

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Managing Director, Development and Compliance Services &
Chief Building Official

Subject: Initiation Report: Urban Design Peer Review Panel Terms of Reference Review

Meeting on: June 17, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions **BE TAKEN** with respect to the Terms of Reference for the Urban and Design Peer Review Panel:

- a) the following report **BE RECEIVED** for information; and
- b) Civic Administration **BE DIRECTED** to initiate a review of the Urban Design Peer Review Panel (UDPRP) Terms of Reference.

Executive Summary

Summary of Request

This report is seeking direction from the Planning and Environment Committee to initiate a review of the Urban Design Peer Review Panel Terms of Reference.

Purpose and the Effect of Recommended Action

The purpose and effect of this report will allow Civic Administration to engage with stakeholders on the Urban Design Peer Review Panel Terms of Reference, to identify any issues and areas for improvements to the Terms of Reference, and update the document in response to stakeholder input.

Rationale of Recommended Action

As part of informal discussions with current and past members of the UDPRP, and development and community stakeholders, Civic Administration recommends a review of the Terms of Reference to ensure that issues and improvements are explored and implemented.

Analysis

1.0 Relevant Background

The Urban Design Peer Review Panel (UDPRP) was established by Municipal Council in April 2008 in order to provide expert opinion, input, and peer review on planning and development applications, as well as municipal projects. Terms of Reference were established at that time (see Appendix 'A') to provide direction for how the panel was to function and operate. As the panel has now been operating for over ten years, Staff are of the opinion that a review of the Terms of Reference for the Urban Design Peer Review Panel should be initiated in response to feedback from stakeholders and past/current panel members.

2.0 Key Issues and Considerations

2.1 Purpose of Review

In recent years, Staff have maintained a list of issues and areas for potential improvement to the Terms of Reference as a result of suggestions provided from past and current Panel members, and the development industry. As part of the review process, Staff intend to engage all relevant stakeholders to ensure a comprehensive review. The list of potential areas to be addressed in the review include, but are not limited to, the following list of issues and areas for improvement.

Identified Issues

Scope of work/review

- Clarify the scope of review by the Panel, and ensure that the discussion remains focused on a peer review of urban design matters.
- Identify the level of detail of submissions to, and discussed, at the Panel meetings reflective of the type of development application.

Quorum/Alternative ways to review applications

- A request by panel members is to include a set of quorum conditions in the Terms of Reference.
- Investigate possible alternative methods for review of submitted proposals if quorum cannot be met.

Quality of submissions made to the Panel

- Addressing the “Panel as a checkbox” approach.
- Ensuring all materials submitted to the Panel are of a consistent quality.
- Exploring what materials need to be submitted in the submissions.

Elevations not stamped by Architects

- Investigate the requirement for an Architect’s stamp.
- Clarify the extent of submitted drawings required to have an Architect’s stamp, including conceptual plans for Zoning-By Law Amendment Applications (ZBA) that are in the very early stages of consultation with City staff.
- Determine the City’s ability to request drawings/elevations be stamped by an Architect for all projects submitted to the UDPRP.

Recruiting new members

- Consider the need to recruit three member every year given the local pool of eligible candidates is limited.
- Examine length of membership/service period for Panel members.
- Explore alternative ways to recruit new members, and evaluate the required qualifications and general make-up of the Panel.

Areas for Potential Improvement

Identify the types of development applications that should go to UDPRP:

- Focus on development applications that will benefit most from a peer review.
- Establish a clear set of criteria (location and size based) for the type of applications to be reviewed by the Panel.
- Provide clarity to the Development Industry for the type of applications that need to be reviewed by the Panel.

Meeting structure and timelines

- Evaluate meeting agenda schedule that is organized depending on size and complexity of application.

- Explore appropriateness of timelines for projects to be reviewed by the Panel.
- Integration of timelines for review by the Panel within the prescribed application process (i.e. Zoning By-law Amendments and Site Plans).

How Comments have been addressed

- Develop a protocol to address how the Panel's comments and recommendations have been integrated into the process/proposed development.
- Clarify and confirm how Panel recommendations are communicated to Council or the Approval Authority.

Other areas for consideration

Staff will seek further input from the stakeholder group through the consultation phase of the review.

2.2 Stakeholders

Staff will engage stakeholders that interact with the Urban Design Peer Review Panel on a regular basis. The identified groups include:

- Current and Past Panel members;
- The Development Industry, including Planners, Architects, and other related professionals;
- The Urban League.

Following the initial meetings with each of the identified groups, the intent is to form a working group with key members of these groups along with City staff in Development Services and City Planning. The working group will have a focused approach to the review, as outlined above, and will provide feedback to staff in order to form the recommended changes to the Terms of Reference. The outcome of the review will be an update to the Terms of Reference, and a status report to Planning and Environment Committee on the results of the review.

Next steps

The proposed timeline for the review of the Terms of Reference is as follows:

June 2019 – October 2019

- Consult with identified stakeholders
- Establish working group
- Prepare a draft revised Terms of Reference

November 2019

- Report to Planning and Environment Committee with the updates to the UDPRP Terms of Reference

January 2020 to June 2020

- Implementation of changes and monitoring

3.0 Conclusion

At Council's direction, an update to the Urban Design Peer Review Panel Terms of Reference will be brought forward to a future meeting of the Planning and Environment Committee.

Prepared by:	Jerzy Smolarek MAUD Urban Designer, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas P.ENG Managing Director, Development and Compliance Services and Chief Building Official
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

June 7, 2019
JS/js

CC: Heather McNeely, Manager, Development Services (Site Plan)
Michael Pease, Manager, Development Services – Planning
Michael Tomazincic, Manager, Current Planning
Britt O'Hagan, Manager, Urban Regeneration

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Appendix A

URBAN DESIGN PEER REVIEW PANEL
TERMS OF REFERENCE

April 7, 2008

1.0 PROTOCOL

1.1 PURPOSE

To provide timely, consistent and effective urban design advice within the development approvals process by:

- (a) clarifying urban design policy goals to development proponents that will aid them in delivering projects which contribute good quality design to the public realm;
- (b) reviewing development proposals to ensure the goals of the Official Plan and other City policies are met within in the context of urban design;
- (c) ensuring that new buildings and public spaces demonstrate a high level of design, that fit well within their context, to contribute to London's economic success, competitive advantage and the quality of life for its citizens;
- (d) supporting creative design responses in new development;
- (e) fostering an effective working relationship with the development industry; and
- (f) broadening public discussion about design in London and strengthening public input within the development approvals process.

1.2 COMPOSITION, SELECTION, TERM AND REMUNERATION

Composition:

The Urban Design Peer Review Panel (UDPRP) shall be comprised of not less than six (6) members, with at least three (3) architects, one (1) landscape architect, one (1) LEED Accredited professional; and, one (1) urban planner/designer.

Selection:

Panel members shall be selected from a qualified pool of candidates and approved by Council upon the recommendation of the General Manager of Planning and Development, in consultation with the City's Urban Designer. No member shall be appointed to the UDPRP if they are employees of The Corporation of the City of London or if they are a Member of Council.

Term:

Panel members shall serve a two (2) year term from the date of their appointment and shall not sit for two consecutive terms, noting that there will be staggered terms for the inaugural members, based upon the following schedule, in order to provide for a degree of continuity on the UDPRP:

Two (2) architects; and, one (1) landscape architect for a term ending twelve (12) months from the first meeting of the UDPRP.

One (1) architect; one (1) LEED Accredited professional; and, one (1) urban planner/designer for a term ending twenty-four (24) months from the first meeting of the UDPRP.

Upon completion of the first term of the Panel's existence all new members will then operate on a two year term basis in staggered fashion as mentioned above.

Remuneration:

There shall be no remuneration for UDPRP members.

1.3 OPERATION

- The UDPRP shall provide advice to Planning staff on Planning applications with respect to Official Plan amendments, rezonings and subdivision and site plan applications in the context of urban design.
- The UDPRP shall provide advice to Planning staff on urban design policy, guidelines and other initiatives.
- Applications that are to be reviewed by the UDPRP will be selected by the General Manager of Planning and Development based on the identification of substantive design issues. At the pre-consultation stage characteristics of the project, which will be considered in identifying substantive design issues may include, size, location, prominence, visibility, design sensitivity and surrounding context.

Meetings:

- Submission materials for projects to be reviewed shall be compiled by Planning staff and sent to UDPRP members to review not less than three weeks in advance of the UDPRP's meeting to ensure the Members' familiarity with the project(s).

- Submission materials should provide enough detail to be understood by the UDPRP members and should include the following:
 1. key plan;
 2. coloured copies of the site plan, building elevation plans and landscape plans;
 3. photographs of the surrounding streetscape and adjacent lands;
 4. coloured renderings, digital perspectives or a physical massing model showing the proposed development and its relationship to the adjacent lands;
 5. floor plans for all ground related floors and as required to explain the scheme;
 6. building elevations and materials;
 7. a sun/shadow study;
 8. a brief project description;
 9. a letter from the design consultants addressing the merits of the proposed design recognizing: the design policies contained in the Official Plan and any applicable planning policies and urban design guideline documents and the surrounding building context;

it being noted that:

- (a) all presentation material should be mounted on panels of no more than 0.9m x 1.2 m (3' x 4') in size;
 - (b) the preferred method for submissions to the UDPRP will be electronically; and,
 - (c) the applicant may choose to prepare a PowerPoint presentation with the above information to further explain the proposed application at the UDPRP Panel Meeting.
- UDPRP meetings shall be attended by City planning staff and, where needed, Development Services and Transportation Planning and Design staff.
 - UDPRP meetings shall be open to the public, but there shall be no written or verbal submissions by any individuals other than staff, except by the proponent and their design consultant who shall have an opportunity to make a brief presentation to explain the project's objectives and how it responds to the City's Official Plan and associated policies. Others will have an opportunity to make written or verbal submissions on an application at the appropriate time during the Planning Committee's review process.
 - The UDPRP will commence its review of a project with a brief presentation by Planning and other relevant staff to provide the UDPRP with an understanding of the planning and technical analysis and community context, including comments from any public information meetings held in relation to the project. The presentation by Planning and other relevant staff will then be followed by a brief presentation by the proponent and their design consultant who shall explain the

project's objectives and how it responds to the City's Official Plan and associated policies.

- Following staff and proponent presentations, the UDPRP will have the opportunity to ask questions for clarification before beginning their deliberations and developing its advice with respect to the project(s).
- The UDPRP's comments will be based on Council-approved Official Plan policy and associated policies of the City. UDPRP comments will range from an acknowledgement of the positive design qualities of a proposal, to suggestions that encourage a design which better complies with Official Plan Policy and relevant guidelines..
- Within 10 business days of the relevant UDPRP meeting, a communication signed by the UDPRP Chair, or his/her designate, will be issued to the coordinating development review planner and/or site plan approvals officer and the applicant. The communication will summarize the UDPRP's comments with respect to the proposed development in relation to the Official Plan and applicable City policies.
- If the Planning Committee holds a public participation meeting after a meeting of the UDPRP, which relates to a matter under review by the UDPRP, the comments of the UDPRP will be presented at the public participation meeting by City staff.

Note: Details of all required documentation noted above is outlined in the document Staff Protocol for the Urban Design Peer Review Panel.

1.4 CONFLICT OF INTEREST

The *Municipal Conflict of Interest Act* shall apply to the UDPRP Members in carrying out their duties as a Member of the UDPRP. Accordingly, each member of the UDPRP will be expected to disclose any conflict of interest with respect to matters before the UDPRP and shall not participate in deliberations pertaining to any matter for which they have declared a conflict.

1.5 CONFIDENTIALITY

UDPRP Members may be required to sign a confidentiality agreement pertaining to any material of a proprietary nature which is forwarded to them in carrying out the UDPRP's mandate.

2.0 INTEGRATION WITH THE DEVELOPMENT APPROVALS PROCESS

2.1 COORDINATION OF DESIGN REVIEW

- The assigned planner or site plan approvals officer processing an application that is subject to design review shall coordinate the design review process for those development applications.

2.2 DEVELOPMENT APPROVALS PROCESS

- The UDPRP will operate as part of the established development review process for the City of London.
- The UDPRP will be given the opportunity to comment to Planning staff on proposed applications prior to the commencement of a statutory public meeting relating to the applicable planning application.
- Upon consideration of the application by the UDPRP, should it be determined that the requested changes are significant, the applicant may request or be asked by way of a written communication from the General Manager of Planning and Development or his/her designate, to reappear before the UDPRP to advise the UDPRP as to how the applicant has addressed the requested changes.
- The advice of the UDPRP will be included in the applicable planning application staff reports to the Planning Committee.

Note: Proponents should meet with the City and planning staff (Urban Designer) as early as possible in the planning process. Accordingly, the applicant's appearance before the UDPRP will not present the first discussion regarding urban design that applicant has been engaged in through the process.