



SUBJECT	Proposed New Policy: Management of UBC-Controlled Land, Buildings and Infrastructure Policy (UP13) (“Space Management Policy”)
SUBMITTED TO	Property Committee
MEETING DATE	September 20, 2020
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	For input only - No action requested
LEAD EXECUTIVE	Hubert Lai, Q.C., University Counsel
SUPPORTED BY	John Metras, Interim Vice-President Operations Mark Crosbie, Associate University Counsel Karen Choi, Legal Counsel

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Property Committee.

EXECUTIVE SUMMARY

There is currently no Board policy for the governance and management of space on either the Vancouver campus or the Okanagan campus. In March 2022, the Office of the University Counsel convened a Policy Development Committee to develop a campus-wide space management policy (the “Proposed Policy”) at the request of John Metras, Associate Vice-President Facilities and Interim Vice-President Operations, with the support of Peter Smalles, Vice-President Finance & Operations at the time.

The members of the Policy Development Committee are listed in **Supplemental Materials 1**. The President has designated the Vice-President Finance & Operations as the Responsible Executive for the Proposed Policy and the Policy Development Committee recommends that it be assigned to the Property Committee as the Responsible Board Committee.

The purposes of the Proposed Policy are to:

- enable UBC to plan, allocate, and manage space as a valuable, shared and limited resource through transparent processes consistent with best practices in the management of higher-education facilities;
- establish the long-term and strategic principles for the allocation, maintenance and management of UBC Space;
- provide clear guidance and direction to UBC constituents when questions arise regarding space governance and decision-making;
- provide clarity on how the acquisition or disposition of UBC Space is managed whether it be through purchase, sale, lease or other means;
- identify the academic and administrative authorities responsible for UBC Space allocation decisions, maintenance and operations of UBC Space; and
- establish mechanisms for the allocation of costs to academic and administrative units that occupy UBC Space.

The proposed policy recognizes that space management is an expansive subject matter and contemplates the issuance of formal Rules by the Responsible Executive to address specific topics which can vary across different types of space or campuses.

Subject to any feedback from the Board's Property Committee, the next step will be to post the proposed policy on the website of the Office of the University Counsel for public comment by the UBC community. The Policy Development Committee will reconvene after the consultation period to consider the comments received. The Policy Development Committee anticipates that a final recommendation will be submitted to the Board of Governors for approval in March 2023.

APPENDICES

1. Proposed Space Management Policy

SUPPLEMENTAL MATERIALS (optional reading for Governors)

1. List of Members of the Policy Development Committee

 The University of British Columbia Board of Governors	Policy No.: UP13
Long Title: Management of UBC Controlled Land, Buildings and Infrastructure	
Short Title: <p style="text-align: center;">Space Management Policy</p>	

Background & Purposes

In accordance with the *University Act*, the UBC Board of Governors has responsibility to manage and control the property of UBC.

The purposes of this Policy are to:

- establish the long-term and strategic principles for the allocation, maintenance and management of UBC Space;
- identify the academic and administrative authorities responsible for UBC Space allocation decisions, maintenance and operations of UBC Space; and
- establish mechanisms for the allocation of costs to academic and administrative units that occupy UBC Space.

Recognizing that many of UBC's spaces are located upon the traditional, ancestral territories of Indigenous nations, UBC has a stated strategic priority to enrich those landscapes with a stronger Indigenous presence. Therefore, UBC will explore, through engagement with Indigenous nations, opportunities to achieve these priorities in the application of this Policy.

1. Scope

- 1.1 This Policy applies to all land, buildings and facilities owned, leased, licensed, or otherwise under the control of UBC ("**UBC Space**") except where it has been leased or licensed such that it is under the control of third parties. UBC Space includes:
 - 1.1.1 permanent and temporary structures, and the building systems and infrastructure required for the functioning of buildings for their intended purposes (such as mechanical and electrical systems); and
 - 1.1.2 campus infrastructure owned or controlled by UBC (such as power lines, district energy systems, power plants, roads and other facilities) required for the operation of UBC's campuses.

- 1.2 Where UBC is not the owner of UBC Space this Policy applies to the extent of UBC's legal control of UBC Space.

2. General Principles

- 2.1 UBC Space is private property and must be allocated optimally for its highest and best use in accordance with UBC's mission, purpose and strategic plan. To achieve this, UBC Space must be:
 - 2.1.1 used for purposes that align with UBC's strategic plan and the academic, teaching, learning, research, or other priorities of the academic or administrative units to which it is allocated;
 - 2.1.2 used productively, efficiently, and appropriately; and
 - 2.1.3 allocated non-permanently with allocations periodically re-assessed to determine its highest and best use.
- 2.2 All UBC Space must be maintained and kept in good repair in accordance with UBC standards including any Rules established by the Responsible Executive.
- 2.3 Academic and administrative units that are allocated space must share financial responsibility for the operational and maintenance costs for their UBC Space in accordance with the Procedures associated with this Policy.
- 2.4 Decisions regarding the allocation, use, maintenance and financial responsibility for UBC Space must:
 - 2.4.1 have clear lines of decision making authority;
 - 2.4.2 use a data informed and rational process of allocation; and
 - 2.4.3 be consultative and collaborative.
- 2.5 Outdoor UBC Space is provided and maintained for use by the UBC community and for approved public use.

3. Authority to Allocate Space

- 3.1 The Board of Governors delegates its authority to manage, administer and control UBC Space through this Policy.
- 3.2 UBC Space is designated as either Academic Space or Administrative Space and must only be allocated, used, renovated, or have its use changed in accordance with the Procedures associated with this Policy.

4. Acquisition or Disposition of UBC Space

- 4.1 The Responsible Executive shall be responsible for all decisions to acquire or dispose of any UBC Space, whether permanently or for a period of time.

- 4.2 Except where governed by another UBC Board of Governors policy, UBC Treasury shall be responsible for:
 - 4.2.1 managing the sale or purchase of UBC Space.
 - 4.2.2 managing the process for acquiring additional UBC Space by way of lease or license.
 - 4.2.3 managing the process for permitting third parties to use UBC Space by way of lease or license.
- 4.3 All academic and administrative units wishing to acquire additional UBC Space, or to allow third parties to use or purchase UBC Space, must notify UBC Treasury and follow the processes established by UBC Treasury. UBC Treasury processes will ensure compliance with the *University Act* as well as Board of Governors policies and signing resolutions

5. Modifications of UBC Space

- 5.1 Prior approvals in accordance with the Procedures associated with this Policy are required for all:
 - 5.1.1 Renovations, as defined in the Procedures associated with this Policy, of UBC Space;
 - 5.1.2 Change of Use of UBC Space; and
 - 5.1.3 Use, modification or changes in use to Outdoor Space.
- 5.2 Approval processes for modifications described in Section 5.1 should take into account health and safety considerations and inform the design, construction and maintenance requirements.

6. Rules

- 6.1 The Responsible Executive may issue and maintain rules (“**Rules**”) regarding the subject matter of the Policy and its associated Procedures, provided that such Rules must not be inconsistent with the Policy or its associated Procedures. The Rules may be contained in one or more documents. Prior to creating or substantively revising the Rules, the Responsible Executive will establish an advisory committee which will consist of representatives from the Office of the University Counsel and of persons from the applicable campus who are representative of the academic and administrative units responsible for the subject matter of the Rules and the primary UBC constituencies that would be impacted by the Rules. Any proposed new Rules or substantive amendments to existing Rules must be published publicly for a period of at least two weeks on a UBC website designated by the Responsible Executive with a request for feedback to the advisory committee. The advisory committee, upon receipt and consideration of such feedback, will provide advice to the Responsible Executive on the form and content of the new Rule or amended Rule.
- 6.2 Without limiting the foregoing, the Rules may:
 - 6.2.1 establish a process for approval of third party use of UBC Space, together with any required terms to be included in all leases or licenses granted to third parties to use

UBC Space (such as rental rates and revenue sharing arrangements);

- 6.2.2 establish standards for maintenance of UBC Space;
 - 6.2.3 establish cleaning standards for UBC Space;
 - 6.2.4 establish Occupation and Maintenance Costs, as defined in the Procedures associated with this Policy, for use of UBC Space; and
 - 6.2.5 establish an approval process for installations of works of art in any indoor or outdoor UBC Space.
- 6.3 Rules may vary for different types of UBC Space.
 - 6.4 Different Rules may apply to different campuses.
 - 6.5 The Responsible Executive will report the creation or repeal of any Rules and any material amendments to any Rules at the next scheduled meeting of the Board of Governors or as soon as practicable thereafter.
 - 6.6 Exceptions or variations to the Rules may be made in certain circumstances if the exception or variation is approved in writing by the Responsible Executive.



PROCEDURES ASSOCIATED WITH THE SPACE MANAGEMENT POLICY

Pursuant to the Space Management Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable. Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Space Management Policy.

1. Definitions

- 1.2 **“Administrative Space”** means all UBC Space other than Academic Space including, without limitation:
- 1.2.1 administrative offices;
 - 1.2.2 space used by ancillary units such as Student Housing and Hospitality Services and Athletics and Recreation; and
 - 1.2.3 Outdoor Space.
- 1.3 **“Base Building Infrastructure”** is defined in Procedures section 7.1.
- 1.4 **“Change of Use”** means changes in the functional use of space, whether requiring renovations or not. Examples include but are not limited to:
- 1.4.1 changing classroom space to administrative offices;
 - 1.4.2 changing laboratory space to classroom space; and
 - 1.4.3 changing meeting rooms to administrative offices.
- 1.5 **“Faculty Use Envelope”** is defined in Procedures section 6.1.
- 1.6 **“Faculty Use Space”** means UBC Space allocated to a faculty by the Academic Authority, which may include:
- 1.6.1 offices used by scholars including faculty members, students and post-doctoral fellows;
 - 1.6.2 offices used by faculty administration;
 - 1.6.3 student space;
 - 1.6.4 research laboratories;

- 1.6.5 theatres, studios and rehearsal spaces;
- 1.6.6 library, gallery, and museum spaces;
- 1.6.7 classrooms and other teaching spaces not managed by UBC Enrolment Services;
- 1.6.8 other spaces designated by a faculty for use by students, postdoctoral fellows and research associates; and
- 1.6.9 exterior space allocated on a full time basis to a faculty member for academic, research or related purposes, such as farms, research gardens, and research forests.
- 1.7 **“General Use Academic Space”** means space primarily used for classroom, teaching, or research that has not been allocated to a Faculty (as Faculty Use Space) and does not constitute Administrative Space, and includes classroom and other teaching and learning spaces managed by UBC Enrolment Services.
- 1.8 **“Occupation and Maintenance Costs”** is defined in Procedures section 8.1.
- 1.9 **“Off Campus Facilities”** means UBC Space located outside the boundaries of the Vancouver Campus or the Okanagan Campus.
- 1.10 **“Outdoor Space”** means any UBC Space located outside of buildings that is not designated as Faculty Use Space or allocated for the use of an administrative unit.
- 1.11 **“Renovation”** means any physical change to an existing building or areas within buildings, including Base Building Infrastructure, space configuration, finishes, infrastructure, and technology upgrades.
- 1.12 **“Space Inventory”** is defined in Procedures section 2.1.
- 1.13 **“UBC Space”** is defined in section 1.1 of the Policy.

2. Designation of UBC Space

- 2.1 The Responsible Executive shall maintain an inventory of Academic Space and Administrative Space for each of the Vancouver Campus and the Okanagan Campus (the **“Space Inventory”**).
- 2.2 All existing and newly acquired or constructed UBC Space must be designated as either Academic Space or Administrative Space by the Responsible Executive and added to the Space Inventory.
- 2.3 The Responsible Executive is responsible for maintaining the Space Inventory.
- 2.4 The Responsible Executive will determine which Off Campus Space is allocated to the Okanagan Campus and the Vancouver Campus for the purposes of this Policy and Procedures;

3. Delegation of Authority to Allocate UBC Space

- 3.1 For the purpose of space management pursuant to the Policy, the Responsible Executive delegates as follows:
- 3.1.1 for allocation of Administrative Space:
- (a) at UBC Vancouver, the Associate Vice-President, Facilities; and
 - (b) at UBC Okanagan, the Associate Vice-President Finance and Operations
- (each, an “**Administrative Authority**”);
- 3.1.2 for allocation of Academic Space:
- (a) at UBC Vancouver, the Provost and Vice-President, Academic; and
 - (b) at UBC Okanagan, the Provost and Vice-President, Academic
- (each, an “**Academic Authority**”).
- 3.1.3 each delegate may sub-delegate all or some of the duties under this Policy and associate Procedures but remains responsible for oversight of the sub-delegated duties.

4. Space Management at UBC’s Vancouver Campus:

4.1 Allocation of Administrative Space:

- 4.1.1 The allocation and use of Administrative Space is determined by the Administrative Authority, in consultation with the other Vice Presidents and with UBC Facilities (Infrastructure Development).
- 4.1.2 For the purpose of this Policy, Off-Campus Facilities under the jurisdiction of the Vancouver Administrative Authority will be considered part of the Vancouver Campus.
- 4.1.3 Sub-delegation of Administrative Space to administrative units will normally follow management lines of authority.

4.2 Allocation of Academic Space:

- 4.2.1 The allocation and use of Academic Space is determined by the Academic Authority, in consultation with UBC Facilities (Infrastructure Development).

4.3 Acquisition or Disposition of UBC Space:

- 4.3.1 UBC Treasury will consult with UBC Facilities (Infrastructure Development), and comply with any Rules, prior to acquiring additional UBC Space or giving third parties use of existing UBC Space (whether through purchase, sale, license, or lease).

4.4 Cleaning and Custodial Services:

4.4.1 All cleaning and custodial services for UBC Space must be carried out or overseen by UBC Facilities or Student Housing and Community Services (for UBC operated housing), and in Off-Campus Facilities, in accordance with directions provided by UBC Treasury taking into the consideration any legal requirements governing the use of such facilities.

4.5 Maintenance and Repairs:

4.5.1 The appropriate UBC standards for maintenance and repairs of UBC Space may differ for different types and use of UBC Space and will be determined by the Responsible Executive and may be outlined in Rules.

4.5.2 All maintenance and repair work on UBC Space must be carried out or overseen by UBC Facilities, or Student Housing and Community Services (for UBC operated housing) and in Off-Campus Facilities, in accordance with directions provided by UBC Treasury taking into the consideration any legal requirements governing the use of such facilities.

4.6 Renovation or Changes to UBC Space:

4.6.1 No academic or administrative unit may undertake or authorize a Renovation or Change of Use of UBC Space without the prior approval of UBC Facilities (Infrastructure Development).

4.6.2 No changes to Outdoor Space, including modifications to gardens, trees, lawns, trails, pathways or hard surface areas may be made without the prior approval of Campus and Community Planning.

4.7 Installation of Works of Art

4.7.1 No person may install works of art, or give permission to anyone to install works of art in any publicly accessible UBC Space (for example: building lobbies, atria, public corridors, publicly accessible outdoor areas), without the prior permission of the University Art Committee (for indoor art) or the Outdoor Art Sub-Committee (for outdoor art).

4.7.2 All works of art (whether in a public space or not) must be installed professionally by UBC staff or UBC contractors in compliance with all building codes and regulations governing seismic, fire, and life safety.

4.7.3 The permissions required in this section do not apply to UBC operated museums or galleries that display works of art as part of their programming, or to the display of student works of art, with the approval of their academic unit, as part of a UBC program of study.

5. Space Management at UBC's Okanagan Campus:

5.1 Allocation of Administrative Space:

- 5.1.1 The allocation and use of Administrative Space is determined by the Administrative Authority.
- 5.1.2 For the purpose of this Policy, Off Campus Facilities under the jurisdiction of the Okanagan Administrative Authority will be considered part of the Okanagan Campus.
- 5.1.3 Sub-delegation of Administrative Space to administrative units will normally follow management lines of authority.

5.2 Allocation of Academic Space:

- 5.2.1 The allocation and use of Academic Space is determined by the Academic Authority.

5.3 Acquisition or Disposition of Space:

- 5.3.1 UBC Treasury will consult with the Academic Authority or Administrative Authority (as appropriate), and comply with any applicable Rules, prior to acquiring additional UBC Space or giving third parties use of existing UBC Space (whether through purchase, sale, license, or lease).

5.4 Cleaning and Custodial Services:

- 5.4.1 All cleaning and custodial services for UBC Space must be carried out or overseen by Campus Operations, , or Student Housing and Community Services (for UBC operated housing), and in Off-Campus Facilities, in accordance with directions provided by UBC Treasury taking into the consideration any legal requirements governing the use of such facilities.

5.5 Maintenance and Repairs:

- 5.5.1 The appropriate UBC standards for maintenance and repairs of UBC Space may differ for different types and use of UBC Space and will be determined by the Responsible Executive and may be outlined in Rules.
- 5.5.2 All maintenance and repair work on UBC Space must be carried out or overseen by Campus Operations or Infrastructure Development, or Student Housing and Community Services (for UBC operated housing), and in Off-Campus Facilities, in accordance with directions provided by UBC Treasury taking into the consideration any legal requirements governing the use of such facilities.

5.6 Renovation or Changes to UBC Space:

- 5.6.1 No academic or administrative unit may undertake or authorize a Renovation of UBC Space without the prior approval of the Academic Authority or Administrative Authority as applicable.
- 5.6.2 No changes to Outdoor Space, including modifications to gardens, trees, lawns, trails, pathways or hard surface areas may be made without the prior approval of the Administrative Authority.

5.7 Installation of Works of Art

- 5.7.1 No person may install works of art, or give permission to anyone to install works of art in any publicly accessible UBC Space (for example: building lobbies, atria, public corridors, publicly accessible outdoor areas), without the prior permission of the Administrative Authority.
- 5.7.2 All works of art (whether in a public space or not) must be installed professionally by UBC staff or UBC contractors in compliance with all building codes and regulations governing seismic, fire, and life safety.
- 5.7.3 The permissions required in this section do not apply to UBC operated museums or galleries that display works of art as part of their programming, or to the display of student works of art, with the approval of their academic unit, as part of a UBC program of study.

6. Responsibility of Deans in Allocation of Academic Space at both UBC Vancouver Campus and UBC Okanagan Campus

Faculty Use Space

- 6.1 The Dean of each faculty is allocated specific space by the Academic Authority for use by that faculty (the “**Faculty Use Envelope**”).
- 6.2 The Dean will be allocated space within the Faculty Use Envelope for the use of its faculty and staff in accordance with this Policy. The Dean may:
 - 6.2.1 create a faculty policy regarding space allocation within the faculty;
 - 6.2.2 create a committee to advise on space allocation within the faculty; and
 - 6.2.3 delegate authority to allocate Space to an individual or a committee.
- 6.3 The Dean may not authorize a Change of Use in the Faculty Use Envelope or Renovations to any portion of the Faculty Use Envelope without the prior approval of the Academic Authority.
- 6.4 An Academic Authority may periodically re-allocate Faculty Use Space in accordance with the principles set out in Section 2 of the Policy.

7. Building Systems and Equipment at both UBC Vancouver Campus and UBC Okanagan Campus

- 7.1 Responsibility for the operations and maintenance of base building infrastructure and the equipment required to make a building functional and safe for general occupancy is assigned to UBC Facilities on the UBC Vancouver Campus and Facilities Management on the UBC Okanagan Campus. These systems include the building structure, envelope, interior architectural components and finishes, heating, ventilating and air conditioning (HVAC) systems, utility services, elevators, plumbing, fire and life safety systems, electrical distribution, lighting, technology, waste management and custodial services equipment, and public realm and related

infrastructure as well as exterior infrastructure such as electrical substations and shared heating systems (“**Base Building Infrastructure**”).

- 7.2 Equipment obtained for the benefit of an administrative or academic unit in Administrative Space or Faculty Use Space and directly related to their activities, is the responsibility of that unit including purchasing, installing, licensing, permitting, operating, maintaining, and replacing in accordance with UBC policies. This includes ancillary electrical, mechanical and architectural systems that are installed specifically to support the unit’s activity or function. Examples include air conditioning units for research equipment and computers, specialized water filtration systems, uninterruptable power supplies, and air compressors serving research spaces.
- 7.3 No equipment may be installed by an administrative or academic units that will materially impact Base Building Infrastructure without the prior approval of UBC Facilities (Infrastructure Development) for the Vancouver Campus and Infrastructure Development for the Okanagan Campus.

8. Costs Associated Occupying and Maintaining Space at both UBC Vancouver Campus and UBC Okanagan Campus

- 8.1 The Responsible Executive may allocate costs and charge specific fees to administrative and academic units through its budgeting process for the use, maintenance and repair of Space including, without limitation:
 - 8.1.1 rental costs;
 - 8.1.2 utilities;
 - 8.1.3 IT costs;
 - 8.1.4 security costs;
 - 8.1.5 cleaning and custodial costs;
 - 8.1.6 maintenance and repairs; and
 - 8.1.7 general levies akin to property taxes.

(“Occupation and Maintenance Costs”)

- 8.2 The type and manner of allocating and charging Occupational and Maintenance Costs may vary between campuses and may also differentiate between different types of Space including:
 - 8.2.1 new buildings versus existing buildings;
 - 8.2.2 types of space (for example laboratories versus office space);
 - 8.2.3 actual costs of utilities; and
 - 8.2.4 standards for office space and shared space.

Space Management Policy (UP13) Development Committee
List of Members

1. Mark Crosbie, *Associate University Counsel* (Chair)
2. Karen Choi, *Legal Counsel* (Secretary)
3. Phil Barker, *Professor of Biology and Vice-Principal, Research and Innovation*
4. Rob Einarson, *Associate Vice-President, Finance and Operations, UBC Okanagan*
5. Bhushan Gopaluni, *Vice-Provost and Associate Vice-President, Faculty Planning, pro tem*
6. David Granville, *Executive Director, Vancouver Coastal Health Research Institute & Professor and Associate Dean, Research, Faculty of Medicine*
7. J.P. Heale, *Managing Director, University-Industry Liaison Office*
8. Sandy Hilton, *Associate Professor of Teaching, Faculty of Management, UBC Okanagan*
9. Robert Kozak, *Professor and Dean, Faculty of Forestry, UBC Vancouver*
10. Robbie Morrison, *Associate Registrar and Director, Scheduling, Records & Systems Management, Enrolment Services*
11. Jennifer Sanguinetti, *Managing Director, Infrastructure Development* (Responsible Executive)
12. Michael White, *Associate Vice-President, Campus and Community Planning*
13. Brad Wuetherick, *Associate Provost, Academic Programs, Teaching and Learning, UBC Okanagan*