

DECISION FRAMEWORK PROJECT

EXECUTIVE SUMMARY

The Decision Framework project is intended to improve clarity, consistency and transparency of Administration's input to CPC decisions. This report provides information on a recommendation to combine the *Calgary Planning Commission (CPC)* and the *Urban Design Review Panel (UDRP)*. The recommendations follow discussions with stakeholders who were part of the Transforming Planning initiative and who recommend combining the two panels. This will create a more transparent process for all stakeholders, particularly the community, by moving the discussion to the public forum of the CPC. City Council will also have seen recommendations regarding the Subdivision Appeal Board, and the recommendations of this report are intended to present consistency in how Administration presents recommendations to these two panels.

This report presents recommendations to realize a new model for decision making that streamlines the process, reduces redundancy, provides greater certainty early in the application process and focuses the discussion of the CPC, a technical review panel. Council approval is required to amend Bylaw 28P95.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Planning and Urban Development recommends that Council:

1. Give three readings to the proposed attached amended Bylaw (Attachment 2); and
2. Direct that the Urban Design Review Panel (UDRP) be disbanded following the organizational meeting in 2015 October.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2015 JULY 17:

That Council refer Report PUD2015-0453 to the Administration for further consultation with interested stakeholders and return to the SPC on Planning and Urban Development no later than Q2 2016.

Opposition to the Recommendation:

Opposed: G-C. Carra

PREVIOUS COUNCIL DIRECTION / POLICY

On 2014 January 27 Council received report PUD2014-0057 Transforming Planning: Program Wrap Up and System Sustainment for information. The report provided key program findings and a sustainment strategy. One of the major outcomes of the program was the recognition that a clearer more efficient decision framework was required to produce consistent outcomes faster and with greater certainty earlier in the process.

BACKGROUND

During an extensive engagement process from 2013 March – July, stakeholders told The City they required greater clarity and consistency around decision making, along with better-defined roles and responsibilities. Key issues from stakeholders identified included a lack of understanding of the role of CPC; how this commission added value to the items it heard; and

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how it added value to the decisions made by Council. Stakeholders also identified a lack of role clarity and similar concerns related to value for the UDRP.

Beginning in early 2014, Administration started hosting regular engagement workshops with CPC. The workshops initially were set up to continue to implement the ideas captured during the Transforming Planning Decision Framework discussions, and have evolved through ongoing discussions on improving processes both within Administration and CPC. As a result of the workshops changes are proposed including the types of Development Permits requiring review, seeking the Commission's input earlier in the application or process, and centralizing the design to one point where development permit decisions are made with the CPC through the technical advice of Administration. Other changes resulting from the workshops included scheduling changes for 2015, introduction of a consent agenda, and better capturing of CPC input in the Council reports.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Current State

The recent and current state of decision-making processes prior to the Decision Framework project presented some challenges for stakeholders. There was some confusion of roles and responsibilities and areas where the processes may not support decision-making to achieve the best planning outcomes.

Urban Design Review Panel

The UDRP was established in 2004 September and made permanent in 2007 October, as part of the restructuring of CPC for a three year trial period. The mandate of the panel is to review applications with a focus on urban design issues defined through the relationship between buildings and the streets and open spaces that make up the public realm. Certain types of Development Permit and Direct Control land use applications in the City Center, Business Revitalization Zones (BRZ), Transit Oriented Development Areas (TOD) and other significant developments are referred to the panel by the Development Authority (DA). At the time of its formation, Administration did not have urban design staff.

The panel's comments on applications are provided to CPC, recognizing that they are part of a circulation process for an application with no powers of approval and that neither the applicant nor Administration must act on their comments. Currently applicants get comments from Administration along with the UDRP and then when the decision is made, at the CPC hearing and potentially at City Council depending on the application type. With three to four points of input, applicants can find the process burdensome and conflicting, and wonder where the consistency is in the process.

The composition of the UDRP mirrors the makeup of the CPC (Attachment 4). In addition, the planning department has recently established an urban design team. Urban design is now integral at the beginning of the application and policy development processes.

In order to streamline our approval process, administration is following the transforming planning stakeholder group recommendations to consolidate the UDRP with the CPC. This step will centralize decision making so that design decisions are made at one point rather than three

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with administration providing professional advice directly to the CPC, where the decisions are made. In order to bolster the design expertise on CPC, administration is recommending adding two design professionals to the CPC. In addition administration will be bringing complex files earlier to the CPC to get their input prior to finalizing reports.

Urban Design Professional Staff Complement

In 2007, in response to the urban design emphasis in many of the objectives of the Municipal Development Plan/Calgary Transportation Plan (MDP/CTP), the Urban Design & Heritage team was created within Planning, Development and Assessment (PDA) to include staff with professional architecture/urban design expertise whose role would include: providing design-focused application review; formulating design policy and contributing design guidance to other policies including heritage resources. In 2009 Council approved the "Urban Design Framework", which recognized the Urban Design & Heritage team's role, and included as its primary action item:

- *Agree to utilize Land Use Planning & Policy (Urban Design) as the specialist group responsible for guiding the City of Calgary urban design direction, creating urban design guidelines, providing detailed architectural and urban design review as requested and coordinating the conceptual design of improvements to the public realm.*

The Urban Design and Heritage team, as Corporate Planning Applications Group (CPAG) specialists, are circulated applications for in-house urban design review. The design team is involved with the applicant and their design consultants, bringing a specialist's peer-to-peer advantage to the discussions. This supports a more complete urban design dialogue throughout the review process resulting in greater consistency for the applicant and the community.

With three sources of urban design input (and possibly four if the applications are part of a zoning change at City Council), confusion on the part of Administration and applicants can occur, related to the roles and responsibilities of the Urban Design Team and UDRP.

Calgary Planning Commission

Currently, the CPC Bylaw (28P95) outlines in general terms, the roles and responsibilities of the Commission as well as its membership and further allows the Commission to establish its own protocols for how it operates (Attachment 3).

Current membership under the bylaw requires ten members: six citizens at large appointed by Council, two Councillors and the General Managers from PDA and Transportation. Non-bylaw criteria used by Council in determining membership suggest that, of the six citizen at large members, four are selected from interest groups and professional associations as a result of non-binding nominations from those groups and the remaining two are selected from the general population of the city of Calgary. Unlike UDRP, appointments are not required to represent specific groups such as architects or landscape architects; it is strictly a recommendation.

CPC is sometimes challenged to maintain quorum as a result of both an afternoon start time, which can extend the meeting into evening hours, and the nature of the composition, whereby members who work in the development industry can encounter conflicts between their role on

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CPC and their professional activities and must therefore excuse themselves from the decision. If Councillors are unable to attend CPC meetings, both quorum and Council representation are affected.

A major outcome identified by the Decision Framework Project is to:

- Create clarity of roles and responsibilities;
- Provide confidence that the decision-making bodies and processes add value at the right stages;
- Enable reports and presentations that support decision-making to achieve the best planning outcomes; and
- Focus debate and attention where they best support achieving the desired outcomes.

The Decision Framework Project has identified the need to enhance CPC's role with respect to integrating a greater design focus. For this reason, Administration recommends the discontinuation of the UDRP as an advisory body and recommends the mandated inclusion of design expertise on CPC, the decision-making body. With the internal reviews provided by the in-house urban design team and the expansion of CPC members with urban design expertise the ability to improve urban design will continue. This recommendation is intended to capture the expertise and experience of design professionals both internally and on CPC. Attachment 4 lists the required and current membership makeup of both the CPC and UDRP. This table highlights that the current process has two panels, with almost the exact makeup. One of the prime reasons the stakeholders group recommended consolidation at the point of decision making.

Changes to UDRP must be done by Council by means of a resolution. Changes may occur at any time but it is advantageous to implement this change in conjunction with the recommended changes to CPC as provided in Attachment 1. Additionally, Attachment 4 outlines the proposed changes to the CPC membership requirements.

To ensure that design expertise is included on CPC, Administration recommends changes to the composition of CPC so that the membership is required to include interest groups and associations representing design professionals. Administration also recommends an increase in membership numbers on CPC to ensure the expertise is always available in the discharge of their duties as well as helping with quorum challenges.

In terms of quorum requirements, Administration also recommends a bylaw change to allow Council to name alternate Councillors.

To help ensure applicants receive design advice at the right time in the approval process, Administration will be bringing major applications to the CPC earlier, in order to get direction prior to asking applicants to finalize their plans. This is clearly a major step in helping to create certainty by asking the decision making body their opinion prior to committing the time and expense for both the applicant and Administration, in finalizing an application. To facilitate this, Administration will adapt the existing criteria for circulating files to the UDRP and can improve these over time with the input of CPC members.

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Future Refinements

Over the coming months, Administration will continue to engage CPC on additional changes to improving the functioning of the commission. Potential changes could include:

- Enhancing training opportunities for members of CPC with a focus on roles, responsibilities and mandate, and
- Implementing a quarterly review by Administration of selected CPC decisions, to help the CPC see how their decisions are impacting the built environment.

These changes will be reviewed once the changes proposed in this report are in place.

Stakeholder Engagement, Research and Communication

The project team met with the following internal stakeholders to share and gather feedback on the proposed CPC bylaw changes: Calgary Planning Commission, Planning, Development & Assessment General Manager, City Wide Policy & Integration Director, Local Area Planning & Implementation Director, managers, coordinators and senior planners, and the CPAG managers and coordinators.

The following external stakeholders were informed via the 2015 June issue of Planning & Development's Dispatch Newsletter: the Canadian Home Builders Association – Calgary Region, Urban Development Institute, Federation of Calgary Communities, and Professional Associations.

The topic of combining the UDRP and CPC was discussed with UDRP in spring of 2014. During the 2015 April 8 UDRP meeting the panel was advised the recommendation was moving forward to City Council prior to the summer. The panel has been informed of this review and the pending CPC and Council meeting dates.

Strategic Alignment

The Decision Framework Project aligns with Action Plan 2015-2018. It supports improved decision-making by:

- ensuring early integration of urban design conversations into all aspects of the planning process in order to maximize desired outcomes
- facilitating understanding and predictability of planning processes and outcomes
- continuing to implement improvements to application processes

Social, Environmental, Economic (External)

Social

Centralizing the design discussion with the CPC moves the discussion into the public forum, providing a more transparent process for all stakeholders, particularly the community who experiences the change once an application is built.

Environmental

No implications identified.

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Economic (External)

Eliminating UDRP reduces preparation time for the applicant and associated costs (i.e., presentation packages, printing, staff commitments, parking). Eliminating UDRP reduces governance red tape and expedites the process for decision-making, reducing Administrative time, meaning staff can dedicate more time to additional applications and plans. Design discussions and decisions will occur in a public forum. Improved reports and improved documentation of decisions creates greater transparency. In-house urban design opportunities to build capacity and accountability are enhanced. The recommended changes will reduce staff time and involvement in preparation for meeting attendance and will enhance their accountability to the decision maker.

Financial Capacity

Current and Future Operating Budget:

The implementation of the proposed recommendations will be part of City Wide Policy & Integration's operating budget and completed through internal resources.

Current and Future Capital Budget:

No implications identified.

Risk Assessment

Eliminating UDRP provides the opportunity to increase the capacity of The City's urban design team, develop in-house expertise, and strengthen relationships within CPAG. Adding two new design experts to the CPC mitigates any risk of losing the value of having local design people weigh in on applications. This may result in longer discussions focused on urban design issues. The mitigation is to clearly define CPC roles and responsibilities, establish meeting protocols (i.e. clearly define time for questions and time for debate), and provide continual training to members.

Engaging CPC earlier in the process to review applications and policy documents is recommended to focus on decision outcomes at CPC meetings and reduce the current risks associated with so many points of opinion currently in the design process.

REASON(S) FOR RECOMMENDATION(S):

Amending Bylaw 28P95 as proposed in Attachment 2 will result in a new CPC membership that:

- incorporates urban design expertise;
- elevates the urban design discussion; and
- supports a decision framework that will provide clarity and consistency around decision making.

ATTACHMENT(S)

1. Calgary Planning Commission Recommendations
2. **Proposed Bylaw 34P2015**
3. 28P95 - Calgary Planning Commission – Office Consolidation
4. Proposed CPC Membership Requirement