

**University Endowment Lands
Minutes from the
ADVISORY DESIGN PANEL MEETING
Tuesday, May 5, 2009**

Minutes from the Regular Meeting of the UEL Advisory Design Panel (ADP) held at **4:00pm, Tuesday, May 5, 2009** in the UEL meeting room, located in the UEL Works Yard at 5495 Chancellor Boulevard, Vancouver, BC

Professional Members Present:

Nancy Stern, Architect (Chair)
Bruce Carscadden, Architect
Shelley Craig, Architect
David Grigg, Engineer
Randall Kovacs, Engineer
Jonathan Losee, Landscape Architect
Ronald Myers, Landscape Architect

Neighbourhood Panellists Present:

Doug Carnahan, Area C
Luca Filipozzi, Area D
Dave Forsyth, Area A
Pauline Nocente, Area B
Stuart Smith, Area A
Margaret Stuart, Area B
Rhodri Windsor-Liscombe, Area C
Benoni Seghers, Area D

Guest:

Michael Rosen, Michael Rosen & Associates

UEL Staff Present:

Margaret Eckenfelder, Manager, University Endowment Lands
John Dobbs, Plan Checker
Pat Kereiff, Office Administrator

1.0 Introduction of ADP Members and UEL Staff

2.0 Michael Rosen, Michael Rosen & Associates

Introduction of Michael Rosen of Michael Rosen & Associates, planning consultant hired by the UEL to conduct a review of UEL Land Use, Building and Community Administration Bylaw ("the Bylaw"). Michael provided an outline of his background and past experience including projects with Anmore, Belcarra, Lions Bay and Bowen Island.

Michael provided an overview of the UEL bylaw review process and stated that, at this time, he believed this would include the entire bylaw.

Pauline Nocente arrived at 4:10 pm

Michael is meeting with the Advisory Design Panel tonight and with the Community Advisory Panel tomorrow. A first draft of the bylaw will likely be completed in June and this will be reviewed with UEL staff. A second draft will then be reviewed with the ADP and, it is anticipated that, a third draft will be ready for presentation to the public in the fall. The timeline may be adjusted during the review process.

Nancy Stern arrived at 4:14 pm

Michael requested feedback from ADP members with respect to the bylaw review and the following questions were raised:

- Q Will the bylaw review process be lengthy? Development of the Official Community Plan (OCP) took about 5 years. Section 46, Intent, of the UEL Land Use, Building and Community Administration Bylaw should apply on a street by street basis. Further, the second storey of each home under construction should be lesser than the lower floor.
- A My mandate is to produce a draft bylaw, or a number thereof, and to have something on the table to begin discussions.
- Q How do you resolve conflict between working on a community plan and developers coming into the community?
- A I do not work with a developer in the subject municipality while working on revisions to that municipality's bylaw.
- Q The bylaw needs more clarification and, currently, the bylaw is not clear to me. As an outsider, will you know what needs to be defended? One core issue is that the OCP give a clear vision of how the area wishes to present itself.
- A I am not planning to establish vision or policy and my mandate is to deal with implementation bylaws coming out of the OCP. Refining vision is another issue and, at this time, my focus will be content of the regulatory bylaws. I won't be revisiting the OCP.
- Q With respect to trees, at the UEL we have experienced a lack of clarity between the OCP and the management process.
- A It should be clear whether or not something meets the bylaw and there should be no need to exercise discretion. The intent of the bylaw should be clear to everyone. If Section 46 of the bylaw is causing conflict and problems, it should be addressed while we are refining the bylaw. It has been pointed out that there is confusion over setbacks. Setbacks could be defined, lot by lot, on a map.

Q Section 46 of the bylaw is used to fight both sides of the argument – for and against new design and for and against the status quo. Discussions usually are about trees, size of homes and views.

A A statement of vision should be in OCP. Size of homes (height, setbacks, building envelope) is in the bylaw now.

Q Will you be addressing the character of the neighbourhood?

A Clauses such as “no two storey homes in Area C” could be included. It is my sense that separate zones for each area (A, B, C), and sub-zones within, may be a possibility.

Q Section 46, Intent, of the Bylaw can mean different things to different people and, as members of the ADP, we are faced with the dilemma of interpreting that section.

A It is likely that members of the ADP will still have discussion after the guidelines have been better framed.

Q Allowing two storey buildings may change the character of the community.

A Options for consideration in the bylaw review are:

- a) keep two storeys in the bylaw,
- b) change from two storeys to one storey, or
- c) provide the ability to go from one to two storeys within certain guidelines.

It all depends to what extent you want to have control. If control is tightened too much, it may cause friction in the neighbourhood. Wording should be definitive. Words, such as “character”, are too loose.

Q We welcome what you are saying in terms of clarity. It is difficult to force good design while leaving inherent flexibility. We need a clear set of design guidelines that the different neighbourhoods can buy into. Perhaps, bylaw revision could include different guidelines for each area on a generic basis, then lot by lot. I don't think we can backtrack and say you cannot build two storey houses. The bylaw should say how to design a two storey home well.

A The community should embrace the design guidelines; however, it is not likely that agreement will be unanimous. Local governments do not regulate design of single family dwellings. In some cases, a developer may put design guidelines on title. People can design their own home according to their own taste. It is important to come up with a set of guidelines for the neighbourhood which can be used by staff and developers and doesn't lead to ill will in the neighbourhood.

Q Do you know of a sustainability clause guidelines currently in use?

A Clauses that appear refer to matters such as lot coverage, permeability and green buildings. I understand there are code changes coming soon which will ramp up the regulations to make buildings greener.

Q I am interested in the social, economic and environmental side of creating communities. Can we use the zoning bylaw to create a truly sustainable community?

- A This would be at the OCP level. The zoning bylaw should be black and white.
- Q Can one control unsustainable basement developments?
- A A possibility would be not to exempt basements from the calculation of the FSR.
- Q How do you balance what is already existing? Or, those who bought anticipating a reno? There appears to be a problem with what people are trying to put on their property - accessory buildings – workshop – three car garage.
- A In the past (at the UEL), additions to principal buildings have been called “accessory buildings” – these are not actually accessory buildings.
- Q Do you have an example of a better solution?
- A Be certain there is clarity. Does the UEL wish to eliminate the ability to have a second storey or, does the UEL wish to deal with second storeys in a controlled manner, e.g. recess the second storey to minimize the impact?

Michael Rosen offered to attend the next ADP meeting if the Panel so wished.

It was decided that all Advisory Design Panel members forward further comments regarding the bylaw review to UEL staff prior to May 19, 2009. These comments would then be forwarded to Michael Rosen.

Michael Rosen left the meeting at 5:10 pm.

3.0 Advisory Design Panel Review

3.1 Review and clarify the Role of the ADP

Discussion was held regarding the roles of both the professional and elected neighbourhood members of the Advisor Design Panel and Section 58(4) of the Constitution of the University Endowment Lands, Community Advisory Council, which states:

“(4) Each Neighbourhood ADP Panellist shall only participate in the ADP review process for matters that occur within the Neighbourhood that such Neighbourhood ADP panellist represents.”

It was decided that:

- a) All members of the Advisory Design Panel will receive the agenda cover sheet.
- b) Professional Panellists and Neighbourhood Panellists of the subject area will receive the complete agenda package, including attachments.
- c) All members of the Advisory Design Panel shall attend the public and In Camera portions of ADP meetings; however, voting and discussion shall be as stated in (d) and (e) below.
- d) Voting on the matter shall be limited to Professional Panellists and Neighbourhood Panellists of the subject area only and votes will be recorded.

- e) A panel member, who is an objector to the proposed development, shall not participate in discussion regarding the development or in voting on the matter to which he/she is objecting.

3.2 Review of Development Permit and Variance Applications

The UEL Land Use Bylaw states that a development permit is required to obtain a variance.

A development permit, without objections, can be approved without review by the Advisory Design Panel. A variance application must go to the Advisory Design Panel. Professional input is important to determine the impact, from a technical perspective, of granting a variance. Statements should be contextual not subjective and input from Professional and Neighbourhood panellists should be clearly stated.

Guidelines for Advisory Design Panel Members shall be prepared for review by the Chair and staff prior to circulation to the rest of the ADP.

Rhodri Windsor-Liscombe left the meeting at 5:44 pm

3.3 Rules and Procedures for Public Participation

In order to ensure structure for public meetings, guidelines for public participation and procedures for Panellists will be prepared for review by the Chair and staff prior to circulation to the rest of the ADP.

Nameplates should be in place for all Panellists during ADP meetings.

The Meeting adjourned at 6:01 pm.

Nancy Stern, Chair
Advisory Design Panel