

Report to Council



Date: June 5, 2023
To: Council
From: City Manager
Subject: Responsible Alcohol Use in Parks
Department: Parks and Buildings Planning

Recommendation:

THAT pursuant to section 73(2) of the Liquor Control and Licensing Act the Council of the City of Kelowna is empowered to regulate a public place that it has jurisdiction over as a place where alcohol may be consumed;

AND THAT the Council of the City of Kelowna wishes to designate a portion of parks and beaches as a place where alcohol may be consumed responsibly;

AND THAT, Council receives for information this report from the Parks & Buildings Planning, dated June 5, 2023, regarding the responsible consumption of alcohol in select parks;

AND THAT Council gives first, second and third reading to "Responsible Alcohol Consumption in Select Parks (Waterfront Park, Kinsmen Beach and Boyce Gyro Park from 12 PM to 9 PM)", as a pilot project from July 4, 2023 to October 6, 2023.

Purpose:

To consider a pilot project to allow the responsible consumption of alcohol in three beach parks.

Background:

Section 73(2) of the Liquor Control and Licensing Act empowers a municipal Council to regulate a public place that it has jurisdiction over as a place where alcohol may be consumed. Other jurisdictions have undergone pilot projects and subsequently allowed the responsible consumption of alcohol in parks. These are outlined below.

Penticton:

After three years of pilots, Penticton has permanently revised its bylaws to allow drinking on the primary beach parks on Okanagan Lake and Skaha Lake from 12pm to 9pm.¹ Penticton moved incrementally in both allowable time frames and designated areas. Areas of permissible consumption are clearly delineated on the beaches through posted signage and on their website.

RCMP and Bylaw Services in Penticton report a “negligible impact”. Staff affirmed this with Penticton RCMP and Bylaw. A noted impact to the City was to their works department (i.e. heightened volumes of waste in these designated areas).

Other cities in the province have also undertaken pilot projects. These municipalities have gone on to allow the use permanently in select parks, noted in Table 1 below.

Table 1. British Columbia Municipalities that allow Responsible Consumption of Alcohol in Parks

	Pilot Year	Permanent	# Parks	Hours	Notes
Penticton	2020	2023	5	12pm – 9pm	All Beach Parks
Vancouver	2020	2023	47 + 7 Beaches	11am – 9pm	2023 Beaches Pilot
North Vancouver	2020	2020	3 + 4 Waterfront	11am - Dusk	Excludes playgrounds
Port Coquitlam	2020	2021	10	-	Parks w/ picnic tables
Coquitlam	2020	2022	50	Dawn - Dusk	Excludes pool areas

National Parks

Some national parks have allowed the responsible consumption of alcohol in campgrounds and picnic / Day-use areas. Notably in some campgrounds, alcohol consumption is prohibited during long weekends when enforcement resources are already stretched².

Potential Benefits:

1. **Encouraging Responsible Behavior:** By allowing designated areas for responsible alcohol consumption, we are creating an opportunity to promote responsible behavior.
2. **Advancing Equity:** Many people who live in multi-unit residential developments do not have access to private outdoor space. This was underlined during the pandemic, which motivated many municipalities to pilot the responsible consumption of alcohol in park spaces.
3. **Encouraging Community Interaction:** Public parks are often seen as gathering places for members of our community. By allowing responsible alcohol consumption in designated areas, we are creating an opportunity for people to come together and interact in a safe and enjoyable environment.

¹ City of Penticton, Feb.7, 2023. Council Report. [Bylaw 2023-05 Responsible Liquor Consumption in Designated Public Spaces](#). Penticton.ca

² Government of Canada, May 2023. [What's new in the campground - Bruce Peninsula National Park \(canada.ca\)](#)

Discussion:

The following criteria were used to select pilot parks for the responsible consumption of alcohol:

1. **High Passive & Formal Surveillance.** Parks that have good sightlines through the park, natural surveillance from other users, and effective access from bylaw and RCMP.
2. **Available Amenities:** Parks with washrooms, trash cans, and picnic areas.
3. **Access Options:** Parks that are easily accessible by transit or active transportation networks, reducing the potential for driving under the influence.
4. **Regular Maintenance and Inspections:** Parks that have regular maintenance and inspections.
5. **Mid to High Density Neighbourhoods:** Parks that are close to areas of mid to high residential density provide opportunities for residents to socialize out of doors, many of whom do not have access to private outdoor space.

The following criteria were used to identify parks that should be excluded or avoided:

1. **History of Bylaw Incidents:** Parks with a history of alcohol-related or other incidents.
2. **Playgrounds and Play Spaces:** To avoid consumption of alcohol in areas dedicated to children's play.
3. **Natural Areas:** Natural areas, such as linear parks, are typically low on facilities such as waste containers and washrooms. Additionally, they have lower frequency maintenance schedules. They are sometimes far from transit and require car access. Litter in areas such as creeks and steep slopes can be challenging to remove and are damaging to natural ecosystems, with potential migration into waterways.
4. **Remote Parks:** Remote parks are not ideal candidates for alcohol consumption, as access typically relies on the automobile, with few transit options. Additionally, these can be time consuming and challenging for bylaw services and RCMP to access.

Pilot Project

Based on the criteria above, the responsible use of alcohol is proposed, between the hours of 12pm and 9pm, in the following parks:

- Waterfront Park
- Kinsmen Park
- Boyce Gyro Park

Excluded areas within these parks are as follows:

- 15m from any playground, play equipment or any children's play areas
- Sports courts and fields (hard surfaced, grass and artificial turf)
- Parking lots

- Water bodies
- Piers / boardwalks without railings

Parks to specifically avoid for the pilot project, due to either high calls for service, and/or playgrounds or play spaces, include:

- City Park
- Kerry Park
- Stuart Park

Operation considerations include:

- July 4th to October 6th, 2023
- Avoid Canada Day, BC Day and Labour Day long weekends
- 12 noon to 9 pm hours
- Zero tolerance for glass
- Daily maintenance checks
- Signs at major entry points and on the website

During the one-year trial, the pilot project will be monitored, and subsequently assessed for continuation, cancelation or expansion.

Engagement:

Staff engaged with the following internal and external stakeholders during the development of this pilot project:

- **Internal**
 - Community Safety
 - RCMP
 - Bylaw Services
 - Active Living & Culture
 - Parks Operations
- **External**
 - Downtown Kelowna Association
 - Tourism Kelowna
 - Kelowna Downtown Knox Mountain Neighbourhood Association
 - KLO Neighbourhood Association

Conclusion:

The criteria to select parks to consider the responsible consumption of alcohol in parks, as well as the criteria to avoid other parks, establish three parks for consideration for a pilot project to allow responsible consumption in Waterfront Park, Kinsmen Park and Boyce Gyro Park.

Internal Circulation:

Divisional Director, Partnership & Investments

Divisional Director, Active Living and Culture

Divisional Director, Infrastructure

Divisional Director, Financial Services
Manager, Community Safety
Manager, Bylaw Services
Department Manager, Infrastructure Operations
Manager, Parks Services
Manager, Community Communications
Manager, Real Estate
Manager, Transportation Planning
Manager, Financial Planning
RCMP

Legal/Statutory Authority:

Section 73(2) of the Provincial Liquor Control and Licensing Act

Legal/Statutory Procedural Requirements:

Existing Policy:

Bylaw 10680 - Parks and Public Spaces Bylaw
Bylaw No. 10475 Bylaw Enforcement Bylaw
Council Policy 223 – Liquor Licenses in Parks and Stadiums and Facilities

Financial/Budgetary Considerations:

The cost of the project is expected to be an increased need for litter control and waste container disposal and will be accommodated within 2023 approved budgets.

External Agency/Public Comments:

Considerations not applicable to this report:

Communications Comments:

Submitted by:

Melanie Steppuhn, Parks Planner

Approved for inclusion:



Derek Edstrom, Divisional Director, Partnerships & Investments

cc:

C Cornock, Community Safety Services Manager
K. Hunter, Bylaw Services Supervisor
B. Stewart, Parks Services Manager

Attachment 1: Presentation – Responsible Alcohol Consumption Designated Areas in Parks

Attachment 2: Draft Bylaw