

Clause-Specific Feedback

Protocol Item	Public Feedback	Update Status	Rationale
<p>In order to provide for the availability of space for temporary shelter in parks, persons without shelter or being homeless will be able to establish an encampment through erecting a temporary shelter for themselves and also be able group together with other such persons’ temporary shelters. However, the encampment or cluster of shelters must not exceed five tents or similar temporary shelters, and there must be at least 50 meters separating the encampment or cluster from other encampments or clusters of shelters.</p>	<p>Several respondents shared concern with how people experiencing homelessness would be able to measure the distances required to ensure they are within the acceptable space limits.</p>	<p>Maintain</p>	<p>To address the concern that individuals living outside will not be aware of the prohibited areas and clauses resulting from this Protocol, the City will be working with frontline stakeholders, community partners, and its outreach team to provide educational materials and graphics that will assist individuals living outside in relocating to a space that is permitted within the protocol.</p> <p>For infractions that do not present immediate health and safety concerns, staff from Municipal Law Enforcement will work with unsheltered individuals to assist them in understanding the expectations of the Protocol and will give opportunity to make changes prior to enforcement.</p>
<p>Maximum Personal Space Allotment(s)</p> <p>The total area for a single tent and all its associated belongings cannot exceed</p>	<p>One respondent was concerned with applying the principles to varying numbers of individuals and sizes of tents (i.e., “having five single person tents is very different than having 5 10-person</p>	<p>Maintain</p>	<p>The protocol is clear about the number of tents, as opposed to the number of individuals living within them. The personal space allotment applies to each tent or temporary structure, not each individual.</p>

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beyond a 3-metre-by-3-metre area, or 9-metres-squared, and the total area for five tents within a cluster cannot exceed beyond a total area of 45-metres-squared.	<p>tents. The City of Hamilton needs to consider specifics in their protocol.”)</p> <p>Some respondents did not agree on the amount of space being provided, believing it to be too small an area, while others believed it was reasonable.</p>		The distances used to define the personal space allotments were consistent with those used in other jurisdictions.
Further the balancing of public and private interests while allowing for temporary shelter will require encampments or clusters not be located:			
On or within 50 meters of a school or children daycare centre	Numerous responses were shared that 50m was not far enough from parks, daycares and schools.	Modify to 100m.	The initially proposed distance of 50-metres was deemed insufficient by the public. This distance was originally determined by planning guidelines, however, in response to the public feedback, the protocol has been amended to 100 metres, to provide a greater distance from schools or daycare centres.
On or within 50 meters of a playground, pool, waterpark, or any spray pad	Numerous responses were shared that 50m was not far enough from parks, daycares and schools.	Modify to 100m.	The initially proposed distance of 50-metres was deemed insufficient by the public. This distance was originally determined by planning guidelines, however, in response to the public feedback, the protocol has been amended to 100 metres, to provide a greater

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			distance from playgrounds, pools, waterparks.
On or within 50m of any lake, beach, pond, watercourse or other body of water, or a dock	There were a few comments regarding consideration of adding a required distance from trails.	Maintain.	Some individuals who are unsheltered prefer to live away from the downtown core and prefer wooden areas where they can maintain better privacy. As such, unless persistent, unsolvable health and safety concerns are present, it would be unreasonable to prohibit camping nearby trails.
Within 5 meters of any private property line	Several commenters wanted a distance much greater than 5-metres from residential lots (i.e., 50m or 100m), while a few others felt the end of someone’s property line was the limit to what they could claim to influence, and that any further would impact the wellbeing of residents in encampments.	Modified to ‘10 metres of any private property line.’	Although planning guidelines identify 5 metres as a recommended distance from private property, the distance has been doubled to reflect the concerns of the public.
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	A suggestion was made by a respondent that City should “ensure that the definition of sidewalk includes park pathways and multi-use trails and is not only limited to sidewalks that are part of the public right-of-way.”	Maintain.	The suggestion to include a definition of a sidewalk that includes park pathways and multi-use trails is covered by ‘On any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures’ within the Protocol.

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	<p>Additionally, there was a suggestion from one respondent that 5m from a transit stop was considered too close, due to safety concerns (i.e., harassment).</p>		<p>Any criminal acts that are committed are the remit of Hamilton Police Services.</p>
<p>On or within 5 meters of any property with an environmental or heritage designation</p>	<p>A few respondents suggested removing the heritage designation clause.</p>	<p>Maintain.</p>	<p>Areas and buildings with environmental and heritage designation often require additional care for ongoing sustainment, and potential damage is both culturally and financially costly.</p>
<p>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.</p>	<p>It was noted by several respondents that 50m may be too restrictive (i.e., at Kay Drage Park), especially when compared to other restrictions.</p> <p>Additionally, there was a belief that 50m from a golf course was overreaching.</p>	<p>Maintain.</p>	<p>There was consideration of utilizing a buffer zone associated with each different field of play, but the required distances often remained close to 50-metres anyway. For the purposes of keeping the document consistent, and ease of understanding for the public and people living in encampments, the distance of 50 metres will be maintained in the protocol for all identified recreational assets.</p>
<p>On any fenced-in, off-leash dog area</p>	<p>One respondent suggested encampments should further away from the fenced-in, off-leash dog area, to ensure health</p>	<p>Maintain.</p>	<p>The fencing at an off-leash dog park already provides a natural separation between the environments. Adding a</p>

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	and safety of dog park users and encampment residents		greater distance would be needlessly prohibitive without significant benefit.
On any cemetery, including its roads, lanes, and paths for travel within the cemetery	Some respondents questioned why cemeteries should be prohibited.	Maintain.	Use of cemetery land is federally regulated, and the City does not have the jurisdiction to override this clause.
On any community garden and including any garden shed or greenhouse	One respondent believed a greater distance from a community garden should be considered.	Maintain.	Community gardens are meant to be accessible by the public and do not commonly experience heavy foot traffic. Adding a greater distance would be needlessly prohibitive without significant benefit.
On any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures	Some respondents believed that given limited options for use, bridges would be ideal for use by individuals as it provides protection from the elements.	Maintain	This clause is being maintained due to inherent risks to the well-being of someone under a bridge. Not knowing the general conditions of all the bridges and culvert infrastructure, materials / debris could potentially fall from the bridge and potentially harm someone. Additionally, snow-plows are often moving at 50-60km/hr and pushing heavy and large masses of snow which contain ice, that could present a significant risk for someone sleeping underneath of an overpass.

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On or within any designated fire route, or the entrance to or exit from a designated fire route, or located so as the block any fire hydrant	No changes noted.	Maintain	No changes required.
On or within any entrance, exit or a doorway to a building or structure, and including, without limiting the generality of the foregoing, an area adjacent to such entrances or exits required in the event of fire or emergency	No changes noted.	Maintain	No changes required.
On or within any accessibility entrance or ramp or located in a way that blocks access to such entrances or ramps.	No changes noted.	Maintain	No changes required.
On or within any area identified susceptible to flooding, erosion, slope instability, or other environmental hazards	Some respondents suggested providing more clarity and/or specificity around the locations not permitted.	Add language to protocol to specify that this clause is only enforceable when the	This clause has been included to protect the safety of encampment residents against safety hazards that may be known, or unknown by the party residing in the location.

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		health and/or safety of the individual(s) is currently, or may potentially be at-risk	
Further no temporary shelter or tent will be placed against or under or be attached or tied to any building or permanent structure.	Several respondents suggested removing this clause as it is unnecessarily harsh and is likely to be covered by other clauses in the protocol already.	Maintain.	Tents should be freestanding and not affixed to any other structure. This is meant to ensure that encampments do not become entrenched by affixing to a building or any permanent structure.

Frequently Asked Questions and General Feedback Regarding Proposed Encampment Protocol

General Feedback	Update Status	Rationale
<p>Several people are finding it difficult to understand where exactly encampment will be permitted, as the rules seem quite prohibitive.</p>	<p>Individuals living unsheltered seeking a place to stay outdoors will be provided a map of potential locations, and the support of Housing Focused Street Outreach staff and partners in securing a new location.</p>	<p>The protocol is intended to balance the needs of individuals who are unsheltered and those of the community. All potential, available locations will be indicated to individuals who are unsheltered so that they can identify a location that best suits their specific needs.</p>
<p>There needs to be a mechanism for non-encampment residents to file a complaint or request support.</p>	<p>This has been added to Section B – Complaints and Service Requests section.</p>	<p>Non-encampment residents require a mechanism to share information and concerns regarding encampments to ensure a comprehensive view of the impacts.</p>
<p>Staff should include performance indicators for the protocol – what are the measurable impacts and outcomes? How does it all connect to housing?</p>	<p>Staff have committed to updating the General Issues Committee on a monthly basis with data on key indicators to measure the success of encampment response efforts.</p> <p>Further approaches to sharing information will be considered.</p>	<p>Providing a set of indicators that the public can monitor will provide greater accountability and transparency toward the goals and outcomes of encampment response.</p>



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<p>There needs to be greater enforcement around dogs and the potential for dog attacks on the public.</p>	<p>No update to Protocol.</p>	<p>Pets, such as dogs, are currently managed in accordance with addressing health and safety concerns at the site. Pets that are unfriendly and off-leash present greater risks to the public, and other pets, and raise the urgency for intervention at the site.</p> <p>Additionally, the Coordinated Response Team regularly collaborates with Animal Services, who provide services and supports for the pet and pet owner in an attempt to mitigate the health and safety concerns at the site.</p>
<p>Greater transparency for community members living nearby encampments, and an opportunity for ongoing discussion.</p>	<p>The City’s website with information on encampments will be updated on an ongoing basis, and opportunities for further feedback will be prioritized as part of coordinated encampment response efforts.</p> <p>Additionally, all concerns or requests can be sent to <a href="mailto:unsheltered@hamilton.ca">unsheltered@hamilton.ca</a></p>	<p>Neighbours of encampments require a voice to share concerns regarding encampments, and transparency regarding the actions and approaches being taken by City staff to manage encampments within the city, and to provide services and supports to individuals living within encampments.</p>
<p>Why aren’t “health and safety issues” being clearly defined? What counts, and how has it been decided?</p>	<p>No update to Protocol.</p>	<p>To ensure that the response is flexible and tailored to the unique needs of the individual(s) at a particular site, placing arbitrary timelines would not allow for a client-centred approach.</p>

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		<p>As such, each site is managed on a case-by-case basis, working with individual(s) to find solutions. In the event solutions cannot be found, the issues will be escalated to the appropriate partners should further support be required, or as a last resort relocation of the encampment to another appropriate, suitable area as defined by the protocol.</p> <p>Some examples are included in Section J – Health and Safety, within the protocol.</p>
<p>The connection to the VI-SPDAT should not be voluntary, even if the person wants to remain anonymous, they should need to connect to potential housing solutions.</p>	<p>The VI-SPDAT will remain voluntary for individuals living in encampments.</p>	<p>Given the trauma that is experienced by individuals living in encampments, particularly by institutions, there is a need to build rapport and trust through ongoing engagement by Housing Focused Street Outreach staff.</p> <p>To effectively provide appropriate supports and services through the City’s coordinated access system, including housing, individuals in encampments are required to share personal information with City staff.</p> <p>In requiring participation before trust and rapport is built, this damages the ability of outreach workers to foster a lasting, meaningful connection that is more likely to result in successful outcomes for the individual seeking support.</p>
<p>In the process for designating an encampment, temporary shelter, or tent as abandoned, there was</p>	<p>The three (3) day timeframe will be maintained.</p>	<p>A ten-day limit is likely to result in increased complaints from the community and divert resources from supporting individuals who are unsheltered. Additionally, any</p>

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<p>discussion around the 3-day timeframe to identify whether an encampment was abandoned. Some felt it was too soon, and a 10-day limit was more reasonable while another cohort of responses felt 3-days was reasonable.</p>		<p>leftover food is likely to attract rodents and other pests, causing health and safety concerns for residents of neighbouring encampments.</p> <p>Members of Housing Focused Street Outreach and other partners of the Coordinated Response Team are in the community on a daily basis engaging with individuals living in encampments and maintain a strong understanding of active sites throughout the city. As such, a three-day limit, plus three days of posting a notice would ensure a reasonable amount of time has passed prior to removing items from a site.</p>
<p>Needle boxes should be available throughout the City. This had led to a reduction in ‘discarded needles’ in Guelph.</p>	<p>City staff are discussing its potential for implementation.</p>	<p>All solutions that attempt to reduce harms for individuals living in encampments, and the public should be pursued.</p>
<p>Service levels should be introduced re: timeliness when addressing health and safety concerns.</p>	<p>Service levels for timeliness have been introduced throughout the protocol, for Housing Focused Street Outreach, Municipal Law Enforcement, and Parks Section staff</p>	<p>Service levels provide accountability to the public regarding expectations associated with encampment response.</p> <p>These will be used as encampment response performance measures.</p>
<p>One respondent suggested that Housing Focused Street Outreach conduct risk assessments.</p>	<p>Formal risk assessments will still only be conducted</p>	<p>Housing Focused Street Outreach has a mandate to provide services and support to individuals living unsheltered in the community. Any items that may be of</p>

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	by Hamilton Police Services	<p>potential risk will be flagged in Coordination Response Team meetings, and a strategy will be identified to mitigate the potential risk.</p> <p>Any items or circumstances that are of clear and immediate risk to the individuals living in an encampment, neighbouring encampments, or the broader public, will result in a call for immediate emergency support.</p>