



City of Richmond

Report to Committee

To: General Purposes Committee

Date: July 5, 2021

From: Claudia Jesson
Director, City Clerk's Office

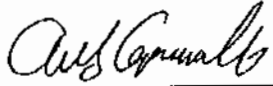

File: 99-LAW/2021-Vol 01

Re: **Amendments to the Council Procedure Bylaw – Participation By Means of Electronic or Other Communication Facilities**

Staff Recommendation

That Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202, which introduces amendments relating to participation by means of electronic or other communication facilities, be introduced and given first, second and third readings.


Claudia Jesson
Director, City Clerk's Office
(604-276-4006)

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
SENIOR STAFF REPORT REVIEW	INITIALS: N/A
APPROVED BY CAO 	

Staff Report

Origin

The Province, by way of Ministerial Order M275, cancelled the Provincial State of Emergency effective at the end of day June 30, 2021. During the State of Emergency, municipalities have had the authority to conduct all meetings electronically pursuant to Ministerial Order M192.

With the cancellation of the State of Emergency, municipalities now have a limited window of 90 days under the *COVID-19 Related Measures Act* to continue to rely on the authority of Ministerial Order M192 for the purposes of conducting all meetings electronically. This expires on September 28, 2021.

This report recommends amendments to the Council Procedure Bylaw No. 7560 that will enable Council members to continue to participate by means of electronic or other communication facilities in regular circumstances when they are unable to attend meetings in person.

This report supports Council's Strategic Plan 2018-2022 Strategy #8 An Engaged and Informed Community:

Ensure that the citizenry of Richmond is well-informed and engaged about City business and decision-making.

Analysis

To enable local governments to hold regular and council committee meetings electronically and to conduct public hearings electronically going forward in non-emergency times, the Ministry of Municipal Affairs, through Bill 10, introduced amendments to the *Local Government Act* and the *Community Charter*. This legislation received Royal Assent on June 17, 2021, but does not come into force until a Regulation is promulgated. Based on discussions with Ministry staff, these amendments will likely not come into force until the end of September 2021.

In order to ensure that members of Council may continue to participate electronically in Council and Committee meetings immediately after the expiry of the 90 day period provided for under the *COVID-19 Related Measures Act*, this report recommends amendments to the Council Procedure Bylaw. These amendments to the Council Procedure Bylaw would be made under the current authority of s.128 of the *Community Charter* which provides the ability, if authorized by procedure bylaw, for a member of Council who is unable to attend a Council or Committee meeting to participate by means of electronic or other communication facilities.

It is anticipated that additional amendments to the Council Procedure Bylaw to allow for electronic meetings and electronic public participation generally will be presented for Council's consideration in the fall of 2021 after the amendments to the *Local Government Act* and the *Community Charter* are brought into force by Regulation.

Financial Impact

None.

Conclusion

Staff recommends that Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202, which introduces amendments to enable Council members to participate by means of electronic or other communication facilities when they are unable to attend Regular Council, Regular Council for Public Hearings, or Standing Committee Meetings, be introduced and given first, second and third readings.



Claudia Jesson
Director, City Clerk's Office
(604-276-4006)



Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202

The Council of the City of Richmond enacts as follows:

1. "Council Procedure Bylaw No. 7560", as amended, is further amended as follows:

Delete Section 1.4 and replace it with a new Section 1.4 as follows:

"1.4 In accordance with the provisions of *The Community Charter*,

- (a) Special Council Meetings may be conducted by means of electronic or other communication facilities;
- (b) Any one or more members of Council may participate in a Special Council Meeting by means of electronic or other communication facilities;
- (c) A member of Council or a Standing Committee who is unable to attend a Regular Council Meeting, Regular Council Meeting for Public Hearings or a Standing Committee Meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities; and
- (d) The facilities used must permit the meeting's participants to hear, or watch and hear, each other and, except for any part of the meeting which is closed, permit the public to hear, or watch and hear, the participation of the members during the meeting."

2. This Bylaw is cited as "**Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
CS
APPROVED for legality by Solicitor
TC

MAYOR

CORPORATE OFFICER



Special General Purposes Committee

- Date: Monday, June 28, 2021
- Place: Council Chambers
Richmond City Hall
- Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Carol Day (by teleconference)
Councillor Andy Hobbs
Councillor Alexa Loo (by teleconference)
Councillor Bill McNulty (by teleconference)
Councillor Linda McPhail (by teleconference)
Councillor Harold Steves (by teleconference)
Councillor Michael Wolfe (by teleconference)
- Call to Order: The Chair called the meeting to order at 4:01 p.m.

COMMUNITY SERVICES DIVISION

- 1. OFFICIAL COMMUNITY PLAN (OCP) LAND USE DESIGNATIONS FOR LOTS AT KING GEORGE PARK**
(File Ref. No. 06-2345-20-KGEO1) (REDMS No. 6703544)

Staff provided background information and noted that (i) 4080 No. 5 Road has an active Development Permit application and the property owners have expressed concern regarding the 'Park' land use designation, (ii) the Parks Department has determined that East Cambie has achieved its parks quantity in various standards, (iii) the properties in question have limited ecological value and close proximity to a high volume arterial road, therefore it is recommended that the 'Park' land use designation be removed, and (iv) bylaw amendments have been provided to reflect the removal of the 'Park' land use designation.

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In reply to queries from Committee, staff advised that (i) currently King George Park is well served and staff do not see a need for additional park space at this location, (ii) all properties would need to go through the rezoning process to secure amenities, (iii) the intersection upgrade is currently fully funded by the City; however, further frontage improvements may be required in the future, (iv) there are higher priority areas in the City that would be considered for park space prior to this location, (v) dependent on Council direction a variety of options can be considered for the land use, (vi) parking is always difficult this time of year and staff try to redirect people to other parking locations as necessary, (vii) the development permit application for the property at 4080 No. 5 Road was submitted in 2018 and has not progressed due to the 'Park' land use designation, and (viii) the existing zoning does not allow for a single family home on the property.

Amy Ho and Keith Ho, 4080 No. 5 Road, expressed concern with the current land use designation on their property, noting that (i) due to the 'Park' land use designation they are unable to build a successful business, (ii) a convenience store is not feasible due to the large grocery stores and convenience stores across the street, (iii) the land use designation limits what they are able to do on the property, and (iv) it is causing undue hardship on the family.

It was moved and seconded

- (1) *That the OCP be amended to remove the 'Park' land use designation from five lots at No. 5 Road and Cambie Road (4080, 4040, and 4020 No. 5 Road , 12040, and 12060/12062 Cambie Road) as outlined in Option 1 in the staff report titled, "Official Community Plan (OCP) Land Use Designations for Lots at King George Park," dated May 25, 2021 from the Director, Parks Services; and*
- (2) *That Official Community Plan Amendment Bylaw No. 7100 and 9000, Amendment Bylaw 10284 which would remove the 'Park' land use designation from five lots at No. 5 Road and Cambie Road (4080, 4040, and 4020 No. 5 Road , 12040, and 12060/12062 Cambie Road) and re-designate the property addressed as 4020 No. 5 Road to 'Commercial' in the Official Community Plan and East Cambie Area Plan, and re-designate the properties addressed as 4080 and 4040 No. 5 Road, and 12040, 12060 and 12062 Cambie Road to 'Neighbourhood Residential' in the Official Community Plan and 'Townhouse Residential' in the East Cambie Area Plan receive 1st reading at the Open Council meeting on Monday, June 28th.*

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The question on the motion was not called as discussion took place on (i) removing the current 'Park' land use designation, (ii) retaining the land use designation and the City purchasing the properties, (iii) considering the livelihoods of the families that live on the properties and the undue hardship of retaining the land use designation, and (iv) using the land for additional park space.

As a result of the discussion, the following **referral motion** was introduced:

It was moved and seconded

That the staff report titled "Official Community Plan (OCP) Land Use Designations for Lots at King George Park" be referred back to staff to examine the various lots in terms of:

- (1) potential current uses of the properties;*
- (2) potential future uses of the properties; and*
- (3) possible acquisition of the properties.*

CARRIED
Opposed: Cllr. Day

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:13 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, June 28, 2021.

Mayor Malcolm D. Brodie
Chair

Sarah Goddard
Legislative Services Associate