

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: Urban Design Peer Review Panel Terms of Reference
Meeting on: February 3, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with the concurrence of the City Clerk, the following actions be taken with respect to the proposed amendments to the Terms of Reference for the Urban and Design Peer Review Panel (UDPRP):

- a) the staff report dated February 3, 2020 **BE RECEIVED**;
- b) the Urban Design Peer Review Panel Terms of Reference – April, 2008 attached as Appendix “B” **BE REPEALED**; and,
- c) the Urban Design Peer Review Panel Terms of Reference attached as Appendix “A”, **BE APPROVED**.

Executive Summary

Summary of Request

This report is seeking approval from the Municipal Council of the revised Urban Design Peer Review Panel (UDPRP) Terms of Reference attached as Appendix “A” to this report. A copy of the current Terms of Reference is attached as Appendix “B” to this report.

Purpose and the Effect of Recommended Action

The purpose and effect of the revised UDPRP Terms of Reference is to allow for greater clarity, certainty and consistency with respect to the operation and functioning of the Panel.

Rationale of Recommended Action

The Civic Administration is recommending that the current Terms of Reference be revised to address concerns related to the investigation and adjudication of UDPRP member conduct.

Analysis

1.0 Relevant Background

On December 10, 2019, Municipal Council resolved the following:

That the matter of the Urban Design Peer Review Panel Terms of Reference Update BE REFERRED back to the Civic Administration in order to further review and report back on implications related to the Municipal Conflict of Interest Act.

This report provides information regarding conflict of interest matters for the UDPRP as well as recommended solutions which have been incorporated into the revised UDPRP Terms of Reference.

2.0 Key Issues and Considerations

2.1 December 2019 Proposed UDPRP Terms of Reference

The December 2019 proposed revised UDPRP Terms of Reference provided the following section related to conflict of interest:

8.0 Conflict of Interest

In this section:

“Relative” means a person’s spouse, common-law spouse, same-sex partner, child, parents, siblings or a spouse of any of the foregoing.

“Spouse”, “Child”, “parent” shall have the meanings ascribed to them in the Municipal Conflict of Interest Act, R.S.O. 1990, c M.50.

In the performance of his or her duties, a UDPRP member shall not:

- place him or herself in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;*
- accord preferential treatment to relatives or to organizations in which the member, his or her child, parent or spouse, have an interest, financial or otherwise;*
- deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;*
- place his or herself in a position where the member could derive any direct benefit or interest from any matter about which he/she can influence decisions; and*
- benefit from the use of information acquired during the course of his or her official duties which is not generally available to the public.*

Where a UDPRP Member believes he or she has a conflict of interest in a particular matter, he or she shall:

- prior to any consideration of the matter, disclose his or her interest and the general nature thereof;*
- remove themselves from the table for the duration of time that the matter is being considered; take part in the discussion or recommendation in respect of the matter; and*
- not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.*

A request for an investigation of a complaint that a UDPRP member has contravened the above shall be:

- made in writing, setting out reasonable and probable grounds for the allegation that a member has contravened the above Conflict of Interest Policies and signed by an identifiable individual (which includes the authorized signing officer of an organization);*
- filed with the Director, Development Services (or designate), who, in the case of a complaint shall investigate the matter and present the findings to Council in a closed meeting of Council.*

Council, may determine:

- *that there has been no contravention of the Conduct Policy;*
- *that a contravention occurred although the member took all reasonable measures to prevent it;*
- *that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith; or*
- *that the member has contravened the Conduct Policy and take any corrective actions, including removal from the Advisory Committee.*

The above-noted language reflected an enhanced approach to identifying and addressing potential conflicts of interest of Panel members from the current Terms of Reference (2008) and suggested an approach similar to that of Council's Advisory Committees.

The matter was referred back to the Civic Administration for further consideration based on Municipal Council's concerns about the applicability of the *Municipal Conflict of Interest Act* (MCIA) and the adjudicating body for allegations being Municipal Council.

2.2 Municipal Conflict of Interest Act

The MCIA establishes principles, expectations and remedies for matters of conflicts of interest by Members of Municipal Council and Members of Local Boards. The UDPRP is not established as an Advisory Committee of Municipal Council or Local Board, nor does it possess specific powers or authority as recognized in the purpose and scope of the Terms of Reference. The Panel provides suggestions to development proponents regarding their proposals and recommendations to the Civic Administration for consideration in the formulation of the planning recommendation to Municipal Council or the Approval Authority.

Although the MCIA does not apply to the UDPRP, the Civic Administration has recommended and continue to recommend that a wording be included in the Terms of Reference to address Panel members conduct. The Civic Administration has also recognized the need for greater clarity regarding the status of the UDPRP as being differentiated from Municipal Council's Advisory Committees.

2.3 Integrity Commissioner

The City's Integrity Commissioner reviews allegations of conflict of interest by Members of Council and provides recommendations, based on the investigation, for Municipal Council's consideration. The Integrity Commissioner does not have independent decision-making powers for the adjudication and determination of conduct and conflicts of interest.

It is also noted that the Integrity Commissioner does not review allegations of conflicts of interest for the City's Advisory Committees. The City Clerk conducts investigations and makes recommendations to Municipal Council on the findings.

2.3 Recommended Change

Development Services staff, with the concurrence of the City Clerk, are of the opinion that the best way to address concerns related to the adjudication of conflicts of interest is to revise the approach to the selection and appointment of Panel members and the body reviewing a potential breach of conduct. The following revisions are proposed and incorporated into the recommended Terms of Reference attached as Appendix "A" to this report (revisions are indicated in **bold**):

4.2 Selection

Panel members shall be selected from a qualified pool of candidates and approved by the Director, Development Services. A minimum of one member of the Panel must be practicing or have practiced in the field within London. 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.

8.0 Panel Conduct

In this section:

“Relative” means a person’s spouse, common-law spouse, same-sex partner, child, parents, siblings or a spouse of any of the forgoing.

“Spouse”, “Child”, “parent” shall have the meanings ascribed to them in the Municipal Conflict of Interest Act, R.S.O. 1990, c M.50.

In the performance of his or her duties, a UDPRP member shall not:

- *place themselves in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;*
- *accord preferential treatment to relatives or to organizations in which the member, their child, parent or spouse, have an interest, financial or otherwise;*
- *deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;*
- *place themselves in a position where the member could derive any direct benefit or interest from any matter about which they can influence decisions; and*
- *benefit from the use of information acquired during the course of their official duties which is not generally available to the public.*

Where a UDPRP Member believes they have a conflict of interest in a particular matter, they shall:

- *prior to any consideration of the matter, disclose their interest and the general nature thereof;*
- *remove themselves from the table for the duration of time that the matter is being considered; take part in the discussion or recommendation in respect of the matter; and*
- *not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.*

A request for an investigation of a complaint that a UDPRP member has contravened the above shall be:

- *made in writing, setting out reasonable and probable grounds for the allegation that a member has contravened the **Panel Conduct of the Terms of Reference** and signed by an identifiable individual (which includes the authorized signing officer of an organization);*
- *filed with the Director, Development Services (or designate), who, in the case of a complaint shall investigate the matter.*

A Conduct Review Committee comprised of the Managing Director, Development and Compliance Services, the Director, Development Services and the Director, City Planning, may determine:

- *that there has been no contravention of the **Panel Conduct**;*
- *that a contravention occurred although the member took all reasonable measures to prevent it;*
- *that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith; or*
- *that the member has contravened the **Panel Conduct** and take any corrective actions, including removal from the **Panel**.*

With the above revisions to the Terms of Reference, Municipal Council will not be asked to adjudicate allegations of conflicts of interest given that they are not appointing the Panel members. Consistent with the previous version of the Terms of Reference, the Director, Development Services (or designate) will undertake an investigation should a complaint against a Panel member be received. The revisions also provide for a “Conduct Review Committee” comprised of senior-level members of the Civic Administration in order to provide procedural fairness and the avoidance of a single individual appointing UDPRP members, conducting investigations and making determinations on the findings of investigations.

The appointment of Panel members by the Civic Administration is consistent with the approach taken by a number of municipalities with urban design peer review panels.

The proposed recommended changes recognize that the UDPRP is an organized body providing advice to the Civic Administration for consideration in the formulation of planning recommendations, rather than being an Advisory Committee of Council. UDPRP comments are conveyed with the Civic Administration recommendation and Municipal Council or the Approval Authority is the ultimate decision-making authority for planning matters.

3.0 Conclusion

The Civic Administration is recommending an alternative means of addressing Municipal Council’s concerns regarding the investigation and adjudication of UDPRP member conduct. The UDPRP Terms of Reference has been revised to provide for the appointment of members by the Director, Development Services and the establishment of a Conduct Review Committee to review and make determinations on allegations of Panel member conduct. These changes are intended to clarify the status of the Panel being an advisory body to the Civic Administration and to provide an identified group of individuals to adjudicate matters of conduct.

No further changes have been made to the UDPRP Terms of Reference that were considered by Municipal Council in December. It is recommended that the revised Terms of Reference be approved.

Prepared and Recommended by:	Paul Yeoman RPP, PLE Director, Development Services
Concurred by:	Catharine Saunders MPA, RPP City Clerk
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.	

January 27, 2020
JS/js

CC: Heather McNeely, Manager, Development Services (Site Plan)
Michael Pease, Manager, Development Planning
Michael Tomazincic, Manager, Current Planning
Britt O'Hagan, Manager, City Building and Design

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URBAN DESIGN PEER REVIEW PANEL
TERMS OF REFERENCE

February, 2020

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1.0 PURPOSE AND RESPONSIBILITIES OF THE URBAN DESIGN PEER REVIEW PANEL (UDPRP)

1.1 Purpose

The Urban Design Peer Review Panel serves as an independent urban design advisory panel to the City of London. The Panel is strictly an advisory body and does not have the authority to approve or refuse projects or make policy decisions.

1.2 Responsibilities

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

- (a) Reviewing development proposals to ensure the intent of the Official Plan, other relevant City policies, and urban design guidelines are met;
- (b) Providing City staff, and through them to development proponents, advice that encourages and supports high-quality design that fits well within the applicable context, aids in contributing to the success of projects, and enhances the quality of life for London's citizens; and,
- (c) Acting as a resource for City staff in the development of urban design policy, goals, guidelines and implementation processes within the approved urban design context of the City of London.

2.0 SCOPE OF WORK

The UDPRP operates as part of the established development review process and supplements the development review process.

The UDPRP provides advice to City staff on applicable planning applications, including Official Plan Amendments, Zoning By-law Amendments, Subdivision Applications and Site Plan Applications pertaining to urban design, as well as advice on urban designed-focused policy amendments and other initiatives. The advice of the UDPRP will be included in the applicable staff reports to the appropriate Committee of Council and/or to the applicable Approval Authority.

The UDPRP will evaluate applications related to their potential role in fostering:

- A well-designed built form;
- Development that is compatible and a good fit within its context;
- A high-quality, distinctive and memorable city image;
- Development that supports a positive pedestrian environment;
- All types of active mobility and universal accessibility;
- High-quality public spaces that are safe, accessible, attractive and vibrant;
- A mix of housing types;
- Sustainability; and,
- A sense of place and character through healthy, diverse and vibrant neighbourhoods.

City staff will consult with the UDPRP members and the development industry, on an as needed basis to review and update the Terms of Reference - Scope of Work of the UDPRP in order to ensure effective outcomes.

3.0 APPLICATIONS REVIEWED BY THE UDPRP

Applications that are to be reviewed by the UDPRP will be selected by the Director, Development Services (or designate). Applications may be selected based on meeting one or more of the following criteria:

- Planning and Development Applications:
 - All public projects of significant scale. Small-scale projects such as pump stations, field houses, and minor park improvements may be exempt;
 - All developments within the Downtown, Transit Village, Mainstreet, Urban Corridor, and Rapid Transit Corridor Place Types (as identified on the map in Appendix 1);
 - All residential, commercial, and mixed-use developments 5-storeys in height and greater;
 - Infill developments (as defined by development of vacant or under-utilized parcels within existing urban areas that are already largely developed), where the proposed intensity is greater than the surrounding neighbourhood **AND** the form proposed is different than existing forms adjacent to the site (i.e. proposed townhouses or apartment with higher density than existing single family dwelling surrounding neighbourhood);
 - Development located at or visible from gateways (identified in *The London Plan*) along entrance streets into the city, including Veterans Memorial Parkway and Highways 401 and 402 (as identified on the map in Appendix 1);
 - Development in special character areas, such as those for which urban design guidelines have been adopted or those in the City's list of established Heritage Conservation Districts (as identified on the map in Appendix 1);
- City Initiated:
 - Urban designed-focused policy amendments and other initiatives lead by the City (such as: guideline documents, secondary plans, etc.)

All qualifying planning applications will be required to submit an Urban Design Brief prior to appearing at the UDPRP. The Panel members will have the opportunity to “green light” any application that is deemed by the Panel to meet all relevant urban design policies, guidelines and overall good urban design principles, thus eliminating the need to go to the panel meeting.

The Director, Development Services (or designate) has the discretionary authority to exempt a development application from additional UDPRP review if it has already received UDPRP review and no further urban design issues are identified.

4.0 MEMBER SELECTION, TERM AND REMUNERATION

4.1 Composition

The Urban Design Peer Review Panel (UDPRP) shall be comprised of not less than six (6) members, with at least three (3) architects and three (3) other professionals that influence the design of the built environment and are qualified in their field; these fields include, landscape architecture, urban design, planning or other professional fields that influence the design of the built environment.

4.2 Selection

Panel members shall be selected from a qualified pool of candidates and approved by the Director, Development Services. A minimum of one member of the Panel must be practicing or have practiced in the field within London. 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.

4.3 Term

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

Two (2) architects and one (1) individual from a profession that influences the design of the built environment, appointed on years ending in even numbers (i.e. 2020).

One (1) architect and two (2) individuals from professions that influence the design of the built environment, appointed on years ending in odd numbers (i.e. 2021).

4.4 Election and Role of Chair

Members of UDPRP will elect a Chair at the first UDPRP meeting of the year with a term of (1) one calendar year. The Chair should have a minimum of one (1) year experience on the UDPRP to be eligible.

The role of Chair, or their designate, will be to preside over the discussions for each agenda item to ensure it receives a fair and thorough consideration from all members.

The Chair, or their designate, will provide a verbal summary of UDPRP advice and commentary at the end of each agenda item.

Within 10 business days of the relevant UDPRP meeting, a formal memo signed by the UDPRP Chair, or their designate, will be issued to relevant City Staff and the applicant.

4.5 Remuneration

There shall be no remuneration for UDPRP members.

Panel members travelling from locations outside of London may be compensated for their travel expenses within reason and at the discretion of the Director, Development Services (or designate).

5.0 URBAN DESIGN BRIEF

Proponents of developments selected to be reviewed by the UDPRP will be required to submit an Urban Design Brief for their proposal. Submission materials are required to provide sufficient and appropriate detail to be understood by the UDPRP members (including visuals), with explanatory written material, when necessary.

The requirements of the Urban Design Brief are outlined in the *Urban Design Brief - Terms of Reference*. Depending on the nature of the application, staff may work with the applicant to scope the Urban Design Brief and exempt certain aspects, as required.

Applicants should meet with the City's Urban Design Staff at the pre-consultation stage of development and planning applications, and receive project feedback prior to appearing before the UDPRP.

Urban designed-focused policy amendments and other policy initiatives lead by the City may not require an Urban Design Brief. However, all background information as well as the proposed policy changes or new policy initiatives should be provided to the Panel in line with the deadlines for submitting Urban Design Briefs.

6.0 MEETINGS

UDPRP meetings shall be held monthly, during the third week of the month. Exceptions may be made on the advice of the Director, Development Services or on the availability of members of the UDPRP, as required.

UDPRP meetings shall be attended by the Urban Designer assigned to the file with support from other applicable staff involved in the review of the proposal, to address specific matters.

UDPRP meetings shall be open to the public, but there shall be no written or verbal submissions by any individuals other than City staff, the applicant and/or their design consultant, and members of the UDPRP. The public will have an opportunity to make written or verbal submissions on applications through applicable public participation opportunities.

6.1 UDPRP Meeting Structure

Pre-meeting (UDPRP members and City staff only):

The pre-meeting will allow the UDPRP members to discuss administrative items and give City staff the opportunity to provide clarification regarding any of the items on the agenda as necessary.

Meeting (open to the public):

At the start of the meeting, the UDPRP members will have the opportunity to formally declare conflicts.

Individual items:

Time allotted for each individual item will be determined depending on the complexity of the applications. In the case of City Initiated Zoning By-law and Official Plan Amendments that are primarily design-based related to broad policy, secondary plans, guidelines, and other design related initiatives, City staff leading the project would be considered as the applicant.

Approximately 5 minutes

The applicant and their design consultant, present their project's context, design objectives and how it responds to relevant policies of the City's Official Plan and associated guidelines. **Emphasis should be placed on demonstrating the merits of the development through a series of images, diagrams, models and other visuals.**

Approximately 20 minutes

The UDPRP will deliberate and offer their comments and recommendations to the proponent. The UDPRP's comments will be based on Council-approved Official Plan policy and associated policies of the City. UDPRP comments may 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.

Relevant City staff involved in the review of the application will be present to respond to any questions or requests for clarification.

Within 10 business days following the UDPRP meeting, a formal memo signed by the UDPRP Chair, or his/her designate, will be issued to relevant City staff and the applicant. The memo will summarize the UDPRP's comments with respect to the proposed development or design-based initiative in relation to the Official Plan and applicable City policies.

6.2 Quorum

Quorum is achieved when 50% or greater of UDPRP members are present.

Prior to a scheduled meeting:

- If quorum cannot be achieved prior to the scheduled meeting the UDPRP members who are unable to attend the meeting, will digitally review all applications and provide their individual comments to the UDPRP Chair, who will include the comments as part of the deliberations at the meeting.

Day of the scheduled meeting:

- If quorum is not attained at the start of the meeting, or if quorum cannot be met due to a conflict of interest, the UDPRP members may decide collectively if they will continue with the scheduled meeting without quorum with the focus of providing information exchange only. Alternatively, the UDPRP members could choose to adjourn the meeting and review all of the applications digitally and provide their comments to the UDPRP Chair, or their designate, who will compile the comments into a formal memo.

In either case no application will be postponed and each application will receive either a formal memo or a memo providing advice following their scheduled appearance at the UDPRP.

7.0 ADMINISTRATION OF PANEL

The following monthly submission sequence of Urban Design Briefs will apply to all applications appearing before the UDPRP:

1 st week of the month	Wednesday; submission deadline for Briefs submitted to City staff. Friday; Deadline for City staff to review Briefs for completeness and inform applicants of deficiencies.
2 nd week of the month	Wednesday; Deadline for applicant to resubmit materials and complete Urban Design Briefs are forwarded to the UDPRP.
3 rd week of the month	Monday; Deadline for UDPRP Chair to provide staff with a list of “green lit” projects, if applicable. Wednesday; Meeting of the UDPRP.

The agenda for each UDPRP meeting will be provided to UDPRP members along with the applicant submitted Urban Design Brief(s) a minimum of one (1) week prior to each UDPRP meeting. At that time the Panel will have the opportunity to “green light” any application that is deemed by the Panel to meet all relevant urban design policies, guidelines and overall good urban design principles. Upon receipt of written communication from the UDPRP Chair, by end of day on the third Monday of the month, these applications would be removed from the agenda and allowed to proceed immediately to the next step in the application process.

The minutes of all UDPRP meetings will be recorded by staff. Individual UDPRP members will not be identified in the meeting minutes. All comments will be recorded without attribution.

Within five (5) business days following the UDPRP meeting, staff will distribute the minutes the Chair of UDPRP and applicable City staff.

Within eleven (11) business days following the UDPRP meeting, staff will distribute the formal memo signed by the UDPRP Chair, or his/her designate, and the meeting minutes to relevant City staff and the applicant. Along with the formal memo and minutes, a UDPRP Comment Response Table will also be sent to the applicant that will need to be filled out and returned to the City as part of the application review process.

All relevant UDPRP materials including: UDPRP meeting agenda, submitted Urban Design Briefs, UDPRP meeting minutes, and the formal memo issued by the UDPRP Chair shall be published to the UDPRP web page on the City of London website.

Following the review of the application by the UDPRP, should it be determined that the changes made to the development proposal are significant, the applicant may request or be asked by way of a written communication from the Director, Development Services (or designate) to reappear before the UDPRP.

8.0 PANEL CONDUCT

In this section:

“Relative” means a person’s spouse, common-law spouse, same-sex partner, child, parents, siblings or a spouse of any of the foregoing.

“Spouse”, “Child”, “parent” shall have the meanings ascribed to them in the Municipal Conflict of Interest Act, R.S.O. 1990, c M.50.

In the performance of his or her duties, a UDPRP member shall not:

- place themselves in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;
- accord preferential treatment to relatives or to organizations in which the member, their child, parent or spouse, have an interest, financial or otherwise;
- deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;
- place themselves in a position where the member could derive any direct benefit or interest from any matter about which they can influence decisions; and
- benefit from the use of information acquired during the course of their official duties which is not generally available to the public.

Where a UDPRP Member believes they have a conflict of interest in a particular matter, they shall:

- prior to any consideration of the matter, disclose their interest and the general nature thereof;
- remove themselves from the table for the duration of time that the matter is being considered; take part in the discussion or recommendation in respect of the matter; and

- not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.

A request for an investigation of a complaint that a UDPRP member has contravened the above shall be:

- made in writing, setting out reasonable and probable grounds for the allegation that a member has contravened the Panel Conduct of the Terms of Reference and signed by an identifiable individual (which includes the authorized signing officer of an organization);
- filed with the Director, Development Services (or designate), who, in the case of a complaint shall investigate the matter.

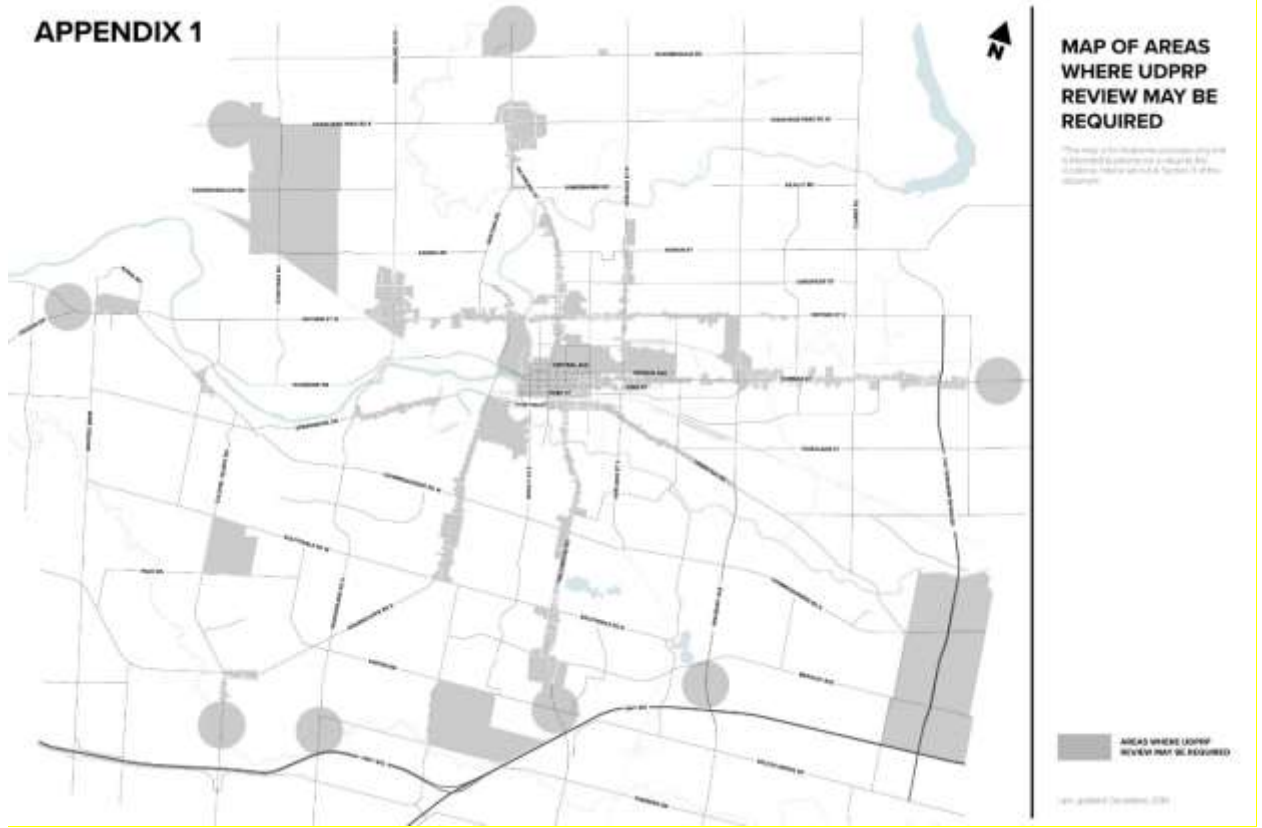
A Conduct Review Committee comprised of the Managing Director, Development and Compliance Services, the Director, Development Services and the Director, City Planning, may determine:

- that there has been no contravention of the Panel Conduct;
- that a contravention occurred although the member took all reasonable measures to prevent it;
- that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith; or
- that the member has contravened the Panel Conduct and take any corrective actions, including removal from the Panel.

9.0 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.

APPENDIX 1



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:

- (d) clarifying urban design policy goals to development proponents that will aid them in delivering projects which contribute good quality design to the public realm;
- (e) reviewing development proposals to ensure the goals of the Official Plan and other City policies are met within in the context of urban design;
- (f) 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;
- (g) supporting creative design responses in new development;
- (h) fostering an effective working relationship with the development industry; and
- (i) 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.