

Proposal to Amend the UNB Act for Leasing of Development Lands



April 14, 2017
Presentation to AUNBT Task Force



Meeting Agenda

1 Purpose of Meeting

- Review the case to amend the Act to raise lease limits for land development
- Build trust in decision-making process

2 Proposed Decision-Making Process for Heritage Development Lands

3 Next steps

Existing UNB Act – Leasing of Land

Oversight by Minister of Post-Secondary Education and Cabinet

- **No approval required for lease terms ≤ 21 years**

Section 13 (c)

“The University may, subject to the terms of any trust upon which it may be held, ... lease such parts or portions of any of its real property for such terms or terms not exceeding twenty-one years, and for and upon such consideration or rents, and with such covenant of covenants, as it may deem advisable.”

- **Approval by the Lieutenant-Governor in Council for terms of 22 to 99 years**

Section 14 (c)

“...lease such parts or portions of any of its real property for such terms or terms exceeding twenty-one years and not exceeding ninety-nine years...”



Context

- Prior to release of Land Management Strategy in 2003, decisions on land development were seen as “ad hoc” (core and non-core lands)
- LMS outlined how decisions would be made responsibly, aligned with UNB’s mission
- Expectation for, and acceptance, of land planning and development at a high standard



Opportunity

Drivers for Change:

- Push back experienced for subsequent land planning and development
 - UNB Woodlot: faculty, students, NGOs, public
 - Desire by stakeholders to be informed and engaged

Opportunity:

- Provide transparency in process and engagement to build trust, decrease uncertainty, set standards
- Facilitate development and business agreements



The Case to Amend the UNB Act

The “ask”: UNB desires to amend Sections 13(c) and 14(c) of the UNB Act to raise the lease term to ≤ 61 years (up from ≤ 21 years) without having to go the Lieutenant Governor in Council for approval

The “give”: UNB to build trust in the decision-making for Heritage Development Lands by defining the process and registering long-range development plans (LRDPs) which would apply to all planning and development

This amendment will bring benefits:

- ✓ to UNB
- ✓ to Province
- ✓ to Stakeholders



Benefits of Amending the UNB Act

Benefits to UNB:

- Defines the process for developing LRDPs and making decisions on business cases
 - ✓ Gain value of input from and engagement with stakeholders
 - ✓ Build trust: transparency and demonstrated process, reduces uncertainty and risk of surprises
 - ✓ Long term stability and certainty for funding and asset management
- Lease limits are more attractive to businesses (typically seek at least 60+ year lease term)
 - ✓ Facilitates successful negotiation of leases
- Raise the revenue stream from leased land
 - ✓ Currently \$750,000 annually for Gorbett Centre



Benefits of Amending the UNB Act

Benefits to the Province:

- Keeps Province informed of long range plans and updates
 - ✓ Opportunity for provincial input and review (due diligence)
 - ✓ Opportunity for alignment with provincial and municipal plans
- Provides definition and transparency on how decisions are made and communicated
- Documents how internal and external stakeholders are engaged and provides a communication plan
- Builds trust with public and elected officials



Benefits of Amending the UNB Act

Benefits to Stakeholders and Community:

- Defines the process and framework
 - Defines opportunities for engagement and expectations for stakeholder input and communication
 - Confirms that stakeholders will be informed regarding decisions made
- Builds trust for how decisions are made, reduces uncertainty



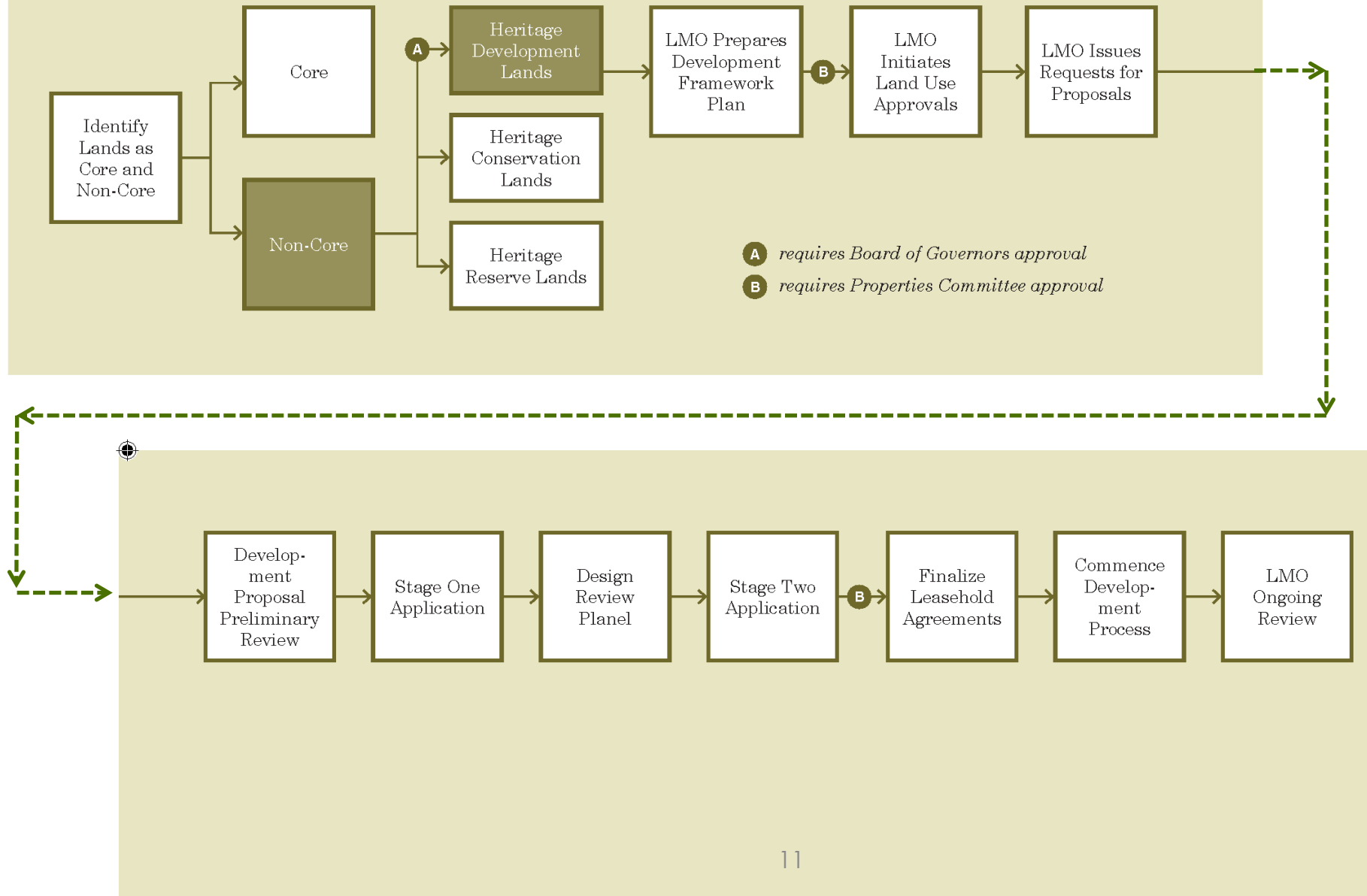
Proposed Decision-Making Process

- **Builds** on UNB's current process and experience
- **Borrows** from University of Alberta
 - development planning process
 - consultation requirements
 - provincial governance
- **Simplifies** the decision making process
- **Defines intent:**
 - engagement of stakeholders and community
 - communication of outcomes
- **Adds** submission of long range development plans to Province for input and review

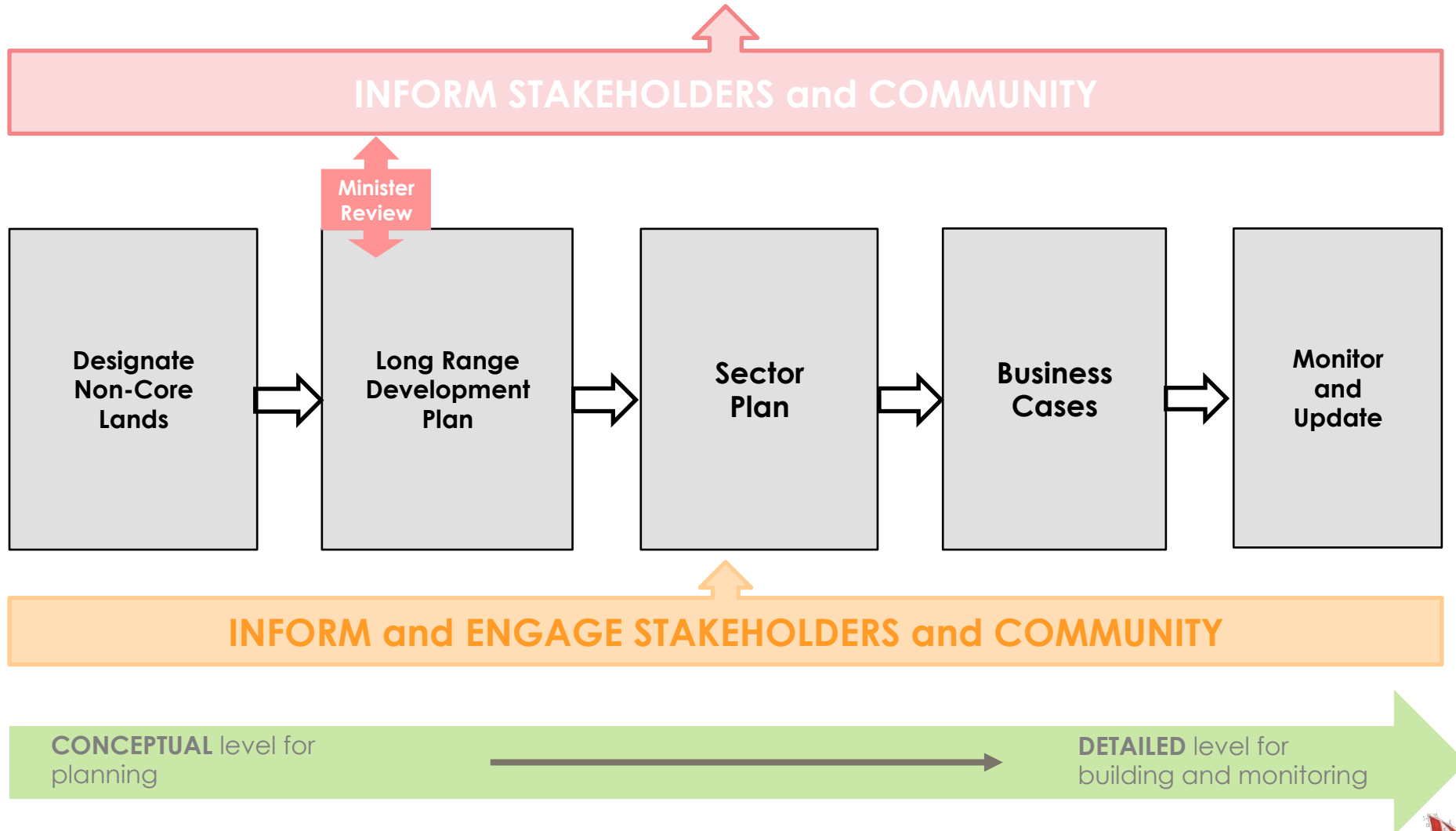


Current Decision-Making Process (LMS 2003)

Chart 2: Heritage Development Lands Development Review Process

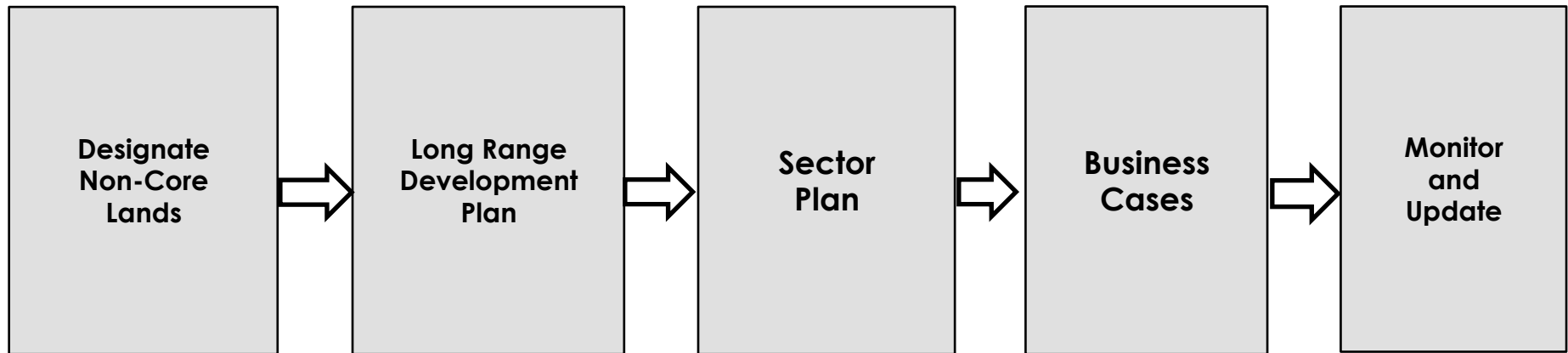


UNB Heritage Development Lands: Proposed Decision-Making Process



UNB Heritage Development Lands: Proposed Decision-Making Process

Simplified Process Explained



- **Development lands:** revenue generation to benefit the University (sale, lease, exchange)
- **Conservation lands:** merit protection for environmental, cultural, or historical importance
- **Reserve lands:** no present purpose but may have future value

Framework to guide development

- Identifies strategic planning principles that integrate with University Academic, Research and Business Plans
- Acceptable land uses
- Zoning for land use
- Examples:
 - Woodlot Plan
 - Saint John Campus Conceptual Plan

Focused Plan

- More detailed than long range plans for land use and support infrastructure (roads, water, sewer, potential layout)
- Examples:
 - Phase 1 Development on UNB Woodlot
 - Saint John Campus R&D Park

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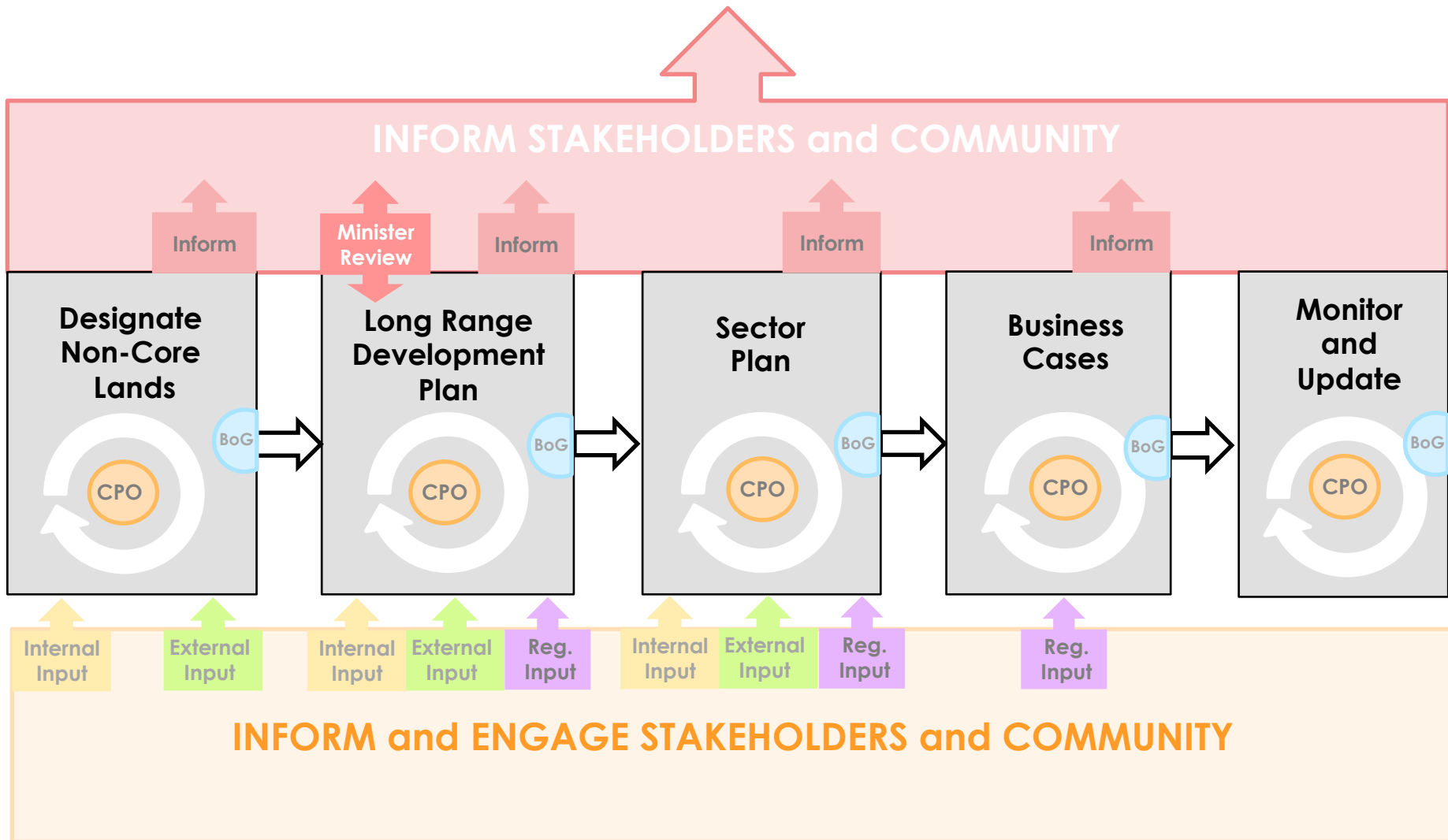
Proposed Developments

- Conceptual design then detailed plans and design drawings
- Financing and land lease agreements
- External approvals required (e.g., municipal)
- Example:
 - Corbett Centre

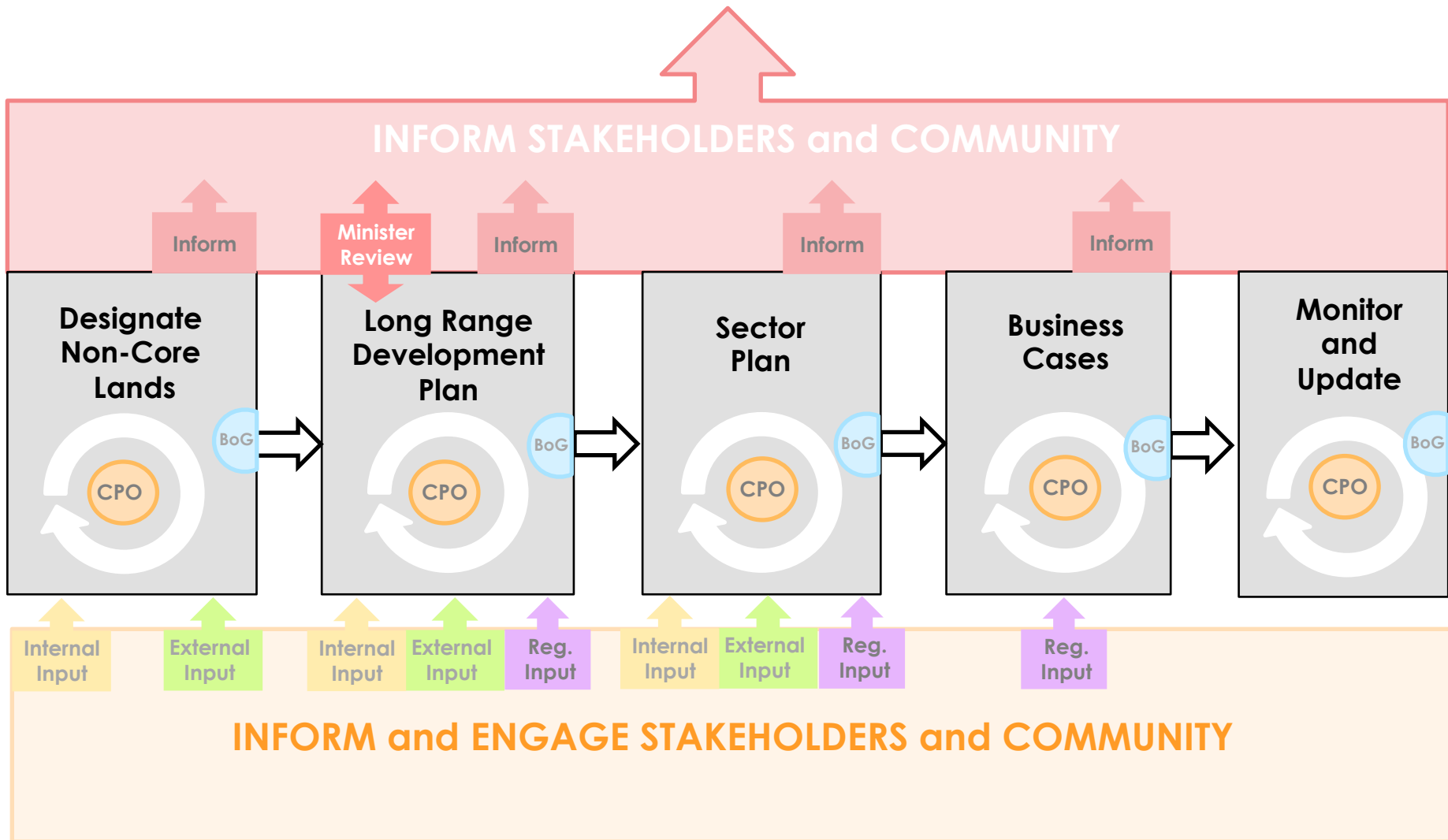
Periodic review of developed lands

- as operating, with respect to design, management, return on investment, alignment with UNB's mission
- Adjustments made as warranted

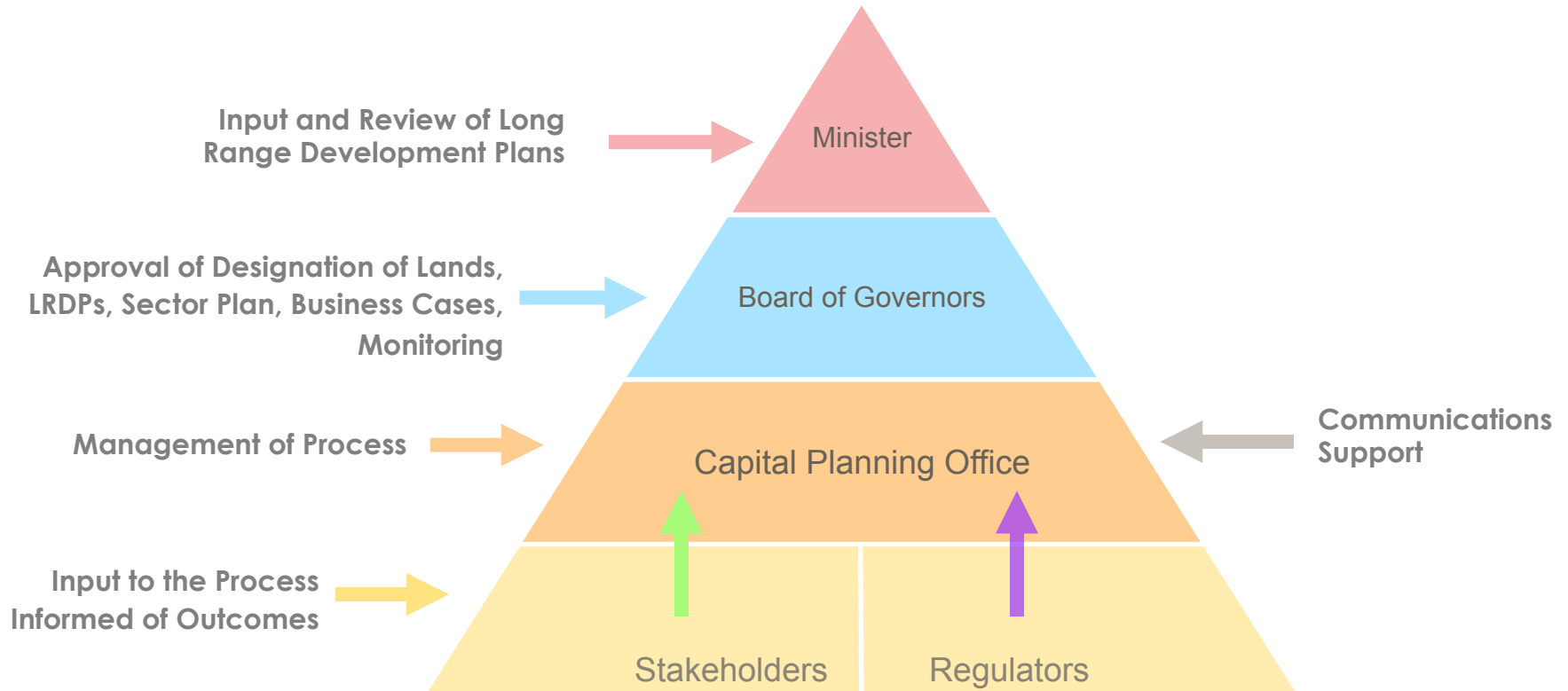
UNB Heritage Development Lands: Proposed Decision-Making Process



UNB Heritage Development Lands: Proposed Decision-Making Process



Roles of Decision Makers, Managers, Support, Key Participants



Engagement and Communication

- Supported by the Communications Team
- At minimum at milestone steps and encouraged throughout the process
 - Initial land designation
 - LRDP and amendments
 - Initial idea / concept stage
 - Initial design stage
 - If substantial change
 - Sector planning and amendments
- Comments and feedback are reported
- Set expectations for input; gain consent to move forward; note that consensus is not required



Engagement Representation

Internal Community:

- Faculty
- Students
- Staff

External Community:

- Indigenous peoples
- Nearby landowners / occupants
- Organizations (e.g., Chamber of Commerce, Conservation Council)
- Potentially affected groups (Maritime College of Forest Tech.)

Regulators (valued input / approval / permit):

- Municipality
- Province
- Federal government



Draft UNB Act Amendment Text

13. The University may, subject to the terms of any trust upon which it may be held,

(c) lease such parts or portions of any of its real property for such term or terms not exceeding ~~twenty-one~~ sixty-one years, and for and upon such consideration or rents, and with such covenant or covenants, as it may deem advisable.

14. The University may, subject to the approval of the Lieutenant-Governor in Council and to the terms of any trust upon which it may be held,

(c) lease such parts or portions of any of its real property for a term exceeding ~~twenty-one~~ sixty-one years and not exceeding ninety-nine years, and with such covenant or covenants, as it may deem advisable.

Propose to add a new part “(d)” to each section:

Notwithstanding 13(c) ~ or 14(c) ~ the University must provide to the Minister for review and confirmation a long range land development plan.



Draft UNB Act Amendment Text

- Long range development plan requirements:
 - UNB's role for content, process, amendment, consultation
 - Minister's role for review and confirmation
 - How will requirements be set?
 - new regulations
 - another binding mechanism for the University and the Minister
- Alberta's Land Use Regulation includes detailed requirements for:
 - Preparation of (and content for) long-range plans
 - Protocol for notification
 - Process for comments and suggestions: seeking, reporting, responding to, and communicating
 - Ministerial review process
 - Access to plans for host municipality and public
 - Amendment of plans
 - Monitoring of development regarding adherence to plans
 - Addressing notification concerns



Draft UNB Act Amendment Text

UNB Leasing of Real Property

Period (years)	Current Roles			Proposed Roles			
	BoG	Community & Minister	LGiC	BoG	Community	Minister	LGiC
≤ 21	Approves	--- ¹	---	Approves	Provides input during development of the Long Range Plan and the Sector Plan Steps	Reviews and confirms contents of a Long Range Plan	---
22 to 61	Approves	---	Approves	Approves			---
62 to 99	Approves	---	Approves	Approves			Approves
> 99	Not an option	Not an option	Not an option	Not an option	Not an option	Not an option	Not an option

¹ No role

BoG - Board or Governors

LGiC – Lieutenant-Governor in Council



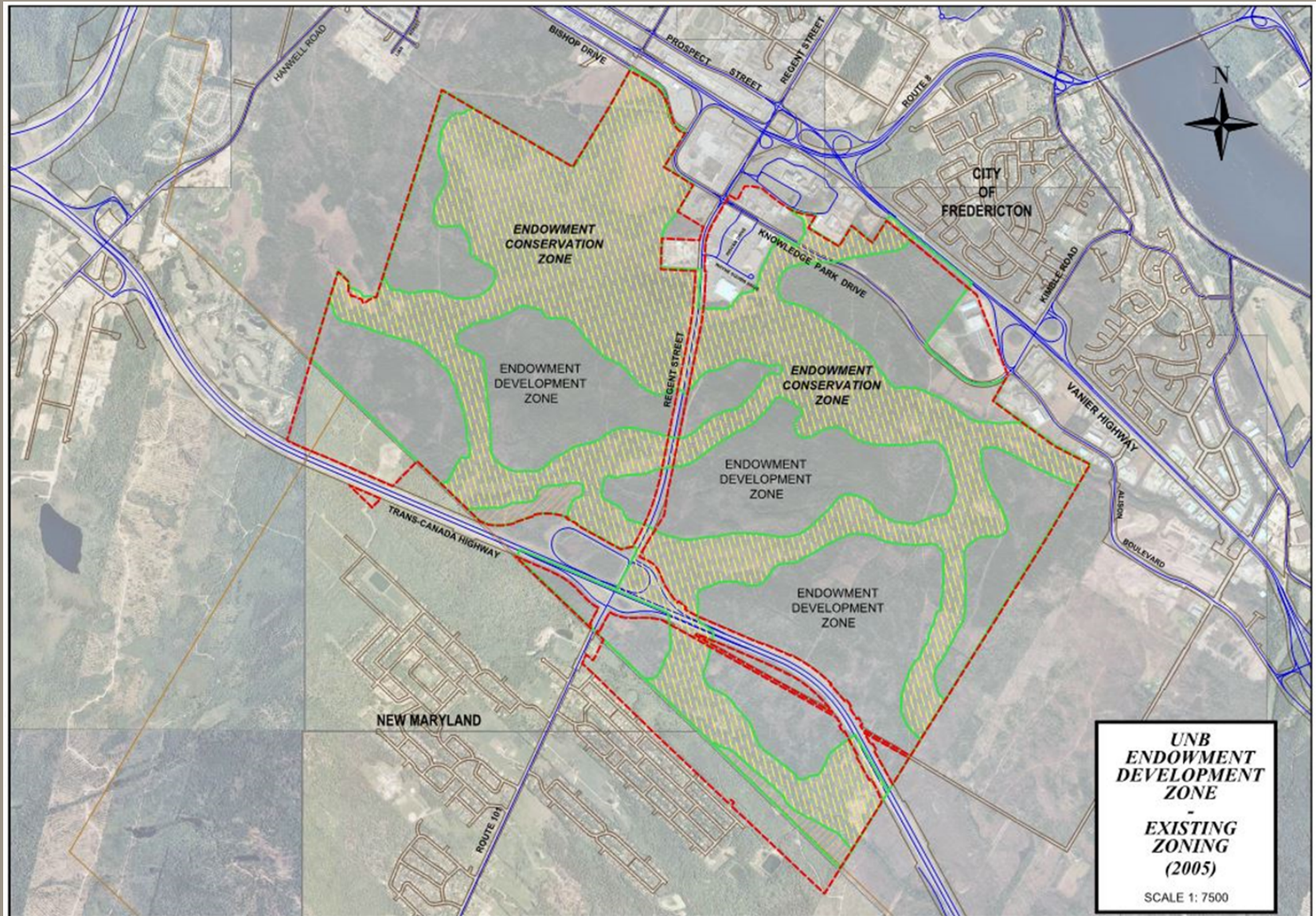
Next Steps - Discussion

- Confirm draft amendment text proposed for UNB Act
- Present proposal to AUNBT Task Force for input and comment (April 14) and potentially to the Executive Committee (April 20)
- Present proposal to the two senates (mid-May)
- Present proposal to Properties Committee and Board of Governors

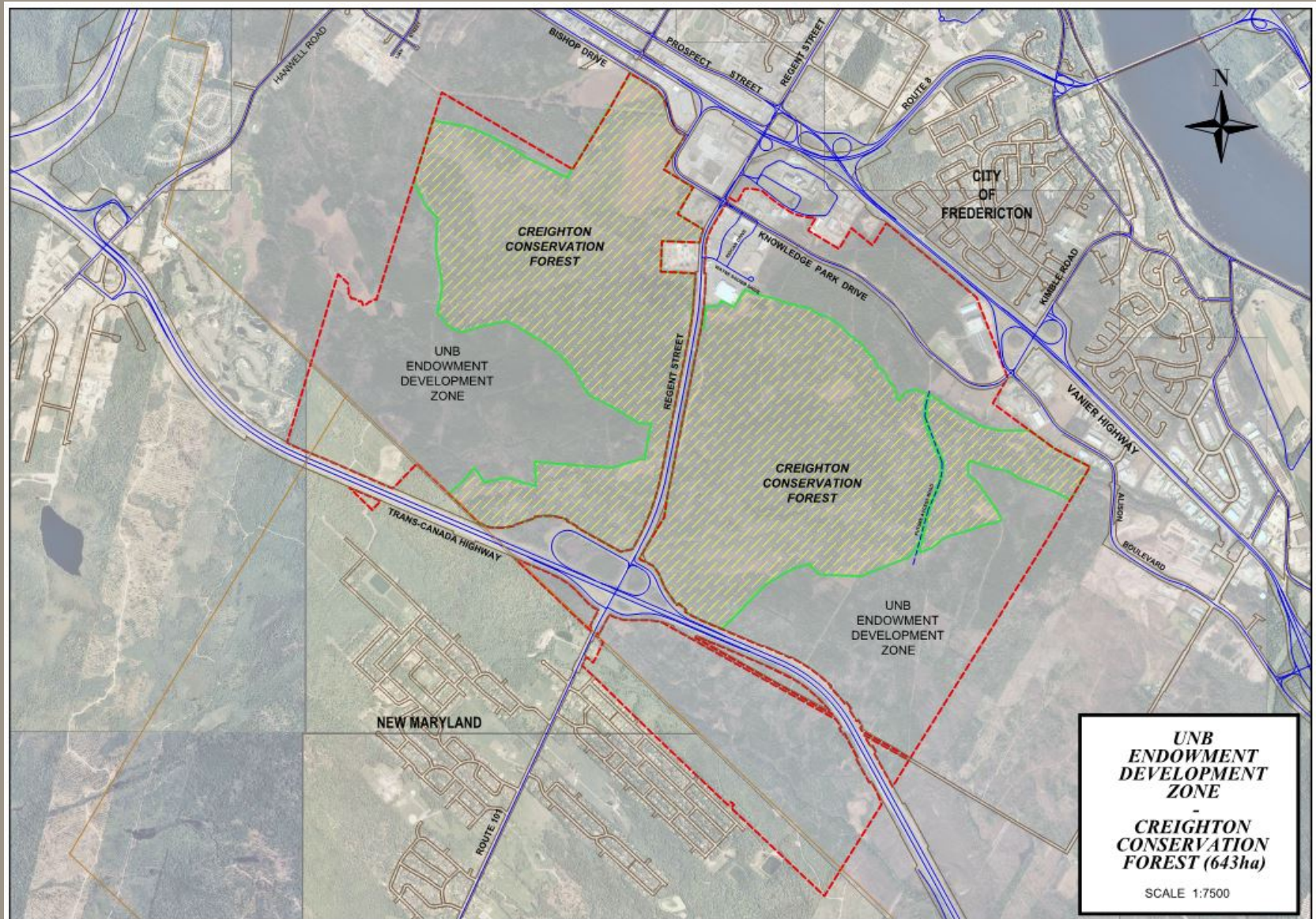
Examples for UNB Follow

- Long Range Development Plans
- Sector Plans

Long Range Development Plan – UNB Woodlot 2005

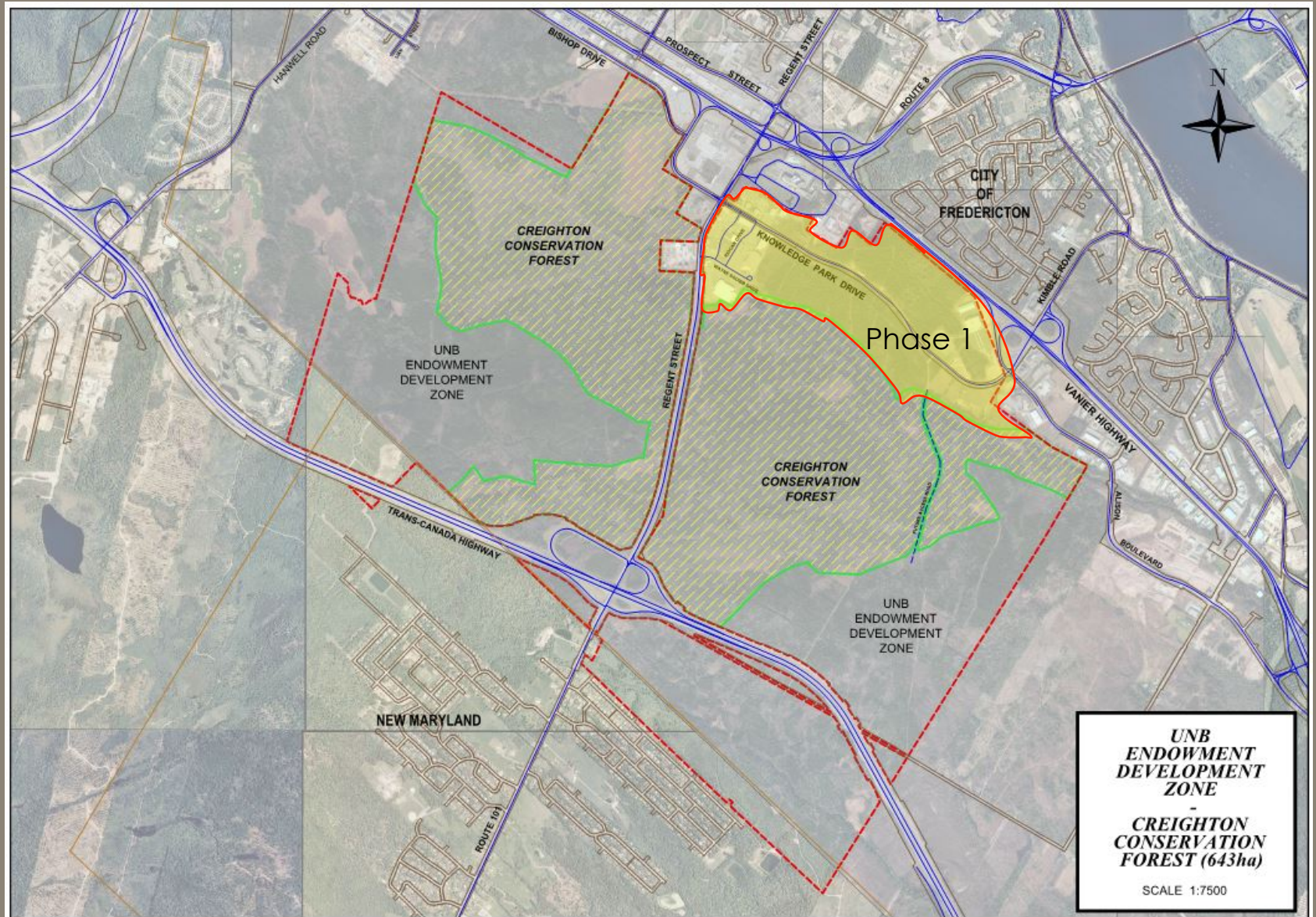


Long Range Development Plan – internal update 2012



Sector Plan

- Phase 1 on UNB Woodlot

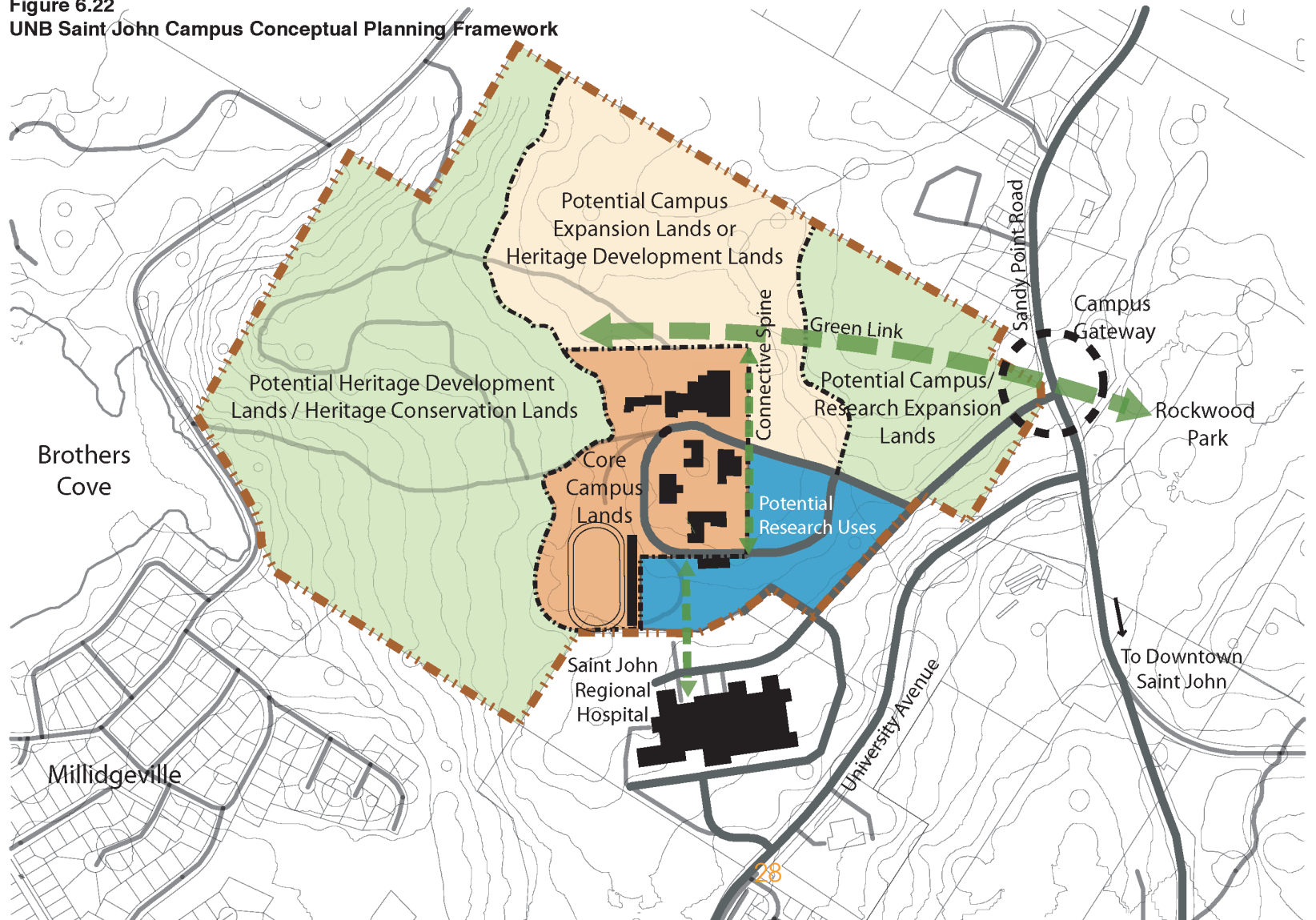


Sector Plan - Phase 1 Example



Long-Range Development Plan – Saint John Campus Example

Figure 6.22
UNB Saint John Campus Conceptual Planning Framework



Sector Plan Saint John Campus – R & D Park Concept

