



TSAWWASSEN FIRST NATION
s̓c̓awaθən məsteyəxʷ

ORDER OF THE EXECUTIVE COUNCIL OF TSAWWASSEN FIRST NATION

Executive Order No.: 072-2014

Approved and Ordered: August 27, 2014

Tsawwassen, B.C.

The Executive Council of the Tsawwassen First Nation hereby adopts the following Terms of Reference regarding the composition and operation of the Advisory Design Panel:

PART 1 - OBJECTIVES

Establishment

- 1 The Advisory Design Panel of Tsawwassen First Nation is hereby established.

Conflict

- 2 If there is a conflict between the *Development Permit Areas Regulation* and the Advisory Design Panel Terms of Reference, the *Development Permit Areas Regulation* prevails.

Objectives and Scope of Work

- 3 (1) The purpose of the Advisory Design Panel is to fulfill duties set out in the *Development Permit Areas Regulation*.
(2) The Advisory Design Panel acts in an advisory capacity to Executive Council by evaluating and making recommendations in the form of an advisory review summary for Industrial Form and Character Development Area permit applications and Commercial Mixed Use Development Permit Area permit applications specifically as it relates to meeting requirements or guidelines set out in Schedule 4 and Schedule 6 of the *Development Permit Areas Regulation*.
(3) Panel Members shall conduct themselves and declare any potential perceived conflicts of interest. Panel Members shall not speak on behalf of the Advisory Design Panel or represent themselves as having any authority beyond that delegated by Executive Council

PART 2 – SELECTION PROCESS

Selection and Composition of Panel Members

- 4 Executive Council shall appoint an Advisory Design Panel in accordance with the Development Permit Areas Regulation, comprised of five Panel Members as follows:
 - (a) two professional registered architects of good standing,
 - (b) one professional registered landscape architect of good standing,
 - (c) one professional engineer of good standing,
 - (d) one Tsawwassen Member.

Term of Office

- 5 (1) Panel Members shall be appointed to two-year terms and are eligible for reappointment.
 - (2) Executive Council may rescind an appointment at any time and Panel Members may resign at any time by providing written notice to the Panel Chair with a copy to the Director of Lands. Appointments to fill interim vacancies shall be for the remainder of the term only.
 - (3) Any Panel Member who fails to attend three consecutive meetings, except for reasons of illness, shall cease to be a Panel Member and the appointment shall be terminated.

PART 3 - CONDUCT OF MEETINGS

Agendas and Minutes

- 6 (1) Minutes must be kept for each Advisory Design Panel meeting.
 - (2) Standing items of business on the agenda for each Advisory Design Panel meeting will be the approval of:
 - (a) the agenda of the current Advisory Design Panel meeting, and
 - (b) the minutes of the previous Advisory Design Panel meeting.
 - (3) Minutes of all meetings shall be kept and made available to the public, in Tsawwassen First Nation's office, during normal business hours.

Frequency of Meetings

- 7 The Advisory Design Panel shall meet as required to carry out its duties

Quorum

- 8 The quorum required for a meeting of Advisory Design Panel to proceed is three (3) Panel Members present at the meeting.

Open Meetings of Advisory Design Panel

- 9 All meetings of Advisory Committee will be open to any Tsawwassen Member, however only invited Tsawwassen First Nation employees or representatives, and the applicant, and or representatives may address the Advisory Design Panel.

PART 4 – ADVISORY DESIGN PANEL & STAFF LIAISON DUTIES

Appointment of the Panel Chair

- 10 The Executive Council shall appoint one Panel Member of the Advisory Design Panel to be the Panel Chair.

Duties of the Panel Chair

- 11 The duties of the Panel Chair are to
- (a) determine the date and time of meetings
 - (b) chair meetings of the Advisory Design Panel
 - (c) represent the Advisory Design Panel between meetings.

Appointment of the Panel Secretary

- 12 The Executive Council shall appoint one Panel Member to be the Panel Secretary.

Duties of the Panel Secretary

- 13 The duties of the Panel Secretary are to
- (a) prepare and circulating agenda
 - (b) prepare and circulate minutes to Panel Members
 - (c) keep records of adopted minutes.

Staff Liaison to the Design Panel

- 14 The Director of Lands or delegate shall attend Advisory Design Panel meetings as a Staff Liaison.

Duties of the Staff Liaison

- 15 The duties of the Staff Liaison are to
- (a) administer and provide support to the Advisory Design Panel;
 - (b) provide liaison between applicants, the Director of Lands or delegate, and the Advisory Design Panel;
 - (c) inform applicants of Advisory Design Panel recommendations;
 - (d) ensure a quorum is available for each meeting.

PART 5 – PRESENTATIONS TO THE ADVISORY DESIGN PANEL

Presentations to Advisory Design Panel

- 16 Each presentation to the Advisory Design Panel shall include:
- (a) a clear statement of TFN's planning objectives, constraints or guidelines and contextual considerations provided by the Director of Lands or delegate;
 - (b) a clear statement describing the applicant's submission, including the design rationale, project brief, and practical constraints;
 - (c) an analysis and review of how the proposal meets the design guidelines set out in Schedule A-4 or Schedule A-6 of the *Development Permit Areas Regulation*, as applicable.

- (d) an opportunity for the Advisory Design Panel to ask clarifying questions of the applicant team
- (e) an opportunity for the applicant team to respond to questions
- (f) a clear statement of consensus or summaries of issues with recommendations from the Advisory Design Panel.

PART 6 – REVIEW PROCESS

Review Process

- 17
- (1) Notice of Advisory Design Panel meetings shall be given in writing to both the applicant and Panel Members at a minimum of 14 days in advance of any meeting.
 - (2) Notice shall be posted on the TFN website and/or newsletter and/or posted at the TFN Administration Office 14 days in advance of any meeting identifying agenda items.
 - (3) The applicant shall provide the Panel Members with reduced copies (11x17) of the application's design work and relevant documentation a minimum of 14 days prior to the Advisory Design Panel meeting.
 - (4) Tsawwassen First Nation staff shall outline the context of the application, any Tsawwassen First Nation concerns, and consider TFN's regulatory framework.
 - (5) The applicant and/or applicant's representatives shall present the proposal.
 - (6) The Advisory Design Panel shall review the submission in open discussion, and may ask questions of the applicant.
 - (7) The Advisory Design Panel shall prepare a motion or statement of review.
 - (8) Formal minutes shall be prepared by the Panel Secretary and reviewed by the Panel Chair. A copy of formal minutes once approved by the Panel Chair shall be distributed to the Advisory Design Panel, the applicant and Executive Council.
 - (9) If the Advisory Design Panel has concerns about the design of the proposed development, the Advisory Design Panel may recommend the applicant make an additional presentation at a future Advisory Design Panel meeting in order to present design changes in response to the Advisory Design Panel's recommendations. The applicant or its representatives shall be given the opportunity to respond to the Advisory Design Panel review in writing prior to consideration of Development Permit issuance by Executive Council.
 - (10) The resolution of the Advisory Design Panel shall be provided to the Director of Lands or delegate, for inclusion as an appendix to the Report to the Executive Council to inform their deliberations to issue the Development Permit. Executive Council is in no way bound to the advice or recommendations of the Advisory Design Panel.

Louise Ahe

Signed on behalf of the Executive Council of the Tsawwassen First Nation

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: _____

Other (specify): _____

Registered in the Tsawwassen First Nation Registry by the Clerk of the Tsawwassen Government:

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