



**MINUTES**  
**OAK BAY ADVISORY DESIGN PANEL**  
**TUESDAY, APRIL 5, 2016 AT 8:45 AM**  
**COUNCIL CHAMBERS, MUNICIPAL HALL, 2167 OAK BAY AVENUE**

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**MEMBERS PRESENT**

Lynn Gordon-Finlay, Chair  
John Armitage  
James Kerr

Andrea Nemeth  
David Wilkinson  
Councillor Tom Croft

**MEMBERS ABSENT**

None

**STAFF PRESENT**

Deborah Jensen, Planner

Chris Hyde-Lay, Manager of Park Services  
Krista Mitchell, Building /Planning Clerk

**1. Call to Order**

The meeting was called to order at 8:50 am.

**2. Adoption of Minutes**

It was moved and seconded that the Minutes from March 1, 2016 be adopted.

The motion was carried.  
None opposed.

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

The agenda was approved as presented, with the exception of removing item 6 (a).

**4. Presentations**

a. Urban Forest Strategy

C. Hyde-Lay gave a presentation on the Urban Forest Strategy. Some of the comments were:

- The goal of the Urban Forest Strategy is to provide a plan for the management and enhancement of treed and natural area environments throughout the municipality.
- The goals of the urban forest strategy include: planting more; maintaining or increasing canopy cover; protecting more by carefully reviewing what is being proposed for removal and what is replacing it; and engaging the community.
- Oak Bay currently has a canopy cover of approximately 33% with most of this is in the Uplands area. However, hundreds of trees are being lost on public and private land, which are being added back on public lands but private lands are running a deficit.

- Large trees are more desirable than small trees as they provide the greatest range of benefits. More Garry oak trees are being planted every year as they are adaptable to climate change.
- The District of Oak Bay has approximately 10,000 boulevard trees on 105 km of street. Uplands Park has the largest collection of rare and endangered plants than any other park in the country.
- Challenges include getting trees replaced on private land when development occurs.
- An open house on the urban forest strategy is being held May 17, 2016, the first of three public consultation sessions. The strategy will probably result in bylaw changes affecting allowable cut size for private land.

#### Panel Comments

A Panel member inquired about tree replacement on smaller lots as density and infill activity increases.

C. Hyde-Lay replied that approximately two thirds of the forest is located on private land and is very important to the community. Zoning measures should contemplate where trees can be planted. He also commented that deciduous trees are better suited for urban lots, encouraging the 'right tree for the right place'.

Panel members inquired how tree canopy is measured, whether there is a predictive measure of canopy, and if there was a software program that owners and landscape professionals could use to determine which trees are most suited to a specific site in Oak Bay.

C. Hyde-Lay stated that natural regeneration is very low, and from 1985 to 2005 there has been a 22% loss of canopy; and advised that the municipality does not currently have this form of tree software.

C. Hyde-Lay also indicated that Oak Bay plants more Garry oak trees than other municipalities as the trees are very adaptable and can take a wide range of weather. Trees can be affected by root rot when fertilizer and on site irrigation is introduced to the trees.

C. Hyde-Lay departed at 9:31 am.

#### 5. Information Items

An updated Materials Checklist / Assessment was provided to the Panel.

#### 6. Old Business

- a. ADP00038 – 2700 Lansdowne Road – Uplands Siting and Design  
To permit construction of a single family dwelling.  
*Application withdrawn from the agenda.*

- b. ADP00039 – 3175 Midland Road – Uplands Siting and Design  
To permit construction of a single family dwelling.

T. Rodier, applicant, presented the proposal with modifications as discussed at the March meeting of the Advisory Design Panel. Some of the comments were:

- Exterior changed to a more contemporary style, amended from the previously presented modern / traditional design.
- Exterior base material is dark stain, beveled edge, mitred corner cedar lap siding.
- In contrast is metal panel siding to lighten overall effect of exterior scheme.
- Interior flow is more open from front to back
- A Garry oak tree is proposed for removal and replaced with three new Garry oaks.
- Driveway is still proposed for side yard of house, requiring removal of several Douglas fir trees.

### **Panel-Comments**

A Panel member stated this was a new design and not a rework of the previously presented design, noting removal of the Garry oak was not previously discussed. Other Panel members commented the revised design is an improvement over the previous.

T. Rodier replied that the arborist report indicates health of the Garry oak is in decline.

A Panel member stated replacement trees to be planted in lieu of the one Garry oak tree.

### **Advisory Design Panel Assessment Checklist**

#### **Siting of Buildings**

- |   |  |
|---|--|
| 1. Maintenance of the Residential Park Setting              | Yes. Tree replacements for one removal         |
| 2. Setbacks   | Conform  |
| 3. Relationship in Character / Massing to Image of the Area | Adding a counterpoint of architectural design. |
| 4. Impact on Scale and Rhythm of Development                | Appropriate                                    |
| 5. Relationship to Adjacent Buildings                       | Good   |
| 6. Effect of Shadow on Neighbouring Properties              | None   |
| 7. Overlook and Privacy Issues                              | No issues                                      |
| 8. Transition Between Private and Public Space              | Casual, no fortifications                      |
| 9. Accessory Buildings                                      | N/A  |

#### **Design of Buildings**

- |  |                            |
|--|----------------------------|
| 1. General Massing, Proportion and Overall Articulation of Building in Relation to Established Housing | Interesting, contemporary  |
| 2. Roofscape (eg/ Soffits, Fascias, Flashing)  | Interesting, sloped soffit |
| 3. Flashing  | Good                       |
| 4. Lighting  | Minimal                    |
| 5. Garages and Outbuildings  | Integral garage            |

#### **Landscaping**

- |   |  |
|---|--|
| 1. Fencing and Screening  | Minimal as required  |
| 2. Preservation of Significant Healthy Trees and Plant Material | Yes, largely one contentious tree removal within building area |
| 3. Native Plants, New Trees and Vegetation                      | Yes  |
| 4. Play and Recreation Areas                                    | Fine   |
| 5. Hard Landscaping   | Fine   |
| 6. Parking and Driveways  | Fine   |

It was moved and seconded to recommend to Council approve ADP00039.

The motion was carried.  
J. Armitage opposed.

- c. DVP00030 / ADP00036 – 3125 Uplands Road – Uplands Siting and Design  
To permit additions to an existing single family dwelling and construction of two accessory buildings.

R. Collins, applicant, presented the proposal with modifications as discussed at the March meeting of the Advisory Design Panel. Some of the comments were:

- Centered covered patio to house for greater symmetry.
- Cabana roofing material changed from metal to glass.
- Pool mechanical room simplified to provide greater emphasis to the cabana.
- Roofline over the den has been simplified with a hip roof.
- Angle of roofline over the garage has been modified.

### **Panel Comments**

A Panel commented the revised drawings needed clarification for some inconsistencies around materials for the porte cochere and pillars.

### **Advisory Design Panel Assessment Checklist**

#### **Siting of Buildings**

1. Maintenance of the Residential Park Setting	No issues
2. Setbacks	DVP encroachment supported by Panel
3. Relationship in Character / Massing to Image of the Area	Excellent
4. Impact on Scale and Rhythm of Development	No negative impact
5. Relationship to Adjacent Buildings	Consistent
6. Effect of Shadow on Neighbouring Properties	No new shadowing
7. Overlook and Privacy Issues	None noted
8. Transition Between Private and Public Space	Traditional
9. Accessory Buildings	New garage height (over bylaw) supported by compliance with main house pitches.

#### **Design of Buildings**

1. General Massing, Proportion and Overall Articulation of Building in Relation to Established Housing	Complements existing
2. Roofscape (eg/ Soffits, Fascias, Flashing)	High quality, good detail
3. Flashing	Traditional
4. Lighting	N/A
5. Garages and Outbuildings	Cabana structure works well with overall siting composition

#### **Landscaping**

1. Fencing and Screening	Traditional, appropriate
2. Preservation of Significant Healthy Trees and Plant Material	Good
3. Native Plants, New Trees and Vegetation	Good
4. Play and Recreation Areas	Acceptable
5. Hard Landscaping	Pleasant
6. Parking and Driveways	Appropriate

It was moved and seconded to recommend to Council to approve DVP00030/ADP00036.  
The motion was carried.  
None opposed.

## 7. New Business

- a. ADP00042 – 3145 Exeter Road – Uplands Siting and Design  
To permit construction of an accessory building.

R. Collins, applicant, presented the proposal to build an accessory building at the rear of the property. Some of the comments were:

- Siding will match the main house.
- Similar windows will be used. Doors will be added on each end to allow access for storage, workshop in the middle and a rider mower with ramp leading up to it on the other side. A trellis will be built in the middle to give shading.
- Paint and roofing materials will match the home.

### ***Panel-Comments***

A Panel member asked if the accessory building was sited near the fan palm tree.

The applicant confirmed the proposed building is away from the tree.

### **Advisory Design Panel Assessment Checklist**

#### **Siting of Buildings**

1. Maintenance of the Residential Park Setting	Yes
2. Setbacks	Conforming
3. Relationship in Character / Massing to Image of the Area	Appropriate
4. Impact on Scale and Rhythm of Development	Good
5. Relationship to Adjacent Buildings	Good
6. Effect of Shadow on Neighbouring Properties	None
7. Overlook and Privacy Issues	None
8. Transition Between Private and Public Space	Good
9. Accessory Buildings	Proposal is accessory

#### **Design of Buildings**

1. General Massing, Proportion and Overall Articulation of Building in Relation to Established Housing	Good
2. Roofscape (eg/ Soffits, Fascias, Flashing)	Matches existing
3. Flashing	Matches existing
4. Lighting	Minimal
5. Garages and Outbuildings	Proposal is outbuilding

#### **Landscaping**

1. Fencing and Screening	Good
2. Preservation of Significant Healthy Trees and Plant Material	N/A
3. Native Plants, New Trees and Vegetation	N/A
4. Play and Recreation Areas	Good
5. Hard Landscaping	Good
6. Parking and Driveways	N/A

It was moved and seconded to recommend that Council approve ADP00042.

The motion was carried.

None opposed.

- b. ADP00032 – 2750 Thorpe Place – Uplands Siting and Design  
To permit an addition to an existing single family home.

J. Grieve, applicant, presented the renovation proposal. Some of the comments were:

- Removing aluminum siding and proposing to restore and repurpose rather than demolish the house. No variances are requested.
- Existing paving has been unaltered since 1948 and no increase is proposed.
- Addition to main floor level with a new library and garage, with a character complementary to neighbouring properties.
- Light coloured cedar shingles, and rain screen will be used.
- Windows will be sashed with lead or mutton bars, and colour matched to trim.

### **Panel-Comments**

Panel members asked about the windows, roofing material, and exterior lighting.

J. Grieve confirmed windows are being replaced with Starline true divided painted vinyl windows, the roof will be a 50 year asphalt fibreglass product with high profile ridge gaps, and lighting will consist of soffit, wall mounted, with some uplighting.

A Panel member reminded the applicant to be mindful of dark sky principles.

### **Advisory Design Panel Assessment Checklist**

#### **Siting of Buildings**

1. Maintenance of the Residential Park Setting	Yes
2. Setbacks	Conforming
3. Relationship in Character / Massing to Image of the Area	Appropriate
4. Impact on Scale and Rhythm of Development	Perfect
5. Relationship to Adjacent Buildings	No change
6. Effect of Shadow on Neighbouring Properties	None
7. Overlook and Privacy Issues	None
8. Transition Between Private and Public Space	Good
9. Accessory Buildings	N/A

#### **Design of Buildings**

1. General Massing, Proportion and Overall Articulation of Building in Relation to Established Housing	Excellent
2. Roofscape (eg/ Soffits, Fascias, Flashing)	Suggest adding periodic coursing
3. Flashing	Appropriate
4. Lighting	Minimal glare. Uplight substantial shrubs & trees.
5. Garages and Outbuildings	N/A

#### **Landscaping**

1. Fencing and Screening	Good
2. Preservation of Significant Healthy Trees and Plant Material	N/A – renovation
3. Native Plants, New Trees and Vegetation	N/A
4. Play and Recreation Areas	Good
5. Hard Landscaping	Maintained
6. Parking and Driveways	Appropriate response to maintain zoning limitations.

It was moved and seconded to recommend Council to approve ADP00032.

The motion was carried.  
None opposed.

- c. ADP00043 – 3430 Uplands Road – Uplands Siting and Design  
To permit an addition to an existing single family home.

The Panel members determined the proposal is a small renovation and had no concerns regarding the project.

It was moved and seconded to recommend Council to approve ADP00043.

The motion was carried.  
None opposed.

- d. DVP00038 – 3050 Beach Drive – Uplands Siting and Design  
To permit siting of a newly constructed addition to a single family dwelling.

In response to verbal notification that A. Nemeth used to live next door to the subject property, it was determined that there was no conflict of interest.

N. Banks, applicant, presented the proposal for the constructed addition. Some of the comments were:

- The corner of the garage is closer to the side property line than what was initially approved as the builder did not obtain a survey for placement of the addition. The discrepancy in siting was determined after the fact.

***Panel-Comments***

A Panel member commented that the siting did not appear to offer an advantage to the homeowner, and that it did not improve or affect the design in any way.

D. Jensen confirmed that the application is for siting of the constructed addition.

It was moved and seconded to recommend to Council to approve DVP00038.

The motion was carried.  
None opposed.

- L. Gordon-Finley excused herself from the meeting at 10:50 am.

- e. DP00011 – 1231/1237 Beach Drive – Subdivision  
To permit construction of a single family dwelling.

C.Kierulf, applicant, presented the proposal for a new single family home. Some of the comments were.

- Proposed development also involves a subdivision for a lot line adjustment, but the development permit application is for encroachment into the Shorelines Development Permit Area setback. Variances are also requested.
- Will be removing the accessory building which is well within the foreshore area.
- A native plant garden will replace the willow tree, and patios in the rear and front yards will be constructed.
- Proposed footprint is similar to the existing house, in order to maintain the view corridor for the neighbor across the street.
- Second floor will be smaller than the main floor with a large deck over the garage, and needs a variance to the side yard setback.
- Flood construction level is determined to be 3.96 metres, and mechanical and electrical equipment will be above that level.

- Proposing contemporary design, with lightly stained cedar. The lower level will be board formed concrete and the other areas are light sand float stucco with colours pulled from the natural rocky site. Windows are wood with aluminum clad on the outside and dark in colour, and front entrance door will have a natural wood finish.
- The rear, water side elevation is transparent with lots of windows, with poured formed concrete base with the stucco and cedar above.

### **Panel Comments**

The Panel asked the applicant about the roofscape.

C. Kjerulf replied the thin walled concrete rooftop planters are for visual effect on the street, and will match the stucco.

A Panel member asked about removal of the willow tree, noting it may provide wind relief to the site, and asked whether local otters were identified in the environmental assessment.

C. Kjerulf noted the environmental assessment deems the willow tree challenging as it inhibits growth beneath it, advising the tree be removed and replaced with native species. He confirmed otters do attend the site.

D. Jensen confirmed the application will be considered by the Advisory Planning Commission due to siting within the Shorelines Development Permit area.

### **Advisory Design Panel Assessment Checklist**

#### **Siting of Buildings**

1. Maintenance of the Residential Park Setting	N.A.
2. Setbacks	Supportable Variances
3. Relationship in Character / Massing to Image of the Area	Excellent
4. Impact on Scale and Rhythm of Development	None
5. Relationship to Adjacent Buildings	Appropriate
6. Effect of Shadow on Neighbouring Properties	None Noted
7. Overlook and Privacy Issues	None Noted
8. Transition Between Private and Public Space	Contemporary, appropriate
9. Accessory Buildings	N.A.

#### **Design of Buildings**

1. General Massing, Proportion and Overall Articulation of Building in Relation to Established Housing	Appropriate
2. Roofscape (eg/ Soffits, Fascias, Flashing)	Sensitive, useful
3. Flashing	Yes
4. Lighting	Not discussed, not contentious
5. Garages and Outbuildings	N.A.

#### **Landscaping**

1. Fencing and Screening	Good
2. Preservation of Significant Healthy Trees and Plant Material	Appropriate. Willow removed as invasive
3. Native Plants, New Trees and Vegetation	Appropriate
4. Play and Recreation Areas	OK
5. Hard Landscaping	Handsome, restrained
6. Parking and Driveways	No issues, no change

It was moved and seconded to recommend that Council approve DP000011.

The motion was carried  
None opposed



L. Gordon-Finley returned to the meeting.

f. OCP00002/ZON00019/DP000006 – 1632 Yale street – Preliminary Review

To permit construction of single family dwellings as part of a three lot residential subdivision.

B. Patterson, applicant, presented the proposal for three single family homes. Some of the comments were:

- Proposal involves an Official Community Plan amendment, rezoning and development permit application to change the use of the property to permit three small single family residential lots.
- Neighbours are supportive of modest single family homes rather than townhouses, noting the proposed homes should fit with the ambiance of the neighborhood, Garry oak trees should be protected as much as possible, and the Byron Street walkway should be enhanced.
- Houses are sited to preserve Garry oak trees as much as possible, recognizing the trees do have a few health issues.
- Lot 3 will be accessed from Byron Street with parking and garage at the rear.
- Propose to create Byron Street as a pedestrian walkway between Elgin Street and Yale Street, with two driveways accessing the walkway. Materials to be finalized and approved by the Engineering department.
- Intent is to create three different styled homes to blend into the eclectic style of homes on the street.
- All three homes will have 40 year asphalt shingle roofs. Each home will either have stucco, cedar siding and stained shingles for exterior finishes.
- Existing retaining wall will remain in place, with a new fence along the top.
- Lots 1 and 2 will use grass grid to lessen amount of hard surface in the front yard. Want opportunity to park two cars in front of garage as there is no parking on street.

***Panel Comments***

Panel members asked about landscaping and noted the 13 foot width of Byron Street.

B. Patterson stated he is proposing to maintain as many trees as possible, and to construct new playground equipment for the adjacent daycare as the playground will be lost with the development. He noted widening Byron Street means removing other trees.

D. Jensen confirmed the Engineering department will consider alternative paved surfaces, but are looking at the specifications of such. Paving stones are not an option due to maintenance. D. Jensen also noted safety concerns regarding Lot 3 accessing directly onto Byron Street given the long term intent is to provide a pedestrian trail connection through to Elgin Street as envisioned by the Active Transportation Strategy.

A Panel member commented the proposal was not supported by the Advisory Planning Commission.

D. Jensen confirmed that the application was not recommended by the Advisory Planning Commission given the proposal to amend the Official Community Plan to

remove institutional use from the site, the scale of the buildings on the lots, and the amount of hard surfacing.

A Panel member stated the Advisory Design Panel is to pass comment on professional design and urban design, and efforts have been made to make this appropriate for single family dwellings.

Panel members stated the scale is appropriate and were supportable of modest homes on the proposed lots, but suggested additional glazing for the front face of Lot 3.

Panel members suggested the applicant consider less space for vehicles, and encouraged the use of Byron Street as a multi-use community laneway.

D Jensen commented that trees can be strongly impacted by the amount of impermeable surfaces as it alters water distribution through the site.

Panel members suggested permeable pavers be utilized on the lots, and the applicant should consider at 1 ½ storey model as compared to a two storey design given the narrowness of the lots.

A Panel member noted the applicant could submit each house design individually for Advisory Design Panel review, and the applicant was in agreement.

- g. DP00007 – 1701 Beach Drive – Preliminary Review  
To permit renovations and additions to Glenlyon Norfolk School.

C. Rowe, applicant, gave a presentation on the proposed development. Some of the comments were:

- Original school is 102 years old, additional buildings constructed in the 1960s are in poor shape. Outdoor facilities are inadequate.
- Want to maintain mature trees, and no modifications to the seawall are proposed.
- Views through the site from Beach Drive to the ocean have been protected as much as possible through building alignment and materials.
- Construction will be to high sustainability standards.
- Conservation principles will be followed with upgrades to the Rattenbury heritage house and site, including removal of aluminum windows, restoring the veranda balustrade, and retention of all Rattenbury construction.
- Best to differentiate between old and new construction. Wood and brick materials will enhance existing materials in a similar colour palette. Dark stained wood and red brick will improve the relationship to the existing house.
- Coach house will be relocated and the second floor will be removed.
- Underground parking will be accessed from Beach Drive where the coach house currently sits, alleviating street parking. Coach house will be relocated.
- Proposed roof line is cost effective and folded as a pitched roof to break down mass and allow light penetration, and is made of a galvanized metal standing seam. It is designed as a stacked effect heat recovery ventilation system.
- Roof rainwater will be collected from the roof will be collected, and an on site stormwater detention system utilized.
- The apartment building adjacent to the school will lose their view of the marina.

- The courtyard will be used as a playground, with vehicle access for special situations only.

***Panel Comments***

Panel members recommended the applicant review the connection between old and new, particularly the link near the entrance that is stained a dark wood that serves as a backdrop. A lighter wood colour or a glazed link improves the design.

C. Rowe advised this portion of the building provides a physical, second floor link between the buildings.

A Panel member commented there seems to be a lack of clearance of the crinkle roof to where it meets the flat roof, and suggested letting the upper roof breathe rather than crashing into the lower roof.

A Panel member reiterated that, in general, the response from the Panel is the overcrowding of the of the north end of the Rattenbury home and the second floor gap between the old building and new building should be reconfigured.

C. Rowe acknowledged the link between old and new buildings is a challenge and agreed that more design development is needed around the link.

C. Rowe stated that application has been to the Heritage Commission and the Commission felt the application did not meet heritage standards and guidelines.

D. Jensen confirmed the Heritage Commission had reiterated the same concerns as those expressed by the Advisory Design Panel, being the connection between old and new buildings.

Councillor Tom Croft departed at 1:52 pm.

**8. Next Meeting**

The next regular meeting of the ADP is scheduled for Tuesday, May 3, 2016

**9. Adjournment**

The meeting adjourned at 1:53 pm.