR	• none	• 0.4 + 0.05 for Accessory Buildings	**One-unit Residential** • 0.3 for One-unit Residential including a maximum 0.05 for Accessory Buildings **SSMUH** • 0.4 Principal Buildings and Accessory Buildings combined
Minimum Floor Area	• none	• 150 m2	• none
Maximum Build-out (on minimum lot size)	• none	• 890 m^2 (9,584 ft^2) **Per unit** • 223 m^2 (2,396 ft^2)	• 668 m^2 (7,188 ft^2) **Per unit** • 223 m^2 (2,396 ft^2)

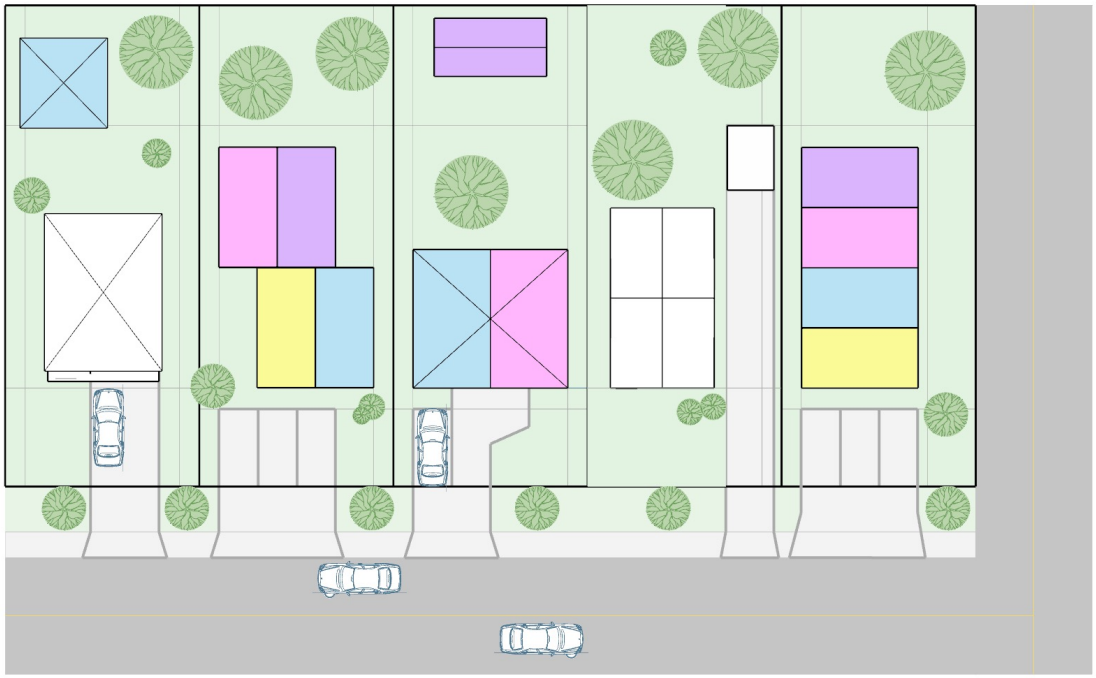
Zoning Parameter	Provincial Site Standards	Existing Parameters	Proposed Parameters
Front line Setback	• Min 2 m	• Principal Building: 7.62 m • Accessory Building or Structure: 7.62 m • Contextual front yard setback applies	• Principal Building: 7.6 m • Accessory Dwelling Unit: 7.6 m • Accessory Building or Structure: 7.6 m • No contextual front line setback
Rear Lot Line Setback	• Min.1.5 m	• Principal Building: 7.62 m • Accessory Building: 0.61 m • Accessory Structure: 1.52 m	• Principal Building: 7.62 m • Accessory Building: 0.6 m • Accessory Dwelling Unit or Structure: 1.5 m
Side Lot Line Setback	• Min. 1.2 m	• Interior, Principal Building: 1.52 m • Interior, Accessory Building: 0.61 m • Interior, Accessory Structure: 1.52 m • Exterior (all): 3.65 m • Total all lot lines: 4.57 m	• Interior, Principal Building: 1.5 m • Interior, Accessory Dwelling Unit: 1.5 m • Interior, Accessory Building: 0.6 m • Interior, Accessory Structure: 1.5 m • Exterior: 3.7 m (all) • Total all lot lines: 4.6 m
Maximum Height	• Max. 11 m to mid-point of pitched roof or highest point of flat roof	• Principal Building, Building Height: 4.10 m - 7.32 m • Principal Building, Occupiable Height: 2.56 m - 4.57 m • Principal Building, Roof Height: 5.12 m - 9.14 m • Accessory Building, Building Height: 3 m • Accessory Building, Occupiable Height: 0.25 m • Accessory Building, Roof Height: 4.6 m • Accessory Structure, Building Height: 4.6 m	• Principal Building, Roof Height: 2.65 m - 4.57 m, based on lot breadth • Principal Building, Building Height: 4.10 m - 7.32 m, based on lot breadth • Accessory Dwelling Unit, Roof Height: 6.0 m • Accessory Dwelling Unit, Building Height: 4.4 m • Accessory Building, Roof Height: 4.6 m • Accessory Building, Building Height: 3 m • Accessory Structure, Building Height: 4.6 m
Maximum Number of Storeys	• 3 storeys for principal dwellings	• N/A	• 3 storeys for principal dwellings • 2 storeys for ADU
Maximum Lot Coverage	• 50%	• Principal Building: 25% • Accessory Building: 5% • Accessory Structure: 5%	**One-unit Residential** • Principal Building: 25% • Accessory Building: 5% • Accessory Structure: 5% **SSMUH** • Principal, Accessory and ADUs combined: 30% • Accessory Structure: 5%
Off-Street Parking Requirements	• 1 space/unit	• 2 spaces/unit	• One-unit residential: 2 spaces/unit • SSMUH: 1 space/unit
Maximum Paved Coverage	• none	• maximum 25% paved coverage in front yard and 25% in the rear yard	• maximum 25% paved coverage in front yard and 25% in the rear yard
FAR	• none	• 0.4	**One-unit Residential** • 0.4 for one-unit residential including a maximum 0.05 for Accessory Buildings **SSMUH** • 0.55 Principal Buildings and Accessory Buildings combined
Minimum Floor Area	• none	• 110 m2	• none
Maximum Build-out (on minimum lot size)	• none	• 446 m^2 (4,801 ft^2) **Per unit** • 112 m^2 (1,200 ft^2)	• 446 m^2 (4,900 ft^2) **Per unit** • 153 m^2 (1,650 ft^2)

The models below illustrate potential infill scenarios under the recommended zoning provisions for smaller lot zones. The homes in white represent existing single family homes under existing RS-5 zoning, and the colourful homes show potential infill housing (up to 4 units) in various configurations.

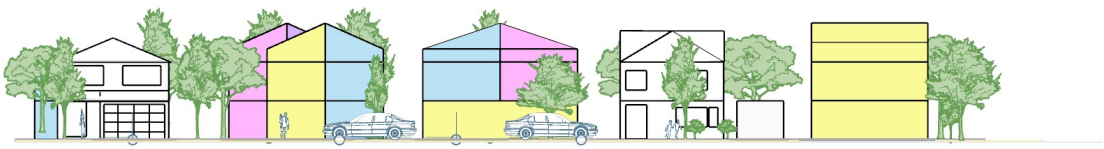
Infill Scenario - Perspective



Infill Scenario - Plan



Infill Scenario - Elevation



RS - 4 | One Family Residential Use/Small-Scale Multi-Unit Residential Use

Zoning Parameter	Provincial Site Standards	Existing Parameters	Proposed Parameters
Front line Setback	• Min 2 m	• Principal Building: 7.62 m • Accessory Building or Structure: 7.62 m • Contextual front yard setback applies	• Principal Building: 6 m • Accessory Dwelling Unit: 6 m • Accessory Building or Structure: 7.6 m • No contextual front line setback
Rear Lot Line Setback	• Min. 1.5 m	• Principal Building: 7.62 m or 25% lot depth • Accessory Building: 0.61 m • Accessory Structure: 1.52 m	• Principal Building: 7.62 m • Accessory Building: 0.6 m • Accessory Dwelling Unit or Structure: 1.5 m
Side Lot Line Setback	• Min. 1.2 m	• Interior, Principal Building: 1.52 m • Interior second storey, Principal Building: 3.0 m • Interior, Accessory Building: 0.61 m • Interior, Accessory Structure: 1.52 m • Exterior (all): 3.65 m • Total all lot lines: 4.57 m	• Interior, Principal Building: 1.5 m • Interior, Accessory Dwelling Unit: 1.5 m • Interior, Accessory Building: 0.6 m • Interior, Accessory Structure: 1.5 m • Exterior: 3.7 m (all) • Total all lot lines: 4.6 m
Maximum Height	• Max. 11 m to mid-point of pitched roof or highest point of flat roof	• Principal Building, Building Height: 4.10 m - 7.32 m • Principal Building, Occupiable Height: 2.56 m - 4.57 m • Principal Building, Roof Height: 5.12 m - 9.14 m based on frontage • Accessory Building, Building Height: 3 m • Accessory Building, Occupiable Height: 0.25 m • Accessory Building, Roof Height: 4.6 m • Accessory Structure, Building Height: 4.6 m	**One-unit Residential** • Principal Building, Roof Height: 5.12 m - 9.14 m, based on lot breadth • Principal Building, Building Height: 4.10 m - 7.32 m, based on lot breadth **SSMUH** • Principal Building, Roof Height: 10 m • Principal Building, Building Height: 8.5 m • Accessory Dwelling Unit, Roof Height: 6.0 m • Accessory Dwelling Unit, Building Height: 4.18 m • Accessory Building, Roof Height: 4.6 m • Accessory Building, Building Height: 3 m • Accessory Structure, Building Height: 4.6 m
Maximum Number of Storeys	• 3 storeys for principal dwellings	• N/A	• 3 storeys for principal dwellings • 2 storeys for ADU
Maximum Lot Coverage	• 50%	**Two-storey Buildings** • 30% for all buildings and structures where 7% may be for accessory buildings **One-storey Buildings** • 35% for all buildings and structures where 7% may be for accessory buildings	**One-unit Residential** • Principal Building, accessory buildings and structures: 30% where up to 7% may be for accessory buildings; or **One-storey Buildings** • 35% for all buildings and structures where 7% may be for accessory buildings **SSMUH** • Principal, accessory and ADUs combined: 30% and up to 7% may be for accessory structures
Off-Street Parking Requirements	• 0.5 where within 800 m of FTN bus stop • 1 space/unit	• 2 spaces/unit	• One-unit residential: 2 spaces/unit • SSMUH: 0.75 space/unit
Maximum Paved Coverage	• none	• maximum 25% paved coverage in front yard and 25% in the rear yard	• maximum 40% paving in front and 25% in the rear yard
FAR	• none	• 0.4	**One-unit Residential** • 0.4 for one-unit residential including a maximum 0.05 for Accessory Buildings **SSMUH** • none
Minimum Floor Area	• none	• 110 m2	• none
Maximum Build-out (on minimum lot size)	• none	• 397 m^2 (4,082 ft^2) **Per unit** • 95 m^2 (1,020 ft^2)	• 379 m^2 (4,082 ft^2) **Per unit** • 213 m^2 (2,296 ft^2)

Zoning Parameter	Provincial Site Standards	Existing Parameters	Proposed Parameters
Front line Setback	• Min 2 m	• Principal Building: 7.62 m • Accessory Building or Structure: 7.62 m • Contextual front yard setback applies	• Principal Building: 6 m • Accessory Dwelling Unit: 6 m • Accessory Building or Structure: 7.6 m • No contextual front line setback
Rear Lot Line Setback	• Min. 1.5 m	• Principal Building: 7.62 m or 25% lot depth • Accessory Building: 0.61 m • Accessory Structure: 1.52 m	• Principal Building: 7.6 m • Accessory Dwelling Unit or Structure: 1.5 m • Accessory Buildings: 0.6 m
Side Lot Line Setback	• Min. 1.2 m	• Interior, Principal: 1.52 m • Interior second storey, Principal Building: 3.0 m • Interior, Accessory Building: 0.61 m • Interior, Accessory Structure: 1.52 m • Exterior (all): 3.65 m • Total all lot lines: 4.57 m	• Interior, Principal Building: 1.5 m • Interior, Accessory Dwelling Unit: 1.5 m • Interior, Accessory Building: 0.6 m • Interior, Accessory Structure: 1.5 m • Exterior: 3.7 m (all) • Total all lot lines: 4.6 m
Maximum Height	• Max. 11 m to mid-point of pitched roof or highest point of flat roof	• Principal Building, Building Height: 4.10 m - 7.32 m • Principal Building, Occupiable Height: 2.56 m - 4.57 m • Principal Building, Roof Height: 5.12 m - 9.14 m • Accessory Building, Building Height: 3 m • Accessory Building Occupiable Height: 0.25 m • Accessory Building Roof Height: 4.6 m • Accessory Structure, Building Height: 4.6 m	**One-unit Residential** • Principal Building, Roof Height: 5.12 m - 9.14 m • Principal Building, Building Height: 4.10 m - 7.32m **SSMUH** • Principal Building, Roof Height: 10 m • Principal Building, Building Height: 8.5 m • Accessory Dwelling Unit, Roof Height: 6.0 m • Accessory Dwelling Unit, Building Height: 4.4 m • Accessory Building, Roof Height: 4.6 m • Accessory Building, Building Height: 3 m • Accessory Structure, Building Height: 4.6 m
Maximum Number of Storeys	• 3 storeys for principal dwellings	• N/A	• 3 storeys for principal dwellings • 2 storeys for ADU
Maximum Lot Coverage	• 50%	• 30% for all buildings and structures where a maximum 7% may be for accessory buildings (two-storey building)	**One-unit Residential** • Principal Building, accessory buildings and structures: 30% where up to 7% may be for accessory buildings; or **One-storey Buildings** • 35% for all buildings and structures where 7% may be for accessory buildings **SSMUH** • Principal, Accessory and ADUs combined: 30% and up to 7% may be for accessory structures
Off-Street Parking Requirements	• 0.5 where within 800 m of FTN bus stop • 1 space/unit	• 2 spaces/unit	• One-unit residential: 2 spaces/unit • SSMUH: 0.75 space/unit
Maximum Paved Coverage	• none	• maximum 25% paved coverage of in front yard and 25% in the rear yard	• maximum 50% paving in front and 25% in the rear yard
FAR	• none	• 0.4	**One-unit Residential** • 0.4 for one-unit residential including a maximum 0.05 for Accessory Buildings **SSMUH** • none
Minimum Floor Area	• none	• 110 m2	• none
Maximum Build-out (on minimum lot size)	• none	• 223 m^2 (2,403 ft^2) **Per unit** • 56 m^2 (601 ft^2)	• 223 m^2 (2,403 ft^2) **Per unit** • 126 m^2 (1,351 ft^2)

MODUS
from insight to impact

INFILL HOUSING PROGRAM ENGAGEMENT SUMMARY REPORT DISTRICT OF OAK BAY

Prepared by: MODUS Planning, Design & Engagement Inc.
Version: FINAL
Date: May 14, 2024

TABLE OF CONTENTS

1. INTRODUCTION 2

1.1 PROJECT PURPOSE 2
1.2 ENGAGEMENT PURPOSE 2

2. WHAT WE DID & WHO WE HEARD FROM 3

2.1 COMMUNICATIONS & PROMOTIONS 3
2.2 PUBLIC WEBINAR 3
2.3 PUBLIC OPEN HOUSE EVENTS 3
2.4 SPECIAL COMMITTEE MEETING OF THE WHOLE 4

3. WHAT WE HEARD 5

3.1 KEY TAKEAWAYS 5
3.2 LARGER LOT ZONES (RS-1, RS-2, RS-3) 5
3.3 SMALLER LOT ZONES (RS-4, RS-5, RS-5B, CD-2, RD-1) 8
3.4 OTHER ZONES WITH RESTRICTED RESIDENTIAL USES (C-1, C4, C5, RM-1LD, RM-1MD, RM-1HD, RM-2, RM-3, RM-3HD, RM-4, RM-8, RM-MC1, RM-MC4) 9
3.5 ADDITIONAL FEEDBACK 11

4. NEXT STEPS 13

5. APPENDIX 14

APPENDIX A: WEBINAR QUESTIONS 14
APPENDIX B: OPEN HOUSE DISPLAY BOARDS 18
APPENDIX C: EVENT EVALUATIONS 30


ZONES SUBJECT TO SSMUH
SSMUH DENSITIES
LARGER LOT ZONES (RS-1, RS-2, RS-





1. INTRODUCTION

1.1 Project Purpose

In late 2023, the Province of British Columbia introduced sweeping changes to the *Local Government Act* to increase housing supply and create more diverse housing options in BC. Bill 44 - Housing Statutes (Residential Development) Amendment Act requires municipalities to allow small-scale multi-unit housing in land-use zones that are otherwise restricted to single-family dwellings or duplexes.

To meet the new legislative requirements, the District of Oak Bay must align its Zoning Bylaw with the applicable regulations for Small-Scale Multi-Unit Housing and consider other implementation factors outlined by the Province. This update is an opportunity to build on previous work undertaken through the District's recent Infill Housing Strategy (2022) and work towards the Council's Strategic goals for housing.

While the new legislation offers a new framework and tools to assist local governments in addressing the housing crisis, the substantial and time-sensitive legislative requirements place great demand to respond and implement changes by the end of June 2024. The District of Oak Bay hired MODUS Planning, Design & Engagement Inc. to support a review and analysis of the land use framework, and to undertake public engagement on the Bylaw Updates. Together, the District of Oak Bay and MODUS are referred to as the 'project team'.

Through April and May 2024, the project team hosted online and in-person events to inform and engage on the Infill Housing Program and staff's recommended changes to zoning provisions to meet the Provincial mandate. This report summaries the key engagement activities and themes that emerged through community conversations. The results will be considered when updating the Zoning Bylaw and related amendments to the land use framework.

1.2 Engagement Purpose

Primarily, the purpose of engagement was to support and inform the Provincially required updates to the Zoning Bylaw. Inputs will also support related updates to the Official Community Plan, Parking Facilities Bylaw, Development Permit Guidelines, and other District Bylaws, as needed.

Through the engagement process, the project team aimed to:

- Build positive relationships with residents and members of community groups;
- Increase public understanding of the Provincial housing-related legislative changes;
- Communicate how the District of Oak Bay is proposing to respond to the legislation;
- Gather community feedback on changes to the District's land use framework;
- Ensure community feedback is reflected in the report to District Council; and
- Meet the Province of BC's June 30, 2024 deadline for bylaw amendments.

2. WHAT WE DID & WHO WE HEARD FROM

This section summarizes what we did and who we engaged with throughout Spring 2024.

2.1 Communications & Promotions

The project team promoted the engagement opportunities through a variety of tactics, from April 15 to May 4th, 2024. Key communication activities included:

- Four newsletters to all active subscribers for Connect Oak Bay and Housing Action Program mailing list;
- Six Facebook and Twitter posts and four Instagram posts;
- Three advertisements in the Oak Bay news;
- Posters were distributed at the Monterey Recreation Centre, Oak Bay Recreation Centre and Municipal Hall; and
- Direct emails were circulated to Community Associations and Advisory Bodies.

2.2 Public Webinar

The project team hosted a 90-minute webinar via Zoom on Thursday, April 25th, 2024, from 6:00 to 7:30 pm. The webinar aimed to inform the community about the Infill Housing Program and provide an opportunity for the public to ask questions to staff.

The webinar began with introductory remarks, including a welcome, land acknowledgement, and background presentation by District and MODUS staff. This was followed by a moderated Q&A session.

In total, 108 attendees participated in the Zoom Webinar, with the majority (71) engaging in an introductory poll. Among the poll participants, 82% indicated they live in Oak Bay. The session was recorded and made available on the project website for later viewing and for those unable to attend live. An FAQ will also be posted on Connect Oak Bay to address common questions that were asked (refer to Appendix A for a copy of the questions received).

2.3 Public Open House Events

The project team organized two public open-house events held at different locations, times, and days of the week:

- Wednesday, May 1st, from 4:00 to 7:00 pm at the Windsor Park Pavilion
- Saturday, May 4th, from 1:00 to 4:00 pm at the Monterey Recreation Centre

These events provided an opportunity for the public to review project information and to engage in one-on-one conversations with project staff and gain a deeper understanding of the project. Information was presented through a series of display boards (refer to Appendix B) and a document resource table. Attendees were encouraged to share their feedback by writing comments directly on the boards and in conversation with staff.

In total, 340 community members attended the two open house events. 62 attendees completed an exit form with demographic information, of which 94% indicated they lived in Oak Bay (refer to Appendix C

for full evaluation results). The display boards from the open house events are available on the project website as a resource for those who were unable to attend, or for later viewing.

2.4 Special Committee Meeting of the Whole

On May 6th from 6:00 pm until 9:30 pm, the project team attended a Special Committee of the Whole meeting. The meeting opened with a 40-minute background presentation from the project team to Council and members of the public on the Provincial legislation and the recommended changes to updating the District's land use framework.

Following the presentation, Council directed questions to the project team. Members of the public were also invited to ask questions and direct comments to Council in a town hall format. Approximately 96 members of the public attended, and 17 people addressed questions or comments to Council.

The session was recorded and is available on the District website for later viewing and for those unable to attend live. The meeting agenda and minutes can be found on the Oak Bay website.







3. WHAT WE HEARD

The following pages include a description of what we heard through engagement. The most common themes are described first. Where there are mixed opinions, the number of comments is included in brackets.[1]

3.1 Key Takeaways

Greenspace and Tree Protection | Comments illustrated that the community of Oak Bay highly values greenspaces, existing trees, and tree canopy cover. Feedback emphasized a strong desire to preserve and enhance greenspaces and protect trees alongside new development. Some comments supported the recommended increase in building heights to preserve natural areas, and others suggested increasing heights further. At the same time, there was some desire to increase lot coverage (the area of a lot covered by buildings), especially in smaller lot zones, to maintain existing homes and facilitate infill housing.

Housing need and affordability | Open house participants expressed support for increasing the housing supply in Oak Bay. Particularly, there were comments about the need for diverse and affordable housing options for families, seniors, future generations, and renters. Some participants questioned the contribution to affordability of the proposed changes. There were suggestions and questions about ensuring housing affordability, increasing co-op and social housing supply, and establishing policies to promote affordable housing.

Parking and transportation | Overall, there was support for the recommended changes to parking (i.e., 1 parking space per infill unit on larger lots, and 0.75 spaces per unit on smaller lots). There were suggestions for further reductions to parking, and ideas to improve active and public transportation. At the same time, there were some concerns with parking reductions, particularly increased congestion on streets.

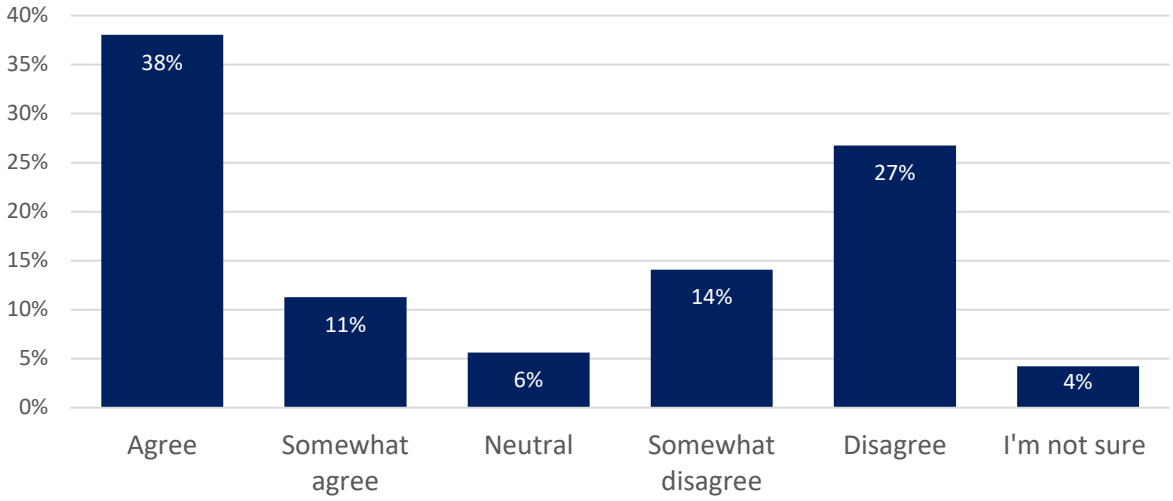
Form & character | Open house participants expressed a desire for new housing to fit well with the existing neighbourhood. Feedback shared appreciation for human-scale design, a balance of nature and built form, verandahs, and careful window placements that allow for sunlight and privacy.

3.2 Larger Lot Zones (RS-1, RS-2, RS-3)

This question asked: 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?

Open house participants shared 71 comments on the recommended changes to zoning provisions for the larger lot zones. Of these, almost half (49%) expressed positive sentiments (agree or somewhat agree). 41% of comments expressed negative sentiments (disagree or somewhat disagree) and 10% were neutral or unsure. The graph below illustrates the breakdown of the level of agreement.

[1] Note: This report summarizes comments related to the Infill Housing Program. Participants also shared opposition to Carnarvon Park housing options that are currently being explored under a separate project. There were also questions about the status of the Oak Bay Lodge site.



Comments under agree or somewhat agree, most often related to housing needs and affordability, expressed general support, or offered suggestions for form and character, housing types, and parking and transportation.

Comments under disagree or somewhat disagree, most often expressed general concern, concerns that infill housing will not address affordability, concerns about loss of greenspace and trees, and about potential changes to the Uplands neighbourhood character.

The following section describes the key themes participants expressed when asked to provide more information on their responses.

Tell Us Why

Housing Needs and Affordability

Comments shared support for increasing the housing supply in Oak Bay. Particularly, there were comments about the need for diverse and affordable housing options for families, seniors, future generations, and renters. There were suggestions and questions about ensuring affordability, increasing co-op and social housing supply, and developing affordable housing policies. There was some concern the recommended changes are too conservative and will not address affordability.

The Uplands Neighbourhood

There were mixed opinions on accommodating infill housing in Uplands. Some comments (5) suggested the neighbourhood could accommodate an increase in housing, given the sensitive approach and large lot sizes. Other comments (4) expressed concerns that infill housing will change the neighbourhood's character.

Greenspace and Tree Protection

Comments expressed the importance of greenspace and tree protection. There was a suggestion to consider additional tree protection measures, and some suggestions (2) to increase heights to preserve greenspace and natural areas. Conversely, there were suggestions (2) to increase lot coverage to 40%.

Form and Character

Comments noted the importance of the form and character of new infill housing. There were suggestions to establish design guidelines to maintain human-scale design and avoid West Coast-style modern architecture (1). There was also a concern that infill housing would change the community character.

General Support and Concerns

Some feedback (8) expressed general support for infill housing in Oak Bay and the recommended changes to the zoning provisions.

Other feedback (7) expressed general concern about infill housing in Oak Bay, including opposition to the densities required by the Province and concerns that lots are too small to accommodate four units.

Infrastructure and Amenities

Open house participants commented on the need for infrastructure upgrades and access to amenities like park space and schools to support infill housing. There was support for developing a Development Cost Charge and Amenity Contribution Charge Bylaw.

Parking and Transportation

Comments related to parking and transportation included support for the recommended parking requirements, a suggestion to reduce parking further, and a suggestion to increase density along major routes and transportation corridors.

Housing Types

There were comments about specific housing types, including support for carriage homes, garden suites, townhomes, and condos. There were also suggestions to explore panhandle lots and small apartment buildings. One comment noted opposition to tri- and four-plexes.

Other Comments

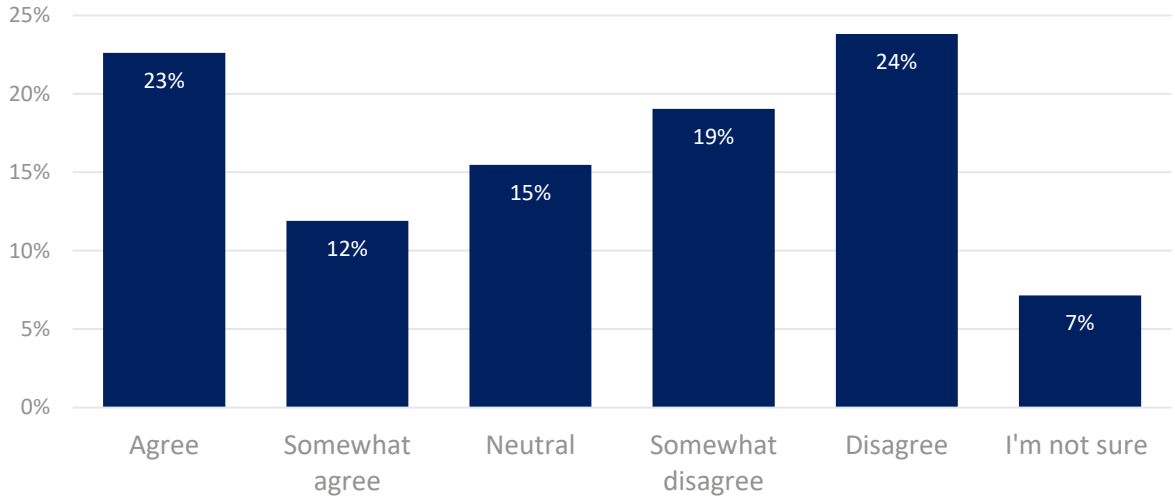
We received single comments about:

- Not allowing subdivision
- Being more flexible about subdivision (i.e. meet either minimum area or lot minimum lot width)
- The importance of community engagement
- Adding social equity to the Infill Housing Guiding Principles
- Concern the process is too slow

3.3 Smaller Lot Zones (RS-4, RS-5, RS-5B, CD-2, RD-1)

This question asked: 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?

Open house participants shared 84 comments on the recommended changes to zoning provisions for the smaller lot zones. Comments were mixed in sentiment, with 35% under agree or somewhat agree, 19% neutral or unsure, and 43% under disagree or somewhat disagree. The graph below illustrates the breakdown of the level of agreement.



Comments under agree or somewhat agree most often related to parking and transportation, as well as expressing general support. Comments under disagree or somewhat disagree, most often related to loss of greenspace and tree protection, as well as parking and transportation. The following section describes the key themes participants expressed when asked to provide more information on their responses.

Tell Us Why

Parking and Transportation

Most comments (9) expressed support for the recommended reduced parking requirements (0.75 parking spaces per unit) and provided suggestions to improve active or public transportation. There were suggestions to eliminate parking requirements altogether and to develop an on-street parking program. There was some concern (5) about the reduction in parking, particularly creating congestion on the street.

Greenspace and Tree Protection

Open house participants commented on the importance of protecting the tree canopy and open, permeable spaces (9). There were also some concerns about the recommended lot coverage and suggestions to increase it to 40 or 50% to accommodate infill housing and retain existing homes (8).

General Support and Concerns

Some feedback (10) expressed general support for the recommended changes to the zoning provisions, and the implementation of infill housing in Oak Bay.

Other feedback (5) expressed general concerns about implementing infill housing in Oak Bay, including a preference for higher density along corridors and maintaining existing neighbourhood character.

Housing Needs and Affordability

Comments noted the need for more housing in Oak Bay, particularly more affordable options, and multi-generational living. There was a suggestion to develop affordable housing policies.

Form and Character

Open house participants commented on the importance of window placement for sunlight and privacy, for infill to respect the existing neighbourhood, and limiting the bulk of buildings to preserve the streetscape.

Building Heights

There were suggestions to simplify Oak Bay's height calculations (2), and suggestions (2) to increase allowable heights as well as concern (1) that an increase in height will impact the neighbourhoods' look and feel.

Infrastructure and Amenities

There were comments about the need for stormwater infrastructure upgrades and suggestions to consider green infrastructure to support infill housing. We also heard about the importance of park space for community growth.

Other Comments

We received single comments about:

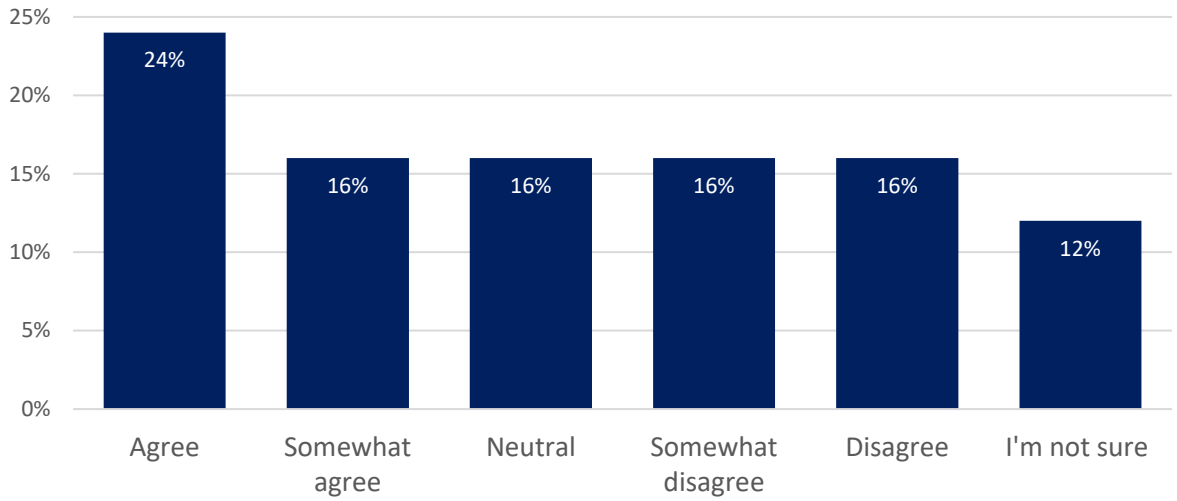
- Reducing minimum lot size to allow for subdivision
- Preserving heritage homes
- Simplifying the permitting/approvals process
- Increasing flexibility in setbacks to allow for flexibility in building placement
- Increasing density in the Oak Bay and Estevan Villages
- A question if new homes will be strata-managed
- Improving notification of engagement events

3.4 Other Zones with Restricted Residential Uses (C-1, C4, C5, RM-1LD, RM-1MD, RM-1HD, RM-2, RM-3, RM-3HD, RM-4, RM-8, RM-MC1, RM-MC4)

This question asked: 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?

Open house participants shared 25 comments on the recommended changes to zoning provisions for the other zones with restricted residential uses. Of these, 40% expressed positive sentiments (agree or

somewhat agree), whereas 32% expressed negative sentiments (disagree or somewhat disagree) and 28% were neutral or unsure. The graph below illustrates the breakdown of the level of agreement.



Tell Us Why

Greenspace and Tree Protection

Open-house participants shared about the importance of preserving greenspace, parks, and natural areas. We also heard the need for careful consideration of tree protection while implementing infill housing.

Housing Needs and Affordability

There were comments about the need for increasing the housing stock in Oak Bay, and suggestions to explore opportunities for supportive housing.

Form and Character

Feedback emphasized the importance of design guidelines to minimize impacts on adjacent properties. Comments referenced important features like verandahs and a balance of the built form and the natural environment.

General Support

Comments were generally supportive of the recommended changes and infill housing in Oak Bay.

Parking and Transportation

There was a comment in support of the recommendation for 0.75 parking stalls per unit for infill housing.

Other Comments

We received single comments about:

- Suggestions to increase residential density on Foul Bay and Oak Bay Ave
- Suggestions to improve public communication of the recommended changes
- Questions about the Oak Bay Lodge Site and dog park at the University of Victoria

3.5 Additional Feedback

This question asked: Is there anything else you'd like to share?

Parking and Transportation

Comments emphasized the need to carefully consider parking for infill housing. Some (2) expressed support for the removal of the requirement for covered parking in the current zoning bylaw and suggested removing minimum parking requirements altogether. Others (3) commented on the need for more parking to reduce congestion on the street. There was also a suggestion to mitigate parking concerns of larger development by introducing incentives for developers to provide transit passes and/or e-bikes.

Greenspace and Tree Protection

Open house participants reinforced the importance of planning for greenspace along with infill housing. There were suggestions to ensure tree protection, establish minimum greenspace requirements, and increase allowable heights to maintain 30% lot coverage. At the same time, there was a suggestion to increase lot coverage to 40% to accommodate infill housing.

General Support and Concerns

There were some concerns (7) about Bill 43 and 44 and opposition to the densities required by the Province.

Other comments (2) were supportive of the sensitive approach to meeting the requirements of the Provincial legislation.

Process

Comments related to the process included concerns that changes would be rushed, that the Infill Housing Guiding Principles are too weak, a suggestion to incorporate social equity and reconciliation into the process, and to include more street names on maps.

Housing Needs and Affordability

Comments expressed concerns that infill housing will not be affordable. There was a suggestion to increase social housing options in Oak Bay and for the District to take a lead role in developing housing.

Housing Types

Open house participants suggested Oak Bay consider panhandle lots, flexibility in subdivision requirements, small apartments, and incentives to encourage laneway housing.

Form and Character

There was some concern about a change in neighbourhood character and a possible reduction in privacy. Some feedback suggested that maintaining heights below five stories is important for neighbourhood character.

Infrastructure and Amenities

There was concern about the impact of infill housing on Oak Bay's infrastructure, and a suggestion to consider rain garden policies.

Setbacks

There were suggestions to reduce setbacks and to separate the ADU setbacks from the principal buildings.

Other Comments

We received single comments about:

- Increasing residential density along major transportation corridors
- Removing owner occupancy requirements for secondary suites/infill housing

4. NEXT STEPS

Based on the feedback received, technical review, and Council Direction, the District of Oak Bay will update the Zoning Bylaw to align with the Province's Bill 44 by June 30, 2024. Following this update, the District will consider revising the OCP to ensure the Residential Infill Development Permit Area guidelines apply to infill housing where no rezoning is required. Over the next four years, the District will continue to implement Council Priority Projects related to housing under the Housing Action Program.







5. APPENDIX

Appendix A: Webinar Questions

Questions about the Infill Housing Program and development process:

- How is the HAP related to the Carnarvon Park "refresh"?
- How have you determined how many infill housing units OB needs?
- What are the development financing tools that the new legislation has established for municipalities to use. What is Oak Bay looking at?
- Has the government consulted with the District on the government's (via BC Housing and UVic) plans for densification on the former Oak Bay Lodge site and on the undeveloped land on the north side of Cedar Hill?
- Has the government consulted with the District on the government's (via BC Housing and UVic) plans for densification on the former Oak Bay Lodge site and on the undeveloped land on the north side of Cedar Hill?
- How will this affect demolitions in OB?
- How will existing development permit areas work with SSMUH?
- When will a draft bylaw be presented to Council?
- Will there be a form and character development permit area?
- Will there be a path to convert existing accessory structures, such as garages or workshops, to be convert to ADU's if they are converted to meet all BC Building Code requirements?
- What turnaround times are municipalities required to meet to process applications?
- What development organizations is Oak Bay partnering with in their planning vision?
- Within the SSMUH Policy manual Part 4 - the tables refers to recommended benchmark regulations. Does Oak bay intend to meet these requirements or just consider them at a Council meeting. An example being within RS5 currently limits structures to 2 storeys where as the Policy recommends 3 storeys
- What will future community engagement on all of this look like? Given how these changes will play out, are you considering doing something on a neighbourhood or area scale and out in the community? Or some mechanisms that will encourage conversation rather than just a Q & A format?
- Will the rezoning process/permit applications be simplified? Reduced times under application?
- Will the process to redevelop a property be shortened or will property owners still go through a Development permit requiring an arborist, landscape plan, form and character package, etc.? In comparison, what is the current turnaround time from DVP application through to building permit approval and what would it look like for those higher density targetted lots?
- Is there anything being put in place to 'fast track' building permits and rezonings? Or is the expectation that historical timelines will continue?
- Will neighbours have any opportunity to influence what is being built next or near them.
- Will single family development permit applications be treated with the same priority as infill housing permit applications by the District?
- Will consultation on new developments still be allowed? The Province has said consultation won't be permitted.
- Are you producing a short clear summary of bylaw changes for residents to consider. When?
- This new direction and change to the OCP and building permit process, along with density goals have been set with the current NDP Provincial legislation put in place. If there is a change in

provincial government in the next election, that counter, adapt, remove this legislation, will OB Council revert back to its previous process and targets for OCP and building?
- Why are we not pushing for greater development in Uplands? It is the wealthiest neighborhood
- How are you ensuring that the younger demographics are going to be included in during the engagement for you OCP updates?
- The new provincial guidelines specifically mention that municipalities should reduce setbacks to allow for more diverse housing options actually being possible on existing lots. Why is Oak Bay choosing to not follow this and instead try to retain its existing setbacks?

Questions about the District's housing target, housing need and affordability:
- How many annual units will this initiative yield, and how does that compare to housing targets?
- How are the housing targets measured, is it by housing starts (BP issuance) or occupancy?
- If I understand correctly, OB Target is for 664 new units in next 5 years. What is the average annual number of new houses in OB ? How many in the last 5 years? So we get a sense of what the stretch is….
- What will happen if OB does not build the required number of new units by 2028?
- What does Oak Bay plan to do if it fails to meet net new build targets in Year 1?
- Thanks for your answer re Carnarvon Park refresh. A follow up please: Is it Oak Bay's intention that the 24 units built in Carnarvon Park as part of the refresh count towards the 664 units required in the next 5 years?
- Will infill housing applications be prioritized over to achieve the provincial target of 664 units?
- Housing costs are high because of land prices, construction costs, and municipal oversight. How can you reduce these to get to the lower cost housing objective?
- At what stage will you address the role that the District can play in creating more affordable housing in Oak Bay? The District isn't a builder (or hasn't been), but there must be some tools it can draw on? E.g. publicly owned Firefighters Park parking lot & public safety building
- Is Oak Bay exploring the expansion of non-profit co-op housing in the district?
- Provincial housing quotas for OB (and all of their BC mandates) are based on occupancy. No one can argue that OB real estate is one of the highest on Vancouver Island, which with new building costs will equate some of the highest (and most unaffordable) first time homes for purchase and rentals. Realistically 2-5 years conservatively when completed, will not achieve what this heavy handed BC mandate was set to accomplish.
- We all know that suites (existing and new), have historically been the most economical rental housing for 1-3 occupants (students, single parents, seniors, and low income renters). When 37% of home owners with suites or able to easily suite refuse to do so based on the stringent tenant biased BC RTB laws. Without change to these provincial regulations, especially if written for homeowner occupied homes with suites, you essentially give up your home owner rights if you choose to rent out a suite in the current times when criminality, increased in bad renters, the 2017 removal to Term Rentals. Until this changes, where homeowners exposed themselves to unretrievable damage costs, quick expulsion of bad behaving tenants, and all the stress comes with it. Much less how CRA treats your property once suited. This is BC's Government's lowest hanging fruit to potentially bring to market 'overnight" affordable rental housing. The current path in OB for greater density is simply a task with the least return.

Questions about sustainability, greenspace, and tree protection:
- As we increase housing, how can we protect biodiversity, ecological corridors, the tree canopy (which we're trying to increase), etc.? Is this done through the OCP?

- Will existing parkland be used, or will more be set aside to offset increased population
- Oak Bay is located in BC's most critically endangered ecozone with some of the last remnants of Garry Oak and Arbutus ecosystems. What is Oak Bay doing to design sufficient Setbacks, Amenity Cost Charges or Development Cost Charges that require 35-40% of each development lot to include green infrastructure, which aligns with Oak Bay's urban tree canopy targets?
- Considering the pre-covid Council declaration of a climate emergency, how are our endangered and overused natural areas planned for both protection and, where possible, expansion. These spaces will be increasing essential for quality of health and wellbeing for the heat domes, extreme rain events, etc., that are already anticipated.
- To protect and preserve as much open, permeable and green/natural area on existing lots, will height restrictions be modified (as one obvious means of increasing density)?
- Will Oak Bay support the development of rain gardens on private and public property adjacent to roadways and parking lots to filter run-off water from impermeable surfaces?
- With planned OB density taking away more of the green canopy and the "Green" of OB, will there be any incentives for those maintaining their gardens, green canopy etc, such as Free/subsidized water barrels, as water meter rates are very high (and wasteful) for property use? So similar subsidies/free that some municipality offered for compost garden bins.

Questions about infrastructure and amenities:

- Does the Uplands storm and sewer separation project accommodate additional use resulting from infill development in this area?
- It is well known that Ok Bay infrastructure is stretched and in need of repair. How will infrastructure keep up with the increased housing units?
- As impervious surface increases from roofs and driveways how will Oak Bay avoid decreasing rainwater infiltration into the ground? Will green stormwater infrastructure be required to prevent increased stormwater into the storm sewer system?
- Will Oak Bay encourage infill in certain neighborhoods or on certain streets or blocks where amenities are appropriate to greater density (eg, close to schools, transit etc)?
- We need to increase population density without increasing flow into the storm drains, hence our waterways (creek and shoreline). How will the District’s plan do that?

Questions about parking:

- Will Oak Bay look to reform parking requirements as Saanich is doing?
- When you say “reduce required parking,” what will be required?
- What is planned for the covered parking requirement in the parking facilities bylaw?
- Why not abolish parking requirements completely as places like Calgary, Portland, and San Francisco have done? Arguably the best and simplest way to facilitate new housing creation.
- What is Oak Bay’s plan to deal with increased street parking?
- You have referred to one parking stall mentioned several times. Does this mean covered parking or just off-street parking?

Questions about housing types:

- What specific housing forms will be legalized? (houseplexes, townhouses, etc.)
- Will duplexes be recognised in the Municipality?
- When you talk about infill and permitted configurations, do you see subdivisions, bare land stratas, strata units, and/or ?

- Are there any current projects in oak Bay that will support the affordable housing initiatives from the federal government? some that can support directly the students of Camosun College?
- Will panhandle lots be considered for small-scale multi-unit housing options?

Questions about lot size and density requirements:

- Will minimum lot sizes be changed as part of the changes that are coming at the end of June?
- What is the minimum lot size required?
- In some cases a lot is much lower than the minimum lot size in the RS zone in which it is located. Will you look at actual existing lot sizes or current RS zoning in determining what will be allowed on that property?
- Is there a minimum amount of units that must be built on a lot?
- How many units would be permitted to be built in RS4 on a 929 Square meter lot?

Questions about heritage:

- Will this housing initiative be permitted in heritage homes / heritage conservation areas?
- Will infill development be permitted in the Heritage Conservation Areas in Oak Bay?
- Uplands is a National Historic Site now. Is it protected from infill housing?

Other questions and comments:

- What is Oak Bay planning to do with the houses they own on Monterey, Hampshire at Theatre Lane.
- Which parks do you plan to build new housing on? You've identified Carnarvon already. What other parks are on your list?
- How does the proposal for 24 units of rental housing at Carnarvon park retain the look and feel of the existing neighbour and keep the impact to residents to a minimum…?
- Why skip my question. Many who are not here want to knows what you're planning To do with the city owned houses.
- Per the "OB resident" question at 6:42PM, perhaps you'll provide a live answer to a slightly different question: how does the proposal for a 5-storey apartment building in a community park retain the look and feel of the existing neigbourhood and keep the impact to residents to a minimum….?
- I regret I must leave the webinar now for another meeting. Thank you for an excellent presentation! I have subscribed to updates, and will follow with interest.
- Thanks for your answer re Carnarvon Park refresh. A follow up please: Is it Oak Bay's intention that the 24 units built in Carnarvon Park as part of the refresh count towards the 664 units required in the next 5 years?
- Thanks, folks for this session tonight. It's a great start to engaging with the community on the this important issue. Thanks for the shout out to the Community Association, Brian. Looking forward to those community engagement processes you mentioned for the future
- Great webinar! Thanks so much!
- Thank-you. Very informative and good format.

Appendix B: Open House Display Boards

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.

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

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.

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

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.

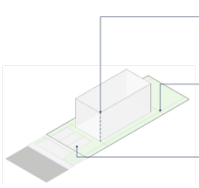
Parking Facilities Bylaw

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

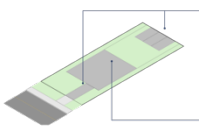
The maximum allowable height of buildings and structures on a property.

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.



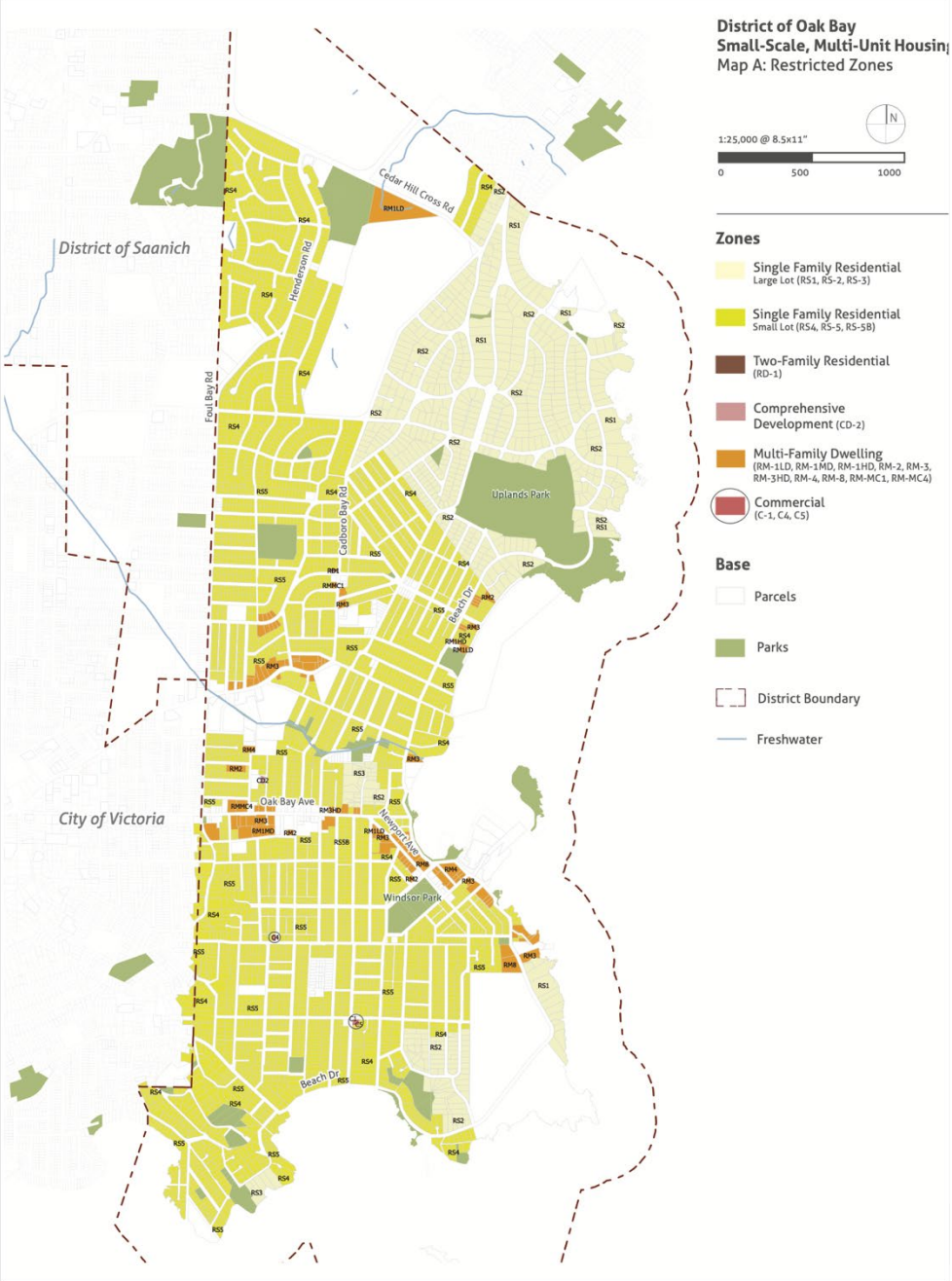
Floor Area Ratio

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.

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ZONES SUBJECT TO SSMUH

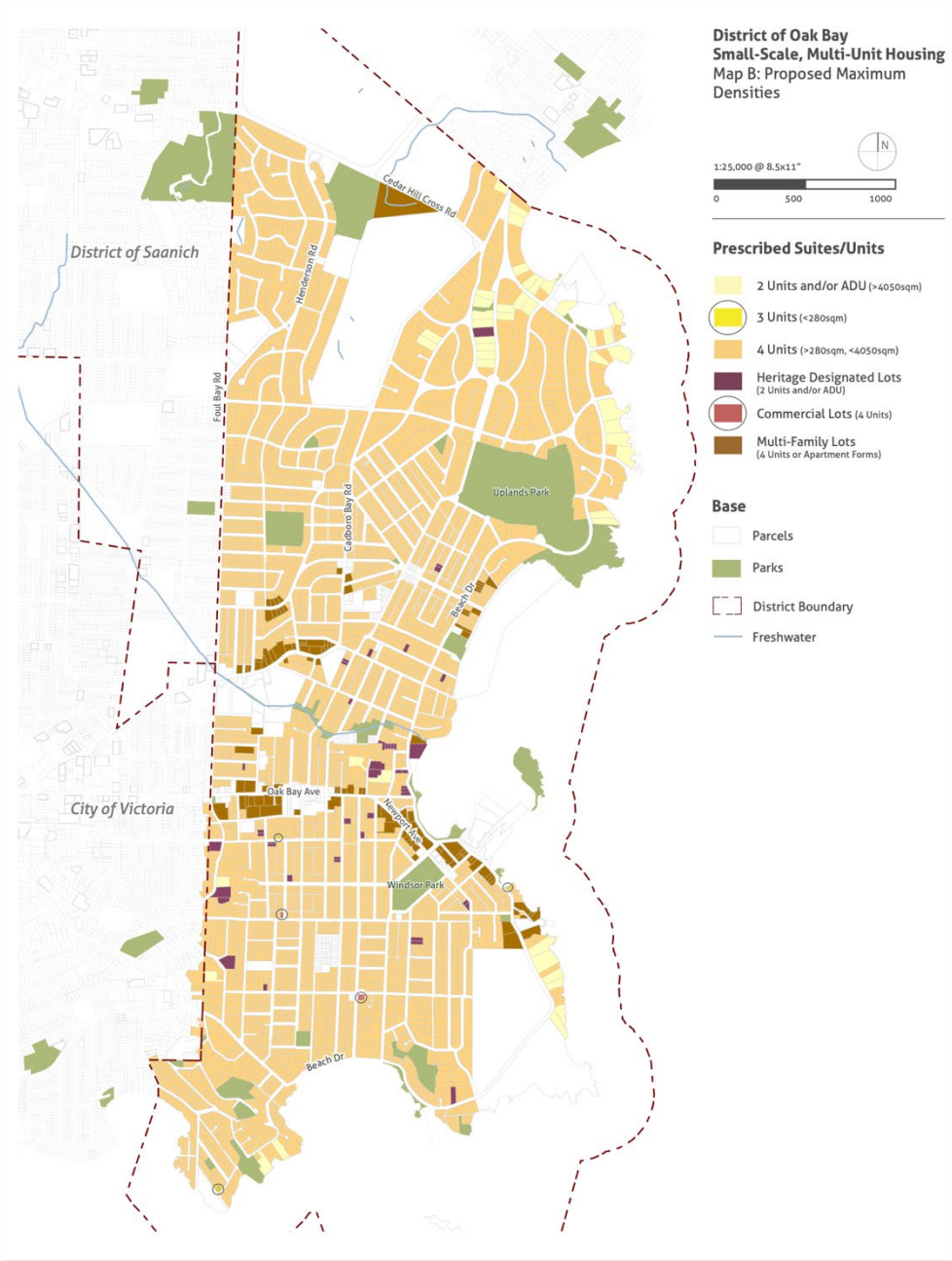
DISTRICT OF OAK BAY



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

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SSMUH DENSITIES



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!*

MODUS

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

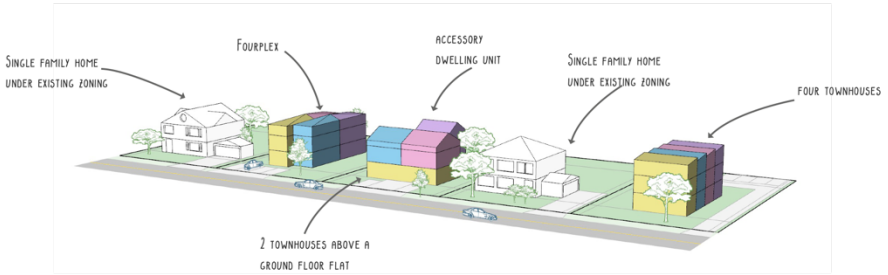
Large Parcels

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.

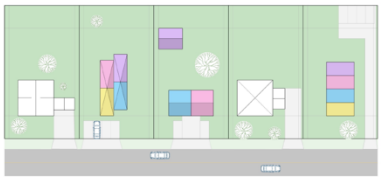
In the future, the District will complete a more in-depth analysis of the potential for large lots to determine where greater density may be appropriate in Oak Bay.

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.





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

LARGER LOT ZONES

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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MODUS

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.

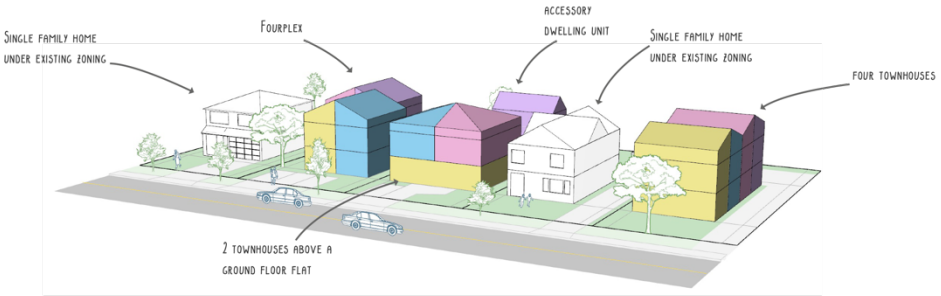
The District's recommended changes aim to maintain the neighbourhood 'look and feel' as much as possible, preserve trees and permeable space, and ensure unit sizes are livable, while meeting Provincial requirements and supporting future development.

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

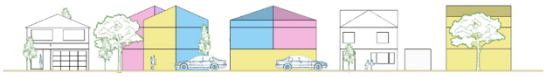
Illustration showing potential infill housing (up to 4 units and 3 parking spaces) with existing single family detached homes on a standard R-5 zoned lot.



	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.





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

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
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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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.





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

OTHER ZONES WITH RESTRICTED RESIDENTIAL USES

Introduction

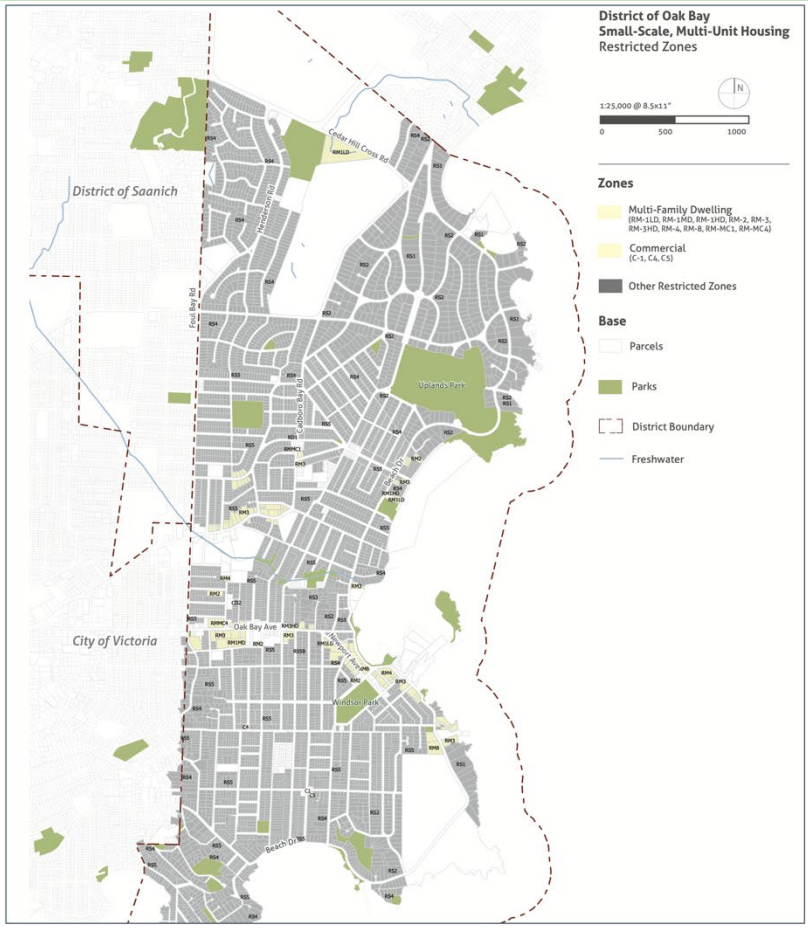
Bill 44 also applies to certain commercial and multi-family zones which restrict uses to single detached, under certain conditions. Under the Provincial mandate, the District must allow up to 4 units as a minimum density in these zones, even though these are considered secondary uses in these locations.

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

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.

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

NEXT STEPS

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.**

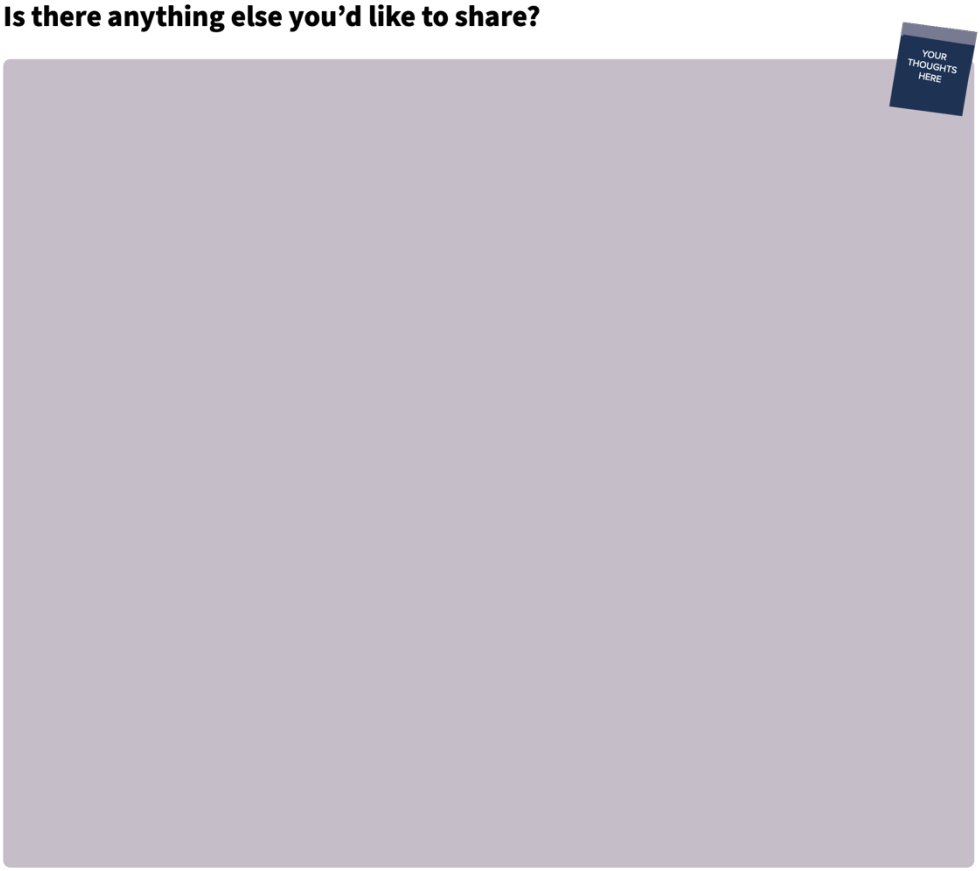
Subsequent Amendments to Refine the Infill Housing Program

- 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?

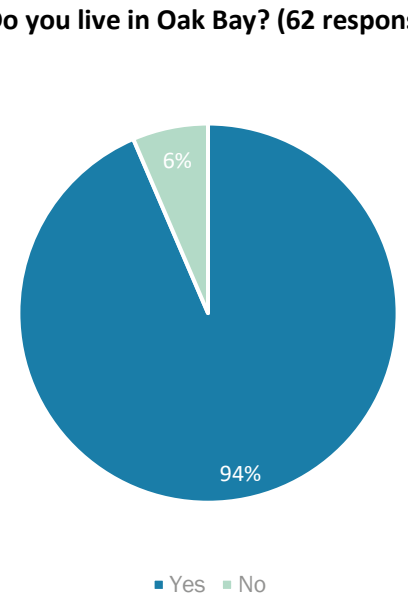


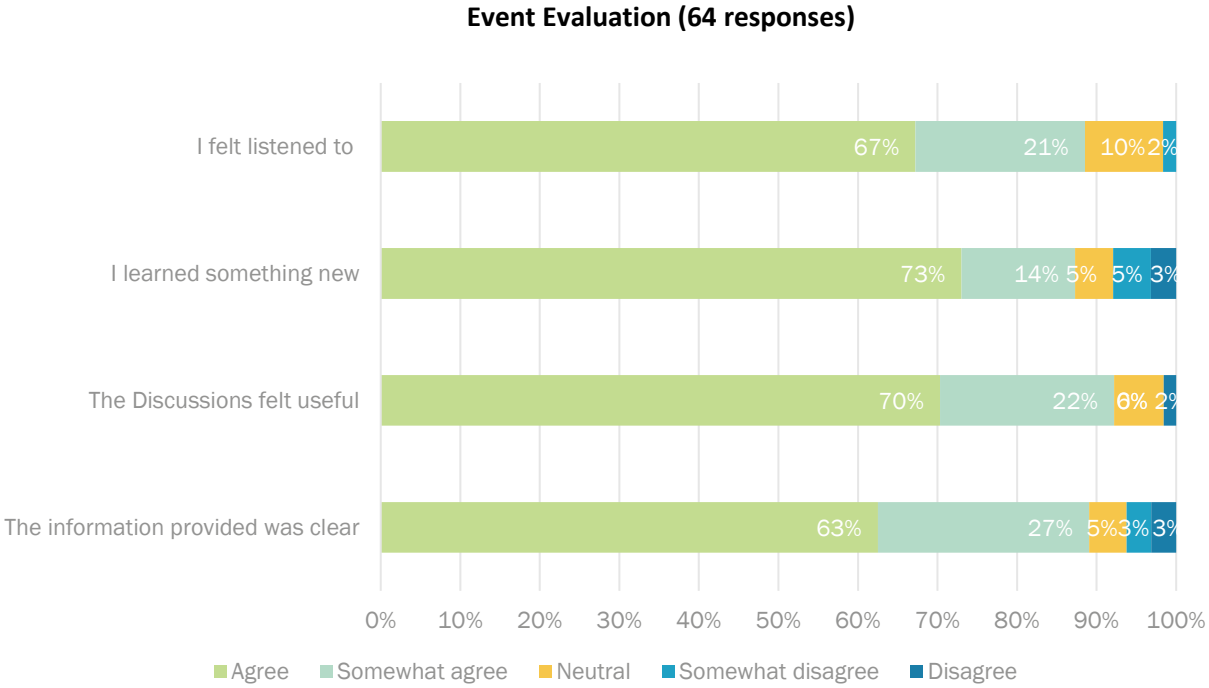
visit **https://connect.oakbay.ca/housing-action-program** *to stay up to date as more information becomes available!*

Appendix C: Event Evaluations

A short feedback form was available at the public events to evaluate engagement success and reflect on areas for future improvement. The charts below show that we reached primarily Oak Bay residents and received positive feedback from participants, overall.

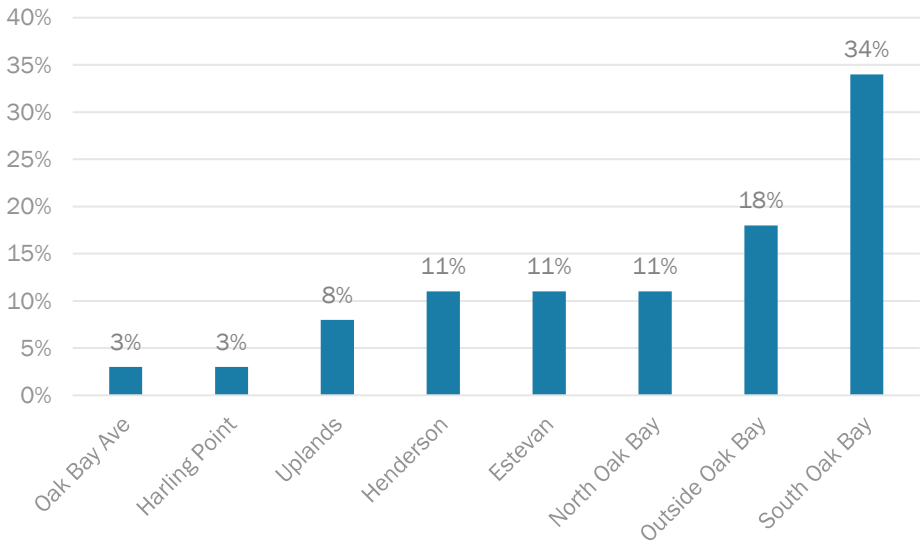
Open House Events





Webinar

Where do you live? (71 responses)



Webinar Exit Poll (23 responses)

