THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. 4942

A Bylaw to adopt the Oak Bay Official Community Plan Bylaw, 2025

WHEREAS pursuant to Section 473 of the *Local Government Act*, a local government may adopt one or more Official Community Plans; and

WHEREAS pursuant to Section 475 (2) of the *Local Government Act,* Oak Bay Municipal Council has provided one or more opportunities for consultation with persons, organizations and authorities it considers would be affected by the Official Community Plan, and that consultation activities have been early and ongoing;

WHEREAS pursuant to Section 477 (3) of the *Local Government Act*, in preparing the Official Community Plan, and after first reading, Oak Bay Municipal Council has given consideration, in sequence, to its most recent financial plan and any waste management plan that is applicable in the Municipality; and

NOW THEREFORE the Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts as follows:

1. The document entitled "Oak Bay Official Community Plan 2025" and its associated appendices, maps, schedules, tables and figures, all attached as Schedule A-K to this bylaw and made a part of this bylaw, is hereby designated as the Official Community Plan for the entirety of the area within the District of Oak Bay's municipal boundary.
2. No provision in Schedule A-K depends for its validity on any other provision, and if any provision of Schedule A-K is held by a court to be invalid the remaining provisions of Schedule A-K shall remain in full force and effect.
3. Bylaw No. 4620 cited as "Oak Bay Official Community Plan Bylaw, 2014", and all its amendments and Schedules are hereby repealed.
4. This Bylaw comes into force upon adoption.
5. This Bylaw may be known and cited for all purposes as "Official Community Plan Bylaw No. 4942, 2025."

READ A FIRST TIME the	17th day of November	, 2025.
AMENDED on the	17th day of November	, 2025
READ A SECOND TIME the	24th day of November	, 2025.
PUBLIC HEARING HELD the	day of	, 2025
READ A THIRD TIME the	day of	, 2025
ADOPTED the	day of	, 2025

_____	_____
Mayor	Corporate Officer

OFFICIAL COMMUNITY PLAN

December 2025

Schedule A of Official Community Plan

Bylaw No. 4942

DISTRICT OF OAK BAY

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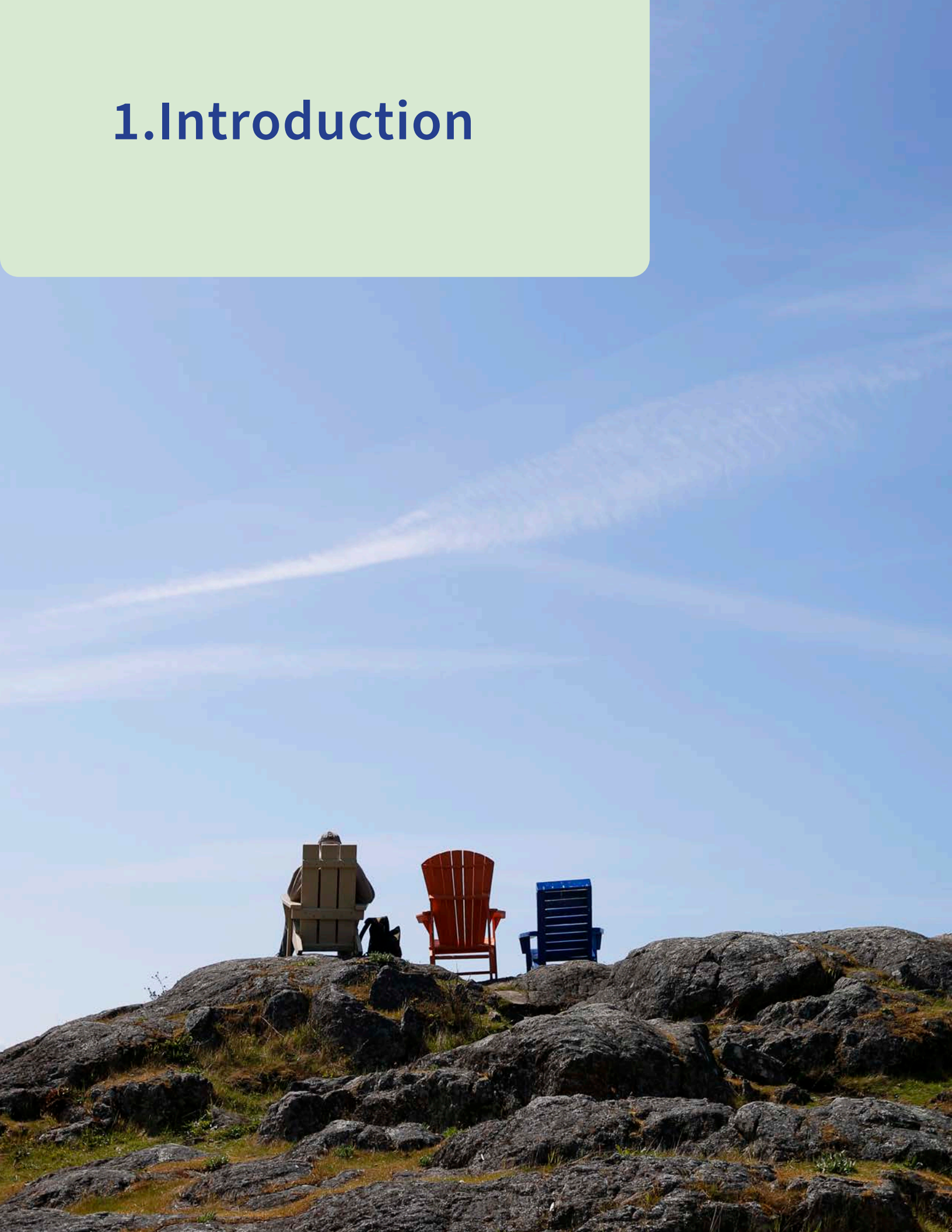
1.Introduction



1.1. Land Acknowledgement and Reconciliation Statement

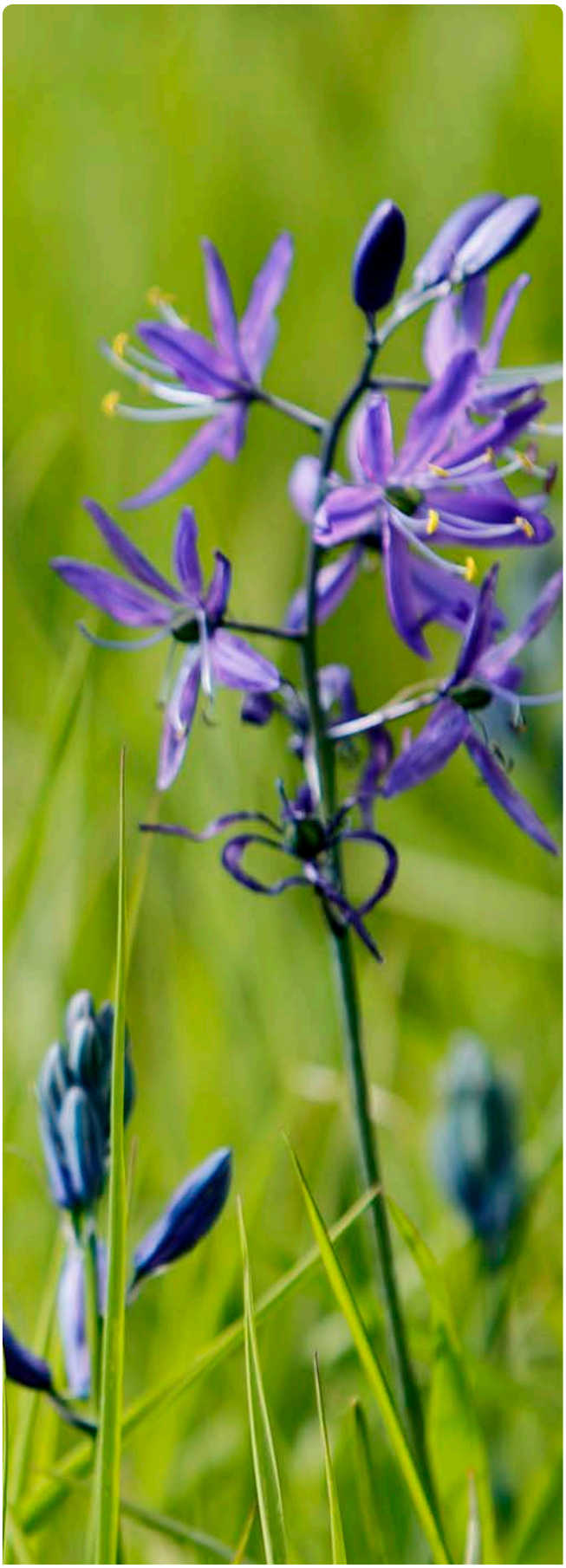
The District of Oak Bay is located on the traditional territory of the Coast and Straits Salish Peoples.

Specifically, we recognize the lək̓ʷəŋən people, known today as the Songhees Nation and Esquimalt Nation, and that their historic connections to these lands continue to this day.

The District is committed to respectful and ongoing relationship-building with these Nations.

Guided by Council's February 14, 2022 motion adopting UNDRIP as a framework for Reconciliation, Oak Bay commits to engaging with the Songhees Nation and Esquimalt Nation (known also by their traditional name of Xwsepsum) on matters related to land use and community planning that may be of interest to them, within municipal jurisdiction and capacity.

The District will seek opportunities for meaningful dialogue, collaboration, and shared understanding as we plan for the community's future.



1.2. Introduction to Oak Bay

The District of Oak Bay ("the District" or "Oak Bay") is a compact, seaside community located at the southern tip of Vancouver Island. As of 2021, its population was close to 18,000 residents[1]. Incorporated in 1906, the municipality is one of 13 local governments in the Capital Regional District (CRD) and participates in regional planning activities. The City of Victoria (Victoria) borders part of Oak Bay's west boundary, and the District of Saanich (Saanich) lies to the north (Figure 1.1). The District acknowledges and respects that it lies within the traditional territory of the Songhees Nation and Esquimalt Nations of the Coast Salish.

Oak Bay is defined by its attractive residential neighbourhoods, strong sense of community, mature tree canopy, scenic shoreline, natural environment, and historic character. The municipality includes Oak Bay Village, a vibrant hub of arts, culture, and business, and other smaller villages and commercial areas within neighbourhoods. The community has excellent parks and recreation facilities that contribute to a high quality of life.

The University of Victoria is partially located in Oak Bay, as is a small portion of Camosun College. Other public and independent schools, two golf courses, a marina, yacht club and hotel are also community landmarks.

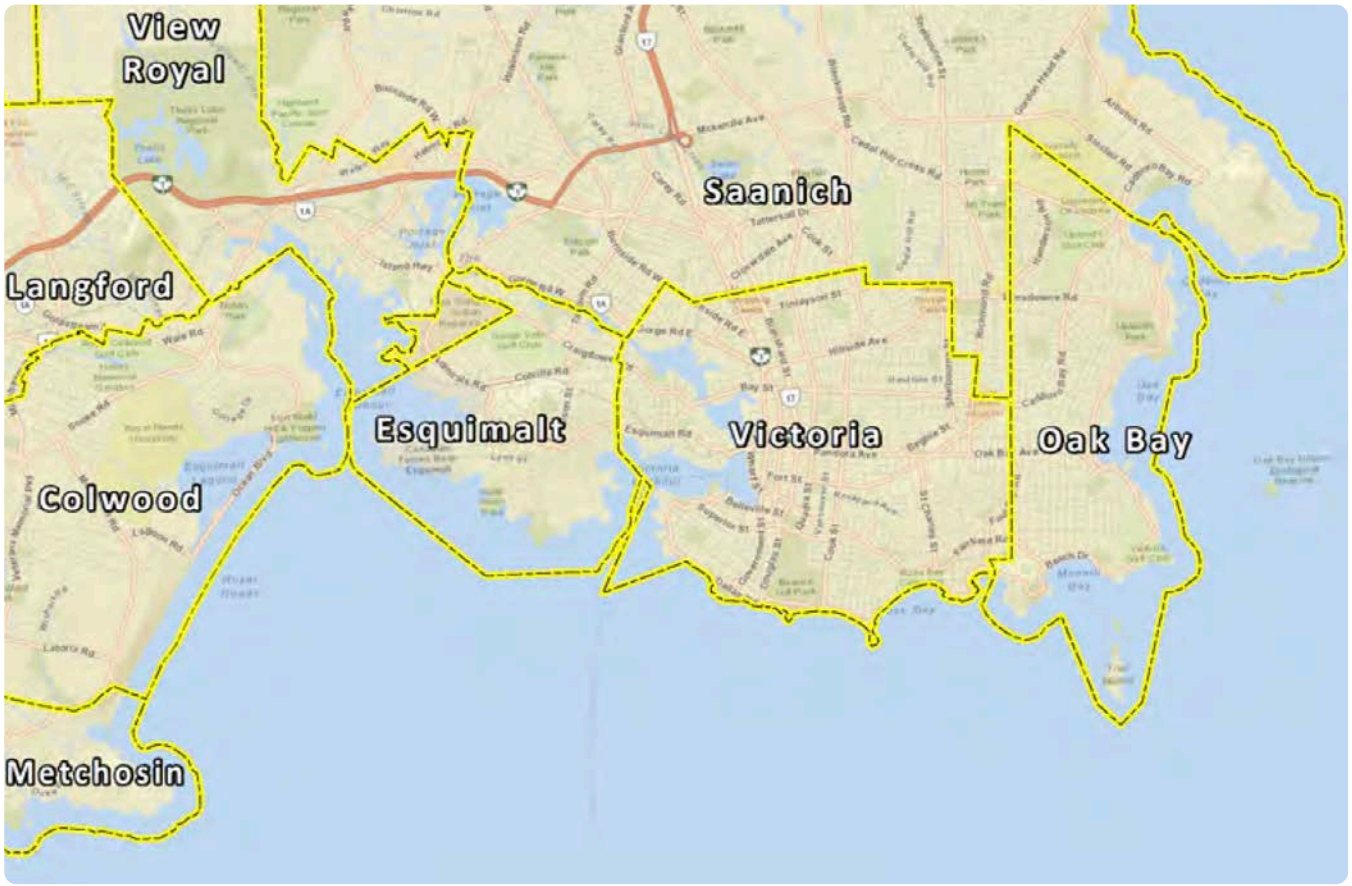


Figure 1.1 Location map

1 Statistics Canada. (2022). Census Profile, 2021 Census of Population – Oak Bay, District municipality (DM).

1.3. Purpose of an Official Community Plan

What is an OCP?

An Official Community Plan (OCP) represents a community's vision for the future and provides a framework to guide growth and decisions about the use and management of land and water resources in the municipality. The OCP describes how and where residential, commercial and other types of development will occur; it guides the provision of necessary road, water, sewer and other infrastructure; and it provides policies concerning environmental, economic and community health and well-being.

An OCP is a bylaw of local government. In British Columbia, the requirements of an OCP are defined by the *Local Government Act,* which requires the following content in an OCP:

- approximate location, type and density of residential development to meet anticipated housing needs for at least 20 years
- approximate location, amount and type of commercial, industrial, institutional, agricultural, recreation and public utility land uses
- location of sand and gravel deposits
- restrictions on land subject to hazardous conditions or environmentally sensitive to development
- approximate location and phasing of major road, sewer and water systems
- approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites
- policies for affordable, rental and special needs housing
- targets, policies and actions for the reduction of greenhouse gas emissions and policies and actions of the local government to achieve those targets
- a regional context statement where there is a Regional Growth Strategy

An OCP may also include the following:

- *social policies*
- *environmental policies*
- *policies relating to alternative forms of transportation and transportation demand management*
- *development permit area (DPA) designations and associated guidelines*

Where the municipality does not have jurisdiction, the OCP may only state broad objectives related to the topic. This typically includes matters within provincial or federal jurisdictions, and it may also include areas regulated by organizations such as the school district, universities, or BC Transit.

After the adoption of an OCP, all bylaws enacted and works undertaken by the local government must be consistent with the OCP, unless it is amended. Whereas the OCP indicates the desired future land uses and services, the *Zoning Bylaw* regulates existing and permitted land uses. The *Zoning Bylaw* also establishes regulations such as setbacks and building heights. Parking requirements associated with permitted land uses are established in the *Parking Facilities Bylaw*. *Zoning Bylaw* amendments must be consistent with the Official Community Plan.

This 2025 OCP update builds on the OCP from 2014, while updating it with recent data and community engagement conducted in 2025 and addressing the requirements of provincial legislation introduced in 2023. Communities are not static and change is always occurring. An OCP that reflects the community therefore must be a "living document" that is amended from time to time while staying true to its core principles and goals.

Changes to the OCP can be initiated by Council or as the result of an approved OCP amendment application. The OCP must be updated every five years to ensure that it appropriately reflects community trends, needs and desires as well as accommodating the community's housing needs identified in the most recent Housing Needs Report (HNR).

Provincial legislation requires that the OCP accommodate 20 years of anticipated housing growth. While twenty years is the primary planning time frame for the OCP, many of the goals, objectives and policies have broader implications for a longer term. For example, climate mitigation and adaptation strategies address changes anticipated over an undefined time frame.

Why do we need an OCP?

Oak Bay's OCP will help the community in the following ways:

- it will proactively define and guide the community towards a healthy and resilient future
- it will guide decisions by Council when considering applications for development
- it will guide the decisions of private landowners, developers, and other authorities
- it will provide a foundation for the municipality's financial planning, especially for infrastructure

An OCP provides multiple benefits. Preparing an OCP involves a process through which a community can identify and address emerging issues and challenges that affect community well-being. These issues typically involve topics such as the impacts of development on community character; the changing needs of residents; housing affordability; economic health; public health and safety; heritage conservation; condition of habitat and biodiversity; rising energy costs; and changing climatic conditions.

An OCP that introduces a clear planning and decision-making framework to guide development and redevelopment provides certainty for residents, business owners, developers and other stakeholders regarding the future use and management of land and water resources within the community.
An OCP also increases the efficiency of local government through defining future objectives, policies and actions.

1.4. Guide to the OCP

Sections 1.0 and 2.0 provide the context, background, vision and broad framework for the OCP.

Sections 3.0 through 6.0 cover the key OCP topics. Each subsection contains the following information:

- an overview and information on existing conditions, as well as opportunities and challenges
- objectives related to the topic
- policies related to the topic

Section 7.0 includes the Development Approval Information Required with applications and policy for Temporary Use Permits.

Section 8.0 includes the Development Permit Areas and associated guidelines.

Section 9.0 provides guidelines for Heritage Conservation Areas.

Section 10.0 includes the Regional Context Statement and how policies in the OCP align with regional objectives.

Throughout the Plan, there are call-out boxes that include definitions and commentary.

Acronyms and additional definitions are located at the back of this Plan.

Generally, the objectives, land use designations, policies, implementation steps, Development Permit Areas and Schedules have force and effect as part of this bylaw. The other sections and map figures are provided for information only.

The District is already involved in work related to many of the goals, objectives and policies to varying degrees. Rather than repeat "continue to" in front of these statements, "continue to" is implied where there is work under way.

Throughout the OCP engagement processes, residents talked about the importance of being a sustainable, resilient and healthy community. This OCP, identifies the relationship between the topic and community health and resilience at the top of each section.

The diagram below emphasizes the cohesion and integration among all the OCP sections, and Oak Bay's over-riding commitment to economic, environmental and social (including cultural) sustainability.

1.5. Vision

The vision statement is expressed in the present tense, as it represents the community's aspirations for how Oak Bay will be described in the future.

Oak Bay is a vibrant and safe community located in a spectacular natural setting. Residents are passionate and proud of the many qualities that make Oak Bay one-of-a-kind. These include its sense of community, streetscapes, village charm, residential character, natural coastal environment, parks, recreation facilities and opportunities, enviable quality of life, vibrant arts and culture scene, high quality education opportunities, heritage values, mixed architectural styles, and well- conserved historic architecture.

Oak Bay is a dynamic community that respects and enhances the existing community structure and core characteristics that make it distinct from adjacent communities, while supporting the changes necessary to meet current and future needs. These features are central to Oak Bay's resilience and sustainability; protecting the best of what we have and adapting to embrace the future.

Oak Bay is a community that values and supports diversity in its population. It offers a broad range of residential, social, and cultural opportunities as well as commercial activities for its residents, and strives to be economically, environmentally and socially sustainable in its practices. Oak Bay's residents are active contributors in local decision- making, working collaboratively with municipal Council and staff to ensure that Oak Bay will continue to thrive for years to come.

1.6. Goals

The goals are presented in a similar order to the sections of the OCP. In order to advance community resilience and sustainability, the goals, as well as the objectives and policies, must be treated as an integrated whole.

Climate Change and Energy – Work towards climate change mitigation and adaptation to address the diverse impacts of climate change, including water and energy conservation, reduction of greenhouse gases, and effective management of environmental resources, land and infrastructure.

Natural Environment – Protect and enhance the natural features that make the community environmentally and socially healthy and resilient, including the terrestrial and marine ecosystems, foreshore habitats, creeks, and tree canopy.

Neighbourhoods – Sustain the characteristics of Oak Bay`s neighbourhoods that contribute to a sense of place and attachment to the community.

Built Environment – Balance the community's architectural, streetscape and garden heritage with creative new design approaches that complement the community's character and reflect changing needs.

Housing – Encourage and support the development of diverse and inclusive housing options that accommodate residents of all ages, abilities, incomes, and family situations.

Business and Commerce – Support the improvement of Oak Bay's economy through strategic opportunities that enhance the villages and other commercial centres and encourage new businesses to establish and flourish.

Heritage – Maintain, conserve and enhance Oak Bay's built heritage to retain and renew this legacy for future generations.

Community and Social Well-being – Encourage and support community and social facilities and services that benefit residents of all ages and needs, foster interaction across generations and cultures, and strengthen community networks and services in recreation, education, and health and well-being.

Arts and Culture – Encourage and support arts and culture in Oak Bay for the benefit of residents, tourists, and economic development.

Parks and Open Space – Maintain and enhance parks and open space, including trails and walkways, and provide opportunities for residents to enjoy the natural beauty of the municipality and to pursue active and healthy outdoor lifestyles.

Transportation – Offer a diverse range of transportation options, and encourage and establish infrastructure for sustainable and active modes of transportation to enhance safety, mobility, connectivity and access within Oak Bay and to surrounding communities.

Utilities and Services – Provide effective and reliable utility infrastructure and services to meet current and future needs.

Risk and Resilience – Engage in risk reduction and support community resilience to protect lives, property and the environment.

1.7. Broad Strategies for Managing Growth

Overview

Throughout this and the previous OCP renewal process, residents talked about the importance of being a sustainable community and managing growth in a sustainable way.

*A **sustainable community** is one that is economically, environmentally, and socially healthy and resilient for this and future generations. It meets challenges through integrated solutions rather than through fragmented approaches that meet one of those goals at the expense of the others. It takes a long-term perspective, well beyond the next budget or election cycle. As a result, a sustainable community manages its human, natural, and financial resources to meet current needs while ensuring that adequate resources are equitably available for future generations. It seeks a better quality of life for the whole community without compromising the well-being of other communities.*

The following are the broad objectives and strategies that establish a framework for the other objectives and policies in the OCP.

This section includes objectives and policies that are specifically related to managing growth in the community, which is required by the *Local Government Act*.

1.7.1. Broad Growth Management Objectives

The broad growth management objectives of the OCP are as follows:

1. Plan for an increase in residential density to accommodate long-term housing needs while respecting the values that make Oak Bay an attractive, liveable and environmentally rich community.
2. Follow the existing patterns of land use in general, considering some expansions of higher density uses in areas set out in this plan.
3. Support well managed increases in commercial use to support the needs of residents and visitors to the community.
4. Plan for well managed growth that adapts to changing population characteristics and lifestyles.
5. Encourage high quality community design that integrates well into the existing fabric of Oak Bay and protects the community's livability and environmental values.

1.7.2. Broad Growth Management Policies

The broad growth management policies of the OCP are as follows:

BP1. Create and maintain land use designations that can accommodate 20 years of anticipated housing need as identified in Oak Bay's Housing Needs Report, updated from time to time.

BP2. Encourage infill housing development as a tool for allowing more density to fit within neighbourhoods while respecting and conserving neighbourhood character.

BP3. Accommodate future growth, in general, in areas that are already developed in order to retain Oak Bay's natural environment, parks and open space.

BP4. Encourage mixed use development, integrating commercial and residential uses, in villages and other commercial areas to increase the vibrancy and economic vitality of these areas.

BP5. Implement design guidelines, within Development Permit Areas for form and character, to enhance the quality and integration of new development within existing neighbourhoods and to mitigate transitions from higher density and commercial areas to lower density neighbourhoods.

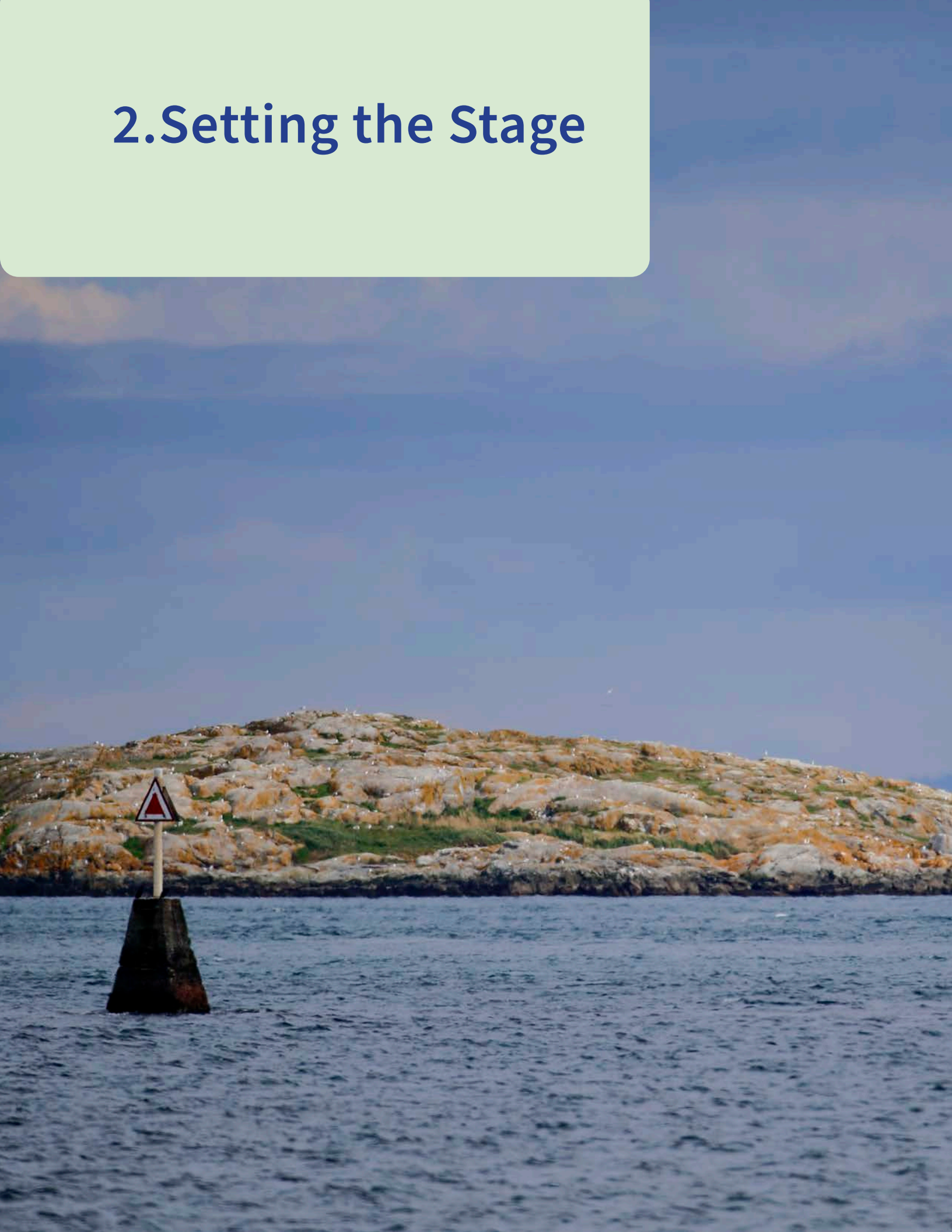
BP6. Plan for infrastructure, services and amenities to support a growing population.

Infill Residential Development *is a term used to describe new housing development that is constructed in an already developed area. Infill can come in different forms, scale and character but is typically similar in scale to single-detached homes. It can include placing additional housing units on a residential lot, dividing detached homes into multiple units, building on a vacant lot, and redeveloping a surface parking area. Because Oak Bay is an urban community that has already been developed, infill is a way to create more housing and achieve higher densities.*

Infill makes use of existing infrastructure and already disturbed land, reduces development pressure on natural areas, and can support increased walking, biking and transit use. In Oak Bay, infill has the added benefit of bringing more people closer to existing and planned mixed use and commercial centres, increasing the viability and vitality of these important activity hubs.

Successful infill housing is carefully planned to minimize potential impacts on adjacent properties. Neighbourhood character, traffic safety, parking, trees/ landscape, overshadowing and property values are concerns that are often raised by existing residents.

2.Setting the Stage



2.1. Planning Process

The 2025 OCP Update builds on the existing community vision, goals and policies in the previous OCP adopted in 2014. The 2025 update was completed through a phased process (shown below).

Phase 1: Getting Started
Background review and analysis, draft land use scenarios and policy directions.

Phase 2: Exploring Options
Evaluate and engage on land use scenarios and policy directions.

Phase 3: Drafting the OCP and Zoning Bylaw
Draft and engage on proposed changes to the OCP and *Zoning Bylaw*.

Phase 4: Finalizing the OCP and Zoning Bylaw
Finalize the Bylaws based on what we heard and updated data.

The updated OCP included engagement with community members, District staff and Council, along with background research and technical analysis.

1,861 Responses to two community questionnaires

1,021 Participants across seven open houses

51 Written correspondences

7 Oak Bay Committee and Commission meetings

Referral letters to organizations and other levels of government, including Songhees and Esquimalt Nations.

2.2. What We Heard

What we heard through engagement has been called out in each of the OCP chapters.
Some of the key themes include:

Housing Options and Affordability

A desire to increase housing options and affordability across Oak Bay especially for youth, students, families, and seniors.

Sustainability and Climate

The importance of strong protection for trees, natural areas, and taking action on climate as the community grows.

Community Character

The importance of new development fitting with the existing neighbourhood context and continuing to protect heritage homes.

Housing Forms and Location

Preference for infill, townhomes, and apartments up to four storeys, and locating new multi-family housing near the University of Victoria, villages and transit.

Expanding Commercial Uses

General support for expanding commercial uses across Oak Bay, while mitigating impacts on parking and noise, and supporting small-scale, local businesses.

Supporting Infrastructure and Services

The importance of planning for infrastructure, services, and amenities to support community growth.

2.3. Oak Bay's Previous Community Plans

Oak Bay's first plan was prepared by the Capital Region Planning Board of BC in 1967. That plan identified Oak Bay as "a community within a community". The Plan sets a bold vision of commercial centres, with large "apartment areas" surrounding Oak Bay Village, portions of the east shoreline, and north of the high school (Figure 2.2). The District's major parks are included in this plan, as are "greenways", which are pedestrian routes along most of the shoreline connecting to the major parks. Many of the land use patterns set out in the 1967 plan are still very much in evidence today.

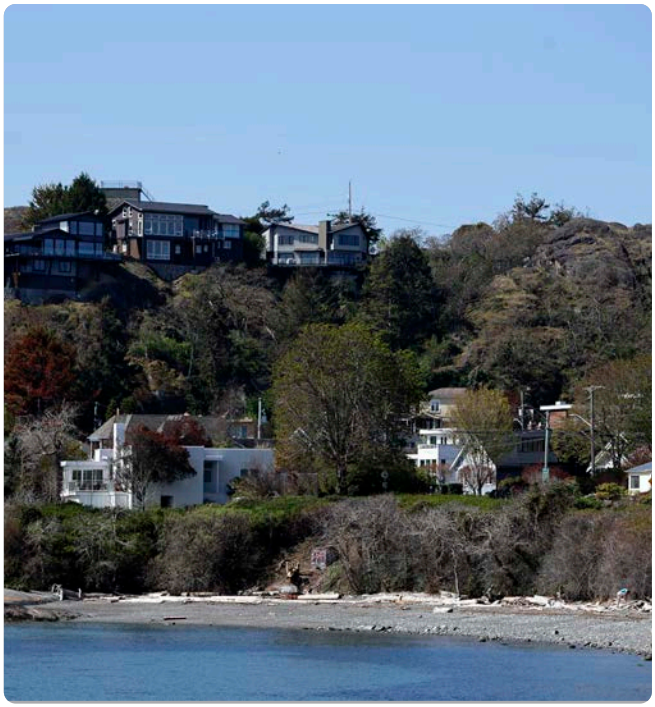
Oak Bay's first actual OCP was adopted in 1981 and it was updated in 1997. The 1997 OCP focuses on retaining the character of single detached neighbourhoods and streetscapes, allowing a very slight increase in multi-unit housing, preserving and enhancing the natural environment, protecting and enhancing parks and recreation for their contribution to Oak Bay's high quality of life, enhancing pedestrian and automobile mobility and safety, increasing transit services, supporting the development of cycling infrastructure, upgrading utilities and services, reducing street light energy consumption, and moving utility wires underground.

There have been some significant changes in Oak Bay and throughout the region since 1997. The population is aging, environmental impacts are increasing, and community values have shifted to a focus on social, economic and environmental sustainability. There are particular concerns related to housing. The primary concern in Oak Bay is that a lack of housing options is limiting the ability of many people to live or remain living in Oak Bay. There are also concerns that some of the new development is compounding the situation and further increasing housing costs while also changing the character of Oak Bay's valued neighbourhoods and streetscapes.

Consistent with the OCPs of its day, the 1997 OCP says very little about many issues that are important to people today. These include affordable and inclusive housing, design of development projects, environmental protection and enhancement, emergency management, adaptation to climate change, and energy use.

The most recent (2014) OCP that provides the foundation for the current update, remains highly relevant in many respects. It established a strong vision of a sustainable, healthy, resilient community and it anticipated the need for new and expanded forms of housing and expanded commercial development to support more complete communities.

This updated OCP addresses the new Provincial housing mandates to accommodate 20 years of housing growth while updating key policies to reflect recent District strategies and plans relating to housing, infrastructure, environmental protection, active transportation and climate change.



THE GENERAL PLAN

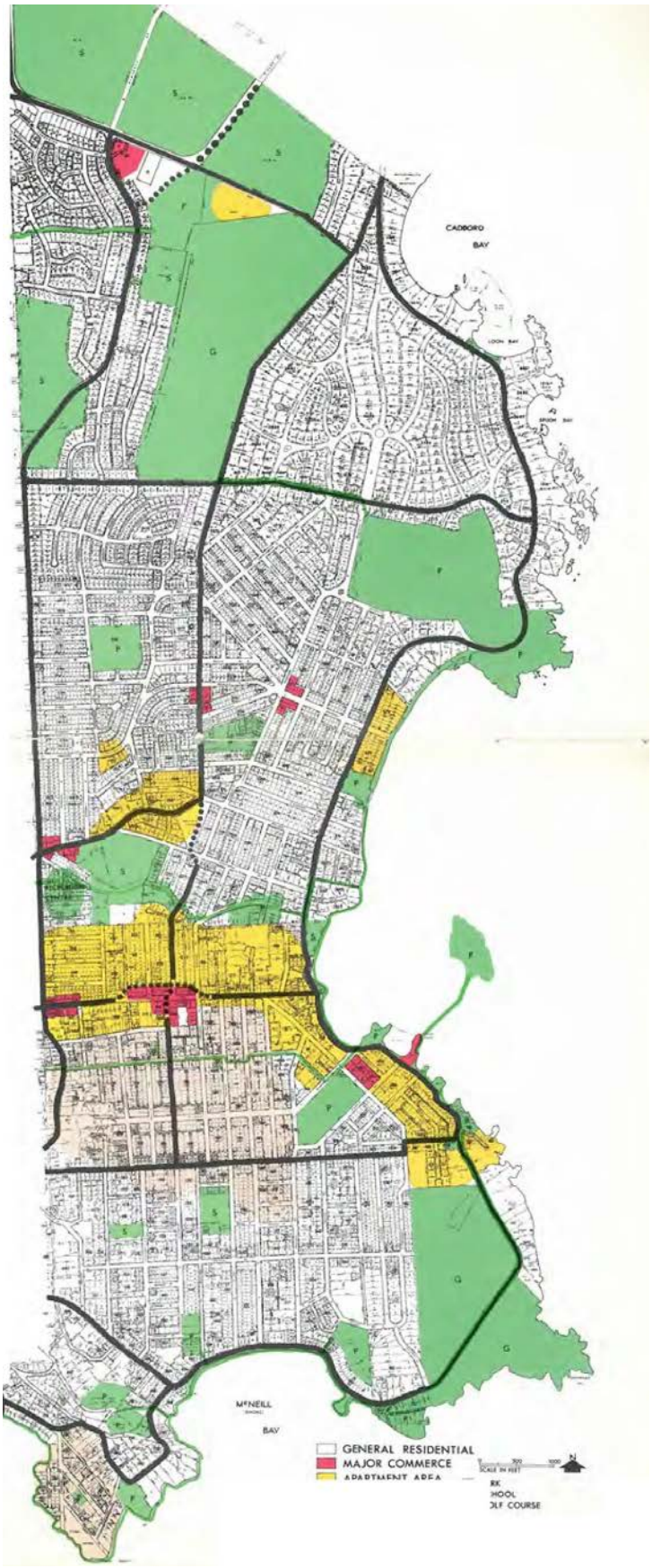


Figure 2.1 The General Plan, 1967

2.4. Demographics

Existing Population

The number of people living in Oak Bay has changed very little in the past 20 to 30 years. When the first OCP was prepared in 1981, the population was 17,815; in 2021 it was 17,990. The housing mix has also been fairly stable, with about 64% of the population living in single detached houses and 36% in multi-unit buildings.

The age distribution of the population, however, is changing. Increasing numbers of residents are 55 or older. The school-aged population is slightly less than it was 20 years ago (17% of residents in 1991 and 13% in 2021), and this contributed to the closure of Uplands Elementary School.

A comparison of Oak Bay with the rest of the Capital Regional District (CRD) shows some distinctions in Oak Bay's demographics:

- Oak Bay's population growth is significantly less than that in the region as a whole (Figures 2.3)
- The age distribution in Oak Bay is significantly different from that in the CRD; Oak Bay has many more people over 55 and many less between 25 and 44 proportional to the population (Figure 2.4)
- Compared to the CRD, Oak Bay has had a consistently higher proportion of those over 55 for many years (Figure 2.5)
- Oak Bay's average family income is significantly more than the average income in the region (Figure 2.6)

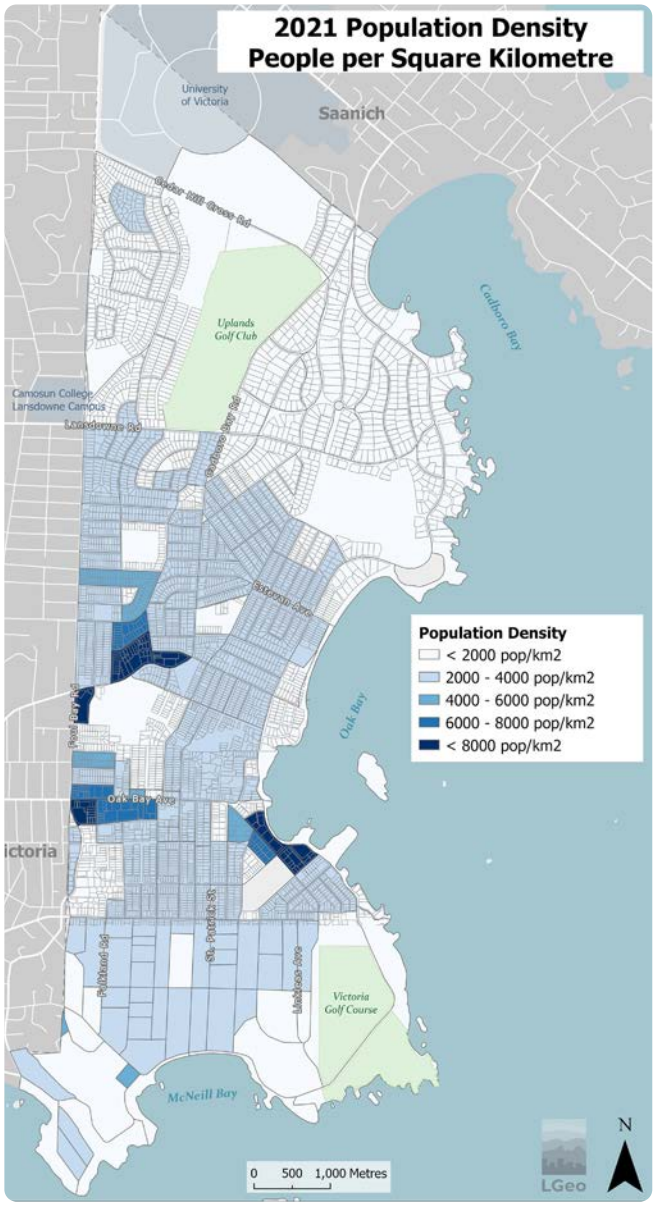


Figure 2.2 Population Distribution in 2021

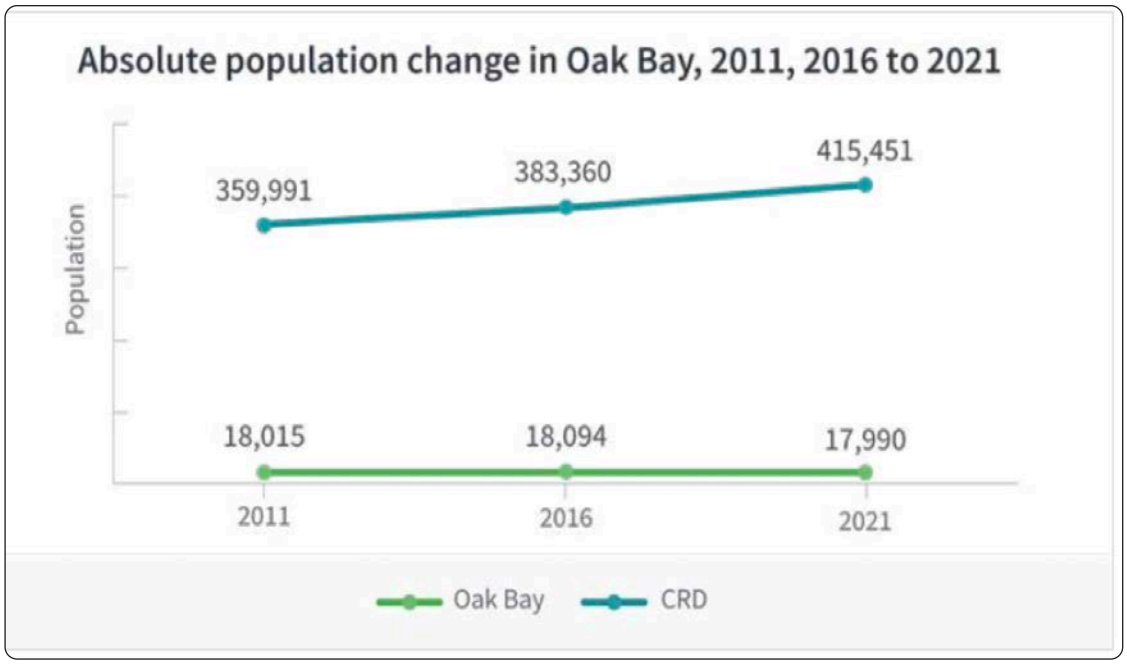


Figure 2.3 Population Change 2011-2021 (Source: Statistics Canada)

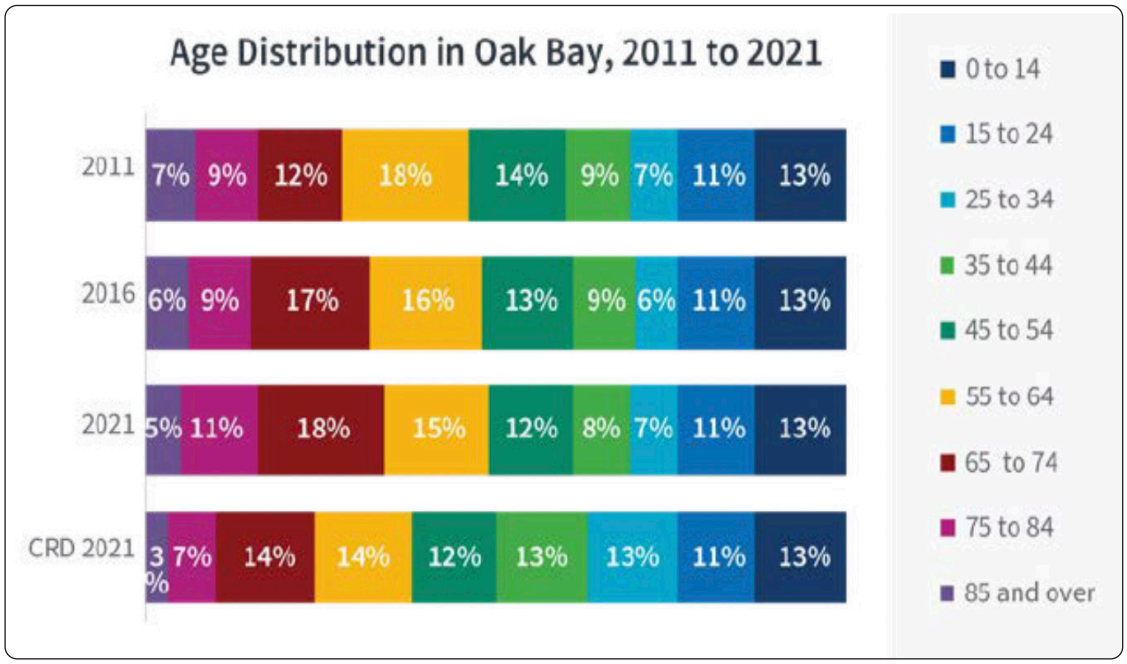


Figure 2.4 Age Distribution 2011 - 2021 (Source: Statistics Canada)

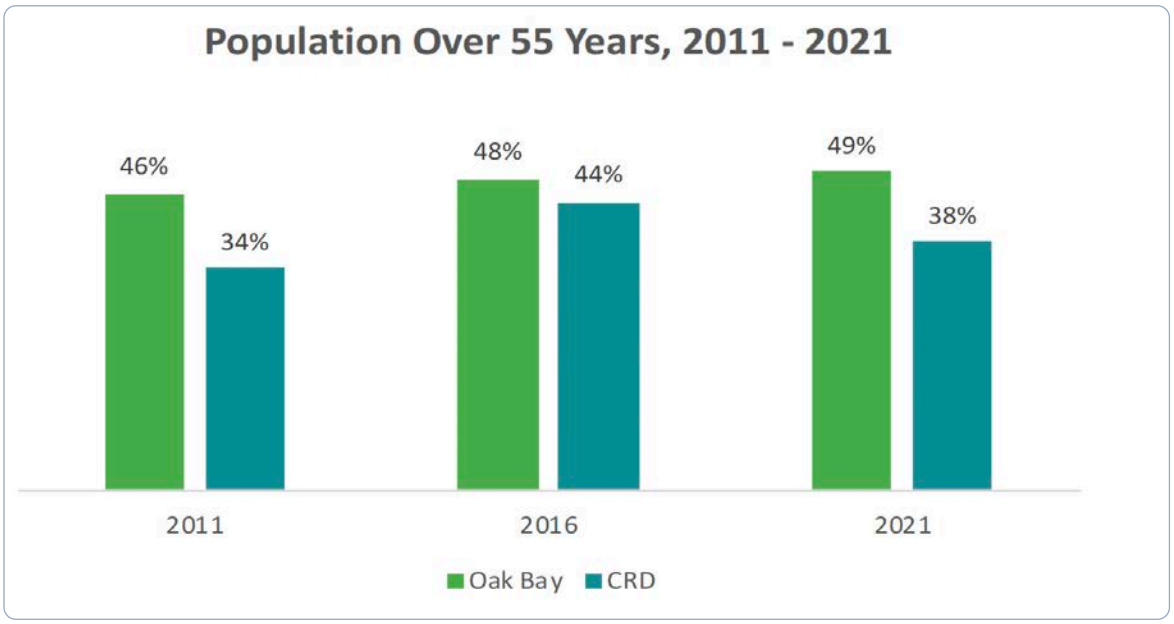


Figure 2.5 Population over 55 Years (Source: Statistics Canada)

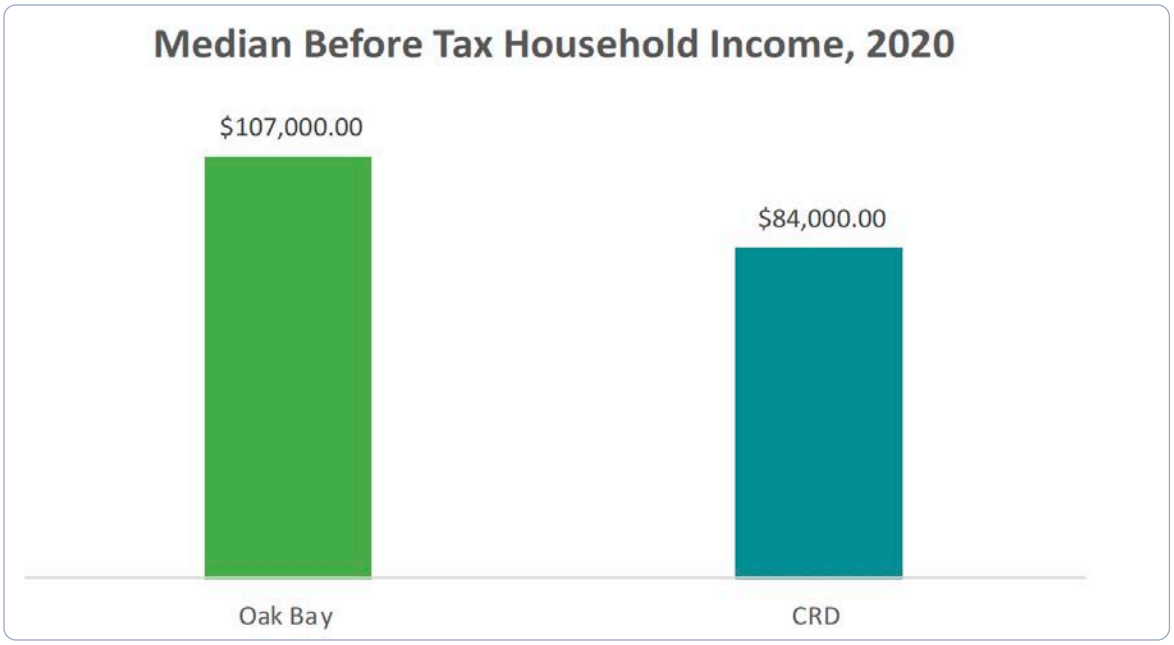


Figure 2.6 Median Household Income (Source: Statistics Canada)

Employment and Finances

Oak Bay's employment sector is comprised of a mix of home-based workers (38% of Oak Bay's population worked at home in 2021), local businesses, and major institutions.

Oak Bay residents are significantly more likely to work in occupations related to management, business, finance, health and arts and culture compared to the CRD, while they are less represented in trades, manufacturing and sales and service jobs.

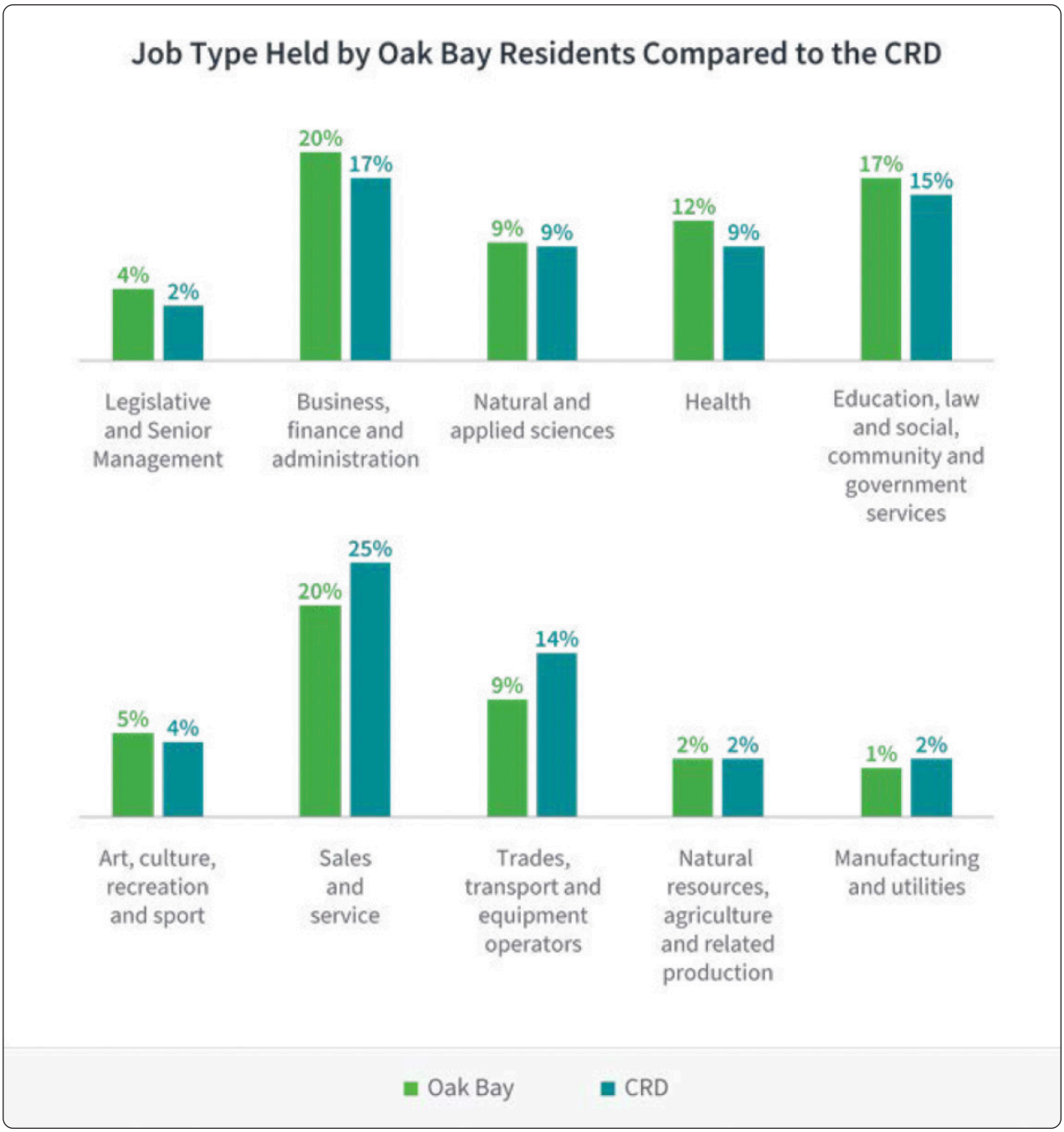


Figure 2.7 Job Type Comparison (Source: Statistics Canada 2021)

Projections and Trends

Oak Bay's Interim Housing Needs Report (2024) identifies 1,215 new homes are needed over the next five years, and 3,761 homes over the next 20 years to meet local housing needs.

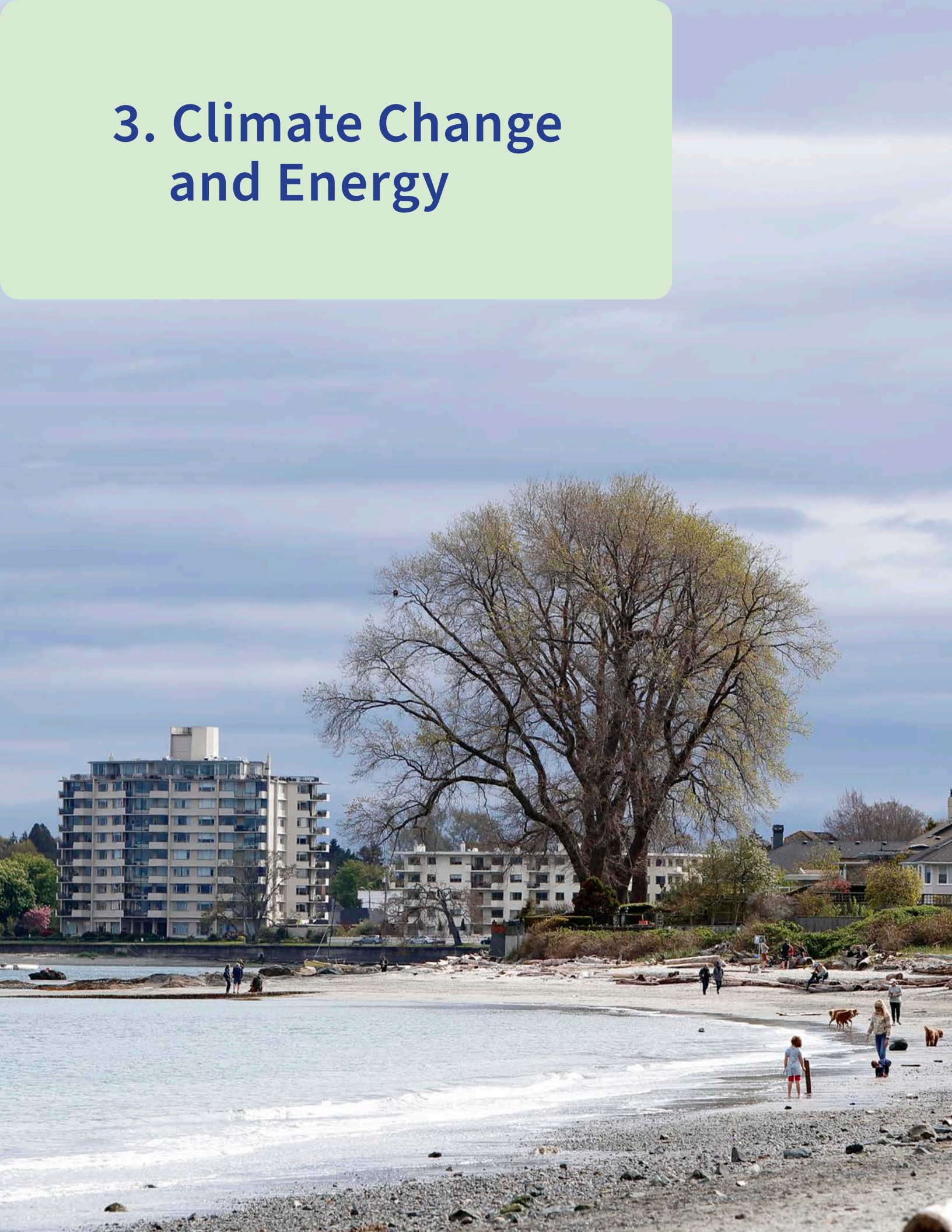
Residents who have traditionally looked for single detached housing – families with young children in particular – are on the decline, likely due to the rapidly rising cost of real estate relative to other communities in the area. The population of young people without families is also on the decline because there are few affordable housing options that would allow them to remain in the community. Many of the multi-unit buildings in Oak Bay exclude people under 55 years of age. Similarly, very little suitable housing has been developed for people with varying abilities looking for single-storey units and buildings with elevators.

The only growing segment of the population is those over 65, the demographic least likely to be looking for the large, two storey single detached houses that make up much of the community. So there is a growing mismatch between the people in the community and the available housing stock.

This replacement process makes Oak Bay incrementally less affordable. As the community loses the diversity of different age and income groups because there is no suitable housing for them, Oak Bay will look and feel less and less like the Oak Bay of the past. In other words, without change in the housing stock, the community will change in many other fundamental ways.

The size and characteristics of Oak Bay's future population will be influenced by District policies, particularly this OCP.

3. Climate Change and Energy



How this chapter relates to the OCP Vision of a Community Health & Resilience:

- Enhancing health and well-being
- Improving air quality and reducing GHGs
- Reducing energy and infrastructure costs
- Reducing risks to lives and property

Overview

The Intergovernmental Panel on Climate Change (IPCC) prepared its sixth assessment report in 2023.[2] The report states that global anthropogenic (human-made) greenhouse gas (GHG) emissions have unequivocally caused global warming. Between 2010 and 2019, GHG emissions climbed 12%. This is higher than in any previous decade on record. During this time, the annual growth rate of emissions was 1.3%, despite increasing mitigation efforts. The primary drivers of the increase in GHGs during this period were CO2 emissions from the burning of fossil fuels from energy, industry, transport and buildings, which accounted for approximately 79% of this increase.[3]

To address this increasingly acute challenge, the IPCC calls on policymakers to take deep, rapid, and sustained cuts in GHG emissions. The IPCC notes that climate resilient development needs to prioritize risk reduction, equity and justice and that reducing GHGs is a complex task that will require collective action, including a reassessment of the criteria and values used in decision-making.

Since 2006, the Province of British Columbia has recognized that local governments are vital partners in reducing GHG emissions. The *BC Climate Action Charter*, adopted in September 2007, called for BC municipalities to voluntarily address climate change by reducing GHG emissions. Goals included achieving carbon neutrality by 2012; actively measuring and reporting GHG emissions; and creating compact, energy efficient communities.[4] Oak Bay signed the Charter. BC's *Local Government Act* was amended in 2008 to require all OCPs to set targets for GHG reduction, as well as policies and actions to achieve the targets.

In 2018, the Province also passed the *Climate Change Accountability Act.* The Act established the following targets for the province as a whole: reduce GHG emissions by at least 40% below 2007 levels by 2030, 60% by 2040, and 80% by 2050.[5]

Oak Bay is committed to addressing climate change and energy in its quest to be a more sustainable community. The District declared a climate emergency and reports annually on progress toward climate goals, including reporting on corporate emissions through the Local Government Climate Action Program (LGCAP).

This OCP includes the following provisions:

- Set a goal to reach net-zero greenhouse gas emissions by 2050
- Encourage energy efficient land use planning
- Encourage efficient modes of transportation
- Improve the energy efficiency of buildings
- Educate and engage residents and businesses

2 IPCC was established by the United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO) in 1988.

3 https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf

4 http://www2.gov.bc.ca/gov/topic.page?id=60E1E7810BC145C6B6FC00EE31F41EC5&title=Climate%20Action%20Legislation#charter

5 https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/07042_01

The District's Climate Action program includes support and guidance for climate-friendly homes, engaging local residents, and improving infrastructure to encourage more sustainable transportation.

Oak Bay recognizes the importance of working with the CRD, the South Island, and the rest of the province in planning for climate change adaptation and mitigation.

Climate change mitigation (reducing greenhouse gas emissions) and climate change adaptation (preparing for the effects of a changing climate) are related, and both are important for local government. However, they serve different ends; climate change adaptation is about dealing with the problems created by climate change, and climate change mitigation is about not making the problem worse. The goal of adaptation, much of which can be addressed through environmental policy, is to reduce vulnerability and risk associated with climate change. Many approaches to adaptation increase overall community resiliency and have multiple benefits.

Climate Change Mitigation

There are two primary methods through which municipalities can reduce GHG emissions – through community land use planning that results in less community energy consumption (primarily from transportation and buildings), and through reducing GHGs associated with corporate operations.

The Capital Regional District has developed a Climate Action Strategy in line with the Intergovernmental Panel on Climate Change modelled pathways to limit warming to a 1.5°C change during this century. It also sets a shorter term target to reduce GHG emissions by 68% from 2007 levels by 2038.[6]

The CRD also produces GHG reduction progress reports for each member municipality. In 2007, the Province of BC Ministry of Environment launched a GHG reporting system called the Community Energy and Emissions Inventory (CEEI). This tool provides inventories of municipal energy consumption and GHG emissions estimates for three key sectors: on-road transportation, buildings and solid waste. The table below compares Oak Bay's GHG emissions sources in 2007 (base year), 2010 and 2022, the most recent year for which data is available.

Source	2007 tCO2e (% total)	2022 tCO2e (% total)	Change 2007 to 2022
Residential Buildings	24,070 (27%)	21,678 (29%)	-9.9%
Commercial and Industrial Buildings	*7,568 (8%)*	10,762 (14%)	+42.2%
On-road transportation	*40,679 (45%)*	28,343 (38%)	-30.3%
Off-Road Transportation	*6,520 (7%)*	6,149 (8%)	-5.7%
Waste	7,781 (9%)	1,964 (3%)	-74.8%
Industrial Process and Product Use	3,690 (4%)	6,089 (8%)	+65.0%
TOTAL	**90,308**	**74,985**	**-17%**

Figure 3.1 GHG Emissions for District of Oak Bay (2007 and 2022)[7]

6 https://www.crd.ca/media/file/climate-action-2024-progress-reportpdf

7 Capital Region District – Municipalities and Electoral Areas 2007 Base Year Community GHG Emission Inventory According to the most recent CRD progress report,

Oak Bay produced 74,985 tonnes of CO2 from all sources in 2022, down from 90,308 tonnes in 2007. This represents a reduction of 17% which is a significant step in the right direction. In 2022, Oak Bay's output equaled approximately 3.83 tonnes of CO per capita, compared to 4.91 tonnes of CO per capita in 2007, a reduction of 22.1%.

In general, Oak Bay has a relatively energy efficient land use form due to the compactness of the community. The District is fairly walkable with commercial centres available to meet most everyday needs. Transportation emissions for those living within the community are also less on average than for most communities. However, significant work remains for Oak Bay (and all other governments) to reach its long target of net zero carbon by 2050.

GHG emissions modelling and forecasting completed as part of the OCP update shows that while improvements in building efficiency and vehicle electrification are reducing Oak Bay's emissions, significant work remains for Oak Bay to reach its long-term target of net zero carbon by 2050. This work will include deep building energy retrofits to reduce the emissions from existing buildings, vehicle charging infrastructure to support continued electrification of vehicles and planning for more complete communities to encourage low carbon modes of transportation.

*The most widely used definition for **climate change adaptation** is "adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities."*

Source: Intergovernmental Panel on Climate Change

Climate Change Adaptation

The following are the potential manifestations of climate change in Oak Bay:

- increased climate variation
- more frequent and intense storms
- increased temperatures
- longer dry season
- sea level rise and flooding

These changes have the potential to affect biodiversity, hydrology, infrastructure, public safety and land uses, resulting in environmental, social and economic impacts. Some examples of potential climate change impacts in Oak Bay include the following:

- damage to property, including residential and commercial buildings, infrastructure, parks, and the urban forest, from strong winds, flooding and/or erosion (some specific examples include foreshore erosion, road damage, and sewage back-up)
- decrease in biodiversity and ecosystem functions due to warmer, drier summer weather and/or scouring of watercourses from intense rains
- seasonal water shortages
- adverse health impacts in vulnerable populations due to increased incidence and intensity of heat waves
- increased risk of wildfire

Some of the primary climate change adaptation strategies that can address the potential impacts include the following:

- protecting the quantity and quality (ecological health and biodiversity) of natural areas
- rainwater management to slow runoff, decrease erosion and mitigate reductions in creek base flows
- protecting and enhancing the tree canopy
- conserving water and energy

OCP Climate Change and Energy Measures

The objectives and policies in this section provide high-level direction on climate change and energy, focusing on District operations and collaboration with other jurisdictions. Objectives and policies throughout this OCP pertain to climate change adaptation and mitigation measures. Figure 3.1 lists the key related topics and policies with references to the OCP section.

Topic	OCP Section
Protection and enhancement of nature and environmental resources, biodiversity	Natural Environment, DPAs
Urban forest	Natural Environment, Built Environment, DPAs
Parks and green space for residents	Parks and Open Space
Clean air and water	Natural Environment, Transportation, Utilities and Services
Low impact development – stormwater/ rainwater management	Built Environment, Utilities and Services
Sustainable buildings, energy conservation, reduction in energy costs	Built Environment, DPAs
Shopping and services close to home	Commercial Mixed Use
Recreation amenities close to home	Recreation
Property risk management, sea level rise	Watercourses and Shorelines DPAs, Hazards DPA
Active transportation and transit	Transportation
Urban food production	Parks and Open Space
Shoreline management	Utilities and Services
Waste management and waste reduction	Utilities and Services
Water conservation	Built Environment, Utilities and Services
Wildfire protection	Built Environment

Figure 3.2 Climate Change Adaptation and Mitigation OCP Sections

3.1. Climate Change and Energy Objectives

The climate change and energy objectives of the OCP are as follows:

1. Continue to work towards the established target of net zero greenhouse gas emissions by 2050.
2. Work towards deep emission reductions focused on the personal transportation and buildings sectors.
3. Integrate considerations related to climate change and energy into relevant municipal procedures and decision-making.
4. Monitor and manage community energy consumption and generation to minimize greenhouse gas emissions.
5. Conduct climate change adaptation planning to reduce future impacts on public health, property and the natural environment.
6. Make residents aware of the risks of climate change where applicable and encourage measures to reduce risks.
7. Participate in planning, education and community engagement related to climate change and energy, encouraging conservation of water and energy, and reduction of GHGs

3.2. Climate Change and Energy Policies

The climate change and energy policies and actions of the OCP are as follows:

CCE1. Set a long-term goal to reach net-zero greenhouse gas (GHG) emissions by 2050. Create specific targets for emissions from buildings, on-road transportation and waste through a Climate Action Plan.

CCE2. Review municipal policies and procedures, and integrate considerations related to climate change and energy where applicable.

CCE3. Review and assess the District's greenhouse gas emissions and climate change mitigation measures on a regular basis, and make changes as needed to improve results.

CCE4. Manage community energy generation and consumption, and encourage conservation and efficiency, diversification of supply, renewable energy and low carbon fuels.

CCE5. Provide regular messaging to the community on waste reduction, water and energy conservation, and reduction of greenhouse gas emissions.

CCE6. Encourage the use of green building technologies such as solar panels, geothermal energy and other emerging systems.

CCE7. Demonstrate leadership in climate action by reducing emissions from District operations.

CCE8. Enhance partnerships with federal, provincial, regional and local governments, other public agencies, Songhees Nation and Esquimalt Nations, community organizations, and businesses for the efficient and effective coordination of climate change and energy resiliency plans, policies and initiatives including greenhouse gas reporting and risk and vulnerability assessment of local climate change impacts.

CCE9. Work with the CRD as they assume a leadership role in the coordination and integration of regional and local climate change mitigation and adaptation planning. Encourage the CRD to provide information and tools to reduce redundancy and harness efficiencies among municipalities.

CCE10. Encourage Multi Unit Residential and Mixed Use developments to undertake compost collection and soft plastics collection.

CCE11. Continue to explore enhanced recycling options for currently exempt items such as styrofoam and soft plastics.

CCE12. Require new development to meet the BC Zero Carbon Step Code, and encourage the use of building materials and processes that produce fewer emissions to reduce the climate impact of construction.

CCE13. Encourage resilient buildings that employ localized solutions and systems that can better withstand disruptions caused by extreme weather, including for energy, air quality and water supply and conveyance.

CCE14. Explore incentive programs or partnerships, like grants, tax exemptions, to encourage building retrofits and help property owners reduce emissions from older buildings.

CCE15. Require plans and documentation to reduce construction waste during demolitions. This includes salvaging valuable materials like old-growth wood.

CCE16. Support efforts to reduce greenhouse gas emissions associated with transportation including encouragement for the adoption of electric vehicles and by encouraging integrated land use and transportation planning that reduced trip lengths and supports a shift in travel modes towards low carbon forms of transportation.

4. Natural Environment

How this chapter relates to the OCP Vision of a Community Health & Resilience:

- Protecting ecosystems and the urban forest
- Improving air, water and soil quality
- Reducing energy and infrastructure costs
- Enhancing health and well-being

Overview

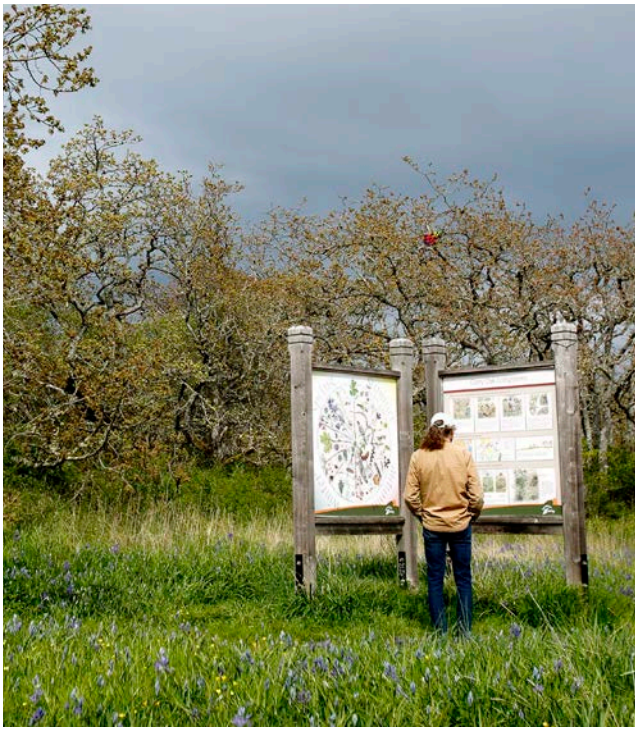
Oak Bay is characterized by a spectacular setting and rich natural environment that includes the ocean shoreline, creeks, the Garry oak and associated ecosystems, other environmentally sensitive habitats, trees, parks, and green space (Figure 4.1). Such features offer many environmental benefits, including cleansing of air and water, support for fish and wildlife species, and provision of habitats for rare species, all of which are components of climate change adaptation.

Natural features also form the core of Oak Bay's identity, and they are fundamental to the desirability of Oak Bay as a place to live and a destination to visit. The community places high values on the natural environment and recognizes that environmental conservation, with public and private stewardship, are core elements of community sustainability. Because of the wealth of environmental resources and community interest, there are excellent opportunities for environmental education, some of which have been achieved through interpretive signs, maps, brochures and the Native Plant Garden. Oak Bay has a committed community of volunteers who promote and participate in stewardship efforts such as management of invasive species.

Oak Bay's topography is low lying (generally under 4 metres in elevation) along most of the shoreline and in the area between Oak Bay Marina and McNeill Bay (Figure 4.2). The terrain is punctuated with knoll-like formations in the southwest around Walbran Park, and at Anderson Hill. The northwest portion of Oak Bay is higher in elevation, rising to over 70 metres in the Henderson area.

Oak Bay is located within the Coastal Douglas-fir biogeoclimatic zone, which is the most at-risk biogeoclimatic zone in BC. As such, this biogeoclimatic zone contains many ecosystem types and species that have almost entirely disappeared, including Garry oaks and their associated ecosystem. For example, even in the past decade, the population of one globally endangered species Victoria's Owl-clover (Castilleja victoriae), has been lost from Oak Bay (reducing the number of populations in the world from four to three). Oak Bay has the highest concentration of rare/endangered species in Canada, and it is important from an ecological perspective that Oak Bay protects the health of these ecosystems, the most outstanding of which are in Uplands Park.

The CRD is home to many distinct plant and animal species, almost 100 of which are classified as "red" status by the Province – extirpated, endangered, or threatened within BC. A large number of these species are found in Oak Bay. There is broad support for the conservation of rare species in the community, and the federal Species at Risk Act reinforces the importance of this.



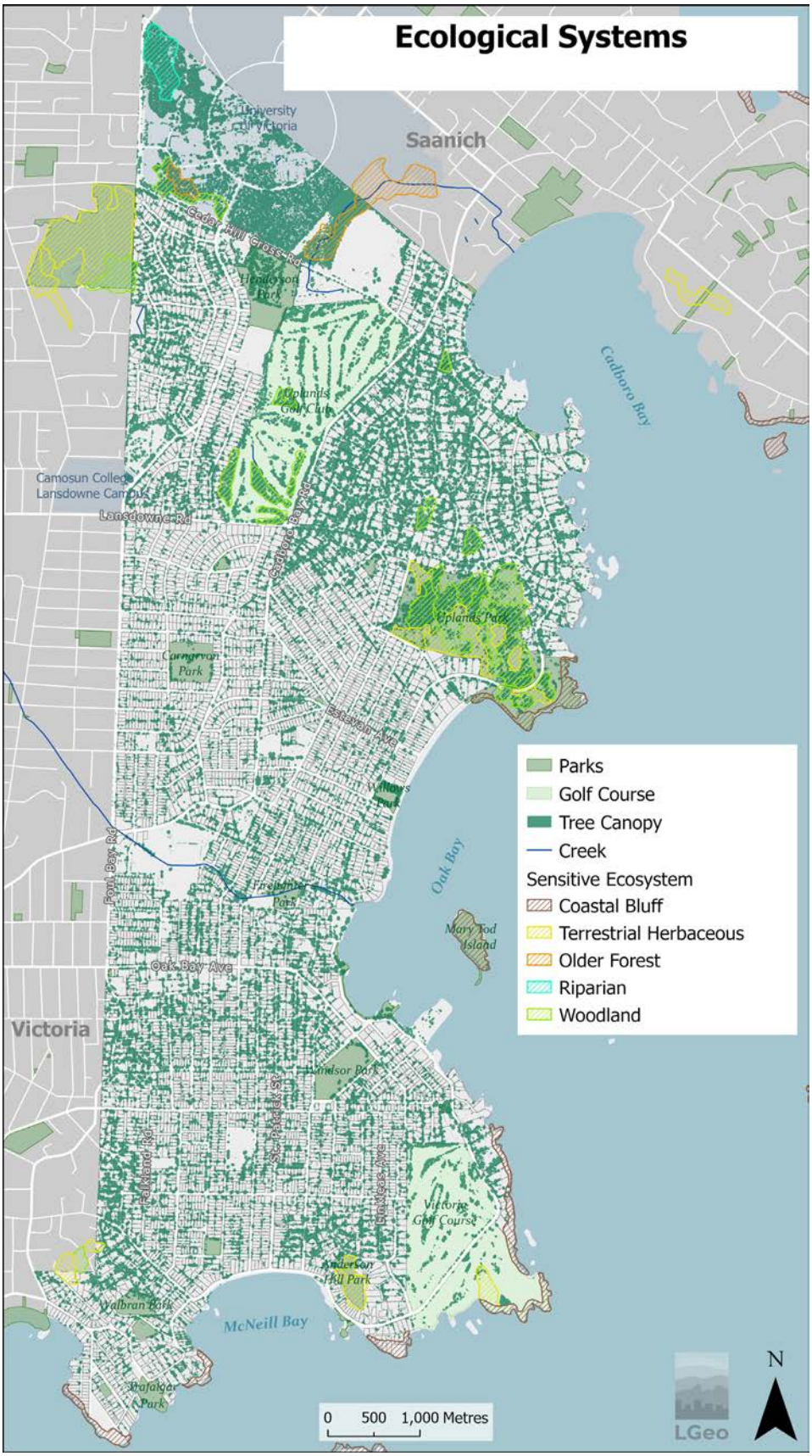


Figure 4.1 Map of Ecological Systems

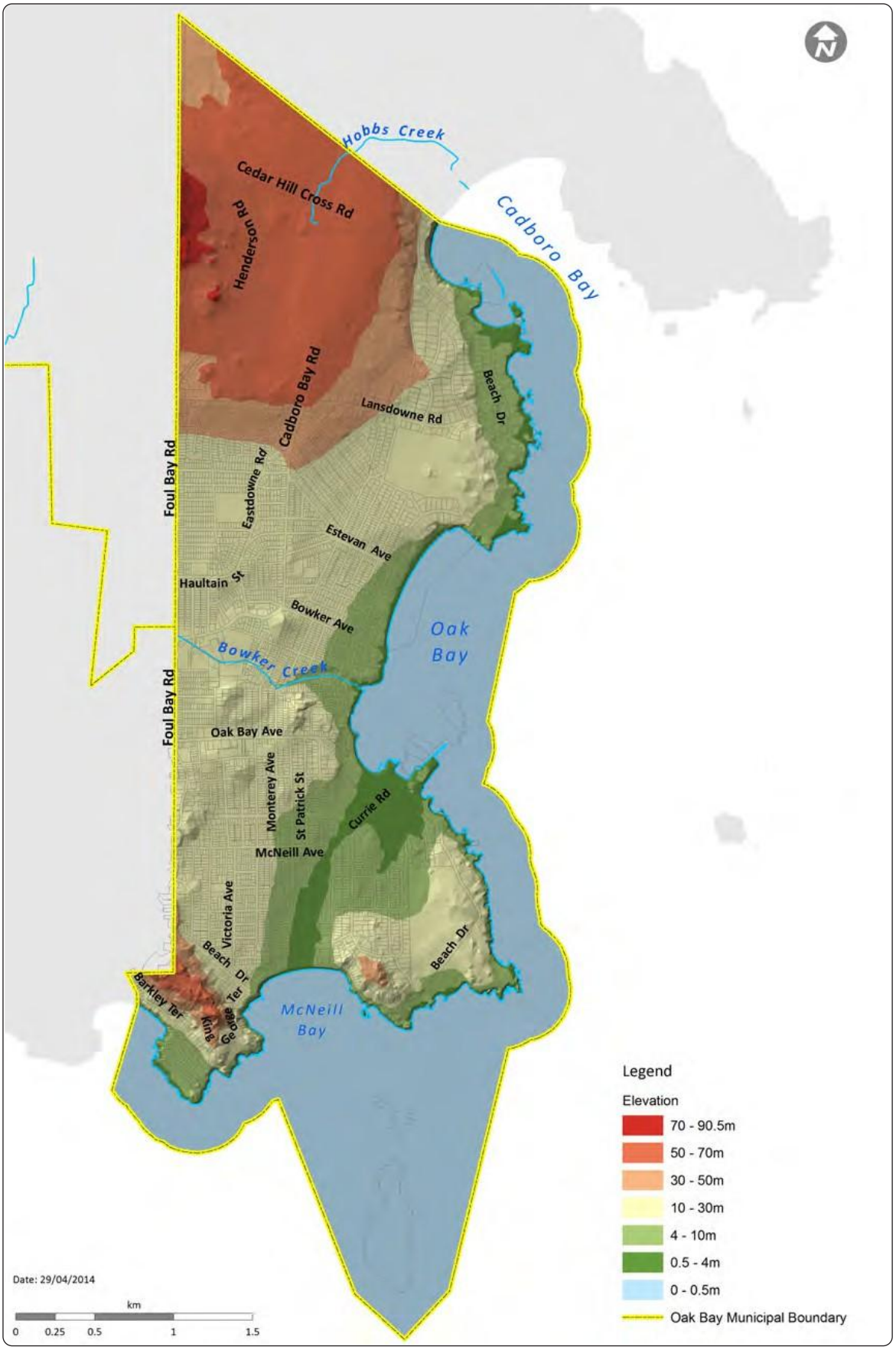


Figure 4.2 Elevation Map

The District's natural environment faces significant challenges. Concerns include invasive species, tree removal, inappropriate tree pruning, planting inappropriate species, increased impervious areas, foreshore erosion, and climate change. Sound planning, policies and practices are needed to protect and enhance a vibrant natural environment for current and future generations.

Oak Bay has taken significant strides to protect its natural environment. Some initiatives include the following:

- Urban Forest Management Strategy
- Tree Protection Bylaw
- Development Permit Guidelines
- Municipal tree planting and operations work by staff on the urban forest
- Participation in the CRD Regional Sustainability Strategy, support of the Bowker Creek Blueprint, and partners in the Capital Region Invasive Species Partnership, CRD's Integrated Watershed Management Program and Inter Municipal Group
- Oak Bay Heritage Plan (2013), in which the natural heritage of the community plays a key role

Engagement Insights

Protecting and enhancing the natural environment was a key theme throughout the OCP engagement process. We heard about the importance of tree protection, particularly the Garry Oak ecosystem, as well as preserving greenspaces, biodiversity and wildlife. Participants often expressed a desire to strengthen protections for waterways, creeks, and the ocean shoreline.

The Urban Forest

Oak Bay has a spectacular urban forest that is a prominent feature of the community. In addition to including many Garry oaks, a flagship species, the urban forest is extensive.

A 2017 analysis of Oak Bay's tree canopy conducted as part of the Urban Forest Management Strategy (Diamondhead, 2017) indicated that the District has a tree canopy of 33%. American Forests, an organization that supports urban forestry, recommends a municipal tree canopy of 40% for this region (Pacific Northwest) to realize the multiple benefits offered by trees. Very few communities achieve that target. For example, Vancouver's tree canopy is 23% in 2022, and Surrey's was 26% in 2020. The relatively low density of development in Oak Bay has likely been a contributing factor, because in most municipalities the tree canopy decreases as urban density increases. The decline in other communities is also partly a result of minimal attention to the tree canopy during development processes.

*An **urban tree canopy** "is the layer of leaves, branches, and stems of trees that cover the ground when viewed from above."*

In 2017, the District undertook an Urban Forest Management Strategy. An Urban Forest Strategy is a long-term, strategic plan to achieve a sustainable urban forest by conserving the tree canopy, enhancing the extent and the health of the urban forest, and increasing community understanding and support for the urban forest.

The Strategy indicates Oak Bay's tree canopy cover has not significantly decreased over the last decade, from 35% in 2002 to 33% in 2015. Analysis shows removal of trees during this time were occurring at a higher rate on private lands than on public lands.

A healthy urban forest offers many benefits, assisting with climate adaptation, temperature moderation, energy use, air quality, stormwater management, water quality, wildlife, biodiversity, real estate values, business viability, individual and community well-being, and human health. For example, trees sequester carbon, intercept stormwater runoff, and filter pollution from the air and water.

Oak Bay, like many other communities, has a Tree Protection Bylaw. The bylaw has some strong points, such as its focus on native trees and Garry oaks, identification of "significant" trees, and the requirement for a security deposit to cover planting, care and maintenance of replacement trees. There are several ways in which the bylaw could be stronger, e.g., changing the definition of "protected" tree to include all trees over 10 centimetres dbh (diameter at breast height) rather than the current 60 centimetres for trees that are not native, increasing the size of replacement trees, identifying the value of cash provided in lieu of replacement tree planting and including tree canopy targets for multi-unit residential zones. The bylaw may also warrant review of the success of replacement trees and consideration of expanding the species list of replacement trees.

Rainwater Management

The cumulative effects of increasing impervious area in a watershed, combined with loss of riparian corridor integrity, alter the natural hydrology and impact stream corridor ecology. The resulting increase in runoff volume causes watercourse erosion and progressive degradation of the channel cross-section. The decrease in infiltration (due to replacement of soil and vegetation with hard surfaces) can also have impacts on fish because it reduces the slow, constant groundwater supply that keeps streams flowing in dry weather. This can lead to water levels that are inadequate to provide fish with access to their spawning areas, and can even cause streams to dry up in the summer.

The CRD's Land Cover Mapping study (2017 / 2019) looked at changes to impervious surfaces in the region. The study identified 323.2 ha of lands (30.8%) as impervious surface in 2019, marking a -0.7% difference from 2011 to 2019.

Frequent light showers account for most of the annual rainfall volume. The term "rainwater

management" was coined to differentiate the past practices that concentrated upon the drainage system response to storms, and current emphasis on the needs of the aquatic environment. The rainwater management approach allows one to directly connect rainwater runoff in the urban landscape with the impacts to a stream, and to identify the mitigation methods needed to restore the natural water balance in the stream.

"Low impact development" has been coined as the term for these mitigation methods. Low impact development involves landscape-based solutions that focus on rainwater infiltration, such as permeable landscapes with enhanced growing medium, rain gardens, bioswales, green roofs, and infiltration pits or tanks. Where possible, roof leaders are disconnected so that water falling on the roof is absorbed within the landscape rather than flowing directly into storm sewers. Low impact development helps to achieve a variety of objectives encompassing both the site and watershed scales in the urban environment.

*A model showed that **rainwater management features** such as rain gardens, green roofs, and enhanced topsoil could effectively address a projected 22% increase in precipitation due to climate change.*

Source: Chris Jensen, Climate Change Adaptation, Using Low Impact Development to Mitigate Future Flooding, Pacific Institute for Climate Solutions Seminar, September 2010. See also Jensen - Rain to Resource Presentation October 2010 Kelowna BC

Creeks and Watersheds

Oak Bay has two creeks; Bowker Creek and Hobbs Creek. Creeks and their associated riparian areas are regulated in BC by the provincial *Riparian Areas Regulation*. Hobbs Creek is a relatively short creek, the headwaters of which flow through the UVic campus into Saanich.

The Bowker Creek watershed is one of the most highly urbanized major watersheds in the CRD. From the headwaters near the University of Victoria to the outlet at Oak Bay, relatively little of the watershed remains undeveloped. Prior to agricultural and urban development, Bowker Creek was an open water feature, winding its way to the ocean. The main channels of Bowker Creek are eight kilometres in length, and today only 2.5 kilometres remain open. The rest of the creek flows underground through pipes and culverts.

Much of Bowker Creek flows as an open creek within Oak Bay, the main exceptions being where it flows under the tennis bubble at the Oak Bay Recreation Centre and under Fireman's Park. Some of the private properties along Bowker Creek extend into or across the creek. When the ownerships of these properties are transferred, there may be an opportunity for the District to acquire the creek bed.

***Daylighting** a creek involves removal of culverts or pipes into which a stream was previously diverted and reinstating the creek into an above-ground channel. Daylighting is intended to restore a creek to a more natural state and to improve the riparian environment.*

Because so much of the area has been developed, the watershed functions much differently from one in a natural, undisturbed setting. Although the watershed may never be restored to an entirely natural state, some natural characteristics remain that can be protected and enhanced. In the absence of a plan that identifies the possibilities and presents specific actions, the existing urban development and the pressure for redevelopment will continue without regard for the potential for Bowker Creek to become a cherished asset, linking communities across the three municipalities.

The CRD's Bowker Creek Watershed Master Plan and Bowker Creek Blueprint establish a direction and strategies for this area, the latter including a 100-Year Action Plan for watershed restoration, which is currently undergoing its first update since it was developed in 2011.

Riparian areas *are the areas bordering on streams, lakes, and wetlands that link water to land. The blend of streambed, water, trees, shrubs and grasses directly influences and provides fish habitat. Protecting this riparian fish habitat, while facilitating urban development that exhibits high standards of environmental stewardship, is a priority for the Government of British Columbia. Good quality streamside habitat is essential for ensuring healthy fish populations.*

The Riparian Areas Regulation (RAR), enacted under Section 12 of the Fish Protection Act in July 2004, calls on local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that proposed activities are subject to a science based assessment conducted by a Qualified Environmental Professional (QEP).

Ocean Shoreline

Oak Bay's shoreline offers biologically rich and diverse habitat for species such as endangered Southern Resident Orcas, other marine mammals (seals, sea lions, otters), waterfowl (oyster catchers, cormorants, diverse ducks, Pacific Great Blue Heron), raptors (bald eagles), shellfish (clams), and smaller marine creatures (decorator crabs, lined chitons, tidepool sculpins, tidepool shrimp). All marine waters along the oceanfront are within the Victoria Harbour Migratory Bird Sanctuary. There are also two Ecological Reserves (Oak Bay Islands, Trial Islands), three Rockfish Conservation Areas, and Discovery Island Marine Provincial Park.

It is very important that the ocean shoreline remain stable and environmentally healthy. Instability can lead to erosion and subsidence, which can affect property values, vegetation, and water quality. Rising sea levels and flooding related to climate change are a potential threat to the stability and environmental values of the shoreline, and to residential properties and municipal infrastructure. A Development Permit Area to protect shorelines is included as part of this OCP. Private docks are not currently allowed in Oak Bay. Despite this, some docks have been built within Uplands without District approval or foreshore leases. The availability of moorage in Oak Bay at one marina and a yacht club, combined with the environmental sensitivity of the shoreline and foreshore, make it difficult to justify any changes to this prohibition.

Air Quality and Quiet Environment

Maintaining and enhancing the quality of air and managing noise levels associated with human activity are also considerations that relate to the natural environment. Policies related to air quality are included in Section 3 Climate Change and Energy. The District already has an Anti-Noise Bylaw.

4.1. Natural Environment Objectives

The natural environment objectives of the OCP are as follows:

1. Protect and restore native ecosystems, including terrestrial, riparian and aquatic habitats for wildlife, vegetation, and rare and endangered species, on public land and encourage similar initiatives on private land.
2. Integrate environmental considerations into planning and design processes to enhance community sustainability and environmental protection.
3. Encourage and support public awareness and education regarding the natural environment.
4. Protect and enhance the urban forest, including Garry oaks with a target tree canopy coverage of 40%.
5. Encourage and promote environmental stewardship on private property and public land.
6. Conserve and manage the shoreline to protect its environmental integrity and values.
7. Protect air quality and a relatively quiet urban environment.
8. Encourage and support environmental monitoring.
9. Encourage green space and gardens on private property.

4.2. Natural Environment Policies

The natural environment policies of the OCP are as follows:

General Policies

NE1. Work with other organizations on initiatives that support public awareness and education regarding the characteristics, values and benefits of the natural environment and ways to protect it.

NE2. Encourage and support stewardship activities that involve environmental restoration and enhancement.

NE3. Encourage consideration of sensitive and rare ecosystems, and rare, threatened and endangered species, in parks and on private land.

NE4. Collaborate with other government and community organizations on environmental monitoring in relation to climate change and other impacts on natural environments.

NE5. Protect sensitive ecosystems through the development process. Adjust the Development Cost Charge (DCC) to provide incentives for low impact development near sensitive ecosystems and expand Amenity Cost Charge (ACC) criteria to fund or construct additional greenways, park improvements, or daylighting initiatives.

NE6. Facilitate wildlife movement and habitat protection by maintaining and enhancing wildlife corridors through parks, open spaces and riparian areas.

The Urban Forest

NE7. Protect and grow the tree canopy in Oak Bay—home to Canada's largest urban population of Garry oak trees. Increase canopy coverage from 33% to approximately 40% by 2045, as outlined in the Urban Forest Management Strategy.

NE8. Require development applications to provide information related to existing trees and trees to be retained (see Section 8.0 Development Permit Areas).

NE9. Encourage flexible approaches to the siting of buildings and paved areas in order to protect existing trees.

NE10. Maintain an effective, up to date Tree Protection Bylaw.

NE11. Manage the urban forest on all public lands to improve its health, including the following measures where applicable:

- Care for trees, balancing risk management and danger from trees with the need for a healthy tree canopy.
- Remove invasive species, with the assistance of stewardship groups.
- Plant trees and shrubs, with a focus on native species where appropriate.
- Naturalize portions of public lands where appropriate.

> ***Naturalizing*** *essentially means letting nature have more control. It involves letting native meadow species grow, allowing shrubs and trees to establish themselves, and restricting maintenance to activities such as removal of invasive species.*

Rainwater Management

NE12. Prepare a Rainwater Management Bylaw that requires low impact development practices to increase onsite retention and infiltration (absorption) of rainwater to reduce the effective impervious area in the watershed. Apply the Rainwater Management Bylaw to all development applications, including OCP amendment, rezoning, subdivision, and development permit and building permit applications.

Consider the following provisions in the Rainwater Management Bylaw:

- Encourage the disconnection of roof leaders and the installation of infiltration areas that accommodate roof runoff where possible without posing risks of flooding homes or adjacent properties.
- Maximize the extent of landscaped areas on site with absorbent soils (preferably a minimum of 20 centimetres deep) and minimize the amount of impervious surfaces to increase the natural infiltration of rainwater and to provide a more natural or landscaped character.
- Use permeable materials for paved areas where possible, e.g., permeable pavers, permeable asphalt or concrete, decks, reinforced grass.
- Consider the use of bioswales, rain gardens, and other design techniques that allow greater infiltration of water where possible, including within and around parking areas.
- Regulate the maximum amount of impervious surfaces on a lot for different land uses.
- Encourage the collection and storage of rainwater for irrigation.

Creeks

NE13. Explore opportunities for the District to acquire the Bowker Creek bed and adjacent slopes as options arise through changing ownership.

NE14. Support restoration efforts for the Bowker Creek watershed through guidelines established in the updated Bowker Creek Blueprint and Watercourse DPA Recommendations, including daylighting parts of the creek, creating greenway corridors, improving habitat restoration and native planting, monitoring and assessment, stormwater management and community stewardship.

Ocean Shoreline

NE15. Work with senior agencies to discourage and, where appropriate, remove privately owned walls and other built features along the shoreline, especially where they extend beyond private property onto the foreshore.

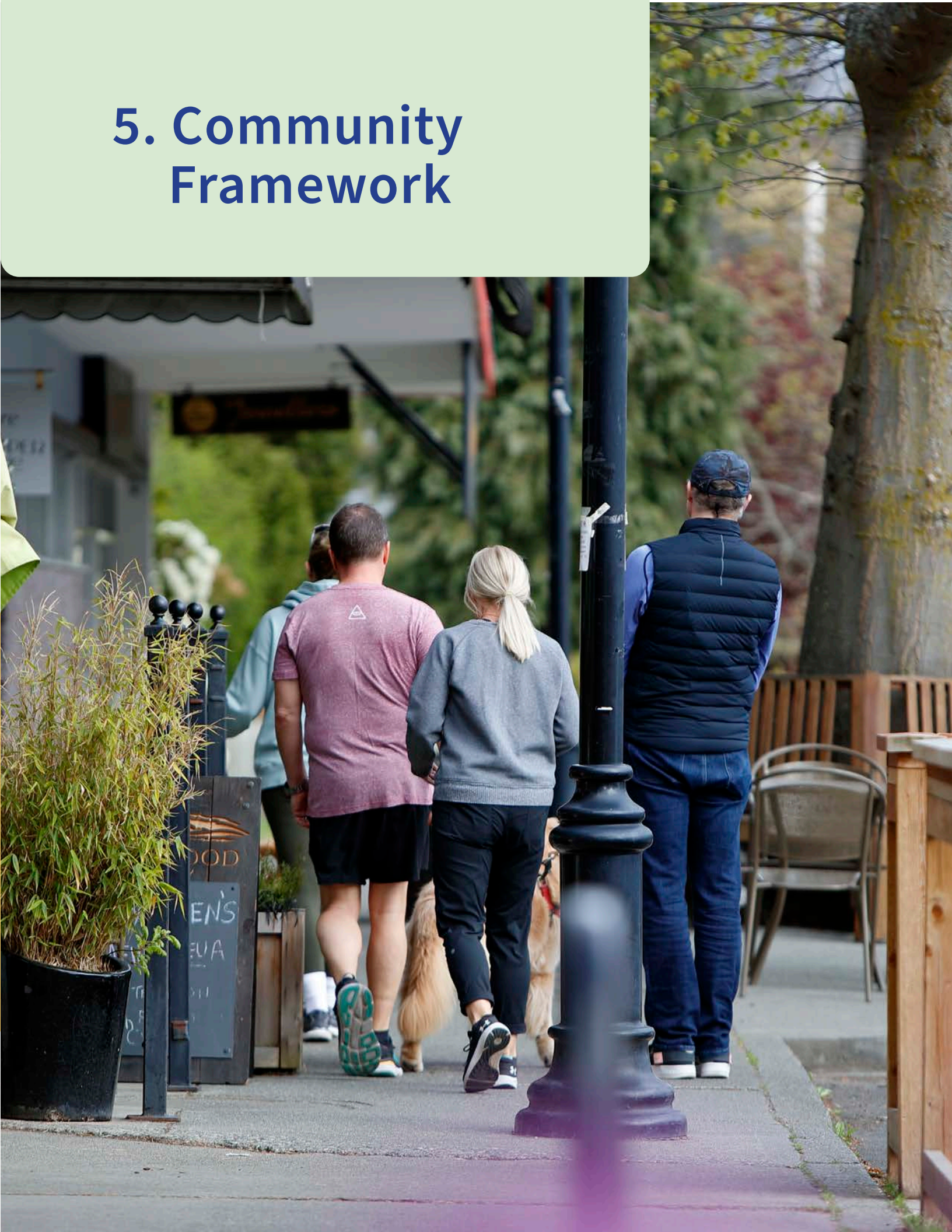
NE16. Continue to disallow private docks and work with senior agencies to have unauthorized private docks removed.

NE17. Provide information about the Green Shores program to the community, focusing on waterfront property owners.

NE18. Maintain and apply a Shoreline Development Permit Area to guide development close to the ocean shoreline in order to better manage and protect the natural features and ecological functions of the shoreline ecosystem.

Green Shores *is a BC initiative that promotes sustainable use of coastal ecosystems through planning and design that recognizes the ecological features and functions. Green Shores connects people with the shore environment, delivers triple bottom line (environment, social and economic) benefits, and recognizes that site specific, cost effective solutions can only be achieved by using an integrated design approach. The Green Shores project includes a rating and assessment tool to guide shoreline development (based on the Green Building model), design concepts for alternatives to seawalls and rip rap for a range of shore types and physical settings, support for planning initiatives such as OCPs, case studies and an outreach program.*

5. Community Framework



5.1. Land Use

How this chapter relates to the OCP Vision of a Community Health & Resilience:

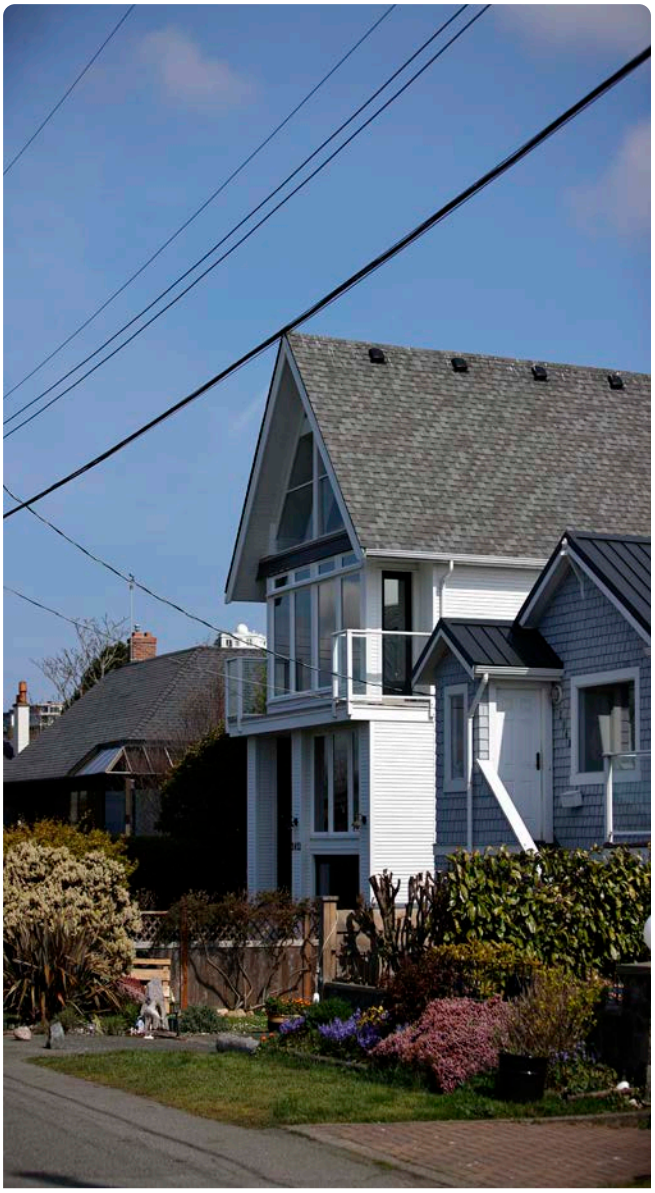
- Retaining and enhancing our unique character
- Encouraging a greater range of housing choice
- Supporting viable commercial areas
- Welcoming more residents and tourists
- Enhancing walkability

Land Use History

Oak Bay is a community of neighbourhoods. These neighbourhoods have evolved over time and what we see today is the legacy of a long history of change. Before European settlement, the land was occupied and used in traditional ways by the Lək̓ʷəŋən peoples, known today as the Songhees Nation and Esquimalt Nations. The first subdivision of land involved the Hudson's Bay Company and over 1,100 acres at the Uplands, extending to Camosun College. The first European settlers built farms and vacation cottages in the late 19th century. By the early 1900s, a housing boom was producing what are now known as the major heritage houses, built for wealthier people moving out of downtown Victoria.

Over the next 60 years, whole neighbourhoods appeared in succession as large tracts of land were developed – the farms of south and central Oak Bay, Willows Fairgrounds, Lansdowne slope, and Uplands, followed by the Henderson area in the north. Each of these areas was developed for unique reasons, at different times and with varied economic drivers. Neighbourhoods built before the Depression often included large and expensive houses in keeping with the relative affluence of the times. During the Depression and after the Second World War, smaller, simpler houses were built on more modest budgets and much of Oak Bay became a relatively inexpensive working class community, though it was still affluent compared to Greater Victoria as a whole.

Along with the residential neighbourhoods, commercial areas were developed to serve residents' needs. Oak Bay's primary commercial centre is known as "the Avenue", "the Village", or "Oak Bay Village". Other tiers of commercial use take the form of secondary villages, street-corner establishments, and specialized commercial uses. Parks and open space and a variety of community institutional uses are also important contributors to Oak Bay's Land Use Framework. These are described in more detail in other sections of the OCP.



Introduction to the Land Use Framework

This section outlines the Land Use Framework that guides future land use in Oak Bay (The Land Use Framework map is shown as Schedule B).

The experience of the built environment in the District is significantly affected by Victoria to the west and Saanich to the north. It is ideal for neighbouring municipalities to collaborate with each other to plan transitions between their boundaries.

In accordance with the *Local Government Act*, the following are noted:

- As a fully urbanized municipality, there are no sand and gravel deposits suitable for sand and gravel extraction defined in this OCP.
- An OCP may designate areas where temporary uses may be allowed, in which case they require a temporary use permit. In Oak Bay, all areas are designated as a temporary use permit area where temporary use permits may be issued.
- There are no present or proposed industrial use areas within Oak Bay.
- There are no proposed changes to the road network at this time.

Land Use Framework Objectives

The Land Use Framework objectives of the OCP are as follows:

1. Accommodate Oak Bay's 20-year housing need and provide a greater range of housing options to address the needs identified in the District's most recent Housing Needs Report.
2. Focus higher density forms of housing around amenities and transit corridors to support convenient access, community health and resilience, and reduce GHG emissions.
3. Respect and enhance the character and identity of neighbourhoods, commercial areas, and other special locations within Oak Bay.
4. Allow more flexible uses in certain circumstances and locations to encourage the organic development of a more complete, sustainable community.
5. Align with climate and sustainability goals to support walkable neighbourhoods and protect Oak Bay's tree canopy.

Land Use Framework Policies

The Land Use Framework policies of the OCP are as follows:

CF1. Use the Land Use Framework designations and definitions below, and Schedule B: Land Use Framework Map, to guide planning and management of lands in Oak Bay:

1. The **Oak Bay Village** designation on Schedule B consists of low-rise to mid-rise single unit and multi-unit buildings that accommodate ground-level commercial retail uses such as shops, services, restaurants, and entertainment; with residential units, offices and possible visitor accommodations above. The Village has a well-defined public realm characterized by attractive sidewalks, street trees, and building facades close to the sidewalk and served by multiple transportation modes including bike routes, paths, parking and frequent transit. Buildings from various decades contribute to the Village's identity. Oak Bay Village is the social centre of the community, a place where people meet and participate in many every-day and special purpose activities. Oak Bay Avenue will remain the village core as the primary mixed use and pedestrian oriented street. The District will provide more detailed urban design direction for this area through the completion of a village area plan.

2. The **Neighbourhood Village** designation on Schedule B consists of mixed-use, low to mid-rise buildings that accommodate ground-level commercial uses such as shops and services, entertainment, and restaurants; with residential units, offices and possible live/workspaces above. These villages are located along arterial

or collector roads, and served by bike routes, paths or sidewalks, parking and transit. Neighbourhood villages support compact and complete communities by creating smaller nodes of amenities that are walkable for local residents. The District will further review these areas through a neighbourhood village area planning process.

3. The **Specialized Commercial** designation on Schedule B consists of the marina, yacht club, and golf courses that generate employment and serve residents and tourists in a variety of building forms, typically on larger sites with space for vehicle circulation, off-street parking, shipping and delivery.

4. The **Resort Hotel** designation on Schedule B consists of the Oak Bay Beach Hotel, a building complex that serves residents and tourists with accommodation, food services and recreation, with associated vehicle circulation, off-street parking, shipping and delivery.

5. The **Residential** designation on Schedule B consists primarily of residential, and accessory uses in a wide range of existing and infill ground-oriented buildings, including single detached, duplex, triplex, multiplexes, laneway houses, garden suites, and secondary suites. Small-scale commercial use on the ground floor may be allowed within this designation where the building is located on corner lots, along a transit route, or adjacent to major amenities and would typically require a rezoning. Townhouses and small lot subdivisions may be allowed on larger lots and corner lots fronting transit routes, subject to rezoning.

6. The **Townhouse Residential** designation on Schedule B consists primarily of ground-oriented low-rise buildings forming a row of attached houses with each unit having their own private entrance and units facing the street.

7. The **Multi-Unit Residential 1** designation on Schedule B consists of residential and accessory uses in low to mid-rise multi-unit buildings, including townhouses, row houses, low and mid-rise apartments or condominiums, with a residential character along the streetscape featuring landscaping and trees, typically served by sidewalks and transit within 400-800 metres (a 5-10 minute walk). Small-scale commercial use on the ground floor that is compatible with the neighbourhood may be allowed where the building is located on a corner lot, along a transit route or adjacent to major amenities.

8. The **Multi-Unit Residential 2** designation on Schedule B consists of residential uses in multi-unit buildings, including low and mid-rise apartments or condominiums, with landscaping and trees. Small-scale commercial use on the ground floor that is compatible with the neighbourhood may be allowed where the building is located on a corner lot, along a transit route or adjacent to major amenities.

9. The **Uplands** designation on Schedule B consists primarily of residential, and accessory uses in a wide range of existing and infill ground-oriented buildings, including single detached, duplex, triplex, multi-plexes, laneway houses, accessory dwelling units, and secondary suites. Uplands is a unique neighbourhood planned in 1908 and guided by its own design guidelines. The overall objectives include retaining

the residential park-like setting, and street pattern, retaining sightlines and view corridors, preserving healthy tree canopies and encouraging native species.

10. The **Community Institutional** designation on Schedule B consists of public and private institutions, including recreation centres, education institutions, faith-based facilities, and government buildings. These facilities offer unique services and social opportunities. Some have important landscapes that contribute to the community's character or recreation opportunities. Residential use is allowed as a secondary use within this designation if the development includes non-market or affordable housing units. There are specific policies in this OCP related to the University of Victoria Institutional Lands.

11. The **Parks and Open Space** designation on Schedule B consists of public parks and open spaces that include natural areas, outdoor recreation amenities and trails. Parks contribute to the environmental and social health of the community.

12. The **Cedar Hill Corner** designation on Schedule B refers to the University of Victoria owned lands where a future walkable, mixed use neighbourhood is envisioned. This would bring together diverse types of housing with local shops, services, cultural and recreational amenities, university uses, as well as open space in a compact village form near a protected Mystic Vale natural area. This site is intended to consist of a range of uses, including institutional, commercial, park and open space, recreational, and residential in mid to high-rise buildings. The District will work to support the University of Victoria to develop a comprehensive master plan for this area that will detail a phased approach to development. There are specific policies in this OCP related to the Cedar Hill Corner Lands.

13. The **Special Study Area** designation identifies areas that require further study and planning before site specific land use changes will be considered. The intention of this designation is to better understand the impacts and opportunities associated with potential re-development of areas and to consider establishing a development framework for the area to inform future redevelopment. Once further review has been completed it is anticipated these areas may be re-designated to one of other land use designations.

CF2. An OCP may designate areas where temporary uses may be allowed, in which case they require a Temporary Use Permit. All designations within Oak Bay allow Temporary Use Permits. This gives Council the ability to permit uses not currently included as a land use on a temporary basis for up to 3 years. Temporary Use Permits require that the land or buildings be returned to the previous state when the permit expires (refer to Section 7 for further detail).

CF3. Use the built form, characteristics, and intended land uses in Table 5.1 to guide land use planning and management in Oak Bay.

OCP Designation	Built Form	Characteristics	Intended Use
Oak Bay Village	Height: up to 4 storeys (up to 6 storeys may be considered with appropriate amenities, affordable housing) Low-rise to mid-rise single-unit and multi-unit buildings	• Ground-oriented, commercial uses with entries and glazing oriented to the sidewalk • One to six storey facades along the street wall • Regularly spaced street trees • Wide attractive sidewalks on Oak Bay Avenue with benches and plazas • Off-street parking below grade or underground, at the rear, or otherwise screened	• Commercial including local and destination retail, services, entertainment and office • Residential uses allowed above ground floor • Live/work
Neighbourhood Village	Height: up to 4 storeys Low-rise single or multi-unit buildings	• Ground-oriented, small-scale commercial uses reinforce the sidewalk • One to four storey facades along the street wall • Varied landscaping, boulevards and street trees • Off-street parking for residents and business occupants mainly at the rear or side of buildings, underground parking is encouraged where possible	• Commercial including local retail, services and local serving office uses • Residential uses above ground floor • Live/work

OCP Designation	Built Form	Characteristics	Intended Use
Specialized Commercial	Height: up to 3 storeys Small to large floor-plate commercial buildings	• Large lots with on-site circulation, storage, parking and materials delivery and handling • Varied landscaping, with landscape screening for service areas	• Commercial including local and destination retail, services, recreation
Resort Hotel	Height: up to 7 storeys	• Designation to accommodate large hotels and resort-style accommodation	• Tourism, accommodation, hotel style condominiums
Residential	Height: up to 3 storeys Ground-oriented housing including single detached, duplexes, detached accessory dwellings, multi-plexes and townhouses up to 4 units total on a lot. Larger townhouse projects may be allowed through rezoning.	• A variety of lower density infill homes with front and rear yards • Houses oriented towards streets or lanes • Varied landscaping and trees • Off-street parking for building residents	• Infill Residential • Small-scale ground floor commercial may be considered on corner lots, near transit stop, or adjacent to major amenities (requires a re-zoning). • Larger/denser townhouse projects may be allowed on large sites and corner lots through re-zoning.

OCP Designation	Built Form	Characteristics	Intended Use
Townhouse Residential	Height: up to 3 storeys Low-rise townhouses, row houses, multiplexes (may exceed 4 units per lot)	• Townhouses and multiplexes with entrances facing the street. • Varied landscaping and trees, with large, landscaped setbacks in designated locations • Underground parking is encouraged where possible	• Townhouse residential • Infill residential • Small-scale ground floor commercial may be considered on corner lots, near a transit stop, or adjacent to amenities (requires a re-zoning). • Live/work
Multi-Unit Residential 1	Height: up to 4 storeys (up to 6 storeys may be considered with appropriate amenities, affordable housing) Low-rise to mid-rise single unit and multi-unit buildings	• Varied landscaping and trees, with large, landscaped setbacks in designated locations • Off-street parking for building residents and their guests underground, at the rear, or otherwise screened.	• Multi-unit Residential • Small-scale (neighbourhood compatible) commercial use at ground floor allowed in limited locations including corner lots or on transit route.
Multi-Unit Residential 2	Height limit: 12 storeys Low-rise to mid-rise multiunit residential buildings	• Varied landscaping and trees, with large, landscaped setbacks in designated locations • Off-street parking for building residents and their guests underground, at the rear, or otherwise screened.	• Multi-unit Residential • Small-scale commercial use may be allowed in limited locations including corner lots, on transit route.

OCP Designation	Built Form	Characteristics	Intended Use
Uplands	Stately and high quality architecturally unique residential buildings in a landscaped "park-like" setting Ground-oriented housing including single detached, duplexes, detached accessory dwellings, multi-plexes and townhouses up to 4 units total on a lot	• Gently curved streets, wide treed boulevards, near and distant views, some historic and heritage houses, and extensive landscaped areas. • New development to maintain and reinforce its historic landscape, subdivision layout and streetscape design; to ensure the sensitivity of new development to existing dwellings, the tree canopy, biodiversity and the Uplands design guidelines.	• Residential
Community Institutional	Height: up to 3 storeys (up to 6 storeys on Camosun College, UVic Institutional land and the former Oak Bay Lodge site located at 2251 Cadboro Bay Road)	• Variable spaces and buildings, including landmark buildings, that serve as local and regional destinations	• Government offices and services • Recreation, education, health, culture, faith-based and assembly uses • Multi-unit residential with affordable/ supported housing as a secondary use
Parks and Open Space	Institutional buildings of various heights Small buildings and structures that support park uses	• Natural and landscaped parks and open space with trails and recreation amenities	• Recreation

OCP Designation	Built Form	Characteristics	Intended Use
Cedar Hill Corner	Area to be comprehensively planned and designed There are specific policies in this OCP related to the Cedar Hill Corner Lands	• Characteristics will be developed through a master plan developed by Uvic in conjunction with Oak Bay to include: • Diverse mix of residential uses and densities • Environmental Protection of Mystic Vale • Commercial and recreational amenities • Affordable housing • Infrastructure analysis • Transportation Impact Analysis	• Multi-unit residential • Commercial • Institutional • Park/Open Space
Special Study Area	Larger sites and (multi lot) areas to be comprehensively planned and designed	The Special Study Area designation identifies sites that require further study and planning before site specific land use changes will be considered. The intention of this designation is to better understand the impacts and opportunities associated with potential re-development of sites and to consider establishing a development framework for the area to inform future re-development.	Once further review has been completed it is anticipated these sites are re-designated to the appropriate land use designations either by individual development applications or the District initiating an amendment to the OCP.
Temporary Use Permits	N/A	The District designates all areas of the District for the purpose of allowing Temporary Use Permits.	Temporary use permits are considered on a case-by-case basis to allow a variety of temporary uses for a specific time period (such as events, pop up stores/ restaurants, etc.) at the discretion of Council.

Figure 5.1 Land Use Framework Provisions

Home-based business, *also known in some communities as home occupation, is a business or occupation conducted for gain in a dwelling unit by the resident or residents. It involves the use of part of a dwelling or part of an accessory building for pursuits compatible with a domestic household and is typically subject to certain criteria such as: the use is clearly secondary to the use of the dwelling unit as a private residence; it does not change the external character of the dwelling unit as a private residence; it does not create or become a public nuisance with respect to noise, traffic or parking; there are no goods, wares or merchandise offered or exposed for sale.*

CF4. The District has identified one or more Special Study Areas on Schedule B. Special Study Areas are sites that because of their size, unique characteristics, importance to the community and/or potential impact if developed, have been identified by the District as requiring additional consideration and study prior to any land use change.

CF5. A comprehensive planning process may be required for proposals that change the land use and/or increase density on larger sites and multi lot areas in the District. The planning process for a large site redevelopment and re-zoning should include consideration of the following information and criteria:

- Transportation Impact Analysis
- Frontage improvements/road dedication for active transportation or green infrastructure
- Public access to the shoreline, preferably a continuous public walkway, where appropriate
- Protection and enhancement of the shoreline ecology or other sensitive ecosystems
- Protection of existing mature trees and meeting Tree Canopy Targets for replanting demonstrated through a Tree Management Plan
- Geotechnical study for sea level rise, tsunami risk and suitability of the ground for development
- Servicing study to understand how the site will be serviced including any necessary upgrades
- Integration of environmental considerations into the planning and design of buildings to advance community climate and ecological health goals
- Demonstration of a significant community benefit including community amenities and affordable housing contributions

CF6. Allow parks, public utilities, community services, paths/trails, open space, and urban agriculture in all Land Use Framework designations.

CF7. Consider variations to the provisions in the Land Use Framework, including height, built form and density, without requiring an OCP amendment, in circumstances including, but not limited to, the following

- to achieve heritage conservation objectives
- where significant community amenities are being provided
- where below-market or non-market housing units are provided

CF8. Use the following criteria in the consideration of potential community amenities for a project:

- Size, location and character of the proposed development, projected population increase, and potential impacts on community infrastructure
- Site characteristics including trees, natural features, heritage and recreation values and proximity to other sensitive ecosystems or natural areas for protection

- Affordable, rental or inclusive housing potential, need with respect to the project, and compatibility with the proposed development
- Needs of the surrounding community for trails, bike routes, community gathering spaces or other amenities

CF9. Consider the following as potential community amenities for projects requiring a rezoning:

- Rental, market or non-market affordable housing (subject to a Housing Agreement under S.483(5) of the *Local Government Act*
- Housing suitable for seniors and/ or those with physical or developmental disabilities
- Dedication of land or building space for a community institutional use such as a day care, community meeting space, arts or culture space, health service, community garden, or transit shelter
- Protection and/or enhancement of large trees or natural features
- Conservation and/or enhancement of heritage property
- Public art
- Sidewalk, trail, path, road or bike route improvements
- Provision of a trail or walkway
- Attractive paving, street trees and site furniture
- Public parking spaces

CF10. Consider applying amenity zoning and/or inclusionary zoning, per S.482.4 of the *Local Government Act*, whereby the land density, in the form of additional lots or dwelling units, may be increased relative to the affordable housing or community amenity provided.

CF11. Collaborate with Victoria and Saanich regarding land use planning along the west and north municipal boundaries, respectively, and collaborate with the CRD, University of Victoria, Camosun College, School District 61 and other public institutions on land use planning and its interrelationship with transportation and other regional matters.

5.2. Built Environment

How this chapter relates to the OCP Vision of Community Health & Resilience:

- Retaining our unique neighbourhood character
- Supporting social gathering
- Green and sustainable buildings
- Respecting our neighbours

Overview

Oak Bay is a unique and special place composed of locations and neighbourhoods with their own character and identity. Oak Bay Village, Estevan, Uplands, Willows Beach, and McNeill Bay are examples of identifiable places. One approach to retaining the character and identity of these neighbourhoods is based on respecting the context and a "sense of place". Sense of place is a key concept in planning sustainable and resilient communities. It recognizes the role that built form and landscape play in defining our experience in and relationship to an urban environment. This in turn contributes to the social, economic and environmental health of the community.

Sense of place *refers to those characteristics that make a place special or unique, as well as to those that foster a sense of authentic human attachment and belonging. Places that exhibit a strong sense of place have an identity and character recognized immediately by a visitor and valued deeply by residents.*

Retaining a sense of place does not mean resisting change. Oak Bay's buildings and structures, the "built environment" of the community, have changed considerably over time. Architecture evolves in response to community and residents' needs, market demands, the evolution of design and building technology, and economics. Oak Bay has the opportunity to respect and celebrate the many characteristics that make it unique, while integrating new building forms that meet the needs of existing and future residents.

Construction practices have evolved significantly to prioritize the sustainability and resilience of buildings and infrastructure. Today, it is standard to address energy efficiency, resource conservation, waste reduction, indoor environmental quality, and the broader impacts of development on natural systems. Oak Bay has recently adopted the BC Zero Carbon Step Code, which establishes higher performance standards for energy efficiency and greenhouse gas reduction in new buildings.

Municipalities can regulate the built environment through Development Permit Areas (DPAs) that include guidelines for development form and character in the OCP, and through the *Zoning Bylaw*. DPA design guidelines can be provided for all infill residential and multi-unit residential development and for commercial, mixed use, and industrial projects (see Section 8.3 Built Environment Development Permit Areas).

Engagement Insights

Participants in the OCP engagement process supported the protection of Oak Bay's existing neighbourhood character through more detailed residential design guidelines. Tree protection was also a very important topic for residents when considering new development.

Built Environment Objectives

The built environment objectives of the OCP are as follows:

1. Encourage all new development and redevelopment to respect and enhance Oak Bay's unique "sense of place" through sensitive and innovative responses to existing form, scale, and character, and to promote residents' health and well-being.
2. Foster and strengthen social interaction through the design of mixed use and multi-unit residential development that includes pedestrian-friendly design, complete streetscapes and comfortable public spaces to sit and gather.
3. Retain existing trees, other vegetation, natural features and topography where possible as a reflection of Oak Bay's character and for the environmental values.
4. Encourage the conservation and stewardship of streetscapes and neighbourhood character, including historic buildings and structures, their gardens and significant landscape features.
5. Encourage new development to include sustainable building technologies.

Built Environment Policies

The built environment policies of the OCP are as follows:

BE1. Support development and redevelopment that responds to and maintains the unique social, cultural and environmental characteristics of each neighbourhood.

BE2. Encourage the design of complete and active streets with new development projects to provide access to safe and convenient multi-modal transportation for residents of all ages and abilities.

BE3. Encourage the development and redevelopment of public gathering places such as plazas and landscaped seating areas near activity-generating uses and mixed-use developments.

BE4. Ensure accessible design principles are followed in public space and street design, where appropriate, with consideration to those with physical, sensory, or cognitive disabilities.

BE5. Support the conservation and rehabilitation of existing heritage and character buildings.

BE6. Encourage the design and construction of sustainable and environmentally responsible structures, buildings and infrastructure that reduce demand for services, create less waste, make efficient use of energy and resources, create healthier living environments, and minimize adverse impacts on natural systems and resources. This can be accomplished through methods such as the following:

- innovative systems for heating, cooling and hot water
- rainwater collection and infiltration systems
- longer lasting construction methods and materials
- deconstruction of buildings and recycling or repurposing of building materials where possible

BE7. Require all new construction to meet the highest emission levels of the BC Zero Carbon Step Code, as outlined in the Building and Plumbing Bylaw and its future amendments. This includes:

- mandating full electrification for space heating and domestic hot water equipment in all new residential and commercial buildings.
- integrating the Zero Carbon Step Code alongside the BC Energy Step Code to ensure both low operational emissions and high energy efficiency.
- working with the building and development community to ensure clear and consistent expectations for meeting high-performance energy standards.

BE8. Implement Mixed-Use and Multi-Unit Residential DPA guidelines, and amendments to other bylaws as appropriate, to:

- require light and noise mitigation to be incorporated into the design of new buildings along busy transportation corridors to prevent conflicts, discomfort and nuisance caused by traffic
- provide pedestrian friendly-design and high-quality open spaces
- minimize disturbance of existing trees, topographic features and landscaped areas that contribute character and quality to the streetscape in adherence with Oak Bay's Tree Protection Bylaw

BE9. Encourage the selection of lights for reduced energy consumption and dark sky considerations for all developments without compromising light levels required for pedestrian safety.

BE10. Encourage development near natural areas to consider BC FireSmart wildfire protection principles and management strategies.

BE11. Require larger development projects to place utilities such as hydro and telephone underground, and to repair or replace water and sewer lines as needed, in the vicinity of the project.

BE12. Given capacity limitations of the District's Fire Department first response, single egress stair (SES) designs in low- and mid-rise buildings, although included in the BC Building Code, cannot be protected as envisioned in the Code and therefore may not be supported in multi-unit residential development.

5.3. Housing

How this chapter relates to the OCP Vision of Community Health & Resilience:

- Housing options to reflect changing needs of community members
- Retaining neighbourhood character
- Attracting more people and more diversity
- Lowering average housing costs

Overview

The settlement that began in the 1850s is still reflected in Oak Bay. About 15 percent of all buildings in the District are over 100 years old and over 80 percent of buildings are more than 50 years old. The result is an extraordinary diversity of housing in existing neighbourhoods, with houses from multiple decades on most blocks. This contributes to the charm of Oak Bay's established neighbourhood.

Until the 1960s, Oak Bay's neighbourhoods were predominantly made up of compact detached houses on small to medium-sized lots. In the 1960s, large tracts of land began to be developed in the northern parts of the community, attracting an increasingly affluent demographic to larger houses spread out over larger lots. A significant boom in multi-unit apartment construction was also underway and continued through the 1970s and 1980s.

By the 1990s, most of the land in Oak Bay had been built out, and construction shifted to replacement of houses. Property values for single detached houses rose faster than in neighbouring municipalities. By the time the 1997 version of the OCP was written, Oak Bay had started to call itself a "single-family character" community despite the fact that almost a third of its residents were living in multi-unit buildings.

Engagement Insights

Participants in the 2025 OCP engagement process shared the need for more affordable and diverse housing options in Oak Bay, including rental units, co-ops, family-friendly units, senior friendly and accessible housing. There was also support for tenant protections and the need to retain existing housing stock. Overall, participants expressed a desire for new housing to fit in with the existing neighbourhood character.

Affordable and Inclusive Housing

Oak Bay has both a need for affordable and inclusive housing, and a legal obligation to provide effective policy guidance in the OCP to facilitate such development. If the District is to become a more sustainable and resilient community, Oak Bay has to do much more than it has in the past to provide a policy environment that responds to this challenge. Being demanding in terms of good design and construction will help to offset concerns about "cheap" housing, but design standards must be balanced with the overall cost of the end product.

Oak Bay has some affordable and inclusive (or special needs) housing, mostly in the form of multi-unit buildings, some of which are focused on the needs of older adults. Secondary suites also contribute to the affordable housing stock. However, the availability of safe, affordable and inclusive housing is low and trending lower. In Oak Bay, as in the CRD more broadly, affordability is a significant housing challenge. In 2021, 23.3% of households reported spending 30% of more of their income on shelter costs, including 45% of renter households and 16% of owner households.

*Oak Bay defines **affordable housing** as housing that costs no more than 30 percent of gross household income.*

***Inclusive housing** is defined as housing that supports the specific needs of seniors and/or those with developmental or physical disabilities.*

Oak Bay's Interim Housing Needs Report (2024) details the District's anticipated housing need over the next five and twenty years. The District needs to accommodate 1,215 total new units in the next five years and 3,761 new units over the next twenty years.

One of the significant gaps identified in the District's housing need is the limited options for senior residents who need to downsize, or access housing supports. There is currently a lack of more compact housing forms that would meet the needs of seniors wanting to downsize from their single-detached homes but stay in Oak Bay.

Students are also an important part of the community in Oak Bay. The Housing Needs Report (2020) found that postsecondary students are facing significant housing challenges in the region and local educational institutions, Camosun College and the University of Victoria, report difficulty attracting and retaining staff due to the lack of housing affordability and availability.

Meeting diverse housing needs in any community is a complex issue. Most urban communities in BC and elsewhere are faced with similar challenges. As property values continue to rise, it becomes ever more difficult to meet the housing needs of everyone who would like to live in a community.

Residential Neighbourhoods

Eighty percent (80%) of owner-occupied dwellings in Oak Bay are single-detached dwellings. Oak Bay's established neighbourhoods are highly valued by residents ('Residential' designation in Schedule B). The primary challenge in these neighbourhoods, as noted previously, is that an increasingly small segment of the population is able to afford to live there. There are options for diversifying housing in established neighbourhoods while retaining the qualities that make these locations so attractive.

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

In 2024, the District amended the *Zoning Bylaw* to allow for small-scale infill housing on most lots. Infill housing is ground-oriented housing typically built at a similar scale to single-detached and duplex housing, within existing neighbourhoods. There are a number of other options for creative infill housing. Oak Bay's wide range of lot sizes means that there may be the potential for subdivision of larger lots into multiple lots, while respecting the important role that these lots have in the character of the landscape and streetscape.

Since October 1, 2023 and September 30, 2025, 36 net new dwelling units have been granted occupancy by the District, the majority of which were secondary suites.

Secondary suites are also permitted in all residential zones that allow single-family homes. These suites help to fill a housing gap, while helping homeowners bear the high cost of owning a single detached home.

The laneways in Oak Bay are significantly different from those in other areas of the province. In many other jurisdictions, laneways have been designed and maintained in order to provide municipal emergency services on a controlled basis. In Oak Bay, laneways are not designed for fire engine or garbage truck access and many have become pathways and green spaces. The Fire Department does not currently have access for fire-fighting purposes from the existing laneways in the municipality based on the fire-fighting access requirements pursuant to the British Columbia Building Code. In addition, current water supply infrastructure does not address nor provide for fire hydrants in laneways.

Engagement Insights

Participants in the 2025 OCP engagement process expressed broad support for increasing the diversity of housing types in Oak Bay to better meet the needs of seniors, families, students, and people with varying incomes. Many supported options such as townhomes, multiplexes, and rental or co-op housing to expand affordability and choice, while others emphasized that new housing should fit the existing character and scale of neighbourhoods.

Townhouse Residential

As Oak Bay evolves, there is a growing need for housing options that provide more flexibility for households of different sizes, ages, and incomes while maintaining the established character of neighbourhoods. Townhouse areas (Townhouse Residential on Schedule B) offer a gentle increase in density through ground-oriented housing forms that support families, people looking to downsize, and those seeking entry-level ownership opportunities.

These areas serve as an important transition between higher-density multi-unit and mixed-use developments and traditional single-detached neighbourhoods, providing a more gradual change in scale and form. Thoughtful design will ensure new townhouse development contributes positively to the streetscape and neighbourhood character. Design guidelines emphasize high-quality architecture, articulated facades, individual front entries, and landscaping that complements the surrounding built form, helping to integrate new homes into Oak Bay's residential fabric.

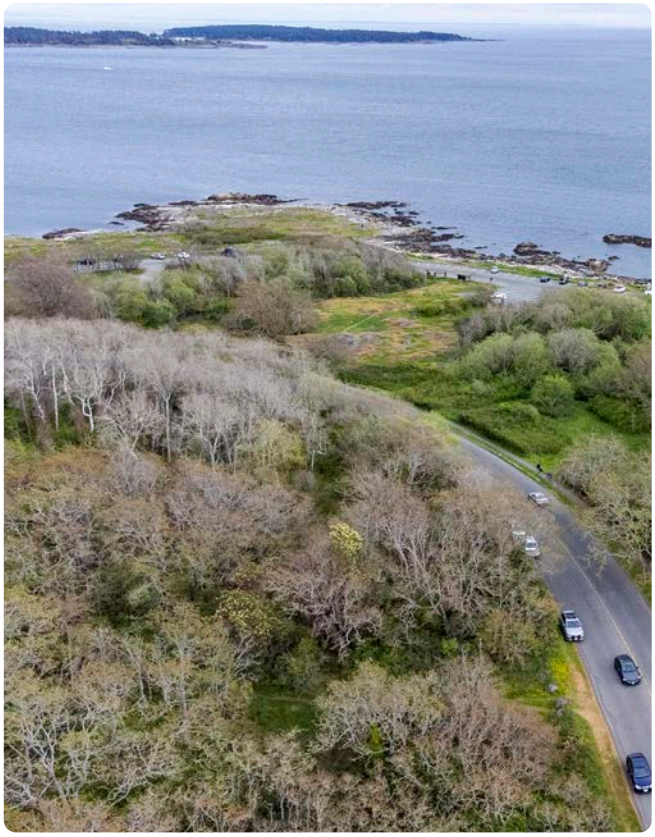
Multi-Unit Residential

Adding housing options in established neighbourhoods will only meet some of the changing demand. Many people, particularly the elderly, will be looking for other forms of housing such as apartments in multi-unit buildings where they have an opportunity to live on one level and conduct less property maintenance.

There are opportunities to increase the number of apartments and condominium units (Multi-Unit Residential 1 and Multi-Unit Residential 2 in Schedule B). As the villages and other commercial areas redevelop, buildings with residential units on the upper floors can enliven commercial areas and provide housing that is conveniently located near shops, transportation and amenities. Another key opportunity is that some of the multi-unit buildings constructed prior to the 1980s will be approaching the end of their lifespans. Redevelopment of these buildings may, in many cases, allow for expanding the number of units and meeting a broader array of housing needs.

Uplands

A distinct and important neighbourhood in Oak Bay is Uplands (Schedule B). Uplands was planned in 1907, by the Olmsted Brothers, America's leading landscape architecture and town planning firm of the day. It was developed as a residential park to maintain the natural beauty and picturesque setting of a unique suburban landscape. This was achieved through the careful siting of houses, all set against a framework of curving streets and large lots, to take full advantage of ocean and mountain views. A system of deed restrictions was introduced to maintain single-family land use and to establish minimum standards of value, height, and setbacks.



The special character of Uplands has been further protected by provincial statute and municipal bylaws, especially the *Oak Bay Special Powers Act* (1935). The intent of this Act is to protect the park-like design and development standards, and to sustain the environmental integrity of the neighbourhood. The trees in Uplands are an important contributor to Oak Bay's tree canopy and urban forest.

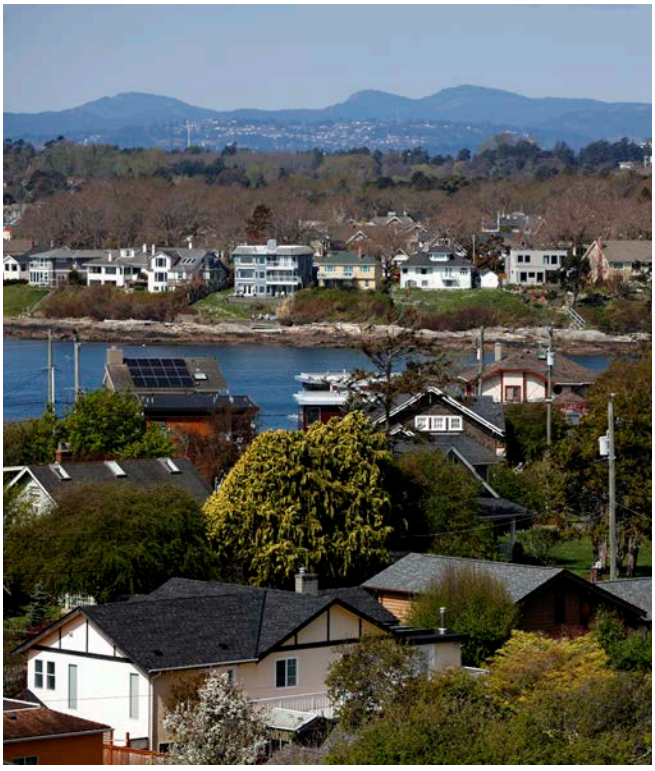
The Special Powers Act grants the District the authority to regulate many aspects of the neighbourhood that it is not allowed to regulate in other areas of the community (which are regulated by the *Local Government Act* and *Community Charter*).

The Uplands Design Guidelines recognize the unique historic and landscape character of the neighbourhood and remain in effect as a distinct framework separate from other design policies in Oak Bay. They emphasize preserving mature landscaping, generous setbacks, and architectural consistency to maintain the area's established garden character. Uplands will continue to be governed by its own area-specific standards to protect its heritage and form.

Housing Objectives

The housing objectives of the OCP are as follows:

1. Accommodate 20 years of housing need by increasing housing supply in strategic locations nearby shops, transit and amenities.
2. Encourage and support a greater diversity of housing forms and tenures that respond to needs of all community members as they change over time, including affordable and inclusive housing.
3. Develop new housing that integrates with the character of existing neighbourhoods and mitigates potential impacts such as tree loss, parking, traffic, noise, and effects on other properties.
4. Encourage and support the upgrading and retrofitting of older and heritage houses.
5. Support the development of supportive housing and community care facilities, preferably close to community services and public transit.
6. Support the increased supply of affordable non-market housing.
7. Support tenant protection and mitigate the effects of displacement on tenants from redevelopment.



Housing Policies

The housing policies of the OCP are as follows:

General Policies

H1. Facilitate a greater supply of housing units to meet current and future housing needs, as identified in the 2024 Interim Housing Needs Report:

- Provide a growth capacity for 1,215 additional dwelling units to meet the anticipated 5-year housing need (by 2029).
- Provide a growth capacity for 3,761 additional dwelling units to meet the anticipated 20-year housing need (by 2044).
- Update the housing needs assessment every 5 years in accordance with the *Local Government Act.*

H2. Update the District's development approvals processes, with the goal of streamlining procedures and improving departmental systems to support the timely and efficient delivery of new housing.

H3. Regularly review and update a Housing Needs Assessment for the District of Oak Bay to inform updates to the housing targets in this plan including both short- and long-term housing demand and to inform specific housing needs including rental, non-market, family and accessible housing.

H4. Encourage and support a range of housing types, forms and tenures throughout the community to meet the needs of diverse incomes, lifestyles, ages and abilities.

H5. Encourage all residential development and redevelopment projects to minimize disturbance of existing trees, topographic features and landscaped areas that contribute character and quality to the streetscape. Where these areas are disturbed, encourage the installation of new features and landscaped areas that contribute to the streetscape and are consistent with other well-developed landscapes in the neighbourhood.

H6. Prepare a Housing Strategy, identifying opportunities to encourage and support affordable and special needs housing for the community including but not limited to exploring the use of inclusionary zoning, density bonusing, and other tools to advance non-market housing options.

Affordable and Inclusive Housing

H7. Promote a coordinated approach to addressing housing issues and collaborate with other local and senior governments, Songhees Nation and Esquimalt Nation, community groups, non-profit organizations, faith-based groups, and the private sector to plan, secure funding, and provide affordable and inclusive housing.

H8. Support innovative approaches to creating affordable and inclusive housing including market rental housing agreements, co-housing, other forms of shared ownership, inclusion of affordable/special needs units in multi-unit developments, and mixed market and non-market projects.

H9. Encourage universal design within housing units, and for access to housing units internally and from the street, for units intended for persons with developmental or physical disabilities.

H10. Consider incentives to lower housing costs, such as permissive revitalization tax exemptions (under Section 226 of the *Community Charter*), where affordable or inclusive housing will be provided.

H11. Redevelopment of any building in Oak Bay with four or more purpose-built rental units should seek to replace, at minimum, rental units with the same number of total bedrooms as in the original development. Strata conversions are generally not supported when the vacancy rate as provided by Canada Mortgage and Housing Corporation for Greater Victoria is at 4 per cent or lower for a period of two consecutive years.

H12. Encourage the development of rental housing, including identified units within multi-unit housing, potentially in cooperation with the Capital Region Housing Corporation, as a means of providing affordable forms of housing, pursuant to Section 877 (2) of the *Local Government Act.*

H13. Revise development application procedures to request a statement from the applicant outlining what provisions have been made regarding notice and relocation assistance to existing tenants where a proposed development would result in the loss of rental affordable or inclusive housing and encourage some of the new units to accommodate these residents.

H14. Support the development and implementation of a Tenant Relocation and Protection Policy (TRPP) that provides clear, consistent, and equitable standards for assisting tenants affected by redevelopment, including non-market and co-operative housing.

H15. The creation or use of Accessory Dwelling Units (ADUs) as long-term, secondary rental is encouraged.

Adaptable Housing *refers to residential dwelling units that are designed to allow easy conversions or modifications that will ensure that the units are physically accessible to everyone and that occupants can age-in-place as their ability levels change. CMHC has guidebooks on this topic.*

Universal Design *involves designing products and spaces so that they can be used by the widest range of people possible. Universal Design evolved from Accessible Design, a design process that addresses the needs of people with disabilities. Universal Design goes further by recognizing that there is a wide spectrum of human abilities. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness, injury and old age. By designing for this human diversity, we can create things that will be easier for all people to use. Universal Design makes things safer, easier and more convenient for everyone.*

H16. Encourage affordable and/or inclusive housing projects to include some adaptable housing and consider a minimum requirement for accessible or adaptable units for all new multi-unit developments as part of a Housing Strategy.

H17. Encourage buildings with commercial space at street level in areas designated Mixed Use, with residential and/or commercial uses above.

H18. Consider applying amenity zoning and/or inclusionary zoning, per S.482.4 of the *Local Government Act,* whereby the land density, in the form of additional lots or dwelling units, may be increased relative to the affordable housing or community amenity provided.

Residential

H19. Support the development of different forms of infill housing in areas designated as Residential on Schedule B, including subdivision of larger lots, duplexes, triplexes, multiplexes, laneway houses, and garden suites.

H20. Rezoning of lots in the Residential designation may be supported in order to allow for (fee simple) subdivision subject to the following criteria being met:

- A s.219 covenant placed on title at the expense of the developer may be required to limit the proposed density to that allowed prior to subdivision;
- The subdivision results in new street-oriented development and;
- Generally consistent with the adjacent lot pattern.

H21. Rezoning of lots within the Residential designation may be supported to allow for the of townhouses, with a density greater than typically allowed, where the lot meets the following criteria:

- Lots over 1,000m2 or corner lots (at the intersection of two streets); and
- Lots fronting onto a BC transit bus route

Infill housing *is ground-oriented housing typically built at a similar scale to single-detached housing, within existing neighbourhood. This consists of duplexes, triplexes, laneway houses, and garden suites.*

There are various ways that the criteria and guidelines for infill housing can be implemented, e.g., as a separate set of guidelines, as requirements within the Zoning Bylaw, as the basis for new zones (in which case rezoning would not be required), or a combination of these.

H22. The creation of panhandle lots through subdivision or rezoning is discouraged.

H23. Continue to promote infill housing through implementation of the District's Housing Action Program and regular review to focus housing growth to support preservation of natural lands and prevent carbon intensive sprawl in the region.

H24. Maintain an Infill Residential Development Permit Area to regulate the form and character of infill housing to ensure that new infill housing fits into the character of neighbourhoods.

Multi Unit Residential

H25. Maintain a Multi Unit Residential Development Permit Area to regulate the form and character of multi unit residential development.

H26. Encourage the development of multi unit residential redevelopment projects on lands designated Multi-unit Residential 1 and Multi-unit Residential 2 on Schedule B.

H27. Allow commercial development on a portion of the ground floor of multi-unit residential projects in this designation to encourage small-scale, neighbourhood serving retail and services.

H28. Consider the use of density bonus pursuant to Section 482 of the *Local Government Act*, in exchange for affordable housing and community amenities.

H29. Encourage parking underground, below grade or under the building on larger projects with higher densities. For smaller projects where the parking is at grade, locate parking lots or parking garages behind buildings away from the primary street to the degree possible.

Townhouse Residential

H30. Apply the Multi Unit Residential Development Permit Area to regulate the form and character of townhouses.

H31. Encourage the development of townhouses, rowhouses, and multiplexes on lands designated Townhouse Residential on Schedule B.

H32. Encourage townhouses as a transition form of housing in locations that are between mixed use or multi-unit residential areas and lower density residential established neighbourhoods.

H33. Place parking underground, below grade or under the building on larger Townhouse projects with higher densities. For smaller projects where the parking is at grade, locate parking lots or parking garages behind buildings away from the primary street to the degree possible.

Uplands

H34. Maintain the large lot, park-like character of the Uplands neighbourhood with larger homes set amongst mature landscapes.

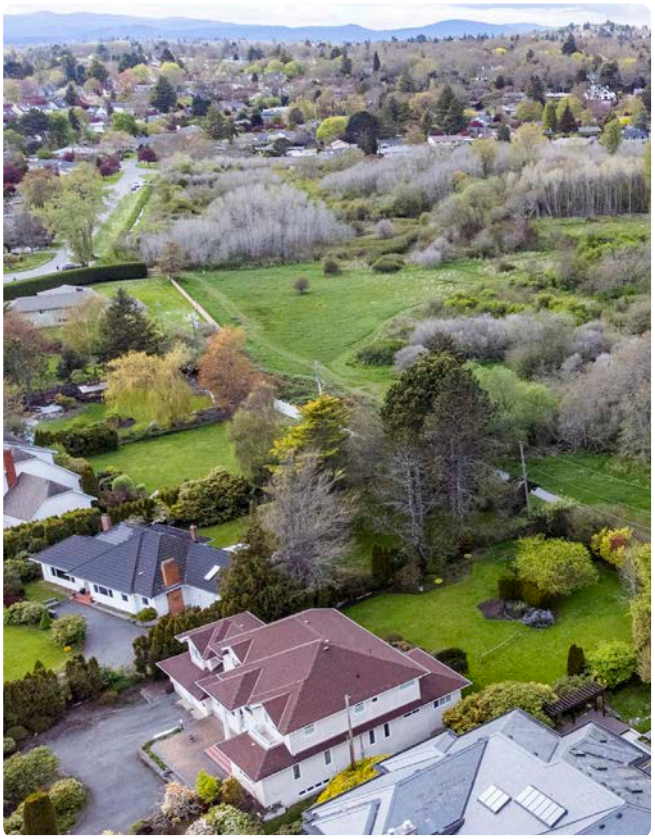
H35. Encourage the development of infill housing on lands designated Uplands on Schedule B.

H36. Apply the Uplands Siting Design Guidelines to regulate the form and character of development in Uplands.

H37. Use the following list to clarify and provide support to the Uplands Siting and Design Guidelines in order to ensure that new or renovated houses are consistent with the design intent of Uplands:

- Respect and abide by the combination of sensitive siting, design and use of materials that creates a sense of harmony and neighbourliness in Uplands. This includes individual design solutions; significant landscaped areas between home, neighbour and street; and outdoor spaces with their own design and character
- Use high quality materials that have a sense of timelessness, substantial structural qualities, an authentic appearance, qualities of workmanship or craft, and qualities of appropriateness or compatibility
- Provide adequate vehicular circulation and parking areas on site screened from the street with landscape, walls and other enclosures, using narrow landscaped driveways, with parking structures sensitively sited, visually unobtrusive and complementary with the architecture of the house
- Site new development as much as possible within the existing development footprint, with front yard setbacks consistent with other houses on the street, retaining as many mature trees and existing vegetation as possible, respecting adjacent private outdoor use areas, with massing comparable in scale and massing with other buildings on the street and partially screened from direct view from the street
- Design the landscape to reflect the character of the neighbourhood including Garry oaks and other large trees, enclosure of outdoor spaces with plants, screening, and layering of plants and features
- Design the space leading to the main entrance of the house as a special landscaped space providing a transition from street to home

H38. Support Building Strata Conversions within infill residential lots, particularly where retention of an original primary residence or heritage registered home is included.



Cedar Hill Corner Comprehensive Planning Site

The University's Real Estate Strategy 2023 envisions a campus that plays a stronger role in meeting regional housing needs. The Strategy identifies university lands to support housing delivery, reduce emissions and car dependency, and enhance the livability and resiliency of the campus. This includes building housing, providing local services to meet daily needs and protecting natural areas like Mystic Vale.

Cedar Hill Corner has been identified as a comprehensive planning site. . Comprehensive planning sites identify and provide direction for lands where additional planning and site design will be needed to support future development applications.

The site at Cedar Hill Corner is owned by the University of Victoria (UVic) and is envisioned as a vibrant, walkable mixed-use neighbourhood that brings together diverse types of housing, including potential for rental, non-market and seniors housing, local shops, services, amenities and university uses as well as open space in a compact village form near a protected Mystic Vale natural area. Leveraging its proximity to UVic, and its significant capacity for meeting community housing needs, the site will evolve into a complete, transit-oriented centre that serves Oak Bay and the broader region.
The following policies are intended to guide future development and support both university and community needs.

H39. Site Master Plan

- The site will be developed through a phased development approach that requires a master plan to be developed by UVic in collaboration with the District and will include public consultation prior to any development

H40. Land Use

- Support the creation of a new mixed-use centre that provides multi-unit housing, hotel, local shops and services in a high quality walkable and animated public realm
- Support the inclusion of community and university uses including childcare, non-market housing, seniors housing, health and wellness services, research, teaching and office space that serve both the campus and the broader community
- Drive through services and auto centric development will not be supported

H41. Site, Building, and Landscape Design

The Cedar Hill Corner Master Plan should include the following site, building and landscape design elements:

- The built form will be predominantly mid-rise buildings (up to 6 storeys) with support for high rise buildings (up to 28 storeys) where additional community benefits and sustainable design can be demonstrated and potential impacts addressed through the master planning process
- Identify an appropriate transition of use and scale to adjacent areas
- Building entrances, patios, sidewalks and landscaping will create a welcoming pedestrian environment and built forms that contribute to a high-quality public realm
- Use site design to activate edge and corner conditions, including setbacks, lot patterns, building siting, and landscaping Identify the location of publicly accessible open space and plazas
- Identify opportunities to create a sense of place
- Explore opportunities for comprehensive energy planning and include features and strategies to reduce greenhouse gas emissions
- Preserve and enhance existing natural areas, including trees and watersheds through site-sensitive planning and on-site stormwater management

- Improve connectivity to natural area pathways and the broader university trail system

H42. Mobility

- Integrate transit infrastructure, including the potential for a new route serving the site and university campus
- Encourage car-free and car-lite living with implementation of Transportation Demand Management measures including active transportation infrastructure, bike storage, car-share spaces and parking maximums and subsidized transit passes
- Ensure as part of any future master plan that a Transportation Impact Assessment is undertaken to fully understand the impacts of new development on the local transportation network
- Identify phasing for future development, including how parking areas and parking demand and supply may change over each phase
- Provide a minimum of Level 2 electric vehicle charging that can serve residents as well as visitors to the site and include charging opportunities for electric bicycles and other electric micro mobilities

H43. Infrastructure

- Identify utility connections and consider how new development will be adequately serviced through any necessary extensions and/or upgrades to the sanitary and water systems
- Encourage low-impact, nature-based designs for stormwater management

Brett Ryan Studios

5.4. Commercial and Mixed Use

How this chapter relates to the OCP Vision of Community Health & Resilience:

- Expanding business opportunities
- Increasing the vitality of commercial areas
- Bringing more people closer to shopping and services
- Attracting more tourists

Overview

Business and commerce in Oak Bay is vibrant and varied. The District licenses approximately 600 businesses annually in sectors including retail, services, restaurant, entertainment, tourism, arts, education, and home-based occupations. There are also new types of businesses that target emerging demographics and needs, such as the film industry.

Commercial and Mixed-Use Areas

Many residents value the easy access to Oak Bay's local shopping and eating establishments that are integrated within Oak Bay's neighbourhood villages (refer to Schedule B). Residents can obtain many goods and services within the boundaries of Oak Bay. This strengthens the social and economic vibrancy of the community and provides residents the enjoyment and convenience of shopping and obtaining services close to home in attractive outdoor settings. The economic viability of the District is valued as a component of community sustainability.

Oak Bay's primary commercial centre, known as "the Avenue", "the Village", or "Oak Bay Village", is located along Oak Bay Avenue between Foul Bay Road and Monterey Avenue. The Village offers a classic "Main Street" experience and it is a destination for tourists and residents throughout the region because of its combination of walkability, charm, arts, local food and shops.

Neighbourhood Villages are secondary commercial areas that offer limited commercial uses and amenities and that are oriented to be walkable for the immediate neighbourhood. "Estevan Village" on Estevan Avenue around Musgrave Street is the largest of these Neighbourhood Villages, with smaller areas located on Foul Bay Road at Neil Street and on Central Avenue at St. Patrick Street. These villages are service- oriented and meet local needs. A new neighbourhood village at Henderson and Cedar Hill Cross Road will benefit the neighbourhood that does not currently have any commercial amenities within walking distance. This area is accessible to transit and future businesses will have the benefit of being located close to the University of Victoria.

The villages and commercial areas described above include primarily local, unique, and neighbourly businesses offering a variety of shops and boutiques, art galleries, restaurants, and entertainment. Residents indicated that they like having access to businesses within a short walk. Schedule B illustrates locations that are a five-minute walk (400 metres) from a commercial property.

Despite the vibrant commercial centres, there are challenges related to business in Oak Bay. The relatively small amount of commercial land restricts the District's tax base to primarily residential properties. Previous applications to expand commercial uses have been denied due to neighbourhood concerns such as traffic, parking, noise, and neighbourhood character. Changing patterns of consumerism such as online shopping are also a potential threat.

There are opportunities to further strengthen the business sector. Such opportunities may include encouraging commercial expansion to strengthen and enhance the character of the villages, and to provide commercial uses close to more residents. Shopping "experiences" that offer social and healthy living benefits may become increasingly unique, which will contribute to Oak Bay's value as a tourist destination. Improving the urban design of Oak Bay's villages is one tool for making these destinations more appealing to a wider market.

Specialized Commercial Areas and Tourism

Other commercial areas in Oak Bay are based on specialized uses. For example, the Oak Bay Beach Hotel, Oak Bay Marina, golf courses and historic Oak Bay Guest House provide distinct recreation and accommodation options for residents and visitors to the District. Most of these businesses have a strong tourism component. The Oak Bay Beach Hotel contains the David Foster Foundation Theatre. Tourism is an important business sector in Oak Bay. Oak Bay Tourism is an active group, funded by hotel taxes. The group aims to increase visitors' ability to experience the destination as a whole, with a diverse choice of activities and opportunities to immerse in local life. Oak Bay Tourism notes that tourism development in the community can be beneficial to residents, beyond economic benefits, by providing high quality experiences and services that might not otherwise be available.

Home-based Businesses

There are many home-based businesses in Oak Bay. There are opportunities to provide more flexibility for home-based businesses in the *Zoning Bylaw.* This would help to enhance Oak Bay's business sector and allow some residents more flexibility in their lifestyles and more opportunities to generate income to support high property costs.

Commercial and Mixed Use Objectives

The Commercial and Mixed Use objectives of the OCP are as follows:

1. Support a modest expansion of commercial and mixed commercial/residential uses within Oak Bay while addressing concerns such as tree protection, parking, traffic, noise, effects on other properties, and neighbourhood character.
2. Plan and design commercial centres to attract and meet the needs of local shoppers and clientele, and visitors to Oak Bay.
3. Enhance the physical environment of local shopping areas with a focus on providing adequate and safe space for pedestrians and other non-vehicular modes.
4. Encourage building designs that support activity and interest at street level within the villages. Support mixed-use buildings that include commercial and residential uses.
5. Encourage and support home-based businesses that are respectful of other residents and neighbourhoods

Commercial and Mixed-Use Policies

The Commercial and Mixed-Use policies of the OCP are as follows:

General Policies

MUC1. Maintain a Commercial and Mixed-Use Development Permit Area to regulate the form and character of development and to ensure it fits into existing commercial and mixed use areas.

MUC2. Consider limited expansions of existing commercial uses and new commercial uses within the commercial designations on Schedule B.

MUC3. Develop strategies that encourage and support small and locally owned businesses to establish and thrive.

MUC4. Consider updating policies and practices related to parking requirements for businesses, or cash in lieu.

MUC5. Consider the use of density bonus pursuant to Section 482 of the *Local Government Act*, in exchange for community amenities.

Mixed Use Areas

MUC6. Consider new mixed use buildings adjacent to or on corners facing existing commercial or mixed use buildings, in areas near existing villages, and along arterial and collector roads where appropriate.

MUC7. Support enhancement of existing commercial areas within Oak Bay, e.g., more seats for cafes, provided that impacts on neighbourhoods and streetscapes are addressed.

MUC8. Encourage increases in the number of housing units, potentially through smaller units, in mixed use redevelopment projects that are replacing existing Multi Unit Residential or Mixed Use projects.

MUC9. Prepare a Village Area Plan for Oak Bay's villages that establishes consistent urban design and street standards to assist in building the villages' identity and sense of place. In the urban design plan, consider paving, lighting, parking areas, landscaping, street furniture, public art and gateway features.

MUC10. Place parking underground or below grade on larger projects with higher densities, and on projects within Oak Bay Village. For smaller projects where the parking is at grade, locate parking lots or parking garages behind buildings away from the primary street to the degree possible.

Specialized Commercial Areas and Tourism

MUC11. Support Oak Bay Tourism in the marketing of Oak Bay as a tourist destination, with options including a kiosk in the Village, a community-wide digital application and a museum.

MUC12. Encourage accommodation properties with less than six rooms to voluntarily join Oak Bay Tourism and contribute to the destination marketing fee, even though they are not required to do so through the hotel tax.

Home-based Businesses

MUC13. Review the *Zoning Bylaw* in relation to home-based businesses to expand opportunities while respecting the interests of neighbours, considering the following options:

- Review restrictions related to the type of business, placing more focus on the number of clients/customers
- Allow bed and breakfasts up to a maximum size where off-street parking is provided for guests
- Consider urban agriculture as a home-based business

5.5. Community Institutional and Social Well-Being

How this chapter relates to the OCP Vision of Community Health & Resilience:

- Serving the needs of all community members
- Supporting cultural enrichment and education
- Taking care of health
- Attracting residents and tourists

Overview

Oak Bay's desirability as a place to live is based partly on its social and cultural fabric. The community has a wealth of leaders, volunteers, programs, and services in arts and culture, education, health and other social services. Oak Bay also has a rich heritage expressed in its buildings and landscapes. These initiatives and legacy that support community and social well-being are a major component of Oak Bay's sustainability as a community.

Community Institutional properties, which may be in public or private ownership, often have high community value, some for the social opportunities they provide and many for the character of the buildings and landscapes on the grounds.

Oak Bay collaborates with the CRD, the Greater Victoria Public Library and other regional authorities and organizations on services related to arts and culture, library, and other social services. There is also effective engagement with other organizations such as School District 61, the University of Victoria and Island Health.

A diverse range of volunteer groups contributes to enhancing livability. Over 20 community groups are active in Oak Bay. These groups offer support and advice to District decision- makers, they provide direct services, and they host multiple events. The Oak Bay Volunteer Services Society (OBVSS) provides one-on-one assistance to all members of the community.

Arts and Culture

There is a dynamic and diverse arts and culture scene flourishing in Oak Bay. This includes many artists, musicians, dancers, poets, playwrights and novelists who reside in Oak Bay, and the many cultural institutions such as the District's facilities, the David Foster Theatre, Oak Bay High School theatre, church halls, the Canadian College of Performing Arts, and the University of Victoria.

Many arts, culture and literacy programs are offered at Oak Bay's public facilities. In addition to programs at the Oak Bay Recreation Centre, there are popular programs at the library and Monterey Centre. Windsor Pavilion is also an important venue, used for meetings of arts and culture groups, as well as sports-related groups.

Oak Bay's arts and culture organizations and venues host a vibrant arts and culture scene. Many artists open their studios each year for the Oak Bay Artists Studio Tour and display their works during the annual Bowker Creek Brush Up.

The Oak Bay Branch Library, co-located with the Monterey Centre, in the Village, is operated by the Greater Victoria Public Library system. The complex was built in 1971, and library space was expanded and renovated to include the heritage Tonkin House in 1999. The branch offers print and digital collections, public computers, and a wide array of programming for all ages, from family story times to one-on-one computer and e-book help. A very popular destination offering social, cultural and educational benefits to all community members, the library's use stretches the capacity of the space.

Education

Oak Bay's broad array of public and independent schools offer a wide range of classes, programs and services from preschool through to advanced education at the University of Victoria, one of Canada's top universities. The larger educational buildings include the University of Victoria, Camosun College (the buildings are outside Oak Bay though the property extends into the District), Oak Bay High School, Monterey Middle School and Willows Elementary.

The University of Victoria (UVic) is located with about half of its campus in Oak Bay, and the remainder in Saanich. This regional facility with over 22,000 students and approximately 5,000 staff is one of the major employers on Vancouver Island and provides a vital employment anchor for current and future District residents. Many UVic students seek accommodation in Oak Bay; they live in shared rental houses, secondary suites and likely a small number live in apartments. To help address this housing need, the university's goal is to evolve the campus into a complete community.

Camosun College's Lansdowne campus is located on the border with Saanich, with a portion of its parking lot extending into the District. Camosun College serves approximately 14,000 learners every year at their two campuses (Interurban and Lansdowne), which includes students in academic, applied degree, trades, and continuing education programs. Building on its 2019 Master Plan, the college is currently undertaking the development of a housing project on the Lansdowne campus, with construction anticipated to start in spring 2026 and the building expected to open by fall 2027.

The six-storey, timber-frame building will provide over 400 affordable student beds and include commercial spaces like a coffee shop and retail store, along with amenities for programming and wellness, aiming to build a more vibrant on-campus community and alleviate local housing pressure.

Oak Bay High School serves 1,400 local and regional students, and 150 international students. In 2014, the school undertook a major redevelopment and expansion. This included Neighbourhood Learning Centre to host a day care and community programs for teens and others. The high school development also included a performing arts theatre.

Public school sites, like parks, can serve as social and recreation hubs for neighbourhoods, especially at the elementary school level. Due to a decline in the school age population, Uplands Elementary School was closed several years ago and is being used as offices for the Victoria International High School Program which is run by School District 61. According to residents, the school closure has had a significant effect on the neighbourhood; the local gathering place is gone, and there are fewer families living and fewer people walking in the neighbourhood. School District 61 also converted Monterey Elementary from a neighbourhood elementary school to a middle school.

Willows Elementary is the last remaining public elementary school in the District. Most of the schools have catchments that extend beyond District boundaries. Likewise, some Oak Bay students attend schools in other jurisdictions. The cross-municipal attendance has increased for Oak Bay students as a result of the elementary school closures.

Oak Bay is home to various independent schools, such as the Glenlyon Norfolk Junior School and Saint Michaels University Junior School. There are also a number of thriving pre-schools.

The Greater Victoria Public Library, Oak Bay Branch, offers free learning and training opportunities tailored to the community's interests.

Health Care

The former Oak Bay Lodge at 2251 Cadboro Bay Road, which was owned and operated by Island Health, provided health care and a variety of programs and services for older adults with chronic and complex conditions, including dementia. These services were moved out of Oak Bay in 2020, the former building was demolished, and the vacant site is now owned by the Capital Regional Hospital District (CRHD). The CRHD and Island Health are exploring options to return health care and long-term care services to the site.

Greater Victoria, including Oak Bay, is served by two full service acute care facilities, the Royal Jubilee Hospital and the Victoria General Hospital that specialize in seniors and children's care. Other health care services also exist in Oak Bay and just outside the municipal boundary near Royal Jubilee Hospital, including family physicians and other health and wellness clinics.

Many of the diverse programs offered at the recreation and community centres, described in Section 5.6 Parks and Recreation, are also related to health and fitness.

Faith-based Institutions

There are a number of churches in Oak Bay. Churches in the community have played an integral role in Oak Bay's history, providing most of the social infrastructure and support for the first 50 years or so, and continuing to provide such services today. They host many community events enjoyed by the broader public such as Easter Egg hunts, and churches provide community amenities such as meeting halls for other community groups, day cares, and more.

Some of the churches are facing declining memberships and are seeking alternative options for the land or space. Some of these institutions have built multi-unit residential developments on their properties. There could be more proposals for similar developments in the future.

Festivals and Events

Oak Bay is known for its excellent community spirit, demonstrated by high participation in numerous festivals and special events. These include uniquely Oak Bay events such as the annual Oak Bay Tea Party, a large community fair at Willows Park; the Christmas Light-up event throughout November and December; the Village Night Market, held monthly during the summer on Oak Bay Avenue; the Oak Bay Half Marathon, which takes place in May; the annual Arts Alive public art program featuring outdoor sculptures and painted pianos; and the Bowker Creek Brush-Up, an event in August where local artists paint along the creek banks. Neighbourhood enthusiasm and cohesiveness are also expressed through various community activities like block parties and the Mayor's welcome activities for new residents.

Gloria Black

Community Institutional and Social Well-Being Objectives

The community and social well-being objectives of the OCP are as follows:

1. Meet the social and cultural needs of all members of the community throughout their lives.
2. Enhance and expand public community institutional facilities where practical, including education, library, and health care facilities.
3. Encourage community institutional facilities to provide spaces that can be made available for use by the community.
4. Support the expansion and vitality of arts and culture in the community.
5. Reach out to persons with physical and developmental disabilities and provide support services and opportunities for community inclusion.
6. Engage and build stronger relationships with local and regional partners, Songhees Nation and Esquimalt Nation, education institutions, and other significant organizations.
7. Support the planning and location of festivals, events and street closures in the District, while taking care to minimize impacts on residents and businesses.
8. Enhance public education opportunities that relate to arts and culture, nature interpretation, Songhees Nation and Esquimalt Nation and heritage.
9. Reinforce Oak Bay's unique community identity by strengthening policies on heritage per the Oak Bay Heritage Plan.

Community Institutional and Social Well-Being Policies

The Community Institutional and Social Well-Being policies of the OCP are as follows:

General Policies

CIS1. Work collaboratively with local and regional partners, education institutions, Songhees Nation and Esquimalt Nation, and other significant organizations to identify and address emerging issues related to community and social well-being, and on the planning of new, improved and expanded community institutional facilities in Oak Bay. Such organizations include, but are not limited to: Capital Regional District and member municipalities, School District 61, University of Victoria, Camosun College, Greater Victoria Public Library, Island Health, Songhees Nation and Esquimalt Nation, local service clubs, non-profit organizations, faith-based institutions, and provincial and federal agencies.

CIS2. Encourage community institutional facilities to provide opportunities for community use of their properties for walking at a minimum, and recreation uses where possible.

CIS3. Work with School District 61 to explore opportunities to deliver community amenities (e.g., childcare, housing) within school facilities, and to plan for new school formats.

CIS4. Consider Multi Unit Residential developments on institutional properties where affordable or non-market housing is provided.

CIS5. Work with government and community organizations to provide a full spectrum of services to meet peoples' needs throughout their lives, such as the following:

- Local and regional health and wellness services, including residential, complex and dementia care services
- Public library services
- Faith-based and spiritual services
- Arts and culture
- Opportunities for lifelong learning and skills training
- Opportunities for seniors and youth
- Early childhood education
- Opportunities to volunteer and provide community service

CIS6. Support the provision of opportunities for persons with physical and developmental disabilities, mostly through community organizations, including, but not limited to, the following:

- Reaching out to this population and working with them to identify their interests and needs
- Providing economic opportunities, including direct and supported employment within the community in the public and private sectors
- Providing education opportunities, including integration initiatives in K-12, design and participation in advanced education programs at UVic and Camosun, and specialized programming through Oak Bay Recreation
- Supporting meaningful participation within volunteer organizations to facilitate community engagement
- Promoting and encouraging awareness, accommodation and support initiatives within the community
- Encouraging flexibility and diversity in housing and transportation / public realm design that address some of the challenges faced by this subset of the population, as noted elsewhere in this plan

CIS7. Promote a culture of volunteerism and neighbourliness and recognize the important contributions of volunteers.

CIS8. Support groups in acquiring grants or other types of funding from outside sources.

CIS9. Encourage effective community engagement in District processes by providing information and opportunities for those affected by a decision to participate in a meaningful way.

CIS10. Permit childcare uses more broadly within all appropriate zones and support flexible options for childcare such as in-home childcare centres, and group childcare facilities.

Arts and Culture

CIS11. Support improvements of programs, services, groups and facilities that achieve the arts and culture vision objectives.

CIS12. Work with regional partners on an arts and culture strategy for the region.

CIS13. Develop partnerships to market Oak Bay as a creative community that attracts visitors, businesses, and new residents, and to increase participation in arts and culture.

CIS14. Support artists, organizations and community partners through arts and culture planning and activities.

CIS15. Pursue shared arts and culture opportunities with Songhees Nation and Esquimalt Nation.

CIS16. Prepare and adopt a public art policy and consider undertaking the following tasks related to public art:

- Encourage the inclusion of public art in larger development projects, potentially as a community amenity per Section 5.1 Land Use.
- Encourage temporary public art through public events such as displays, exhibits and shows throughout the community, e.g., weekly street market in the summer promoting local artists.

CIS17. Support the continued presence of the Canadian College of Performing Arts within Oak Bay.

Education

Knowledge Centre – University of Victoria

The university's campus is a critical institution that will continue to evolve and adapt in response to changing academic needs, population growth and regional priorities. A well-planned and accessible campus benefits both the university and surrounding communities. Continued collaboration between the District and the university and other regional partners will be essential to respond to evolving regional priorities such as housing and climate action, to ensure that the university remains a place of opportunity, learning and knowledge that will continue to benefit the community for generations to come.

CIS18. Work with the University of Victoria to explore how the District can support the university in implementing its future campus development plans and support both university and community needs, by considering the following:

- Enable a mix of compatible land uses associated with a university including academic and research spaces, student and employee housing, childcare, sport and recreation, health services, retail, restaurant and food services, utilities, open space and cultural amenities.
- As a major institutional landowner and regional employer, the university is expected to grow to support academic, research and housing needs enabling efficient land use while maintaining a balance between built form, open space and natural features.
- Enable the development of mid-rise buildings on campus, up to six-storeys in height, to accommodate institutional growth while minimizing land consumption, maintaining a walkable human-scale built environment.
- Enhance key open spaces and natural features including tree canopy and seek opportunities to improve creek and watershed health i.e., Bowker Creek and Hobbs Creek watersheds.
- Consider increased building heights above six storeys at strategic locations, such as major campus gateways or near Ring Road, where additional height/floor area can help meet long-term needs while protecting sensitive ecological areas and reinforcing a compact campus form.
- Encourage active transportation, enhanced transit access and Transportation Demand Management (TDM) measures as primary strategies for improving campus mobility and reducing reliance on private vehicles.
- Manage parking and develop parking maximums for new campus development to align with the District's and UVic's climate action goals, support more sustainable travel behaviour and encourage efficient use of land and infrastructure.
- Remove minimum parking requirements for on-campus student housing to reflect low vehicle ownership rates among students, reduce costs and land consumption and support affordable, transit-oriented development.
- Continue to enhance electric vehicle charging infrastructure throughout the campus in support of climate action goals.

CIS19. Partner with School District 61, post-secondary institutions, independent schools, preschools, and the Greater Victoria Public Library to expand community education opportunities.

CIS20. Collaborate with education institutions and community groups to provide more public education opportunities that relate to arts and culture, nature interpretation, First Nations cultures, and heritage.

Health Care

CIS21. Encourage the development of a range of seniors' living facilities, from independent living to extended care, within the community.

CIS22. Work with Capital Regional Hospital District and other agencies on the future of Oak Bay Lodge to plan a facility at that location to serve community health care needs.

Festivals and Events

CIS23. Consider dispersing the distribution of festivals, events and street closures within the District to a greater degree.

5.6. Parks and Recreation

How this chapter relates to the OCP Vision of Community Health & Resilience:

- Enhancing the condition of ecosystems in parks
- Providing opportunities for healthy, active lifestyles
- Increasing social connections and sense of belonging
- Attracting residents and tourists

Overview

Parks and recreation are vital components of life in Oak Bay, and a source of pride and inspiration for residents. The community has outdoor and indoor spaces and facilities that offer a broad array of recreation opportunities to residents and visitors of all ages, interests, and abilities. The spaces and facilities include the District's parkland, trails and paths, and recreation centres. Complementing these are public and private amenities such as the Victoria, Uplands and Henderson Golf Courses, Oak Bay Marina and Royal Victoria Yacht Club.

There are important connections between information in this section and Community and Social Well Being, which includes art, culture, heritage and education (see Section 5.5 Community Institutional and Social Well-Being). Parks and recreation amenities often serve as venues for arts and culture as well as sports and fitness programs.

In addition to serving its residents, Oak Bay is a destination for tourists and visitors from throughout the region. The natural environment, especially the ocean shoreline, is a particular draw. People are also attracted to Oak Bay Village, the multiple festivals and events, the characteristic streetscapes, and the Oak Bay recreation facilities. Oak Bay Tourism follows the principle that "tourists love what residents love", noting that more linked trails and information are key interests of tourists.

Parks and Outdoor Recreation

Parks have a strong inter-relationship with community sustainability. Most of Oak Bay's important habitats are located within parks, and environmental protection and enhancement is a key component of park management. Natural features such as shorelines, creeks, forests and Garry oak uplands are cherished by the community, and they require careful planning and management to allow human access while protecting the environmental values. Parks staff are responsible for managing trees on public land and the urban forest that support efforts to mitigate the impacts of climate change and enhance the livability of Oak Bay.

The District is home to 32 municipal parks, which are grouped into five types (Figure 5.2):

- Natural Parks, such as Uplands and Anderson Hill
- Multi-sports Parks, such as Carnarvon, Henderson and Windsor
- Neighbourhood Parks, such as Nottingham, Lafayette and Quimper
- Special Use green spaces, such as Bowker Creek Walkway and Native Plant Garden
- Boulevard/Ocean Parks, such as Willows, Haynes and Loon Bay

The total amount of parkland in Oak Bay is over 76 hectares (188 acres).

This equates to about 3.9 hectares (9.7 acres) of parkland per 1,000 population. Parks, open spaces, recreation, and golf courses comprise the second largest land use in the District, at 18% of the land area, after single detached residential. Publicly accessible green space is also available within the District on properties managed by institutions such as School District 61 and next to the District in the neighbouring jurisdictions of Saanich and Victoria.

Other opportunities related to parks include urban agriculture, management of invasive species in natural parks, and dog management. There is significant interest in urban agriculture in Oak Bay, partly as a component of food security, but less enthusiasm for community gardens taking up park space.

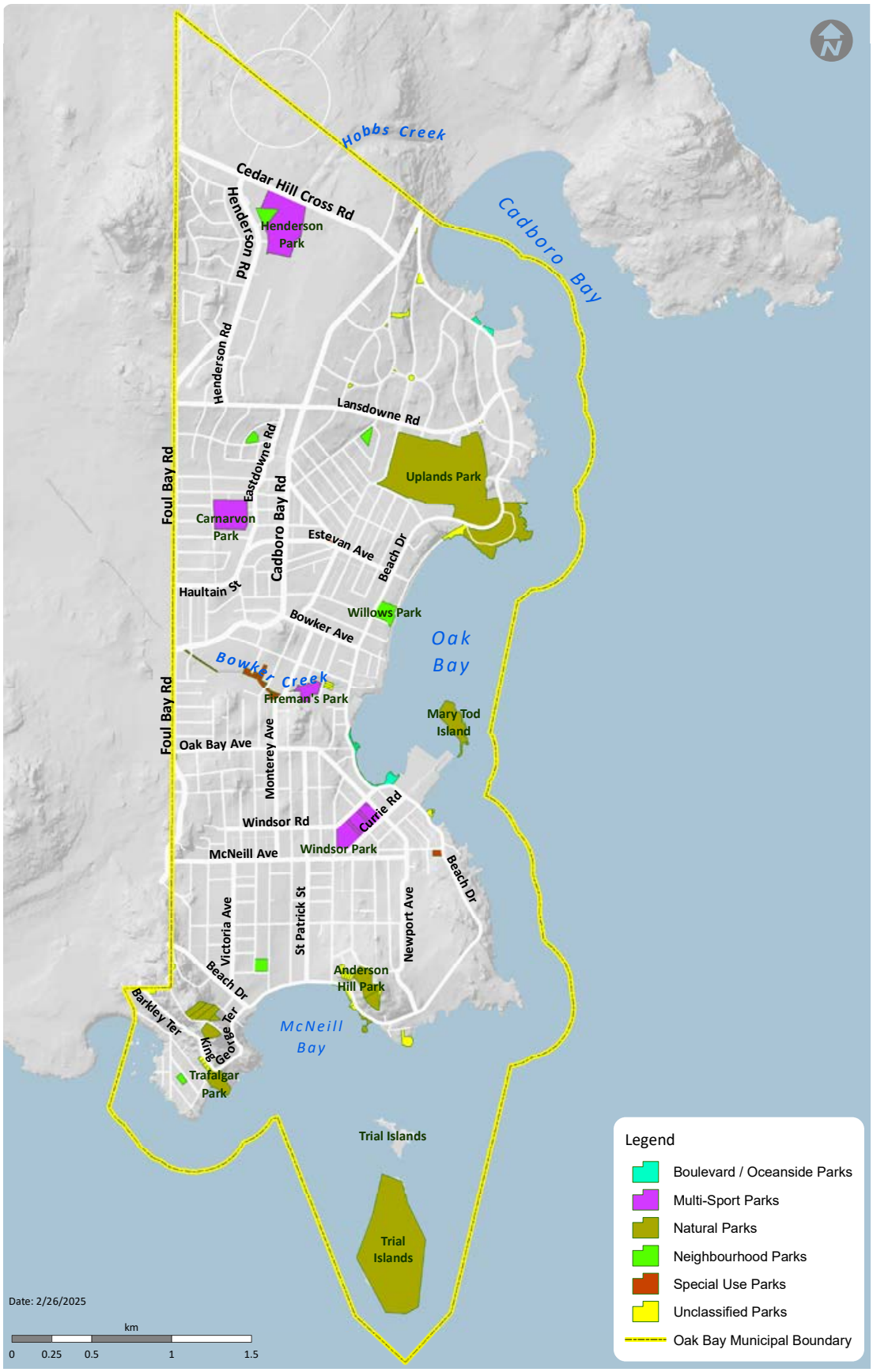


Figure 5.2 Oak Bay Green and Natural Spaces

Trails and Paths

Oak Bay residents indicated that trails and paths are the most important recreation amenity, and this is consistent with municipalities across Canada. The District manages eight unique walking trails, and in general, Oak Bay is a highly walkable community. Many community members indicated that walking and biking are their primary modes of transportation because it is relatively easy and pleasant to walk and bike within Oak Bay. The shoreline is a key attraction for walking and biking routes and there are numerous beach access paths; at this time access along the shoreline is not continuous.

The Oak Bay Active Transportation Strategy and CRD Pedestrian and Cycling Master Plan provide recommendations for pedestrian routes. The Strategy proposes two multi-use paths and some neighbourhood pathway and lane connections. The Active Transportation Advisory Committee encourages and promotes active forms of transportation and facilities to support it.

The key opportunities related to trails and paths are to increase connectivity and improve public access to beaches and waterfront amenities, though this must be balanced with the need to protect the delicate shoreline ecosystem. There are a number of unopened road allowances that could play a role in achieving these opportunities. The Bowker Creek Greenway Corridor offers opportunity for a continuous multi-use trail. A connected trail system offers many benefits to a community, and it is also a draw for tourists.

Marinas and Boating

The shoreline itself functions as a form of natural recreation amenity that supports many activities such as beach visits, swimming, kayaking, fishing, nature appreciation and walking. Boating is an important recreation activity for some Oak Bay residents. There are boat ramps at Cattle Point and by Queens Park. Permanent moorage is provided at Oak Bay Marina and Royal Victoria Yacht Club. While the boat moorage spaces in the two facilities are usually fully occupied, any consideration for further expansion of moorage or associated parking would need to be considered in the context of the residential nature and character of the adjacent neighbourhoods and shoreline resources and values. Multiple jurisdictions, including the federal and provincial governments, as well as the private sector, property owners and the community, have responsibilities and interests related to the management of the shoreline and the marine environment.

Indoor Recreation

Oak Bay's Parks and Recreation Department provides a wide range of opportunities in its five recreation centres including:

- Oak Bay Recreation Centre is a major hub of the community that includes an ice arena, two swimming pools, a fitness centre, an indoor sports field, and dining area. Tennis courts in bubbles, and skateboard area are located adjacent to the Recreation Centre.
- Henderson Recreation Centre, located at the northern end of the District, offers a fitness centre, gymnasium, outdoor tennis courts and par-three golf course.
- Monterey Recreation Centre, located in Oak Bay Village, is home to over 30 social clubs in addition to providing courses for adults "from yoga to cuisine and everything in-between".
- Windsor Pavilion is a unique facility that is used for recreation programs, community meetings, and social functions in its multi-purpose rooms.
- The Neighborhood Learning Centre at Oak Bay High School provides programs for youth and other community groups, as well as daycare and after-school programs.

The recreation centres are highly popular facilities that contribute to the social and cultural life of the community. As most of them are aging, it will be important to plan for future investments required to address evolving community needs.

Seven tennis courts are located in two bubbles directly behind Oak Bay Recreation Centre. Future consideration of the tennis bubbles is complicated by the fact that Bowker Creek flows under a portion of the structure. Planning for any improvements should include the potential to daylight portions of the creek.

Participants in the 2025 OCP engagement process expressed broad support for the parks and recreation policies, emphasizing the importance of maintaining and expanding park space, trails, and connections between parks to support accessibility and active living. Feedback also called for upgrades to recreation facilities, such as new or improved pools, ice rinks, playgrounds, community meeting spaces, and universal change rooms along with more youth, arts, and culture programming that is affordable and inclusive.

Parks and Recreation Objectives

The parks and recreation objectives of the OCP are as follows:

1. Maintain parks and recreation facilities, including the ecosystems and urban forest, in good condition.
2. Expand and upgrade the trail/path system, including improvements to public access to and along the shoreline.
3. Upgrade parks and recreation facilities, programs and services to meet community needs based on good fiscal management.
4. Ensure future parks and facility plans align with housing and population growth projections identified in the OCP.
5. Promote and provide information about trails/paths, parks, and recreation opportunities within the community to improve personal well-being and community sustainability.
6. Recognize and enhance the role of parks and recreation in supporting tourism opportunities.
7. Recognize the importance of marinas in supporting water-based recreation for residents and tourists, while protecting the shoreline and character of the residential neighbourhoods.
8. Support the efforts of the committees and other volunteers who make major contributions to parks and recreation in the community.

Parks and Recreation Policies

The parks and recreation policies of the OCP are as follows:

General Policies

PR1. Prepare a Parks and Recreation Master Plan and once it is complete, revise the policies in this section as needed to be consistent with the Master Plan.

PR2. Explore options for supporting economic development of tourism opportunities in parks and recreation facilities, balancing this with environmental protection, retaining community character and ensuring that parks remain available for the community.

PR3. Support and acknowledge the significant work of the Parks and Recreation Advisory Committee, Active Transportation Advisory Committee, and the many other volunteers who make major contributions to parks and recreation in the community through park stewardship, sports leagues, and other activities.

Parks and Outdoor Recreation

PR4. Manage the natural areas within parks to maintain or improve the health and long-term preservation of biodiversity, including tree care, removal of invasive species, and other associated activities.

PR5. Support and enhance vegetation in parks and on public land in recognition of the value that these natural ecosystems provide to the community.

PR6. Plan upgrades to parks and amenities in consultation with community members.

PR7. Improve and expand park signage as well as information including park identification, wayfinding, regulatory and interpretive signs throughout the community.

PR8. Explore opportunities for urban agriculture in the community that do not restrict parkland to a single purpose use.

PR9. Engage with community members to refine dog management strategies, regulations, monitoring and enforcement, considering the impacts of dogs on natural areas.

PR10. Support access to parks, recreational and natural spaces across the District, including areas owned or managed by other public organizations, such as School District 61.

PR11. Ensure parks and public spaces are welcoming, inclusive and accessible for people of all ages, abilities, ethnicities and identities.

PR12. Protect and enhance biodiversity across the district to encourage connectivity between recreational spaces and natural areas.

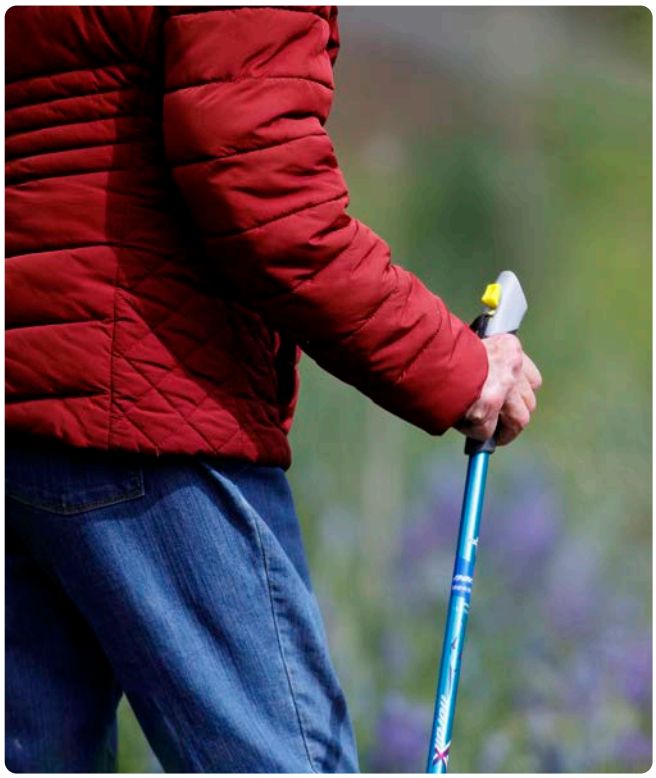
Trails and Paths

PR13. Prepare a network plan of trails/paths, as a complement to the Active Transportation Strategy, in order to improve the connectivity of the trail/path system.

PR14. Improve and expand the network of trails and paths as opportunities arise through private development contributions or grants for active transportation.

PR15. Maintain and enhance public access to and along the waterfront, balanced with an objective of retaining the shoreline as natural as possible.

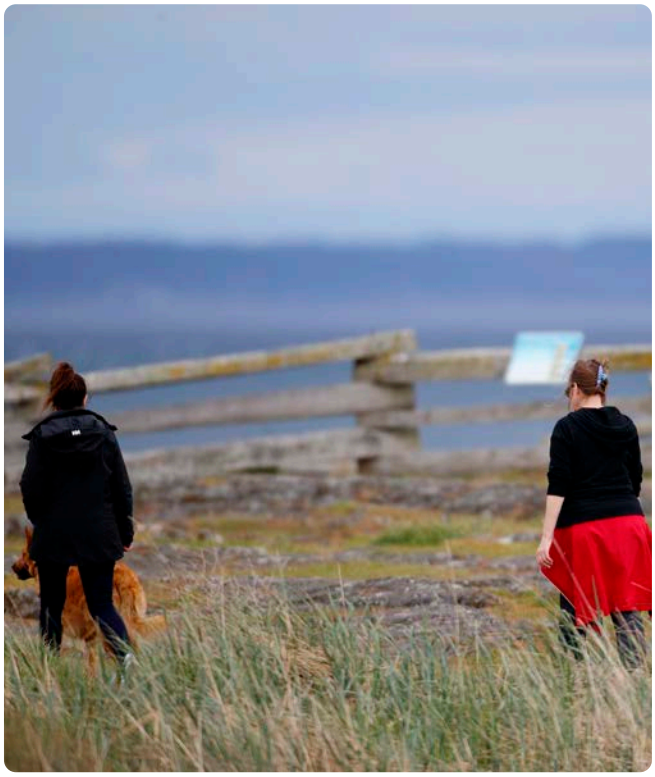
PR16. Provide more amenities along high-use trails/paths, including benches, water fountains, garbage/recycling bins and curb drops.



Indoor Recreation

PR17. Maintain and upgrade recreation centres as required to ensure safe and high-quality assets that meet community needs.

PR18. Continually review and update recreation programs and services for community members of all ages and abilities.



Marinas and Boating

PR19. Work with other levels of government, the private sector, property owners, and the community on plans that balance the needs of boaters in the community with interests in protecting the shoreline and the character of residential neighbourhoods. Consider the following tasks:

- Improve access for small boats to the water.
- Improve the boat ramps and storage areas used by day boaters and sailors at Cattle Point, potentially charging fees for the use of these facilities.
- Encourage the marina and yacht club to increase opportunities for use of facilities for community services and programs.

5.7. Heritage

How this chapter relates to the OCP Vision of Community Health & Resilience:

- Protecting the natural heritage landscape
- Conservation and rehabilitation of historic built environment
- Social values of retaining history
- Attraction of residents and tourists who appreciate heritage

Overview

There is a strong cultural heritage in Oak Bay, which is greatly valued by its residents. Key heritage aspects of Oak Bay include the streetscapes and neighbourhoods, historic buildings and structures, cultural and natural landscape features, and history.

There is an integral relationship between conservation of heritage resources in a community and land use planning and development. A key thrust of the provincial amendments to heritage legislation in 1994 was to encourage a better integration of heritage and land use planning at the local government level and to provide tools for local governments to work with landowners to conserve important heritage resources.

The District is becoming more proactive in conserving its community heritage through the work of its municipal volunteer bodies such as the Heritage Commission, the Heritage Foundation and Municipal Archives.

There are currently 38 designated heritage properties and 7 designated heritage sites within the District. The Prospect Heritage Conservation Area (HCA) protects the character and heritage value of the area including York Place, San Carlos Ave, a portion of Beach Dr and Oak Bay Ave and Prospect Place and Broom Rd.

Archaeology and Traditional Use Sites

Archaeological artifacts and traditional use sites indicate that Oak Bay was the home to the Songhees First Nation and Esquimalt First Nation. lək^{w}ənən-speaking peoples, known today as the Songhees Nation and Esquimalt Nation For many centuries, Indigenous people camped or lived permanently at tidewater sites harvesting the bounty of the Garry oak meadow landscape and nearby Salish Sea. Prior to European settlement, the Lekwungen peoples lived in the area now known as Oak Bay for thousands of years, stewarding the land, harvesting marine and forest resources, and maintaining a vibrant cultural and spiritual connection to the land. The lands of Oak Bay still contain many artifacts and archeological sites from this era.

Some archaeological and traditional use sites are located within parks, and archaeological remains and artifacts have been located during construction projects. It is critical to treat archaeological and cultural resources such as traditional use sites with the utmost respect. Provincial legislation and regulations put the onus on a land owner to identify and protect possible archaeological resources; the municipality includes this consideration in its own capital works and in the review of development applications. At the community level, there are opportunities to work with the Songhees Nation and Esquimalt Nation to integrate awareness of their arts and culture into the social fabric of Oak Bay.

Heritage Objectives

The heritage objectives of the OCP are as follows:

1. Conserve Oak Bay's history and heritage.
2. Conserve established neighbourhoods and streetscapes.
3. Conserve natural landscapes.
4. Celebrate Oak Bay's unique history.
5. Support the recommendations of the 2013 *Oak Bay Heritage Plan* and the Heritage Program Review (April 2024).

Heritage Policies

The heritage policies of the OCP are as follows:

HR1. Support the retention of heritage and character houses and other buildings in line with the *Standards and Guidelines for the Conservation of Historic Places in Canada and* through the following measures:

- Use the authorities enabled under the *Community Charter* and *Local Government Act* as appropriate to protect and conserve heritage property including, but not limited to, heritage revitalization agreements, density bonusing, maintenance standards, development of a community heritage register, and designation of heritage property
- Consider incentives to lower housing costs, such as permissive heritage tax exemptions (under Section 225 of the *Community Charter*), where heritage buildings or properties are used for housing.
- Consider conversions and retrofitting to a range of uses to support the conservation of heritage and character buildings, such as secondary suites, bed and breakfasts, and home-based businesses.
- Promote heritage conservation grants provided by the Oak Bay Heritage Foundation and others.

HR2. Work with the Oak Bay Heritage Commission, Oak Bay Archives, Oak Bay Heritage Foundation, and others to evaluate, register, and protect heritage assets through systematic inventory, research and heritage conservation practices and policies, and to promote and provide education on heritage values and resources.

HR3. Identify neighbourhoods and streetscapes that warrant protection and identify tools to protect these as redevelopment takes place.

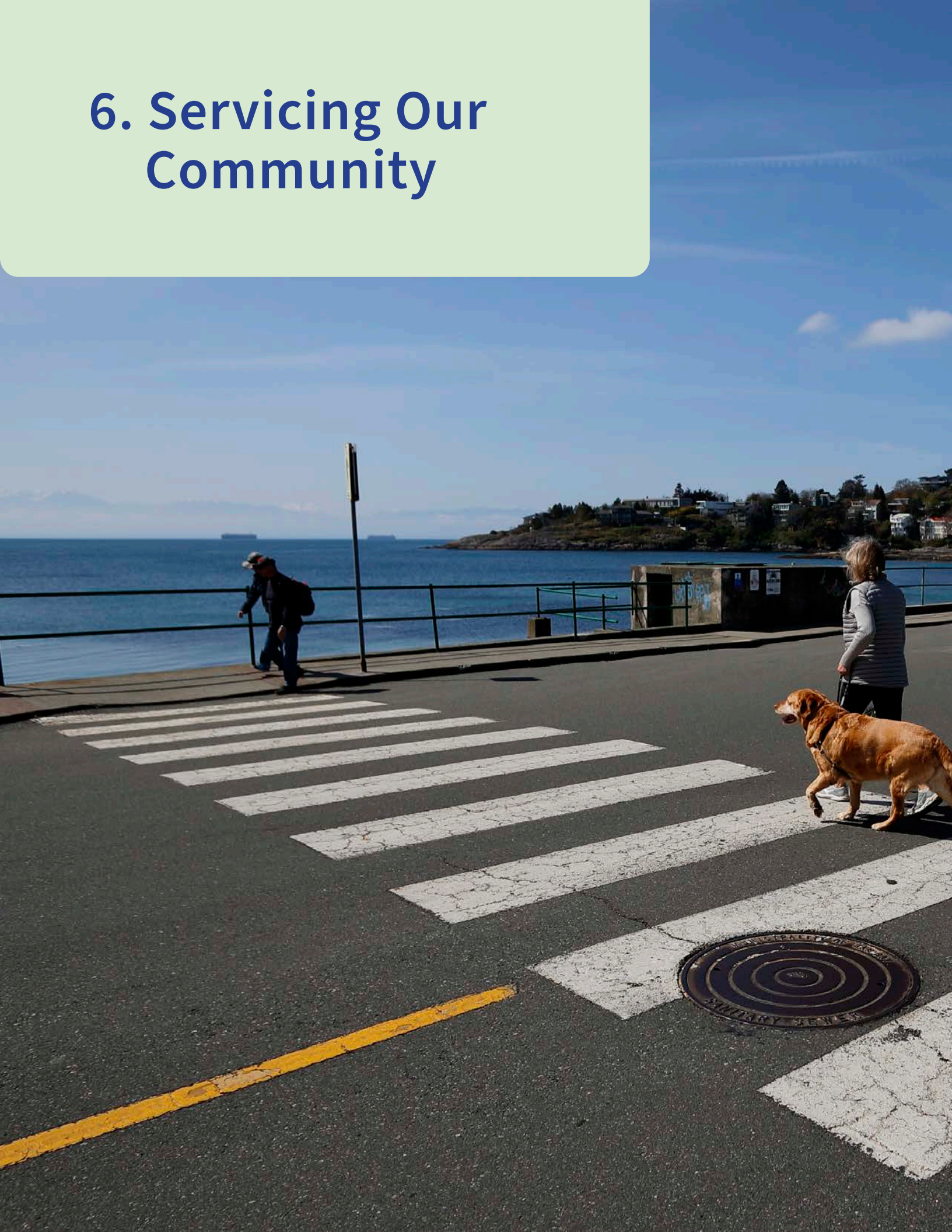
HR4. Implement stewardship policies and practices for municipally owned heritage resources and significant sites, consistent with provincial standards and legislation.

HR5. Explore opportunities to establish Heritage Conservation Areas, as set out in Section 9.0 of this Official Community Plan, as a tool to conserve the character of significant clusters of heritage buildings and their associated landscapes, while ensuring development is appropriate to the heritage character of the neighbourhood.

HR6. Collaborate with Songhees Nation and Esquimalt Nation on items of mutual interest related to arts, culture, interpretation and education. The following are potential opportunities:

- Work with Songhees Nation and Esquimalt Nation on ways to provide interpretation and education related to traditional Indigenous uses, archaeological sites and ways that First Nations perceived of and managed the natural environment, respecting the importance, integrity and potential need for confidentiality related to some sites.
- Integrate Songhees Nation and Esquimalt Nation arts and culture into community events, buildings, programs, and parks and public spaces.

6. Servicing Our Community



6.1. Transportation

How this chapter relates to the OCP Vision of a Community Health & Resilience:

- Supporting healthy and active transportation
- Accommodating a wide range of mobility needs
- Reducing energy use and greenhouse gas emissions
- Improving the vitality of villages

Overview

Oak Bay is a walkable community with interesting streets, laneways and trails. There are also increasing numbers of vehicles and competing interests for use of the roads. As the population ages and becomes more diverse, and in order to become a more sustainable community, there is an opportunity to reinforce a varied, multi-modal transportation network. Providing the necessary infrastructure is key to encouraging more active modes of transportation among residents and visitors.

The majority of Oak Bay's working residents are employed outside the District. As a result, there is a significant outflow/inflow of residents during peak commuting times. Although efforts have been made to increase active transportation modes, car travel remains the predominant mode of transportation for commuters, those enjoying retirement, and others moving through the community. In comparison with the rest of the whole CRD, however, residents in the Core Sub-Area (which includes Oak Bay) drive less and walk, bicycle and take transit more often (Figure 6.1).

Transportation Mode	Core Sub-Area Daily Mode Share	CRD Daily Mode Share
Auto - driver	48.5%	54%
Auto - passenger	13.2%	15%
Pedestrian	18.9%	15%
Public transit	7.7%	6%
Bicycle & micromobility	10.2%	8%
Other modes	1.5%	2%

Figure 6.1 Origin and Destination Studies, 2022 (Source: Capital Regional District)

Oak Bay's Complete Streets Policy (2012) outlines Oak Bay's streets, sidewalks, and pathways as a shared community resource that supports connection and mobility for all users. As the District plans, rebuilds, and maintains its transportation network, it will prioritize safe, accessible, and financially responsible design that considers pedestrians, cyclists, and neighbourhood amenities.

In busy, commercial locations, successful examples of complete streets include urban design features and pedestrian and cycling amenities such as street trees, landscaping, wide sidewalks with universal design, street furnishings, pedestrian scale lighting, windows at street level with transparent glazing, bike racks, and weather protection.

***Complete Streets** are streets for everyone. They are designed and operated to enable safe access and movement for all users. Pedestrians, cyclists, motorists, scooter riders, and public transportation users of all ages and abilities are able to feel safe and to reach their destinations. Complete Streets make it easy to cross the street, walk to shops, and cycle to work.*

Adapted from National Complete Streets Coalition

As the major owner of public lands in Oak Bay, the District takes responsibility for the health, safety and well-being of its residents and employees, and the effective use of its public parking facilities, and related transportation networks. The District shows leadership by example, and asks businesses, schools, public institutions, and private developers of land to join the District in comprehensive programs of Transportation Demand Management (TDM).

Oak Bay considers the following TDM options within District planning of transportation networks:

- collaboration with business associations to increase all types of parking options for customers, visitors, and employees across the District
- collaboration with private condominium owners, landlords and other building operators to ensure efficient access to off-street parking, and to increase revenue to offset costs of "shut-in" parking, ensuring parking turnover and space availability occurs at optimal levels
- flex parking passes for all employees who use alternate modes of transportation, but occasionally drive
- designated carpool stalls
- building programs that include showers and end-of-trip facilities in all new buildings, and in major public building renovation projects
- improving pedestrian-oriented design
- creating cycling-friendly facilities
- offering commuting options
- requiring paid parking
- subsidized employee bus pass programs
- mandatory bus pass programs for students
- parking fees that increase annually to discourage vehicle trips and to recognize the cost for employers of supplying and operating parking spaces
- sidewalk, pathway and multiple use trails to improve pedestrian and cycling use
- collaboration with other public institutions, churches, and government agencies to share parking costs, and to promote effective use of available parking stalls

Transportation Demand Management (TDM) *is a tool used to encourage new transportation patterns. TDM plans and strategies include education, incentives and disincentives, and travel options to support walking, cycling, ride-sharing and transit. This can help to achieve multiple goals, such as reducing the reliance on carbon-based fuels in support of GHG reductions, meeting the changing needs of the population, increasing the efficiency of transportation infrastructure, and providing measurable health improvements. TDM can be a cost-effective alternative to increasing capacity.*

Significant funding for transportation networks is provided by the Capital Regional District, the Province of BC, and by the Federal government. Different criteria apply in each funding program, but most municipalities on lower Vancouver Island are successful in obtaining external funding annually for new or improved transportation infrastructure. Funding success largely depends upon submitted proposals that advocate and promote complete streets or alternate transportation. The government funding programs do not encourage proposals seen as increasing automobile traffic. Examples of these funding programs are Community Works Fund (CRD), ICBC (support for improvements to "dangerous intersections)", Building Canada Fund, Active Transportation Fund, and Canada Public Transit Fund (Federal).

Road Network

District roads are divided into four types, which are defined as follows:

- **Arterial** roads are the largest that occur in Oak Bay. These connect the major activity centres and carry large volumes of traffic entering and leaving Oak Bay.
- **Collector** is the next level of road. The name derives from the fact that they collect traffic from the local roads and channel it to the arterials. This type of road may still maintain most of the characteristics of a local road. In established communities such as Oak Bay, collectors are designated based on historical use.
- **Special** roads do not fit easily into any categories because they perform a number of roles. In addition to being important vehicle routes, they have other functions that may be environmental or recreational.
- **Local** are the most common roads within Oak Bay. Their primary purpose is to serve the houses that directly abut them.

Schedule C illustrates the current road classifications. The District is planning to update some of the roads to different classes in the future.

The road network contains a mix of traditional grid, modified grid, and cul-de-sacs/non-grid roads. Most streets are quiet; however, as the number of vehicles has increased in Oak Bay and throughout the CRD, traffic and parking on some roads has changed so that the condition, traffic, and speed are of concern to residents.

As in many other Canadian municipalities, parking of automobiles on streets and in public parking lots takes up significant amounts of land.

The municipal parking lots are subsidized by the District, with minimal revenues arising from them. In this sense, such parking is not “free”. The District pays for construction, maintenance, operation, and enforcement of parking stalls.

The District’s parking lots are located throughout the community.

Several locations including the villages, the Oak Bay Recreation Centre, Monterey Centre, and a multi-unit residential area on Haultain Street sometimes experience significant parking demands. While some residents request additional parking, a more sustainable approach may be to provide alternate forms of transportation to these key destinations. Parking on residential streets is also a concern to some residents; there is a perception that parking congestion on streets is associated with unregulated secondary suites.

There are several parking areas located off rear lanes and one parking lot under a building in the Village, but the street parking continues to be congested at peak times. For some new developments in the Village, the District collected fees for an off-site parking lot, but this has not yet been constructed.

All of the 13 municipalities in the Capital Regional District have approved policies that embrace the complete streets concept. While various terms are used, such as multi-modal transportation, active transportation, alternative transportation, etc., the concepts are the same. These municipalities include Saanich, Victoria, Esquimalt, View Royal, Colwood and Langford. The City of Vancouver and the City of Calgary follow similar policies.

Active Transportation

Residents have expressed an interest in improving the options for active modes of transportation, including transit and safe pedestrian and cycling routes throughout Oak Bay. The 2022 Active Transportation Strategy integrates regional connections with neighbouring municipalities, ensuring a cohesive active transportation network. It identifies upgrades to pedestrian crossing, traffic calming, and expanded cycling routes.

Transit

Public transit in Oak Bay is provided by BC Transit, a regional authority (Figure 5.3). Transit currently focuses on connections between Oak Bay, the University of Victoria, City of Victoria, and District of Saanich. BC Transit's Transit Future Plan (2011) identifies future frequent transit stops, with services at least every 15-minutes, along Foul Bay Rd and Oak Bay Ave.

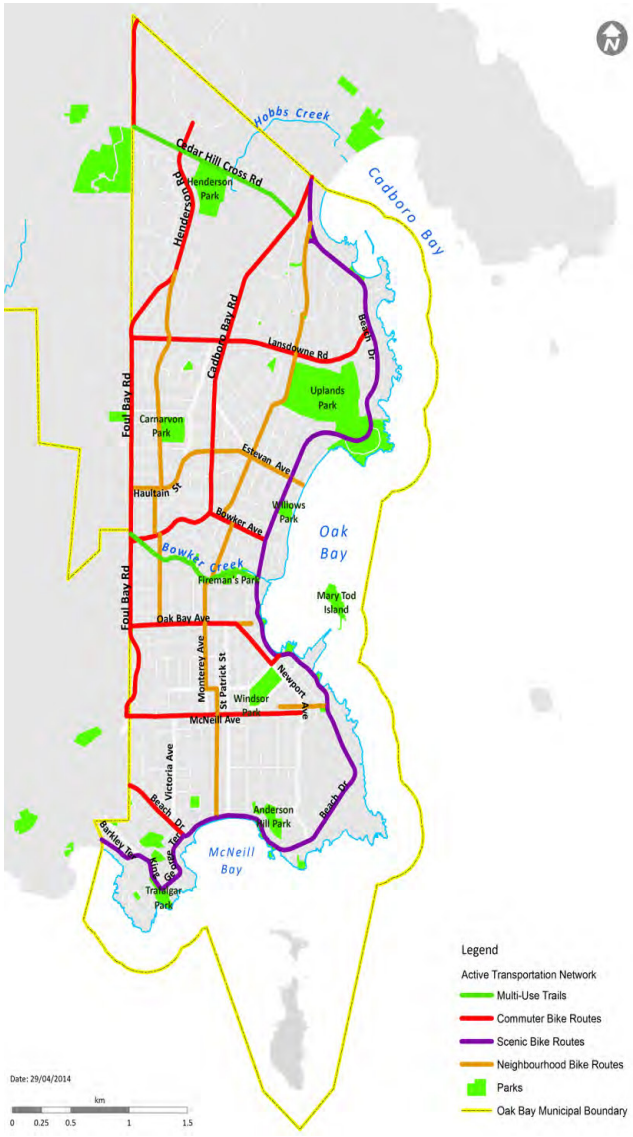


Figure 6.2 Active Transportation Network

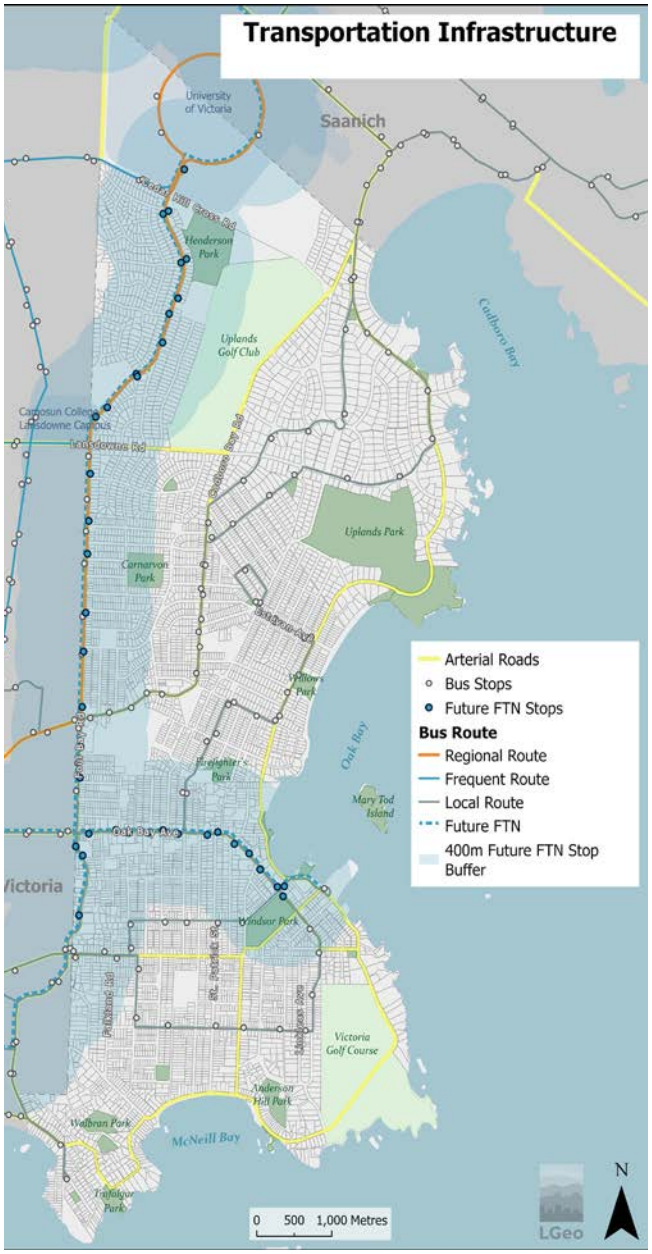


Figure 6.3 Oak Bay Transit Routes

Transportation in Development Planning

There are opportunities to support active transportation through new development projects. Some options to consider include provision of bicycle parking amenities, reductions in parking stalls where other transportation options and/or multiple services and amenities exist, and charging stations for electric or hybrid vehicles.

Engagement Insights

Through community engagement, we heard about the importance of planning for safe, convenient travel alongside more housing. Participants suggested improving pedestrian and cycling safety, working with BC Transit to make it easier and more convenient to take the bus, and improving road capacity and parking to accommodate more residents in Oak Bay.

Transportation Objectives

The transportation objectives of the OCP are as follows:

1. Design and operate roads in villages as "complete streets", as adopted by Council policy, with all users in mind, including pedestrians of all ages and abilities, vehicles, cyclists, transit, and motor scooters.
2. Improve sidewalks for better accessibility, especially in commercial and high-use locations.
3. Address the safety of the road network through management of speed and road improvements.
4. Provide more and safer options for commuter and recreational bike routes and infrastructure.
5. Advocate for improved transit services.
6. Address needs for access to the Village, Estevan Village, other commercial areas, and recreation centres, balancing business interests with the move towards additional and diverse transportation modes.
7. Reduce noise and air quality impacts from commercial vehicles and buses on residents.
8. Support the transition to electric vehicles by expanding electric vehicle charging infrastructure in the District.

Transportation Policies

The transportation policies of the OCP are as follows:

General Policies

T1. Support the development of complete streets, which are public spaces that are safe and comfortable for everyone, whether walking, rolling, or driving, focusing on key village centres and corridors where people need to access shops, services, and daily needs.

T2. Consider the following hierarchy when making decisions regarding transportation priorities, infrastructure improvements and spending: walking, cycling, transit, High Occupancy Vehicles (HOVs) and movement of goods, Single Occupant Vehicles (SOVs).

T3. Adopt and implement Transportation Demand Management strategies and tools in parallel with the CRD, other municipalities, and public institutions such as Camosun College and University of Victoria.

T4. Apply transportation design and servicing standards based on universal design to enable people of all mobility levels to use sidewalks, bike routes and transit. Prioritize improvements in locations with higher concentrations of young children, seniors and people with disabilities, and places where residents go to access essential goods and services.

T5. Incorporate techniques and controls in road design to ensure safe and non-congested roadways, while facilitating ease of movement for pedestrians, vehicles and bicycles, e.g., roundabouts/traffic circles, pedestrian crossings, signals. Monitor these to ensure effectiveness over time.

T6. Monitor 'resident-only' parking regulations, and work with residents to revise these over time as needed.

T7. Engage Oak Bay Village businesses on strategies for reducing the impacts of delivery trucks on residents of adjacent neighbourhoods.

T8. Collaborate with other municipalities and businesses on ways to accommodate tourist buses while minimizing conflicts and impacts on the community, e.g., use of low- emission vehicles.

T9. Encourage more environmentally friendly vehicular alternatives to single occupancy vehicles and private car ownership, e.g., vanpooling, carpooling / ride-sharing, car co- ops, and high efficiency or clean energy vehicles.

T10. Expand the public electric vehicle (EV) charging network and require all new developments to include EV-ready charging capacity to make it easier for people to transition to electric vehicles.

Active Transportation

T11. Support and encourage the development of Oak Bay's pedestrian and cycling networks as part of an interconnected multi-modal transportation system within Oak Bay and to adjacent jurisdictions, consistent with the District's Active Transportation Strategy.

T12. Improve pedestrian infrastructure, connectivity and accessibility, consistent with the District's Pedestrian and Sidewalk Masterplan.

T13. Promote cycling for commuting, personal transport and recreation purposes through improvements to infrastructure and facilities, including bike racks and signs on bike routes, as identified in the Active Transportation Strategy.

T14. Improve way-finding systems (signage and other methods) to encourage use of Oak Bay's trails and paths.

T15. Encourage the school district and parent associations to develop and periodically update safe route-to-school plans in consultation with the District.

Transit

T16. Support BC Transit's Future Transit Plan to provide frequent and reliable services along key routes like Foul Bay Road, Oak Bay Avenue, and opportunities to connect North and South Oak Bay.

T17. Encourage BC Transit to continue and expand programs to schools, businesses and organizations to encourage increased transit use by students, employees and seniors.

T18. Encourage and explore options for other modes of public transportation to improve connections within the community, e.g., local mini-bus loop, village shuttle, potentially operated by a community or business group.

T19. Work towards making all transit stops universally accessible, safe and comfortable by providing adequate seating, lighting and weather protection and ongoing maintenance of facilities.

Transportation in Development Planning

T20. Create a Transportation Demand Management (TDM) bylaw to require new developments to support sustainable transportation. This could include bike and car share parking with charging stations, subsidized transit passes, and end-of-trip facilities like showers, lockers, and change rooms.

6.2. Utilities, Infrastructure and Services

How this chapter relates to the OCP Vision of a Community Health & Resilience:

- Improving infrastructure efficiency and sustainability
- Reducing waste and water and energy use
- Supporting long term needs
- Reducing operational costs

Overview

The District's Engineering and Public Works Department designs, builds, maintains and is responsible for the District's physical infrastructure assets. These include water mains, storm sewers, sanitary sewers, roads, street lights, sidewalks, public amenities, vehicle fleets, and solid waste collection infrastructure.

The District has been working towards reducing energy use and greenhouse gas emissions in its delivery of services. For example, the District is using trenchless technology (instead of excavation) where possible when it needs to replace pipes, which reduces carbon emissions.

Trenchless technology *involves methods, materials, and equipment for the installation or renewal of underground infrastructure with minimal disruption to surface traffic, business, and other activities. Methods include tunneling and horizontal directional drilling.*

Some services are shared with Saanich and Victoria in order to maximize efficiencies. These shared service agreements pertain to police, fire, and emergency communications, as well as water, stormwater and sewer in some locations.

The District provides residents with bi-weekly garbage and kitchen organic waste collection, while the CRD is responsible for recycling services, and providing disposal sites for solid waste and compost.

The Oak Bay Police Department has protected residents since 1906 and contracts with the Saanich Police Department for major crime investigations.

The Oak Bay Fire Department has provided emergency and non emergency services since 1937 (see section 6.3 Risk and Resilience). Although the District operates a professional Fire Department it remains a small department with limited staff available for immediate response. These limitations are relevant considerations for new development.

Oak Bay's utilities play a vitally important role in supporting the community. Oak Bay maintains an inventory of and actively monitors its underground services, prepares a schedule of repair and maintenance to address priorities, and completes annual plans and budgets for the renewal process.

Like other communities worldwide that were founded more than 100 years ago, a significant amount of the District's underground infrastructure is in its latter years of service, and the needs for repair and replacement exceed the available resources.

In 2021, Oak Bay completed a Sustainable Infrastructure Replacement Plan as a roadmap for addressing the significant funding and replacement challenges associated with aging public infrastructure. It includes recommendations to increase the reserve contributions and replacement of infrastructure over 25 years.

Residents also have an important role in helping Oak Bay to become a more sustainable community. For example, reducing household waste decreases the impacts of disposal, collection, transportation, and processing of the waste. Water and energy conservation also reduce the needs for services and impacts on infrastructure and the environment. In early 2025, the District adopted a Development Cost Charge (DCC) Bylaw. This tool helps the District recover (from developers) the costs of off-site infrastructure needed for growth.

Roads

The road network is described in Section 6.1. The District budgets and allocates funds for annual road repair and maintenance. This includes sidewalk replacement; ramps and curb-drops are now standard practice.

Sanitary Sewers

The District's sewer collection system conveys sanitary sewage through a series of pipes and pump stations, the most significant of which is the Currie Road pump station, for primary treatment and discharge into the ocean. As part of the regional wastewater treatment plan, the Currie Road pump station and conveyance pipe is proposed to be upgraded, with other conveyance upgrades to transmit sewage to a proposed secondary treatment plant.

A major ongoing issue for Oak Bay is the inflow and infiltration of stormwater into the regional sanitary system, which the provincial government has required to be eliminated over time. Oak Bay has been replacing old pipes with new plastic pipes on an ongoing basis, to control the amount of inflow and infiltration from public property.

Oak Bay has also eliminated the combined sewers in the Humber catchment of the Uplands and will eliminate the combined sewers in the Rutland catchment in the future. The District's cost-sharing of sewage treatment is the highest per capita, due in part to the combined sewer/storm system in the Uplands neighbourhood.

Although the Tangible Capital Assets analysis includes calculations of sewer system improvements based on pipe replacement, there is a much less expensive alternative. Most sewer pipes can be rehabilitated with liners and this is the method that the District is currently using where possible.

Storm Sewers

Oak Bay's storm sewer system includes many older pipes, direct outfalls to creeks and the ocean, and combined storm/sanitary sewers in the Rutland catchment of the Uplands. Storm sewer pipes are generally in worse condition than sanitary sewer pipes as they are subject to mechanical damage from rocks and other debris. They can be rejuvenated with liners where the pipes are intact enough to support that.

The stormwater system largely has sufficient capacity to accommodate the proposed population growth. The housing growth proposed in this OCP will require a review of the stormwater management plan for the District to ensure that the system can handle flows from new development. Once the District implements rainwater management to a greater degree, there will be less demand on the system. Rainwater management typically involves some attenuation and treatment of runoff prior to discharge into creeks or the ocean where possible.

Solid Waste Management

The District collects solid waste, which is directed to the Hartland landfill operated by the Capital Regional District. Curbside recycling and garden waste are collected by a private operator and transported to a sorting depot on Vancouver Island.

Oak Bay also operates a municipal yard and recycling facility. This facility is highly valued by the community because it is convenient, tax-funded, it allows disposition of excess refuse (beyond the bi-weekly pick-up allowances), and the facility encourages conscientious recycling. Paint, batteries and other materials are recycled at the yard. Recycling of soft plastics and other specific materials is available through third party community-based monthly drop-off depots.

"Zero waste" is a goal and practice to guide people in emulating sustainable natural cycles, where all discarded materials are resources for others to use. While Oak Bay may not be ready to commit to becoming a zero waste municipality, it has the opportunity to move towards that goal, and to use zero waste principles to influence municipal decisions such as purchasing, and to educate, inform, and facilitate community decisions to reduce, reuse and recycle. One specific opportunity is for event organizers to run zero waste events as a model and inspiration for others.

***Zero waste** means designing and managing products and processes to reduce the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them.*

Water

Water is provided to the District from the CRD, and pump stations direct it to higher ground for distribution to the community. The volume and pressure in the water system are generally good. The region's primary water supply from the Sooke Lake Reservoir is very secure and has sufficient quantity to serve future regional growth, including the District of Oak Bay. The District is gradually replacing and repairing water pipes, using liners and replacing old cast iron and asbestos cement pipes. This is helping to conserve water by reducing leaks in the system. The District is assessing the need for secondary water connection for emergency purposes, from City of Victoria and District of Saanich.

Shoreline Management

Some areas of the shoreline are eroding. This is most significant in McNeill Bay, and there is also some erosion in the Willows Beach area. The District is monitoring shoreline erosion, conducts mitigation on an annual basis, and has established a contingency fund to address the issue.

Lighting

The District has been implementing some 'dark sky' lighting in public areas, and using more energy efficient lighting. Cattle Point is designated as an Urban Star Park by the Royal Astronomical Society of Canada and is a destination for star gazing.

***Dark sky lighting** principles are quite straightforward; light when you need it, where you need it, and no more. The dark-sky movement is a campaign to reduce light pollution. The advantages of reducing light pollution include an increased number of stars visible at night, reducing the effects of unnatural lighting on the environment, and cutting down on energy use.*

Engagement Insights

Community engagement highlighted the importance of improving infrastructure capacity, especially while planning for additional housing and climate change impacts. There were suggestions to prioritize upgrades to aging systems, expand green infrastructure, and mitigate property tax impacts.

Utilities and Services Objectives

The utilities and services objectives of the OCP are as follows:

1. Renew and develop Oak Bay's engineering infrastructure and utilities in sustainable ways to meet the community's needs.
2. Improve the level and quality of services continuously.
3. Reduce energy use and greenhouse gas emissions in the delivery of services.
4. Encourage the investigation of shared services where this can increase efficiency.
5. Plan for and undertake shoreline management.
6. Use and require "dark sky" street and building lighting to reduce light pollution.

Utilities and Services Policies

The utilities and services policies of the OCP are as follows:

General Policies

US1. Maintain and extend shared service agreements with other municipalities and the CRD where efficient and practical.

US2. Coordinate with CRD engineering services to align infrastructure planning, including water, sewer, and stormwater systems, with the growth areas identified in the OCP to ensure that upgrades effectively support anticipated development.

US3. Repair and replace water and sewer lines in alignment with the Sustainable Infrastructure Replacement Plan, Sanitary Sewer Master Plan and Storm Drain Master Plan.

US4. Require new developments to contribute to or include necessary infrastructure upgrades for transportation, water, drainage and sewer services per the Development Cost Charges Bylaw.

US5. Consider energy consumption and greenhouse gas emissions in the purchase of District vehicles, tools and equipment and in maintenance and operations.

US6. Reduce water use and waste generation to the degree possible in municipal operations.

US7. Continue to implement and expand the road maintenance program.

US8. Update engineering and building bylaws in accordance with this OCP and a renewed *Zoning Bylaw*, ensuring that the various bylaws are synchronized.

Sanitary and Storm Sewers

US9. Incorporate innovative rainwater management techniques into major civic projects, per the proposed Rainwater Management Policy.

US10. Require all new developments to include a stormwater management plan that uses innovative rainwater management techniques that aim to detain and treat rainwater flows prior to discharge into the sanitary storm system or water bodies. Update relevant bylaws—such as the public sewer bylaw—to reflect best practices and ensure alignment with major civic projects.

US11. Finalize plans for and undertake the separation of the Uplands combined sewer system in Rutland catchment.

Green Infrastructure

US12. Continue to require new climate-resilient green infrastructure on private and public land. This includes rain gardens, shallow channels that soak up rainwater (bioswales), green roofs, and permeable surfaces that let water pass through.

Solid Waste Management

US13. Consider improving traffic circulation at the municipal yard and recycling facility and expanding its hours on the weekend.

US14. Promote household and business diversion of recyclables and compostable waste to minimize landfill waste.

Water

US15. Construct secondary water connections for emergency purposes.

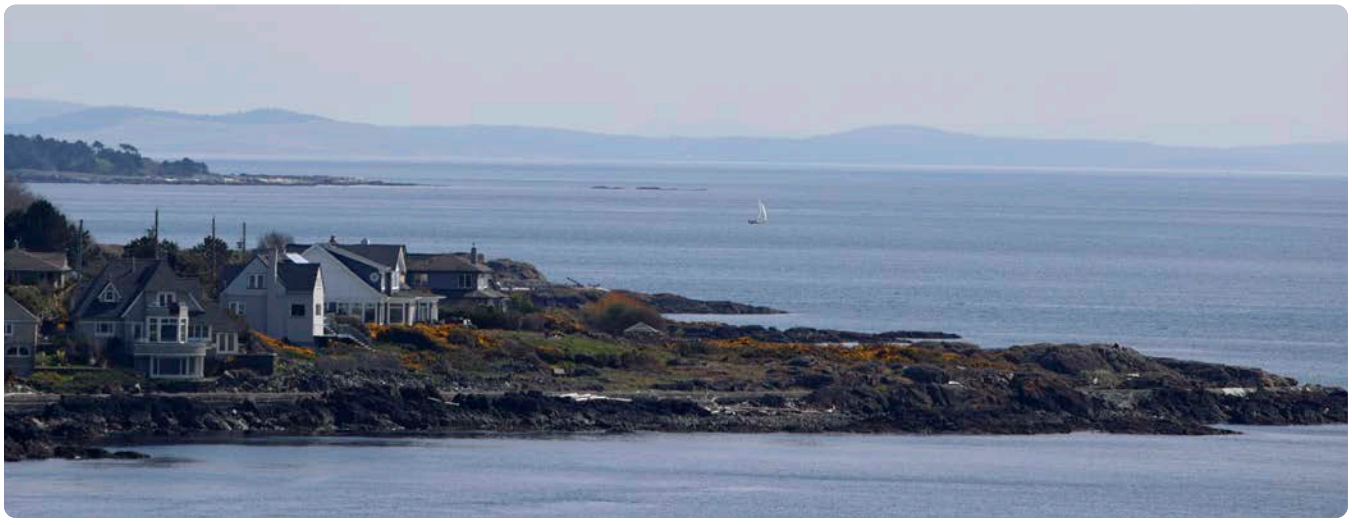
Shoreline Management

US16. Conduct a shoreline assessment of the McNeill Bay area, and other locations as required, to identify options for shoreline and seawall stabilization.

Lighting

US17. Establish Oak Bay as a “dark sky” community and limit illumination of the night sky and light trespass, balancing this with the need to light high-use sidewalks and paths for safety reasons.

US18. When District lamp standards are being replaced, consider energy consumption and dark sky principles without compromising light levels required for pedestrian safety. Explore the potential for shorter, more energy efficient lights for new or replacement street lighting.



6.3. Risk and Resilience

How this chapter relates to the OCP Vision of a Community Health & Resilience:

- Saving lives
- Preserving the environment
- Protecting property
- Building broad community networks and partnerships

Overview

The District of Oak Bay is committed to improving community resilience by anticipating and responding to climate change, natural hazards, and physical, social, and economic disruptions. Managing risk extends beyond emergency response planning to include risk assessment, land use policy, mitigation, business continuity and recovery. The District has an Emergency Response and Recovery Plan that is updated every five years. The Plan is based on the four principles of emergency management: mitigation, preparedness, response and recovery (Figure 6.4).

The delivery of protective and emergency management services in Oak Bay is community-focused. The emergency program, and fire and police departments, have tailored their programs and priorities to align with the needs of residents and businesses in the District.

Hazardous Conditions

Emergency management in Oak Bay considers the entirety of the District including all lands, facilities, infrastructure, businesses, institutions, federal and provincial lands, and addresses all types of potential emergencies including earthquakes, severe storms or major fires. The 2024 Community Risk Assessment: Hazards, Vulnerabilities and Risk of Major Emergencies identifies that Oak Bay's highest risk hazards are atmospheric hazards or extreme weather events, human disease, and utility failure. This is followed by earthquakes, flooding, tsunamis and fires.

The District is located within Seismic Zone 5. This area is at risk of a damaging earthquake that could threaten critical infrastructure such as sewers, water mains, gas mains, power lines, roads, municipal buildings, service facilities and institutions. Figure 5.6 illustrates the Composite Relative Earthquake Hazard Map. Amplification factors refer to the extent to which amplification factors (not the actual amount of earthquake ground motion) can vary with different strengths and periods of ground motion. The amplification factors on this map do not exceed the seismic design criteria of the current building code but could be significant for structures not built to the current code. Low to high hazard is applied to areas with insufficient data to assign a more specific hazard rating.

There is one location in Oak Bay that is known to have geological instability (see Schedule F). Sea level rise is also a consideration, as noted in Section 2.6 Climate Change and Energy.

In 2021, the CRD conducted a Coastal Flood Inundation Mapping project to better understand regional impacts from coastal storm flooding due to sea level rise and tsunamis. Specific findings for Oak Bay include an increasing vulnerability to coastal flooding due to sea level rise (SLR) and potential tsunami events. Detailed flood modeling for McNeill Bay and surrounding areas indicates that rising mean sea levels will significantly impact low-lying zones. Tsunami modelling shows that certain areas could experience flooding, especially if an earthquake occurs along the Cascadia Subduction Zone. These events could cause water levels to rise significantly.

Similarly, in 2021 the CRD conducted a Regional Heat Mapping project to identify areas vulnerable to extreme heat. When looking at demographic factors contributing to heat vulnerability, the study found that approximately 22% of Oak Bay's population is in very high sociodemographic vulnerability; mainly due to the population over the age of 65 and homes built before 1960.

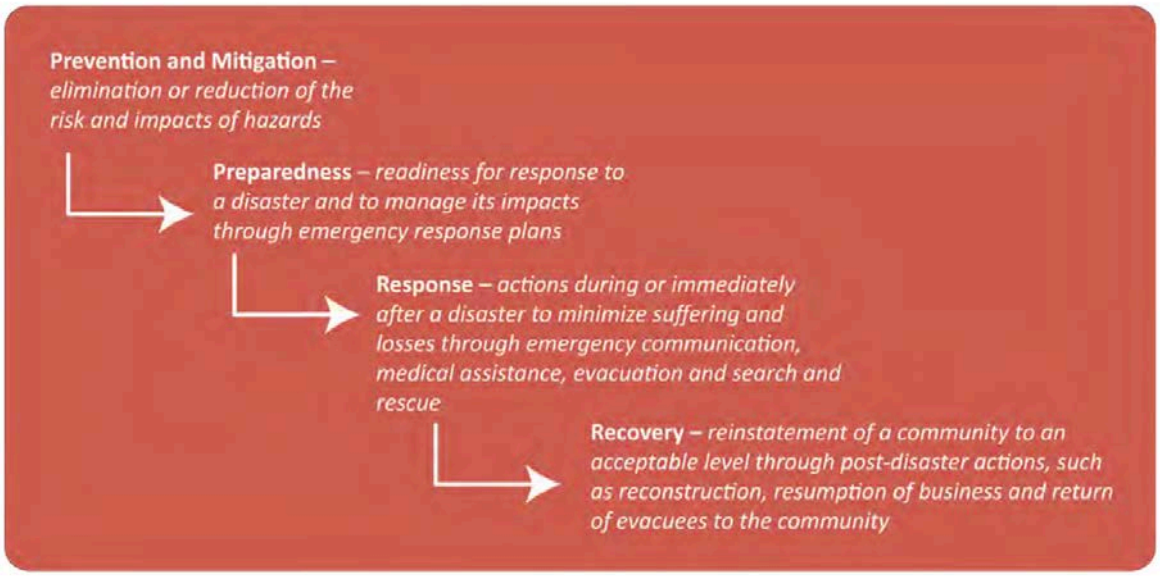


Figure 6.4 The Four Principles of Emergency Management

Risk and Resilience Objectives

The risk and resilience objectives of the OCP are as follows:

1. Protect public safety, health, the environment, critical infrastructure, property and economic stability by hazards, managing risk and preparing for emergencies.
2. Promote municipal and community resilience through education on the implementation of improved mitigation and preparedness practices.

Risk and Resilience Policies

The risk and resilience policies of the OCP are as follows:

RR1. Implement a Shorelines Development Permit Area (Schedule E) that includes considerations related to sea level rise.

RR2. Implement a Hazardous Conditions Development Permit Area (Schedule F) that includes considerations related to geotechnical hazards.

RR3. Prepare plans and policy to respond to, and recover from, a major emergency/disaster that considers risk assessment through an all-hazards approach.

RR4. Continually update the emergency plan through applications of a hazard, risk and vulnerability assessment, and address the risk assessment results through bylaws and policy direction to mitigate the identified risk.

RR5. Consider emergency management planning and mapping to include critical infrastructure and vulnerable populations in the community.

RR6. Incorporate natural hazard risk assessments into the planning and location of critical infrastructure, such as municipal services, transportation and utilities.

RR7. In land use decision-making, consider and address natural hazards, including earthquake, tsunami risk, severe weather events, soil erosion, fault lines and flooding.

RR8. Encourage new developments to assess climate and natural hazard risks, such as flooding, extreme heat, earthquake or wildfire, and show how the site design, building, and landscaping will reduce those risks.

RR9. Continue to develop a detailed understanding of property, infrastructure and assets at risk of sea level rise, flooding and coastal inundation. Explore context-specific solutions like establishing flood construction levels, identifying areas for managed retreat in high-risk areas, or investing in engineered responses.

RR10. Prepare and adopt policy and incentives for seismic upgrades to commercial and residential designated heritage buildings.

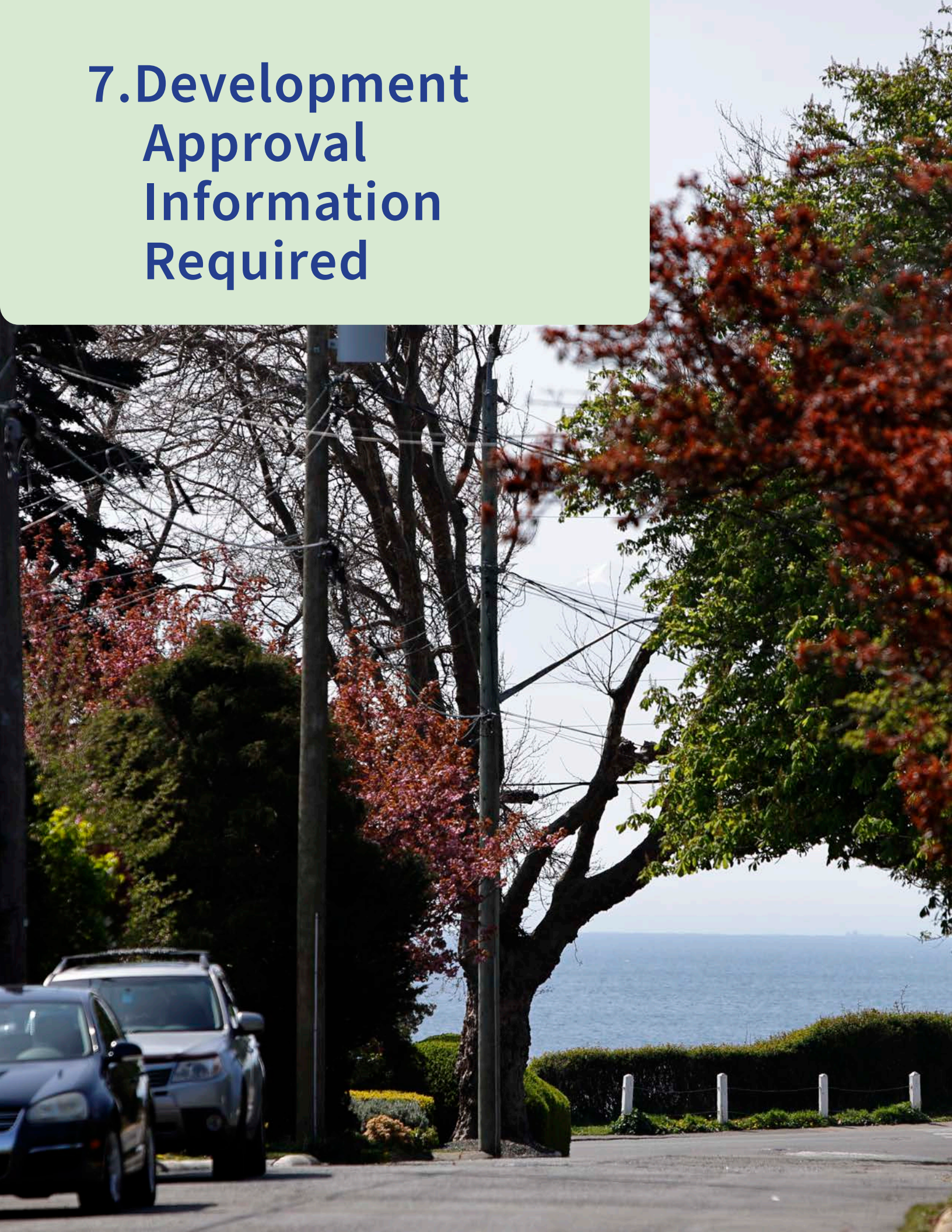
RR11. Consider incentives to non-heritage properties for seismic upgrading in their buildings.

RR12. Promote drought-tolerant and fire-resistant landscaping in both public and private developments.

RR13. Actively promote and foster new emergency management partnerships with local, regional, provincial governments, non-government agencies, and community organizations to encourage coordination of emergency management in the CRD.

RR14. Explore opportunities for cooling and misting stations in public spaces to help minimize impacts of extreme heat events.

7. Development Approval Information Required



7.1. Development Approval Information

Purpose

The establishment of a Development Approval Information Area (DAIA) gives local government the authority to require information about the potential impacts a proposed land use or development may have on the environment and municipal infrastructure before approval is considered. To use the DAIA authority the Municipality must, by bylaw, establish procedures and policies governing when it can require development approval information and what information may be required. The bylaw will also set out procedures for requesting reconsideration of DAIA requirements and circumstances where a public information meeting may be required.

Designation

Pursuant to Section 485(1) of the *Local Government Act*, all lands within the boundaries of the Municipality of Oak Bay are designated a Development Approval Information Area (DAIA).

Objectives

- To ensure potential impacts of proposed development are identified and documented as part of the development review process.
- To ensure the Municipality has relevant and reliable information to properly assess and mitigate conditions resulting from proposed development.
- Where potential negative impacts are identified, the Municipality may require the applicant to address and mitigate the impacts before development approval is granted.

Application

As outlined in Section 484 of the *Local Government Act*, development approval information may be required under any of the following circumstances:

1. An application for any of the following:
   - A change in Official Community Plan land use designation
   - A change in zoning
   - A development permit
   - A temporary use permit

2. The development may result in impacts on:
   - The natural environment
   - Access to public space
   - Impact on significant views
   - Loss of privacy or sunlight on adjacent properties
   - Affordable and inclusive housing
   - Identified heritage resources and archaeological resources
   - Public facilities such as schools and parks

3. Community services
   - Transportation patterns and traffic flow
   - Infrastructure including sewer, water, roads, drainage, street lighting, and other infrastructure
   - Energy flows and greenhouse gas emissions

The development could result in other impacts that may be of concern to the residents of Oak Bay, District staff or Council.

7.2. Temporary Use Permits

Purpose

Temporary use permits allow a use of land that is not otherwise permitted in the *Zoning Bylaw* to be authorized on a temporary basis through the issuance of a temporary use permit.

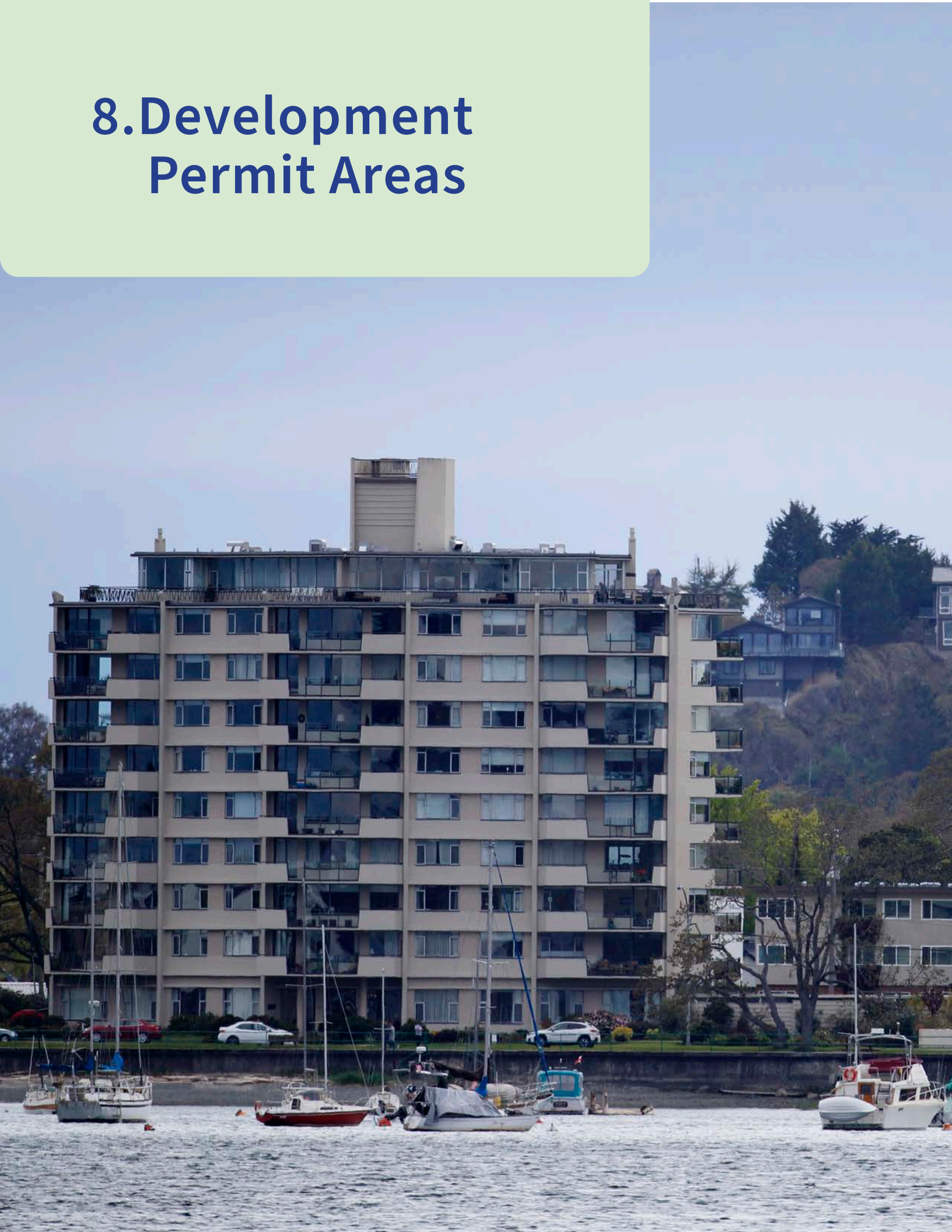
Designation

Pursuant to Section 492 of the *Local Government Act*, all lands within the boundaries of the Municipality of Oak Bay are designated as an area where temporary uses may be permitted.

Application

1. Council (or Council's delegate) may issue a temporary use permit for a period of up to three years, renewable only once. Upon expiry of the permit, the temporary use must cease.
2. Temporary use permits may be issued to allow:
    - Seasonal or occasional uses on land zoned for institutional including District parks.
    - Seasonal or occasional uses in residential areas where adjacent properties will not be impacted by smoke, noise, vibration, dust, glare, odour or other negative impacts.
    - Temporary housing.
    - Any other temporary use not otherwise permitted by the *Zoning Bylaw*.
3. Prior to issuing a temporary use permit Council or Council's delegate must be satisfied that:
    - The temporary use qualifies under one of the above criteria
    - Potential adverse impacts on adjacent and surrounding properties will be appropriately managed
    - The temporary use will not result in permanent facilities and land alterations that will encourage non-compliance with the *Zoning Bylaw* once the temporary use permit has expired
    - The Applicant will return the land to a condition conducive to the uses it is zoned for
4. Temporary use permits may include terms and conditions related to the temporary use and security may be required to ensure any land altered is returned to its original condition and structures and facilities established for the temporary use are removed upon expiry of the permit.

8. Development Permit Areas



8.1. Introduction

The *Local Government Act* Section 488(1) provides municipalities with the authority to establish Development Permit Areas (DPAs). Development permit areas are an effective tool for the protection of environmentally sensitive areas, managing development in hazardous conditions, and setting out expectations regarding the 'form and character' of certain types of development.

Oak Bay has some important creek corridors and shorelines with high environmental values, and there are lands that contain potentially hazardous conditions. Establishing these as DPAs provides the District the opportunity to manage the development process with consideration for these environmental resources and geological conditions.

With the changes included in this OCP, the District anticipates an increase in the flow of development applications for mixed-use, commercial and multi-unit residential and infill housing projects compared with that of the last several years. The DPAs that include design guidelines for these development applications will provide staff and Council with a framework for guiding and responding to development proposals.

This Plan sets out the designations, justification, objectives, application/exemptions and guidelines for each DPA.

8.2. Natural Environment Development Permit Areas

Introduction

Oak Bay residents care deeply about natural areas, including creeks and the shoreline. Development permit areas for the natural environment will help to protect the integrity of ecosystems while allowing appropriate development to occur. This will further the vision and goals of the OCP, helping to balance environmental protection with increased development.

8.2.1 Watercourses Development Permit Area

.1 Designation

Areas outlined on Schedule D: Watercourses Development Permit Area (DPA) are properties that contain areas designated under *Local Government Act* Section 488(1)(a), for protection of the natural environment, its ecosystems and biological diversity. The DPA itself includes the following, as defined in the provincial Riparian Areas Protection Regulation:

- the 30 m strip on both sides of the watercourse measured from the high water mark, based on the definition of "high water mark" in the Riparian Areas Protection Regulation
- for a 3:1 (vertical/horizontal) ravine less than 60 m wide, the strip on both sides of the watercourse measured from the high water mark to a point that is 30 m beyond the top of the ravine bank
- for a 3:1 (vertical/horizontal) ravine 60 m wide or greater, a strip on both sides of the watercourse measured from the natural boundary to a point that is 10 m beyond the top of the ravine bank

.2 Justification

Bowker Creek is a highly valued urban creek that has been the subject of extensive study and a long-term restoration and enhancement plan, as described in Section 4. Oak Bay also contains the upper reaches of Hobbs Creek. Hobbs Creek begins just east of Henderson Park and flows north through Saanich to Cadboro Bay. These creeks and their adjacent riparian areas offer important fish habitat and aquatic habitat for wildlife.

When in a natural state, riparian areas are biodiverse areas that support a wide variety of wildlife, contribute to the health of adjacent streams and fish habitat through shading, stream bank stabilization, the maintenance of water quality, and the provision of food, nutrients, organic matter, and large woody debris. As development can impact the function of riparian areas by altering environmental features and natural processes, the Watercourses DPA is intended to minimize the impacts of new development along Bowker Creek and Hobbs Creek and to maintain or restore riparian functions and ecosystems along these creeks.

.3 Objectives

The following are the objectives of the Watercourses DPA:

1. To implement the *Riparian Areas Protection Regulation*
2. To preserve and protect aquatic and riparian habitat in order to support species biodiversity and natural ecological function
3. To guide development to occur in a manner that minimizes environmental impacts upon aquatic and riparian habitat, fish and wildlife, and encourages the restoration and enhancement of aquatic and riparian habitat so that it can provide corridors for wildlife movement and support fish life processes.

.4 Application

As provided in Section 489 of the *Local Government Act*, unless exempted under 8.2.1.5 below, a development permit must be approved prior to:

1. Subdivision
2. Construction of, addition to or alteration of a building or other structure-
3. Land alteration

.5 Exemptions

Pursuant to Section 488(4) of the *Local Government Act,* the following do not require a development permit:

1. Repair and maintenance of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of land or vegetation, and the work does not impact access provisions to the property.
2. The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5m either side of the fence.
3. Ecological restoration and enhancement projects, parks and works services undertaken or authorized by the Director of Parks, Recreation and Culture, the Capital Regional District, or the Province of BC.
4. Construction, maintenance or operation of municipal works and services undertaken or authorized by the Corporation of the District of Oak Bay, provided that an assessment of the riparian area is completed by a QEP and that all works are conducted in accordance with the recommendations of the QEP.
5. Removal of trees deemed to be hazardous and a threat to immediate life or safety, as determined by a certified Arborist.
6. Small-scale removal by hand of invasive species or noxious weeds.
7. Larger-scale removal of invasive species or noxious weeds in accordance with a vegetation management plan prepared by a Registered Professional Biologist, certified Arborist or Qualified Environmental Professional, and measures are taken to avoid sediment or debris

being discharged into a watercourse and the area is replanted immediately in accordance with established best management practices.

8. The placement of non-permanent structures, such as benches, tables and garden ornaments and gardening and yard maintenance activities, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbances that do not alter the general contours of the land. Tree pruning must be conducted in accordance with the District's Tree Protection Bylaw.
9. The construction of a small accessory building, such as a gazebo, garden shed or playhouse, if all the following apply:
    - The building is located in an existing landscaped area;
    - No native trees are removed;
    - The total area of small accessory buildings is less than 10m2; and,
    - The building is located a minimum of 10 metres from the high water mark or the stream or, where the stream is located in a ravine, 10 metres from the top of bank.
10. The construction of a trail if all the following apply:
    - The trail is 1m wide or less;
    - No native trees are removed;
    - The surface of the trail is pervious (e.g. soil, gravel or wood chips);
    - The trail is designed to prevent soil erosion where slopes occur; and,
    - Where the trail parallels the stream, the trail is more than 5 metres from the high water mark of the stream or, where the stream is located in a ravine, 5 metres from the top of bank.
11. Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment, archaeological resources, or public or private property including:
    - Forest fire, flood, and erosion protection works;
    - Protection, repair or replacement of public utilities;
    - Clearing of an obstruction from a bridge, culvert, dock, wharf or stream;
    - Bridge repairs; and,
    - Removal of hazardous trees as determined by a certified Arborist.

.6 Guidelines for Watercourses Development Permit Area

Development permits issued in the Watercourses DPA shall be in accordance with the following guidelines:

1. No development shall occur within a Streamside Protection and Enhancement Area (SPEA) except for the following:
    - Works authorized by the Minister of Fisheries and Oceans or a regulation under the *Fisheries Act (Canada)*; and
    - Works and activities that comply with the laws, regulations and best management practices of the *Water Sustainability Act*, for example bank repairs, stormwater outfalls, road crossings, footbridges and pipeline crossings.
2. The width of the SPEA will be determined by a Qualified Environmental Professional (QEP) who has prepared and submitted an assessment report in accordance with the requirements of the Riparian Areas Protection Regulation. The QEP must also address the guidelines of this Watercourses DPA.
3. Notwithstanding guidelines 1 and 2 above, where disturbance within the SPEA cannot be avoided due to site conditions, the QEP shall make recommendations on suitable mitigation or restoration options to improve the quality of the remaining SPEA including, but not limited to:
    - Recommended strategies and measures to protect the SPEA prior to site disturbance, during the construction process, and post construction;
    - The addition of new areas to the SPEA to replace those areas where the SPEA cannot be met; and,
    - Restoration and enhancement measures for remaining areas of the SPEA to increase the quality of functional riparian habitat.
4. Where necessary, zoning variances and relaxations to other bylaw requirements, (e.g. building setbacks, parking requirements) may be considered in order to prevent the loss of habitat within the Watercourses DPA, to facilitate the protection of the SPEA, and to encourage

development on portions of the site that are least environmentally sensitive

5. The following measures should be taken to ensure that development outside of the SPEA but within the Watercourses DPA does not negatively impact the riparian habitat of the SPEA and the water quality and hydrology of the stream:
    - Maintain hydrological characteristics that emulate the pre-development state of the land, including:
        - Minimize impervious surfaces;
        - Return stormwater runoff from impervious surfaces of the development to natural hydrologic pathways in the ground to the extent reasonably permitted by site conditions, and treat, store and slowly release the remainder per the specifications of the Subdivision and Development Bylaw, No. 3578, as may be updated or replaced from time to time;
        - Minimize the alteration of contours of the land outside the areas approved for buildings, structures, and site access by minimizing the deposit of fill and the removal of soil;
    - Minimize the removal of native trees outside the areas approved for buildings, structures, and site access;
    - Develop and implement a soil erosion and sediment control plan as part of site design and construction to prevent the discharge of sediment-laden water into the stream;
    - Install temporary fencing and signage to prevent encroachment into the SPEA during construction; and,
    - Address terrain stability concerns that may impact the SPEA.
6. Additional measures may also be required depending on the degree of potential impacts of the development on the SPEA and the condition of the SPEA including, but not limited to:
    - Planting of native vegetation and removal of invasive non-native vegetation within the SPEA in accordance with a habitat restoration plan prepared by a QEP;
    - Where a net benefit for fish and riparian habitat can be demonstrated, in-stream works, stream daylighting, the creation of wetlands, and the replacement of hard structures such as walls with landscape solutions in accordance with the recommendations of a QEP and subject to approval from applicable provincial and federal government agencies;
    - Environmental monitoring during the construction phase;
    - Installation of a permanent fence to demarcate the SPEA;
    - Reduction of windthrow hazard within the SPEA;
    - Registration of a natural state covenant over the SPEA; and,
    - Dedication of the stream to the Corporation of the District of Oak Bay. For land in a natural or naturalized condition, retain existing vegetation, topography and hydrology to the degree possible.
    - For subdivisions where detailed building plans do not yet exist, the QEP shall provide advice on environmental monitoring and measures that may need to be considered at building stage, including whether another assessment should be undertaken.

8.2.2. Shorelines Development Permit Area

.1 Designation

Areas outlined on Schedule E: Shorelines Development Permit Area (DPA) are properties that contain areas designated under *Local Government Act* Section 488 (1) (a) for protection of the natural environment, its ecosystems and biological diversity; and Section 488 (1) (b) for the protection of development from hazardous conditions.

The Shorelines DPA itself includes the following:

1. All those upland and foreshore areas measured horizontally above and below and within 15 metres of the natural boundary of the sea, including the entire shoreline forming the south and east boundaries of Oak Bay.

.2 Justification

Oak Bay has an abundance of ocean shoreline. It is very diverse, including the long sandy Willows Beach, rocky headlands, offshore islands, and rich intertidal habitats at McNeill and Gonzales Bays. The shoreline offers biologically rich and diverse habitat for waterfowl, raptors, shellfish, marine mammals, and smaller marine creatures. In addition to its ecological importance to an array of aquatic species, the ocean shoreline has a key role in natural systems such as ocean processes, erosion control and flood management, dissipating wave energy and managing the risks from sea level rise. Setbacks from the marine foreshore and higher construction elevations will become increasingly important as sea level rise elevates the risk of coastal flooding and erosion.

.3 Objectives

The following are the objectives of the Shorelines DPA:

1. To plan and regulate new development in a manner that preserves and protects aquatic and shoreline habitat in order to support species biodiversity and natural ecological function, as well as the economic vitality of fisheries
2. To protect the integrity of the foreshore, shoreline and natural coastal and intertidal processes
3. To conserve and manage the foreshore as a public resource in a manner that does not compromise the ecological integrity of the shoreline
4. To protect development from erosion and flooding associated with sea level rise and storm surges

.4 Application

As provided in Section 489 of the *Local Government Act*, unless exempted under 8.2.2.5 below, a development permit must be approved prior to:

1. Subdivision
2. Construction of, addition to or alteration of a building or other structure
3. Land alteration

.5 Exemptions

Pursuant to Section 488(4) of the *Local Government Act*, the following do not require a development permit:

1. Repair and maintenance of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of land or vegetation and the work does not impact access provisions to the property.
2. Routine maintenance of existing hardened foreshore structures provided that no new material (other than replacement material) is added to the structure and no materials are taken away. The works must not alter the footprint, including the height or slope, of the existing structure. The property owner is responsible for contacting Provincial and Federal governments, as applicable, to secure permission and determine conditions that must be met. The District must be notified of the proposed works and all senior government agency approvals must be provided to the District to support the exemption.

3. The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5m either side of the fence.
4. Ecological restoration and enhancement projects, parks and works services undertaken or authorized by the Director of Parks, Recreation and Culture, the Capital Regional District, or the Province of BC.
5. Construction, maintenance or operation of municipal works and services undertaken or authorized by the Corporation of the District of Oak Bay.
6. Removal of trees deemed to be hazardous and a threat to immediate life or safety, as determined by a certified Arborist.
7. Small-scale removal by hand of invasive species or noxious weeds.
8. Larger-scale removal of invasive species or noxious weeds in accordance with a vegetation management plan prepared by a Registered Professional Biologist, certified Arborist or Qualified Environmental Professional, and measures are taken to avoid sediment or debris being discharged into the foreshore and the area is replanted immediately in accordance with established best management practices.
9. The placement of non-permanent structures, such as benches, tables and garden ornaments and gardening and yard maintenance activities, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbances that do not alter the general contours of the land. Tree pruning must be conducted in accordance with the District's Tree Protection Bylaw.
10. The construction of a small accessory building such as a gazebo, garden shed or playhouse, if all the following apply:
    - The building is located in an existing landscaped area;
    - No native trees are removed;
    - The total area of small accessory buildings is less than 10m2; and,
    - The building is located a minimum of 10 metres from the natural boundary of the sea or, where the bank has a slope greater than 3:1, 10 metres from the top of bank.
11. Emergency actions performed by federal, provincial, regional or District staff required to prevent, control or reduce an immediate threat to human life, the natural environment, archaeological resources, or public or private property including:
    - Forest fire, flood, and erosion protection works;
    - Protection, repair or replacement of public utilities;
    - Clearing of an obstruction from a bridge, culvert, dock, wharf or stream;
    - Bridge repairs; and,
    - Removal of hazardous trees as determined by a certified Arborist.

.6 Guidelines for Shorelines Development Permit Area

Development permits issued in the Shorelines DPA shall be in accordance with the following guidelines:

1. Preserve the foreshore ecosystem and ecological processes within the Shorelines DPA, including existing vegetation, topography, natural features, drainage and hydrology and natural sediment or detritus movement (accretion and erosion), except in accordance with the conditions of an approved Development Permit per the guidelines of the Shorelines Development Permit Area and any applicable Provincial or Federal requirements.
2. If suitable areas of land for the use intended exist on the property outside the Shorelines DPA, the proposed development should be directed to those areas to the greatest extent possible in order to minimize loss of marine foreshore habitat. Where necessary, zoning variances and relaxations to other bylaw requirements (e.g. building setbacks, parking requirements) may be considered in order to facilitate the siting of development outside of the Shorelines DPA.
3. Where there has been significant disturbance within the Shorelines DPA, consider opportunities to restore and enhance the foreshore habitat in accordance with the recommendations of a Qualified Environmental Professional experienced in shoreline ecosystems.

4. Provide a minimum 15 metre setback from the natural boundary of the sea for new buildings and structures, additions to existing buildings and structures, or the placement and removal of fill, other than beach nourishment fill, except where a Qualified Environmental Professional experienced in shoreline ecosystems demonstrates a lesser setback is appropriate. Such assessments shall include recommendations for protection and restoration required to minimize habitat disruption and to protect against flooding, erosion and slope failure.
5. New roads or driveways shall not be located within the Shorelines DPA. If such a location cannot be avoided, encroachment shall be minimized and the design and construction of the road or driveway shall be supervised by a Qualified Environmental Professional experienced in shoreline ecosystems.
6. All occupied areas of buildings shall be constructed at an elevation at or greater than an appropriate flood construction level established by a Qualified Coastal Professional and that takes into consideration the expected effects of sea level rise on the foreshore. For clarity, parking, loading and storage areas may be located below this elevation.
7. Development must be undertaken and completed in such a manner as to minimize the extent of excavation and to prevent the release of sediments or pollutants onto the marine foreshore or to any watercourse or storm sewer that flows to the marine shoreline. A construction management plan prepared by a Qualified Coastal Professional may be required where there are significant environmental features or assets on the property that require protection. The plan should identify areas to be fenced off during construction, best management practices for minimizing silt runoff onto the foreshore and other strategies to preserve natural environmental features and/or reduce construction impacts.
8. Consider the use of non-toxic and environmentally sustainable building materials within the Shorelines DPA to preserve and protect marine foreshore and aquatic habitat.
9. Parking areas should be placed away from the foreshore, buffered or landscaped, and constructed to minimize erosion and water pollution by controlling stormwater runoff through measures such as catch basins, oil separators, filtration trenches or swales, or unpaved or permeable all weather surfaces.
10. Impermeable surfacing within the Shorelines DPA should be minimized.
11. Landscaping for new development should be selected in concert with the recommendations of a Qualified Environmental Professional and should retain natural vegetation and emphasize native plant species, where possible. Xeriscaping, which is landscaping using methods and drought-resistant plant species to minimize the need for irrigation, is encouraged.
12. Subdivision concepts shall be prepared in concert with the recommendations of a Qualified Coastal Professional to ensure that lots created will not require shore protection measures to provide useable, safe building sites, and that these building sites can be located a minimum of 15 metres from the natural boundary of the sea.
13. Shoreline protection measures shall be limited to that necessary to prevent damage to existing buildings or structures or established uses on adjacent upland and only if all other options to locate and design without the need for shore protection have been exhausted.
14. Where shore protection is required:
    - Apply only the 'softest' possible shore protection measure. The use of seawalls and rip rap embankments are generally not acceptable unless no alternative shore protection design is possible;
    - Limit the size and impacts of shoreline protection measures; and,
    - Use inert materials only. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal waters.
15. While shoreline hardening should be avoided in favour of softer solutions to shoreline erosion, where bulkheads, seawalls, retaining walls or other revetments are proposed:

- A report prepared by a Qualified Coastal Professional shall be submitted certifying that the construction of the revetment or bulkhead is required to control erosion of the owner's land and that 'softshores' approaches are not viable in the proposed location;
- They should be designed as to minimize the removal of natural vegetation and to integrate with natural habitat features to the greatest extent possible;
- They must not be located where geo-hydraulic processes are critical to shoreline conservation and ecosystem function. Construction in areas on or near feeder bluffs, eelgrass beds, spits or hooks must be avoided;
- They should be located parallel to and landward of the natural boundary of the sea and as close to any natural bank as possible;
- They should allow the passage of surface or groundwater without causing ponding or saturation; and,
- They should be constructed of stable, inert, non-erodable materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings and retention mesh should be included. Beach materials should not be used for fill behind bulkheads.

16. Existing shore protection measures may be replaced if the existing works can no longer adequately serve its purpose provided that:
    - The replacement shore protection measures are of the same size and footprint as the existing works, unless required to prevent shoreline erosion as determined by a Qualified Coastal Professional;
    - Replacement revetments, walls, or bulkheads shall not encroach seaward of the natural boundary of an existing shore protection measure unless there are significant safety or environmental concerns that could only be addressed by such an encroachment. In such cases, the replacement shore protection measures should utilize the 'softest' approach possible, abut the existing shore protection works, and be approved by Provincial and Federal government agencies, where applicable.
    - Where impacts to critical marine habitats would occur by leaving the existing works, they may be removed as part of the replacement measure.

Shore Protection Measures include a range of modification measures to the shoreline, or adjacent seaward or landward areas, for the purpose of protection against erosion. Structural protection methods are often referred to as "hard" and "soft" (See at right). "Hard" measures refer to those with solid, hard surfaces, such as concrete bulkheads and seawalls, while "soft" structural measures rely on less rigid materials, such as biotechnical vegetation measures or beach enhancement. There is a range of measures varying from soft to hard that include:

SOFT

- *Vegetation enhancement*
- *Upland drainage control*
- *Biotechnical measures*
- *Beach enhancement*
- *Anchor trees*
- *Gravel placement*
- *Rock (rip rap) revetments*
- *Gabions*
- *Concrete groins*
- *Retaining walls or bulkheads*
- *Seawalls*

HARD

In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology, and biological functions.

17. All structural shore protection measures shall be installed within the property line or upland of the natural boundary of the sea, whichever is further inland. 'Soft' shoreline protection measures that provide restoration of previously damaged ecological functions (e.g. beach nourishment) may be permitted seaward of the natural boundary subject to the necessary approvals from Provincial and Federal government authorities.
18. Docks and wharves shall be constructed and sited so as to:
    - Avoid impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift;
    - Allow the free flow of water beneath, with floating docks not resting on the sea bed at any time;
    - Be connected to the shore via a minimal, moveable ramp rather than a fixed wharf or pier; and,
    - Use stable materials that will not degrade over time or negatively impact water quality. Unenclosed plastic foam shall not be used, and creosote-treated pilings are discouraged.
19. Shoreline protection measures, pilings, floats, docks, wharves and other structures should not obstruct public access to and along the foreshore, except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.
20. Public accesses should be designed to minimize their impact on shoreline ecological functions and fill should not be placed at or below the natural boundary of the sea for the purposes of providing a trail or walkway.
21. Ecological restoration and access improvements should be incorporated into public projects.
22. Storm water outflows shall have water quality and water quantity / erosion control features installed that avoid impacts to slope stability and the integrity of aquatic habitat.

8.2.3 Hazardous Conditions Development Permit Area

.1 Designation

Areas outlined on Schedule F: Hazardous Conditions Development Permit Area (DPA) are properties that contain geotechnically unstable land and are designated per the *Local Government Act* Section 488 (1) (a) and (b) for the protection of the environment and protection of development from hazardous conditions, respectively. The DPA applies to areas on Schedule F.

.2 Justification

An area of Oak Bay north of the Royal Victoria Yacht Club and east of Beach Drive has been identified in geotechnical engineering studies as being unstable. The designation of the area as a development permit area will permit the District to request geotechnical information prepared by a qualified engineer at the time of development to assist in the formulation of development conditions considered appropriate in light of professional advice.

.3 Objectives

The following are the objectives of the Hazardous Conditions Development Permit Area:

1. To prevent damage to the environment from inappropriate development in hazardous areas
2. To limit development so as to prevent development from causing or exacerbating geotechnical hazards
3. To protect against damage to property and risks to health and safety

.4 Application

As provided in Section 488 (1) of the *Local Government Act*, the following activities must not occur within this DPA except to the extent that there is an exemption for the activity under 8.2.3.5 or the owner has first obtained a development permit:

1. land must not be subdivided
2. construction of, addition to or alteration of a building or other structure must not be started
3. land must not be altered

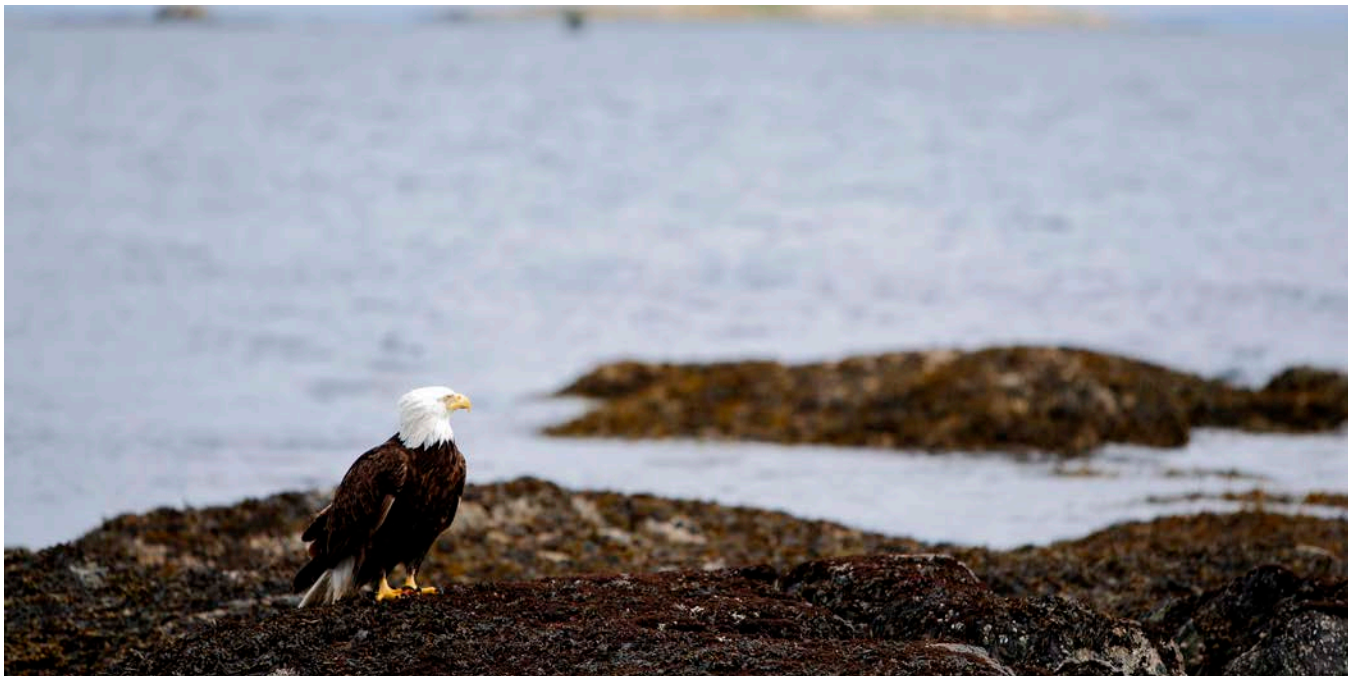
.5 Exemptions

The following do not require a development permit:

1. Repair or maintenance of existing buildings or other structures, provided there is no alteration of undisturbed land or vegetation
2. Emergency repairs to existing structures or utilities where a potential safety hazard exists
3. Removal of trees deemed to be hazardous and a threat to life or safety, as determined by a qualified arborist
4. The construction of a small accessory building (maximum area of 10 m^2), such as a gazebo, garden shed or playhouse, if all the following apply:
   - No trees are removed
   - The building is not within the area deemed geotechnically unstable or within the area recommended as a setback from the geotechnically unstable area by a qualified engineer
5. Emergency actions performed by federal, provincial, regional or District staff required to prevent, control or reduce an immediate threat to human life, the natural environment, archaeological resources, or public or private property including:
   - Forest fire, flood, and erosion protection works
   - Protection, repair or replacement of public utilities
   - Clearing of an obstruction from a culvert, dock, wharf or stream
   - Removal of hazardous trees

.6 Guidelines for Hazardous Conditions Development Permit Area

1. Preserve and protect the integrity of the geotechnically unstable area and take measures to minimize risks based on the professional geotechnical report



8.3. Built Environment Development Permit Areas

Introduction

Oak Bay residents care deeply about the form and character of development in the community. Throughout the OCP process, there was fairly universal interest in guiding new development to fit with the local context and character of Oak Bay.

Infill Residential is a relatively new form of housing for Oak Bay and it will only be embraced by the community if it can be accomplished with respect for neighbourhood character and the natural environment. Design guidelines will be helpful in that regard.

With the land use changes introduced as part of this OCP update, the District anticipates an increase in the number of applications for multi-unit residential development. Development guidelines can shape the form and character of new buildings while also addressing some of the concerns about sustainability.

Commercial and Mixed-Use projects should also be shaped to increase the vitality of Oak Bay's village areas. This will bring more residents to commercial areas and provide opportunities to enhance the public realm.

The intent of the built environment guidelines is to set sufficient limits to exclude new projects that are obviously out of character with Oak Bay (e.g., large grey concrete walls with no windows or detailing), and to be flexible enough to allow creative designs that borrow enough characteristics of established neighbourhoods to blend with the diversity that already exists. The guidelines will enable successful projects that encompass innovation, environmental practices, and features that meet the needs of existing and future residents.

8.3.1 Infill Residential Development Permit Area

.1 Designation

All of the District is designated as Infill Residential Development Permit Area (DPA) pursuant to the following:

1. *Local Government Act* Section 488 (1) (e) for the establishment of objectiwves for the form and character of intensive residential development;
2. *Local Government Act* Sections 488 (1) (h), (i) and (j) for the establishment of objectives to promote energy conservation, establishment of objectives to promote water conservation, and establishment of objectives to promote the reduction of greenhouse gas emissions, respectively.

A development permit is required for residential development that results in 3 or 4 residential units on a lot and such development is subject to the Infill Development Permit Area Guidelines.

.2 Justification

Infill Residential development in Oak Bay's established neighbourhoods, including, infill single-detached, duplexes, triplexes, multiplexes, laneway houses, and garden suites, will add to the variety of house types, styles and affordability. This will provide housing for people of different ages, income levels and stages of life in these desirable neighbourhoods. This DPA provides guidelines to promote development that reflects the community's character, respects the natural environment, and allows existing houses to be retained. Infill is a more intensive use of the land, which makes use of existing infrastructure and already disturbed land, reduces development pressure on natural areas, and helps to create a more compact and inclusive community. This can support increased walking, biking and transit use.

Infill housing will allow some residents to remain on their properties and to obtain income, and bring more people closer to existing and planned commercial areas, increasing the viability and vitality of these important places.

.3 Objectives

The objectives of the Infill Residential Development Permit Area are to promote developments and redevelopments that accomplish the following:

1. support a sustainable and compact community
2. respect and integrate with the evolving neighbourhood character and streetscapes
3. provide housing diversity to meet the changing needs of residents throughout their life cycle, including the needs of persons with physical and developmental disabilities
4. allow owners to retain existing houses and remain on their property
5. provide landscapes that retain and enhance the urban forest and include rainwater management
6. establish a 'good neighbour' design approach by integrating new houses with respect for landscaping, overlook, sunlight, views and parking

.4 Application

As provided in section 489 of the *Local Government Act*, the following activities must not occur within this DPA except to the extent that there is an exemption for the activity under 8.3.1.5 or the owner has first obtained a development permit:

1. land must not be subdivided
2. construction of, addition to or alteration of a building or other structure must not be started
3. land or a building or other structure on that land, must not be altered

.5 Exemptions

Development permits are not required in the Infill Residential Development Permit Area for the following:

1. Development of land or renovation or alteration of a building on a parcel of land that will have less than three residential units after completion of the proposed project.
2. Interior renovations, an exterior renovation that does not alter the form or character of the building, an exterior addition with less than 10 square metres of floor area, and/or an accessory building with less than 10 square metres of floor area

.6 Site Planning and Building Guidelines

1. Locate and design the building massing to:
   - be complementary with the character and scale of the surrounding neighbourhood and adjacent buildings in terms of building massing, street setbacks, landscaping, and quality of finishing and details
   - consider the potential for larger buildings and smaller setbacks on arterial and collector roads and adjacent to commercial areas
   - respect the privacy of adjacent properties
   - limit shadowing of public outdoor use areas and adjacent residential properties
   - follow passive solar siting principles to reduce the energy needed for lighting and heating, e.g., penetration of sunlight and natural light into interior spaces
2. Respect the patterns and rhythms of buildings and open spaces that are characteristic of the street. When it is not possible to achieve similar size and shape, the front of the building should be broken into smaller parts creating an illusion of a smaller building in scale with its neighbours.
3. Orient patios, porches, balconies and decks away from neighbouring yards, or if not possible, insetting or screening them, to improve privacy for neighbours, recognizing that some overlook of yards and decks between houses on adjoining lots is not unusual and may be unavoidable.

4. Design driveways, garages and parking pads to have a minimum intrusion on pedestrian use of the street, with landscaping of parking areas.
5. Emphasize building entries with features such as porches, steps, walkways and landscape, reflecting characteristics from the street and neighbourhood, and facing the street where possible. Consider how community connection with the street may be encouraged through the use of balconies, patios, porches and front yard sitting areas.
6. Use building materials, landscaping and paving that contribute to the quality of the streetscape and that are in keeping with other houses and properties on the street.
7. Design the proportion of the façade that has windows, and the size and detailing of windows, to relate to those of neighbouring houses.
8. Consider the location of windows carefully in relation to overlook, recognizing that some measure of overlook may be welcomed by neighbours where security is an issue. Plan window openings on the sidewalls so that they do not directly align with those of adjacent houses.
9. Use sustainable building practices and technologies such as water and energy conservation, waste reduction, reduction of greenhouse gas emissions, solar panels, geothermal energy, bird-friendly glazing and other emerging systems.
10. Avoid large expanses of uniform materials and flat monotonous façades facing streets and public open spaces.
11. Ancillary buildings or accessory dwellings on a site should be designed and finished in a manner complementary to, or consistent with the principal building on a site.
12. Encourage locating utility infrastructure (such as electrical meters, HVAC units etc.) on the side or rear facade of buildings where feasible and that are screened to minimize visual impact from the street and neighbouring properties.
13. Exterior garbage and recycling areas must be screened to minimize visual impact from public view.

.7 Landscape Guidelines

1. Design the site layout and building locations to:
   - retain and conserve as much natural vegetation, rock outcrops, existing hydrology, and unique site features as possible, including Garry oaks, other large trees, and significant vegetation
   - respect the existing topography, minimizing the need for cut and fill, major blasting, or tall retaining walls
2. Use low impact development practices such as the following:
   1. Maximize the extent of landscaped areas on site with absorbent soils and minimize the amount of impervious surfaces to increase the natural infiltration (absorption) of rainwater and to provide a more natural or landscaped character
      - reduce the amount of impervious paving and use permeable materials where possible, e.g., permeable pavers, permeable asphalt or concrete, decks, reinforced grass
      - consider the use of bioswales, rain gardens, and other design techniques that allow greater infiltration of water, including within and around parking areas
      - promote the use of rainwater collection/ re-use systems that collect rainwater for irrigation
   2. Use native, low maintenance (drought resistant, low water requirement) plants and designs in landscape plans.
3. Design the landscape to retain, and if possible to increase, the tree canopy on the site, considering connectivity of green space with adjacent lots.
4. Design the front yard landscape to be predominantly vegetated, and design fences to allow views into the property.
5. Consider energy efficiency and conservation in landscape design, e.g., provide shade in summer, moderate wind, while allowing sunlight and daylight into buildings.
6. Design outdoor lighting and select outdoor light fixtures based on dark sky principles, e.g., shielded to direct light downward to ground surfaces only and avoid direct lighting of building faces and trees.

.8 Access, Circulation and Parking Area Guidelines

1. Minimize the intrusion of driveways and parking by keeping driveways narrow, minimizing paved parking areas and encouraging shared driveways to units with individual vehicular access.
2. Locate on-site parking to the rear or side yard where possible.
3. Locate access and driveways to minimize impacts on existing trees.
4. Consider using laneways for access where they exist.
5. Design garages so they do not dominate the front face of the building closest to the street.

8.3.2 Multi-Unit Residential Development Permit Area

.1 Designation

All areas of the District that are zoned to allow for the development of Townhouses or Multi-Unit Apartments are designated as a Multi-Unit Residential Development Permit Areas (DPA) pursuant to the following:

1. *Local Government Act* Section 488 (1) (f) for the establishment of objectives for the form and character of Multi Unit Residential development.
2. *Local Government Act* Sections 488 (1) (h), (i) and (j) for the establishment of objectives to promote energy conservation, establishment of objectives to promote water conservation, and establishment of objectives to promote the reduction of greenhouse gas emissions, respectively.

.2 Justification

Multi-Unit Residential development (townhouses and apartments) in Oak Bay will provide more affordable and inclusive housing options in transition areas between commercial areas and lower density residential neighbourhoods. This DPA provides guidelines to promote development that complements Oak Bay's unique character, provide an attractive and liveable environment while increasing density and housing choice. This will strengthen Oak Bay as a complete community, increasing support for local shops and services, and enhancing the viability of active transportation and public transit.

.3 Objectives

The objectives of the Multi Unit Residential Development Permit Area are to promote developments and redevelopments that accomplish the following:

1. support a sustainable and compact community
2. respect and integrate with neighbourhood character and streetscapes
3. provide housing diversity to meet the changing needs of residents throughout their life cycle, including the needs of persons with physical and developmental disabilities
4. provide landscapes that include vegetation and rainwater management
5. support safe pedestrian access and accessibility
6. consider the impacts of new construction on adjacent residents

.4 Application

As provided in section 489 (1) of the *Local Government Act*, the following activities must not occur within this DPA except to the extent that there is an exemption for the activity under 8.3.2.5 or the owner has first obtained a development permit:

1. land must not be subdivided.
2. construction of, addition to or alteration of a building or other structure must not be started
3. land or a building or other structure on that land, must not be altered.

.5 Exemptions

Development permits are not required in the Multi-Unit Residential Development Permit Area for the following:

1. interior renovations.
2. an exterior renovation that does not alter the form or character of the building.
3. an exterior addition with less than 10 square metres of floor area.
4. an accessory building with less than 10 square metres of floor area.
5. where lower density forms of residential development (i.e. infill housing) are proposed in multi-unit residential areas, the Infill Development Permit Area applies.

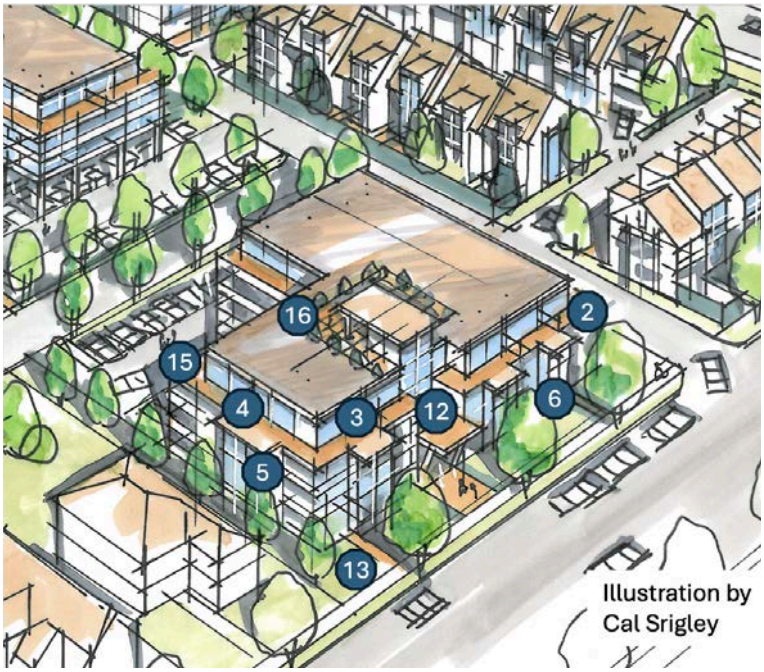
.6 Site Planning and Building Guidelines

Context, Scale and Massing

1. Design and build new development to contribute to the cohesion, visual identity and the quality of streetscapes.
2. Incorporate building elements that are complementary to other buildings on the street, such as street walls, façade rhythm, and horizontal cornice lines.
3. Add visual interest to the streetscape including laneways through variations in building height, rooflines and massing. Break up the perceived mass of large buildings by incorporating visual breaks in façades.
4. Step back the upper storeys of large buildings and arrange the massing and siting of buildings to consider shadowing on lower level units, adjacent buildings, as well as public and open spaces such as sidewalks, plazas, and courtyards. Building articulation may consider the use of balconies, trellises and architectural features to reduce the impact of larger buildings. Articulation may be considered in lieu of setbacks through the use of balconies, trellises and architectural features.
5. Avoid blank, windowless walls along and/ or visible from streets or other public open spaces. Where blank walls cannot be avoided, features such as texture, graphics, reveals, and colours may be incorporated into the façade.
6. Incorporate subtle vertical and horizontal recesses / articulation on large primary façades (e.g. cladding details).
7. Contribute to both streetscapes including laneways if the building is located on a corner site.
8. Locate and design the building massing to provide a transition between the form, character and scale of the surrounding neighbourhood and the character of commercial areas or arterial and collector roads that are close to or adjacent to the property being developed. Consider future land use when designing the transition in building heights from taller to shorter buildings both within and adjacent to the site.

Community and Privacy

9. Respect the privacy of adjacent properties by reducing overlook between buildings and neighbouring properties.
10. Limit shadowing of public outdoor use areas and adjacent residential properties.
11. Retain prominent views of nearby or distant landscape features from public spaces.
12. Orient building frontages and main entrances to the dominant street frontage where possible, with well-defined entries and direct pedestrian access to the entries from the street.



13. Retain large front setbacks where there is substantial green space and trees that contribute to the character of the streetscape. Flexibility should be considered to accommodate courtyards and other features between buildings that would result in building façades up to the minimum front yard setback.
14. Apply Crime Prevention through Environmental Design (CPTED) principles to building and site design, balancing these with objectives related to landscaping, sustainability and tree retention.
15. Finish other building elevations visible from the street to a similar standard as the street-fronting façade.
16. Screen roof-top mechanical and ground-level equipment from views in a manner that is consistent with the architectural design of the building, and so as not to cause visual, noise or vibration impacts on project residents or adjacent residential lots.
17. Avoid locating utility infrastructure (such as electrical meters, HVAC units etc.) on the front facade of buildings where alternative locations are feasible and that are screened to minimize visual impact from the street and neighbouring properties.
18. Locate garbage and recycling rooms in underground or covered parking areas where feasible. Where not feasible, exterior garbage or recycling areas may be considered with landscaping and screened to minimize a visual impact from public view.
19. Encourage community connection with the street through the use of balconies, patios, and work-live units (where permitted).

Sustainable Design

20. Use sustainable and green building practices and technologies such as water and energy conservation, waste reduction, reduction of greenhouse gas emissions, solar panels, geothermal energy and other emerging systems.
21. Apply passive solar siting principles to reduce the energy needed for lighting and heating, e.g., penetration of sunlight and natural light into interior spaces.
22. Incorporate planted roofs and roof-top gardens on buildings for use by residents, with care taken in design to minimize the impact on privacy of neighbours.
23. Provide charging stations for electric vehicles and secured storage for bicycles in accordance with District bylaws.

.7 Landscape Guidelines

1. Design the site layout and building locations to retain and conserve as much natural vegetation, rock outcrops, existing hydrology, and unique site features as possible, including Garry oaks, other large trees, and significant vegetation.
2. Respect the existing topography, minimizing the need for cut and fill, major blasting, or tall retaining walls.
3. Use low impact development practices such as the following:
   - maximize the extent of landscaped areas on site with absorbent soils and minimize the amount of impervious surfaces to increase the natural infiltration (absorption) of rainwater and to provide a more natural or landscaped character
   - reduce the amount of impervious paving and use permeable materials where possible, e.g., permeable pavers, permeable asphalt or concrete, decks, reinforced grass
   - consider the use of bioswales, rain gardens, and other design techniques that allow greater infiltration of water, including within and around parking areas
   - use rainwater collection/re-use systems that collect rainwater for irrigation
4. Use native, low maintenance (drought resistant, low water requirement) concepts in landscape plans.
5. Design the landscape to retain, and if possible to increase, the tree canopy on the site.
6. Make sites accessible to people of all abilities through the use of universal design principles.
7. Consider energy efficiency and conservation in landscape design, e.g., provide shade in summer, moderate wind, while allowing sunlight and daylight into buildings.

8. Incorporate outdoor amenities such as benches, courtyards, food gardens, dog relief areas, and recreation facilities to provide opportunities for residents to socialize and to contribute to a sense of community.
9. Screen surface parking areas and service areas where necessary to reduce impacts on neighbouring residences and the public realm. Use planting for screening where possible.
10. Design the front yard landscape to include a significant proportion of vegetation, and design fences to allow views into the property.
11. Locate and design directional signs and any similar features to be low profile, ground-oriented and externally lit with low intensity fixtures accentuated by landscaping. Do not use flashing lights, neon signs and similar bright lights.
12. Locate refuse and recycling container areas where they are accessible to residents and to container pick-up trucks, screened with an appropriate durable enclosure, and provide landscaping around the perimeter of the enclosure where possible. Avoid direct exposure of refuse and recycling areas to public streets.
13. Design and select outdoor light fixtures based on dark sky principles, e.g., shielded to direct light downward to ground surfaces only and avoid direct lighting of building faces and trees.

.8 Access, Circulation and Parking Area Guidelines

1. Design the internal road and parking system for efficient circulation of all types of vehicles, with a layout that discourages speeding, and provide safe pedestrian routes from parking lots to building entrances.
2. Include internal landscaping within large areas of surface parking in order to “break-up” the hard surface area.
3. Locate parking to the rear or side yard, underground or under the building where possible.
4. Locate access points and route driveways to minimize impacts on existing trees.
5. Garage entries should be located on rear or side façades of buildings. If this is not possible, they should be receded behind the front building face and incorporate architectural detailing to avoid a streetscape that is auto-centric. Garage doors visible from the street should include glazing, design features, and materials/colours to soften the impact.
6. Consider the use of laneways for access where they exist.

8.3.3 Commercial and Mixed-Use Development Permit Area

.1 Designation

Areas designated Oak Bay Village, Neighbourhood Village and Specialized Commercial on Schedule B: Land Use Plan) as well as any areas zoned for commercial or mixed-use (commercial/residential) development are designated Commercial and Mixed-Use Development Permit Areas (DPAs) pursuant to the following:

1. *Local Government Act* Section 488 1(1) (f) for the establishment of objectives for the form and character of commercial, industrial or multi-family residential development
2. *Local Government Act* Sections 488 1(1) (h), (i) and (j) for the establishment of objectives to promote energy conservation, establishment of objectives to promote water conservation, and establishment of objectives to promote the reduction of greenhouse gas emissions, respectively.

.2 Justification

Commercial and Mixed-Use development in Oak Bay will expand the amount of commercial space, mostly in existing commercial areas, and provide more residential use above commercial to increase the vitality of these areas and the viability of businesses. This DPA provides guidelines to promote development that reflects the unique character of Oak Bay's commercial areas, incrementally replacing aging buildings. This will strengthen Oak Bay as a complete community, increasing support for local shops and services, and enhancing the viability of active transportation and public transit.

.3 Objectives

The objectives of the Commercial and Mixed-use Development Permit Area are to promote developments and redevelopments that accomplish the following:

1. support a sustainable and compact community
2. respect and enliven the character and streetscape of commercial areas and contribute to the neighbourhood sense of place
3. provide housing diversity to meet the changing needs of residents
4. provide landscapes that include vegetation and rainwater management
5. support safe pedestrian access and accessibility
6. consider the impacts of new construction on adjacent residents

.4 Application

As provided in section 489 of the Local *Government Act*, the following activities must not occur within this DPA except to the extent that there is an exemption for the activity under 8.3.3.5 or the owner has first obtained a development permit:

1. land must not be subdivided
2. construction of, addition to or alteration of a building or other structure must not be started
3. land or a building or other structure on that land, must not be altered.

.5 Exemptions

Development permits are not required in the Commercial and Mixed-Use Development Permit Area for the following:

1. interior renovations
2. an exterior renovation that does not alter the form or character of the building
3. an exterior addition with less than 10 square metres of floor area
4. an accessory building with less than 10 square metres of floor area

.6 Site Planning and Building Guidelines

Context, scale and massing

1. Design and build new development to contribute to the cohesion, visual identity and the quality of the streetscape by incorporating building elements that are complementary, such as street walls, façade rhythm, and horizontal cornice lines.
2. Add interest to the streetscape through variations in building height, rooflines and massing for larger buildings.
3. Contribute visual interest to both streetscapes if the building is located on a corner site such as by wrapping storefronts around the corner.
4. Locate and design the building massing to provide a transition between the form, character and scale of the surrounding neighbourhood and the character of commercial areas or arterial and collector roads that are close to or adjacent to the property being developed.
5. For buildings over three storeys, use setbacks and/or terracing above the third level to reduce massing impacts on the street, to allow sunlight penetration, and to retain an appropriate village-like scale for Oak Bay's commercial areas. Articulation may be considered in lieu of setbacks through the use of balconies, trellises and architectural features.
6. Encourage locating utility infrastructure (such as electrical meters, HVAC units etc.) on the side or rear facade of buildings locations where feasible and that are screened to minimize visual impact from the street and neighbouring properties.
7. Locate garbage and recycling rooms in underground or covered parking areas where feasible.
8. Encourage community connection with the street through the use of balconies, patios, and work-live units (where permitted).

Adjacent Properties and Buildings

9. Respect the privacy of adjacent residential properties by limiting overlook.
10. Limit shadowing of public outdoor use areas and adjacent residential properties.
11. Consider prominent views of nearby or distant landscape features from public spaces.

Pedestrian Comfort, Safety and Visual Interest

12. Provide weather protection such as awnings and canopies in front of stores and at primary building entries.
13. Provide outdoor spaces that are accessible to the public and complementary to the uses of the building, e.g., outdoor eating areas, plazas, courtyards. Encourage the inclusion of public art in these outdoor spaces.
14. Apply Crime Prevention through Environmental Design (CPTED) principles to building and site design, balancing these with objectives related to landscaping.
15. Finish building elevations on flanking streets to the same standard as the street façade and provide visual interest.
16. Locate commercial uses at street level with a maximum amount of glazing on the façade at this level and with well-defined entries oriented towards the dominant street.
17. Address potential conflicts between commercial and residential uses through design features such as physical separation of uses, noise and visual barriers, and mechanical systems to address air quality.
18. Minimize the visual, noise and traffic impacts of commercial activity on the surrounding neighbourhood.

Sustainable Design

19. Use sustainable building practices and technologies such as water and energy conservation, waste reduction, reduction of greenhouse gas emissions, solar panels, bird-friendly glazing, geothermal energy and other emerging systems.
20. Follow passive solar siting principles to reduce the energy needed for lighting and heating, e.g., penetration of sunlight and natural light into interior spaces.
21. Incorporate planted roofs and roof-top gardens on buildings for use by residents and patrons.
22. Provide charging stations for electric vehicles and secured storage for bicycles.
23. Screen roof-top mechanical and ground-level equipment from views in a manner that is consistent with the architectural design of the building, and so as not to cause visual, noise or vibration impacts on project residents or adjacent residential lots.

.7 Landscape Guidelines

1. Design the site layout and building locations to retain and conserve as much natural vegetation, rock outcrops, existing hydrology, and unique site features as possible, including Garry oaks, other large trees, and significant vegetation.
2. Respect the existing topography, minimizing the need for cut and fill, major blasting, or tall retaining walls.
3. Use low impact development practices such as the following:
   - include generous landscaped areas on site with absorbent soils and minimize the amount of impervious surfaces to increase the natural infiltration (absorption) of rainwater and to provide a more natural or landscaped character
   - reduce the amount of impervious paving and use permeable materials where possible, e.g., permeable pavers, permeable asphalt or concrete, decks, reinforced grass
   - use bioswales, rain gardens, and other design techniques that allow greater infiltration of water, including within and around parking areas
   - use rainwater collection/re-use systems that collect rainwater for irrigation
   - Use native, low maintenance (drought resistant, low water requirement) concepts in landscape plans.

4. Make sites accessible to people of all abilities through the use of universal design principles.
5. Consider energy efficiency and conservation in landscape design, e.g., provide shade in summer, moderate wind, while allowing sunlight and daylight into buildings.
6. Incorporate outdoor amenities such as benches, courtyards, food gardens, dog relief areas, and recreation facilities to provide opportunities for residents to socialize and to contribute to a sense of community.
7. Consider landscape screening of surface parking areas and service areas where necessary to reduce impacts on neighbouring residences and the public realm.
8. Locate refuse and recycling container areas where they are accessible to residents and to container pick-up trucks, screened with an appropriate durable enclosure, and provide landscaping around the perimeter of the enclosure where possible. Avoid direct exposure of refuse and recycling areas to public streets.
9. Select light fixtures based on dark sky principles, e.g., shielded to direct light downward only.
10. Avoid flashing lights, neon signs and similar bright lights.

.8 Access, Circulation and Parking Area Guidelines

1. Design any internal road and parking system for efficient circulation of all types of vehicles, with a layout that discourages speeding, and provide safe pedestrian routes from parking lots to building entrances.
2. Include internal landscaping within large areas of surface parking in order to "break-up" the hard surface area.
3. Locate parking to the rear or side yard, underground or under the building where possible.
4. Locate access points and route driveways to minimize impacts on pedestrian streets and existing trees.
5. Underground garage entries should be located on rear or side façades of buildings. If this is not possible, they should be receded behind the front building face and incorporate architectural detailing to avoid a streetscape that is auto-centric. Garage doors visible from the street should include glazing, design features, and materials/colours to soften the impact.
6. Consider the use of laneways for access where they exist.

.9 Additional Guidelines for Specialized Commercial Areas

In addition to applicable Guidelines set out in section 8.3.3.6 and 8.3.3.7, in the case of land shown as "Specialized Commercial DPA" on Schedule B: Land Use Framework Map, the following guidelines are applicable:

1. Design the site's vehicular circulation and parking to be efficient for all types of vehicles, with a layout that discourages speeding, providing safe pedestrian routes from parking lots to building entrances.
2. Locate buildings/impermeable areas and design the landscape to retain, and if possible to increase, the tree canopy on the site.
3. Design the front yard landscape to include a significant proportion of vegetation, and design fences to allow views into the property.
4. Locate and design directional signs and any similar features to be low profile, ground-oriented and externally lit with low intensity fixtures accentuated by landscaping.

8.3.4 Uplands Siting and Design Guidelines

The following elements of design will be considered by the Oak Bay Advisory Design Panel when reviewing proposed buildings or additions and alterations to existing buildings in the Uplands.

Goals

The Advisory Design Panel will assess all applications within the context of the Uplands Regulations Bylaw and the Oak Bay *Zoning Bylaw* to achieve the following goals:

- To maintain and reinforce a residential park atmosphere.
- To ensure the sensitivity of new development to existing dwellings and landscape features.
- To promote design excellence through the approval process for building permits in the Uplands.

Guidelines

Maintenance of the Residential Park Setting

1. John Charles Olmsted, when designing the Uplands, intended to achieve a residential park atmosphere. This concept shall be maintained.

Impact on Views

2. The impact on the view corridors of neighbouring properties and public areas should be kept to a minimum.

Setbacks

3. Setbacks shall promote and reinforce the residential park atmosphere. Front yard setbacks should be consistent with other houses on the street, retaining trees and respecting adjacent private outdoor areas.

Relationship in Character and Massing to the Image of the Area

4. Buildings should utilize sensitive siting, design and use of materials that creates a sense of harmony and neighbourliness in the Uplands.

Impact on Scale and Rhythm of Development

5. Scale and rhythm are established by various design elements which include: building height, building form, roof shape, massing, landscaping, and garages and out-buildings.

Relationship to Adjacent Buildings

6. Site new development as much as possible within the existing development footprint, with massing comparable in scale and massing with other buildings on the street.

Effect of Shadows on Neighbouring Properties

7. Buildings should be sited to limit impacts from shadowing on neighbouring properties.

Overlook and Privacy Issues

8. Buildings and landscaping should be designed to reduce opportunities for overlook and preserve privacy, with significant landscaped areas between home, neighbour, and street.

Accessory Buildings

9. Accessory buildings shall be assessed by applying the same criteria used for the principal buildings. Detached buildings should promote and reinforce the Goals for the Uplands.

General Massing, Proportion, and Overall Articulation of Building in Relation to Established Housing

10. Massing, proportion, and articulation should be comparable with other buildings on the street.

Roofscape

11. Design of roofs including pitch, form, gables, and dormers. Provide variations in roof pitch and form as well as incorporate secondary roof elements such as gables and dormers to create visual interest.

Facade Articulation and Building Entry

12. Exterior materials, finishes, glazing, and ornamentation should appear as integral parts of a building and should be sympathetic to the overall design concept.

Garages and Outbuildings

13. Garages and outbuildings should be of complementary design to the residence and utilize similar quality material and finishes.

Fencing and Screening

14. Fencing and walls should be used in a manner that promotes the open parklike concept of the Uplands. Enclose outdoor spaces with plants, screening, and layering of plants and features.

Native Plants and Vegetation

15. Native Garry oak and coastal Douglas fir ecosystem plants and vegetation should be maintained and incorporated into new landscaping.

Preservation of Significant and Healthy Trees and Plant Material

16. Design the landscape to reflect the character of the neighbourhood including Garry oaks and other large trees. Existing mature healthy trees and vegetation should be retained.

Play and Recreation Areas

17. Areas for play and recreation, including pools, sport courts, and pitches, should be screened from view from the street with landscaping.

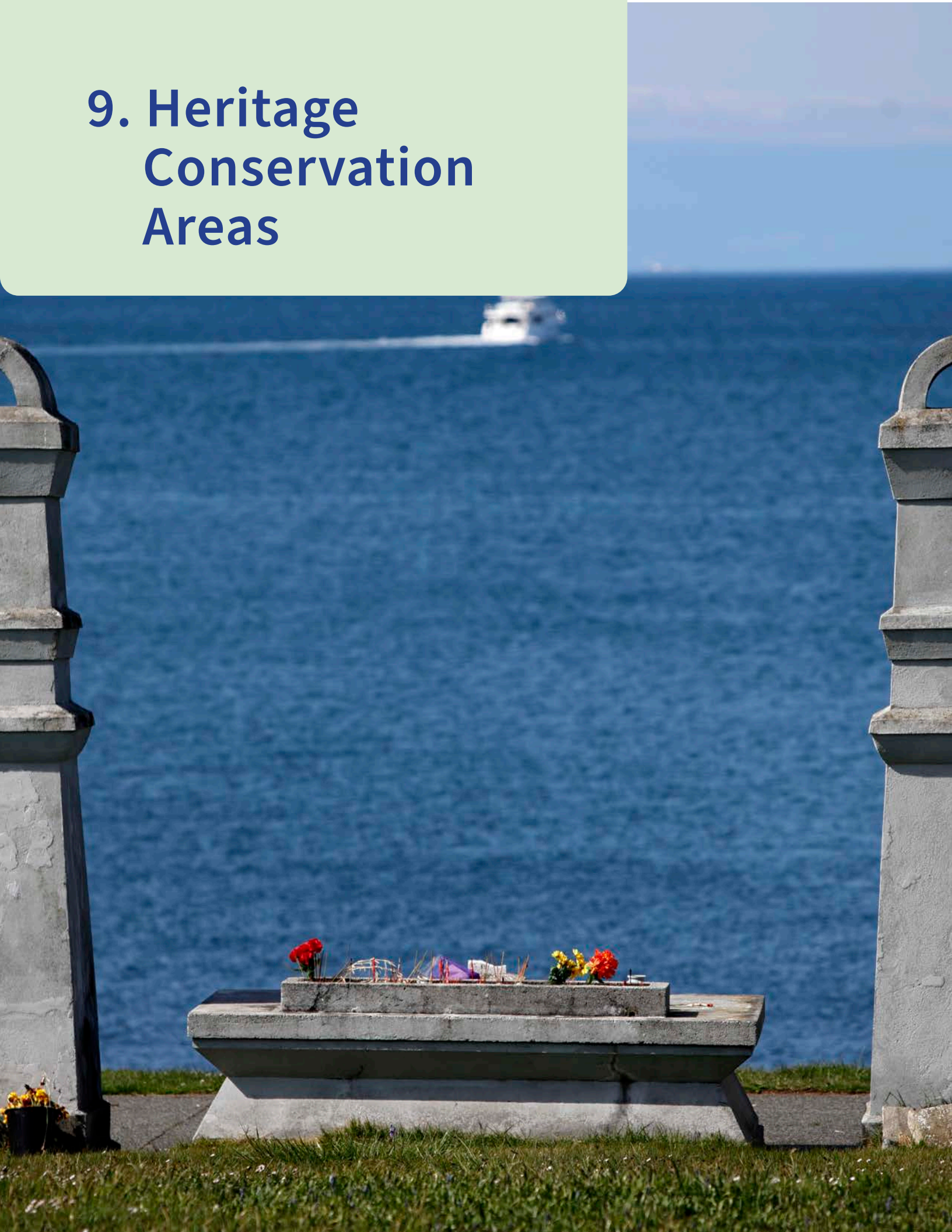
Hard Landscaping

18. Hard landscaping should utilize high quality materials and be integrated with soft landscaping to reflect the character of the neighbourhood.

Parking and Driveways

19. Provide adequate vehicular circulation and parking areas on site screened from the street with landscape, walls and other enclosures, using narrow landscaped driveways.

9. Heritage Conservation Areas



9.1. Introduction

Part 15 of the *Local Government Act* provides municipalities with the authority to establish Heritage Conservation Areas (HCA). These HCAs are used by local governments to protect the buildings, structures, land or features that contribute to the overall heritage character of a neighbourhood or distinct areas. An HCA must demonstrate distinct heritage value and character, and design guidelines can direct a variety of character defining elements to reflect heritage values and manage change within a neighbourhood.

For Oak Bay, heritage conservation areas are one tool recognized by the Official Community Plan to conserve the character of clusters of heritage buildings and their associated landscapes. They aid in conserving Oak Bay's history and heritage, as well as its established neighbourhoods and streetscapes.

9.2. Prospect Heritage Conservation Area (HCA1)

Category
Sections 614 and 615 of the *Local Government Act.*

.1 Justification

The Prospect Heritage Conservation Area is a predominantly residential neighbourhood with a significant cultural landscape with a sloped topography, narrow scenic roads, significant architecturally designed houses, and a location fronting the Oak Bay beachfront. It is significant for its aesthetic, historic, social, natural history and educational values, particularly its representation of the origins of the Oak Bay community in the late 19th century, the leafy suburban character of its evolved cultural landscape, and its mix of architecturally significant and more modest residences.

The Prospect is significant for its use by First Nations for millennia. While more widely understood and acknowledged, the colonial history of this area is only a brief chapter in the overall history of human occupation. There has been Indigenous land use in this area for living, fishing, food and medicine gathering since time immemorial; and there are archaeological sites recorded within the boundary of The Prospect.

The area is important for its integration into a landscape with features such as steep topography that rises in elevation from the foreshore to the higher elevations of York Place, which give some homes a prominent physical status and considerable views; bedrock outcrops; and Rattenbury's Beach and foreshore, all of which have a physical and visual influence on the form of development and overall character of the neighbourhood. The landscape is important for its ecologically significant areas including rare wildlife and plant species, and its lush vegetation, both native and ornamental, safeguards habitat for birds and small mammals.

Of particular importance in the area is the presence of significant residences built with superior material and craftsmanship of the time, and designed by some of BC's most prominent late 19th and early 20th century architects such as Francis Rattenbury, Samuel Maclure, Karl Spurgin, John Tiarks, Ralph Berrill, Percy L. James and others, often interpreting classic residential building styles such as Queen Anne, Tudor Revival and Classical Revival. The inclusion of contemporary buildings by well known late 20th century architects, including a 1996 house designed by Pamela Charlesworth and Campbell Moore's 1992 Barwin House, makes the area a showcase for some of BC's most prominent architects' residential work for over a century.

Significant streetscapes have evolved into a harmonious integration of narrow roadways, buildings, trees, garden and natural vegetation, with remaining evidence of early large estate development and the adaptation of neighbourhood design to the site's natural topography.
The eclectic arrangement of buildings and traces in the landscape, such as openings in walls, overgrown gates, small pathways and laneways, public staircases, a decorative well head, and vegetation and tree patterns, are valued for their physical manifestations of past patterns of land use. Layers

of vegetation are important for their contribution to the bucolic nature of the neighbourhood and for softening harder elements such as buildings, structures and roadways. Trees and plantings provide screening between the street and private spaces, and create a peaceful rural atmosphere, including large sequoia trees associated with the garden development at Briarbrae, and others planted around 1912.

Landscape details are fundamentally integral to the character of the place. They include stone walls, some with capped pillars, along most streets; gates and fences; narrow sidewalks; lack of curb and gutter; and the Lych Gate and stone wall at York Place and Oak Bay Avenue.

The important rural character of the place and country lane feel has been retained, even in the presence of new construction that, to date, manages to mostly fit into the character of the neighbourhood.

.2 Objectives

The following are the objectives of the Prospect Heritage Conservation Area:

1. To maintain the distinctive character of the Prospect neighbourhood as expressed by the layout of the neighbourhood, the collection of early homes, as well as the gardens, streetscape, and landscape features.
2. To ensure the long term protection of heritage in the neighbourhood while maintaining flexibility to provide for the upkeep of resident homes and landscapes.
3. To retain the buildings and features as listed in the Schedule of Properties to the greatest extent possible.
4. To ensure new development is respectful of, and contextual to, the heritage character of the neighbourhood.

.3 Application

As provided in Section 615 of the *Local Government Act*, the following activities must not occur within the Prospect Heritage Conservation Area (HCA1) unless the owner has first obtained a heritage alteration permit:

1. land must not be subdivided;
2. construction of a building or structure, or an addition to an existing building or structure must not be started;
3. a building, structure or land must not be altered;
4. a feature that is protected heritage property must not be altered.

.4 Exemptions

Heritage alteration permits are not required for the following:

1. interior alterations to a building or structure that do not affect the external appearance;
2. routine maintenance of buildings and structures, such as exterior painting of buildings;
3. construction or demolition of accessory buildings with less than 10 m^2 of floor area, and which are not heritage designated or listed in the Schedule of Properties;
4. subdivision where a rezoning is not required;
5. tree cutting, landscaping or fence construction for which no municipal approval is required, or as may be identified through a heritage designation or the Schedule of Properties;
6. anything that does not require a building permit unless it alters the character defining elements (e.g. materials) of a property that is heritage designated or listed in the Schedule of Properties;
7. municipal works;
8. properties identified by Plan VIS1752.

.5 Guidelines

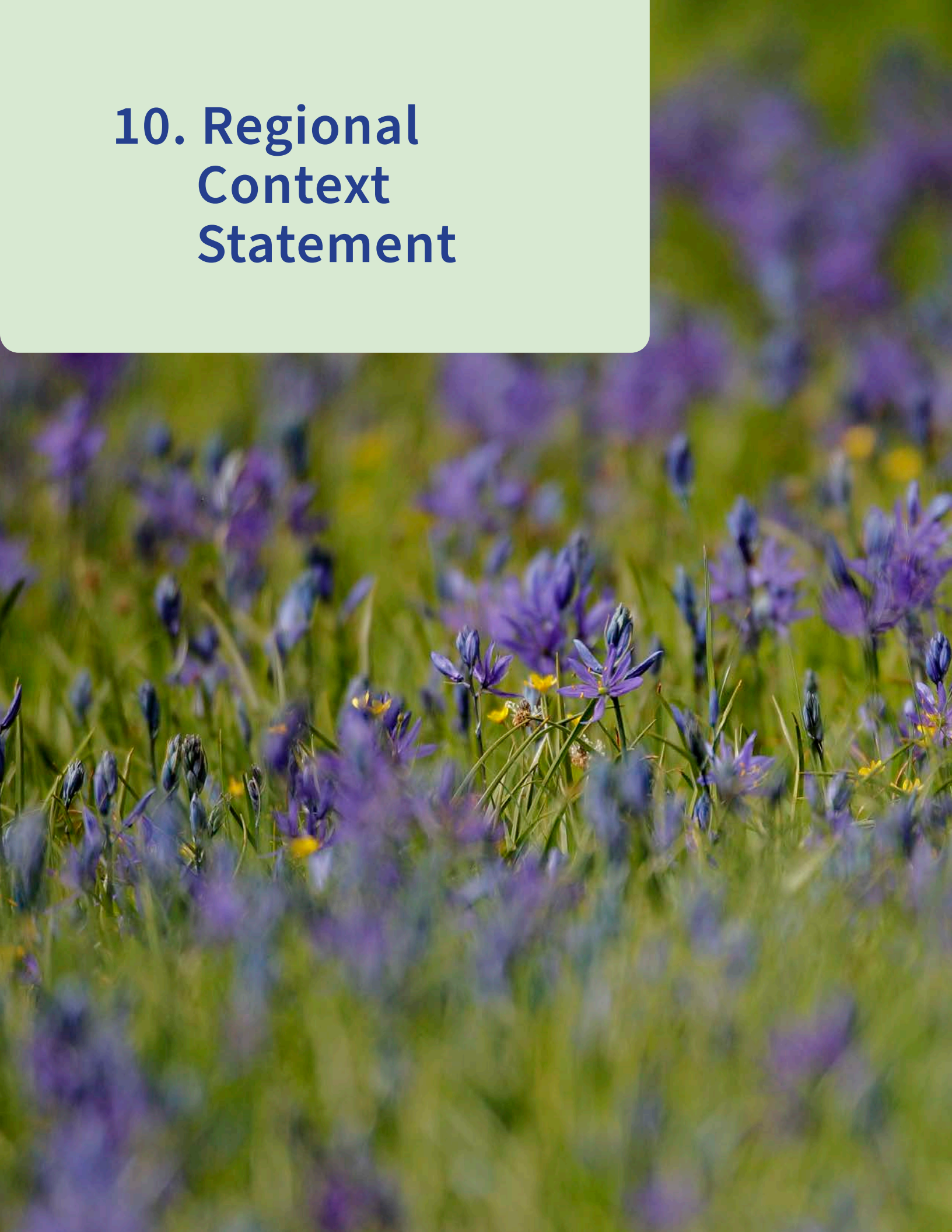
Any work for which a heritage alteration permit is required must conform with:

1. all applicable bylaws;
2. the latest edition of the Standards and Guidelines for the Conservation of Historic Places in Canada as published by Parks Canada;
3. The Prospect Heritage Conservation Area Guidelines (Schedule K), which form a part of the Official Community Plan. ScSProperties - Prospect Heritage Conservation Area

Schedule of Properties - Prospect Heritage Conservation Area

Property	Name / Feature
1512 Beach Drive	*Sandhurst*
1526 Beach Drive	*Haynes Cottage*
1538 Beach Drive	*Bide-A-Wee*
1558 Beach Drive	*J.W. Morris House*
1580 Beach Drive	*Home, Stone Walls and Pillars*
1590 Beach Drive	*Captain and Mrs. L. Adamson House*
1701 Beach Drive	*lechinihl*
1710 Beach Drive	
2340 Oak Bay Avenue	*Lych Gate (Feature Only)*
2364 Oak Bay Avenue	*Crenellated Stone Walls and Pillars (Features Only)*
2390 Oak Bay Avenue	*F. Hamilton and E. Harrison House*
1513 Prospect Place	*Florence E. Rattenbury Home*
1525 Prospect Place	*C. Dubois Mason Home*
1532 Prospect Place	
1535 Prospect Place	*Sheilin*
1554 Prospect Place	*Crenellated Stone Walls, Pillars and Gates (Features Only)*
1584 Prospect Place	
1621 Prospect Place	*Seldon Humphrey's House*
1660 Prospect Place	*Conrad P.W. Schwengers Home*
1670 Prospect Place	
1680 Prospect Place	
2390 San Carlos Avenue	*Patio Court*
2396 San Carlos Avenue	*Patio Court*
2402 San Carlos Avenue	*Patio Court*
2408 San Carlos Avenue	*Patio Court*
2414 San Carlos Avenue	*Patio Court*
1545 York Place	
1561 York Place	*Crenellated Stone Walls and Capped Pillars (Features Only)*
1574 York Place	*Crenellated Stone Pillars (Feature Only)*
1580 York Place	*Arran*
1586 York Place	*Mr. & Mrs. J. Harman House, Carriage House*
1587 / 1595 York Place	*Annandale*
1590 York Place	*Gibson House*
1596 York Place	*Woodlawn Summer House (Building Only) Crenellated Stone Wall (Feature Only)*
1605 York Place	*Briarbrae*

10. Regional Context Statement



10.1. Purpose

As a municipality within the Capital Regional District (CRD), Oak Bay works collaboratively with the other 12 partner municipalities to achieve regional objectives. The CRD's Regional Growth Strategy (RGS), adopted in 2018, sets out the vision, objectives, principles and policies for the region. The Regional Context Statement, as required under Part 13 of the *Local Government Act*, specifically identifies the relationship of, and how the Official Community Plan is consistent with the RGS. It sets out how the municipality is responsible for supporting the objectives and policies of the RGS through its own Community Plan.

The following indicates how this OCP addresses and is consistent with the objectives of the RGS. These objectives and policies are discussed in more detail within the OCP.

10.2. Regional Growth Strategy Objectives

Objective 1. Managing and Balancing Growth

Keep Urban Settlement Compact

Considered one of the core municipalities of the CRD, Oak Bay is located within the Urban Containment Area and plays a role in accommodating the majority of new dwelling units within the Containment Area. It is a compact community with relatively slow population growth over recent years. As noted in section 1.6, the OCP plans for Oak Bay to become a more compact complete community, offering opportunities for residential, commercial and economic growth (see also 5.1, 5.2, 5.3, 5.4). For example, Oak Bay Village and other neighbourhood villages act as nodes to support residential, commercial, employment and community services for local residents.

Opportunities for increased residential density occur throughout the District in the form of infill housing while apartments and townhouses will be focused near to existing villages and commercial areas, and close to transit corridors ensure the provision of community amenities to keep services close to residents. Future growth will increase the number of people living in complete communities and contributes to the Core area jobs to population ratio in the RGS. The Plan encourages increases in the number of units in new multifamily housing projects and a slight expansion in multifamily housing areas as transitions between mixed use areas and established neighbourhoods (see 5.2, 5.3).The forms of infill proposed in established neighbourhoods include a variety of housing options where they achieve a contextual fit, infrastructure is available, and they contribute to economic viability; for example,

- secondary suites are permitted in all infill residential areas subject to regulations contained in the *Zoning Bylaw* (see 5.3 H15, HR1) and,
- duplexes, triplexes, laneway houses and accessory dwelling units were approved in all zones previously restricted to single-detached and duplexes as part zoning changes introduced in 2024 to address the Province's housing legislation (Bill 44).

Protect the Integrity of Rural Communities

Oak Bay is an urban community with no rural areas, and the rural policies of the Regional Growth Strategy do not apply.

Objective 2. Environment and Infrastructure

Protect, Conserve and Manage Ecosystem Health

Oak Bay is characterized by a spectacular setting and a natural environment that includes ocean shoreline, creeks and Garry oak ecosystems. Major parks, or the RGS Capital Green Lands, are identified as Uplands Park and Anderson Hill Park, which the OCP designates as Parks & Open Space. Since these areas are already protected from development, the Plan seeks to protect existing natural areas through education and stewardship. General policies (see 4.2 NE1 - NE6) encourage initiatives and activities that promote public awareness and address environmental restoration and enhancement.

Given the geographical location of the municipality, the community would not contribute to the sea-to-sea green/blue belt, which runs from the Saanich Inlet in the east to the Juan de Fuca Strait in the west.

The urban forest is also an important environmental feature in Oak Bay, and the Plan focuses on protection and enhancement of the urban forest, increasing vegetation and tree canopy cover (see 4.2 NE7 - NE11, 5.6 PR4, PR5).

Bowker Creek is an important regional watercourse that has been the subject of extensive study within the CRD, and a small portion of Hobbs Creek also flows through Oak Bay. Watercourses and shorelines are protected through development permit areas and policies that encourage a Green Shores approach and return shorelines to their natural state (see 4.2 NE15 - NE18), 8.2.1, 8.2.2). This, in addition to a rainwater management plan, serves to support the RGS target of reducing contaminants in fresh and marine water bodies.

OCP policies speak to a number of other initiatives, including:

- preparing a network plan of trails to support active transportation and highlight greenways (see 5.6 PR1, PR11, PR12), and which also supports the RGS target to complete a Regional Trail Network that is located outside of the municipality;
- preparing a rainwater management plan (see 4.2 NE12, 5.2 BE6, 6.2 US9) to achieve low impact development practices and increase onsite retention and infiltration;
- continuing to promote stewardship activities (see Chapter 4); and,
- giving consideration to marine areas where shoreline protection and restoring the shoreline to a natural state is balanced against use of the boating community and providing for boat access (see 4 2 NE15 - NE118, 5.6 PR19, 8.2.2).

Manage Regional Infrastructure Services Sustainably

The District is responsible for providing utility services to the community, including water, sewer and garbage collection. The District is also continuously looking at ways to reduce energy use and lower greenhouse gas emissions in the delivery of those services. For example, with an aging infrastructure, water pipes are being replaced or repaired, resulting in water conservation where water leaks are being reduced.

The OCP land use designations support a development pattern to direct most apartment and townhouse residential growth to village and multifamily areas and along transit corridors (see Schedules B and C). Villages consist of mixed use, low to mid rise buildings along arterial or collector roads, and multi unit residential areas follow a similar pattern along arterial or collector roads (see 5.1 CF1, 5.3 H17, H19, H21, H26, H27, H31). The pattern of development better utilizes existing and replacement infrastructure as outlined in RGS principles.

Any increases to the Oak Bay population will have an impact on the infrastructure. Policies that support this growth and accommodate infrastructure include repairing and replacing water and sewer lines on an ongoing basis, separating combined sewer systems where applicable, and expanding the solid waste collection program (see 6.2 US2, US 3, US7, US10).

Demand for water is addressed through the asset management program, specifically the water master plan and water conservation program (see 6.2 US2, US6).

Specific policies and actions that support sustainable services and protect the natural environment include:

- regular messaging to the community on waste reduction, and water and energy conservation (see 6.2 CCE5)
- development permit area guidelines that protect the natural environment and specify sustainable building practices that promote water and energy conservation, waste reduction, and reduction of greenhouse gas emissions (see 8.2.1, 8.2.2, 8.2.3, 8.3.1.6, 8.3.2.6, 8.3.3.6).

Objective 3. Housing and Community

Create Safe and Complete Communities

From the perspective of aligning with the RGS all of Oak Bay can be considered a complete community, with commercial areas and recreation centres within walking distance for most residents, and the OCP seeks to enhance this further. The Plan encourages mixed use in villages and other commercial areas, including the Oak Bay Village and Neighbourhood Villages (see 5.1 CF1, 5.2 MUC6 - MUC10). The OCP directs higher densities to existing villages, commercial areas, and multifamily residential areas, along with infill and townhomes respecting the characteristics of existing neighbourhoods (see 5.2 BE1, BE2).

The OCP also encourages improvements to parks and recreation, and community facilities and services including arts and culture, education, health, festivals and events (see 5.5 CIS1 - CIS22, 5.6 PR1, PR6 - PR18) by not only expanding and offering a wider diversity of services, but also ensuring these services are offered throughout the community. The Plan supports the expansion of existing commercial areas and businesses, more housing units and housing forms including duplexes, triplexes and townhomes, as part of mixed use redevelopment projects, and expansion of opportunities for home based businesses.

The District continues to work with the Capital Regional District and other levels of government in efforts to mitigate or adapt to climate change (see 3.1 CCE8, CCE9), and continues to develop an asset management program to maintain a sustainable infrastructure for the community (see 6.2).

Improve Housing Affordability

A major goal of the OCP is to increase housing options to improve affordability and access to housing (see 5.3 H4, H6-H18). A subsection of the OCP focuses on affordable and inclusive housing.

The Plan promotes a coordinated approach to addressing housing issues, through collaboration with other levels of government and community groups, by:

- supporting innovative approaches to creating affordable and inclusive housing, for example housing agreements, shared ownership, mixed market and non market projects, rental housing and secondary suites (see H6, H7, H12)
- including affordable and inclusive rental, market, and non-market housing units as a community amenity contribution for rezonings and considering incentives to lower housing costs (see 5.2 CF7, CF8, CF9, 4.3 H10)
- considering additional infill dwelling units on most residential parcels and supporting conversion of existing heritage and character homes (see 5.2 BE5, 5.3 H7, 5.7 HR1), and,
- preparing a housing strategy to specifically identify opportunities for affordable and special needs housing (see 5.3 H1, H6).

These actions will lead to an increase in the supply of more affordable housing, and reducing both the number of people in core housing need and those who are experiencing housing insecurity.

Objective 4. Transportation

Improve Multi-Modal Connectivity and Mobility

The Regional Growth Strategy includes a target of 42% of all trips within the regional transportation system as made by walking, cycling and transit. Oak Bay's compact nature and topography make it easily accessible for walking and biking. According to the latest Origins and Destinations Survey (CRD, 2022), the District of Oak Bay has the following mode share:

- Auto driver: 50%
- Auto passenger: 15%
- Transit: 6%
- Bicycle/Micromobility: 10%
- Walk: 17%
- Other: 1%

An OCP goal is to support a diverse range of transportation options and encourage active modes of transportation; and the Road Network and Active Transportation Network reflects the OCP's land use plan and supports and connects with the Regional Multi-Modal Network. While supporting major trip generators such as educational facilities and work trips in and out of the municipality, the Plan addresses:

- "complete streets" in villages through completion of urban design plans and implementing new street standards (see 5.4 MUC9, 6.1 T1)
- universal design of transportation infrastructure, in concert with adjacent municipalities and institutions, to ensure people of all mobility levels have access to sidewalks, bike routes and transit (see 6.1 T2, T4)
- encouraging more environmentally friendly vehicular alternatives to single occupancy vehicles and private car ownership such as ride shares and clean energy vehicles (see 6.1 T8, T9, T10)
- encouraging the development of Oak Bay's pedestrian and cycling networks (for example, construction of Cadboro Bay Road bike lanes that link with the City of Victoria bike lanes), upgrading sidewalks, and improving infrastructure for cycling (see 6.1 T11 - T13)
- advocating for increased transit service through BC Transit and exploring options for local modes of public transportation (see 6.1 T16 - T19)
- encouraging Transportation Demand Management by requiring transportation studies for new developments (see 6.1 T20), and
- encouraging infrastructure to support multiple forms of transportation in new developments, for example bicycle storage, showers and vehicle charging stations and potentially reducing parking requirements in new development projects (see 6.1 T20).

The OCP also proposes improving off-road trails and paths through the development of a network plan, to address, for example, the sidewalk network, greenway corridors, and wayfinding systems (see 5.6 PR11 - PR13, 6.1 T14).

Objective 5. Economic Development

Realize the Region's Economic Potential

The OCP supports the improvement of Oak Bay's economy through strategic opportunities that enhance the villages, commercial centres, and home-based businesses, and encourage new businesses to establish and flourish. OCP policies speak to expansion of existing commercial uses and developing strategies that encourage and support small and locally owned businesses to establish and thrive (see 5.4 MUC2, MUC3), considering new mixed use buildings in existing villages, near existing corner commercial and in locations lacking commercial areas (see 5.4 MUC6, MUC7); and increasing the number of housing units on mixed use redevelopment projects. Tourism is encouraged and supported through Oak Bay Tourism by marketing Oak Bay as a destination (see 5.4 MUC11, MUC12), and policies support expanding opportunities for home based businesses by permitting additional uses (see 5.4 MUC13).

The Regional Growth Strategy establishes a target of 0.6 for the jobs to population ratio within the Core Area. Over time, OCP policies will continue to contribute to the RGS target as commercial activities within the villages expand, home-based businesses are supported, and tourism continues to be promoted (see 5.4 MUC2, MUC6, MUC11 - MUC13).

Objective 6. Food Systems

Foster a Resilient Food and Agriculture System

The District of Oak Bay is home to lands that are located in the Agricultural Land Reserve. These lands have historically been used as the Victoria Golf Club and the Uplands Golf Club, and so provide limited opportunity to contribute to food security through increased crop production.
While these lands are not used for agriculture, OCP policy does recognize the importance of food security and can support the Regional Growth Strategy crop production target through smaller urban agriculture opportunities within the community (see 5.1 CF6, 5.4 MUC13, 5.6 PR8).

Commercial areas support the retail sale and consumption of food, and OCP social wellbeing objectives support the popular local festivals, providing opportunity for the sale of local fresh and prepared foods. Waste management policies identify the possible expansion of solid waste collection, including green waste pick up.

Objective 7. Climate Action

Significantly Reduce Community-Based Greenhouse Gas Emissions

The Regional Growth Strategy sets a target of reducing community greenhouse gas emissions by 61% (from 2007 levels) by 2038. The GHG reductions target for Oak Bay included in this OCP is net zero by 2050. The Oak Bay Official Community Plan is based upon a series of goals supporting community resilience and sustainability, and which will help accomplish the RGS target. These goals are then supported through a series of objectives and policies that address climate change and greenhouse gas emissions. Policies and supportive measures in this OCP focus on reducing emissions in the personal transportation and buildings sectors. Several policies and supportive measures are described in the transportation section.

Policies and actions to be undertaken include:

- reviewing and assessing greenhouse gas emissions and climate change mitigation
- measures on a regular basis (see 3.2 CCE1 - CCE4, CCE8)
- continued implementation of BC Energy Step Code and Zero Carbon Step Code and upgrades to municipal buildings (see 3.2 CCE12)
- accelerate low-carbon building retrofits (see 3.2 CCE14)
- develop policy and standards addressing embodied carbon in building materials (see 3.2 CCE 12)
- consider building benchmarking requirements
- work with the CRD and other agencies to consider climate change mitigation measures and adaptation planning, for example, determining the extent of, and developing an action plan to address sea level rise (see 3.2 CCE8, CCE9).

The District of Oak Bay has declared a climate emergency, supported through strategic priorities and OCP policy. Climate change, greenhouse gas emissions (see 3.2 CCE1 for the targeted emissions reduction as mandated by the *Local Government Act*), and energy measures are incorporated through multiple sections of the OCP, from the Natural Environment and Parks and Open Space, to the Built Environment, Utilities and Services, and Development Permit Areas.

Natural areas with ecosystem values continue to be protected, and actions to increase vegetation and tree canopy cover are identified. Contributing to climate change mitigation and adaptation, protection of the natural environment is an integral component of the Official Community Plan (see 4.2, NE1 - NE7).

Acronyms and Definitions

Acronyms

CEEI – Community Energy and Emissions Inventory

CPTED – Crime Prevention through Environmental Design

CRD – Capital Regional District

DPA – Development Permit Area

GHG – greenhouse gas

OCP – Official Community Plan

QEP – Qualified Environmental Professional

RGS – Regional Growth Strategy

RSS – Regional Sustainability Plan Strategy

TDM – Transportation Demand Management

Definitions

Adaptable housing – see page 63

Affordable housing - see page 57

Aging-in-place means that an individual or group of people grows older without having to change their place of residence and/or community.

Amenities mean items that add to the physical, aesthetic, or functional appeal of a particular site, neighbourhood, or the community in general.

Bed and Breakfast means the provision of sleeping accommodation, toilet facilities and a breakfast meal to paying guests as a home-based business.

Bioengineering, also called soil bioengineering, uses live plant materials to provide erosion control, slope and stream bank stabilization, landscape restoration, and wildlife habitat. These techniques can be used alone or in conjunction with conventional engineering techniques.

Bioswale refers to a vegetated area, usually lower than the surrounding area, used to retain and filter rainwater runoff.

Building Code of British Columbia is the legislation that regulates buildings standards in the Province of British Columbia.

Carbon neutral refers to achieving a balance between the amount of greenhouse gas emissions being produced and the amount of clean-energy or environmental rehabilitation projects being undertaken to offset those emissions.

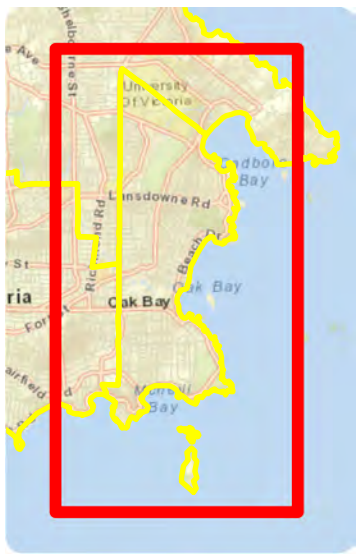
Character refers to the distinct quality and appearance of a building or place that comes from a unique mix of defining physical and social attributes.

Climate change refers to any long-term significant change in the "average weather" that a given region experiences. Average weather may include average temperature, precipitation and wind patterns. It involves changes in the variability or average state of the atmosphere over durations ranging from decades to millions of years. These changes can be caused by dynamic process on Earth (ocean processes, volcanoes), external forces including variations in sunlight intensity, and more recently by human activities.

Crime Prevention through Environmental Design (CPTED) refers to a series of design interventions and strategies for reducing opportunities for crime and empowering legitimate users to feel ownership over both public and private space.

DISTRICT OF
OAK BAY

Key Map



Legend

- Oak Bay Village
- Neighbourhood Village
- Resort Hotel
- Specialized Commercial
- Cedar Hill Corner
- Residential
- Townhouse Residential
- Multi-Unit Residential 1
- Multi-Unit Residential 2
- Uplands
- Community Institutional
- Parks and Open Space
- Special Study Area
- Heritage Conservation Area
- 400m Walking Radius

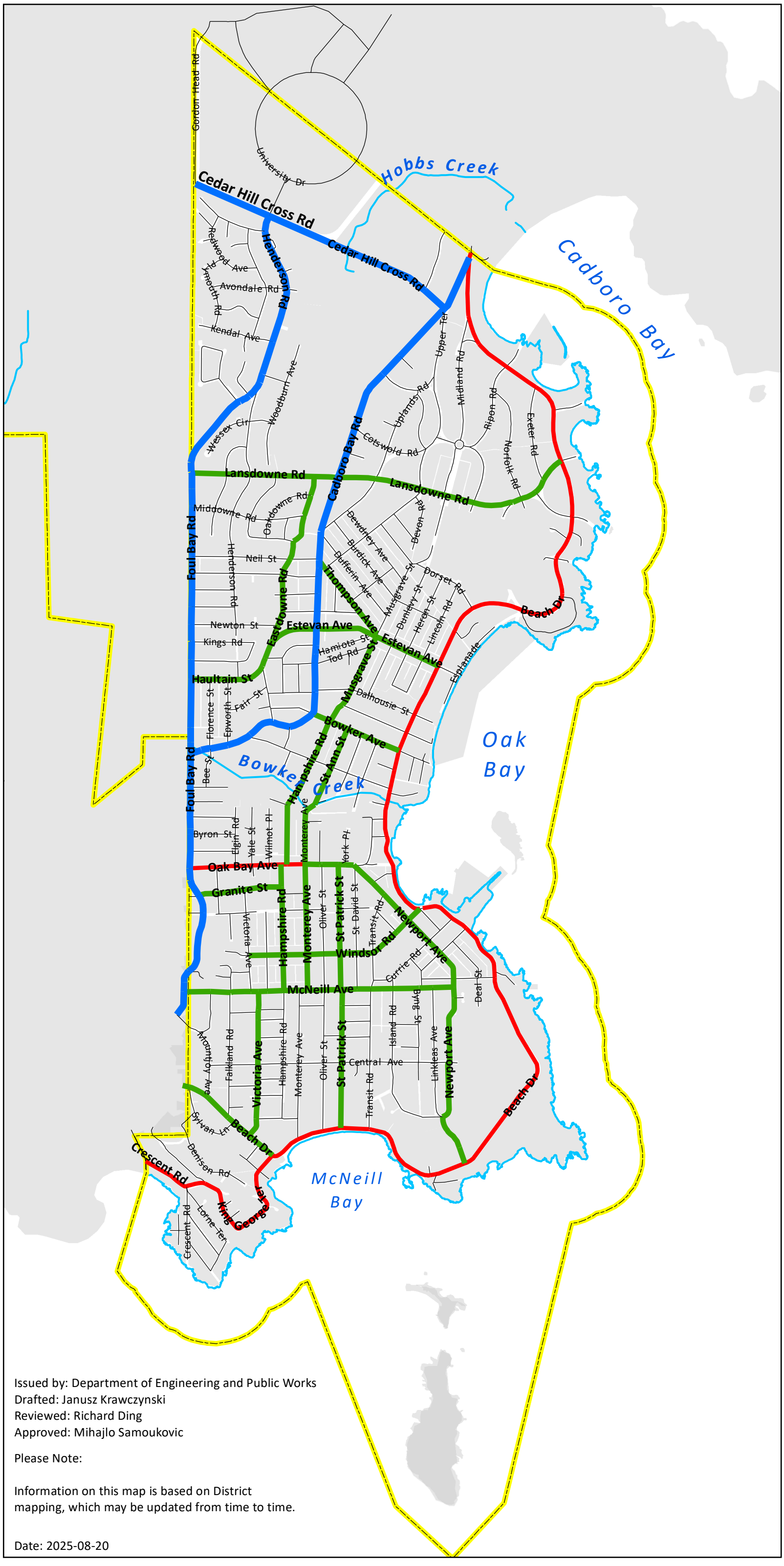
DISTRICT OF OAK BAY

Schedule B: Land Use Framework Map

m

0 125 250 500 750 1,000

November 2025



Key Map

Legend

Road Class

- Arterial
- Collector
- Special
- Local
- Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

Schedule C: Road Network

November 2025

m

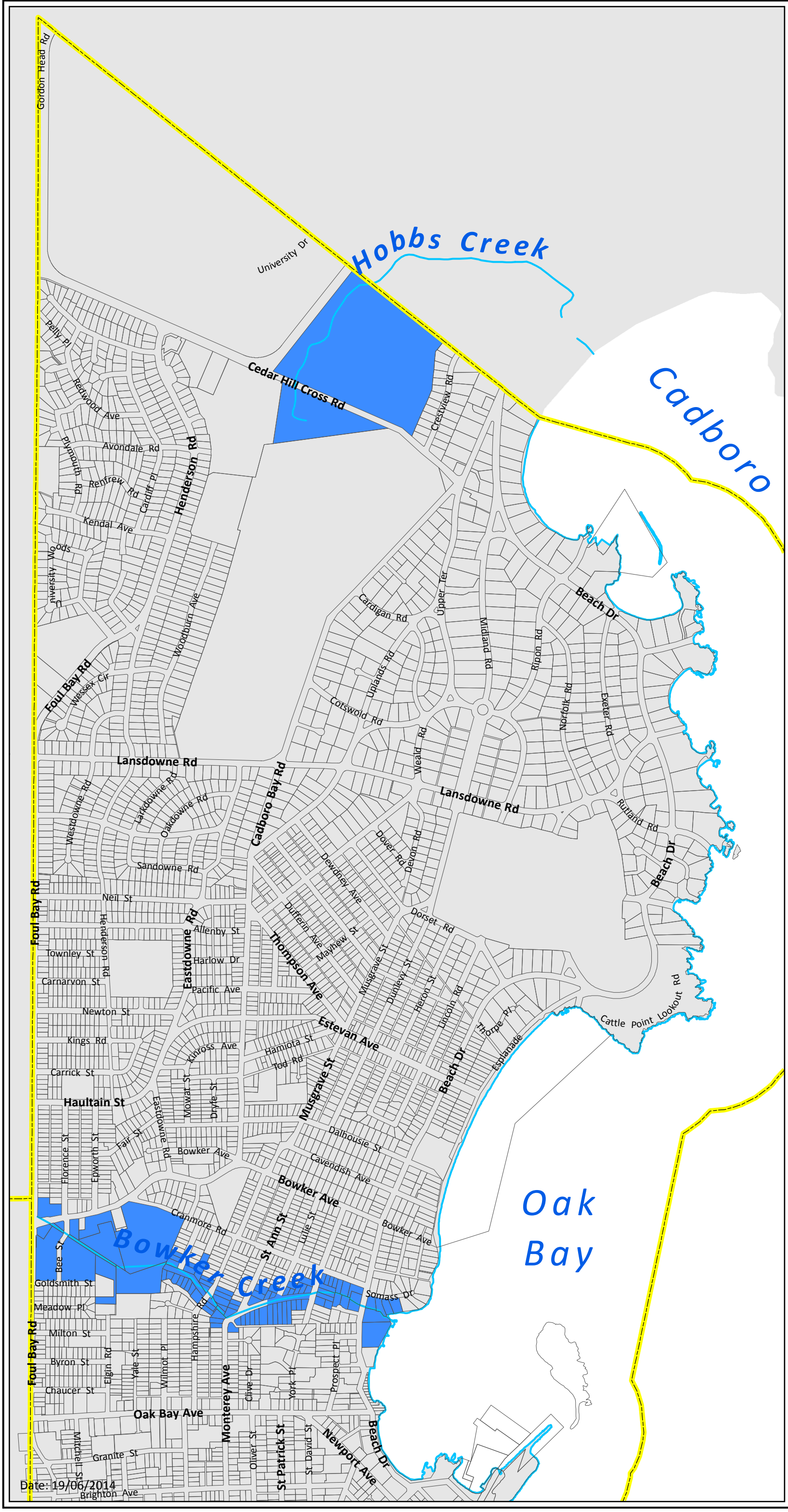
0 125 250 500 750 1,000

Issued by: Department of Engineering and Public Works
Drafted: Janusz Krawczynski
Reviewed: Richard Ding
Approved: Mihajlo Samoukovic

Please Note:

Information on this map is based on District mapping, which may be updated from time to time.

Date: 2025-08-20



Key Map

Legend

- Watercourses DPA
- Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

Schedule D: Watercourse Development Permit Area

m

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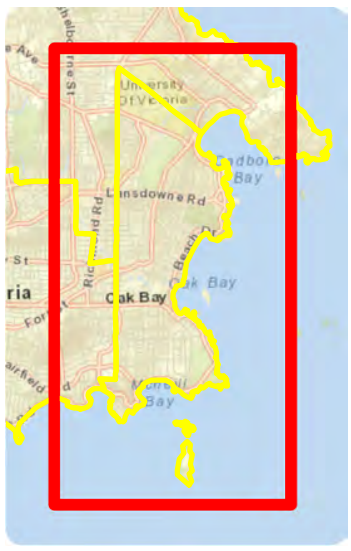
Date: 19/06/2014

Key Map



Legend

- Shorelines DPA
- Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

Schedule E: Shorelines Development Permit Area

m

0 125 250 500 750 1,000

Date: 19/06/2014

Key Map

Legend

Hazardous Conditions DPA

Oak Bay Municipal Boundary

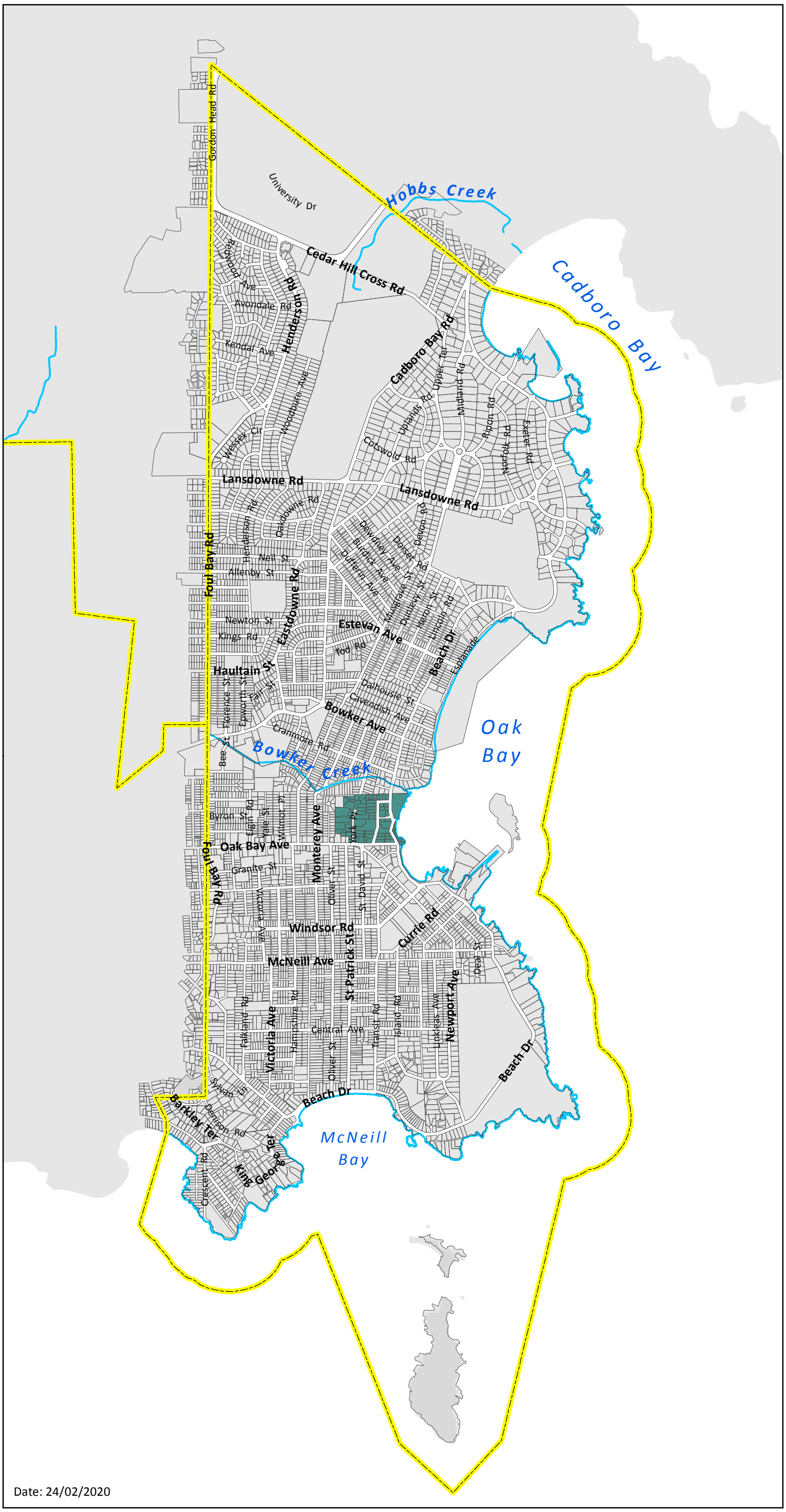
DISTRICT OF OAK BAY

Schedule F: Hazardous Conditions Development Permit Area

m

0 125 250 500

Date: 19/06/2014



Key Map

Legend

- Prospect Heritage Conservation Area (HCA 1)
- Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

Schedule G: Heritage Conservation Areas

m

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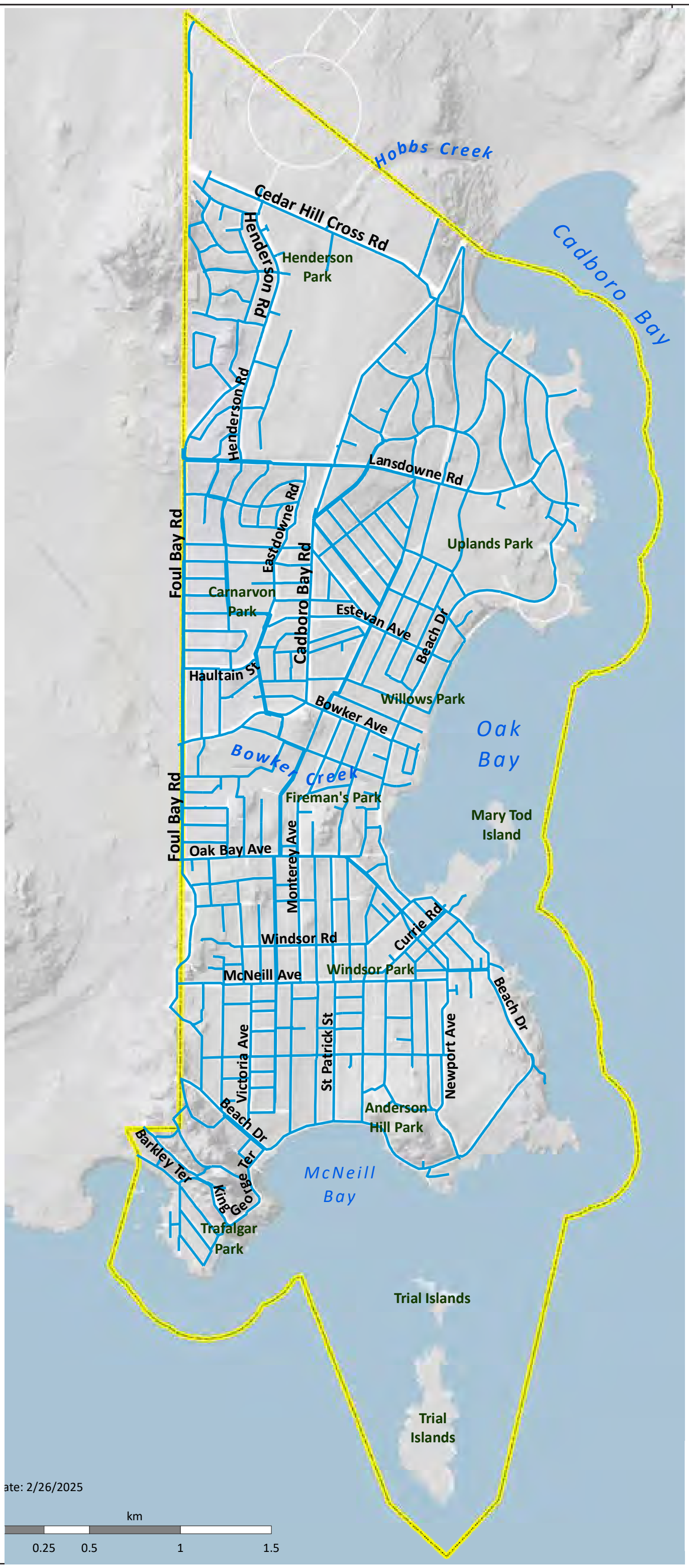
Date: 24/02/2020



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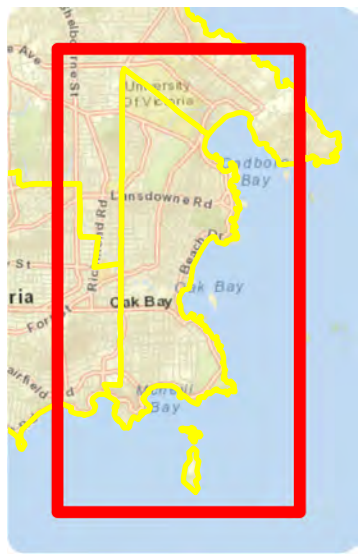

Legend

Water Network

Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

Schedule H:

Water Network

m

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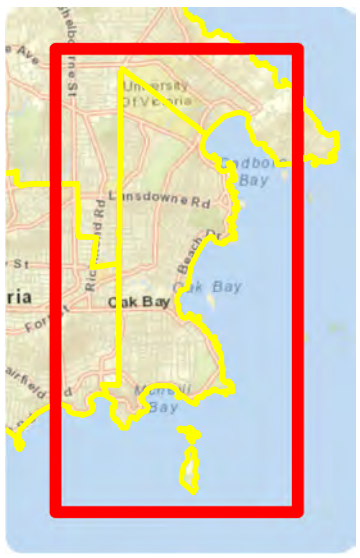
Key Map



Hobbs Creek
Cedar Hill Cross Rd
Henderson Park
Henderson Rd
Cadboro Bay
Lansdowne Rd
Foul Bay Rd
Eastdowne Rd
Cadboro Bay Rd
Uplands Park
Carnarvon Park
Estevan Ave
Beach Dr
Haultain St
Willows Park
Bowker Ave
Oak Bay
Bowker Creek
Fireman's Park
Mary Tod Island
Oak Bay Ave
Monterey Ave
Windsor Rd
Currie Rd
McNeill Ave
Windsor Park
Victoria Ave
St Patrick St
Newport Ave
Anderson Hill Park
Barkley Ter
King George Ter
McNeill Bay
Trafalgar Park
Trial Islands
Trial Islands

Date: 2/26/2025

km
0 0.25 0.5 1 1.5

Legend

Sanitary Sewer Network

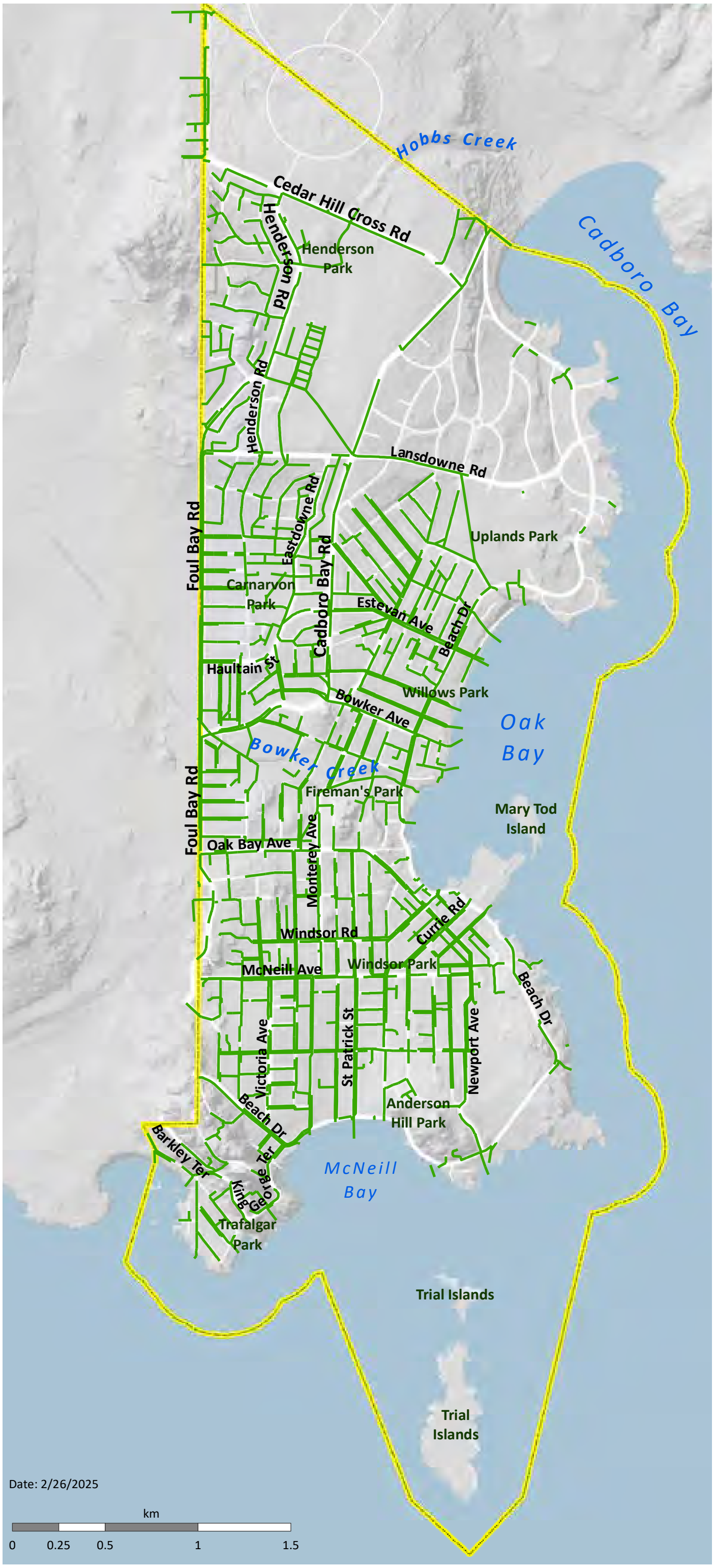
Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

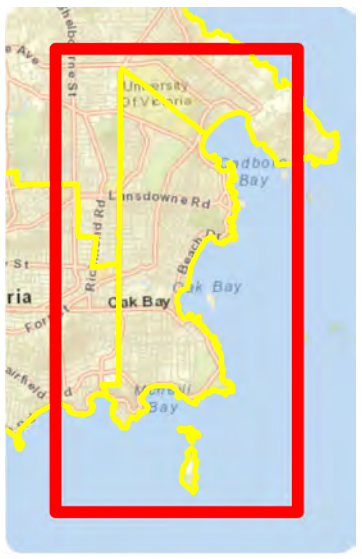
Schedule I:

Sanitary Sewer Network

m
0 125 250 500 750 1,000



Key Map



Legend

Storm Drain Network

Oak Bay Municipal Boundary

DISTRICT OF OAK BAY

Schedule J:

Storm Drain Network

m
0 125 250 500 750 1,000

The Prospect Heritage Conservation Area

Guidelines

Mount Baker painted by Samuel Maclure, c. 1890 (BC Archives PDP03773)

District of Oak Bay, BC

HERITAGEWORKS

www.heritageworks.ca

DISTRICT OF OAK BAY

Schedule K

Acknowledgements

The authors of these Guidelines would like to express their gratitude to Councillor Kevin Murdoch and other members of the Oak Bay Heritage Conservation Area Working Group, residents of The Prospect, Oak Bay Archives and *The Penny Farthing Public House!*

Unless otherwise identified all photographs contained in this document are courtesy of Ian Robertson or Heritageworks Ltd.

Contents

Introduction

The District of Oak Bay can create a Heritage Conservation Area (HCA) to provide long-term protection for a distinctive area that is known to contain special heritage value and / or heritage character. This is accomplished by amending the Official Community Plan (OCP) using a provision under the *Local Government Act* [RSBC 2015] (Part 15, Division 5, 614-615). The OCP amendments must describe *what* is being protected, and they must explain *why* they are being protected. And then, either through a further amendment to the OCP or by introducing a new zoning bylaw, guidelines must be created to explain *how* this will be achieved.

HCAs are used by local governments to protect the buildings, other structures, land or features that contribute to the overall heritage character of a neighbourhood (the City of Victoria, for example, currently has 13 HCAs). Guidelines are used to manage changes made to the neighbourhood including alterations, additions and new development. When an owner wishes to make a significant change to the neighbourhood that might impact its heritage, the owner is required to submit a Heritage Alteration Permit for consideration by Oak Bay staff. Owners, architects and staff use the HCA Guidelines to determine whether a proposed change reflects the values of the community and respects the heritage of the neighbourhood.

Each HCA is unique. They are designed to protect what a community values as special about a place and worth conserving for the enjoyment of future generations. Community heritage values are typically recorded in a document called a Statement of Significance (SOS). The SOS that has been created for The Prospect Heritage Conservation Area (The Prospect) explains why this neighbourhood warrants recognition as a historic place because of its unique combination of aesthetic, historic, social, environmental and educational values. The Prospect is one of Oak Bay's oldest neighbourhoods, and it contains a wonderful collection of historic homes created by some of BC's most prominent architects including Francis Rattenbury, Samuel Maclure and others.

Watercolour by P. Leonard James
(BC Archives PDP00576)

Rattenbury's home Iechinihl
(Oak Bay Archives OBA 1994-001-081)

While the colonial history of The Prospect is important, it is only a brief chapter in the overall history of human occupation. There has been Indigenous land use in this area for living, fishing, food and medicine gathering since time immemorial. There are archaeological sites recorded within the boundary of

The Prospect, and significant sites nearby, especially in the area of Bowker Creek and Willows Beach. Evidence suggests these sites are between 3000 - 4000 years old.

Acknowledgement

The District of Oak Bay acknowledges with respect the traditional territory of the Coast and Straits Salish peoples, and specifically the Lekwungen speaking people, known today as the Songhees and Esquimalt nations, whose historical relationships with the land continue to this day.

Executive Summary

The Prospect neighbourhood will be Oak Bay's first Heritage Conservation Area (HCA). It reflects the hard work and determination of local residents to conserve and protect the heritage value and character of the neighbourhood they love, plus the ongoing commitment of the District to conserve heritage resources in Oak Bay. It is hoped that The Prospect will present a framework for future HCAs in other parts of the District.

The HCA is founded upon three primary documents: the *Local Government Act*; The Prospect Statement of Significance (SOS), which was developed with community input in 2017 and then peer reviewed and amended in early 2018; and the *Standards and Guidelines for the Conservation of Historic Places in Canada*, a Parks Canada publication created with input from all provinces and territories as well as the Federal government. The first of these documents establishes the legal "rules of the road". The SOS captures the considerable range of heritage buildings and features within the neighbourhood and explains why they matter to local residents and the broader community of Oak Bay. This approach is known as *values-based assessment*. The third document describes a consistent set of conservation principles and guidelines representing current best-practice in Canadian heritage conservation.

The HCA Guidelines are the result of many hours of effort by professional and volunteer members of the HCA Working Group. This group was formed to consider how best to protect the heritage character of The Prospect, now and for future generations. The 12-person Working Group included Council members, staff members, and representatives from the Oak Bay Heritage Commission, Advisory Design Panel, Advisory Planning Commission, local residents, heritage consultants and others. The resulting guidelines reflect both the Working Group's discussions, and comments from the public that were received during public information sessions, emails and website feedback forms.

The HCA Guidelines draw upon examples of what is working well in other HCAs around the Province, especially those in residential neighbourhoods.

In compiling these HCA Guidelines, the Working Group has attempted to strike a balance between ensuring the long-term protection of heritage in The Prospect while maintaining the flexibility that residents require for the upkeep of their homes and gardens. The Working Group was also conscious of the community's desire to avoid adding new or potentially cumbersome permitting processes when many of the most cherished heritage features of the neighbourhood were already protected (e.g., the Tree Protection Bylaw, the Urban Forest Management Strategy, or formal designation under the *Local Government Act*). The resulting Guidelines represent a common sense approach to conserving The Prospect, and the stewardship of changes made within it.

Like all neighbourhoods in Oak Bay, The Prospect is subject to existing municipal bylaws and policies. In many cases the objectives of the guidelines are satisfied by existing bylaws and policies (i.e., they are complementary). In these instances, the guidelines don't attempt to reproduce or restate the language of existing bylaws and policies but merely supplement them as necessary to achieve the conservation of heritage within The Prospect. The Tree Protection Bylaw is a good example of this because it already provides robust protection for trees throughout Oak Bay. While mature trees are essential to the rural character of The Prospect, it isn't necessary to restate this language in the HCA Guidelines because the existing bylaw already ensures their protection.

Another challenge of the HCA Guidelines is to strike an appropriate balance between the more prescriptive sorts of measures that might ensure protection, and the more general statements of intent that might allow designers to solve design challenges creatively. The goal is to facilitate innovation, while encouraging designers to draw upon historic precedents for inspiration, respecting the values and character of the neighbourhood.

This document also references a Schedule of Protected Heritage Properties (Schedule) located in the HCA. When a property is included on the Schedule it is legally protected by the HCA. Any property within The Prospect is eligible for inclusion on the Schedule, even properties with modern buildings or limited historical value. Such properties are known as context properties, and these can be important to overall composition of the neighbourhood.

The owners of all properties within the HCA boundary require Heritage Alteration Permits (HAP) when they wish to make substantial changes to their properties. This process is familiar to the owners of designated properties (they already use it) but it is new for owners of undesignated properties within The Prospect. HAPs are used to manage changes to historic values.

Additionally, there are several properties within the HCA that the community has identified as having heritage significance (i.e., they are important to the overall character of the neighbourhood) but are not currently protected (and not included on the Schedule). In the long term, it is hoped that these properties will also be afforded protection through adding them to the Schedule and / or designation.

There are four categories of guidelines that apply when various types of changes are made to the neighbourhood. The HCA Guidelines apply differently to properties that are listed in the Schedule than they do to properties not listed in the Schedule. How the guidelines apply to different circumstances is outlined in the first section, titled ‘How to Use These Guidelines’.

Another way that these guidelines may be used is for assessing new development permit applications for the HCA. Development permit applications in Oak Bay always undergo a review by staff prior to approval, and this may result in recommendations to Council (and Council approval is always required for applications that require rezoning). It is anticipated that staff and Council will rely upon the HCA Guidelines when determining whether a proposed development is appropriate for The Prospect.

Many changes within the HCA do not require any new permits or processes. This is because existing bylaws will continue to apply in the area and form most of the controls on allowable development. For example, the process used to make an application for a new subdivision in The Prospect remains unchanged. In these circumstances, the new HCA Guidelines provide Oak Bay staff and members of the Advisory Committee with an additional tool for assessing whether a proposed change is appropriate for The Prospect (i.e., ensuring that it doesn’t detract from the heritage character of the neighbourhood).

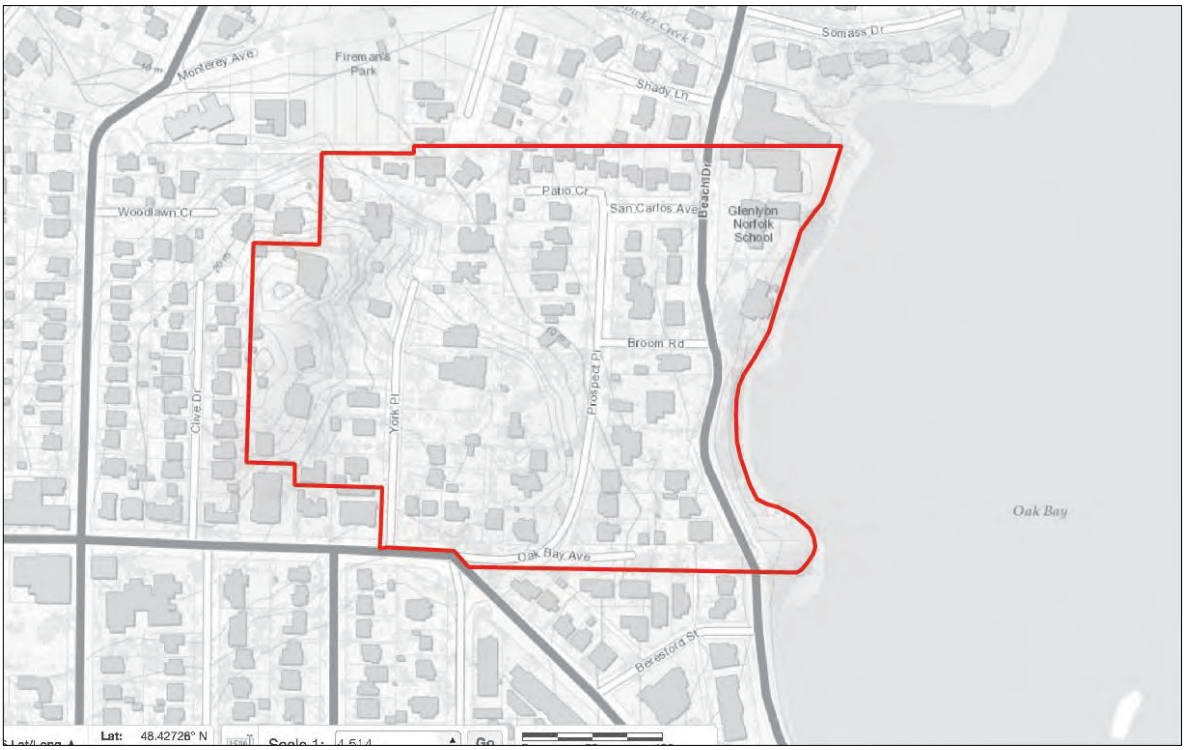
The Prospect HCA contains a remarkable collection of early homes, gardens and landscape features dating back to 1898 when architects F.M. Rattenbury and J.G Tiarks purchased 15 acres of land and began developing them. A special feature of the area is the layout of Prospect Place because it is the only example of urban design by Rattenbury in Oak Bay. It was planned as a private drive, through a street of homes by renowned architects, leading to the gates of Rattenbury’s own residence (now Glenlyon Norfolk School).

Historic landscape details are important to the overall character of The Prospect. Over time, streetscapes have evolved in harmony with the gardens of the original homes and the natural topography of the area. Today there is a pleasing integration of narrow roadways, buildings, trees, gardens and natural vegetation in the neighbourhood. These streets are still used by pedestrians and cyclists as they have been for well over a century.

Within the neighbourhood it is typical that entries are visible from the street, and most of the older homes can still be admired from the street. Heritage walking tours are commonly held to share the history of the area with visitors, and several books have been published about the important (and diverse) architecture of the neighbourhood.

Architectural styles expressed in the neighbourhood include Queen Anne, Arts and Crafts, California Spanish style, Tudor Revival and Classical Revival. Most of the homes date from before the Second World War and are distinguished by their use of high quality materials and thoughtful architectural details. Wood, stone, stucco, wrought-iron and other traditional construction materials are in abundance. Many of the oldest homes include beautiful features such as leaded or stained-glass windows, and ornate woodworking trims and embellishments. Covered porches — sometimes enclosed to provide sunrooms or sleeping porches, and often with views towards the water and distant mountains — add to the rural character of the neighbourhood and harken to the seaside resort that Rattenbury and Tiarks first envisioned.

The Prospect neighbourhood is bordered by York Place, San Carlos Avenue, a portion of Beach Drive and Oak Bay Avenue, and includes both Prospect Place and Broom Road. It also includes the shorelines of Rattenbury's Beach and Haynes Park.



Map of The Prospect Heritage Conservation Area boundaries.

How to Use These Guidelines

WHO THESE GUIDELINES ARE FOR
Each new section of the Heritage Conservation Area Guidelines begins with a shaded text block titled 'WHO THESE GUIDELINES ARE FOR' and this describes the circumstances when the subsequent guidelines will apply. Readers can use this to swiftly navigate the document and find the section that best applies to them.

INTENT
Each new section of the Heritage Conservation Area Guidelines, and each subsequent guideline begins with a shaded text block titled 'INTENT'. This describes the high-level objectives of the section or guideline. This is where the spirit and intention of each guideline is explained.

The Prospect Heritage Conservation Area Guidelines (HCA Guidelines) are a tool for managing change. The guidelines are based on an examination of the existing conditions of the neighbourhood, the values and character defining elements outlined in the SOS, and an analysis of how best to retain the overall heritage character of the neighbourhood while successfully integrating new construction and greater density as outlined in the OCP.

A *guideline* is a general rule, principle or piece of advice.

For the purposes of these guidelines, the term *property* is defined as real-property, meaning land and buildings. Definitions of other common heritage terms are provided in Appendix 3 – Glossary of Terms.

ABBREVIATIONS USED IN THESE GUIDELINES

HCA Guidelines	The Prospect Heritage Conservation Area Guidelines
HAP	Heritage Alteration Permit
HCA	Heritage Conservation Area
LGA	Local Government Act
OCP	Official Community Plan
Schedule	Schedule of Protected Heritage Properties (see OCP)
SOS	Statement of Significance for The Prospect (see copy in Appendix 1)
The Prospect	The Prospect Heritage Conservation Area

In many cases the intent of the HCA Guidelines is satisfied by existing bylaws and policies. In these instances, the Guidelines do not attempt to reproduce or restate the language of existing bylaws and policies, but merely to supplement them as necessary to achieve the conservation of heritage within The Prospect neighbourhood. Similarly, the HCA Guidelines are intended to supplement the *Standards and Guidelines for the Conservation of Historic Places in Canada* and *Building Resilience: Practical Guidelines for the Sustainable Rehabilitation of Buildings in Canada.* These existing national standards and guidelines are built upon international charters and policies that represent best practice in the field of heritage conservation.

Exemptions – The existing York Place Strata VIS1752 (YPS) is subject to a restrictive covenant agreement dated June 7, 1989; between YPS and the Corporation of the District of Oak Bay (Oak Bay). YPS is included within the HCA boundary and exempted from the HCA Guidelines because the restrictive covenant is equally (if not more) robust than the Guidelines.

SUMMARY OF THE HCA GUIDELINES SECTIONS

Heritage Resources (Section A)	The heritage resources listed in the Schedule are identified in the SOS as fundamental to the character of The Prospect. The Guidelines for Heritage Resources relate to these protected properties.
Alterations and Additions (Section B)	The Prospect contains a wide range of existing non-protected properties from different periods. These properties (i.e. the properties not included in the Schedule) contribute to the overall character of the neighbourhood as described in the SOS. Changes to these properties can positively impact the character of the neighbourhood if sympathetically undertaken. The Guidelines for Alterations and Additions provides recommendations to achieve this.
New Construction (Section C)	New construction can have a profound impact upon the character of The Prospect. The Guidelines for New Construction are intended to respect the historic precedent and traditional architectural character of the neighbourhood, without unnecessarily constraining new development. Section 4.3 of the Official Community Plan anticipates and encourages thoughtful new construction within existing neighbourhoods. It is also acknowledged that empty properties can sometimes be created as the result of unexpected circumstances such as accidents (e.g. fire, natural disaster, etc.). The Guidelines for New Construction will therefore apply under a variety of circumstances.
Site Planning (Section D)	The public and residential landscapes of The Prospect are identified as important and character defining elements of the neighbourhood in the SOS. The guidelines that relate to landscape (both private and public) apply to the whole neighbourhood. These include existing, protected properties, non-protected properties and public property. These guidelines also apply to all new construction.

How the HCA Guidelines apply to various types of properties is outlined in the following table:

PROCESSES⇨ *TYPES OF PROPERTY* ⇩	*Heritage Resources* *(Section A)*	*Alterations and Additions* *(Section B)*	*New Construction* *(Section C)*	*Site Planning* *(Section D)*
Scheduled and Protected	✓	*see Section A*		✓
Existing and Unprotected		✓		✓
Public			✓	✓
New property resulting from subdivision			✓	✓
Empty property resulting from demolition of Existing and Unprotected			✓	✓
New buildings on Scheduled and Protected properties (e.g., Heritage Revitalization Agreements, etc.)			✓	✓



Some of the many historic homes in The Prospect.

Section A - Guidelines for Heritage Resources

WHO THESE GUIDELINES ARE FOR
The Guidelines for Heritage Resources apply to those properties that are listed on the Schedule *(see OCP)*. They include houses that have *Designated Heritage Status* and those that are on the *Community Heritage Register*, both defined under section 614 3(b) of LGA ' protected heritage property'.

INTENT
The Guidelines for Heritage Resources provide direction for preserving and/or altering the historic fabric of the neighbourhood. These guidelines are intended to supplement the Standards and Guidelines for the Conservation of Historic Places in Canada with details that are specific to The Prospect.

Changes to heritage resources should not alter their contribution to the values and character of The Prospect as described in the SOS and should respect other heritage resources identified in the SOS as character defining elements.

The Prospect is a significant cultural landscape that is rich in heritage resources. It contains several highly significant historic properties that were designed by some of BC's most prominent late nineteenth and early twentieth century architects including Francis Rattenbury, Samuel Maclure, Karl Spurgin, John Tiarks, Ralph Berrill, Percy L. James and others. There are a range of architectural styles expressed in The Prospect including Queen Anne, Tudor Revival and Classical Revival, and while the architectural form and massing of buildings varies, the area is characterized by a purposeful integration of built forms with the natural environment and topography of the land.

Material construction is typically to a very high standard with traditional materials and superior craftsmanship that are indicative of the period of construction.

In addition to the historic buildings that characterize The Prospect, there are contemporary buildings by well known late 20th century architects including a 1996 house designed by Pamela Charlesworth and Campbell Moore's 1992 Barwin House. Together these make the area a showcase for some of BC's most prominent architects' residential work for over two centuries.

Owners of heritage buildings are encouraged to take their time before undertaking any alterations, collecting as much information about the building as possible before applying for a Heritage Alteration Permit (HAP). Archival records and photos and a thorough examination of the building itself will yield clues as to its original appearance, materials, and even character defining features that have been lost and may be worth restoring, as changes are being planned.

The District of Oak Bay recognizes that heritage conservation contributes to creating a sustainable built environment and resilient communities. Retrofitting existing buildings to reduce their energy and water consumption, carbon footprint and greenhouse gas emissions is important for combating climate change. These Guidelines are intended to accommodate and complement sustainable rehabilitation of buildings within The Prospect as outlined in *Building Resilience: Practical Guidelines for the Sustainable Rehabilitation of Buildings in Canada.*

GUIDELINES FOR HERITAGE RESOURCES	
RECOMMENDED	NOT RECOMMENDED
Retention and conservation of all heritage resources within The Prospect.	Demolition or removal of any heritage resources including historic buildings, structures, and/or significant features.
The Standards and Guidelines for Historic Places in Canada is in all cases used as the basis for review of alterations to historic resources.	Changes to heritage resources, including historic buildings, structures and features in ways that significantly alter their historic style or their contribution to the values and character expressed in the SOS.
The conservation and stewardship of heritage resources, including historic buildings, structures, and significant features in a manner that is appropriate to their period and style, and recognizes their contribution to the values and character expressed in the SOS.	Changes to heritage resources, including historic buildings, structures and features in ways that significantly alter their original proportion and massing (form).
The thoughtful use of local, natural building materials that are consistent with original patterns of construction.	Building materials that are inconsistent with the original patterns of construction in The Prospect.
Retention of key elements of historical styles.	

A1 - Form, Scale and Massing

INTENT
Alterations or changes proposed for protected heritage property should be consistent with the original form, scale and massing of each individual property. Special care should be taken to be consistent with the original design, preserving details and architectural arrangements that contribute to overall composition and form.

In every instance, the heritage resource should remain the primary focus of the property. Valued and character defining features should not be eclipsed by the form, scale or massing of alterations.

The form, scale and massing of protected heritage properties in The Prospect varies widely and encompasses a range of architectural styles from large neoclassical structures such as *The Gibson House*, to the small and compact cottages designed by K. B. Spurgin along San Carlos Avenue.

For the purposes of these Guidelines the following definitions apply:

Form refers to architectural design and physical characteristics of a building;

Scale relates to the volume of a structure, including height, in its relationship to the landscape and adjacent structures;

Massing refers to where volume is placed in the context of its site.

GUIDELINES FOR FORM, SCALE AND MASSING	
RECOMMENDED	NOT RECOMMENDED
Any proposed changes or alterations that include the preservation, rehabilitation or restoration of the original form, scale and massing of the building.	Changes that dominate or are incompatible with the original building's form, scale and massing.
Changes are sympathetic to the character defining elements of the property.	New architectural features or accessory structures that significantly differ from original architectural form.
Changes are subordinate to and distinguishable from the original building form, scale and massing.	

Examples of appropriate form, scale and massing.

A2 - Renovations and Additions to Protected Buildings

INTENT
Renovations and additions should be physically and visually compatible with original construction and subordinate to original form, scale and massing.

Where upgrades to heritage properties are required to ensure life-safety (e.g. seismic upgrades, fire prevention, etc.), additions and renovations should be made in a spirit of compromise that will ensure life-safety while respecting the building's original form, scale, design and materials.

The design of renovations and additions should generally be subordinate to original construction and care should be taken to not overwhelm the form or massing of the original historic form.

Additions should be distinguishable from original construction through choice of materials and architectural form, but should be architecturally sympathetic, enhancing and highlighting the significance and original design intent of the heritage resource as expressed in the SOS, Designation Bylaw, Register entry or Schedule as protected heritage property.

New construction should be distinguishable from the existing building so that it can reflect a more contemporary inspiration, with additions to protected buildings in The Prospect concordant with the original architecture.

GUIDELINES FOR RENOVATIONS & ADDITIONS TO PROTECTED BUILDINGS	
RECOMMENDED	NOT RECOMMENDED
Alterations and additions should minimally impact historic landscapes.	Demolition or relocation of scheduled historic buildings (in part or in whole), ancillary structures and protected features.
Additions should be made to be reversible (i.e., may be removed in the future).	Changes that are incompatible with the original building's form, scale and massing.
Retention of the maximum amount of original building fabric shall be the goal during renovations and additions. Repair rather than remove or replace sound original fabric.	
Where appropriate, consider the removal of later additions and alterations that detract from the character defining features of a property.	Removal or replacement of good/sound original building fabric (e.g., replacement of stone or brick foundations with concrete).

GUIDELINES FOR RENOVATIONS & ADDITIONS TO PROTECTED BUILDINGS	
RECOMMENDED	NOT RECOMMENDED
New garages or accessory buildings constructed at the rear of properties where they will not detract from the historic presentation of the building to the street. Where a historic building faces two streets, the historic presentation of the building to both streets should be maintained.	Exterior fire escapes.
Street views of historic garages or accessory buildings should be preserved.	New exterior entries.
Multi-unit conversions that have a minimal effect on the external appearance of buildings.	Alterations of exterior windows and doors by 'blocking up' to facilitate changes to interior partition walls.
Preservation of original pedestrian access/egress.	
Life-safety upgrades (e.g., seismic upgrading) that respect the building's original form, scale, massing and materials.	

Example of a physically and visually compatible alteration to a protected building in The Prospect. The new dormer uses the same roof pitch as the original roof, and the architectural detailing is consistent with the original period of construction. The materials are also consistent with the original home.

A3 - Architectural Details

INTENT
Original architectural details belonging to a heritage resource should be maintained and conserved where existing, particularly if contributing to the value/character described in the SOS. Porches and entryways are uniquely important to significance, as are windows and doors. Details that form part of architectural assemblies (such as porches) should be considered in that context.

Where repairs and changes are proposed, the design of architectural details will be informed by, and consistent with, existing details elsewhere on the building and made from similar or in-kind materials.

Where physical evidence for original detailing is not present, research into original plans, historic photographs and other supporting evidence may support reinstatement or new design (Oak Bay Archives or UVic Special Collections).

GUIDELINES FOR ARCHITECTURAL DETAILS	
RECOMMENDED	NOT RECOMMENDED
Repairs to architectural details (windows doors, trim, moldings, etc.) is recommended over replacement, even when partially damaged or decayed.	Removal or replacement of good/sound original building fabric (e.g., replacement of wooden windows with metal or vinyl windows).
Repairs and/or reinstatement of architectural detailing that is consistent with the date of construction of the heritage resource and is based on documentary or physical evidence.	Introduction of new pseudo-historic features or embellishments where there is no evidence of their previous use on the building.
The thermal performance of heritage buildings should be upgraded in such a way as to preserve existing original features (e.g., introduction of wood-framed storm sashes).	
Removal and replacement of inappropriate windows, doors and architectural features with replicas of the originals.	Alterations or changes to window or door opening sizes. Partially or completely blocking up historic windows or doors.

GUIDELINES FOR ARCHITECTURAL DETAILS	
RECOMMENDED	NOT RECOMMENDED
Use of original profiles, materials and building assemblies in repairs to cladding and building envelope.	Addition or replacement of trims and other details that do not match the dimensions and profiles of originals.
Use of original roofing materials and finishes in repairs and maintenance to roofs.	
The profiles of eaves troughs, gutters, scuppers, downspouts and other rainwater goods that match the profiles of originals.	
Use of original paint and stain colours.	
Retention and repair of original chimneys.	
Where window replacement is necessary, use new windows that match original dimensions, materials, style and manufacture.	Metal or vinyl windows (except as necessary to match historic steel sashes).
New window and door trims that match the dimensions and profiles of originals.	Doors or windows with mirrored or reflective glass lights.
Repairs to windows, doors and architectural features by skilled craftspeople with previous heritage experience.	
Retention and reinstatement of original hardware in window and door repair or replacement.	Replacement of historic window and door hardware.
Retention of interior architectural features such as walls, ceilings, fireplaces, stairs.	

Examples of original architectural details that are important to maintain and conserve.

A4 - Building Materials

INTENT
Materials used in the original construction of heritage resources should be used for all repairs, replacement, alterations and additions. Imitative or modern materials that attempt to replicate original materials should be avoided.

The materials palette that was used in the construction of the great majority of the historic houses in The Prospect is relatively small. It includes wood, brick, stone, wrought and cast iron, tin, lime and Portland cement. These materials, used in combination and in patterns of construction that are distinctive to the region and the period of construction, play an important part in defining the values and character of the historic built environment within The Prospect and further afield.

It is acknowledged that there are practical constraints and considerations that apply to the specifications of some building materials (e.g. hazardous materials such as lead-based paints or asbestos tiles/shingles). Sustainability and durability/longevity should also be considered.

Building materials that are based on plastics or aluminum (e.g. vinyl siding, vinyl windows and doors, aluminum windows, etc.) are particular to modern construction. These materials are inconsistent and incompatible with construction dating before the 1950s.

GUIDELINES FOR BUILDING MATERIALS	
RECOMMENDED	NOT RECOMMENDED
Continue the legacy of high quality, traditional materials.	Damage, removal or replacement of historic building materials unless damaged/decayed beyond repair.
Building materials that are compatible with the date the building was constructed and based on documentary or physical evidence.	
Repair and preservation of original materials where possible. Replace only when the materials are damaged/decayed beyond repair.	
New materials used for repairs or replacements should match the dimensions and profiles of historic materials.	

GUIDELINES FOR BUILDING MATERIALS	
RECOMMENDED	NOT RECOMMENDED
Where previous renovations have introduced modern materials, these should be replaced with traditional materials as opportunity arises (e.g., during future maintenance and repair works).	Imitative modern materials such as cultured stone, fiberglass, textured plastic lumber or textured fiber-cement lumber.
The use of traditional building materials that are local to the area and consistent with traditional building technology.	Polished metal or reflective exterior surfaces.
Wood species, grades and specifications should match original. Naturally decay-resistant wood species are preferred to pressure treated lumber.	Exposed pressure-treated lumber.
Stone that is selected to match the type, sizes and colours of original construction.	Split-faced masonry units.
The composition of mortars matches the original construction.	Standard mortar mixes that alter the appearance and composition of historic masonry.
Colour selections based on documentary or physical evidence of historic colors when available.	Combed or textured lumber or wood panels.
Traditional exterior cladding materials such as wood siding should be repaired instead of replaced with modern materials such as fiber cement board.	Textured fiber-cement siding. Aluminum, vinyl or plastic siding or trims.
Full-dimension, rough-sawn lumber and timbers should be replaced with rough-sawn lumber and timbers as opportunity arises during construction or repair.	Non traditional roofing materials such as fiberglass and metal.

Examples of traditional materials used in The Prospect.

A5 - Demolition

INTENT

Demolition for registered, designated or scheduled protected heritage properties within the HCA will only be considered in special circumstances, and will always require a Heritage Alteration Permit. Adaptive reuse, rehabilitation or repair shall always be preferred to demolition of heritage resources.

Where demolition is considered, guidelines with respect to landscapes apply. Demolition to facilitate new construction will similarly be subject to the Guidelines for New Construction.

Demolition within The Prospect will not be permitted unless a building permit is approved by the District. The removal of heritage from The Prospect will be regarded as demolition.

The removal of heritage from The Prospect will be regarded as demolition. Photo: Nancy DeVeax, Globe and Mail, 25 March 2016.

Section B - Guidelines for Alterations and Additions to Non-Protected Buildings

WHO THESE GUIDELINES ARE FOR
The Guidelines for Alterations and Additions to Non-Protected Buildings apply to those properties that are not listed on the Schedule. These guidelines are intended to promote the character of the neighbourhood through renovations and additions that are sympathetic and complementary to the community values as described in the SOS.

INTENT
Renovations and additions to non-protected buildings within the HCA should be physically and visually compatible with the architectural style and original construction of the property in question. It is recommended that the wider context of the neighbourhood be considered when determining the form, scale and massing of alterations and additions.

Materials that were used in the original construction of The Prospect neighbourhood include: wood, brick, stone, wrought and cast iron, tin, lime, Portland cement and other traditional building materials. These materials, used in combination and in patterns of construction that are distinctive to the region, play an important part in defining the character of The Prospect neighbourhood.

As existing, non-protected properties are changed during the process of additions and alterations, opportunities arise to use more rather than less of these traditional materials. The guidelines for alterations and additions encourage this. Similarly, building materials that are based on plastics (e.g., vinyl windows, doors and siding) are inconsistent with the most highly valued characteristics of the neighbourhood.

Wherever possible, it is recommended that renovations and additions to non-protected buildings should be complementary and subordinate to the original construction.

GUIDELINES FOR ALTERATIONS AND ADDITIONS TO NON-PROTECTED BUILDINGS	
RECOMMENDED	NOT RECOMMENDED
Alterations or additions that respect the building's original architectural form and design intention.	Alterations or additions that conflict with the architectural style of the original building.
The form, scale and massing of alterations or additions should be appropriate to the size and scale of the original property.	
New garages or accessory buildings that are constructed at the rear of properties where they will not detract from the presentation of the building to the street.	Replacement of traditional materials with modern materials.
The use of high quality, traditional materials that match those used in the historic landscape of The Prospect and that develop a patina with age.	Synthetic or manufactured materials that are imitative of historic natural materials.
The use of muted or diffused, naturally coloured lighting.	Bright or harsh unnatural lighting.

Section C - Guidelines for New Construction

WHO THESE GUIDELINES ARE FOR
The Guidelines for New Construction apply to all new construction on existing lots in The Prospect including those where demolition is proposed or has occurred.

INTENT
The guidelines for new construction are intended to encourage new development that respects, reflects, complements and is compatible with the historic character and development of The Prospect. The character defining elements of the neighbourhood as expressed in the SOS should serve as the guiding principles for new construction designs.

Limiting the potential negative impacts of new development on adjacent, protected properties is critical to the successful integration of new buildings within The Prospect HCA.

As with the Guidelines for Alterations and Additions to Non-Protected Buildings, these guidelines are intended to promote the character of the neighbourhood through complementary and high quality new design that contributes to the community values as described in the SOS.

Despite the wealth of surviving historic buildings in The Prospect neighbourhood, there is no dominant architectural style. These homes range in date of construction and are typically built to a high standard of using traditional materials. Many of the houses in The Prospect neighbourhood were regarded as highly significant and important examples of contemporary design in their day.

New design and development within The Prospect should carry on this tradition while being compatible with and respectful of the neighbourhood context and character as reflected in the SOS. In recognition of current housing standards, the cost of construction materials and Oak Bay's commitment to green and sustainable buildings, a comprehensive design approach is needed to deliver high quality new construction that complements The Prospect neighbourhood rather than detracting from it. The Guidelines for Building Permits are intended to support this process.

For the purposes of these Guidelines the following definitions apply:

> *Complementary* means adding to or combining in such a way as to enhance or emphasize the qualities of both original and new*;*
>
> *Contemporary* means living or occurring at the same time (i.e. belonging to or occurring in the present).

C1 - Complementary Design and Siting

INTENT
The design of new buildings in The Prospect should complement the architectural styles of existing buildings on adjacent properties, with respect to heritage character, shape and scale. Similarly, when siting/locating new buildings on property, use precedents set by existing buildings on adjacent properties.

Limiting the potential negative impacts of new development on adjacent protected properties is critical to the successful integration of new buildings within The Prospect HCA.

Prospective designs should look to the architectural context of the neighbourhood for inspiration. To do this successfully, designers require a working knowledge of the architectural styles and materials that are prevalent in the neighbourhood. Complementary new design will be sympathetic to the traditional architectural character of the area.

Because there is no dominant architectural style within the neighbourhood, and architectural styles vary from property to property, the guidelines encourage the principle of complementary design whereby new construction uses existing construction as a guide for the design of the shape of new buildings - including their size and footprint on the lot. New design should not set new precedent but should follow existing.

The architectural styles expressed in the neighbourhood include Queen Anne, Tudor Revival Classical Revival, California Spanish style, and Arts and Crafts or Craftsman style. These existing architectural styles share a common palette of materials, particularly wood, stucco and stone; and the use of this materials pallet in new construction can contemporary design is encouraged.

Special attention should be paid to the volume, height, massing and relative size. Designs for new construction should include consideration of important geometrical precedents such roof slope, window/door sizes, and ratio of wall to window and door openings.

GUIDELINES FOR COMPLEMENTARY DESIGN AND SITING	
RECOMMENDED	NOT RECOMMENDED
New construction compliments the interpretation of existing, protected properties.	New construction negatively impacts the interpretation of existing, protected properties.
Siting of new construction using setbacks that are consistent with historic and neighbouring properties.	Siting of new construction using setbacks that are not consistent with neighbouring properties and the streetscape.
Siting of houses with adequate setbacks to maintain layered vegetation.	Siting of buildings that adversely impact on the natural rural character of The Prospect.
Design of new construction that reflects the size and proportions of neighbouring buildings.	New house designs that are out of proportion with neighbouring properties.
New design using architectural forms that are common to The Prospect area, e.g., simple pitched roofs, low wall elevations, pitch roof dormers, traditional ratio of window openings to wall areas (with the wall surface predominating).	Architectural forms that contrast with existing forms, e.g., flat roof construction, large glazed wall construction visible to the street.
New construction that is consistent in height with neighbouring buildings.	Designs incorporating multiple historical architectural styles.
Garages and accessory buildings sited to rear of the property and behind or to the side of main house.	Garages and accessory buildings built to the front of property.

Historic examples of siting with large, front setbacks.

C2 – Form, Scale and Massing

INTENT
New design will use existing historic properties as a precedent for making design decisions concerning form, scale and massing. Generally, existing patterns of building heights should be considered in any new building design.

For the purposes of these Guidelines the following definitions apply:

Form refers to architectural design and physical characteristics of a building;

Scale relates to the volume of a structure, including height, in its relationship to the landscape and adjacent structures;

Massing refers to where volume is placed in the context of its site.

GUIDELINES FOR FORM, SCALE AND MASSING	
RECOMMENDED	NOT RECOMMENDED
New design that reflects the size and massing of existing buildings on the adjacent streetscape.	Size and proportion that are noticeably larger (or smaller) than neighbouring buildings.
The height of new construction reflects that of existing adjacent properties.	New construction that is significantly taller than existing neighbouring buildings.
New design using massing that reflects the existing architectural character of the neighbouring streetscape.	
New design that uses architectural forms that are common to the neighbourhood and that are reflected in its character.	Architectural forms that are not common to the neighbourhood or identified in the SOS.

Example of inappropriate form, scale and massing (also demonstrating incompatible building materials, incompatible landscaping materials, an expansive and impermeable driveway and inappropriate door and window design).

C3 - Architectural Character and Detailing

INTENT
New design should be complementary to and reflective of the traditional architectural character of the neighbourhood. The elements of architectural design and texture should follow the general pattern set by protected properties.

Designs that reflect the character of the neighbourhood as described in the SOS, through use of contemporary idiom that associates itself with historic methods, forms and detailing, or through traditional architectural style, are encouraged.

The architectural styles expressed in the neighbourhood include Queen Anne, Tudor Revival, Classical Revival, California Spanish style, and Arts and Crafts or Craftsman style. These existing architectural styles share a common palette of materials, particularly wood, stucco and stone and the use of this materials pallet in new construction is encouraged.

Designs that mix architectural styles, historic periods, architectural details or architectural materials (pastiche) in ways that have no historical precedent in the neighbourhood should be avoided. Similarly, the imitation of historic architectural styles using imitative and non-traditional materials should be avoided.

GUIDELINES FOR ARCHITECTURAL CHARACTER AND DETAILING	
RECOMMENDED	NOT RECOMMENDED
Architectural character and detailing that is complementary to the character defining elements of the neighbourhood as expressed in the SOS.	
Design that is consistent in architectural detailing and form, avoiding a mix of historical periods and architectural styles.	A combination of design styles from multiple periods.
Simple rooflines based on historic precedent.	Rooflines with varying and multiple angles.
Profiles of eaves troughs, gutters, scuppers, downspouts and other rainwater goods should be consistent with, or complementary to, historic local patterns.	The use of imitative materials and architectural detailing.

Examples of architectural detailing and forms that are complementary to the historic precedent. The example on the left uses contemporary design and traditional materials to achieve this, while the example on the right uses traditional design and traditional materials. Both examples are appropriate because the detailing is consistent with historic architectural styles in the neighbourhood.

C4 - Building Materials for New Construction

INTENT
Materials used in new construction should be consistent with and complementary to the range of high quality materials found in the existing protected properties in The Prospect.

The range of materials used in the construction of the great majority of historic houses in The Prospect neighbourhood is relatively small. It includes wood, brick, stone, wrought and cast iron, tin, lime and Portland cement. These materials, used in combination and in patterns of construction that are distinctive to the region and the period of construction, play an important part in defining the values and character of the historic built environment within The Prospect and beyond it boundaries.

The choice of materials for new construction can help achieve the objective of complementary design for new construction, and it is recommended that architects and designers look to this range of materials for inspiration.

Buildings in The Prospect are of wood frame construction and generally clad with wooden or stucco materials, such as horizontal cedar shingles, lapped siding, and traditional mortar stucco. The informed use of these materials in new design can ensure a continuity of material tradition and visual characteristics, in the future evolution of the neighbourhood.

GUIDELINES FOR BUILDING MATERIALS - NEW CONSTRUCTION	
RECOMMENDED	NOT RECOMMENDED
The use of traditional building materials that are local to the neighbourhood and the region. For example: o Wood trims, soffit and fascia o Cedar shingle siding o Horizontal wood siding o Rough-cast stucco siding o Sawn cedar roofing shingles o Painted cedar railings and exterior architectural details o Natural local stone; granite and basalt o Traditional mortars o Painted metal and ironmongery	Imitative modern materials. For example: o Fiberglass o Textured fiber-cement shingles and siding o Aluminum or vinyl siding, soffit, facias o Pressure-treated wood o Cultured stone o False brick cladding panels o Stainless steel or galvanized metal finishes
Materials used for traditional styles in new construction should complement the dimensions and profiles of historic materials.	
Colour selections that are historically accurate or complementary to existing house colours.	

Examples of imitative modern materials and finishes that are not recommended for new construction in The Prospect.

C5 - Windows and Doors

INTENT
Windows and doors in new design should play a leading role in the principle of "complementary design," using fenestration patterns established in the historic properties of the area as a guide.

Historic buildings in The Prospect neighbourhood promote window openings in a solid wall, the glass being inset, with a proper reveal, sill and trim. Most windows and doors in The Prospect have a vertical emphasis, and windows and doors in new design and construction should reflect this prevailing model, adopting similar patterns of window and door proportions, placements and configurations.

Wooden-framed sash windows are encouraged, and where new design is being undertaken in a historical architectural style, windows, doors and architectural details should be designed and detailed appropriately, using traditional materials and details. Directly imitative detailing in modern materials such as plastic and aluminum should be avoided.

GUIDELINES FOR WINDOWS AND DOORS	
RECOMMENDED	NOT RECOMMENDED
Vertically oriented windows with true divided lights.	Windows with false muntins.
Windows and doors that are recessed from the exterior plane of the building in a traditional reveal.	Mirrored or reflective glass.
Wooden or metal clad wooden windows in contemporary design, using the form of traditional window architecture for inspiration.	Large horizontal picture windows with non-divided lights.
Wooden or metal clad wooden windows in historic design, built using traditional joinery.	
Painted wooden doors, either solid or with dividing lights.	Metal or vinyl doors.
Use of paint and stain colours based on the historic buildings of The Prospect neighbourhood.	

Examples of window types and patterns on existing buildings in The Prospect.

C6 - Lighting for New Construction

INTENT
Exterior lighting used in new design should be used minimally and in such a way as to reflect traditional patterns of lighting of porches, driveways and paths.

Lighting schemes should in all cases be subtle and not draw undue attention to any new construction. The use of soffit down-lighting can have a negative impact on the historic neighbourhood through sharp contrast with the subtly lit existing properties and streetscape. These and other lighting elements mounted at an elevated level on a building should be avoided. In contrast, low-level entrance garden and pathway lighting cast toward the ground can positively impact the streetscape.

GUIDELINES FOR LIGHTING - NEW CONSTRUCTION	
RECOMMENDED	NOT RECOMMENDED
Lighting of new construction should follow precedent set by protected buildings in The Prospect neighbourhood.	Soffit or high-level lighting.
Low-level lighting for porches, driveways and pathways.	Security lighting without timers.
Use of warm cast and low energy illumination to ensure subtle lighting in the streetscape.	Lighting that projects into neighbouring properties.
The practice of 'Dark Sky' lighting principles.	

C7 - Driveways for New Construction

INTENT
Driveways in new construction should continue the pattern of narrow drives, flanked by vegetation, that is a characteristic of the neighbourhood.

It is the intention of this section of the guidelines to encourage minimal hard surface paving and large outdoor parking areas within The Prospect neighbourhood. Accepting the requirement of new design and construction to provide vehicle access to individual properties, it is a general recommendation that this should be done in a way that is consistent with the historic patterns of access in The Prospect neighbourhood. As part of this, the materials used for new driveways should reflect the traditional landscape materials described in Section A4.

GUIDELINES FOR DRIVEWAYS - NEW CONSTRUCTION	
RECOMMENDED	NOT RECOMMENDED
Use of permeable landscaping materials for driveways, boulevards and small street parking areas, such as pavers, bricks, or other permeable materials.	Expansive paved areas.
Use turf borders and centre strips, vegetation, planter beds, stone walls, garden “room” entries and/or temporary planted containers to help driveways and parking areas read more as garden spaces.	Faux-brick or stamped concrete.
Wooden overhead structures, such as pergolas or trellis work, that is sympathetic to the historic character of The Prospect neighbourhood.	Driveways, garages or carports at the front of properties.
New driveways should respect the privacy of neighbouring houses.	Circular or U-shaped driveways with two entrances.

Section D - Guidelines for Site Planning

WHO THESE GUIDELINES ARE FOR
The Guidelines for Site Planning apply to all properties (new and existing) within the Prospect HCA.

INTENT
The Guidelines for Site Planning provide a resource for retaining and enhancing the neighbourhood's landscape character, so that new landscapes will be developed in balance with existing ones. Since much of the heritage value of the Prospect HCA stems from its natural heritage, these guidelines emphasize the importance of retaining and enhancing natural heritage and habitat values within the neighbourhood.

These guidelines are not intended to mandate a historical landscape style, even when a house may be protected (contemporary landscape expressions can be designed to work with a heritage home), especially since residential landscapes and gardens are continuously evolving and changing. Neither are these guidelines intended to restrict or constrain the gardening activities of residents. Instead, the Guidelines for Site Planning are aimed at conserving those character defining elements of the neighbourhood described in the SOS (e.g. views towards the ocean and Mt. Baker, views from Rattenbury's Beach towards the neighbourhood, etc.).

The District of Oak Bay has a robust Tree Protection Bylaw and Urban Forest Management Strategy that both apply to the Prospect HCA. The Guidelines for Site Planning are intended to supplement these existing policies, as appropriate, within the context of The Prospect neighbourhood.

GUIDELINES FOR SITE PLANNING	
RECOMMENDED	NOT RECOMMENDED
	Disruption of the existing character of streetscapes and viewscapes, both natural and constructed.
Encourage the conservation and stewardship of streetscapes and neighbourhood character, including historic buildings and structures, their relationships to gardens and significant landscape features.	Changes to buildings, gardens and other structures that significantly alter the legibility of the history of the area, or that change the primarily residential character of The Prospect neighbourhood.
Retain existing trees, other vegetation, natural features and topography, where possible, as a reflection of Oak Bay's character and for their environmental values.	Changes to the natural topography that disrupt the appearance and physical form of the neighbourhood.
Historic landscapes and features should be regarded as superior (not subservient) to historic buildings and the desire to make alterations and additions to such buildings.	Changes to the ecology of The Prospect neighbourhood in general, and especially to environmentally sensitive zones such as the shoreline.

Trees, vegetation and shoreline at Rattenbury's Beach are examples of significant natural features and topography within The Prospect.

D1 - Land Use and Neighbourhood Character

INTENT
Future development within The Prospect neighbourhood should celebrate and contribute to existing patterns of land use to ensure continuity and legibility of the history of the neighbourhood.

The Prospect neighbourhood is primarily residential in character but has a mix of public and private land uses, with a significant variety of lot sizes and configurations. The neighbourhood has important connections with the water via Rattenbury's Beach, and to the wider community of Oak Bay, via the larger roads such as Beach Drive and Oak Bay Avenue.

Existing and historic patterns of land use on both public and private land are highly significant in understanding the historical development of the neighbourhood, and to defining the character of the neighbourhood in the present day.

GUIDELINES FOR LAND USE AND NEIGHBOURHOOD CHARACTER	
RECOMMENDED	NOT RECOMMENDED
Preserve the residential character of The Prospect neighbourhood.	Commercial development.
Maintain the mix of public and private property land uses.	Restricted access to Haynes Park.
Preserve the relationships between existing front gardens and homes.	Development or infill of front gardens.
Maintain the ratio of lot size and scale to streetscape.	Infill between buildings such that views from public corridors (e.g., roads or pedestrian ways) are obstructed.
	Development of uniform lot configurations or panhandle lots.

Example of an existing pedestrian thoroughfare leading to Haynes Park that exists in the open space between buildings.

D2 - Streetscapes

INTENT
The pedestrian experience of the area's streetscapes, their rural character and natural features vary widely across the neighbourhood. Changes to public and private streets and boulevards and streetscapes should complement and reflect the locally distinctive character existing across the HCA.

Throughout the history of the neighbourhood, streetscapes have evolved into a harmonious integration of narrow roadways, buildings, trees, garden and natural vegetation. Existing and historic patterns of land use on both public and private property are highly significant in understanding the historical development of the neighbourhood, and to defining the character of the neighbourhood today.

The Prospect is characterized by an eccentricity of streets and lanes that curve, vary in length, or have no outlet; and are important for their reflection of the early design of this upscale neighbourhood. While originally designed as both a response to the topography and to emphasize the elite nature of the original neighbourhood, these irregular streets form part of the character and charm of the area today.

GUIDELINES FOR STREETSCAPES	
RECOMMENDED	NOT RECOMMENDED
Retain the rural character and natural features of existing streetscapes.	New multi-vehicle parking areas.
Maintain and/or re-establish relationships of streetscapes to the original/historic neighbourhood plan.	New sidewalks.
Retain variety of setbacks and boulevards between roadways, properties and buildings.	New curbs.
Maintain width and pattern of existing sidewalks.	Removal / alteration of existing sidewalks and boulevards.
Maintain existing pattern of small parking areas tucked amongst vegetation.	Temporary features that are incongruous with the traditional character of The Prospect (e.g., traffic calming chicanes made from concrete lockblocks).
Minimize vehicular access points onto roadways.	Formalize existing transitions between boulevard and road surfaces.
Preserve existing hardscape elements in the landscape.	Straightening roads.

GUIDELINES FOR STREETSCAPES	
RECOMMENDED	NOT RECOMMENDED
Maintain pedestrian dominated streets.	New landscape features / plantings that obscure historic building features.
Boulevard plantings.	
Use of traffic calming strategies that complement existing landscape features.	
Fences and hedges do not enclose front yard completely.	


Examples of streetscapes within The Prospect showing wide boulevards and mature vegetation.


Examples of planted 'soft' boulevards with mixed vegetation and no curbs in the streetscape.

D3 - Visual Relationships

INTENT
Views along streetscapes, mountain views and vistas from Rattenbury's Beach to the ocean and offshore islands should be retained through management of existing vegetation and tree canopy. New construction and new landscape design should complement and enhance existing visual relationships.

Viewscapes are a significant part of the distinctive character and significance of The Prospect neighbourhood. Contributing to the aesthetic value of the place are key views to the waters of Oak Bay and to mountains such as Mount Baker, the Cascades and the Olympics, and to Mary Tod, Chatham, Discovery and other offshore islands. Internal views include layered vistas of houses at different elevations, trees and shrubs, and views up and down streets and lanes.

The neighbourhood accommodates walking tours and heritage interpretation by providing safe pedestrian thoroughfares and unobstructed views of significant heritage homes, from publicly accessible spaces.

GUIDELINES FOR VISUAL RELATIONSHIPS	
RECOMMENDED	NOT RECOMMENDED
Retain existing ocean, mountain, offshore island and streetscape views.	Obstruction of existing ocean, mountain, offshore island and streetscape views.
Retain existing views from Beach Drive and Rattenbury's Beach.	Impede or obstruct existing views from Beach Drive and Rattenbury's Beach.
Preserve existing boundary features such as historic walls, gates and formal entrances.	Alterations to vegetation and healthy trees that diminish layered views that benefit the public.

External and internal views in The Prospect demonstrating the importance of visual relationships to the character of the neigbourhood.

D4 - Natural Areas and Ecological Features

INTENT
Efforts should be made to retain existing natural areas and ecological features in the public domain for their contribution to wildlife habitat, both terrestrial and marine.

The Prospect neighbourhood includes areas of special ecological and natural interest including the waterfront of Rattenbury's Beach, Haynes Park and Garry oak meadows.

Because of the human impact on the natural landscape, all vegetation in the HCA and the wider region will contain some non-native species. Ecological purity should be eschewed in favour of an approach that supports the protection of habitat with a major component of native species.

GUIDELINES FOR NATURAL AREAS AND ECOLOGICAL FEATURES	
RECOMMENDED	NOT RECOMMENDED
Respect ecologically sensitive areas and species at risk.	Development within ecologically sensitive areas (except as necessary to provide environmental protection measures).
Contribute to wildlife and bird habitat, both terrestrial and marine.	Development of shoreline. Removal of native vegetation.
Favour the establishment of native plant species in the public domain and restoration of natural ecosystems in small fragments of habitat where possible.	
Retain native vegetation.	

Haynes Park with Garry oak trees.

Shoreline of Rattenbury's Beach.

D5 – Vegetation

INTENT
Existing patterns of vegetation and tree canopy should be conserved and managed to promote the environmental and aesthetic benefits they make to The Prospect.

The Prospect neighbourhood is significant for its mature vegetation; towering coniferous trees like Douglas Fir *(Pseudotsuga menziesii)* and Garry oak *(Quercus garryana)* are interspersed with a lower canopy of deciduous and coniferous trees along streetscapes and on individual properties. These contribute both to the present day natural character of the area, and to the legibility and understanding of the history of land use and historic gardens over time.

GUIDELINES FOR VEGETATION	
RECOMMENDED	NOT RECOMMENDED
Protect remaining areas with significant cover of native plants.	Any construction or other activity that is likely to damage the future health of existing trees.
Retain significant trees.	Removal of healthy, mature trees, shrubs and hedges.
Prioritize a tree species mix on public boulevards that is appropriate to the scale of the streetscape, with a preference for native species and particularly Garry oak.	
Where tree loss is unavoidable, plant replacement trees at a ratio of 2:1.	
Retain layered vegetation of trees, shrubs and hedges.	
Encourage the preservation of healthy trees, shrubs and hedges or, where necessary, their replacement with suitable plantings to preserve privacy and the overall natural green character of the area.	

Native Garry oak trees bordering a pedestrian path in The Prospect neighbourhood.

D6 - Landforms

INTENT
Alteration of existing topography should be avoided or minimized, where it is not practical to avoid disruption, to conserve the neighbourhood's natural characteristics.

GUIDELINES FOR LANDFORMS	
RECOMMENDED	NOT RECOMMENDED
Respect and maintain the sloped topography that rises in elevation from the foreshore to the higher elevations of York Place.	Removal of natural rock outcroppings for pools, site circulation and other activities.
Retain topographical features, including natural rock outcroppings.	Removal of topographical features including natural rock outcroppings, for the construction of basements or similar structures, extending beyond the footprint of the building.
Where it is necessary to alter or remove topographical features to facilitate the construction of basements or similar structures, this should be done in a way that is invisible to the public (e.g., contained within the footprint of the building).	
Where it is necessary to alter or remove topographical features, for any reason, minimize removal or site disturbance.	
Incorporate natural rock outcroppings within landscape design.	
Design alterations, additions and new construction that conform to naturally sloping topography.	

Examples of the bedrock outcroppings that characterize the topography of The Prospect.

Integration of natural topography within the built environment of The Prospect.

D7 - Landscaping Materials

INTENT
Existing heritage landscape materials on private and public land should be conserved and celebrated. Where new landscape features are introduced, materials should be complementary to traditional patterns of material use and not introduce imitative or incompatible landscape material.

Traditional and historically authentic landscaping materials such as wood, stone and wrought iron, contribute to the present day character of the area and communicate an important message about traditional practice that is mirrored by the construction materials of traditional homes in the area. Where new materials are introduced, they should reflect the historic material to promote the existing connectivity of landscape to built form.

GUIDELINES FOR LANDSCAPING MATERIALS	
RECOMMENDED	NOT RECOMMENDED
New landscape features that use stone, wrought iron, wood, and other natural materials.	Synthetic or manufactured materials that are imitative of historic natural materials.
Make repairs with traditional materials.	Landscape features made from aluminum (fences and gates).
Select new materials that match those used in the historic landscape of The Prospect neighbourhood.	Use of cultured stone, plasticized wood products, or stamped/coloured concrete.
Muted or diffused, naturally coloured lighting.	Introduction of asphalt paving.
Deer fencing that does not restrict viewscapes.	Traditional chain link fences.
	Artificial turf.
	Pressure treated timber retaining walls.


Stone wall and wrought iron gate belonging to the garden of The Gibson House property, demonstrating the use of traditional materials that help define the character of the neighbourhood.


Natural materials such as gravel, stone and planted vegetation typical of the historic landscape.

D8 - Landscape Design

INTENT
Landscape design should enhance the viewscapes and streetscapes expressed in the SOS. Planting should be richly layered and diverse to reflect historic patterns. Designs should integrate existing and newly planted trees, border plantings and built features, such as retaining walls, to complement historic patterns of garden design.

The guidelines for landscape design are intended to manage aggregate changes to landscapes, rather than small or inconsequential changes made to individual properties. The objective of these guidelines is to manage landscape within The Prospect in ways that improve it.

As stated in the Oak Bay OCP, residential development and redevelopment projects should minimize disturbance of existing trees, topographic features or landscaped areas that contribute character and quality to the streetscape. When these areas are disturbed, new features and landscaped areas should be installed that contribute to the streetscape and are consistent with other well developed landscapes in The Prospect neighbourhood.

There is a desire to maintain the public landscape as it currently is.

GUIDELINES FOR LANDSCAPE DESIGN	
RECOMMENDED	NOT RECOMMENDED
Minimize site disturbance.	New construction that alters/changes natural grades.
Water permeable driveways.	Impermeable driveways and paths (e.g., asphalt or concrete).
Mitigate visual impact of retaining walls, with stepped construction and/or landscape screening with vegetation.	Inappropriate lighting of landscape features.
Informal pedestrian ways.	Reduction or removal of wildlife and bird habitat.
Screening with natural vegetation.	Destruction, removal or relocation of historic features in the landscape such as gates, stone walls, house numbers, statuary, etc.
Contribution to wildlife and bird habitat.	
Terraced retaining walls that incorporate plantings.	
Retention, reinstatement or repair of historic features in the landscape such as gates, house numbers, statuary, etc. at original locations.	


Terraced retaining walls that incorporate plantings and respect the natural topography.


Examples of screening and layering with natural vegetation.

Appendix 1 – Glossary of Terms

Adaptive Re-Use Conversion of a building into a use other than that for which it was designed, such as changing a power plant or warehouse into a gallery space or housing.

Archaeological Site A site that contains the physical remains of past human activity, the physical evidence of how and where people lived in the past, and that may be of regional, provincial, national or international significance.

Artifact An object made by a human being, typically an item of cultural or historical interest.

Character Defining Element The materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of a historic place, which must be retained to preserve its heritage value.

Conservation All actions, interventions, or processes that are aimed at safeguarding the character defining elements of a cultural resource to retain its heritage value and extend its physical life. This may involve *preservation, rehabilitation, restoration*, or a combination of these and other actions or processes.

Context Property A property within the HCA that does not necessarily have historic significance but contributes nonetheless to the overall character and composition of the neighbourhood as described in the Statement of Significance. For example, buildings within Context Properties may be valued for their complementary form, scale and massing, or their relationships to adjacent property boundaries.

Cultural Landscape Any geographical area that has been modified, influenced, or given special cultural meaning by people. Designed cultural landscapes were intentionally created by human beings. Associative cultural landscapes are distinguished by the power of their spiritual, artistic, or cultural associations, rather than their surviving material evidence. Evolved cultural landscapes developed in response to social, economic, administrative, or religious forces interacting with the natural environment. They fall into two sub-categories:

- Relict landscapes in which an evolutionary process came to an end. Its significant distinguishing features are, however, still visible in material form.
- Continuing landscapes in which the evolutionary process is still in progress. They exhibit significant material evidence of their evolution over time.

Demolition The systematic and deliberate destruction of a building (or fixture, chattel, and or equipment) or portion thereof.

Designated or Designation Local government land use regulation intended to give long-term protection to heritage property. It is a form of legal protection and the primary form of long-term local government regulation that can prohibit demolition.

Fabric In conservation, fabric means all the physical material of a place that is the product of human activity.

Form The architectural design and physical construction characteristics of a building.

Habitat The area or type of site where an individual or wildlife species naturally occurs or depends on directly or indirectly in order to carry out its life processes, or formerly occurred and has the potential to be reintroduced.

HCA Heritage Conservation Area

Heritage Alteration Permit An authorization by local government that allows certain kinds of changes to be made to protected heritage property.

Heritage Conservation Area A designated historic district or conservation area, which denotes a neighbourhood unified by a similar use, architectural style and / or historical development. A Heritage Alteration Permit is required to make any changes in a Heritage Conservation Area.

Heritage Register A list of sites that have been recognized for their heritage value by Council Resolution.

Heritage Resource Any place or object of cultural value.

Heritage Value The aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present, or future generations. The heritage value of a historic place is embodied in its character defining materials, forms, location, spatial configurations, uses, and cultural associations or meanings.

Historic Place A structure, building, group of buildings, district, landscape, archaeological site or other place in Canada that has been formally recognized for its heritage value.

Indigenous Native to a particular place.

Inspection A survey or review of the condition of a historic place and its elements to determine if they are functioning properly; to identify signs of weakness, deterioration or hazardous conditions; and to identify necessary repairs. Inspections should be carried out on a regular basis as part of a maintenance plan.

Intangible Heritage The practices, representations, expressions, knowledge and skills, as well as associated tools, objects, artifacts and cultural spaces that communities and groups recognize as part of their history and heritage.

Integrity Material wholeness, completeness, and unimpaired condition of heritage values or the completeness of an ecosystem in terms of its indigenous species, functions, and processes.

Intervention Any action, other than demolition or destruction, that results in a physical change to an element of a historic place.

Landform A specific geomorphic feature on the surface of the earth, ranging from large-scale features such as plains, plateaus, and mountains to minor features such as hills, valleys, and alluvial fans.

Landscape An expanse of natural or human-made scenery, comprising landforms, land cover, habitats, and natural and human-made features that, taken together, form a composite.

Maintenance Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

Massing Refers to the overall composition of the exterior of the major volumes of a building in the context of its site.

Minimal Intervention The approach that allows functional goals to be met with the least physical intervention.

Native Wildlife Species endemic (indigenous) or naturalized to a given area.

Naturalized A non-native species that does not need human help to reproduce and maintain itself over time in an area where it is not native. Naturalized plants often form the matrix for a novel ecosystem.

Non-Native A species introduced with human help (intentionally or accidentally) to a new place where it was not previously found.

Object A discrete item that has heritage value and can be collected or conserved. See also *Artifact.*

Preservation The action or process of protecting, maintaining and / or stabilizing the existing materials, form and integrity of a historic place or of an individual component, while protecting its heritage value.

Rehabilitation The action or process of making possible a continuing or compatible contemporary use of a historic place or of an individual component, through repair, alterations, and / or additions, while protecting its heritage value.

Registered A property that is identified in a community registry of heritage properties.

Restoration The action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Scale The sense of proportion or apparent size of a building or building element as created by the placement and size of the building in its setting.

Schedule An official list of properties, other buildings, land or features within a Heritage Conservation Area.

Scheduled Property A property, other buildings, land or features within the Heritage Conservation Area, that appears on the Schedule.

Sense of Place The feeling associated with a place, based on a unique identity and other memorable or intangible qualities.

Site Circulation Movement patterns of pedestrian and vehicular traffic.

Statement of Significance A statement that identifies the description, heritage value, and character defining elements of a historic place. A Statement of Significance is required in order for a historic place to be listed on the BC Register of Historic Places.

Stewardship Linked to the concept of sustainability, stewardship is an ethic that embodies responsible planning and management of cultural and natural resources.

Streetscape The visual elements of a street, including the pavement (dimensions, materials), sidewalks, adjoining buildings and open space frontages, street furniture, lighting, trees and plantings that combine to form the street's character.

Sustainability A group of objectives (economic, social, and environmental - the 'triple-bottom line') that must be coordinated and addressed to ensure the long-term viability of communities and the planet.

Topography The shape, relief, arrangement or surface configuration of the physical features of an area such as its hills, valleys or rivers.

Vernacular Heritage or Vernacular Building The traditional and natural way by which communities house themselves. Examples of the vernacular may be recognised by:

- A manner of building shared by the community;
- A recognizable local or regional character responsive to the environment;
- Coherence of style, form and appearance, or the use of traditionally established building types;
- Traditional expertise in design and construction which is transmitted informally;
- An effective response to functional, social and environmental constraints;
- The effective application of traditional construction systems and crafts.

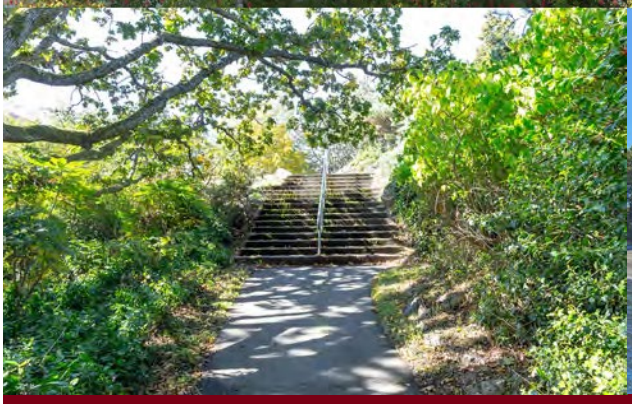
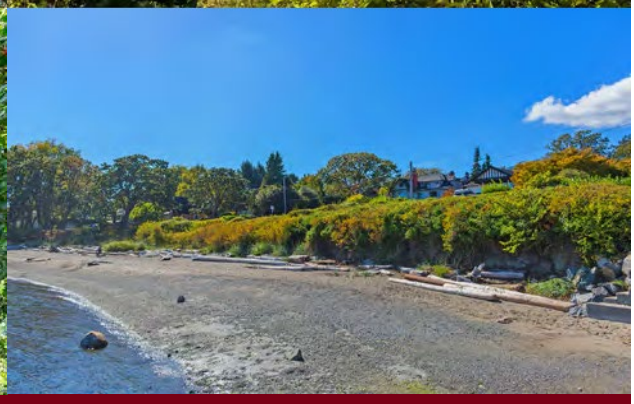
View or Viewscape What can be seen from an observation point to an object(s), particularly a landscape or building.

Statement of Significance

Provided for Reference Only

District of Oak Bay • Oak Bay Heritage



Statement of Significance

The Prospect Heritage Conservation Area
Oak Bay, BC


January 2020

One of the Storybook houses at Patio Court on San Carlos Avenue.

The Prospect Heritage Conservation Area
Statement of Significance

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Acknowledgement

The District of Oak Bay acknowledges with respect the traditional territory of the Coast and Straits Salish peoples, and specifically the Lekwungen speaking people, known today as the Songhees and Esquimalt nations, whose historical relationships with the land continue to this day.

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York Place, Oak Bay Avenue, Prospect Place, Broom Road, San Carlos Avenue and Beach Drive

District of Oak Bay

Historical Chronology

1858 The Hudson's Bay Company consolidates its land holdings in the area around Oak Bay by signing treaties with local First Nations including the Chekonein and Chilcowitch bands.

Joseph D. Pemberton surveys Oak Bay. He owns 1200 acres of land, including Section LXIX that includes Oak Bay Avenue, Prospect Place, San Carlos Avenue and a portion of Mt. Baker Avenue (later Beach Drive) and the future York Place, using the land primarily for livestock farming.

1889 The Haynes and Johnston families settle in the Oak Bay area.

1890s The Oak Bay Camp, a summer resort organized by the Haynes and Johnston families, operates in tents on Rattenbury's Beach.

1891 The Oak Bay Land and Improvement Company is formed to develop the land near Oak Bay Beach. The development is called Oak Harbor and includes the seaside part of Section LXIX with the properties on the east side of York Place, between Oak Bay Avenue and the boundary of Section LXI.

Oak Bay Avenue is listed in local directories. Originally surveyed by Joseph Pemberton, it provides access to the seafront and beach.

The Oak Bay tramway line opens.

1892 The consolidation of land that will result in the Prospect area begins with property transfer: "John Edward Crane to Ellen Turner, 1/3 of 15 acres of Section 69."

1893 The Mount Baker Hotel opens, solidifying Oak Bay as a popular seaside resort.

Land is transferred from "B. Boggs, W.D. McGregor and Ellen Turner to C.A. Vernon." This portion of land later transferred from C.A. Vernon to J.G. Tiarks and F.M. Rattenbury as part of their 15 acre estate

1898 Prominent Victoria architects, John Gerhard Tiarks and Francis Mawson Rattenbury, purchase 15 acres of land extending from Oak Bay Avenue northward to present day San Carlos Avenue. The legal transfer reads: "J.G. Tiarks and F.M. Rattenbury, 15 acres of Section 69 except lots 15, 26, 41 and 46, Map 396."

Historical Chronology Continued…

1898 John Tiarks designs five homes within the 15 acre parcel, including *Annandale* for Sir Charles Hibbert Tupper, Minister of Justice and the Attorney General of Canada, and its twin *Garrison House* (destroyed c1930s) built for the Honourable Frederick Peters, Premier and Attorney General of Prince Edward Island. Francis Rattenbury, architect of The Empress Hotel and Parliament Buildings, plans the grounds for, and constructs, his residence *Iechinihl* (Indigenous term meaning “a place of good things”) on the Oak Bay waterfront overlooking the beach with Mount Baker and the Cascade Range beyond.

Mount Baker Avenue is listed in local directories.

1900 Samuel Maclure designs the Captain Mallascott Richardson House on York Place (subsequently the site of Gibson House), which includes a summer house and tennis court.

1906 The Corporation of the District of Oak Bay is established.

1910 Land speculation spurs subdivision and development in Oak Bay and farms begin to give way to significant residences.

1919 The Gibson House (built on the former site of the Captain Mallascott Richardson House moved down the hill to Woodlawn Crescent) begun by Francis Rattenbury and completed by Samuel Maclure and Ross Lort, is built on York Place, perched high on an outcrop.

1920s An active decade of significant residential development in the area by notable architects: one home designed by Ralph Berrill, four homes by Samuel Maclure, and seven homes by K.B. Spurgin and J. Graham Johnson.

1935 The Glenlyon School moves to its present Beach Drive
1980s location in the former Francis Rattenbury home.

1940s- Ongoing infill of houses, most successfully absorbed into existing character and street plan.

1990 The York Place development is constructed as a quiet cul-de-sac of seven homes around the estate of the Rattenbury designed Judge Peter Secord Lampman House at 1630 York Place.

Site Context

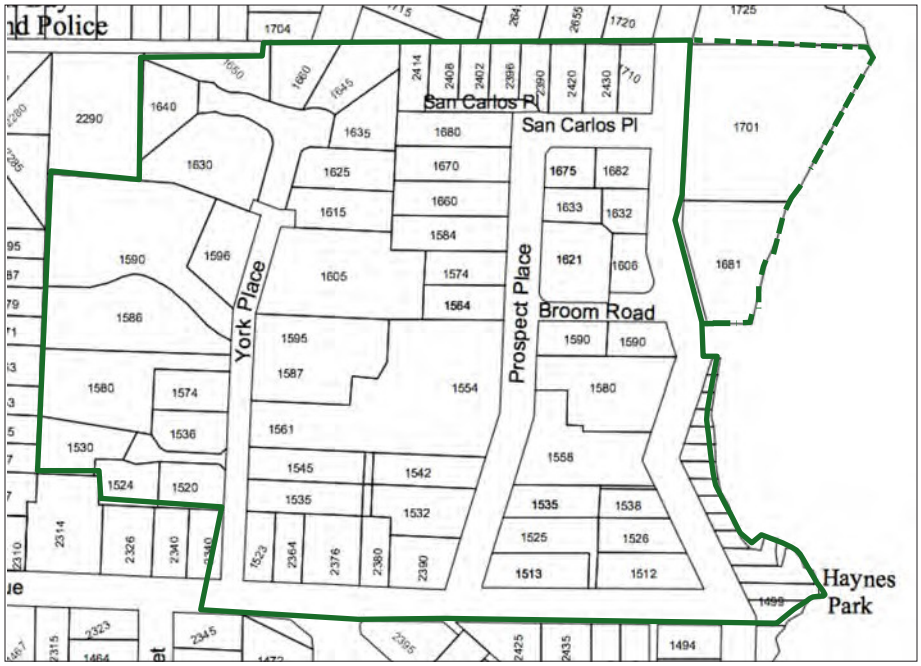
Approximate proposed area of The Prospect HCA. Future expansion of this boundary could be a consideration.

Note: The solid yellow line depicts the proposed HCA boundaries. The dashed yellow line identifies the adjoining Glenlyon Norfolk School campus with its three heritage designated buildings on the original Rattenbury estate.

The Area: The Early Vision Most of the proposed Heritage Conservation Area is within the original boundary of the larger Oak Harbor development of 1891.

Oak Harbor c.1891. (*District of Oak Bay Archives)*

The Area: Present Day



Note: The solid green line depicts the proposed HCA boundaries. The dashed green line identifies the adjoining Glenlyon Norfolk School campus with its three heritage designated buildings on the original Rattenbury estate.

Statement of Significance

Description

A Rattenbury designed Shingle and Tudor Revival home.

View of Rattenbury's Beach, mature trees and houses on Beach Drive.

The Prospect Heritage Conservation Area includes York Place, San Carlos Avenue, a portion of Beach Drive and Oak Bay Avenue, and includes both Prospect Place and Broom Road. It also includes the Glenlyon Norfolk School, formerly the Francis Rattenbury residence, the shoreline of Rattenbury's Beach and Haynes Park.

The area is a significant cultural landscape with a sloped topography, narrow scenic roads, significant architecturally designed houses and a location fronting the Oak Bay beachfront.

Values

The Prospect Heritage Conservation Area is significant for its aesthetic, historic, social, natural history and educational values, particularly its representation of the origins of the Oak Bay community in the late 19th century, the leafy suburban character of its evolved cultural landscape, and its mix of architecturally significant and more modest residences.

The Prospect is significant for its use by First Nations for millennia. While more widely understood and acknowledged, the colonial history of this area is only a brief chapter in the overall history of human occupation. There has been Indigenous land use in this area for living, fishing, food and medicine gathering since time immemorial. There are archaeological sites recorded within the boundary of The Prospect, and significant sites nearby, especially in the area of Bowker Creek and Willows Beach. Evidence suggests these sites are between 3000 and 4000 years old.

The area is important for its integration into a landscape with features such as steep topography that rises in elevation from the foreshore to the higher elevations of York Place, which give some homes a prominent physical status and considerable views; bedrock outcrops; and Rattenbury's Beach and foreshore, all of which have a physical and visual influence on the form of development and overall character of the neighbourhood. The landscape is important for its ecologically significant areas including rare wildlife and plant species, and its lush vegetation, both native and ornamental, safeguards habitat for birds and small mammals.

Originating in 1858 with politician and surveyor Joseph D. Pemberton's survey of Oak Bay and evolving up to the present day, the area has historic value as part of the pattern of growth of the Oak Bay community in the late 19th century. It charts the evolution of the area from Pemberton's large estate subdivision and farm to a unique leafy garden suburb. It provides an understanding of the upper classes of Victoria society, first as a beachside resort destination and later as an aesthetically pleasing and high quality residential neighbourhood.

Samuel Maclure designed summer house overlooking site of former tennis court.

Trio of historic houses along Beach Drive.

Wrought iron Art Nouveau gates at *Annandale*.

As designed by its British architect-owners, this area of Oak Bay is centered on prominent architect Francis Mawson Rattenbury's c.1898 estate plan, which saw Prospect Place constructed as the original roadway leading through the 15 acre property to Rattenbury's house overlooking the beach. The remaining buildings of Rattenbury's estate – including the Residence, Coach House / Garage, and Boat House – are important for their adaptive reuse and integration into the grounds of Glenlyon Norfolk School.

Of particular importance in the area is the presence of significant residences built with superior material and craftsmanship of the time, and designed by some of BC's most prominent late 19th and early 20th century architects such as Francis Rattenbury, Samuel Maclure, Karl Spurgin, John Tiarks, Ralph Berrill, Percy L. James and others, often interpreting classic residential building styles such as Queen Anne, Tudor Revival and Classical Revival. The inclusion of contemporary buildings by well-known late 20th century architects, including a 1996 house designed by Pamela Charlesworth and Campbell Moore's 1992 Barwin House, makes the area a showcase for some of BC's most prominent architects' residential work for over a century.

As a complement to these significant architectural works, the neighbourhood has maintained its primarily single family residential nature, with generous lots, careful siting of buildings and lush landscaping contributing to the successful integration of new residences of varying style and scale. Important landscape features include building setbacks and boulevards, and a variety of lot sizes and configurations. Public open spaces such as Beach Drive, Rattenbury's Beach, and Haynes Park alongside the work of early architects including the summer house designed by Samuel Maclure suggest the lifestyles and activities of early Prospect area residents.

Significant streetscapes have evolved into a harmonious integration of narrow roadways, buildings, trees, garden and natural vegetation, with remaining evidence of early large estate development and the adaptation of neighbourhood design to the site's natural topography.

The eclectic arrangement of buildings and traces in the landscape, such as openings in walls, overgrown gates, small pathways and laneways, public staircases, a decorative well-head, and vegetation and tree patterns, are valued for their physical manifestations of past patterns of land use. Layers of vegetation are important for their contribution to the bucolic nature of the neighbourhood and for softening harder elements such as buildings, structures and roadways. Trees and plantings provide screening between the street and private spaces, and create a peaceful rural atmosphere, including large sequoia trees associated with the garden development at Briarbrae, and others planted around 1912.

Unique, historic concrete sidewalk with decorative scored pattern.

Rock outcrop adjacent to informal pedestrian path.

P.L. James designed Beach Drive home built in 1912.

The eccentricity of the streets and lanes that curve, vary in length, or have no outlet are important for their reflection of the early design of this upscale neighbourhood. While originally designed as both a response for the topography and to emphasize the elite nature of the original neighbourhood, these irregular streets form part of the character and charm of the area today.

Landscape details are fundamentally integral to the character of the place. They include stone walls, some with capped pillars, along most streets; fences; narrow sidewalks; lack of curb and gutter; and the Lych Gate and stone wall at York Place and Oak Bay Avenue.

Contributing to the aesthetic value of the place are key views to the waters of Oak Bay and to mountains such as Mount Baker, the Cascades and the Olympics, and to Mary Tod, Chatham, Discovery and other offshore islands. Internal views include layered vistas of houses at different elevations, trees and shrubs, and views up and down streets and lanes.

The important rural character of the place and country lane feel has been retained, even in the presence of new construction which, to date, manages to mostly fit into the character of the neighbourhood.

Character Defining Elements

Evidence of Land Use
- Primarily residential character and use of the neighbourhood
- Educational use through Glenlyon Norfolk School (former Rattenbury estate)
- Beach use for recreation
- Streetscapes of diverse character on all roadways
- Haynes Park
- Mix of public and private land uses

Land Patterns
- A variety of lot sizes and configurations

Spatial Organization
- Location fronting Rattenbury's Beach
- Streets conforming to original neighbourhood plan
- Streets that vary in length and width and some that have no outlet
- Groups or clusters of significant buildings
- Varied landscape setbacks and boulevards between roadways, properties and buildings

Prospect Place stone wall with natural vegetation.

Samuel Maclure designed decorative well-head.

Lych Gate at York Place and Oak Bay Avenue.

Visual Relationships
- Layered internal views
- Views up and down streets
- Mountain views from all streets
- Views from Rattenbury's Beach
- Views to Mary Tod, Chatham, Discovery and other offshore islands

Circulation
- Curved narrow roadways, generally without curbs, and on some streets, no sidewalks
- Narrow sidewalks on other streets, some with distinct patterns in the concrete
- Streets and lanes with a rural character and natural features
- Pedestrian dominated streets
- Small parking areas tucked amongst vegetation
- Minimal access points from most properties onto roadways

Ecological Features
- Native and naturalized vegetation
- Wildlife and bird life habitat, both terrestrial and marine
- Rattenbury's Beach, foreshore and bank with natural vegetation

Vegetation
- Layered vegetation of trees, ornamental mature shrubs and groundcovers
- Significant coniferous and deciduous trees such as Sequoiadendron and Garry oak, and deciduous canopy trees along streetscapes and individual properties
- Cultivated gardens
- Natural planting in boulevards and along road edges
- Native shrubs and mosses
- Hedges
- Marine plants in beach areas

Landforms
- Sloped topography that rises in elevation from the foreshore to the higher elevations of York Place
- Bedrock outcroppings

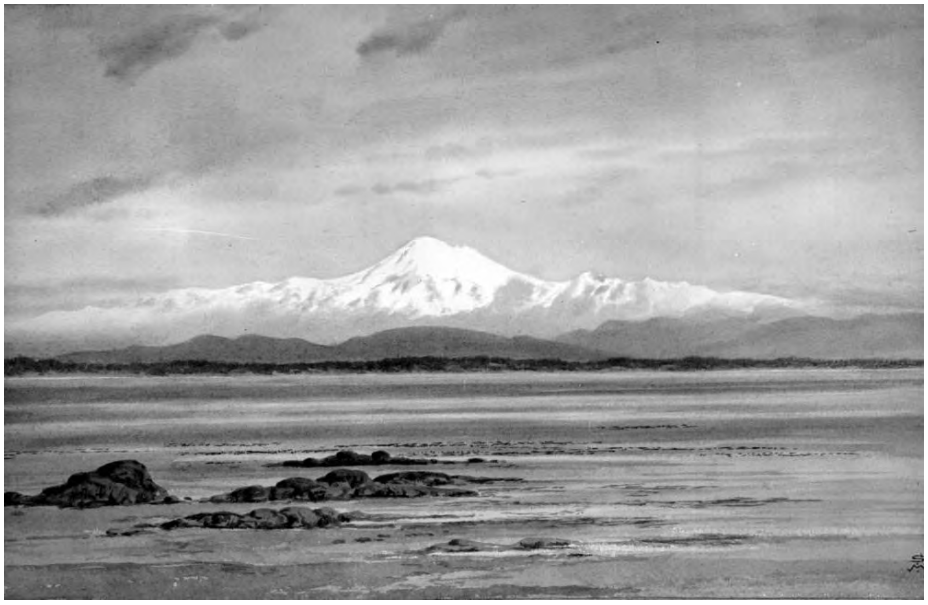
Water Features
- Rattenbury's Beach
- Ornamental well-head

Built Features

- Significant residences built with superior materials and craftsmanship, designed by some of BC's most prominent late 19th and early 20th century architects
- A wide variety of residential buildings of varying types, scales, styles and ages
- Summer house designed by Samuel Maclure
- Buildings protected by designation, registration and covenant
- Remaining historic, neighbourhood scale stone walls along streets and lanes such as York Place, Oak Bay Avenue, Prospect Place, Broom Road and Beach Drive
- Presence of fences along property lines, and gates at driveway and walkway entrances
- Lych Gate and stone wall at York Place and Oak Bay Avenue
- Samuel Maclure designed decorative well-head
- Public stairs and public benches

Intangibles and Social Traditions

- Historical and current street names and their meanings, including Mt. Baker Avenue / Beach Drive; Prospect Street / Prospect Place; Beach Avenue / Broom Road
- The ability of the neighbourhood to convey stories, connections to colourful residents, historical scandals, dramatic lives and notable figures through its character defining elements.
- The ability of the neighbourhood to be a place for historical walking tours



Mount Baker painted by Samuel Maclure, c.1890. (BC Archives PDP03773)

Significant Heritage Properties

Property	Architect	Date of Construction	Status
Annandale Sir Charles Hibbert Tupper House 1595 York Place	J.G. Tiarks	1897-98	Designated
Sandhurst Arthur E. and Matilda A. Haynes House 1512 Beach Drive	J.G. Tiarks	1898-99	Designated
Iechinihl Francis Mawson Rattenbury House, Coach House, and Boat House 1701 Beach Drive	Francis M. Rattenbury	1898, 1914	Designated
Schwengers House 1660 Prospect Place	J.G. Tiarks	1899-1900	
Briarbrae 1605 York Place	Francis M. Rattenbury	1904	
Arran 1580 York Place	Samuel Maclure	1906-07	
Lampman House 1630 York Place	Francis M. Rattenbury	1907-08	Covenant
C. Mason Dubois House 1525 Prospect Place	Francis M. Rattenbury, alterations by Samuel Maclure	1908	Registered
Sheilin 1535 Prospect Place	D.C. Frame	1909	Registered
J.W. Morris House 1558 Beach Drive	Percy Leonard James, Douglas James	1912	
Gibson House 1590 York Place	Francis M. Rattenbury, Samuel Maclure, Ross Lort	1919	Registered
Bide-A-Wee Mrs. J. D. Helmcken House 1538 Beach Drive	Samuel Maclure	1922	Designated
F. Hamilton and Elizabeth R. Harrison House 2390 Oak Bay Avenue	Samuel Maclure	1923	

Significant Heritage Properties continued.

Property	Architect	Date of Construction	Status
Florence Rattenbury House 1513 Prospect Place	Samuel Maclure	1925	
1542 Prospect Place	Samuel Maclure	1925	
Patio Court 2390 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2396 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2402 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2408 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2414 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Adamson House 1590 Beach Drive	K.B. Spurgin	1928	Designated
2376 Oak Bay Avenue	K.B. Spurgin	1928	
Seldon Humphreys House 1621 Prospect Place	Ralph Berrill	1929	
J. Harman House 1586 York Place	Percy Leonard James, Hubert Savage	1931	Registered
1532 Prospect Place	Additions, alterations by J.H. Wade, C.D. Stockdill 1949 (original architect unknown)	1940	

Towards a Heritage Conservation Area

Definition

The District of Oak Bay can, by bylaw, define specific areas in the Official Community Plan under *Local Government Act [RSBC 2015]* Sections 614 - 618 to provide long term protection for a distinctive heritage area that contains resources with special heritage value and / or heritage character. A successful Heritage Conservation Area (HCA) protects — through policies, standards and guidelines — the buildings, landscape features, overall character, and context of a neighbourhood within which identified protected heritage properties may be located.

Specific properties that are to be protected must be identified in the bylaw.

In the Heritage Conservation Area, a Heritage Alteration Permit is required to allow an owner to do the following:

- Subdivision of a property
- Addition of a structure
- Addition to an existing structure
- Construction of a new building
- Alterations to a building, structure, land, or feature

Implementation

The following are the steps to be taken to achieve the creation of a Heritage Conservation Area:

- A process of planning and research, through which a community identifies a distinctive area that it determines should be managed by long term heritage protection
- In consultation with the area property owners, the District of Oak Bay agrees that a Heritage Conservation Area is the best tool to provide long term protection
- Consultation with area property owners regarding the control mechanisms (including design controls) that may be included in the bylaw
- Preparation of a bylaw by the District to amend the Official Community Plan to identify the Heritage Conservation Area. The bylaw must include:
  - A description of the special features or characteristics which justify the establishment of the Heritage Conservation Area
  - The objectives of the Heritage Conservation Area
  - Guidelines that address how the objectives will be achieved
- The bylaw may also:
  - Identify circumstances for which a permit is not required
  - Include a schedule listing the protected properties in the area
  - Identify features or characteristics that contribute to the heritage value or heritage character of the area

- At least 10 days before a public hearing is held to discuss the amendment, the District must notify all owners of properties listed on the Heritage Conservation Area schedule
- The District adopts the Heritage Conservation Area bylaw
- The District notifies the Land Title Office and the minister responsible for the *Heritage Conservation Act* of the adoption of the Heritage Conservation Area bylaw, as well as any additions or deletions that may be made to the Heritage Conservation Area schedule

Using the Statement of Significance to support the creation of a Heritage Conservation Area

The Statement of Significance that outlines the values and characteristics of the proposed Heritage Conservation Area is included in the OCP bylaw. The identified character defining elements contribute to the description of the special features or characteristics that justify the establishment of the Heritage Conservation Area, and form the basis of the area guidelines.

Guidelines can be based on the *Standards and Guidelines for the Conservation of Historic Places in Canada,* as well as being written specifically for this HCA. Guidelines can provide direction in preserving and protecting the architectural design and general character of historic places, ensuring integrity, sustainability and compatibility of all new construction with existing structures and heritage values in the HCA.

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Glossary of Terms

Adaptive Re-Use Conversion of a building into a use other than that for which it was designed, such as changing a power plant or warehouse into a gallery space or housing.

Archaeological Site A site that contains the physical remains of past human activity, the physical evidence of how and where people lived in the past, and that may be of regional, provincial, national or international significance.

Artifact An object made by a human being, typically an item of cultural or historical interest.

Character Defining Element The materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained in order to preserve its heritage value.

Conservation All actions, interventions, or processes that are aimed at safeguarding the character defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve preservation, rehabilitation, restoration, or a combination of these and other actions or processes.

Cultural Landscape Any geographical area that has been modified, influenced, or given special cultural meaning by people.

- **Designed** cultural landscapes were intentionally created by human beings.
- **Evolved** cultural landscapes developed in response to social, economic, administrative, or religious forces interacting with the natural environment. They fall into two subcategories:
  - **Relict** landscapes in which an evolutionary process came to an end. Its significant distinguishing features are, however, still visible in material form.
  - **Continuing** landscapes in which the evolutionary process is still in progress. They exhibit significant material evidence of their evolution over time.
- **Associative** cultural landscapes are distinguished by the power of their spiritual, artistic, or cultural associations, rather than their surviving material evidence.

Demolition The systematic and deliberate destruction of a building (or fixture, chattel, and or equipment) or portion thereof.

Designation Local government land use regulation intended to give long term protection to heritage property. It is a form of legal protection and the primary form of long term local government regulation that can prohibit demolition.

Fabric In conservation, fabric means all the physical material of a place that is the product of human activity.

Habitat The area or type of site where an individual or wildlife species naturally occurs or depends on directly or indirectly in order to carry out its life processes or formerly occurred and has the potential to be reintroduced.

Heritage Alteration Permit An authorization by local government that allows certain kinds of changes to be made to protected heritage property.

Heritage Conservation Area A designated historic district or conservation area, which denotes a neighbourhood unified by a similar use, architectural style and / or historical development. A Heritage Alteration Permit is required to make any changes in a Heritage Conservation Area.

Heritage Register A list of sites that have been recognized for their heritage value by Council resolution.

Heritage Site Means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people.

Heritage Value The aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present, or future generations. The heritage value of an historic place is embodied in its character defining materials, forms, location, spatial configurations, uses, and cultural associations or meanings.

Historic Place A structure, building, group of buildings, district, landscape, archaeological site or other place in Canada that has been formally recognized for its heritage value.

Indigenous Native to a particular place.

Inspection A survey or review of the condition of an historic place and its elements to determine if they are functioning properly; to identify signs of weakness, deterioration or hazardous conditions; and to identify necessary repairs. Inspections should be carried out on a regular basis as part of a maintenance plan.

Intangible Heritage The practices, representations, expressions, knowledge and skills, as well as associated tools, objects, artifacts and cultural spaces that communities and groups recognize as part of their history and heritage.

Integrity Material wholeness, completeness, and unimpaired condition of heritage values or the completeness of an ecosystem in terms of its indigenous species, functions, and processes.

Intervention Any action, other than demolition or destruction, that results in a physical change to an element of a historic place.

Landscape An expanse of natural or human-made scenery, comprising landforms, land cover, habitats, and natural and human-made features that, taken together, form a composite.

Maintenance Routine, cyclical, nondestructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, nondestructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

Native Wildlife species endemic (indigenous) or naturalized to a given area.

Naturalized A non-native species that does not need human help to reproduce and maintain itself over time in an area where it is not native. Naturalized plants often form the matrix for a novel ecosystem.

Non-Native A species introduced with human help (intentionally or accidentally) to a new place where it was not previously found.

Object A discrete item that has heritage value and can be collected or conserved. See also Artifact.

Preservation The action or process of protecting, maintaining and / or stabilizing the existing materials, form and integrity of an historic place or of an individual component, while protecting its heritage value.

Rehabilitation The action or process of making possible a continuing or compatible contemporary use of an historic place or of an individual component, through repair, alterations, and / or additions, while protecting its heritage value.

Restoration The action or process of accurately revealing, recovering or representing the state of an historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Scale The sense of proportion or apparent size of a building or building element as created by the placement and size of the building in its setting.

Sense of Place The feeling associated with a place, based on a unique identity and other memorable or intangible qualities.

Site Circulation Movement patterns of pedestrian and vehicular traffic.

Statement of Significance A statement that identifies the description, heritage value, and character defining elements of an historic place. A Statement of Significance is required in order for a historic place to be listed on the BC Register of Historic Places.

Stewardship Linked to the concept of sustainability, stewardship is an ethic that embodies responsible planning and management of cultural and natural resources.

Streetscape The visual elements of a street, including the pavement (dimensions, materials), sidewalks, adjoining buildings and open space frontages, street furniture, lighting, trees and plantings that combine to form the street's character.

Sustainability A group of objectives (economic, social, and environmental - the 'triple-bottom line') that must be coordinated and addressed to ensure the long term viability of communities and the planet.

View or Viewscape What can be seen from an observation point to an object(s), particularly a landscape or building.

Official Community Plan Implementation Table

Implementing the OCP

Implementing the OCP depends on the collective decisions and actions of the District, landowner/developers, residents, businesses, service providers, and federal and provincial agencies that have jurisdiction over certain matters. The District's means of implementing the Plan include OCP amendments, zoning, development permits, building permits, subdivision, and fiscal programs to support land acquisitions, capital projects, District operations, and other District activities. While the *Local Government Act* does not require the District to commit to or authorize any specific project set out in the OCP, it does indicate that all decisions should be consistent with the Plan.

The implementation table addresses actions that involve the preparation of new or revised policies and tools (Table 1). This is presented as an initial list, as new implementation strategies may evolve throughout the life of the OCP as new needs arise or priorities shift. The action steps have cost implications and will need to be considered within the context of the District's Long Term Financial Plan and annual budgeting. For some of the implementation actions, there is a significant amount of work required before the action can be undertaken, e.g., updating the *Zoning Bylaw*.

The identification of action items does not commit the District to undertaking these actions. The actions are listed along with the following information:

Timeline

- Short – within 1 to 3 years
- Medium – within 4 to 6 years
- Long – 7 years or more

Cost Required

- $: 10-50K
- $$: 50- 100k
- $$$: 100-250K

The table also identifies the District staff that would be expected to be involved with or lead each task. The first two items on the table, the Development Procedures Bylaw and updating the Zoning Bylaw, are critical to implementing many of the policies in this OCP. The priorities and timing of other actions will be determined by District staff and Council during their annual planning.

Table 1 Implementation Table

Action	Description	Cost	Department Lead	Support	Comments
SHORT TERM					
Review and update Zoning Bylaw	Zoning Bylaw should be updated to reflect recommended changes to implement the OCP and to provide greater clarity and ease of implementation for staff and applicants	$$$	CB&P	CS	
Review and update Tree Protection Bylaw	Review the Tree Protection Bylaw to ensure the bylaw is fit for purpose and responds to changes proposed in the OCP and zoning bylaw including reviewing canopy targets for land use zones.	$	Parks	CB&P, CS	
Review and update Urban Forest Strategy	Review and refresh this strategy from 2017 to ensure the strategy aligns with the OCP goals.	$$	Parks	CB&P	
Create a Standards of Maintenance Bylaw for Heritage Designated Properties					
Prepare a Parks and Recreation Master Plan	Develop a parks master plan	$$	Parks	CB&P, Finance	
Prepare new Subdivision and Works and Services Bylaw	New expanded works and services authorities allow local governments to require a broader range of works and services in a wider range of circumstances.	$$	CB&P	Engineering & Public Works, Parks	Bill 16 provides municipalities with the authority to develop
Develop a Tenant Protection Bylaw	A tenant protection bylaw is a municipal regulation in British Columbia that provides additional support for renters facing displacement due to redevelopment, complementing provincial laws like the Residential Tenancy Act.	$$	CB&P		Bill 16 provides municipalities with the authority to develop
Village Area Plans	Develop village area plans with a focus on urban design for Oak Bay Village and the secondary villages of Estevan Village,	$$$	CB&P	Engineering, Parks	

	Cadboro Bay and Foul Bay, Cadboro Bay Rd and Esteven and Central and St Patrick St.				
Infrastructure Servicing Masterplans	Water, sewer and storm masterplans need to be updated to reflect the new land use framework and population projections and to inform review of DCC Bylaw		Engineering	Finance	
ACC Bylaw Review	Undertake a high level review of projects to ensure alignment with land use framework and growth strategy		Parks	Finance, CB&P	Bill 16 provides municipalities with the authority to develop
DCC Bylaw Review	Undertake a high level review of projects to ensure alignment with land use framework and growth strategy		Engineering	Finance, CB&P	
Develop an Affordable Housing Strategy	comprehensive plan to address the community's housing needs by ensuring access to safe, secure, and affordable housing for people across all income levels and exploring targeted policies, programs and initiatives and looking at municipal land accelerate the delivery of new non-market affordable rental and non-profit cooperative housing projects	$$$	CB&P		
Develop a Transportation Demand Management Bylaw	A transportation demand management (TDM) bylaw is a municipal regulation that requires developers to incorporate strategies for reducing the demand for single-occupancy vehicle travel. As part of new developments, especially in transit-oriented areas, developers must implement TDM measures to encourage the use of walking, cycling, transit, and car-sharing.				Bill 44 provides municipalities with the authority to develop
Develop Community Climate Action Plan		$$$	CB&P	Engineering	
Develop Corporate Climate Action Plan		$$	CB&P	Engineering, Parks	
Implementation Monitoring Framework	Complete the development of plan indicators and a monitoring program that can be reviewed on a regular basis.	$	CB&P	Engineering, Parks, Finance	

Delegation of Permits	Delegate additional development permits and minor variances to staff	$	CB&P	CS	
MEDIUM TERM					
Develop an energy and carbon reporting bylaw for large buildings		$$	CB&P		
Housing Needs Report	Complete the first regular Housing Needs Report in alignment with the release of the census data in 2027 to help guide a comprehensive update to the OCP in 2030.	$	CB&P		
LONG TERM					
Comprehensive update of the OCP	Comprehensive Review and update of the OCP.	$$$	CB&P	Engineering, Finance, Parks, Fire,CS,	

In addition to the implementation items noted above, there are many communication and partnership actions that are included in policies throughout the OCP. These are considered part of the regular responsibilities of District staff. These items include communications to the public and stakeholders about matters related to land use planning and management.

Partnership actions involve collaboration and coordination with other governments and organizations on a wide range of initiatives related to climate change and energy, environment, community and social well-being, arts and culture, education, affordable and inclusive housing, community institutional uses, special events, tourism, active transportation, transit, and emergency management. These actions may occur on an ongoing or periodic basis.

OCP Monitoring and Review

Monitoring the OCP will be important in order to evaluate whether the vision, goals and objectives are being achieved. This can help the District to adjust efforts during the term of the OCP to better meet the community's vision. Monitoring systems often include quantitative and qualitative indicators.

Qualitative indicators may be collected through expert opinions, surveys, and focus groups. An annual workshop with OPAC could be an efficient and highly informative way to gauge progress.

A monitoring system needs to have appropriate indicators that can be measured without too much effort. Ideal indicators are those that are already collected by the District or other jurisdictions, e.g., census, CEII.

An initial list of quantitative indicators is identified in Table 2. It is recommended that the District review the indicators during the annual reporting cycle, recognizing that not all data will be available annually. The District will likely need to revise the indicators over time as the data available from other sources changes and based on the experience of using these indicators.

Table 2 Indicators

Indicator	Data Source
Number and type of rezonings, development and building permits issued	District - Planning
Number and type of housing units developed	District - Planning
Number of affordable and inclusive housing units in pipeline and completed	District - Planning
Number of regulated secondary suites	District - Planning
Age profile of housing by decade	District - Planning
Number of registered/designated heritage properties	District - Planning
Length of trails (new and total)	District - GIS
Length of bike lanes (type, new and total)	District - GIS
Parkland per capita	District - Planning
Tree canopy (%)	District - Parks & Rec / consultant
Transportation mode share	CRD
Number and type of businesses	District (Business Licenses)
Population – size, age distribution, employment, income, house values	Census
Residential to commercial tax ratio	District
Per capita disposal of solid waste	District – Public Works, CRD
Greenhouse gas emissions quantity and source	CEEI