



CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Housing Services Division

REVISED

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 14, 2023
SUBJECT/REPORT NO:	Public Feedback and Recommendations for an Encampment Protocol and Sanctioned Sites (HSC20036(g))
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Mike Jones (905) 546-2424 Ext. 3824 Danielle Blake (905) 546-2424 Ext. 3731
SUBMITTED BY:	Michelle Baird Director, Housing Services Division Healthy and Safe Communities Department
SIGNATURE:	
SUBMITTED BY:	Angie Burden General Manger Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That Council adopt the Proposed Encampment Protocol attached as Appendix “A” to Report HSC20036(g), and that staff be directed to implement and enforce the Proposed Encampment Protocol;
- (b) That Public Works be authorized to provide security to ensure access to washroom and/or shower services to support individuals who are unsheltered, including two existing all-year outdoor washroom facilities with 24-hour security and two existing all-year recreation centres with 12-hour security;
 - (i) at a cost of \$576,240, for the period of September 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046)
 - (ii) and that the cost of \$987,840 to operationalize this as a permanent program in 2024 be referred to the 2024 Tax Budget process;

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- (c) That in order for Planning and Economic Development, Municipal By-Law Enforcement to support enforcement of the Protocol based on the existing Monday to Friday level of service, and a four-day response time, Council approve;
 - (i) the creation of a 1FTE Supervisor of Municipal By-law Enforcement for the period September 1, 2023 to March 31, 2024, at a cost of \$86,120 to be funded from the Tax Stabilization Reserve (#110046),
 - (ii) and that the approval of one FTE at an annualized cost of \$147,650 be referred to the 2024 Tax Budget process.
 - (iii) that the purchase of a vehicle at a cost of \$35,000, and an annual operating impact of \$9,000 be referred to the 2024 Tax Budget process

- (d) That staff be directed to provide an enhanced service level to allow the Public Works, Parks Section staff to respond to requests for clean-up and maintenance in alignment with the service levels outlined in the Proposed Encampment Protocol and that Council approve;
 - (i) the creation of one FTE Parks Lead Hand and two FTE Parks Operators and that the cost of \$93,000 for this enhanced service level be funded from the Tax Stabilization Reserve (#110046) for the period of September 1, 2023 to March 31, 2024;
 - (ii) The leasing of vehicles and equipment for the period of September 1, 2023 to March 31, 2024 at an estimated cost of \$50,000, be funded from the Tax Stabilization Reserve (#110046);
 - (iii) the operating cost of \$278,400 to annualize this enhanced service level, includes \$245,000 for the approval of three FTEs, and \$33,400 for the annualized operating cost of the vehicles in recommendation d)iv) be referred to the 2024 Tax Budget process;
 - (iv) the Capital Costs of \$220,000 for equipment and vehicles to be referred to the 2024 Tax Budget process.

- e) That the General Manager of the Healthy and Safe Communities Department ,or designate, be authorized and directed, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to hire the equivalent and two seconded peer Support Workers, at an approximate annual cost of \$61,500 each (total for two FTEs \$123,000) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department, or designate, and in a form satisfactory to the City

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Solicitor and that the funding for these positions be referred to the 2024 Tax Operating Budget;

- (f) That upon the adoption of the Encampment Protocol, Housing Focused Street Outreach collaborate with key stakeholders to develop a liaison committee to ensure that individuals with lived/living experience of encampments, frontline operators, and staff are all meaningfully engaged in providing input into Hamilton's encampment response. Staff will collaborate with key stakeholders including Keeping Six, HAMSMaRT, Hamilton Regional Indian Centre, and Hamilton Encampment Support Network (to help recruit people with lived/living experience for the committee), to develop terms of reference for the committee that identifies goals, scope, and desired outcomes;
- (g) That the General Manager of Healthy and Safe Communities be authorized and directed to enter into the appropriate agreements with the Hamilton Alliance for Tiny Shelters for the operation of a two-year pilot of up to 25 temporary tiny homes on City lands, with appropriate security, services and supports at no cost to the City, subject to the following conditions; and,
 - (i) That the pilot program be located on the site of the parking area on the Strachan Avenue linear park or an alternative site that meets the criteria for the Protocol and is determined appropriate by staff
 - (ii) That all potential residents of the site are selected from the City of Hamilton's By-Name List, as per associated requirements of its Coordinated Access system, with approval from Housing Services Division;
 - (iii) That staff be directed to work with Hamilton Alliance for Tiny Shelters to review operating model and provision of security and services, determine performance metrics and outcomes, including eligibility and entry criteria, gender-specific considerations, Indigenous supports, identification of formalized community partnerships with health and social service sectors, pathways to permanent housing, and a process for evaluating the success of the pilot;
 - (iv) That staff be directed to evaluate program outcomes and that staff include information on the Hamilton Alliance for Tiny Shelters in progress updates to the General Issues Committee as part of future encampment reporting and performance metrics reporting; and
 - (v) That a detailed exit strategy has been created and will be executed should HATS not be able to ensure site safety and/or adequate funding to operate.

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- (vi) That the appropriate General Managers of Public Works, Planning and Economic Development, and the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined above on terms and conditions satisfactory to the respective General Manager or their designate and in a form satisfactory to the City Solicitor.

EXECUTIVE SUMMARY

As Hamilton's housing crisis has increased, so have the numbers of individuals living unsheltered in encampments throughout the City. The issue of encampments is one faced by many municipalities and continues to be a challenge beyond Hamilton. Encampments exist because of complex challenges related to housing affordability and availability, substance use, incomes, and mental health. Housing is a human right. As a municipality we must find a way to respond to the needs of residents living unsheltered in our community while we also work towards permanent housing solutions.

In May 2023 given the significance of the issue for the community, Council directed staff to make the draft Encampment Protocol and issues related to Encampment Response available for public comment. Staff were directed to incorporate public feedback into an amended Protocol for Council's consideration, conduct a jurisdictional scan of sanctioned sites (including site criteria, potential sites and potential operating models), and identify resources required to integrate services and supports for individuals living unsheltered, including access to washrooms and showers, and integration of peer supports and Indigenous supports into the City's encampment response and report back to Council on these items,

Staff received significant feedback from the community on the draft Protocol and the City's response to encampments in June 2023, including 11,943 visitors to the Engage Hamilton website who contributed 15,965 individual comments as well as approximately 2,000 attendees at three in-person community engagement sessions.

Across all engagement forums, there was a strong consensus that respondents did not want tents in parks, and that parkland should continue to be available for public use, especially in wards where there is a lack of parks and greenspace. There was no clear consensus from the public related to adopting sanctioned sites as an approach to encampments. There was consensus that respondents wanted more permanent, housing-focused solutions to address the needs of individuals living unsheltered.

There was limited agreement regarding the Protocol, with some believing it was too lenient and others too restrictive. One area of consensus was that encampments should be further away from schools, day cares centres, playgrounds, pools, waterparks, or any spray pad, as well as from private property lines. To address the public feedback

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provided, the recommended Protocol has been amended to extend the permissible distances from identified areas of concern. With amendments to the Protocol based on feedback from respondents, staff are recommending the adoption of the encampment Protocol as per Appendix "A" of Report HCS20036(g).

As directed by Council, staff completed a jurisdictional scan reviewing sanctioned encampments across North America, as well as their potential operating models. Staff used this scan and advice from staff within Housing Services Division to develop a list of criteria for sanctioned sites and ran scenarios of what locations would meet criteria and might be feasible in a sanctioned site model with services and supports. These scenarios assumed the need for a minimum of six sites to accommodate 150 individuals currently unsheltered in Hamilton, and a capacity of no more than 25 individuals at each site.

Given the costs associated with developing a fully serviced and managed sanctioned encampment site model; no clear mandate from respondents to trial the approach in Hamilton; unclear outcomes regarding pathways into housing; and limited resources being available, staff are not recommending identifying managed sanctioned encampment sites and related resourcing at this time.

However, staff's jurisdictional scan identified the need for a low-barrier alternative to encampments, and as a result staff are recommending implementation of a two-year pilot project led by the Hamilton Alliance for Tiny Shelters (HATS), at no cost to the City, to operationalize a model that will accommodate up to 25 structures where individuals living in encampments can live on a temporary basis. Staff used similar criteria as was used for identifying potential locations for sanctioned sites, as well as HATS criteria that was developed in consultation with community partners and individuals with lived experience, and the recommended Encampment Protocol to identify suitable sites that would work for the model. Strachan Linear Park on Strachan Avenue between Hughson Street and James Street has been identified as a preferred site for HATS for occupancy beginning Q4 2023. Staff will work with HATS to identify measurable outcomes to review the success of the approach, and ensure all prospective residents are selected via the City's By-Name List.

To meet Council direction related to providing access to washroom and showers for individuals living unsheltered, staff is recommending providing washroom and/or shower access via existing washrooms in parks, and at specified recreational centres in areas, both accompanied by security staff to ensure safety. Staff are recommending that two existing washrooms in two city parks be available and staffed 24 hours daily in addition to provision of shower and washroom facilities at two existing recreation facilities for 12 hours daily. Subject to Council approving resources, additional facilities can be added.

To meet Council direction to integrate peer support workers and Indigenous workers within the encampment response, an existing 1.0 FTE outreach worker was converted

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to an Indigenous Outreach worker within existing budget and employed as part of Housing Outreach team through a partnership with the Hamilton Regional Indian Centre Staff are recommending an addition of two (2) FTE peer support workers to the Housing Outreach team, to provide expertise around harm reduction, and support the cleaning of encampment sites, with particular attention to needle debris and other paraphernalia. Peer support workers are individuals with lived experience, in this case experience with homelessness, substance use or mental health, and through their shared experiences are able to provide emotional and practical support to clients making a connection based on their experience. This is different than a Housing Focused Street Outreach worker whose role it is to engage with the individuals to understand their situation and needs in order to connect with services and support their journey to housing. The Outreach worker has specific training and expertise in working with the population and the homelessness serving sector.

There has been a growth in the number of encampments across the city. The increase in encampments often leads to more waste and garbage accumulation in and around these areas. In addition, the increased numbers of encampments means additional by-law officers are needed to address any issues that arise and ensuring compliance with the Protocol.

Council provided direction to staff to transition existing encampment response team resources to the new Protocol and encampment response. Staff have been able to convert one Housing Outreach worker funded in the initial response to an Indigenous Worker, in response to Council direction. The City's current encampment response, as approved by Council through Report HSC20038(e)/PED21188(b), which includes a seven day / week service level response from the City's Housing Outreach Team, will continue to be necessary and will be deployed to implement the recommended protocol. Additionally, new investments are recommended in this report to ensure the current Monday-Friday level of service with a four-day response time and increased resources for waste/garbage removal, as well as to address any new services and supports directed by the Council.

By investing in these additional resources, the goal is to manage the encampments more effectively, ensuring the safety and well-being of both the residents and the surrounding community. The recommended actions aim to strike a balance between providing support and services to those experiencing homelessness while also addressing the concerns of constituents and local authorities regarding the impact of encampments on the area. The goal is to achieve the current Monday-Friday level of service with a four-day response time to handle constituent complaints and effectively implement the recommended protocol.

Respondents in the public consultations were strongly in support of prioritizing garbage removal and management throughout the City, for the health and safety of individuals living in encampments and the broader public.

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Overall, the report recommends the need for additional resources and a coordinated effort to manage encampments effectively and meet the community's needs and demands.

Finally, from a human-rights based approach, to properly address the needs of individuals living in encampments, and consistent with overwhelming feedback from respondents, staff are recommending the prioritization of permanent, affordable supportive housing and other supports to address the needs of individuals living unsheltered. Many of these permanent housing solutions are included in recommendations made in Report HSC23041 Addressing the Needs of Unsheltered Individuals and Emergency Shelter Capacity. This report aims to outline the current pressures in the shelter system and propose immediate and long-term solutions to address the pressures.

Alternatives for Consideration – Page 22

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial:

In order for the Coordinated Encampment response to implement additional service enhancements from September 1, 2023 through March 31, 2024, staff are requesting an additional \$805K of operating costs to be funded through the Tax Stabilization Reserve, (#110046). A permanent coordinated encampment response is being referred to the 2024 Tax Operating budget with a levy increase of \$1.6M or 0.15%, as well as an additional \$255K of Capital Costs which will be referred to the 2024 Tax Budget.

Please see Table 1 below:

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TABLE 1

Division/Section	2023 Council Approved Budget	August 2023 Additions – Recommended Resources	Total Costs
Housing Services Division	Manager of Housing Focused Street Outreach (\$149,000) Project Manager of Housing-focused Street Outreach (\$102,000) 3.5 FTE Street Outreach Workers (\$216,000) – Added in March to transition Housing Focused Outreach Team from 5 days to 7 days/week	1FTE Street Outreach worker converted to 1FTE Indigenous Worker (cost neutral) 2 FTE Peer support workers, to support harm reduction (\$123,000) (referred to 2024 budget process)	<u>Approved in 2023 Budget:</u> \$467,000 <u>Annual Operating Costs referred to 2024 Budget:</u> \$123,000
Licensing and Bylaw Services	Two Municipal Law Enforcement Officers (\$277,000)	Growth in encampments since February will require additional resources for enforcement of the Protocol at current levels, and a dedicated team with a supervisor: One Supervisor of Municipal Law Enforcement (\$147,650) One vehicle (\$35,000) Vehicle Operating Costs (\$9,000)	<u>Approved in 2023 Budget:</u> \$277,000 <u>Sept 1, 2023 – March 31, 2024 Operating Costs:</u> \$86,120 One-Time Capital referred to 2024 budget: \$35,000 <u>Annual Operating Referred to 2024 Budget:</u> \$156,650

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Public Works	<p>Parks Section Supervisor (\$124,000)</p> <p>Public Works operating budget be increased by \$200,000 annually</p>	<p>Public Works requires additional resources to ensure timely removal of debris and garbage given number of encampments and waste left behind when encampments are relocated</p> <p>One Parks Lead Hand (\$95,000) and two Parks Operators (\$150,000).</p> <p>Leasing of vehicles and equipment Sept. 1, 2023 – March 31, 2024 estimated at \$50,000</p> <p>One-time capital costs for Crew Cab Stake Truck (\$100,000), Skid Steer (\$100,000) and Dump Trailer (\$20,000), plus an additional annual operational cost of \$33,400 for gas, insurance, contribution to reserve and maintenance.</p> <p>Annual Increase in budget to hire security for ensuring individuals who are unsheltered have access to existing washrooms and recreational facilities (\$987,840)</p>	<p><u>Approved in 2023 Budget:</u> \$324,000</p> <p><u>Sept. 1 2023 – March 31 2024</u> <u>Operating Costs:</u> \$719,377</p> <p>One-Time Capital referred to 2024 Budget: \$220,000</p> <p><u>Annual Operating Referred to 2024 budget:</u> \$1,266,240</p>
Hamilton Police Services	Two Encampment Engagement Officers (\$268,646), plus \$30,000 in one-time costs for ancillary equipment	N/A	<u>Approved in 2023 Budget:</u> \$298,646

Summary costs by category in order to understand total costs of in-year, existing approved budget and proposed 2024 referred budget. Please refer to Table 2 below:

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TABLE 2

2023 Approved Budget	Operating Costs Referred to 2024 Budget	Total New Budget	Sept 1, 2023 – March 31, 2024	Capital Costs referred to 2024 Budget (one-time)
\$1,366,646	\$1,545,890	\$2,912,536	\$805,497	\$255,000

There is no financial impact based upon staff’s understanding of the Tiny Homes requirements as outline in this Council report.

Legal: N/A
Staffing:

The recommended coordinated encampment response enhancement would require an additional 6.00 FTEs, including 2.00 seconded staff and 4.00 budgeted complement staff:

- Funding for 2.00 additional seconded FTE, Peer Support Workers
- 1.00 FTE Supervisor of Municipal Law Enforcement
- 1.00 FTE Parks Lead Hand
- 2.00 FTE Parks Operators

HISTORICAL BACKGROUND

On May 17, 2023, staff provided a Proposed Encampment Protocol (HSC20038(f)/PED21188(c)) to Council. Staff recommended that Council adopt a Proposed Encampment Protocol in the interim, while a period of public comment occurred. Once the period of public comment closed, it was recommended that the City make the necessary changes and provide a final recommended Protocol to Council in August 2023.

Council did not adopt the proposed Encampment Protocol and directed staff to make the Protocol available for public comment until June 30, 2023, and to obtain public comment around the concept of sanctioned sites, conduct a jurisdictional scan on potential operating models, and report back to Council in August 2023. Council also directed staff to incorporate access to services and supports, including washrooms and showers, Peer Supports and Indigenous Workers, into encampment response.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not applicable

RELEVANT CONSULTATION

Staff from Healthy and Safe Communities (Housing Services Division, Recreation Division), Planning and Economic Development (Licensing and By-law Services), Public Works (Parks Division), and Corporate Services (Legal, and Finance) were consulted in the preparation of this report. Hamilton Police Services were also consulted.

Housing Focused Street Outreach engaged with the City's Indigenous Relations Office to review its approach to addressing Indigenous involvement in an outreach response model.

Additionally, Housing Focused Street Outreach met with the Program Coordinator at Keeping Six to review the proposed Encampment Protocol to ensure the language contained in the protocol reflected the voice of people with lived/living experience, and Hamilton Alliance for Tiny Shelters to understand program model and approach to operationalization.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Housing is a human right. While the City continues to work toward permanent solutions such as affordable and/or supportive housing, we continue to have individuals experiencing homelessness. Encampments have proliferated within communities across Canada since the beginning of the pandemic, creating challenges as well as new avenues for solutions to chronic homelessness. Various approaches to managing encampments have been identified and established in municipalities across Canada. Notably, a human-rights based approach to managing encampments has set a baseline for interactions between municipalities and individuals residing in encampments, as per principles outlined in a National Protocol for Homeless Encampments in Canada. The City is committed to pursuing deeply affordable supportive housing opportunities, while also pursuing an interim strategy based on a human-rights approach to manage encampments across the city.

From June 7 to June 30, 2023, City staff gathered input from the public through Engage Hamilton, conducted outreach to Ward Councillors offices, and ran three public meetings across the City, facilitated by Lura Consulting.

Additional comments from the public were submitted through other channels such as emailed comments, comments from town halls, and paper survey submissions. In total, the City received 11,943 visitors to the Engage Hamilton website, contributing 15,965 individual comments to the City of Hamilton regarding encampment response in the city. The questionnaire on Engage Hamilton resulted in 7,536 contributions. Approximately 2,000 Hamilton residents attended public meetings.

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Protocol Feedback

Overall, there was diversity of response and limited agreement about the draft Protocol. The draft Protocol received 41% approval via the Engage Hamilton questionnaire, which was consistent with the feedback received within the three public forums and other comments and feedback provided. There was no clear consensus regarding the Protocol, as one significant cohort identified the protocol as too enforcement-laden, while another believed it was too permissive, and some preferred an enforcement-led approach, whereas others preferred a housing-led approach.

Several changes were recommended to the Protocol by respondents, including updates to the distances away from specific landmarks or facilities, and more clarity regarding roles and responsibilities of staff, processes, and service levels.

Respondents were clear that they did not want encampments in city parks as they wanted parks to be able to be used and enjoyed for park purposes by individuals and families. At the same time, respondents also recognized the need to identify a place where individuals who are unsheltered could set up temporary shelter, and provided suggestions such as vacant lots, greenspace, underutilized campgrounds, and industrial or commercial lands, as places to host encampments.

There was a strong consensus that the City should identify temporary indoor spaces as an alternative to planned outdoor encampments, suggesting that the City explore using existing vacant or underutilized spaces such as vacant city buildings, vacant schools, and/or vacant underutilized private buildings (i.e. office space, industrial buildings, faith-based buildings). Respondents also identified alternative housing options as alternatives to sanctioned encampments, such as tiny homes, increased shelter beds, and field hospital beds.

A majority of respondents identified encampments as a symptom of several interconnected issues rather than a root cause, and provided several ideas regarding investments or re-allocation of funding toward longer-term solutions, such as mental health and substance use supports (i.e., programs, beds), the creation of new affordable housing to meet the demands of the community, rent and cost of living controls that help ensure affordability of housing and other goods, and a basic income to ensure that everyone is afforded the dignity and opportunity to live a healthy life. They also urged the City to advocate to other levels of government for more resources and develop a strategy to better provide mental health and substance use supports (i.e., treatment programs, rehabilitation, counselling), housing solutions (i.e., supportive housing, affordable housing, licensed rooming houses), and better income support services.

Sanctioned Sites Feedback

The feedback received from respondents regarding sanctioned encampment sites highlights a mix of support and concerns. While 54% of respondents to the Engage Hamilton questionnaire were in favor of such sites, the support was less clear in the public forums, and significant concerns were raised, particularly about the locations of these sites.

One area of common consensus across various feedback modalities was that sanctioned sites should be situated away from parks and residential neighborhoods where children commonly gather. Concerns were raised about the potential impact on homeowners and nearby residents, including safety concerns, property values, residential taxes, and overall affordability.

Despite concerns, those who supported sanctioned encampment sites identified important benefits. One major advantage was the ease of providing services and support to the unsheltered population within these sites. These services included mental health and substance use supports, medical services, counseling services, and access to essential needs like potable water, washroom and shower facilities, garbage removal, and safekeeping of personal belongings.

To address the concerns raised and effectively implement sanctioned encampment sites, careful consideration of the locations is essential. Ensuring that these sites are not located near residential areas and places where children frequently gather can help alleviate the worries of nearby residents. Additionally, engaging in community dialogue and providing clear communication about the planned sites' services and benefits can build support and understanding among all stakeholders.

Overall, the feedback underscores the importance of finding a balanced approach to address homelessness, considering both the needs of the unsheltered population and the concerns of residents. By focusing on providing comprehensive services and support to those in need while respecting the concerns of the broader community, there is potential to find solutions that benefit everyone and foster a sense of compassion and empathy in addressing the issue of homelessness in Hamilton.

General Feedback

Based on the public engagement, it is evident that there was a strong consensus to support individuals living in encampments. The goal was to achieve better outcomes by providing access to the services they need, with a particular emphasis on housing, within a safe and healthy environment. This approach aims to address the immediate needs of the unhoused population while also taking into consideration the safety and access to recreation for the broader community.

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Safety emerged as a significant concern across various feedback modalities. Respondents expressed a desire for actions and supports to ensure the safety of both individuals who are unsheltered and the community as a whole. Addressing safety concerns includes measures to protect those living in encampments, creating a sense of security for housed residents, and ensuring visitors to the City of Hamilton feel safe.

To gather and present the feedback accurately, a detailed methodology was utilized during the engagement process. This methodology allowed for comprehensive data collection and analysis, ensuring that the 'what we heard' section in the report encompassed the themes identified through feedback from all engagement sessions and modalities. The inclusion of Appendix “C” provides further transparency and clarity in presenting the findings and conclusions drawn from the public engagement.

Encampment Protocol Update

Following the feedback received through the consultations, staff are recommending a number of modifications to the Encampment Protocol that was originally presented to Council in May 2023 through Report HSC20038(f)/PED21188(c). These amendments seek to reflect some of the commonly raised issues that locations suitable for unsheltered individuals should not be mixed with locations for other uses (e.g. schools, recreational assets, private property).

The Protocol attached as Appendix “A” to this report remains largely the same as the version proposed in May 2023, but the following changes are being recommended to some of the separation distances between encampments and other uses to reflect public feedback:

- Schools and day-care centres (50 metres has been modified to 100 metres).
- Playgrounds, pools, waterparks, or any spray pad (50 metres has been modified to 100 metres).
- Private property line (5 metres has been modified to 10 metres).

A shift from a 50-metre to a 100-metre setback from playgrounds, in particular, does introduce a number of limitations on potential encampment locations, particularly in the downtown and lower city where parks tend to be a smaller size.

Where the Protocol prohibited tents in “any area identified as susceptible to flooding, erosion, slope instability, or other environmental hazards” the amended protocol now includes language added that this clause is only enforceable when it presents a risk to health and safety. While this is not a specific change to the Protocol, for clarity, and consistent with the housing-focused approach, By-law enforcement will only occur in situations related to health and safety concerns or where an encampment, tent, or temporary structure is not in conformity with the Encampment Protocol, and where there

is an alternative location permitted by the protocol, or where alternative accommodation exists within the City's emergency shelter or housing system.

Additionally, some notable changes, based on public feedback, have been made to the Protocol to ensure greater clarity and ease-of-reading. A detailed review of public feedback regarding the Encampment Protocol was conducted and staff rationale for changes and non-changes to the Protocol, is attached in Appendix "B".

To address direction from Council and to ensure individuals living in encampments are given a reasonable ability to comply with the Protocol, a set of measures has been included in the Protocol to inform residents of nearby compliant sites in the case of any enforcement measures, and to ensure no residents are facing enforcement measures without being made aware of sanctioned and permitted sites where they can go.

An updated Encampment Protocol inclusive of all changes being proposed to Council for adoption is attached as Appendix "A".

Enforcement

Staff are recommending that the City's encampment response continue to follow a housing-focused approach. The recommended enforcement process is defined within the Protocol attached as Appendix "A". The City's Licensing and By-law Services Division will dedicate the two officers previously approved by Council through Report HSC20038(f)/PED21188(c) to the City's encampment response, as well, staff are recommending through this report the addition of a Supervisor role. This staffing level will allow staff to maintain the existing Monday to Friday level of service, and a four-day response time.

Removal of Waste and Debris

Respondents in the public consultations were strongly in support of prioritizing garbage removal and management throughout the City, for the health and safety of individuals living in encampments and the broader public. As encampments have grown, there is an increased need to ensure sufficient resources for removal of waste and debris. To address updated service levels that ensure ongoing maintenance throughout the City including regular pickups at established encampment sites (not including the sanctioned HATS site), as well as cleaning and maintenance within three days of an encampment being abandoned (with discretion for extenuating circumstances such as inclement weather), additional staffing and equipment is required. An in-house team made up of a Parks Lead Hand and 2 operators who would report to the existing Parks encampment response supervisor is recommended to be able to provide an enhanced clean up response and would be available daily Monday to Friday for cleanup efforts throughout the parks system. In addition to this increase, existing funding would continue to cover the staff costs for overtime and contracted services as required.

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Jurisdictional Scan of Protocols, Sanctioned Sites, and Operating Models

While staff are not recommending sanctioned sites at this time, at Council direction, staff reviewed the cities across Canada that have implemented encampment protocols to manage the location of, and expectations of staff when interacting with encampments within a community. The scan included Halifax, Kingston, Toronto, Brantford, Niagara Region, St. Catharines, London, Windsor, Sudbury, Thunder Bay, Winnipeg, Edmonton, Prince George, Vancouver, and Victoria, as well as other smaller municipalities. Additionally, several municipalities across the United States also utilize protocols.

While the content of each protocol contains different goals, processes, and restrictions based upon unique local circumstances, all protocols identify key partners involved in encampment response, roles and responsibilities, areas of the city where camping is not permitted, and a process to manage encampments in non-permitted areas.

Other items contained within protocols include shared principles, process(es) for managing abandoned sites and/or site maintenance and cleaning, and approach to connect individuals to housing alternatives.

Approaches to Sanctioned Site Encampments

Jurisdictions across Canada have implemented sanctioned encampments including Victoria, Toronto, Waterloo Region, Fredericton, Halifax and Winnipeg. To increase the breadth of analysis, several jurisdictions in the United States were also included, such as Portland, Chicago, Tacoma, Denver and Oakland. Each of these sites was analyzed to compare approaches to providing overnight accommodations, operating models, and where possible, outcomes.

As part of a jurisdictional scan of sanctioned encampments in North America, operating models include a) sanctioned self-governed low barrier models; b) sanctioned, fully managed low barrier models; c) sanctioned, fully managed medium-high barrier models, and; d) transitional models. For means of comparison, each of the approaches were compared to a supportive housing model, which was also reviewed for cost and effectiveness by staff.

Staff reviewed potential operating models to be utilized within a sanctioned site (for a more comprehensive analysis of operating models, see Appendix "D"). Staff approximated the costs associated with providing this service for approximately 150 individuals who are living unsheltered in encampments (i.e., the City would require six sanctioned sites with a capacity of 25 per site to ensure service was available to every individual presently living within an encampment).

Utilizing benchmarks from other jurisdictions operating similar low barrier models and costing estimates using our local context wherever possible, the costs associated with

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providing this level of service is significant, ranging from \$2.8M and \$8.1M to provide adequate staffing, food, and access to drinking water, washrooms, electricity, lockers and personal belongings safekeeping, and a heating and cooling common area, across six sanctioned sites. A range is provided to address several options available for implementation (i.e., staffing levels, food service). It should also be noted that there are significant risks to operating an under-resourced sanctioned site for individuals who are unsheltered with complex, co-occurring needs, particularly as it relates to adequate staffing.

Given that resources to address housing and homelessness are limited, and significant feedback was provided by respondents for permanent, sustainable options, applying funding to several sanctioned sites would result in significantly fewer funds available to address other acute areas within the housing and homelessness sector, namely transitional housing with supports. Across municipalities, there is little clarity regarding the long-term success of transitioning individuals staying in sanctioned encampments into permanent housing, as funds spent on emergency services often come at the expense of more permanent housing options.

Notably, other jurisdictions (i.e., Kingston and Edmonton) have come to similar conclusions regarding sanctioned encampments sites and have instead proposed new funding towards housing and other indoor shelter alternatives.

For additional jurisdictional scan details, including further analysis of potential operating models and operational principles and recommendations associated with low barrier models within sanctioned encampments, see Appendix “D”.

Site Criteria

As mentioned, staff are not recommending sanctioned sites at this time, however, following Council direction, staff used the work of the jurisdictional scan and professional experience to establish the following criteria where a potential sanctioned site might be identified if sanctioned sites were to be implemented:

- sites are immediately available (no current construction/disruption),
- site can be available within 1-2 months without significant site preparation,
- existing washrooms on site,
- access to drinking water and whether it is winterized,
- access to communal hydro connections for personal use,
- ability to provide a sense of privacy,
- readily accessible by service vehicles and emergency vehicles,
- safely accessible by foot,
- access to transit,
- accessible by waste vehicles and storage,
- near to downtown core,

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- able to be compliant with protocol,
- site would not occupy or make unavailable public park space in an area or neighbourhood where park space is in limited supply,
- provides access to shade,
- site would not prevent or preclude special events where major public special events are held, and
- site is near where existing encampments are located.

After applying these criteria to existing park space, several sites were partially or fully able to meet these criteria either immediately or with minimum changes. These sites included Alexander Park, Strachan Avenue Linear Park, Woodlands Park -east side, Confederation Park, Mohawk Sports Park – north side of parking area in unprogrammed space, Turner Park – north of ballpark, and Valley Park – north side. As mentioned, although these sites matched the criteria, and demonstrate where sanctioned sites might be feasible if explored in the future, sanctioned sites are not being recommended by staff at this time. However, it should be noted that The Strachan Avenue Linear Park located between Hughson Street and James Street was identified through this approach and has been identified as the preferred site for HATs and is being recommended for the purpose of identifying a low-barrier alternative model for individuals living within encampments.

Hamilton Alliance for Tiny Shelters

Within Hamilton, and in alignment with the jurisdictional scan, there is a need for a low barrier emergency option for individuals who are unsheltered. As such, contingent upon the City providing a site, Hamilton Alliance for Tiny Shelters is prepared to operate a two-year pilot, providing a fully managed site with appropriate services and supports for up to 25 tiny shelters. This is a cost-neutral pilot for the City, as Hamilton Alliance for Tiny Shelters is a community-led initiative and has privately fundraised to support the operation of the site.

The Hamilton Alliance for Tiny Shelters will address an existing gap in the City's current approach to emergency overnight space and will provide a new option for those who have complex, co-occurring needs and are not interested in traditional emergency shelter.

To support Hamilton Alliance for Tiny Shelters in the operationalization of their pilot program, staff are recommending that the pilot program be located on the preferred site of the parking area on the Strachan Avenue linear park, or at an alternative site that meets the criteria for the Protocol and is determined appropriate by staff. In the longer term it is recommended that the Scout House site be considered as a site for Hamilton Alliance for Tiny Shelters and for this to happen changes are required at the property to address safety concerns (e.g. installation of sidewalks, etc.).

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As part of an agreement with Hamilton Alliance for Tiny Shelters to operate the pilot program, prospective individuals residing at the site must be selected via the City's By-Name List, which provides the City with an up-to-date understanding of individuals experiencing homelessness in the community and establishes an individual's suitability for a particular housing. The results from this pilot will be evaluated on an ongoing basis and will inform the City's future encampment response.

Services and Supports within the Protocol

Consistent with a human rights-based approach and the National Protocol for Homeless Encampments in Canada, and supported by stakeholders, City staff and the public, Council directed staff to address washrooms, showers, and access to drinking water for individuals who are unsheltered in the community, as well as to integrate Indigenous and peer supports into the Protocol.

a) Access to Washrooms, Showers, and Drinking Water

Staff are recommending provision of washroom access using existing recreation and City Parks facilities by expanding hours of operation and staffing and providing security. Building new washrooms is not recommended given the time and resources required. The cost of building new winterized washroom facilities, is very high and requires significant planning and construction time. The cost for a new single, winterized washroom is between \$1.75M and \$2.25M and requires a minimum of 18-months to implement. Portable showering trailers and self-cleaning showers were investigated but are not being recommended, due to high up-front costs and operating fees, challenges in identifying potential vendors, as well as concerns with ongoing maintenance and repair. The City previously operated port-o-lets during COVID-19 and struggled with maintaining facilities in working order.

To support the implementation of this initiative, Housing Focused Street Outreach have partnered with Recreation Division and City Parks to identify potential sites available to provide services to individuals who are living in encampments. Staff is recommending an upset limit of \$987,840 be provided annually to support individuals who are unsheltered in encampments to access washrooms, drinking water, and showers, in the most suitable locations given patterns of encamped individuals and in alignment with a rights-based approach to encampment response. This will provide the City with the funds to hire 24/7 security (one guard) at 2 outdoor, existing washrooms in parks (\$525,600) and 12-hour security (one guard) at 2 recreation centres (\$262,800), each for 365 days along with the maintenance costs associated with each.

The security guard will be responsible for providing oversight and ensure a harm-reduction focused approach to service delivery. Assigned security staff will receive Naloxone, and additional harm reduction training to support individuals who access the service.

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City staff are also recommending resourcing to ensure that individuals who access showers, both within parks and in community or recreational facilities, be provided with the hygiene supplies and other sundry items necessary to maintain their hygiene. These costs will be managed within existing budget.

Council provided direction to staff to transition existing encampment response team resources to the new Protocol and encampment response. Staff have been able to convert one Housing Outreach worker funded in the initial response to an Indigenous Worker, in response to Council direction. The remaining resources approved by Council in the 2023 budget earlier this year will continue to be required for the response proposed in this report, and additional resources are required due to the growing encampment situation, in order to maintain existing service levels related to removal or garbage and debris, and by-law officer response times and enforcement of the Protocol as well as respond to Council direction related to services and supports

b) Integration of Peer Supports

While it can take considerable time for staff to build trust with individuals living unsheltered, peers can often act as a bridge between staff and those individuals and can also provide specialized expertise because of their uniquely similar experiences. Peers are also integral to overdose prevention. Statistically, peers are the most likely to be first responders to an overdose and should be equipped with the tools and training to engage in effective overdose prevention techniques. Peer workers can provide harm reduction education and training to City staff, frontline staff, and individuals living in encampments, and can also play a role supporting the cleaning of encampment sites, particularly needle debris and other paraphernalia. To formalize this work, peers with lived or living experience of encampments with a focus on harm reduction are being recommended to become part of the City's Housing Focused Street Outreach team.

While both peer support workers and Housing Focused Street Outreach workers play crucial roles in supporting individuals experiencing homelessness, their approaches and focuses differ. Peer support workers leverage their lived experiences to provide a unique form of emotional and practical support, while Housing Focused Street Outreach workers are trained to understand and connect individuals with the necessary resources and services to address their needs. Combining both approaches can lead to more comprehensive and effective support for those facing homelessness and related challenges. The cost to add an additional 2 FTE of a Housing Focused Street Outreach worker is \$60,950 (\$30,475 per FTE). Staff will need to work with individuals with lived/living experience to determine roles and responsibilities at encampments.

c) Integration of Indigenous Supports

To provide expertise in integrating and implementing a culturally appropriate approach, the City has partnered with the Hamilton Regional Indian Centre to fund, within existing

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approved budget one FTE towards an outreach worker that will remain as part of Hamilton Regional Indian Centre's staffing complement as part of its Mobile Street Outreach Van. Hamilton Regional Indian Centre will lead the outreach response their staff are taking to address the needs of Indigenous peoples living in encampments and will bring their expertise as participants in the City's Coordinated Response Team, and proposed committee, which will also include people with lived/living experience, community stakeholders involved in frontline response, and relevant City staff. Adding an Indigenous staff to the City's outreach complement is a first step in an iterative process of establishing culturally appropriate frontline services for people living in encampments.

d) Development of an Encampment Liaison Committee

Upon the adoption of the Encampment Protocol, Housing Focused Street Outreach develop a liaison committee to ensure that individuals with lived/living experience of encampments, frontline operators, and staff are all meaningfully engaged in providing input into Hamilton's encampment response. The table will convene on a regular basis to discuss overall encampment response in the community and discuss approaches to sustain continuous improvement. Staff will collaborate with key stakeholders including Keeping Six, HAMSMaRT, Hamilton Regional Indian Centre, and Hamilton Encampment Support Network (to help recruit people with lived/living experience for the committee), to develop terms of reference for the committee that identifies goals, scope, and desired outcomes. This may include a review process to address issues should concerns arise from individuals living unsheltered, community agencies or housed individuals in the community that the Protocol is not being implemented appropriately.

It is important to note that any changes to the Protocol itself, including the implementation process defined therein, would require a report to Council and Council approval. Furthermore, the committee would not have the authority to direct enforcement or to establish or alter City service levels. Development of this process will also require advisement from the City's Legal department.

Alignment to Permanent Housing Solutions

Given the benefits of permanent, appropriate transitional housing with supports, its alignment with a housing first approach, ability to address basic needs, and the cost-effectiveness of housing as a solution, staff are recommending that in lieu of recommending several sanctioned sites throughout the community, that available resources are directed towards permanent supportive housing solutions. Recommendations related to investments that will address the needs of unsheltered individuals are contained within the report "Addressing the Needs of Unsheltered Individuals and Shelter Capacity" on the same August 14, 2023 General Issues Committee meeting agenda.

ALTERNATIVES FOR CONSIDERATION

1. Council could direct staff to identify suitable locations for and implement a sanctioned site model with services and supports. This approach would come with significant financial cost to the City.
2. Council could choose to increase the City's financial investment and expand the number of washrooms staffed throughout the City to meet the needs of those unsheltered in more areas, across a broader geographic distance.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HSC20036(g): Updated Encampment Protocol

Appendix "B" to Report HSC20036(g): Rationale for Updates to Encampment Protocol

Appendix "C" to Report HSC20036(g): 'What we Heard' Public Consultation Report

Appendix "D" to Report HSC20036(g): Jurisdictional Scan of Sanctioned Sites and Operating Models