



## Town of Niagara-on-the-Lake

1593 Four Mile Creek Road  
P.O. Box 100, Virgil, ON L0S 1T0  
905-468-3266 www.notl.com

**REPORT #:** CAO-25-013

**COMMITTEE DATE:** N/A  
**DUE IN COUNCIL:** 2025-04-29

**REPORT TO:** Council

**SUBJECT:** Creation of an Urban Design Review Panel (UDRP)

### 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council **APPROVES** the creation of the Urban Design Review Panel (UDRP) in principle;
- 1.2 Council **RECOGNIZES** the Urban Design Committee for their dedication and contributions to the Town and advice to Staff and Council, and further **DIRECTS** with the establishment of the Urban Design Review Panel that the Committee be sunset;
- 1.3 Council **DIRECTS** staff to prepare a draft of the Urban Design Review Panel (UDRP) Terms of Reference (TOR) for Council review, including recommendations of UDRP member composition and priority areas;
- 1.4 Council **DIRECTS** staff to report back to Council in one (1) month with the Terms of Reference for final Council approval.

### 2. EXECUTIVE SUMMARY

- The purpose of this report is to provide a recommendation to Council on the sunsetting of the Urban Design Committee (UDC) and the creation of an Urban Design Review Panel (UDRP).
- The UDC was formally created in 2006 and has been a valuable resource for providing input on various projects throughout the municipality.
- It is now recommended that the UDC transition to an UDRP to receive independent, professional input and feedback on urban design matters through the planning application process.
- A UDRP is an independent body that provides objective professional advice to the municipality on development applications with the goal of improving the design of buildings and elements of the public realm. Many municipalities have moved to UDRPs to provide urban design advice on planning applications and projects.
- For reasons outlined in this report, it is recommended that an UDRP be created to provide expert advice/discussions to enhance development standards, encourage design excellence, and contribute positively to Staff's review of development applications.

### **3. PURPOSE**

The intent of this report is to provide a recommendation to Council to conclude the current UDC and shift to the creation of an UDRP to ensure staff and applicants are provided advice from expert professionals to plan well-designed development. Transitioning to an UDRP will ensure that the Town receives independent, professional input and feedback on urban design matters.

The UDRP would provide urban design advice on specific areas of review within parameters as determined by Council and contribute positively to Staff's review of a development application. Expert professionals are beneficial to the planning process because they are up to date on best practices from elsewhere in Ontario and beyond, such as the complexities of building design, innovations in heritage preservation and adaptive reuse, and new approaches to sustainable construction practices.

### **4. BACKGROUND**

The Urban Design Subcommittee was formed in 2002 in order to alleviate the workload of the Municipal Heritage Committee (MHC), which previously provided the dual role. In August 2005, at the request of the Urban Design Subcommittee, staff developed a draft Terms of Reference and procedures in order to formalize and clarify the role of the committee.

The Town's first Urban Design Committee was initiated via staff report PDS-06-122 in December 2006. Since this time the purpose of the committee has remained to provide advice to Staff and Council on urban design related matters.

At the time of the first UDC, urban design had been included in the *Planning Act* under Section 41 (Site Plan Control). This section of the Act embedded the requirement for submission of materials related to site design and building elevations.

In 2022, through Bill 23, the Province amended the *Planning Act* to remove the ability for a municipality to require an applicant to submit plans/information related to building design or landscape design matters and removed exterior design as a matter that is subject to site plan control, with some exceptions.

In this most recent term of Council, there have been a number of challenges with the UDC. One of the main challenges is maintaining membership. Since its first meeting in March of 2023, two (2) of the seven (7) members have voluntarily resigned from the committee, and one (1) member was removed by Council direction.

Another challenge identified by Staff is the confusion and frustration expressed by applicants and/or consultants with the direction of the advice given. Council has expressed concern that the mandate of the committee was not consistently followed, and that the applicability of the advice was not within the parameters of urban design. In some instances, Council has removed feedback provided by the Committee as it determined that the feedback was not relevant to urban design matters. Feedback from some Committee members and applicants/consultants has identified struggles with conflicting recommendations and direction creating a lack of clarity for all parties.

Through an informal search, it appears that local municipalities primarily use the UDRP structure for receiving urban design advice. A number of municipalities have established independent UDRPs, such as Mississauga, Burlington, Hamilton, Brampton, Markham, and Ottawa. It is estimated that there are less than 20 active committees/panels providing urban design input in Ontario.

The UDC has been on pause since August 2024 to obtain the direction of Council on how to proceed with the membership and address the challenges identified.

## **5. DISCUSSION / ANALYSIS**

Staff have researched the concept of an URDP, as well as reviewed multiple terms of reference from other municipalities that have successfully created an UDRP. Based on this review, the following information is provided in support of establishing an UDRP.

It is also important to note that there will be continued urban design support from the Region through the service agreement between the Town and the Region. The Region's Manager of Urban Design was consulted and has provided input on establishing an UDRP.

**What is an Urban Design Review Panel:** A Design Review Panel is an independent body that provides objective professional/expert advice to Staff on planning applications and projects with the goal of improving the design in the private and public realm. The Panel can be comprised of volunteer design professionals including, but not limited to, architects, landscape architects, urban designers, and planners. The panel could consist of design professionals who may or may not live in the community. Recommendations on member composition will be provided through a future report and Terms of Reference. Selection of the Panel Members will be completed by the Selection Committee for Committees of Council and appointed by Council.

The Panel, through its review of applications, help enhance the standard of design in the community and ensure new development is compatible with its surroundings. The Panel's recommendations enhance the development approval process with respect to achieving greater design quality and cohesion.

**Benefits of an Urban Design Review Panel:** The Panel would be comprised of design professionals providing advice that would lead to more refined designs that better meet the needs of the community and the often complex nature of design in a unique context (like NOTL). Given the composition of the Panel, with various areas of expertise, the overlap of comments or competing comments can be eliminated or minimized to avoid confusion. The Panel brings design recommendations to staff and applicants based on practiced experience and expertise.

The Panel offers an opportunity for development consultants to have professional discussions amongst design experts to raise development standards, and meet the challenge of urban design by enhancing how projects fit within a complex and sensitive context. UDRPs can

assist in ensuring new development projects promote high-quality urban design and explore innovative and creative design solutions.

The UDRP process encourages communication and collaboration. A Panel model would help to ensure that new developments are respectful of the existing context and contribute to the unique character of the area. Meetings would be more responsive to development review and add efficiency to the review process through professional discussion and shared understanding.

**The Urban Design Review Panel in the planning approval process:** The Panel plays an important role in promoting design excellence. In this role, the UDRP will provide objective and impartial design input to Town Staff through the planning approval process or through the request for input on the projects presented to it. Town Staff will work with applicants and ensure that the Panel's input is embedded in the process whenever possible. The applicant's Urban Design Brief submission to the Urban Design Review Panel, the recommendations from the Panel meeting, and the applicant's corresponding responses to the recommendations will all be part of the submission/re-submission process. Staff are proposing that an Urban Design Review Panel meets at call of the Director.

**Review Consideration:** The Panel's review and comments will have regard for Council approved design related policies including the Official Plan, Secondary Plans, Zoning By-laws, heritage conservation, and urban design guidelines, where applicable. Review and/or recommendation of amendments to the land use itself or to the existing regulatory framework will be the responsibility of Town Staff as per current practice. The Panel will analyze the strengths and weaknesses of a project and point out areas of consideration that need to be analyzed with regard to surrounding context, fit and transition, high quality design and contribution to the public realm.

**Design Priority Areas:** The UDRP will focus on the review of major planning applications where the Town has urban design policy. Major applications are large-scale developments, including those in areas subject to urban design guidelines. As part of the preparation of the Terms of Reference for the UDRP, Staff will advise of any specific criteria for whether a proposal is considered as a "major planning application."

In addition to major planning applications and identified priority areas, Staff will bring "bigger picture" items to the UDRP for review and input, as available, including those related to the Official Plan and Zoning By-law reviews, Secondary Plans, Design Guidelines, Climate Change, and Complete Streets.

**Working Groups:** Given the importance of heritage considerations in the character of the community, Staff are suggesting the opportunity for working groups to undertake charrettes for major projects or significant development applications. The working group could be comprised of members of both the UDRP and MHC. The details of the working group will be provided within the future TOR.

**Financial Considerations:** The UDC is currently compensated; the members are paid \$50 per meeting amounting to an approximately \$4200 per year expense plus any mileage expenses. The UDRP would have a new Terms of Reference developed, members would be recruited, and the panel would operate on a volunteer basis (however, mileage expenses would still be reimbursed). The UDRP would meet at the call of the Director to review and provide input on large-scale planning projects as noted above.

**Authority:** The UDRP is an advisory role and has no power to approve or refuse any projects that are presented to them. The UDRP would make recommendations and suggestions for improvement to design matters, but the power to approve development applications remains with Council, or in the case of site plan approval, the Director of Community and Development Services. Applicants may follow the Panel's advice and revise their proposals accordingly. The Panel's comments and recommendations are not binding and are provided as advice for consideration by staff and Council..

**Conclusion:** The evolution to an UDRP provides professional input through the planning review process in line with required design matters for each project. Advice from the Panel can help create more vibrant and livable communities, well-designed public spaces and buildings, overall contributing to a higher quality of life for residents. Staff are proposing these changes in order to achieve a better balance of resources used while continuing to ensure design excellence.

## **6. STRATEGIC PLAN**

The content of this report supports the following Strategic Plan initiatives:

### **Pillar**

4. Optimize Organizational Excellence

### **Priority**

4.1 Streamline & Modernize

### **Action**

4.1 a) Streamline Processes

## **7. OPTIONS**

- 7.1 Option 1: Council approves the recommendations in this report (**Recommended**)
- 7.2 Option 2: Council makes no changes (Not Recommended)

## **8. FINANCIAL IMPLICATIONS**

By concluding the UDC and developing an UDRP, approximately \$4200 per year in savings is achieved. This estimate relates only to compensation for meetings and does not include additional expense reimbursement that can be claimed (i.e. mileage).

## **9. ENVIRONMENTAL IMPLICATIONS**

There are none identified in this report.

## **10. COMMUNICATIONS**

Staff will complete the required letters of notification to the UDC members, media releases, and website updates following the approval of the recommendations to ensure clear communication. Opportunities for member composition will be presented in a future Staff report and will be advertised accordingly.

Members of the current UDC were alerted to this report in advance of the agenda release and the current UDC Chair was consulted.

## **11. CONCLUSION**

The creation of an UDRP allows for applicants, consultants and Council to receive recommendations regarding urban design from a panel comprised of professionals. The conclusion of the UDC brings cost savings and better aligns Niagara-on-the-Lake with current municipal design review practices, while maintaining the opportunity to receive independent, professional design advice and contribute positively to Staff's review of development applications.

## **12. PREVIOUS REPORTS**

- N/A

## **13. APPENDICES**

- N/A

Respectfully submitted:

**Submitted by:**



**Bruce Zvaniga**  
**Chief Administrative Officer (Interim)**

*This report has been prepared with input from Community and Development Services Staff and Clerks Staff.*