

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

THE BOARD OF PARKS AND RECREATION 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:
  - (a) inserts the following definitions in the correct alphabetical order:

“HOMELESSNESS” means the state of having no access to permanent or temporary housing, accommodation, or shelter.”;

“NATURAL AREAS” are those areas of parks that are managed to retain their natural ecosystem attributes, are relatively undisturbed in an urban context, contain native or naturalized non-native plant species, and provide wildlife habitat, stormwater retention, and other ecosystem services; these include forests, ponds, wetlands, stream riparian zones, coastal environments, meadows, treed areas without mown understory, and unmanicured sections of golf courses.”;

“TEMPORARY SHELTER” means a tent or other temporary structure that provides shelter to a person experiencing homelessness and that is capable of being dismantled and moved, but does not include a vehicle.”; and
  - (b) renumbers the existing subsections accordingly.
3. The Board strikes out subsection 3(b) and substitutes “Except as provided in section 11A, no person shall enter or remain in a park except during the hours posted.”.
4. In section 10, the Board adds “except as provided in section 11A” after “or take up a temporary abode in any place on any portion of any park”.
5. In section 11, the Board adds “, except that this provision does not apply to a temporary shelter that complies with the provisions of this by-law” after “without the permission of the General Manager”.
6. The Boards adds the following new sections:

“11A. A person experiencing homelessness may take up temporary abode in a park if that person:

  - (a) is in a park or a specified area of a park in which a temporary shelter is not prohibited by this by-law;
  - (b) erects a temporary shelter that complies with the provisions of this by-law; and
  - (c) dismantles and moves the temporary shelter in accordance with the provisions of this by-law.

- 11B. A temporary shelter:
- (a) must not be erected:
    - i. within 25 metres of a playground or school;
    - ii. in, on or within a:
      - A. beach, pond, lake or dock;
      - B. trail, bridge, seawall, roadway or park entrance;
      - C. natural area;
      - D. garden or horticultural display area;
      - E. pool or water park;
      - F. sports field, sports court, skate park, fitness amenity or golf course;
      - G. community centre or fieldhouse;
      - H. bleacher, stage, gazebo, public monument, designated picnic site, picnic shelter or washroom;
      - I. designated off-leash dog area; or
      - J. designated special event area for which permission has been given in accordance with this by-law;
  - (b) may only be erected from dusk until 7:00am the following day, unless in an area designated by the General Manager as acceptable for temporary daytime shelter;
  - (c) must be dismantled and moved by 8:00am each day, unless in an area designated by the General Manager as acceptable for temporary daytime shelter;
  - (d) must not impede public use of, or access to, a park or facility;
  - (e) must not hinder or interrupt the ability of staff or contractors to perform their work, as set out in section 14(a) of this by-law;
  - (f) must not exceed a maximum footprint of 9 square metres (3m x 3m), with all belongings contained within that space;
  - (g) must not contain any campfire, lighted candles, propane lanterns or stoves, or other similar devices;
  - (h) must not be used to sell goods or conduct business without the permission of the Board, as set out in section 4(a)(i) and 4(a)(ii) of this by-law; and.
  - (i) must not be left unattended.

7. In section 13, the Board adds “, temporary shelter,” after “any obstruction, vehicle”.



8. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
9. 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 15<sup>th</sup> day of September 2020.

A handwritten signature in black ink, appearing to read "Camil Dumont".

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Camil Dumont, Chair  
Board of Parks and Recreation

A handwritten signature in black ink, appearing to read "Steve Jackson".

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Steve Jackson, Acting Deputy General Manager  
Board of Parks and Recreation