

HALIFAX

P.O. Box 1749
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Item No. 9.1.1
Executive Standing Committee
August 10, 2015

TO: Chair and Members of Executive Standing Committee

SUBMITTED BY: ORIGINAL SIGNED
Bob Bjerke, Director and Chief Planner, Planning and Development

DATE: June 16, 2015

SUBJECT: Design Review Committee Membership Criteria

ORIGIN

- April 29, 2014, Regional Council motion to advance work on a five year review of the Downtown Halifax Plan, as outlined in a staff report dated February 25, 2014.
- March 25, 2015, Executive Standing Committee discussion re: DRC membership criteria.

LEGISLATIVE AUTHORITY

- *HRM Charter*, Part VIII, Planning and Development; Section 246A
- Downtown Halifax Secondary Municipal Planning Strategy; Policy 17
- Downtown Halifax Land Use By-law; Section 4
- Design Review Committee – Terms of Reference
- Administrative Order Number One; Schedule 5 – Executive Standing Committee Terms of Reference

RECOMMENDATION

It is recommended that the Executive Standing Committee direct staff to review the membership criteria of the Design Review Committee, as part of the five-year review of the Downtown Halifax Secondary Municipal Planning Strategy and the Downtown Halifax Land Use By-law.

BACKGROUND

The Design Review Committee (DRC) was established in January 2010 following the adoption and coming into effect of the Downtown Halifax Secondary Municipal Planning Strategy (DHSMPS) and the Downtown Halifax Land Use By-law (DHLUB). The DRC's primary roles are to review substantive site plan approvals against the design criteria of the Design Manual (Schedule S-2 of DHLUB) and to consider variances to the requirements of the DHLUB. The current membership criteria of the DRC are included as Attachment A to this report. The criteria call for a twelve-member Committee made up of three residents at-large and nine design professionals (4 architects, 2 landscape architects, 1 city planner or urban designer, 1 structural engineer, and 1 professional at large). While the design professionals appointed to the DRC must hold a professional degree in their respective fields, the membership criteria do not specify membership in regulating bodies, or when these do not exist, in professional associations.

DISCUSSION

Staff believes that the membership criteria of the DRC can be improved upon in two ways: (1) by limiting future appointments to design professionals and (2) by requiring that all future appointments to the DRC are members of their respective professions' regulating body or professional association. It is important to note that any change to the membership criteria of the DRC would require that amendments be made to the DHLUB.

Limiting Future Appointments to Design Professionals

The responsibilities that have been assigned to the DRC require from its membership a high degree of technical knowledge and proficiency in matters related to site planning, servicing, design, construction, and building operation. This level of knowledge and proficiency would be hard to acquire without any formal training in architecture, landscape architecture, planning, urban design, civil, mechanical or electrical engineering, or related disciplines. Consequently, it would be expected that the majority of resident at-large appointments to the DRC would be at a considerable disadvantage when compared to the design professional appointments. The potential benefit having non-design professionals on the DRC could be seen as the perceived increase in access of the DRC to the public via these appointments. The committee does not have a public access mandate defined within their Terms of Reference. The purpose of the committee is detailed there within and is focused on advice, review, and assessment of design details of site plan approval applications. Therefore, in order to ensure that the DRC possesses the right combination of skills and knowledge to effectively make design decisions on site plan approval applications, it is recommended that the membership criteria for the Committee be amended to focus on design professionals.

Membership in Regulating Bodies or Professional Associations

By requiring that all future appointments to the DRC are members of their respective fields' regulating body or professional association would ensure that these design professionals would have a minimum level of working experience in their field and that they would be engaged in a program of continuous professional development. It also ensures that the design professionals are held to an ethical code of conduct and that they can be disciplined by their body or association in the event that they have breached their code in any way, which would include in their capacity as a serving member of the DRC.

Already, the Licensed Professional Planners Association of Nova Scotia (LPPANS) has contacted the Clerk's Office requesting that all future appointments to the DRC, in the position reserved for a city planner, be licensed professional planners with their association. The letter from the LPPANS president is contained in Attachment B of this report.

FINANCIAL IMPLICATIONS

No financial implications have been identified with this proposal.

COMMUNITY ENGAGEMENT

Should the Executive Standing Committee choose to direct staff to review the membership criteria of the DRC, staff will proceed with stakeholder and public engagement on this particular issue as part of the larger five-year review of the DHSMPS and the DHLUB.

The community engagement process to be undertaken will be consistent with the intent of the HRM Community Engagement Strategy. The proposed level of community engagement is consultation, which will be achieved through a public meeting and by direct stakeholder engagement with nine groups that have an interest in Downtown Halifax planning matters. The nine stakeholder groups that have been identified are:

- Downtown Halifax Business Commission;
- Spring Garden Area Business Association;
- Waterfront Development Corporation Limited;
- Heritage Trust of Nova Scotia;
- Dalhousie University (Facilities Management);
- Fusion Halifax (Urban Development Action Team);
- Ecology Action Centre;
- Design Professionals; and
- Members of the Development Community.

In addition, direct input will be sought from the DRC and various regulating bodies and professional associations that represent design professionals in Nova Scotia, these include:

- Atlantic Provinces Association of Landscape Architects;
- Engineers Nova Scotia;
- Licensed Professional Planners Association of Nova Scotia; and
- Nova Scotia Association of Architects.

A public hearing must also be held by Regional Council before any amendments to the DHSMPS and the DHLUB can be approved.

Amendments to the membership criteria of the DRC will potentially impact current and future potential members of the DRC, local residents, and members of regulating bodies or professional associations that represent design professionals in Nova Scotia.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified with this proposal.

ALTERNATIVES

The Executive Standing Committee may:

1. Direct staff to review the membership criteria of the DRC.
2. Direct staff not to review the membership criteria of the DRC.

ATTACHMENTS


Attachment A	Current DRC Membership Criteria
Attachment B	Letter from the Licensed Professional Planners Association of Nova Scotia

A copy of this report can be obtained online at <http://www.halifax.ca/boardscom/drc/Agendas.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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ORIGINAL SIGNED

Report Approved by:



Jacob Ritchie MCIP LPP, Urban Design Manager, 902.490.6510

Attachment A: Current Design Review Committee Membership Criteria

Composition of the Committee

- (2) The Committee shall consist of not more than 12 members, who shall be appointed by Council in accordance with the following:
 - (a) residents of the Municipality who have applied to Council to act as members;
 - (b) with the exception noted in clause (c) **(RC-Dec 13/11;E-Mar 3/12)**, only those applicants with professional expertise in the fields of architecture, landscape architecture, urban design, city planning, structural engineering or a similar field shall be eligible as members of the Committee;
 - (c) where possible, the Committee shall be comprised of 4 architects, 2 landscape architects, 1 city planner or urban designer, 1 structural engineer, 1 professional at large from the above referenced professions, and 3 residents at large;
 - (d) where possible, at least one member with professional expertise in architecture should be an accredited professional in sustainable building design and construction.;
 - (e) with the exception of the resident at large **members (RC-Dec 13/11;E-Mar 3/12)**, members of the Committee must hold a professional degree in their respective fields;
 - (f) members of the Committee shall be appointed by Council for a period of two years with the exception of the original appointments by Council where five of the members shall be appointed for a period of one year;
 - (g) a member of the Committee shall be eligible for re-appointment;
 - (h) a member of the Committee who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned from the Committee; and
 - (i) should a vacancy occur on the Committee, for any reasons other than the expiration of the term of a member, Council shall, within 30 days of notification of a vacancy, appoint a person to fill the vacancy, and the person so appointed shall hold office for the remainder of the term of the member in whose place he or she was appointed.

HALIFAX REGIONAL
MUNICIPALITY
SEP 30 2014
M.T
MUNICIPAL CLERK

Re: Item 11.2.1



Licensed Professional Planners Association of Nova Scotia
P.O. Box 29089
Halifax, Nova Scotia
B3L 4T8

September 30, 2014

Municipal Clerk's Office
Halifax Regional Municipality
Halifax, Nova Scotia
B3J 3A5

Via e-mail: Clerks@halifax.ca

To Whom It May Concern,

Re: Design Review Committee – professional designations

The Licensed Professional Planners Association of Nova Scotia (LPPANS) is pleased to promote the volunteer opportunity for an Urban/City Planner to serve on the Design Review Committee. This is an important volunteer position in our community. In the matter of the volunteer planner's professional designations, it has come to our attention that the volunteer planner must hold a professional degree in planning, but a license is not required.

LPPANS is the licensing body for professional planners in Nova Scotia and operates under the *Professional Planners Act (2005)*. The Association regulates the practice of planning in accordance with the *Act*, bylaws, standards of practice, and code of ethics. LPPANS members are required to maintain continuous professional learning ensuring that they remain current with the ever-changing dynamics of city planning. LPPANS is also mandated to promote professional planning in Nova Scotia.

LPPANS requests that the terms of reference for the Design Review Committee be reviewed and that consideration be given to requiring that the volunteer Urban/City



Planner must hold a professional degree and must be a Licensed Professional Planner

Thank you for your consideration of this matter. Please contact me with any questions at [REDACTED] or [REDACTED]

Sincerely,

ORIGINAL SIGNED

Nathan Rogers, MCIP, LPP
LPPANS President



NR/
