



City of Port Moody

Report/Recommendation to Council

Date: June 22, 2020
Submitted by: General Manager of Planning and Development
Subject: Land Use Committee and Advisory Design Panel Terms of Reference

Purpose

To provide staff recommendations regarding two Terms of References for the Land Use Committee (LUC) and the Advisory Design Panel (ADP).

Recommended Resolution(s)

THAT the Terms of References for the Land Use Committee (LUC) and the Advisory Design Panel (ADP) be approved as attached to and recommended in the report dated June 22, 2020 from the General Manager of Planning and Development regarding Land Use Committee and Advisory Design Panel Terms of Reference;

AND THAT City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 5, 2020, No. 3266 be read a first, second, and third time;

AND THAT a 2020 budget of \$300 and an annual budget of \$1,500 for ADP meetings be approved and referred to the Finance Committee for identification of a funding source.

Background

On June 9, 2020, Council passed the following resolutions regarding re-instating an Advisory Design Panel (ADP) and changing the Terms of Reference for the Community Planning Advisory Committee (CPAC):

RC20/224

THAT this item be referred to staff for a report back;

AND THAT staff consider the following:

- adding job targets to the Community Planning Advisory Committee Terms of Reference;
- adding an Economic Development Committee liaison to the Community Planning Advisory Committee;
- adding a strata member to the Advisory Design Panel; and
- adding the concept of “architectural distinction” to the Advisory Design Panel Terms of Reference.

Discussion

Staff have reviewed the draft sets of Terms of Reference provided by Councillors Milani and Lahti (**Attachment 1**). In follow up to the discussion at the June 9, 2020 Council meeting and considering information from the Architectural Institute of BC, this report suggests minor edits to the proposed sets of Terms of Reference for Council consideration. In addition, staff are recommending renaming CPAC to Land Use Committee (LUC).

Land Use Committee

The Terms of Reference for the Land Use Committee (**Attachment 2**) are very similar to the current CPAC Terms of Reference and include the changes proposed in the report by Councillors Lahti and Milani.

Staff are recommending the following changes and additions:

1. With regards to the name of the Committee, staff are recommending a name change to Land Use Committee. Since the proposed changes result in a major shift in focus, it would be useful to use "Land Use Committee" to clearly communicate the new scope of the Committee.
2. In section 2: a reference to the Development Approval Procedures Bylaw was added because this bylaw already specifies which applications are referred to advisory committees.
3. In section 2: the option for the Committee to identify "areas of focus" on their own behalf was omitted to clarify that it is Council's role to determine what is referred to the Committee. This is meant to avoid gradual changes and expansions in scope that sometimes can occur in advisory committees.
4. In section 3: as requested by Council, a liaison from the Economic Development Committee was added to the membership outline.
5. In section 4.2: a statement was added to clarify that receiving public submissions is not within the purview of the Committee. Interested community members have other options to provide input through open houses, information meetings, public input at Council, writing to Council, and at the Public Hearing. While the community members on the Committee are expected to speak with a neighbourhood focus, having the public actively participate in Land Use Committee meetings runs the risk of creating a parallel process of public input separate from Council's proceedings. Instead, it is best practice to direct public input to Council as the sole decision making authority on land use matters.
6. In section 4.3: In response to Council direction to include job targets, the scope was expanded to include local economy and job implications. Specific job targets is something that is hard for applicants to provide as at the time of consideration of land use changes, as there are no confirmed details on future tenants or jobs. However, applicants should be able to provide a general indication of the types of businesses and range of job numbers that could result from the proposal.
7. In section 4.3: Other items that had recently been identified for CPAC discussions have been added as well, including affordable housing and mobility implications (transportation). Staff left the form and character related items to the ADP Terms of Reference.
8. In section 4.5: guidance for the preparation of minutes has been included. It is recommended to keep meeting minutes generic and focussed on the recommendations.

Advisory Design Panel

The Terms of Reference for the Advisory Design Panel (**Attachment 3**) reflect a former set of terms, including the recommendations from the report by Councillors Milani and Lahti.

The appointment of Architects to Advisory Design Panels is required to take place through the Architectural Institute of British Columbia (AIBC) under their professional practice procedures. Staff have consulted with the AIBC, in particular regarding the proposal to possibly remunerate one of the Architects to serve as a Chair. AIBC indicated this is generally not provided for in the case of Advisory Design Panels but is a possibility. For other types of advisory bodies, for example with the Province of BC, it is becoming more common to offer a nominal honorarium. Other ways to ensure the availability of Architects for panel meetings is typically to have at least two or three Architect members on the panel.

In light of AIBC's suggestions and staff's review, the following changes and additions are proposed:

- a. In section 1: a reference to the Development Approval Procedures Bylaw was added because this bylaw will specify which applications are referred to ADP.
- b. In section 2: references arrange for the two architect members to be Chair and Vice Chair. A stipend of \$150 dollar per meeting for the member presiding over the meeting is also included.
- c. In section 2: a representative with a background in strata property management has been added in response to the Council direction to add a strata member. Staff recommend specifying that this Panel member would have experience in property management. This could be an experienced Strata Council member or a professional with experience in property management for stratas. This might assist with obtaining in depth insights on issues pertaining to stratified properties.
- d. In section 4.3: a provision was added that specifies that if both Architects are unavailable, the meeting must be re-scheduled. Both provisions are added to ensure flexibility and continuity in holding meetings.
- e. In section 4: a provision to defer landscape architectural items to a future meeting was removed. This provision runs the risk of creating inequities between volunteer members as well as delays in providing input to staff and applicant. Instead, staff suggest the relevant Landscape Architect member can provide comments directly to staff when needed.
- f. In section 4: language about the types of applications referred was replaced with a general reference to the Development Approval Procedures Bylaw in section 1. The bylaw already gives clear guidance. A provision regarding discretion for the General Manager was also left out as it could create misplaced expectations with applicants that the General Manager can make exceptions outside the bylaw requirements.
- g. In section 4.8: guidance for the preparation of minutes has been included. It is recommended to keep meeting minutes generic and focussed on the recommendations.
- h. In section 5.3: the number of topics for review was expanded to include "architectural distinction" as directed by Council. In the wording, staff have endeavoured to connect this to a focus on architecture as a form of art, supporting the City's vision of City of the Arts. Other items currently considered by CPAC have also been added with references to urban design, accessibility and inclusion, and climate resiliency.

- i. In section 5.4: a reference that allowed the Panel to refer applications back to a future meeting was removed. This provision would run the risk of creating an iterative and time-consuming process between applicant and the ADP. Instead, staff note that Council always has the option of referring proposals back to the applicant and the ADP if the design is not satisfactory.

Architect Consultant Staff Resource

Since the former iteration of the Advisory Design Panel was disbanded, the City included an architectural review fee for new applications and relied on a Consulting Architect for technical and design review. The maximum cost had been set at \$1,000 for a cursory review to support staff in their review process.

Although the Advisory Design Panel will add new design review to the process, staff see value in continuing to involve a Consultant Architect in the process. It has added expertise to the review process that is otherwise not readily available to staff. In addition to an initial review, it would be helpful to also have architectural support for re-submission following Council, ADP, and staff comments.

Development Application Procedures Bylaw changes

The proposed changes to the Development Approvals Procedures Bylaw, 2001, No. 2918 (**Attachment 4**) are limited to adding the Advisory Design Panel to the section on Development Permits. In addition, references to CPAC are proposed to be updated with Land Use Committee (LUC).

Implementation steps

The recruitment of members for the new ADP will take some time, particularly because of the process required by the Architecture Institute of BC. In the meantime, staff suggest current CPAC continues operating to ensure continuity in the review of development applications. It is anticipated that both ADP and LUC can be initiated in October or November, once all membership applications have been reviewed and ratified by Council.

Other Option(s)

1. THAT Council adopt the Terms of Reference for the Land Use Committee with the following changes:
2. THAT Council adopt the Terms of Reference for the Advisory Design Panel with the following changes:
3. THAT the report dated June 22, 2020 from the General Manager of Planning and Development regarding Land Use Committee and Advisory Design Panel Terms of Reference be received for information.

Financial Implications

The re-introduction of the Advisory Design Panel increases demand for Committee Coordinators support and Planning staff attendance. In most cases where meetings are of a limited length, staff can adjust work schedules or reimburse overtime where needed with current staffing levels. The Terms of Reference do limit the level of details for minutes to ensure the Committee Coordinators have sufficient time to support the other Committees.

The estimated cost of running advertisement outside the regular fall call for Committee membership is \$420. This minor amount can be covered under the existing Planning and Development advertising budget. Alternatively, recruiting can be delayed until the fall to coincide with the annual committee recruitment process.

The cost of the Chair's stipend is approximately \$1,500 per year assuming ten meetings per year. This would require a new budget allocation.

Communications and Civic Engagement Initiatives

Once the Terms of Reference for both LUC and ADP are approved, staff recommend issuing calls for expressions of interest, including referring the request for two architects to the Architectural Institute of BC. It is expected that this process will take approximately three months.

In the meantime, CPAC would continue to operate in its current form, until the member nominations to the new Land Use Committee and Advisory Design Panel have been ratified and the inaugural meetings scheduled.

Council Strategic Plan Objectives

Finalising the new Terms of Reference for the Land Use Committee and Advisory Design Panel supports the strategic priority of Community Evolution and the objective of Ensure future community growth is carefully considered and strategically managed consistent with the targets approved in our Official Community Plan.

Attachment(s)

1. Report Councillors Lahti and Milani, dated May 19, 2020 received by Council on June 2.
2. Terms of Reference Land Use Committee.
3. Terms of Reference Advisory Design Panel.
4. Draft City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 Amendment Bylaw No. 5, 2020, No. 3266.

Report Author

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Report Approval Details

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| Document Title: | Land Use Committee and Advisory Design Panel Terms of Reference.docx |
| Attachments: | <ul style="list-style-type: none">- Attachment 1 - Report Councillors Lahti and Milani, dated May 19, 2020 received by Council on June 2.pdf- Attachment 2 - Terms of Reference Land Use Committee.pdf- Attachment 3 - Terms of Reference Advisory Design Panel.pdf- Attachment 4 - Draft City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 5, No. 3266.pdf |
| Final Approval Date: | Jul 20, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dorothy Shermer, Corporate Officer - Jul 16, 2020 - 8:50 PM

Rosemary Lodge, Manager of Communications and Engagement - Jul 17, 2020 - 11:51 AM

Paul Rockwood, General Manager of Finance and Technology - Jul 17, 2020 - 12:04 PM

Tim Savoie, City Manager - Jul 20, 2020 - 4:13 PM