



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	February 02, 2016
SUBJECT/REPORT NO:	Hamilton Design Review Panel Pilot Project - Request for Extension (PED13137(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Joanna Chludzinska Urban Designer (905) 546-2424 Ext. 1393 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

That the Design Review Panel – Pilot Project Mandate, attached as Appendix “A” to Report PED13137(a), be extended until December 31, 2016 and that at the conclusion of the pilot project that staff be directed to report back to the Planning Committee on the effectiveness of the Design Review Panel.

EXECUTIVE SUMMARY

The purpose of this Report is to request an extension of the Design Review Panel (DRP) Pilot Project until December 31, 2016. The DRP project was approved by City Council in August, 2013 as a two-year pilot project. DRP was originally intended to commence on January 1, 2014 and that at the conclusion of the two-year period (i.e. December 31, 2015) staff were to report back on the effectiveness of DRP.

The initial phase of the DRP pilot period (i.e. January, 2014 – April, 2014) focused on recruitment, orientation and finalization of the DRP mandate. Furthermore, after an

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initial series of DRP meetings (i.e. May, 2014 – September, 2014) and based on client feedback from both the DRP members and proponents, DRP meetings were held in abeyance to make operational changes to the DRP process. These changes were to maximum the effectiveness of the DRP and assist proponents in preparation for the DRP meeting. As such, the number of projects considered by the DRP was limited and the effectiveness of DRP has improved.

However, because the DRP only considered 11 projects post-procedural and operational changes in the pilot project time period, staff are seeking Council's approval to maintain the Pilot Project until December 31, 2016 to better assess the overall effectiveness and merit of the DRP Pilot Project. This will enable staff to provide an overall assessment of the merit at the conclusion of two full operational years of the DRP (i.e. 2015 and 2016) of permanently incorporating a DRP within the development approvals.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications to the recommendation. The costs associated with the extension of the Pilot Project will be absorbed by the existing operating budget.

Staffing: There are no staffing implications. The DRP will be administrated by existing Planning Division staff and existing panel members whose membership term length will be extended to December 31, 2016.

Legal: There are no legal implications to the recommendation. Legislation applicable to DRP matters generally is provided in the policy section of Report PED13137(a). The recommendation is consistent with the relevant legislation.

HISTORICAL BACKGROUND

As noted in the August, 2013 staff report on the feasibility of establishing a DRP, the purpose of DRP is to provide expert impartial design advice and guidance to planning authorities on significant development proposals and other design related matters, based on established Council-approved policies and guidelines. DRPs provide professional, objective advice to planning staff on matters of design that affect the public realm, including the design of proposed buildings, streets, parks, and open spaces, in order to help achieve and uphold standards of design excellence. DRPs make an important contribution to the development approvals process, but do not replace the process. Input from the DRP is integrated into the development approvals process to provide objective advice to City staff and Council involved in planning approvals. Panel members are design professionals who review development proposals based on

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publicly approved criteria, such as Official Plans, Secondary Plans, and Design Guidelines.

As it relates to the City of Hamilton, and because the DRP was established as a two-year pilot project, DRP's mandate is to give advice to staff on projects in the Design Priority Areas of the City (identified in Appendix "A") based on Council approved policies and guidelines, in order to help achieve and uphold standards of design excellence.

In January, 2012, Planning Committee directed staff to report back on the feasibility and the positive and negative aspects of creating an Urban Design Panel. A report on this matter was presented at the Planning Committee meeting in August, 2013. Staff recommended that a two-year DRP Pilot Project be established to test the feasibility and merit for incorporating a DRP within the development approvals process. The Mandate for the DRP was also approved and staff were directed report back on the effectiveness of the panel at the end of the two-year period.

In March 2014 the Council's Approved Mandate was revised by the Panel, expanding the Design Priority Areas and changing the submission requirements, as per Appendix "A".

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The establishment of DRP assists in implementing goals of Official Plan policies and guidelines, which gain their policy direction from the Provincial Policy Statement (PPS). Accordingly, the DRP assists in meeting the goals and objectives of the PPS.

The process of design review takes place as an additional stream of consultation within the existing framework and timeframe of development review. DRP can be used to assist staff in promoting design excellence during the implementation process of planning policies.

DRP provides advice to Planning Division staff on urban design related matters. The DRP does not have statutory decision making powers.

It is noted that in December, 2015, the Province of Ontario amended the Planning Act to make urban design related matters a matter of Provincial interest. Specifically, Section 2 of the *Planning Act* has been amended to add the following new subsection:

- “(r) the promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and
 - (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.”

These changes align with the 2014 changes to the Provincial Policy Statement (PPS) which included new policies and language to support the importance of urban design and sense of place.

RELEVANT CONSULTATION

Throughout the Pilot Project, staff have consulted with the Hamilton Burlington Society of Architects (HNSA) and the Hamilton Halton Home Builders' Association (HHHBA). In addition, staff have had post-mortem meeting with DRP presenters to solicit their feedback on the DRP experience and opportunities to improve the process.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Within the initial two-year Pilot Project, City Planning staff advertised panel positions, conducted interviews for the positions, and appointed nine panel members. The time also allowed for organizing the administration of the panel including creating new forms and web pages, scheduling meetings with various stakeholders, booking facilities, and incorporating changes into the DRP Mandate and DRP Process.

In order to provide reliable evaluation of the Program's success during the trial period, a sufficient number of applications need to be submitted. A total number of 19 applications were submitted to DRP within the two-year Pilot Project. Fourteen development applications (six Site Plans and eight Pre-Consultations) and five planning studies were considered by the DRP during the initial period, as outlined in Appendix "B".

Since the initial inception of the DRP, there have been process and procedural changes to the DRP process in response to feedback received from DRP presenters and participants.

The initial phase of the DRP pilot period (i.e. January, 2014 – April, 2014) focused on recruitment, orientation and finalization of the DRP mandate. Furthermore, after an initial series of DRP meetings (i.e. May, 2014 – September, 2014) and based on client feedback from both the DRP members and proponents, DRP meetings were held in abeyance to make operational changes to the DRP process. These changes were to maximize the effectiveness of the DRP and assist proponents in preparation for the DRP meeting. As such, the number of projects considered by the DRP was limited and the effectiveness of DRP has improved.

However, the DRP only considered 11 projects post-procedural and operational changes in the pilot project time period. Additional time is required to better assess the overall effectiveness and merit of the DRP Pilot Project. This will enable staff to provide an overall assessment of the merit at the conclusion of two full operational years of the DRP (i.e. 2015 and 2016) of permanently incorporating a DRP within the development approvals.

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The extension of the Pilot Project will allow for more applications to be submitted to DRP, and for more detailed monitoring, evaluation and reporting on the results and effectiveness of the DRP.

ALTERNATIVES FOR CONSIDERATION

In considering alternatives to the recommended action, Council could consider the following:

1. Not proceed with an extension of Pilot Program for Design Review Panel.

Should Council choose not to continue with the Pilot Program, the implication is the DRP will be discontinued and expert impartial design advice and guidance would not be provided to staff.

2. Implement a permanent Design Review Panel.

Not recommended as staff would like to continue to monitor the Program's effectiveness until December 31, 2016.

APPENDICES AND SCHEDULES ATTACHED

- Appendix "A": Revised DRP Mandate dated 27.03.2014
- Appendix "B": Table of Projects Reviewed by DRP

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