

**PROVINCE OF BRITISH COLUMBIA**

**ORDER OF THE MINISTER OF**

**MUNICIPAL AFFAIRS**

*University Endowment Land Act*

Ministerial Order No. M293

I, Nathan Cullen, Minister of Municipal Affairs, order that pursuant to Sections 12(1) and 12(2)(a) of the *University Endowment Land Act*:

- a) the University Endowment Lands *Official Community Plan Bylaw* adopted on October 14, 2005 be amended as provided in Appendix 1 to this Order.

September 28, 2022

*Date*



*Minister of Municipal Affairs*

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

**Authority under which Order is made:**

Act and section: University Endowment Land Act, Section 12

Other: \_\_\_\_\_

**APPENDIX 1 TO THE MINISTER'S ORDER  
AMENDMENT TO THE UNIVERSITY ENDOWMENT LANDS OFFICIAL COMMUNITY  
PLAN BYLAW**

**INSTRUCTION**

The University Endowment Lands *Official Community Plan Bylaw* is amended by deleting Section 4.1 (a) and (b) replacing those sections with the following:

**4.1 Ensuring Effective Administration and Community Participation**

General Background

The UEL is an unincorporated area comprising four residential areas, a golf course, a large portion of Pacific Spirit Regional Park, two churches, two schools, and the UEL administration and public works lands. The residential areas, as identified in this *OCP*, are known as *Areas A, B, C and D*. *Areas A, B and C* are single-family neighbourhoods. *Area D* includes multi-family residences as well as various commercial and institutional buildings.

The *University Endowment Land Act* makes no provisions for community involvement in the Manager's decision-making process; however, there have historically been advisory bodies that include elected community representatives.

Three advisory bodies shall be constituted and shall operate as set out in this Section 4.1.

**a) Community Advisory Council**

CAC Purpose

An advisory body known as the Community Advisory Council (CAC) shall provide advice to the Manager on local matters of importance to the community. Matters referred to the CAC by the Manager will include proposed new bylaws or amendments to existing bylaws and any initiatives likely to have a significant effect on the cost, quality, or capacity of community services provided by the UEL administration. The Manager will also review the UEL's draft annual budget and proposed Property Tax Requisition with the CAC before submission to the Surveyor of Taxes.

CAC Structure

The CAC shall comprise seven elected members which will include two representatives from *Area A*, one each from *Area B* and *C* and three representatives from *Area D*. Each CAC representative must be an individual whose normal and ordinary place of residence is within the UEL neighbourhood they are elected to represent. Any person of the age of majority who meets the residency requirement to be a CAC representative may stand for election and be eligible to vote.

CAC Elections

The CAC shall hold elections for representatives every two years, with each representative holding their position for a term of four years. Representatives may seek re-election at the end of their term. To provide for continuity in the operation of the CAC, commencing with the election in 2022, one (1) representative from each of *Areas A, B, C and D* will be elected for a four-year term with the three remaining

representatives elected for two-year terms. Thereafter each representative will be elected for a four-year term.

The CAC may fill representative vacancies between elections by appointment at a regular meeting. In such case, any qualified resident in the neighbourhood where the vacancy occurred may put their name forward as a candidate. The CAC will decide which candidate will fill the position by a majority vote at a regular meeting.

Regular elections shall be held on the third Saturday of October. The CAC shall provide at least one month notice of an election to all residents in the UEL stipulating the means by which individuals may state their intention to run for a vacant position in their neighbourhood and how and where residents may vote.

If the CAC fails to provide adequate notification of an election, fails to hold an election, or where there are less than three representatives remaining on the CAC, the Manager may conduct an election at any time at the Manager's discretion to fill all of the vacant positions and, if necessary, where an election is being held without adequate notice, either cancel that election, or direct the CAC to hold an election after proper notice has been provided.

#### CAC Meetings

The CAC shall hold an open meeting with the Manager, or the Manager's representative, at a regular time and place (or in the case of electronic meetings in a manner that is accessible to most residents and allows residents to take part in the meeting). In general, meetings shall be held each month, and there shall be a minimum of ten such meetings each year. The CAC shall provide notification to residents and the UEL Administration at least one month in advance of any change to a meeting date and time, ideally at the prior meeting. Any resident or property owner may attend, and provisions shall be made at some point during each meeting for residents or property owners to provide comment at these meetings through the chair.

The CAC shall only vote on recommendations at open meetings and a record shall be kept of any such vote, in the form of a minute of the meeting, which shall be posted on a publicly accessible website, or other suitable location maintained by the CAC, within 45 days of said meeting.

#### CAC Budget

The CAC shall prepare an annual budget for its operations and submit it to the Manager for review no later than December 31<sup>st</sup> of each year. The budget shall account for funds remaining, or projected to remain, from the prior year, and shall detail the planned use for the funds in the coming year. The Manager may approve the budget as submitted or may approve the budget with any changes the Manager considers reasonable. Should the CAC fail to submit an annual budget, the Manager may, at the Manager's sole discretion, allocate the minimum funds required to maintain the CAC's operational needs for the coming year.

Ordinary CAC expenses may include provisions for the community space within University Marketplace, administrative assistance, insurance, software, and other reasonable costs necessary for the operation of the CAC, subject to provincial regulations and policy. Legal costs or other extraordinary expenses will require prior approval by the Manager at the Manager's sole discretion. Day-to-day expenditures shall be the responsibility of the CAC and shall be subject to review and audit.

As volunteers, representatives are not entitled to a stipend or other payment for their service. Representatives shall only be entitled to reimbursement of expenses directly related to the operation of the CAC and only where such expenses have received prior approval by the CAC.

The Manager will include the approved CAC budget in the overall UEL budget.

**b) Advisory Design Panel**

ADP Purpose

An Advisory Design Panel (ADP) shall provide design and technical advice on matters referred by the Manager related to land use, including development applications, land use planning, and the development of new bylaws or amendments to existing UEL bylaws, including *the Land Use, Building, and Community Administration Bylaw*. ADP consensus on recommendations provided to the Manager is desirable but not required.

All ADP members shall provide advice and opinion in respect to UEL bylaws and policies set out in the OCP with community members focused especially on the best interests of the neighbourhood and wider community, while architects, landscape architects and engineers serving on the panel shall bring forward their professional expertise.

ADP members shall recuse themselves from any meeting where they have a direct financial interest in the matter being discussed or another interest in the matter that constitutes a conflict of interest.

Service on the ADP is voluntary and shall be without compensation. Professional ADP members will be reimbursed for disbursements necessary for the business of the ADP that have been approved in advance by the Manager.

ADP Structure

The ADP shall comprise:

(a) seven professional members as follows:

- Three architects registered and in good standing with the Architectural Institute of British Columbia (AIBC)
- Two landscape architects registered and in good standing with the British Columbia Society of Landscape Architects (BCSLA)
- Two registered professional engineers registered and in good standing with the Association of Professional Engineers and Geoscientists of British Columbia (EGBC)

And

two community members from each of the four UEL neighbourhoods. Community members shall participate in the ADP review process only for proposals within their respective neighbourhood.

### ADP Appointments

Professional members will be recommended to the Manager by their respective professional associations. The Manager will review those nominations and, on finding the nominees in good standing with their professional associations, must appoint them to the ADP for a term of tenure put forth by their respective associations. Professional members may, on the recommendation of their respective associations, extend their term in one or more year increments.

Community ADP members shall be elected to the ADP in elections held at the same time and using the same process as the CAC elections. Community ADP members shall have a two-year term with no limit to the number of terms served. Where a vacancy exists for a community ADP member for six months or more prior to the next election, the CAC, after calling for potential volunteers at a regular CAC meeting, may appoint a resident from the same UEL neighbourhood that lost representation to fill the vacant position until the next election.

Community ADP members who fail to attend three regularly scheduled meetings in a row where the agenda includes proposals directly related to their neighbourhood will be removed from the ADP by the Manager. The CAC shall have no ability to remove a member from the ADP.

### ADP Meetings

Five members shall constitute a quorum for an ADP meeting, of which two members must be architects. The members shall annually elect from among the professional members a chairperson, a vice chair, and a recording secretary.

The Manager will establish regular monthly meeting dates and times for the ADP at the beginning of each year. Where necessary, such meetings may be convened electronically in a manner that is accessible to every member of the ADP and most UEL residents. Meetings may be cancelled one week in advance by the Manager when there is no relevant business for the ADP or rescheduled where quorum does not exist. Additional meetings may be scheduled by the Manager as required.

Terms of Reference (TOR) for the ADP have been established and meetings will be conducted in accordance with the approved TOR. Revisions to the TOR for the ADP will be referred by the Manager to the ADP for review prior to finalization.