



City of Port Moody

Report/Recommendation to Council

Date: November 9, 2022
Submitted by: Community Development Department – Policy Planning Division
Subject: Heritage Peak Pedestrian Gates One-Year Trial Review

Purpose

To report back to Council on the one-year trial implementation of signage and rules to manage public use of the private sidewalk providing access through Heritage Peak Strata property to the public trail system.

Recommended Resolution(s)

THAT the trial implementation of signage and rules to manage public use of the private sidewalk providing access through Heritage Peak Strata property to the public trail system be extended for an additional one-year period as recommended in the report dated November 9, 2022 from the Community Development Department – Policy Planning Division regarding Heritage Peak Pedestrian Gates – One-Year Trial Review.

AND THAT staff report back following the one-year trial period extension.

Background

The following resolution was released on February 8, 2022 from the Closed Council meeting held on October 26, 2021:

CC21/162

THAT staff be directed to formalize on a trial basis the proposed draft rules and signage to be used to manage public use of the private sidewalk providing access through the Heritage Peak Strata property to the public trail system as outlined in the memo dated October 13, 2021 from the Community Development Department – Policy Planning Division regarding Heritage Peak Gates;

AND THAT staff report back on the impact of these rules following the trial period.

The purpose of this report is to provide an update on the impact of the rules and signage implemented on a trial basis.

Discussion

In early 2021, staff received complaints from trail users in the Heritage Peak area concerned that public access to the trail system was impeded by gates at trail entry points and “No Trespassing” signs. Staff engaged with representatives from the Heritage Peak Strata to discuss the terms of existing legal agreements on title, particularly those which granted public access to the trail system. This engagement also provided an opportunity to understand the Strata’s concerns with nuisance behaviour from some people cycling, skateboarding and parking on Heritage Peak Road which is a private strata road.

There is a Statutory Right of Way for Walkway/Trail Access in place which allows for the City and the Heritage Peak Strata to establish rules for the management of the private sidewalk providing pedestrian access to the trail system. With this provision in mind, a set of rules was developed to allow both walkers and cyclists to use the private sidewalk for durations similar to current park use hours. Current park use hour restrictions are 10:00 PM to 6:00 AM (from June 1 to September 1) and 8:00 PM to 7:00 AM (from September 2 to May 31). The following actions were taken to improve the improve public access to the trails in this neighbourhood:

- Existing “No Trespassing” signs were removed from the pedestrian gates.
- New signage was posted that reads: *“Pedestrian Use of Sidewalk Permitted to Access Trails. This is private property. If transiting, please respect your neighbours, remain on the sidewalk, and walk bicycles. Gates may be closed during designated hours.”* A photo of the signage on the pedestrian gate is included as **Attachment 1**.
- An access code is noted on the gate to allow entry as a precaution in case inadvertently the gate is closed during the designated open hours (included in **Attachment 1**).

These rules were formalized on October 26, 2021 and intended to be used on a trial basis, after which all parties could assess its effectiveness and discuss potential changes if deemed necessary. It has now been one year since the rules and signage have been in place for the pedestrian gates. During this time, no related complaints have been received by the City’s bylaw division who have checked on the gates throughout the trial period. Planning staff have received one complaint in February 2022 from a nearby resident that was directly addressed with this resident. Staff have spoken with other nearby residents who have continued to access the public trail system through the pedestrian gates without any issues. The Heritage Peak Strata have noted that the same volume of hikers have been using the trails and the sidewalk as before the trial period and that nuisance behaviours experienced previously have decreased during the trial period.

Given the limited initial trial period, staff recommend that the current rules and signage for the management of the private sidewalk providing pedestrian access to the trail system remain in place for an additional one-year trial after which staff will report back on the impact for further Council consideration.

Other Option(s)

As directed by Council. If Council would like to conclude the trial period and formalize the current rules and signage for the Heritage Peak Gates at this time, a Council resolution would be required as follows:

THAT the trial period for the current rules and signage for the Heritage Peak pedestrian gates be concluded and that these rules and signage be formalized on a permanent basis.

Financial Implications

There are no financial implications associated with an extension of the trial period for an additional year.

Communications and Civic Engagement Initiatives

There is no communication or civic engagement initiative proposed as part of the recommended trial period extension.

Council Strategic Plan Objectives

This report is consistent with the Healthy City and Community Evolution strategic priorities by providing access to public amenities and managing growth in strategic balance with quality of life.

Attachment

1. Photo of the signage and access code on the pedestrian gate at the entrance to Heritage Peak Road.

Report Author

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Manager of Policy Planning

Report Approval Details

Document Title:	Heritage Peak Pedestrian Gates One-Year Trial Review.docx
Attachments:	- Attachment 1 - Photos of Heritage Peak pedestrian gate signage and door code.pdf
Final Approval Date:	Nov 14, 2022

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - Nov 9, 2022 - 10:58 AM

Rosemary Lodge, Manager of Communications and Engagement - Nov 13, 2022 - 2:17 PM

Paul Rockwood, General Manager of Finance and Technology - Nov 13, 2022 - 6:45 PM

Tim Savoie, City Manager - Nov 14, 2022 - 1:03 PM