

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

Item 9, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 19, 2013.

**9**

**DESIGN REVIEW PANEL PILOT PROJECT**

**FILE 25.5.1**

**ALL WARDS**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 5, 2013:**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT this report on the annual progress and accomplishments of the Design Review Panel Pilot Project be received for information; and,
2. THAT staff report back at the end of the 2 year pilot period with recommendations on the feasibility to incorporate the Design Review Panel into the City's development approvals process on a permanent basis.

**Contribution to Sustainability**

The Design Review Panel Pilot Project contributes to the goals and objectives within *Green Directions Vaughan*, the City's Community Sustainability and Environmental Master Plan, specifically:

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate.

*Objective 1.3: "To support enhanced standards of stormwater management at the City and work with others to care for Vaughan's watersheds"*

Goal 2: To ensure sustainable development and redevelopment.

*Objective 2.2: "To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth"*

*Objective 2.3: "To create a City with sustainable built form"*

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact.

*Objective 3.1: "To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation"*

*Objective 3.2: "To develop and sustain a network of roads that supports efficient and accessible public and private transit"*

Goal 4: To create a vibrant community for citizens, businesses and visitors.

*Objective 4.1: "To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage"*

*Objective 4.2: "To ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base, and continuing prosperity into the 21<sup>st</sup> century"*

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

#### **Item 9, CW Report No. 5 – Page 2**

Goal 5: To be a leader on sustainability issues.

*Objective 5.1: “To share sustainable best practices and ideas between and among municipal staff and the community”*

*Objective 5.2: “To continue the City’s role in advocacy and information sharing on environmental issues”*

#### **Economic Impact**

The Design Review Panel jury members provide their time on a volunteer basis, however, funding is necessary for administrative support, materials and travelling expenses of the panel members. The yearly funding associated with the administration of the Design Review Panel Pilot Project is included in the Development Planning Department 2013 Capital Budget pending Council approval. Upon completion of the 2 year pilot trial period, staff will report back on the feasibility to incorporate the Design Review Panel into the City’s development approvals process on a permanent basis, which will include an analysis of the staff resources necessary to administer the Design Review Panel.

#### **Communications Plan**

A Design Review Panel Pilot Project webpage has been added to the City of Vaughan public web-site, outlining its purpose, meeting protocol, meeting schedule, appointment of members, and meeting minutes. Details of each meeting, including agenda and meeting location, is advertised on the City’s web-site in advance of each meeting.

#### **Purpose**

The purpose of this report is to provide Council with an annual status update on the progress and accomplishments of the City’s Design Review Panel Pilot Project.

#### **Background and Analysis**

A staff report on “Design Review Panel Pilot Project” was presented to the Committee of the Whole meeting of September 13, 2011 (Item 26, Report No. 40). This report was subsequently adopted by Council on September 27, 2011, thereby providing the following direction to staff:

*“That the pilot project run for a period of 2 years, and that the Vaughan Development Planning Department report back to the Committee of the Whole on what has been accomplished on an annual basis.”*

Accordingly, this report and the Design Review Panel Procedures and Protocol appended to this report as Attachment #1 have been prepared in response to this direction.

The success of the City’s Design Review Panel Pilot Project can be determined through an evaluation of the key accomplishments for 2012, and an analysis of some preliminary feedback received by participating stakeholders as follows:

#### **Ensure Building and Public Realm Design Excellence**

Of the 21 projects shown on Attachment #2, which have been reviewed since the inception of the Design Review Panel Pilot Project, the jury panel felt that 9 (43%) of these projects were of sufficient quality that they could proceed without major changes being required to them. However, the panel identified areas of concern with the remaining 12 (57%) of the projects, which they felt were significant enough to require a major redesign of the project. These results confirm that the City’s Design Review Panel Pilot Project is sending a clear message to the development

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

#### **Item 9, CW Report No. 5 – Page 3**

community about the City of Vaughan's commitment for design excellence in the public realm. In addition, staff is of the opinion that the Design Review Panel Pilot Project initiative has been successful in securing the submission of better designs within the City's urban intensification areas.

#### **Supports Creative Design Within the Regulatory Framework**

The Design Review Panel Pilot Project has been successful in achieving design creativity, variety and quality within the emerging built form, by stressing the importance of quality construction and finishing materials in addition to creativity when evaluating a development application. This is specifically emphasized when individual development applications are evaluated in accordance with the specific Urban Design policies for the Vaughan Metropolitan Centre and other urban intensification areas such as Steeles Avenue West Corridor, Yonge Street Corridor, Carrville District Centre, Centre Street, Highway 7 Corridor, as well as the City's four designated Heritage Districts.

#### **Develop and Test Procedures and Protocol**

Operating the Design Review Panel in a pilot format has provided staff with sufficient flexibility to test a variety of meeting procedures and protocol. The current Design Review Panel Procedures and Protocol shown on Attachment #1 have proven to be generally successful after some minor refinements were made following the first six month review of the pilot period, in response to feedback from stakeholders and staff observations. Staff is confident that the process has been sufficiently tested and refined to the degree that provides more responsive criteria to guide the final stage of the pilot trial period.

#### **Monitoring Program With Stakeholder Evaluation and Consultation**

A significant aspect of the Design Review Panel Pilot Project is the continual refinement of the Panel's process and evaluation of its function during the trial period. Accordingly, it will be necessary to monitor the Panel's function by collecting feedback from applicants and design consultants whose projects have been reviewed and to evaluate any necessary changes that may be needed to the procedures.

A comprehensive monitoring program will be initiated as part of the final stage of the pilot trial period to determine how the Design Review Panel is being received by the design and development industry. This process will include a survey questionnaire being conducted with the users of the design review process; to gauge the impact of the Design Review Panel Pilot Project has had on their work. In addition, staff will conduct consultation meetings with the Building Industry and Land Development (BILD) Association, and the Design Professionals Industry, to consider their constructive feedback on the design review process, which is aimed at improving dialogue between jury members of the Design Review Panel, City staff, and the proponent teams for raising standards of design excellence in the City of Vaughan.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth & Economic Well Being".

#### **Regional Implications**

N/A

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

Item 9, CW Report No. 5 – Page 4

**Conclusion**

The Design Review Panel Pilot Project has completed the first half of the 2 year trial period, and staff evaluation of the annual accomplishments of the Pilot Project has shown that it was generally successful in improving the overall design quality within the City of Vaughan. Preliminary consultation with the participating design and development industry over the past year has shown that the Design Review Panel process is seen as being a generally positive addition to the development approval process.

The Design Review Panel will continue to operate on the final year of a 2 year pilot trial period. The Development Planning Department's Urban Design Division, will continue to monitor and conduct comprehensive consultation and evaluation meetings over the next 9 months with the development and design professionals Industry for their feedback on the design review Pilot Project, and report back to City Council on the feasibility to incorporate the Design Review Panel into the City's design review process on a permanent basis.

**Attachments**

1. Design Review Panel Procedures and Protocol
2. Design Review Panel Projects Reviewed

**Report prepared by:**

Rob Bayley, Manager of Urban Design, ext. 8254

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

## **COMMITTEE OF THE WHOLE FEBRUARY 5, 2013**

### **DESIGN REVIEW PANEL PILOT PROJECT FILE 25.5.1 ALL WARDS**

#### **Recommendation**

The Commissioner of Planning recommends:

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addition, staff is of the opinion that the Design Review Panel Pilot Project initiative has been successful in securing the submission of better designs within the City's urban intensification areas.

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#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth & Economic Well Being".

#### Regional Implications

N/A

#### Conclusion

The Design Review Panel Pilot Project has completed the first half of the 2 year trial period, and staff evaluation of the annual accomplishments of the Pilot Project has shown that it was

generally successful in improving the overall design quality within the City of Vaughan. Preliminary consultation with the participating design and development industry over the past year has shown that the Design Review Panel process is seen as being a generally positive addition to the development approval process.

The Design Review Panel will continue to operate on the final year of a 2 year pilot trial period. The Development Planning Department's Urban Design Division, will continue to monitor and conduct comprehensive consultation and evaluation meetings over the next 9 months with the development and design professionals Industry for their feedback on the design review Pilot Project, and report back to City Council on the feasibility to incorporate the Design Review Panel into the City's design review process on a permanent basis.

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2. Design Review Panel Projects Reviewed

**Report prepared by:**

Rob Bayley, Manager of Urban Design, ext. 8254

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning  
/CM

GRANT UYEYAMA  
Director of Development Planning



## **ATTACHMENT #1**

### **DESIGN REVIEW PANEL PROCEDURES AND PROTOCOL**

#### **Meeting Schedule**

- (a) The Design Review Panel is scheduled to meet the last Thursday of every month on the dates shown in the attached Schedule of Meetings, the meetings will start at 9:00AM at the Vaughan City Hall, 2141 Major Mackenzie Drive, Committee Room #243; meeting schedule will be monitored by staff and adjusted if required.
- (b) A maximum of three (3) projects will be scheduled for each meeting date to allow for appropriate time for members to evaluate the presentation material, discuss and formulate their recommendations on each project.
- (c) Every fourth (4<sup>th</sup>) Design Review Panel meeting is scheduled a Panel discussion to review and adjust meeting rules and protocol as required.
- (d) The Design Review Panel members will nominate a Chair and Vice-Chair for a period of one (1) year.

#### **Meeting Protocol**

- (a) The Agenda for each Design Review Panel meeting will be couriered to Panel members with the complete presentation packages one (1) week prior to each meeting.
- (b) Each project will be allocated 1 hour and 10 minutes on the Agenda with the following time restrictions:
  - Staff Project Presentation to Panel (Planning overview and Urban Design Questions for Panel) – 7 minutes;
  - Applicant Project Presentation to Panel (Design Objectives) – 10 minutes;
  - Question & Answer Period through the Chair;
  - Remaining Time – Informal discussion and formulate recommendations to Chair.
- (c) At the beginning of each meeting, the Design Review Panel Chair will request that all Design Review Panel members to Disclosure of Interest for any projects on the meeting Agenda.
- (d) Projects where the design work being presented will form part of a future competitive public tender, as access to this information prior to the release of the tender may jeopardize the competitive process contemplated for the RFP; these sessions will be held in-camera.
- (e) The minutes of each meeting, and recording of the Design Review Panel recommendations will be performed by the Urban Design staff from the City's Development Planning Department.
- (f) The Design Review Panel will provide a clear consensus to staff on Key Aspects Needing Improvement for each presentation, followed with Related Commentary.
- (g) Projects that have significant public realm impacts or are contentious that might end up at the OMB should not go before the Design Review Panel.
- (h) The Design Review Panel does not discuss height or density for projects.
- (i) Individual Panel Members will not be identified in the minutes; however, individual specific comments will be recorded without attribution.
- (j) The meeting minutes will be reviewed by the Manager of Urban Design and Chair prior to distribution to the Panel Members and Applicant in their final form.
- (k) The Panel Members will be asked to approve the minutes of the previous meeting, at the next scheduled Design Review meeting and will have opportunity to comment on the minutes at that time.
- (l) Applicants will not have the opportunity or ability to request any changes to the minutes without agreement of 2/3 quorum of the Design Review Panel and Manager of Urban Design.

### Project Review Timing

During the development process for complex projects, design issues usually are not resolved at the pre-consultation stage, and many remain to be resolved once a formal application has been submitted, projects subject to the Design Review Panel process will be reviewed twice as follows:

First / Schematic Review – The first review will be scheduled at the pre-consultation stage during the initial functional design of the project, to afford the possibilities of significant changes, if advised by the Design Review Panel.

Second / Final Review – The second review will be scheduled following revisions having been made, and is intended to contribute to the detailed design process of the project.

### Meeting Procedure

- (a) The Design Review Panel meetings will be open to City Councillors and appropriate City staff to attend as required. The Development Planner and Urban Designer responsible for the project will make a brief presentation to provide the Panel members with an understanding of the planning and technical analysis of the project outlining its context, background, scope, related policies, design policies or guidelines and present the design concerns which staff would like the panel to address.
- (b) The role of the Design Review Panel is strictly an advisory body and makes recommendations only. It does not have authority to approve or refuse projects or make policy decisions. It is an independent design advisory body to the Development Planning Department, and is not intended to replace the development planning process, or the role of Council.
- (c) Development Planning Department staff will liaise with the Applicant to ensure that applications are scheduled for review at the appropriate time; ideally, the first review occurs early in the process during schematic design (pre-consultation), with the second review taking place after refinements to the application have been made at detailed design.
- (d) The Applicant and their design consultant will be given an opportunity to make a brief presentation to explain the project design objectives and how it responds to the City's policies.
- (e) Following the staff and Applicant presentation, the Design Review Panel will have the opportunity to ask questions of the design team on any aspect of their design proposal.
- (f) The Design Review Panel will review the presentation material, followed by a discussion on the merits of the design of the project. The Panel will formulate their recommendations for the project through the Chairperson, at the end of the Design Review Panel meeting.
- (g) The Design Review Panel's comments will be based on Council approved land use and urban design policies. The role of the Panel is to help staff interpret the policy for specific sites and projects, and define areas of concern that need to be resolved respecting the design of proposed developments.
- (h) Following the meeting, the Commissioner of Planning or his designate(s) will undertake a review of the recommendations and determine the appropriate actions to be taken by the Applicant.
- (g) The Manager of Urban Design will advise the Design Review Panel on actions taken, as a result of the Panel's recommendation, prior to the next scheduled Design Review Panel meeting.

### Presentation Materials

- (a) The presentation materials package for the Design Review Panel review must be submitted not less than three (3) weeks prior to the scheduled meeting date.
- (b) The presentation materials package shall contain the following minimum information:
  - Key Plan;
  - Colour copies of the site plan, building elevations and landscape plan;
  - Design approach to environmental sustainability;
  - Photographs of surrounding lands and streetscape;
  - Coloured renderings, digital perspectives or a physical massing model depicting the proposed development and its relationship to surrounding lands;
  - Building elevations and materials used;
  - Floor plans of ground floors;

- Brief project description and overview.
  - One CD labelled with project name and address containing presentation materials.
- (c) All presentation material shall be mounted on panels not greater than 90cm x 120cm (3' x 4') in size. In addition, twenty (20) copies of the presentation material package in a bound booklet form being no larger than 28cm x 43cm (11' x 17' landscape format) shall be submitted by the Applicant to the Development Planning Department.
- (d) The Applicant may decide to include a Power Point Presentation with the above information to further describe the proposal to the Panel members at the scheduled Design Review Panel meeting.
- (e) Meeting agendas along with copies of the presentation material and Development Planning Department information will be forwarded to the Design Review Panel members and the Applicant, not less than one (1) week in advance of the scheduled meeting.

### Monitoring

A significant aspect of the Design Review Panel Pilot Project is the continual refinement of the Panels process and evaluation of its function during the trial period. Accordingly, Development Planning Department staff will monitor the Design Review Panel's function by collecting feedback from Panel members, applicants and professional design consultants whose projects have been reviewed and to evaluate any necessary changes that may be needed to the procedures.

### Conflict of Interest

Each member of the Design Review Panel has the duty to advise of any conflict of interest with respect to all projects being reviewed by the Panel. In this regard, the Municipal Conflict of Interest Act as adopted for the purposes of the Design Review Panel will apply and the Panel member shall decline to participate in the review of that project in conflict, specifically:

- Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member,
  - (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
  - (b) shall not take part in the discussion of any question in respect of the matter; and
  - (c) shall not attempt in any way whether before, during or after the meeting to influence the discussion on the application.
- Where the meeting is not open to the public, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).
- Where the interest of a member has not been disclosed by reason of the member's absence from the meeting, the member shall disclose the interest at the first meeting of the Design Review Panel, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).
- Every declaration of interest and the general nature thereof made under section 5 shall, be recorded in the minutes of the meeting by the secretary of the Design Review Panel, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Each member of the Design Review Panel will be asked to sign an agenda form to confirm there is no Conflict of Interest prior to commencement of a meeting. The sign-off form must be presented to the Manager of Urban Design at the beginning of the meeting.

## ATTACHMENT NO. 2

### Design Review Panel Projects Reviewed

#	Date	Project	Developer	Review No.
1	October 27, 2011	2900 Regional Road 7,	ExpoCity	1
2	November 24, 2011	Hwy 7 & Interchange Way,	Easton Dev.	1
3		7777 Weston Road,	Liberty Development Corp.	1
4		Rutherford Market Place,	FCHT Holdings Inc.	1
5	December 15, 2011	Bathurst & Beverly Glen Development	Liberty Development Corp.	1
6		Hwy 7 & Wigwoss Drive	2190647 Ontario Inc.	1
7	January 26, 2012	Hwy 7 & Jane Street Dev,	Zzen Group	1
8		Centre Street & New Westminster Drive,	Cityzen Dev. Group	1
9	February 23, 2012	Hwy 7 & Wigwoss Drive	2190647 Ontario Inc.	2
10		Rose garden City - Hwy 7 & Centre Street	Liberty Development Corp.	1
11		Bathurst & Beverly Glen Dev	BAIF Developments Ltd.	1
12	March 29, 2012	Hwy 7 & Maplecrete Dev	Liberty Developments	1
13		Weston Road & Retreat Blvd Dev.	Ozner Corp. Lormel Homes	1
14	April 26, 2012	3600 Rutherford Rd	West Rutherford Properties	1
15		Bathurst & Beverly Glen Development	Liberty Development Corp.	2
16	May 31, 2012	Hwy 7 & Interchange Way,	Easton Dev.	2
17	June 28, 2012	4603 & 4611 Hwy 7	2058258 Ontario Ltd.	1
18	July 26, 2012	Major Mackenzie Drive & Keele Street	Goldpark Group	1
19	September 27, 2012	VMC 16 storey office bldg & Public Square	Calloway REIT (Sevenbridge) Inc.	1
20	October 25, 2012	Carville District Centre Block 11	Nine-Ten West Ltd	1
21		7476 Kipling Avenue	Portside Development Corp.	1
22		Kleinburg Village Condominium	Beaverbrook Homes Dev. Corp	1
23	November 29, 2012	Rutherford Market Place,	FCHT Holdings Inc.	2
24		Capo Di Monte 9909 & 9939 Pine Valley Drive	1668872 Ontario Inc. Royal Pine Homes Inc.	1
25		Kleinburg Heritage Square, 10423 & 10429 Islington Ave	Heritage Hill Developments Corp.	1

1st Review      21  
2nd Review      4