



EXPLANATION

Parks Control By-law Amendment Regarding Temporary Shelters in Parks

The attached By-law will implement the Board's resolution of April 8, 2024, to enact amendments to the Parks Control By-law regarding temporary shelters. The Board should only enact this By-law if it first approves the Report pertaining without amendment.



BY-LAW NO. _____

**A By-law to Amend the Parks Control By-law Regarding
Temporary Shelters in Parks**

THE PARK BOARD OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of the Parks Control By-law.
2. In section 1, the Board:
 - (1) in the definition of “general manager”, strikes out “or such other employee of the Board as may be nominated by the General Manager” and substitutes “and includes any person authorized to carry out the powers and duties of the General Manager”; and
 - (2) in the definition of “temporary shelter”, strikes out “or other temporary shelter that provides shelter to a person experiencing homelessness and that is capable of being dismantled and moved, but does not include a vehicle” and substitutes “or canopy that provides overnight shelter to a person experiencing homelessness and that is capable of being dismantled and moved by one person”.
3. In section 11B(a), the Board:
 - (1) strikes out section (a)(i) and substitutes the following:
 - “i. within 25 metres of:
 - A. a playground or school; or
 - B. licensed childcare facilities,”;
 - (2) strikes out section (a)(ii)(A) and substitutes “parking lot;”;
 - (3) in section (a)(ii)(J), strikes out “this by-law;” and substitutes “this by-law; or”; and
 - (4) adds new sections (a)(iii), (iv), and (v) in the correct alphanumeric order as follows:
 - “iii. in Queen Elizabeth Park or VanDusen Botanical Garden;
 - iv under the canopy of a tree; or
 - v. in, on, or within 7 metres of a beach, pond, lake, dock, cliff or steep slope;”.
4. In section 11B, the Board:

- (1) in subsection (b), strikes out “7:00am” and substitutes “8:00am”;
 - (2) in subsection (e), strikes out “hinder or interrupt the ability of staff or contractors to perform their work, as set out in section 14(a) of this by-law” and substitutes “obstruct the ability of staff or contractors to perform their work”;
 - (3) in subsection (f), strikes out “a maximum footprint of 9 square metres (3m x 3m), with all belongings contained within that space” and substitutes “a maximum footprint of 100 square feet (10 ft x 10 ft)”; and
 - (4) strikes out subsections (h) and (i), and substitutes the following:
 - “(h) must have at least 1 metre of clearance on all sides from another temporary shelter and any park infrastructure, including park buildings, facilities or structures; and
 - (i) must not be tied or affixed to another temporary shelter, a tree, or any park infrastructure, including park buildings, facilities or structures.”.
5. The Board adds a new section 11C as follows:
- “11C. If a temporary shelter has a footprint of less than 100 square feet (10 ft x 10 ft), then the person who occupies that temporary shelter may use an area up to 100 square feet (10 ft x 10 ft), provided that the area contains the temporary shelter.”.
6. The Board adds a new section 11D as follows:
- “11D. A person who occupies a temporary shelter:
- (1) must ensure that all of their belongings are contained within the temporary shelter or within the area described in section 11C;
 - (2) must ensure that the area upon which the temporary shelter was erected is left tidy and clear of debris after it has been dismantled and moved;
 - (3) despite sections 4(a)(i) and 4(a)(ii) of this by-law, must not use the temporary shelter to sell goods or conduct business; and
 - (4) in the case of a temporary shelter erected in an area designated by the General Manager as acceptable for daytime shelter, must occupy the temporary shelter for overnight sheltering purposes regularly when the shelter remains in the designated area.”.
7. The Board adds a new section 11E as follows:
- “11E. In the case of temporary shelters erected in an area designated by the General Manager as acceptable for daytime shelter, if required for health and safety reasons or for park maintenance purposes, the General Manager may order a person occupying a temporary shelter to:
- (1) relocate the temporary shelter to another location in the designated area; or



(2) remove the temporary shelter from the designated area,

and such order must be served by affixing it to the temporary shelter occupied by that person.”.

8. The Board adds a new section 11F as follows:

“11F. The General Manager may designate an area acceptable for temporary daytime shelter even if the area designated does not comply with the distancing requirements set out in sections 11B(a)(i) or (v).”.

9. The Board adds a new section 11G as follows:

“11G. The General Manager may inspect the interior and exterior of a temporary shelter erected in an area designated by the General Manager as acceptable for daytime shelter after serving at least 24 hours’ notice to the person occupying the temporary shelter, and such notice must be served by affixing it to the temporary shelter occupied by that person.”.

10. In section 13, the Board adds “, vehicle, temporary shelter, or thing” after “to have any such obstruction”.

11. In section 14, the Board:

(1) in subsection (k)(ii), strikes out “until claimed.” and substitutes “until claimed;”;

(2) adds a new subsection (l) as follows:

“(l) bring into a park any of the following:

(i) pallets,

(ii) fencing,

(iii) lumber, plywood, drywall, insulation, or any other construction material,

(iv) generators, or

(v) power tools, except as permitted under section 8(f); or”; and

(3) adds a new subsection (m) as follows:

“(m) tamper with any park infrastructure, including electrical systems, irrigation systems, plumbing systems, washrooms and fieldhouses.”.

12. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by the Vancouver Board of Parks and Recreation this ___ day of ____, 2024.



Brennan Bastyovanszky, Chair
Board of Parks and Recreation

Steve Jackson, General Manager
Board of Parks and Recreation