Minute No. 103
Report - Standing Policy Committee on Downtown Development - April 4, 2005

Item No. 3 **Urban Design Advisory Committee (Amendments to the Downtown Winnipeg Zoning By-law No. 100/2004)**
File CR-5

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Downtown Development and adopted the following:

1. That section 250(13) of the Downtown Winnipeg Zoning By-law No.100/2004 be amended by deleting "250(9)" and replacing it with "250(12)".

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Downtown Development - April 4, 2005

DECISION MAKING HISTORY:

Moved by Councillor Magnifico,

That the recommendation of the Standing Policy Committee on Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Downtown Development and submitted the matter to Council.

Further on December 7, 2005, the Executive Policy Committee received as information the recommendation contained in the administrative report dated October 24, 2005, pertaining to development approval in the downtown.

On November 16, 2005, the Executive Policy Committee laid over consideration of Item 3 of the Standing Policy Committee on Downtown Development to December 7, 2005.

On July 20, 2005, the Executive Policy Committee laid over consideration of the recommendation of the Standing Policy Committee on Downtown Development for a further ninety (90) days.

On June 22, 2005, the Executive Policy Committee laid over consideration of the matter for a further thirty (30) days.

On May 11, 2005, the Executive Policy Committee laid over consideration of the matter for thirty (30) days.

STANDING COMMITTEE RECOMMENDATION:

On May 2, 2005, the Standing Policy Committee on Downtown Development reiterated its recommendation of April 4, 2005, namely:

1. That section 250(13) of the Downtown Winnipeg Zoning By-law No.100/2004 be amended by deleting “250(9)” and replacing it with “250(12)”,

and submitted the matter to the Executive Policy Committee and Council.

Report - Standing Policy Committee on Downtown Development - April 4, 2005

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 20, 2005, the Executive Policy Committee referred the matter back to the Standing Policy Committee on Downtown Development.

Further, the Executive Policy Committee recommended the Administration to consult with CentreVenture Development Corporation regarding the intent of the Urban Design Advisory Committee and report back to Standing Policy Committee on Downtown Development within thirty (30) days.

STANDING COMMITTEE RECOMMENDATION:

On April 4, 2005, the Standing Policy Committee on Downtown Development concurred in administrative recommendation 6, as outlined on the report from the Director of Planning, Property and Development Department, dated March 10, 2005, and submitted the matter to the Executive Policy Committee and Council.

STANDING COMMITTEE DECISION:

On April 4, 2005, the Standing Policy Committee on Downtown Development concurred in administrative recommendations, as amended, namely:

1. That an Urban Design Advisory Committee (UDAC) be established pursuant to the provisions of Downtown Winnipeg Zoning By-law No. 100/2004 and that the following individuals be appointed to that Committee, namely:

   A. For the one year term expiring June 30, 2006:
      David Witty - Chairperson.
      David Penner
      Ted McLachlan
      Michael Scatliff

   B. For the two-year term expiring June 30, 2007:
      Terry Cristall – Vice-Chairperson
      Steve Cohlmeyer
      Heather Cram
      David Palubeski

   C. Four (4) representatives of the Historical Buildings Committee to contribute on an "as-required" basis to review those proposals within the Exchange District National Historic Site and proposals for listed buildings within the Downtown as mandated by the Historical Buildings By-law No. 1474/77.

Report - Standing Policy Committee on Downtown Development - April 4, 2005

DECISION MAKING HISTORY (continued)

STANDING COMMITTEE DECISION (continued)

2. That the City Administration will bring forward an additional nominee, representing the development industry, to sit as a member of the Urban Design Advisory Committee.

3. That the implementation of an honorarium to members of the Urban Design Advisory Committee be postponed for a period of one year pending an assessment.

4. That the City Administration, in consultation with the Urban Design Advisory Committee, be instructed to develop operating procedures and a policy on conflict of interest, for submission to and approval by the Standing Policy Committee on Downtown Development.

5. That following the first year of operation of the Urban Design Advisory Committee the City Administration will bring forward a report to the Standing Policy Committee on Downtown Development describing its activities and providing a stakeholder and customer satisfaction evaluation of its work.

6. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

STANDING COMMITTEE RECOMMENDATION:

On November 4, 2004, the Standing Policy Committee on Downtown Development considered an administrative report dated October 8, 2004, with respect to the Urban Design Advisory Committee and referred the matter to the Administration for report back in 60 days.

Re: Urban Design Advisory Committee

For submission to: Standing Policy Committee on Downtown Development

Original report signed by: Director of Planning, Property and Development

Report date: March 10, 2005

Recommendation(s):

1. That an Urban Design Advisory Committee (UDAC) be established pursuant to the provisions of Downtown Winnipeg Zoning By-law 100/2004 and that the following individuals be appointed to that Committee, namely:

   A. For the one year term expiring June 30, 2006:
      David Witty - Chairperson.
      David Penner
      Ted McLachlan
      Michael Scatliff

   B. For the two-year term expiring June 30, 2007:
      Terry Cristall – Vice-Chairperson
      Steve Cohlmeyer
      Heather Cram
      David Palubeski

   C. Four (4) representatives of the Historical Buildings Committee to contribute on an "as-required" basis to review those proposals within the Exchange District National Historic Site and proposals for listed buildings within the Downtown as mandated by the Historical Buildings By-law 1474/77.

2. That the City Administration will bring forward an additional nominee, representing the development industry, to sit as a member of the Urban Design Advisory Committee.

3. That an honorarium be paid to members of the Urban Design Advisory Committee in the amount of $150.00 per meeting attended.

4. That the City Administration, in consultation with the Urban Design Advisory Committee, be instructed to develop operating procedures for submission to and approval by the Standing Policy Committee on Downtown Development.

5. That following the first year of operation of the Urban Design Advisory Committee the City Administration will bring forward a report to the Standing Policy Committee on Downtown Development describing its activities and providing a stakeholder and customer satisfaction evaluation of its work.

6. That the Downtown Winnipeg Zoning By-law 100/2004 be amended as follows:

   That Section 250(13) be amended by deleting "250(9)" and replacing it with "250(12)".

7. That the Proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REPORT SUMMARY

Key Issues:

- Recommendation 3.3 of the "Getting Down to Business" report called for a "peer review process" for the evaluation of design for downtown development applications.
- By-law 100/04 makes provision for the Standing Policy Committee on Downtown Development to appoint advisory committees for the purpose of providing recommendations to the Director.
- Special consideration is needed to protect the integrity, character and value of the Exchange District National Historic Site pursuant to The Exchange District National Historic Site of Canada Commemorative Integrity Statement approved by The City of Winnipeg, Province of Manitoba and Government of Canada in 2000.
- Design review supported by respected, experienced, Winnipeg design professionals will provide a higher level of design review, add greater fairness in the design review process and promote higher quality and innovative design.

Implications of the Recommendation(s):

General implications:

	None
X	**For the organization overall and/or for other departments**
X	**For the community and/or organizations external to the City of Winnipeg**
	Involves a multi-year contract

Comment(s):

- The Urban Design Advisory Committee will provide significant professional advice to the Director of Planning, Property and Development in ensuring appropriate design review consistent with Standing Policy Committee on Downtown Design approved design guidelines.

Policy implications:

X	**No**
	Yes

Comment(s):

- The City has formally reviewed the design of all downtown development projects since 1988. The appointment of this Committee will enhance the established review process.

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

- Expenses will include minor meeting costs and member honorariums.

REASON FOR THE REPORT:

Subsection 250 (12) of Downtown Winnipeg Zoning By-law 100/2004, dealing with Urban Design Review, provides for the appointment of an advisory committee by the Standing Policy Committee on Downtown Development.
This issue was originally considered by the Standing Policy Committee on Downtown Development at the meeting on November 4, 2004 and referred to Administration for report back in 60 days. This report replaces the October 8, 2004 report originally considered by the Committee.

HISTORY:

- **Plan Winnipeg** – Throughout Plan Winnipeg 2020 there has been a focus on design excellence:
    - 5E-01 PROMOTE HIGH-QUALITY URBAN DESIGN
      The City shall promote high-quality urban design throughout the city by:
        i) establishing design guidelines in consultation with the private sector and implementing design review processes for private developments and for public works;
    - promote high standards of urban design (1A-08)
    - promote safety through design (1A, 1B & 4B)
    - promote exemplary urban design in City projects (1A-08 i)
    - encouraging private developments to meet similar high standards of design (1A-08 ii)
    - protect character areas with high quality design (1B-04)
    - promote equitable access through universal design (2A-02)
    - support economic development through high quality design (2C-10)
    - integrate land-use, urban design and transportation planning (3A-03)

- **CentrePlan -Vision and Strategies** - There was a similar commitment to urban design including the following strategy:
    - "Create expectations of high quality urban design in the downtown and ensure that they are met."

- **CentrePlan – Development Framework** – notes that "Good Design is Good Business"
    - "Quality design contributes to great cities' characters. Quality design incorporates principles of universal access, crime prevention through environmental design and context enhancement. Architectural standards articulated through representative groups can reflect a broad range of opinion and perspective."

- **CentreVenture**: The September 10, 1999 CentreVenture Startup Business Plan proposed the establishment of a Design Review Committee that would:
    - Enfold the current design committees;
    - Establish a single, clear design review and approval process to address the importance of design review in the downtown area by stating that CentreVenture will:
      "establish the CentrePlan Design Review Committee to achieve Design Excellence in bringing the vision (CentrePlan Development Framework) to reality."

- **Past Design Review** - The City has formally reviewed all downtown development from an urban design perspective since Downtown Winnipeg Zoning By-law 4800 came into force and effect in 1988. Under By-law 4800, the Downtown Design Board (Standing Policy Committee on Property and Development) approved all major developments and delegated authority for the approval of minor applications to Administration.

- **"Getting Down to Business" report** - approved by Coun*cil* on September 25, 2002, included the following recommendation:

  "3.3 Establish a peer review process for design review whereby the appropriateness of a development application is assessed by a team of design professionals working in an advisory capacity to the decision making body established through Recommendation 3.2 (single decision making authority)."

- **Zoning By-law** - The approval of the new Downtown Winnipeg Zoning By-law 100/2004 established the authority to appoint a design review committee as follows:

  "250(12) The Standing Policy Committee on Downtown Development may appoint an advisory committee (or committees) for the purpose of providing recommendations to the Director regarding:

  (a) whether or not to grant urban design approval for a particular development, redevelopment, expansion, demolition, or exterior alteration; and
  (b) downtown urban design guidelines, standards, or criteria."

- **Consultation** - City Administration has worked with Manitoba's professional design associations to develop a peer design review process and downtown design guidelines. These associations are: The Manitoba Association of Architects (MAA); the Manitoba Association of Landscape Architects (MALA); and the Manitoba Professional Planning Institute (MPPI). In addition, consultations are under way with the Urban Development Institute seeking a nomination from that group as a development industry representative on the Urban Design Advisory Committee.

DISCUSSION:

Design review is important if Winnipeg is to achieve the level of design excellence contemplated by all of the City's major planning and development documents. This design review should ensure that, in addition to being guided by Council approved policies and guidelines, it is influenced by the Community's view of what constitutes design excellence. The recommendation of the Getting Down to Business report recognized that the Community's view is best reflected by an advisory group of people knowledgeable in design (peer review) rather than by City staff alone.

Intent of UDAC
The intent of the Urban Design Advisory Committee (UDAC) is to support the City's design approval process with advice from design professionals. This advice will generally fall into three areas:

1. Advice to developers and designers at the concept stage of new development projects (optional);
2. Advice to the Director, as the decision making authority on design approval, on development applications; and
3. Advice to the Standing Policy Committee on Downtown Development on downtown design guidelines and policies.

UDAC Membership
The membership of the initial UDAC is proposed to be 3 architects, 3 landscape architects, 1 planner, 4 Historical Buildings Committee representatives and a chair appointed by the City – addressing all factors through one committee. In addition, it is proposed that one member be appointed from the development community. City Administration is currently working with the Urban Development Institute to identify a suitable nominee. This nominee will be brought forward for the approval of the Standing Policy Committee on Downtown Development by June 2005. Following its first year of operation, the City Administration will report on the activities of the Committee and the results of stakeholder and customer satisfaction evaluation of its work. Recommendations to the Standing Policy Committee on Downtown Development on future UDAC membership will also be made.

City Administration has met with each of the professional design associations (MAA, MALA and MPPI) to review proposed changes to design review in the downtown area. Each of these associations was supportive of the City's direction and the clear desire for a strong emphasis on urban design. Each association has nominated members to sit on this Committee. Administration recommends acceptance of the following nominations:

- **Steve Cohlmeyer:**
  - Nominated by the Manitoba Association of Architects.
  - Principal at Cohlmeyer Architects Ltd.
  - Member of the Architects Associations in Manitoba and Ontario and Fellow of the Royal Architectural Institute of Canada.

- **David Penner:**
  - Nominated by the Manitoba Association of Architects.
  - Principal at David Penner Architects.
  - Member of the Architects Association in Manitoba and the Royal Architectural Institute of Canada.

- **Heather Cram:**
  - Nominated by the Manitoba Association of Landscape Architects.
  - Principal at Hilderman Thomas Frank Cram Landscape Architecture and Planning.
  - Member of the Manitoba Association of Landscape Architects and the Canadian Society of Landscape Architects.

- **Ted McLachlan:**
  - Nominated by the Manitoba Association of Landscape Architects.
  - Professor, Faculty of Architecture, University of Manitoba.
  - Member of the Manitoba Association of Landscape Architects and Fellow of the Canadian Society of Landscape Architects.

- **Michael Scatliff:**
  - Nominated by the Manitoba Association of Landscape Architects.
  - Principal at Scatliff Miller Murray.
  - Member of the Manitoba Association of Landscape Architects and the Canadian Society of Landscape Architects.

- **David Palubeski:**
  - Nominated by the Manitoba Professional Planning Institute.
  - Principal at Lombard North Group.
  - Member of the Manitoba Professional Planning Institute and member and former President of the Canadian Institute of Planners.

In addition Administration is recommending the appointment of the following individuals as Chairperson and Vice-Chairperson of the UDAC:

- **David Witty, Chairperson:**
  - Dean of the Faculty of Architecture, University of Manitoba.
  - Member of the Canadian Institute of Planners, the Manitoba Professional Planning Institute and the American Planning Institute.
  - Current member of the National Capital Commission.

- **Terry Cristall, Vice-Chairperson:**
  - Nominated by the Manitoba Association of Architects.
  - Principal at Number Ten Architectural Group.
  - Member of the Architects Associations in Manitoba, Saskatchewan, BC and Ontario and Fellow of the Royal Architectural Institute of Canada.

For this initial committee the Department recommends staggered appointment terms so that half of the Committee membership is appointed for a one-year term and the other half for a two-year term as described below. Following this initial membership appointment, all future appointments will consist of two-year terms.

- Appointed for two-year terms with terms ending June 30, 2007:
  - Steve Cohlmeyer
  - Terry Cristall
  - Heather Cram
  - David Palubeski

- Appointed for one-year terms with terms ending June 30, 2006:
  - David Witty
  - David Penner
  - Ted McLachlan
  - Michael Scatliff

In accordance with Subsection 250(13) of the Downtown Zoning By-law 100/2004, once formed the UDAC may establish procedures subject to the approval of the Standing Policy Committee of Downtown Development. Establishment of these procedures will be one of the first orders of business for the UDAC.

Corrective amendment to Downtown Winnipeg Zoning By-law:
Legal Services have recommended that a corrective amendment be made to the Downtown Winnipeg Zoning By-law. It dovetails with this report as it concerns advisory committees. Section 250(13), which empowers an advisory committee to establish its own procedures, should read "An advisory committee appointed under subsection 250(12)..." rather than "An advisory committee appointed under subsection 250(9)..."

Legal services will be instructed to prepare the formal by-law, which will be placed before Council.

The Exchange District National Historic Site:
The Exchange District is an important heritage asset for Winnipeg. The District's value has long been recognized and protected and is the subject of the November 2000 Exchange District National Historic Site Commemorative Integrity Statement approved by the three levels of government.

A recommendation was made by the Standing Policy Committee on Property and Development at their November 2, 2004 meeting to amend the Historical Buildings By-law 1474/77 so that The Historic Winnipeg Advisory Committee (HWAC) will be disbanded. That Committee's responsibility to review development in the Exchange District will be taken over by the Urban Design Advisory Committee, with support from the four members to be appointed by the Historic Buildings Committee (recommendation 1C).

The UDAC will prepare operating procedures outlining a review process that will ensure effective and timely decision-making. These operating procedures will be presented to the appropriate Standing Policy Committees for approval.

Design Review Experience to Date:

Since 2002 the Administration has had support for the review of downtown development applications through an informal design review committee made up of City and non-City members. Pursuant to Council direction to establish a formal system of peer design review and in consultation with Winnipeg's design and development community, certain individuals were nominated for this formal committee, to be called the Urban Design Advisory Committee (UDAC). City Administration has met with these individuals to discuss potential operating guidelines.

The City presently has several critical new developments proposed for the Downtown. These are the Manitoba Hydro Building and four new developments on Waterfront Drive. Because of the significance of these projects, the desire of City staff to be able to offer input and the anticipated involvement of UDAC in the evolution of these developments, the nominated members of the proposed UDAC were asked to sit as an informal advisory committee to assist staff with the evaluation of these designs. Two meeting of approximately four hours each have been held with the developers and their designers for the Manitoba Hydro and three of the Waterfront Drive projects. At these meetings Committee members offered their opinion about the urban design issues relevant to each development and, if appropriate, suggested design alternatives. The role of UDAC to encourage, support and facilitate development was evident in these meetings.

Honorarium:

There is no established practice with respect to remuneration for design review committees in other Cities. Some are paid and some are not.

It is recognized that most advisory committees established by the City are not paid, however it is proposed that the members of this Committee be paid an honorarium of $150 for each meeting attended, for the following reasons:

- Members of this committee are all design professionals who are being asked to provide advice on matters for which they would normally be paid.
- Meetings will take place during normal business hours and therefore may infringe on the earning ability of Committee members.
- It is anticipated that from time-to-time meetings will be scheduled to expedite design review and therefore there may be exceptional demands on the time of Committee members.

Financial Impact Statement

Date: March 7, 2005

Project Name:

Establishment of an Urban Design Advisory Committee (UDAC)

First Year of Program 2005

	2005	2006	2007	2008	2009
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
External	-	-	-	-	-
Grants (Identify)	-	-	-	-	-
Reserves, Equity, Surplus, Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 6,000	$ 12,000	$ 12,000	$ -	$ -
Less: Incremental Revenue/Recovery				-	-
Net Cost/(Benefit)	$ 6,000	$ 12,000	$ 12,000	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ 6,000	$ 12,000	$ 12,000	$ -	$ -

Additional Comments:

Estimated direct costs consist of honouariums of $150/member x 6 members x 12 meeting/year plus meeting expenses of $100/meeting x 12 meetings/year. For the purposes of this report, the first meeting of UDAC is assumed to be in July 2005.

"Original signed by"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Preparation of this proposal to establish an Urban Design Advisory Committee involved consultation with Council via a Council Seminar, Downtown Initiatives Committee, Legal Services and a joint committee representing the Manitoba Association of Architects, the Manitoba Association of Landscape Architects and the Manitoba Professional Planners Institute. There was also public consultation at meetings with downtown stakeholders.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Planning and Land Use
Prepared by: John McNairnay
PPD File #: