

## **URBAN DESIGN REVIEW PANEL TERMS OF REFERENCE AND IMPLEMENTATION PLAN**

### **EXECUTIVE SUMMARY**

On 2017 March 20, Council accepted for information the *Urban Design Review Framework*, and directed Administration to revise the Urban Design Review Panel (UDRP) Terms of Reference and develop an Implementation Plan with stakeholder input.

The revised Terms of Reference, together with a separate Administrative Protocol, detail the design review process, the roles and responsibilities of both the Panel and the City Wide Urban Design Team, and how the expanded scope of work will be achieved. The accompanying Implementation Plan describes a staged introduction of the revisions, identifies the process steps for various application types, proposes changes to enhance report clarity, and outlines training and monitoring goals. These changes were developed through a series of engagement sessions with previously engaged key stakeholders, and with members of the Industry/City Process Improvement Advisory Committee, and will result in more opportunity for earlier urban design input on development proposals within existing Corporate Planning Application Group (CPAG) review timelines.

### **PREVIOUS COUNCIL DIRECTION/POLICY**

On 2017 March 20 Council received the Urban Design Review Framework Document for information, and directed “Administration to revise the Terms of Reference for the Urban Design Review Panel and provide a more detailed implementation plan with stakeholder input, including the Industry/City Process Improvement Working Group, and return through the SPC on Planning and Urban Development to Council no later than 2017 July”.

On 2016 June 20 Council directed “Administration to consult with interested stakeholders and report back to Council, by 2017 March, through the SPC on Planning & Urban Development, with an update on the process changes initiated, and recommendations to further improve urban design outcomes”.

On 2015 July 27 Council directed “Administration for further consultation with interested stakeholders, and members of the nextCity Advisory Committee, to return to Council through the SPC on Planning and Urban Development no later than Q2 2016”.

On 2004 September 13, Council adopted the current Terms of Reference for the Urban Design Review Panel, subsequently amended October 23, 2007.

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**ADMINISTRATION RECOMMENDATION(S)**

That the SPC on Planning & Urban Development recommend that Council:

1. Approve the revised Terms of Reference for the Urban Design Review Panel, and
2. Receive the Urban Design Review Protocol and Implementation Plan for information.

**RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED  
2017 JUNE 14:**

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That Council:

1. Approve the revised Terms of Reference for the Urban Design Review Panel;
2. Receive the Urban Design Review Protocol and Implementation Plan for information; and
3. **Direct Administration to evaluate expanding the Urban Design Review Panel's mandate to include outline plans, and report back in a future monitoring report through the Standing Policy Committee on Planning and Urban Development no later than Q1 2019.**

Opposition to Recommendation 3:

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Opposed: J. Magliocca, W. Sutherland

Excerpt from the Minutes of the Regular Meeting of the SPC on Planning and Urban Development held 2017 June 14:

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**“And further that all documents received at today’s meeting with respect to Report PUD2017-0528 be attached to the Report prior to being forwarded to Council.”**

**BACKGROUND**

The *Urban Design Review Framework* document (Attachment 1) details previous work involving improvements to the urban design review processes. It provides the background to Council's direction to revise the UDRP Terms of Reference and provide an Implementation Plan.

Administration undertook further engagement with stakeholders regarding the above request. The engagement results were reviewed by the project Working Group that had been augmented by the addition of a representative of BILD Calgary and Community Planning staff with expertise in the CPAG application process.

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The revisions were written with reference to CP2016-03, *Governance and Appointments of Boards Commissions and Committees*, resulting in the creation of two separate documents to provide the necessary information: The revised UDRP Terms of Reference, which requires Council approval, (Attachment 2) lays out the mandate, scope, and structure for the UDRP. The Urban Design Review Protocol (Attachment 3) describes the UDRP review process.

The Implementation Plan (Attachment 4) will provide for a phased introduction of these changes, and, through a coordinated approach, ensure administrative consistency in processing the design review portion of development proposals across three phases of project development. These include:

Phase 1. Preliminary discussions (concept design), typically with Planning and City Wide Urban Design only, would provide high level principle-based guidance, informing applicants of potentially significant issues and expectations.

Phase 2. Pre-Application (schematic design) discussions are more formal, include the other CPAG disciplines, and can provide more detailed policy, guideline, site context and local issue information.

Phase 3. Applications falling within the revised application types list included in the Protocol.

Phases 1 & 2 will be voluntary for the applicant, but Administration will emphasize the value of obtaining urban design input early and can be achieved within existing CPAG timelines. Incentives to more actively encourage pre-application engagement are under consideration.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

#### **1. Changes to Administrative Structure and Procedures**

The following Administrative changes support the desired outcomes of early and timely review:

- The City Wide Urban Design Team has been repositioned within Community Planning to allow for complete integration within the CPAG application review teams to foster ongoing internal design discussion during the review process.
- Revised City Wide Urban Design specialist and CPAG circulation criteria have been implemented and are already resulting in much more consistent urban design circulation of relevant applications.
- Discussions are underway regarding the clarification of the “design narrative” portion of reports to CPC, and development of staff training on this and all aspects of the proposed changes is underway.
- Early review of applications on key sites or of significant complexity has been tested, and positive applicant feedback has been received.

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### 2. Revised Terms of Reference for UDRP and Protocol for Urban Design Collaboration

The proposed Terms of Reference:

- Increases the Panel's scope of work to include pre-application enquiries and select projects listed in the Municipal Matrix.
- Expands the Panel size with the addition of three full-time members (to a total of 12) and one adjunct specialist member to deal with expected higher circulation volumes and to ensure that quorum will be met. At peak application volumes this allows for the possibility of more frequent, smaller group Panel meetings to ensure that process timelines will be met.
- Expands the duties of Panel members to include a requirement for familiarization with relevant City policy and processes, including referencing the *Thirteen Elements of Urban Design* (Municipal Development Plan, Section 2.4) where applicable.
- Provides opportunity for the Panel to make comments on Policy, outside the application process, which they feel may be hindering the achievement of better design outcomes.
- Involves the Panel in recruiting and recommending on the selection of new members to ensure that an appropriate balance of skills is maintained.

To clarify the proposed changes, a table comparing key aspects of the existing and proposed Terms of Reference and associated benefits, is attached (Attachment 5).

The accompanying Protocol provides the listing of application types to be circulated, the conduct of Panel meetings, and the associated roles for Administration.

The range of application types eligible for UDRP review has been expanded to include Pre-application enquiries, Development Permit Applications, Development Liaisons, and Direct Control Land Use Applications with design content that meet any of the following criteria:

- Applications to be referred to CPC for information, recommendation or decision
- Applications on sites located in TOD areas, Main Street areas, Centre City
- All projects applying for the Exceptional Design Bonus
- City of Calgary capital projects of significance
- Applications on prominent sites with significant design content or impact
- New or revised urban design guidelines and urban design components of City policies

The application types noted above have the most critical time constraints and will assume the highest priority for review. Circulation of other items, in particular Outline Plans, was discussed. While UDRP and community representatives supported their circulation, concerns were expressed by members of industry regarding impacts on project timelines, panel capacity and expertise. At this time it is proposed that the focus of implementation will initially be as indicated above, and circulation of additional items and application types to the Panel will be considered over time as success of the new process is proven and capacities allow. All policy and application types with urban design content or impact will continue to receive review by the City Wide Urban Design team.

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We believe that these changes address the Council direction of March 20 and ask that Council approve the revised Terms of Reference with these improvements through Recommendation #1 in this report.

### **3. Implementation Plan**

The Implementation of the proposed changes will be introduced through a coordinated two stage approach beginning in Q3 2017. Initially adherence to the changes in UDRP circulations will be voluntary for applicants newly impacted by the expanded scope. The second stage will commence in January 2018 at which time the changes to the Development Permit stage will become mandatory, while Pre-application review will remain volunteer but strongly encouraged. By this time Administration will have received training in identifying appropriate UDRP circulations, providing required early direction and processing applications within the prescribed timelines. As well new members of UDRP will have been recruited and familiarized with the changed procedures.

The Implementation Plan describes in detail how revisions to the UDRP process will allow for earlier urban design input within existing application review timelines. This approach has been piloted on a number of pre-application enquiries and development permit applications since October 2016, with positive feedback from both UDRP members and applicants. The process revisions, focused on pre-application enquiries and development permit applications as the most time-sensitive application types, were developed with Calgary Approvals Coordination to ensure that the process fits within approved CPAG application timelines.

In periods of high file volume, when additional UDRP meetings are not possible or sufficient, the decision may be made, based on the complexity and impact of specific projects, to not involve the UDRP. These files will still be reviewed by the City Wide Urban Design team.

The Implementation Plan clarifies that UDRP comments will be included verbatim as advisory only. City policy, regulations and technical standards will prevail and staff will communicate this to the applicant to avoid confusion. The design discussion, including conflicts and resolutions, will be clearly laid out in the Detailed Team Review document and in the planning and design narrative portion of reports to CPC. Unedited UDRP comments will also be appended for CPC information.

Monitoring of the progress and impacts of these changes to the UDRP process is critically important. A number of metrics are being developed that will track application numbers and types and include more detailed accounting of responses and results than previously has occurred. Annual reporting of the results of the proposed urban design review process will begin January 2019.

### **STAKEHOLDER ENGAGEMENT, RESEARCH AND COMMUNICATION**

A ten member Working Group was assembled that met bi-weekly between 2016 July and December to explore key issues, analyze the engagement results and to develop the Urban Design Review Framework project recommendations. In 2017 March and April the group re-assembled, augmented with representation from BILD Calgary and CPAG process experts, for an additional three meetings. During this phase, two additional stakeholder workshops were

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held to refine the Terms of Reference, and develop the Protocol and Implementation Plan. This engagement included the Internal/External Experts Stakeholder Group that was assembled during the development of the Urban Design Review Framework document, and expanded to include Industry/City Process Improvement Advisory Committee Members as well as its sub-committees: Explore Working Group Industry Members and Established Areas Working Group Members. Two report back sessions were also hosted, one with all stakeholders listed above and one with CPC members. The results are included in the What We Heard/What We Did Document (Attachment 6). The engagement conversations revealed continued strong support for the objectives of the project, including earlier design review, more effective use of design expertise, and more complete design recommendations. Stakeholder discussions focused on the details of role clarity between staff and UDRP, and the capacity of UDRP to produce timely reviews of a larger volume of applications including additional application types. Revisions were made to the Terms of Reference and the Protocol to provide role and scope clarity, and the Implementation Plan lays out in detail how application process timelines will be met. While those stakeholders experienced with UDRP reviews were supportive, those without experience still expressed uncertainty. Letters of support have been received from UDRP (Attachment 7) and Federation of Calgary Communities (Attachment 8), and the Implementation Plan allows for a “report back” one year out which will allow for further refinements to the Implementation Plan or Protocol if warranted.

### **STRATEGIC ALIGNMENT**

The Municipal Development Plan (MDP) promotes site and building design that contributes to high quality living environments and attractive, walkable, diverse neighbourhoods and communities (MDP 2.4.2), and coherent and collaborative design of streets, building interfaces and public spaces (MDP 2.4.3). Proposed design review process refinements align with the ongoing initiatives of Calgary Approvals Coordination.

### **Social, Environmental, Economic (External)**

#### **Social**

Making recommendations and decisions on urban design earlier in the process creates a more transparent process for all stakeholders. An urban design review process that involves the right expertise at the right points of the development approval process with the right information will help result in improved urban design of benefit to all Calgarians.

#### **Environmental**

No implications identified.

#### **Economic (External)**

Earlier recommendations on urban design will result in greater transparency and clarity for all stakeholders. It will also lead to improved development outcomes. Consistent early discussion of significant design issues will avoid costly changes and additional time spent later in the process.

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### **Financial Capacity**

Current and Future Operating Budget:

Internal process improvements will be part of Planning & Development's existing operating budget and completed through internal resources.

Current and Future Capital Budget

No implications identified.

### **Risk Assessment**

Changes to the way The City makes urban design decisions could risk opposition from development and building industry and community stakeholders; changes to the scope and mandate of UDRP could result in higher application circulation volume, additional pressure on staff to manage the volume, and pressure on UDRP to perform more frequently and more quickly; increasing the Panel size could lead to challenges attracting the required number of qualified panelists.

### **REASON(S) FOR RECOMMENDATION(S):**

The revisions to the Urban Design Review Panel's Terms of Reference will clarify and enhance the role of UDRP in the design review process. It will enable earlier, more effective feedback to applicants within existing CPAG application timelines. The accompanying Protocol and the Implementation Plan will provide for Administrative consistency while maintaining the "peer review" function of UDRP. As well they afford increased opportunities for dialogue around City design and policy with the objective of achieving superior design outcomes.

### **ATTACHMENT(S)**

1. Urban Design Review Framework Document
2. Urban Design Review Panel Terms of Reference
3. Urban Design Review Protocol
4. Implementation Plan
5. Urban Design Review Panel Comparison of Existing and Proposed Terms of Reference
6. What We Heard/What We Did
7. Letter of Support: Urban Design Review Panel
8. Letter of Support: Federation of Calgary Communities
9. **Documents Distributed**