

PROVINCE OF BRITISH COLUMBIA

MINISTERIAL ORDER

COMMUNITY, SPORT AND CULTURAL DEVELOPMENT

UNIVERSITY ENDOWMENT LAND ACT

Ministerial Order No. M 096

I, Bill Bennett, Minister of Community, Sport and Cultural Development, order that the University Endowment Lands *Land Use, Building and Community Administration* Bylaw as confirmed and validated by section 4 of the *University Endowment Land Amendment Act*, 1989, S.B.C. 1989, c. 41, and the Official Community Plan, adopted October 14, 2005, be amended as follows:

*Land Use, Building and Community Administration Bylaw*

1. By deleting section 4.1 of Schedule 11 in its entirety and replacing it with the following section 4.1:

4.1 Application Requirements

The applicant shall provide three copies of the following information for all change of land use district applications. All units should be in both imperial and metric.

- (1) Completed application form and fee, as specified in Schedule 2.
- (2) Letter of authorization to act on the property owner's behalf, in respect of the application, if applicable.
- (3) Information requirements:
  - a) Development statement brief. A written summary of:
    - i. the present and intended uses and density of the site;
    - ii. rationale for the proposal;
    - iii. evaluation of the potential community and neighbourhood impacts and benefits;
    - iv. summary of feedback received from relevant agencies; and
    - v. how the proposal meets the intent of broader community goals or evolving community aspirations, including as set out in the Official Community Plan.

- b) Site Plans - All site plans should include a north arrow, all property lines, surrounding properties, dimensions and closest streets on all sides.
  - c) Context Map - The applicant must submit an area map, context plan, elevation plans, description drawings and/or a model sufficient to illustrate the relationship of the proposal to surrounding developments and streets, including any relevant environmental conditions such as planned tree retention areas or other enhancement proposals.
  - d) Models and/or display boards may be required at the request of the Manager.
- (4) Project Data and Statistics - Information about the project should be included at the request of the Manager. This may include, but is not limited to, the following data and statistics:
- a) Lot or site area
  - b) Site coverage
  - c) Floor Space Ratio detailing exemptions where applicable
  - d) Floor space by land use
  - e) Project unit count
  - f) Building height in storeys and dimensions
  - g) All yards
  - h) Useable open space calculations, including private open space and common open space areas, but excluding surface parking areas
  - i) Proposed park land
  - j) Proposed road and/or street works and intersection improvements and any relevant emergency access provisions
  - k) Identification of all watercourses and riparian areas and required setback areas
  - l) Servicing plans, such as stormwater, water and sewer, and other servicing requirements, such as fire hydrants and street lighting
  - m) Geotechnical analysis
  - n) Completed site profile, pursuant to the *Contaminated Sites Regulation* under the *Environmental Management Act*
  - o) Building schemes
  - p) Landscape plan
  - q) Floor plans
  - r) Typical cross sections of all buildings
  - s) Phasing plan

A land use amendment application shall not be deemed complete until all information required under this schedule has been provided to the Manager and is prepared by a qualified professional acceptable to the Manager.

#### Official Community Plan

By adding the following section as Section 7.0 headed "Development Approval Information".

#### 7.0 Development Approval Information

7.1 Area D; 2026 Wesbrook Mall (Lot 5, Block 83, DL 140, Group 1, New Westminster District, Plan 5449) and 2076 Wesbrook Mall (Lot 6, Block 83, DL 140, Group 1, New Westminster District, Plan 5449) are hereby designated as a development approval information area pursuant to Section 920.01 of the *Local Government Act* and Section 12(2) of the *University Endowment Land Act*.

7.2 The special conditions and objectives that justify this designation are:

- (a) Area D and the two lots identified in Section 7.1 have the largest concentration of mixed commercial, high density development, and church/educational uses on the University Endowment Lands;
- (b) Area D has the potential for new and mixed commercial and multiple family development that is of a significant scale in proportion to the current development of the University Endowment Lands;
- (c) Area D and the two lots identified in Section 7.1 on the University of British Columbia boundary may have the potential for future institutional development;
- (d) Area D is on the periphery of Pacific Spirit Park; and
- (e) development in Area D, even if phased and sequenced over time, will have a major impact on-site and off-site on the University Endowment Lands community and on public infrastructure and on all public and community services.

7.3 The Manager may, in respect of any application to amend the *Land Use, Building and Community Administration Bylaw* in respect of the development approval information area or any part thereof from one land use designation to any other land use designation, or in respect of an application for a development permit in the development approval information area, require the applicant for such amendment or development permit to provide, at his or her sole expense, information on the contemplated impact on the community of such amendment or development permit including, without limitation, information regarding impact on such matters as:

- (a) transportation patterns including traffic flow, parking and the effect on public transit;
- (b) local infrastructure including roads, sewers, water and drainage services and facilities;
- (c) public facilities including parks, schools, libraries, community and recreation facilities;
- (d) community services including emergency and fire services, garbage and recycling services, and other services as identified by the Manager; and
- (e) natural environment areas.

7.4 Where the area of the lands or site subject of an application identified in Section 7.3 is less than 400m<sup>2</sup> in area, or where the application is for or to permit a single-family dwelling, Section 7.3 shall not apply.

7.5 Procedure:

- (a) the Manager shall, within sixty (60) days of receipt of any application subject to Section 7, determine whether and to what extent and nature, development approval information will be required, and the Manager shall communicate requirements to the applicant in writing together with terms of reference to govern the preparation and focus of the development information required;
- (b) a land use amendment application or development permit application shall not be deemed complete until all development approval information required by the Manager has been provided to the Manager;
- (c) development approval information must be prepared by a qualified professional planner, engineer, architect, landscape architect, environmental scientist or other professional acceptable to the Manager, and must meet all the terms of reference required by the Manager;
- (d) an applicant who is required by the Manager to provide development approval information is entitled to have the Minister reconsider the Manager's requirements under this Section without further charge or fee. A request for reconsideration setting out the applicant's reasons for the reconsideration must be delivered to the Manager within thirty (30) days of receipt by the applicant of the written requirement of the Manager pursuant to Section 7.5(a);
- (e) the Minister must render a decision on the reconsideration within sixty (60) clear days of receipt thereof; and
- (f) in determining the terms of reference for development approval information, the Manager may, without limiting other relevant considerations, consider:
  - i) compatibility with adjacent land uses and the function, form, character and scale of potential development;
  - ii) land use impacts such as noise, vibration, glare and electrical interference;
  - iii) visual impacts such as effect on line of site, sun and shade;
  - iv) transportation impacts, public transit demand and supply, traffic safety, pedestrian and cyclist movement, trip generation, traffic flows, access and egress to existing public highways, demand for highway improvements or expansion, and parking impacts;

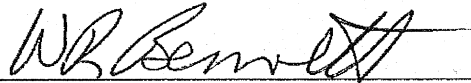
- v) effect and new demand on existing sewer, water, drainage and other public utilities, including an assessment of existing capacity and identifying all new capital works necessary to serve the new development;
- vi) effect and demand on existing schools, parks, recreation, emergency, police, fire and health services;
- vii) effect on demand for existing and new commercial enterprises;
- viii) air quality effects;
- ix) effect on terrestrial and aquatic ecology including but not limited to biological diversity, riparian zones, flora, fauna, forests, wildlife habitat, wildlife populations and ecosystem health;
- x) impacts on historical, cultural and archaeological sites, buildings and artifacts; and
- xi) natural hazards, geotechnical conditions, and impacts on surface and ground water quality.

- 7.6 All reports prepared by qualified professionals and forming part of the development approval information submission must include the identity and qualifications of, and be signed, by the professionals involved in its creation.
- 7.7 The University Endowment Lands may make all or any development approval information public.
- 7.8 If the Manager decides that a report is incomplete, deficient, or incorrect the Manager will notify the applicant in writing of the nature of the deficiencies within sixty (60) days of receiving it from the applicant, and the applicant must resubmit the completed and corrected report within sixty (60) days of the Manager's notification that the report is incomplete or deficient or incorrect.
- 7.9 After receiving and reviewing development approval information submitted by an applicant, the Manager may require a peer review report if the initial report fails to satisfy the written requirements set out by the Manager. If a peer review report is required, the Manager will select one peer of the class of applicable professionals referred to in Section 7.5 (c) from a list of not less than three (3) peers nominated by the applicant and the original professional. The cost of such peer review will be the sole responsibility of the applicant.

- 7.10 All professionals signing development approval information must expressly acknowledge that the Manager and the Province of British Columbia are entitled without qualification to rely on and utilize the development approval information provided.

APR 09 2013

Date



Minister of Community, Sport and Cultural Development

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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*, R.S.B.C. 1996, c. 469, s. 12