



ADVISORY DESIGN PANEL TERMS OF REFERENCE

MANDATE

The Advisory Design Panel (ADP) is a committee established by the City of Duncan Council (Council) to provide impartial, professional recommendations to City staff and Council on matters relating to the design context of development proposals or policies that affect Duncan's physical environment.

ROLES AND FUNCTIONS

The role of the ADP is to advise Council, or staff with delegated authority, on the conformance of major Development Permit applications (commercial development over 200 square metres, or residential development with 5 or more units), Development Permits for form and character, and other matters referred by Council or staff. Council and staff with delegated authority are not bound to the advice or recommendations of the ADP.

In preparing its recommendations to Council on an application, the ADP must consider:

- the relevant Development Permit Area (DPA) Guidelines within the context and scope of the proposal,
- the effect of the proposal on community design (including appearance and contextual relationship to its surroundings, exterior materials, landscaping and general safety and accessibility of the design), and
- any other relevant City policies or regulations identified by staff.

When applying the DPA Guidelines, the ADP may use related Official Community Plan policies and statements in interpreting the intent of the guidelines.

The ADP may be requested to provide advice or guidance on design-related policies, such as updates to Development Permit Area Guidelines or related bylaws such as the Sign Bylaw.

DUTIES AND RESPONSIBILITIES OF THE CHAIR

The Chair will be elected annually by the voting members of the ADP. An alternate chair will be selected by the voting members present in the event of the Chair's absence.

The Chair shall preside at all meetings of the ADP, preserve order and decide all points of order.

TERM

The term of the ADP shall commence upon approval of the Terms of Reference document and terminate upon the sooner of:

- December 31, 2026; or
- A resolution of the City of Duncan Council.

ADP members will be appointed for a two-year term. The maximum number of terms an individual ADP member may serve is two (a total of 4 years), unless authorized by Council when it is not possible to obtain a new member of a specific profession, and if leaving the position unfilled would cause a lack of specialized knowledge in that area.

ADP members must be appointed by Council and may be removed from the ADP at any time by Council.

MEMBERSHIP

The ADP shall consist of one (1) Council member (non-voting liaison) and six (6) voting members appointed by Council as follows:

- Two (2) architects currently registered with the Architectural Institute of British Columbia (AIBC), one may be a retired architect only if an active member is not available;
- Two (2) landscape architects currently with the British Columbia Society of Landscape Architects (BCSLA) (certified member, inactive/retired member, in good standing);
- Two (2) at-large members with demonstrated background or experience in development or design, which may include:
 - A member of the Urban Development Institute (UDI) or a land development economist;
 - A person with recognized qualifications in sustainable building design or sustainable community design (i.e. an accredited member of the Canadian Green Building Council or Built Green builder); or
 - A person with expertise in accessible design.

Quorum will consist of three (3) voting members.

The Director of Planning and Sustainability is appointed as the staff liaison and will attend all ADP meetings to provide professional advice and information to the ADP on behalf of the City.

A City of Duncan staff person will be appointed to be a recording secretary for the ADP.

ADP candidates who are currently registered members of the AIBC or BCSLA must be selected from a list of nominees submitted by their respective professional organizations.

REMUNERATION

ADP members serve as volunteers and shall serve without remuneration. ADP meeting expenses shall be undertaken by the City of Duncan, as deemed acceptable.

ACCOUNTABILITY

ADP members are expected to attend meetings regularly. If a member is continuously absent from meetings for a period of three (3) consecutive scheduled meetings, unless the absence is because

of illness, the office of the member is deemed to be vacant and the City may proceed to replace that member. To resign from the ADP, a member must submit a letter of resignation to the Chair and copied to the staff liaison and recording secretary.

Members of the AIBC are required by their organization to comply with the terms of the AIBC “Bulletin 65: Advisory Design ADPs – Standards for Procedure and Conduct” (as amended from time to time), including terms of appointment included therein.

Members of the BCSLA are required by their organization to comply with the terms of the “BCSLA Advisory Design ADP Guidelines” (as amended from time to time), including the terms of conduct contained therein.

CONFLICT OF INTEREST

ADP members must absent themselves from discussions or decision-making at ADP meetings if there is a conflict of interest, and this shall be recorded in the meeting minutes.

All ADP members are required to sign a copy of, and abide by, the City of Duncan Council Code of Conduct.

CONFIDENTIALITY

ADP members may be privy to confidential material and as such are expected to sign a “Conflict of Interest/Confidentiality Form.”

Should a closed meeting be held by the ADP, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the City suffer loss or damage due to contravention of confidentiality, the City may recover damages from the person(s) for the loss or damage.

TIME AND PLACE OF MEETINGS

The ADP will meet on the fourth Thursday of each month at 10:00 a.m. if there are any Development Permit applications to consider. If the meeting doesn’t proceed for any reason, the meeting will be rescheduled depending on the availability of members.

The location of meetings will be at the City of Duncan Committee Room, or an online platform provided that the City’s obligations under the *Community Charter* are met with respect to electronic council committee meetings.

MEETING PROCEDURES

All ADP meetings will be conducted in an orderly and business-like manner that is consistent with the City of Duncan Council Procedure Bylaw as amended or replaced from time to time.

Each voting member shall have one vote and will respect the following rules of meeting conduct:

- Group discussion is important: everyone participates;
- Provide honest, professional opinions;
- Agree to disagree: consensus may not always be achieved;

- Commit to stay on track and on topic; and
- Commit to anonymity: names are not associated with comments.

Discussions related to any matter that will be considered by the ADP at a properly constituted meeting must not take place by email. Information must be submitted to the Chair and staff liaison for inclusion on the agenda.

Meetings will proceed as follows:

- The staff liaison will present the general facts about the proposal and outline the City's comments as they relate to the applicable Zoning, Development Permit Area Guidelines, or other related policies or regulations. Staff will not indicate their opinion of the proposal.
- The applicant may make a brief presentation regarding their development proposal.
- ADP members may not present on behalf of an applicant.
- Prior to further detailed examination of the information presented, the ADP may ask clarifying questions of the applicant.
- The ADP will discuss the proposal and may ask further questions of the applicant or staff.
- The Chair will ask ADP members for final comments prior to considering a recommendation regarding the proposal.
- The applicant will be invited to make any final comments.
- The ADP will prepare a recommendation to Council or to staff with delegated authority and proceed to a vote.
- The ADP should ensure their recommendations are clear, and enable the developer to understand what improvements are desired, and to enable Council or staff with delegated authority to be able to evaluate whether the recommendations have been addressed.
- Meeting minutes will be prepared by the recording secretary in accordance with the Council Procedure Bylaw and reviewed by the Chair and staff liaison for accuracy prior to distribution.

The staff liaison will:

- provide advance notice to applicants of when their application will be considered by the ADP so that the applicant may have an opportunity to present their proposed development to the ADP and respond to questions;
- communicate ADP recommendations to the applicant so that the applicant may revise their application prior to it being considered by Council or staff with delegated authority. The application will not be re-considered by the ADP.
- where an application is to be considered by Council, make a staff recommendation to Council on the application and include in the report the ADP's recommendation and details of how or if the recommendation was addressed by the applicant.
- following approval or issuance of a Development Permit which was reviewed by the ADP, submit a brief report to the ADP outlining any changes made to the development plans in response to the ADP's recommendations.

A member of the ADP may attend Council meetings to speak to an application considered by the ADP.

AGENDAS

The staff liaison, in collaboration with the recording secretary, will prepare an Agenda for each meeting.

Each application to be considered by the ADP will contain the following in a staff report:

- a description of the application and the applicable Development Permit Area;
- copies of the plans of the proposal;
- contextual considerations;
- a review of the proposal, with a clear statement of applicable City policies, constraints, or guidelines;
- a summary of any comments received from other municipal staff or outside agencies;
- a description of any previous issues for subsequent ADP submissions.

Agendas will be circulated to ADP members by email. ADP members may request a printed copy of an agenda.

One (1) paper copy of the OCP and Zoning Bylaw will be provided to ADP members at their request.

EXTERNAL COMMUNICATIONS

The Mayor is the official spokesperson for the ADP and for all Council business. The ADP Council liaison member, ADP Chair, or staff liaison may be asked by the Mayor to be the spokesperson on matters within the ADP's purview.

In some cases, the Chief Administrative Officer or other senior City staff member may be the appropriate spokesperson.