

2014-210

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** August 5, 2014  
**RE:** Uplands Building Permit Application – 3370 Uplands Road  
Lot D, Block 16, Section 31, Victoria District, Plan 2682

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**BACKGROUND:**

An Uplands building permit application was approved late 2013 for the construction of a residential dwelling located at 3370 Uplands Road. The applicant has returned seeking approval for revisions to the proposal consisting of siding changes, proposed stone veneer from granite to limestone, stucco of smooth texture rather than coarse and replace cedar shingles with fiberglass asphalt in a charcoal grey. Also change the style and colour of the front door from natural to semitransparent walnut. There are also two exterior window changes.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of August 5, 2014 relating to the proposed revisions of the previously approved work relating to the construction of the new residential dwelling located at 3370 Uplands Road.
- b) Reduced copies of the plans of the proposed work.

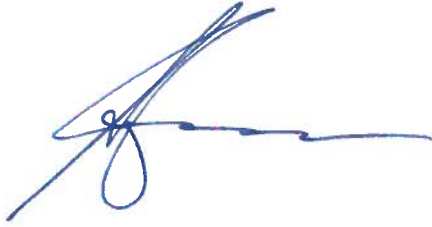
**OPTIONS:**

1. That it be recommended to Council that the proposed revisions for the project located at 3370 Uplands Road consisting of a material changes be approved as to architectural design:
  - Enlarge a bathroom window and remove 2 small windows;
  - Change the style and stain of the front door from natural to semitransparent walnut stain;
  - Change the stone veneer from granite to limestone
  - Make the stucco a smooth texture rather than coarse
  - Replace cedar shingles with fibreglass asphalt in a charcoal grey colour
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the proposed revisions for the project located at 3370 Uplands Road consisting of changes to materials, be approved as to architectural design.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Officer

2014-211

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** August 5, 2014  
**RE:** Uplands Building Permit Application – 2673 Dorset Road  
Lot 9, Block 43, Section 31, Victoria District Plan, VIP8777

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**BACKGROUND:**

An Uplands building permit application has been received to construct a 64 square foot accessory building (wood shed) for the house located at 2673 Dorset Road. The accessory building is to be located at the rear of the property.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of August 5, 2014 relating to the proposed works at 2673 Dorset Road.
- b) Reduced copies of the plans of the proposed work.

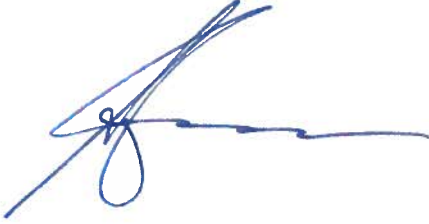
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a 64 square foot accessory building, wood shed, for the house located at 2673 Dorset Road be approved as to siting and architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a 64 square foot accessory building, wood shed, located at 2673 Dorset Road be approved as to siting and architectural design.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Officer

2014-212

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** August 5, 2014  
**RE:** Uplands Building Permit Application – 2760 Lincoln Road  
Lot 5, Block 40, Section 31, Victoria District Plan VIP8777

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**BACKGROUND:**

An Uplands building permit application has been received for the construction of a residential dwelling at the property located at 2760 Lincoln Road. The existing house is to be removed from the site.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of August 5, 2014 relating to the proposed works at 2760 Lincoln Road.
- b) Memo from Municipal Arborist dated May 22, 2014 regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

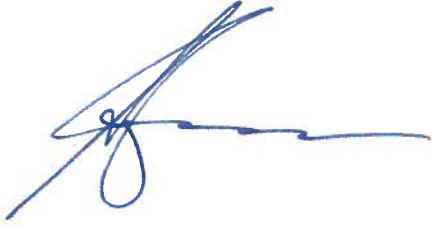
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a new single family residential dwelling at 2760 Lincoln Road be approved as to siting and architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a new single family residential dwelling at 2760 Lincoln Road be approved as to siting and architectural design.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koring  
Chief Administrative Officer

## MEMORANDUM

**TO:** Committee of the Whole

**FROM:** Director of Building and Planning

**DATE:** August 5, 2014

**RE:** Development Variance Permit – 1288 Hampshire Road  
Lot 13, Block 2, Section 23, Victoria District, Plan 1091  
RS-5, One Family Residential

**BACKGROUND:**

The owner has completed some interior renovations which required building permits. The owner has now submitted plans showing the laundry area being situated in the garage which reduces the size of parking stall in the garage. The proposal shows a small car space in the garage however, this stall would be non-conforming; consequently a variance is required from the Parking Facilities Bylaw to accommodate this proposal.

The interior renovations involve a new kitchen and bathroom and moving the laundry into the garage. Parking stalls for one-family residential are standard size and the Parking Facilities Bylaw only permits 25% of stalls to be small car, this translates to a minimum of 4 stalls required before small cars can be considered, resulting in single family residences not having small car stalls.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Parking Facilities Bylaw #3540:

<u>Parking Facilities By-law Section(s)</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
7.3 + Schedule "B", B.4.(a) Minimum Stall Length	5.5 m (18 ft)	4.7 m (15.4 ft)	0.8m (2.6ft)
7.4.1 (a) Maximum of 25% of the required parking spaces may be small car.	25%	50%	25%

*\*Note: The requested variance is to permit ½ of the required parking stalls to be small car size.*

*\* Imperial measurements are approximate and for convenience only.*

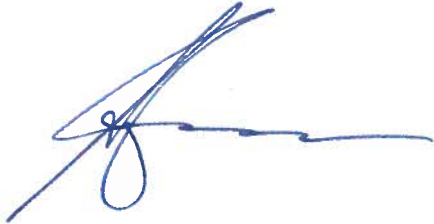
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the August 5, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION:**

That a resolution authorizing the issuance of a development variance permit, as outlined in the August 5, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.


Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Office



2014-214

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** August 5, 2014  
**RE:** Development Variance Permit – 2135 McLaren Avenue  
Amended Lot 9 (DD 149100I), Section 22, Victoria District, Plan 1421  
RS-5, One Family Residential

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**BACKGROUND:**

The owner has submitted a revision to the retaining walls for the sunken patio. The proposal is to enlarge the sunken patio by moving the lower retaining wall outward towards the stair, reducing the required separation between retaining walls required by the Zoning Bylaw. The new design would be non-conforming in respect of the distance required between retaining walls, creating non-conforming height of the retaining walls; consequently a variance is required from the Zoning Bylaw to accommodate this proposal.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Zoning Bylaw #3531:

<u>Zoning By-law Section(s)</u>	<u>Required/Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.17.2	1.2 m (3.9 ft)	3.05 m (10 ft)	1.85m (6 ft)

No combination of retaining walls shall have a combined exposed face exceeding 1.2 meters in height.

*\* Imperial measurements are approximate and for convenience only.*

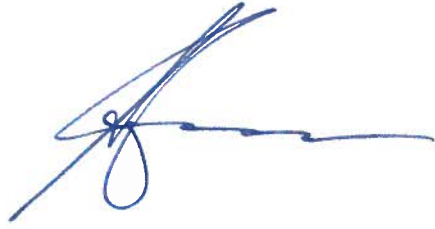
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the August 5, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION:**

That a resolution authorizing the issuance of a development variance permit, as outlined in the August 5, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Office

2014-215

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** August 5, 2014  
**RE:** Development Variance Permit – 2090 Carnarvon Street  
Lot 29, Block 4, Section 28, Victoria District, Plan 1155  
RS-5, One Family Residential

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**BACKGROUND:**

The owners have proposed a rear addition and a top floor addition to their existing home to accommodate the family. The proposal would not meet the second storey setback or the exterior side yard setback, in addition the gross floor areas would be exceeded; consequently variances are required from the Zoning Bylaw to accommodate this proposal.

The second storey west side is proposed to be in line with the existing homes main floor, essentially not moving the top floor exterior wall in four feet to meet the larger setback requirement. The east exterior side lot line setback proposed is a minor variance from that required.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Zoning Bylaw #3531:

<u>Zoning By-law Section(s)</u>	<u>Required/Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.5.4.(2)(d) Minimum Exterior side lot line setback	3.65 m (12 ft)	3.3 m (10.8 ft)	0.35m (1.15 ft)
6.5.4.(6)(a) Maximum gross floor area above .8meters below grade	240 m <sup>2</sup> (2583 ft <sup>2</sup> )	268.7m <sup>2</sup> (2892 ft <sup>2</sup> )	28.7 m <sup>2</sup> (309 ft <sup>2</sup> )
6.5.4.(6)(a) Maximum gross floor area	360 m <sup>2</sup> (3875 ft <sup>2</sup> )	390 m <sup>2</sup> (4198 ft <sup>2</sup> )	30 m <sup>2</sup> (323 ft <sup>2</sup> )
6.5.4.(11) Minimum second storey side lot line setback	3.0 m (9.8 ft)	1.6 m (5.3 ft)	1.4 m ( 4.6 ft )

*\* Imperial measurements are approximate and for convenience only.*

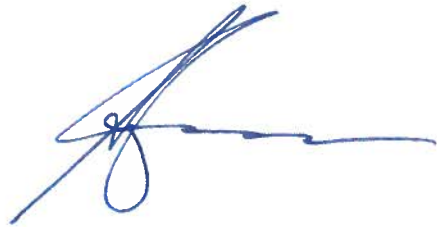
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the August 5, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION:**

That a resolution authorizing the issuance of a development variance permit, as outlined in the August 5, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Kohing  
Chief Administrative Office

2014-216

MEMORANDUM

**TO:** Committee of the Whole

**FROM:** Roy Thomassen, Director of Building and Planning

**DATE:** August 6, 2014

**RE:** Zoning Bylaw Amendment, Parking Facilities Bylaw Amendment  
2280 Estevan Avenue--Proposed New Duplex Development  
Lot 21, Section 61, Victoria District, Plan 5527

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**Background:**

At the June 23, 2014 Council meeting the following motion was made:

"That staff be directed to prepare a zoning bylaw amendment to allow for a two-family residential development of 2280 Estevan Avenue, a parking facilities bylaw amendment, and to identify potential variances, to be brought forward to Committee of the Whole for further consideration."

Attached please find the draft amendments to the Zoning and Parking Facilities Bylaws to accommodate a duplex zone at 2280 Estevan Avenue.

**Discussion:**

In April 2014, Council referred the two-family residential plans to the Advisory Design Panel for a recommendation, and that recommendation was in support of the proposal. However, as this proposal falls under a Zoning Bylaw Amendment and does not include a development permit or a development variance permit, there are no plans tied to the approval of the proposed Zoning Bylaw amendments. If the Committee wishes to tie the proposed plans to the rezoning application the owner would have to agree to include a *Section 219* covenant registered against the property requiring the development to be in accordance with the proposed plans. Discussions with the project architect suggest that the owner is willing to register a design covenant tying the proposal to the plans provided. If the Committee wishes to pursue this, the owner's position should be confirmed at the Committee of the Whole meeting. Council consideration and authorization of a proposed covenant would be prior to consideration of adoption of a Zoning Bylaw amendment should the application proceed to that point.

There are a few additional items that need to be considered in relation to the proposed new two-family residential Zone as follows:

1. The Zoning Bylaw has a limitation for the One-family residential zones which restricts the amount of paved surface in the front and rear yards to 25%. With the two-family residential zone requiring more parking spaces, it is not recommended that this limitation apply to this two-family residential use Zone, as it would be difficult to meet this requirement, and it has not been included in the draft Bylaw.

2. As an alternative to implementing a paved surface limit, Committee could consider a requirement for two-family residential Zones to include a certain amount of "OPEN SPACE" defined as "shall mean the portions of a lot which are unoccupied and unobstructed by any structure from the ground upward" which was part of a previous Bylaw when two-family residential use were permitted. The architect has confirmed that this proposal has approximately 343 m<sup>2</sup> (3700 ft<sup>2</sup>) of green space in the current design. The amount of open space required varied over the years when two-family residential buildings were permitted as follows:
  - 1945 required 3500 ft<sup>2</sup>/dwelling unit of open space, this was later changed to a requirement of 5000 ft<sup>2</sup>/dwelling unit of open space, which was later amended requiring 4500 ft<sup>2</sup>/dwelling unit of open space.

The amount of open space required previously is quite high; however the majority of two family developments were primarily permitted only on much larger lots (10,000 – 12,000 ft<sup>2</sup>) than that proposed. If the Committee would like to see an "open space" concept it would be recommended that the Zoning Bylaw amendment include 170 m<sup>2</sup> (1830 ft<sup>2</sup>) / dwelling unit of open space for this site specific zoning. It is not included as currently drafted.

3. Consideration needs to be given to the exemption of an area used and maintained for the parking of motor vehicles similar to one-family residential zones which currently allows 19 m<sup>2</sup> to be excluded from the gross floor area calculation of the principal building. This proposal has been based on the exemption of 19 m<sup>2</sup>/ dwelling unit from the computation of the gross floor area located in an accessory building. This would be consistent with the Zoning Bylaw prior to 2007 for one-family residential use. An exemption of 19m<sup>2</sup>/dwelling has been included in the draft Zoning Bylaw.

#### **Options:**

The following options assume inclusion of a design covenant. However, if a covenant is not desired, that portion of the proposed resolution could be omitted.

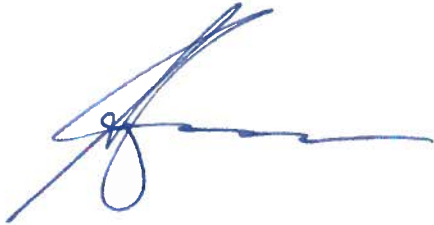
1. That staff be directed to revise the draft Zoning Bylaw amendment in relation to the proposed rezoning to two-family residential use for 2280 Estevan Avenue to include an open space requirement of 170 sq. m. per dwelling unit, and that the revised draft, and draft Parking Facilities Bylaw amendment, be forwarded to Council for formal consideration, and further, that a design covenant be prepared based up on the most recent plans submitted in relation to the application for future formal consideration.
2. That staff be directed to revise the draft Zoning Bylaw amendment in relation to the proposed rezoning to two-family residential use for 2280 Estevan Avenue as specified by Committee of the Whole, and that the revised draft and draft Parking Facilities Bylaw amendment, be forwarded to Council for formal consideration, and further, that a design covenant be prepared based upon the most recent plans submitted in relation to the application for future formal consideration.
3. That staff be directed to bring the draft Bylaws as written to Council for formal consideration, and further that a design covenant be prepared based upon the most recent plans submitted in relation to the application for future formal consideration.

4. That the application be deferred to a future Committee of the Whole meeting for further consideration
5. That the application be denied.

**Recommendation:**

That staff be directed to revise the draft Zoning Bylaw amendment in relation to the proposed rezoning to two-family residential use for 2280 Estevan Avenue to include an open space requirement of 170 sq. m. per dwelling unit, and that the revised draft, and draft Parking Facilities Bylaw amendment, be forwarded to Council for formal consideration, and further, that a design covenant be prepared based up on the most recent plans submitted in relation to the application for future formal consideration.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation in this report



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Helen Koning  
Chief Administrative Officer

Attachment "A" - Draft bylaws  
Attachment "B" - Previous staff report

# Attachment A

## THE CORPORATION OF THE DISTRICT OF OAK BAY

### BYLAW NO. XXXX

#### A Bylaw to amend the *Zoning Bylaw, 1986*

The Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts that Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended, is further amended as follows:

- 1 Section 1.3 is amended by inserting the following immediately below the entry RS-5 "One Family Residential Use":

"RD-1 Two Family Residential Use"
- 2 Subsection 3.3.1 is amended by:
  - (1) Inserting "RD-1" immediately below RS-5 in the column headed "Short Form"; and
  - (2) Inserting "Two-Family Residential Use" immediately below "One-Family Residential Use" in the column headed "Zone Designation".
- 3 Paragraph 4.6.10(1) is amended by:
  - (1) deleting Sub-paragraphs (a), (b) and (c) and replacing them with the following:
    - "(a) in a zone other than a One Family Residential Use Zone or a Two Family Residential Use Zone, the part of the floor area used and maintained for the parking of motor vehicles;
    - (b) in One Family Residential Use Zones RS-1, RS-2 and RS-3, not more than 19 sq. m (205 s.f.) of that part of the floor area of the principal building used and maintained for the parking of motor vehicles;
    - (c) in Two Family Residential Use Zone RD-1, not more than 19 sq. m (205 s.f.) per dwelling unit of that part of the floor area used and maintained for parking of motor vehicles; and
    - (d) In One Family Residential Use Zones RS-1, RS-2, RS-3, and in Two Family Residential Use Zone RD-1, the part of the floor area at a level lower than 1 m (3.3 feet) below grade,"
- 4 The heading "ONE-FAMILY RESIDENTIAL USE" immediately preceding Section 6.1 is deleted.
- 5 The following Section is inserted between Section 6.5 and 7.1:
  - 6.6 This Zone shall be known as RD-1 TWO-FAMILY RESIDENTIAL USE.
  - 6.6.1 Principal Uses Permitted:



- 6.6.1(1) One-family residential use,
- 6.6.1(2) Two-family residential use, providing:
  - (a) the lot area is not less than 663 sq. m (7,137 s.f.); or
  - (b) the lot was existing at the effective date of this Bylaw.
- 6.6.2 Secondary Uses Permitted:
- 6.6.2(1) Without limiting the application or derogating from the requirements of the *Rubbish and Weed Control Bylaw*, small-scale urban agriculture, provided,
  - (a) the total area of land within the parcel which is under cultivation for the production of fruits and vegetables for sale or exchange does not exceed 95 sq. m (1,023 s.f.), with two contiguous parcels straddled by a single principal building to be treated as one for the purpose of applying this subparagraph;
  - (b) fruits or vegetables produced for sale or exchange are not grown or cultivated within a greenhouse or other building;
  - (c) no artificial lighting is used in connection with the small-scale urban agriculture use;
  - (d) no sign is erected, placed or maintained on the parcel identifying or in any way connected with the small-scale urban agriculture use; and
  - (e) fruits or vegetables produced for sale or exchange are not available for purchase by the general public on the parcel.
- 6.6.2(2) Home-based child care.
- 6.6.2(3) A residential business use conforming to 4.2.8.
- 6.6.3 Accessory Uses Permitted and Required:
- 6.6.3(1) An accessory off-street parking use as required by the *Parking Facilities Bylaw*.
- 6.6.3(2) Accessory buildings.
- 6.6.3(3) Accessory structures.

6.6.4 Regulations for Buildings and Structures

		<u>Principal Building</u>	<u>Accessory Buildings</u>	<u>Accessory Structures</u>
6.6.4(1)	Number Permitted	one	two	two
6.6.4(2)	Setbacks-Minimum			
	(a) Front lot line(subject to paragraph (10))	7.62 m (25.00')	7.62 m (25.00')	7.62 m (25.00')
	(b) Rear lot line	7.62 m (25.00')	0.61 m (2.00')	1.52 m (5.00')
	(c) Interior side lot line (subject to paragraph (11))	1.52 m (5.00')	0.61 m (2.00')	1.52 m (5.00')
	(d) Exterior side lot line	3.65 m (12.00')	3.65 m (12.00')	3.65 m (12.00')
	(e) Total of side lot lines	4.57 m (15.00')	N/A	N/A
6.6.4(3)	Maximum			
	(a) Building Height	See NOTE below	3.00 m (10.00')	4.60 m (15.00')
	(b) Occupiable Height	See NOTE below	0.25 m (10.00")	N/A
	(c) Roof Height	See NOTE below	4.60 m (15.00')	N/A
NOTE:		To be determined as a function of lot breadth in accordance with Schedule B.		
6.6.4(4)	Floor Area Ratio	0.4 to 1		
NOTE:		Floor Area Ratio, total of all buildings, may not exceed 0.4 to 1.		
6.6.4(5)	Lot Coverage Maximum	25.00%	The greater of: (a) 44 sq. m or 7% of lot area, whichever is less; and (b) 5% of lot area	5.00%

6.6.4(6) Minimum Floor Area 110 sq. m N/R N/R  
 (1184 s.f.)  
 per dwelling unit

6.6.4(7) A clear space of 3 m (10 feet) shall be provided between buildings and between buildings and structures.

6.6.4(8) An accessory building constructed in the area between the front lot line and a line 25 m (82 feet) distant from and parallel to the front lot line shall conform to the same setback requirements for the principal building for the side lot lines.

6.6.4(9) A principal use and a secondary use, except for small-scale urban agriculture, are only permitted within a principal building.

6.6.4(10) Subparagraph (2)(a) notwithstanding, the required front lot line setback for the principal building shall be a distance not less than 1.5 m (4.9 feet) shorter than and not more than 1.5 m (4.9 feet) longer than the quotient

$$\frac{F_1 + F_2 + 2(7.62) \text{ metres}}{4}$$

where  $F_1$  and  $F_2$  are the front lot line setbacks, at the time of application, of the principal buildings on

(a) each of the two contextual lots adjoining and on either side of the subject lot,

except that where there do not exist two contextual lots sited as described in (a), then  $F_1$  and  $F_2$  shall be the front lot line setbacks, at the time of application, of the principal buildings on

(b) a contextual lot adjoining the subject lot, and the next adjoining contextual lot,

provided, however, that in no case shall the front lot line setback be less than 7.62 m (25 feet).

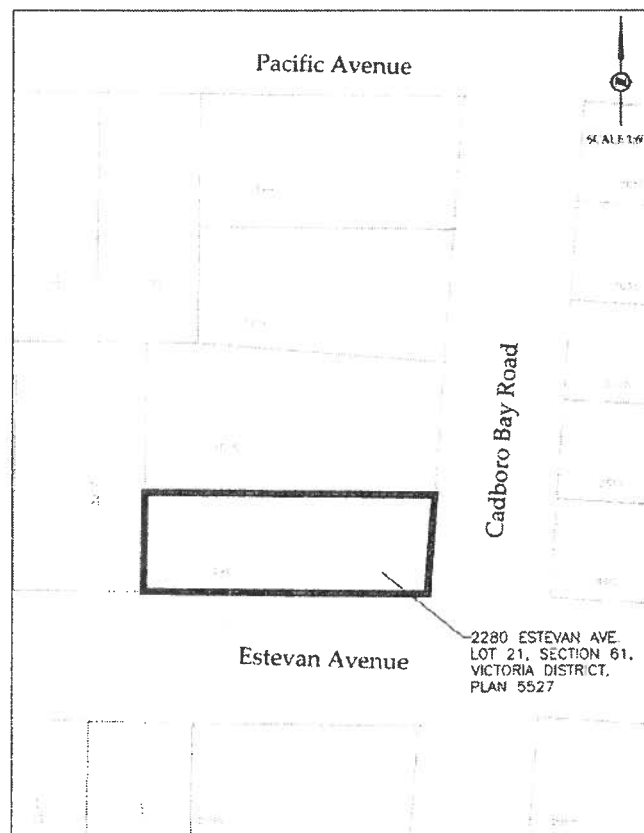
Where there do not exist two contextual lots sited as described in (a) or (b), then the front setback of the principal building shall be not less than 7.62 m (25 feet).

6.6.4(11) Sub-paragraph (2)(c) notwithstanding, in respect of a principal building containing more than one storey, the interior side lot line setback of the second storey and all portions of the building above the second storey shall be a distance not less than 3.0 m (9.8 feet).

6 Schedule "A" is amended:

- (1) In the column headed "Zone", by inserting "Two-Family Residential (RD-1)" immediately below "One-Family Residential (RS-5)";
- (2) In the column headed "Minimum Lot Area", by inserting "663.00 sq. m (7137 s.f.)" immediately below "558.00 sq. m (6,006.45 s.f.)" opposite "Two-Family Residential (RD-1); and
- (3) In the column headed "Minimum Lot Frontage and Lot Width", by inserting "15.25 m (50 feet)" opposite "Two-Family Residential (RD-1)".

7 The parcel of land described as Lot 21, Section 61, Victoria District, Plan 5527, as shown in bold outline on the sketch reproduced below:



is hereby rezoned from RS-5 (One-Family Residential Use) to RD-1 (Two Family Residential Use), and the "Zoning Map of The Corporation of the District of Oak Bay", which is appended to and forms a part of the said Bylaw, is amended accordingly.

- 8 Paragraphs 6.1.4(9), 6.2.4(9), 6.3.4(9), 6.4.4(9) and 6.5.4(9) are amended by inserting " , except for small-scale urban agriculture," between the words "use" and "are".
- 9 This bylaw may be cited as the *Ninety-Third Zoning Bylaw Amendment Bylaw, 2014*.

READ a first and second time by the Municipal Council on

PUBLIC HEARING held on

READ a third time by the Municipal Council on

ADOPTED AND FINALLY PASSED by the Municipal Council on

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

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

THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. XXXX

A Bylaw to amend the *Parking Facilities Bylaw, 1986*

The Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts that Bylaw No. 1986, Bylaw No. 3540, being the *Parking Facilities Bylaw, 1986*, as amended, is further amended as follows:

- 1 Section A.1 of Schedule "A" is amended by striking out the section title "ZONES RS-1, RS-2, RS-3, RS-4, RS-5 AND C-1" and substituting in its place the following:

"ZONES RS-1, RS-2, RS-3, RS-4, RS-5, RD-1 AND C-1".

- 2 This Bylaw may be cited as the *Parking Facilities Bylaw Amendment Bylaw No. 2, 2014*.

READ a first and second time by the Municipal Council on

READ a third time by the Municipal Council on

ADOPTED and FINALLY PASSED by the Municipal Council on

ZONES RS-1, RS-2, RS-3, RS-4, RS-5 and C-1

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Mayor

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Municipal Clerk

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

**Attachment B**

*to August 6 2014 Memorandum*

**2014-183**

**MEMORANDUM**

**TO: Mayor and Council**

**FROM: Roy Thomassen, Director of Building and Planning  
Hope V. Burns, Consulting Planner**

**DATE: June 16<sup>th</sup>, 2014**

**RE: Addendum Staff report, Rezoning Application,  
2280 Estevan Avenue--Proposed New Duplex Development**

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**BACKGROUND:**

Revised plans (Attachment "A") have been submitted, on behalf of the owner, by Carl Peterson, to allow for a duplex to be constructed at 2280 Estevan Avenue.

At the April 14<sup>th</sup>, 2014 Council meeting, a detailed report was considered by Council (Attachment "B") that outlined the revised proposal for a duplex to be constructed at 2280 Estevan Avenue. The report included details of the possible zoning required to accommodate a duplex on this property as well as some suggestions for changes to the plans. The following motion was carried by Council:

MOVED and Seconded:

That the Rezoning Application for 2280 Estevan Avenue, as outlined in the memorandum of the Director of Building and Planning dated March 12<sup>th</sup>, 2014, correspondence item no. 2014-115, be referred to the Advisory Design Panel for review and a recommendation to Council.

**Advisory Design Panel Meeting:**

Two meetings of the Advisory Design Panel (ADP) were held to review this application. The initial meeting was held based on the Council referral noted above, and was held on Tuesday, May 6<sup>th</sup>, 2014, resulting in the following motion.

The panel noted that the proposal requires further consideration and requested that the applicant return after reviewing the following: the possibility of separating the garage from the house, the arrangement of the entryways so that both have prominence yet not compete with each other, and creation of an equal outdoor sun/space for both units to enjoy.

The panel stated it had no concerns about the massing of the building.

**RECOMMENDATION TO COUNCIL:**

MOVED and Seconded:

That the application for the construction of a duplex at 2280 Estevan Avenue be tabled.

A subsequent meeting of the Advisory Design Panel to consider revisions to the plans for this duplex proposal, was held on Tuesday, June 3<sup>rd</sup>, 2014.

**RECOMMENDATION TO COUNCIL:**

That it be recommended to Council that the rezoning application for the construction of a duplex at 2280 Estevan Avenue be approved as to siting and architectural design subject to the issuance of development variance permit.

CARRIED

**THE PROPOSAL:**

In the original letter dated February 6<sup>th</sup>, 2014, Carl Peterson of the CEP Studio, submitted a re-application to rezone the property at 2280 Estevan Avenue to allow for the construction of a new duplex. He noted in a letter that the *“revised duplex design concept has been down sized from the previous application made in 2012. Unlike the previous application, this submission conforms to all of the current zoning requirements for the existing RS- 5 criteria with the single exception of the requested two family use”*. Paving for the driveway may require Council consideration of a DVP which may occur concurrently with the rezoning process.

After the ADP’s review in May, the plans were revised to relocate the outdoor amenity patios to provide better privacy and transition from the neighbour to the north and the two respective duplex owners. Mr. Peterson also revised the location of the new driveway, provided for a separate garage and redesigned the exterior of the duplex to provide for more articulation.

Subsequent to consideration by Council and the ADP, the revised project is detailed on the plans appended to this report (Attachment “A”). The plans still indicate a two storey building with basement and now with a detached two car garage and two onsite parking spaces. Pathway entrances, outdoor seating areas for each duplex unit and driveway access to the duplex units have also been improved. There will be the requirement for a tree protection plan to ensure the beech and chestnut are protected during construction.

**STAFF COMMENTS;**

**Planning Commentary:**

The present OCP notes that on an individual property basis for existing and in “special circumstances” it would be consistent with the general residential land use objectives to consider a limited number of rezoning proposals to allow a two family dwelling use. Therefore, from a planning perspective, an amendment to the OCP just for this one particular application would not be required.

Rezoning and the resultant bylaw amendments (zoning and parking) with a public hearing would currently be the next steps of the process for considering approval. Now that a revised site plan with a more articulated building exterior, improved outdoor amenity areas for each duplex unit; and revised pathways/driveway access, as per the ADP comments has been submitted, Council may determine if the proposal merits drafting of a specific duplex zoning category and parking bylaw amendments specific to duplex use for further consideration to allow for this application to proceed.



**OPTIONS:**

The purpose of this report is to provide details of the revisions and the ADP recommendations and outline possible options for Council consideration with respect to dealing with this revised application.

**Option 1**

*If the proposal in its present form is considered acceptable, that staff be directed to prepare a zoning bylaw amendment to allow for two-family residential development of this site, a parking facilities bylaw amendment, and to identify potential variances, all to be brought forward to Committee of the Whole for further consideration.*

**Option 2**

*If the proposal in its present form is considered acceptable, that staff be directed to draft a Bylaw creating a new duplex zone to accommodate a two-family development, a parking facilities bylaw amendment and identify potential variances, all to be brought forward to Council for further consideration.*

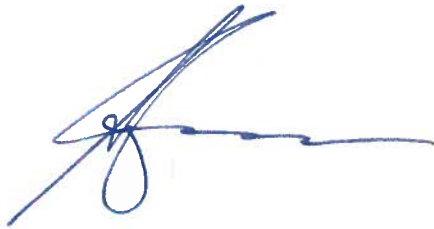
**Option 3**

*Decline to consider the application further.*

**RECOMMENDATION:**

*If the proposal in its present form is considered acceptable, that staff be directed to prepare a zoning bylaw amendment to allow for two-family residential development of this site, a parking facilities bylaw amendment, and to identify potential variances, all to be brought forward to Committee of the Whole for further consideration.*

Respectfully Submitted,



Roy Thomassen  
Director of Building and Planning



Hope V. Burns, mcip, rpp  
Consulting Planner

I concur with the recommendation in this report

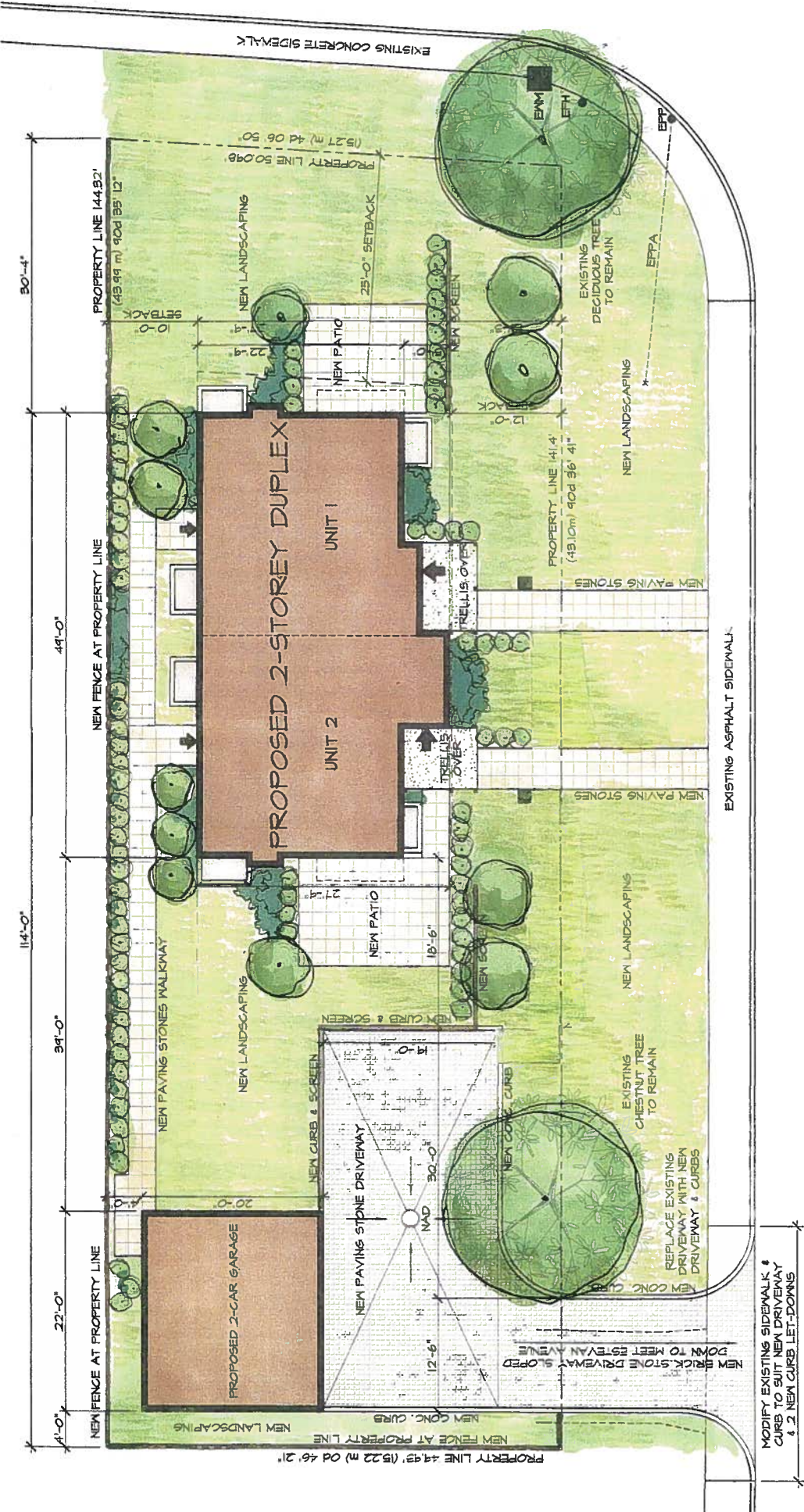


Helen Koning  
Chief Administrative Officer

Attachment "A" –Revised Architectural and Landscape design plans

**Attachment A**





ESTEVAN AVENUE

**LEGEND:**

- EWM EXISTING WATER METER
- EFP EXISTING POWER POLE
- EFH EXISTING FIRE HYDRANT
- EPPA EXISTING POWER POLE ANCHOR
- NAD NEW AREA DRAIN
- TME TO MATCH EXISTING
- ↑ PRIMARY ENTRANCE DOOR
- ↓ SECONDARY ENTRANCE DOOR
- ▭ INSULATED WALL
- ▭ NON-INSULATED WALL

**SITE & BLD'G. DATA:**

1. SITE AREA: 7,194.6 SQ.FT. (663.27m<sup>2</sup>)
2. GARAGE FOOTPRINT: 440 SQ.FT. (40.9m<sup>2</sup>)
3. DUPLEX FOOTPRINT: 1,187 SQ.FT. (110.3m<sup>2</sup>)
4. SITE COVERAGE: 25%
5. AREA ABOVE 2.6 FT. BELOW GRADE: 2,504 SQ.FT./232.6m<sup>2</sup> (1)

(1) 2,104 SQ.FT. GARAGE ALLOWANCE OF 205 SQ.FT. PER 4.6.11 (1)

DESIGNED:	CEP
DRAWN:	DEP
CHECKED:	TRBD
SCALE: 3/32" = 1'-0"	

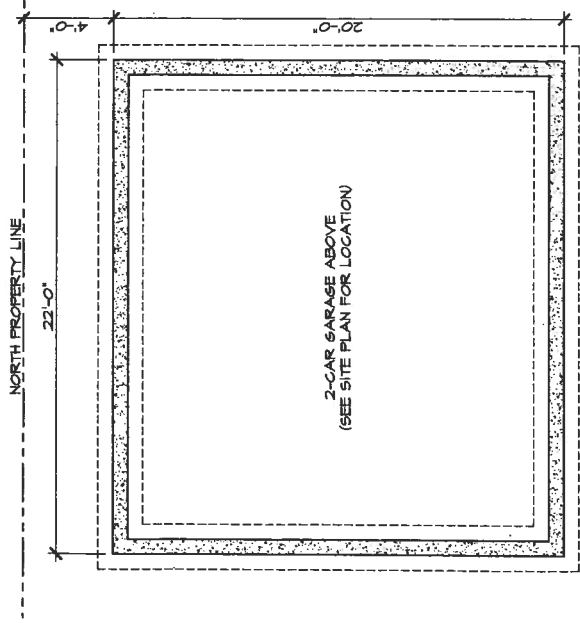
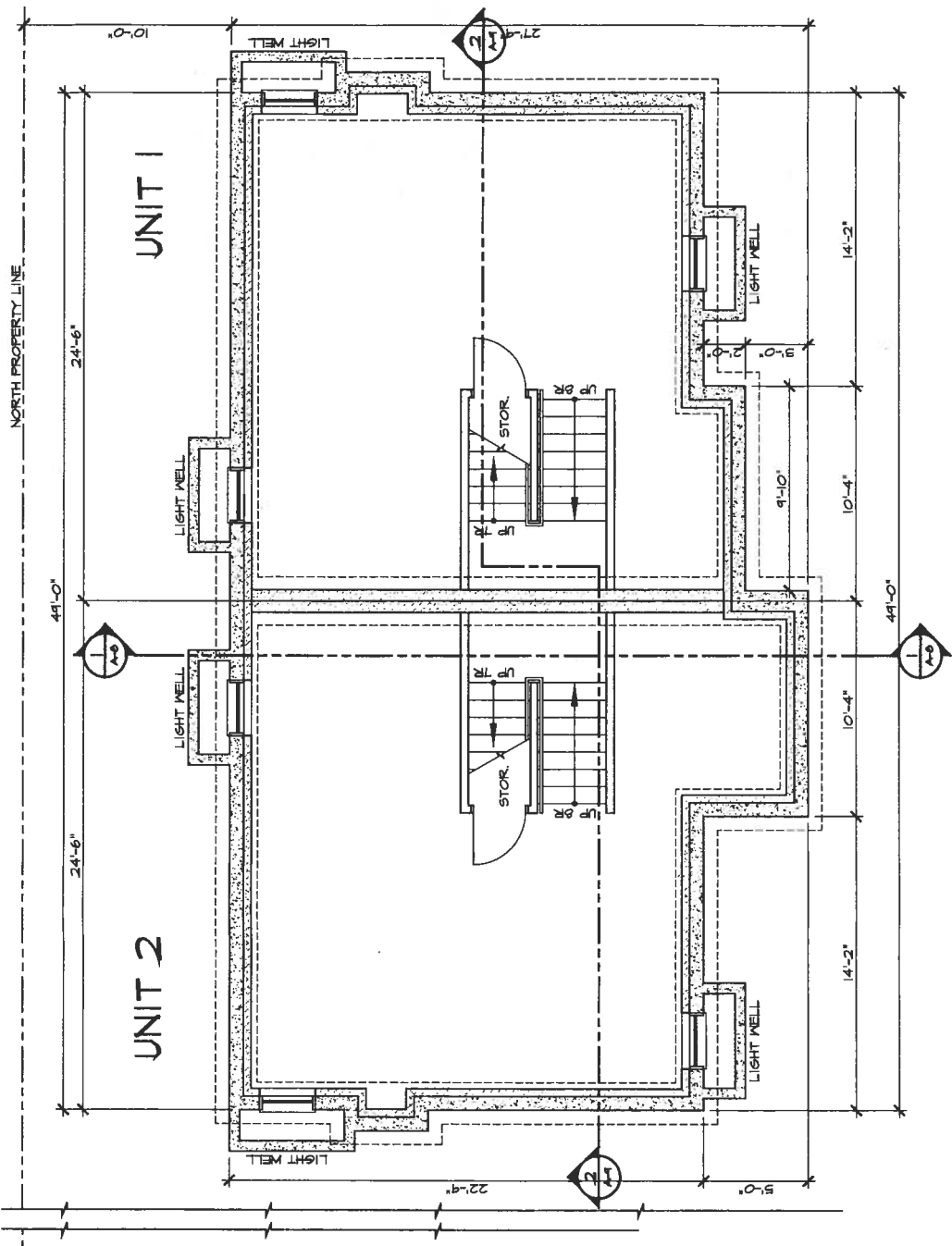
Site Plan

**Proposed Duplex: Preliminary Design**  
 2280 Estevan Avenue,  
 Oak Bay, BC

**The CEP Studio**  
 1367 Hampshire Road,  
 Victoria, BC V8S 4T4  
 Toll: 250-542-1451  
 Email: ce@cepstudio.ca



NORTH

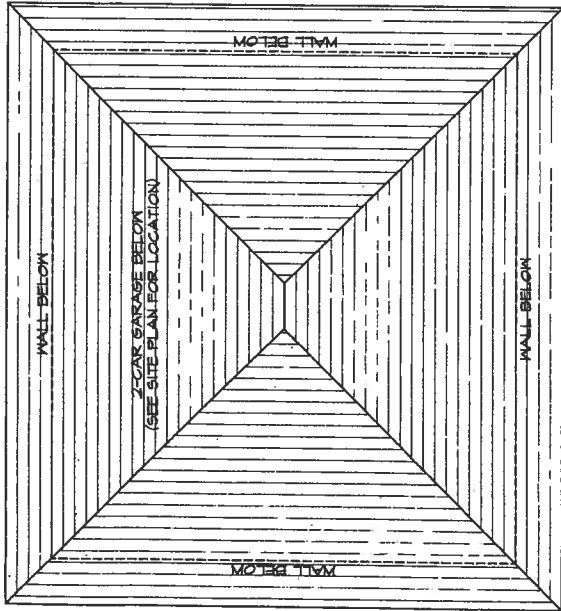


DESIGNED:	CEP	<b>Basement Plan</b> 	<b>A-2</b> 09/14/14
DRAWN:	DBP		
CHECKED:	TRBD		
SCALE: 3/16" = 1'-0"		<b>Proposed Duplex: The CEP Studio</b> <b>Preliminary Design</b> 1567 Hampshire Road, Victoria, BC, V8S-4T4 Tel: 250-542-1457 Email: caripato@shaw.ca	
		2280 Estevan Avenue, Oak Bay, BC	



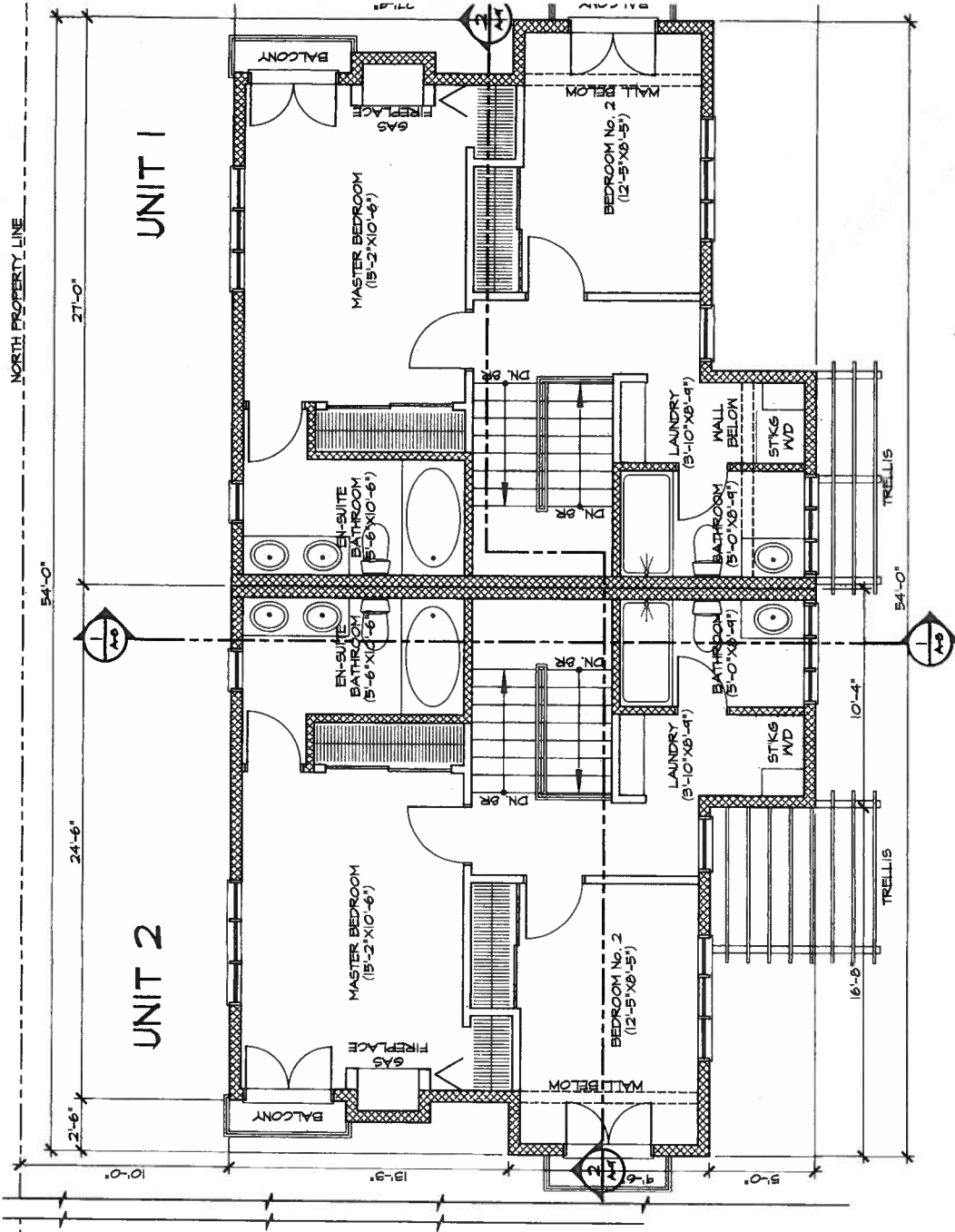
NORTH PROPERTY LINE

NORTH PROPERTY LINE

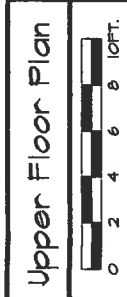


### SEPARATE GARAGE

- LEGEND:**
- EMT EXISTING WATER METER
  - EPF EXISTING POWER POLE
  - EPH EXISTING FIRE HYDRANT
  - HAH EXISTING AREA DRAIN
  - NAD NEW AREA DRAIN
  - NSD NEW SOIL STACK OR DOWNPIPE
  - IMW INSULATED WALL
  - IMH INSULATED HALL
  - IPD PRIMARY ENTRANCE DOOR
- GEN. NOTES:**
1. EXISTING SITE DATA & INFORMATION IS TAKEN FROM SITE PLAN DATED FEBRUARY 26, 2012 (SURVEYED), DRAWN MARCH 05, 2012, FILE NO. 2012-0001, PROVIDED BY MICHAEL E. CLAXTON B.G.L.S. 2012.
  2. LEGAL DESCRIPTION, LOT 21, PLAN NO. 9827, SECTION 61, VICTORIA DISTRICT, BC.
  3. CIVIC ADDRESS, 2280 ESTEVAN AVENUE, VICTORIA, BC.
  4. MAIN FLOOR ELEVATION 100'-0" EQUALS GEODETIC DATUM 2011 NAD 83.
  5. NORTH WALL OF PROPOSED BUILDING IS PARALLEL WITH NORTH PROPERTY LINE (NOT SOUTH PROPERTY LINE).



DESIGNED:	CEP
DRAWN:	DEP
CHECKED:	TREB
SCALE:	3/16" = 1'-0"



**Upper Floor Plan**

**Proposed Duplex: Preliminary Design**

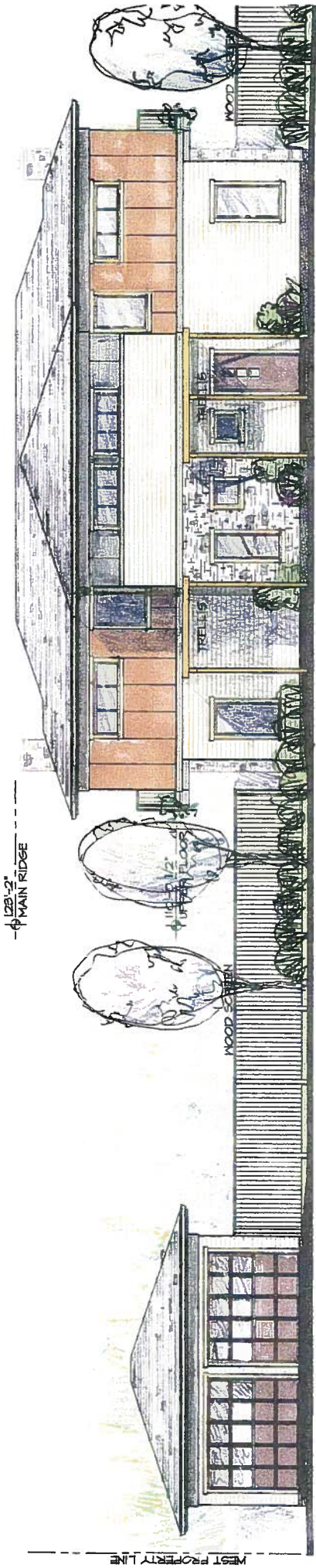
2280 Estevan Avenue,  
Oak Bay, BC

**The CEP Studio**  
1567 Hamphshire Road,  
Victoria, BC V8S 4T4  
Tel: 250-592-1957  
Email: carl.pete@shaw.ca

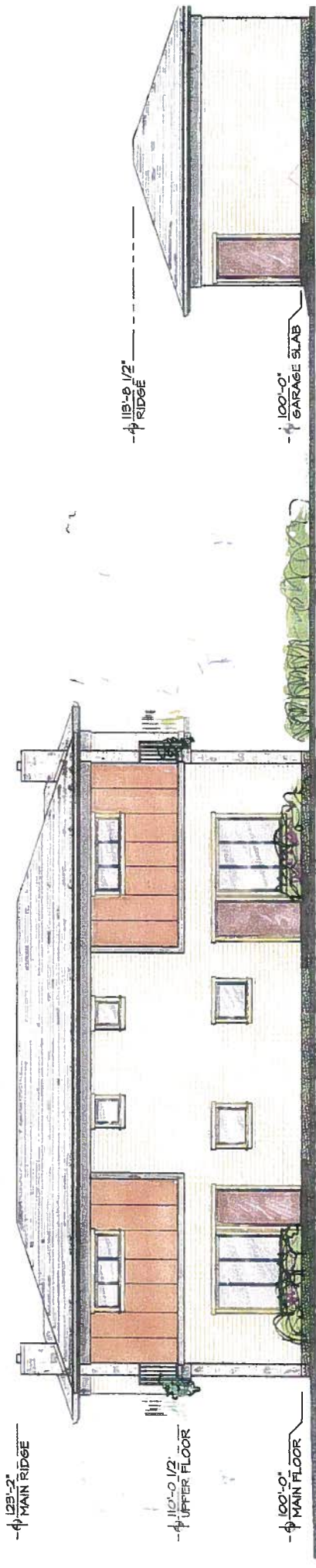
**A-2**

NORTH

05/15/14

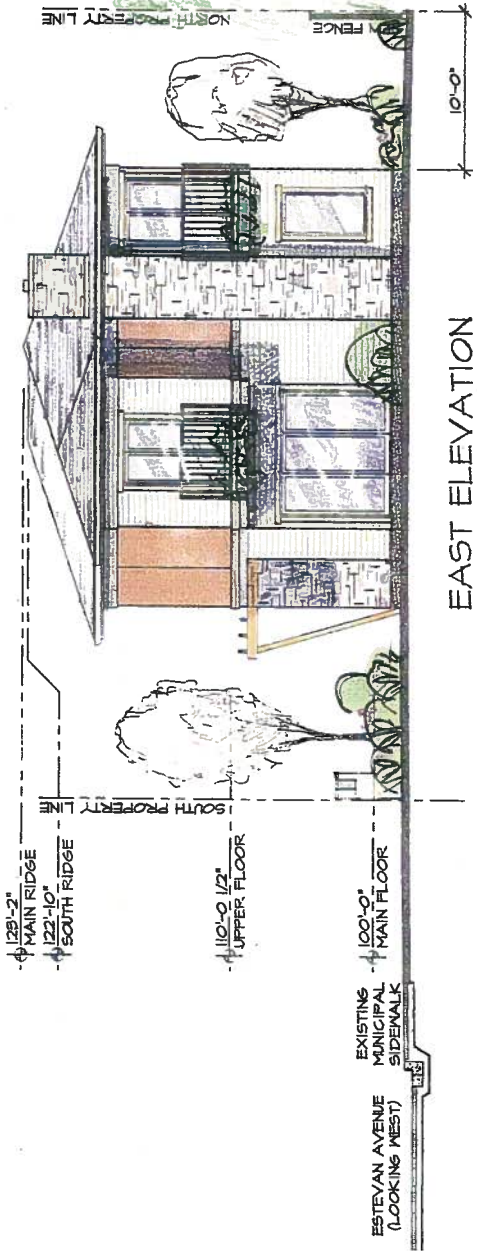


SOUTH ELEVATION



NORTH ELEVATION

DESIGNED:	CEP	South, North Elevations 	Proposed Duplex: Preliminary Design 2280 Estevan Avenue,	The CEP Studio 1367 Hampshire Road, Victoria, BC, V8S-4T4 Tel: 250-542-1957	A-
DRAWN:	DBP				
CHECKED:	TREB				



EAST ELEVATION



WEST ELEVATION

EXISTING MUNICIPAL SIDEWALK  
ESTEVAN AVENUE (LOOKING EAST)

DESIGNED:	CEP
DRAWN:	DBP
CHECKED:	TRBD

East, West Elevations



Proposed Duplex:  
Preliminary Design

2280 Estevan Avenue,

The CEP Studio  
1867 Hampshire Road  
Victoria, BC V8S 4T4  
Tel: 250-882-1957

A-



## Attachment B

### MEMORANDUM

**TO:** Mayor and Council

**FROM:** Roy Thomassen, Director of Building and Planning  
Hope V. Burns, Consulting Planner

**DATE:** March 12<sup>th</sup>, 2014

**RE:** Official Community Plan Amendment and Rezoning Application,  
2280 Estevan Avenue--Proposed New Duplex Development

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#### **BACKGROUND:**

A new revised application has been submitted, on behalf of the owner, by Carl Peterson, to allow for a duplex to be constructed at 2280 Estevan Avenue.

Previously, at the Committee of the Whole meeting on September 17<sup>th</sup>, 2012, Committee had directed staff to draft an amendment to the Zoning Bylaw to add a duplex zone after considering a staff report outlining the request for a spot zoning of the above described property to accommodate construction of a two family dwelling.

Council may recall that at a subsequent Committee of the Whole meeting held on November 19<sup>th</sup>, 2012, after considerable discussion, the application to amend the Zoning Bylaw to accommodate construction of a two-family dwelling on 2280 Estevan Avenue, was denied.

#### **THE PROPOSAL:**

In a letter dated February 6<sup>th</sup>, 2014, (Attachment "A") Carl Peterson of the CEP Studio, has submitted a re-application to rezone the property at 2280 Estevan Avenue to allow for the construction of a new duplex. He notes in the letter that the *"revised duplex design concept has been down sized from the previous application made in 2012. Unlike the previous application, this submission conforms with all of the current zoning requirements for the existing RS- 5 criteria with the single exception of the requested two family use"*.

The project is detailed on the plans (Attachment "B") and shows a two storey building with basement and with an attached two car garage and two onsite parking spaces to be built of brick pavers.

In the table below is the staff analysis of the existing regulations and the proposed development:

	Existing RS-5	Proposed Duplex
Minimum Lot Area	558 m <sup>2</sup>	662.7m <sup>2</sup>
Permitted Uses	One-family residential Use	Duplex Use <b>Rezoning Required</b>
Minimum Front Setback	7.62 m (25 ')	9.22m (30.25 ')
Minimum Rear Setback	7.62 m (25 ')	11.13m (36.5 ')
Minimum Interior Side Setback	1.52 m (5 ')	1.52 m (5 ')
Minimum Exterior Side Setback	3.65 m (12 ')	3.7m (12.1 ')
Maximum Roof Height	8.53 m (28 ')	7.77 m (25.5')
Maximum Building Height	6.83 m (22.4 ')	5.97m (19.6')
Maximum Occupiable Height	4.27m (14 ')	3.52m (11.5 ')
Maximum Lot Coverage	25 %	24 %
Maximum Gross Floor Area	360 m <sup>2</sup> (3875 ft <sup>2</sup> )	350m <sup>2</sup> (3770 ft <sup>2</sup> )
Maximum Gross Floor Area above .8m below grade	240 m <sup>2</sup> (2583 ft <sup>2</sup> )	240m <sup>2</sup> (2583 ft <sup>2</sup> )

Parking Facilities Bylaw No. 3540, requires two parking stalls for all single family dwelling units in the single-family residential zones.

The multi-family dwelling zones require 2.25 parking stalls for each dwelling unit. The present parking bylaw does not indicate parking requirements for duplexes and therefore if this application proceeds, parking requirements for duplexes would need to be incorporated.

## **DISCUSSION:**

### **Subject Property:**

The subject property has an area of 663 m<sup>2</sup> (7,134 sq. ft.). An older home is located on the west side of the site and the lot is presently designated as Single Family in the Official Community Plan and zoned RS-5, Single Family Residential Dwelling Use. The property is landscaped but it does not appear that there are any significant protected trees located on the property. Two larger existing deciduous trees are shown to be retained with one on the corner of Cadboro Bay Road and Estevan Avenue and one chestnut tree on the western side of the site. Surrounding land use includes the small commercial area south and east along both sides of Cadboro Bay Road (C-2), with single-family residential uses on the west, east and north side of the property (all zoned RS-5) including a couple of non-conforming duplexes.

## **STAFF COMMENTS:**

### **Planning Commentary:**

Initial community input into the OCP renewal process, through the survey results, shows that there is support for considering a diversity of housing types in the community. However, this has not been confirmed with the finalization of the OCP policies for housing and adoption of a revised bylaw. From an historical review, there are numerous existing non-conforming duplexes throughout Oak Bay. As pointed out in an initial staff report dated July 16<sup>th</sup>, 2012 (Attachment

"C") and a subsequent report in November 2012, there are approximately 200 legal non-conforming duplexes existing in Oak Bay. These may not be rebuilt or significantly renovated unless approved through a variance process as the duplex use is not presently permitted in the Zoning Bylaw. The present OCP notes that on an individual property basis for existing duplexes and in "special circumstances" it would be consistent with the general residential land use objectives to consider a limited number of rezoning proposals to allow a two family dwelling use. Therefore, from a planning perspective, an amendment to the OCP just for this one particular application would not be required. Rezoning and the resultant bylaw amendments (land use and parking) with a public hearing would still be part of the process of considering approval.

Duplex development may be considered an acceptable housing form in a traditional residential low density area subject to meeting certain criteria, such as location, lot size, access to services and transportation options and a housing type that can be more affordable and energy efficient per unit than a large single family residential unit on a similarly sized parcel. Two-family residential use could be recognized in both the OCP designations and zoning categories as acceptable, both of which require bylaw amendments for this to occur on a larger scale basis.

The designer has now revised the plans to make the building form coincide with the single family regulations in terms of maximum allowable floor area, site coverage and height. It is unfortunate that the two open spaces for the units (outdoor patios) are located on the north side of the property and very close to the side yard of the adjacent property fronting onto Cadboro Bay Road. The design of the building is somewhat monolithic as the design is to ensure that the development does not exceed the maximums of the single family residential zone and indeed there are no variances being requested to accommodate this project. The provision of a two car garage with access from Estevan Avenue may reduce any traffic conflicts on the busier Cadboro Bay Road. Referral of this project to the Advisory Design Panel (ADP), if it is to proceed, would be strongly recommended to review the massing, architectural details and landscaping proposed.

This could be considered a spot rezoning in that the zoning would only be applied to this site to accommodate the proposal as submitted. Alternatively, it may also be timely to consider creation of a duplex zoning category that could be applied throughout the Oak Bay community establishing a minimum lot size, maximum floor area ratio (proportion of built form to size of lot), maximum site coverage, maximum height and minimum setbacks. It is suggested that the lot size required for a duplex should be a bit larger than the minimum established for single family lots in the various single family residential categories to ensure the lot is large enough to provide adequate setbacks, outdoor amenity space, and onsite parking. However, this would require research and further work and in the interim would delay Council's consideration of this particular proposal. This should also await the finalization of the OCP to determine priorities for implementation of the OCP policies by Council.

Preliminary research of other municipal jurisdictions indicates that the amount of required parking per duplex unit ranges from 0.75 stalls to one to two or more parking spaces per unit. In general terms, duplex units are individually smaller than a new single family house and due to Building Code regulations cannot accommodate suites. It is suggested that one or two parking spaces per unit could be required by the bylaw but perhaps not need to be enclosed or have a roof. If the site can accommodate two parking spaces, which could be provided in tandem, this would possibly be more than sufficient for most occupiers of duplexes in Oak Bay.

It is suggested that the following be considered by Council:

- Whether this application is to proceed at this time or await the adoption of the OCP document prior to further consideration;
- If this application is to proceed on its own merits at this time as a spot rezoning;
- Whether Council wishes to consider a comprehensive duplex zoning review to occur after the OCP is finalized and refer this application to that process; and,
- If additional research is to be undertaken with respect to establishing parking requirements for duplexes.

**OPTIONS:**

The purpose of this report is to outline some possible options for Council consideration with respect to dealing with this new, revised application.

**Option 1.**

*Defer further consideration of this application until the OCP has been adopted to define future density and development criteria for locations of residential development (e.g. duplexes).*

**Option 2**

*If the proposal in its present form is considered acceptable to be deliberated further by Council, refer it to the Advisory Design Panel for review and direct staff to prepare a Zoning Bylaw Amendment and a Parking Facilities Bylaw Amendment to allow for two-family residential development of this site, for Council's consideration with the Advisory Design Panel's comments included.*

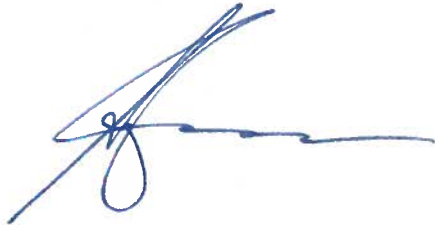
**Option 3**

*Decline to consider the application further.*

**RECOMMENDATION:**

Defer further consideration of this application until the OCP has been adopted to define future density and development criteria for locations of residential development (e.g. duplexes).

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning



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Hope V. Burns, mcip, rpp  
Consulting Planner

I concur with the recommendations in this report

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Helen Koning  
Chief Administrative Officer

Attachment "A" – Applicant's letter dated February 6<sup>th</sup>, 2014  
Attachment "B" – Revised Architectural design plans  
Attachment "C"—Previous staff report dated July 16<sup>th</sup>, 2012

Report of a meeting of the Oak Bay Advisory Design Panel held on Tuesday, May 6, 2014 commencing at 10:15 a.m. in the Council Chamber of the Oak Bay Municipal Hall.

PRESENT: Lynn Gordon Findlay, Chair  
David Wilkinson  
Patricia Wilson  
Duane Ensing

ALSO PRESENT: Roy Thomassen, Director of Building and Engineering  
Hope Burns, Consultant  
Christine Currie, Recording Secretary

2280 Estevan Avenue Carl Peterson, CEP Studio

The proposal is for the construction of a duplex to be located at the property at 2280 Estevan Avenue.

Council has referred the application to the panel for review and a subsequent recommendation to Committee of the Whole in regards to building massing and streetscape.

The applicant, Carl Peterson of CEP Studio presented the proposal. He described the proposed building as having a low, sloped hip roof common to those around the neighbourhood. The two units are side by side and approximately 1100 square feet each. Since the units are small, noted the applicant, the introduction of light was essential. Large south facing windows and large sliding doors leading onto the patio have been proposed to provide light to the interior. In an effort to move the building mass away from the neighbour to the north outdoor living space has been sited close to the property line.

Mr. Peterson stated that to break up the form on the Estevan Avenue side the central portion of the building has been slightly raised by using two different materials and flanking the central floor. One of the units is recessed to create a facade that looks more like a single house rather than a traditional looking duplex.

The key elements for the proposal, noted Mr. Peterson, are to keep size, massing and lot coverage conform to the existing RS-5 zoning. He noted that almost all setbacks conform to the residential zoning.

When asked by the panel, the applicant confirmed that the building could be constructed as a single family home with a building permit.

The applicant added that, in deference to the neighbour, the north elevation is extremely dull. Small bathroom windows are proposed to be located high on the building and windows with openings located at the bottom by the patio.

He also noted that a 20 foot laurel hedge located on the neighbour's property provides a strong, green buffer between the properties.

The applicant confirmed that both units share the proposed attached garage. When asked if a detached garage had been considered, the applicant responded that it had been a consideration. The advantage to an attached garage he explained is the increased allowance of gross floor area available. In addition Mr. Peterson stated he wanted avoid any variances to the RS-5 zoning regulations which additional paved surfaces could warrant.

When the panel asked about the proposed duplex zone the applicant responded that a duplex zone does not currently exist. The Director of Building and Planning explained that the subject application is, in part, creating the new zone. The criteria for a duplex zone have yet to be decided. The proposal

is being considered, noted the Director because it is a corner lot and is adjacent to commercial properties.

A panel member posed the question of what, from a planning and community perspective, aids in the decision of which properties would be considered duplex eligible. A discussion then ensued over whether a proposed duplex zone should be on an individual "spot zone" basis rather than a "one size fits all."

The applicant stated he preferred spot zoning on an individual basis rather than a blanket zone. He referred to the City of Victoria as having over 50 duplex zones. Further, he noted that a "one size fits all" zone could present the danger of having character destroying developments. The applicant prefers the idea of reviewing each application and balancing them to a set of criteria.

A panel member stated that although the effort that has gone into creating a house that appears as a single family house is appreciated; it is doing a disservice to the fact that it is a duplex. The member further noted that options need to be further explored to create nice spaces for two separate families. The member specified the following concerns: problematic shared parking; the entrance for unit two appears as a back door, and unequal accessible yard/sun enjoyment. A detached garage, noted the member may solve the issue.

Another panel member commented that if the community was shown that something which fits into the neighbourhood with similar massing could be built in an uncontentious way it would be a positive way to provide diversity of housing typologies within Oak Bay.

The panel queried why the garage was not separate from the house and sited in the rear yard. It suggested that the existing driveway could be used for the garage and turnaround. This would permit the rest of the lot to be used for creating equal separate outdoor space.

The panel commented that if the Chestnut tree was removed it would provide more flexibility. The Director noted the tree is a protected species.

When asked whether off site parking would be required for the proposal the Director responded that single residential zones are required to have two off site parking spots and it would be a requirement for any created duplex zones.

The panel noted that the proposal requires further consideration and requested that the applicant return after reviewing the following: the possibility of separating the garage from the house, the arrangement of the entryways so that both have prominence yet not compete with each other, and create an equal outdoor sun/space for both units to enjoy.

The panel stated it had no concerns about the massing of the building.

MOVED BY: Pat Wilson  
SECONDED: Lynn Gordon-Findlay

That it be recommended to Council that the rezoning application for the construction of a duplex at 2280 Estevan Avenue be tabled.

CARRIED

Report of a meeting of the Oak Bay Advisory Design Panel held on Tuesday, June 3, 2014 commencing at 8:45 a.m. in the Council Chamber of the Oak Bay Municipal Hall.

PRESENT: Lynn Gordon Findlay, Chair  
David Wilkinson  
Patricia Wilson  
Nigel Banks

ALSO PRESENT: Roy Thomassen, Director of Building and Engineering  
Hope Burns, Consultant  
Christine Currie, Recording Secretary

2280 Estevan Avenue Carl Peterson, CEP Studio

The proposal is for the construction of a duplex to be located at the property at 2280 Estevan Avenue.

At the previous meeting, the panel asked the applicant to review several issues about the proposed duplex including separating the garage from the house and providing equal accessible outdoor space for both units.

The applicant presented the changes to the panel. Changes included the relocation of the patios to provide greater privacy for the neighbour to the north; the garage has been detached from the house; pedestrian access to the garage for unit one has been relocated to the front side of the property; and greater definition has been added to the front entrances.

The panel asked about the proposed turnaround to which the applicant responded that it has been provided to accommodate additional parking onsite as requested by the neighbours.

The applicant stated that other than exceeding the permitted amount of paved surfaces the proposal for the duplex conforms to the RS -5 zone.

The panel suggested the proposed pathway leading from the garage to unit two be eliminated.

MOVED BY: Pat Wilson  
SECONDED: David Wilkinson

That it be recommended to Council that the rezoning application for the construction of a duplex at 2280 Estevan Avenue be approved as to siting and architectural design subject to the issuance of development variance permit.

CARRIED



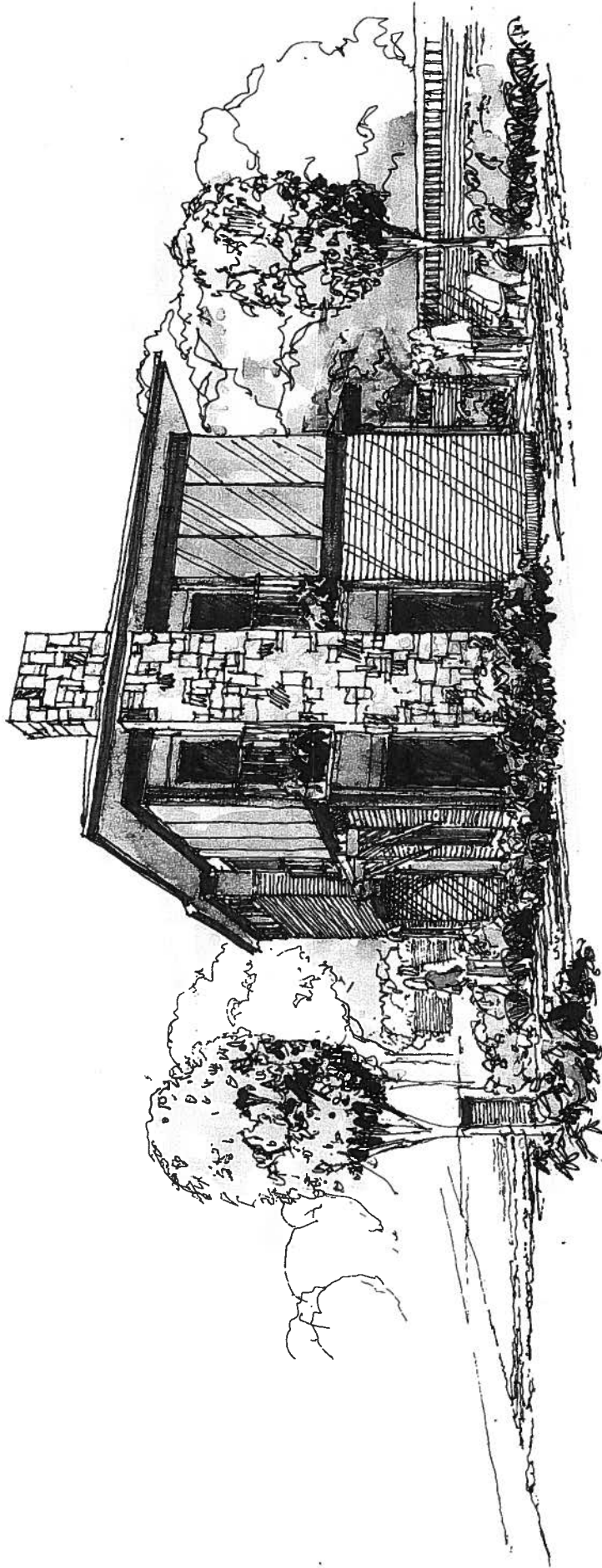
# Memo

**To:** Roy Thomassen, Director of Building and Planning  
**From:** Chris Paul, Municipal Arborist  
**Date:** May 22, 2014  
**Subject:** 2280 Estevan Avenue

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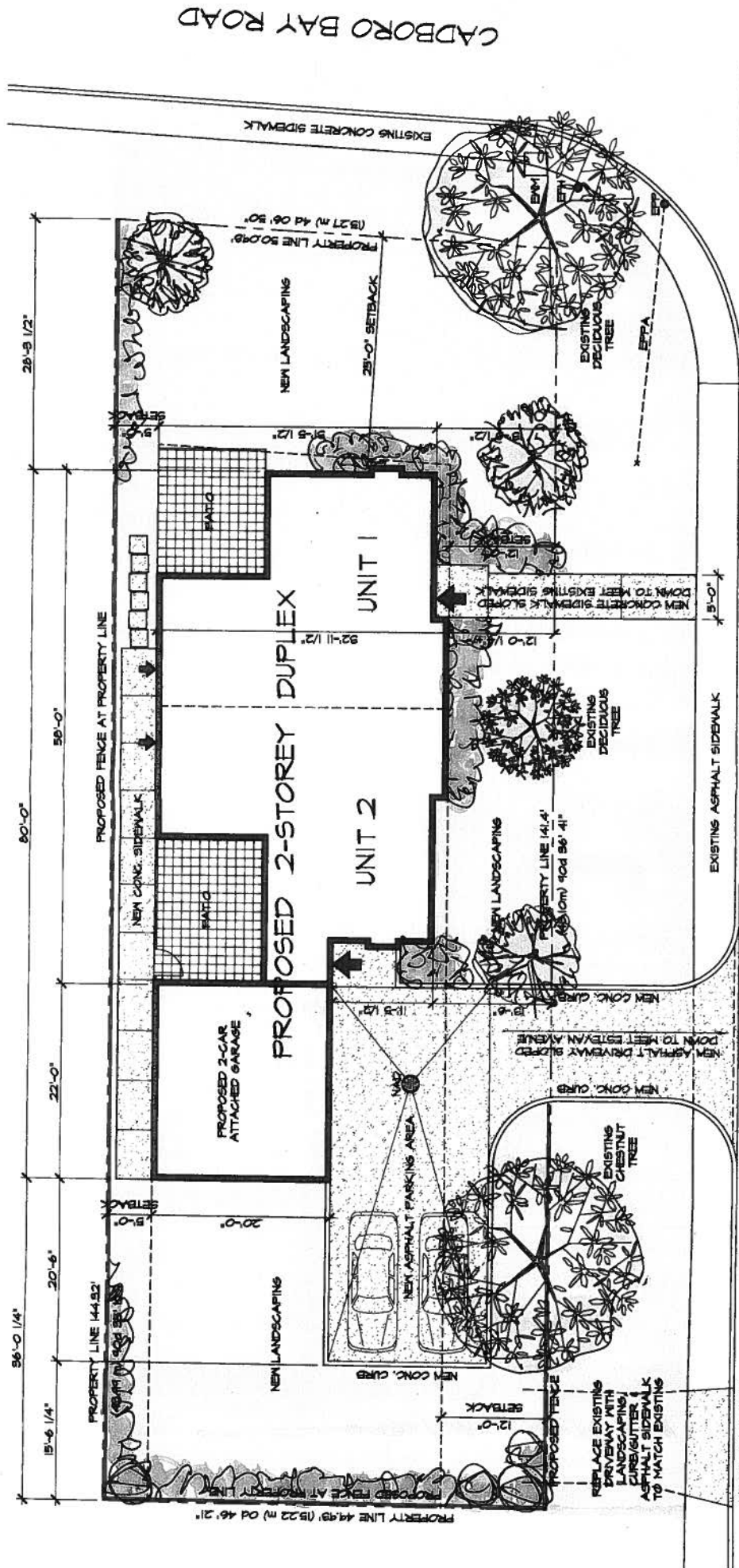
The new plan shows a different driveway configuration than the original plan. The new plan shows the driveway using the old driveway location to enter the property. This puts the driveway closer to the Chestnut tree although by using the previous driveway location there may be less impact than installing the new driveway over undisturbed soil within the drip line of the tree. The parking/turn around area is well within the protected root zone of the Chestnut. Special driveway construction will be required within the root zone of the tree. A tree protection plan must be submitted outlining driveway construction and root zone protection during demolition and construction. All tree protection must meet the specifications in the Tree Protection Brochure available at the Municipal Hall or the Parks Department. Tree protection will also be required for the Beech tree on the boulevard at the south east corner of the property.

Any variations from the protection outlined in the Tree Protection Brochure will have to be outlined in a Tree Protection Plan submitted to the Parks Department. Tree protection must be inspected by the Parks Department before any demolition or construction begins. Please call 250-592-7275 to book inspection.



2280 ESTEVAN AVENUE  
Proposed Duplex

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ESTEVAN AVENUE

**SITE & BLD'G. DATA:**

1. SITE AREA: 7,194.6 SQ.FT./669.37 m<sup>2</sup>
2. BLD'G. FOOTPRINT: 1,919.5 SQ.FT./177.76 m<sup>2</sup>
3. SITE COVERAGE: 26.8% (1)
4. UNIT 1 AREA: 1,848.1 SQ.FT./172.0 m<sup>2</sup>
5. UNIT 2 AREA: 1,985.1 SQ.FT./182.1 m<sup>2</sup>
6. FLOOR AREA RATIO: 0.4 TO 1 (2)
7. MAIN FLR FOOTPRINT: 1,919.5 SQ.FT./177.8m<sup>2</sup>

**LEGEND:**

- BNM EXISTING WATER METER
- EPW EXISTING POWER POLE
- EPH EXISTING FIRE HYDRANT
- EPFA EXISTING POWER POLE ANCHOR
- NAD NEW AREA DRAIN
- ↑ PRIMARY ENTRANCE DOOR
- ↓ SECONDARY ENTRANCE DOOR
- ▨ INSULATED WALL
- ▭ NON-INSULATED WALL

**Site Plan**

DESIGNED: CEP  
 DRAWN: DEP  
 CHECKED: TRBD

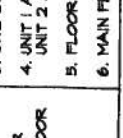
SCALE: 3/32" = 1'-0"

0 4 8 12 16 20 FT.

Proposed Duplex:  
 Preliminary Design

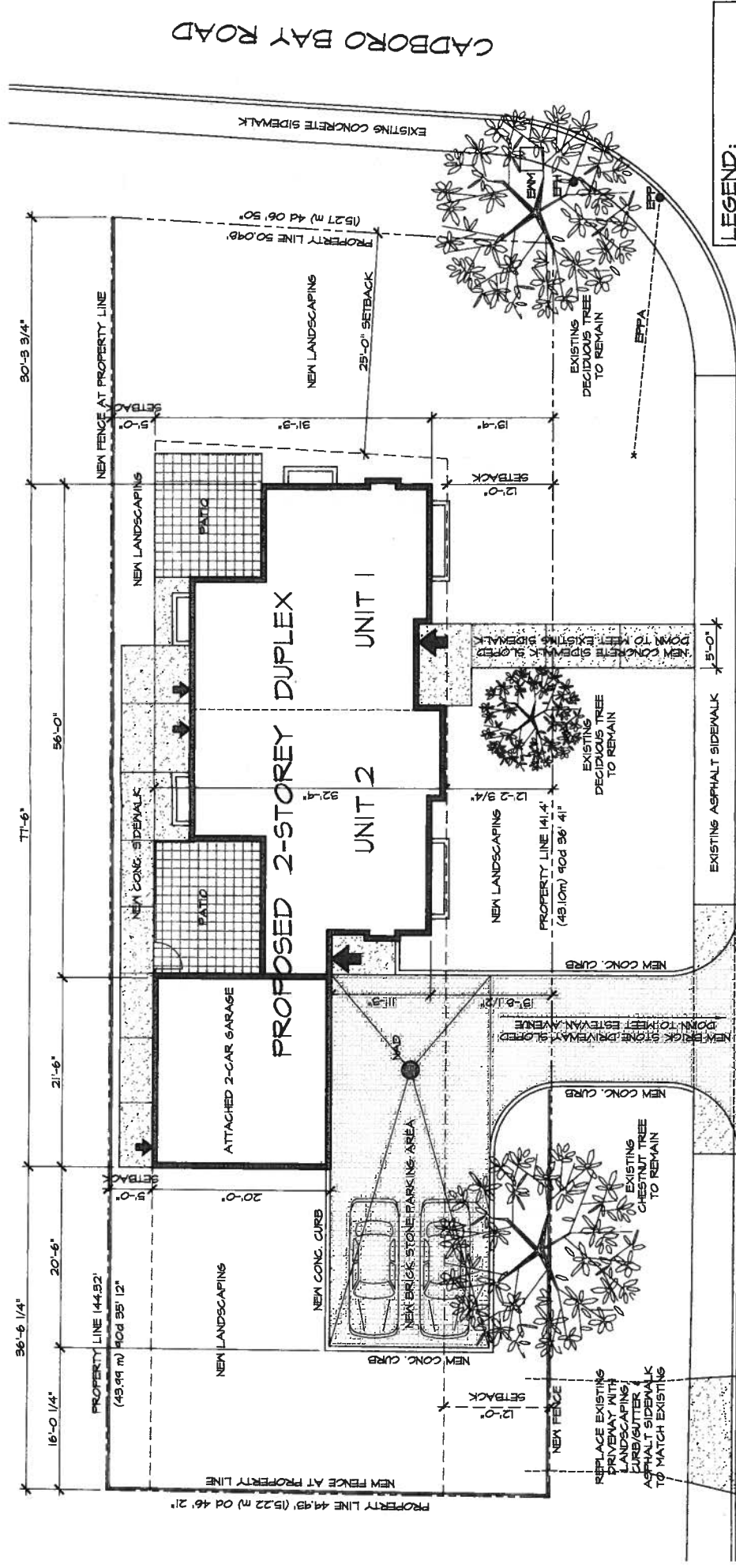
2280 Estevan Avenue,  
 Oak Bay, BC

The CEP Studio  
 1967 Hampshire Road,  
 Victoria, BC, V8S-4T4  
 Tel: 250-542-1857  
 Email: car.petee@cep.ca



A-1  
 NORTH  
 10/24/18

CADBORO BAY ROAD



**LEGEND:**

- EMM EXISTING WATER METER
- EPP EXISTING POWER POLE
- EFH EXISTING FIRE HYDRANT
- EPPA EXISTING POWER POLE ANCHOR
- NAD NEW AREA DRAIN
- THE TO MATCH EXISTING
- PRIMARY ENTRANCE DOOR
- SECONDARY ENTRANCE DOOR
- INSULATED WALL
- NON-INSULATED WALL

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ESTEVAN AVENUE

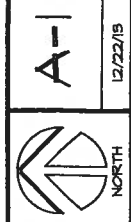
CADBORO BAY ROAD

**SITE & BLDG. DATA:**

- SITE AREA: 1,194.6 SQ.FT. (663.21 m<sup>2</sup>)
- BLDG. FOOTPRINT: 1,108 SQ.FT. (102.4 m<sup>2</sup>)
- SITE COVERAGE (1): 19.9%
- GROSS FLOOR AREA (2): 2,571 SQ.FT. (239.4m<sup>2</sup>) MAINFLOOR FLOORS (117.7m<sup>2</sup>) BASEMENT (1,404 SQ.FT. (129.7m<sup>2</sup>)) TOTAL (2) 594.4 SQ.FT. (55.1m<sup>2</sup>)
- UNIT 1 AREA: 1,145 SQ.FT. (106.57 m<sup>2</sup>) \* 549 SQ.FT. (50.86 m<sup>2</sup>) BASEMENT
- UNIT 2 AREA: 1,201 SQ.FT. (111.6 m<sup>2</sup>) \* 664 SQ.FT. (62.15 m<sup>2</sup>) BASEMENT

(1) 1,108 SQ.FT. (102.4 m<sup>2</sup>) TOTAL SITE COVERAGE MINUS 400 SQ.FT. (37.2m<sup>2</sup>) ALLOWANCE (PER 4.2.1.2) = 1,908 SQ.FT. (176.0 m<sup>2</sup>)

(2) 2,182 SQ.FT. (202.45 m<sup>2</sup>) MINUS 205 SQ.FT. (19.0m<sup>2</sup>) GARAGE ALLOWANCE (PER 4.6.1(1)) = 2,571 SQ.FT. (239.4 m<sup>2</sup>)



**The CEP Studio**  
 1947 Hornshoie Road  
 Victoria, BC V8E-4T4  
 Tel: 250-542-1851  
 Email: cep@cepstudio.ca

**Proposed Duplex: Preliminary Design**  
 2280 Estevan Avenue,  
 Oak Bay, BC

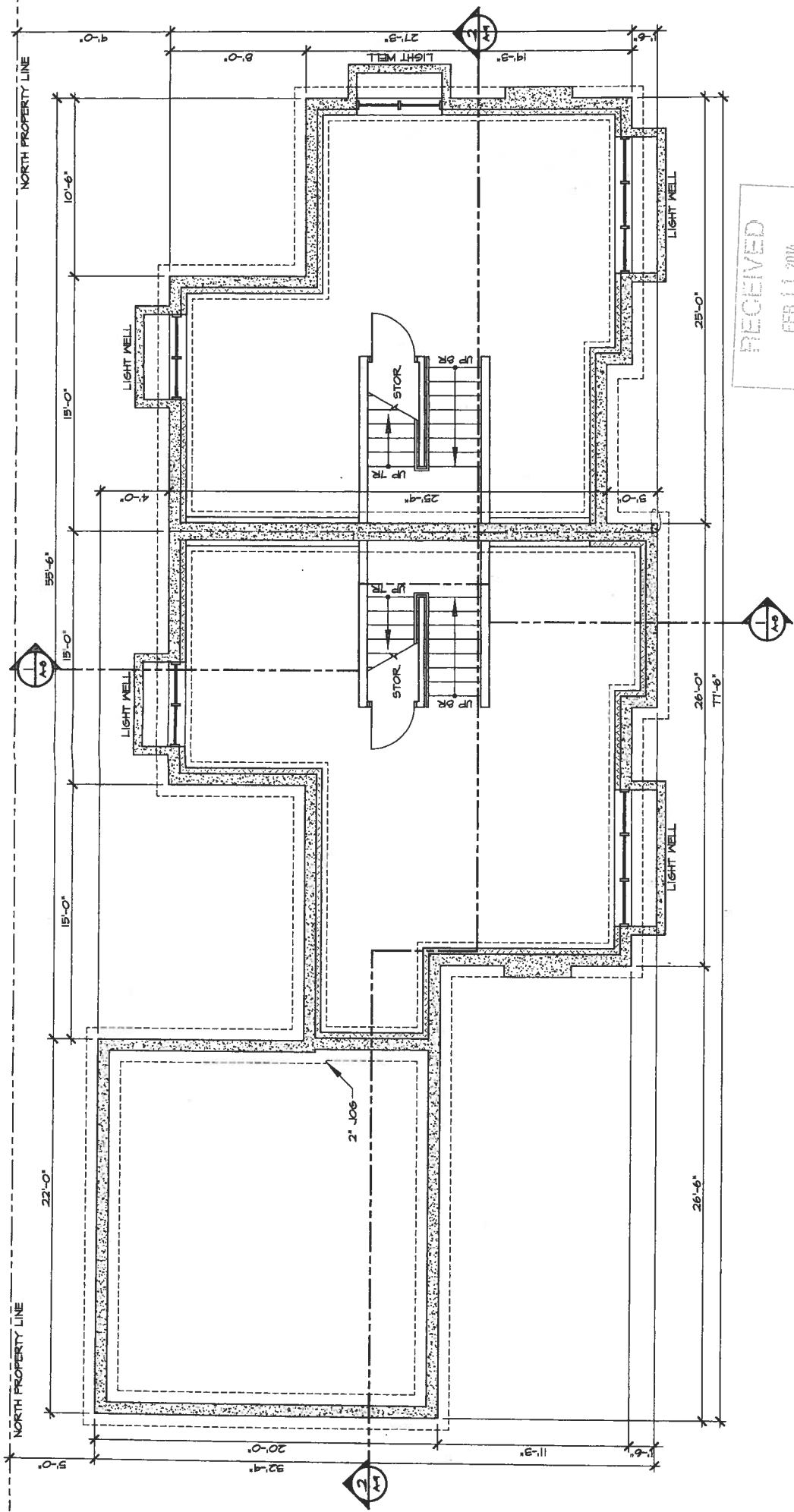
**Site Plan**

DESIGNED:	CEP
DRAWN:	DBP
CHECKED:	TRBD
SCALE:	3/32" = 1'-0"

0 4 8 12 16 20 FT.

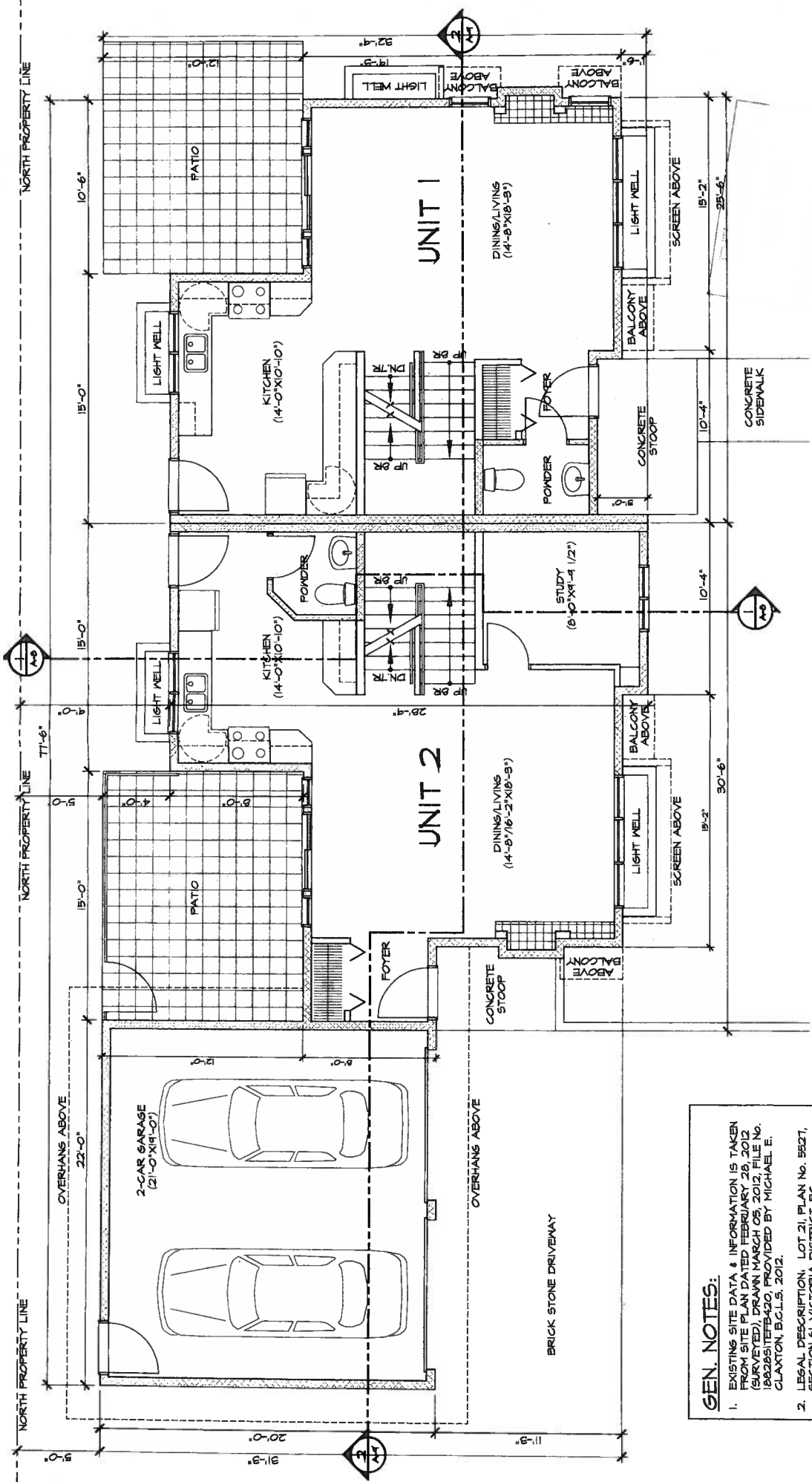
**DESIGNED:** CEP  
**DRAWN:** DBP  
**CHECKED:** TRBD  
**SCALE:** 3/32" = 1'-0"

A-1 12/22/15



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DESIGNED: CEP	CEP	<b>Basement Plan</b>  0 2 4 6 8 10 FT.
DRAWN: DBP	DBP	
CHECKED: TRBD	TRBD	
SCALE: 5/16" = 1'-0"	5/16" = 1'-0"	
<b>Proposed Duplex: The CEP Studio</b> <b>Preliminary Design</b>		2280 Esplanade Avenue, Oak Bay, BC
1967 Hampshire Road, Victoria, BC, V8S-4T4 Tel: 250-542-1957 Email: carl.pete@cep.ca		<b>A-2</b> 12/22/13



- GEN. NOTES:**
- EXISTING SITE DATA & INFORMATION IS TAKEN FROM SITE PLAN DATED FEBRUARY 2012 (SURVEYED) DRAWN MARCH 05, 2012, FILE NO. 1802451/1802450 PROVIDED BY MICHAEL E. CLAXTON B.C.L.S. 2012.
  - LEGAL DESCRIPTION: LOT 21, PLAN NO. 5527, SECTION 61, VICTORIA DISTRICT, B.C.
  - CIVIC ADDRESS: 2280 ESTEVAN AVENUE, VICTORIA, B.C.
  - MAIN FLOOR ELEVATION 100'-0" EQUALS GEODETIC DATUM 20.95 m
  - NORTH WALL OF PROPOSED BUILDING IS PARALLEL WITH NORTH PROPERTY LINE (NOT SOUTH PROPERTY LINE).

DESIGNED: CEP	CEP Studio
DRAWN: DEP	1567 Hampshire Road, Victoria, BC, V8S-4T4
CHECKED: TRBD	Tel: 250-542-1857 Email: <a href="mailto:con.peteshan.ca">con.peteshan.ca</a>
SCALE: 3/16" = 1'-0"	2280 Estevan Avenue, Oak Bay, BC

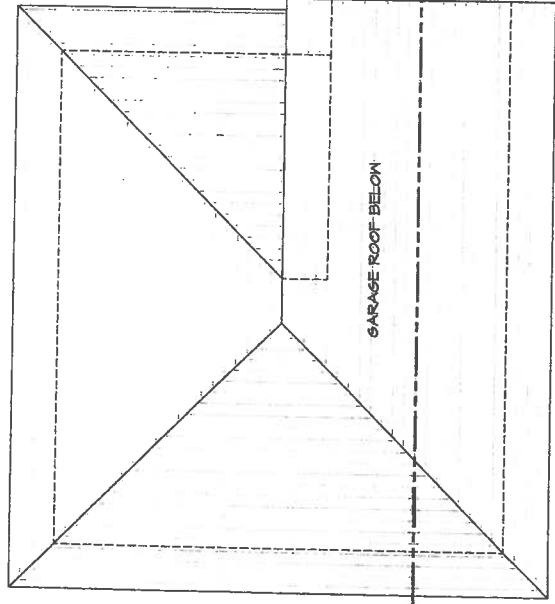
**Main Floor Plan**

**Proposed Duplex: The CEP Studio**  
**Preliminary Design**

**A-3** NORTH 12/22/15



NORTH PROPERTY LINE

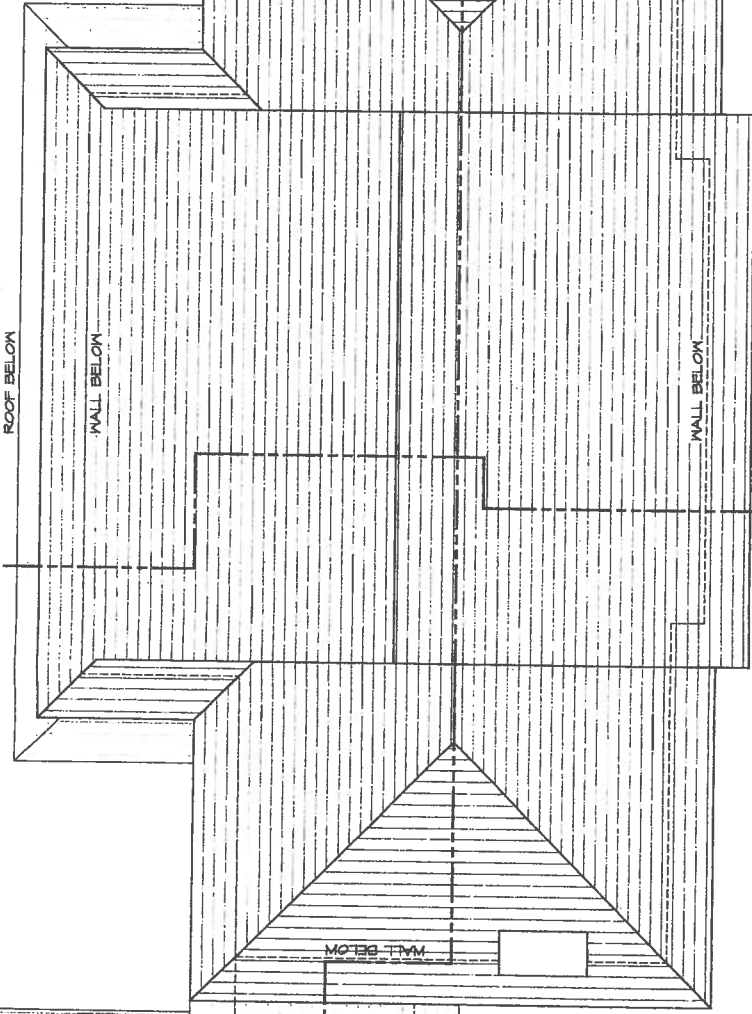


GARAGE ROOF BELOW



ROOF BELOW

WALL BELOW



WALL BELOW

WALL BELOW

WALL BELOW



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DESIGNED:	CEP
DRAWN:	DBF
CHECKED:	TREB
SCALE:	3/16" = 1'-0"

Composite Roof Plan



Proposed Duplex:  
Preliminary Design

2280 Estevan Avenue,

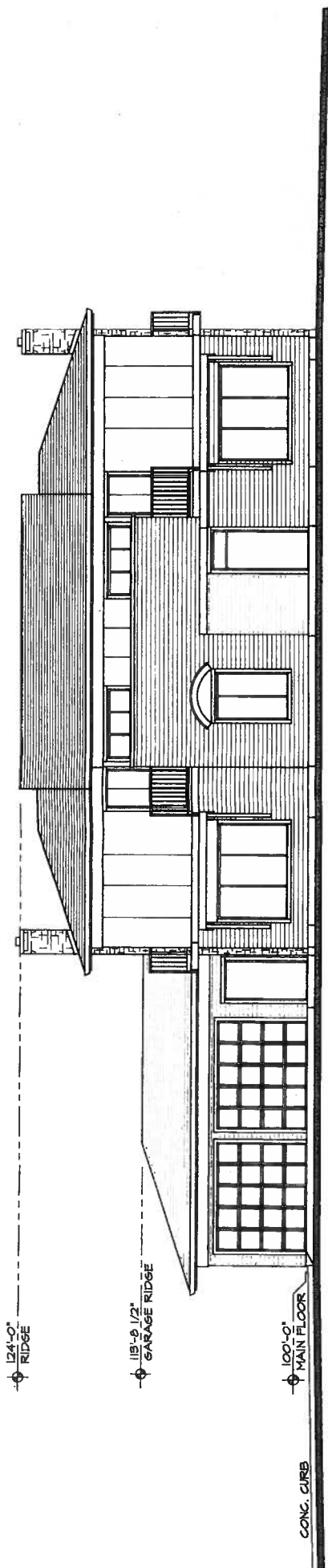
The CEP Studio

1967 Horseshoe Road  
Victoria, BC V8S-4T4  
Tel: 250-592-1981

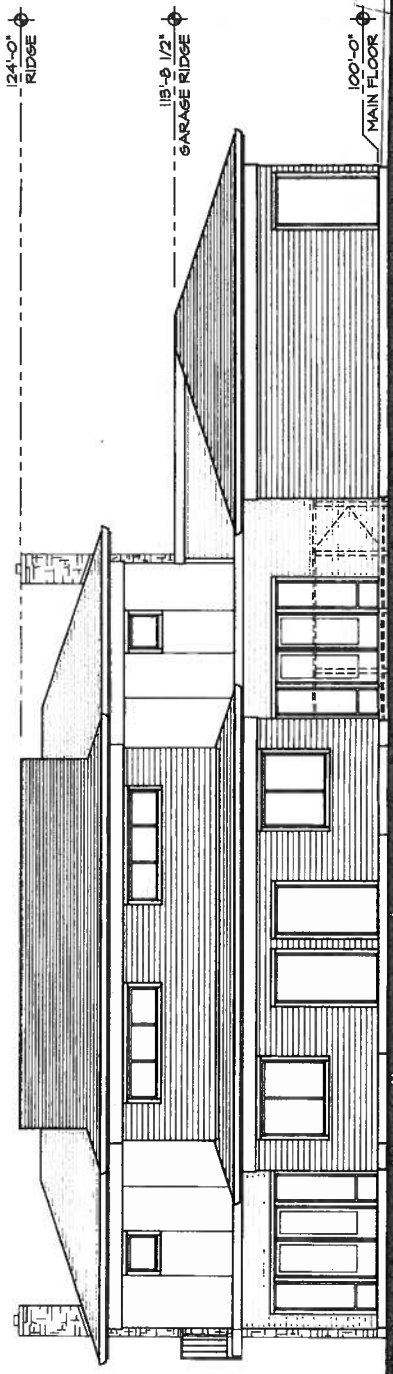


A-5





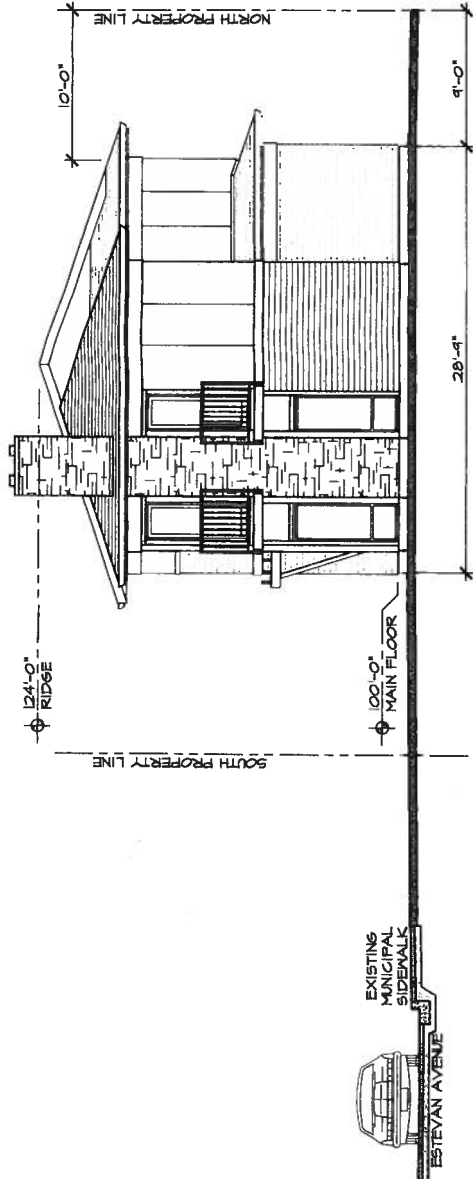
SOUTH ELEVATION



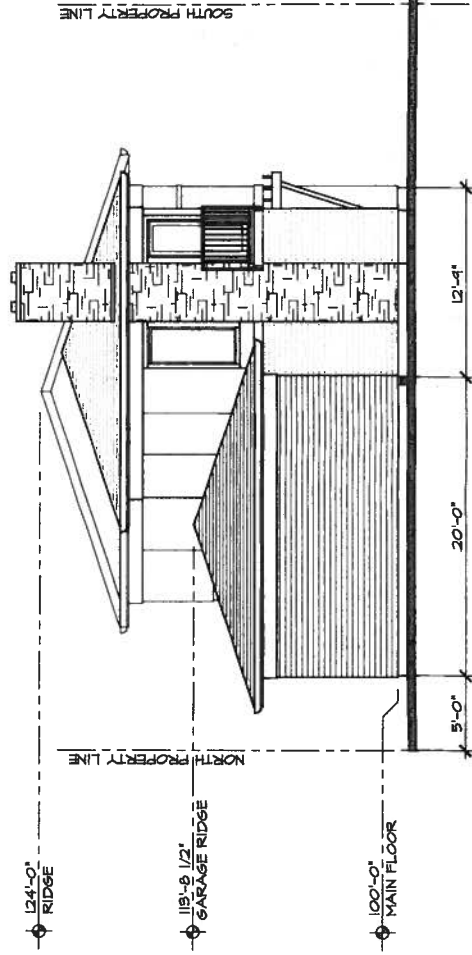
NORTH ELEVATION

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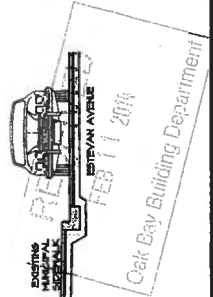
DESIGNED: CEP	CEP	Proposed Duplex: The CEP Studio Preliminary Design 2280 Estevan Avenue, Oak Bay, BC	A-6 12/22/13
DRAWN: DEP	DEP		
CHECKED: TRBD	TRBD		
SCALE: 1/8" = 1'-0"	South, North Elevations 		1967 Hampshire Road, Victoria, BC, V8S-4T4 Tel: 250-543-1487 Email: car.peteshan.ca



EAST ELEVATION



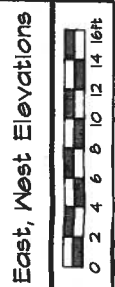
WEST ELEVATION



A-7

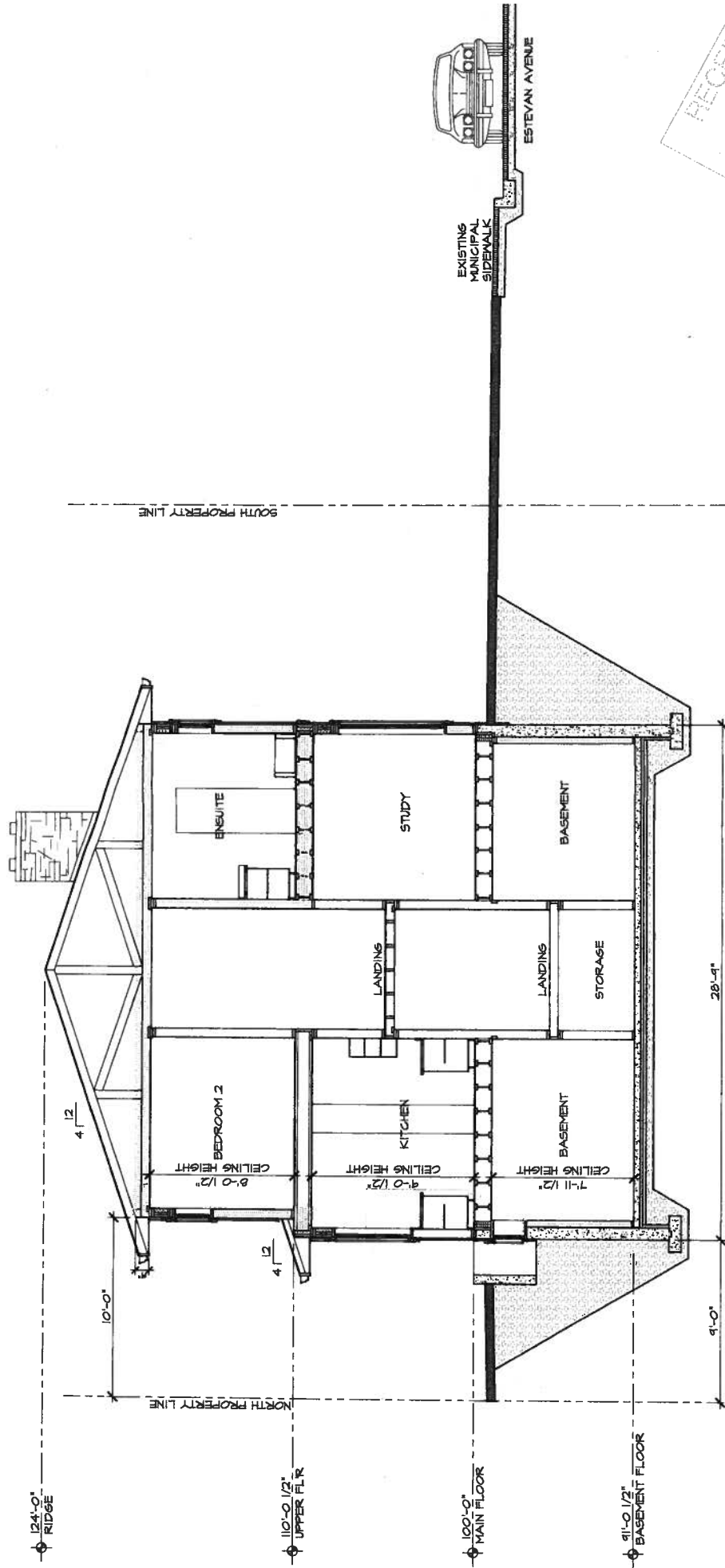
The CEP Studio  
 1967 Hampshire Road,  
 Victoria, BC, V8S-4T4  
 Tel: 250-542-1487  
 Email: carl.peteshaw.ca

Proposed Duplex:  
 Preliminary Design  
 2280 Estevan Avenue,  
 Oak Bay, BC



DESIGNED:	CEP
DRAWN:	DBP
CHECKED:	TRED
SCALE:	1/8" = 1'-0"

12/22/19



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 Oak Bay Building Department

A-8  
 12/22/19

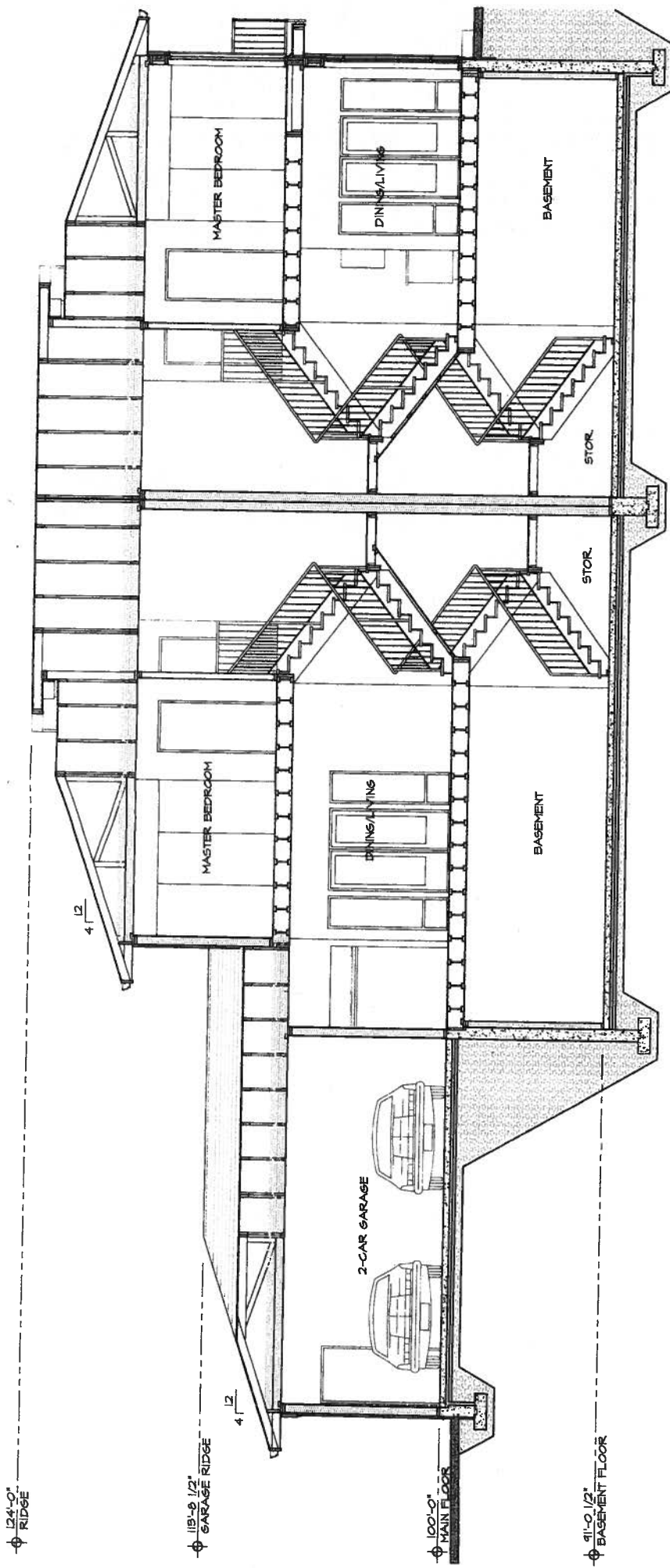
The CEP Studio  
 1967 Hampshire Road,  
 Victoria, BC, V8S-4T4  
 Tel: 250-592-1987  
 Email: carl.pete@shaw.ca

Proposed Duplex:  
 Preliminary Design  
 2280 Estevan Avenue,  
 Oak Bay, BC

Section 1

SCALE: 3/16" = 1'-0"

DESIGNED:	CEP
DRAWN:	DBF
CHECKED:	TRBD



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12/22/10  
 A-9

Proposed Duplex: The CEP Studio  
 Preliminary Design  
 1367 Hampshire Road,  
 Victoria, BC, V8S-4T4  
 Tel: 250-542-1457  
 Email: carl.peta@shar.ca

2280 Estevan Avenue,  
 Oak Bay, BC

DESIGNED:	CEP
DRAWN:	DEP
CHECKED:	TREB
SCALE:	9/16" = 1'-0"

Section 2