

**RESORT MUNICIPALITY OF WHISTLER**

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TERMS OF REFERENCE

ADVISORY DESIGN PANEL

Council Adoption: [Insert]

File No. [Insert]

MANDATE

The Advisory Design Panel (ADP) provides an objective view in the public interest and impartial professional advice to RMOW staff and Council on matters relating to the context of development proposals or policies affecting Whistler's physical environment.

COMPOSITION

The ADP includes eight voting members as follows:

- Three professional architects who are registered members of the Architectural Institute of BC
- Two professional landscape architects who are registered members of the BC Society of Landscape Architects
- One professional land developer who is a registered member of the Urban Development Institute of Canada
- One Member at Large who resides in Whistler or owns property in Whistler and has professional expertise in the development industry
- One Member at Large who resides in Whistler or owns property in Whistler

The ADP includes three non-voting members as follows:

- One representative from municipal Council or a designate
- The Director of Planning of the Resort Municipality of Whistler (RMOW) or their designate, Staff Liaison
- A staff representative from the RMOW Planning Department, Recording Secretary

APPOINTMENTS

The ADP members are appointed by Council [section 142 CC] at a Closed Council meeting.

The voting members of the ADP shall be appointed by Council as follows:

- The Professional Members of the ADP shall be selected by municipal Council from nominees submitted by the Architectural Institute of BC, the BC Society of Landscape Architects and the Urban Development Institute of Canada.
- The Member at Large shall be selected by Council from applications submitted from the general public.

- The representative from municipal Council or their delegate shall be appointed by Council as a non-voting member of the ADP.
- The selection process will aim to seek balanced gender representation and overall diversity in the composition of the ADP.
- No individual may be appointed as a voting member if that person is an employee of the Resort Municipality of Whistler, or an elected representative of the Resort Municipality of Whistler, Howe Sound School District No. 48, or the Squamish Lillooet Regional District.

TERM APPOINTMENTS

ADP members shall serve staggered two-year terms to ensure continuity and institutional memory within the panel. Vacancies occurring before a term's expiration shall be filled for the remainder of the unexpired term. No member, including members of Council, shall serve more than two consecutive terms. There are no minimum or maximum time periods for staff members serving the ADP from the RMOW.

CHAIR AND VICE-CHAIR

The Chair and Vice Chair shall be elected by a majority vote by the voting members of the ADP at its first meeting in a new calendar year. The Chair and Vice Chair shall be voting members of the ADP and shall be elected for a term of one year. In absence of the Chair, the Vice Chair shall act on their behalf. Following the resignation or death of the Chair or alternate, the ADP shall elect a successor to complete the term.

APPLICANT ATTENDANCE AND GUESTS

An applicant may appear as a delegation to present their development proposal to the ADP. Applicants are invited to the ADP by the Recording Secretary when their development application is on the agenda. Applicants present information about the development application proposal to the ADP and answer questions for the consideration of the ADP. Applicants cannot vote at meetings.

COUNCIL PROCEDURE BYLAW AND ROBERT'S RULES OF ORDER

The provisions of "[Council Procedure Bylaw No. 2207, 2018](#)" (as subsequently amended or updated from time to time) (Procedures Bylaw) govern the proceedings of the ADP, including conflict of interest. The most recent edition of Robert's Rules of Order applies to all committee proceedings where the Procedures Bylaw is silent.

MEETING QUORUM AND VOTING

The meeting quorum shall consist of 50% of the voting members of the ADP of which at least one must be a professional architect. Motions must be supported by a simple majority vote. In a tie vote, the motion is defeated.

REMUNERATION

All members of the ADP shall serve without financial remuneration but may be paid reasonable and necessary expenses that arise out of the performance of their duties.

REPORTING OUT

Meeting Minutes

Meeting minutes serve as an official record of actions taken at a meeting. The minutes document the ADP's adherence to proper procedures and allow people not at the meeting to follow the decisions made. Meeting minutes are taken by the Recording Secretary, approved by the ADP, included in the agenda package at a Council Meeting, and received by Council.

Annual Report Out to Council

Each January, one Committee of the Whole (COTW) meeting will be dedicated to committee updates. At this meeting, the Staff Liaison, on behalf of the ADP, will present an update to Council that may include:

- The mandate and membership as per the TOR
- Highlights of the ADP's accomplishments in the previous year
- The ADP's priorities for the upcoming year
- Any information, trends or issues of concern of which the ADP thinks that Council should be aware

MINUTES AND AGENDAS

Meeting agendas and minutes will be administered in accordance with the Procedure Bylaw.

MEETING PACKAGE

Meeting agendas and packages shall be provided electronically to all members of the ADP at least five days prior to the scheduled meeting. The meeting package shall include a report prepared by RMOW staff for each matter on the agenda requiring review by the ADP. The report shall include:

- Contextual considerations
- A clear statement of the applicable municipal planning objectives, constraints, or guidelines
- A description of the application
- Digital copy of the proposed development plans
- A review of the proposal
- A summary of any comments received from municipal consultants
- A summary of the outstanding issues and staff concerns
- A description of any previous ADP comments and how they have been addressed

ADP ADVICE AND RECOMMENDATIONS

The ADP may provide professional advice and recommendations to RMOW staff and Council on matters relating to the context of development proposals or policies affecting Whistler's physical environment including the design of all new development and significant changes/redevelopment to buildings and public spaces located on lands designated as a Development Permit Area in the Official Community Plan for:

- Whistler Village
- Whistler Creek
- Commercial/Industrial
- Multi-Family Residential

Development proposals and policies shall be evaluated relative to the vision, goals, objectives, policies and applicable Development Permit Area Guidelines of “Official Community Plan Bylaw No. 2199, 2018”, any applicable regulations and design guidelines of a land use contract bylaw, “Zoning and Parking Bylaw No. 303, 2015”, and any other applicable policies, regulations or guidelines established by the Municipality.

Information and Advice

The ADP can provide information and advice to Council by including their insights in the meeting minutes; these minutes are received by Council. Council may be informed by the information and advice in the minutes; but cannot formally endorse or act upon recommendations by simply receiving the minutes.

Recommendations

As part of their role, the ADP will review, and provide recommendations on applications, policies, strategies, and projects (initiatives) that relate to their mandate. Initiatives are brought to the ADP by RMOW staff that lead the work. Once the ADP has reviewed the development proposal or initiative, the ADP can consider a motion to put their recommendations forward to Council for their consideration. The recommendations will be included in the Analysis section of the council report by the staff member leading the work. Council will consider the ADPs recommendations as part of Council’s deliberation of the initiative. The ADPs recommendations are advisory unless specific decision-making authority has been delegated to the Committee by bylaw [s. 154 (1) CC].

OPEN AND CLOSED MEETINGS

Except where the provisions of section 90 of the CC apply, all committee meetings will be open to the public.

MEETING SCHEDULE

The meeting schedule will be determined by the Staff Liaison in quarter four of the year for the following year to provide sufficient notice to members. Invites for the following calendar year will be sent to all members in quarter four.

The ADP will be scheduled monthly during business hours. Additional meetings may be scheduled as circumstances warrant or canceled if there are few or no agenda items. The decision to schedule an additional meeting or cancel a meeting will be made by the Staff Liaison with as much advance notice as possible.

MEETING FORMAT

Most ADP meetings will be held electronically. In some circumstances the meeting may be held in-person as determined by the Staff Liaison. All meetings will be open to the public except where the provisions of section 90 of the CC apply.

MEETING PROCEDURES

Meeting procedures for each matter on the agenda requiring review by the ADP may consist of:

- A period during which ADP may review drawings and/or a model of the proposal.
- A summary of the comments and concerns presented by a RMOW staff member.
- A presentation by the applicant.

- ADP questions to the applicant and RMOW staff.
- ADP comments, including recommendation of support or non-support.
- Clarification of ADP comments and recommendations by the ADP to the applicant, as may be required.

MEETING ATTENDANCE

The ADP members are expected to attend 75% of ADP meetings. If extenuating circumstances exist, the ADP member must advise the Recording Secretary. Members that do not meet the attendance requirement will not be permitted to re-apply to the ADP to serve as a member for an additional term.

REMOVAL OF MEMBERS

Council may rescind an ADP members' appointment at any time in accordance with section 144 of the CC.

CODE OF CONDUCT

The ADP members are required to comply with Code of Conduct Bylaw No. 2397, 2023 (Code of Conduct) (as subsequently amended or updated from time to time). If Council concludes that a Committee member has breached the Code of Conduct, Council may rescind the ADP member's appointment in accordance with section 144 of the CC.

RESPONSIBILITIES OF ADP MEMBERS

All ADP Members

Each ADP member has the following responsibilities:

- Attend orientation and training as required
- Share insights and expertise gained from professional and lived experience
- Commit time to a monthly meeting schedule (Attending 75% of meetings)
- Review of meeting materials distributed before the meeting
- Complete any tasks assigned by the ADP
- Notify the Chair and Recording Secretary in advance if unable to attend a meeting
- Adhere to the Code of Conduct

ADP Chair

The ADP Chair has the following additional responsibilities:

- Act as the official representative of the ADP
- Provide overall leadership for the ADP including, chairing meetings, facilitating discussion, and ensuring meetings achieve their objectives
- Notify the Vice-Chair when unable to attend a meeting and ask that they assume the role of Chair; advise the Staff Liaison and Recording Secretary of the change

Vice-Chair

The Vice-Chair has the following responsibilities:

- Perform the responsibilities of the Chair as stated above, if the Chair is unavailable.

Staff Liaison

The Staff Liaison has the following responsibilities:

- Act as the official staff representative of the ADP
- Provide support and subject matter expertise to the ADP
- Ensure that any financial needs of the ADP are allocated in the municipal budget
- ADP member expenses that arise out of the performance of their duties
- Facilitation expenses as needed
- Advertising expenses for recruitment of new members
- Serve as a bridge between the ADP and RMOW departments and staff
 - Set the meeting agenda
 - Confirm meeting objectives
 - Other items as relevant
- After the approval of or the issuance by Council for a development proposal or policy reviewed by the ADP, the Staff Liaison shall update the ADP on any changes made to the development proposal or policy in response to the ADP comments.

Council Representative

The Council Representative has the following responsibilities:

- Act as a bridge/liaison between the ADP and Council to improve communication
- Provide the ADP with Council's perspective on matters coming before the ADP where a perspective has been expressed by Council
- Share topics that cross the council table that are relevant to the ADP mandate.

Recording Secretary

The Recording Secretary has the following responsibilities:

- With input from the Staff Liaison, prepare agenda packages and meeting materials and distribute to members at least five days prior to the scheduled meeting.
- Organize and support the logistical aspects of meetings including:
 - Meeting invitations including invited guests
 - Logistical aspects of meetings (i.e. meeting room bookings, electronic links, etc.)
 - Advise and manage any changes to the meeting schedule and dates
- Act as point of contact for ADP members
- Attend all ADP meetings
- Oversee all ADP procedures
- Inform new members of their appointment, including sending orientation packages
- Prepare and distribute meeting minutes

COMMITTEE SELF-EVALUATION

In support of continuous improvement, ADP members will participate in a biennial self-evaluation process to reflect on their collective performance, identify areas for improvement, and take proactive steps to enhance the ADP's effectiveness and impact.

REVIEW OF TERMS OF REFERENCE

The purpose of the ADP is to provide an objective view in the public interest and impartial professional advice to RMOW staff and Council on development proposals and policies affecting Whistler's physical environment. The ADP's TOR will be reviewed by Council every four years following the municipal election, or sooner if necessary to determine if any amendments to the TOR are needed. Any amendments to the TOR will require Council's approval.