



<u>COUNCIL AGENDA</u>	
Date: <u>July 8, 2024</u>	Item: <u>5.</u>



DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

5.

COUNCIL REPORT

Date:	June 26, 2024
From:	Corinne Ambor, Parks Stewardship Manager
Subject:	Proposed Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw No. 5341, 2024
File:	1610-20-5341

RECOMMENDATION

THAT proposed “Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw 5341, 2024” be read a first, second, and third time.

1.0 Purpose

This report proposes an amendment to the Consumption of Liquor in Public Places Bylaw No. 5118, 2021, through Amendment Bylaw No. 5341, 2024 (Amendment Bylaw), attached as **Appendix A**, to include two additional park locations. This is in response to the May 27, 2024 Notice of Motion adopted on June 3, 2024, attached as **Appendix B**, regarding alcoholic beverages in Horseshoe Bay and Whytecliff Park in which staff received direction to add these additional park locations to the bylaw.

2.0 Legislation/Bylaw/Policy

Section 73 of British Columbia’s *Liquor Control and Licensing Act* and section 197 of the *Liquor Control and Licensing Regulation* allow municipalities, through a bylaw, to designate a public space or part of a public space where liquor may be consumed.

The Consumption of Liquor in Public Places Bylaw No. 5118, 2021 is a bylaw to establish the consumption of liquor in designated areas and times within the District of West Vancouver (District).

The District’s Parks Regulation Bylaw No. 4867, 2015 is a bylaw to regulate the use of parks.

3.0 Council Strategic Objective(s)/Official Community Plan

Council Strategic Plan 2024-2025

The following strategic goal is applicable to this report:

- Enhance our vital and vibrant commercial centres.

Official Community Plan

The following sections are applicable to this report:

Promoting opportunities and innovation:

2.3.20 Consider opportunities to support economic objectives on District-owned lands.

Enhancing public facilities and spaces:

2.8.13 Use placemaking strategies to promote social connections, public space animation, enhancement and management.

4.0 Financial Implications

Adding Horseshoe Bay Park and Whytecliff Park to the Consumption of Liquor in Public Places Bylaw will require the installation of new signage in these parks at an anticipated cost of \$2,000. The cost of the signage, in conjunction with other anticipated minimal costs, can be accommodated within the District's existing approved operating budget.

5.0 Background

5.1 Previous Decisions

On May 10, 2021, Council approved three readings of the Consumption of Liquor in Public Places Bylaw No. 5118, 2021, and directed staff to initiate a pilot project allowing liquor consumption in Millennium Park until October 31, 2021. Council adopted this bylaw on May 31, 2021.

On October 18, 2021, Council approved an amendment to this bylaw, extending the pilot project in Millennium Park beyond October 31, 2021, and directed staff to include additional locations within District parks.

On April 11, 2022, Council adopted an amendment to the bylaw to include three additional park locations: Ambleside Landing, John Lawson Park, and Dundarave Park.

On January 23, 2023, Council directed staff to provide an amendment to the bylaw to provide for a reduction in signage designating boundaries of the Permitted Space. This amendment was adopted on March 27, 2023.

On May 27, 2024, a Notice of Motion was presented regarding alcoholic beverages in Horseshoe Bay Park and Whytecliff Park.

Council, at its June 3, 2024 regular meeting, passed the following resolutions:

WHEREAS the Liquor Control and Licensing Act authorizes Council to enact a bylaw designating a public place, or part thereof, as a place where liquor may be consumed during certain hours;

AND WHEREAS the District of West Vancouver's Consumption of Liquor in Public Places Bylaw No. 5118, 2021 currently allows for the consumption of liquor in Ambleside Landing, Millennium Park, John

Lawson Park (excluding the playground) and the western portion of Dundarave Park (excluding playground) from noon to dusk, seven days per week, this proposed amendment will allow residents and visitors to the western reaches of West Vancouver to enjoy the same privileges as their neighbours to the east;

AND WHEREAS this amendment will allow individuals who may not have the physical space to entertain with friends in an outdoor setting to enjoy the outdoors. This amendment will provide an economical way for families and friends to gather with a picnic, or with take-out options from local restaurants, while enjoying an alcoholic beverage responsibly;

AND WHEREAS this amendment will likely provide a boost to the local business community in Horseshoe Bay;

THEREFORE BE IT RESOLVED THAT Council direct staff to amend the District of West Vancouver Bylaw No. 5118 to allow for the consumption of liquor in Horseshoe Bay Park and Whytecliff Park.

5.2 History

In 2020, the BC Government relaxed some of the regulations within the *Liquor Control and Licensing Regulation* to allow municipalities to permit consumption of liquor within a Permitted Space in designated public places.

In May 2021, Millennium Park was selected by the District as a pilot location to permit the consumption of liquor in public places. This pilot location was successful, and in April 2022, Council added Ambleside Landing, John Lawson Park (excluding playground), and the western portion of Dundarave Park (excluding playground) to the Consumption of Liquor in Public Places Bylaw.

To assist with selecting appropriate additional park locations for consumption of liquor in public places, criteria were established. These criteria include selecting park locations that have established gathering and picnic areas; are in close proximity to public transit and local businesses; and are in visible non-remote locations.

In 2023, the bylaw was amended to reduce the number of signs required.

6.0 Analysis

6.1 Discussion

In response to the May 27, 2024 Notice of Motion regarding alcoholic beverages in Horseshoe Bay Park and Whytecliff Park, it is proposed that responsible liquor consumption be permitted in areas of these parks as outlined in the proposed Amendment Bylaw which contains maps outlining the proposed areas in each park.

Proposed Park Areas

- Horseshoe Bay Park (Schedule F in the Amendment Bylaw)

The proposed permitted space for the consumption of liquor in Horseshoe Bay Park includes the area west of the playground, as well as the seating area east of the playground to the boat ramp. The playground, pier, foreshore, and washroom building are not included. Horseshoe Bay Park meets the criteria established in 2021 for inclusion in the Liquor in Public Places bylaw.

- Whytecliff Park (Schedule G in the Amendment Bylaw)

The proposed permitted space for the consumption of liquor in Whytecliff Park includes the picnic shelter and grassy areas to the west and south of the picnic shelter; the flat grass area in the centre of the park north of the concession building; and the area west of the concession building extending to the Bassendale Terrace area. The playground, foreshore, rocky areas, and concession building are not included.

While Whytecliff does not meet the criteria established in 2021 for inclusion in the Consumption of Liquor in Public Places Bylaw, it does not have a history of problematic behaviour in the park related to alcohol.

Next Steps

If the proposed Amendment Bylaw is adopted, new signage will be installed in both parks, indicating where and when liquor may be consumed. This is required by the *Liquor Control and Licensing Act* and *Liquor Control and Licensing Regulation*.

If complaints emerge and enforcement is required, these are referred to Bylaw & Licensing Services or West Vancouver Police Department (WVPD).

6.2 Climate Change & Sustainability

The proposed Amendment Bylaw includes Horseshoe Bay Park and Whytecliff Park to contribute to community by providing additional parks in the western portion of the District where liquor may be responsibly consumed.

6.3 Public Engagement and Outreach

The District's Community Relations & Communications Department will design signage which, if approved, will inform the public about the inclusion of Horseshoe Bay Park and Whytecliff Park in the Consumption of Liquor in Public Places Bylaw.

6.4 Other Communication, Consultation, and Research

WVPD, Fire & Rescue Services, Bylaw & Licensing Services, and Facilities & Assets departments were consulted on the Amendment Bylaw.

Feedback received noted that: the one-way road in and out of Whytecliff Park is a concern during heavy traffic times; there is no public transit to Whytecliff Park; there are locations in Whytecliff Park which are not highly visible, such as beaches and cliffs (which are outside the permitted areas); and potential disruptions to the local neighbourhoods.

Given there is no recent history of problems related to the public consumption of alcohol in either park, WVPD is supportive of the Amendment Bylaw. WVPD indicated they can police issues related to the consumption of liquor in either park as they arise.

The Horseshoe Bay Business Association was also consulted on this Amendment Bylaw and is supportive.

Vancouver Coastal Health expressed concern relating to the known health risks of consuming alcohol.

7.0 Options

7.1 Recommended Option

THAT proposed “Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw No. 5341, 2024” be read a first, second, and third time.

7.2 Considered Options

Council may:

- provide further direction to staff; and/ or
- request additional information or provide alternative direction (to be specified).


8.0 Conclusion

In response to the Notice of Motion of May 27, 2024, this report recommends that the proposed “Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw No. 5341, 2024” be read a first, second, and third time. The Amendment Bylaw proposes two additional park locations: Horseshoe Bay Park and Whytecliff Park. If adopted, staff will place required signs indicating areas and hours alcohol is permitted to be consumed in Horseshoe Bay Park and Whytecliff Park.

Date: June 26, 2024
From: Corinne Ambor, Parks Stewardship Manager
Subject: Proposed Consumption of Liquor in Public Places Bylaw No. 5118, 2021,
Amendment Bylaw No. 5341, 2024

Page 6

Author: 
Corinne Ambor, Parks Stewardship Manager

Concurrence: 
Jill Lawlor, Senior Manager of Parks


Matthew O'Connor, Manager of Bylaw & Licensing Services

Appendices:

Appendix A: Proposed Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw No. 5341, 2024

Appendix B: Notice of Motion regarding Alcoholic Beverages in Horseshoe Bay and Whytecliff Park presented at the May 27, 2024 regular Council meeting



District of West Vancouver

**Consumption of Liquor in Public Places
Bylaw No. 5118, 2021,
Amendment Bylaw No. 5341, 2024**

Effective Date:

**Consumption of Liquor in Public Places
Bylaw No. 5118, 2021,
Amendment Bylaw No. 5341, 2024**

Table of Contents

Part 1	Citation	1
Part 2	Severability	1
Part 3	Amendment	1
	Schedule F – Map of Horseshoe Bay Park Showing Permitted Space	4
	Schedule G – Map of Whytecliff Park Showing Permitted Space.....	5

District of West Vancouver

Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw No. 5341, 2024

A bylaw to amend Consumption of Liquor in Public Places Bylaw No. 5118, 2021

Previous amendments: *Amendment bylaws 5184 and 5228.*

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for an amendment to Consumption of Liquor in Public Places Bylaw No. 5118, 2021;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Consumption of Liquor in Public Places Bylaw No. 5118, 2021, Amendment Bylaw No. 5341, 2024.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendment

- 3.1 The Consumption of Liquor in Public Places Bylaw No. 5118, 2021 is hereby amended by inserting the following new schedules, each of which is attached to this Bylaw, immediately following the existing Schedule E:

“Schedule F – Map of Horseshoe Bay Park Showing Permitted Space”;

“Schedule G – Map of Whytecliff Park Showing Permitted Space”.

Schedules

Schedule F – Map of Horseshoe Bay Park Showing Permitted Space

Schedule G – Map of Whytecliff Park Showing Permitted Space

READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

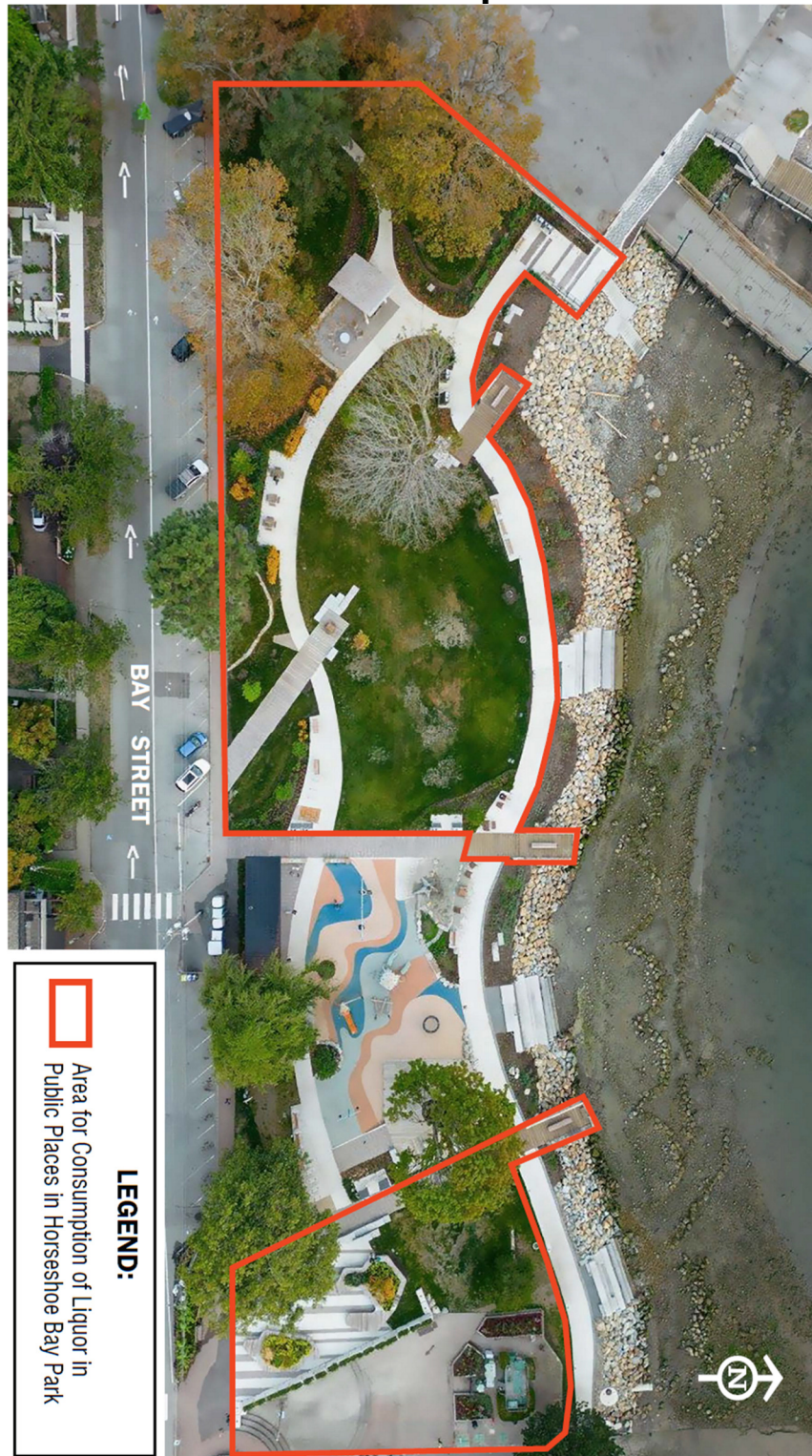
READ A THIRD TIME on [Date]

ADOPTED by the Council on [Date].

Mayor

Corporate Officer

Schedule F – Map of Horseshoe Bay Park Showing Permitted Space



Schedule G – Map of Whytecliff Park Showing Permitted Space



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**MEMORANDUM**

Date: 05/20/2024 File: 0120-06
To: Council
From: Councillor Watt and Councillor Cassidy
Re: **Notice of Motion regarding Alcoholic beverages in Horseshoe Bay Park and Whytecliff Park**

Notice of the following motion regarding an amendment to the Consumption of Liquor in Public Places Bylaw No. 5118, 2021 to permit the consumption of liquor in designated areas of Horseshoe Bay Park and Whytecliff Park will be given at the May 27, 2024 regular Council meeting. This amendment will be aligned with the District of West Vancouver's current allowance of the consumption of liquor in designated areas of Ambleside Landing, Millenium Park, John Lawson Park (excluding playground), and the western portion of Dundarave Park (excluding playground).

At the June 3, 2024 regular Council meeting, after the proposed motion is moved and seconded, discussion on the proposed motion may be held.

Take notice that at the June 3rd, 2024 regular Council meeting, Councillor Watt, with Councillor Cassidy as seconder, will move:

WHEREAS the *Liquor Control and Licensing Act* authorizes Council to enact a bylaw designating a public place, or part thereof, as a place where liquor may be consumed during certain hours;

AND WHEREAS the District of West Vancouver's Consumption of Liquor in Public Places Bylaw No. 5118, 2021 currently allows for the consumption of liquor in Ambleside Landing, Millenium Park, John Lawson Park (excluding the playground) and the western portion of Dundarave Park (excluding playground) from noon to dusk, seven days per week. This proposed amendment will allow residents and visitors to the western reaches of West Vancouver to enjoy the same privileges as their neighbours to the east;

AND WHEREAS this amendment will allow individuals who may not have the physical space to entertain with friends in an outdoor setting to enjoy the outdoors. This amendment will provide an economical way for families and friends to gather with a picnic, or with take-out options from local restaurants, while enjoying an alcoholic beverage responsibly;

AND WHEREAS this amendment will likely provide a boost to the local business community in Horseshoe Bay;

THEREFORE BE IT RESOLVED THAT Council direct staff to amend the District of West Vancouver Bylaw No. 5118 to allow for the consumption of liquor in Horseshoe Bay Park and Whytecliff Park.



MOVER: Councillor Linda Watt



SECONDER: Councillor Christine Cassidy

Information Supporting the Notice of Motion

In May 2021, there was the initial pilot program to allow for the consumption of liquor in Millenium Park. This was piloted for six months and then a review was conducted. It was found to be successful and was subsequently recommended that the pilot program be extended indefinitely. It was also proposed to add additional locations to the Consumption of Liquor in Public Places Bylaw based on positive feedback from the West Vancouver Police Department and the Ambleside Dunderave Business Improvement Association. The additional parks that were included in the bylaw were Ambleside Landing, John Lawson Park (excluding playground), and the western portion of Dunderave Park (excluding playground). Hours would remain the same noon to dusk, seven days per week. This has remained in operation since with minimal issues.

Discussions have been held with the Horseshoe Bay Business Association regarding the proposed expansion of this bylaw and they are supportive of this initiative.

This direction helps to achieve one of Council's Strategic Goal which is to create vital and vibrant commercial centres by collaborating with the local business community.

Financial Implications

The financial implications of expanding the bylaw to include Horseshoe Bay Park and Whytecliff Park would include creating new signage and installing it. The approximate costs would be \$800 and this could be covered through the Parks Department's operating budget.