

## Memorial Avenue and Plaza Designated as Sensitive Area

Parksville Council has amended the “Parks and Open Spaces Bylaw, 2016, No. 1523” to include Memorial Avenue Plaza, from the intersection at McMillan Street to the edge of Alberni Highway as a sensitive area where temporary shelter and overnight accommodation are not permitted. The amendment received final approval at a special Council meeting on July 20.

This amendment adds Memorial Avenue to other designated sensitive areas where overnight accommodation or camping is prohibited. These sensitive areas include the Parksville Wetlands, municipal wells and railway corridor, Springwood Park and municipal wells, Parksville Community Park, and the upland area designated in Plan Parksville as the Coastal Protection Development Permit Area No. 11.

With this change, the City will now begin the process of implementing the bylaw through education, enhanced security, new signage, and compliance and enforcement. The City bylaw compliance department and the Oceanside Detachment RCMP will work closely together to ensure the provisions of the bylaw are followed.

### BACKGROUND

In 2015, a BC Supreme Court decision provided clarification to municipalities on the regulation of overnight camping in public spaces by people who are experiencing homelessness. The court indicated people who are homeless have a constitutional right to erect temporary shelter on public lands from 7 pm on one day until 9 am the following morning. The rights are not absolute, and municipalities have the legislative power to regulate, and balance uses and activities in public spaces. Section 7 of the Canadian Charter of Rights and Freedoms states, “Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.” City’s bylaws were developed to be consistent with court decisions.

### REFERENCES

[City Information Release](#)

July 7, 2023

[Regulation of Overnight Camping in Public Spaces](#)

March 2016

[Addressing Parks and Open Spaces Bylaw](#)

April 2016

[Homelessness and Overnight Accommodation in Parksville](#)

February 2016

[Parks and Open Spaces Bylaw, 2016, No. 1523](#)

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### For more information:

Deb Tardiff, Manager of Communications

[communications@parksville.ca](mailto:communications@parksville.ca); 250 954-3073

*The City of Parksville is located on the traditional territory of the Coast Salish Nations,  
home to the Snaw-Naw-As First Nation and the Qualicum First Nation.*

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