

Region of Waterloo, City of Kitchener + Metrolinx Joint Design Review Panel Terms of Reference

March 21, 2018

1.0 Background and Mission

1.1 Background

The King-Victoria Transit Hub (KVTH or the transit hub) site is a landmark development and train station connecting the Region to the Toronto-Waterloo Region Innovation Corridor. It will be a focal point for higher order transit service in Waterloo Region, connecting passengers seamlessly through the co-location of GO Transit (rail and bus service), ION LRT, VIA rail service, intercity bus and GRT. The Transit Hub is also expected to generate ION ridership as an anchor development along the Central Transit Corridor with transit station functions integrated with a privately developed mixed-use destination.

Metrolinx is also making historic investments in multi-modal transit and transportation infrastructure across the GTHA, in an effort to promote transit utilization, reduce congestion, improve transportation sustainability, and promote sustainable urban development through the coupling of development with transit. Such an ambitious and transformative mandate demands a high level of co-operation and coordination with municipal stakeholders. Through a joint design review panel, Metrolinx, the Region of Waterloo and City of Kitchener are addressing jurisdictional challenges with respect to separate planning and design reviews. The goal is to achieve shared design objectives, and enhance overall passenger and resident experiences of the King-Victoria Transit Hub.

In March 2013, City of Kitchener Council adopted the Urban Design Brief prepared by the Region in support of the Official Plan and Zoning By-law amendments for the transit hub. At that time, as part of the Official Plan Amendment (special policy), the City reserved the right to “establish a multidisciplinary Urban Design Panel comprised of qualified individuals to fulfill an advisory role during the review of site plan applications” (Policy 15.D.2.65.h). To ensure comments are coordinated and consistent throughout the design and site plan application phases, the City of Kitchener is interested in participating in a Joint Design Review Panel and has confirmed that this would meet their policy objectives for the transit hub site.

The promotion of sustainable urban development and desire for design excellence are shared objectives of the Region of Waterloo, City of Kitchener and Metrolinx. As such, an integrated approach to planning and design review makes sense for a number of reasons:

- A co-operative approach between stakeholders facilitates the coordination and alignment of project objectives, preventing contradictory or conflicting feedback.
- Engaging the three major stakeholders simultaneously will produce more comprehensive feedback and gives each stakeholder a sense of ownership in project, helping to ensure its success.

- Collaboration between the Region of Waterloo, City of Kitchener and Metrolinx in design review helps to ensure all stakeholder requirements are addressed which should streamline the review and permit approval process.
- Streamlined design review process reduces the burden on the developers and Metrolinx.
- An integrated design review panel lends credibility to the regulatory process of pursuing design excellence in the eyes of the private sector and displays a commitment by stakeholders to be partners in successfully executing projects in a transparent and efficient manner.

For the reasons cited above, a Joint Design Review Panel (JDRP) is established for the King-Victoria Multi-modal Transit Hub (KVTH). The JDRP integrates the mandates, objectives, procedures, panel composition, and scope of work of all three agencies into a cohesive and comprehensive review panel that fulfils the design review requirements of the Region of Waterloo, City of Kitchener and Metrolinx.

1.2 Mission

Administered by the Region of Waterloo's KVTH Project Team, City of Kitchener's Planning Division and Metrolinx's Design Excellence, the JDRP provides non-binding advice on architecture, urban design and landscape architecture for public facing infrastructure and the private development planned for the KVTH both on- and off-site.

The JDRP will act as an independent advisory body to the KVTH Project Team, City of Kitchener Planning Division and Metrolinx. The Panel does not have the authority to approve or reject projects, or to make policy decisions. The Panel is strictly an advisory body and makes recommendations on the potential physical, functional, and aesthetic impacts of proposed buildings, structures, landscapes, and streetscapes on their context, community, and transit infrastructure.

Input is provided at key junctures in the Request for Proposal (RFP) and Site Plan approval stages, to ensure that high-quality design is a critical consideration throughout a project's development. The Panel is expected to contribute to the design excellence of the KVTH by providing constructive comments and feedback to the Developer through the Region of Waterloo, City of Kitchener Planning Division, and Metrolinx, resulting in a highly integrated KVTH precinct that aligns with:

- Metrolinx's broader mission to deliver high-quality transit and an excellent customer experience;
- the Region of Waterloo's RFP requirements; and
- the City of Kitchener's objectives to achieve architectural innovation and excellence, as well as the inclusion of high standard of site amenities and features, including interconnected pedestrian linkages, integrated transit, cycling, pedestrian and vehicular facilities and high quality public amenity areas both internal and external to buildings.

A primary objective of Metrolinx is to integrate design excellence into all of its significant public-facing capital investments. The goal is to build upon a tradition of highly competent functional and technical design by adding the requirement for excellence in the scope areas of architecture, urban design, and landscape architecture. As part of this strategy, projects are typically subject to a design review process.

Participation in the JDRP does not satisfy other Metrolinx requirements for comprehensive engineering and technical reviews of proposed in-corridor transit facilities. Moreover, it is not a substitute for the requirements of the KVTH RFP, or City of Kitchener site plan approval process.

1.3 Scope

The scope of jurisdiction for the JDRP is as follows:

- Metrolinx facilities, infrastructure, and projects with an impact on the public realm/streetscape associated with the KVTH;
- Region of Waterloo facilities, infrastructure, and projects with an impact on the public realm/streetscape associated with the KVTH; and
- Private developments constructed on the KVTH site.

Project(s) subject to the JDRP review are limited to developments associated with the KVTH and accesses to the KVTH. Private development on private lands within the typical Mobility Hub radii of 800 meters of the KVTH will not be subject to the JDRP review (with the exception of accesses to the KVTH noted above).

Metrolinx infrastructure shall be defined as properties owned or leased by Metrolinx that is used as part of the provision of its transportation services.

The scope of duties for the JDRP includes:

- Review the Conceptual and Schematic Designs provided by King Victoria Transit Hub Partners Inc. (Developer) and provide recommendations to the KVTH Project Team during the Commercially Confidential Meeting stage of the KVTH RFP process to ensure the design objectives of the Region, City of Kitchener, and Metrolinx are met within the context of good urban design;
- Provide design feedback and make recommendations to the RFP Review Panel during the RFP Review and/or negotiation stage(s) of the RFP process on the potential physical, functional and aesthetic impact of the proposed buildings, structures, landscapes, streetscapes, plazas, public and embedded art, and infrastructure comprising the transit hub;
- Advise the City of Kitchener Planning Division on the urban design and aesthetic of the proposed buildings, structures, landscapes, streetscapes, plazas, public and embedded art, and infrastructure comprising the transit hub during the site plan application process; and

- Review and provide feedback for projects adjacent to the KVTH, where access to the KVTH is part of their proposal, at the conceptual design phase (or prior to the formal site plan application) and at detailed design.

All effort will be made to provide streamlined, constructive, consistent and timely recommendations focused on improving the design of the KVTH and accesses.

2. Panel Composition, Roles and Responsibilities

2.1 Panel Members

The JDRP will have a minimum of six (6) members, excluding the chair, and shall be comprised of at least two architects, an urban designer and one landscape architect. Public art, engineering and planning experts would also be invited to apply. To balance expertise on the Panel, or to help ensure quorum, the KVTH Steering Committee may choose to approve two ad hoc panelists from the list of applicants or from the Metrolinx Design Review Panel roster. The maximum size of the JDRP is eight (8) panelists.

The chairperson for the JDRP should be a recognized independent facilitator who will be responsible for ensuring unified and consistent design advice is provided throughout the life of the transit hub project, and will not give a design opinion.

Employees of the Region of Waterloo, City of Kitchener and Metrolinx are not panelists, but attend meetings as subject matter experts. However, staff from these agencies will attend panel meetings to provide technical and project expertise, as well as to hear and ask questions related to panelist's feedback. This will ensure all feedback is well understood, as well as ensuring feedback is in compliance with both municipal and agency regulations, RFP design and infrastructure requirements, as well as Metrolinx standards and requirements for transit facilities.

2.2 Selection of Panel Members

Panelists shall be chosen in the following way:

1. The KVTH Project Team and City of Kitchener Planning Division will jointly solicit applications from qualified individuals with recognized expertise in architecture, urban design, landscape architecture, public art, transportation engineering, and planning.
2. From the list of qualified applicants, the KVTH Project Team and City of Kitchener Planning Division will select four (4) Panel members to be confirmed by the Senior Management Team, and recommend for approval. Panel members will be selected based on the expertise required to complete the Panel, as well as on the applicant's availability, professional or academic accomplishment, peer recognition, experience and expertise, and potential conflict of interest.

3. To fill the remaining positions, Metrolinx Design Excellence will select two (2) Panel members from the current Metrolinx Design Review Panel roster of recognized architects, urban designers, landscape architects, engineering, and planning experts.
4. The qualified applicants selected for the Panel will be approved by the KVTH Steering Committee.
5. Applications will be solicited for the position of Chair by the Region of Waterloo and the position will be approved by the KVTH Steering Committee. The chairperson will be selected by the Region of Waterloo for their facilitation expertise and will not give design opinion.

2.3 Panel Structure

Panelists will be selected to serve an initial term not exceeding five years. If the Panel is still required at the end of this term, Metrolinx Design Excellence and the KVTH Steering Committee may approve panelists to serve an additional term.

If a panelist is unable to serve the full length of their term, depending on their qualifications and selection agency, they will be replaced by either Metrolinx Design Excellence or the KVTH Steering Committee.

There should be consistency in Panel members throughout the course of the KVTH review to the extent possible. The JDRP is convened to review the KVTH project, as well as adjacent projects impacting accesses to the KVTH.

2.4 Quorum

Four (4) panelists plus the chair are required at each panel session to establish a quorum. The four panelists must include at least one person from the Metrolinx Design Review Panel roster.

2.5 Panel Chair and Panel Coordinator

The JDRP will be chaired by a recognized facilitator selected by the KVTH Steering Committee following an open application process. The role of the Chair is to preside over the discussions to ensure that matters brought forward before the Panel are relevant and fairly considered. The Chair will act as a facilitator, but will not provide urban design advice.

A designate of the KVTH Project Team, which manages the project on behalf of the Region, will be the Panel Coordinator and may be a staff member of the Region of Waterloo, City of Kitchener or Metrolinx. The Panel Coordinator is responsible for the operation of the Panel, including organizing meetings, collecting and distributing materials, and recording and communicating decisions of the JDRP. The Panel Coordinator may assign an administrator to assist in these tasks as required. The Panel Coordinator will be responsible for the coordination of panel meetings, agenda setting, minutes preparation and circulation.

2.6 Cancellation

If a Panel member is unable to attend a meeting, they must notify the Panel Coordinator at least 24 hours prior to the scheduled meeting. If the Developer needs to cancel or reschedule a presentation, they must notify the Panel Coordinator at least five (5) business days prior to the Panel meeting.

2.7 Accountability

The Panel Coordinator will forward agendas to relevant Metrolinx, Region of Waterloo and City of Kitchener staff who may be required to present project related information to the JDRP. The Panel Coordinator is also required to forward the recommendations of the panel to the KVTH Project Team, KVTH RFP Review Panel, City of Kitchener Planning Division, and Metrolinx Senior Manager of Design Excellence. The Senior Manager provides quarterly updates to the Metrolinx Board of Directors Customer Service Committee. The Panel is not a Committee of Region of Waterloo Council, so Minutes will not be posted on the Region of Waterloo website.

2.8 Confidentiality

The Panel members are required to sign a confidentiality agreement in regards to presentation material forwarded to them and the content of presentations before the Panel.

2.9 Conflict of Interest

In order for the JDRP to impartially execute its mandate, Panel members shall avoid all Conflicts of Interest. A Conflict of Interest exists where a Panel member's other commitments, relationships, or financial interests could (or could be perceived to):

- Exercise an improper influence over the objective, unbiased, and impartial exercise of his or her independent judgment; or
- Compromise, impair, or be incompatible with the effective performance of his or her responsibilities.

JDRP members shall:

- Disclose without delay any actual or potential Conflict of Interest, both personal and business related;
- Sign a Conflict of Interest Form indicating any potential conflicts and confirming their understanding of Conflict of Interest rules and adherence thereto; and
- Comply with any requirements prescribed to resolve any Conflict of Interest, including removal from the Panel.

Any lobbying of the Panel members by the Developer is strictly prohibited. Any declared conflicts will be recorded in the minutes and will be reviewed by the Region's Conflict of Interest Committee.

3. Review Criteria and Procedures

3.1 Criteria for JDRP Review

The JDRP will review the Developer's designs for the KVTH project and all development projects associated with it. This includes any phases and components that are constructed separately.

The Developers of projects adjacent to the KVTH, where access to the KVTH is part of the proposal, are also required to present before the Panel.

Where the transit portions of developments do not meet any of the above criteria, development projects shall navigate the normal municipal design review and approvals process.

Metrolinx requirements for engineering and technical reviews of proposed transit facilities are a separate process from the JDRP.

3.2 Criteria for Initiation of a JDRP Review

For projects that meet the criteria for initiating the JDRP process, the project Developer will be notified by the Panel Coordinator. The Panel Coordinator will inform the project Developer of the presentation material requirements (as noted in Section 3.4) and the deadlines for required information to be received by the Project Coordinator. Presenters are required to pre-submit a presentation, including all required design documentation, to the Panel Coordinator **at least two (2) weeks prior** to their scheduled meeting for distribution to Panel members. If a submission is incomplete or late, the Panel meeting may be deferred, at the discretion of the Panel Chair.

The project Developer will courier or send via email, a copy of their final computer presentation (i.e. PDF, PPT format) to the Panel Coordinator **at least two (2) business days in advance** of the Panel meeting. The Developer's computer presentation will be loaded onto the Region, City's or Metrolinx computer projection/equipment. It is unacceptable to receive a revised computer presentation or to provide additional equipment on the day of the meeting.

3.3 Stages of Review

Designs for the KVTH are anticipated to be reviewed by the JDRP three times before construction, including once at the RFP Commercially Confidential Meeting Stage, once during the RFP review stage, and again at Site Plan review. Any of these reviews may be used to support a pre-submission for Site Plan. The project may be asked to return for an additional review if the Developer was unable to satisfy the Panel in previous reviews.

For projects adjacent to the KVTH where access to the KVTH is part of their proposal, the Panel shall review the proposal at the conceptual design phase. For site plan applications, this would

occur prior to formal site plan submission to obtain feedback on the proposed access connection. A second review would occur during the detailed design phase.

3.4 Submission Requirements

In consultation with the Region of Waterloo KVTH Project Team, City of Kitchener Planning Division and Metrolinx Design Excellence, the Panel Coordinator will summarize the minimum submission requirements which will be forwarded by the KVTH Project Director to the Developer. Submission requirements will be selected based on the project design stage and impact on access to the KVTH. The presentation material should be prepared for a computer and projection system/equipment (i.e. PDF or PPT format).

To prepare for the first submission to the JDRP, the Developer is invited to a “test flight” meeting with project staff from the Region of Waterloo, City of Kitchener and Metrolinx to outline and address any infrastructure, design and policy related questions affecting the design process.

The following comprehensive items form the minimum scope of required deliverables for the mandatory presentations by the Developer to the JDRP:

Meeting 1: Conceptual Design (10-15%)

Introductory material:

- Description of the project, including project statistics
- 300-word statement of the design approach/concept, including the merits of the project in matters related to planning, policy, urban design and architecture
- Photos of the site from key high traffic locations, such as neighbouring roads and highways, railways, bridges, etc.
- Diagrams illustrating site circulation and surrounding context – transit, walking, cycling, kiss ‘n ride, private and servicing vehicle, etc.
- Building footprint and functional plan with major access points

Schematic design material:

- Precedent photos/images and how they influenced the proposed design
- Building massing illustrated in three dimensions in context
- Proposed site plan concept with surrounding context
- Preliminary sustainability potential analysis (building orientation, storm water management, low impact site development and sustainable building features etc.)
- Building Massing Model (computer generated and SketchUp compatible)
- Site Plan showing surrounding context and conceptual landscaping (printed to scale)
- Functional Plan and Building Plan drawing(s) at scale readable on a screen
- Site and Colour Building Elevation Concept with legend of proposed material
- Site and Building Section Concept

- Exterior colour renderings showing surrounding context and buildings; minimum of three, with one showing the primary views from the principal public right-of-way's at pedestrian level; renderings shall include up-to-date imagery of the transit facilities and articulation of the exterior material intent and colour.
- An eye-level series of renderings demonstrating a typical transit user's experience of the transit facility and mixed-use development from the public right of way (Exterior), up to the door of the transit vehicle (Interior); architecture should show proof of wayfinding; shall include up-to-date imagery of the transit brand and articulation of the interior material intent and colour
- Photo Simulations or Montages of the proposed project with surrounding context; views from the sensitive surrounding uses to the proposed project
- Shadow study
- 3 high resolution project highlight colour images, submitted as jpegs separate from the PowerPoint presentation
- Pedestrian/cyclist movement plan
- Conceptual pedestrian bridge location (King Street) and Waterloo Street pedestrian connection
- Urban Design Report
- Heritage impact assessment

Meeting 2: RFP Review Stage / Schematic Design Phase / Reference Concept Design (25-30%)

All of the above (early design submission requirements) revised as required, plus:

- 3D Photorealistic Building Model (computer generated and SketchUp compatible)
- Site Plan showing surrounding context and landscaping
- Conceptual Streetscape/Landscape plan
- Functional Plan and Building Floor Plan drawing(s) at scale readable on a screen
- Site and Building Elevations (printed to scale)
- Site and Building Sections
- Exterior colour renderings showing surrounding context and buildings; minimum of six, with one showing the primary views from the principal public right-of-way's at pedestrian level; renderings shall include up-to-date imagery of the transit facilities and articulation of the exterior material intent and colour
- An eye-level series of renderings, as well as a walk through 3D video, demonstrating a typical transit user's experience of the transit facility and mixed-use development from the public right of way (Exterior), up to the door of the transit vehicle (though the Interior); architecture should show proof of wayfinding; shall include up-to-date imagery of the transit brand and articulation of the interior material intent and colour
- Shadow study
- 6 high resolution project highlight colour images, submitted as jpegs separate from the PowerPoint presentation
- Further refinement of the photo simulations and montages, if required
- Sustainability Check List or statement
- Comprehensive wind study

- Phasing plans for construction
- Floor plans (for purposes of understanding site layout and circulation and interior public space)
- Heritage conservation plan

Meeting 3: Site Plan review stage (75%)

All of the above as updated and refined, plus:

- Site Plan application
- Composite utility plan (for coordination with urban design elements)
- CPTED report (Crime prevention through environmental design)

3.5 Panel Meeting Duration

Review proceedings are expected to range from one to three hours.

3.6 Panel Meeting Format

Panel agendas will be set in advance by the Panel Coordinator. The review proceedings will be led by the Chair. The recommended format for standard KVTH design review meetings is described below.

- **Region/City/MX Staff Presentation** - Following any explanatory instructions by the Chair, staff will outline any required project context. Staff may also ask the Panel to address specific questions or design related aspects of the project they would like the Panel to review and provide advice on. Staff should also advise the Panel on any actions taken, as of a result of previous recommendations.
- **Project Introduction** - The Chair will invite the Developer to provide a short summary of the project's status. They will also be expected to briefly summarize outstanding issues and previous recommendations of the Panel or staff, if applicable.
- **Design Presentation** - The Developer will present their design concept using their digital presentation. The presentation can be augmented with physical models or panels. The Developer should present the project as concisely as possible, focusing on the key design challenges and solutions without too much extraneous detail. Presenters will be required to limit their presentations to no more than 45 minutes. It is recommended that both the Developer's architect and landscape architect be present at all design presentations.
- **Clarification Questions** - The Chair will open the floor to Panelists for questions of clarification to be asked of the Developer.
- **Panel Comments and Discussion** - The Developer will be asked to leave the room. The Chair will summarize where critical issues exist on the project. Each Panelist will have a

few minutes to summarize their comments, and should try to avoid repeating previous comments except to express agreement. The Developer may be invited back for additional questions during this time; however it is at the discretion of the Chair, taking into consideration the short time for Panel feedback.

- **Panel Consensus and Recommendations** - This time is to allow the Panel to reach a consensus on the main design issues and to create recommendations.

The Panel will aim to come to a consensus—or at least a super majority of $\geq 60\%$ of a vote — on whether to support, support with conditions, or not support a design. One of the Panel recommendations could be a return to a future Panel meeting with the recommendations addressed. Upon reaching a consensus, the Developer will be invited back in for a summary of the draft comments being provided verbally by the Chair. Following these final statements the Chair will adjourn the meeting.

The JDRP comments will be provided in writing to the Region of Waterloo's KVTH Project Team, City of Kitchener's Planning Division and Metrolinx's Design Excellence and reviewed to ensure consistency with all applicable guidelines and requirements. The Panel Coordinator will provide the final comments to the Developer with any further direction, as required.

3.7 Meeting Minutes

The Panel meetings will be recorded to assist Region/City/Metrolinx staff and the Chair in accurately documenting the meeting minutes. Once the final version of the meeting minutes have been approved by the Panel, the recording will be destroyed. Draft minutes will be prepared by Region/City/Metrolinx staff within ten (10) business days of the meeting and then sent to the Chair to ensure their accuracy, prior to distribution to the remaining Panelists for approval.

Minutes shall include:

- List of attendees and regrets
- Disclosures of Conflict of Interest
- Design summary
- Design issues broken down by topic, each with comments and recommendations
- Panel decision with consolidated recommendations
- Procedural comments (if required)

Final Draft minutes will be reviewed and approved by the Panel members via email correspondence. Panelist comments on the final draft will be recorded and addressed in the revised minutes, for final confirmation via email.

Once approved by the Panel members the minutes will be deemed 'final'. The final minutes will be sent to the Developer, Region and City staff. The final minutes reflect the recommendations

and comments of the Panel and provide advice to Region and City staff, Metrolinx, and the Developer.

The Developer will not have the opportunity or ability to request any changes to the minutes.