



Structures for Public Expression on City Streets



Standing Committee on Planning and Environment
April 7, 2011

Expression



Structures allowed and regulated

- Construction site hoarding
- Development
- Major events (e.g. large tents, seating)
- Porta potty's
- Street Furniture
- News boxes



Structures for Public Expression on City Streets

Goals:

- Provide opportunities for political expression
- Balance needs for use of our streets
- Ensure public safety
- To not interfere with businesses
- To not create undue hardship for the enjoyment of personal property

Structures for Public Expression on City Streets

Background

- In 2001, the Falun Gong set up a structure on City sidewalk on Granville Street in front of the Chinese Consulate protesting human rights abuses in China.
- In 2006, The City sought an injunction on the basis of Sec. 71 of the Street & Traffic By-law, which prohibits structures on City streets without a permit. In 2009, The BC Supreme Court ruled in favour of the City.



Structures for Public Expression on City Streets

In October 2010, judgement from the BC Court of Appeal pronounced:

- that the City has power to regulate structures on Streets, however Sec. 71 is unconstitutional as it is a blanket prohibition without criteria for obtaining a permit.
- The Court also ruled that Sec. 71 may stay in effect for 6 months expiring on April 19, 2011, to allow the City time to make the necessary adjustments to address this issue.

Structures for Public Expression on City Streets

Response #1

By-law amendments and permit process

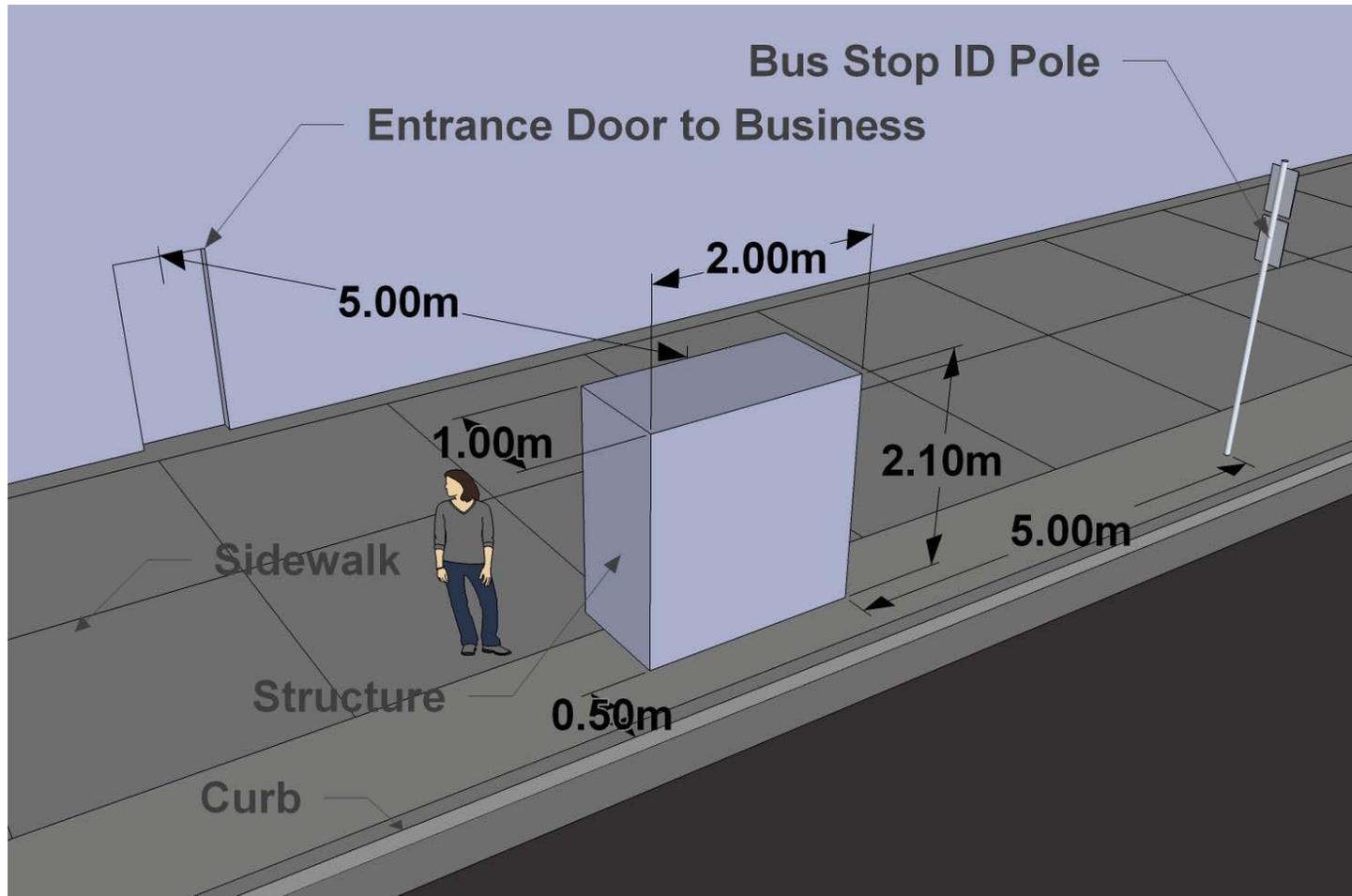
- The City is recommending by-law amendments that allow for freedom of expression in accordance with the Canadian Charter of Rights.
- The by-law will provide a permit process allowing anyone so desiring, to erect a structure on City street for political expression.

Structures for Public Expression on City Streets

Permit Process

- Permits will be provided by the Engineering Department under criteria outlined in the by-law:
 - Size, location, daily removal of structure,
 - Require attendance at structure
 - Permitted except - res zoned or res on ground floor,
 - Single permit only,
 - Maximum term of 30 days, etc.

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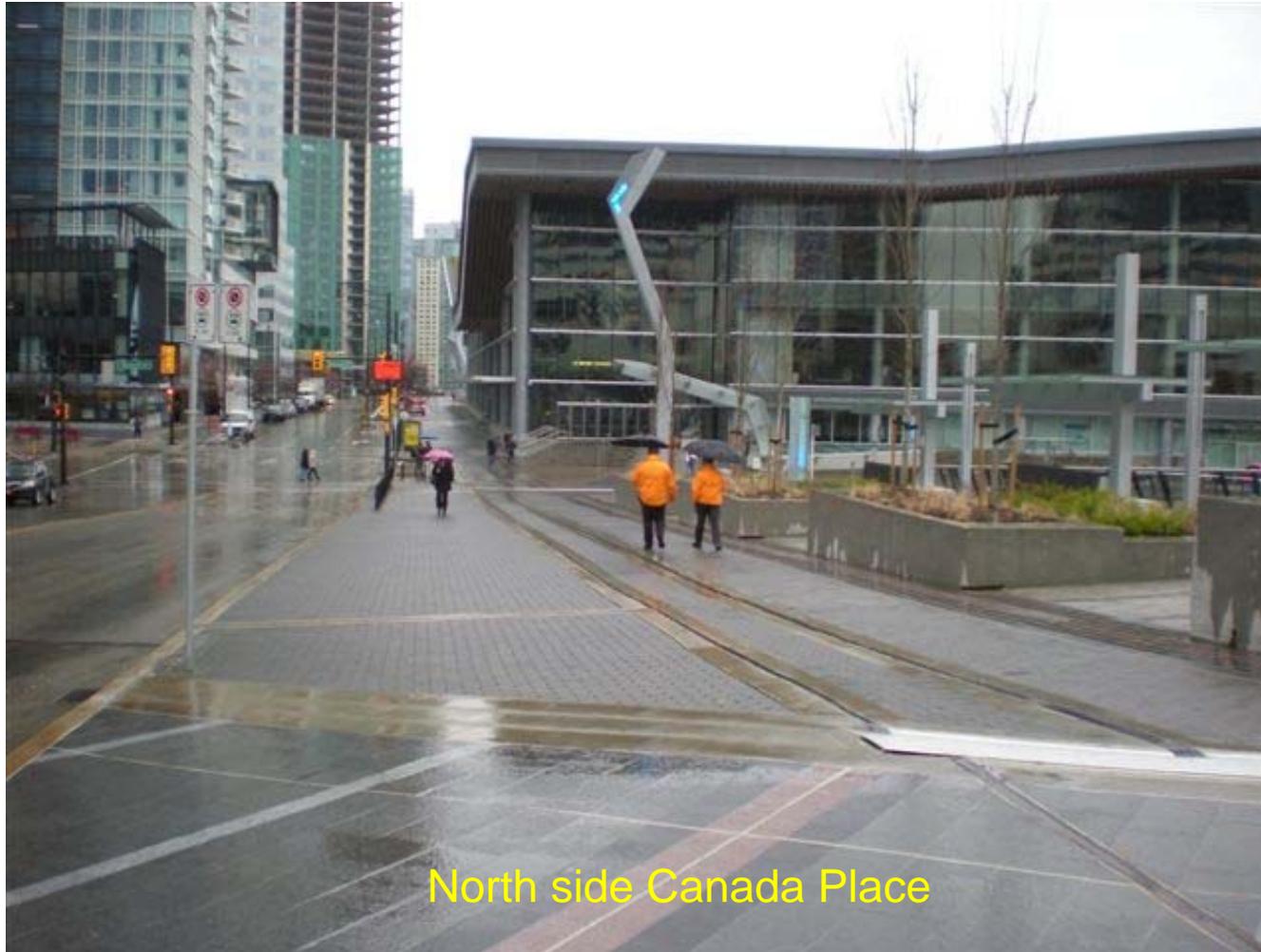


Example of location for possible permitted structure



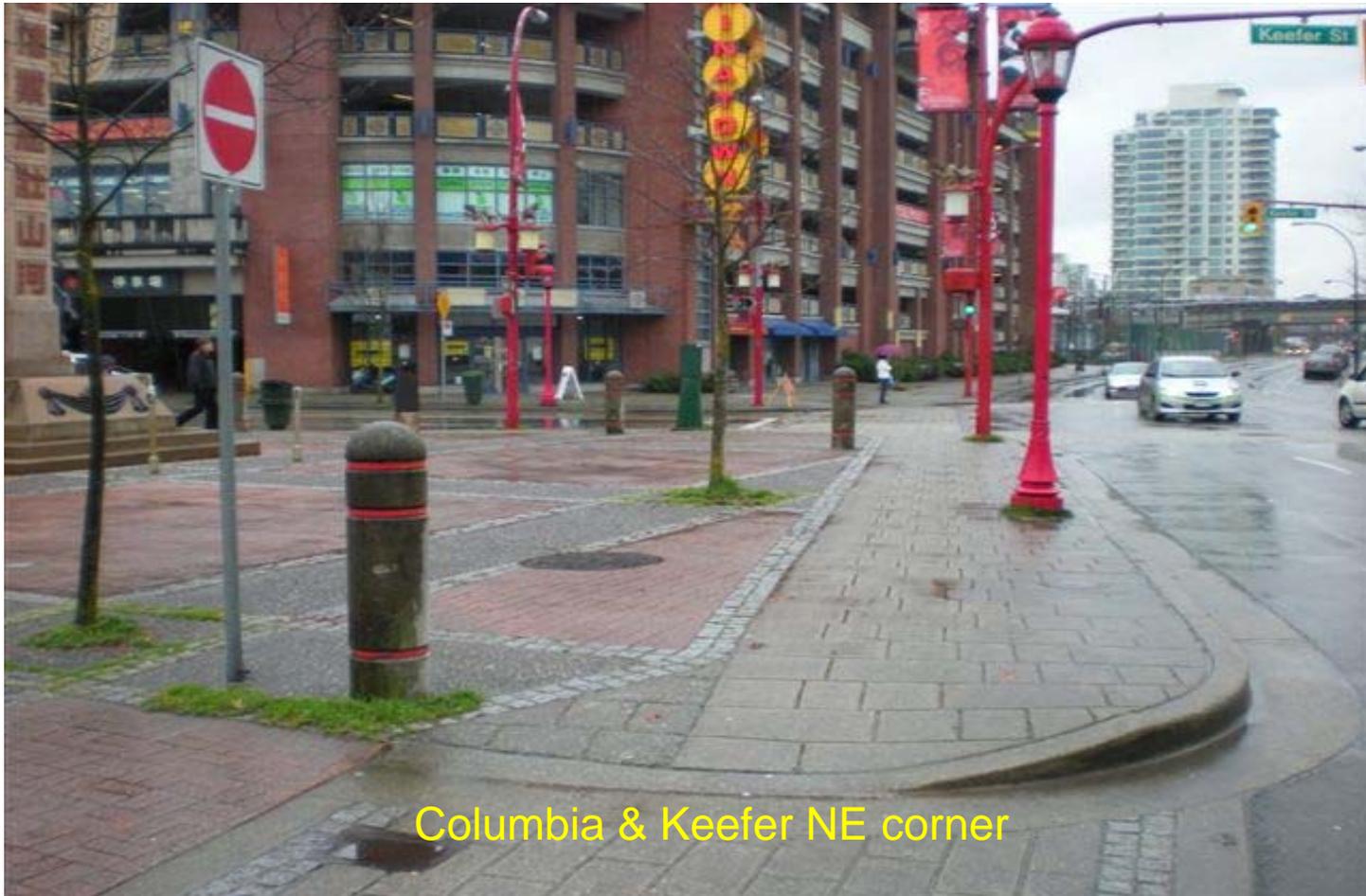
West Side 700 Granville St.

Example of location for possible permitted structure



North side Canada Place

Example of location for possible permitted structure



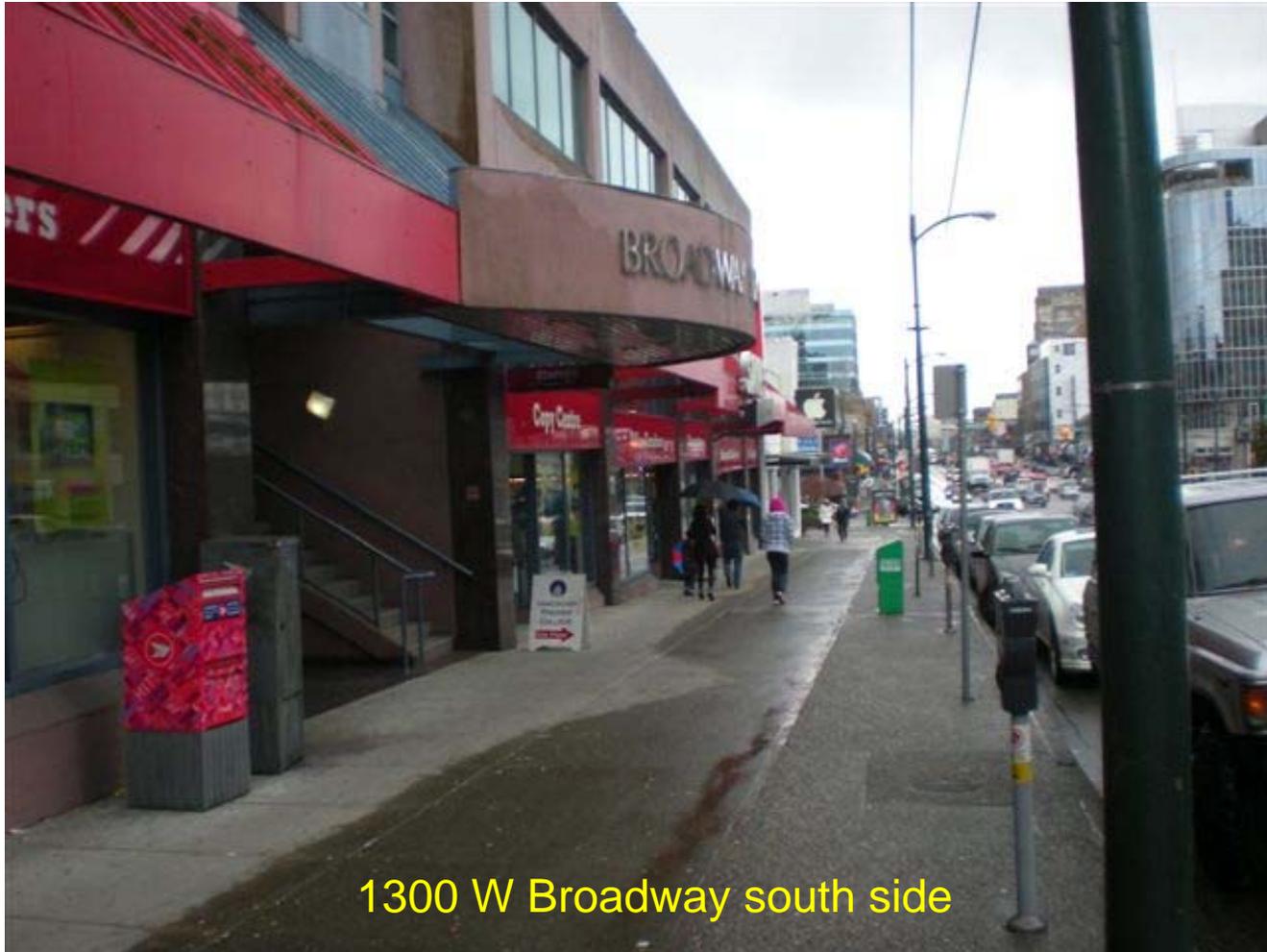
Columbia & Keefer NE corner

Example of location for possible permitted structure



Hastings & Cambie SW corner

Example of location for possible permitted structure



1300 W Broadway south side

Example of location for possible permitted structure



Terminal & Main NE corner

Example of not permitted structure location



Broadway & Granville SE corner

Example of not permitted structure location (FSD zoning)



3300 Granville east side

Not permitted structure locations (bus stop)



Pender & Main SE corner

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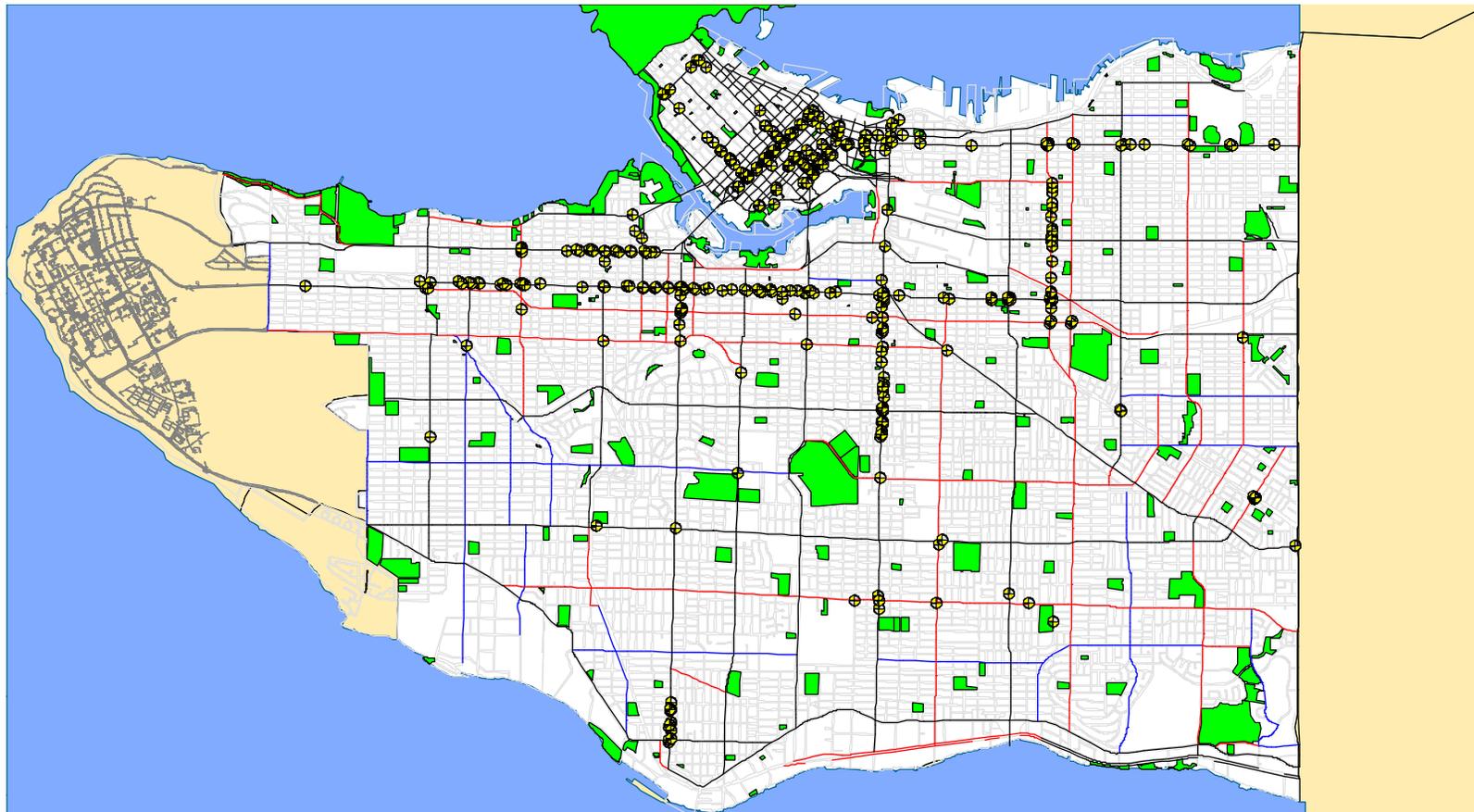
Response #2

City sponsored non-commercial public expression kiosks

Provide City sponsored kiosks, in strategic locations on City streets, specifically designated for political expression. These kiosks will supplement the 330 poster cylinders that are currently in place on utility poles.



Poster Cylinder locations



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Political Expression Kiosks

For those not wishing or not able to access the permit process, Political Expression kiosks will be placed on City sidewalk.

Possible locations:

- Vancouver Art Gallery,
- Vancouver Public Library
- Canada Place
- Commercial & Broadway
- Main & Terminal

Cleaned by City crews approximately every 2 weeks.



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Questions?