

# UNA

UNIVERSITY  
NEIGHBOURHOODS  
ASSOCIATION

November 20, 2009

DELIVERED BY HAND

Director Maria Harris, Electoral Area A  
Chair, Electoral Area Committee

Attn: The Chair

Dear Ms. Harris:

Re: Draft GVRD Zoning Bylaw for UBC

I am the Chair of the University Neighbourhoods Association. As you know, the existing UBC/GVRD MOU makes the UNA responsible for a broad range of obligations that, taken together, settle on the UNA the obligation of providing virtually all municipal services (we are in effect the municipal government) for those of us who live ("residents") in identified Local Areas (including Hampton Place) here at UBC (the "residential areas"). I attach the relevant extracts from the MOU.

For almost a decade, the UNA has been doing just this - developing increasing independence from the initial arrangements established by the GVRD and UBC, all with UBC's constructive cooperation (sometime after vigorous debate). Membership in the UNA is voluntary. We presently have almost 3000 members, probably 200 of which are active as volunteers in our community life. Today, pursuant to our present written agreement with UBC, the residents, whom the UNA represents: are solely entitled to the benefit of all property tax like and miscellaneous revenue produced relating to the residential areas; spend these funds pursuant to a budget adopted by the UNA Board (the majority of the Board is directly elected by the residents) without any constraint imposed by the University; hold title (by license) to our parks, community centre and Rhododendron Woods; and deliver all municipal like services (except for permitting and planning) and benefits (paid library access and a full range of community based recreational and social programs being examples) to our neighbours. Presently (and given Bill 13) we are in the midst of developing a series of rules concerning parking, animal control, noise and other related municipal residential issues. Throughout this time the residents have at all times complied fully with the existing MOU, the GVRD's OCP and the various neighbourhood plans. We are aware of no issues between the residents and the GVRD that would justify this initiative.

We are no secret to the GVRD and its staff. Particularly, at the October 4, 2006 meeting of the UBC/GVRD Joint Committee, we described in detail the work that we were doing in developing governance. We exclusively represent the residents regarding residential issues. Our residents include: tenants (faculty and staff housing, student housing, students in market rental housing,

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market tenants and tenants of secondary suites within market housing – soon to be joined by seniors in a seniors' housing facility that we are developing); present and retired faculty and staff of UBC; and market residents not connected to UBC. The latter two groups all live in various forms of condominium housing, including a creative form of housing, unique to our community, called co-development housing. We were surprised and disappointed when the draft bylaw ("Draft") was delivered recently. In developing this Draft, no one from the GVRD staff talked to us about any issue raised in the Draft. We were again surprised that GVRD staff have now proposed the composition of the working group and thus preliminarily decided this issue – with all that that means – without speaking to us.

We fully understand, and respect, the position that UBC has taken concerning this GVRD initiative. We think UBC is, in fact, correct. Nonetheless, we have concluded that the residents ought participate in the GVRD's process. There are several features of the Draft which appear to be inexplicably and entirely unjustifiably hostile to our community and we would appreciate the opportunity to address these. However, for the residents to participate there are two necessary pre-conditions. They both relate only to the extent that any consideration touches on or affects the residents who exclusively bear all of the cost – both economic and social – of whatever zoning we live under.

Accordingly, we look forward to participating if two pre-conditions are met. First, the composition of the proposed working group must include a majority of UNA residents selected by the elected UNA Board. Second, neither the working group nor any other committee of the GVRD, will forward a report to the GVRD concerning the development of any bylaw affecting the residential areas, without the support of a majority of the residents on the working committee.

We would be delighted to meet with you to discuss in detail how our pre-conditional requirements might be achieved.

Yours very truly,

Mike Feeley, Chair  
UNA

cc. President Stephen Toope, University of British Columbia

The GVRD and UBC are parties to a MOU which provides, in part:

4.0 UNIVERSITY NEIGHBOURHOOD ASSOCIATION

4.1 The parties acknowledge that in the absence of a municipal structure, UBC plans to implement a neighbourhood association more particularly described in Appendix A.

...

The details of the UNA's role are set out in Appendix A as follows:

Appendix A

Outline of UBC Proposed Governance Structure "University Neighbourhood Association"

Name and Purposes

1. To organize and operate an incorporated body independent of UBC, that promotes a distinctive "college town" community to be known as the University Neighbourhood Association (the "Association"), that will support and enhance UBC's core mission, and which is for the common good of the people ordinarily resident (the "Residents") on the UBC Campus.

2. To aid, promote and provide for the establishment, advancement, and perpetuation of any services and facilities, which shall be provided at a level which is comparable to those provided by a municipal or similar type of local governing body in the Province of British Columbia, and which tend to promote the general welfare of the Residents with regard to health, safety, education, culture, recreation, comfort, or convenience to the extent and in the manner which is approved by the Association from time to time.

...

5. To do any and all lawful things and acts that the Association may from time to time, in its discretion, deem to be for the benefit of the Residents or advisable, proper, or convenient for the promotion of the interests of the Residents with regard to their health, safety, education, culture, recreation, comfort, or convenience, subject always to the bylaws of the Association.

...

8. The Directors shall be appointed as an advisory board to UBC pursuant to Section 34 of the University Act.

...

## 5. ACTIVITIES OF THE ASSOCIATION

The Association could:

...

- (c) aid and promote a distinct college town community and provide for the establishment, advancement, and perpetuation of any services and facilities within the Lands by providing for the general welfare of its members with regard to health, safety, education, culture, recreation, comfort, or convenience to the extent and in the manner which is approved by the Association from time to time, including without limitation:
  - (i) Local Regulation (e.g. nuisance, animal control, parking control),
  - (ii) Community Programs and Recreation,
  - (iii) Construction of community facilities, including a community centre,
  - (iv) Future Amenities (e.g. recreational facilities, support of public transit, day care centres, pre-schools, etc.),
  - (v) Elections,
  - (vi) Emergency Measures,
  - (vii) Landscaping and weed control,
  - (viii) Noise Control,
  - (ix) Recycling,
  - (x) Refuse Collection and Disposal,
  - (xi) Regulation of Nuisances,
  - (xii) Liason with UBC in connection with the use of UBC facilities, and
  - (xiii) Trails.

The UNA was incorporated in early 2002. Since that time, it has been delivering virtually all (the UNA has no planning, permitting or zoning functions) municipal services to the Residents. While originally the UNA Board was comprised largely of appointees the UNA Bylaws were changed by its members so that, at present, there are three appointed directors (one by the Alma Mater Society and two by the University) and four, elected, Resident directors. The Chair must be selected from amongst this latter group and the chair has a casting vote. As the Board grows over time (to match population increases) all new members will be elected Residents. The UNA has nearly 3,000 members.