



## General Purposes Committee

Date: Monday, November 18, 2019

Place: Anderson Room  
Richmond City Hall

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

Call to Order: The Chair called the meeting to order at 4:00 p.m.

### MINUTES

It was moved and seconded  
*That the minutes of the meeting of the General Purposes Committee held on  
November 4, 2019, be adopted as circulated.*

**CARRIED**

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**COMMUNITY SAFETY DIVISION**

**1. NON-FARM USE FILL APPLICATION FOR THE PROPERTIES LOCATED 11300 & 11340 BLUNDELL ROAD (ATHWAL & YAU)**

(File Ref. No. 12-8080-12-01) (REDMS No. 6194412)

Staff spoke on the application, noting that (i) should the application receive endorsement from Council, it will proceed to the Agricultural Land Commission (ALC) for consideration, (ii) software will be used to track incoming truckloads of soil to the site, (iii) provisions in City regulations allow for a security bond requirement of \$15,000 from the applicant to ensure that City infrastructure remain intact during the soil depositing process, and (iv) the applicant will be permitted to transport soils to the site, however trucks will be restricted from using Blundell Road as a trucking route due to the road's weight limit.

Discussion ensued with regard to the ALC approval process and the potential impact of the soil depositing process to neighbouring properties and the environmentally sensitive area on-site.

It was moved and seconded

*That the Non-Farm Use Fill Application submitted by Mandeep Athwal for the properties located at 11300 and 11340 Blundell Road proposing to deposit soil for the purpose of improving drainage and transitioning to a machine harvest blueberry plantation be approved and referred to the Agricultural Land Commission (ALC) for the ALC's review and decision.*

The question on the motion was not called as discussion ensued with regard to (i) the potential impact of truck traffic on local roads, (ii) sourcing soils exclusively from Richmond, and (iii) inspecting the soils and monitoring the soil depositing process.

As a result of the discussion on the software that will be used to monitor the soil depositing process, it was suggested that the following recommendation be added as Part (2):

*That staff advise Council on the efficacy of the software used to track the soil depositing process prior to the project's completion.*

Discussion then took place on a previous historical non-farm use soil fill application on 14791 Westminster Highway, and as a result, staff were directed to provide a memorandum comparing the conditions of the previous non-farm use application on 14791 Westminster Highway with this application on 11300 and 11340 Blundell Road, prior to the next Regular Council meeting.

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Further discussion on the ALC's non-farm use application process took place, and staff noted that a non-farm use application requires Council's endorsement before it is forwarded to the ALC for consideration.

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

It was moved and seconded

*That in the following motion:*

*That the Non-Farm Use Fill Application submitted by Mandeep Athwal for the properties located at 11300 and 11340 Blundell Road proposing to deposit soil for the purpose of improving drainage and transitioning to a machine harvest blueberry plantation be approved and referred to the Agricultural Land Commission (ALC) for the ALC's review and decision.*

*the word "approved" be replaced with the word "endorsed."*

**CARRIED**

Opposed: Cllrs. Day  
Steves  
Wolfe

The question on the main motion which reads as follows:

- (1) *That the Non-Farm Use Fill Application submitted by Mandeep Athwal for the properties located at 11300 and 11340 Blundell Road proposing to deposit soil for the purpose of improving drainage and transitioning to a machine harvest blueberry plantation be endorsed and referred to the Agricultural Land Commission (ALC) for the ALC's review and decision; and*
- (2) *That staff advise Council on the efficacy of the software used to track the soil depositing process prior to the project's completion.*

was then **CARRIED** with Cllrs. Day, Wolfe and Steves opposed.

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**COMMUNITY SERVICES DIVISION**

2. **CULTURAL HARMONY PLAN 2019–2029**

(File Ref. No. 07-3300-01) (REDMS No. 6309135)

Staff reviewed the Cultural Harmony Plan, noting that (i) public feedback was incorporated into the final draft of the Plan, (ii) staff will be promoting the Plan through the City’s website, a news release and distribution of the Plan to community stakeholders, (iii) staff will be reviewing collaborative opportunities with community groups on programs for newcomers to Richmond, and (iv) the City compiles a list of available community programs for newcomers.

Discussion ensued with regard to (i) reviewing existing programs for ESL and newcomers, (ii) supporting inclusion of Canadian values, (iii) using Canada’s official languages in public signage, and (iv) responding to critical incidents of racism in the community.

It was moved and seconded

*That the Cultural Harmony Plan 2019–2029, as outlined in the staff report titled “Cultural Harmony Plan 2019–2029”, dated November 4, 2019 from the Director, Community Social Development, be approved.*

**CARRIED**

**COMMUNITY SAFETY DIVISION**

3. **REVIEW OF LICENCING AND ENFORCEMENT OF SHORT-TERM RENTALS**

(File Ref. No. 12-8275-01) (REDMS No. 6201134 v. 7)

In accordance with Section 100 of the *Community Charter*, Cllr. Day declared to be in a conflict of interest as her husband owns a short-term rental business, and Cllr. Day left the meeting – 4:45 p.m.

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Staff reviewed the proposed regulations for the licencing and enforcement of short-term rentals, noting that (i) staff propose that restrictions on boarding and lodging accommodations will be similar to bed and breakfast accommodations, (ii) boarding and lodging is a permitted use in residential zones, (iii) through the proposed licensing program, a registry of short-term rental accommodations can be developed, (iv) the proposed regulations will limit boarding and lodging accommodations to sites that are occupied and hosted by the permanent resident, (v) the proposed regulations can be reviewed at any time, (vi) boarding and lodging accommodation limits guests to two individuals, and (vii) short-term rental advertisements must include a business license number.

Discussion ensued with regard to (i) exploring initiatives to encourage compliance, (ii) permitting renters to engage in boarding and lodging in their unit, and (iii) reviewing the ownership structure of bed and breakfasts and boarding and lodging operations to restrict such operations to a sole-proprietorship structure.

It was moved and seconded

- (1) *That Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10066, to clarify the definition of Boarding and Lodging, be introduced and given first reading;*
- (2) *That a business licencing program for Short-Term Boarding and Lodging be introduced and:*
  - (a) *That, subject to the 2020 one-time expenditure process, a new temporary Full-Time Licence Clerk position be approved as a one-time expenditure to be reviewed after 12 months in order to administer the business licencing program; and*
  - (b) *That each of the following Bylaws be introduced and given first, second and third readings in order to implement a licencing program, including new ticketing provisions, for Short-Term Boarding and Lodging:*
    - (i) *Business Licence Bylaw No. 7360, Amendment Bylaw No. 10067;*
    - (ii) *Business Regulation Bylaw No. 7538, Amendment Bylaw No. 10068;*
    - (iii) *Municipal Ticket Information Bylaw No. 7321, Amendment Bylaw No. 10069;*
    - (iv) *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10070; and*

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(v) *Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 10089; and*

- (3) *That, subject to the 2020 one-time expenditure process, the addition of two temporary full-time bylaw enforcement officers, as described in this staff report “Review of Licencing and Enforcement of Short-Term Rentals” dated October 1, 2019, from the General Manager, Community Safety be approved as a one-time expenditure to be reviewed after 12 months.*

**CARRIED**

Opposed: Cllrs. Greene  
Wolfe

Cllr. Day returned to the meeting – 5:04 p.m.

## DEPUTY CAO'S OFFICE

### 4. **DRAFT RICHMOND COUNCIL CODE OF CONDUCT**

(File Ref. No. 01-0005-01) (REDMS No. 6319868 v. 4)

Staff briefed Committee on the proposed *Draft Richmond Council Code of Conduct*, noting that staff examined codes of conduct from other municipalities such as the Districts of Saanich and North Vancouver. Mayor Brodie added that the proposed Code of Conduct is a voluntary document, and as such, its ratification should require a unanimous vote by Council members.

*Cllr. Steves left the meeting (5:10 p.m.) and returned (5:20 p.m.).*

Discussion ensued with regard to (i) incorporating aspects of existing City staff policies on a respectful workplace in the proposed Code of Conduct, (ii) examining the feasibility of monitoring Council members' social media accounts and postings, (iii) encouraging freedom of speech for Council members and discouraging attitudinal biases prior to considering matters at Council or Committee meetings, and (iv) reviewing the proposed process to submit a formal complaint.

It was moved and seconded

*That the Richmond Council Code of Conduct as presented in Attachment 1 of the report titled, “Richmond Council Code of Conduct,” from the Director, Corporate Programs Management Group, dated November 8, 2019 be approved.*

The question on the motion was not called as the following **amendment motion** was introduced:

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It was moved and seconded

*That the words “the process” be added after “the City” in Section 7.2 of the Draft Richmond Council Code of Conduct.*

**CARRIED**

Discussion ensued with regard to policies related to stating opinions prior to voting on motions, and as a result, the following **amendment motion** was introduced:

It was moved and seconded

*That Section 8.3, subsection (c) be removed from the Draft Richmond Council Code of Conduct.*

The question on the amendment motion was not called as discussion ensued with regard to previous Supreme Court cases involving elected officials declaring their voting intentions prior to the actual Council meeting. Staff were then directed to provide a memorandum on the matter prior to the next Regular Council meeting, and as a result there was agreement from the mover, the seconder and all members present to withdraw the amendment motion, and the amendment motion was **WITHDRAWN**.

Discussion then took place on the feasibility of monitoring social media accounts and postings, and as a result the following **amendment motion** was introduced:

It was moved and seconded

*That Section 8.4 be removed from the Draft Richmond Council Code of Conduct.*

**DEFEATED**

Opposed: Mayor Brodie  
Cllrs. Au  
Loo  
McNulty  
McPhail

Discussion ensued with regard to the role of individual members and appointees to report directly on City-related business in Section 8.1 of the *Draft Richmond Council Code of Conduct*, and as a result, the following **amendment motion** was introduced:

It was moved and seconded

*That the first sentence of Section 8.1 of the Draft Richmond Council Code of Conduct, which states the following:*

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*“It is not the role of individual members and appointees to report directly on City-related business.”*

*be removed.*

**CARRIED**

Opposed: Cllr. McNulty

Discussion ensued with regard to incorporating aspects of *City of Richmond Policy 6800 – Respectful Workplace* into the *Draft Richmond Council Code of Conduct*, and as a result, the following **amendment motion** was introduced:

It was moved and seconded

*That Sections II – The Policy, and IV – The Definitions of the City of Richmond Policy 6800 – Respectful Workplace be incorporated into the Draft Richmond Council Code of Conduct.*

**DEFEATED**

Opposed: Mayor Brodie

Cllrs. Loo

McNulty

McPhail

Steves

Discussion then ensued with regard to including the phrase “in my opinion” to Section 7.1 of the *Draft Richmond Council Code of Conduct – Interactions with the Public and the Media*, and as a result, the following **amendment motion** was introduced:

It was moved and seconded

*That the phrase “in which case the member will include an ‘in my opinion’, or similar disclaimer” be added following the phrase “decision of Council” in Section 7.1 of the Draft Richmond Council Code of Conduct.*

**CARRIED**

Opposed: Cllr. McNulty

Discussion took place with regard to Section 15 of the *Draft Richmond Council Code of Conduct – Compliance and Enforcement*, and utilizing a third party to review complaints.

In reply to queries from Committee, staff noted that in the District of Saanich model, a third party would review the complaint and draft the report on the matter, which would proceed to the District of Saanich Council for consideration. It was further noted that other jurisdictions in the Province of Ontario utilize an independent third party to resolve complaints.



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

It was moved and seconded

*That Section 15 – Compliance and Enforcement in the Draft Richmond Council Code of Conduct include provisions for an independent third party to review complaints.*

**DEFEATED**

Opposed: Mayor Brodie  
Cllrs. Au  
Loo  
McNulty  
McPhail

The question on the main motion, as amended, was then called and it was **CARRIED** with Cllr. Greene opposed.

**ADJOURNMENT**

It was moved and seconded

*That the meeting adjourn (6:05 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, November 18, 2019.

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Mayor Malcolm D. Brodie  
Chair

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Evangel Biason  
Legislative Services Coordinator