

DISTRICT OF SQUAMISH

REPORT TO: Council

FOR: Regular

PRESENTED: March 18, 2008

FILE: 6410 ADP

SUBJECT: Squamish Advisory Design Panel Terms of Reference

Recommendation:

THAT the District of Squamish Advisory Design Panel Terms of Reference be adopted by Council as proposed.

CAO Recommendation:

Concur with the Planning Department report and recommendation.

K. Anema, CAO

1. **Purpose:**

The purpose of this report is to present a revised District of Squamish Advisory Design Panel Terms of Reference and recommend the adoption of these terms by simple resolution of Council. The intent of the amended terms of reference is to bring an elevated level of professionalism and rigour to the review of development proposals being presented to the District staff and Council in an effort to better serve both the applicants and the community of Squamish.

2. **Time Critical:**

A resolution supporting the revised Terms of Reference is time critical in the sense that the changes proposed could, if supported by resolution of Council, be implemented as part coming term of the Squamish Advisory Design Panel. Appointments for the 2008 term are due to occur shortly.

3. **Background:**

The original District of Squamish Advisory Design Panel Bylaw No. 1591, 1999 established the terms of reference based on *Section 898* of the *Local Government Act*. *Section 898* of that document outlines the statutory requirements for how council may establish an advisory planning commission to advise council on all matters respecting land use, community planning or proposed bylaws under certain sections of the *Local Government Act*. However, advice regarding the nature and function of an advisory design panel has indicated that for items typically to be considered by an ADP (siting, massing, form and character, proposed material and finishes, etc.), *Section 898* of the *Local Government Act* is not the appropriate

avenue for establishment of a design panel. Advisory Planning Commission and Advisory Design Panels are, by their nature, charged with distinctly different responsibilities. Accordingly, staff have developed a terms of reference to address issues related to form and character of development proposals including details on the composition of the panel, the duration of appointments, reappointment limits and general operating procedures. These terms of reference may be enacted by a resolution of Council.

4. **Details:**

Since the adoption of Bylaw 1591 in 1999 and the appointment and striking of the initial Panel in early 2004, both the community of Squamish and the District staff have seen many changes. The volume and sophistication of the applications seen currently is more complex than at the time of the Panel's creation (1999) and initial appointments (2004). Further, the pace of review for both staff and the Panel is elevated substantially from the early days of the Panel. In keeping with a number of the corporate goals of the District of Squamish, namely integrity, excellence and innovation in the provision of efficient and effective service. Stemming from the discussion above regarding *Local Government Act* regulations and the striking of an ADP, staff is proposing the adoption of a District of Squamish Advisory Design Panel Terms of Reference that will the District itself in achieving these goals.

First and foremost, staff is suggesting that the composition of the Panel be modified to increase the representation from the professions of architecture, landscape architecture, and professional land development. Staff suggest two members from the Architectural Institute of British Columbia (AIBC) up from one currently, two members from the British Columbia Society of Landscape Architects (BCSLA) up from one currently, one member from either the Urban Development Institute of Canada (UDI) or the Sea to Sky Landholders Association (which are not formally represented currently), and one member from the Association of Professional Engineers and Geoscientists of British Columbia (or the Applied Science Technologists and Technicians of British Columbia (as is currently represented). Additionally, staff is recommending that one member have expertise in accessibility and universal design. The remainder of the panel will consist of four members at large who reside in Squamish and whose interest is in the arts, design, construction or development fields. The panel will total eleven members when fully appointed and will provide detailed and helpful review and comment for both staff and Council in the consideration of development applications.

Further, the duration of the appointments is shortened to one year from the previous two year maximum, as this is more reflective of the professional association's nomination periods. Notwithstanding any rules of the professional associations, appointment to a maximum of three consecutive terms is permitted under the amended terms of reference. This will allow for a rational and consistent turnover (after the initial round of appointments), which will bring new members on without the complete turnover of the Panel members.

A number of other small changes to the procedures of the panel have been made in an effort to streamline the process and to facilitate the professional review of applications from the development community. These procedural changes are minor in nature and are contained in the proposed Terms of Reference attached as Appendix A.

6. **Policy Implication**

None. The changes are intended to provide for an elevated level of response to both applicants and staff regarding development proposals facing the District.

7. **Alternatives to Staff Recommendation:**

Staff Recommendation:

Alternative 1:

THAT the District of Squamish Advisory Design Panel Terms of Reference be adopted by Council as proposed.

Implication:

The proposed Squamish Advisory Design Panel Terms of Reference would be adopted by resolution of Council. The proposed terms of reference have been drafted in order to maintain the functioning of the Advisory Design Panel given the changing development environment facing the District of Squamish today.

Alternative 2:

Another direction/course of action to be specified by Council.

Respectfully submitted,

Chris Bishop
PLANNER

DISTRICT OF SQUAMISH

ADVISORY DESIGN PANEL TERMS OF REFERENCE

1. ADVISORY DESIGN PANEL

- 1.1 The purpose of the Advisory Design Panel is to create an independent body to provide an objective view in the public interest, and to give impartial professional advice to municipal staff and Council on matters relating to the context of development proposals or policies affecting Squamish's physical environment.
- 1.2 The Advisory Design Panel shall advise municipal staff and Council concerning the design of all residential multifamily buildings, commercial and industrial buildings located in all Development Permit Areas except:
- i. DP Area No 1: Protection of the Natural Environment
 - ii. DP Area No 6: Business Park

and further, the Advisory Design Panel may make recommendations to staff and the Council in respect of:

- (i) any policies or guidelines established by the District;
- (ii) any other matter referred to the Advisory Design Panel

at the request of the Director of Planning and/or Council.

- 1.3 In preparing its recommendations to the Council the Advisory Design Panel must have regard for all applicable development permit area guidelines, as well as any other relevant policies or guidelines established by the Council, and must consider:
- (i) the effect of proposed buildings on community design, including their physical appearance and physical and contextual relationship to their surroundings, including existing or proposed buildings;
 - (ii) exterior materials, textures and colours;
 - (iii) landscaping; and
 - (iv) environmental sustainability.
- 1.4 Development permits of a minor nature dealing with items such as cosmetic facade improvements, minor landscape replacement and redesign, minor changes in exterior cladding material, building colours, and lighting may be waived at the discretion of the Director of Planning.
- 1.5 Major development proposals, including the proposed site plan, building massing and conceptual design may, at the request of the applicant and with the consent of the Panel secretary, be presented to the Panel prior to a full development permit or other

application being made, and the Panel may provide preliminary comments to the applicant in writing via minutes, workshop and staff notes.

- 1.6 The Advisory Design Panel's recommendation on all matters must be submitted to the Council within 60 days of the date on which the matter is referred to the Panel.
- 1.7 In extraordinary and extenuating circumstances Council may, by resolution, waive the required review and comment by the Advisory Design Panel.

2.0 PANEL COMPOSITION

- 2.1 The Advisory Design Panel is comprised of eleven regular members, of whom at least four must be residents of the District of Squamish.
- 2.2 Squamish Advisory Design Panel membership shall consist of:
 - (i) two professional architects who are members of the Architectural Institute of B.C.;
 - (ii) two professional landscape architects who are members of the B.C. Society of Landscape Architects;
 - (iii) One professional land developer who is registered as a member of the Urban Development Institute of Canada or Sea to Sky Landholders Association;
 - (iii) one member of the Association of Professional Engineers and Geoscientists of BC or the Applied Science Technologists and Technicians of BC;
 - (iv) one member with expertise in accessible design; and
 - (v) four citizens at large who reside in Squamish and whose interest is in the design or construction field, including architects, engineers, development planners, designers, artists, and contractors.

3.0 PANEL APPOINTMENTS

- 3.1 All members of the Advisory Design Panel shall be appointed by municipal Council with the exception of the Director of Planning.
- 3.2 The Council may designate one of the members of the Council to attend the meetings of the Advisory Design Panel in an 'ex-officio' capacity to serve as a resource and to improve communication with Council.
- 3.3 Advisory Design Panel members referred to in article 2.2 (i) through (iv) must be selected from nominees submitted by the Architectural Institute of B.C., the B.C. Society of Landscape Architects, the Urban Development Institute of Canada or the Sea to Sky Landholders Association, and the Association of Professional Engineers and Geoscientists of B.C. or the Applied Science Technologists and Technicians of B.C. respectively. The remaining members must be selected from nominees submitted by the general public respecting the areas of expertise listed.

- 3.4 With the exception of the Director of Planning, all members shall be appointed annually for a one year term.
- 3.5 Advisory Design Panel members may be appointed for not more than three (3) consecutive terms, unless otherwise authorized by Council under exceptional circumstances.
- 3.6 The Chair of the Advisory Design Panel shall be elected by a majority vote of the regular members of the Panel.
- 3.7 The Director of Planning shall be a non-voting member.
- 3.8 The Secretary of the Advisory Design Panel shall be the Director of Planning or his/her designate.
- 3.9 All members of the Advisory Design Panel are expected to attend Panel meetings regularly. Members must attend at least 50 percent of the Panel meetings. Any member who fails to attend at least half of the Panel meetings called in any 6 month period shall be removed and replaced by the Council.

PANEL PROCEDURES

- 4.1 The Panel secretary may call a meeting of the Advisory Design Panel upon giving at least seven days' notice to each member, and must provide a copy of each meeting agenda to the Mayor and Councilors for information.
- 4.2 Notice of a meeting may be waived by the consent of a majority of the members of the Advisory Design Panel.
- 4.3 District of Squamish staff may attend at meetings of the Advisory Design Panel in a resource capacity, but may not vote.
- 4.4 The Mayor and members of Council may attend all or any portion of an Advisory Design Panel meeting in an ex-officio capacity.
- 4.5 Municipal staff shall provide background information to the Advisory Design Panel for each application under review by the Panel, including the development application, materials submitted by the proponent, and relevant staff reports, at least three clear days prior to each meeting. The report shall include:
 - a) Contextual considerations;
 - b) A clear statement of the applicable municipal planning objectives, constraints or guidelines;
 - c) A description of the application;
 - d) Copies of the plans reduced to 11x17;
 - e) A review of the proposal;

- f) A summary of any comments received from municipal consultants;
- g) A summary of outstanding issues and staff concerns;
- h) A description of any previous issues for subsequent Panel submissions; and
- i) A recommendation or conclusion.

4.6 The review of each application or proposal by the Advisory Design Panel may consist of:

- a) A period during which Panel members may review the full scale drawings, models, and/or renderings of the proposal
- b) A summary of the municipal comments and concerns by a municipal staff members;
- c) A presentation of the proposal by the applicant
- d) A Panel question and answer period to the applicant and municipal staff;
- e) Preparation by the Panel Chair of the recommendation to be made to Council; and
- f) A discussion of the recommendations (for clarity) with the applicant. This discussion is not intended to allow further debate.

4.7 An Advisory Design Panel meeting quorum consists of six (6) members.

4.8 Advisory Design Panel meetings shall be held in Squamish, except under exceptional circumstances and as approved by the Director or Planning.

4.9 Advisory Design Panel meeting agendas will be distributed to the Mayor and Council for information.

4.10 Regular meetings of the Committee will be held on the third Thursday of each month. Time of day is to be decided by the majority of Panel members.

4.11 A Panel member who is involved in a development proposal under review by the Panel must not take part in the discussion of the proposal or vote on any question in respect of the proposal, must leave the meeting for the period of time during which the proposal is under consideration, and must not attempt in any way, whether before, during or after the meeting to influence the voting on any question in relation to the proposal.

4.12 An applicant for a development permit or other approval in respect of a project that has been referred to the Advisory Design Panel must attend the meeting and make representations to the Panel on the project.

4.13 Recommendations of the Advisory Design Panel must be ratified by the majority of members in attendance at a meeting, provided a quorum is present at that meeting.

4.14 The Panel Secretary, with the assistance of a recording secretary must prepare meeting minutes detailing the Panel's deliberations. Upon adoption by the Panel, the minutes must be circulated to Council and made available to the applicant and the general public on request.

- 4.15 A member of the Advisory Design Panel delegated for that purpose by majority vote of the Panel may attend Council meetings to make representations to the Council of the Panel's recommendations.
- 4.16 Subsequent to the final approval by Council or issuance of a permit for a proposal reviewed by the Panel, the Panel secretary or relevant staff member may provide a verbal update to the Panel identifying briefly any changes made to the proposal in response to the Panel's recommendations.
- 4.17 The Advisory Design Panel may from time to time establish by resolution further procedures not inconsistent with this bylaw to be followed for the conduct of its meetings.

Cameron Chalmers
Director of Planning

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