



THE CORPORATION OF THE DISTRICT OF OAK BAY
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January 15, 2025

Ravi Kahlon
Minister of Housing and Municipal Affairs
Parliament Buildings Victoria BC V8V 1X4
Email: HOUS.Minister@gov.bc.ca

Dear Minister Kahlon,

We received your letter regarding the District of Oak Bay's Housing Target Order (HTO) progress report and potential appointment of a housing advisor. While it is true Oak Bay did not meet the Province's year-one housing target, we remain committed to seeing housing built and of course we informed the Ministry in an [open letter dated September 2023](#) that the first target would not be achievable, requesting at the time additional support to meaningfully advance housing in Oak Bay.

We have offered for over a year to work together to address the housing crisis, however your letter of December 17, 2024 is the first response to our 2023 letter and suggests your priority is to "assess *Oak Bay's action and progress in housing development policies, practices and processes — past, present, and planned.*" We are disappointed by the tone of the letter, the lack of specific response, and the subsequent public comments by the Minister singling out Oak Bay for "not doing its part."

As noted in 2023, Oak Bay supports more (and more diverse) housing options and has implemented programs to facilitate that goal. For instance, Oak Bay implemented a low-barrier secondary suite policy prior to similar provincial legislation being announced, fully implemented the Small Scale Multi-Unit Housing (SSMUH) bylaws on time, and will be addressing multi-family zoning through our Official Community Plan (OCP) process in 2025. Outside of zoning changes, the District has also initiated the streamlining and optimizing of development application processes, automated several building permit-related processes, and created Development Cost Charge and Amenity Cost Charge programs to fund infrastructure for growth. All with a very small staff team. The majority of Oak Bay's Growing Community Fund is allocated to just these housing changes.

Local governments set policy conditions to enable housing, not build it. Because the HTO report shows 2023-2024 new occupancy, results reflect policies implemented 2-5+ years ago and applications which were already in the queue prior to recent regulations. These units are predominantly the result of Oak Bay's 2022 changes on secondary suites. It's important to also recognize external influences over which we have no control including financing, interest rates, land availability, land cost, and trades availability, all of which significantly impact project timelines.

Here is what an Advisor would find in relation to the four areas your letter identified:

- (1) In “reviewing Oak Bay’s zoning bylaw for alignment with SSMUH provincial policy guidance,” you will find that our Zoning Bylaws fully comply. The bylaws were updated with significant public & developer input then independently assessed by industry professionals to ensure development potential. Zoning is in place for over 15,000 potential additional units and we will see the outcomes of the changes in the coming months and years. We would have significant concern if a provincially appointed advisor had the power to overwrite bylaws compliant with Provincial guidelines or if the guidelines became requirements that ignore local conditions.
- (2) (a) In the last 10+ years, one rezoning application was declined: this related to a subdivision adding one new housing unit. Of course, several applications went back to applicants for changes before ultimate approval, including several rezoning applications modified at request of Council to require more units than the initial application requested.

(b) We are concerned by your letter’s reference to Carnarvon Park. Our process related to park master planning, not a rezoning application, so the only jurisdiction the Province would have here is to expropriate Oak Bay’s parkland, force rezoning, and undertake housing development directly – we request clarification of your intent in this matter as soon as possible
- (3) Yes, actions have been taken to support housing initiatives for the Capital Regional District regional growth strategy; the CRD Board accepted Oak Bay’s Regional Context Statement in 2018, and additional programs like Secondary Suites and Infill Housing have gone beyond the Regional Growth Strategy submitted since that time. Oak Bay is also the highest per-capita funder of public housing through the Capital Region Housing Corporation.
- (4) We continue to suggest that “the number of units in-stream and not reported at a development approval stage during the reporting period” be included in regular reporting; we can advise that as of September 30, 2024, there were 11 in-stream development applications that could potentially deliver 61 net new dwelling units. In addition, there were 70 units approved but not yet built. Of note, these 131 units better reflect the result of current policies and exceed the 56 units required in the year one Housing Target Order.

Given Oak Bay has implemented all provincially required policy changes, the development pipeline shows an increase in housing, and 40 units is the smallest shortfall of any of the initial 7 non-compliant members, a provincial advisor would not be as helpful as additional resources to support Oak Bay such as funding a staff position or assisting UVic with their development planning process. We remain interested in a collaborative approach with the Province.

Thank you for inviting our comments and considering our input. We would welcome the opportunity to meet with the Minister to discuss how we might work together to help meet the housing needs in our community and across BC. We look forward to your response.

On Behalf of Oak Bay Council,



Kevin Murdoch
Mayor, District of Oak Bay