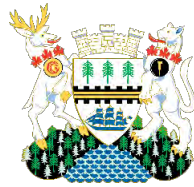


# Considered at June 2, 2020 Special Council Meeting

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## Report to Council

From the Office of Councillor Meghan Lahti and Councillor  
Steve Milani

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Date:	May 19, 2020
Subject:	Amending the Current Community Planning Advisory Committee Terms of Reference and Reinstating Advisory Design Panel

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### Purpose

To provide rationale regarding suggested changes to the committee system. In particular this report will outline proposed changes to Community Planning and Advisory Committee (CPAC) and request that the Advisory Design Panel (ADP) be reinstated, with some amendments to the terms of reference for both.

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### Recommendation

**THAT the Community Planning and Advisory Committee terms of reference be amended as recommended in the report dated May 19, 2020 from Councillors Meghan Lahti and Steve Milani regarding Amending the Current Community Planning Advisory Committee Terms of Reference and Reinstating Advisory Design Panel;**

**AND THAT the Advisory Design Panel be re-instated with amended terms of reference as recommended in the report dated May 19, 2020 from Councillors Meghan Lahti and Steve Milani regarding Amending the Current CPAC and reinstating ADP.**

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### Background

Port Moody has a longstanding and proud history of providing its citizens with opportunity for input through the civic committee system. Citizens have the opportunity to have meaningful input while they meet to discuss and advise on all issues related to the decisions of council. It is essential to council that the civic committee structure allow for citizen input for development applications, however doing so has remained an ongoing challenge for a number of reasons. It is important to note that while reviewing other municipalities throughout the lower mainland, there was only one other (Surrey) that allow for citizen input at any point of the process prior to required public hearings and information meetings. Most other planning committees in municipalities are made up of council members and city staff only. Unlike other committees, such as Parks, Heritage, Environment, the Planning Committee is tied to development applications from a third party, which are managed by staff. Difficulties regarding process, timing and mandates can have a negative impact on the Planning Department of the City and ultimately on how the City is perceived by their customers.

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## Discussion

The 'Planning Committees' in Port Moody have changed over the years. At one time this committee was known as the 'Land Use Committee', and had all members of council as well as civic members from various neighbourhoods being represented. The focus of that committee was land use specifically, and it provided advice on land use changes and rezoning applications. While this committee served a purpose, other important factors regarding proposed development applications were not considered, such as design elements, architecture, accessibility, environmental aspects, etc. To fill this void, the Advisory Design Panel (ADP) was formed in 2012. The role of the ADP was to advise staff and/or City Council on the aforementioned aspects of development projects under review by the City.

There have been challenges with both of these committees for various reasons over the years. With the Land Use Committee, difficulties arose when members of the committee felt that their input was being limited to land use only, as well, at times there was a sense from the members of the committee that their role was to 'approve or not approve' of a given proposal, which was not the case, as committees are not decision-making bodies, but rather are advisory bodies. In addition, there was public input at these meetings, which gave members of the public a sense that they were attending some sort of public hearing, and this was upsetting when the proposals were referred to council. In essence there was a sense that their input was not being listened to, when in fact, the committee did not have the mandate or the 'power' to stop an application or in any way provide direction to the applicant. With the ADP, the Terms of Reference (TOR) required that at least one architect be present at every meeting, which proved to be problematic, giving rise to meetings being cancelled. Ultimately this resulted in delays in the process, which was problematic for both staff and the developer.

More recently, there have been a number of changes to the civic planning committees, culminating with removal of council members and public input at Community Planning Advisory Committee (CPAC) meetings and the disbanding of the ADP. The thought was to bring all of the 'experts' onto the newly formed CPAC, along with the residents, and have a chair and vice-chair as members from council, similar to the other committees in the city. While the intent was to 'streamline' the committee and not to lose the expertise that ADP had provided, this has resulted in an extremely large and cumbersome committee that struggles to be operational. The focus on land use has been lost, with discussion often focusing on extraneous and unnecessary details. Members, particularly those who bring expertise to the table, have expressed frustration. In addition, the committee members have expressed concern regarding their purpose, as it relates to where in the process they 'fit', as well as what they view as a superfluous function.

As indicated earlier in the report, a planning committee is different than all other civic committees because of the nature of its existence. Planning and development within the city is steered by staff and there is an in-depth process outlined in the community charter as to what the legislative requirements are, including: public processes, public hearings, etc. Unlike other committees which provide comment and input on items that are on a council approved work plan, a planning committee's work is determined by the applications that the City receives and the staff direction. Our desire to have citizen input into aspects of the process is sincere, as it can be a valuable tool to aid Council in the decision-making process.

Both the broader aspect of land use, as well as the more detailed aspects of a development proposal, such as architecture, accessibility, etc., are important, and it is our contention that both of these aspects should be considered through different lenses.

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It is our recommendation that the Community Planning and Advisory Committee terms of reference be revised, and that the Advisory Design Panel be re-established.

## **Community Planning Advisory Committee:**

We recommend that the terms of reference be amended to allow for a more focused purpose for the committee – that being land use. Council needs to receive, at an early stage, the opinion of the community-at-large, regarding proposed land use for various areas in the city. The information provided to the committee should be limited to form and density in reference to:

- current OCP designation and population projections,
- proposed form and density, (type of housing mix, form of development)
- context of the proposal (ie. Where is it located, what is the neighbourhood context, how close to transit, etc.)

It is our contention that proponents of an application would not be required to attend CPAC, and that staff could provide the information and context to the committee and would advise as to the level of support from staff. Upon receipt of the proposal, the committee would consider these aspects and make recommendation to staff/Council based on the advisability of the proposed land use change. These recommendations would be worded as such:

“The Community Planning Advisory Committee recommends to council that the proposed land use is appropriate/not appropriate for the following reasons:

- As it pertains to the current OCP designation:
- Form and density:
- Context of the proposal
- 

This information would be immensely helpful for council when considering a proposal, particularly at an early stage.

## **Advisory Design Panel:**

We recommend that the ADP be re-established to allow for input by industry experts regarding the quality of design of development projects under review by the City. The TOR for the previous ADP should be amended to address the previous concerns regarding the necessity to have an architect review plans at an early stage of any application, by requiring that at least one of the architects appointed be retained by the city for the purposes of attending these meetings. Port Moody has hired an architect on retainer, who is brought in to review plans when necessary. As the concern regarding the ADP was that the TOR required an architect to be present in order for the meetings to proceed, the City could consider appointing the architect that is currently retained by the City to sit on the ADP. Alternatively, the City could provide to a stipend to an appointed architect to attend the meetings.

## **Other Option(s)**

THAT the report dated May 19, 2020 from Councillor Meghan Lahti and Councillor Steve Milani titled Amending the Current CPAC Terms of Reference and reinstating ADP be received for information.

## **Financial Implications**

There would be no financial implications, as the city has already budgeted for the requirement of architectural oversight.

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## Communications and Civic Engagement Initiatives

There are no communications and civic engagement initiatives related to this report.

## Council Strategic Plan Objectives

These recommendations align with the Strategic Plan in the following areas:

- Exceptional Service – providing a more focused and streamlined process our customers, both internal and external will receive better service.
- Healthy City – reviewing and advising on the type of housing
- Community Evolution – reviewing proposed development applications in the context of the OCP and population projections

## Attachment(s)

1. Proposed Terms of Reference for Community Planning Advisory Committee
2. Proposed Terms of Reference - Advisory Design Panel

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## Proposed new Community Planning Advisory Committee Terms of Reference

### Committee Name

Community Planning Advisory Committee

### Committee Purpose

The purpose of the Community Planning Advisory Committee is to provide City Council and the General Manager of Planning and Development with comment and advise on proposed land use changes as detailed below and within the Council Committee.

### Duties of the Committee

- 1) The Committee will provide advice regarding proposed land use changes through the review of Official Community Plan, Zoning Bylaw, Land Use Contract, or Temporary Use Permit applications, and will provide recommendations to the General Manager of Planning and Development as part of review process of these applications.
- 2) The Committee will also review and advise Council on bylaws, plans, studies, or policies on land use planning matters referred by Council, and may identify other areas of focus for approval by Council.

### Membership of the Committee

The Committee will be comprised of two members of Council who will act as Chair and Vice Chair, one member from the community-at-large and one representative from each of the following community areas who have been nominated by their Community Association or by ten (10) residents of their neighbourhood to be appointed by Council:

- College Park;
- Glenayre;
- Heritage Mountain;
- Inlet Centre;
- Moody Centre;
- Pleasantide.

Members shall be appointed for a term of two (2) years, and may be reappointed for further terms, without limitation. Appointments for resident representatives shall be staggered such that half (1/2) of resident representatives are appointed each year.

### Operations of the Committee

#### Meeting Schedule

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The Committee will meet monthly, as needed.

The meetings will be open to the public.

## Rules of Procedure

Meetings shall be conducted in accordance with the rules of procedure set out in the Council Procedure Bylaw and Council Committee System Policy.

At each meeting staff will present the committee with the proposed land use change. The information provided to the committee should be limited to form and density in reference to:

- current OCP designation and population projections,
- proposed form and density, (type of housing mix, form of development)
- context of the proposal (ie. Where is it located, what is the neighbourhood context, how close to transit, etc.),

Upon receipt of the proposal, the committee will consider these aspects and make recommendation to staff/Council based on the advisability of the proposed land use change. These recommendations would be worded as such:

“The CPAC recommends to council that the proposed land use is appropriate/not appropriate for the following reasons:

- As it pertains to the current OCP designation:
- Form and density:
- Context of the proposal:

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## **Advisory Design Panel Terms of Reference**

Name: Advisory Design Panel

File: 0360-20-51

### **Approvals/Reviews/Amendments**

**Approval Date:** November 13, 2012  
January 13, 2015  
(revised September 12, 2017)

### **1.0 Purpose**

- 1.1 The role of the Advisory Design Panel is to advise the General Manager of Planning and Development and/or City Council on the quality of design of development projects under review by the City.

### **2.0 Composition of Panel**

- 2.1 The Panel will be comprised of nine members:

- a) Two architects;
- b) One landscape architect;
- c) One engineer;
- d) One representative from the business community;
- e) One representative from the construction industry;
- f) One representative with a background in arts and culture;
- g) One representative with an environmental background;
- h) One representative from Port Moody Police Department; and
- i) One representative with mobility challenges.

- 2.2 Members of the Panel, excluding the representative of the Port Moody Police Department, shall serve without remuneration. Appointments to the Panel shall be ratified by Council on the following basis:

- a) All professionals on the Panel must be members in good standing with the British Columbia chapter of their professional organizations;
- b) The two architects would ideally have experience in designing buildings to meet Step Code standards;
- c) At least one of the appointed architects would be either on retainer or provided a stipend to attend;
- d) The appointee from the business community would ideally operate a business within the City;
- e) The appointee from the construction industry would ideally have experience of having worked within the City; and

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## Advisory Design Panel Terms of Reference

Name: Advisory Design Panel

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- f) The representative with a background in arts and culture should ideally be a resident of Port Moody.

### 3.0 Terms of Office

- 3.1 As required, at the end of each year, the Council of the City of Port Moody shall ratify the appointment of members to the Panel.
- 3.2 Each member is appointed for a period of two years.
- 3.3 All members shall hold office until their successors are appointed.
- 3.4 Every member is eligible for reappointment, but in no event shall serve more than two consecutive terms.
- 3.5 An individual's membership on the Panel may be terminated if three consecutive meetings are not attended, based upon a majority vote by the Panel to this effect. This recommendation would be provided to Council for their consideration.
- 3.6 Vacancies caused by death, resignation, or removal of members shall be filled for the unexpired terms of such members.
- 3.7 City Council may, by resolution, authorize the removal of any member from the Panel at any time.

### 4.0 Meeting Procedures

- 4.1 The Panel shall meet once monthly, or as required. Meetings may be cancelled if there is no material requiring review.
- 4.2 The Panel shall, at its first meeting in each calendar year, elect from its members a Chair and Vice-Chair for that year. In the event of the Chair's and Vice-Chair's absence, the Panel will select from amongst its voting members an Acting Chair.
- 4.3 A quorum shall consist of five voting members.
- 4.4 If one of the architects is unable to attend a meeting of the Panel he/she should ensure that the other architect is able to attend. In the event that no architects are able to attend the meeting shall be postponed. In the event that no landscape architects are able to attend, the Panel may defer on commenting on landscape matters until the next meeting that the landscape architect member is present.
- 4.5 The role of the General Manager of Planning and Development or their designate is to provide information and advice on the development approval processing procedure and relevant City bylaws and associated regulations.



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## Advisory Design Panel Terms of Reference

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- 4.6 Relevant projects will be referred to the Panel as part of the initial review of the development application. Where an application for Development Permit or Heritage Alteration Permit has previously been reviewed through the Rezoning process the application will not be referred to the Design Panel for a second time.
- 4.7 The General Manager of Planning and Development will have the discretion not to refer Development Permit applications to the Panel, where alterations to an existing building are not deemed to be significant.
- 4.8 Council and/or the General Manager of Planning and Development may at their discretion refer other items and projects to the Panel, as required.
- 4.9 The applicant shall ensure that all submissions to the Panel shall be accompanied with sufficient contextual material and information generally in accordance with "Advisory Design Panel, Submission Requirements".

## 5. Conduct of Meetings

- 5.1 The applicant for the project shall present their project to the Panel. The presentation should focus on the considerations set out below in (5.3).
- 5.2 Panel members shall have an opportunity to ask questions and seek clarification from the applicant and City staff.
- 5.3 The Panel shall consider and make recommendations on all Rezoning, Development Permit, and Heritage Alteration Permit applications, with the exception of RS1-S (Small Lot) rezoning and development applications. Review will focus on a development proposal's observance of good planning principles and adherence to relevant Official Community Plan Design Guidelines, with aspects of review including, but not limited to, the following considerations:
  - a) **Neighbourhood context** – the impact on adjacent buildings, streets, and land uses;
  - b) **Site Planning** – topography of the site; daylight, shadowing, overlook, and privacy issues; lot coverage; setbacks; provision of parking/loading; site access and permeability; and adherence to CPTED principles;
  - c) **Streetscape** – contribution to and quality of the public realm; and building/street interface and transition;
  - d) **Building Design** – Massing, articulation, character, height, and proportionality; quality of materials; accessibility; roof forms; sustainability features, etc.;
  - e) **Landscaping** – extent of hard versus soft landscaping; suitability of proposed planting, irrigation strategy; and accommodation of outdoor amenity areas;
  - f) **Environment** – impact of development upon natural elements, including topography, steep slopes, ravines, watercourses, and tree retention; and
  - g) **Environmental Sustainability** – assessing the use of sustainable construction materials, and implementation of practices that minimize energy use, water use, etc.

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## **Advisory Design Panel Terms of Reference**

**Name: Advisory Design Panel**

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- 5.4 Decisions shall be made with the applicant present by a simple majority vote, and all recommendations shall be submitted to the General Manager of Planning and Development. All recommendations shall be signed by the Secretary on behalf of the Chair.
- 5.5 In voting, the Panel will have the option to fully endorse the project with no conditions; endorse the proposal with conditions; or recommend the applicant consider aspects of their proposal before appearing before the Panel at a subsequent meeting.
- 5.6 Following the meeting, the applicant will be provided with a written version of the recommendations of the Panel.