

**University Endowment Lands
Minutes from the
ADVISORY DESIGN PANEL MEETING
Tuesday, July 6, 2010**

Minutes from the UEL Advisory Design Panel meeting held **Tuesday, July 6, 2010 at 4:00 p.m.** in the UEL Public Works meeting room, located in the UEL Public Works Yard at 5495 Chancellor Boulevard, Vancouver, BC.

Professional Members Present:

Randall Kovacs, Engineer (Chair)
Bruce Carscadden, Architect
Jonathan Losee, Landscape Architect
Nancy Stern, Architect

Neighbourhood Panellists Present:

Ben Seghers, Area D (As an Observer)
Dave Forsyth, Area A
Pauline Nocente, Area B
Stuart Smith, Area A
Margaret Stuart, Area B

ADP Panellists Absent:

Doug Carnahan, Area C
Shelley Craig, Architect
Luca Filipozzi, Area D
David Grigg, Engineer
Damon Oriente, Landscape Architect
Rhodri Windsor-Liscombe, F.S.A; B.A. Hons, PhD., Area C

UEL Staff Present:

Margaret Eckenfelder, Manager
Dallas Arcangel, Planning Technician
Pat Kereiff, Office Administrator

1.0 Call to Order

Randall Kovacs, Chair, called the meeting to order at 4:15 pm.

2.0 Introduction

ADP panel members and UEL staff were introduced. Randall Kovacs welcomed those present to the meeting.

3.0 Development Permit Amendment / Variance Application # 11/08

5612 Chancellor Boulevard (Increase in Gate & Fence Height)

3.1 Overview by Planning Technician

Dallas Arcangel, Planning Technician, briefly reviewed the application for the benefit of ADP members who were not at the June 1st meeting. Dallas presented drawings outlining the gates and posts and fence.

The application proposes an amendment for 2 variances to the development permit to construct a new driveway gate and fence in the front yard that exceeds the allowable height as follows:

- to permit the height of the front driveway gates and posts to be increased from 4'-0" to 5'-9" and,
- to permit the height of a portion of the fence in the required front yard along the west side property line to be increased from 4'-0' to 6'-0".

No letters of objection or support were received during the public review period. Pursuant to Section 10(12)(b) of the Land Use, Building and Community Administration Bylaw, the variance request must now be reviewed by the Advisory Design Panel.

3.2 Presentation by Applicant (10 minutes)

Maria Heras, property owner, Ron Rule, Landscape Architect, Peter Rose, Architect were in attendance.

Maria Heras explained that the contractor had recommended, for structure and safety reasons, that the gates be higher. The contractor suggested 5' posts.

Ms. Heras stated that she misunderstood the process and, as no objections were received during the 30 day neighbourhood notification period, she assumed it was okay to proceed with the project. Margaret Eckenfelder reminded those present that, if there is a variance, a development permit application must go to the Advisory Design Panel, regardless of the outcome of the 30 day notification period.

Ms. Heras stated that the gate is her safety and meant to deter people from entering her property. The gates are aesthetically pleasing and lower than some of the existing gates in the neighbourhood. From a design perspective, the 5' posts are an improvement over 4' posts. Her neighbours have commented that they like the gates and that her house is an improvement to the neighbourhood.

3.3 Questions from Panel to Applicant (10 minutes)

Q. Clarification of actual heights on drawing was requested.

A. One side is 5'5" and other side is 5'2". It is a sloping site.

Q. The original plan depicted a 14' wide gate, hinged on one side. In actuality, the gate is in two sections, split in the middle. The drawing doesn't reflect what has been built.

A. A 14' gate would not open properly. The contractor recommended 5' high gates, even for the double gates.

Q. Are the gate posts now 5'5" and 5'2"?

A. There are two variances, one for the gate posts and one for the fence.

Q. Clarification of fence heights was requested.

A. There is a 2' fence on top of a 4' rock/concrete wall which is shielded by a hedge. The neighbour has two dogs that must be contained and he will have to build a 4' fence if I take the retaining wall down. The property is sloping, so fence height varies.

Q. How are grades calculated?

A. There are elevation y points along the property line.

Q. Is the applicant being penalized, if their property is lower than the neighbour's?

A. The height is calculated on finished grade of the fence which, in the applicant's case, is the lower side.

Q. What is the difference in grade across the front of the property?

A. Almost 4' at the front of the property.

Q. At the front façade of the house what is the difference in grades between neighbours?

A. At least 3 feet.

Q. The neighbour could put a 4' high fence on his side and it would look like a 7' fence to applicant.

A. Correct.

**4.0 Meeting Closed to the Public
(Except for Applicant and/or Applicant's Representatives)**

**5.0 Panel Deliberations and Resolutions
Development Permit Amendment / Variance Application # 11/08
5612 Chancellor Boulevard (Increase in Gate & Fence Heights)**

The Panel reviewed and discussed information provided by the applicant and UEL staff. Discussion included: review of discussion from the June 1, 2010 meeting, particularly pertaining to hardship; grade differential; height of fencing; view of fences from the applicant's and the neighbour's perspective; effect the grade differential has on the variance; and, the UEL Land Use, Zoning and Community Administration Bylaw with respect to permitted height of fencing / gates.

Recommendation:

The Advisory Design Panel recommends that the Manager of the University Endowment Lands:

- a) accept the variance request to increase the height of a portion of the fence in the required front yard along the west side property line to be from 4'-0' to 6'-0", and
- b) deny the variance request to increase the height of the front driveway gates and posts from 4'-0" to 5'-9"

for Development Permit Application #11/08, 5612 Chancellor Boulevard.

**6.0 Development Permit Amendment Application # 1/06
5616 Kingston Road (Gate and landscape amendments)**

6.1 Overview by Planning Technician

Dallas Arcangel, Planning Technician, advised that this application was received by the UEL on May 18, 2010. The application primarily proposes four landscape amendments to the development permit.

1. the wall and gate at the driveway entrance are constructed further away from the front sidewalk and the configuration is modified,
2. addition of a row of 16 cedar trees along the front of the property,
3. addition of a patio area and barbeque counter in the rear yard, and
4. variation of some of the planting material from the original plant list.

One letter of objection was received during the neighbourhood review period and this is pertaining to Amendment #2, the 16 cedars along the front of the property. The cedars have already been planted. Pursuant to Section 53(6) of the UEL Land Use, Building and Community Administration Bylaw, this application must now be referred to the Advisory Design Panel for consideration.

6.2 Presentation by Applicant (10 minutes)

John Henshaw, Architect, advised that the cedar hedges were a last minute request from owner and were intended to provide screening on the property.

Mr. Henshaw presented photos taken on the morning of July 6, 2010. These photos were taken from various locations on the subject property. Mr. Henshaw noted that the cedar trees have been trimmed and photos taken by the objector were taken before trees were trimmed.

Intent of the original development permit was to maintain as much of the view as possible. Adjustments had to be made due to the easements; hence, the proposed landscape amendments.

6.3 Questions from Panel to Applicant (20 minutes)

- Q. Were the two other trees planted in front of the house?
A. No.
- Q. Will the barbeque bother the neighbours?
Q. No.
- Q. What was intent of landscaping in 2006?
A. Intent was to maintain some of the existing landscaping.
- A. There is no maximum height in terms of landscaping in the UEL bylaw. The bylaw does refer to view.
- Q. Are other hedges on this street at the same height?
A. Some are.
- Q. Is this (height of hedges) being reviewed in the new bylaw?
A. This will not be changed in the new bylaw as it would be very difficult to police and enforce the height of hedges. Policing height of hedges would involve a lot of enforcement, even if the UEL responded only on a complaint basis. The process would involve court action to achieve enforcement.
- A. Neighbours do talk about these issues amongst themselves. Landscape maintenance will be done on a regular basis.
- Q. Red cedars get quite tall and another choice of cedar may have been better.
- Q. What are bylaw issues pertaining to these variance requests?
A. There are no variances. These are amendments to an existing development permit. This development permit is before the ADP only because of the letter of objection pertaining to the cedars.

7.0 Meeting Closed to the Public (Except for Applicant and/or Applicant's Representatives)

8.0 Panel Deliberations and Resolutions Development Permit Amendment Application # 1/06 5616 Kingston Road (Gate and landscape amendments)

The Panel reviewed and discussed information provided by the applicant and UEL staff. Discussion included: maintenance required for cedar trees selected; potential for the trees to become quite substantial in height and width; inconsistency with other landscaping on the street; and that selection of these cedar trees was an unapproved change from the original development permit.

Recommendation:

The Advisory Design Panel recommends that the Manager of the University Endowment Lands:

- a) *Accept the following three (3) proposed amendments to:*
1. *Construct the wall and gate at the driveway entrance further away from the front property line by 12'-3" and modify the configuration as presented,*
 2. *Add a patio and barbeque counter in the rear yard, and*
 3. *Vary some of the planting material from the original plant list as presented.*
- b) *Deny the proposed amendment to:*
4. *Plant a row of 16 Western Red Cedar trees (Thuja plicata) along the front of the property for visual separation and privacy from the street.*

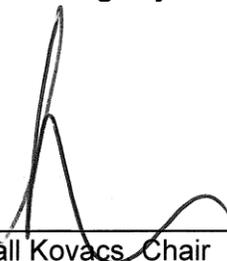
The panel noted that the hedge had already been planted without review or approval of an amendment to the DP, as required, and recommended that the hedge be removed and replaced with a hedging material that is compact, neatly managed and maintained and in keeping with the design of the house and the rest of the landscape plan.

9.0 Adoption of the Minutes of the Advisory Design Panel Meeting of June 1, 2010

Moved, seconded and Carried.

That the minutes of the Advisory Design Panel meeting held June 1, 2010 be approved as presented.

10.0 The meeting adjourned at 5:35 pm.



Randall Kovacs, Chair
Advisory Design Panel

(Not Present at the Meeting)

Damon Oriente, Recording Secretary
Advisory Design Panel