

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: January 30, 2023

TO: Mayor and Council

FROM: Anne Berry, Director, Planning and Development Services

SUBJECT: Review of Advisory Design Panel Terms of Reference and Submissions Checklist

RECOMMENDATIONS

THAT Council repeals the Advisory Design Panel Terms of Reference and Submissions Checklist 2021 and replaces it with “the Advisory Design Panel Terms of Reference and Submissions Checklist 2023,” as attached to this corporate report, and directs staff to implement the changes.

EXECUTIVE SUMMARY

City staff has undertaken a review of the Advisory Design Panel’s Terms of Reference (TOR) “Schedule A” (the Advisory Design Panel Submission Requirements). The review has led to several changes intended to streamline and clarify the mandate and responsibilities of the Advisory Design Panel (Panel), eliminate redundancy and contradictory clauses, and define the procedures clearly. The proposed changes to the TOR will increase the efficiency and effectiveness of future Panel meetings by limiting the administrative aspects of the meeting and providing Panel members with the ability to focus on elements that, through better design, will produce positive outcomes for the community.

INTRODUCTION/BACKGROUND

On November 17, 2020, and January 26, 2021, the Panel reviewed its current Terms of Reference and Submission Requirements (attached to this corporate report as Appendix A). While the TOR supports an annual review of the Panel’s procedures and processes (per existing Section 6. n), the appointment term for most of the Panel members ended in December 2022. The break allowed staff to review the TOR and address concerns being communicated by members and applicants with the current TOR.

The review has led to several changes intended to streamline and clarify the mandate and responsibilities of the Panel, eliminate redundancy and contradictory clauses, and define the procedures clearly. In addition, this review undertakes redefining roles for Panel members and staff. Attachment B to this corporate report includes the revised Advisory Design Panel Terms of Reference and the submissions checklist (Schedule A).

PROPOSED TOR 2023 FOR THE ADVISORY DESIGN PANEL

Revisions to the TOR are summarized, generally, as follows:

Section 1: Mandate

This section has been simplified to explain the directive of the Panel. The Panel's role is to act as an advisory body, providing independent and professional advice to Council and Planning and Development staff on matters related to the evaluation of design, construction of buildings, and other major development projects within the city. The Panel does not have the authority to approve or refuse proposals or make policy decisions. Instead, its primary aim is to enhance the city's development approval process by acting as an additional consultation stream.

Section 2: Panel Composition and Expertise

This section, previously called "Composition", has been updated to include information about the qualifications of each member of the Panel. The number of voting members on the Panel has also been increased to promote more diversity regarding design expertise and professional backgrounds. The current TOR calls for seven voting members, but the new provision suggests having between six and eight voting members to include a broader range of design professionals. The qualifications required for each of the eight voting members are specified in the proposed draft.

Section 3: Membership

The section previously called "Appointments" has undergone some significant changes. These changes include:

- The Director of Planning and Development Services (Director) is proposed to be the Panel Chair. This change is intended to support the member of the Panel in providing feedback on development applications and to help the staff efficiently run meetings while ensuring all protocols are followed. The Panel Chair will be a non-voting position.
- The requirement for a vice-chair appointment has been removed. Instead, the Director will appoint a staff liaison to act as an advisor to the panel and provide input and guidance as needed.
- A new clause has been added stating that if a voting member fails to attend three consecutive meetings of the Panel without leave, their membership will be terminated.

Section 4: Responsibilities

This section has been updated, renamed, and reorganized to clarify the responsibilities of Panel members, the chair, staff liaison, file managers (staff) and the applicant. In addition, each voting and non-voting participant's task is clearly defined to ensure group cohesiveness and transparency for all future Panel meetings.

Section 5: Administration

This new section is designed to clarify the responsibilities and duties of the Panel's recording secretary. The meetings of the Panel have traditionally been organized and managed by the city's Planning and Development Services Department. As the Panel is a committee appointed by the City Council, it is ideal for the recording secretary to be a committee clerk. However, in order to integrate this work into the Corporate Services portfolio additional resources and budget would need to be assigned for the position, therefore the role is currently being fulfilled by Planning and Development Services staff.

Section 6: Quorum

If a quorum is not attained for a scheduled meeting, this clause allows for the formal review of an application to proceed, and the meeting minutes will reflect this. This ensures that the application's progress in the development permit process is not delayed.

Discussions at the Panel meeting will not be considered formal decisions or recommendations. However, the Director has the discretion to consider the advice or recommendations discussed at the meeting and apply for consideration by the Council without a further review from the Panel.

If a quorum is not reached for a scheduled Panel meeting, staff suggests that instead of cancelling the meeting for a “simple” rezoning proposal such as duplexes, triplexes, or gentle infill housing created through subdivision, they can still be discussed by the Panel members present. Then, if there are no major concerns and the proposal complies substantially with the Development Permit Area guidelines outlined in the Official Community Plan (OCP), it can be advanced to the next stage. This will streamline the development permit review process for these types of applications.

Section 7: Meeting Procedures

Previously titled “Procedures,” this section has undergone some substantive changes outlined below:

- Several minor changes have been made to remove redundancy and separate clauses on meeting conduct to another section.
- Members of the public can attend Panel meetings but will not be allowed to make comments.
- Panel meetings are now exclusively conducted electronically, in accordance with *Council and Committee Procedure Bylaw 2393*. Since April 2020, Panel meetings have been held electronically, which allows panel members and applicants to participate remotely from their respective locations. Staff believes that there are many benefits to keeping Panel meetings electronic, such as screen sharing for presentations, less time required for meeting setup, and more opportunities for participation, reducing the need to commute for in-person meetings. This has also made it more convenient for staff to organize and facilitate electronic meetings.
- The maximum number of applications to be reviewed per Panel meeting is limited to three projects to provide sufficient time for panel members to review the submitted materials adequately.
- The file manager will circulate the application package(s) to the Panel.
- Before the meeting, panel members must disclose any conflicts of interest to the chair and staff.
- The Panel must reach a consensus at the end of the discussion on a proposal.
- The provision for the Panel to review the Terms of Reference annually has been removed. The City's *Council and Committee Procedure Bylaw 2393* already provides clear guidance on when the Terms of Reference should be updated.

Section 8: Meeting Protocols

Most clauses in this new section are from the previously titled "Procedures" section and pertain to meeting conduct. The following are the new additions to this section:

- Minor text amendments have been made to maintain consistency in the TOR.
- A provision has been added to note the procedures for meeting protocol if a Panel member declares a conflict of interest with an application.
- The section relating to motions has been simplified for the Panel. Staff memos to the Panel include recommendations and alternative recommendations for the Panel to refer to while making their motion.
- Panel members will not be individually identified within the meeting minutes.

Section 9: Advisory Design Panel Review Guidelines

This new section provides the Panel with a list of design principles and other clauses to assist in their review of proposals referred by the Planning and Development Services Department. The limited design considerations list has been removed from the "Role and Mandate" section and is now included in this section. This comprehensive list, divided into eight broad categories including environmental concerns, site context, streetscape, building design etc., will assist the Panel in the form and character design review of a proposal. In addition, it provides clarity to the Panel on urban design guidelines to be considered when providing recommendations to staff and Council on a proposal.

Schedule A: Advisory Design Panel Submission Requirements

No significant changes to this submission checklist, and noting the following:

- All references to the City's *Tree Management Bylaw No. 1831* have been revised to reflect the updated bylaw (*Tree Management Bylaw No. 2407, 2021*).
- Removed the submission requirements of the Public Information Meeting Summary to be provided to the Panel. Since the Panel's focus is only on matters strictly relating to the form and character of a proposal, this is an unnecessary submission requirement and will directly be presented to Council at the time of the first and second reading for a proposal.
- Removed the requirement for a physical colour and material board to be submitted to the Panel, considering the meeting will be conducted electronically. However, the requirement for an illustration or digital sample board of the colour and materials board to be submitted is still a requirement.
- "Wind Impact Study" and "Arborist Report" are two submission items which will be determined by staff for submission depending on the nature of the proposal. For example, if a proposal is over ten storeys high or will significantly impact mature trees, an applicant must submit these items. But this will be determined by staff before the application advances the Panel.

Staff believe the updated, detailed, Terms of Reference will enable the Panel, staff and applicants to recognize the expectations of each participant and the importance of considering factors that are of importance to the community by the Panel.

CLIMATE CHANGE IMPLICATIONS

The Terms of Reference have been updated to require Panel members to review proposals using an environmental lens to identify how a project will promote sustainability, tree retention and other environmental improvements and any impacts that a proposal will have on the physical environment.

ALIGNMENT WITH STRATEGIC PRIORITIES

Council has identified a desire to manage the delivery of city services efficiently and effectively. Therefore, the proposed changes to the TOR will help clarify the role and responsibilities and all Panel meeting participants, particularly Panel members and staff.

OPTIONS / RISKS / ALTERNATIVES

The following alternate options are available for Council's consideration:

1. Direct staff to bring the changes back to a Regular Council Meeting for further review and discussion; or
2. Reject the proposed changes and direct staff and the ADP to continue to use the existing ADP Terms of Reference and Schedule A.

CONCLUSION

Staff has now reviewed the Advisory Design Panel's Terms of Reference and the submission requirements for applications to be received by the Panel. Changes to the document have helped to remove redundancy, clearly outline processes, and define expectations that will benefit applicants, staff and members of the Panel.

Respectfully submitted,



Anne Berry
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Attachment A: Current Advisory Design Panel Terms of Reference and Submissions Checklist (2021)

Attachment B: Revised Advisory Design Panel Terms of Reference and Submissions Checklist (2023)