

**Comparison of Encampment Protocols – Updates and Changes**

| Former Protocol (10/2021 – 08/2022)   | Maintain | Enhance | Remove  |
|---|----------|---------|---|
| <p>Individuals living in encampments with a VI-SPDAT score below 13, or who refused to engage with outreach were required to vacate their location at a maximum of 14 days.</p> |          |         | <p>Community stakeholders and City staff believed the introduction of a limit to how long someone could stay in a particular space was counterproductive and led to negative outcomes.</p> <p>Community stakeholders and City staff also believed the use of the VI-SPDAT was not effective and led to unintended outcomes (i.e., incentivized higher acuity scores so that individuals could stay in place). The recommendation was to remove the VI-SPDAT from use as a decision-making tool.</p> <p>Instead, City staff and community stakeholders suggested that movement from a location should be dictated on health, safety, and behavioural issues, not an arbitrary limit.</p> <p>Additionally, the former approach was not consistent with principles of a rights-based approach.</p> |

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| <p>Housing-focused Street Outreach to engage and provide supports (i.e., personalized housing plan, providing information, identifying barriers affecting access to housing and other systems and attempt to resolve them, amongst other person-centered tasks).</p> |          | <p>Stakeholders have suggested that a housing-focused, outreach led approach should be amplified. As per Council direction on February 8, 2023, City staff have implemented a housing-led approach to encampment response.</p> <p>Additionally, it was recommended by stakeholders that staff utilize an Indigenous lens when providing supports. This is currently being pursued.</p> |        |

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| <p>No more than 5 tents in an encampment</p> | <p>From experiences implementing previous encampment response policies, it is the opinion of City staff that having a limit of 5 tents per cluster would reduce potential noise complaints, complaints about garbage and debris, and limit conflict within encampments, and between encampments and the public.</p> <p>Community stakeholders did not share a broad consensus on a specific total, and 5, 10, or no limit, were all suggested.</p> | <p>Some enhancements recommended by staff include a) a total space limit applied to each encampment, that all items need to be within or are subject to removal, and b) a 50m required distance between cluster of encampments. These policies are meant to limit the impacts of an encampment on the broader community, and to reduce potential complaints.</p> <p>Additionally, the required distance between encampments is intended to prevent larger, entrenched encampments from proliferating, which bring several health and safety concerns, while also not unreasonably preventing individuals who are experiencing homelessness from being close to necessary social supports.</p> |        |

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| <p>No encampments on sidewalks, roadways, or boulevards</p>                   |   | <p>Staff believed this could be enhanced to be more inclusive of all potential dangers identified during previous encampment programs (i.e., ‘on or within 5 meters of any transit stop or a highway and specifically including a sidewalk, boulevard, or bridge or tunnel being part of such highway’ and ‘on any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures.’</p> <p>There are significant health and safety concerns associated with tenting in these locations for both individuals living in encampments as well as the public.</p> |        |
| <p>Encampments must not encumber an entrance or exit or deemed fire route</p> | <p>This was seen as effective and reasonable by both stakeholders and staff alike, given the health, safety, and accessibility concerns associated with blocking these areas.</p> | <p>Staff recommended enhancing the former Protocol to include accessibility ramps and entrances.</p>   |        |

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| <p>Encampments must be 50 meters from a playground, school, or childcare centre</p> | <p>This was seen as effective and reasonable by both stakeholders and staff alike, given the vulnerability of the populations affected.</p> | <p>Enhanced to prohibit camping ‘on or within 50 meters of any sports fields, inclusive of but not limited to, skateboard parks, fitness amenities, golf courses, ball diamonds, soccer pitches, tennis courts, or any other sports or multi-use courts, as well as stadiums, dugouts, stages, and bleachers’ as well as ‘on or within 50 meters of a playground, pool, waterpark, or any spray pad.’</p> <p>Additionally, City staff recommended enhancing to include camping ‘on or within 50m of any lake, beach, pond, watercourse or other body of water, or a dock.’</p> <p>City staff also recommended prohibiting individuals from erecting tents in fenced-in, off-leash dog areas, due to the potential for health and safety risks to all parties.</p> <p>The areas identified were problematic during the former Protocol is consistent with prohibited areas identified by other jurisdictions. Additionally, many of the areas identified are heavily utilized by children and youth, especially during the summer months. This was given strong consideration.</p> |        |

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| <p>The grounds of any civic museum or City heritage facility, or within any property with an environmental or heritage designation</p>  |  | <p>Due to recurring events where individuals were connecting their tents to heritage properties, and personal items were spilling over into the property, the distance was increased from ‘on any property’ to ‘within 5m of any property with an environmental or heritage designation.’</p> <p>Given the significance of these sites and the difficulties and costs associated with restoration, this was seen as effective and reasonable to limit the impacts on sites with heritage or environmental designation.</p> <p>Another enhancement of the former Protocol is to prohibit camping on ‘any community garden and including any garden shed or greenhouse.’</p> |        |
| <p>Situations where health and safety concerns exist for those living within or adjacent to an encampment will be addressed in a reasonable fashion, in good faith, on a case-by-case basis by the City in its sole discretion that balances the needs of both the person experiencing homelessness/encamped individuals and community members.</p> | <p>This was deemed to be effective by City staff in the former Protocol, as staff require some discretion when addressing health and safety concerns both to meet the needs of individuals living in encampments and the broader public.</p> <p>Ultimately, the goal of City staff is to not create unnecessary impacts on people who are living in encampments. Moving people from their existing location is</p> | <p>City staff recommend adding ‘any area identified by the City as susceptible to flooding, erosion, slope instability, or other environmental hazards, to indicate the area as such’ to the Proposed Protocol.</p>  |        |

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|   | <p>considered a last resort and all other options, when possible, will be explored.</p> |   |            |
| <p>Items not included in former Protocol but recommended by City staff and/or community stakeholders.</p> | <p>N/A</p>  | <p>Tenting in cemeteries was established as a prohibited area to ensure consistency with the restrictions on use of the lands through the Funeral, Burial and Cremation Services Act, 2002, and oversight by the Burial Authority of Ontario.</p> <p>Additionally, to maintain consistency with other regulations and laws, camping on private property is considered trespassing and is illegal. Enforcement of trespassing is outside the jurisdiction of City staff, and all complaints will be forwarded to Hamilton Police Services.</p> <p>A prohibition of being 5m away from any private property line was added to ensure private property could be reasonably enjoyed without interference (i.e., a backyard did not have an encampment directly behind it or attached to a fence).</p> | <p>N/A</p> |

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|-------------------------------------|----------|--|--------|
|                                     |          | <p>Additionally, staff recommended enhancing the Proposed Protocol to include 'no temporary shelter or tent will be placed against or under, or be attached or tied to any building or permanent structure.'</p> |        |