






Hamilton

# INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 12, 2024
<b>SUBJECT/REPORT NO:</b>	Encampment Protocol Distance Proposals (HSC24027(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
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## INFORMATION

Hamilton continues to attempt to address a severe housing and homelessness challenge. Throughout Canada, there has been a noticeable rise in unsheltered homelessness and encampments since the onset of the COVID-19 pandemic. These encampments are indicative of broader issues, including a housing shortage, high demand for shelters surpassing availability, rising living expenses, insufficient income supports, and compounding social challenges such as drug toxicity and mental health issues. Staff believe that permanent, suitable, affordable, and supportive housing is the

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

solution to homelessness as encampments do not offer a sustainable, long-term resolution. While efforts towards securing permanent housing solutions are ongoing, it remains imperative to provide ongoing support to individuals residing in encampments, who are among the most vulnerable members of our community.

Currently, there are over 90 active encampment sites housing more than 200 individuals in Hamilton. Engagement with individuals with lived experience has revealed a common theme: while some individuals prefer to live outdoors, others would shelter within City of Hamilton funded programs if suitable spaces were available.

On August 18, 2023, Council approved an Encampment Protocol through Report HSC20036(g) identifying approaches, processes, and service levels associated with responding to encampments in the City of Hamilton. On July 12, 2024, Council approved amendments to the Encampment Protocol through Report HSC24027. Council approved Report HSC24027 including a motion for staff to review and report back on Encampment Protocol distance proposals with implications including any legal considerations on the following changes to distance requirements:

- (i) Private Property Line minimum distance increase from 10 metres to 25 metres.
- (ii) Construction Site minimum distance increase from 25 metres to 100 metres.
- (iii) Funeral Home minimum distance change from classification of Funeral Home to Active Business.
- (iv) Pathways minimum distance increase from 5 metres to 50 metres.
- (v) Heritage Designation distance increase from 5 metres to 50 metres and add monuments & memorials to the classification.

In addition to the above Encampment Protocol distance proposals, staff were directed to report back to the General Issues Committee on City parks that have bona fide and active construction projects with a list of recommendations including but not limited to distancing, safety, and/or exemptions due to nature of the construction scope and tendered schedules to be considered for further amendments to the Encampment Protocol.

Additionally, these compliant spaces would be limited to the center of open areas within parks, increasing the visibility of encampments. Positioning encampments in the center of open spaces would further hinder event planning in parks, as events are typically held in these areas and would require relocating individuals to other compliant spaces for special events. Another significant finding is that some of the remaining compliant spaces under the proposed distance increases would place tents in unsafe locations, such as heavily wooded areas, posing safety risks for both individuals and staff.

Although encampments are not a sustainable, long-term solution for municipalities, it must be recognized that housing is a human right. Until permanent housing solutions are in place to support individuals living in encampments, municipalities need to act in the best interests of individuals experiencing homelessness and their communities to find other solutions.

The Encampment Protocol amendments that were approved by Council on July 12, 2024, through Report HSC24027, limited the number of compliant encampment spaces to 102 sites in the community. The Encampment Protocol distance proposals referred to staff for review found that through implementing all proposed distance increases would further limit the number of compliant encampment spaces to 29 sites in the community. Appendix “A” to Report HSC24027(a), Community Impact Analysis of Proposed Amendments to the Encampment Protocol, provides specific analysis on the number of compliant sites under each of the proposed increased distance requirements.

This analysis was completed through using an online mapping tool. Additional ground truthing will be necessary to confirm the viability of the sites.

The proposed increases in distance offsets for private property and pathways had the most significant impact on compliant sites. These changes would position compliant areas in the middle of open spaces affecting the usability of the park for the general public.

Figure 1 illustrates the impact of compliant sites in the community for encampments with all of the proposed distance increases.

Figure 1: Impact of Proposed Distance Increases

<b>Impact of Proposed Distance Increases on Compliant Sites</b>	
<b>Proposed Distance Increase</b>	<b>Number of Compliant Sites</b>
10 m to 25 m of a Private Property Line	52
5 m to 50 m from a Pathway	46
5 m to 50 m of a Military Monument	100

### **Proposed Distance Increase of 25 metres to 100 metres from a Construction Site**

Specific data regarding active construction sites is not available or consistent over time. Construction projects are dynamic and subject to change, which can affect the locations and timelines associated with them. Therefore, any attempts to provide specific data on active constructions sites may not be feasible for this exercise due to the fluid nature of these projects. To further investigate this setback, a better understanding of the type of construction activity to be considered would be important, i.e., building construction, road construction, etc.

**Proposed Distance Increase of 100 metres from any Active Business**

Specific data regarding the impact of compliant sites within 100 metres of an active business was not able to be collected at this time. To further investigate this setback, a refinement of type of business would be important given active business could be those within Business Improvement Areas, home occupations, etc.

**Proposed Distance Increase of 5 metres to 50 metres from a Property with a Heritage Designation and include Monuments and Memorials**

Consultations with the Heritage Resource Management team have highlighted complexities in designating monuments or memorials within the City of Hamilton. These sites often hold diverse cultural and historical significance, which can lead to varying interpretations and disputes over their appropriate use and protection. While heritage designated businesses or cultural landscapes are more easily defined, memorials could include benches placed in memorial, trees planted for fallen soldiers, etc.

**City Parks with Active Construction Projects**

The current setback related to active park construction sites exists regulation which prohibits encampments from being located on or within 25 metres.

Staff propose that the Housing Focused Street Outreach team be involved in the early planning stages of construction projects on compliant sites to develop a coordinated response for assisting and potentially relocating affected individuals to safer, compliant sites that meet their needs. Appendix “B” to Report HSC24027(a) lists the parks in the City of Hamilton with scheduled construction projects.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report HSC24027(a): Proposed Amendments to the Encampment

Appendix “B” to Report HSC24027(a): Park Construction Projects