



## General Purposes Committee

Date: Monday, October 19, 2020

Place: Council Chambers  
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (by teleconference)  
Councillor Kelly Greene (by teleconference)  
Councillor Alexa Loo (by teleconference)  
Councillor Bill McNulty (by teleconference)  
Councillor Linda McPhail (by teleconference)  
Councillor Michael Wolfe (by teleconference)

Absent: Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:29 p.m.

### MINUTES

It was moved and seconded

*That the minutes of the meeting of the General Purposes Committee held on October 5, 2020, be adopted as circulated.*

**CARRIED**

In accordance with Section 100 of the *Community Charter*, Councillor Kelly Greene declared to be in a conflict of interest as she is currently a candidate in the provincial election and left the meeting – 4:30 p.m.

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**COUNCILLOR CAROL DAY**

**1A. ELECTION CAR SIGNS**

(File Ref. No. 12-8060-20-008713)

Discussion took place on section 1.1.2(g) of Election and Political Signs Bylaw No. 8713 and the following Committee member comments were noted:

- section 1.1.2(g) is redundant as it is unenforceable as an infraction under this section of the bylaw requires that the parked vehicle's primary purpose be the display of the sign;
- staff have not issued any violations under section 1.1.2(g) for what appear to be obvious infractions;
- if section 1.1.2(g) is not going to be enforced, it should be removed from the bylaw;
- section 2(b) of the *Canadian Charter of Rights and Freedoms* has been referred to as the linchpin of freedom of expression;
- section 1.1.2(g) of Election and Political Signs Bylaw No. 8713 is concerning as it exposes the City to litigation for infringement of freedom of speech;
- section 1.1.2(g) is not a recognized infraction under the *BC Motor Vehicle Act*;
- section 1.1.2(g) is unenforceable due to the *Canadian Charter of Rights and Freedoms*;
- it is unusual for this matter to be brought forward by a member of Council with election signage on their vehicle; and
- other Lower Mainland municipalities such as Port Coquitlam have similar if not identical provisions for election signs on vehicles.

Anthony Capuccinello Iraci, City Solicitor and Senior Director, Legal and Legislative Services, spoke to section 1.1.2(g) of Election and Political Signs Bylaw No. 8713. Mr. Capuccinello noted that he is of the opinion that this provision is constitutional and that even if construed as an infringement on section 2(b) of the *Canadian Charter of Rights and Freedoms*, that infringement is minimal and would be saved by section 1 of the *Charter* as being a reasonable limit prescribed by law. He highlighted that the provision is not an absolute prohibition and it seeks to achieve a legitimate objective.

Mr. Capuccinello then commented on enforcement of the provision, noting that like many bylaw provisions, a particular violation may be a clear infraction or a less clear infraction.

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Mr. Capuccinello also advised that legislative authority for the enactment of the provision is found in section 8(4) and section 65 of the *Community Charter*.

In reply to queries from Committee, staff provided the following information:

- the provision to regulate election signage on vehicles is driven by many factors including safety concerns such as sightlines;
- in researching best practices for local government sign regulations (as part of the development of Sign Regulation Bylaw No. 9700), staff heard from various BC municipalities that vehicle signage remains a challenge;
- the City does not have jurisdiction over moving violations such as a vehicle in transit; and
- section 1.1.2(g) applies to all vehicles and was brought in to align with a similar section in Sign Regulation Bylaw No. 9700.

It was moved and seconded

*That staff draft a bylaw amendment to rescind section 1.1.2(g) of Election and Political Signs Bylaw No. 8713 and report back.*

**DEFEATED**

Opposed: Mayor Brodie  
Cllrs. Loo  
McNulty  
McPhail

*Councillor Greene returned to the meeting (4:56 p.m.).*

## FINANCE AND CORPORATE SERVICES DIVISION

1. **REPORT BACK ON EXPEDITED TEMPORARY PATIO PROGRAM**

(File Ref. No. 08-4150-01) (REDMS No. 6535929)

It was moved and seconded

- (1) *That the Council endorsed Expedited Temporary Patio Program, as approved on May 25, 2020, be extended until October 31, 2021; and*
- (2) *That the Expedited Temporary Patio Program be expanded to consider applications for temporary coverings or other accessories necessary to operate patios in inclement weather.*

**CARRIED**

## ENGINEERING AND PUBLIC WORKS DIVISION

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2. **CITY OF RICHMOND CONCERNS ON RECENT CHANGES TO THE BC ENERGY STEP CODE**

(File Ref. No. 10-6125-07-02) (REDMS No. 6490970; 6539656)

It was moved and seconded

*That a letter be sent to the BC Minister of Municipal Affairs and Housing and the BC Minister of Environment and Climate Change Strategy stating the City's concerns about, and suggested improvements to, the December 2019 revision to the BC Building Code as outlined in the report titled "City of Richmond Concerns on Recent Changes to the BC Energy Step Code", dated September 16, 2020, from the Director, Building Approvals and Director, Sustainability and District Energy.*

The question on the motion was not called as in reply to queries from Committee, Norm Connolly, Manager, Sustainability, spoke to the City's Community Energy and Emissions Plan 2020-2050, highlighting that the overall direction of the Plan includes 50% community reduction by 2030 and decarbonation by 2050. He remarked that the City's targets are in line with neighbouring municipalities' and noted that the BC Energy Step Code is a lever in achieving these targets.

The question on the motion was then called and it was **CARRIED**.

## COMMUNITY SERVICES DIVISION

3. **ALEXANDRA GREENWAY INTEGRATED PUBLIC ART PROJECT CONCEPT**

(File Ref. No. 11-7000-09-20-281) (REDMS No. 6481812 v. 3, 6430688)

It was moved and seconded

*That the artist concept proposal for "Water to Earth" by BAGUA Artist Association as detailed in the staff report titled, "Alexandra Greenway Integrated Public Art Project Concept" dated September 17, 2020, from the Director, Arts, Culture and Heritage Services, be endorsed.*

The question on the motion was not called as discussion took place on the application of thermoplastic paint and its suitability for this project given its lifespan. Also, in reply to queries from Committee, Biliana Velkova, Public Art Planner, spoke to the proposed artist concept, noting that additional colours for the artwork can be explored with the artist.

The question on the motion was then called and it was **CARRIED** with Cllrs. Day and Wolfe opposed.

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PLANNING AND DEVELOPMENT DIVISION

4. **APPOINTMENT OF APPROVING OFFICERS**

(File Ref. No. 09-4100) (REDMS No. 6524552 v. 1A)

It was moved and seconded

- (1) *That the appointment of Barry Konkin as Approving Officer for the City, as per Item 16 of Resolution R13/19-5, adopted by Council on November 12, 2013, be rescinded; and*
- (2) *That the following be appointed as Approving Officers in the absence of both Wayne Craig, Director of Development and Reg Adams, Approving Officer/Supervisor, Utilities – Planning and Development:*
  - (a) *Joshua Reis, Program Manager – Development; and*
  - (b) *Suzanne Smith, Program Manager – Development.*

**CARRIED**

ADJOURNMENT

It was moved and seconded

*That the meeting adjourn (5:18 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, October 19, 2020.

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Mayor Malcolm D. Brodie  
Chair

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Hanieh Berg  
Legislative Services Associate