Community Association Land Use Committee (CALUC)
Terms of Reference

Approved by Council on December 8, 2016.

PURPOSE

This document is intended to set out the terms of reference for Community Association Land Use Committees (CALUCs).

This document is not meant to replace the requirements of the *Local Government Act* or the City's *Land Use Procedures Bylaw*.

DOCUMENT ORGANIZATION

For ease of reference, this document is organized according to the following categories:

1. Council Endorsement
2. Neighbourhood Boundaries
3. The Role of the Community Association Land Use Committee
4. Membership Best Practices for CALUCs
5. Conflict of Interest

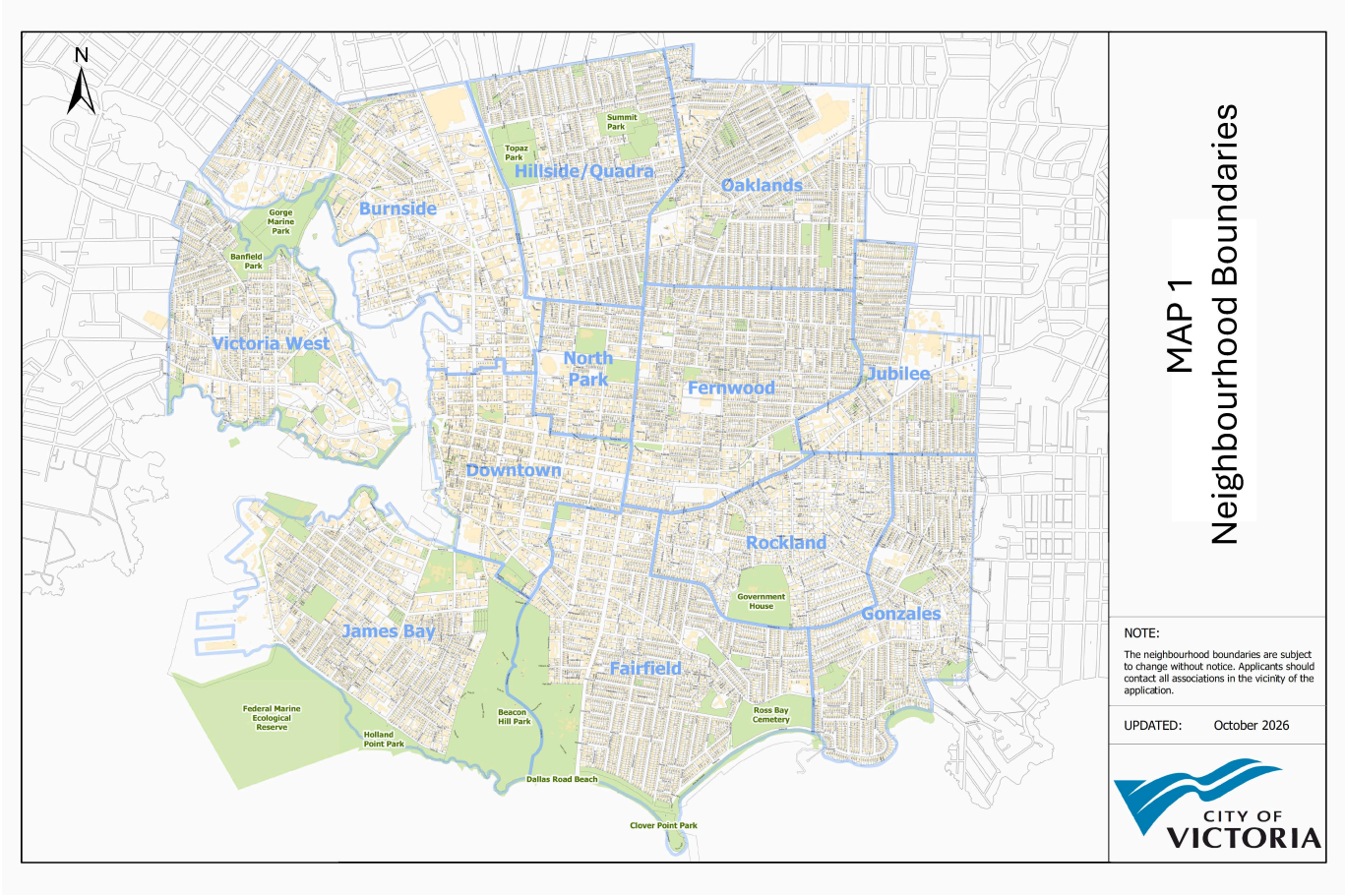
1. Council Endorsement

Community Association Land Use Committees (CALUCs) must be endorsed by Victoria City Council before they can participate in the review process. To date the following have been endorsed:

NEIGHBOURHOOD	Community Association Land Use Committee
Burnside Gorge	Burnside Gorge Land Use Committee
Downtown/Harris Green	Downtown Residents Association
Hillside - Quadra	Hillside-Quadra Neighbourhood Action Committee
Fairfield/Gonzales	Planning & Zoning Committee of Fairfield Gonzales Community Association
Fernwood	Fernwood Community Association
James Bay	James Bay Neighbourhood Association
North Jubilee	North Jubilee Neighbourhood Association
North Park	North Park Neighbourhood Association
Oaklands	Oaklands Community Association Land Use Committee
Rockland	Rockland Neighbourhood Association
South Jubilee	South Jubilee Neighbourhood Association
Victoria West	Victoria West Community Association

2. Neighbourhood Boundaries

CALUC boundaries must correspond with City Neighbourhood Boundaries. Map 1 illustrates the boundaries of these neighbourhoods. Boundaries do not overlap and where an Official Community Plan (OCP) amendment or rezoning application is on a boundary, the City will notify the neighbouring CALUC(s) of any community meetings.



3. The Role of Community Association Land Use Committees:

- Facilitate dialogue between applicants and the community to identify issues (both positive and negative) regarding OCP amendment, rezoning, variance[1] and liquor license applications.
- Be knowledgeable about the Neighbourhood and Precinct Plan(s) and inform and empower neighbours through education to be involved in development application discussions. CALUCs may also wish to comment on the interpretation of the relevancy of policies and whether development applications fit with the spirit and intent of the Neighbourhood Plan.[2]
- Communicate to everyone involved regarding:
  - issues identified with OCP Amendment, rezoning, variance, temporary use permit and liquor license applications
  - the adequacy of the community consultation

4. CALUC Membership Requirements

- Anyone who is interested in their neighbourhood and who is looking beyond their own self-interest is encouraged to join the CALUC. Membership policies regarding how a person joins, length of term, maximum committee size, etc. are set by each CALUC; however, board elections and membership must be established through a fair, well-publicized and open process on at least an annual basis.
- Size: Three members or more.

5. Conflict of Interest

Individual Members

Although the *Community Charter* provision related to "conflict of interest" do not technically apply to CALUCs because they are not elected or decision making bodies, in the following situations, a member of a Community Association Land Use Committee will not participate in an executive or committee[3] role:

- The CALUC member lives, works or owns property within 100 or 200 metres of the land use application, depending on notification distance (If you get a notice in the mail about the meeting, you need to step down for that agenda item.)
- You, a family member or a friend are the proponent of the land use application.
- You, a family member or a friend have a direct or indirect pecuniary interest in the land use application.
- There is an appearance of bias.

As a rule of thumb, if a CALUC member wonders if they are in a position of a "conflict of interest", it is safer to step down for the item in question. In the event a CALUC executive or committee member steps down because of a perceived or actual "conflict of interest" they may still participate in the agenda item as a community member.

CALUCs and Community Associations

Similarly, the *Community Charter* "conflict of interest" provisions do not apply to a CALUC or Community Association as a whole. Nonetheless, it is important for groups to be aware that the perception of and/or real conflicts of interest may at times arise. The following provides guidance to some potential situations:

- CALUCs and Community Associations should avoid negotiating directly with an applicant for amenities which will benefit their organization or community (e.g. community meeting space and facility upgrades.)
- Although many Community Associations and CALUCs receive financial and/or facilities support from the City of Victoria, this does not affect the CALUC or Community Association's ability to host, facilitate and comment on applications and matters referred to them as set out through these terms of reference and the supporting CALUC policies.
- If an applicant pays for meeting space in order to hold a meeting, in association with consultation for the development application, this is not considered a conflict.

In the event that a CALUC member, CALUC as a whole or Community Association finds themselves in a conflict of interest (real or perceived) they should clearly declare and record the conflict.

Footnotes:

[1] Includes: Development Variance Permits, Development Permits with Variances and Heritage Alteration Permits with Variances.

[2] Ultimately it is City Staff's role to provide Council with a full interpretation of applicable City policy as it applies to each application.

[3] An executive or committee role includes positions such as meeting chair, facilitator, note taker, secretary or any position which assists in the running or organizing of the community meeting that may be perceived as being able to influence others or the outcome of the meeting.