



City of Richmond

Report to Committee

To: Planning Committee **Date:** October 28, 2024
From: John Hopkins **File:** 01-0100-30-HCOM1-04/2024-Vol 01
 Director, Policy Planning
Re: **Richmond Heritage Commission Bylaw No. 7906, Amendment Bylaw No. 10619**

Staff Recommendation

That Richmond Heritage Commission Bylaw No. 7906, Amendment Bylaw 10619, to include term limits in alignment with the *Appointments – Term Limits Policy 1020*, be introduced and given first, second and third reading.

John Hopkins
 Director, Policy Planning
 (604-276-4279)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Corporate Programs	<input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

Recently Council approved updates to the *Appointments – Term Limits Policy 1020*, which reduce the term limits for citizen appointments to external boards and Council-established committees, task forces, and advisory bodies. The purpose of this report is to recommend amendments to the Richmond Heritage Commission Bylaw No. 7906 to align with the updated policy.

This report supports Council's Strategic Plan 2022-2026 Focus Area #1 Proactive in Stakeholder and Civic Engagement:

1.2 Advocate for the needs of Richmond in collaboration with partners and stakeholders.

This report supports Council's Strategic Plan 2022-2026 Focus Area #6 A Vibrant, Resilient and Active Community:

6.5 Enhance and preserve arts and heritage assets in the community.

Analysis

The Richmond Heritage Commission advises Council on heritage conservation and promotion, and undertakes and provides support for activities that benefit and advance heritage in Richmond. The Richmond Heritage Commission Bylaw No. 7906 (2005) provides for the continuation of the Richmond Heritage Commission including the appointment and term of office of members of the Commission.

On July 8, 2024 Council approved updates to the *Appointments – Term Limits Policy 1020*, which reduce the term limits for citizen appointments to external boards and Council established committees, task forces, and advisory bodies. The key changes to the policy were as follows:

- External Boards: Term limits updated from two consecutive terms or six consecutive years (whichever is longer) to three consecutive terms or six consecutive years (whichever is shorter).
- Council-established Committees, Task Forces, and Advisory Bodies: Term limits reduced from four consecutive terms or eight consecutive years (whichever is longer) to three consecutive terms or six consecutive years (whichever is shorter).

The Richmond Heritage Commission Bylaw No. 7906 includes that the term of office of each member appointed is to be two years, commencing on January 1st of the first year and ending December 31st of the second year (section 4.1.3). However, the Bylaw does not specify the maximum number of terms or years that a member may serve on the Commission. While appointments are made in alignment with Council's policy on term limits, an amendment to the Bylaw to include term limits is recommended.

The revisions to the Richmond Heritage Commission Bylaw No. 7906 proposed in Amendment Bylaw No. 10619 are summarized as follows:

- Each member can be appointed for up to three consecutive terms, or six consecutive years, whichever is shorter;
- On reaching the term limit, a member may reapply for and return to the Commission after a one-term hiatus;
- At its discretion, Council may make appointments despite the term limit, particularly to ensure sufficient members on the Commission and to fulfil requirements for specific qualifications or representation; and
- A current member may complete their current term despite exceeding the term limit.

Richmond Heritage Commission Bylaw No. 7906, Amendment Bylaw No. 10619 would be effective on adoption.

A red-lined version of Richmond Heritage Commission Bylaw No. 7906 showing the proposed revisions is provided in Attachment 1.

Financial Impact

None.

Conclusion

Amendments are proposed to Richmond Heritage Commission Bylaw No. 7906 to specify term limits and to align the Bylaw with *Appointments – Term Limits Policy 1020* that was recently updated. Staff recommends that Richmond Heritage Commission Bylaw No. 7906, Amendment Bylaw 10619 be introduced and given first, second and third reading.



Judith Mosley
Planner 2 (Policy Planning) - Heritage Planner
(604-276-4170)

JM:cas

Att. 1: Red-lined version of Richmond Heritage Commission Bylaw No. 7906



CITY OF RICHMOND

RICHMOND HERITAGE COMMISSION**BYLAW NO. 7906**

EFFECTIVE DATE – MAY 9, 2005

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAWDATE OF ADOPTIONEFFECTIVE DATE

(If different from Date of Adoption)

Bylaw No. 10104

January 13, 2020

Bylaw No. 10280

July 12, 2021

January 1, 2022



RICHMOND HERITAGE COMMISSION BYLAW NO. 7906

The Council of the City of Richmond enacts as follows:

PART ONE: RICHMOND HERITAGE COMMISSION

- 1.1 A Community Heritage Commission known as the "Richmond Heritage Commission", is continued.

PART TWO: TERMS OF REFERENCE

2.1 The Commission

- (a) advises **Council** on heritage conservation and promotion matters; and
- (b) undertakes and provides support for activities that benefit and advance heritage in the **City**.

PART THREE: DUTIES OF THE COMMISSION

3.1 The duties of the **Commission are as follows:**

- (a) to review and submit recommendations to **Council** on land use, planning, and design matters which have heritage implications;
- (b) to examine legislation of other levels of government to identify improvements to support heritage conservation planning and design in the city;
- (c) to review and submit recommendations to **Council** on development applications or other initiatives that may have an impact on the character of heritage resources in the city early on in the process, including, but not limited to:

- i. Amendments to the Official Community Plan;
 - ii. Rezoning and Zoning Text Amendment Applications;
 - iii. Development Permit Applications; and
 - iv. Heritage Alteration Permit Applications;
- as referred by Council or City staff;
- (d) to review and submit recommendations to **Council** on the design of development applications or other initiatives in the **Steveston Village Character Area** early on in the process, including, but not limited to:
- i. Amendments to the Steveston Area Plan,
 - ii. Rezoning and Zoning Text Amendment Applications;
 - iii. Development Permit Applications; and
 - iv. Heritage Alteration Permit Applications;
- as referred by Council or City staff;

For greater clarity, Heritage Alteration Permit applications involving minor alterations in the **Steveston Village Character Area** that are delegated to the Director of Development under **Heritage Procedures Bylaw** do not need to be reviewed by the **Commission**.

In the review of development applications or other initiatives in the **Steveston Village Character Area** referred to the **Commission** by **Council** or City staff, the **Commission** may, but is not limited to, comment on the following:

- the contribution of the proposal to the conservation of heritage character in the **Steveston Village Character Area**;
 - the effectiveness of the proposal to respond to the Development Permit Guidelines for the **Steveston Village Character Area** and the relevant Sakamoto Guidelines (e.g., “*Design Criteria* for the Steveston Revitalization Area”, 1987), as included in the Steveston Area Plan; and
 - the identification of issues relating to the protection or reproduction of heritage elements that are significant to the application, including the use of appropriate colour and materials aimed at enhancing the heritage character of the site.
- (e) to assist **City** staff to maintain heritage inventories or registers;
- (f) to recommend strategies and policies to **Council**, and undertake programs for the support of heritage conservation;
- (g) to liaise with the community;
- (h) to recruit volunteers for specific **Commission** projects;
- (i) to support heritage education and public awareness through programs such as Heritage Week displays, newsletters and a Heritage Recognition Program;

- (j) to prepare a work program, budget allocation, and an annual report;
- (k) to prepare annual financial statements and budgets, if applicable;
- (l) to manage the operations and budget of the **Commission** as required;
- (m) to review and submit recommendations on the capital and operational budgets of the **City** with regard to heritage; and
- (n) to raise funds and pursue partnerships for the support of conservation and promotion of heritage.”

PART FOUR: COMMISSION COMPOSITION AND APPOINTMENT

4.1 Appointment and Term of Office of Members

- 4.1.1 The **Commission** is to consist of six members of the public, appointed by **Council**, who:
 - a) must not be **City** employees; and
 - b) must have an interest or expertise in local heritage conservation, architecture, planning, building construction, business or economic development, tourism and history.
- 4.1.2 In addition to the six members appointed in accordance with subsection 4.1.1, **Council** must appoint annually to the **Commission** one non-voting liaison **Council member**.
- 4.1.3 The term of office of each member appointed in accordance with subsection 4.1.1 is to be two years, commencing January 1st of the first year and ending December 31st of the second year.
- 4.1.4 **Council** must appoint sufficient members to ensure that membership in the **Commission** is at all times equal to or greater than four.
- 4.1.5 **Council** may terminate the appointment of any member of the **Commission** without notice.
- 4.1.6 The **Commission** may review the attendance circumstances of any member who has missed three consecutive meetings without prior permission, and may recommend to **Council** that the membership of such member be terminated.

- 4.1.7 No member of the **Commission** will receive any remuneration for services, however, a member is entitled to reimbursement for any reasonable out-of-pocket expenses incurred on behalf of, and previously approved by, the **Commission**.
- 4.1.8 Three of the members appointed by **Council** must have demonstrated professional experience in heritage conservation planning or in designing buildings in a heritage area (to the satisfaction of the **Director, Development** and/or **Director, Policy Planning**), who must be in good standing with the British Columbia Association of Heritage Professionals/Canadian Association of Heritage Professionals or in good standing with the Architectural Institute of British Columbia.

4.1.9 The appointment of each member is to be limited to three consecutive terms, or six consecutive years, whichever is shorter.

A member who has reached their term limit may apply for and return to the **Commission** after a one-term hiatus.

Council may, at its discretion, rescind or make appointments despite the term limit, particularly in instances where an inadequate number of applications are received in any given year or to fulfil the requirement for specific qualifications or representation on the **Commission** from specified sectors.

A current member of the **Commission** may complete their current two-year term despite exceeding the term limit.

4.2 Appointment of Executive and Establishment of Committees

- 4.2.1 The **Commission**, at its first meeting each year, or as soon as possible thereafter:
- (a) must elect a Chair, Vice-Chair, and Treasurer; and
 - (b) may establish the following committees and their chairs:
 - (i) Planning and Policy;
 - (ii) Finance and Administration;
 - (iii) Promotions and Programs; and
 - (iv) other committees and their chairs as are deemed necessary.

PART FIVE: OPERATION OF THE COMMISSION

- 5.1** The **Commission** may adopt rules of procedure which are consistent with *the Local Government Act*, the *Community Charter*, the *Council Procedure Bylaw* or this bylaw, as necessary.
- 5.2** Each year, the **Commission** must:
- (a) Present an annual report to **Council**, setting out its activities and accomplishment for the previous year, and include any financial statements which **Council** requires; and
 - (b) Present to **Council** for its approval, a work plan and budget allocation for the year.
- 5.3** A quorum of the **Commission** is four members.
- 5.4** The **Commission** must meet not less than six times each calendar year, unless otherwise directed by **Council**.
- 5.5** The Chair, or any two members, may call a special meeting of the **Commission** by giving at least four days notice in writing to each member, stating the purpose for which the meeting is called.
- 5.6** All members of the **Commission**, excluding the **Council** member, may vote on motions before it, and where the votes of the members present for and against any motion are equal, such motion is defeated.
- 5.7** Any member present at a meeting who abstains from voting is deemed to have voted in the affirmative.
- 5.8** The Chair must preserve order and decide all points of order which may arise, subject to an appeal from the other members present, and all such appeals must be decided without debate.
- 5.9** All motions before the **Commission** must be decided by a majority of the members present.
- 5.10** No act or other proceedings of the **Commission** are valid unless authorized by resolution at a meeting of the **Commission**.
- 5.11** The minutes of the proceedings of each meeting of the **Commission** must:
- (a) be maintained as directed by the **Director, City Clerk's Office**;
 - (b) be presented to the Commission for adoption; and
 - (c) following each Commission meeting, when signed by the Chair or member presiding, be forwarded to the **Director, City Clerk's Office** for custody.
- 5.12** A staff liaison may be appointed by the **General Manager, Planning and Development** to attend all meetings and provide advice, guidance and information to the **Commission**.
- 5.13** The **Commission** may hire consultants, based on its approved budget, to assist in implementing the duties specified in Part 3.

PART SIX: CODE OF CONDUCT

- 6.1 A conflict of interest exists if a **Commission** member is a director, member or employee of an organization seeking to benefit from the **City** or if the **Commission** member has a direct or indirect pecuniary (financial) interest in the outcome of **Commission** deliberations.
- 6.2 **Commission** members who have a conflict of interest with a topic being discussed shall declare that they have a conflict of interest, describe the nature of the conflict, leave the room prior to any discussions and shall refrain from voting on motions related to that topic.
- 6.3 **Commission** members are not permitted to directly or indirectly benefit from their participation on the **Commission** during their tenure and for a period of twelve (12) months following the completion of their term(s).
- 6.4 **Commission** members are expected to act in accordance with the **City's** Respectful Workplace Policy (Policy 6800), including being respectful towards other members.
- 6.5 **Commission** members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, and provide feedback in keeping with the **Commission** role and duties.
- 6.6 **Commission** members may not represent themselves as having any authority beyond that delegated in this Bylaw as approved by **Council**.
- 6.7 Items will be presented to the **Commission** if referred by **Council** or **City** staff and the standard process of communication is through **City** staff to **Council**. **Commission** members may communicate directly to **Council** or the media, if the **Commission** members identify themselves as an individual, and not as representatives of the **Commission**.
- 6.8 Any use of social media must, as with all other forms of communication, meet principles of integrity, professionalism and privacy.
- 6.9 Should a **Commission** member violate the Code of Conduct provisions in this Part 6 or act outside the Bylaw, the member may be removed from the **Commission**.

PART SEVEN: INTERPRETATION

- 7.1 In this bylaw:

CITY	means the City of Richmond.
COMMISSION	means the Richmond Heritage Commission designated as a community heritage commission under section 597 of the <i>Local Government Act</i> .
COUNCIL	means the Council of the City .
COMMUNITY HERITAGE COMMISSION	means the Richmond Heritage Commission established under section 143 of the <i>Community Charter</i> .
DIRECTOR, CITY CLERK'S OFFICE	means the Corporate Officer appointed by Council and assigned responsibility for corporate administration of the City under Section 148 of the <i>Community Charter</i> .
DIRECTOR, DEVELOPMENT	means the Director, Development in the Planning and Development Department of the City , or his or her designate.
DIRECTOR, POLICY PLANNING	means the Director, Policy Planning in the Planning and Development Department of the City , or his or her designate.
GENERAL MANAGER, PLANNING AND DEVELOPMENT	means the General Manager, Planning and Development of the City , or his or her designate.
HERITAGE PROCEDURES BYLAW	means the Heritage Procedures Bylaw No. 8400, as it may be amended or replaced from time to time.
STEVESTON VILLAGE CHARACTER AREA	means the area shown on the Steveston Village Character Area Map in the Steveston Area Plan being Schedule 2.4 of the Official Community Plan Bylaw 7100

PART EIGHT: PREVIOUS BYLAW REPEAL

8.1 Heritage Commission Establishment Bylaw No. 6873 (adopted on November 23rd, 1998) is repealed.

PART NINE: CITATION

9.1 This bylaw is cited as "**Richmond Heritage Commission Bylaw No. 7906**".

READ A FIRST TIME ON:

READ A SECOND TIME ON:

READ A THIRD TIME ON:

ADOPTED ON:

MAYOR

CORPORATE OFFICER



Richmond Heritage Commission Bylaw No. 7906
Amendment Bylaw No. 10619

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

- 1. Richmond Heritage Commission Bylaw No. 7906 is amended by adding the following new subsection into section 4.1 – Appointment and Term of Office of Members, immediately after subsection 4.1.8:

“4.1.9 The appointment of each member is to be limited to three consecutive terms, or six consecutive years, whichever is shorter.

A member who has reached their term limit may apply for and return to the Commission after a one-term hiatus.

Council may, at its discretion, rescind or make appointments despite the term limit, particularly in instances where an inadequate number of applications are received in any given year or to fulfil the requirement for specific qualifications or representation on the Commission from specified sectors.

A current member of the Commission may complete their current two-year term despite exceeding the term limit.”

- 2. This Bylaw may be cited as “Richmond Heritage Commission Bylaw No. 7906, Amendment Bylaw 10619”.

FIRST READING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Five horizontal lines for signature or date entry.

Table with approval stamps: CITY OF RICHMOND, APPROVED by JM, APPROVED by Director or Solicitor, JH.

MAYOR

CORPORATE OFFICER