

# Report to Council



**Date:** May 6, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** Responsible Liquor Use in Parks  
**Department:** Parks and Buildings Planning

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**Recommendation:**

THAT Council receives for information the report from the Parks & Buildings Planning Department, dated May 6, 2024, regarding the responsible consumption of liquor in select parks;

AND THAT Bylaw No. 12655, being Amendment No. 8 to Parks and Public Spaces Bylaw No. 10680, be forwarded for reading consideration.

**Purpose:**

To amend the Parks and Public Spaces Bylaw to allow the responsible consumption of Liquor in select parks.

**Council Priority Alignment:**

**Climate & Environment**

**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 Liquor may be consumed. In June 2023, Council adopted a pilot project for the responsible use of Liquor in three 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. This report includes a review of the results of the pilot project and a proposal for a permanent program for the responsible consumption of Liquor in parks.

The results of the pilot program based on feedback from departments is noted in Table 1:

**Table 1: The Responsible Use of Liquor in Parks Pilot Program Feedback**

Item	Detail	Notes
<b>Parks Planning</b>		
	0	No feedback from the public after launch of pilot in July
<b>Communications</b>		
Feedback through all channels	Few	Predominantly positive feedback with only minor anecdotal concerns or constructive feedback expressed
<b>Parks Operations</b>		
Waste Disposal	Waste Volume	Waste has increased but is still manageable
	Returnables	Staff installed open cages for returnables and have reported that the public are taking cans daily before they had a chance to clean them out
<b>Bylaw Services</b>		
Calls for Service	1	Tugboat Beach but no one was there; 45 total for elsewhere in the City, the balance was for residences, beach accesses and prohibited camping
<b>Security / KSOC</b>		
Calls for Service	0	Security / KSOC received no reports from these locations that had any direct relation to Liquor being allowed and no increased calls to security that were outside of the usual activities & frequency.

#### RCMP

The feedback from the RCMP revealed that there was no increase in calls for service in areas because of the pilot program operating in these three parks. See Table 2.

**Table 2: The Responsible Use of Liquor in Parks Program – RCMP Calls for Service**

Calls for Service	2023	2022	Change(%)
Waterfront and Tugboat Beach CFS	112	138	-18.84%
Kinsman Park CFS	9	19	-52.63%
Boyce Gyro Park CFS	23	63	-63.49%

#### Benefits of Designating Select Parks for Responsible Liquor Consumption:

- 1. Encouraging Responsible Behavior:** By allowing designated areas for responsible Liquor 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 Liquor in park spaces. The equitable distribution of parks and amenities is an OCP policy (10.1.1).
- 3. Supporting Community Interaction:** Public parks are often seen as gathering places for members of our community. By allowing responsible Liquor consumption in designated areas,

we are creating an opportunity for people to come together and interact in a safe and enjoyable environment.

*Previous Council Resolution*

Resolution	Date
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.	June 5, 2023

**Discussion:**

A number of factors were considered last year in order to select pilot parks for the responsible consumption of Liquor, and these were brought forward for consideration in the overall program planning:

1. **High Passive & Formal Surveillance.** Parks that have good sightlines through the park, natural surveillance from other users, and effective access for Bylaw Enforcement Officers and RCMP.
2. **Available Amenities:** Parks with a variety of amenities, particularly those with washrooms, trash cans, and picnic areas.
3. **Access Options:** Parks that are generally 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:** Consider 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 / RCMP Incidents:** Parks with a history of Liquor-related or other incidents.
2. **Playgrounds and Play Spaces:** Avoid consumption of Liquor 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.

Based on the factors developed for the 2023 pilot program, the responsible consumption of liquor is proposed to be allowed, between the hours of 12pm and 9pm, May 15<sup>TH</sup> to September 15<sup>TH</sup> annually in the following parks, on a permanent basis. Additionally, the Parks Services Manager may temporarily suspend the area where liquor can be consumed in a park. The proposed parks are noted in Table 3.

**Table 3: The Responsible Use of Liquor in Parks Program – Proposed Parks**

Name of Park	(Pilot) Initiation Year
Cedar Creek Park	2024
Boyce-Gyro Beach Park	(2023) 2024
Kinsmen Park	(2023) 2024
Rotary Beach Park	2024
Sarsons Beach Park	2024
Strathcona Beach Park	2024
Sutherland Bay Park	2024
Waterfront Park (including Tugboat Beach)	(2023) 2024

Excluded areas within these parks are as follows:

- 15m from any playground, play equipment or any children’s play areas
- 15m from residences
- Sports courts and fields (hard surfaced, grass and artificial turf)
- Parking lots
- Water bodies
- Piers / boardwalks without railings

Operation considerations include:

- May 15<sup>th</sup> to September 15<sup>th</sup> annually
- 12 noon to 9 pm hours
- Glass is prohibited
- Regular maintenance checks
- Signs at major entry points and on kelowna.ca

**Conclusion:**

The 2023 pilot project for the responsible consumption of Liquor within three parks resulted in no additional bylaw or RCMP calls for service. Waste did increase but on a manageable scale. This report proposes a permanent program for the responsible consumption of liquor in select parks, for a total of eight parks.

**Internal Circulation:**

Divisional Director, Partnership & Investments  
Divisional Director, Active Living and Culture  
Divisional Director, Infrastructure  
Divisional Director, Financial Services  
Director, Community Safety  
Manager, Bylaw Services  
Manager, Parks Services  
Manager, Community Communications  
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 2024 approved budgets. Approximately \$5,000 will be required for operations and maintenance.

#### **Consultation and Engagement:**

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

- **Internal**
  - Community Safety (Bylaw Services and RCMP)
  - Active Living & Culture
  - Parks Operations
- **External**
  - Downtown Kelowna Association
  - Tourism Kelowna
  - Upland Rutland Business Association
  - Interior Health
  - Kelowna Downtown Knox Mountain Neighborhood Association
  - KLO Neighborhood Association
  - Rutland Resident's Association
  - South Kelowna Neighbourhood Association
  - South Mission Neighbourhood Association
  - Okanagan Mission Seniors Society

#### **Interior Health**

Staff met with representatives from Interior Health, and they provided a formal response with concerns about the program including the potential normalization of Liquor consumption and potential harms related to drinking and public health. Interior Health provided four recommendations for the program should it go forward, and these are included below.

1. *Providing visible on-site signage indicating potential harms related to Liquor and that no amount of Liquor is safe, as well as online resources for users to access information specifically related to health and safety.*
2. *Create designated zones or areas, away from children focused infrastructure, for Liquor consumption to maintain public safety and mitigate potential conflict.*
3. *Provide information on how to report issues should park and/or beach users experience unsafe, irresponsible, emergency and disrespectful behaviours within the specified drinking parameters.*
4. *Complete a robust program evaluation, including diverse public opinions and understanding of the full impact of potential long- and short-term health consequences.*

Staff notes that Items 2 and 3 will be included on the signs at the entry points to each park. Items 1 and 4 will not be done, as that work is outside the jurisdiction and expertise of the City of Kelowna.

***Communications Comments:***

The City will be updating kelowna.ca park map filters so that responsible alcohol consumption is a filtered option for visitors to the web site. In addition, the City will be doing multi-channel public communications to build awareness of the program parameters with residents and visitors alike such as a news release and targeted digital advertising.

Submitted by:

Melanie Steppuhn, Parks Planner

**Approved for inclusion:**



Derek Edstrom, Divisional Director, Partnerships & Investments

cc:

Supt. Triance, Officer in Charge, RCMP – Kelowna Region

M. Roucek, Community Safety Services Manager

K. Hunter, Bylaw Services Supervisor

B. Stewart, Parks Services Manager

K. Kay, Community Engagement Manager

M. Antunes, Financial Planning Manager

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

Attachment 2: Draft Bylaw