



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 28, 2017
<b>SUBJECT/REPORT NO:</b>	Design Review Panel - Pilot Project Evaluation and Related Recommendations (PED13137(b)) (City Wide) (Outstanding Business List Item)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Kimberley Harrison-McMillan (905) 546-2424 Ext. 2222
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the Design Review Panel be established on a permanent basis as an advisory component of the development approval process;
- (b) That the Design Review Panel – Program Mandate, attached as Appendix “A” to Report PED13137(b), be approved;
- (c) That as part of the Downtown Hamilton Secondary Plan update, the revised Secondary Plan incorporate policies to support the Design Review Panel and to provide for the identification of advice from the Design Review Panel at the Formal Consultation stage, as part of a complete application pre-requisite for submission of an application for a complex Zoning By-law Amendment and major Site Development Applications within the Secondary Plan Area;
- (d) That the item respecting staff reporting back on the effectiveness of the Design Review Panel be identified as completed and removed from the Planning Committee Outstanding Business List.

### EXECUTIVE SUMMARY

The purpose of this Report is to provide an assessment of the City’s Design Review Panel (DRP) Pilot Program, report back to Planning Committee on the effectiveness of

the Design Review Panel – Pilot Program and recommend retaining the DRP, and incorporating the DRP in the development review process on a permanent basis.

The DRP Pilot Program was created to test the feasibility and merit for incorporating a DRP within the development approvals process. The DRP Pilot Program was approved by City Council on August 13, 2013 (PED13137) as a two-year pilot project and subsequently extended for a year until the end of 2016 (PED13137(a)) to provide staff with an opportunity to assess the merits of a DRP as part of the City’s development review process.

The three-year program allowed staff to monitor, refine, and assess the program. During this period, it was necessary to adjust the Terms of Reference, formalize the process by setting up program control measures including establishing procedures to collect progress data, address key stakeholder concerns and refine the process of integration into the development approvals process for complex Zoning By-law Amendments and Major Site Plan Control Applications. Based on a review of the Panel’s advice, DRP’s impact on design quality and consultation with stakeholders, it is staff opinion that the DRP has proven to be beneficial by adding value to the development approvals process. As a result, Planning staff recommends that DRP be permanently incorporated into the development approvals process and the updated Mandate be approved.

***Alternatives for Consideration – See Page 15***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Operating costs associated with the DRP, such as expenses, catering, and courier costs are approximately \$9,500 (based on twelve meetings per year) or \$775 per meeting. The operating costs for the DRP are funded by the Planning Division’s annual operating budget (Account No. 53130).

**Staffing:** The DRP is administrated by Planning staff. The median cost of Planning staff involvement is approximately \$3,550 (58.37 hours) per meeting, which is captured by the Planning Division’s operating budget.

**Legal:** N/A

**HISTORICAL BACKGROUND**

In January, 2012, Planning Committee directed staff to report back on the feasibility and the positive and negative aspects of creating a DRP. A report on this matter was presented at the Planning Committee meeting on August 13, 2013 (PED13137). Staff recommended that a two-year DRP Pilot Program be established starting January 1, 2014 to test the feasibility and merit for incorporating a DRP within the development

approvals process and the draft Mandate for the DRP was also presented. Council approved the Pilot Project and staff was directed to report back on the effectiveness of the Panel at the end of the two-year period.

The approved Mandate for DRP was refined in order to outline the expectations and requirements for the DRP process to achieve and uphold standards of design excellence, including scope of work, composition and panel member's selection, administration, process and code of conduct. The draft Mandate, as approved by Council, allowed for further refinement once the DRP members had been selected and the Mandate had been reviewed by the DRP.

In March 2014, the Council approved Mandate was further revised by staff as a result of consultation with the Panel, who proposed to expand the Design Priority Areas (DPA) to include Primary Corridors and to incorporate minor changes to the submission requirements to ensure an appropriate review. The changes included adding information material such as replacing the key plan with a context plan, providing building (floor) plans, massing models, streetscape cross-sections, roof plans, an urban design brief with any applicable heritage information, sun / shadow study and wind study, and visual impact analysis.

In February 2016, the DRP Pilot Project was extended until December 31, 2016 to better assess the overall effectiveness and merit of the DRP Pilot Program (PED13137(a)). This enabled staff to provide an assessment of the merit and value of the DRP at the conclusion of two full operational years (i.e. 2015 and 2016).

Procedures for DRP were developed through an analysis of best practices and were further refined throughout the two full operational year period of the pilot program. The procedures included, but were not limited to meeting protocols, submission requirements and DRP scope of work. At the conclusion of the Pilot Program (i.e. December 31, 2016) staff was expected to report back on the effectiveness of DRP, which is the purpose of this Report.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Planning Act**

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* was 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 that recognize and support the importance of urban design and sense of place.

### **Provincial Policy Statement (2014)**

The Provincial Policy Statement (PPS) provides policy directions on matters of Provincial interest related to land use planning and development. The policy establishes the basis for regulating the development and use of lands. Key objectives include building strong communities, wise use and management of resources, and protecting public health and safety. City Council’s planning decisions are required to be consistent with the PPS. In promoting design excellence, the DRP is upholding the policy direction of the PPS and assisting the City in achieving its urban design goals and objectives as established in the Urban Hamilton Official Plan, which gains its policy direction from the PPS.

### **Urban Hamilton Official Plan**

The Urban Hamilton Official Plan (UHOP) provides directions on urban design matters through the policies on Communities, Urban Design and Urban Structure.

Community policies are described in Chapter B of the UHOP. The introduction to the chapter outlines, amongst other goals, to create strong communities within the City.

“Strong communities are:

- Complete      Opportunities to live, work, learn, shop, and play are provided and are accessible.
- Healthy        Healthy and safe lifestyles are supported by quality built and natural environments.
- Diverse        Neighbourhoods are unique in character and enable a variety of lifestyle choices and housing opportunities for all.
- Vibrant        Interesting and creative streetscapes and human scale public places are created through quality design, pedestrian amenities, and attention to land use mix.”

One of the important objectives of designing strong and quality communities is:

“B.1.0 The quality of the built environment shapes the urban experience. Urban design policies direct design in both the public and private realm to facilitate unique, diverse, innovative, and creative urban places.”

Quality communities are supported by a strong economy. The following UHOP land use and infrastructure policy recognizes the link between improving the quality of architecture and public realm and economic vitality, specifically:

“B 3.1.1 City shall strengthen its economy by:

c) Encouraging improved urban design and architecture, as well as improving the urban design elements of the public realm.”

Urban design plays a significant role in creating unique character, as well as interesting and creative streetscapes. A DRP supports the promotion of design excellence and implementation of this policy objective.

The introduction of policies in section B.3.0 Quality of Life and Complete Communities in the UHOP illustrates that urban design quality is one of the factors that have a profound direct effect on quality of life.

Further section 3.3 of Chapter B – Urban Design Policies identifies that urban design plays a critical role in creating strong communities by upgrading and maintaining the City’s civic image, economic potential, and quality of life. Accordingly, Section B 3.3.1 outlines the Urban Design Goals, which are:

“B.3.3.1.1 Enhance the sense of community pride and identification by creating and maintaining unique places.

B.3.3.1.2 Provide and create quality spaces in all public and private development.

B.3.3.1.3 Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.

B.3.3.1.4 Create communities that are transit-supportive and promote active transportation.

B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

B.3.3.1.6 Create places that are adaptable and flexible to accommodate future demographic and environmental changes.

- B.3.3.1.7 Promote development and spaces that respect natural processes and features and contribute to environmental sustainability.
- B.3.3.1.8 Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.
- B.3.3.1.9 Encourage innovative community design and technologies.
- B.3.3.1.10 Create urban places and spaces that improve air quality and are resistant to the impacts of climate change.”

The establishment of DRP assists in implementing the goals of the UHOP by promoting design excellence, providing additional and diverse design advice and improving the design quality of proposals within the development approvals process.

### **Downtown Hamilton Secondary Plan**

The main goal of the Downtown Hamilton Secondary Plan is revitalisation of the Downtown. One of the principals of this revitalization process is respecting design and heritage, and placing a greater emphasis on urban design and heritage conservation as critical elements.

- “B 6.1.5.2 All public initiatives and private development approvals in the Downtown Secondary Plan area shall be subject to architectural and design peer review, in accordance with the policies, to assist the City in ensuring that the design objectives and policies are reflected in all projects.”

A DRP that is applied to the Downtown Hamilton Secondary Plan area meets Policy B. 6.1.5.2 and aids in achieving the overarching urban design goals and objectives of the Secondary Plan in that a DRP provides for the opportunity to obtain expert impartial design advice on development applications, policies and plans.

### **West Harbour (Setting Sail) Secondary Plan**

One of the eight core principles of the Setting Sail Secondary Plan is to “promote excellence in design” in order to respect the pride of residents, attract tourists, and encourage reinvestment in the Secondary Plan Area. Also, excellence in design is to be applied to new development, redevelopment, and public realm projects, such as parks, squares, streets, trails, and public buildings. In order to achieve this goal, the Plan includes the following policy:

- “A.6.3.3.4.2 The City may establish a design review process to review development applications and proposed public initiatives in Areas of Major Change

and Corridors of Gradual Change to help ensure proposals support the objective of this Plan to achieve excellence in design.”

Similar to the Downtown Secondary Plan Area, a DRP that is applied to the Areas of Major Change (the Waterfront, Barton-Tiffany, and Ferguson-Wellington Corridor) and Corridors of Gradual Change (portions of York Boulevard and Cannon Street that border the west harbour, and Barton Street East between James Street North and Wellington Street North) within the Setting Sail Secondary Plan Area meets Policy A.6.3.3.4.2, and aids in achieving the overarching urban design goals and objectives of the Secondary Plan.

Both the Downtown Hamilton and Setting Sail Secondary Plans provide policies that direct the City to establish DRPs for these areas in order to ensure the urban design goals and objectives of these Secondary Plans are achieved.

Based on the foregoing, a DRP supports the Downtown Hamilton, and Setting Sail Secondary Plans.

## **RELEVANT CONSULTATION**

Throughout the three year operation of the DRP Pilot Program, staff conducted consultations with DRP participants including panel members and applicants. The consultation was conducted in order to gather feedback to inform incorporating the DRP permanently into the development approvals process. The consultations took place before extending the Pilot Program in February 2016 (PED13137(a)), and after the Pilot program was extended. The consultations discussed below occurred after the Pilot Program was extended in February 2016.

### Development Industry Liaison Group and Open for Business Sub-Committee

In preparation of the Improving Planning Application Review Report by Planning staff (PED16040), consultations with the Development Industry Liaison Group (DILG) on February 22 and March 21, 2016 and Open for Business Sub-Committee on July 8, 2016 were organized to gather input on the DRP. The major concerns of both groups were in regards to the DRP’s review requirement being applied to projects outside of the current Mandate, and the lack of clarity on what would be reviewed.

Additionally at the DILG meeting on March 21, 2016, staff was requested to meet with the Hamilton-Halton Home Builders’ Association (HHHBA), prior to conclusion of the pilot program, to further discuss the role of the DRP in the development application process and the clarity of the current Mandate. This is discussed in detail as part of the consultation with HHBA below.

Hamilton-Halton Home Builders' Association (HHHBA)

In response to the DILG request, staff met with the HHHBA on October 28, 2016 to listen to their concerns and gather input on how to improve the process. In general, HHHBA was supportive of the DRP, but did express the same concern as DILG and the Open for Business Sub-Committee, which was the lack of clarity for DRP's review requirements for projects outside of the DPA.

As a result, a request was made to staff to separate submission requirements for DRP based on whether review by DRP is required as a pre-application submission or after a formal development application has been made. Also more specific terminology was suggested to define projects outside of the DPA and to provide the Meeting Summary in a timely manner (see Appendix "A" to Report PED13137(b)).

The HHHBA expressed concern with the duration of time it was taking applicants to receive DRP Meeting Summaries, which was subsequently impacting the ability for them to properly consider and / or incorporate Panel advice into their designs. Staff agreed that prolonged time for receiving comments from the DRP could negatively affect the development proposal, as the advice may not be considered during the early stages of the process. Therefore, staff reduced the timing for delivery of the summary from one month to ten days.

In summary, the consultation with the development industry was constructive and provided confirmation of their support of the DRP process. Additionally, it provided an opportunity for staff to review and refine components of the DRP process, resulting in improved efficiency and added value to the design of development applications.

DRP Members

Based on the feedback from the HHHBA, staff reviewed the DRP submission requirements and conducted additional consultation with DRP members on November 10, 2016, regarding the timing of submission requirements based on application type. The DRP members were supportive to the proposed changes and provided constructive comments ensuring the quality of the submission would not be compromised and sufficient information for a review would be provided. However, Panel members suggested including cross-sections of the development at the pre-application stage for Zoning By-law Amendment Applications. Also the Panel suggested that if the DRP advice would not be addressed prior to a formal application being made, City staff should determine whether a second review by DRP is warranted.

Survey

In October 2016, staff conducted an online survey among applicants and their representatives to assess the DRP process and the impact of DRP recommendations



on the design of their projects. The survey was sent to 21 development and design firms who had participated in DRP. Thirteen (13) surveys were returned in total.

The survey confirmed that the DRP process has improved significantly since its initiation and that the DRP adds value to the development approvals process and ultimate design product. Detailed analysis of the survey results are provided under the Analysis and Rationale for Recommendation Section below.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The value and merit of incorporating the DRP in the application approval processes on a permanent basis can be determined through an assessment of the effectiveness of the DRP's components (purpose, scope, administration, process, and monitoring) during the Pilot Program. The following discussion assesses how the DRP components identified in the DRP Mandate (see Appendix "A" to Report PED13137(b)) were established and includes recommendations for minor modifications to the Mandate.

### Purpose

The DRP's purpose is to give advice and make recommendations to staff on the potential physical and aesthetic impact of proposed buildings, structures, landscapes, streetscapes, parks and infrastructure projects on the existing built environment.

The impartial advice provided by the DRP to staff supports creative design responses to a site's context and assists in achieving quality and unique places that create strong communities based on best practices.

Throughout the Pilot Program, 23 projects (shown in Appendix "B" to Report PED13137(b)) were reviewed by the Panel. An additional five City-initiated studies were also presented to the DRP for comment. Based on the Panel's advice, 18 projects or 64% were considered to require major changes to the building and / or site design, and the remaining ten or 36% of the submitted projects were of sufficient quality and did not require major changes (see Appendix "C" to Report PED13137(b)). The major changes related to the height, massing, setbacks and articulation of the building elevations. Additional advice and common themes throughout the Pilot Program included the importance of quality design, a quality public realm and creative and innovative approaches to new development.

In areas where infill developments were proposed, the panel stressed the importance of balancing built form and density with cultural heritage preservation, providing appropriate transitions to adjacent properties and recognizing the

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existing character of an area to ensure compatibility in terms of building heights, massing and form.

Staff is of the opinion that the DRP Pilot Program has been successful in advocating for high quality design, and supporting creativity, variety, innovation and heritage preservation and integration.

The Panel's advice of where improvements could be made to a proposal sends a strong message to the design and development community about the City's commitment to improving the quality of design and achieving the urban design goals of the UHOP.

### Scope

The scope of DRP was determined based on the geographic area, type and scale of applications which was established based on an analysis of the location, type and scale of the development applications submitted to the City. The analysis was included in the August, 2013 staff report (i.e. Report PED13137).

Initially the DRP scope consisted of the Downtown Hamilton Secondary Plan Area and Areas of Major Changes and Corridors of Gradual Change within the Setting Sail Secondary Plan Area. However, following consultation with the panel, Primary Corridors were also added to the DRP scope.

The UHOP directs development activity to Nodes and Secondary Corridors, emphasizing careful attention to design in order to achieve the City's urban structure principals and urban design goals. Nodes and Secondary Corridors are intended to provide a broad range and mix of high density and active uses, providing a distinct sense of place, thus qualifying them as DPA. However, based on the analysis in Report PED13137, Nodes and Secondary Corridors were not included in the scope, as the majority of applications within these areas represented low density development (three storeys and under).

Staff mapped all complex Zoning By-law Amendments and Major Site Plan Control Applications received by the City during the Pilot Program (see Appendix "B" to Report PED13137(b)). There was a total of 27 applications within the Downtown Hamilton and Setting Sail Secondary Plans and Primary Corridors, and 36 applications in the Nodes and Secondary Corridors of the UHOP. Of the 63 total applications, several were exempt from the DRP process as they were ground related residential development (single, semi and townhouse), or they did not propose changes to the existing built form.

In total, of the 63 applications received, DRP considered 28 applications, of which five were City-initiated studies.

Based on these findings, the current DPA of the DRP allowed for effective identification of projects that could significantly impact the existing built environment and it is therefore recommended to not include Nodes and Secondary Corridors within the scope.

The resulting DRP scope consists of areas designated in the UHOP as major intensification areas, and defined during the Pilot Program as DPA. They include:

- Downtown Hamilton Secondary Plan Area bounded by Cannon Street East to the north, Wellington Street North to the east, Hunter Street to the south and Queen Street North to the west;
- Areas of major change which include Waterfront, Barton-Tiffany and Ferguson-Wellington Corridor and corridors of gradual change which include York Boulevard, Cannon Street, Barton Street and James Street within Setting Sail Secondary, within the West Harbour (Setting Sail) Secondary Plan; and,
- The Urban Hamilton Official Plan Primary Corridors (Upper James Street, James Street and King Street).

With respect to projects located outside of the DPA that can benefit from DRP advice, the scope of the DRP recommends that the Director of Planning and Chief Planner (or designate) have the authority to refer any other large scale project that has the potential to significantly impact the physical environment functionally and / or aesthetically. However, based on consultation with stakeholders, it was stated that use of the term “large scale” was not clear and created confusion in defining projects outside of the DPA. Staff proposed replacing the term “large scale” with the term “transformational changes”, as well as providing additional criteria related to the scale and the type of the development being considered for DRP, such as:

- Residential (complex Zoning By-law Amendments and Site Plans) projects that are seeking increased density or height. These are the proposals that could potentially significantly impact the physical environment and would benefit from the DRP; and,
- Non-residential (complex Zoning By-laws Amendments and Site Plan) includes all projects above two storey in height with a minimum gross floor area of 1,858 sq. m. (20,000 square feet).

In summary it is staff’s opinion that the established DPA has successfully identified projects that can significantly impact the physical environment functionally and / or aesthetically, thus benefitting from DRP advice. Consequently only minor scope changes, to provide additional clarity, are being proposed to the Mandate (see Appendix “A” to Report PED13137(b)). However an Official Plan Amendment would need to be brought forward by staff to allow

for the identification of DRP review at the Formal Consultation stage, as a pre-requisite to submission of complex Zoning By-law Amendment and major Site Plan Control Applications.

### Administration

The Manager of Development Planning, Heritage and Design (or designate) is responsible for the administration of the DRP. To assist with this responsibility, there is a Coordinator assigned to manage DRP communication with participants, schedule meetings, prepare agendas and meeting summaries, and review all meeting materials including submissions, applicant presentations, and staff presentations. The Director of Planning and Chief Planner, Development Planner and, occasionally, a Senior Project Manager are also involved in the operation of the DRP. Each staff member has a different role in the DRP and dedicates their work time accordingly (see Appendix "E" to Report PED13137(b)).

There were 23 applications and five studies reviewed throughout the Pilot Program. Depending on the number of projects reviewed per meeting, staff time requirements per meeting ranged from 34 – 85 hours (4.5 – 11 days) in total staff time to prepare, attend the DRP meeting and finalize the meeting summary. This equates to an average cost of \$3,541 per meeting and a total median cost of \$57,989 for the entire Program to date. This cost was absorbed by the Planning Division's annual operating budget (see Appendix "F" to Report PED13137(b)).

Staff budgeted an annual operating cost of \$10,000 to cover meeting administration costs that included catering, courier, mileage / travel expenses and parking. The annual administration costs were \$4,062.94 in 2014 (4 meetings), \$4,482.13 in 2015 (9 meetings), and \$4,563.34 in 2016 (5 meetings), resulting in an average per meeting cost of approximately \$775 (see Appendix "D" to Report PED13137(b)).

In summary, the above costs did not exceed the annual budget of \$10,000 for administration costs, and there were no other budget pressures observed during the Pilot Program.

Should the program be made permanent, staff is anticipating one meeting per month at a cost of approximately \$775 per meeting plus staff resources. However, if the demand for DRP review increases then additional meetings may be required resulting in administration cost increases and potential staffing implications (i.e. additional staff). Staff will continue to monitor costs and ensure the administrative budget is adjusted as necessary.

### Process

Currently the DRP review for Site Plan Control Applications is requested as pre-application consultation but must occur before the Development Review Team meeting to ensure concerns are identified as early in the process as possible.

For complex Zoning By-law Amendment Applications, a DRP request was initially placed once the application was deemed complete. However, through the course of the Pilot Program, staff observed a demand for DRP review before the application was deemed complete. In fact the majority of DRP projects (78%) were requested as pre-application consultation for complex Zoning By-law Amendment Applications.

Based on the demand for the DRP and pre-application consultation, staff is of the opinion that the DRP has been successful, through the early review of development applications, in bringing about positive changes to development proposals at an early stage.

### Monitoring

The on-line survey that was conducted with participants of the DRP included 21 development and design firms, to assess the impact of the DRP upon their work program. The survey was circulated in September 2016 requesting the feedback to the process and potential improvements. Thirteen (13) surveys were returned in total which generally delivered positive feedback on how the DRP has evolved and improved over the duration of the Pilot Program, which provided an interesting indication of trends as following:

- 100% of respondents to the survey indicated that they were required to submit DRP requests through the application process, and they were not submitted voluntarily;
- 70% of survey participants thought that the submission process for the DRP is clear;
- 70% of survey participants felt that the DRP was conducted professionally;
- 46% of participant believed that the timing for the Meeting Summary and next steps were well explained;
- 83% of participants considered the DRP recommendations useful or somewhat useful and thought the DRP recommendations added value to their project;

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- Over 80% of participants incorporated at least some of the changes recommended by DRP into their projects; and,
- 70% of survey participants consider the current DPA as appropriate.

In summary, the majority of respondents indicated that the DRP is a valuable initiative and it provides an opportunity for applicants to improve the quality of their design. Some participants suggested more informal meetings to allow additional dialogue between the panel and applicants. Also some noted that the process and panel input has evolved positively since the Program's inception.

### Recommendations

It is staff's opinion that the advice provided by the DRP has improved the design quality of projects within the DPA, adding value to the review of development applications. It is therefore recommended that the DRP continue as a permanent component of the City's development approvals process for complex Zoning By-law Amendments and Major Site Plan Control Applications. Further, to implement DRP as a requirement of the development approvals process, an Official Plan Amendment (OPA) will be necessary to implement this review as a requirement at the Formal Consultation stage. This Amendment would be brought forward by staff at a later date.

2. Minor changes have been incorporated into the revised Mandate for consideration in making DRP a permanent component of the development approvals process (Appendix "A" to Report PED13137(b)), and include:

- a) Projects outside the DRP scope

In order to provide clarity on whether a project outside of the DPA is required to go to DRP, staff recommends replacing the term "large scale" with "transformational projects that require fundamental changes to the land use" and adding criteria related to the height and gross floor area to determine the applicability of DRP. This criteria is as follows:

- Residential (complex Zoning By-law Amendments) projects that are seeking increased density or height. These are the proposals that could potentially significantly impact the physical environment and therefore benefit from the DRP review; and,
- Non-residential (complex Zoning By-laws Amendments and Site Plan) - includes all projects above two storey in height with a minimum gross floor area of 1, 858 sq. m. (20,000 square feet).

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b) Submission Requirements

Staff recommends the submission requirements for DRP be identified based on whether the DRP review is recurring at the pre-application stage or after a complete application has been made for Zoning By-law Amendment Applications or as a part of the Site Plan Control process. This division of requirements based on timing is outlined in the attached revised DRP Mandate (see Appendix "A" to Report PED13137(b)).

c) DRP Member Term

DRP members will serve on a voluntary basis for a period of four years or until their successors are appointed. To ensure the effective administration of the DRP, in the event that a member is absent at three or more consecutive meetings, then this may be sufficient grounds for replacement of the member.

d) Monitoring

As part of the Planning Division's continuous improvement and customer service initiatives, Planning staff will continue to monitor the DRP process and introduce further refinements as required, or in response to feedback and suggestions from panel members and stakeholders through an annual review in the form of a survey. The survey will monitor the effectiveness and value of the DRP including such components as the value of feedback, the incorporation of recommendations and the DRP scope. Staff recommends that any additional refinements be made in consultation with the respective stakeholders and introduced and adopted during regular meetings of the DRP.

## **ALTERNATIVES FOR CONSIDERATION**

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

1. Not to proceed with the Design Review Panel

Should DRP be eliminated, Planning staff will not be afforded the benefit of impartial advice to add in the design review of applications. Also this would be counter to the Downtown Hamilton and Setting Sail Secondary Plans. As such staff do not recommend this option.

2. Extension of the Pilot Program, Rather than Making the DRP Permanent

Should the pilot program be extended, the DRP will not be able to be included in the development review process as a mandatory requirement for future development application. The pilot program provided sufficient data and staff do not recommend this option.

3. Re-define Scope for DRP Consideration

Should the DRP scope be amended to be City wide, the budget would need to be increased. Additionally, staff time considerations may require the hiring of additional staff to coordinate the process.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**Healthy and Safe Communities**

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

**Clean and Green**

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

**Built Environment and Infrastructure**

Hamilton is supported by state of the art infrastructure, transportation options, buildings, and public spaces that create a dynamic City.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A": Revised DRP Mandate dated March 27, 2014

Appendix "B": Complex Zoning By-law Amendments and Major Site Plan Control Applications Maps (2014-2016)

Appendix "C": Table of Projects Reviewed by DRP

Appendix "D": DRP Costs

Appendix "E": City Staff - Time Allocated to DRP Meetings

Appendix "F": City Staff - DRP Monthly Workload Time and Cost

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