



UNIVERSITY
NEIGHBOURHOODS
ASSOCIATION

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Sent by email only to: Duncan.Jillings@gov.bc.ca

Duncan Jillings
Director, Property Tax
Policy and Legislation Division
Ministry of Finance
PO Box 9547 STN PROV GOVT
Victoria, BC V8W 9C5

UBC Neighbourhoods and UEL

Dear Mr. Jillings:

As agreed at the end of our meeting on September 1, I am writing to provide information on the UBC neighbourhoods in order to demonstrate that the neighbourhoods are as municipal-like as the University Endowment Lands (UEL).

You said in the meeting that UEL residents do not pay the tax imposed by the *Taxation (Rural Area) Act* (“rural property tax”) because the province considers the UEL to be analogous to a municipality. We responded that the UBC neighbourhoods are also analogous to a municipality and so should also be excluded from the rural property tax. You replied that you are not familiar with the UBC neighbourhoods and so could not agree with us. That is why we offered to provide you with information regarding the neighbourhoods.

I will start with a description of the UBC neighbourhoods.

The UBC neighbourhoods are located on the UBC campus, which is land owned by UBC. There are currently five neighbourhoods: Chancellor Place, East Campus, Hawthorn Place, Hampton Place, and Wesbrook Place. These neighbourhoods have an estimated population of about 14,000 (approximately four times the population of the UEL). UBC plans to develop two more neighbourhoods. Depending on various factors, the ultimate population of the neighbourhoods will be anywhere from 25,000 to 35,000 residents. The neighbourhoods, and hence the population figures, do not include student residences.

The neighbourhoods are dense. The buildings range from townhouses to 22-story buildings, with many four- to six-story buildings. Residents live either in stratas pursuant to long-term leases or in rental buildings owned by UBC and leased to UBC Properties Trust, which rents to tenants.

The Wesbrook Place neighbourhood includes a commercial centre, with a large Save-On Foods store, a BC Liquor store, restaurants, and various other businesses.

Through a combination of its ownership of the land and the powers given to the UBC Board of Governors by the *University Act*, UBC has jurisdiction over, and responsibility for, the neighbourhoods, similar to the provincial government’s role with respect to the UEL. UBC has delegated some of its powers and responsibilities to the University Neighbourhoods Association

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(UNA) by an agreement between the two parties called the Neighbours' Agreement. The UNA, a society run by a Board of Directors elected by residents, can be considered to perform some of the functions of a municipal council. (By contrast, the UEL's Community Advisory Council performs an advisory role to the UEL Administration but does not provide services to the UEL community.)

Both the UBC neighbourhoods and the UEL are in Electoral Area A of the Metro Vancouver Regional District. However, Metro Vancouver does not have the jurisdiction over these communities that other regional districts have over their electoral areas. In UBC's case, Metro Vancouver's powers with respect to the UBC campus were severely curtailed by Part 10 – 2010 of the *Municipalities Enabling and Validating Act (No. 3)*. In particular, Metro Vancouver has no powers with respect to development services on the UBC campus (land use planning, zoning, building bylaws, permits, etc.). In the UEL's case, Metro Vancouver's limited role is a necessary implication of the *University Endowment Land Act*.

Turning now to the municipal-like services that are provided for the UBC neighbourhoods and the UEL, I refer you to the attached table. As it shows, a comprehensive range of services is provided for each community. The range of services is similar to the range of services provided in a medium-sized municipality. It is clear from the table, and from the other information in this letter, that the UBC neighbourhoods are as municipal-like as the UEL, if not more so.

Municipal-like services provided by UBC and the UNA for the UBC neighbourhoods are funded primarily by a services levy payable by all leaseholders to UBC pursuant to their leases. The services levy is computed like a municipal tax, in that it is based on mill rates for different classes of property and BC Assessment's assessed values of the properties. The services levy is analogous to the UEL tax imposed by the *University Endowment Land Act*. A difference is that the mill rates for the services levy are determined by formula whereas the mill rates for the UEL tax are determined from the UEL's budgeted revenue requirements. The formula for the services levy is designed so that the aggregate amount of services levy and all property taxes is equal to the aggregate amount of taxes that would be payable if the properties were in Vancouver.

Given that the UBC neighbourhoods are at least as municipal-like as the UEL, there is no rational basis for the rural property tax being imposed on residents of the UBC neighbourhoods whereas UEL residents are exempted from the tax. Equalization of the treatment of the two communities could be achieved either by excluding the UBC neighbourhoods from rural property tax or by imposing the tax at the same reduced rate on both communities. Alternatively, the inequity could be eliminated by continuing to apply the rural property tax to the UBC neighbourhoods and remitting the tax collected to UBC, to be used for the benefit of the UBC neighbourhoods.

I would like to repeat an important point made in our meeting. The elimination of the rural property tax for the UBC neighbourhoods, or a reduction in the amount payable, would not put

more money in the pockets of residents but rather would result in a corresponding increase in the amount of services levy available to fund local services.

We look forward to further engagement with you as we seek fair tax treatment of the UBC neighbourhoods relative to the UEL.

Sincerely,



Richard Watson
Chair
University Neighbourhoods Association

Copy: David Eby, MLA Vancouver-Point Grey

Rachel Holmes, ADM, Immigration Services and Strategic Planning Division,
Ministry of Municipal Affairs

Michael White, AVP, Campus and Community Planning, UBC

Adriaan de Jager, AVP, Government Relations and Community Engagement, UBC
University Neighbourhoods Association Board

Sundance Topham, Chief Administrative Officer, UNA

Municipal-Like Services for UBC Neighbourhoods and UEL

This table shows the municipal-like services provided for the UBC neighbourhoods and the UEL, and the entity or entities that provide each service. References to the UEL as service provider are to the UEL – Administration branch of the Ministry of Municipal Affairs. For purposes of this table, Pacific Spirit Regional Park has been omitted.

Service	UBC Neighbourhoods	UEL
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Protective Services		
Police	RCMP, pursuant to a federal-provincial agreement.	Same as UBC neighbourhoods.
Fire	Vancouver Fire and Rescue Services, under an agreement between Vancouver and the Province.	Same as UBC neighbourhoods.
Emergency Planning and Response	Metro Vancouver has overall responsibility. UBC has developed its own emergency plan.	Metro Vancouver has overall responsibility. The UEL does not have its own plan.

Physical Services		
Water	UBC	UEL
Sanitary Sewer	UBC	UEL
Storm Sewer	UBC	UEL
Solid Waste	Private contractors hired by stratas.	UEL for Areas A, B, and C. Private contractors hired by commercial and multi-family buildings in Area D.



Service	UBC Neighbourhoods	UEL
Recycling	Private contractors hired by stratas. UNA-operated Green Depot for many materials not accepted by private contractors.	Recycle BC for single-detached homes. Private contractors hired by commercial and multi-family buildings in Area D.
Organics	Arrangement made by each strata with UBC or a private contractor.	UEL for Areas A, B, and C. Private contractors hired by commercial and multi-family buildings in Area D.
Roads, Sidewalks and Street Lighting	UNA for infrastructure within the neighbourhoods. UBC or the Ministry of Transportation and Infrastructure for main roads adjacent to the neighbourhoods.	UEL for infrastructure within the residential areas. Ministry of Transportation and Infrastructure for main roads through the UEL.
Landscaping of Public Spaces	UNA	UEL

Community Services		
Education (K-12)	Vancouver School Board	Vancouver School Board
Libraries	Vancouver Public Library under an arrangement with the UNA. Also, UBC Library.	Vancouver Public Library under an arrangement with the UEL.
Parks	Several parks, maintained by the UNA.	One UEL park.
Community Centres	Two community centres, operated by the UNA.	No community centres. One under construction in Lelem (Block F).



Service	UBC Neighbourhoods	UEL
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UBC Recreational and Cultural Facilities	Residents have free or preferred rate access to several UBC facilities.	UEL residents have access to UBC facilities during public times and at public rates.
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Regulatory and Development		
Land Use Plan / Official Community Plan	UBC develops amendments to its Land Use Plan. The amendments must be submitted to the Minister of Municipal Affairs for adoption.	UEL staff develop amendments to the UEL's Official Community Plan. These are enacted as bylaws (see below).
Neighbourhood Plans	UBC	UEL staff develop the plans and amendments to the plans. These are enacted as bylaws (see below).
Development Controls (Zoning)	UBC	UEL staff develop zoning rules and amendments to rules. These are enacted as bylaws (see below).
Development, Building, and Similar Permits	UBC	UEL
Bylaw Enactment	The UBC Board of Governors (BOG) has authority under the University Act to make various rules applicable to the UBC campus. The UNA's role is to develop rules for the neighbourhoods for recommendation to the BOG.	Minister of Municipal Affairs



Service	UBC Neighbourhoods	UEL
Bylaw Enforcement	UNA	UEL. Enforcement of bylaws is limited by a lack of municipal-like tools for the imposition or collection of fines.
Business Licences	UBC	UEL
Liquor Licences	Metro Vancouver may provide input to the Liquor Control and Licensing Branch with respect to applications for certain categories of liquor licences and amendments to licences.	Same as UBC neighbourhoods.