



To: Electoral Area Committee

From: Jason Smith, Regional Planner, Policy and Planning Department

Date: November 2, 2009

Subject: **Proposed Terms of Reference for a Working Group on Additional Land Use Development Mechanisms at UBC**

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*Recommendations:*

That the Electoral Area Committee:

- a) endorse the terms of reference for a Working Group on Additional Land Use Development Mechanisms at UBC,
  - b) direct staff to establish and seek members for the working group.
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## 1. PURPOSE

To outline the terms of reference for a working group whose task will be to consider additional land use development mechanisms for the University of British Columbia (UBC) Vancouver Campus.

## 2. CONTEXT

At its October 23, 2009 meeting, the Electoral Area Committee endorsed a resolution directing Metro Vancouver staff to provide recommendations on the composition and terms of reference of a working group for the introduction of additional development mechanisms at UBC Vancouver.

Draft terms of reference have been provided for the committee's review and comment (see Attachment). The primary objective of the working group will be to provide direction on what are the most appropriate land use mechanisms for UBC. The terms of reference outline a four month process to realize that objective. It is proposed that the process begin in January, 2010. The process will be focused on delivering alternatives for the working group to consider and to reach out to the wider UBC community for comment and suggestions. The key deliverables will be a final report and recommendations that will provide direction as to what the most appropriate development mechanisms Metro Vancouver should implement for UBC Vancouver Campus. The proposed membership for the group is a mix of government and community groups (see section 3 of the Attachment for specific membership). Total membership is expected to be no more than 15 people. It is suggested that primary support and logistics for the group will be provided by Metro Vancouver and UBC.

### **3. ALTERNATIVES**

That the Electoral Area Committee could:

- a) make changes to the proposed terms of reference and then recommend proceeding

or

- b) advise staff of changes and additions and ask staff to rework the terms of reference

or

- c) forego the creation of a working group and advise staff on other means of proceeding with developing appropriate additional land use mechanisms for the UBC Campus.

### **4. CONCLUSION**

Staff recommends proceeding with the creation of a working group, as this will allow the community members and critical stakeholders to have input into what land use mechanisms should be put into place at the UBC Vancouver Campus. This is an important step in moving forward on addressing the issues of having proper implementation of the Official Community Plan.

### **ATTACHMENT**

Terms of Reference – UBC Working Group (eRIM doc. #004989977).

## 5.1 ATTACHMENT

### Terms of Reference – UBC Working Group

#### 1. Objectives

The primary task of the working group is to advise the Metro Vancouver Board on what the most appropriate land use control mechanisms are for UBC that:

- ensure the effective implementation of the OCP for UBC,
- appropriately recognizes the institutional role of UBC,
- ensure the protection of Pacific Spirit Regional Park,
- reduce development impacts on neighbouring communities,
- achieve the goals of the Regional Growth Strategy,
- provide an open and transparent public engagement process for all members of the university community,
- provide clarity over the implementation of development controls and who will have jurisdiction for which aspects,
- ensure the quality of life and community at UBC is preserved.

#### 2. Membership

Membership for the working group will be sought from the following groups:

Metro Vancouver – 1 member from Regional Development and 1 member from Parks

UBC Campus Planning – 1 member

UBC Properties Trust – 1 member

University Neighbourhood Association (UNA) – 2 members

City Of Vancouver – 1 member

Ministry of Transportation and Infrastructure – 1 member

University Endowment Lands (UEL) – 1 member

Alma Mater Society (AMS) – 1 member

Musqueam Band – 1 member

Pacific Spirit Park Society – 1 member

Wreck Beach Preservation Society – 1 member

#### 3. Meetings and Procedures

Meetings will be held on a monthly basis at a location to be determined on the UBC Campus. All meetings of the working group will be open to the public as observers.

The role of the Working Group is advisory to Metro Vancouver. No votes will be held to determine the group's position on issues or recommendations to Metro Vancouver. Where consensus exists it will be noted, and where it does not exist, minority opinions will be considered to have merit and be noted.

#### 4. Roles and Responsibilities

Metro Vancouver and UBC Campus Planning

- Co-Chair Working Group
- Provide logistical support
- Delivery of ideas and presentation materials
- Organizing public meetings

Other working group members

- Willingness to bring their own ideas to the table and present them.

## **5. Timeline**

A four month process is envisioned for the working group.

### **1st Meeting**

This meeting will introduce the group and outline how the process will be run. Metro Vancouver will present an outline of the current situation at UBC and possible tools for dealing with development going forward (i.e. zoning, development permits and other planning mechanisms). The working group will be asked to consider development issues they would like to be addressed and present them at the second meeting.

### **2nd Meeting**

This meeting will provide an opportunity for the working group members to present the issues they have identified and to have some discussion around those issues. Secondly, Metro Vancouver will present some possibilities for what a model bylaw might look like or what possible development permit areas could be used. Finally, some time will be allocated towards the planning of a public meeting to seek wider community input into what the development issues are at UBC.

### **Public Meeting**

A public meeting will be hosted at UBC. The purpose of this meeting is to seek opinions from the wider UBC Community as to what they see as development issues at UBC and how they can best be dealt with.

### **3rd Meeting**

This meeting will take place after the public meeting. There will be time set aside for discussion of what was heard at the public meeting and how that can be incorporated into the final report. The majority of this meeting will be for deliberations and discussion of what the final report and recommendations should look like. Metro Vancouver staff will be tasked with drafting a report.

### **4th Meeting**

Metro Vancouver staff will present a draft final report and recommendations for the working group to consider. Verification that all opinions and issues have been included will be sought. As mentioned in section 3 of these terms of reference there will be no voting, but agreement on what the majority and minority opinions will be sought for the final report and recommendations.

### **Final Public Meeting**

A final public meeting will be held to present to the wider community the final report and recommendations of the working group.

## **6. Deliverables**

The expected deliverables for the working group is a final report summarizing the information presented, the process that took place and to provide the context for the recommendations. A key part of the final report will be recommendations from the working group in order to provide a possible direction for Metro Vancouver to follow in creating additional development mechanisms for UBC.

## 7. Background

The University of British Columbia (UBC) Campus is part of Electoral Area “A”, as it is unincorporated and does not have its own form of municipal governance; thus the power to and the responsibility for implementing land use planning lies with Metro Vancouver, under the Local Government Act. Metro Vancouver adopted an Official Community Plan (OCP) for the UBC Campus in 1997. This is the only formal land use control enabled by the Local Government Act that has been adopted for the UBC Campus.

Metro Vancouver and UBC entered into a Memorandum of Understanding (MOU) (last updated in December 2000) to address how both institutional and non-institutional development should be handled. The MOU outlined UBC’s responsibilities for development approvals for all projects on the campus as long as they were consistent with the OCP.

Over the last few years several issues have arisen with this current process, namely around development impacts on Pacific Spirit Park, the height of buildings and the future of UBC Farm. The other issue that has arisen is the balancing of private and public interests in considering development proposals. UBC is the landowner of much of the property that makes up the campus, as a landowner it has considerable private interests in how the development of that land occurs. Separate from this is the public interest, which can be and is often a broader set of interests (though private and public interests can be aligned). Normally the public interest is represented through an elected municipal government and there is public accountability for the decision-makers. This does not exist at UBC.

In the absence of an elected local government Metro Vancouver is looked upon to represent the public interest. This work began with the adoption of an OCP, but there is no legal means currently in place by which the OCP can be enforced. Given the growing permanent population and student population at UBC, and the issues that have arisen in the past there is a need to consider further land use mechanisms for UBC in order to protect the public interest and to ensure the implementation of the OCP.

The Metro Vancouver Board recognizes that there needs to be direct community involvement in the creation of any new development mechanisms. Accordingly, the Board has directed staff to develop Terms of Reference for a working group that will be tasked to consider possible new development mechanisms for UBC.