



**MINUTES**  
**OAK BAY ADVISORY DESIGN PANEL**  
**TUESDAY, JULY 2, 2019 AT 8:45 AM**  
**COUNCIL CHAMBERS, MUNICIPAL HALL, 2167 OAK BAY AVENUE**

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**MEMBERS PRESENT**

John Armitage  
Kim Milburn

David Wilkinson  
Councillor Cairine Green

**MEMBERS ABSENT**

Will King  
Dominic Yu

**STAFF PRESENT**

Deborah Jensen, Manager of Planning  
Graeme Buffett, Planning Technician  
Krista Mitchell, Building & Planning Clerk

**1. Call to Order**

The meeting was called to order at 8:45 am.

**2. Adoption of Minutes from June 4, 2019**

It was moved and seconded that the minutes from June 4, 2019 be adopted as amended.  
The motion was carried.  
None opposed.

**3. Approval of Agenda and Late Items**

It was moved and seconded that the agenda for July 2, 2019 be approved.  
The motion was carried.  
None opposed.

**4. Old Business**

None.

**5. New Business**

- a) ADP00108 – 3470 Upper Terrace Road  
To permit construction of a single family home.

G. Buffett provided an overview of the application. Some of the comments were:

- Proposing a single family home with an indoor swimming pool located in the accessory building.
- Home is a French Baroque design with materials consisting of limestone, flagstone cladding with limestone detailing, mahogany doors, French oak window frames, slate roofing and wrought iron detailing.
- An existing circular drive will be reduced in width and resurfaced.
- The proposal is not consistent with OCP policies relative to the retention of mature trees; with the house and accessory building siting, 11 Garry oak trees will be removed or impacted by construction, thereby not maintaining the Uplands parklike setting.

Ted Levis, architect, presented the application. Some of the comments were:

- New building footprint fits over what is to be demolished.
- The French design of the home fits well within the neighbourhood.
- The accessory building with a 25 metre lap pool is a challenge for siting elsewhere on the lot, and sliding the building over will put greater specimen trees at risk.
- Neighbour has given consent for the impact to the neighbouring trees, and a new landscape buffer will be installed.

### **Panel Comments**

Panel comments included the following:

- Inquired and received comments from the architect that siting the accessory building elsewhere would put greater specimen trees at risk, and that roof ventilation would not be visible.
- Submitted plans with lack information, for example, trees not numbered; and elevations for the accessory building and landscape plan are mislabeled.
- Modifying the siting of the principal building and accessory building could save trees for example, move the home forward and redesign the corner.

J. Alexander, solicitor for the owner, commented that the jurisdiction of the ADP is for siting and design, not trees and landscaping, and that there is significant replanting planned. He also noted there has been extensive consultation and written agreement with the neighbours to ensure trees near the right of way are not impacted.

Panel members further commented:

- ADP members are an independent entity of Council that advise Council on applications, and the history of the Uplands area is intertwined with nature and construction; therefore the siting is a challenge for designers and architects and ADP is inquiring into a better fit of the building on the site.
- Proposal is one of the least landscape friendly designs, and is too large for the site; siting is important and architect must also look at physical / natural site constraints.
- ADP can comment on tree removal, and more trees can be saved by adapting to site constraints; Garry oak trees are important and unique component of Uplands.
- Details of the home are good, but it is big; basement could accommodate the pool.
- Remove keystone.
- Good design of the building, quality of finishing materials and paving is good.
- Overall, the proposal is too big for the site.

G. Buffett advised the circular driveway has been reduced to comply with bylaws.

Councillor Green noted that Council relies on the advice of Panel members, who have the technical background, but decisions are at the Council level and siting and design within the entire setting is considered.

The meeting was recessed at 10:07 am and reconvened at 10:12 am.

J. Alexander, solicitor for the owner, advised the applicant wishes to have the Panel make a recommendation and will then determine which route to take, for example, going forward to Council, making an alternate application, or applying only for the main home and proceeding with the accessory building at a later date.

In summary, the Panel members noted the following:

- Reconsider accessory building siting, or remove and put the pool in the basement.
- Give consideration to the front yard setback and siting of the main entry.
- The principal building siting impacts trees 825, 826 and 827, that could be mitigated by siting changes; trees are suffering by choice of architecture and the siting is unnecessarily damaging the existing stock of character defining trees.
- Information is lacking for the accessory building, and particularly the west elevation was not provided.
- Concern over how the parking area abuts the north property line, should be consistent with the parklike setting.
- Move the house forward, possibly reducing or deleting the terrace, to save trees.
- Front wall terrace should be modified and the house moved forward to give trees 826 and 827 their best chance; also consider 822 and 824.
- Trees are character defining elements of the landscape, agreements with the neighbour is not for ADP to consider.

It was moved and seconded to recommend that ADP00108 be denied.

The motion was carried.

D. Wilkinson opposed.

- b) ADP000112 – 3190 Norfolk Road  
To permit renovations to an accessory building.

G. Buffett provided an overview of the application. Some of the comments were:

- Accessory building is designed to complement the existing home, utilizing a stucco finish, exposed rafter tails, stone trim at the base, and windows and doors that match the treatment on the home.
- Building will be sited to minimize the impact to mature Garry oak trees on the property.
- OCP policies and design guidelines have been met.

R. Wyllie, applicant, and A. Bodnar, owner, presented the application. Some of the comments were:

- Home was built in 2006, but now looking for storage space for tools and recreation equipment.
- Design is intended to match the existing house, including the exposed rafter tails, the roof structure, frieze board design, and acyclic stucco to match.
- Siting and placement of the accessory building was on the suggestion of an arborist.
- The District has laneway access on the north side and there will be pruning done to one limb tree; six cedar trees will be removed and replaced with a cedar hedge for privacy.

### **Panel Comments**

Panel comments included the following:

- Confirmed the accessory building will be sunk into the ground by approximately three feet, with eight feet above ground.
- Applicant encouraged to pull the eaves down and increase the ridge as high as possible, to be respectful to the principal building.
- Make small adjustment to the pitch and setting of rafters.
- Allow for subtle adjustments to the siting, for example, the orientation, to ensure they are clear of trees.

<b>Advisory Design Panel Assessment Checklist</b>		
<b>Siting of Buildings</b>		
1.	Maintenance of residential park setting	Appropriate
2.	Setbacks	No issues
3.	Relationship of character / massing to image of the area	Appropriate
4.	Impact on scale and rhythm of development	None
5.	Relationship to adjacent buildings	Subtle
6.	Effect of shadow on neighbouring properties	None
7.	Overlook and privacy issues	None
8.	Transition between private and public space	Comfortable
9.	Accessory buildings	Yes
<b>Design of Buildings</b>		
1.	General massing, proportion and overall articulation of building in relation to established housing	Very consistent, complementary
2.	Roofscape	Consistent with main house
3.	Flashing	Fine
4.	Lighting	No issues
5.	Garages and outbuildings	Yes
<b>Landscaping</b>		
1.	Fencing and screening	Hedges
2.	Preservation of significant healthy trees and plant material	Well judged
3.	Native Plants, New Trees and Vegetation	Ok
4.	Play and recreation areas	Good
5.	Hard landscaping	Organic
6.	Parking and driveways	No changes

It was moved and seconded to recommend that ADP000112 be approved.

The motion was carried.

None opposed.

c) **Committee Review**

Council directed review of committees and commissions.

The Advisory Design Panel participated in a general discussion regarding the review of committees and commissions.

The Chair introduced consultant Sonia Santarossa, who has been hired by the District of Oak Bay to conduct a review of Council committees and commissions. Ms Santarossa facilitated a discussion with the ADP members regarding their understanding of the role of the ADP and what they felt may be working well or where improvements could be made. The ADP was advised that Ms Santarossa expected to provide a report to a future Committee of the Whole meeting, possibly in September.

## 6. Information Items

None.

## 7. Next Meeting

The next regular meeting of the Advisory Design Panel is scheduled for Tuesday, September 3, 2019.

## 8. Adjournment

The meeting adjourned at 12:10 pm.