

First Shaughnessy Advisory Design Panel

Meeting Minutes: 2nd May 2013 4.00 pm Vancouver City Hall

Meeting Called by: Chair, Robert Miranda

Note Taker: Chair

Timekeeper: Chair

Attendees: Chair, Robert Miranda Resident Member-at-Large
Vice-chair, Linda Collins Resident Member-at-Large
Erika Gardner Shaughnessy Heights
Property Owners' Association
Dallas Brodie Shaughnessy Heights
Property Owners' Association
Frank Shorrock Shaughnessy Heights
Property Owners' Association
Clinton Cuddington Architectural Institute of British Columbia
Jennifer Stamp British Columbia Society of
Landscape Architects
Michael Kluckner Vancouver Heritage Commission
Lisa McIntosh Real Estate Board of Greater Vancouver

Liaison: Tim Potter Development Planner
Colin King Development Planner

Regrets / Absent: Kerri-Lee Watson Resident Member-at-Large
Michelle Cloghesy British Columbia Society of
Landscape Architects
Alistair (Ian) Munro Shaughnessy Heights'
Property Owners Association
Katherine Reichert Shaughnessy Heights'
Property Owners Association
Benjamin Ling Architectural Institute of British Columbia
Cllr. George Affleck Vancouver City Council

The Chair noted that there was a quorum for the meeting.

Discussion:

The Chair welcomed the new Panel member, Mr Frank Shorrock, representing SHPOA, who lives at the north-west corner of the King Edward Avenue and Granville Street intersection.

The Panel was asked to approve recent meetings minutes.

11th April minutes were approved.

21st March minutes await approval (once Panel members read them).

The Heritage Commission representative corrected previous minutes in which the Commission had been referred to as the Foundation Board.

Recent Project
Updates:

4033 Osler Street
1998 Cedar Crescent
3809 Osler Street
1864 W 17th Avenue
1790 Angus Drive VHR "A" listed building

Demolition enquiries have been made for these properties.

3990 Marguerite Street (newly 3952). The neighbours have been renotified of the project because of the confusion over the house number. The applicant has been asked to provide additional information (Statement of Significance) to support his request for demolition of the existing house.

This project prompted the Chair to introduce the subject of retention versus demolition of undesignated Pre-1940s houses. He informed the Panel that he had sat in on a meeting between the Director of Planning and the applicant for 3990 Marguerite Street.

The Chair noted his understanding of the rules regarding demolition. The situation had always been that notwithstanding the laudable intentions regarding meritorious house preservation, as set out in the Design Guidelines, if the house concerned was not designated under the Vancouver Heritage Register, then at the end of the day the property owner had the legal right to obtain a demolition permit once he had completed the application process for a new house. This ruling came down from the City's Legal Department in the 1990s.

(The Vancouver Heritage Society had also accepted that this is the legal position. The Society's newsletter of February 2009 states that "A 1994 ruling from the City's legal department confirmed that any house with the exception of a handful of designated houses could be demolished". And as recently as late last year in an article in *Heritage Vancouver* titled *Shaughnessy: Land Speculation*, one reads that "any house can be demolished, as long as they (the property owners) are willing to manoeuvre their way through the city's Planning Department and the Advisory Design Panel. These two bodies have no power to prevent demolition of heritage buildings ...")

The Heritage Commission representative endorsed these remarks and noted that the only way to prevent undesignated houses being demolished was for Council to designate them. But Council has always been reluctant to do this because of the requirement for the property owner to be compensated should there be a claim for loss as a result of designation.

The Chair continued by remarking that herein lay the problem with the City's recent bulletin titled **Planning – By-law Administration Bulletins - First Shaughnessy District: New House Process (**

Pre- and Post 1940 Buildings) with its *Authority – Director of Planning, Effective May 31, 2012*, with various amendments. Quote, “*When the Director of Planning recommends that a house of merit be retained and an applicant nonetheless wishes to submit a development application for a new house, the Director of Planning may recommend to Council the designation of the house as a heritage property, **with any required compensation**, as required by the Vancouver Charter*”. Since the property owner could well claim for compensation the difference between the projected value of a new house in the neighbourhood and the value of the existing house once designated, which could be in the \$ millions, Council would be unlikely to designate many houses.

The Heritage Commission representative noted that one way to encourage retention would be to lower the FSR, to say 0.25, on lots with pre-1940 houses, thus making it no longer worthwhile to demolish the existing house.

The Chair remarked that he had been asked by the Director of Planning to make suggestions for encouraging retention. These could include density bonuses, or density transfers, height limit relaxations, and property tax reductions.

Finally, the Chair noted his misgivings regarding Statements of Significance since these have to be paid for by the applicant who would be none too pleased if he/she were trying to make a case for a new house and the Statement pointed to retention. The BCLSA representative noted that she would hope for “professionalism” – the situation was no different from an arborists’ report paid for by the applicant that could make recommendations disadvantageous to the applicant.

Agenda Item: 1990 W 19th Avenue
Applicant: Mr Jonathan Katz
Status: Enquiry
Review: First

This project is for the renovation of an existing Pre-1940 house.

The scope of work includes developing the attic space which would require changing the roof configuration to gain needed head space, enlarging a bay on the south elevation to accommodate stairs, and restoring the street (west) elevation. A height relaxation would be required.

The applicant noted that the house is to be in the “craftsman” style of architecture.

The discussion focused on the roofscape.

The applicant noted that the increase in height requested would be 21 ins.

The Chair outlined his understanding of the procedure to achieve this relaxation. The Panel could support this relaxation; but it had no power to approve, only to recommend. Planning had no power to approve the relaxation, since the Zoning stipulated a height limit of 35 ft.; Planning was indeed obliged to deny the request following the formal application. The applicant could then go to the Board of Variance to request the relaxation. Unfortunately the applicant cannot go to the Board until Planning has formally denied the application.

One Panel member questioned whether a shed roof would work better than the two dormers on the east elevation. The applicant responded that the dormers actually achieved greater headroom.

Panel members agreed that the street (north) elevation needed tidying up, and that the applicant's proposals succeeded in doing this.

The Chair noted that the existing balustrade on the west side was non-conforming. The applicant said that a solution was to attach glass to the inner sides.

A Panel member remarked upon the "modernist" feel to this balustrade, and suggested that this could be a source of inspiration to any additions proposed, for example the enlargement of the staircase bay.

The Chair noted that there is no one style of architecture that is required by the Design Guidelines, that additions legitimately can be in a different (modern) style, rather than a style that followed the existing style of the house.

A Panel member advised that there was always the danger of applicants trying to second-guess the Panel by offering designs that they thought the Panel would approve rather than what they thought was right and appropriate for the particular design problem. It was better for applicants to "go for their best shot".

Chair's Summary:

The Chair remarked that the Panel seemed in general support of the project and that the applicant should proceed to the DP stage of the process, with Panel comments addressed. Since this was an enquiry the Panel need not take a vote on the project.

The meeting ended at 5.45 pm.

RM: 12th May 2013