



# THE UPLANDS AT PROCTER POINT

## **NES3578 PROPERTY DEVELOPMENT APPROVALS COMMITTEE**

**Terms of Reference**

# NES 3578 Property Development Approvals Committee

## Terms of Reference

### Committee Objectives

- Approve and oversee property development within the NES3578 Strata/Uplands at Proctor Point.
- Review project compliance and make recommendations to Council for a majority vote on variances and extensions requested by Owners, and issues that cannot be resolved at the Committee level.
- Manage the property development framework process (as defined in Appendix A) as a living document i.e., administer and improve it based on ongoing experience and feedback.

### Deliverables

- Strata documentation: keep Property Development Guidelines Adherence Checklist up to date for involved owner and committee. This document will be held on a password protect folder on the Strata Website.
- Recommendations to Council regarding variances and extension requested by owners

### Members

- Committee Size: Minimum of 3 members; maximum of 5.
- Ideally, membership to include two members residing on-site and/or in nearby area. Waterfront Owner Representative also living on-site
- Chair- Appointed by NES3578 Council. Roles needing to be covered: Point of First Contact; Record-Keeper/Communicator, Site Visit Designate/Backup; Liaison with External Consultants.
- Members must recuse themselves regarding approvals related to development of their own property. Recusal may also be necessary when development of an adjoining property has direct impacts on the Committee Member's lot.
- The role is **voluntary**.
- Committee contact email will be listed [on the](#) "The Uplands at Procter Point" website

### Scope / Jurisdiction

In-Scope/Delegated Authority	Out-of-Scope
<ul style="list-style-type: none"><li>• Specific scope is SBS and PDG compliance in New Builds, Major Exterior Renovations and Landscaping as defined in the PDG.</li><li>• Approvals of project designs that meet the criteria as defined.</li><li>• Recommendations to NES3578 Council re:<ul style="list-style-type: none"><li>➤ Approvals of Build/Landscaping Variances and Timeline Extensions requested by Owners;</li><li>➤ Solutions to problems encountered;</li><li>➤ Future improvements; and</li><li>➤ Selection of external consultants – eg: engineering and landscaping architects.</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Unusual or atypical situations that may be precedent-setting.</li><li>• Final decisions regarding variances and extensions</li></ul>

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### Guidance from Council

- Approval of variances and extensions requested by Owners, based on the recommendations of the Approval Committee and considering precedent. NES3578 council to make final decision
- Issues that cannot be resolved at the Committee level.

### Funds/Resources Available to the Committee

- NES3578 will cover the Property Development Approval Committee costs
- In the event Committee Members must travel to perform more than the prescribed number of site visit approvals listed in the Property Development Guidelines, any reasonable expenses, such as, meals, fuel, accommodation, will be covered by the owner developing their property. A courtesy notice will be provided to the Owner, and an invoice will be generated via the Strata's accounts receivable processes.

### Governance

- Decisions will be made by a simple majority vote.
- When ties are a product of committee member numbers NES3578 council will make the final decision
- Approval of variances and timeline extensions are NES3578 council decisions. Appendix B addresses how these requests will be handled.

### Additional Information

#### Related Authority Documents:

- Statutory Building Scheme
- Property Development Guidelines

#### Storage of Information:

- Website – Owners' only section for accessing forms and guidelines
- Uplands at Procter Point Google drive folder – Password protected folder, unique for each project, for sharing the new development documents between the Approvals Committee Members and the Owner(s)

#### Communications:

- All communications should be in writing via email and copied to a Committee inbox.

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- SMS or other messaging apps are not acceptable.
- Schedule of meetings and/or other important timelines/estimated time commitment.
- Reporting to Council – email/presentations at Council meetings.

### Appendix A. Key Reference Documents

- Statutory Building Scheme (SBS)
- Property Development Guidelines (PDG)
- Application for Property Development Form
- Property Development Guidelines Adherence Checklist

### Appendix B. Managing Variance & Extension Requests

- The Property Development Approvals Committee would:
  - Review the plans against the development guidelines and point out areas of non-compliance to the owner.
  - work out a solution that is compliant, as the first course of action, which may involve the services of an external 'expert'. Owner would be asked to use approved external expert to help find a compliant solution.
  - If no solution via the committee, then the owner may choose to request a variance and/or extension.
  - The committee will review and make recommendations to the Council on the variance request - whether to accept or reject with suggestions on what would be acceptable.
- A variance would never be outright rejected without qualifications and suggestions as to what would/might be acceptable.
- As the decisions of a variance may create precedence, NES3578 council will make final decision. The theory is that more eyes mean the larger community point of view will prevail.