

School of Community and Regional Planning (SCARP)
University of British Columbia
COURSE OUTLINE

Course Number	PLAN 5480
Course Credit(s)	1.0
Course Title	Current Issues in Planning – Practical Legal Basics for Professional Planners
Term	2018-2019 Winter Term 1
Dates	October 10th to November 28th, 2018
Day/Time	Wednesday 1:30 p.m. to 3:00 p.m.

Instructor	Patricia Kendall
Office	Adjunct Professor office during office hours
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Email	kendal11@mail.ubc.ca
Office Hours	Before and after class each week, other times by appointment

Short Course Description

This is a practical “how to” course - it does not address the substance of policies or decisions, but it does teach you how to lawfully implement and execute those policies and decisions.

This course is highly recommended for first-year students as an introduction to required spring-term Course PLAN 524 – Legal Concepts for Professional Planning. However, this course can also be taken by second-year students.

Course Format

This course consists of eight weekly classes, each 1.5 hours in length. The format of the course is lecture-style, with Power Point slides. The class is informal and lively, and questions and discussion are welcomed throughout.

There is no required reading or required class preparation.

There will be an assignment due before the end of the term. The assignment requires each student to attend a local government meeting and report on the meeting. For further information, see “Evaluation Criteria” below.

Course Overview and Objectives

This course covers legal basics that are essential for the professional planner to understand, whether he or she is working for a local government, for a developer, for a non-profit organization, or in almost any other workplace situation.

Course Content and Schedule

The following is an outline of the topics to be covered and a tentative schedule of when they will be covered:

WEEK ONE

The Very Basics - What is statute law and what is common law

- BC local governments – the difference between municipalities and regional districts
- Organization of local governments and their key players
- Staying within the legal “box” – authority to act, plus correct procedure
- How to exercise powers - bylaws/resolutions, municipal approvals, public involvement and other procedural requirements

WEEKS TWO AND THREE

Land

- Land titles, review of sample land title, how to obtain the land title
- Owning property
- What are legal entities - individuals, corporations, societies
- Corporate searches, dissolution of corporations
- Legal descriptions, survey plans

Major Planning Tools

- Easements, statutory rights of way, covenants, options to purchase, housing agreements, development permits, other municipal permits

WEEK FOUR

Buying and Selling Municipal Land

- Purchase and sale agreements, subject conditions, GST, PTT, environmental issues, financial assistance to a business

WEEK FIVE

Other Ways to Acquire and Dispose of Land

- Leases and licenses

Special Cases

- Highways and parks

Building Basics - Building permits, stop work orders, etc.

WEEK SIX

Amenities

- Options for getting what the local government wants (including expropriation)

Private Money

- Mortgages and other owner financing issues, early marketing to buyers

- Red flags on title
- Row housing common walls and other private arrangements between owners
- Clearing charges from a land title

WEEK SEVEN

- Subdivision
- Basic land subdivision
 - Strata subdivision - bare land strata and building strata developments
 - Phased strata subdivisions
 - Strata conversions
 - Servicing of subdivisions

Subdivision Approval

- The Approving Officer, the public interest

WEEK EIGHT

Sample Development

- Bringing it all together – looking at the steps and timing of a sample development which involves road closure, road dedication, selling land to the developer, rezoning/OCP amendment, development permit issuance, subdivision, section 219 covenants and statutory rights of way

Municipal Money and Other Topics (time permitting)

- Municipal money – property taxes, parcel taxes, fees, local area charges, DCC's, tax sales, reserve funds, the financial plan, long term capital liabilities
- Avoiding liability
- Non-compliance by the owner
- Nuisance and injurious affection

OPTIONAL CLASSES

If there is sufficient interest, the instructor will hold an optional class with an engineering focus – an in-depth review of statutory rights of way, and a step-by-step look at the creation of a municipal water-metering system.

Another optional class the instructor will hold is on “Improving Writing Skills”, which was prepared with the goal of helping students improve their written assignments.

Food is provided for students who choose to attend an optional class.

Learning Outcomes

After completing this course, students will have a good understanding of real property issues that arise in the context of the planning process. Students will be able to review the title to land that is subject to the planning process and understand how that process is affected by existing charges registered on title.

Students will also be able to consider the planning objectives that the local government wishes to achieve, and identify the legal instruments to be registered on the land title to achieve those objectives.

Students will also have an understanding of some basic, but important legal restrictions under which B.C. local governments operate – such as, the adoption of bylaws and resolutions, public hearings, public notices and other procedural requirements, and prohibition of assistance to businesses and other financial limitations.

This class has been designed to help students to understand other SCARP courses (especially required Course PLAN 524 – Legal Concepts for Professional Planning) and to enable students to begin working as professional planners with a solid understanding of practical legal issues.

Additional Course Requirements

As detailed under Evaluation Criteria below, students will be required to attend a municipal public meeting of their choice in order to complete the course assignment.

Attendance

Because there is no required reading or required class preparation, virtually all learning will take place in the classroom and for this reason, it is vitally important that you attend all classes. Class attendance is a requirement of this course. Students who miss a class for reasons beyond their control must review the missed materials on their own and meet briefly with the instructor.

Please see the SCARP and UBC policies on attendance outlined on the SCARP website under Policies / Attendance.

Evaluation Criteria and Grading

This course is graded on a numeric (percentage) basis.

Grading will be completed according to the grading rubric outlined on the SCARP website under Policies / Grades.

There are no exams or mid-terms. 100% of the mark will be based on a final assignment. The final assignment will require you to attend a Council meeting, Committee meeting, Board of Variance meeting, public hearing or other meeting open to the public at the City of Vancouver, Burnaby, Richmond, New Westminister or other BC local government and report on the meeting with reference to information learned during the course.

This assignment will provide a valuable experience to students, many of whom may not have ever before attended a municipal meeting, and the assignment will also help students to integrate the information learned in class in a practical way.

The assignment is due by midnight on Friday December 14th. A deduction of 5% per day will apply to late assignments (unless academic concession is available).

More information on the assignment will be handed out in class.

Required Readings and Videos

There is no required reading for this course. However, the course materials (which will be accessible through the course website) refer to certain statutes and other useful materials – some of these we will review in class, but only briefly. It would be of great benefit to you in the future if you were to review these background materials, either during or after you take this class.

Recommended Readings

A useful textbook is “British Columbia Planning Law and Practice” by Bill Buholzer. A copy is available in the reference section of the Law Library in Allard Hall.

Special Needs

Please see the UBC website for information about Academic Accommodations at UBC, especially UBC’s Policy No. 73 “Academic Accommodation for Students with Disabilities”.

Academic Integrity

The academic enterprise is founded on honesty, civility, and integrity. As members of this enterprise, all students are expected to know, understand, and follow the codes of conduct regarding academic integrity. At the most basic level, this means submitting only original work done by you and acknowledging all sources of information or ideas and attributing them to others as required. This also means you should not cheat, copy, or mislead others about what is your work. Violations of academic integrity (i.e., misconduct) lead to the breakdown of the academic enterprise, and therefore serious consequences arise and harsh sanctions are imposed. For example, incidences of plagiarism or cheating may result in a mark of zero on the assignment or exam and more serious consequences may apply if the matter is referred to the President’s Advisory Committee on Student Discipline. Careful records are kept in order to monitor and prevent recurrences.

A more detailed description of academic integrity, including the University’s policies and procedures, may be found on the UBC website under the Academic Calendar. The SCARP website (under Policies) also contains policies on Academic Integrity.