



**REPORT TO PLANNING AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, SEPTEMBER 18, 2019**

SUBJECT Oak Bay Regional Context Statement

ISSUE

To review the District of Oak Bay regional context statement in relation to the Capital Regional District's (CRD) Regional Growth Strategy (RGS) bylaw (Bylaw No. 4017).

BACKGROUND

On March 14, 2018 the Board adopted the RGS, Bylaw No. 4017.

A regional context statement, adopted within a municipality's Official Community Plan (OCP), relates OCP provisions to the RGS. As per section 446 of the *Local Government Act* (the *Act*), an OCP in a municipality to which an RGS applies must include an accepted regional context statement. The *Act* requires that all municipal regional context statements be accepted by the Board within two years of RGS adoption. The *Act* also stipulates that upon receipt of a proposed regional context statement, the CRD Board must respond by resolution within 120 days to the municipal council to indicate whether or not it accepts the regional context statement. The Board is deemed to have accepted the regional context statement if it does not respond within the 120 day period.

On April 11, 2018, the CRD Board approved a framework to guide the evaluation of regional context statements.

On July 22, 2019, the District of Oak Bay submitted a regional context statement for Board acceptance (see Appendix A). The regional context statement was prepared to reflect the content of the 2014 Oak Bay OCP in relation to the 2018 RGS. The CRD Board has until November 26, 2019, to review the District of Oak Bay's regional context statement.

To date, Colwood, Esquimalt and Central Saanich's regional context statements have been accepted. Once Oak Bay's regional context statement has been accepted, nine regional context statements will remain to be processed. Given that the Board has 120 days to review a regional context statement, and given the deadline for Board acceptance of March 14, 2020, all municipalities must submit revised context statements by November 15, 2019. Planning staff at each municipality have been advised of this deadline.

ALTERNATIVES

Alternative 1:

That the Planning and Protective Services Committee recommends to the Capital Regional District Board:

That the District of Oak Bay regional context statement be considered in relation to the 2018 RGS (Bylaw No. 4017) and be accepted in accordance with the requirements of section 448 of the *Local Government Act*.

Alternative 2:

That the Planning and Protective Services Committee recommends to the Capital Regional District Board:

That the District of Oak Bay regional context statement be considered in relation to the 2018 RGS (Bylaw No. 4017) and not be accepted in accordance with the requirements of section 448 of the *Local Government Act*.

DISCUSSION

Regional and Strategic Planning staff have evaluated Oak Bay's regional context statement in accordance with the Board-approved "Regional Context Statement Framework". See Appendix B for a summary of the evaluation.

IMPLICATIONS

Alignment Implications

The purpose of a regional context statement is to foster alignment between a new RGS and municipal OCPs. Practically speaking, it can take time to achieve alignment, especially in cases where RGS content changes. This is because OCPs are time-consuming and expensive to update, and the municipal update cycle may not align perfectly with adoption of a new RGS. While Provincial legislation requires that regional context statements be updated within two years of a new RGS, it also acknowledges that, in some cases, there will not be perfect alignment within those two years. Section 447 of the *Local Government Act* provides an opportunity for an OCP that is not consistent with the RGS to indicate how the municipality intends to ensure consistency over time. Oak Bay has submitted a proposed regional context statement to fulfill its statutory obligation that the context statement be accepted within two years of RGS adoption.

Regional Growth Strategy Implications

Board acceptance of the regional context statement is a key RGS implementation tool as the context statement relates the RGS to a municipality's OCP. The OCP provides policies that guide decisions related to land use, infrastructure, mobility, housing, parks and other content under the authority of a local government.

Oak Bay's proposed regional context statement fully captures all relevant OCP content and clearly identifies how the OCP relates to the RGS vision, population projections and objectives for growth management, environment and infrastructure, housing and community, transportation, economic development, food systems and climate action. The regional context statement demonstrates a strong relationship to the RGS that will work toward achieving the RGS vision and objectives. Alternative 1 allows for OCP adoption and RGS implementation.

Intergovernmental Implications

Oak Bay staff have worked closely with CRD staff to prepare a regional context statement that demonstrates a strong relationship to the RGS. Alternative 1 allows Oak Bay to amend their OCP to include the updated Regional Context Statement. Alternative 2 would cause delays.

Timing Implications

The referral period for Board acceptance of a regional context statement is 120 days (November 26, 2019). Both alternatives allow for a Board response within the prescribed time period.

CONCLUSION

Provincial legislation requires that a municipal OCP contain an accepted regional context statement. Board acceptance of the regional context statement is a key tool for RGS implementation. Staff have reviewed Oak Bay's proposed regional context statement in accordance with the Board-approved evaluation framework. Oak Bay's regional context statement demonstrates a strong relationship to the RGS and will work toward achieving RGS vision and objectives.

RECOMMENDATION

That the Planning and Protective Services Committee recommends to the Capital Regional District Board:

That the District of Oak Bay regional context statement be considered in relation to the 2018 RGS (Bylaw No. 4017) and be accepted in accordance with the requirements of section 448 of the *Local Government Act*.

Submitted by:	Jeff Weightman, MCIP, RPP, PMP, Planner Regional & Strategic Planning
Concurrence	Iain Lawrence, MCIP, RPP, Acting Senior Manager, Regional & Strategic Planning
Concurrence:	Shawn Carby, CD, BHSc, MAL, Acting General Manager, Planning & Protective Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

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Attachments: Appendix A – Oak Bay Regional Context Statement Referral
Appendix B – Regional Context Statement Evaluation

Appendix A



THE CORPORATION OF THE DISTRICT OF OAK BAY
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July 23, 2019

File: OCP00005

Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7

Attention: Colin Plant, Board Chair

Dear Colin Plant

**Re: Regional Context Statement – District of Oak Bay
Amendment Bylaw to Support Regional Growth Strategy**

At its meeting of July 22, 2019, Council for the District of Oak Bay gave 1st and 2nd readings to Bylaw No. 4620.002, a bylaw to update the Regional Context Statement contained within the Oak Bay Official Community Plan. This amendment is in response to the new Regional Growth Strategy adopted by the Capital Regional District Board in 2018.

At this same meeting, Council provided direction that the bylaw be forwarded to the Capital Regional District for consideration by the Regional Board. As such, and pursuant to section 448 of the *Local Government Act*, the District of Oak Bay is submitting Bylaw No. 4620.002 for an updated Regional Context Statement, to the Board for its review and acceptance.

Thank you for your consideration of the amended Regional Context Statement. Upon your review, please direct your response, along with any questions or comments, to the undersigned at djensen@oakbay.ca or (250) 598-2042, x 7403.

Yours truly,

Deborah Jensen, MCIP, RPP
Manager of Planning
Building and Planning Department

Enclosure: Bylaw No. 4620.002 Regional Context Statement

cc: Emilie Gorman, Deputy Corporate Officer, Capital Regional District, 625 Fisgard Street, Victoria, BC V8W 1R7
ec: Signe Bagh, Senior Manager, Regional and Strategic Planning, Capital Regional District (sbagh@crd.bc.ca)
Jeff Weightman, Planning Analyst, Capital Regional District (jweightman@crd.bc.ca)

THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. 4620.002

A Bylaw to amend the *District of Oak Bay Official Community Plan Bylaw, 2014*

The Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts that Bylaw No. 4620, being the *Official Community Plan Bylaw, 2014*, is amended as follows:

1. Section 2.5, Regional Context Statement, is deleted in its entirety, and replaced with the following:

2.5 Regional Context Statement

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 is consistent with the objectives of the RGS. These objectives and policies are discussed in more detail within the OCP.

2.5.1 Regional Context Statement

Regional Growth Strategy Objectives

Objective 1 Managing and Balancing Growth

Keep Urban Settlement Compact

Considered one of the core municipalities, Oak Bay is located within the Urban Containment Area and plays a role in accommodating some of the 95% of new dwelling units within the Containment Area. It is a compact community with relatively slow population growth. The OCP provides for an anticipated annual growth rate of up to 0.5 percent as the community considers opportunities for residential infill, which aligns with the proposed RGS subregional core area population projections. 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 4.1.2, 4.4.2). For example, Oak Bay Village acts as a node to support residential, commercial, employment and community services for local residents.

Opportunities for increased residential density are directed not only to existing villages, commercial areas, and multifamily residential areas, but also to infill opportunities within neighbourhoods, ensuring 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

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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 4.3.2), for example in the area of Cadboro Bay Road and Foul Bay Road, along the arterial road adjacent to the village area. 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 permitted subject to regulations contained in the Zoning Bylaw (see 4.3.2 H10, H16) and
- duplexes, triplexes, laneway houses and garden suites – for example, amending the Zoning Bylaw to permit both existing and new duplexes (see 4.3.2 H12, H14 - H16).

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 3.0.2 NE1 – NE4) encourage initiatives and activities that promote public awareness and address environmental restoration and enhancement. For example, the District works closely with the Friends of Uplands Park, a volunteer group that is actively involved in restoration of the Park's Garry oak ecosystem, and who provide a series of educational activities.

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 3.0.2 NE5 - NE8, 4.6.2 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 3.0.2 NE10 - NE13, 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.

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OCP policies speak to a number of other initiatives, including

- preparing a network plan of trails to support active transportation and highlight greenways (see 4.6.2 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 3.0.2 NE9, 4.2.2 BE6, 5.2.2 US8) to achieve low impact development practices and increase onsite retention and infiltration
- continuing to promote stewardship activities (see 3.0.2), 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 3.0.2 NE11 - NE13, 4.6.2 PR18, 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 growth to village and multifamily areas along arterial roads (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 4.1.2 CF1, 4.3.2 H18, H19). 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 5.2.2 US2, US7, US10). Demand for water is addressed through the asset management program, specifically the water master plan and water conservation program (see 5.2.2 US7).

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 2.6.2 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).

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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 Secondary Villages (see 4.1.2 CF1, 4.4.2 MUC6 – MUC10). The OCP directs increased densities to existing villages, commercial areas, and multifamily residential areas, along with the provision of community amenities, while respecting the unique characteristics of each neighbourhood (see 4.2.2 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 4.5.2 CIS1 – CIS22, 4.6.2 PR6, PR15 - PR17) 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 2.6.2 CCE8, CCE9), and continues to develop an asset management program to maintain a sustainable infrastructure for the community (see 5.2.2 US7).

Improve Housing Affordability

A major goal of the OCP is to increase housing options to improve affordability and access to housing. This begins with supporting an annual growth rate up to 0.5 percent and using infill development to increase density (see 4.3.2 H12, H14 – H16). 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 4.3.2 H4, H8, H10)
- including affordable and inclusive rental, market, and non-market housing units as a community amenity contribution and considering incentives to lower housing costs (see 4.1.2 CF6, CF7, 4.3.2 H6)
- considering second dwelling units on larger parcels and supporting conversion of existing heritage and character homes (see 4.2.2 BE5, 4.3.2 H7, 4.7.2 HR1), and
- preparing a housing strategy to specifically identify opportunities for affordable and special needs housing (see 4.3.2 H2).

These actions 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 homeless.

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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. 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 4.4.2 MUC11, 5.1.2 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 5.1.2 T2, T3)
- encouraging more environmentally friendly vehicular alternatives to single occupancy vehicles and private car ownership such as ride shares and clean energy vehicles (see 5.1.2 T7, T8)
- 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 5.1.2 T9 – T11)
- advocating for increased transit service through BC Transit and exploring options for local modes of public transportation (see 5.1.2 T14 – T16)
- encouraging Transportation Demand Management by requiring transportation studies for new developments (see 5.1.2 T17), 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 5.1.2 T18, T19).

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 4.6.2 PR11 – PR13, 5.1.2 T12).

Objective 5 Economic Development

Realize the Region's Economic Potential

While the business sector accounts for a small portion of the Oak Bay tax base, approximately five percent, it is a vital part of the community. The OCP supports 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. 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 4.4.2 MUC2, MUC3), considering new mixed use buildings in existing villages, near existing corner commercial and in locations lacking

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commercial areas (see 4.4.2 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 4.4.2 MUC13, MUC14), and policies support expanding opportunities for home based businesses by permitting additional uses (see 4.4.2 MUC15).

The Regional Growth Strategy establishes a target of 0.6 for the jobs to population ratio within the Core Area. Approximately 30% of Oak Bay's population is aged 65 and over, and more than 50% of the population is employed in Oak Bay or elsewhere. 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 4.4.2 MUC2, MUC6, MUC13 - MUC15).

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 4.1.2 CF4, 4.4.2 MUC15, 4.6.2 PR9). Recognizing the importance of food security, food initiatives include

- establishing a matching system between homeowners and "urban farmers" who need space to grow food (see 4.6.2 PR9)
- organic food growing on boulevards (see 4.6.2 PR9)
- building communal food gardens in planting beds on public land (see 4.6.2 PR9).

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 33% (from 2007 levels) by 2020, and by 61% by 2038. 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.

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Policies and actions to be undertaken include

- reviewing and assessing greenhouse gas emissions and climate change mitigation measures on a regular basis (see 2.6.2 CCE1 – CCE3, CCE6)
- manage community energy generation and consumption, and provide regular messaging to the community, for example, implementation of the BC Energy Step Code and upgrades to municipal buildings (see 2.6.2 CCE4, CCE5)
- 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 2.6.2 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 2.6.2 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 mitigation, protection of the natural environment is an integral component of the Official Community Plan (see 2.6.1.4, 3.0.2 NE1 – NE5).

This Bylaw may be cited as the *Oak Bay Official Community Plan Amendment Bylaw No. 4620.002, 2019*.

READ a first and second time by the Municipal Council on July 22, 2019.

PUBLIC HEARING held on _____

READ a third time by the Municipal Council on _____

ADOPTED AND FINALLY PASSED by the Municipal Council on _____

Mayor

Director of Corporate Services

Sealed with the Seal of The Corporation of
the District of Oak Bay

Appendix B

<https://goto.crd.bc.ca/teams/pps/0360CommitteesCommissionsDRAFT/PPS-RSP-2019-XX-OakBayRCSCConsiderationAppendixB.docx>