



## EXPLANATORY MEMO

### **PARKS AND PUBLIC FACILITIES REGULATION BYLAW, 2018, No. 3048, AMENDMENT No. 1, 2019 BYLAW No. 3105**

The purpose of Bylaw 3105 is to add Rotary Centennial Park to the list of parks where temporary shelters may not occur.

Social issues such as homelessness and lack of supportive housing, have created new challenges for the City in terms of balancing the needs of parks and public facilities users with the needs of those persons without shelter in the City.

The Supreme Court of British Columbia has considered the issue of some municipalities, through bylaws, prohibiting individuals from utilizing parks for overnight sheltering, including homeless persons. The Supreme Court has subsequently ruled that a complete prohibition of overnight sheltering in parks is a violation of the Canadian Charter of Rights and Freedoms in most circumstances. Accordingly, many municipalities, such as Abbotsford and Victoria, have adopted bylaws that allow overnight sheltering in parks, but regulate, among other things, the length of time individuals may utilize parks for such overnight sheltering, as well as prohibit overnight sheltering in specific parks that are determined to be inappropriate for overnight sheltering.

The City's bylaw addresses the right of individuals to shelter overnight in parks at those times when there is no accessible shelter accommodation available to them nearby.

At the same time, in seeking to balance the needs of all park users, Douglas Park was designated in the bylaw as a park where overnight sheltering would be prohibited. This Bylaw amendment seeks to designate Rotary Centennial Park as a park in the City where overnight sheltering is also prohibited.

Considerations for prohibiting overnight sheltering in Rotary Centennial Park include:

- The park's proximity to high density housing including low income families with children who play in the park.
- A large number of Syrian Government-Assisted Refugees live in the neighbourhood and are vulnerable with limited English language skills.
- Residents are concerned about exposing their children to the ongoing intravenous drug use by individuals who are sheltering overnight.
- Some individuals who are sheltering overnight have refused to abide by the Supreme Court ruling and have resisted requests to take down tents during the day so other park users can enjoy the playing field and rest of the park.



**PARKS AND PUBLIC FACILITIES REGULATION BYLAW, 2018,  
No. 3048,  
AMENDMENT No. 1, 2019  
BYLAW No. 3105**

A Bylaw to amend the Parks and Public Facilities Regulation Bylaw, 2018, No. 3048.

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

**(1) Title**

- (1) This bylaw shall be cited as the “Parks and Public Facilities Regulation Bylaw, 2018, No. 3048, Amendment No. 1, 2019, Bylaw No. 3105”.

**(2) Amendments**

- (1) Parks and Public Facilities Regulation Bylaw, 2018, No. 3048 is hereby amended:
- (a) by replacing Schedule “A” with revised Schedule “A” attached to and forming part of this bylaw.
  - (b) by adding Map 2 attached to and forming part of this bylaw.

READ A FIRST, SECOND AND THIRD time this tenth day of June, 2019.

ADOPTED this       day of       , 2019.

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**MAYOR**

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**CORPORATE OFFICER**

## **SCHEDULE “A”**

### **LIST OF PARKS WHERE TEMPORARY SHELTERS MAY NOT OCCUR**

- Douglas Park, with location and extent of Park as shown within heavy line on Map 1
- Rotary Centennial Park, with location and extent of Park as shown within heavy line on Map 2

## MAP 2

### ROTARY CENTENNIAL PARK

