

MOTION ON NOTICE

1. Improving User Access to False Creek

MOVER: Acting Mayor Raymond Louie

SECONDER: Councillor Deal

WHEREAS

1. The Federal Vessel Operation Restriction Regulations (VORR) currently do not permit restricting temporary anchoring and/or access for events on False Creek, as it is an open waterway under the Canada Shipping Act and must be available to all waterway users;
2. Vancouver City Council and Park Board, staff recently explored the possibility of the City of Vancouver temporarily restricting access to certain areas of False Creek during the 2017 Dragon Boat Festival;
3. The 2009 Memorandum of Understanding (MOU) between Transport Canada, Marine Branch Pacific Region, and the City of Vancouver was entered into allowing the City of Vancouver to:
 - Administer and enforce Federal regulations related to anchoring in False Creek
 - Ensure unrestricted access to False Creek by all users
 - Improve safety in False Creek for all users;
4. In order for the City of Vancouver to further restrict anchoring and access on False Creek, a change to Federal legislation would be required. There is a process to change the legislation, however, it will require extensive public consultation and a considerable amount of time. Additionally, prior to undertaking this work, more investigation should be done to determine the likelihood that this would be successful, as there may be underlying legal issues that are difficult to resolve;
5. Staff from Parks and Recreation and Engineering are in the process of re-establishing a pro-active working relationship with Transport Canada in an effort to review current regulations and the MOU as they relate to the current uses and needs of False Creek users. The goal is to amend the applicable legislation that will allow the City of Vancouver, as the local authority for False Creek, greater flexibility in managing waterway activities in False Creek.

THEREFORE BE IT RESOLVED THAT Council endorse the efforts of Transport Canada, Engineering Services, Park Board of Parks and Recreation staff and the Vancouver Police Marine unit to pro-actively work on short and long term solutions that will:

- achieve a balance between the needs of the various user groups;
- Prepare for any required public consultation to support Transport Canada's investigation for the possibility of amending current legislation and regulations;
- Developing a timeline to collaboratively update the current MOU.

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