

The University of British Columbia

Public Hearing Procedural Rules for Amendment of the Land Use Plan for The University of British Columbia's Point Grey Campus Lands

Overview

Under the [Ministerial Order M229 dated August 18, 2010](#) ("**Ministerial Order M229**"), and consistent with Part 10 of the [Municipalities Enabling and Validating Act \(No. 3\), SBC 2001, c 44](#) (the "**MEVA**"), the Board of Governors (the "**Board**") of The University of British Columbia ("**UBC**") must ensure that a public hearing is held respecting a new Land Use Plan or any proposed amendments to the Land Use Plan for UBC's Point Grey campus lands (a "**Proposed Land Use Plan Amendment**").

The purpose of the public hearing is to ensure that all persons who believe that their interest in property is affected by a Proposed Land Use Plan Amendment are provided a reasonable opportunity to be heard or to present written submissions respecting matters contained in the Proposed Land Use Plan Amendment that is the subject of the public hearing.

The Board has delegated the holding of the public hearing to the Public Hearing Committee (the "**Committee**"), as permitted by Ministerial Order M229.

The Board is required to establish procedural rules for the conduct of the public hearing. These rules, adopted by the Board on October 16th, 2023, are as follows.

Definitions

- a) "**Interim Record**" means the written submissions, reports, Reference Documents and other documents the Committee has received by 5:00 p.m. on the day which is three (3) business days preceding the Public Hearing, and which will be made available on the UBC Campus and Community Planning website and in-person by specific request.
- b) "**Public Hearing**" means a meeting to consider a Proposed Land Use Plan Amendment in the form in which enables all persons to hear, or watch and hear, each other. The hearing must be scheduled for at least one (1) day and may be scheduled for additional days as the Committee considers necessary.
- c) "**Public Hearing Notice**" means the notice of a Public Hearing that provides information on how to attend and participate at the Public Hearing, which is published by the Committee on the UBC Campus and Community Planning website and, in accordance with Ministerial Order M229, published in at least two (2) consecutive newspapers not less than three (3) and not more than ten (10) days before the Public Hearing.
- d) "**Public Hearing Record**" means the written record of the Public Hearing maintained as a public record, certified as being fair and accurate by the Committee Clerk and which may include all of the following:
 - a. the Interim Record;
 - b. written submissions received up until the conclusion of the Public Hearing;

- c. a summary of the pre-recorded and in-person submissions respecting the Proposed Land Use Plan Amendment that were made at the Public Hearing; and any other submissions or written materials that the Committee Clerk determines is appropriate to include in the record.
- e) **“Reference Documents”** means any relevant report, document, information or other written materials prepared in connection with the Proposed Land Use Plan Amendment that may be considered by the Board in its determination on a Proposed Land Use Plan Amendment.
- f) **“Speaker”** or **“Speakers”** means a person or persons that have expressed an interest to speak during the Public Hearing but does not include the Committee, the Board or UBC staff members.
- g) **“Speakers’ List”** means the list of names of persons that have expressed an interest to speak during the Public Hearing in the manner specified in the Public Hearing Notice but does not include the Committee, the Board or UBC staff members. The list must include the speaker’s name, address, and whether they are currently a member of the UBC community as a faculty member, student, staff member, alumna(e), or campus resident.

Advanced Submissions

1. Interested persons may submit comments respecting the Proposed Land Use Plan Amendment to the Committee in either written form or by pre-recorded video to the UBC Campus and Community Planning website as specified in the Public Hearing Notice.
2. All submissions must:
 - a. state the author’s name;
 - b. state whether the author is currently a member of the UBC community as a faculty member, student, staff member, alumna(e), or campus resident; and
 - c. use respectful language and refrain from using language that is inappropriate, offensive, harassing or threatening.
3. Campus residents are encouraged to state the address or neighbourhood where they currently reside in the submission, but this information is not required.
4. Submissions that do not meet the requirements under section 2 may not be included in the Interim Record or Public Hearing Record.
5. Written submissions will be accepted from the day of the first publication of the Public Hearing Notice up until the conclusion of the Public Hearing and must be submitted as an electronic attachment through the UBC Campus and Community Planning website. Written submissions received in hard copy will not be accepted. Written submissions received up until 5:00pm three (3) business days before the Public Hearing that meet the requirements under section 2 will be included in the Interim Record. Written submissions

received after 5:00 pm three (3) business days before the Public Hearing and up until the conclusion of the Public Hearing that meet the requirements under section 2 will be included in the Public Hearing Record.

6. Written submissions included in the Interim Record will be posted on the UBC Campus and Community Planning website in their entirety, excluding contact information unless, at the time of submission, the author requests that staff further redact specified information apart from the author's name which will not be redacted.
7. Written submissions must not exceed 1500 words.
8. Pre-recorded video submissions up to five minutes in length will be accepted from the day of the first publication of the Public Hearing Notice up until 5:00pm three (3) business days before the Public Hearing and must be submitted as an electronic attachment through the UBC Campus and Community Planning website. Pre-recorded videos received in hard copy will not be accepted. The video will be played during the Public Hearing and included in the Public Hearing Record.
9. If a pre-recorded video submission is received any time after 5:00pm three (3) business days before the Public Hearing up until the commencement of the Public Hearing, then the Committee Clerk may:
 - a. accept the submission, play the video during the Public Hearing and include the material in the Public Hearing Record;
 - b. reject the submission and advise the author to attend the Public Hearing to make the submission as a Speaker; or
 - c. reject the submission and advise the author it was unable to accept the submission.

Format of the Public Hearing

10. The Public Hearing will be held in person and live streamed. Speakers may speak in-person or electronically. The process for joining and participating in the Public Hearing will be specified in the Public Hearing Notice.
11. The order of business at the Public Hearing is:
 - a. a call to order;
 - b. opening remarks by the Committee Chairperson;
 - c. roll call;
 - d. reading of the instructions regarding procedure and conduct;
 - e. report on the Public Hearing Notice and the Interim Report;
 - f. presentation by UBC staff, if invited by the Committee;
 - g. hearing of Speakers on the Speakers' List;

- h. call for further Speakers;
 - i. close of Speakers' List; and
 - j. close the Public Hearing.
12. A roll call of Committee members will be completed at the beginning of the Public Hearing. A quorum of 50% plus one of the Committee members must be present at the Public Hearing. The Committee Chairperson will not permit the Committee to begin the Public Hearing without a quorum.
 13. The Committee Chairperson will begin the Public Hearing with a review of the procedures and agenda for the Public Hearing.
 14. UBC staff may be invited to make a presentation regarding the Proposed Land Use Plan Amendment and, in response to the presentation, Committee members may ask the UBC staff any clarification questions.
 15. If the Speakers' List is not concluded at a reasonable hour as determined by the Committee Chairperson, the Chairperson may adjourn the Public Hearing and state the time and place for the resumption to those present at the Public Hearing instead of issuing a further Public Hearing Notice.
 16. At the conclusion of the Speakers' List, the Committee Chairperson will report on written submissions received through the UBC Campus and Community Planning website that were not included in the Interim Record, then the Chairperson will ask three times if there are any persons, who have not already addressed the Committee, who wish to speak to the Proposed Land Use Plan Amendment. Once there are no additional persons, who have not already addressed the Committee, who wish to speak, the Committee Chairperson will deem the Public Hearing concluded.

Speaker Registration and Time Limits

17. Speakers may register in advance or during the Public Hearing. Speakers registering in advance may do so from the day of the first publication of the Public Hearing Notice up until 5:00pm on the day of the Public Hearing as specified in the Public Hearing Notice.
18. To register during the Public Hearing, Speakers attending in-person may register to speak at the sign-up table near the door to the room in which the Public Hearing will be held or, if attending electronically, through the live-stream, by contacting staff through the online chat function.
19. The Speakers' List will be provided to the Committee Chairperson at the scheduled start of the Public Hearing and will include pre-recorded video submissions, if any. Speakers may

request to be added to the list at any time during the meeting up until the Committee Chairperson deems the Public Hearing concluded.

20. Each speaker on the Speakers' List must not speak for more than five (5) minutes in total nor more than once, unless the Speaker requires and provides a translator, in which case they may speak for no more than ten (10) minutes nor more than once. The Committee Chairperson will provide a one (1) minute warning for the end of a Speakers' time.
21. In addition to speaking, a Public Hearing attendee may also make written submissions up until the conclusion of the Public Hearing, provided the written submission is submitted as an electronic attachment through the UBC Campus and Community Planning website, consistent with section 2, and does not exceed 1500 words.
22. Speakers will begin by stating their name, organization (if applicable) and whether they are currently a member of the UBC community as a faculty member, student, staff member, alumna(e), or campus resident.
23. Speakers must not make comments that are inappropriate, offensive, harassing or threatening and multi-media presentations are not permitted unless they are from or on behalf of the Board, the Committee or UBC staff.

General Procedures and Role of the Committee

24. The Public Hearing may be recessed every two (2) hours or at the discretion of the Committee Chairperson.
25. Committee members will not make submissions or debate the merits of the Proposed Land Use Plan Amendment. At the discretion of the Committee Chairperson, Committee members may only ask a Speaker clarification questions. Speakers may take up to two (2) minutes to respond to questions from Committee members.
26. The Committee Chairperson may invite UBC staff to correct blatant errors and to provide clarifications at any time during the Public Hearing.
27. At the discretion of the Committee Chairperson, if a Speaker is speaking to a topic unrelated to the Proposed Land Use Plan Amendment under consideration, the Speaker may be asked to limit any subsequent remarks to the matter under consideration.
28. If a person is disrupting the Public Hearing, the Committee Chairperson may order the person to depart or be removed from the Public Hearing or the Committee Chairperson may recess the Public Hearing until the matter is resolved.

Public Hearing Reporting and Consideration

29. The Committee Clerk will prepare the Public Hearing Record and it will be presented to the Board at the next practical opportunity. The Committee may submit a report to the Board regarding the conduct and procedure of the Public Hearing, but will not provide any new substantive remarks or include new information in relation to the Proposed Land Use Plan Amendment.
30. After the Public Hearing and following receipt of the Public Hearing Record, without further notice or hearing, the Board, in accordance with the *MEVA* and Ministerial Order M229, may:
- a) endorse the Proposed Land Use Plan Amendment and recommend that the Minister adopt it; or
 - b) amend the Proposed Land Use Plan Amendment provided that any amendment does not:
 - i. alter the use of any area;
 - ii. increase the density of a neighbourhood; or
 - iii. decrease the density of a neighbourhood, from that specified in the Proposed Land Use Plan Amendment; or
 - c) decline to endorse the Proposed Land Use Plan Amendment.