



**AGENDA**  
**OAK BAY ADVISORY DESIGN PANEL**  
**TO BE HELD TUESDAY, MARCH 5, 2019 AT 8:45 AM**  
**COUNCIL CHAMBERS, MUNICIPAL HALL, 2167 OAK BAY AVENUE**

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1. **Call to Order**
2. **Adoption of Minutes from February 5, 2019**
3. **Approval of Agenda and Late Items**
4. **Old Business**
  - a) DVP00090 / ADP00105 – 2970 Rutland Road  
To permit an addition to a single family home.
5. **New Business**
6. **Information Items**
7. **Next Meeting**

The next regular meeting of the ADP is scheduled for Tuesday, April 2, 2019.
8. **Adjournment**

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# Advisory Design Panel

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## Memorandum

To: Advisory Design Panel

From: Graeme Buffett

Hello Design Panel Members

The March 5, 2019 meeting of the Advisory Design Panel includes a review of proposed renovations to an existing single family dwelling at 2970 Rutland Road. The proposal includes a request to vary the provisions of the District of Oak Bay Zoning Bylaw No. 3531 by permitting an increase to the maximum Roof Height, Building Height, and Occupiable Height. The proposal would also relax the required interior side lot line setback.

<i>Zoning Bylaw Section(s)</i>		<i>Required</i>	<i>Requested</i>	<i>Variance</i>
6.2.4.(2)(c)	Interior Side Lot Line Setback	4.57 m (15 ft)	2.30 m (8 ft)	2.27 m (7 ft)
6.2.4.(3)(a)	Maximum Building Height	7.32 m (24 ft)	8.33 m (27 ft)	1.01 m (3 ft)
6.2.4.(3)(b)	Maximum Occupiable Height	4.57 m (15 ft)	5.50 m (18 ft)	0.93 m (3 ft)
6.2.4.(3)(c)	Maximum Roof Height	9.14 m (30 ft)	10.37 m (34 ft)	1.23 m (4 ft)

*Note: Imperial measurements are approximate and provided for convenience only.*

The subject site was formerly two separate parcels and has been consolidated into one. The resulting lot is 5670 m<sup>2</sup> with a large buildable envelope. The width of the lot, which determines the permitted height maximums, places the proposal in the most permissive category relative to heights.

Based on the size and dimensions of subject site, staff are not supportive of the variances as proposed. The proposal is inconsistent with the requirements of the Oak Bay Zoning Bylaw and proposed additions could be sited so as not to further encroach into required setbacks. Heights could be reduced to be consistent with the Zoning Bylaw.

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The proposal should also be considered in context of the Uplands guidelines as supported by the Oak Bay Official Community Plan policies, copies of which are provided in your ADP package. A review of the application as it pertains to the guidelines results in the following:

#### Siting of Buildings

- Maintenance of the residential park setting. The proposal would maintain the existing large front yard of 2970 Rutland Road as well as the mature landscaping that is already present. However, existing entry gates and a mature hedge detract from the parklike setting and are not consistent with the guidelines. The proposal does not remove these items. The applicants have provided a tree planting plan showing proposed trees and anticipated canopies for the portion of the lot behind the home, the former 3140 Beach Drive address. Specific details as to the treatment of this frontage have not been provided. However, the increase of canopy trees along the frontage is consistent with the guidelines.
- Impact on views. The existing home has legal nonconforming heights that exceed the current maximums established in the Zoning Bylaw. Proposed additions are consistent with the existing heights, but increases the overall massing of the building. It is not anticipated that view corridors from adjacent properties will be adversely affected.
- Setbacks. The proposal would reduce the interior side lot line setback further than the existing conditions. The reduced setback brings the building footprint closer to the north lot line and does not reinforce the residential park atmosphere.
- Relationship in character and massing to the image of the area and impact on scale and rhythm of development. The building height, size, and overall massing exceed the scale of adjacent homes established in the neighbourhood. This would result in the largest home in the neighbourhood.
- Relationship to adjacent buildings. The front façade of the existing 1913 home is maintained however the proposed addition will further crowd the north property line.
- Overlook and privacy issues. The home would sit higher than properties to the east and overlook may be a concern.
- Transition between private and public space. The Rutland Road frontage has a hard edge established by the existing gates and hedge.

## Design of Buildings

- General massing, proportion, and overall articulation of building to established housing. The proposed massing is significant in comparison to adjacent properties. The proposal brings more massing closer to existing homes, at a scale larger than other nearby homes.
- Roofscape. The roofscape is consistent with the existing building, matching the existing pitch. Venting will be hidden.
- Façade articulation and building entry. The main entry is via an existing porte cochere which will be maintained.

If you have any questions regarding the above, please feel free to contact me at

gbuffett@oakbay.ca.

Yours truly,

Graeme Buffett

*Planner*

*District of Oak Bay*



# Memo

**To:** Graeme Buffet, Building and Planning  
**From:** Chris Paul, Municipal Arborist  
**Date:** January 25, 2019  
**Subject:** 2970 Rutland Road ADP

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There has been a tree protection plan received for this property with protective fencing marked on a site plan. The proposed protective measures and arborist involvement is good and will be made part of the permit conditions.

There is one bylaw protected tree that will have to be removed for the construction of the proposed house. This is tree # 442, an English walnut and by the current plans it appears to be located inside the proposed footprint so will not require replacement under the bylaw. Other bylaw protected trees and boulevard trees are to be retained and are shown as protected in the plan.

Canopy cover for the combined new lot is currently heavily weighted to the lot on Rutland. The old lot off of Beach drive has only approximately 200 square meters of canopy cover from the three oaks still on the property. There is a planting plan for the lot off of Beach Drive with a number of trees listed. The calculated canopy cover using the UFS appendix brings the proposed canopy cover up to the required canopy cover. The plan leaves a large amount of open space through the center of the lot.

Tree protection fencing will have to be inspected before demolition starts. Please call the Parks Department for inspection at 250-592-7275.

## Uplands

H22. Use the following list to clarify and provide support to the Uplands 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.

H23. Consider revisions to the maximum lot coverage in Uplands.



Photo Credit: Hope Burns



## Landscaping

The Advisory Design Panel will assess landscaping features on their general appropriateness of form. Landscaping features should respect the residential park atmosphere of the Uplands.

- Fencing and screening
- Native plants and vegetation
- Preservation of significant healthy trees and plant material
- Play and recreation areas
- Hard landscaping
- Parking and driveways

## The Design Review Process

The review process is intended to facilitate processing a building for development within the Uplands, to strengthen the relationship between the Advisory Design Panel and Municipal Council, and to create a working relationship between the Advisory Design Panel and the Heritage Commission.

Should an application require a variance, the application will be presented to the Advisory Design Panel with the requested variance identified for information. The normal procedure is that the variance will be considered by Council by means of a Development Variance Permit application. This application will be

presented to Council in conjunction with the Advisory Design Panel's recommendation. When a building is identified by Council as having historic or heritage value, a brief history of the building will be provided to the Advisory Design Panel for information.

## Steps in the Review Process

### 1. Initial Consultation and Proposed Development Concept

- The applicant or owner is encouraged to attend an Advisory Design Panel meeting for an informal discussion and to solicit advice.
- Items to be provided: conceptual drawings, finishing materials, photographs of neighborhood context, and written summary of work.

### 2. Final Application and Design Recommendation

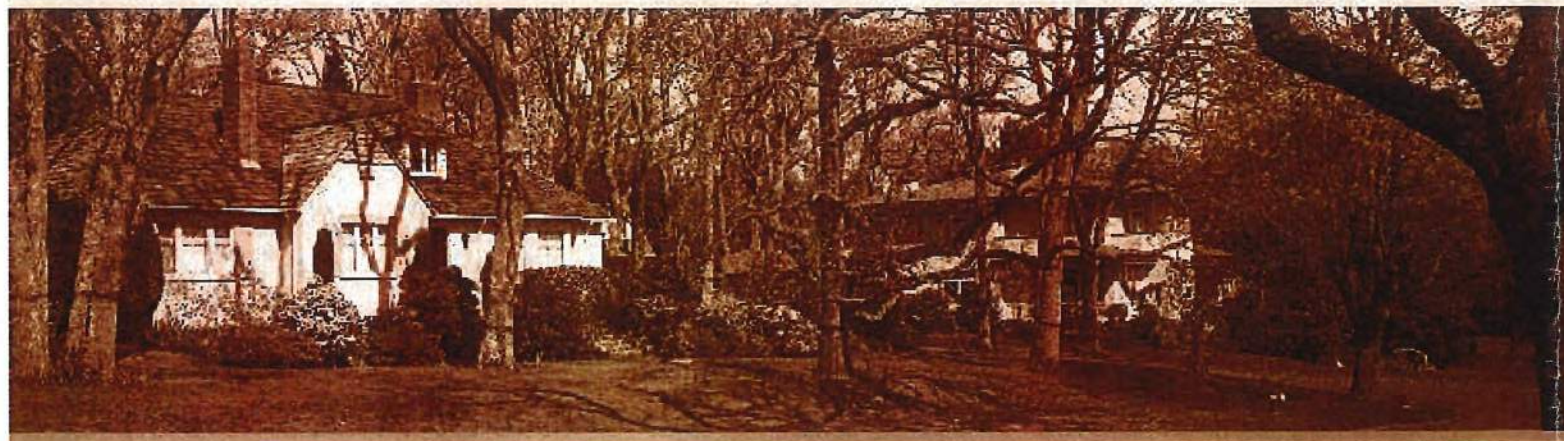
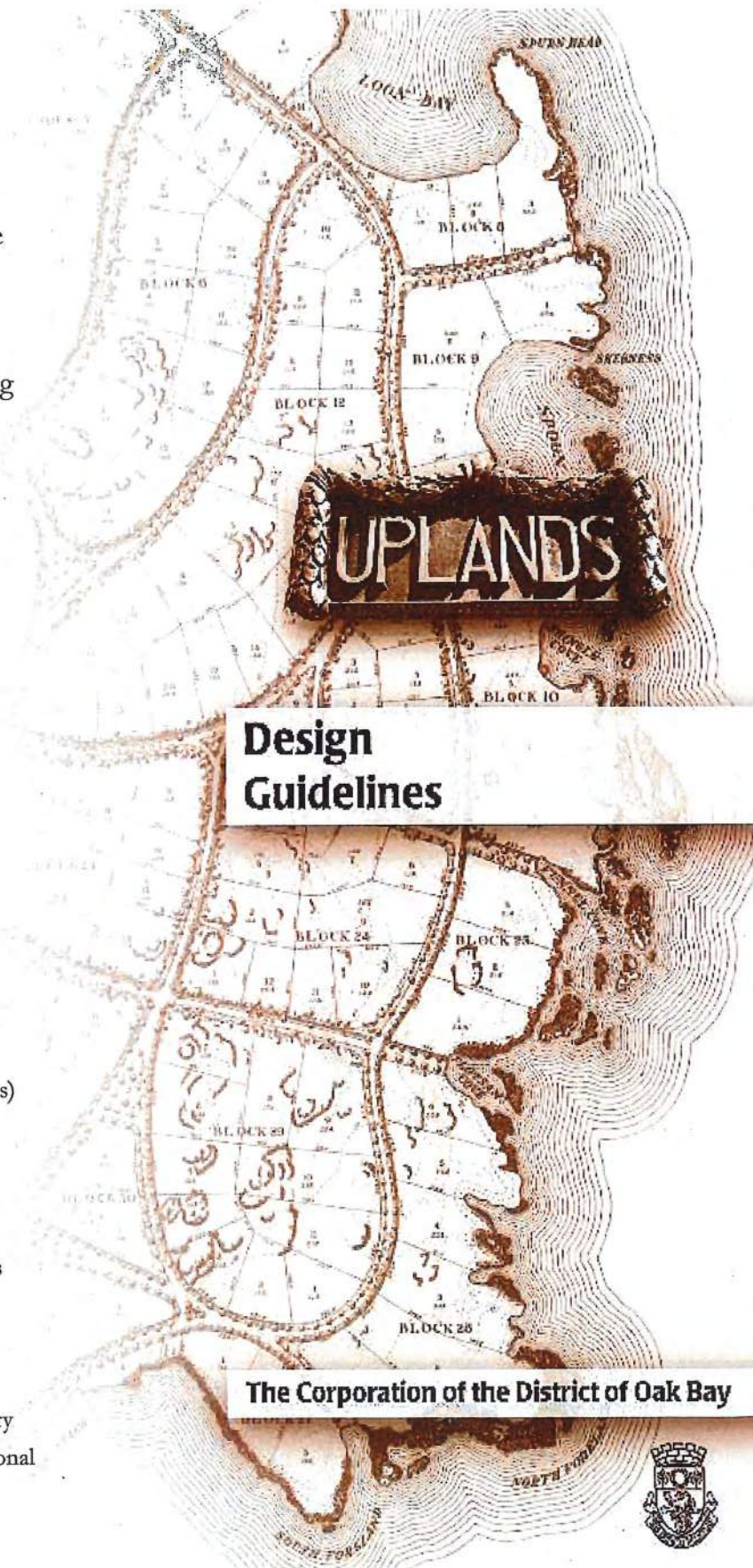
- Once a complete application has been received and reviewed by staff, the application will be forwarded to the Advisory Design Panel.
- A full assessment of the proposed development project will be carried out, resulting in a recommendation to Council.
- Many applicants have found it useful to share their plans with neighbours early in the review process.

## Information to be Submitted by Applicant

Oak Bay's Advisory Design Panel meets on the first Tuesday of each month and forwards its recommendations to Council by way of the Committee of the Whole. In order to allow time for the efficient, effective and reflective assessment of a proposal, the following information must be submitted to the Planning Department by the 15<sup>th</sup> of the month prior to a meeting of the Advisory Design Panel.

### Required Information

1. Civic address and legal description of subject property
2. Phone and fax numbers of architect or designer
3. Site area and site coverage (percentage)
4. Floor area ratio
5. Grade of building site (finished and average)
6. Height(s) of building(s) as per Zoning Bylaw
7. Setbacks and lot dimensions
8. Site plan showing maximum building footprint and location of adjacent buildings (this information might be available at the Municipal Hall)
9. All elevations, indicating line of finished grade and adjacent properties with buildings
10. Exterior treatment on all elevations, identifying materials and colours (colour chips)
11. Landscaping details (hard and soft landscape features)
12. Parking, indicating location, access, layout and dimensions
13. Off-site information, including location of boulevard trees, utility poles, lamp standards, etc.
14. Street elevations, including photographs of buildings flanking the proposed development
15. Photographs of neighborhood context, including major site lines and streetscape
16. Applicants must provide a one page written summary of the proposed work (include calculation of additional floor area).





## Historical Context

The Uplands was planned in 1907-08 for the Winnipeg developer William Gardner by John Charles Olmsted who considered it the finest suburban work of his forty-five year career. Olmsted headed the Boston-based *Olmsted Brothers*, America's leading firm of landscape architects and town planners through the late-19<sup>th</sup> and early-20<sup>th</sup> centuries.

The Uplands 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 establish minimum standards of value, height, and setbacks. In fact, this system formed the basis of Oak Bay's initial and subsequent zoning by-laws from the 1920s to the '70s.

The special character of the Uplands has been further protected by provincial statute and municipal by-laws, especially the Oak Bay Special Powers Act (1935). Although modified through time, the intent of the Act remains in effect, *ie.* to protect the park-like design and development standards first established by John Charles Olmsted, and to sustain the environmental integrity of the municipality.

The design guidelines outlined in this brochure are intended to preserve the original vision and character of the Uplands.

## Design Considerations and the Review Process for the Uplands

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.

## Siting of Buildings

The Advisory Design Panel will consider the following criteria when assessing the siting of buildings within the Uplands:

- Maintenance of the residential park setting  
*John Charles Olmsted, when designing the Uplands, intended to achieve a residential park atmosphere. This concept shall be maintained.*
- Impact on views  
*The impact on the view corridors of neighbouring properties and public areas should be kept to a minimum.*
- Setbacks  
*Setbacks shall promote and reinforce the residential park atmosphere.*
- Relationship in character and massing to the image of the area
- Impact on scale and rhythm of development  
*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
- Effect of shadows on neighbouring properties
- Overlook and privacy issues
- Transition between private and public space
- Accessory buildings  
*Accessory buildings shall be assessed by applying the same criteria used for the principal buildings.*

## Design of Buildings

New development will be assessed in accordance with the original design guidelines of the Uplands which state that each dwelling shall be distinct in appearance and design from dwellings within a distance of 500 feet. The Advisory Design Panel will consider the following design criteria when assessing proposals:

- General massing, proportion, and overall articulation of building in relation to established housing
- Roofscape  
*Design of roofs including pitch, form, gables, and dormers.*
- Facade articulation and building entry  
*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







Timothy Townsend Design

**- COVER PAGE -**

**2970 RUTLAND RD, OAK BAY BC**

February 22, 2019





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**- SOUTHWEST VIEW -**

**2970 RUTLAND RD, OAK BAY BC**

February 22, 2019





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- NORTHWEST VIEW -

2970 RUTLAND RD, OAK BAY BC

February 22, 2019





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- **NORTHEAST VIEW** -

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February 22, 2019





Timothy Townsend Design  
- SOUTHEAST VIEW -

2970 RUTLAND RD, OAK BAY BC

February 22, 2019

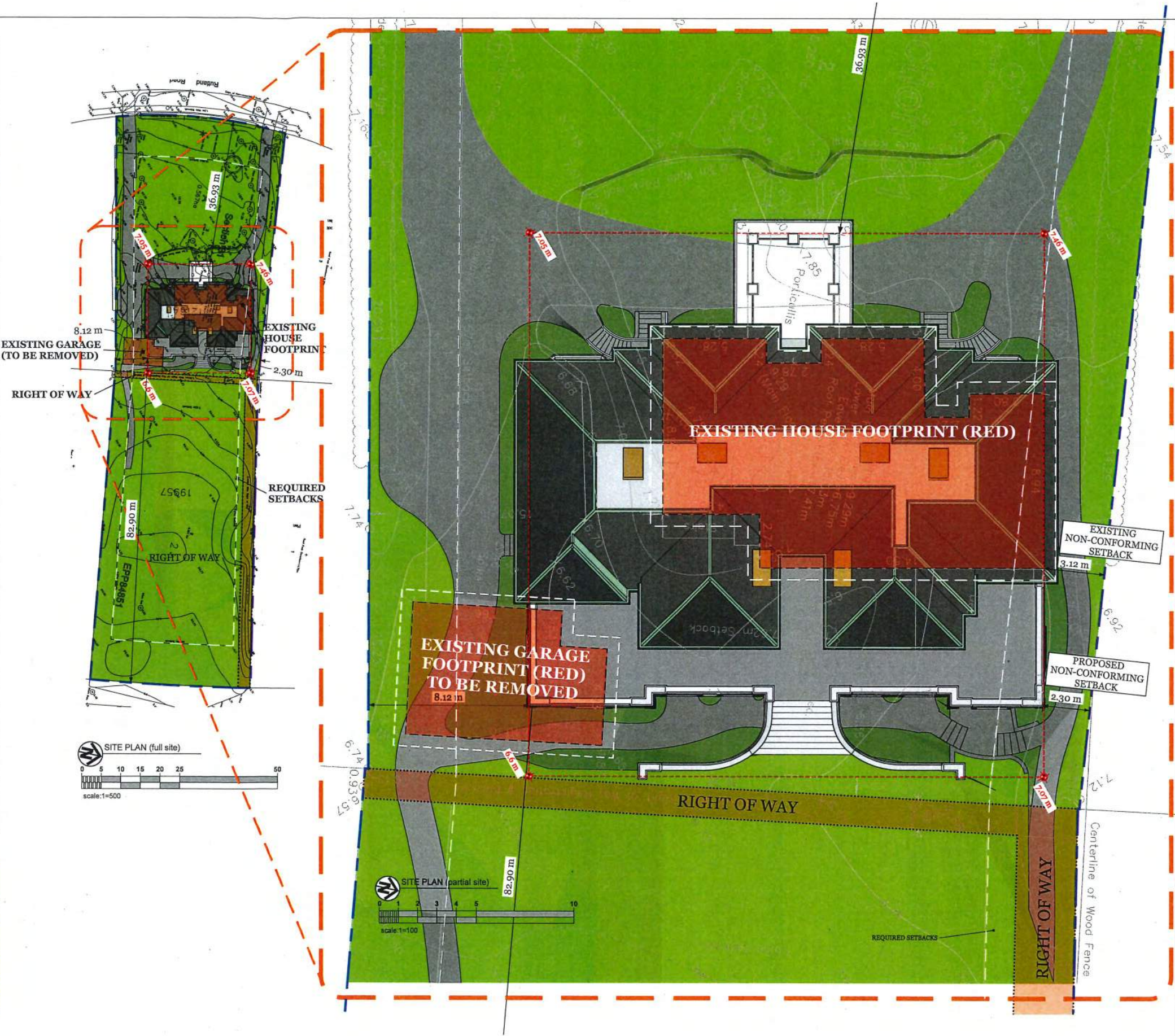


2970 Rutland Road

Lot A of section 31, Victoria District, Plan EPP84851  
PID 030-636-116

Lot Information	Required	Existing	Proposed
<b>Zone</b>	RS-2	RS-2	RS-2
<b>Lot Area</b>		5670 m <sup>2</sup>	5670 m <sup>2</sup>
Lot Frontage		43.44 m	43.44 m
Lot Breadth		42.08 m	42.08 m
Lot Depth		143.35 m	143.35 m
Front Yard Area		456.4 m <sup>2</sup>	
Paved Surface	114.1 m <sup>2</sup> (25% of front)	114.1 m <sup>2</sup> (25%)	114.1 m <sup>2</sup> (25%)
Rear Yard Area		434.39 m <sup>2</sup>	
Paved Surface	108.59 m <sup>2</sup> (25% of rear)	0 m <sup>2</sup> (0%)	108.59 m <sup>2</sup> (25%)
<b>Setbacks</b>			
Front (Rutland)	10.66 m	36.93 m	36.93 m
Interior Side South	4.57 m	15.06 m	8.12 m
Interior Side North	4.57 m	3.12 m	2.3 m *
Total Sides	12.19 m	18.16 m	10.42 m *
Front (Beach)	10.66 m	90.62 m	82.90 m
Second Story	n/a	n/a	n/a
Between Building structures	n/a	n/a	n/a
<b>Heights</b>			
Average Grade		7.29 m	7.04 m
Roof Height	9.14 m	10.12 m	10.37 m *
Building Height	7.32 m	9.42 m	8.33 m *
Occupiable Height	4.57 m	5.25 m	5.50 m *
Gross Floor Area		538.92 m <sup>2</sup>	1117.42 m <sup>2</sup>
Main Floor		222.50 m <sup>2</sup>	325.05 m <sup>2</sup>
Upper Floor		128.48 m <sup>2</sup>	328.37 m <sup>2</sup>
Basement		187.94 m <sup>2</sup>	463.99 m <sup>2</sup>
Accessory Buildings			
Exemptions			
<b>Floor Area Ratio</b>	0.4 to 1	0.11 to 1	0.225 to 1
<b>Lot Coverage</b>	25%	2.63%	8.79%
Parking (# spaces/covered)		2/2	3/1

Proposed Variances	Required	Proposed *	Variance Requested
Interior Side Setback North	4.57 m	2.3 m	2.27 m
Total Side Setbacks	12.19 m	10.42 m	1.77 m
Roof Height	9.14 m	10.37 m	1.23 m
Building Height	7.32 m	8.33 m	1.01 m
Occupiable Height	4.57 m	5.50 m	0.93 m



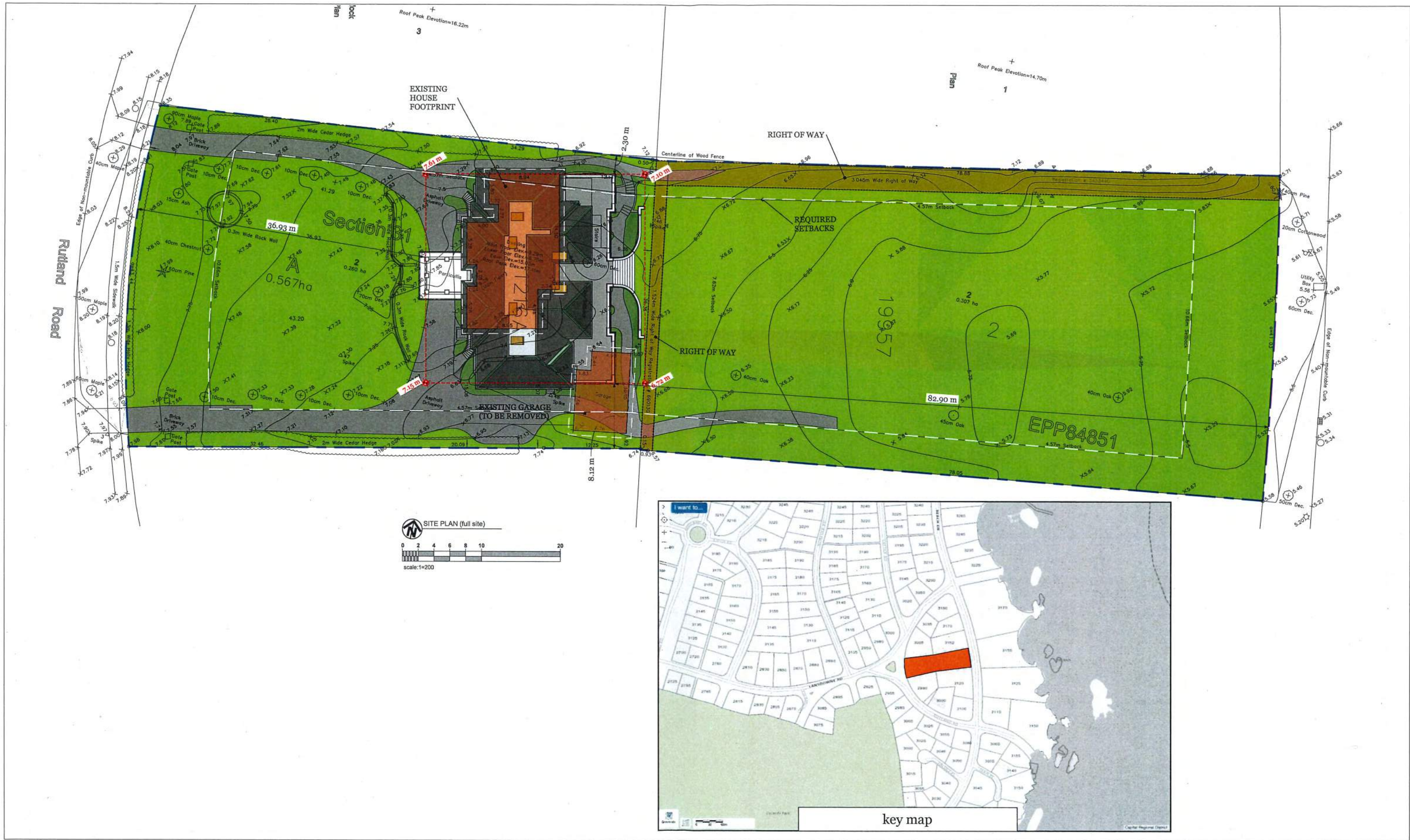
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- SITE PLAN AND DATA -

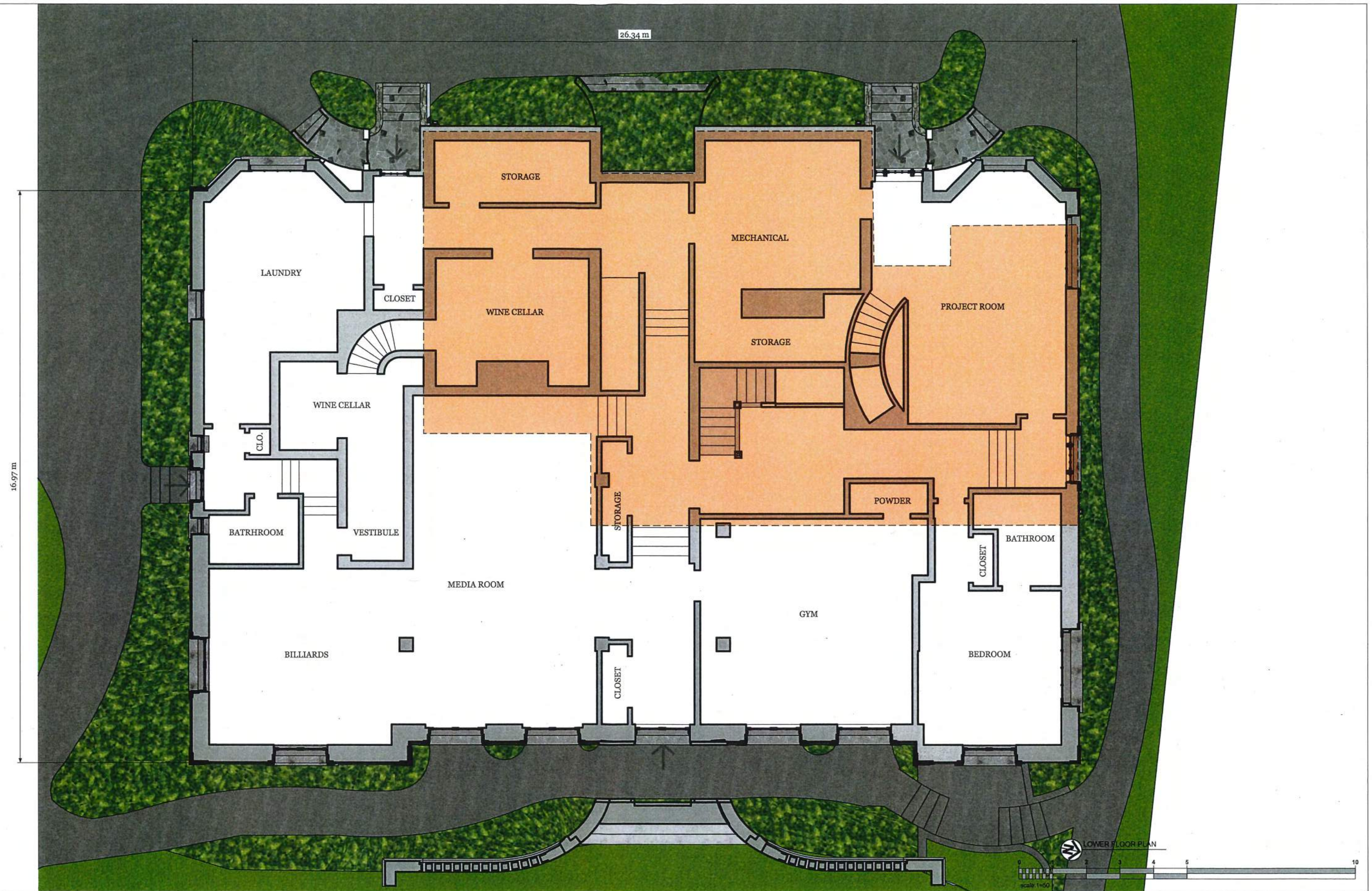
2970 RUTLAND RD, OAK BAY BC

February 22, 2019









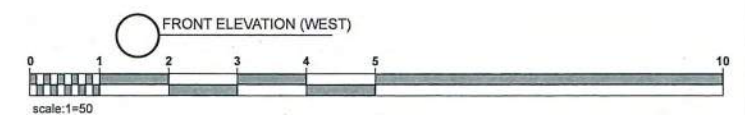




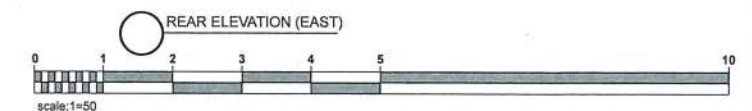




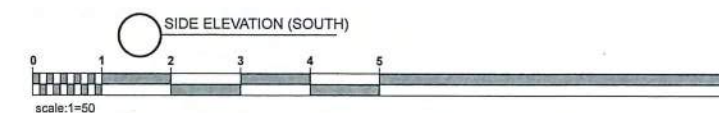
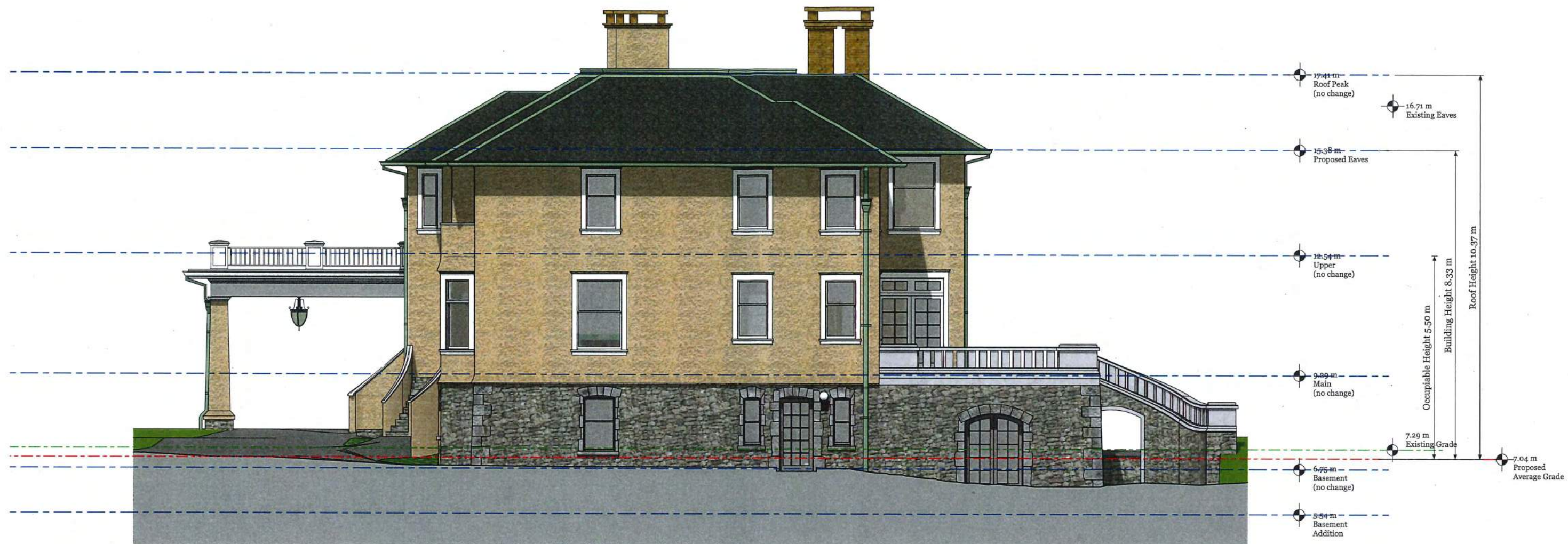




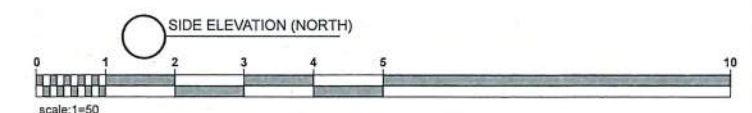




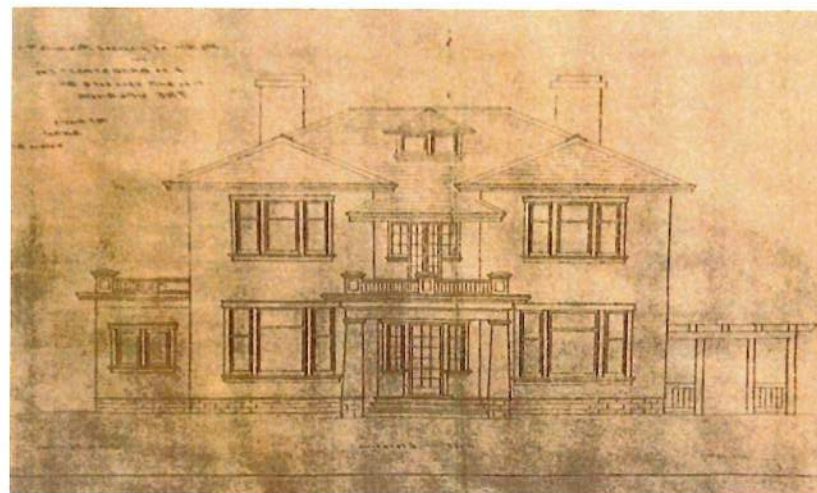










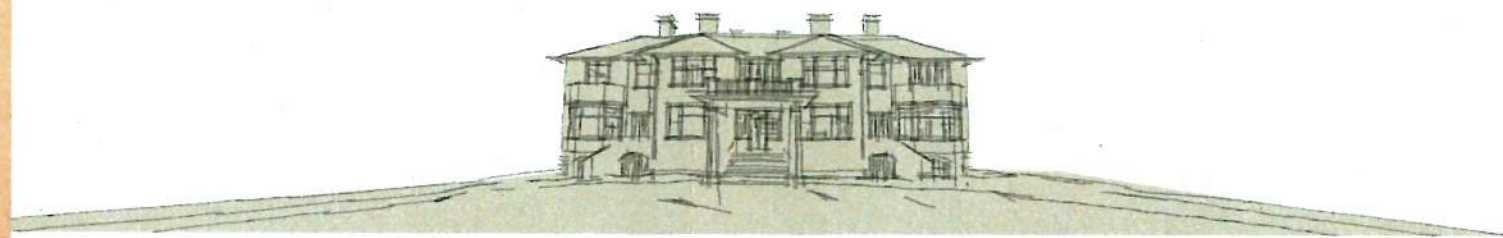


Original plans for 2970 Rutland Road

All trim work will match original in material, quality, colour, and style.



Rubble stone with granite quoins, sills, and lintels.



Add ridge cap flashing as seen on the original plans.

All new windows are to match original to the highest level of accuracy the building code will permit.

Recreate conductor heads as seen on original photo



2970 Rutland Road ca. 1913

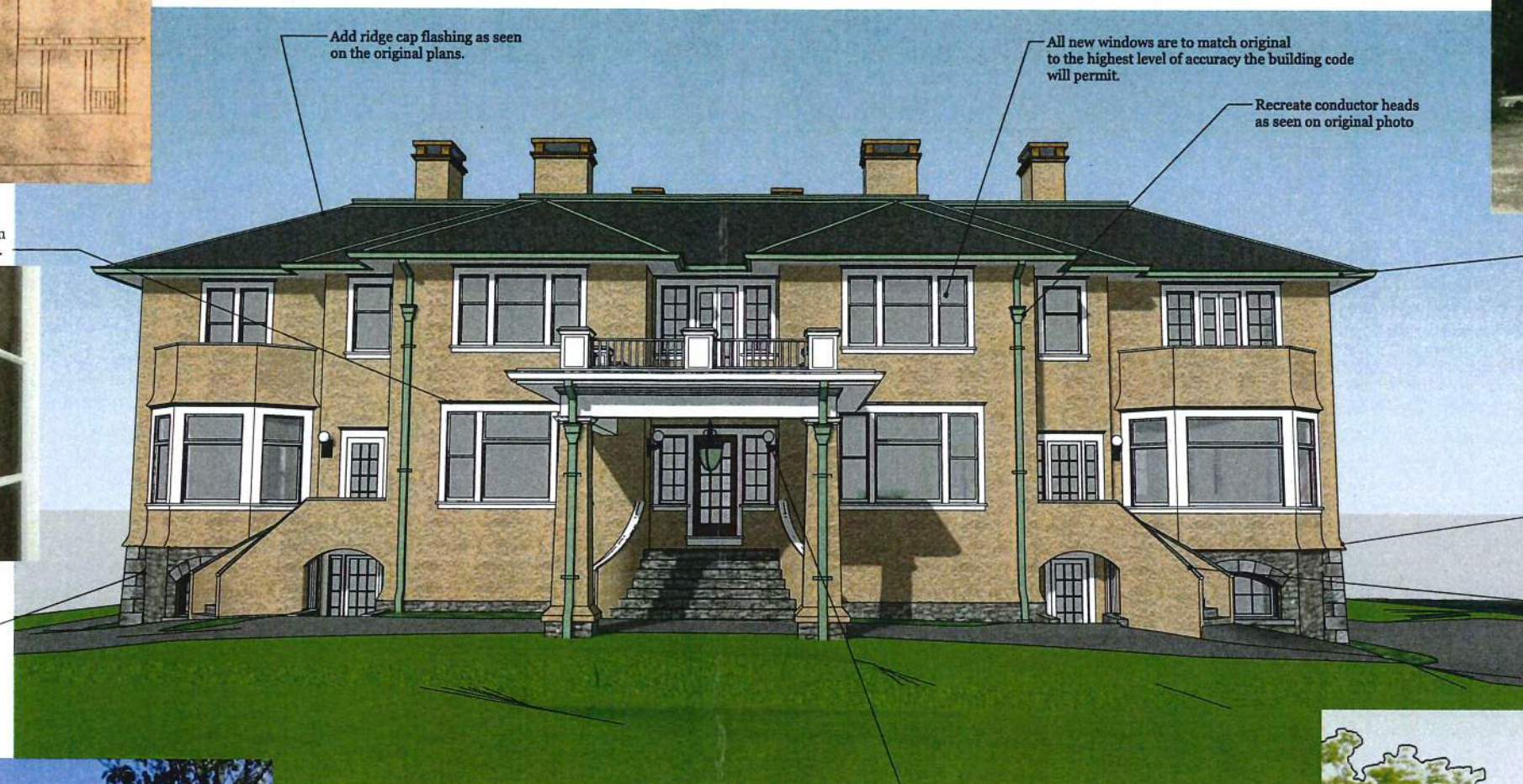
Sprayfoam is to be used in attic, allowing for unvented V-joint soffits to match original.



Recreate flair detail as seen on Original photo.



Dragged in place concrete railing caps, Profile to match existing, painted white To match existing.



All exterior lighting is the match existing in style and colour.



Bespoke cast concrete railing system will be created to give the look and feel of stone.



Timothy Townsend Design

- FINISHES AND DETAILS -

2970 RUTLAND RD, OAK BAY BC

February 22, 2019



SAGITTA

LANDSCAPE SOLUTIONS

Design - Landscaping - Consulting

2570 Eastdowne Rd.      Victoria, BC V8R 5P9  
Tel: 250 370-9555      Cell: 250 516-5843

Scale: 1/1000 or 1/8"=1'-0"

September 6 / 2018

David & Jess Gustavson

2570 Rutland Road and 3140 Beach Drive

Canopy Cover

PLAN

Legend Symbols:

Existing trees

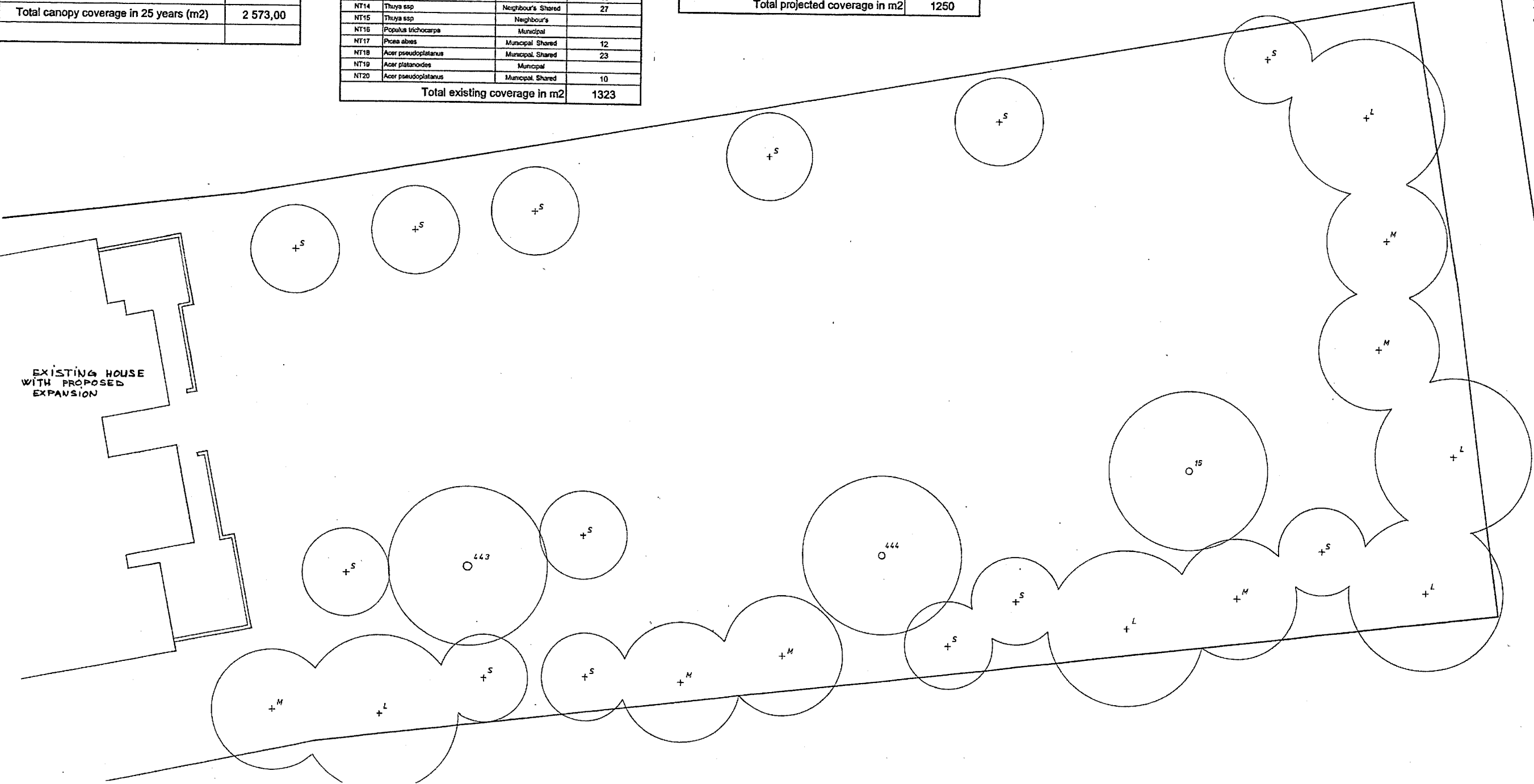
Projected trees

Lot size (m2)	5 670,00
Canopy cover target (45%)	2 551,50
Total existing coverage (m2)	1 323,00
Total projected coverage (m2)	1 250,00
Total canopy coverage in 25 years (m2)	2 573,00

2970 Rutland Rd and 3140 Beach Dr.

Existing trees and canopy coverage			
Tree ID	Latin name	Remarks	Coverage (m2)
1	Tilia americana	Municipal	
5	Tilia americana	Municipal	
15	Quercus garryana		125
441	Morus esp		50
442	Juglans regia		125
443	Quercus garryana		125
444	Quercus garryana		125
445	Platanus x acerifolia		95
446	Platanus x acerifolia		125
NT01	Salix babylonica	Neighbour's, Shared	12
NT02	Aesculus hippocastanum		125
NT03	Cedrus deodara		125
NT04	Quercus garryana	Neighbour's, Shared	15
NT05	Pinus contorta	Neighbour's, Shared	11
NT06	Salix matsudana	Neighbour's	
NT07	Salix matsudana	Neighbour's, Shared	12
NT08	Thuja esp.	Shared	35
NT09	Thuja esp.	Shared	80
NT10	Picea abies	Neighbour's, Shared	16
NT11	Picea abies	Neighbour's	
NT12	Salix scouleriana	Neighbour's, Shared	10
NT13	Salix scouleriana	Neighbour's, Shared	40
NT14	Thuja esp	Neighbour's, Shared	27
NT15	Thuja esp	Neighbour's	
NT16	Populus trichocarpa	Municipal	
NT17	Picea abies	Municipal, Shared	12
NT18	Acer pseudoplatanus	Municipal, Shared	23
NT19	Acer platanoides	Municipal	
NT20	Acer pseudoplatanus	Municipal, Shared	10
Total existing coverage in m2			1323

Projected trees and canopy coverage			
Type	Latin name	Quantity	Coverage (m2)
Large	Davallia involucriata	1	125
Large	Ginkgo biloba	1	125
Large	Linodendron tulipifera	1	125
Large	Quercus palustris	1	125
Large	Paulownia tomentosa	1	125
Medium	Cornus canadensis variegata	1	50
Medium	Magnolia varous species	2	100
Medium	Robinia pseudacacia	1	50
Medium	Picea orientalis	1	50
Medium	Cryptomeria japonica	1	50
Small	Acer ginnale	1	25
Small	Acer palmatum varieties	3	75
Small	Cercis siliquastrum	1	25
Small	Cornus florida	1	25
Small	Cornus kousa varieties	2	50
Small	Cupressus glabra Blue Ice	1	25
Small	Heptacodium miconoides	1	25
Small	Magnolia varous species	1	25
Small	Pinus salicifolia	1	25
Small	Styrax obassia	1	25
Total projected coverage in m2			1250









**GENERAL**

*This form MUST BE COMPLETED and submitted with your package for the Advisory Design Panel.*

Property Address

1970 BUTLAND ROAD

Date

JANUARY 3 2019

**MATERIALS AND COLOURS**

ITEM	MATERIALS	COLOURS
<b>WINDOWS</b>		
Windows	<u>DOUGLAS FIR, MATCH EXISTING</u>	<u>WHITE / GREY</u>
<b>DOORS</b>		
Exterior Doors	<u>DOUGLAS FIR, MATCH EXISTING</u>	<u>WHITE / STAINED / GREY</u>
Garage Doors	<u>N/A</u>	
Accessory Building	<u>N/A</u>	
<b>TRIM</b>		
Doors	<u>DOUGLAS FIR, MATCH EXISTING</u>	<u>WHITE / GREY</u>
Windows	<u>DOUGLAS FIR, MATCH EXISTING</u>	<u>WHITE / GREY</u>
<b>ROOF</b>		
Roofing	<u>SLATE</u>	<u>DEEP GREY</u>
Flashing	<u>COPPER</u>	
Fascia	<u>DOUGLAS FIR, MATCH EXISTING</u>	<u>WHITE</u>
<b>SIDING</b>		
Exterior Cladding	<u>STUCCO, MATCH EXISTING</u>	<u>YELLOW</u>
Stone / Rock Cladding	<u>RUBBLE STONE, GRANITE QUOINS, SILLS, LINTELS</u>	
<b>HARD SURFACES</b>		
Driveway	<u>UNCHANGED</u>	
Walkway	<u>COBBLE STONE</u>	<u>DEEP GREY</u>
Patio	<u>COBBLE STONE</u>	<u>DEEP GREY</u>
<b>FENCE</b>		
Fencing	<u>UNCHANGED</u>	
<b>LIGHTING</b>		
Exterior	<u>MATCH EXISTING</u>	
Landscape	<u>N/A</u>	

**ATTACH SAMPLES TO REVERSE SIDE**

District of Oak Bay | adp materials checklist

**RECEIVED**

**JAN 15 2019**

**Oak Bay Building Department**



## SAMPLE MATERIALS

Colour Name / Description

ATTACH CHIP SAMPLE HERE

SIMPLY WHITE  
TRIMS, DOORS & WINDOWS  
ON STUCCO SECTION  
OF HOUSE

Colour Name / Description

ATTACH CHIP SAMPLE HERE

PARCHMENT  
ALL STUCCO

TT10  
Parchment  
Parchemin  
327A

Colour Name / Description

6240-83  
Grisou  
Gray Eminence

GRISOU GRAYLY →  
TRIM FOR DOORS  
& WINDOWS RECESSED  
IN STONE

6240-73  
Grisou  
Grayly

GRISON GREYNESS  
DOORS IN AREAS  
SURROUNDED BY  
STONE