



**University Endowment Lands  
Minutes of the  
ADVISORY DESIGN PANEL MEETING  
Tuesday, August 12, 2014**

A meeting of the University Endowment Lands (UEL) Advisory Design Panel (ADP) was held on **Tuesday, August 12, 2014 at 5:00 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:**

Allan Diamond, Architect, *Chair*  
John Keen, Architect, *Secretary*  
Donna Rodman, Landscape Architect, *Vice-Chair*

**Area Neighbourhood Panellists Present:**

Jaymie Glasmann Ho, Area B  
Michael Karton, Area B

**UEL Staff Present:**

Jonn Braman, Manager  
Natalie Coburn, Planning Technician  
Pat Kereiff, Office Administrator

**1.0 Call to Order**

Al Diamond, Chair, called the meeting to order at 5:05 pm.

**2.0 Introduction of ADP Members and UEL Staff**

ADP panel members and UEL staff were introduced.

**3.0 Adoption of the Agenda**

Moved, Seconded and Carried  
That the agenda for the Advisory Design Panel meeting of August 12, 2014 be adopted as presented.

**4.0 Adoption of the Minutes of the Advisory Design Panel Meeting of July 8, 2014**

Moved, Seconded and Carried  
That minutes of the Advisory Design Panel meeting held July 8, 2014 be approved as presented.

**5.0 Development Permit Application #4/13  
5915 Newton Wynd – Area B**

**5.1 Overview by Planning Technician**

Natalie Coburn, Planning Technician, advised that Application #4/13 was for a development permit to construct a two storey single family dwelling with an attached garage at 5915 Newton Wynd. The dwelling will have a total floor area of 6,897 square feet above grade.

This application was presented to the ADP for review at the June 10, 2014 and, is now resubmitted by the applicant in response to recommendations from the June meeting. The application is hereby presented for review and recommendation to the University Endowment Lands Manager.

Natalie noted that the applicant had made revisions in accordance with the ADP recommendation of June 10, 2014. This included: reduction to the overall building height, reduction of massing of 2<sup>nd</sup> floor bedroom on east side, reduction to the impermeable surface area and revisions to the proposed landscaping. In addition, the applicant has produced a privacy impact study and revised the building site mock-up. The model was not changed.

Details of the application are as outlined on the project data sheet, which is attached to these minutes as Appendix A. This application complies with technical requirements of the *Land Use, Building and Community Administration Bylaw* ("the Bylaw"), with the exception of requested variances to:

- relax the front setback from a minimum of 80 feet to 60.02 feet,
- relax the exterior side setback from a minimum of 60 feet to 40.96 feet, and
- relax the building depth requirement from 75 feet to 105 feet.

Natalie noted that the previously requested variance pertaining to the garage height is no longer required.

## 5.2 Presentation by Applicant

Jim Bussey, Yi-Ting Hui and Claudia Koerner, of Formwerks Architectural, were in attendance at the meeting.

Jim stated that, from the outset, they had attempted to mitigate impacts of exceeding setbacks as stated in the bylaw. This is a difficult site and the input from all was appreciated. UEL staff have clearly stated what the issues are and how best to address them. Formwerks Architectural has strove to design a house that would be welcomed into the neighbourhood.

Although the height complied with the bylaw, Formwerks found ways to lower house by 1' 10". In addition, a portion on the east side was reduced by 7'. In response to feedback from the ADP meeting of June 10th, other modifications were:

- proposed impermeable landscape reduced by 25%,
- the building site mock-up has been modified to reflect proposed building heights, and
- landscaping has been modified to include more indigenous species.

## 5.3 Questions from Panel to Applicant

Q. Has an effort been made to speak with neighbouring properties to view possible privacy impacts, shading or elimination of views?

A. We went to the site and complied with recommendations as discussed at the ADP meeting of June 10th. We did not view the site from surrounding neighbouring properties.

Q. Does existing home block views from any neighbouring properties?

A. Yes.

Q. If a house blocks a view, is the house in violation of the bylaw?

A. The bylaw states the maximum height is 25' and the proposed building height is 24.55'.

Q. Which has priority – guidelines or the bylaw?

A. As UEL Manager, I need to consider recommendations by the ADP, what the applicant has submitted, bylaws and the guidelines.

Q. The applicant should present a case of hardship. If we approve this application, how do we deny other applications with variances?

Q. Pushing the proposed house closer to Newton Wynd blocks some of the views for the properties across the street. This is not consistent with the existing street scape on Newton Wynd. The current view of a bucolic hedge and apple tree will be replaced with a wall. I don't believe that the variances are supportable and in the best interest of the neighbourhood causing loss of views and property values.

- Q. The applicant has done a good job on the plant palette selected. Will more ground cover be used?
- A. An overall percentage of planting beds on the lot will be covered with salal. Salal is an evergreen.
- Q. Along Wesbrook Crescent some landscaping will be replaced. Japanese pine, which is not a native species, will grow to about 10' in this climate.
- A. Japanese pine is very slow growing and will be planted on a bank. Intent was to plant an evergreen which would be solid on a bank but not a cedar tree. Intent wasn't to choose plants which grow only in Canada.
- Q. Black gum replaces the fruit tree?
- A. Yes, the fruit tree is older and will not do well if transplanted.
- Q. Black gum will take 10 to 15 years to grow a foot and it will take a while to hide that part of the façade.
- A. The apple tree is about 10' tall. If we bring in a sizable black gum, it should cover the area of existing apple tree. There is sufficient soil and we will bring in the black gum with a crane.
- Q. If the apple tree continued to grow and remain healthy, it would screen quite a bit during the summer months. What else are you doing to address privacy concern?
- A. The grade is much lower and there is already an existing hedge. A new pool will replace the existing pool in the same location. There isn't really any space to plant a larger tree.
- Q. Will extending the depth of the house make it impossible to plant for adequate screening of the 2<sup>nd</sup> storey of the house?
- A. A new tree will be planted further out than the existing apple tree.
- Q. A black gum will reach 30 to 50 feet in approximately 10 to 15 years. It is a long expectation of hiding that part of the façade.
- A. Time is required for plants to grow.
- Q. Impermeable surfacing still at 60%. What different materials do you propose using?
- A. Concrete pavers in the driveway at a 45% angle to the house. For all resting places, we propose stone slabs in a random pattern. The pathway alongside the house will be flagstone.
- Q. Will proposed stone be placed on top of the beds for percolation?
- A. There will be some gaps, filled with ground cover, in between.
- Q. Irrigation?
- A. Generally, we irrigate our plant landscape. Irrigation is required when we have summers like this year. A large plant will be arriving in June and will require watering.
- Q. Water conservation?
- A. Gutters around the roof to collect rainwater into a cistern for irrigations. Still in early stages design has not been completely approved.
- Q. A note on drawings regarding conformation to BCLSA and BC nursery society standards?
- A. We want to be on the safe side in terms of planting. Will review maximum permeability.
- Q. Why remove the existing front hedge and replace it with a lower one? Putting in a lower hedge exacerbates the problem of privacy for the neighbours across the street.
- A. To comply with the height restriction of the UEL bylaw.
- A. Bylaw states hedge can be maximum of 4' along the front and could be up to 6' along the Newton Wynd side.
- Q. Historically, effort has been made in Area B not to build two storey houses or, alternately, to push two storey houses deeper into the ground. The existing building is not relevant. This is a question about what the proposed house does to this neighbourhood.
- A. House footprint and setbacks vary. This property is double fronting which is the basis of the hardship.
- Q. It is difficult to build on this lot due to the setbacks. Is the existing building longer than 105'?
- A. Yes.
- Q. Why was the existing hedge removed?
- A. The existing hedge was getting old and scruffy. We felt that planting a large new hedge would block views.

- Q. Regulations say you can build, while guidelines say you shouldn't. I would say that regulations overrule guidelines.
- Q. Necessary to look at the intent of the bylaw and the history of the UEL. I disagree that regulations overrule guidelines. Neighbours have submitted their comments.
- Q. Regulation is that the house can be built to a height of 25'. Variances into the front and side yards complicate matters. I don't think the house can be turned for a better fit. The new house will be as tall as the existing house. The building envelope was created in 1950 when the house was built and was non-conforming at that time.
- Q. Shouldn't use the building envelope to apply for a variance.
- Q. What do you (applicant) feel is the right or appropriate scale for a home in this neighbourhood?
- A. This is a very large piece of property. We understand that there are sensitivities in the neighbourhood and we are attempting to stay as true as possible to design guidelines. Our job is to approach the design of buildings with care and attention to bring good results. In Shaughnessy, 80 people responded with a number of objections to a proposed development. Now that the building is finished, we receive compliments on the design. The ability to accept change has to be consistent with the regulations and guidelines. People buy properties with good intentions and beliefs that they can fulfill their wishes for a new home.
- Q. What is balance? What is an appropriate scale that the neighbours can accept for this property?
- A. This house, while working within the limitations of the building envelope, meets the overall intent of the neighbourhood.
- Q. Is the building envelope being used to build a house that is 105' long?
- Q. Should the basement be viewed as a basement when so little of it is underground?
- A. The basement, as designed, meets the bylaw requirements. This has been reviewed in detail by the Planning Technician.
- Q. Was consideration given to dropping the basement lower while still having the two upper stories?
- A. Lowering the house would simply put the main floor below grade. If you push the house down, the front door would be below grade.
- A. At the meeting of June 10, 2014, the panel asked that the applicant push the house down and they have done so.
- A. The building has a front and back. You don't want to step down into your home from the front level.
- A. Pushing the house down regrades the whole proposal. The topography is still going up to the street level and further up to the neighbours who are a fair bit higher than this house. Neighbours are at a higher starting point.
- Q. In 1990, it was generally accepted and interpreted that the bylaws were written in such a way that no impact could be provided on a neighbour's view. I have always struggled with this in that it may have been a misinterpretation.  
Does pushing house down not meet that obligation?
- A. If you want to build within the existing building envelope, the existing house didn't conform with the bylaw.
- Q. Please outline your hardships.
- A. Keeping the length of the house within the setbacks as outlined in the bylaw and separating the garage from the house would provide conformance; however, it would give the appearance of greater length to the building. The existing house almost captures the entire permissible length. Setbacks squeeze out the permitted building area.  
Compressing the building into a building envelope that is too small, forces the building outside in some locations. We chose length as having a lesser impact than width for variance.
- Q. What is the process from here?

- A. The Advisory Design Panel will provide a recommendation to the UEL Manager and the Manager will then make a decision. Once a decision is made, it will be provided to the applicant and objectors. If someone disagrees with the Manager's decision, they can make an appeal to the minister. An appeal must be made with 10 days of the decision. There is no limitation on how long the Manager takes to make his decision.

**6.0 Meeting Closed to the Public**

The meeting was closed to the Public, with the exception of the applicant's representatives, at 6:35 pm.

**6.1 Panel Deliberations and Resolution  
Development Permit Application #4/13  
5915 Newton Wynd - Area B**

The Panel reviewed and discussed information provided by the applicant's representative and UEL staff. Discussion included: character and design of the house; impervious surfaces; limitations of the site and variances requested; views and privacy of surrounding neighbours; revised landscape plan; topography of the property and neighbours' properties; and, compliance with the UEL *Land Use, Building and Community Administration Bylaw* and Design Guidelines.

**RECOMMENDATION:**

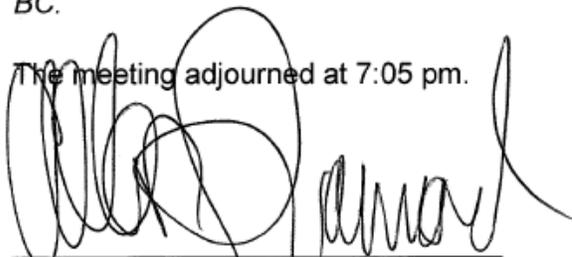
Votes in Favour of Recommendation as Worded – 3

Votes Opposed to Recommendation as Worded – 2

*Moved, Seconded and Carried.*

*The Advisory Design Panel recommends that the Manager of the University Endowment Lands **NOT** approve Development Permit Application #4/13, as proposed to construct a new two storey single family dwelling with an attached garage at 5915 Newton Wynd, Vancouver, BC.*

- 7.0 The meeting adjourned at 7:05 pm.



Al Diamond, Chair  
Advisory Design Panel



John Keen, Secretary  
Advisory Design Panel

**Appendix "A"**  
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University  
 Endowment  
 Lands

**REVISED SFD**  
**PROJECT DATA SHEET**

Address: 5915 Newton Wynd		DP# 4/13
Legal: Lot 7 Blk 87 DL 140 Plan 6034		BP#
Applicant: Formwerks	Site Area: 27,754 sq ft	Area: B
Project Description: new 2 storey SFD with attached 2 car garage		

HOUSE	Required	Proposed
Setbacks: Front	min 80 feet	60.02' <b>Vary</b>
Rear	min 20 feet	20.00'
Left Side	min 60 feet	40.96' <b>Vary</b>
Right Side	min 20 feet	20.06'
	Permitted	Proposed
Floor Space Ratio (FSR)	max 6,938.5 sq ft (25%)	6871.32 sq ft (24.75%)
Main Floor Area	-	3953.00 sq ft
Second Floor Area	-	2918.32 sq ft
Building Height	max 25'	24.55'
Elevations: Average Grade	-	223.20'
Ridge		249.50'
Mid-Point		247.75'
8' above 2 <sup>nd</sup> Fl		246.00'
Main Floor	-	226.50'
Site Coverage	max 25% (6,938.5 sq ft)	22% (6,110.87 sq ft)

ACCESSORY BUILDINGS	Building #1 (Garage)		Building #2	
	Permitted	Proposed	Permitted	Proposed
Setbacks: Side	min 5 feet	20'	min 5 feet	n/a
Rear	min 5 feet	9'	min feet	n/a
Building Height: Ridge	max 15 feet	14.33'	max 15 feet	n/a
Mid-Point	max 12 feet	12'	max 12 feet	n/a
Floor Area in Side Yard	max 300 sf	194 sf	max 300 sf	n/a
Total Floor Area: max 500 sf	Bldg #1: 488.3 sf + Bldg #2: 0 sf = Prop'd Total: 488.3 sf			

VARIANCES REQUESTED	
1. Front yard setback from 80' to 60'	3. Maximum building depth from 75' to 105'
2. Exterior side yard setback from 60' to 40'	

Completed by: NC Date: July 30, 2014