

Committee of the Whole Report For the Meeting of July 15, 2023

To: Committee of the Whole **Date:** June 9, 2023

From: Thomas Soulliere, Deputy City Manager

Subject: Proposed Parks Regulation Bylaw Amendments

RECOMMENDATION

That Council direct staff to:

- 1. Instruct the City Solicitor to bring forward bylaw amendments necessary to prohibit overnight sheltering at all times in Beacon Hill Park and Central Park, and
- 2. Forward these recommendations to the Council meeting to follow COTW on June 15, 2023.

EXECUTIVE SUMMARY

During the Provincial State of Emergency in 2020, Council amended the *Parks Regulation Bylaw* (the *Bylaw*) to temporarily allow shelters in public parks during daytime hours in response to the reduction in overnight shelter spaces due to the COVID-19 pandemic.

In 2021, Council repealed the temporary daytime sheltering provisions in the Bylaw. These changes were made following collaborative efforts between the City, the Province and other partners to increase housing options for individuals sheltering in parks and public spaces during the pandemic.

As part of the Bylaw adjustments, Beacon Hill Park (BHP) and Central Park (CP) were added to the list of parks where sheltering is temporarily prohibited.

Beacon Hill Park

In February 2022, the Supreme Court ruled that overnight sheltering in BHP is not a permitted use of the park under the terms of the Beacon Hill Park Trust. The Province appealed the decision, however, the Court of Appeal recently upheld the B.C. Supreme Court ruling that overnight sheltering is not permitted under the terms of the park's trust.

The Bylaw prohibiting sheltering in BHP will automatically expire on July 8, 2023. The permanent prohibition on sheltering in the park is recommended to align the Bylaw with recent court decisions.

Central Park

In January 2021, Central Park was temporarily closed due to damage caused by flooding, which significantly impacted people sheltering in the park and resulted in considerable damage to property. In response, the City relocated individuals sheltering in the park to the parking lot at 940 Caledonia Avenue, and Central Park was temporarily added to the list of spaces where sheltering was prohibited in the Bylaw.

Large areas of the park remain susceptible to flooding during periods of heavy rainfall (Attachment A). In September 2022, the temporary sheltering prohibition for Central Park expired.

CONCLUSION

Adopting the Bylaw amendments will align City policy with the Court ruling regarding Beacon Hill Park and support the City's efforts to provide safe, healthy, and quality parks for all citizens.

Respectfully submitted,

Derrick Newman
Assistant Director
Parks and Open Spaces

Thomas Soulliere
Deputy City Manager

Report accepted and recommended by the City Manager.

List of Attachments

Attachment A: Map of Flood Prone Areas in Central Park