

The Planning and Economic Development Department Design Review Panel Mandate

July 2013

Revised – March 27, 2014

Revised – February 28, 2017

Revised – May 27, 2020

1.0 Mandate:

The Planning and Economic Development Department Design Review Panel (DRP) is a voluntary technical panel established to advise Planning Division staff on urban design matters of development within Design Priority Areas.

The DRP is strictly an advisory body, and makes recommendations to Planning Division staff. It does not have the authority to approve or refuse projects, or make policy decisions, or recommendations on land use.

2.0 Purpose:

- 2.1** 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 in the Design Priority Areas.
- 2.2** To give professional advice to staff regarding any proposed policy or guidelines affecting the Design Priority Areas' physical environment.
- 2.3** To ensure that the efforts to improve the quality of design through the reviews of the DRP are achieved in the context of an effective and timely process.
- 2.4** Support creative design responses in new development.
- 2.5** Foster an effective working relationship with the development industry.
- 2.6** Broaden public awareness about design in Hamilton.

3.0 Scope of Work:

- 3.1** The DRP shall provide urban design advice to Planning Division staff on complex Zoning and Site Plan applications, civic projects, new policy initiatives, and studies with urban design components in the following Design Priority Areas:
 - (a)** Downtown Hamilton Secondary Plan Area (See Map No. 1);
 - (b)** Areas of Major Change and Corridors of Gradual Change within Setting Sail Secondary Plan Area (See Map No. 2);

- (c) The Urban Hamilton Official Plan Primary Corridors (Upper James Street, James Street, Main Street, and King Street – See Map No. 3); and,
 - (d) Notwithstanding (a), and (b) above, the Director of Planning or his or her designate may refer any transformational projects that require fundamental changes to the land use and that has the potential to significantly impact the physical environment functionally and aesthetically.
- 3.2** Applications subject to review by the DRP pursuant to Section 3.1 above, shall include all complex Zoning and Major Site Plan Applications subject to the following:
- (a) Residential (complex zoning) - applications for increased density or increased height;
 - (b) Non-Residential (complex zoning and Site Plan) - developments greater than two storeys and 1,858 sq. m. of gross floor area; and,
 - (c) All ground related residential development including: singles, semis, and all townhouses will be exempt from DRP review.
- 3.3** Notwithstanding Sections 3.1 and 3.2, the Director of Planning or his or her designate has the discretionary powers to waive projects from the review of the DRP, if the project is not deemed to have the potential to significantly impact the physical environment functionally and/or aesthetically. At the Formal Consultation Stage, projects subject to DRP will be identified.

4.0 DRP Composition, Selection, Term & Remuneration:

4.1 Composition:

The DRP will be comprised of a maximum of nine (9) members. The panel must include at least two (2) architects, one (1) landscape architect, and two (2) other individuals from a different discipline related to Urban Design (i.e. urban designer, planner, heritage professional, or green technologies specialist). Quorum will be 50% of the membership, plus one.

4.2 Selection:

- (a) The DRP members will be selected from a qualified pool of candidates by the Director of Planning and Chief Planner, based on the following:
- (i) City of Hamilton employees are not eligible to participate on the DRP; and,
 - (ii) Potential members must meet specific criteria regarding qualifications, experience, and availability. People who work as consultants or with public agencies may be appointed to the Panel. Members will not be selected to represent an organizational perspective, but rather for their ability to provide objective, expert judgement. A high level of technical expertise shall be required among members.
- (b) The Planning and Economic Development Department will advertise for expressions of interest from community professionals who would be willing to volunteer for appointment to the DRP. Using the following criteria, the Director of Planning and Chief Planner will select individuals suitable for appointment as members.
- (i) Because of the technical nature of the Panel, academic qualifications are important.
 - (ii) Individuals with a diversity of training will be viewed favourably.
 - (iii) As a group, the DRP should include a balance of expertise and, thus, appointments may favour disciplines where representation is weak. Members should be drawn from the following disciplines or subject areas:
 - Architecture;
 - Landscape Architecture;
 - Urban Design;
 - Urban Planning;
 - Built Heritage; and,
 - Green Technologies.

4.3 Term:

DRP members will serve on a voluntary basis for a period of four (4) years or until their successors are appointed. Non-attendance at more than three consecutive meetings may be sufficient grounds for replacement.

4.4 Remuneration:

The DRP members are to be non-paid volunteer positions. Refreshments and travel expenses will be covered by the Planning and Economic Development Department.

5.0 Administration of the DRP:

5.1 The Manager of Development Planning, Heritage and Design, or his/her designate, will attend and be responsible for the administration of the DRP.

5.2 The DRP will meet monthly, as required.

5.3 The DRP will appoint, from their membership, a Chair and Vice Chair. The role of the Chair is to preside over the discussions to ensure that the matters brought forward before the DRP are fairly considered.

5.4 The DRP meetings will be accurately documented in the meeting minutes by Planning and Economic Development staff.

5.5 Individual DRP members should not be identified in the minutes; specific comments can be recorded without attribution.

5.6 The draft meeting minutes will be prepared by Planning and Economic Development staff, and then sent to the DRP for approval. The approved minutes will be sent to the proponents and Planning and Economic Development staff. Proponents will not have the opportunity or ability to request any changes to the minutes. The approved minutes reflect the recommendations and comments of the DRP, and provide advice to City staff and the proponent.

6.0 DRP Process:

6.1 Referral of Applications and Projects:

The DRP will have applications and projects referred to the group by the Planning and Economic Development Department at pre-application for

Zoning By-law Amendments and Site Plan Applications as per the Site Plan Control process.

6.2 DRP Submission Requirements:

Once the application has been referred, Planning staff will contact the applicant and provide the DRP submission requirements, which may include:

a) Zoning By-law Amendments:

- (i) Completed Applicant Project Summary Sheet;
- (ii) Context plan (800 m radius); and,
- (iii) Photographs of the surrounding streetscape and adjacent lands, and a map identifying where each photo is taken.
- (iv) A Design Brief approximately 4 pages in length addressing:
 - The merits of the proposed design and its contextual relationship to existing building context and recognized City's design policies contained in the Official Plan and urban design guidelines including applicable heritage information; and,
 - Images of the project within the existing building context.
- (v) Models and / or illustrations that show the project massing and relationships in its urban context;
- (vi) Site Plan which includes the ground floor plan, adjacent properties and buildings;
- (vii) Floor plans, sections and landscape plans as developed;
- (viii) All elevations showing neighbouring buildings to scale;
- (ix) Alternative studies for site layout and building massing if such were considered;
- (x) Streetscape cross-sections; and,
- (xi) If required, a sun / shadow and/or wind study, visual impact analysis, and / or any other information as required and identified through the Formal Consultation Process.

b) Site Plan Applications in addition to above:

- (i) Site Plan;
- (ii) Sections and floor plans;
- (iii) Building elevations indicating proposed finish materials and colours;
- (iv) Landscape Plan; and,

- (v) Detailed perspective drawings or 3D models showing view of the first few stories and related pedestrian realm within the exiting streetscape.

c) Notes:

- (i) If panels are preferred, all presentation material should be mounted on panels of no more than 0.9m x 1.2m (3' x 4') in size;
- (ii) The preferred method for submissions to the DRP will be electronically; and,
- (iii) The applicant may choose to prepare a PowerPoint Presentation with the above information to further explain the proposed application at the DRP meeting.

6.3 Meeting Protocol:

- a) DRP meetings shall be attended by the applicant and/or representative/agent, panel, City Planning staff, and where needed, other relevant City staff.

i) In the event that an in-person meeting is not possible, due to an emergency declaration or at the discretion of the Director of Planning and Chief Planner, virtual meetings held in a secure platform may be permitted and administration of virtual meetings should be established in a virtual DRP meeting protocol.

- b) DRP meetings will be open to the public for observation only. However, there shall be no written or verbal submissions by any individuals other than staff and the proponent. Others will have an opportunity to make written and verbal submissions during the standard application process for rezonings.

i) In the event that an in-person meeting is not possible, due to an emergency declaration or at the discretion of the Director of Planning and Chief Planner, virtual DRP meetings will be open to the public for observation only. Members of the public will be required to pre-register for a virtual DRP meeting through the DRP website.

- c) The DRP meetings will begin with a brief presentation by City Staff who will highlight the proposed amendments and explain the key policies and guidelines that apply.
- d) Following City Staff's presentation, the proponent and their design consultant will provide a brief presentation who will explain the

project's objectives and how it responds to the City's policies and guidelines.

- e) Following the proponent's presentation, the DRP will have the opportunity to ask questions for clarification before beginning their deliberations in closed session and developing its advice with respect to the project on a consensus basis.
- f) Following deliberations, the Chair will summarize the Panel's recommendations.
- g) The DRP comments will be based on Council approved policies and guidelines. The DRP comments will range from an acknowledgement of the positive qualities of the proposal to suggestions that encourage a design, which better complies with relevant policies and guidelines.
- h) Within 10 business days of the relevant DRP meeting, a copy of the approved meeting minutes, including the DRP's advice, will be finalized.

i) In addition to h) above, where virtual DRP meetings are held in place of in-person meetings, a recording of the meeting will be posted on the DRP website one week after the virtual meeting.

6.4 Monitoring:

Planning staff will continue to monitor the DRP process, and refine it as required, or in response to feedback and suggestions from panel members and stakeholders through an annual review in the form of a survey.

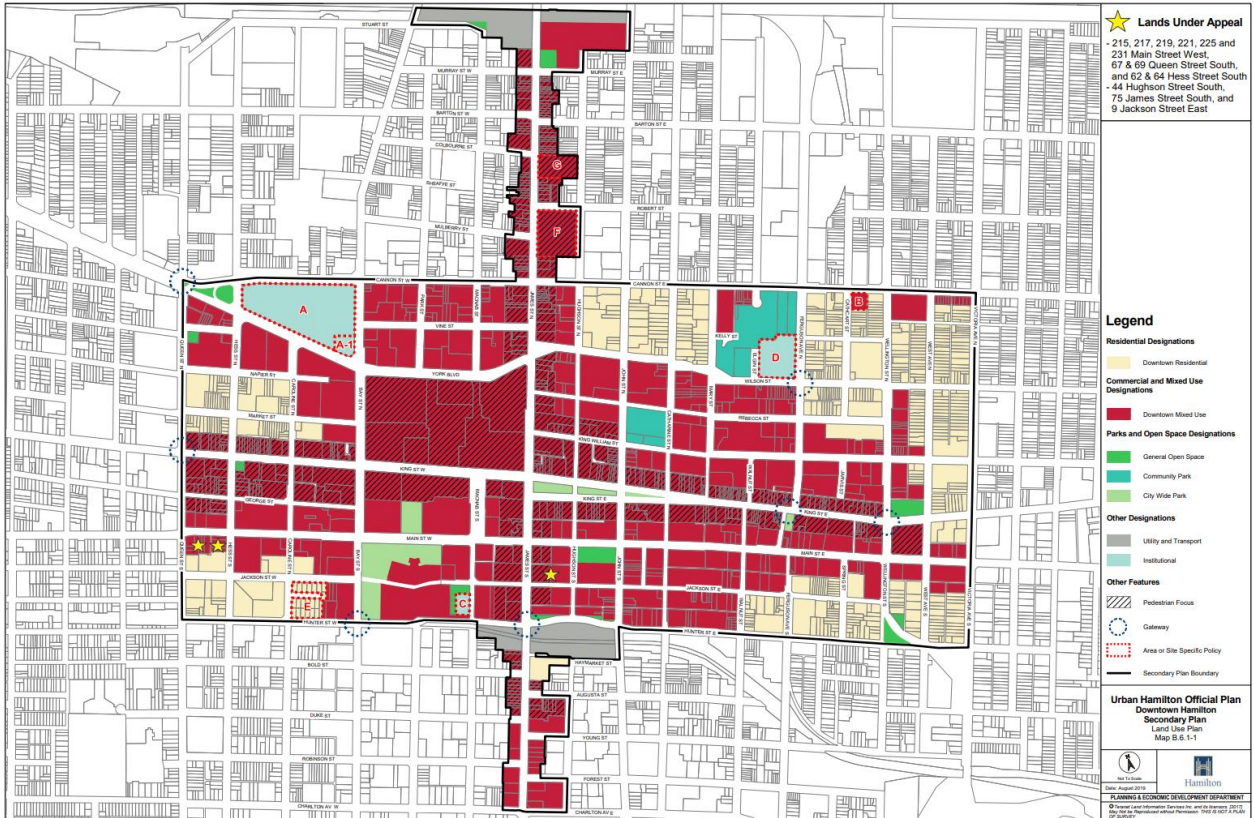
7.0 **Conflict of Interest/Code of Conduct**

Conflict of interest rules will apply to all Design Review Panel members, pursuant to the Municipal Conflict of Interest Act, R.S.O., 1190, Chapter M.50. (a copy of which will be provided to members upon their appointment) or any other pertinent legislation of governing bodies applying to professionals.

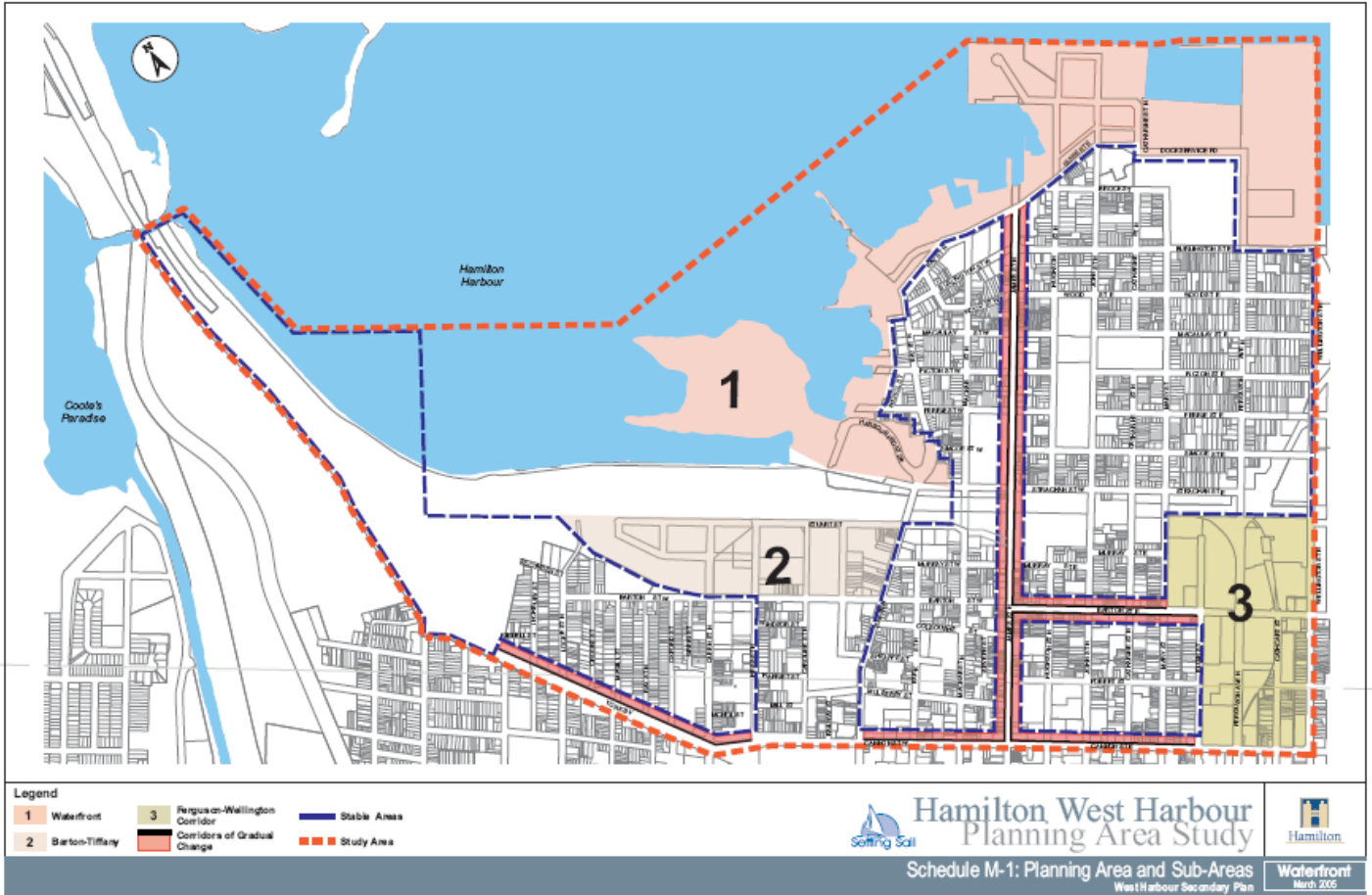
8.0 **Confidentiality**

DRP members may be required to sign a Confidentiality Agreement pertaining to any material of a proprietary nature which is forwarded to them in carrying out the DRP's mandate.

Design Priority Area Map No. 1 - Downtown Hamilton Secondary Plan



Design Priority Area Map No. 2 - Setting Sail Secondary Plan



Design Priority Area Map No. 3 – UHOP Primary Corridors

