Court File No. CV-21-00077187-0000

ONTARIO SUPERIOR COURT OF JUSTICE

B E T W E E N:

KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH, MARIO MUSCATO, SHAWN ARNOLD, CASSANDRA JORDAN, JULIA LAUZON, AMMY LEWIS, ASHLEY MACDONALD, COREY MONAHAN, MISTY MARSHALL, SHERRI OGDEN, JAHMAL PIERRE, and LINSLEY GREAVES

Applicants

-and-

CITY OF HAMILTON

Respondent

APPLICANTS' APPLICATION RECORD

VOLUME 18 – TABS 144-147

HĀKI CHAMBERS

319 Sunnyside Avenue
Toronto, ON M6R 2R3
Sujit Choudhry (LSO# 45011E)
Tel: 416-436-3679
sujit.choudhry@hakichambers.com

COMMUNITY LEGAL CLINIC OF YORK REGION

21 Dunlop Street
Richmond Hill, ON L4C 2M6

Sharon Crowe (LSO# 47108R)
Tel: 905-508-5018 ext. 57
sharon.crowe@yr.clcj.ca

Michelle Sutherland (LSO# 70159T)
michelle.sutherland@yr.clcj.ca

Curtis Sell (LSO # 84128A)
curtis.sell@yr.clcj.ca

ROSS & MCBRIDE LLP

1 King Street West, 10th Floor
Hamilton, ON L8P 1A4
Wade Poziomka (LSO# 59696T)
Tel: 905-572-5824
wpoziomka@rossmcbride.com

Counsel to the Applicants

TO:

GOWLING WLG (CANADA) LLP
Barristers & Solicitors

1 King Street W, Suite 1500
Hamilton ON L8P 1A4

Bevin Shores (LSO#56161F)
Tel: 905-540-2468
bevin.shores@gowlingwlg.com

Jordan Diacur (LSO#65860E)
Tel: 905-540-2500
jordan.diacur@gowlingwlg.com

Counsel to the Respondent

VOLUME 18 INDEX – *HEEGSMA ET AL.* v. *CITY OF HAMILTON*

TAB (EXHIBIT LETTER)	Document
APPLICATION RECORD VOLUME 18	
REQUESTS TO ADMIT	
144.	Request to Admit dated May 31, 2023
a.	Tab 1 - City of Hamilton, 2022 Homelessness Point in Time Count (P
b.	Tab 2a - City of Hamilton, Data from Housing and Homelessness Dashboard – Inflow/Outflow of Homelessness
c.	Tab 2b - City of Hamilton, Data from Housing and Homelessness Dashboard – Scale of Homelessness
d.	Tab 2c - City of Hamilton, Data from Housing and Homelessness Dashboard – Shelter Beds Available
e.	Tab 2d - City of Hamilton, Data from Housing and Homelessness Dashboard – Shelter Occupancy
f.	Tab 3 - City of Hamilton, Emergency and Community Services Committee, July 13, 2020, including written delegations 6.2, 6.3, and 6.4
g.	Tab 4 - City of Hamilton, Information Report, September 9, 2021
h.	Tab 5 - City of Hamilton, Emergency and Community Services Committee, September 9, 2021 video recording
i.	Tab 6 - City of Hamilton, Council Meeting, October 13, 2021
j.	Tab 7 - City of Hamilton, Notice of Motion by Nrinder Nann, December 9, 2021
k.	Tab 8 - City of Hamilton, Motion to Planning Committee by Jason Farr, March 22, 2022
l.	Tab 8a - City of Hamilton, Motion to Planning Committee by Jason Farr – Appendix A, March 22, 2022
m.	Tab 9 - City of Hamilton, General Issues Committee, May 17 2023 minutes and video recording
n.	Tab 10 - City of Hamilton, City Council Meeting, May 24, 2023 (minutes not yet available) and video recording

o.	Tab 11 - Nrinder Nann, Nrinder Nann/Ward 3 City Counsellor Encampment Response Update, on or about October 14, 2021
p.	Tab 12 - City of Hamilton, General Issues Committee, December 9, 2021
q.	Tab 13 - City of Hamilton, 2022 Point in Time Connection Results Infographic
r.	Tab 14 - City of Hamilton, 2022 Point in Time Count Results Infographic Description
s.	Tab 15 - City of Hamilton, 2021 Point Connection Results
t.	Tab 16 - City of Hamilton, 2021 Point in Time Count Indigenous Responses
u.	Tab 17 - City of Hamilton, 2021 PiT Infographic – Indigenous Respondents
145.	Response to Request to Admit dated June 20th, 2023
146.	Request to Admit dated August 2, 2023
a.	Tab 1a - Homelessness Dashboard: Data on Homeless Population, Including Shelter Use, Availability and Capacity – Scale of Homelessness (P 10/78)
b.	Tab 1b - Homelessness Dashboard: Data on Homeless Population, Including Shelter Use, Availability and Capacity – Shelter Beds Available (P 14/78)
c.	Tab 2 - City of Hamilton, 2022 Homelessness Point in Time Count (P 18/78)
d.	Tab 3 - City of Hamilton, 2021 Point in Time Connection Results (P 22/78)
e.	Tab 4 - City of Hamilton, 2021 Point in Time Count Indigenous Responses (P 52/78)
f.	Tab 5 - City of Hamilton, 2021 Point in Time Infographic – Indigenous Respondents (P 77/78)
147.	Response to Request to Admit dated August 23, 2023

Form 51A

Courts of Justice Act

REQUEST TO ADMIT

Court File No. CV-21-00077187-0000

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N:

KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH, MARIO MUSCATO, SHAWN ARNOLD, BRADLEY CALDWELL, CHRISTINE DELOREY, GLENN GNATUK, TAYLOR GOGO-HORNER, CASSANDRA JORDAN, JULIA LAUZON, AMMY LEWIS, ASHLEY MACDONALD, COREY MONAHAN, MISTY MARSHALL, SHERRI OGDEN, JAHMAL PIERRE, LINSLEY GREAVES and PATRICK WARD

Applicants

-and-

CITY OF HAMILTON

Respondent

YOU ARE REQUESTED TO ADMIT, for the purposes of this proceeding only, the authenticity (see rule 51.01 of the Rules of Civil Procedure) of the following documents:

Data on Homeless Population, Including Shelter Use, Availability and Capacity

1. City of Hamilton, *2022 Homelessness Point in Time Count*, including Appendices A, B, and C: Point in Time Connection | City of Hamilton
2. City of Hamilton, Data from *Housing and Homelessness Dashboard* – including:
    a. Inflow/Outflow of Homelessness: Inflow/Outflow of Homelessness | Inflow/Outflow of Homelessness | Open Hamilton

b. Scale of Homelessness: Scale of Homelessness | Open Hamilton

c. Shelter Beds Available: Shelter Beds Available | Shelter Beds Available | Open Hamilton

d. Shelter Occupancy: Shelter Occupancy | Shelter Occupancy | Open Hamilton

City Council Meetings and Delegations Regarding Encampment Evictions

3. City of Hamilton, *Emergency and Community Services Committee*, July 13, 2020, including written delegations 6.2, 6.3, and 6.4: Emergency and Community Services Committee - July 13, 2020 (escribemeetings.com)
4. City of Hamilton, *Information Report*, September 9, 2021: filestream.ashx (escribemeetings.com)
5. City of Hamilton, *Emergency and Community Services Committee*, September 9, 2021 video recording: https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=85dcb10b-9e3b-49c7-b14e-5b0027c41917&Agenda=Merged&lang=English
6. City of Hamilton, *Council Meeting*, October 13, 2021: https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=87806c2e-34d6-45cf-9c7a-28e3830b9748&Agenda=Merged&lang=English
7. City of Hamilton, *Notice of Motion by Nrinder Nann*, December 9, 2021: https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=299338
8. City of Hamilton, *Motion to Planning Committee by Jason Farr*, March 22, 2022: https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=314312 and Appendix "A" at https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=314313
9. City of Hamilton, *General Issues Committee,* May 17, 2023 minutes at: https://pub-hamilton.escribemeetings.com/FileStream.ashx?DocumentId=364954 and video recording at: https://pub-hamilton.escribemeetings.com/Players/ISIStandAlonePlayer.aspx?Id=1d954544-be89-4959-a370-abd5ccfcd269
10. City of Hamilton, *City Council Meeting,* May 24, 2023 (minutes not yet available) recording found at: https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=a6132950-b909-48b1-93a5-d4371a05273b&Agenda=Agenda&lang=English&Item=37&Tab=attachments

Statements from City Councillors Regarding Encampments

11. Nrinder Nann, *Nrinder Nann/Ward 3 City Counsellor Encampment Response Update ,* on or about October 14, 2021: Our Ward 3 News for October 14th, 2021 — Nrinder Nann | Ward 3 City Councillor

12. City of Hamilton, *General Issues Committee*, December 9, 2021: General Issues Committee - December 08, 2021 (escribemeetings.com)

Information Reports on 2021 Point in Time Connection

13. City of Hamilton, *2022 Point in Time Connection Results Infographic:* https://www.hamilton.ca/people-programs/housing-shelter/preventing-ending-homelessness/point-time-connection
14. *City of Hamilton, 2022 Point in Time Count Results Infographic Description*: https://www.hamilton.ca/people-programs/housing-shelter/preventing-ending-homelessness/point-time-connection
15. City of Hamilton, *2021 Point Connection Results*: https://www.hamilton.ca/sites/default/files/2022-10/PIT-2021-City-of_hamilton-Results.pdf
16. City of Hamilton, *2021 Point in Time Count Indigenous Responses*: https://www.hamilton.ca/sites/default/files/2022-10/PIT-2021-Indigenous-Responses-Hamilton.pdf
17. City of Hamilton, *2021 PiT Infographic – Indigenous Respondents*: https://www.hamilton.ca/sites/default/files/2022-10/PIT-2021-Infographic-Indigenous-Respondents.pdf

Attached to this request is a copy of each of the documents referred to above.

YOU MUST RESPOND TO THIS REQUEST by serving a response to request to admit in Form 51B prescribed by the Rules of Civil Procedure WITHIN TWENTY DAYS after this request is served on you. If you fail to do so, you will be deemed to admit, for the purposes of this proceeding only, the truth of the facts and the authenticity of the documents set out above.

May 31, 2023

Sujit Choudhry, LSO#: 45011E
Hāki Chambers Global
319 Sunnyside Avenue
Toronto, ON M6R 2R3
Tel: (416) 436-3679
Email: sujit.choudhry@hakichambers.com

Lawyer for the Applicants

TO: Bevin Shores, LSO#: 56161F
Gowlings LLP

Barristers and Solicitors
1 King Street West, Suite 1500
Hamilton, ON L8P 1A4
Tel: (905) 540-8208
Email: bevin.shores@gowlingwlg.com

Lawyer for the Respondent

INDEX

TAB	DESCRIPTION
Data on Homeless Population, Including Shelter Use, Availability and Capacity	
1	City of Hamilton, 2022 Homelessness Point in Time Count
2a	City of Hamilton, Data from Housing and Homelessness Dashboard – Inflow/Outflow of Homelessness
2b	City of Hamilton, Data from Housing and Homelessness Dashboard – Scale of Homelessness
2c	City of Hamilton, Data from Housing and Homelessness Dashboard – Shelter Beds Available
2d	City of Hamilton, Data from Housing and Homelessness Dashboard – Shelter Occupancy
City Council Meetings and Delegations Regarding Encampment Evictions	
3	City of Hamilton, Emergency and Community Services Committee, July 13, 2020, including written delegations 6.2, 6.3, and 6.4
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12 City of Hamilton, General Issues Committee, December 9, 2021

Information Reports on 2021 Point in Time Connection

13 City of Hamilton, 2022 Point in Time Connection Results Infographic

14 City of Hamilton, 2022 Point in Time Count Results Infographic Description

15 City of Hamilton, 2021 Point Connection Results

16 City of Hamilton, 2021 Point in Time Count Indigenous Responses

17 City of Hamilton, 2021 PiT Infographic – Indigenous Respondents

TAB 1

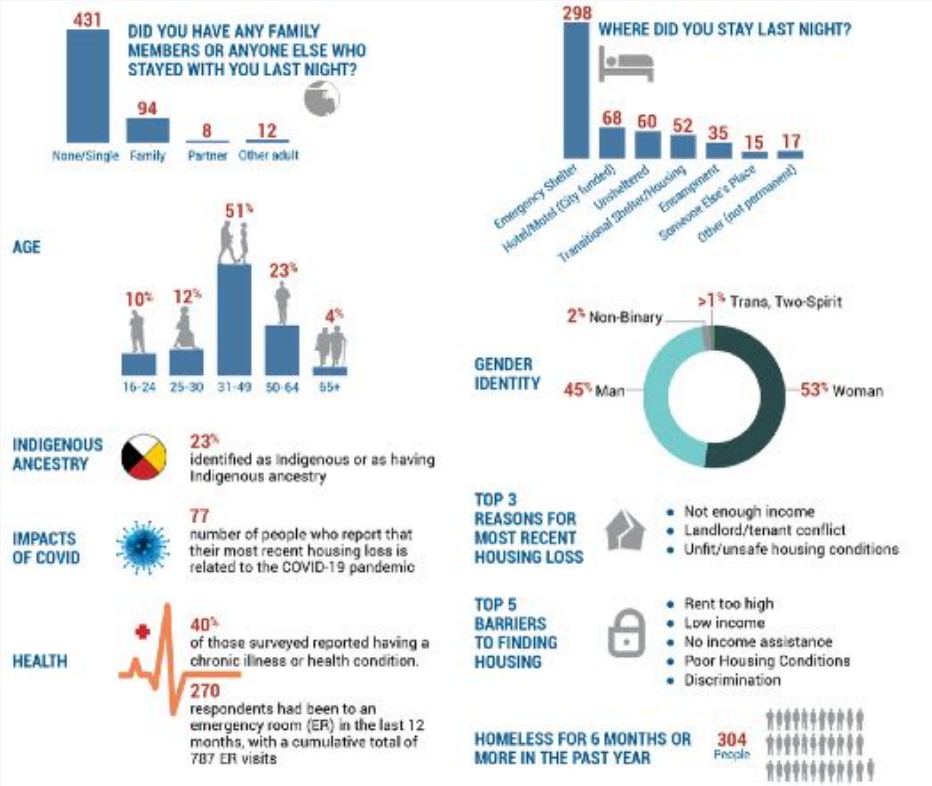
HOMELESSNESS

POINT IN TIME CONNECTION

From November 15 to 19, the City of Hamilton joined communities across Canada in participating in Everyone Counts: the third nationally coordinated Point-in-Time Count in Canada. This initiative, referred to locally as the Point in Time Connection, is a joint planning effort with City of Hamilton's Housing Services Division and the local Indigenous community through the Coalition of Hamilton Indigenous Leadership (CHIL).

During the initiative, staff from community-based social services organizations conducted surveys, hearing directly from unhoused residents, to better understand the needs of people experiencing homelessness in our community. 545 surveys were completed during the week at emergency shelters, drop-in programs, community agencies, and in unsheltered locations. Indigenous led magnet event was also held in Beasley Park on November 17 to provide an opportunity for Indigenous community members to be surveyed by Indigenous surveyors.

2022 POINT IN TIME CONNECTION RESULTS



2022 PiTC Results Infographic Description +

The goal of Hamilton's homeless-serving System is to connect people to the housing resources that will best meet their needs to access long-term sustainable housing. The system follows the principles of housing first and relies on person-centred data to facilitate the housing process.Point in Time Connection data helps to ensure available resources are leveraged as efficiently and effectively as possible to prevent and end homelessness.

- **City of Hamilton Point in Time Connection Results - 2021 (PDF, 1.09 MB)**
  In keeping with the principles of Indigenous data sovereignty, as directed by the Indigenous Community Advisory Board (ICAB), CHIL will continue to lead the analysis of Indigenous respondent data and the City of Hamilton will not use this data without the approval of the ICAB. See below for the full analysis of Indigenous respondent data, completed by CHIL and approved by the ICAB:
- **2021 Point in Time Count Indigenous Responses – Hamilton (PDF, 1.15 MB)**
- **2021 PiT Infographic - Indigenous Respondents (PDF, 800.43 KB)**

Coalition of Hamilton Indigenous Leadership

BACKGROUND

- Completion of the PiTC fulfilled requirements of both the Federal government's Reaching Home: Canada's Homelessness Strategy and the Ontario Ministry of Municipal Affairs and Housing.
- The 2021 PiTC complements existing local efforts to collect and report on key data on the state of homelessness to inform homelessness prevention and reduction efforts.

- Hamilton was the second community in Ontario to undertake homelessness enumeration in 2016 and one of the first to put in place a Coordinated Access system underpinned by a By-Name Priority List.
- Hamilton's PiTC was initially planned for April 2020, however was subsequently postponed by the City of Hamilton and CHIL due to COVID-19 response and impacts, and to await further direction from Federal and Provincial Governments.
- Unlike in previous years, no additional volunteers were recruited to support the surveying. The 2021 PiTC survey was conducted over the course of the week of November 15-19, 2021 in order to: ease the burden on agency staff working to complete the surveys and provide essential services in the community; to enable more time to safely connect with individuals and families in a variety of settings; and to avoid large gatherings to reduce the risk of infection and community spread of COVID-19 within these settings.

2018 Point in Time Connection +

2016 Point in Time Connection +

Date modified: October 31, 2022

Preventing & Ending Homelessness

Cathedral Temporary Shelter

City of Hamilton Encampment Response

Emergency Shelters & Drop-ins

Hamilton's Homelessness Ending Strategy

Housing & Homelessness Action Plan

Housing Stability & Rent Ready Benefits

Point in Time Connection

Resources for Homeless-serving partners

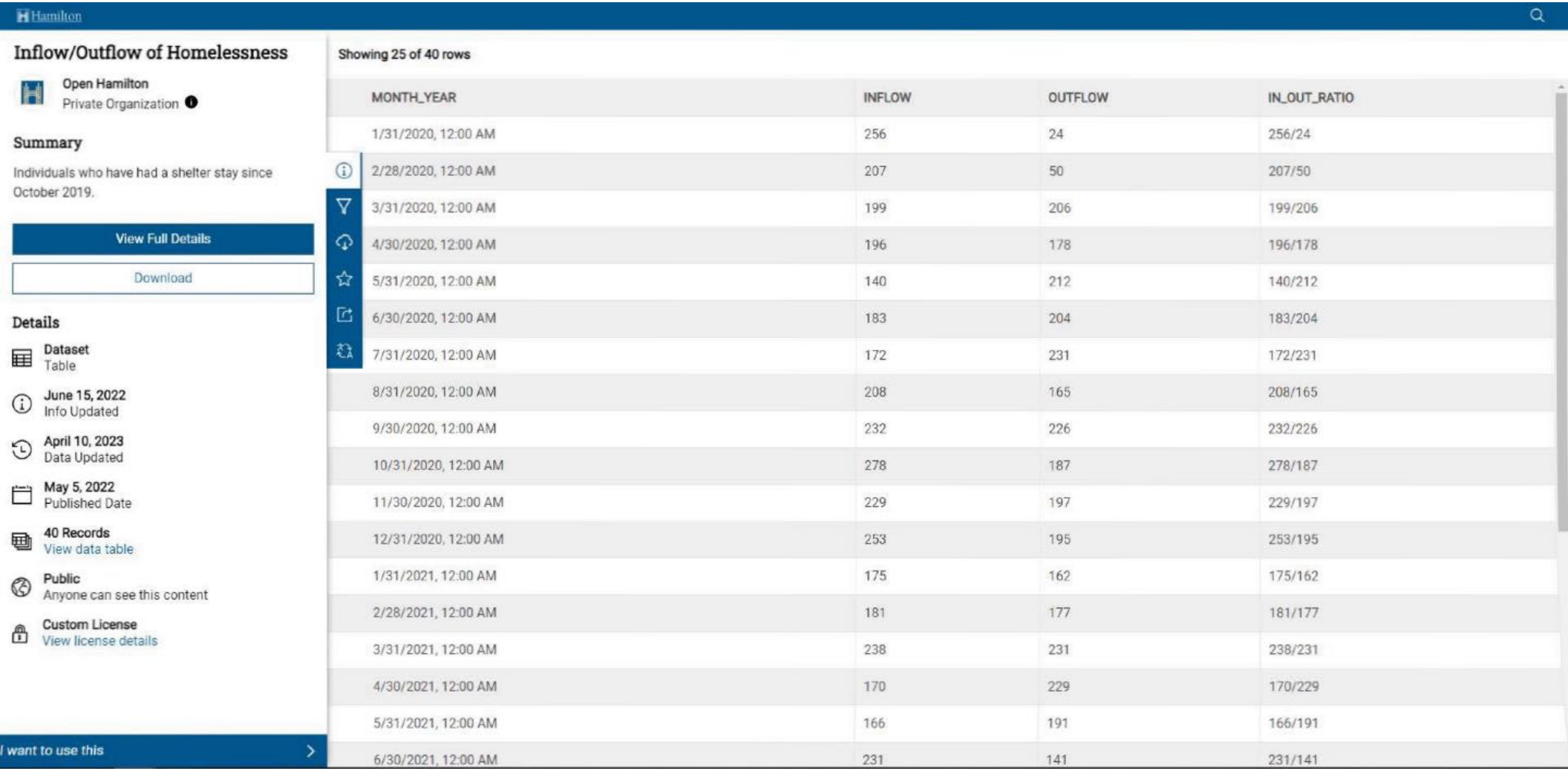
Resources for Individuals at Risk of and Experiencing Homelessness

Contact Us

Homelessness Policy & Programs
Call 905-546-2424 ext. 4666
Email **homelesspolicyprograms@hamilton.ca**

RELATED PAGES

TAB 2a


Hamilton
Inflow/Outflow of Homelessness
Open Hamilton
Private Organization
Summary
Individuals who have had a shelter stay since October 2019.
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Dataset
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June 15, 2022
Info Updated
April 10, 2023
Data Updated
May 5, 2022
Published Date
40 Records
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MONTH_YEAR
INFLOW
OUTFLOW
IN_OUT_RATIO
1/31/2020, 12:00 AM 256 24 256/24
2/28/2020, 12:00 AM 207 50 207/50
3/31/2020, 12:00 AM 199 206 199/206
4/30/2020, 12:00 AM 196 178 196/178
5/31/2020, 12:00 AM 140 212 140/212
6/30/2020, 12:00 AM 183 204 183/204
7/31/2020, 12:00 AM 172 231 172/231
8/31/2020, 12:00 AM 208 165 208/165
9/30/2020, 12:00 AM 232 226 232/226
10/31/2020, 12:00 AM 278 187 278/187
11/30/2020, 12:00 AM 229 197 229/197
12/31/2020, 12:00 AM 253 195 253/195
1/31/2021, 12:00 AM 175 162 175/162
2/28/2021, 12:00 AM 181 177 181/177
3/31/2021, 12:00 AM 238 231 238/231
4/30/2021, 12:00 AM 170 229 170/229
5/31/2021, 12:00 AM 166 191 166/191
6/30/2021, 12:00 AM 231 141 231/141

Hamilton

Inflow/Outflow of Homelessness

Open Hamilton
Private Organization

Summary

Individuals who have had a shelter stay since October 2019.

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MONTH_YEAR	INFLOW	OUTFLOW	IN_OUT_RATIO
6/30/2021, 12:00 AM	231	141	231/141
7/31/2021, 12:00 AM	281	222	281/222
8/31/2021, 12:00 AM	216	176	216/176
9/30/2021, 12:00 AM	227	185	227/185
10/31/2021, 12:00 AM	298	203	298/203
11/30/2021, 12:00 AM	325	254	325/254
12/31/2021, 12:00 AM	254	283	254/283
1/31/2022, 12:00 AM	214	271	214/271
2/28/2022, 12:00 AM	212	298	212/298
3/31/2022, 12:00 AM	248	226	248/226
4/30/2022, 12:00 AM	262	208	262/208
5/31/2022, 12:00 AM	228	283	228/283
6/30/2022, 12:00 AM	234	352	234/352
7/31/2022, 12:00 AM	264	306	264/306
8/30/2022, 12:00 AM	228	227	228/227
9/30/2022, 12:00 AM	296	240	296/240
10/31/2022, 12:00 AM	256	235	256/235
11/30/2022, 12:00 AM	262	215	262/215

Hamilton

Inflow/Outflow of Homelessness

Open Hamilton
Private Organization

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Individuals who have had a shelter stay since October 2019.

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MONTH_YEAR	INFLOW	OUTFLOW	IN_OUT_RATIO
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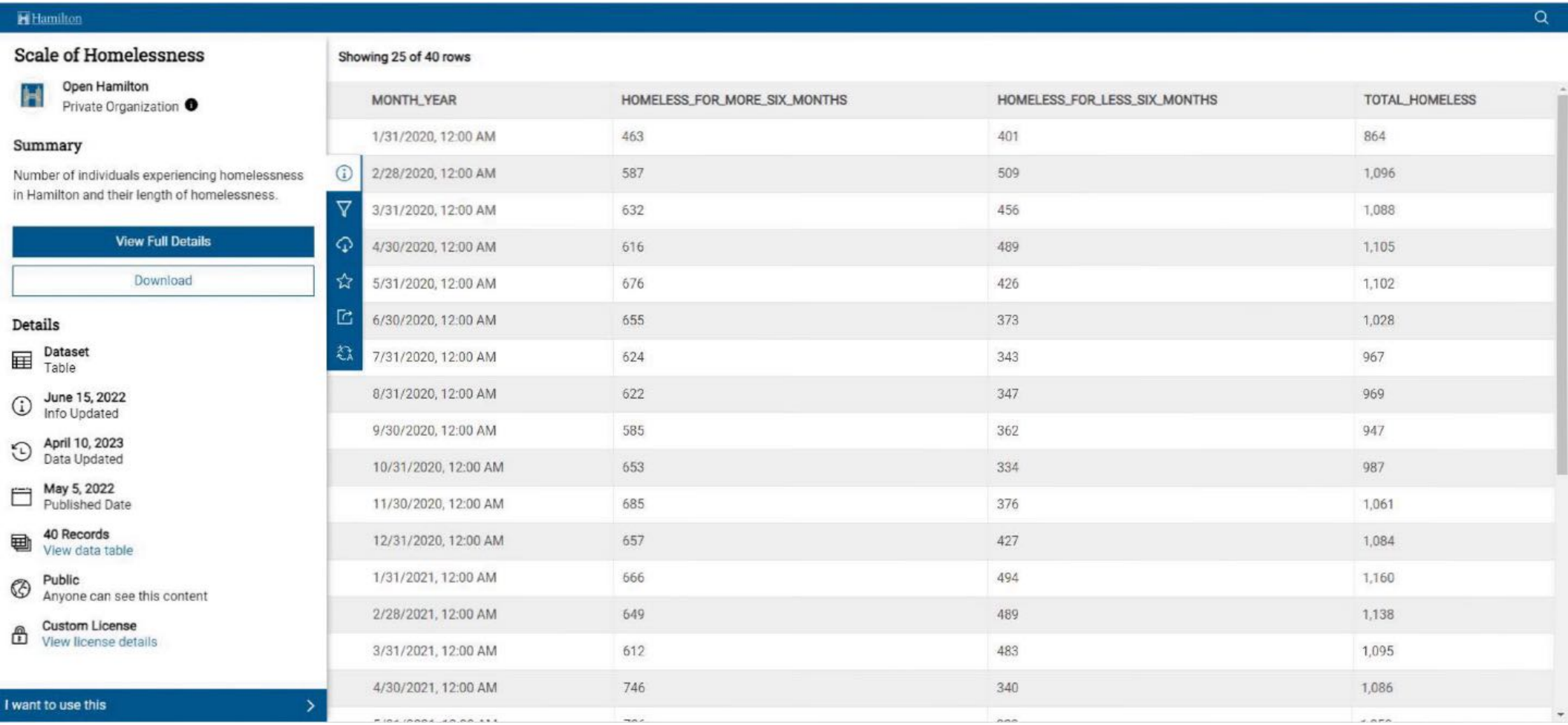
12/31/2021, 12:00 AM	254	283	254/283
1/31/2022, 12:00 AM	214	271	214/271
2/28/2022, 12:00 AM	212	298	212/298
3/31/2022, 12:00 AM	248	226	248/226
4/30/2022, 12:00 AM	262	208	262/208
5/31/2022, 12:00 AM	228	283	228/283
6/30/2022, 12:00 AM	234	352	234/352
7/31/2022, 12:00 AM	264	306	264/306
8/30/2022, 12:00 AM	228	227	228/227
9/30/2022, 12:00 AM	296	240	296/240
10/31/2022, 12:00 AM	256	235	256/235
11/30/2022, 12:00 AM	262	215	262/215
12/31/2022, 12:00 AM	209	317	209/317
1/31/2023, 12:00 AM	221	207	221/207
2/28/2023, 12:00 AM	219	263	219/263
3/31/2023, 12:00 AM	310	196	310/196
4/30/2023, 12:00 AM	248	181	248/181

TAB 2b


Hamilton
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Number of individuals experiencing homelessness in Hamilton and their length of homelessness.
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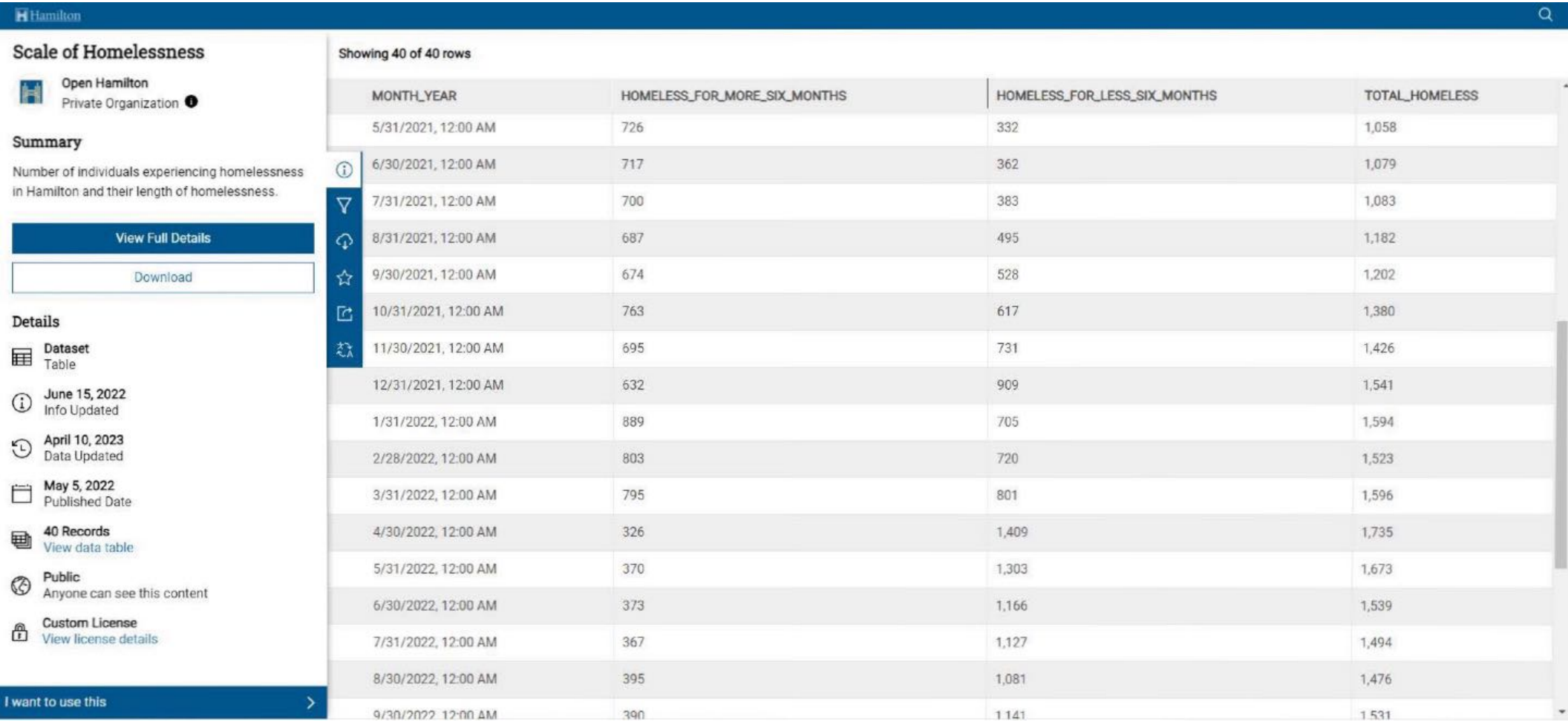
MONTH_YEAR
HOMELESS_FOR_MORE_SIX_MONTHS
HOMELESS_FOR_LESS_SIX_MONTHS
TOTAL_HOMELESS
1/31/2020, 12:00 AM 463 401 864
2/28/2020, 12:00 AM 587 509 1,096
3/31/2020, 12:00 AM 632 456 1,088
4/30/2020, 12:00 AM 616 489 1,105
5/31/2020, 12:00 AM 676 426 1,102
6/30/2020, 12:00 AM 655 373 1,028
7/31/2020, 12:00 AM 624 343 967
8/31/2020, 12:00 AM 622 347 969
9/30/2020, 12:00 AM 585 362 947
10/31/2020, 12:00 AM 653 334 987
11/30/2020, 12:00 AM 685 376 1,061
12/31/2020, 12:00 AM 657 427 1,084
1/31/2021, 12:00 AM 666 494 1,160
2/28/2021, 12:00 AM 649 489 1,138
3/31/2021, 12:00 AM 612 483 1,095
4/30/2021, 12:00 AM 746 340 1,086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MONTH_YEAR
HOMELESS_FOR_MORE_SIX_MONTHS
HOMELESS_FOR_LESS_SIX_MONTHS
TOTAL_HOMELESS
5/31/2021, 12:00 AM 726 332 1,058
6/30/2021, 12:00 AM 717 362 1,079
7/31/2021, 12:00 AM 700 383 1,083
8/31/2021, 12:00 AM 687 495 1,182
9/30/2021, 12:00 AM 674 528 1,202
10/31/2021, 12:00 AM 763 617 1,380
11/30/2021, 12:00 AM 695 731 1,426
12/31/2021, 12:00 AM 632 909 1,541
1/31/2022, 12:00 AM 889 705 1,594
2/28/2022, 12:00 AM 803 720 1,523
3/31/2022, 12:00 AM 795 801 1,596
4/30/2022, 12:00 AM 326 1,409 1,735
5/31/2022, 12:00 AM 370 1,303 1,673
6/30/2022, 12:00 AM 373 1,166 1,539
7/31/2022, 12:00 AM 367 1,127 1,494
8/30/2022, 12:00 AM 395 1,081 1,476
9/30/2022, 12:00 AM 390 1,141 1,531

Hamilton

Scale of Homelessness

Open Hamilton
Private Organization

Summary

Number of individuals experiencing homelessness in Hamilton and their length of homelessness.

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MONTH_YEAR	HOMELESS_FOR_MORE_SIX_MONTHS	HOMELESS_FOR_LESS_SIX_MONTHS	TOTAL_HOMELESS
11/30/2021, 12:00 AM	695	731	1,426
12/31/2021, 12:00 AM	632	909	1,541
1/31/2022, 12:00 AM	889	705	1,594
2/28/2022, 12:00 AM	803	720	1,523
3/31/2022, 12:00 AM	795	801	1,596
4/30/2022, 12:00 AM	326	1,409	1,735
5/31/2022, 12:00 AM	370	1,303	1,673
6/30/2022, 12:00 AM	373	1,166	1,539
7/31/2022, 12:00 AM	367	1,127	1,494
8/30/2022, 12:00 AM	395	1,081	1,476
9/30/2022, 12:00 AM	390	1,141	1,531
10/31/2022, 12:00 AM	409	1,160	1,569
11/30/2022, 12:00 AM	542	1,128	1,670
12/31/2022, 12:00 AM	488	1,048	1,536
1/31/2023, 12:00 AM	494	1,051	1,545
2/28/2023, 12:00 AM	476	989	1,465
3/31/2023, 12:00 AM	556	1,015	1,571
4/30/2023, 12:00 AM	591	1,024	1,615

TAB 2c

Hamilton

Shelter Beds Available

Open Hamilton
Private Organization

Summary

Total number of shelter beds or rooms available on the last day of the month.

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Dataset
Table

June 15, 2022
Info Updated

April 10, 2023
Data Updated

May 5, 2022
Published Date

40 Records
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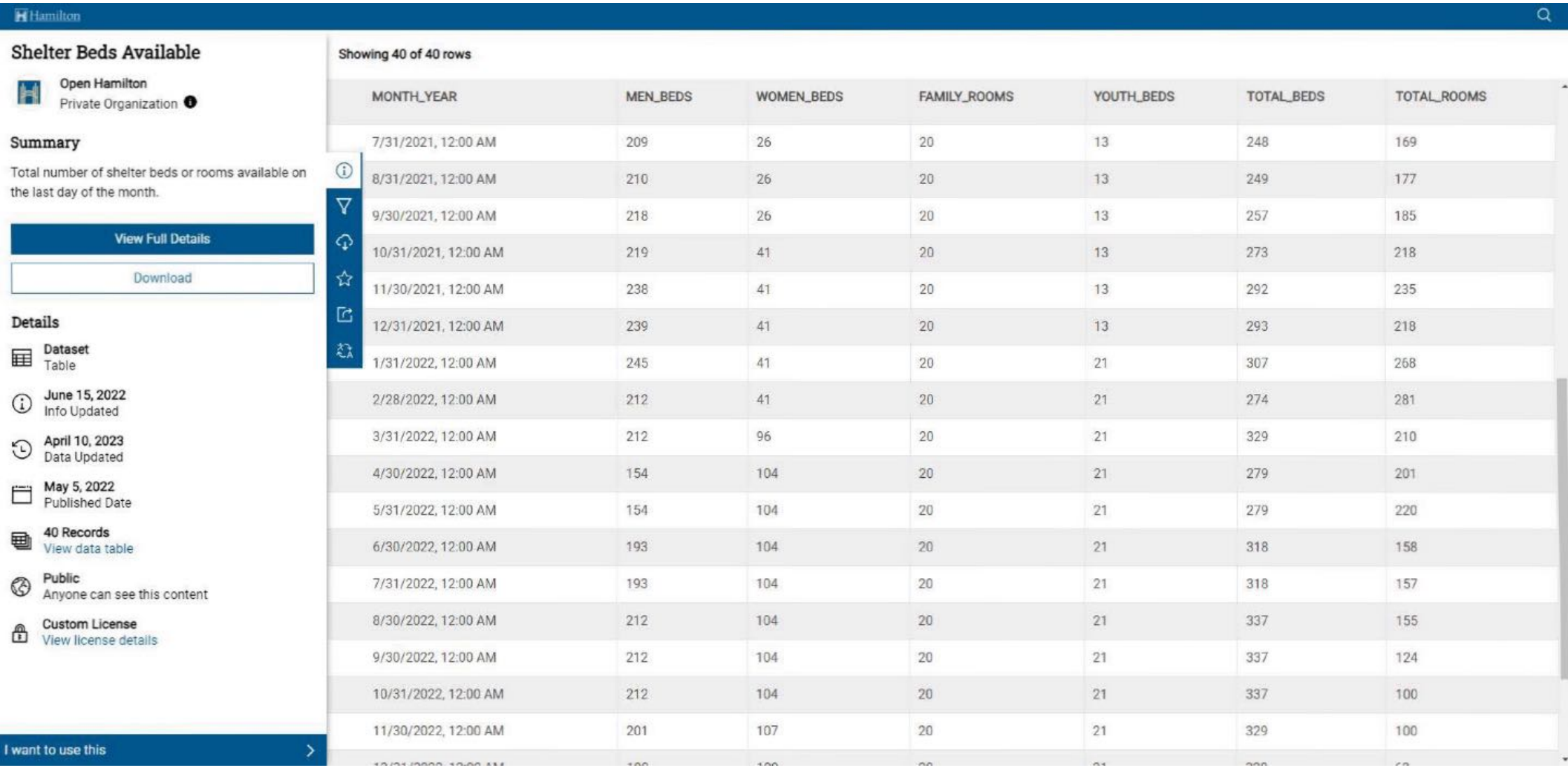
MONTH_YEAR	MEN_BEDS	WOMEN_BEDS	FAMILY_ROOMS	YOUTH_BEDS	TOTAL_BEDS	TOTAL_ROOMS
1/31/2020, 12:00 AM	220	46	20	21	287	20
2/28/2020, 12:00 AM	193	46	20	21	260	20
3/31/2020, 12:00 AM	219	46	20	21	286	20
4/30/2020, 12:00 AM	150	46	20	21	217	87
5/31/2020, 12:00 AM	127	46	20	21	194	63
6/30/2020, 12:00 AM	127	46	20	21	194	63
7/31/2020, 12:00 AM	127	46	20	21	194	67
8/31/2020, 12:00 AM	127	38	20	21	186	82
9/30/2020, 12:00 AM	115	38	20	21	174	147
10/31/2020, 12:00 AM	142	26	20	13	181	152
11/30/2020, 12:00 AM	186	26	20	13	225	149
12/31/2020, 12:00 AM	186	26	20	13	225	143
1/31/2021, 12:00 AM	196	26	20	13	235	177
2/28/2021, 12:00 AM	223	26	20	13	262	178
3/31/2021, 12:00 AM	223	26	20	13	262	198
4/30/2021, 12:00 AM	223	26	20	13	262	199
5/31/2021, 12:00 AM	223	26	20	13	262	178
6/30/2021, 12:00 AM	223	26	20	13	262	183


Hamilton
Shelter Beds Available
Open Hamilton
Private Organization
Summary
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June 15, 2022
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Showing 40 of 40 rows
MONTH_YEAR MEN_BEDS WOMEN_BEDS FAMILY_ROOMS YOUTH_BEDS TOTAL_BEDS TOTAL_ROOMS
7/31/2021, 12:00 AM 209 26 20 13 248 169
8/31/2021, 12:00 AM 210 26 20 13 249 177
9/30/2021, 12:00 AM 218 26 20 13 257 185
10/31/2021, 12:00 AM 219 41 20 13 273 218
11/30/2021, 12:00 AM 238 41 20 13 292 235
12/31/2021, 12:00 AM 239 41 20 13 293 218
1/31/2022, 12:00 AM 245 41 20 21 307 268
2/28/2022, 12:00 AM 212 41 20 21 274 281
3/31/2022, 12:00 AM 212 96 20 21 329 210
4/30/2022, 12:00 AM 154 104 20 21 279 201
5/31/2022, 12:00 AM 154 104 20 21 279 220
6/30/2022, 12:00 AM 193 104 20 21 318 158
7/31/2022, 12:00 AM 193 104 20 21 318 157
8/30/2022, 12:00 AM 212 104 20 21 337 155
9/30/2022, 12:00 AM 212 104 20 21 337 124
10/31/2022, 12:00 AM 212 104 20 21 337 100
11/30/2022, 12:00 AM 201 107 20 21 329 100

Hamilton

Shelter Beds Available

Open Hamilton
Private Organization

Summary

Total number of shelter beds or rooms available on the last day of the month.

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MONTH_YEAR	MEN_BEDS	WOMEN_BEDS	FAMILY_ROOMS	YOUTH_BEDS	TOTAL_BEDS	TOTAL_ROOMS
11/30/2021, 12:00 AM	238	41	20	13	292	235
12/31/2021, 12:00 AM	239	41	20	13	293	218
1/31/2022, 12:00 AM	245	41	20	21	307	268
2/28/2022, 12:00 AM	212	41	20	21	274	281
3/31/2022, 12:00 AM	212	96	20	21	329	210
4/30/2022, 12:00 AM	154	104	20	21	279	201
5/31/2022, 12:00 AM	154	104	20	21	279	220
6/30/2022, 12:00 AM	193	104	20	21	318	158
7/31/2022, 12:00 AM	193	104	20	21	318	157
8/30/2022, 12:00 AM	212	104	20	21	337	155
9/30/2022, 12:00 AM	212	104	20	21	337	124
10/31/2022, 12:00 AM	212	104	20	21	337	100
11/30/2022, 12:00 AM	201	107	20	21	329	100
12/31/2022, 12:00 AM	198	109	20	21	328	62
1/31/2023, 12:00 AM	198	109	20	21	328	62
2/28/2023, 12:00 AM	198	109	20	21	328	62
3/31/2023, 12:00 AM	198	81	20	21	300	62
4/30/2023, 12:00 AM	198	65	20	21	284	62

TAB 2d

Hamilton

Showing 39 of 39 rows

MONTH_YEAR	PERCENT_MEN	PERCENT_WOMEN	PERCENT_FAMILIES	PERCENT_YOUTH	PERCENT_EMERGENCY
1/31/2020, 12:00 AM	1.14	1.04	0.93	0.68	
2/28/2020, 12:00 AM	1.11	1.02	0.91	0.6	
3/31/2020, 12:00 AM	1.08	0.82	0.97	0.52	
4/30/2020, 12:00 AM	1.39	0.87	0.95	0.7	0.44
5/31/2020, 12:00 AM	1.14	0.8	0.64	0.46	0.5
6/30/2020, 12:00 AM	1.07	0.78	1	0.51	0.34
7/31/2020, 12:00 AM	0.91	0.78	1	0.42	0.31
8/31/2020, 12:00 AM	0.9	0.85	1	0.29	0.33
9/30/2020, 12:00 AM	0.9	0.9	0.79	0.36	0.39

Hamilton

Showing 39 of 39 rows

MONTH_YEAR	PERCENT_MEN	PERCENT_WOMEN	PERCENT_FAMILIES	PERCENT_YOUTH	PERCENT_EMERGENCY
10/31/2020, 12:00 AM	0.79	0.72	0.85	0.51	0.72
11/30/2020, 12:00 AM	0.92	0.99	0.95	0.49	0.72
12/31/2020, 12:00 AM	0.96	1.1	0.92	0.46	0.62
1/31/2021, 12:00 AM	0.91	0.96	0.86	0.32	0.52
2/28/2021, 12:00 AM	0.99	0.97	0.9	0.45	0.6
3/31/2021, 12:00 AM	0.93	1.03	0.85	0.59	0.67
4/30/2021, 12:00 AM	0.88	0.99	0.87	0.66	0.54
5/31/2021, 12:00 AM	0.81	1.02	0.78	0.44	0.46
6/30/2021, 12:00 AM	0.79	1.05	0.86	0.4	0.47

Hamilton

Showing 39 of 39 rows

MONTH_YEAR	PERCENT_MEN	PERCENT_WOMEN	PERCENT_FAMILIES	PERCENT_YOUTH	PERCENT_EMERGENCY
7/31/2021, 12:00 AM	0.85	1.03	0.88	0.49	0.58
8/31/2021, 12:00 AM	0.81	1.04	1	0.63	0.73
9/30/2021, 12:00 AM	0.81	1.08	1.14	0.61	0.74
10/31/2021, 12:00 AM	0.88	1.05	1.01	0.74	0.79
11/30/2021, 12:00 AM	0.96	0.99	0.98	0.84	0.87
12/31/2021, 12:00 AM	1	1.01	0.92	0.72	1.05
1/31/2022, 12:00 AM	0.96	0.96	0.93	0.45	1.02
2/28/2022, 12:00 AM	0.95	0.97	0.85	0.38	1
3/31/2022, 12:00 AM	0.98	0.8	1.01	0.48	1.07

Hamilton

Showing 39 of 39 rows

MONTH_YEAR	PERCENT_MEN	PERCENT_WOMEN	PERCENT_FAMILIES	PERCENT_YOUTH	PERCENT_EMERGENCY
4/30/2022, 12:00 AM	1	0.9	1.03	0.58	0.95
5/31/2022, 12:00 AM	0.97	0.88	1	0.47	0.97
6/30/2022, 12:00 AM	0.99	0.9	1.04	0.43	0.8
7/31/2022, 12:00 AM	0.97	0.93	0.99	0.58	0.75
8/30/2022, 12:00 AM	0.94	0.97	1.03	0.61	0.72
9/30/2022, 12:00 AM	0.96	0.97	1.03	0.57	0.6
10/31/2022, 12:00 AM	1.02	1	1.01	0.76	0.85
11/30/2022, 12:00 AM	1.02	0.98	1.04	0.82	0.68
12/31/2022, 12:00 AM	1.06	0.92	1.03	0.71	0.6

Hamilton

Showing 39 of 39 rows

MONTH_YEAR	PERCENT_MEN	PERCENT_WOMEN	PERCENT_FAMILIES	PERCENT_YOUTH	PERCENT_EMERGENCY
6/30/2022, 12:00 AM	0.99	0.9	1.04	0.45	0.6
7/31/2022, 12:00 AM	0.97	0.93	0.99	0.58	0.75
8/30/2022, 12:00 AM	0.94	0.97	1.03	0.61	0.72
9/30/2022, 12:00 AM	0.96	0.97	1.03	0.57	0.6
10/31/2022, 12:00 AM	1.02	1	1.01	0.76	0.85
11/30/2022, 12:00 AM	1.02	0.98	1.04	0.82	0.68
12/31/2022, 12:00 AM	1.06	0.92	1.03	0.71	0.6
1/31/2023, 12:00 AM	1.1	0.91	1.05	0.55	0.84
2/28/2023, 12:00 AM	1.1	0.92	1.04	0.75	0.77
3/31/2023, 12:00 AM	1.12	0.93	1.04	0.67	0.71

Shelter Occupanc....html

Show all

TAB 3

City of Hamilton
EMERGENCY & COMMUNITY SERVICES COMMITTEE ADDENDUM

Meeting #: 20-004
Date: July 13, 2020
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall
All electronic meetings can be viewed at:
City's Website: https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas
City's YouTube Channel: https://www.youtube.com/user/InsideCityofHamilton or Cable 14

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

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6. WRITTEN DELEGATIONS

*6.1 Kevin Gonci, Hamilton Collaborative Partnership Group, respecting Response to City of Hamilton Staff Report HSC20026 (City Wide) dated June 19, 2020

*6.2 Dr. Jill Wiwcharuk and Dr. Tim O'Shea, Hamilton Social Medicine Response Team, respecting the City's strategy about homeless encampments

*6.3 Jody Ans and Lisa Nussey, Keeping Six, respecting request that the City re-evaluate and change its approach to encampments

*6.4 Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, respecting Dismantlement of Homeless Encampments

8. DISCUSSION ITEMS

*8.3 Adaptation and Transformation of Services for People Experiencing Homelessness Update 1 (HSC20020(a)) (City Wide)

10. NOTICES OF MOTION

*10.1 Signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Local Municipality and Friendship Centre Support

12. PRIVATE AND CONFIDENTIAL

12.2 Potential Litigation Report (LS20019) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Delegation to Chair and Members of Emergency and Community Services Committee

July 13th, 2020

RE: Homeless Encampments

Thank you for accepting my delegation today. And thank you for all of your work throughout these unprecedented times.

Since the start of the pandemic, Hamilton has seen an increasing number of people experiencing homelessness who are choosing to sleep outside or "sleep rough". This is certainly not a new phenomenon and there are many reasons that people avoid the shelter system. Some people find the rules too restrictive at shelters (there are curfews and bed checks in place). Others lament all the theft that occurs and simply don't feel secure sleeping in a dorm style setting. Still others have pets that are not welcome in shelters and when people have so few supports in their lives, sometimes their pets take precedence above all else. As you know, people who are homeless suffer from a disproportionately high level of mental health issues and we often see people who are simply too anxious or too paranoid to be in close contact with so many people. Other people want to avoid the drug use that is often rampant in shelters. And on the flip side of that there are people who use drugs who are repeatedly evicted from shelters due to their drug use. Many times people are asked to leave shelters just because they have drug use paraphernalia on them. Peoples belongings are routinely searched and a clean needle or an unopened can of beer is enough to be restricted from a shelter. Lastly, there are very few shelter beds open for couples so different-sex couples are either forced to go to different shelters or opt to sleep outside so that they can stay together.

These are all reasons that people choose to sleep rough. Then you add a pandemic on top of that and hearing the repeated message that people living in congregate sleeping settings are at highest risk can be an added worry for people.

I have been working with many people who are sleeping rough during this pandemic. From a health perspective, I see how unwell these individuals often are. I have seen people with severe life-threatening infections, people who have untreated spinal cord issues that put them at risk of becoming paraplegic, women who are in their last few weeks of pregnancy, and so many folks who have addictions that they are desperate to get help with but lack the stability in their lives to make that possible. Imagine trying to get to a pharmacy every day for a dose of methadone when you don't know where your next meal is coming from, you have to somehow protect your belongings from theft, find a place to charge a cell phone so that you won't miss a call from your housing worker and acquire water for your dogs. Never mind finding a place to simply relieve yourself in the morning.

I know that in the past the City has felt they had to dismantle homeless encampments in response to complaints from residents. We saw that at Sir John A McDonald, Jackie Washington

Park and Ferrie Street not long ago. When this happens the connections that were made with people are lost. The outreach workers who have been working on housing applications, the health care workers who have been working on the physical and mental health piece – these connections are all lost when people are told to move along. I was working with an elderly gentleman with a fever and pneumonia who could not do much more than lay on the floor of his tent but refused to go to hospital. With minimal notice he was told to move along and I have not seen him since.

The city has slowed down on dismantling homeless encampments in recent weeks and I am grateful for that, as are my patients. I am asking that this continue to be the overarching principle in dealing with homeless encampments: let them be. This pandemic is unprecedented. We can't expect that responses that might have seemed reasonable in the past are appropriate during a pandemic. People do not cease to exist when they are told to move along. They still need a place to be and by virtue of sleeping rough they have shown that they do not fit into the current shelter system as it is**. The Centre for Disease Control (CDC) has issued guidelines stating that "Unless individual housing units are available, do not clear encampments during community spread of COVID-19. Clearing encampments can cause people to disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread."**

We are imploring you to recognize the severe health consequences facing people who do not have housing, to recognize that we are in a new era where the old rules are not necessarily the best ones and to refrain from moving encampments along whenever possible. From our perspective, it would only be acceptable to move people along when they are either being moved to housing units with appropriate supports or to an ultra low-barrier, highly supportive shelter model that will give them a chance of success. Moving people into one of the current shelters or hotels to have them evicted two days later only further decreases the trust that people have in the system, making them less likely to engage in the future.

We need to recognize that the current shelter system does not meet the needs of many of these individuals. I ask that, in the re-imagining of our city's response to homelessness that the pandemic has instigated, we make this group of high-needs individuals who sleep rough a priority. Currently, we see many of these folks being service restricted from all of the shelters in the city and turned down from city-run hotels due to the fact that their needs are too high. In the healthcare world, that is like saying that you are too sick so we are not going to offer you any care. Instead of turning our backs on them and continually telling them to move somewhere else so that they won't be seen, we need to find something that WILL work for them. What about a motel space that is as low-barrier as possible with intensive social and health supports? Other jurisdictions in Canada have done this with great success. The city has recently made a precedent of helping two people get directly from a homeless encampment into permanent housing. This was successful and there is no reason that it would not work for other folks as well. What this group needs are options and at this point viable options for them do not exist.

I understand that the focus for you right now is likely the encampment outside of First Ontario Centre. But our concerns about this issue predate that encampment. Part of the reason the FOC encampment developed was due to smaller encampments in the city being dismantled – groups of two or three tents at the back of a park that were told to move along, or a single tent along the rail trail somewhere. Another group of people outside FOC are people who have been service restricted from all of the shelters in the city. And other people sleeping outside of FOC have been illegally evicted from their residential care facilities (RCF's). The encampment developed in that particular spot likely because of the neighbouring shelters that offered community to people as well as the fact that amenities existed in that area. Toilets and meals have not been as easy to come by during the pandemic and people will go to areas where services exist.

So please, stop dismantling homeless encampments for the duration of the pandemic unless people are being moved to an indoor space where they will have a modicum of success. This is not only a matter of public health and best practise as per the Centre for Disease Control, it is also a matter of human dignity and human rights. We need to recognize that the current system does not work for many people who are sleeping rough and work to either get them directly into permanent housing with appropriate supports or accommodate them in a shelter/motel that is low-barrier and high-support enough to meet their needs. Barring that, our city needs to be following an evidence-based approach to this issue, follow the international health guidelines that are available to us and stop dismantling homeless encampments.

Dr Jill Wiwcharuk and Dr Tim O'Shea, Hamilton Social Medicine Response Team (HAMSMaRT)

KEEPING SIX HAMILTON
HARM REDUCTION ACTION LEAGUE

July 13, 2020

Dear Chair and Members of the Emergency and Community Services Committee,

Thank you for receiving our delegation. We are writing to you today on behalf of Keeping Six, Hamilton Harm Reduction Action League to request that the City re-evaluate and change its approach to encampments to better support the needs of those living in them and to facilitate service provision and access to housing. We believe that this can be accomplished in the following ways:

- that there be an explicit acknowledgement that the shelter system (including the pandemic hotels) do not meet the needs of many, and this is a significant contributing factor to the encampments in the city
- by including people with lived experience of living in encampments in the City led Encampments working group and providing the supports necessary for participation
- that people living in encampments be prioritized for supportive housing
- that ultra-low barrier shelter option or options be created
- that in the absence of suitable housing or shelter, people be offered the option of sanctioned encampments in locations suitable to the City and the encampments' inhabitants
- that, barring an alternative suitable to the people or person in question, a person's housing not be dismantled, at least for the duration of the pandemic, as recommended by the Center for Disease Control.

Let us begin by saying that we appreciate that this is a difficult subject and that you face extra-ordinary pressure from the tax and voting base to "get rid" of this problem and restore access to perceived security and tranquil green space. We also acknowledge that the issue has been hurtled into the minds and emails of many because of the highly visible First Ontario Centre Encampment.

As a group comprised of people and supporters of people living or who have lived in such encampments, we need for you to understand that the problem for us is broader than FOC and more pressing than access to green space. Further, we are not the pariah that people want to make us out to be, and that the moral leadership of the city on this issue could go a long way toward shifting that narrative and building a more inclusive city.
A mainstay of our work as an organization led by people with lived experience is being connected to the people on the ground. A constant refrain from the streets is that people are exhausted and undermined by being in a perpetual state of dislocation. Always being moved

along. It is next to impossible to make any *progress* in life while being consumed by sorting out where to be.

Another pillar of our work is to insist that the voices of people impacted by policy create that policy, or at least have a hand in it. Nothing about us, without us. This is of course about representation but also practicality; you would be surprised by how smart we are, how well we understand the issues and their nuance, and the ways in which we are able to propose realistic solutions and create buy in for them.

Our community has several times raised the idea of sanctioned sites, where we could establish some modicum of stability by doing away with the perpetual need to find a new place to live and acquire new belongings destroyed in the dismantlement. While it may not seem obvious at first glance, the stability and predictability of sanctioned or tacitly supported sites will decrease the problems associated with encampments, not increase them. Firstly, we will have an opportunity to create stable community and a sense of cohesion and ownership which fosters accountability to one another, our surroundings, and the community. Second, it facilitates access and continuity to services that might help us gain access to more stable housing (one of our number one goals), and health care. There is successful precedent for this in other cities in Canada and we would be happy to connect you to folks doing that work. K6 would also be first to engage people in such an encampment and would make it a priority for our existing outreach program.

Finally, a note to say, it gives us no great joy to come before you today and beg for people to be left to camp in the city. It is not what most of us want. But in the acknowledged absence of an alternative, with a run of systems failures that cross all levels of government, it is what we are left with.

The existing services for shelter in the city are valued and have hard working dedicated people in them and, we acknowledge, consume a great deal of resources. But we are all in agreement that the existing services do not meet some people's needs. Some of us simply do not succeed in them. Teams of people worked extremely hard to humanely and respectfully clear people from the Sir John A encampment. On a Friday most if not all were in shelter or hotel. By Monday many were discharged and back on the street.

Now, we can discuss why that it is and disagree about where to "lay the blame" as it were, but the facts the ground remain that as it stands, it doesn't work for some. We and many before us have long been in discussion about what could work. At every turn to every suggestion we hear: there are no resources for that, we have no funds, no staff. Excellent supportive programs like HOMES are oversubscribed and have long waitlists. The reality is that our current suite of Housing First services in Hamilton does not meet the housing needs of people who experience the most complex barriers to housing. The encampments we are talking about today are exacerbated by that gap in services.

This plea to not move encampments unless an acceptable alternative is available is an acceptance of that proposition, that the resources to solve this crisis don't currently exist. Our preference is definitely for people to have access to suitable indoor living arrangements. But in the current climate, we know that this is not possible. In a time when everyone comes to the city asking for

everything, we are asking for an end to the resource intensive perpetual make work project of moving people around from place to place, which only undermines any effort to "get rid of people", because no matter what the complaining tax payers or voters want, moving us on does not make us evaporate. We need to be somewhere.

We appreciate that it is a complex subject that lends itself best to conversation and answering of questions. We have tried to anticipate some of your questions in the appendix and provide brief answers. We are happy to sit down at any time to discuss further how this shift in strategy could work.

Sincerely,

Jody Ans
Founding member of K6

Lisa Nussey
Co-coordinator of K6

Frequently Asked Questions

What is an encampment?

There is no agreed upon definition of an encampment. To us, in this submission, it means a person or group of people sleeping outdoors in temporary shelter, like a tent or an impermanent structure fashioned out of any number of materials, like tarps, umbrellas, wood, etc.

Don't people just want to sleep rough?

This may *occasionally* be true, but this choice is the exception, not the rule. People who are truly choosing to sleep rough are few and far between, and they are not the subject of this submission.

Aren't encampments dangerous to the people living in them?

Yes. Sleeping on the street is dangerous. There have been instances fires in some encampments. There have also been incidents of violence between people in encampments. This is part of the reason why we advocate first for safe, dignified housing for all. Until that is possible, however, people will sleep rough. This means that we must do our best to make rough sleeping safer. Moving people does not remove the potential for fire or violence. It simply displaces it and frankly aggravates it, by making people more on edge. Further, the stability of not moving encampments allows for us to make them safer by building community and supplying people with safety equipment.

Aren't encampments dangerous to people living near them?

We do not have good evidence to answer this question. Without oversimplifying, our intuition and experience is that when people are treated with respect and kindness, they largely give the same in return. Certainly, reduced displacement is a gesture of respect and provides opportunity for building links across differences in communities. There is some evidence out of the US to show that broadly speaking, crime stays the same or goes down in neighborhoods around sanctioned or tacitly supported encampments. There have always been similar arguments leveled again the creation of sanctioned Consumption and Treatment Centres, and this fear of increased crime has not borne out in reality.

What do we mean by a sanctioned site?

A sanctioned encampment is one where the City either explicitly or implicitly permits people to erect temporary shelter, offering the continuity and stability required to take some next steps in the journey toward housing. Beyond that, there could be on site hygiene facilities like toilets and handwashing stations. Services can be brought on site and more reliably connect with people. Food delivery by area agencies could take place. Regular garbage pickups could be organized. Resident led systems of governance and accountability could be fostered. There is some preliminary evidence out of the US that shows that this strategy could be successful in reducing homelessness.

Understanding Encampments of People Experiencing Homelessness and Community Responses

Emerging Evidence as of Late 2018

U.S. Department of Housing and Urban Development | Office of Policy Development and Research

Understanding Encampments of People Experiencing Homelessness and Community Responses:

Emerging Evidence as of Late 2018

January 7, 2019

Submitted by:
Rebecca Cohen
Will Yetvin
Jill Khadduri

Abt Associates

Table of Contents

List of Exhibits ii

Introduction 1

What Are Encampments, and What Do We Need to Know About Them? 1

Understanding Encampments 4

Explanations for the Increase in Encampments 4

The Shelter System Falls Short 4

Sense of Safety and Community 5

Desire for Autonomy and Privacy 5

Access to Illegal Substances 6

Variation in Encampments 6

Resident Characteristics, Social Structure, and Motivations of Residents 6

Regional Differences in Encampments 7

Community Responses to Encampments 9

Factors that Drive Local Responses 10

Community and Political Pressure 11

Resource Availability 11

Fear of Litigation 11

Effectiveness of Various Responses 12

Clearance with Little or No Support 13

Clearance with Support 13

Tacit Acceptance 14

Formal Sanctioning 15

Limitations of the Current Evidence on Encampments 17

Scope and Rigor of the Current Literature on Encampments 17

Challenges to Collecting Data on People in Encampments 18

Suggestions for Additional Research 19

Conclusion 21

Appendix A. Methods Used to Conduct the Literature Review and Interviews with Key Informants 23

Appendix B. Summaries of Selected Studies 25

Appendix C: Selected Practitioner Resources 31

References 32

List of Exhibits

Exhibit 1: Research Questions for the Study of Encampments 2

Exhibit 2: Shortcomings in the Shelter System 5

Exhibit 3: Typology of Responses to Encampments 9

Exhibit 4: Search Strings and Limiters 23

Exhibit 5: Key Informants 24

Introduction

Cities, suburban communities, and rural areas across the United States have seen in recent years the rise of groups of people experiencing unsheltered homelessness together. The term *encampment* is widely used by journalists and researchers to describe these groups, but other terms include *tent cities, homeless settlements,* and *homeless camps.* Although their existence is not unprecedented, media reports suggest that the number of encampments has increased sharply in recent years (National Law Center on Homelessness and Poverty, 2017).

People experiencing unsheltered homelessness may perceive staying in an encampment as a safer option than staying on their own in an unsheltered location or in an emergency shelter; however, encampments can create both real and perceived challenges for the people who stay in them as well as for neighbors and the broader community. As community leaders seek to develop and deploy a response, they often are called on to balance multiple, sometimes competing priorities and demands from a diverse group of stakeholders, including community residents, business owners, public health and safety officials, and advocates for disadvantaged populations—as well as the people living in the encampments.

This paper documents what is known about homeless encampments as of late 2018, based on a review of the limited literature produced thus far by academic and research institutions and public agencies, supplemented by interviews with key informants. This paper is part of a larger research study sponsored by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, and the U.S. Department of Housing and Urban Development, Office of Policy Development and Research. This study's goal is to contribute to our understanding of homelessness, including the characteristics of homeless encampments and the people who stay in them, as well as local ideas about how to address encampments and their associated costs.

What Are Encampments, and What Do We Need to Know About Them?

The term *encampment* has connotations of both impermanence and continuity. People are staying in temporary structures or enclosed places that are not intended for long-term continuous occupancy on an ongoing basis. Inhabitants may be a core group of people who are known to one another and who move together to different locations when necessary, or they may be a changing group of people who cycle in and out of a single location. The physical structures that make up encampments can take many forms, including tents on pallets and shanties, or lean-to shacks built with scavenged materials. Structures may be simple or complex multiroom compounds. People experiencing homelessness in encampments may also stay in groups of cars or vans or in manmade tunnels and naturally occurring caves.

Community reactions to encampments have taken a variety of forms. Some communities send police to quickly clear ("sweep") encampments, with no attempt to provide services or referrals to help people at the encampment find another place to stay. At the other end of the spectrum, some communities permit ("sanction") encampments formally. Local government or community organizations provide running water and places to prepare food and dispose of waste, as well as healthcare and other services.

The research questions that guided this review are shown in Exhibit 1. In the larger research study, we will attempt to provide information about encampments and the people who are staying in them and to answer these research questions. We sought preliminary information for these questions through a formal examination of the peer-reviewed literature; we also identified and examined non-peer-reviewed reports by academic institutions, public agencies, and other organizations (sometimes called *gray literature*). In addition to conducting literature reviews, we interviewed several key informants who are subject matter experts on encampments. We selected them because they are conducting research on encampments and related topics or they are helping communities devise and implement best practices for dealing with encampments.

Exhibit 1. Research Questions for the Study of Encampments

Understanding Encampments

1. What factors are driving the increase in people living in encampments?
2. What infrastructure or state or local ordinances or other policies impede or promote the establishment of encampments?
3. Who lives in encampments? Are there some subpopulations of people experiencing homelessness who are more likely to form or attach themselves to homeless encampments? Do people staying in the same encampment share certain characteristics? Are there any differences between the unsheltered population living in encampments and those who are unsheltered in other locations?
4. How large are encampments? Do their characteristics vary by size?
5. What types of social structures characterize encampments?
6. Why do people choose to live in encampments? What are the "pull" and "push" factors?

Community Efforts to Address Encampments

7. What steps are communities taking to prevent the establishment of encampments?
8. How are communities responding to encampments? What are the major activities, and which stakeholders are engaged?
9. Can approaches to encampments be categorized—for example, as sanctioning, clearing, or relocating?
10. How do responses to encampments relate to the broader homelessness services system?
11. How do responses to encampments differ across different types of communities?
12. In what ways do these efforts differ from efforts to serve the unsheltered population not living in encampments?

Costs Associated with Encampments

13. What are the direct costs incurred by communities in their efforts to address encampments?
14. How do costs differ depending on different community approaches?
15. How do the costs of managing or addressing encampments compare with the cost of emergency shelter and the cost of permanent supportive housing?
16. What health and safety issues have communities encountered with people staying in encampments?
17. What are the broader societal costs associated with encampments?

We summarize the nascent evidence on encampments in the following two sections. *Understanding Encampments* reviews what we know about why encampments form and what they look like. *Community Responses to Encampments* describes the factors that lead communities to adopt various approaches and what we know so far about their effectiveness. Then we describe the *Limitations of the Current Evidence on Encampments,* including some suggestions for additional research beyond the scope of this study. Finally, Appendix A describes how we conducted the literature review and key informant interviews, Appendix B provides additional details on selected studies that were particularly informative as we completed our review, and Appendix C summarizes selected practitioner resources to assist with addressing encampments.

Understanding Encampments

This section describes what we know as of late 2018 about encampments: why there has been a sudden increase in encampment homelessness in the past few years and how encampments vary in resident characteristics, in social structure, and regionally. As discussed herein, conditions can be harsh, volatile, and unhealthy. Still, people may live in encampments (rather than shelters or in other, unsheltered locations) for a variety of reasons, including factors that lead them to reject other types of shelter and factors that attract them to encampments. Section 3 will cover what we know about emerging community responses to encampments.

Explanations for the Increase in Encampments

Researchers generally agree that increases in homelessness are first and foremost the result of severe shortages of affordable housing, combined with a lack of political will to dedicate sufficient resources to address this problem (Shinn and Khadduri, forthcoming). According to a key informant who is helping communities understand how to deal with encampments, when people are in crisis, their decisions about where to stay represent pragmatic choices among the best available alternatives, based on individual circumstances at a particular moment in time. Encampments form in response to the absence of other, desirable options for shelter.

Within this underlying context, several related factors seem to influence whether people experiencing homelessness form or go to encampments rather than stay in shelters or on their own in unsheltered locations. Primary among those factors are (1) shortcomings in the shelter system, (2) a sense of safety and community within encampments, and (3) a desire for autonomy and privacy. Only one peer-reviewed article (Herring, 2014) mentions the potential for greater access to food and services or other material comforts as reasons that people congregate in encampments rather than stay on their own in unsheltered locations. Key informants and other peer-reviewed articles did not identify this as a primary factor influencing the decisions of people experiencing homelessness.

The Shelter System Falls Short

Shortcomings in the shelter system are consistently identified as a primary factor that "pushes" people to congregate in encampments. Many communities have literal shortages in the capacity of the shelter system to provide beds for everyone experiencing homelessness (Herring and Lutz, 2015; National Coalition for the Homeless, 2016; National Law Center on Homelessness and Poverty, 2014; Speer 2018a). In other communities, shelter beds are available but go unused because of regulations or conditions that are incompatible with potential clients' expectations or needs. Exhibit 2 lists some of the reasons cited in the literature and in key informant interviews why people experiencing homelessness may eschew shelters in favor of encampments. The availability and type of shelter available seem to be key drivers of encampments, as people weigh the disadvantages of staying in a shelter against their tolerance for the difficulties of staying in an unsheltered location (City of San Francisco, 2015; Herring and Lutz, 2015; National Law Center on Homelessness and Poverty, 2014).

Exhibit 2. Shortcomings in the Shelter System

Specific shortcomings in the shelter system that may contribute to increased numbers of people congregating in encampments:

- A supply of shelter beds insufficient to meet the demand; this problem may be exacerbated by limited funding for emergency shelters and by community opposition to creating new or expanded shelter and bridge housing facilities or permanent supportive housing.
- Restrictions in shelters that would result in separation from a partner, family member, or pet.
- Shelter entry/exit times and locations that are inconvenient or incompatible with people's daily routines, including work schedules.
- Concerns about the security of personal belongings; restrictions on the ability to store belongings and difficulty moving belongings in and out of shelters on a daily basis.
- Concerns about personal safety and exposure to germs and disease within shelters.
- Specific barriers to entry, including sobriety requirements and entry fees.
- General perceptions of shelters as "inhospitable," "alienating," "demeaning," and offering little or no support or case management to find permanent housing.

Sense of Safety and Community

People who stay in encampments may see them as offering greater safety and protection from police harassment and aggression (Burness and Brown, 2016), and from assaults or the theft of belongings (Donley and Wright, 2012; Speer, 2017), than if they were unsheltered on their own. This sense of "safety in numbers" may be particularly prevalent in long-standing and highly organized encampments, in which residents have established around-the-clock security patrols and mutually enforced norms and standards for behavior (Lutz, 2015; National Law Center on Homelessness and Poverty, 2014; Sparks, 2017a). In high-cost cities in particular, individuals' decision to congregate in an encampment may be influenced by the behavior of their peers, according to a key informant who is conducting research on encampments. Once a critical mass of people has determined that encampments are a way of dealing with their housing crisis, others may feel emboldened to follow suit. Some cities respond to the presence of an established encampment by providing bathroom facilities and other basic services, making encampments seem to be a reasonable alternative to constant moving, threats of eviction, or shelters.

Desire for Autonomy and Privacy

In contrast to the rules that govern many aspects of shelter stays, staying in an encampment means that people can generally come and go as they please. The ability to exercise autonomy and freedom of movement appears to be a powerful factor that draws some people to encampments (Lutz, 2015; National Law Center on Homelessness and Poverty, 2014; Sparks, 2017a). This independence is sometimes eroded in communities that "normalize" encampments, introducing regulations that restrict residents' activities in the process. When that happens, encampments may in effect become an extension of the same shelter system that people reject in favor of encampments (Herring, 2014; Speer, 2018a).

Access to Illegal Substances

Residents of encampments may or may not be using illegal substances. Nothing in the literature suggests that most or even many encampments are where people congregate primarily to support their drug addiction. That said, in at least one high-profile example, the location of an open-air drug market directly influenced the formation and continued existence of an encampment, according to a key informant studying encampments. In that instance, the availability of a dependable supply of heroin close-by led addicts to stay in encampments in the Kensington area of Philadelphia even though the city had available shelter space.

Variation in Encampments

Researchers and other experts have not yet developed a single, standard set of criteria defining a group of people experiencing unsheltered homelessness as an "encampment." In this review, the definition we used encompasses a wide variety of scenarios—from established settlements that have a well-defined set of mutually agreed-on and enforced rules to loose congregations that have little to no organization or cohesion. In this section, we describe what our literature search and key informant interviews revealed about the variation among encampments in resident characteristics and social structure; we then summarize how encampments may vary in different parts of the United States.

Resident Characteristics, Social Structure, and Motivations of Residents

The literature has little to say about characteristics that distinguish people experiencing unsheltered homelessness in encampments from those who experience unsheltered homelessness on their own. The U.S. Interagency Council on Homelessness is leading an effort to analyze data records for people experiencing homelessness, along with partner organizations including U.S. Department of Housing and Urban Development, the National Alliance to End Homelessness, California Policy Lab (a nonprofit partnership between the Universities of California Los Angeles and Berkeley), and the consulting firm OrgCode. That effort will provide insights into the characteristics and experiences of people experiencing homelessness in unsheltered locations, including whether they are distinctly different from people who experience sheltered homelessness; however, the data will not make it possible to distinguish people in encampments from people in unsheltered locations generally.

Some studies describe variations in the racial and ethnic composition of encampments. For example, one study conducted outside Orlando, Florida, engaged 39 people staying in encampments in focus groups. Nearly three-fourths of participants were men, and most were White—a demographic composition characterized by the local outreach team as generally representative of people experiencing unsheltered homelessness in the area. In contrast, downtown shelters in Orlando had a much larger population of African Americans (Donley and Wright, 2012). Seattle's evaluation of its sanctioned encampments also found fewer people of color in encampments relative to emergency shelters (City of Seattle, 2017). The demographic makeup of people staying in encampments in Oakland, California, seems to include a larger share of people of color, but individual encampments are segregated along racial and ethnic lines (Jones et al., 2015).

The internal organization and motivations of residents significantly vary among encampments. Some encampments have a strong social structure and organization, sometimes with oversight or assistance from local charitable or faith-based organizations. Residents may be required to assume responsibility

for day-to-day operations, including security patrols and other duties (City of Seattle, 2017; Lutz, 2015). Residents may vote in governance decisions, and they may be expected to attend weekly resident meetings in accordance with an encampment-wide code of conduct (Sparks, 2017a). A key informant conducting research on encampments described the social structure established by a group of mothers staying with their children in a recently cleared encampment in Oakland, California. Residents of the encampment prohibited drug use and shared responsibility for childcare. These expectations promote a sense of community and have been credited with helping encampment residents "feel human" and believe that they have something to contribute (Sparks, 2017b).

Other encampments have less cohesion and more informal rules and structure, which may on occasion result in friction and conflict among residents (Sparks, 2017a). Larger encampment "communities" may be less cohesive than smaller groups composed of family members and friends (City of San Francisco, 2015). In addition, the potential for exploitation exists in encampments, according to key informants conducting research on encampments. For example, younger people may offer to provide protection to older residents but then expect some form of compensation in exchange. Encampments formed around access to opioids in Philadelphia seem to have no leadership structure at all; however, according to a key informant conducting research on encampments, rarely do people living in an encampment have a complete lack of interaction with each other. People staying together in encampments tend to look out for one another and have some sense of solidarity.

Motivations of encampment residents may differ, as well. According to key informants who are helping communities develop responses to encampments, some residents of encampments are eager to access services and permanent housing. Others clear out in advance of a sweep, even if the sweep may provide them with access to services. Such variation might occur within one encampment if it is large enough. For example, when more than 700 people were cleared from the Santa Ana River encampment in Orange County, California, some people accepted help and were able to find housing or went to drug treatment centers, whereas others simply left for another encampment. When encampments have formed in areas that provide dependable access to illegal drugs in general and opioids in particular, referrals to housing and services are likely to be met with a mixed reaction, depending on the timing of individual residents' addiction trajectories and the characteristics of the shelters that are an alternative to staying in the encampment.

Regional Differences in Encampments

Cities in the Northeast, where winters can be harsh, are more likely than cities in other parts of the country to have relatively large shelter systems. According to a key informant who is conducting research on homelessness, this difference in the homelessness services system is reflected in the characteristics of people experiencing unsheltered homelessness, including those who stay in encampments. According to her observations, in cities with large numbers of shelter beds, the unsheltered population tends to have high rates of disability and mental health issues, which may create challenges to entering shelters. In contrast, in West Coast cities with limited shelter availability (or where barriers to shelter use are higher), the unsheltered population represents a greater mix of people, including those who do not have behavioral health disabilities but are unable to access shelter for other reasons. They may be recently homeless and unfamiliar with the shelter system, or they could be unwilling or unable to comply with the requirements of relatively high-barrier shelters on the

West Coast, or they may simply be unable to find an available shelter bed. As on the East Coast, many people in West Coast encampments are not able to tolerate or navigate the shelter system because of mental health or substance abuse disorders; however, West Coast encampments are also likely to include people who do not face those challenges.

According to researchers in the San Francisco Bay Area, those who stay in encampments may even have support from family members who visit regularly and bring food and medication or who invite them in to shower and do laundry (Jones et al., 2015). According to key informants who are researching encampments in the West, people who are now staying in encampments in western states could maintain stable housing without supportive services if they had rental assistance or other income support. For those individuals, the lack of access to affordable housing and shortages of shelter beds are the primary factors driving them to experience homelessness in encampments.

The physical nature of encampments often reflects regional differences in the geographic setting, including the natural features and available land. For example, an encampment in Southern California's Coachella Valley consists of a variety of structures detached and spread out across a contiguous area. In Columbus, Ohio, encampments are composed of tightly clustered tents and lean-tos. In San Francisco, people form encampments along the edges of highways and train tracks and under elevated freeways. In Las Vegas, encampments can be found in an underground tunnel system. The location of encampments balances two factors: maximizing convenience (that is, ease of access to the resources people use to address their daily needs) and minimizing visibility (that is, avoiding complaints to the city that could result in the encampment being cleared) (City of San Francisco, 2015).

Regional variation in encampments may also reflect the different ways that cities respond to encampments. Section 3 presents a typology of community responses to encampments and discusses the evidence—at this point, scant—on the effectiveness of those various approaches.

Community Responses to Encampments

Local responses to encampments are evolving in many communities, as stakeholders seek to identify the best strategies to address this growing phenomenon. Approaches vary along many dimensions but can be broken into four basic categories, as described in Exhibit 3. Specific activities range from sending police to quickly clear ("sweep") the encampment—providing little or no support to help people find another place to stay—to formally sanctioning encampments and providing onsite services.

Communities commonly use more than one response at a time to manage encampments, depending on resource availability, the location of encampments, and the characteristics of people congregating in encampments. For example, Las Vegas has created the Courtyard, a one-stop resource center that includes secure space to sleep outside, but it also deploys outreach teams that include law enforcement officers to clear encampments. Jurisdictions within the same region may adopt different strategies to address encampments. According to key informants helping communities to develop responses to encampments, communities may need to use a variety of approaches at the same time to serve populations that have different needs. When those efforts are not well coordinated across departments or neighboring jurisdictions, however, they may act at cross-purposes. For example, a jurisdiction that clears encampments, with little notice and no support, may undermine efforts to build relationships and trust in a neighboring jurisdiction that tacitly approves encampments.

Exhibit 3. Typology of Responses to Encampments

Category	Characteristics
Clearance With Little or No Support	• Notice of pending sweeps provided only a few days in advance, if at all • Belongings stored for a short period of time, if at all • Few or no shelter or service referrals provided • Regulatory or physical barriers to secure the site of the former encampment and keep it from being reoccupied
Clearance With Support	• Notice of pending sweeps provided weeks in advance, often by trained outreach workers who have experience working with people experiencing unsheltered homelessness • Longer term storage of belongings available • Referrals to shelter or services provided by outreach workers, who also accompany the first responders and sanitation crews who clear encampments

Category	Characteristics
Tacit Acceptance	• Encampments allowed to persist regardless of whether laws or ordinances explicitly authorize or prohibit their existence • Longer term storage of belongings available • Basic services or infrastructure provided, in particular to address public health and sanitation concerns (for example, portable toilets, showers, and potable water) • Outreach workers may visit the encampment to provide referrals to permanent housing, shelter, and services
Formal Sanctioning	• Encampments permitted by law or ordinance on public and or privately owned property, usually only in designated locations • May have established rules that govern the size, location, or duration of encampments • May have a public agency or nonprofit organization manage encampments • Infrastructure and public services—which may include laundry and potable water, common spaces for eating and meeting, lockers for storing belongings (including on a longer term basis), meal services and food donations, job training programs, access to mail and voice mail services—provided by the municipality and private or faith-based organizations and volunteers • May provide case management, including assistance applying for transitional or permanent housing and other benefits, appealing denials, and managing funds

Cities also use strategies to prevent encampments from forming. Some communities enact laws prohibiting activities associated with encampments, such as lying down or erecting structures on public space. More than one-third of U.S. cities have adopted camping bans, citing health and safety concerns (National Coalition for the Homeless, 2016). Researchers at the University of Denver identified more than 350 antihomelessness ordinances in Colorado's largest cities (Adcock et al., 2016). Other approaches include physical modifications to the built or natural environment, such as securing vacant lots and buildings to restrict access, clear-cutting brush that could provide cover for encampments, and installing sprinklers in areas where encampments might form (Chamard, 2010; National Law Center on Homelessness and Poverty, 2014). When an encampment is cleared, with or without support, the community may also impose new regulatory or physical barriers to keep the encampment from reemerging in the same location or in other parts of the community.

Factors that Drive Local Responses

Cities respond to encampments for a variety of reasons, and the goals of the interventions may vary—from cleaning up a business area, to helping people access shelter, to helping people obtain permanent housing. Even within the same jurisdiction, different stakeholders may have different definitions of success in dealing with encampments. For example, the transit authority may have a goal of breaking up encampments adjacent to a railroad bed, the department of public health may want to prevent the

spread of disease, the housing department may be working to end homelessness, and community homeless advocates may be focused on avoiding adverse consequences for the encampment population. Those differing views will also influence the strategy, or set of strategies, used by the city to address encampments (Burness and Brown, 2016; Jones et al., 2015) and can make comparing interventions across communities difficult. The factors that were most commonly cited in the literature as influencing cities' approaches to encampments are (1) community and political pressure, (2) resource availability, and (3) fear of litigation.

Community and Political Pressure

According to researchers and key informants who are helping communities devise strategies to address encampments, the "nuisance" factor is the key policy driver. Outreach teams or police usually are deployed only when community residents or other stakeholders complain about an encampment. At that point, interventions need to be visible and quick to demonstrate responsiveness to community concerns and to relieve political pressure (National Law Center on Homelessness and Poverty, 2014). In the absence of sufficient resources to move everyone into permanent housing, communities often employ a clearance strategy, with or without support, that moves people out of sight or farther from central business districts, where their presence can affect economic growth (Speer, 2018b).

Cities typically prioritize efforts in neighborhoods where political pressure is greatest. Not surprising, those neighborhoods often are not the locations with the highest levels of unsheltered homelessness and encampments, according to key informants who are helping communities devise strategies to address encampments. In areas with low visibility, with little or no community pressure, cities may pursue a policy of tacit acceptance—even if encampments exist in violation of a no-camping ordinance (Herring, 2014).

Resource Availability

Concern for community and resident well-being would, ideally, be the primary factor shaping cities' encampment response strategies; however, resource limitations may require city leadership to make trade-offs and choose an approach that works within existing constraints (Herring and Lutz, 2015; Loftus-Farren, 2011; National Law Center on Homelessness and Poverty, 2014). In Philadelphia, for example, according to a key informant conducting research on encampments, recent efforts that could be characterized as clearance with a high level of support were limited to two of four known opioid encampments because the city lacked funding to provide services and shelter for people congregating in all four. Without the ability to provide rent assistance or needed services, the city adopted a policy of tacit acceptance at the remaining two encampments. Cities may also create sanctioned encampments in lieu of providing permanent rent subsidies, or cities may pursue clearance with little or no support if they lack the resources to provide any additional assistance.

Fear of Litigation

Fear of legal challenges influences how cities approach closing encampments. Local jurisdictions want to avoid being taken to court over due process and cruel and unusual punishment challenges, according to a key informant engaged in research on encampments. This concern is likely to grow following the September 2018 ruling of the Ninth Circuit Court of Appeals in *Martin v. City of*

Boise.[1] Courts have found that depriving homeless people of the rights to perform survival activities in public spaces when no alternatives are available violates the 1st, 4th, 5th, 8th, and 14th Amendments to the Constitution (Kieschnick, 2018; National Law Center on Homelessness and Poverty, 2014). In *Martin v. City of Boise*, the court held that "as long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property."

Some legal challenges have resulted in settlements, which generally call for minimum notice before clearance of encampments, requirements for storage of personal belongings, and compensation for people who are swept from encampments and for their attorneys (National Law Center on Homelessness and Poverty, 2017). In January 2018, advocates brought a lawsuit against officials in Orange County, California, following the clearance of a massive encampment along the Santa Ana riverbed. As of October 2018, elements of a preliminary settlement agreement were more expansive and included a commitment to provide proactive outreach and engagement, as well as referrals to services, before evicting people from encampments; development of "standards of care" by the county for homelessness services programs; drawdown of funds already available to support "programs, services, and activities" for people experiencing homelessness; adoption of due process protections; establishment of a method for formally addressing requests for accommodations under the Americans with Disabilities Act; and referrals to collaborative courts[2] to handle citations.[3]

Effectiveness of Various Responses

The effectiveness of responses to encampments may be thought of as creating positive outcomes for the people who stay in encampments, creating positive outcomes for the broader community, or both. At this point, research that attempts to measure any such outcomes in a rigorous way is limited. Findings from anecdotal reports in individual cities are not broadly generalizable or transferable. To begin to address gaps in existing knowledge, the National Alliance to End Homelessness, U.S. Interagency Council on Homelessness, and U.S. Department of Housing and Urban Development are working with state and local partners to develop and test strategies for addressing unsheltered homelessness, including encampments. The Arnold Foundation (2018) is exploring the effectiveness of interventions that first responders can use to address unsheltered homelessness. Those projects are still in the early stages and are complicated, according to a key informant, by the absence of baseline data from which to evaluate the effectiveness of the responses. According to a researcher currently working on encampments, intensive outreach work will be needed to establish study samples, and a

[1] The Ninth Circuit has jurisdiction over nine states in the western United States, including Alaska and Hawaii, as well as the District of Guam and the District of the Northern Mariana Islands.

2 Collaborative courts are an alternative justice model that focuses on treatment and behavior change (rather than sentencing) to help defendants improve their lives. Homeless courts are one type of collaborative court. According to the California Association of Collaborative Courts, these are "special court sessions held in a local shelter or other community site designed for homeless citizens to resolve outstanding misdemeanor criminal warrants." https://www.ca2c.org/types-of-collaborative-justice-courts/

[3] Orange County Catholic Worker et al. v. County of Orange et al., Joint Statement of Settlement Progress (Central District of California, 2018) https://scng-dash.digitalfirstmedia.com/wp-content/uploads/2018/10/oc-homeless-plaintiffs-lawsuit-settlement.pdf.

high level of resources will be required to track people's experiences over time and to measure outcomes, but those efforts will be necessary to develop appropriate policy responses.

Without the availability of strong evidence, cities adopt approaches that seem to be best practices. Local responses also depend on the community's goals and priorities, which may include reducing crime, eliminating health hazards, or improving a business district—and may or may not include housing people experiencing homelessness. In the following sections, we provide descriptive and inferential information on the factors that may determine the effectiveness of responses, including the approach selected, the characteristics of encampment populations, and available resources. We summarize the current state of knowledge for various types of approaches.

Clearance with Little or No Support

Cities that adopt a policy of clearance with little or no support may justify this approach as "tough love" that encourages people in encampments to enter city-operated shelters (Lutz, 2015; National Coalition for the Homeless, 2016). The literature and key informants, however, agree that sweeps of encampments do little to increase shelter usage or otherwise resolve the problem of encampments (National Law Center on Homelessness and Poverty, 2014). Especially in communities with many low-visibility places, people are likely to simply pack up and move on to another location (Junejo, Skinner, and Rankin, 2016) or reestablish the encampment at the former site once the city has cleaned the area.

Clearance with little or no support may actually *reduce* the likelihood that people will seek shelter because it erodes trust and creates an adversarial relationship between people experiencing homelessness and law enforcement or outreach workers. In a survey of encampment residents in Honolulu, 21 percent of respondents said that they were less able or likely to enter shelters after sweeps, and 68 percent said that the sweeps had no effect on whether or not they went to shelters, although those responses seem mostly to be the result of undesirable shelter conditions (Dunson-Strane and Soakai, 2015). Another study conducted in Seattle finds that only one-third of encampment residents "accepted offers of alternative shelter after a sweep" (Junejo, Skinner, and Rankin, 2016: 16). Analyzing interviews with both outreach staff and encampment residents in Oakland, California, Jones and his colleagues hypothesized that continuous sweeps cause people experiencing unsheltered homelessness to "focus on short-term needs and immediate coping strategies," disrupting the level of stability necessary for encampment residents to engage in long-term planning (2015: 82). People forced to relocate during a sweep may have difficulty reconnecting with outreach workers who have been working with them, and any progress made toward moving into housing or accessing services could be lost. Experiences in Honolulu, Seattle, and Oakland suggest that sweeps are disruptive to people who are attempting to stabilize their lives and find a pathway to housing, and they may have lasting traumatic psychological and emotional impacts (Jones et al., 2015; Junejo, Skinner, and Rankin, 2016).

Clearance with Support

The support provided in responses that can be characterized as clearance with support may include extensive outreach in advance of clearance and referrals to existing shelters or housing programs. Communities may also make changes to policies on eligibility and rules for supportive housing or

drug treatment programs. They may create entirely new programs to facilitate entry by people formerly staying in encampments. For example, San Francisco created a new type of shelter, Navigation Centers, to provide shelter-averse people with room and board and access to case management and other services provided by public, nonprofit, and faith-based partners. The low-barrier model waives many of the policies commonly cited as obstacles to shelter: Navigation Centers do not have sobriety requirements, and people may come with their pets and partners, bring their belongings, and stay all day—there are no required entry or exit times. Space in the Navigation Centers is limited, however, and drop-ins are not accepted; instead, access is determined by the city's Homeless Outreach Team (SF HOT) case by case as space becomes available, with a focus on serving the most vulnerable people in San Francisco's encampments. Considerations by the outreach team include the length of time someone has been experiencing homelessness, shelter usage over a 6-month period, and motivation to move to permanent housing (San Francisco Health Network, 2018). Some evidence suggests that people strategically make themselves visible on the street in areas where the SF HOT will be making referrals so that they can gain access to the Navigation Centers, but no evidence indicates that people leave shelters in pursuit of a referral to a Navigation Center (City of San Francisco, 2015).

An evaluation of efforts to clear two encampments in Philadelphia's Kensington neighborhood provides a comprehensive look at another approach to clearance with support. After intensive and continuous outreach to and engagement of people staying in the Kensington encampments, outreach workers offered their clients emergency shelter in low-barrier "respite" and "navigation" centers, with access to case management and drug treatment services. The city also relaxed shelter admission requirements and rules and expectations for residents (Metraux et al., 2019). According to key informants developing policies to address such "drug encampments," enrolling people who are addicted to opioids and other substances into rehabilitation services may be difficult. Efforts to streamline access to drug treatment, however—including waiving requirements for identification and preauthorization and helping people get their documents in order—may ensure that treatment is available to them when they are ready to accept it.

Several key informants reported that communities are beginning to add social workers or community mental health workers to outreach teams. Law enforcement officials often are the only people on call to handle complaints around the clock, and community members may be more likely to call the police than to call a homeless hotline. When outreach teams include trained members, they can offer referrals to services and can begin to establish trust and build relationships with people experiencing homelessness in encampments. Without adequate funding for affordable, bridge, or permanent supportive housing, however, clients may end up back in encampments despite a robust outreach effort.

As of this review, policymakers and practitioners are developing promising practices to support residents of cleared encampments, and researchers are developing descriptive data and hypotheses for testing that approach.

Tacit Acceptance

Some cities tacitly accept encampments, not through sanctioning by law but by a lack of enforcement or by selective enforcement. Cities may tacitly accept homeless encampments to reduce the costs of

enforcing anti-camping ordinances or ordinances that prohibit lying down or sitting down in public places. Homeless people are permitted to congregate in areas that do not generate complaints from local businesses and residents (Herring, 2014). In Fresno, California, for example, police have carried out a more active clearance approach in the higher rent, downtown business districts, but they take a hands-off approach within an abandoned industrial zone (Herring, 2014; Speer, 2018b). In some cases, cities may provide basic services, such as potable water and security, without formally sanctioning the encampment (Loftus-Farren, 2011), and outreach workers charged with helping people resolve unsheltered homelessness may focus on people staying in the tacitly accepted encampments. In addition to having political reservations to sanctioning encampments, city officials may refuse to formally sanction encampments "on the grounds of increased liability, expenditures, and conflicts with health and zoning codes" (Herring, 2014: 298).

The literature we reviewed did not provide any indication of the effectiveness of tacit acceptance of encampments either in helping people resolve the circumstances that made them homeless or in limiting the negative consequences of encampments for the community.

Formal Sanctioning

Some cities formally sanction encampments through a variety of mechanisms: issuing temporary use permits; changing land use and zoning ordinances to permit encampments (which may place limits on the duration and number of people at each site); and creating designated campgrounds that have standards for operations and services to be provided on site. Some sanctioned encampments are managed publicly; others are self-governed but have public and private assistance and oversight.

- ***Publicly managed encampments.*** In some cases, sanctioned encampments are created and operated by the city, sometimes with nongovernmental community partners. Establishment of those encampments often is motivated by a desire to contain people who are unsheltered in a specified area where service delivery can be concentrated and public health risks controlled. For example, in 2017, the City of Las Vegas established the Courtyard Homeless Resource Center, where people can sleep in a secure, open-air, and sheltered courtyard with access to an array of amenities. The Courtyard is funded with public dollars and is currently operated by the city, with medical, employment, and other services provided on site through a variety of partners (City of Las Vegas, 2018).

- ***Safe parking programs*** provide similar structure and access to services for people who are experiencing homelessness and using a car, van, or RV as their primary place of shelter. People staying in their vehicles apply for a permit to safely and legally park overnight in designated lots that typically have some form of security and access to restrooms and other sanitation facilities. These programs are intended to offer transitional assistance for people who are interested in securing permanent housing and, as such, the programs provide access to extensive case management and other social services. Most programs use background checks to screen out sex offenders and recent violent felons, and program participants are required to have their own car insurance and comply with program rules and regulations. Safe parking programs are most common in West Coast cities. Program data from local jurisdictions in California indicate that participants have successfully accessed housing,

although rates of placement vary widely, from 5 percent in Santa Barbara to 65 percent in San Diego (Homelessness Policy Research Institute, 2018).

- ***Self-governed encampments with public and private assistance and oversight.*** Rather than establishing new areas for unsheltered people to congregate, some cities sanction existing encampments. This process typically involves establishing a legal framework for their continued existence and organizing services but allowing the encampment to continue as a self-governed enterprise. In 2011, the Seattle City Council adopted an ordinance to permit transitional encampments as an "accessory use" on land owned or controlled by a religious organization and established health and safety standards for those encampments. A similar ordinance passed in 2015 extended those standards to city-owned or private, nonreligious property. Seattle's Human Services Department selected several nonprofit organizations with experience supporting unsheltered homeless people to provide service-enriched case management, including referrals to diversion programs and shelters, access to legal services and rapid rehousing programs, and employment training and educational referrals at three newly established, permitted encampments (City of Seattle, 2017).

  In a city-sponsored evaluation (City of Seattle, 2017) that attempted to assess the effectiveness of formal sanctioning, Seattle documented a positive response from communities around the new encampments. Data and information about crime levels collected by the Seattle Police Department suggest that crime has not significantly increased in the areas surrounding the encampments since they were established. Authors of the evaluation view the self-managed governance structure positively, as an opportunity for residents to build confidence and leadership skills. Between September 2015 and May 2017, 759 people stayed in Seattle's six permitted encampments, and 16 percent (121 people) transitioned to permanent housing. It is unclear how generalizable these findings are to other communities.

Sanctioned encampments are best understood as an interim solution to address the immediate conditions of people experiencing unsheltered homelessness. Such encampments are not themselves a solution to homelessness, and cities will need to invest in permanent solutions, such as housing that is affordable to extremely low-income people, permanent supportive housing, mental health services, affordable healthcare, and perhaps also supervised drug consumption sites and low-barrier employment opportunities (Junejo, Skinner, and Rankin, 2016; Loftus-Farren, 2011; Parr, 2018). Currently, limited evidence suggests that sanctioned encampments help to reduce homelessness; we also do not know whether certain types of sanctioned encampments are more effective than others.

Limitations of the Current Evidence on Encampments

In this section, we describe limitations in the rigor and scope of the literature considered in preparing this review, as well as challenges to collecting data on the encampment population. We conclude with some recommendations for additional research found in the published literature or made by key informants interviewed as part of this scan of current evidence on encampments.

Scope and Rigor of the Current Literature on Encampments

Research on the nature and causes of homeless encampments is still in the nascent stages, as is evaluation of community responses to encampments. In many ways this is parallel to the state of research on homelessness during the 1980s, when modern homelessness, sheltered and unsheltered, first became apparent and was the focus of news reports and efforts to document and understand the phenomenon. As of late 2018, the research literature on encampments is primarily descriptive, relying on reviews of articles in the news media, along with some ethnographic research and fieldwork that includes interviews with encampment residents, service providers, city staff, and community members. Administrative data are used in only a few cases (Metraux et al., 2019; Speer, 2017). In general, sample sizes are small, with analysis limited to interviews with a small number of community stakeholders or encampment residents.[4] Researchers almost exclusively use convenience samples rather than representative samples of encampment populations. Evaluators have not yet begun to use methods that compare the results of a response to encampments with what would have happened in the absence of the policy or practice.

So far the literature focuses heavily on West Coast cities, especially Fresno and San Francisco, California; Portland, Oregon; and Seattle, Washington. An exception is a descriptive study by the National Law Center on Homelessness and Poverty (2014) that deliberately focuses on East Coast and Southern cities.[5] The ethnographic research reviewed for this paper focuses on people in encampments that are sanctioned, either formally or tacitly. This type of research, which relies on observation of people and conditions within encampments, would be more difficult to carry out in communities that have an encampment clearance policy.

Our scan of the literature identified only one study that begins to develop standards for evaluating the effectiveness of various responses to encampments. Jones and his colleagues (2015) provided standards for three criteria—effectiveness, equity, and implementation feasibility—and use them in connection with resident, service provider, and stakeholder interviews to assess whether alternative approaches would be more effective than a current policy of clearing encampments in Oakland, California (see Appendix B for a description of the study). Some local jurisdictions have started to track housing placements among people who formerly stayed in publicly sanctioned encampments

[4] Research methods and rigor differ little between the peer-reviewed literature and the reports of public agencies and other organizations. Both types of literature rely heavily on media reports and on qualitative interviews.

[5] The cities are Lakewood, New Jersey; New Orleans, Louisiana; Providence, Rhode Island; and St. Petersburg, Florida.

(City of Seattle, 2017; Hunter et al., 2016), but assessing how rigorous and successful those tracking efforts will be is difficult.

Little information is available on the direct and indirect community costs associated with encampments. Some reports provide partial accounts of the costs of various activities associated with local responses to encampments. None attempt a rigorous analysis of the costs of a response type or a comparison with the costs of other interventions for people experiencing homelessness. Adcock and her colleagues (2016) provided a thoughtful methodology for calculating the cost of enforcing ordinances that criminalize homelessness in Denver and the state of Colorado, but that analysis pertains to unsheltered homelessness in general; it is not limited to encampments. Some case studies report expenditures associated with various activities related to encampments (City of Seattle, 2017; Jones et al., 2015). Complicating the documentation of costs, encampment-related expenditures often are spread across multiple agencies and contracts (for example, department of public works for refuse disposal, department of human services for case management), sometimes without a budget category or line item specific to encampments (Junejo, Skinner, and Rankin, 2016).

Challenges to Collecting Data on People in Encampments

Some local jurisdictions have started to collect and report data on the characteristics of people who stay in encampments. The types of information collected include these:

- Basic demographic data, such as gender, age, race, veteran status and discharge type, and first language (City of Seattle, 2017; Metraux et al., 2019)
- Earned income or benefits receipt (City of Seattle, 2017)
- History of domestic violence (City of Seattle, 2017)
- Physical and mental health conditions (City of Seattle, 2017)
- Duration of homelessness (City of Seattle, 2017; Hunter et al., 2016; Metraux et al., 2019)
- Current living conditions (Metraux et al., 2019)
- Where they were staying before the encampment (City of Seattle, 2017; Hunter et al., 2016)
- Potential barriers to entering shelter, such as pets, partners, or a significant number of belongings (Hunter et al., 2016)

That type of data may be collected during the intake process at sanctioned encampments, through outreach to people staying in tacitly accepted encampments, or during the process of encampment clearance. One of the key challenges of any data collection effort associated with encampments is capturing a representative sample of people. As described by a key informant who is conducting research on encampments, people who stay in unsanctioned encampments often strive to keep off the public radar, and they may differ in important ways from the subset of people who are visible for data collection efforts. According to this key informant, outreach workers are generally better received when they make low demands, offer something that people in encampments might want or need, and share demographic characteristics or lived experiences with those in encampments. People who stay

in encampments may be wary of authority figures and are more likely to welcome outreach workers who do not act or present as such. These same considerations may also apply to sanctioned encampments.

Data collection efforts are also hampered by the transient nature of people experiencing unsheltered homelessness and the limited capacity of outreach teams to comprehensively canvas the less visible and less accessible geographies within their communities. Intensive and time-consuming outreach and follow-up efforts are required to collect information about encampment residents over time. Mental illness and substance use can also complicate data collection because the responses of affected individuals to questions may be unreliable.

Suggestions for Additional Research

As part of this review of the current evidence base on encampments, we gathered suggestions from the key informants we interviewed—people who are conducting research on encampments or advising communities on strategies for addressing encampments—for additional research that could advance the field in a variety of ways. Some of the published literature we reviewed also included suggestions for additional research that would support deeper understanding of the nature of encampments and would inform program design going forward. These ideas for additional research include the following:

- ***Understanding the characteristics of people who are living in encampments.*** What are the characteristics of people in encampments, including their immediate past experience? Are they different in meaningful ways from other people experiencing unsheltered homelessness? Are there significant differences in the characteristics of people who live in different types of encampments—for example, in groups of cars or other vehicles compared with encampments of tents or other structures? How long have they lacked stable housing? Where were they living before their stay in the encampment? What were their circumstances that contributed to them staying in an encampment? How often are families with children living in encampments, and how are their characteristics, needs, and vulnerabilities different from those of individual adults? This type of information could help to improve the targeting of efforts to prevent homelessness and stays in encampments.

- ***Understanding the experience of people experiencing unsheltered homelessness in encampments***. How do they spend their days? How long do people stay in encampments, and where do they go when they leave encampments (how often do people continue to experience unsheltered homelessness, how often do they find housing, and how often do they go to shelters or other settings, including treatment programs)? What are their service utilization patterns and the costs of their service use? With a better understanding of the behaviors and needs of people who are living in encampments, practitioners and policymakers can design and implement more effective interventions that meet those needs. Research projects can draw on integrated data systems, real-time surveys, and interviews with people with lived experience. Some of the best early opportunities may be in states and local jurisdictions that already link data systems.

- ***Understanding the relative effect of interventions currently in use.*** Do people who receive extensive outreach and referrals in advance of an encampment clearance fare better than those who stay in formally sanctioned encampments? Do outcomes vary depending on who conducts the outreach? Do sanctioned encampments achieve higher rates of exits from homelessness than do other approaches to ending homelessness for unsheltered people? Do the outcomes of people who formerly stayed in encampments differ over time, depending on the type of assistance they receive?

- ***Exploring racial/ethnic disparities in access to the homeless services system.*** Studies in Oakland, Orlando, and Seattle point to the possibility of racial segregation, and perhaps self-segregation, of encampment populations—and, by inference, of populations using shelters. Research could explore the reasons for these patterns, including possible barriers to entry into shelters or to programs providing permanent housing that affect particular racial/ethnic groups.

- ***Understanding community responses to the presence of encampments.*** What are community members' expectations regarding responses to unsanctioned encampments in their neighborhoods and approaches to resolving them? How are community members' responses shaped by stigma or bias related to race, homelessness, poverty, mental health needs, and substance use? How do community members respond to sanctioned encampments, and are factors present that determine whether sanctioned encampments experience more or less acceptance? What strategies can public and private agencies use to keep community members informed of their approaches to assist people living in encampments?

Conclusion

In recent years, encampments of people experiencing homelessness have become pervasive in communities across the United States. They can be found in busy neighborhoods in large cities, isolated rural areas, and everywhere in between. Encampments may be as small as a cluster of 8 to 10 households next to a highway entrance ramp, or they may encompass multiple structures scattered across several acres of parkland or industrial areas. The encampments that are visible to outside observers take many forms, including tents, lean-to shacks and shanties, and groups of cars or vans; other encampments that are not so visible are hidden in manmade infrastructure or natural features. The motivations and circumstances of people staying in encampments are as varied as their size, shape, and location.

Despite this diversity, at the root of all encampments is a need for greater investment of resources to address severe shortages of affordable housing. Absent this commitment, people experiencing homelessness are forced to find other places to stay, and encampments may be the best alternative among a limited set of options. Articles in the peer-reviewed and gray literature document a consistent set of factors that contribute to people's decisions to stay in encampments rather than in shelters or in other, unsheltered locations. Shortages in the availability of shelter beds, policies that create barriers to entry, and undesirable conditions inside shelters all influence people to seek an alternative place to stay. When shelters cannot fulfill their needs for safety, sense of community, and the freedom to come and go at will, people experiencing homelessness may decide to stay in encampments.

Local jurisdictions are pursuing a variety of strategies to address encampments and the challenges they pose to health, safety, and well-being. The most rudimentary of those approaches is to "sweep" encampments, the primary goal of which is clearing out the people staying in them. Preliminary evidence suggests that this response of clearance without support results in disruption and trauma for inhabitants of the encampments but does little to resolve the problem. Encampments are quickly reestablished in a new location or even back on the recently cleared site. We know little about the effects of other responses that provide support to people in encampments, including responses that allow encampments to persist—through either tacit acceptance or formal sanctioning—and clearance efforts that are accompanied by outreach and referrals to housing and services.

Communities are experimenting with new service approaches to assisting people living in encampments. The Navigation Centers that were first established in San Francisco now are being replicated elsewhere but, so far, not based on strong evidence of their effectiveness. The logic is that removing many of the barriers that cause people to seek alternatives to emergency shelters and including intensive case management to help clients secure permanent housing will prevent encampments from forming and provide a transition to permanent housing for people moved out of encampments. Other cities are relaxing admission requirements for drug treatment programs to expedite entry by people in encampments. Still others are pairing first responders with trained outreach workers who can help make connections to appropriate services. More research will be needed to assess the results of these and other initiatives.

We do not know enough about the characteristics and experiences of people who stay in encampments. Collecting even baseline information can be difficult when many people actively try to escape public notice. Data collection challenges also complicate efforts to understand the costs and effectiveness of public responses to encampments. Practical and political barriers will have to be overcome to arrive at meaningful findings that can inform policymaking and practice.

This review of what we know as of late 2018 about encampments is part of a larger study sponsored by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, and the U.S. Department of Housing and Urban Development, Office of Policy Development and Research that will help increase the body of knowledge. We will use interviews with stakeholders in nine communities and site visits to four communities to collect information on the causes and characteristics of encampments and on community responses to encampments. The site visits to four communities also will attempt to document the public costs of various strategies for addressing encampments.

Appendix A. Methods Used to Conduct the Literature Review and Interviews with Key Informants

Scan of Peer-Reviewed Literature

To identify relevant peer-reviewed literature, we searched EBSCO Discovery Service, which provides a comprehensive search of academic journals and databases, and Google Scholar. Specific search strings and limiters used are listed in Exhibit 4.

Exhibit 4. Search Strings and Limiters

Search string used:

- "homeless encampment" OR "tent city" OR "homeless settlement" OR "homeless camp"

Limiters used:

- Peer-reviewed journals
- Published on or after January 1, 2011
- Published in English

We compiled references and abstracts from all database returns using Zotero software. We then reviewed all abstracts, identifying 43 articles for retrieval and further review. We excluded articles if they focused on encampments serving a non-homeless population, such as refugees or protesters. We also excluded research on homeless encampments in an international context because experiences with encampments and unsheltered homelessness in other countries diverge in important ways from the experience in the United States.

We identified 16 articles from more than 500 returned results that addressed the research questions shown in Exhibit 1 in the introduction. Those 16 articles include several written by the same primary author that draw on a single dataset. Under other circumstances, we might exclude a portion of the similar articles from review; however, given the small body of research on encampments, we opted to consider them all.

Scan of Gray Literature

We searched websites of government agencies, nongovernmental organizations, and academic institutions to supplement the peer-reviewed literature and identify relevant unpublished literature, white papers, presentations, and research briefs. When a website included a search function, we used the search string identified in Exhibit 4 to identify relevant resources. We also scanned relevant website sections for pertinent materials.

We found reports, publications, and conference proceedings on the official websites of the following agencies and organizations: U.S. Department of Justice, National Alliance to End Homelessness, National Coalition for the Homeless, National Law Center on Homelessness and Poverty, Seattle University School of Law, University of Denver Sturm College of Law, and San Francisco Office of

the Controller. We identified 41 documents through this process, 17 of which were determined to be relevant to this project.

We identified additional resources during interviews with key informants and by following references in the peer-reviewed and gray literature.

Interviews with Key Informants

We conducted interviews with key informants to augment information collected during the literature reviews. We identified an initial list of interviewees based on recommendations from the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, and the U.S. Department of Housing and Urban Development, Office of Policy Development and Research staff and from project team members with expertise in homelessness, substance use disorder, and criminal justice. We identified additional individuals by asking at the conclusion of each interview for suggestions of other academics or practitioners who may be studying encampments.

Exhibit 5 lists the key informants we interviewed.

During the interviews, we asked about ongoing research projects focused on the recent growth in unsheltered homelessness and encampments; the characteristics of people in encampments and the factors that lead them to congregate there; and communities' responses, including their costs and effectiveness. We also asked key informants targeted questions about specific research projects or programs, based on our background research.

Exhibit 5. Key Informants

Name	Title	Affiliation	Date Interviewed
Sharon Chamard, PhD	Associate Professor	University of Alaska, Anchorage	November 8, 2018
Dennis Culhane, PhD	Dana and Andrew Stone Professor of Social Policy; Co-Principal Investigator, Actionable Intelligence for Social Policy	University of Pennsylvania	October 16, 2018
Margot Kushel, MD	Professor; Director of the Center for Vulnerable Populations	University of California, San Francisco	October 25, 2018 December 27, 2018
Stephen Metraux, PhD	Associate Professor; Director of the Center for Community Research & Service	University of Delaware	October 26, 2018
Colleen Murphy	Manager, Coordinated Entry System Access	Los Angeles Homeless Services Authority	November 16, 2018
Barbara Poppe	Founder and Principal	Barbara Poppe & Associates LLC	November 2, 2018
Kelly Robson	Chief Social Services Officer	HELP of Southern Nevada	October 29, 2018
Nan Roman	President and CEO	National Alliance to End Homelessness	November 1, 2018

Appendix B. Summaries of Selected Studies

In this appendix, we provide details on the approach, methodology, limitations, and key findings from selected studies in the peer-reviewed and gray literature. These studies were particularly informative as we completed our review.

City of Seattle, Human Services Department. (2017). *Seattle Permitted Encampment Evaluation.* Seattle, WA: City of Seattle.

This internal evaluation assesses the performance of three temporary, permitted encampments in the City of Seattle in 2016: Ballard, Interbay, and Othello. The encampments were created by the city on public land. They are operated by nonprofit partners with oversight from the city's Human Services Department. The authors used HUD's Annual Performance Report, Seattle Police Department data, and stakeholder interviews to inform their analysis, which focuses on (a) determining whether temporary, permitted encampments are an effective homelessness response strategy, and (b) identifying areas where the model works well or could be improved. Data collection challenges include people departing from the encampment before they interact with a case manager, case manager staff turnover, and missing responses (client doesn't know/client refused, data not collected).

The Human Services Department found that several features contributed to the success of the encampments:

- Inhabitants of encampments benefited from being able to stay in one location for a longer period, as they could make progress toward stability goals and build relationships with the community.
- The self-management model used at all three encampments empowered inhabitants and enabled them to build confidence, camaraderie, and leadership skills.
- The provision of structured case management services, including referrals to local shelters and rapid rehousing when appropriate, referrals to employee training and education, domestic violence services, and access to a mobile medical van.

The evaluation concludes that Seattle's sanctioned encampment model is successfully serving people who have been living outside in greenbelts, on the streets, in cars, and in otherwise hazardous situations. The neighboring communities have responded positively, and crime did not increase significantly when a permitted encampment was established.

Donley, A., and J. Wright. 2012. "Safer Outside: A Qualitative Exploration of Homeless People's Resistance to Homeless Shelters," *Journal of Forensic Psychology Practice* 12 (4): 288–306. doi:10.1080/15228932.2012.695645.

This study examines why people experiencing homelessness in Orange County, Florida, stay in encampments instead of available rooms in local shelters. The authors conducted a series of five focus groups with 39 people who lived in the East Orange encampments. All participants were

recruited for the study by the Orlando Homeless outreach team. Each focus group averaged 2 hours in duration and included, on average, eight people from two or three camp sites. The study is limited by the small and localized sample size; in addition, although the study was published in 2012, the focus groups were conducted in February of 2007. The authors do not discuss local preventive or punitive ordinances with regard to encampments in Orange County.

Participants "described their experiences with downtown [Orlando] homeless services and downtown itself in negative terms and said they would not venture back downtown for any conceivable reason, no matter how many services might be available there." Although participants gave many reasons for this decision, the most prevalent themes centered on the undesirable location of shelter facilities, prior negative experiences with shelters, and the sense of companionship, freedom, and safety associated with encampments.

Herring, C., and M. Lutz. 2015. "The Roots and Implications of the USA's Homeless Tent Cities," ***City*** **19 (5): 689–701. doi:10.1080/13604813.2015.1071114.**

Herring and Lutz explain the resurgence of homeless encampments in the United States through comparative case studies of encampments in Fresno, California, and Seattle, Washington. They draw from interviews and field notes completed by both authors between 2009 and 2011, along with the preexisting peer-reviewed and gray literature on encampments. The authors chose to focus on Fresno and Seattle because those cities contain large, persistent camps—including some that are legally recognized and others that are illegal and tacitly accepted.

Herring and Lutz argue that homeless encampments were not rooted in the 2008 recession, nor can they be explained by a general expansion in the homeless population. Using their case studies as supplementary evidence, they conclude that the "crisis of welfare provision in the form of perpetual shelter shortages and repulsive shelter arrangements led homeless people to prefer large encampments and led advocates and city officials to recognize large encampments as legitimate shelter alternatives."

Jones, P., K. Parish, P. Radu, T. Smiley, and J. van der Heyde. 2015. ***Alternatives to Unsanctioned Homeless Encampments.*** **Berkeley, CA: Goldman School of Public Policy, University of California, Berkeley.**

The authors of this report interviewed Oakland, California, encampment residents, service providers, and city stakeholders to understand their needs and concerns. The needs assessment and interviews with Oakland stakeholders revealed that people living in encampments "face serious barriers to both housing and shelter use that makes unsanctioned camps their only viable alternative." Jones and his colleagues then studied best practice examples of two alternatives to Oakland's current approach of clearing encampments: (1) establishing city-sanctioned campgrounds and (2) adopting a Housing First approach. They examined those alternatives in four cities: Nashville, Tennessee; Ontario, California; Portland, Oregon; and Seattle, Washington.

Analyzing the data obtained from interviews in Oakland and the best practices from other cities, the authors assigned a score to each of these approaches (clearance, sanctioned encampments, and Housing First) with respect to three criteria:

- *Effectiveness*, defined as the "degree to which the policy in question addresses the immediate problems associated with homeless encampments, comprehensively and across both the short- and long-term."
- *Equity*, as a measure of the "differential consequences of the policy for different stakeholders or constituents" and that looks at the degree to which an intervention is likely to have disproportionate effects for any particular group.
- *Implementation feasibility*, or a city's capacity to implement each policy according to its original design.

The authors weighted the criteria to reflect stakeholders' stated preferences about the relative importance of each criterion. Effectiveness accounted for 50 percent of the score, equity for 30 percent, and implementation feasibility for 20 percent. Higher scores indicate more preferable alternatives for Oakland.

Jones and his colleagues conclude that Oakland officials could expect a city-sanctioned campground to perform best as measured by effectiveness, equity, and implementation feasibility, followed closely by a Housing First approach. Although the authors found clearing encampments to be the most easily implemented, it scored lowest on effectiveness and equity. Despite efforts to coordinate with outreach services and give sufficient notice to camp residents, the process of clearing camps "prevents residents from complying with important housing or health appointments." In short, the status quo in Oakland as of 2015 "serves as a cyclical disruption for camp residents and creates an additional barrier on their pathway to housing."

Metraux, S., M. Cusack, F. Graham, D. Metzger, and D. Culhane. 2019. *An Evaluation of the City of Philadelphia's Kensington Encampment Resolution Pilot.* Philadelphia, PA: City of Philadelphia.

This report is an independent process evaluation of the City of Philadelphia's Encampment Resolution Pilot (ERP). The ERP is a cross-departmental city initiative that was established to close down two outdoor homeless encampments in May 2018. The ERP process included extensive outreach to and engagement of people staying in the encampments and the establishment of Navigation Centers to provide them with access to housing and drug treatment assistance and intensive case management. The city also took steps to prevent the encampments from re-forming through police monitoring, continued outreach and community involvement efforts, and physical changes to the site.

To evaluate the ERP, Metraux and his colleagues draw on an array of data sources that include city documents and interviews with key stakeholders and persons directly involved with implementing the pilot. In addition, the authors had direct access to planning and operational activities, and they conducted ethnographic observations at the encampments and in the surrounding community. They

used a semi-structured interview guide with a sample of residents at the two encampments targeted by the ERP to elicit open-ended responses in four topic areas: living situation, typical day, background and service use, and perspectives on the encampment closure.

The report uses this information to assess the planning, implementation, and initial outcomes of the ERP and to determine strengths and limitations of the pilot.

National Law Center on Homelessness and Poverty. 2014. *Welcome Home: The Rise of Tent Cities in the United States.* Washington, DC: National Law Center on Homelessness and Poverty.

This report documents the rise of homeless encampments and tent cities across the United States and the legal and policy responses to that growth. The authors reviewed media reports on tent cities published between 2008 and April 2012 as well as existing literature on the subject. They also conducted telephone interviews with experts and service providers. Based on this preliminary research, the authors identified four sites for in-depth case studies: Lakewood, New Jersey; New Orleans, Louisiana; Providence, Rhode Island; and St. Petersburg, Florida. The sites were chosen on the basis of their locations, the size and prominence of the former or current encampments they hosted, and their perceived usefulness for gaining a broader understanding of the causes of and responses to homeless encampments. The authors chose to focus on the East Coast because a report documenting tent cities on the Pacific Coast already existed.

Their media survey found documentation of more than 100 tent communities in 46 states and the District of Columbia. While maintaining that the existence of tent cities itself reflects a severe lack of affordable housing, the report finds that **"**when adequate housing or shelter is not available, forced evictions of tent communities may violate human rights, and may also violate principles of domestic law." The authors argue that tent cities are a result of the absence of other reasonable options. Where alternative housing facilities are insufficient, municipalities should work together with people staying in encampments "in a manner that prioritizes the autonomy and dignity of homeless individuals and allows them to have a voice in the process."

Sparks, T. 2017a. "Citizens Without Property: Informality and Political Agency in a Seattle, Washington Homeless Encampment," *Environment and Planning A: Economy and Space* 49 (1): 86–103. doi:10.1177/0308518X16665360

Sparks, T. 2017b. Neutralizing Homelessness, 2015: Tent Cities and Ten Year Plans. *Urban Geography* 38 (3): 348–356. doi:10.1080/02723638.2016.1247600.

Sparks bases these two articles on his 2006 ethnographic fieldwork, including 6 months living and participating as a resident in Seattle's Tent City 3. In addition to participant observation, during his time in Tent City 3, he conducted 50 in-depth interviews with people staying there.

In "Citizens Without Property," Sparks documents the history of Seattle's encampments and offers an explanation for why people experiencing homelessness often do not to take advantage of social services and shelters, even when they are available. That is, within encampments, people

experiencing homelessness have a venue to "respond, resist, and remake the political landscapes of homelessness" and to "challenge their marginalization and create more habitable and emancipatory spaces." Sparks centers his theory around the social and political structures in Tent City 3, which allow residents to feel responsible, be independent, and participate in camp activities—in contrast to the demeaning treatment received at shelters.

In "Neutralizing Homelessness," Sparks claims that the "medicalization and personalization of homelessness" serves to "stabilize and maintain homelessness in seeming perpetuity"—that is, because of this flawed view of homelessness, people experiencing homelessness are blamed for their situation rather than systems, structures, or societal conditions being blamed. Well-intended service providers accept the narrative of "homeless as pathology" and create an environment that dehumanizes people who might otherwise seek assistance, leading them to stay in encampments, where they can be seen as "normal" people.

Speer, J. 2017. "'It's Not Like your Home': Homeless Encampments, Housing Projects, and the Struggle over Domestic Space" ***Antipode*** **49 (2): 517–35. doi:10.1111/anti.12275.**

Speer, J. 2018a. "The Rise of the Tent Ward: Homeless Camps in the Era of Mass Incarceration," ***Political Geography*** **62: 160–169. doi:10.1016/j.polgeo.2017.11.005.**

Speer, J. 2018b. "Urban Makeovers, Homeless Encampments, and the Aesthetics of Displacement," ***Social & Cultural Geography*** **1–21. doi:10.1080/14649365.2018.1509115.**

In these three articles, Speer builds on interviews and ethnographic fieldwork conducted in Fresno, California, in 2013. Of the 24 people Speer interviewed, 9 were officials involved in homeless management, 8 were homeless, and 7 were local activists. She selected homeless participants from multiple racial/ethnic backgrounds, genders, and ages. The author returned to Fresno in 2016 to volunteer at an activist-led encampment and follow up with former research participants. To supplement fieldwork, Speer also relied on two local media sources and reviewed policy reports, legal documents, and online videos and radio programs depicting homeless activism and evictions. Speer believes Fresno to be an ideal city through which to examine the politics of home in relation to homelessness because of its large-scale encampments and intensive housing subsidy program.

"'It's Not Like Your Home'" focuses on how people staying in encampments define *home*. Participants appreciate the sense of community within encampments and the opportunities to exercise autonomy. Speer demonstrates that, by staying in encampments, "homeless Fresnans were creating a new kind of home in which individuals and families were part of a larger collective tied to each other through relations of mutual care."

"Urban Makeovers" probes the motivations behind Fresno's varying responses to homeless encampments. Drawing on personal interviews, media articles, and statements made by city officials and politicians, Speer claims that in the Fresno political discourse, homeless encampments are framed as "unpleasant objects that must be removed to make way for economic opportunities." Thus, "efforts to reinforce a 'live play work' aesthetic resulted in a politics of displacement and criminalization" as city officials worked to move those in encampments to the margins of town, sanction those marginalized encampments, and make them visually uniform and uncluttered.

"The Rise of the Tent Ward" goes beyond Fresno to look at city-sanctioned and -controlled encampments in King County, Washington; Ontario, California; Portland, Oregon; Reno, Nevada; and St. Petersburg, Florida. Speer terms these encampments as *tent wards* to reflect "how incarceration becomes enmeshed with the provision of care and shelter." She argues that these encampments "are not simply a cost effective form of shelter: they are a new node in a wider network of quasi-carceral spaces that govern homeless mobility" that "undermine structural efforts to address poverty and housing inequality."

Appendix C: Selected Practitioner Resources

In the course of conducting this literature review, the study team identified a number of resources that did not meet our criteria for inclusion in the review but may be informative for local leaders and practitioners who are seeking practical guidance on how to address encampments in their communities. We provide links to these resources below.

United States Interagency Council on Homelessness (USICH)

Following conversations with advocates, housing and services providers, and government officials, USICH prepared a suite of resources intended to help local communities develop an action plan to connect people experiencing homelessness in encampments with permanent housing. Those resources include a paper that discusses the key components of an action plan, a quick guide that provides an introduction to the concepts covered in the paper, and a planning checklist with action steps for each of the key components. Those resources were published in 2015 and are available for download at www.usich.gov/tools-for-action/ending-homelessness-for-people-in-encampments/.

USICH has also prepared a series of case studies of communities that are implementing strategies to address the housing and services needs of people experiencing homelessness in encampments. Published in 2017, the case studies describe lessons learned from the local experience in six communities: Charleston, South Carolina; San Francisco, California; Seattle, Washington; Chicago, Illinois; Philadelphia, Pennsylvania; and Dallas, Texas. Topics covered include the evolution of the city's approach to addressing encampments, key stakeholders and tips for engaging them, and challenges or surprises encountered in the implementation process.

In May 2018, USICH published a brief titled Caution is Needed When Considering "Sanctioned Encampments" or "Safe Zones". The brief urges communities to proceed with caution when considering the establishment of sanctioned encampments and lists key points to consider for those who decide to proceed. The brief concludes with a list of links to additional USICH resources.

Corporation for Supportive Housing (CSH)

CSH has made available for download an extensive set of templates, provider tools, and draft policies for addressing unsheltered homelessness. Although not specific to encampments, many of these resources may be helpful in working with people experiencing unsheltered homelessness in encampments. All resources are available for download at www.csh.org/communityresponse/.

National Alliance to End Homelessness

The National Alliance to End Homelessness publishes presentation notes and slide decks from sessions at its national conferences. Several sessions at recent conferences address encampments, including the following:

- Resolving Encampments: Evaluating Different Approaches (July 2018)
- Sanctioned Encampments: Questions You Should Ask (July 2018)
- Understanding Unsheltered Homelessness: What We Know So Far (July 2018)
- A Growing Unsheltered Population: Addressing Encampments (August 2016)

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U.S. Department of Housing and Urban Development
Office of Policy Development and Research
Washington, DC 20410-6000

January 2019

Hamilton Community Legal Clinic
Clinique juridique communautaire de Hamilton

100 Main Street East, Suite 203
Hamilton ON L8N 3W4
Phone: (905) 527-4572 Fax: (905) 523-7282
www.hamiltonjustice.ca

100, rue Main est. Suite 203
Hamilton (Ontario) L8N 3W4
Téléphone : (905) 527-4572 Télécopieur : (905) 523-7282
www.hamiltonjustice.ca

July 10, 2020
VIA EMAIL

TO: Chair and Members of the Emergency and Community Services Committee

Re: Dismantlement of Homeless Encampments

Thank you for approving our written delegation. We submit this delegation on behalf of the Hamilton Community Legal Clinic and we have further partnered with Wade Poziomka, a partner with Ross & McBride, to highlight concerns relating to the dismantlement of homeless encampments.

The Hamilton Community Legal Clinic has worked with HAMSMaRT and Keeping Six with respect to the ticketing of individuals experiencing homelessness for offences under the *Emergency Management and Civil Protection Act* (*"EMCPA")* and related by-laws.

We appreciate that homeless encampments present unique challenges for the City, and that the City is required to respond to resident complaints with respect to same. In the midst of gaining compliance with *EMCPA*, the *Trespass to Property Act*, and local by-laws regarding the usage of park or public spaces, it is imperative to ensure that vulnerable groups, especially those who are experiencing homelessness, are not being penalized because of their socio-economic circumstances and/or disabilities, including mental health disabilities.

Throughout the duration of the pandemic, HAMSMaRT and Keeping Six have repeatedly implored the City to either not remove individuals from encampments, or to ensure that they are transitioned to stable housing. They have cited the CDC Guidelines, Interim Guidance on Unsheltered Homelessness and Coronavirus Disease 2019 (COVID-19) for Homeless Service Providers and Local Officials, (https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html), which recommend that people not be moved from encampments "*unless individual housing units are available*" *(Emphasis Added).* Without going into detail, the Guidelines further explain the personal and public health risks involved in displacing people during the pandemic.

We agree that there are significant health-related reasons not to remove individuals experiencing homelessness from their encampments. We further submit that there are significant legal reasons to refrain from this conduct. The issue of homeless encampments, specifically during COVID-19, is not unique to Hamilton. Other municipalities have had to grapple with how to respond to public concerns while protecting private and public health interests. In Toronto, a coalition of legal clinics and advocates for individuals experiencing homelessness recently filed a lawsuit against the City which alleged, amongst other things, that the City failed to provide physical distancing standards across the shelter system. The litigation alleged that, by failing to ensure physical distancing within the shelter system, the City had infringed on the shelter residents' life, liberty, and security of the person, and their right to equal treatment (guaranteed under sections 7 and 15 of the *Charter of Rights and Freedoms* respectively).

The City of Toronto entered into an Interim Settlement Agreement and committed to numerous enforceable commitments relating to conditions in all shelter, respites, drop-ins and COVID-19 homelessness response hotel rooms operated or funded by the City. As of this week, the same coalition is taking the City back to court for failure to comply with the settlement terms. It is important to note that the declined capacity of the shelter system and failure to provide alternatives to congregate shelter has led hundreds of people to remain in encampments and to continue sleeping rough.

There is also precedent for jurisdictions moving in the right direction. In London, the City made the decision to allow temporary encampments and individual tents on municipal property for the duration of the pandemic with the ultimate goal of getting people housed. On July 7, Kingston City Council voted to extend by-law exemptions allowing an encampment to remain until at least July 31.

In British Columbia, the issue of dismantling homeless encampments as a *Charter* issue was specifically dealt with in two cases. In *Victoria (City) v. Adams*, 2009 BCCA 563 and *Abbotsford (City) v. Shantz*, 2016 BCSC 2437, the application of parks and streets bylaws prohibiting erecting a shelter was challenged primarily under section 7 of the *Charter*. The Courts found that, insofar as the by-laws prevented people from erecting temporary shelter for protection from the elements, this was a violation of their section 7 rights, and consequently of no force and effect. From our perspective, the right to erect temporary shelter for protection from the real and legitimate risk presented by COVID-19, when no other viable options for some individuals, presents a parallel fact pattern.

Housing is a basic human right. The right to adequate, safe housing, is further heightened during the era of COVID-19. Dismantling homeless encampments, in light of the significant risks to the individuals who are forced to move, infringes on their right to life, liberty, and security of the person. Given that many of the affected individuals are racialized, and/or have mental health, addiction and physical disabilities, these groups are also disproportionately impacted by displacement.

The City has a legal duty to accommodate individuals staying in encampments pursuant to its obligations under the *Human Rights Code* (the "*Code*"). As you know, there are many reasons why individuals "sleep rough" in encampments. Some of those reasons are unique to COVID-19 (a legitimate fear of exposure while in shelter). Other reasons for residing in encampments are directly related to *Code*-protected grounds. For example:

- Some individuals have mental health challenges that effectively preclude them from functioning in a shelter setting;
- Some individuals have drug or alcohol dependencies (addictions), and are ejected from shelters as a result of use (a symptom of their disability);
- Some individuals are unable to give up an animal, often the only companion they have and a necessity for emotional regulation, because some shelters do not permit animals, and
- Some individuals are married or in common law relationships, and most shelters do not accommodate couples.

The list of reasons why people may occupy encampments is extensive – what is clear is that those reasons are frequently related to *Code*-protected grounds. The fractures that exist in the shelter systems during the best of times are highlighted and exacerbated during the pandemic we are all experiencing. Rather than engage in knee-jerk reactions that results in dismantlement, it is imperative the City to work with social service organizations, local communities and experts to fully understand the situation and take steps to correct the problems with the system. The City needs to look at this situation holistically, instead of in a piecemeal fashion primarily focused on the rights of property owners and an unrealistic assessment of the threat posed by encampments.

It is essential that the City follow the principles set out in the Ontario Human Rights Commission's "Policy Statement on a Human-Rights Approach to Managing the COVID-19 Pandemic" to ensure that everyone's human rights are protected. Without these considerations, low income, racialized, Black, and First Nations, Inuit and Métis communities, persons with physical and mental health disabilities, youth, and the 2S & LGBTQQAI+ communities may be disproportionately impacted in the course of enforcement.

It is also essential that the City follow the principles developed by the UN Special Rapporteur on the Right to Housing in "A National Protocol for Homeless Encampments in Canada: A Human Rights Approach" calling for a rights-based response to encampments. Such a response requires that:

1. All government action with respect to homeless encampments upholds the human rights and human dignity of their residents;
2. Governments will not resort to criminalization, penalization or obstruction of homeless encampments;
3. Governments must explore all viable alternatives to eviction and may not remove residents from encampments without identifying alternative places to live that are acceptable to them;
4. Governments provide adequate alternative housing to all residents prior to any eviction.

5. Residents will meaningfully participate in all decision-making processes that directly affect them and engage in any decisions regarding relocation;
6. Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships.

There have been several incidents of the City dismantling homeless encampments during the pandemic: from small groups or individuals along railways, to Sir John A. MacDonald, Jackie Washington and Ferrie St. While efforts were made to connect displaced individuals with supports, those efforts fell short of meeting actual needs. Several of the individuals placed in hotels or shelters were discharged shortly after for being unable (by virtue of disability) to conform to shelter and hotel rules. Others simply moved on, and have lost contact with the crucial medical and social supports previously accessed.

We acknowledge, and are thankful that the City has refrained from further dismantling in recent weeks. We also understand that there is an expiration date on current encampments, and that the City is facing considerable pressure from residents to move people along. The difficulty is that the City does not have a viable plan for many of those individuals. We therefore call on the City to immediately change its policy on homeless encampments as follows:

1. The City will not dismantle homeless encampments and/or displace of its residents unless it has first arranged for and/or secured inside spaces such as shelters, hotels, interim housing and/or individual housing units in stable, secure housing with appropriate supports. We encourage the City to prioritize individuals experiencing homelessness for urgent housing placement. In the context of shelter and hotel placements, the City must consult with stakeholders in the homelessness/shelter community to determine what supports are needed, how to remove barriers from hotel stays, and how existing shelter rules may need to be changed in order to accommodate individual needs.
2. Where inside spaces are not available, the City will not dismantle homeless encampments and/or displace of its residents. Such objective can be accomplished by one of the following initiatives:
    a. The designation of specific parks/public lands wherein individuals experiencing homelessness are allowed to set up tents/temporary structures. The City should consult with stakeholders prior to the designation to ensure that the sites are appropriately accessible for individuals and their support network;
    b. In the alternative, a streamlined, low-barrier, accessible process of issuing permits allowing for tents/temporary structures;
    c. Where encampments are located on private property, refraining from any enforcement measures save and except where property owners have made complaints. Any individuals removed would then be directed to a viable alternative as set out in subparagraphs a. and b. above.

We acknowledge the complexity of homeless encampments and appreciate the fact that encampments are not a solution to homelessness. However, we submit that it is critical that the City not dismantle homeless encampments until it can provide encampment residents with adequate housing with appropriate supports. Failure to do this will result in a violation of the basic human rights and dignity of all encampment residents in the City of Hamilton.

Respectfully,

Sharon Crowe
Staff Lawyer
Hamilton Community Legal Clinic

Nadine Watson
Staff Lawyer
Hamilton Community Legal Clinic

Wade Poziomka
Partner
Ross & McBride

This guidance is an update of https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/plan-prepare-respond.html

Summary of Recent Changes

A revision was made on 4/21/2020 to reflect the following:

- Revisions to document organization for clarity
- Description of "whole community" approach
- Description of considerations for facility layout
- Description of considerations for facility processes
- Revisions with the understanding that many people might be asymptomatically infected with COVID-19
- Clarification of cloth face covering use by clients and staff
- Clarification of personal protective equipment use by staff
- Updated resources

Interim guidance for homeless service providers to plan and respond to coronavirus disease 2019 (COVID-19)

Page contents

Community coalition-based COVID-19 prevention and response 2

Communication 3

Supplies 4

Facility layout considerations 5

Facility procedure considerations 6

COVID-19 Readiness Resources 7

This interim guidance is based on what is currently known about Coronavirus Disease 2019 (COVID-19). The Centers for Disease Control and Prevention (CDC) will update this interim guidance as needed, and as additional information becomes available.

People experiencing homelessness are at risk for infection during community spread of COVID-19. This interim guidance is intended to support response planning by emergency management officials, public health authorities, and homeless service providers, including overnight emergency shelters, day shelters, and meal service providers.

COVID-19 is caused by a new coronavirus. We are learning about how it spreads,, how severe it is, and other features of the disease. Transmission of COVID-19 in your community could cause illness among people experiencing homelessness, contribute to an increase in emergency shelter usage, and/or lead to illness and absenteeism among homeless service provider staff.

Early and sustained action to slow the spread of COVID-19 will keep staff and volunteers healthy, and help your organization maintain normal operations.

Community coalition-based COVID-19 prevention and response

Planning and response to COVID-19 transmission among people experiencing homelessness requires a "whole community" approach, which means that you are involving partners in the development of your response planning, and that everyone's roles and responsibilities are clear. Table 1 outlines some of the activities and key partners to consider for a whole-community approach.

Table 1: Using a community-wide approach to prepare for COVID-19 among people experiencing homelessness

Connect to community-wide planning
Connect with key partners to make sure that you can all easily communicate with each other while preparing for and responding to cases. A community coalition focused on COVID-19 planning and response should include: • Local and state health departments • Homeless service providers and Continuum of Care leadership • Emergency management • Law enforcement • Healthcare providers • Housing authorities • Local government leadership • Other support services like outreach, case management, and behavioral health support
Identify additional sites and resources

Continuing homeless services during community spread of COVID-19 is critical, and homeless shelters should not close or exclude people who are having symptoms or test positive for COVID-19 without a plan for where these clients can safely access services and stay. Decisions about whether clients with mild illness due to suspected or confirmed COVID-19 should remain in a shelter, or be directed to alternative housing sites, should be made in coordination with local health authorities. Community coalitions should identify additional temporary housing and shelter sites that are able to provide appropriate services, supplies, and staffing.

Ideally, these additional sites should include:

- Overflow sites to accommodate shelter decompression (to reduce crowding) and higher shelter demands
- Isolation sites for people who are confirmed to be positive for COVID-19
- Quarantine sites for people who are waiting to be tested, or who know that they were exposed to COVID-19
- Protective housing for people who are at highest risk of severe COVID-19

Depending on resources and staff availability, non-group housing options (such as hotels/motels) that have individual rooms should be considered for the overflow, quarantine, and protective housing sites. In addition, plan for how to connect clients to housing opportunities after they have completed their stay in these temporary sites.

Communication

- Stay updated on the local level of transmission of COVID-19 through your local and state health departments.
- Communicate clearly with staff and clients.
    - Use health messages and materials developed by credible public health sources, such as your local and state public health departments or the Centers for Disease Control and Prevention (CDC).
    - Post signs at entrances and in strategic places providing instruction on hand washing and cough etiquette, use of cloth face coverings, and social distancing.
    - Provide educational materials about COVID-19 for non-English speakers or hearing impaired, as needed.
    - Keep staff and clients up-to-date on changes in facility procedures.
    - Ensure communication with clients and key partners about changes in program policies and/or changes in physical location.
- Identify platforms for communications such as a hotline, automated text messaging, or a website to help disseminate information to those inside and outside your organization. Learn more about communicating to workers in a crisis.

- Identify and address potential language, cultural, and disability barriers associated with communicating COVID-19 information to workers, volunteers, and those you serve. Learn more about reaching people of diverse languages and cultures.

Supplies

Have supplies on hand for staff, volunteers, and those you serve, such as:

- Soap
- Alcohol-based hand sanitizers that contain at least 60% alcohol
- Tissues
- Trash baskets
- Cloth face coverings
- Cleaning supplies
- Personal protective equipment (PPE), as needed by staff (see below)

Staff considerations

- Provide training and educational materials related to COVID-19 for staff and volunteers.
- Minimize the number of staff members who have face-to-face interactions with clients with respiratory symptoms.
- Develop and use contingency plans for increased absenteeism caused by employee illness or by illness in employees' family members. These plans might include extending hours, cross-training current employees, or hiring temporary employees.
- Staff and volunteers who are at higher risk for severe illness from COVID-19 should not be designated as caregivers for sick clients who are staying in the shelter. Identify flexible job duties for these higher risk staff and volunteers so they can continue working while minimizing direct contact with clients.
- Put in place plans on how to maintain social distancing (remaining at least 6 feet apart) between all clients and staff while still providing necessary services.
- All staff should wear a cloth face covering for source control (when someone wears a covering over their mouth and nose to contain respiratory droplets), consistent with the guidance for the general public. See below for information on laundering cloth face coverings.
- Staff who do not interact closely (e.g., within 6 feet) with sick clients and do not clean client environments do not need to wear personal protective equipment (PPE).
- Staff should avoid handling client belongings. If staff are handling client belongings, they should use disposable gloves, if available. Make sure to train any staff using gloves to ensure proper use and ensure they perform hand hygiene before and after use. If gloves are unavailable, staff should perform hand hygiene immediately after handling client belongings.
- Staff who are checking client temperatures should use a system that creates a physical barrier between the client and the screener as described here.

    - Screeners should stand behind a physical barrier, such as a glass or plastic window or partition that can protect the staff member's face from respiratory droplets that may be produced if the client sneezes, coughs, or talks.
    - If social distancing or barrier/partition controls cannot be put in place during screening, PPE (i.e., facemask, eye protection [goggles or disposable face shield that fully covers the front and sides of the face], and a single pair of disposable gloves) can be used when within 6 feet of a client.
    - However, given PPE shortages, training requirements, and because PPE alone is less effective than a barrier, try to use a barrier whenever you can.
- For situations where staff are providing medical care to clients with suspected or confirmed COVID-19 and close contact (within 6 feet) cannot be avoided, staff should at a minimum, wear eye protection (goggles or face shield), an N95 or higher level respirator (or a facemask if respirators are not available or staff are not fit tested), disposable gown, and disposable gloves. **Cloth face coverings are not PPE and should not be used when a respirator or facemask is indicated.** If staff have direct contact with the client, they should also wear gloves. Infection control guidelines for healthcare providers are outlined here.
- Staff should launder work uniforms or clothes after use using the warmest appropriate water setting for the items and dry items completely.
- Provide resources for stress and coping to staff. Learn more about mental health and coping during COVID-19.

Facility layout considerations

- Use physical barriers to protect staff who will have interactions with clients with unknown infection status (e.g., check-in staff). For example, install a sneeze guard at the check-in desk or place an additional table between staff and clients to increase the distance between them to at least 6 feet.
- In meal service areas, create at least 6 feet of space between seats, and/or allow either for food to be delivered to clients or for clients to take food away.
- In general sleeping areas (for those who are not experiencing respiratory symptoms), try to make sure client's faces are at least 6 feet apart.
    - Align mats/beds so clients sleep head-to-toe.
- For clients with mild respiratory symptoms consistent with COVID-19:
    - Prioritize these clients for individual rooms.
    - If individual rooms are not available, consider using a large, well-ventilated room.
    - Keep mats/beds at least 6 feet apart.
    - Use temporary barriers between mats/beds, such as curtains.
    - Align mats/beds so clients sleep head-to-toe.
    - If possible, designate a separate bathroom for these clients.
    - If areas where these clients can stay are not available in the facility, facilitate transfer to a quarantine site.
- For clients with confirmed COVID-19, regardless of symptoms:
    - Prioritize these clients for individual rooms.

    - If more than one person has tested positive, these clients can stay in the same area.
    - Designate a separate bathroom for these clients.
    - Follow CDC recommendations for how to prevent further spread in your facility.
    - If areas where these clients can stay are not available in the facility, assist with transfer to an isolation site.

Facility procedure considerations

- Plan to maintain regular operations to the extent possible.
- Limit visitors who are not clients, staff, or volunteers.
- Do not require a negative COVID-19 diagnostic test for entry to a homeless services site unless otherwise directed by local or state health authorities.
- Identify clients who could be at high risk for complications from COVID-19, or from other chronic or acute illnesses, and encourage them to take extra precautions.
- Arrange for continuity of and surge support for mental health, substance use treatment services, and general medical care.
- Identify a designated medical facility to refer clients who might have COVID-19.
- Keep in mind that clients and staff might be infected without showing symptoms.
    - Create a way to make physical distancing between clients and staff easier, such as staggering meal services or having maximum occupancy limits for common rooms and bathrooms.
    - All clients should wear cloth face coverings any time they are not in their room or on their bed/mat (in shared sleeping areas). Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.
- Regularly assess clients and staff for symptoms.
    - Clients who have symptoms may or may not have COVID-19. Make sure they have a place they can safely stay within the shelter or at an alternate site in coordination with local health authorities.
    - An on-site nurse or other clinical staff can help with clinical assessments.
    - Provide anyone who presents with symptoms with a cloth face covering.
    - Facilitate access to non-urgent medical care as needed.
    - Use standard facility procedures to determine whether a client needs immediate medical attention. Emergency signs include:
        - Trouble breathing
        - Persistent pain or pressure in the chest
        - New confusion or inability to arouse
        - Bluish lips or face
    - Notify the designated medical facility and personnel to transfer clients that the client might have COVID-19.

- Prepare healthcare clinic staff to care for patients with COVID-19, if your facility provides healthcare services, and make sure your facility has supply of personal protective equipment.
- Provide links to respite (temporary) care for clients who were hospitalized with COVID-19 but have been discharged.
    - Some of these clients will still require isolation to prevent transmission.
    - Some of these clients will no longer require isolation and can use normal facility resources.
- Make sure bathrooms and other sinks are consistently stocked with soap and drying materials for handwashing. Provide alcohol-based hand sanitizers that contain at least 60% alcohol at key points within the facility, including registration desks, entrances/exits, and eating areas.
- Cloth face coverings used by clients and staff should be laundered regularly. Staff involved in laundering client face coverings should do the following:
    - Face coverings should be collected in a sealable container (like a trash bag).
    - Staff should wear disposable gloves and a face mask. Use of a disposable gown is also recommended, if available.
    - Gloves should be properly removed and disposed of after laundering face coverings; clean hands immediately after removal of gloves by washing hands with soap and water for at least 20 seconds or using an alcohol-based hand sanitizer with at least 60% alcohol if soap and water are not available.
- Clean and disinfect frequently touched surfaces at least daily and shared objects between use using an EPA- registered disinfectant.

COVID-19 Readiness Resources

- Visit www.cdc.gov/COVID19 for the latest information and resources
- Printable Resources for People Experiencing Homelessness
- Guidance Related to Unsheltered Homelessness
- Department of Housing and Urban Development (HUD) COVID-19 Resources
- ASPR TRACIE Homeless Shelter Resources for COVID-19

A HUMAN RIGHTS APPROACH

A National Protocol for Homeless Encampments in Canada

Leilani Farha
UN Special Rapporteur on the right to adequate housing

Kaitlin Schwan
Lead Researcher for UN Special Rapporteur on the right to adequate housing

UN Special Rapporteur on the Right to Housing

APRIL 30, 2020

TABLE OF CONTENTS

EXECUTIVE SUMMARY 2

I. INTRODUCTION 5

II. PURPOSE OF THE NATIONAL PROTOCOL ON HOMELESS ENCAMPMENTS 6

III. ENCAMPMENTS IN CANADA IN THE CONTEXT OF THE HUMAN RIGHT TO ADEQUATE HOUSING 7

IV. RELEVANT AUTHORITY 10

1. International Human Rights Treaties 10
1. Canadian Housing Policy and Legislation 11
2. The Canadian Charter and Provincial/Territorial Human Rights Legislation 12
3. UN 2030 Agenda for Sustainable Development 14

V. KEY PRINCIPLES 15

PRINCIPLE 1: Recognize residents of homeless encampments as rights holders 15
PRINCIPLE 2: Meaningful engagement and effective participation of encampment residents 16
PRINCIPLE 3: Prohibition of forced evictions of encampments 19
PRINCIPLE 4: Explore all viable alternatives to eviction 20
PRINCIPLE 5: Ensure that any relocation is human rights compliant 21
PRINCIPLE 6: Ensure encampments meet basic needs of residents consistent with human rights 24
PRINCIPLE 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for encampment residents 27
PRINCIPLE 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with encampments 28

SCHEDULE A: SELECT CASE LAW ON HOMELESS ENCAMPMENTS IN CANADA 32

SCHEDULE B: AN ELABORATION ON PRINCIPLE 6 35

EXECUTIVE SUMMARY
A National Protocol for Homeless Encampments in Canada: A Human Rights Approach

Homeless encampments threaten many human rights, including most directly the right to housing. People living in encampments face profound challenges with respect to their health, security, and wellbeing, and encampment conditions typically fall far below international human rights standards. Residents are frequently subject to criminalization, harassment, violence, and discriminatory treatment. Encampments are thus instances of both human rights *violations* of those who are forced to rely on them for their homes, as well as human rights *claims,* advanced in response to violations of the right to housing.

Ultimately, encampments are a reflection of Canadian governments' failure to successfully implement the right to adequate housing.

As encampments increasingly emerge across Canada, there is an urgent need for governments to interact with them in a manner that upholds human rights. This Protocol, developed by the UN Special Rapporteur on the Right to Housing and her lead researcher, Kaitlin Schwan, with the input of many experts, outlines eight Principles to guide governments and other stakeholders in adopting a rights-based response to encampments. While encampments are not a solution to homelessness, it is critical that governments uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol are based in international human rights law, and the recognition that encampment residents are rights holders and experts in their own lives. The Protocol is intended to assist governments in realizing the right to adequate housing for this group.

PRINCIPLES

Principle 1: Recognize residents of homeless encampments as rights holders

All government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. This means a shift away from criminalizing, penalizing, or obstructing homeless encampments, to an approach rooted in rights-based participation and accountability.

Principle 2: Meaningful engagement and effective participation of homeless encampment residents

Residents are entitled to meaningful participation in the design and implementation of policies, programs, and practices that affect them. Ensuring meaningful participation is central to respecting residents' autonomy, dignity, agency, and self-determination. Engagement should begin early, be ongoing, and proceed under the principle that residents are experts in their own lives. The views expressed by residents of homeless encampments

must be afforded adequate and due consideration in all decision-making processes. The right to participate requires that all residents be provided with information, resources, and opportunities to directly influence decisions that affect them.

Principle 3: Prohibit forced evictions of homeless encampments

International human rights law does not permit governments to destroy peoples' homes, even if those homes are made of improvised materials and established without legal authority. Governments may not remove residents from encampments without meaningfully engaging with them and identifying alternative places to live that are acceptable to them. Any such removal from their homes or from the land which they occupy, without the provision of appropriate forms of legal protection, is defined as a 'forced eviction' and is considered a gross violation of human rights. The removal of residents' private property without their knowledge and consent is also strictly prohibited.

Common reasons used to justify evictions of encampments, such as 'public interest,' 'city beautification', development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.[1]

Principle 4: Explore all viable alternatives to eviction

Governments must explore all viable alternatives to eviction, ensuring the meaningful and effective participation of residents in discussions regarding the future of the encampment. Meaningful consultation should seek to maximize participation and should be supported by access to free and independent legal advice. Where personal needs differ amongst residents of encampments such that a singular best alternative is not unanimous, governments will have to develop several solutions each of which is consistent with the principles outlined in this Protocol.

Principle 5: Ensure that relocation is human rights compliant

Considerations regarding relocation must be grounded in the principle that "the right to remain in one's home and community is central to the right to housing."[2] Meaningful, robust, and ongoing engagement with residents is required for any decisions regarding relocation. Governments must adhere to the right to housing and other human rights standards when relocation is necessary or preferred by residents. In such cases, adequate alternative housing, with all necessary amenities, must be provided to all residents prior to any eviction. Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships.

Principle 6: Ensure encampments meet basic needs of residents consistent with human rights

Canadian governments must ensure, at a minimum, that basic adequacy standards are ensured in homeless encampments while adequate housing options are negotiated and

[1] A/HRC/43/43, para 36.
[2] A/73/310/Rev.1, para 26.

secured. Governments' compliance with international human rights law requires: (1) access to safe and clean drinking water, (2) access to hygiene and sanitation facilities, (3) resources and support to ensure fire safety, (4) waste management systems, (4) social supports and services, and guarantee of personal safety of residents, (5) facilities and resources that support food safety, (6) resources to support harm reduction, and (7) rodent and pest prevention.

Principle 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for homeless encampment residents

Governments have an obligation to bring about positive human rights outcomes in all of their activities and decisions concerning homeless encampments. This means that Canadian governments must move, on a priority basis, towards the full enjoyment of the right to housing for encampment residents. Any decision that does not lead to the furthering of inhabitants' human rights, that does not ensure their dignity, or that represents a backwards step in terms of their enjoyment of human rights, is contrary to human rights law.

Principle 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with homeless encampments

Governments' engagement with Indigenous Peoples in homeless encampments must be guided by the obligation to respect, protect, and fulfil their distinct rights. This begins with recognition of the distinct relationship that Indigenous Peoples have to their lands and territories, and their right to construct shelter in ways that are culturally, historically, and spiritually significant. Governments must meaningfully consult with Indigenous encampment residents concerning any decisions that affects them, recognizing their right to self-determination and self-governance. International human rights law strictly forbids the forced eviction, displacement, and relocation of Indigenous Peoples in the absence of free, prior, and informed consent.

Given the disproportionate violence faced by Indigenous women, girls, and gender diverse peoples, governments have an urgent obligation to protect these groups against all forms of violence and discrimination within homeless encampments, in a manner that is consistent with Indigenous self-determination and self-governance.

A National Protocol for Homeless Encampments in Canada: A Human Rights Approach

I. Introduction

1 In the face of escalating homelessness and housing affordability crises, many cities across Canada have seen a rise in homeless encampments. In various Canadian communities, people experiencing homelessness have turned to living in s, vehicles, or other forms of rudimentary or informal shelter as a means to survive.[3] While they vary in size and structure, the term '*encampment*' is used to refer to any area wherein an individual or a group of people live in homelessness together, often in tents or other temporary structures (also referred to as *homeless camps*, *tent cities*, *homeless settlements or informal settlements*).

2 Homeless encampments in Canada must be understood in relation to the global housing crisis and the deepening of housing unaffordability across the country. Encampments must also be understood in the context of historical and ongoing structural racism and colonization in Canada, whereby Indigenous peoples have been systemically discriminated against and dispossessed of their lands, properties, and legal systems. Other groups have also endured systemic and historical disadvantage that has created barriers to accessing housing and shelters, including 2SLGBTQ+, Black and other racialized communities, people living with disabilities, and people who are criminalized. While encampments are often framed and discussed as matters of individual poverty or deficiency, they are the result of structural conditions and the failure of governments to implement the right to housing or to engage with reconciliation and decolonization materially and in good faith.

3 Homeless encampments threaten many human rights, including most specifically the right to housing. In international human rights law, homelessness - which includes those residing in encampments - is a prima facie violation of the right to adequate housing.[4] This means that governments have a positive obligation to implement an urgent housing-focused response, ensuring that residents have access to adequate housing in the shortest possible time and, in the interim, that their human rights are fully respected.

4 Government responses to homeless encampments often fail to employ a rights-based approach. Residents of encampments are frequently the victims of abuse, harassment, violence, and forced evictions or 'sweeps.' In many cases, the issues

[3] Encampments have arisen in cities across the country, including: Abbottsford, Vancouver, Victoria, Edmonton, Toronto, Ottawa, Gatineau, Peterborough, Winnipeg, Montreal, Nanaimo, Calgary, Saskatoon, Fredericton, Moncton, Oshawa, Halifax, and Maple Ridge.
[4] A/HRC/31/54, para. 4.

associated with encampments are within the jurisdiction and responsibility of municipal authorities, including through bylaws specific to policing, fire and safety, sanitation, and social services. This has led to a pattern whereby municipal governments deploy bylaws, local police, and zoning policies that displace people in encampments, in turn compromising the physical and psychological health of people who have no place else to go and who rely on encampments to survive, absent accessible alternatives.[5]

5 Provincial, territorial, and federal governments have historically left engagement with encampments to city officials, who receive little (if any) guidance and support. Municipal authorities are often unaware of their legal obligations under international human rights law, including with respect to the duty to ensure the dignity and security of encampment residents.[6] Further, accountability mechanisms with respect to the right to housing remain weak in Canada, meaning that people living in encampments have limited avenues through which to claim this right.

6 Ensuring a human rights-based response to homeless encampments should be a key concern for every Canadian city, and all governments should employ a human rights-based framework to guide their engagement with encampment residents.

II. Purpose of the National Protocol on Homeless Encampments

7 The purpose of this document is to provide all levels of government with an understanding of their human rights obligations with respect to homeless encampments, highlighting what is and is not permissible under international human rights law. This Protocol outlines 8 broad human rights-based Principles that must guide state[7] action in response to homeless encampments of all kinds.

8 This Protocol does not attempt to foresee every possible context or challenge that may arise within encampments. Governments and relevant stakeholders must apply human rights principles as described in the Protocol to each case as it arises, endeavouring at all times to recognize and respect the inherent rights, dignity, and inclusion of encampment residents.

9 This Protocol has been developed by the UN Special Rapporteur on the right to housing in consultation with a range of experts from across Canada, including those

[5] *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1

[6] A/HRC/43/43, para 7.

[7] 'State' refers to all levels and branches of government and anyone exercising government authority.

with lived expertise of homelessness, urban Indigenous leaders, community advocates, researchers, lawyers, and experts in human rights law.[8]

III. Encampments in Canada in the context of the Human Right to Adequate Housing

10 Under international human rights law, everyone has the right to adequate housing as an element of the right to an adequate standard of living.[9] This requires States to ensure that housing is accessible, affordable, habitable, in a suitable location, culturally adequate, offers security of tenure, and is proximate to essential services such as health care and education.[10] The right to adequate housing includes the right to be protected from: arbitrary or unlawful interference with an individual's privacy, family, and home; any forced eviction (regardless of legal title or tenure status); and from discrimination of any kind.[11]

11 Homelessness constitutes a prima facie violation of the right to housing. It is a profound assault on a person's dignity, security, and social inclusion. Homelessness violates not only the right to housing, but often, depending on circumstances, violates a number of other human rights, including: non-discrimination; health; water and sanitation; freedom from cruel, degrading, and inhuman treatment; and the rights to life, liberty, and security of the person.[12]

12 Encampments constitute a form of homelessness, and thus are a reflection of the violation of residents' right to adequate housing. People living in encampments typically face a range of human rights violations and profound challenges with respect to their health, security, and wellbeing. Encampment conditions typically fall far below international human rights standards on a variety of fronts, often lacking even the most

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[8] This Protocol was prepared by: Leilani Farha and Kaitlin Schwan with the assistance of Bruce Porter, Vanessa Poirier, and Sam Freeman. Reviewers include, among others: Margaret Pfoh (Aboriginal Housing Management Association), Cathy Crowe (Shelter and Housing Justice Network), Greg Cook (Sanctuary Toronto), Tim Richter (Canadian Alliance to End Homelessness), Anna Cooper (Pivot Legal Society), Caitlin Shane (Pivot Legal Society), Emily Paradis (University of Toronto), Emma Stromberg (Ontario Federation of Indigenous Friendship Centres), and Erin Dej (Wilfred Laurier University).

[9] United Nations Committee on Economic, Social and Cultural Rights Committee's General Comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions.

[10] United Nations Committee on Economic, Social and Cultural Rights Committee's General Comment No. 4 (1991) on the right to adequate housing. At the domestic level, adequate housing and core housing need is defined in relation to three housing standards: adequacy, affordability, and suitability. The Canadian Mortgage and Housing Corporation defines these housing standards in the following ways: "(1) Adequate housing are reported by their residents as not requiring any major repairs; (2) Affordable dwellings cost less than 30% of total before-tax household income; and (3) Suitable housing has enough bedrooms for the size and make-up of resident households, according to National Occupancy Standard (NOS) requirements."

[11] A/HRC/43/43.

[12] A/HRC/31/54; A/HRC/40/61, para 43.

basic services like toilets.[13] Residents of encampments are also frequently subject to criminalization, harassment, violence, and discriminatory treatment.[14]

13 In the face of poverty and deep marginalization, people without homes face many untenable choices. For example, they may be forced to choose between 'sleeping rough' on their own (putting themselves at risk of violence and criminalization), entering an emergency homeless shelter (which may be inaccessible or inappropriate for their needs, or in which their autonomy, dignity, self-reliance, and/or independence may be undermined), or residing in a homeless encampment (in which they may lack access to basic services and face threats to their health). These choices are further narrowed for those living in communities that lack any emergency shelters, or where existing shelters are at (or over) capacity.

14 For people without access to adequate housing, the availability, accessibility, appropriateness, and adequacy of shelters plays a significant role in determining whether or not a person chooses to reside in a homeless encampment. In some cities, emergency shelters operate at 95-100% capacity,[15] necessitating that some individuals sleep rough or reside in an encampment. Existing shelters may also not be low-barrier, wheelchair accessible, trans-inclusive, or safe for people experiencing complex trauma or other challenges. Homeless persons with mental health challenges, drug or alcohol dependencies, or pets may find themselves barred from shelters. Under such conditions, some individuals may prefer, or feel they have little choice but to, reside in an encampment. Encampments thus may become a necessity or the best option available for some of those the most marginalized people in Canadian society.

15 For Indigenous peoples, a desire to avoid state surveillance and a mistrust of institutional settings, including shelters, may be a factor in turning to or living in an encampment. Negative or harmful interactions with colonial institutions, such as residential schools, the child welfare system, corrections, hospitals, asylums or sanitoriums, and shelters, may be intergenerational in nature and highly traumatic. For these reasons and others, Indigenous peoples are overrepresented in homeless populations across Canada, and further to this, are more likely to be part of "outdoor" or "unsheltered" populations – including homeless encampments.[16]

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[13] See Cooper, A. (2020). *Why People Without Housing Still Need Heat*. Pivot Legal Society. Available from: http://www.pivotlegal.org/why_people_without_housing_still_need_heat

[14] A/HRC/43/43, para 31; see also *Homelessness, Victimization and Crime: Knowledge and Actionable Recommendations*. Available from: https://www.publicsafety.gc.ca/lbrr/archives/cnmcs-plcng/cn35305-eng.pdf

[15] Employment and Social Development Canada. (2018). *Shelter Capacity Report 2018*. Ottawa. Available from https://www.canada.ca/en/employment-social-development/programs/homelessness/publications-bulletins/shelter-capacity-2018.html

[16] See Ontario Federation of Indigenous Friendship Centres. (2020). *Indigenous Homelessness in the 20 Largest Cities in Canada.* Submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, Canada.

16 Regardless of the reasons why a person resides in a homeless encampment, homeless encampments *do not* constitute adequate housing, and do not discharge governments of their positive obligation to ensure the realization of the right to adequate housing for all people. Under international human rights law, "States have an obligation to take steps to the maximum of their available resources with a view to achieving progressively the full realization of the right to adequate housing, by all appropriate means, including particularly the adoption of legislative measures."[17] As part of these obligations, States must prioritize marginalized individuals or groups living in precarious housing conditions - including residents of homeless encampments.[18]

17 Governments have an urgent, positive obligation to provide or otherwise ensure access to adequate housing - for residents of encampments as they do for all people experiencing homelessness. Governments must act to immediately pursue deliberate, concrete, and targeted efforts to end homelessness by ensuring access to adequate housing. In the interim, governments must ensure the availability of sufficient shelter spaces - accessible and appropriate for diverse needs - where dignity, autonomy, and self-determination are upheld.

18 The fact that encampments violate the right to housing does not in any way absolve governments of their obligations to uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol seek to support governments and other stakeholders to ensure that their engagements with encampments are rights-based and recognize residents as rights holders, with a view to realizing the right to adequate housing for these groups while respecting their dignity, autonomy, individual circumstances, and personal choices.

19 International human rights law does not permit government to use force to destroy peoples' homes, even if they are made of canvas or improvised from available materials and constructed without legal authority or title. States may not remove residents from encampments without meaningfully engaging them to identify alternative places to live that are acceptable to them. Any such removal from their homes or from the land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection, consistent with international human rights law is defined as a 'forced eviction' and is considered a gross violation of human rights.

20 Unfortunately, such forced evictions or sweeps have become common in Canada. Evictions have contravened international law by being carried out without meaningful consultation with communities and without measures to ensure that those affected have access to alternative housing. They have been justified on the basis that the

[17] International Covenant on Economic, Social and Cultural Rights, art. 2 (1).
[18] A/HRC/43/4.

residents are there illegally, are at risk to themselves, are on land that is slated for development, or are obstructing the enjoyment of the community by others. Declining conditions at encampments and public health and safety concerns are also frequently the grounds on which local governments and provinces seek injunctions for removal. The impact of municipalities' failure to proactively provide resources and services to mitigate or improve those conditions and concerns is most often ignored. Some communities have engaged bylaw officers or local police to tear down encampments at first sight.[19]

21 None of these reasons, however, justify forced evictions under international law. Forced evictions often have harmful or disastrous consequences for encampment residents.[20] Victims may face life-threatening situations that compromise their health and security, or result in the loss of access to food, social supports, social and medical services, and other resources.[21]

22 Few governments have recognized encampments as a response to violations of fundamental human rights and a response to the isolation and indignity of homelessness. They have failed to treat those living in such encampments as legally entitled to the protection of their homes and their dignity.

IV. Relevant Authority

23 Canadian governments' responsibilities and relevant authority to ensure the right to adequate housing, including for people residing in encampments, is found in: (1) international human rights treaties, (2) the *National Right to Housing Act*, (3) the *Canadian Charter of Rights and Freedoms* and human rights legislation, and (4) the UN *2030 Agenda for Sustainable Development* (*The Sustainable Development Goals*).

1. International Human Rights Treaties

24 Canada has ratified multiple international human rights treaties that articulate the right to adequate housing. In 1976, Canada ratified the *International Covenant on Economic, Social and Cultural Rights*, which contains the chief articulation of the right to housing under Article 11.1 "the right of everyone to an adequate standard of living for [themselves] and [their] family, including adequate food, clothing and housing, and to

[19] Ball, V. (2019). *Encampment residents fear eviction*. The Expositor. Available from: https://www.brantfordexpositor.ca/news/local-news/encampment-residents-fear-eviction
[20] A/HRC/43/43, para 36.
[21] UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf; Collinson, R. & Reed, D. (2018). *The Effects of Eviction on Low-Income Households*. Available from: https://www.law.nyu.edu/sites/default/files/upload_documents/evictions_collinson_reed.pdf

the continuous improvement of living conditions."[22] The right to housing and the prohibition against forced evictions has been interpreted in General Comments No. 4 and 7[23] by the UN Committee on Economic, Social and Cultural Rights. In addition, Canada has ratified other treaties that codify the right to adequate housing, including:

- *Convention on the Rights of Persons with Disabilities*
- *Convention on the Rights of the Child*
- *Convention on the Elimination of Racial Discrimination*
- *Convention on the Elimination of Discrimination against Women*

25 Human rights ratified by Canada "extend to all parts of federal States without any limitations or exceptions," thus federal, provincial/territorial, and municipal governments are equally bound by these obligations.[24] In interpreting the right to adequate housing, the Committee on Economic, Social and Cultural Rights has emphasized that "the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity."[25]

26 Canada has also formally recognized the *UN Declaration on the Rights of Indigenous Peoples*, which also codifies the right to adequate housing and affirms that Indigenous Peoples have the right to be actively involved in developing and determining housing programmes and policies that affect them.[26] Further, Indigenous Peoples' right to land and self-determination is indivisible from the right to housing under international human rights law, meaning that they "shall not be forcibly removed from their lands or territories and that no relocation shall take place without their free, prior and informed consent."[27] All encampments are located on the traditional territories of Indigenous nations, including in cities, towns, and rural areas. On these territories, Indigenous Peoples' right to land and self-determination is in effect, whether or not those lands are subject to land claims or treaty.

1. Canadian Housing Policy and Legislation

27 The right to housing has also recently been recognized in Canadian legislation. In June 2019, the *National Housing Strategy Act* (the *Act*) received royal assent in Canada. The *Act* affirms Canada's recognition of the right to housing as a fundamental human

[22] ICESCR, Article 11, masculine pronouns corrected.
[23] General Comment 4 (1991), UN Doc. E/1992/23; General Comment 7 (1997), UN Doc. E/1998/22.
[24] A/69/274.
[25] General Comment 4 (1991), para 7.
[26] A/74/183.
[27] A/74/183.

right and commits to further its progressive realization as defined under the *International Covenant on Economic, Social and Cultural Rights.*

28 The Preamble and Section 4 of the *Act* underscore the interdependence of the right to housing with other fundamental rights, such as the right to life and an adequate standard of health and socio-economic wellbeing. Specifically, Section 4 states:

> It is declared to be the housing policy of the Government of Canada to:
>
> (a) recognize that the right to adequate housing is a fundamental human right affirmed in international law;
>
> (b) recognize that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities;
>
> (c) support improved housing outcomes for the people of Canada; and
>
> (d) further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights.

2. The Canadian Charter and Provincial/Territorial Human Rights Legislation

29 The government of Canada's international human rights obligations must be considered by courts in Canada when determining the rights of residents of encampments under domestic law,[28] particularly the *Canadian Charter of Rights and Freedoms*.[29] The Supreme Court has recognized that the right to "life, liberty and security of the person" in section 7 of the *Charter* may be interpreted to include the right to housing under international law.[30] Canada has told the UN that it accepts that section 7 at least ensures access to basic necessities of life and personal security.[31]

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[28] It should be noted that a human rights-based approach under domestic law should entail mindfulness about core human rights and equality principles, such as substantive equality and non-discrimination, which recognizes that state interventions be particularly attuned to the specific needs of particular groups, including those impacted by systemic and historical disadvantage. In this regard, a 'one size fits all' approach may not fully capture the distinct needs of groups residing within encampments.

[29] *R. v. Hape,* [2007] 2 S.C.R. 292, 2007 SCC 26, para 56: "In interpreting the scope of application of the Charter, the courts should seek to ensure compliance with Canada's binding obligations under international law where the express words are capable of supporting such a construction."

[30] *Irwin Toy Ltd. v. Quebec* (Attorney General), [1989] 1 S.C.R. 927; See Martha Jackman and Bruce Porter, "Social and Economic Rights", in Peter Oliver, Patrick Maklem & Nathalie DesRosiers, eds, *The Oxford Handbook of the Canadian Constitution* (New York: Oxford University Press, 2017), 843-861.

[31] Canada's commitments are described in *Victoria (City) v. Adams*, 2008 BCSC 1363 (CanLII), paras 98-99. Online, http://canlii.ca/t/215hs

30 In Canada, courts have considered the human rights implications of encampments, and have emphasized that Section 7 life and security of the person interests are engaged where state action poses significant harm to the health and wellbeing of persons enduring homelessness and housing insecurity. For example, Canadian courts have recognized that the daily displacement of people experiencing homelessness causes physical and psychological harm. The Court accepted in the case of *Abbotsford (City) v. Shantz*, that "the result of repeated displacement often leads to the migration of homeless individuals towards more remote, isolated locations as a means to avoid detection. This not only makes supporting people more challenging, but also results in adverse health and safety risks." The court recognized that these health and safety risks include "impaired sleep and serious psychological pain and stress."[32]

31 In the case of *Victoria v. Adams,*[33] residents of an encampment challenged a bylaw that prevented them from constructing temporary shelter in a park, on the basis of which city officials had secured an injunction to evict them. The British Columbia Supreme Court agreed that while the *Charter* does not explicitly recognize the right to housing, international law is a persuasive source for *Charter* interpretation and found that the bylaw violated the residents' right to security of the person. The BC Court of Appeal upheld the decision of the BC Supreme Court and other decisions in British Columbia have followed.[34] In *British Columbia v. Adamson* 2016,[35] for example, the court found that in the absence of alternative shelter or housing for all people experiencing homelessness, encampment residents must not be evicted from their encampment. In *Abbotsford v. Shantz* 2015[36] the Court found that denying encampment residents space to erect temporary shelters on public property was "grossly disproportionate to any benefit that the City might derive from furthering its objectives and breaches the s. 7 *Charter* rights of the City's homeless."[37]

32 The right to equality is also protected under the Canadian Charter as well as under federal, provincial, and territorial human rights legislation. Not all levels of government interpret or administer human rights codes in the same manner, with each province and territory administering its own human rights codes.[38] Regardless of jurisdiction, the UN Committee on Economic, Social and Cultural Rights has stated that the right to

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[32] *Abbotsford (City) v. Shantz*, 2015 BCSC 1909, paras 213 and 219.
[33] *Victoria (City) v. Adams*, 2008 BCSC 1363 (CanLII), paras 85-100. Online, http://canlii.ca/t/215hs
[34] Key examples of case law includes: *Victoria v. Adams* 2008/ 2009, *Abbotsford v. Shantz* 2015, *BC v. Adamson* 2016, and *Vancouver (City) v. Wallstam* 2017.
[35] *British Columbia v. Adamson* (2016 BCSC 1245). Online, https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.html?resultIndex=1
[36] *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1
[37] *Abbotsford (City) v. Shantz* (2016 BCSC 2437), para 224. Online, https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1
[38] For an overview of provincial and territorial human rights codes, see: https://ccdi.ca/media/1414/20171102-publications-overview-of-hr-codes-by-province-final-en.pdf

equality should be interpreted to provide the widest possible protection of the right to housing and has urged Canadian courts and governments to adopt such interpretations.[39]

33 While it is clear that the *Charter* provides some protection from forced evictions and sweeps of encampment residents, the extent to which it requires governments to address the crisis of homelessness that has led to reliance on encampments remains unresolved. The Supreme Court of Canada has yet to agree to hear an appeal in a case that would clarify the obligations of governments to address homelessness as a human rights violation. The Supreme Court has, however, been clear that the *Charter* should, where possible, be interpreted to provide protection of rights that are guaranteed under international human rights law ratified by Canada.

34 Governments should not use uncertainty about what courts might rule as an excuse for violating the human rights of those who are homeless. Canadian governments have an obligation, under international human rights law, to promote and adopt interpretations of domestic law consistent with the right to adequate housing. The UN Committee on Economic, Social and Cultural Rights has expressed concern that governments in Canada continue to argue in court against interpretations of the *Canadian Charter* that would protect the rights of homeless persons and residents of homeless encampments.

35 Therefore, it is critically important that, as part of a Protocol based on respect for human rights, municipal, provincial/territorial, and federal governments instruct their lawyers not to undermine international human rights or oppose reasonable interpretations of the *Charter* based on international human rights. They should never seek to undermine the equal rights of residents of homeless encampments to a dignified life, to liberty, and security of the person.

3. UN 2030 Agenda for Sustainable Development

36 In September 2015, member states of the United Nations, including Canada, adopted the *2030 Agenda for Sustainable Development* (*2030 Agenda*). Target 11.1 of the SDGs specifically identifies that by 2030, all States must "ensure access for all to adequate, safe and affordable housing and basic services and to upgrade informal settlements." This means governments must take steps to eliminate homelessness and make cities inclusive, safe, resilient and sustainable. Upgrading informal settlements

[39] CESCR, General Comment No. 9, para 15; E/C.12/1993/5, paras 4, 5, and 30.

includes the upgrading of homeless encampments.[40] States have affirmed that a rights-based approach to the SDG's is critical if they are to be achieved.[41]

V. Key Principles

37 It is critical that all levels of government in Canada employ an integrated human rights-based approach when engaging with encampments. The Principles outlined here aim to support the right to housing for all encampment residents as part of Canada's commitment to the right to housing under international human rights treaties and domestic law.

PRINCIPLE 1: Recognize residents of homeless encampments as rights holders

38 All government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. For many governments and those exercising governmental authority, this will mean a shift away from criminalizing, penalizing, or obstructing encampments, to an approach rooted in rights-based participation and accountability.[42]

39 This will mean understanding encampments as instances of both human rights *violations* of those who are forced to rely on them for their homes, as well as human rights *claims* advanced in response to violations of the right to housing. While encampments arise as a result of governments failing to effectively implement the right to housing, they can also be an expression of individuals and communities claiming their legitimate place within cities, finding homes within communities of people without housing, asserting claims to lands and territories, and refusing to be made invisible. They are a form of grassroots human rights practice critical to a democracy such as Canada's.[43] For Indigenous peoples, the occupation of lands and traditional territories vis-à-vis encampments may also be an assertion of land rights, claimed in conjunction with the right to housing.

40 In recognition of encampments as rights violations and rights claims, governments must rectify the policy failures that underpin the emergence of homeless encampments, while simultaneously recognizing residents as rights holders who are advancing a legitimate human rights claim. Their efforts to claim their rights to home

[40] A/73/310/Rev.1.

[41] The *National Housing Strategy* of Canada mirrors many of the commitments made in the *2030 Agenda*. However, the *Strategy* only commits Canada to reducing chronic homelessness by 50%, despite the *2030 Agenda*'s imperative to eliminate homelessness and provide access to adequate housing for all.

[42] A/73/310/Rev.1, para 15.

[43] A/73/310/Rev.1.

and community must be supported, not thwarted, criminalized, or dismissed as illegitimate or gratuitous protest.[44]

PRINCIPLE 2: Meaningful engagement and effective participation of encampment residents

41 Ensuring encampment residents are able to participate in decisions that directly affect them is "critical to dignity, the exercise of agency, autonomy and self-determination."[45] As rights holders, encampment residents are entitled to "participate actively, freely and meaningfully in the design and implementation of programmes and policies affecting them."[46] Meaningful engagement must be grounded in recognition of the inherent dignity of encampment residents and their human rights, with the views expressed by residents of homeless encampments being afforded adequate and due consideration in all decision-making processes.

42 Governments and other actors must engage encampment residents in the early stages of discussion without using the threat of eviction procedures or police enforcement to coerce, intimidate, or harass.[47] Engagement should proceed under the principle that residents are experts in their own lives and what is required for a dignified life.[48] Indigenous residents of encampments should also be engaged in decision-making processes in a manner that is culturally-safe and trauma informed.

43 In the context of homeless encampments, the right to participate requires that all residents be provided with information, resources, and opportunities to directly influence decisions that affect them. All meetings with government officials or their representatives regarding the encampment should be documented and made available to encampment residents upon request.

44 Participation processes must comply with all human rights principles, including non-discrimination. Compliance with international human rights law requires:

i. Provision of necessary institutional, financial, and other resources to support residents' right to participate

In order to participate in decisions that affect them, encampment residents should be provided with financial and institutional resources (e.g., wifi/internet access, meeting spaces) that support their active participation in decision-making. Such supports should include, but are not

[44] A/73/310/Rev.1.
[45] A/HRC/43/43, para 20.
[46] Ibid. See also the Committee on the Rights of the Child's General Comment No. 21 (2017) on children in street situations.
[47] A/HRC/40/61, para 38.
[48] A/HRC/43/43, para 21.

limited to: legal advice, social service supports, Indigenous cultural supports, literacy supports, translation, mobility supports, and transportation costs to attend consultations or meetings.[49] These resources should support democratic processes within the encampment, including community meetings, the appointment of community leaders, and the sharing of information.[50] Residents must be granted a reasonable and sufficient amount of time to consult on decisions that affect them.

ii. Provision of relevant information about the right to housing

Encampment residents must be provided with information about their right to housing, including information about procedures through which they can hold governments and other actors accountable, as well as specific information about the rights of Indigenous Peoples.[51]

iii. Provision of relevant information concerning decisions that affect residents, ensuring sufficient time to consult

Encampment residents must be provided with all relevant information in order to make decisions in matters that affect them.[52]

iv. Establishment of community engagement agreement between homeless encampment residents, government actors, and other stakeholders

In order to facilitate respectful, cooperative, and non-coercive communication between residents, government, and other stakeholders, government may seek to collaborate with residents to create a formal community engagement agreement (when appropriate and requested by residents).[53] This agreement should outline when and how encampment residents will be engaged,[54] and should be ongoing and responsive to the needs of the encampment residents.[55] It should allow the residents of homeless encampments to play an active role in all aspects of relevant proposals and policy, from commencement to conclusion. Residents should be able to challenge any decision made by government or other actors, to propose alternatives, and to articulate their own demands and priorities. Third party mediators should be available to protect against power imbalances that may lead to breakdown in negotiations or create

[49] Committee on Economic, Social and Cultural Rights' General Comment No. 4, para. 12, and the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para. 39).
[50] A/73/310/Rev.1.
[51] A/73/310/Rev.1, para 19.
[52] A/73/310/Rev.1.
[53] A/73/310/Rev.1.
[54] A/73/310/Rev.1.
[55] United Nations. *Guiding Principles on Extreme Poverty and Human Rights*, foundational principles, para 38.

unfair results.[56] Relevant government authorities and professionals should also be provided with "training in community engagement and accountability."[57]

v. **Provision of equitable opportunities for the meaningful participation of all encampment residents**

As a matter of human rights law, particular efforts must be taken to ensure equitable participation by women, persons with disabilities, Indigenous Peoples, migrants, and other groups who experience discrimination or marginalization.[58] Where possible, members of these groups should be afforded central roles in the process.[59]

Principle 2 in Action – The "People's Process" in Kabul, Afghanistan

The upgrading of informal settlements was identified as a key goal in the *2030 Agenda for Sustainable Development*, committing States to "upgrade slums" by 2030 (target 11.1). As identified by the UN Special Rapporteur on the right to adequate housing, "Participation in upgrading requires democratic processes through which the community can make collective decisions." Under international human rights law, the democratic processes required to upgrade slums mirrors encampment residents' right to participate in plans to resolve their housing needs. As such, democratic processes implemented to upgrade informal settlements in cities around the world can provide helpful examples for Canadian homeless encampments.

One such example is the "people's process" in Kabul, Afghanistan. This process delineates community leadership and control over the upgrading process, and includes an organizational structure that enables the community to engage different levels of government. As part of this process, "local residents elect community development councils responsible for the selection, design, implementation and maintenance of the projects." City staff are trained to work alongside informal settlement residents to implement and complete upgrading.

[56] A/HRC/43/4, para 42.
[57] A/73/310/Rev.1, para 20.
[58] A/HRC/43/4.
[59] Committee on Economic, Social and Cultural Rights, General Comment No. 21 (2009) on the right of everyone to take part in cultural life, in particular para 16.

PRINCIPLE 3: Prohibition of forced evictions of encampments

45 Under international human rights law, forced evictions constitute a gross violation of human rights and are prohibited in all circumstances, including in the context of encampments.[60]

46 Forced evictions are defined as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection … in conformity with the provisions of the International Covenants on Human Rights."[61]

47 Forced evictions are impermissible irrespective of the tenure status of those affected. This means that the forced eviction of encampments is prohibited if appropriate forms of protection are not provided – including all of the requirements described in this Protocol.[62] It may also be considered a forced eviction when governments' and those acting on their behalf harass, intimidate, or threaten encampment residents, causing residents to vacate the property.[63]

48 Common reasons used to justify evictions of encampments, such as 'public interest,' 'city beautification', development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.[64] Evictions (as opposed to "forced evictions") may be justified in rare circumstances, but they may only be carried out after exploring all viable alternatives with residents, in accordance with law and consistent with the right to housing, as described in this Protocol.

49 Governments must repeal any laws or policies that sanction forced evictions and must refrain from adopting any such laws, including for example anti-camping laws, move-along laws, laws prohibiting tents being erected overnight, laws prohibiting personal belongings on the street, and other laws that penalize and punish people experiencing homelessness and residing in encampments.[65]

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[60] A/HRC/43/43, para 34; CESCR General Comment No.7.
[61] CESCR General Comment No.7.
[62] A/HRC/43/43, para 34; also see: "Security of tenure under domestic law should not, consequently, be restricted to those with formal title or contractual rights to their land or housing. The UN guiding principles on security of tenure (A/HRC/25/54, para. 5), states that security of tenure should be understood broadly as "a set of relationships with respect to housing and land, established through statutory or customary law or informal or hybrid arrangements, that enables one to live in one's home in security, peace and dignity."
[63] UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf
[64] A/HRC/43/43, para 36.
[65] See, for example, Ontario's *Safe Street's Act* (1999).

Principle 3 in Action: Forced Eviction & Harassment of Homeless Encampment Residents

In cities around the world, people experiencing homelessness are frequently subject to discriminatory treatment, harassment, and extreme forms of violence because of their housing status. People residing in homeless encampments are exposed to similar or worse treatment, particularly when faced with pressure to relocate or disperse.

In some cases, local laws, policies, or practices can provide the mechanisms for this harassment. For example, in British Columbia local authorities enforced a bylaw prohibiting overnight shelters in parks by using tactics that included spreading chicken manure and fish fertilizer on a homeless encampment. Residents and allies of the homeless encampment subsequently filed a human rights complaint with regard to these practices (*Abbotsford (City) v. Shantz)*, and the BC Supreme Court found that certain bylaws violated encampment residents' constitutional rights to life, liberty and security of the person.

Under international human rights law, such activities are strictly prohibited and constitute instances of forced eviction, even if they align with local laws or policies. Given this, it is critical that Canadian governments review local and national policies and laws to ensure they do not violate the prohibition against the forced eviction of homeless encampments.

PRINCIPLE 4: Explore all viable alternatives to eviction

50 Government authorities must explore all viable alternatives to eviction, in consultation with encampment residents.[66] This means ensuring their meaningful and effective participation in discussions regarding the future of the encampment.

51 Free and independent legal advice should be made available to all residents to help them understand the options, processes, and their rights. Consultations should be conducted at times and locations that are appropriate and accessible for residents to ensure their participation is maximised. Financial and other support should be available to residents so that they can fully participate in all discussions regarding the future of the encampment and so that residents can retain outside consultants (e.g., environmental engineers, architects) where needed to assist them in developing alternative options to eviction.

52 Discussions regarding viable alternatives to eviction must include meaningfully engagement with Indigenous Peoples and be grounded in principles of self-determination, free, prior and informed consent. In urban contexts, for example, urban Indigenous organisations should be engaged early in the planning process to establish service delivery roles and to ensure the availability of culturally appropriate services.

[66] A/HRC/43/4.

53 Where personal needs differ amongst residents of encampments such that a singular best alternative is not unanimous, governments will have to develop several solutions each of which is consistent with the principles outlined in this Protocol.

PRINCIPLE 5: Ensure that any relocation is human rights compliant

54 Homeless encampments are not a solution to homelessness, nor are they a form of adequate housing. Governments have an urgent, positive obligation to ensure encampment residents have access to long-term, adequate housing that meets their needs, accompanied by necessary supports. Rather than eviction, governments must engage with homeless encampments with a view to ensuring residents are able to access such housing.

55 Despite this obligation, many governments respond to encampments by simply moving residents from one bad site to another through the use of law enforcement, physical barriers, or other means, and without meaningfully engaging residents. This in no way addresses the underlying violations of the right to housing experienced by residents of encampments, is often costly, and can contribute to increased marginalization. If relocation is deemed necessary and/or desired by encampment residents, it is critical that it is conducted in a human rights compliant manner.

56 As a starting point, meaningful, robust, and ongoing engagement with residents (as defined in Principle 2) is required for the development of any relocation of homeless encampments or of their residents. Meaningful engagement with communities should ensure the development of plans that respect the rights of residents and can be implemented cooperatively, without police enforcement.[67] Considerations regarding relocation must be grounded in the principle that "the right to remain in one's home and community is central to the right to housing."[68] If relocation is consistent with the human rights of residents, it will almost always be achievable without the use of force.

57 If government authorities propose the relocation of residents of homeless encampments, and the residents desire to remain in situ, the burden of proof is on the government to demonstrate why in situ upgrading is unfeasible.[69]

58 If, after meaningful engagement with those affected, relocation is deemed necessary and/or desired by encampment residents, adequate alternative housing must be provided in close proximity to the original place of residence and source of livelihood.[70] If governments have failed to provide residents with housing options that

[67] A/HRC/40/61, para 38.
[68] A/73/310/Rev.1, para 26.
[69] A/73/310/Rev.1, para 32.
[70] A/HRC/4/18, annex I, para. 60.

they find acceptable, residents must be permitted to remain or be provided with a satisfactory alternative location, while adequate permanent housing options are negotiated and put in place.

59 If, in the exceptional case there is no viable alternative to eviction by authorities, eviction must be compliant with all aspects of international human rights law.[71] Compliance with international human rights law requires:

i. **Prohibition against the removal of residents' private property without their knowledge and consent**
The removal of residents' private property by governments and those acting on their behalf, including the police, without their knowledge and consent, in strictly prohibited.[72] Such actions are contrary to the rights of residents and may contribute to the deepening of residents' marginalization, exclusion, and homelessness.[73] Governments and police must also seek to actively prevent the removal of homeless residents' private property by private actors or any other form of harassment.

ii. **Adherence to the right to housing and other human rights standards when relocation is necessary or preferred**
Adequate alternative housing, with all necessary amenities (particularly water, sanitation and electricity), must be in place for all residents prior to their eviction.[74] Alternative housing arrangements should be in close proximity to the original place of residence and to services, community support, and livelihood.[75] It is critical that all encampment residents be allowed to participate in decisions regarding relocation, including the timing and site of relocation.[76] A full hearing of the residents' concerns with the proposed relocation should be held, and alternatives explored.

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[72] A/HRC/4/18, *Basic Guidelines on Development Based Evictions,* see para 50: "States and their agents must take steps to ensure that no one is subject to direct or indiscriminate attacks or other acts of violence, especially against women and children, or arbitrarily deprived of property or possessions as a result of demolition, arson and other forms of deliberate destruction, negligence or any form of collective punishment. Property and possessions left behind involuntarily should be protected against destruction and arbitrary and illegal appropriation, occupation or use."
[73] National Law Centre on Homelessness & Poverty. (2017). *Violations of the Right to Privacy for Persons Experiencing Homelessness in the United States*. Available from: https://nlchp.org/wp-content/uploads/2018/10/Special-Rapporteur-Right-to-Privacy.pdf. See para 7: "For them, whatever shelter they are able to construct, whether legally or illegally, is their home, and their right to privacy should inhere to that home the same as it would for any regularly housed person. To deny them that right is to further marginalize and dehumanize this already highly marginalized and dehumanized population."
[74] A/73/310/Rev.1, para 34.
[75] Basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para. 60) and A/HRC/4/18, annex I, para. 60.
[76] A/73/310/Rev.1, para 31.

iii. **Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships**

Relocation must not result in the continuation or deepening of homelessness for residents.[77] Relocation must not require the separation of families or partners, as defined by rights-holders themselves, including chosen family and other kinship networks.[78] Governments should engage encampments with a view to keeping the community intact, if this is desired by the residents.[79] Governments should also ensure that relevant housing policies are supportive of the ways in which rights-holders define their own families, partnerships, communities and extended Indigenous kindship structures, and accommodate these whenever possible in public or social housing.

iv. **Access to justice to ensure procedural fairness and compliance with all human rights**

Access to justice must be ensured at all stages of government engagement with encampment residents, not just when eviction is imminent.[80] Access to justice and legal protection must meet international human rights law standards,[81] including the provision of due process, access to legal aid, access to fair and impartial legal advice, and the ability to file complaints in a relevant forums (including Indigenous forums) that are geographically proximate.[82]

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[77] A/73/310/Rev.1.

[78] UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf. See para 52: "States should also ensure that members of the same extended family or community are not separated as a result of evictions."; also, UNHR Summary Conclusions on the Family Unit, Available at https://www.unhcr.org/protection/globalconsult/3c3d556b4/summary-conclusions-family-unity.html , see para 8:"International human rights law has not explicitly defined 'family' although there is an emerging body of international jurisprudence on this issue which serves as a useful guide to interpretation. The question of the existence or non-existence of a family is essentially a question of fact, which must be determined on a case-by-case basis, requiring a flexible approach which takes account of cultural variations, and economic and emotional dependency factors. For the purposes of family reunification, 'family' includes, at the very minimum, members of the nuclear family (spouses and minor children)."

[79] A/HRC/43/43, para 42.

[80] A/HRC/43/43.

[81] Committee on Economic, Social and Cultural Rights, General Comment No. 7, para 3.

[82] It should be noted that broad and inclusive participatory-based processes can potentially foster access to justice for equity-seeking groups, and such processes should be responsive to the unique barriers to justice these groups face.

Principle 5 in Action - *Melani v. City of Johannesburg*

Globally, there are many compelling examples of courts upholding the rights of informal settlements or homeless encampments right to remain in place ("in situ") in their community. One such example is *Melani v. City of Johannesburg* in South Africa. In this case, the Slovo Park informal settlement challenged the City of Johannesburg's decision to relocate the community to an alternative location 11 km away. The court held that the Government's upgrading policy, as required by the constitutional right to housing, envisages "a holistic development approach with minimum disruption or distortion of existing fragile community networks and support structures and encourages engagement between local authorities and residents living within informal settlements." The Court concluded that relocation must be "the exception and not the rule" and any relocation must be to a location "as close as possible to the existing settlement." The Court ordered the City of Johannesburg to reverse the decision to relocate the community, and mandated the city to apply for funding for in situ upgrading.

The South African approach is an example of how some national courts are making the shift to adopt a human rights-based approach to encampments. This is a shift that moves in the right direction and should be applied by all courts in Canada.

PRINCIPLE 6: Ensure encampments meet basic needs of residents consistent with human rights[83]

60 Much of the stigma attached to residents of encampments is a result of governments failing to ensure access to basic services, including access to clean water, sanitation facilities, electricity, and heat, as well as support services.[84] These conditions violate a range of human rights, including rights to housing, health, physical integrity, privacy, and water and sanitation.[85] In these conditions, residents face profound threats to dignity, safety, security, health, and wellbeing.[86] The denial of access to water and sanitation by governments constitutes cruel and inhumane treatment, and is prohibited under international human rights law.[87]

[83] Details regarding securing basic needs consistent with human rights can be found in Schedule B.
[84] A/73/310/Rev.1.
[85] A/HRC/43/4.
[86] UN Water. *Human Rights to Water and Sanitation*. Available from: https://www.unwater.org/water-facts/human-rights/
[87] A/73/310/Rev.1, para 46: "Attempting to discourage residents from remaining in informal settlements or encampments by denying access to water, sanitation and health services and other basic necessities, as has been witnessed by the Special Rapporteur in San Francisco and Oakland, California, United States of

61 Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured. Government's compliance with international human rights law requires:

i. Access to safe and clean drinking water

Water and sanitation are critical to health for all people. Through *Resolution 64/292*, the United Nations explicitly recognized the right to safe and clean drinking water and sanitation as a "human right that is essential for the full enjoyment of life and all human rights."[88] The *Resolution* calls upon States and international organizations "to provide safe, clean, accessible and affordable drinking water and sanitation for all." This obligation extends to those residing in homeless encampments.[89]

ii. Access to hygiene and sanitation facilities

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, showers, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity. Peer-led hygiene and sanitation facilities have worked well in some contexts.

iii. Resources and support to ensure fire safety

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. Fire Departments should assist residents in developing a harm reduction approach to fire safety.

iv. Waste management systems

The lack of waste management systems in encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste. Human and animal biological waste also poses a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the

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America, 29 constitutes cruel and inhuman treatment and is a violation of multiple human rights, including the rights to life, housing, health and water and sanitation."

[88] A/RES/64/292, para 2. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

[89] A/RES/64/292, para 3. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

ground and transmit diseases.[90] The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles. It is the responsibility of governments to ensure that homeless encampments have sufficient resources for the establishment of waste management systems.

v. Social Supports and Services

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive. Governments should consult encampment residents on how best to provide access to these services, including through approaches such as outreach and/or on-site service provision. The provision of social services should not be linked to data gathering of any kind.

vi. Guarantee Personal Safety of Residents

Although research indicates that unsheltered people in Canada are disproportionately targets of violence, rather than perpetrators,[91] interpersonal violence and exploitation can occur within encampments. interpersonal violence is often exacerbated when people do not have their basic needs met,[92] thus the provision of meaningful resources and supports will likely help ameliorate issues of safety.

It is the State's duty to protect the safety of all residents, particularly those who may be particularly vulnerable to abuse, harm, trafficking, or exploitation. Responses to violence must be guided by principles of transformative justice, rather that reproduce punitive outcomes and must be based in community-developed safety protocols. Governments must recognize that engaging police or other state authorities as a response to violence in encampments may put people at increased risk of harm, including due to risks of being criminalized or incarcerated.

vii. Facilities and resources that support food safety

Consuming contaminated food or water can cause a variety of foodborne

[90] CalRecycle. *Homeless Encampment Reference Guide*. Available at: https://www.calrecycle.ca.gov/illegaldump/homelesscamp#SolidWaste

[91] Sylvia, N., Hermer, J., Paradis, E., & Kellen, A. (2009). "More Sinned Against than Sinning? Homeless People as Victims of Crime and Harassment." In: Hulchanski, J. David; Campsie, Philippa; Chau, Shirley; Hwang, Stephen; Paradis, Emily (Eds.), *Finding Home: Policy Options for Addressing Homelessness in Canada* (e-book), Chapter 7.2. Toronto: Cities Centre, University of Toronto. www.homelesshub.ca/FindingHome

[92] Slabbert, I. (2017). Domestic violence and poverty: Some women's experiences. *Research on social work practice*, *27*(2), 223-230.

illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting.

One of the best ways to prevent the spread of illness is to for governments to provide resources that enable the encampment to implement food safety measurements such as refrigeration facilities, which are also important for storing medicines.

viii. Resources to support harm reduction

Governments must provide encampments with the resources to implement effective harm reduction measures. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies.

ix. Rodent and pest prevention

The presence of rodents and pests can pose a significant threat to the health of residents. Appropriate prevention and treatment options should be available for pest management that are safe for use in human environments. Encampment residents should be provided with the resources to prevent and address the presence of rodents and pests.

62 In implementing these standards, it must be recognized that residents of encampments are experts with respect to their living spaces — they often know what resources are needed and how best to mobilize them. As a matter of human rights, residents must be engaged in planning and carrying out any measures developed to improve access to basic services. Practices, systems, and agreements residents have already put in place should be respected by government officials and should inform any further improvements.

PRINCIPLE 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for encampment residents

63 As a matter of international human rights law, the rights and dignity of residents must be at the heart of all government engagement with homeless encampments.[93] Dignity is an inherent human rights value that is reflected in the *Universal Declaration of Human Rights*. As such, Canadian governments have an obligation to bring about positive human rights outcomes in all of their activities and decisions concerning homeless encampments.

[93] ICESCR.

64 Where Canadian governments at any level make decisions with regards to encampments, it is essential that they do so taking into account the full spectrum of human rights of residents and ensure that their enjoyment of those rights is enhanced by all decisions. Any decision that does not lead to the furthering of human rights, fails to ensure their dignity, or represents a backwards step in terms of their enjoyment of human rights, is contrary to human rights law.

65 More broadly, the Canadian government has an obligation to the progressive realization of the right to housing, alongside all other human rights.[94] A central component of that obligation is to address on an urgent basis the needs of those in the greatest need. This means that Canadian governments must move, as a matter of priority, towards the full enjoyment of the right to housing for encampment residents.[95] When governments fail to bring about positive human rights outcomes for encampment residents, they fail their obligation to progressively realize the right to housing.[96]

PRINCIPLE 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with encampments

66 Indigenous Peoples in Canada experience some of the most severe and egregious forms of housing need, and are dramatically overrepresented in homeless populations across the country, including specifically amongst those who are sleeping rough.[97] Under these conditions, many Indigenous Peoples experience profound violations of the right to housing and the right to self-determination, as well as violations of the right to freely pursue their economic, social, and cultural development.[98]

67 For Indigenous Peoples in Canada, encampments and political occupation may occur simultaneously as a means of survival and a means of asserting rights to lands and

[94] ICESCR, in General Comment No.3 on the nature of states parties' obligations under Art 2(1) of the ICESCR.
[95] ICESCR, Article 2(1).
[96] Further, if governments failed to ensure human rights outcomes were obtained for encampment residents, and residents suffered some detriment to their enjoyment of their rights (e.g., loss of dignity or ended up street homeless without any shelter at all), this might be classed as retrogression and a breach of obligations.
[97] See ESDC (Employment and Social Development Canada). (2019). *Everyone counts highlights: Preliminary results from the second nationally coordinated point-in-time count of homelessness in Canadian communities.* Retrieved from https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights-2018-point-in-time-count.html#3.5. Similarly, the 2018 Toronto Street Needs Assessment documented that 16% of those enumerated were Indigenous, and 38% of those sleeping rough were Indigenous. See also Patrick, C. (2014). *Aboriginal Homelessness in Canada: A Literature Review. Toronto: Canadian Homelessness Research Network Press*. Retrieved from https://www.homelesshub.ca/sites/default/files/AboriginalLiteratureReview.pdf.
[98] Article 3 of the *Declaration* and article 1 of the *Covenant*.

territories within cities and elsewhere. Whatever the impetus, any government engagement with Indigenous Peoples in encampments must be guided by the obligation to respect, protect, and fulfil their distinct rights. These rights are outlined in the United Nations Declaration on the Rights of Indigenous Peoples, as well as many other international human rights treaties.

68 Under international human rights laws, the enjoyment of the right to housing for Indigenous Peoples is "deeply interconnected with their distinct relationship to their right to lands, territories and resources, their cultural integrity and their ability to determine and develop their own priorities and strategies for development."[99] Recognition of the indivisible nature of Indigenous Peoples' human rights, and the obligation to uphold these rights, must shape all government engagement with Indigenous encampment residents, as well as the Indigenous Peoples who own or occupy the land or territories upon which the encampment is located.

69 Compliance with international human rights law requires:

i. Recognition of the distinct relationship that Indigenous Peoples have to their lands and territories

In order to ensure adequate housing for Indigenous Peoples, States, Indigenous authorities, and other actors must recognize the distinct spiritual and cultural relationships that Indigenous Peoples have with their lands and territories.[100] This recognition includes protection for Indigenous residents of encampments, who have the right to utilize their lands and territories in line with their own economic, social, political, spiritual, cultural, and traditional practices (as defined and assessed by the Peoples themselves).[101]

Under international human rights law, governments "should respect those housing structures which an Indigenous community deems to be adequate in the light of their own culture and traditions."[102] In the context of encampments, governments must respect Indigenous Peoples' right to construct shelter and housing in ways that incorporate their lived histories, cultures, and experiences.[103]

ii. Guarantee of self-determination, free, prior and informed consent and

[99] A/74/183, particularly para 6: "The right to adequate housing can be enjoyed by Indigenous Peoples only if its articulation under article 11 (1) of the International Covenant on Economic, Social and Cultural Rights is understood as interdependent with and indivisible from the rights and legal principles set out in the United Nations Declaration on the Rights of Indigenous Peoples."
[100] A/74/183.
[101] A/74/183.
[102] A/74/183, para 62.
[103] A/74/183.

meaningful consultation of Indigenous Peoples

Governments must ensure the participation of Indigenous Peoples in all decision-making processes that affect them.[104] Governments must consult with Indigenous encampment residents in order to obtain their free, prior, and informed consent before taking any action that may affect them.[105] Engagement with Indigenous communities should involve genuine dialogue and should be guided by "mutual respect, good faith and the sincere desire to reach agreement."[106] This consultation process must engage representatives chosen by Indigenous Peoples themselves, in accordance with their own procedures and practices.[107] As outlined in Principle 2, governments must provide Indigenous residents with necessary institutional, financial, and other resources in order to support their right to participate.[108] Indigenous women and girls must be consulted on a priority basis.[109]

iii. Prohibition against the forced eviction, displacement, and relocation of Indigenous Peoples

Indigenous Peoples' access to and control over their lands, territories and resources constitute a fundamental element of the realization of their right to adequate housing.[110] As such, international human rights law strictly prohibits the relocation of Indigenous Peoples in the absence of free, prior, and informed consent.[111]

iv. Protection and guarantees against all forms of violence and discrimination for Indigenous women, girls, and gender diverse peoples

Indigenous women, girls, gender diverse, and Two-Spirit peoples experience particular forms of violence – including sexual violence and

[104] United Nations Declaration on the Rights of Indigenous Peoples.
[105] United Nations Declaration on the Rights of Indigenous Peoples, in particular arts. 10, 19, and 23.
[106] A/74/183, para 56.
[107] United Nations Declaration on the Rights of Indigenous Peoples, art. 18. See also Indigenous and Tribal Peoples Convention, 1989 (No. 169), art. 6(1)(b); American Declaration on the Rights of Indigenous Peoples, arts. XXI (2) and XXIII (1); and A/HRC/18/42, annex (Expert Mechanism advice No. 2 (2011)). See also Human Rights Committee, General Comment No. 23 (1994) on the rights of minorities, para 7.
[108] Committee on Economic, Social and Cultural Rights' General Comment No. 4, para 12, and the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para 39).
[109] A/74/183, para 59.
[110] A/74/183, para 51. See also A/HRC/7/16, paras 45–48; The United Nations Declaration of the Rights of Indigenous Art. 26.2: "Indigenous Peoples have the right to own, use, develop, and control the lands, territories and resources that they possess by reason of traditional occupation or use, as well as those which they have otherwise acquired."
[111] United Nations Declaration on the Rights of Indigenous Peoples, Art. 10: "Indigenous Peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Indigenous Peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return."

homicide – in relation to the intersection of their indigeneity, gender identity, socioeconomic and cultural status, and their housing status.[112] Canadian law recognizes the concept of multiple and intersecting forms of discrimination, and under international human rights law all Indigenous women, girls, and those who are gender diverse or Two-Spirited "must enjoy full protection and guarantees against all forms of violence and discrimination, whether inside or outside their communities."[113]

It is incumbent upon governments to provide Indigenous women and girls protection and guarantee against all forms of violence and discrimination within encampments, including from state authorities, in a manner that is consistent with Indigenous self-determination and self-governance.

[112] A/74/183, para 59.
[113] A/74/183, para. 59.

SCHEDULE A: Select Case Law on Homeless Encampments in Canada

Victoria (City) v. Adams, 2009 BCCA 563[114]

The City of Victoria made an application for an injunction to remove a "tent city" at Cridge Park. The City relied on its *Streets and Traffic Bylaw* and *Parks Regulation Bylaw, which* prohibits loitering and taking up an overnight temporary residence in public places. On appeal, the Court of Appeal established that the Victoria City bylaws violated section 7 of the *Canadian Charter* "in that they deprive homeless people of life, liberty and security of the person in a manner not in accordance with the principles of fundamental justice," and the provisions were not saved by section 1 of the *Charter* (para. 42). The Court of Appeal confirmed that the bylaw was overbroad "because it is in effect at all times, in all public places in the City."[115]

Abbotsford (City) v. Shantz, 2015[116]

The City of Abbotsford applied for an interim injunction requiring the defendants to remove themselves and their encampment from a city park. The Court concluded that the bylaws were "grossly disproportionate" because:

> "the effect of denying the City's homeless access to public spaces without permits and not permitting them to erect temporary shelters without permits is grossly disproportionate to any benefit that the City might derive from furthering its objectives and breaches the s. 7 *Charter* rights of the City's homeless."[117]

The Court concluded that allowing the City's homeless to set up their shelters overnight and taking them down during the day would "reasonably balance the needs of the homeless and the rights of other residents of the City."[118]

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[114] *Victoria(City) v. Adams* (2009, BCCA 563). Online, https://www.canlii.org/en/bc/bcca/doc/2009/2009bcca563/2009bcca563.html?resultIndex=1

[115] The Court of Appeal stated at para. 116 that: "The prohibition on shelter contained in the Bylaws is overbroad because it is in effect at all times, in all public places in the City. There are a number of less restrictive alternatives that would further the City's concerns regarding the preservation of urban parks. The City could require the overhead protection to be taken down every morning, as well as prohibit sleeping in sensitive park regions." This case is perhaps one of the most notable successes in homeless litigation in Canada.

[116] *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1

[117] Para 224

[118] The Court stated, "The evidence shows, however, that there is a legitimate need for people to shelter and rest during the day and no indoor shelter in which to do so. A minimally impairing response to balancing that need with the interests of other users of developed parks would be to allow overnight shelters to be erected in public spaces between 7:00 p.m. and 9:00 a.m. the following day."[para 276]

British Columbia v. Adamson, 2016 BCSC 584 [*Adamson #1*] and 2016 BCSC 1245 [*Adamson #2*][119]

The Province of BC applied for an interlocutory injunction to restrain the defendant encampment residents from trespassing on the Victoria courthouse green space. On the first application, the court concluded that the balance of convenience did not favour the granting of the injunction, stating

> "the balance of convenience is overwhelmingly in favour of the defendants, who simply have nowhere to move to, if the injunction were to issue, other than shelters that are incapable of meeting the needs of some of them, or will result in their constant disruption and a perpetuation of a relentless series of daily moves to the streets, doorways, and parks of the City of Victoria."[120]

Following this, a second injunction was filed based on new evidence of the encampment deterioration conditions, as well as supporting evidence that the Province would make housing available to encampment residents. The court made an order requiring the encampment to be cleared, but granting residents to stay until alternate housing options were made available to them.[121]

Vancouver (City) v. Wallstam, 2017 BCSC 937[122]

The City of Vancouver applied for an interlocutory injunction requiring encampment residents to vacate and remove all tents and other structures from a vacant city lot. The Court relied on the injunction test set out in *RJR-MacDonald.*[123] The court noted that:

> "The test requires that the *applicant* prove *it will suffer irreparable harm* if the injunction is not granted...When I asked counsel what harm the *City* would suffer if the injunction was not granted, he answered that not granting the injunction would mean that a 'vital social housing project won't go ahead' and that interferes with the public good. He also points out the timeline for development of the project requires the injunction urgently … While everyone can agree that more social housing is an important goal, I must balance that general concern against the position of the occupants that the tent city, as it currently exists, is now providing shelter and safe living space for the occupants."[124]

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[119] *British Columbia v. Adamson* (2016 BCSC 1245). Online, https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.html?resultIndex=1

[120] Para 183.

[121] Paras 85-86,

[122] *Vancouver (City) v. Wallstam* 2017 BCSC 937 at para 60. Online, https://www.canlii.org/en/bc/bcsc/doc/2017/2017bcsc937/2017bcsc937.html?resultIndex=1

[123] In *RJR-MacDonald Inc. v. Canada (Attorney General)*, [1994] 1 S.C.R. 311

[124] Para 46-47.

The court concluded that the City failed to meet the *RJR-MacDonald* test and dismissed the City's application, but without prejudice to bring it forward again on a more complete factual record.[125]

[125] Para 64.

SCHEDULE B: An Elaboration on Principle 6

Ensure encampments meet basic needs of residents consistent with human rights

Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured. Government's compliance with international human rights law requires:

i. Access to safe and clean drinking water

Water and sanitation are critical to health for all people. Through *Resolution 64/292*, the United Nations explicitly recognized the right to safe and clean drinking water and sanitation as a "human right that is essential for the full enjoyment of life and all human rights."[126] The *Resolution* calls upon States and international organizations "to provide safe, clean, accessible and affordable drinking water and sanitation for all." This obligation extends to those residing in homeless encampments.[127]

To ensure access to safe and clean drinking water, governments should provide homeless encampments with resources for:

- On site/close-proximity clean and safe drinking/potable water, ensuring a sufficient number of access points for water relative to the number of residents
- Dishwashing Station(s) with clean water, sufficient in number for the number of residents

ii. Access to hygiene and sanitation facilities

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, showers, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity. Peer-led hygiene and sanitation facilities have worked well in some contexts.

Hygiene and sanitation facilities should include:

- Washing stations, including showers with privacy and safety for women and gender diverse peoples, stocked with soap, water, paper towels

[126] A/RES/64/292, para 2. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.
[127] A/RES/64/292, para 3. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

- Adequate numbers of toilets based on the encampment population which must be accessible for residents with disabilities. Every toilet station must also have a hand-washing station
- Access to cleaning and bathing supplies
- Access to free laundry facilities
- Free feminine hygiene products
- Access to clean bedding

iii. Resources and support to ensure fire safety

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. Fire Departments should assist residents in developing a harm reduction approach to fire safety. Residents should be provided with resources to support best safety practices, including:

- Fire-safety approved sources of heat (e.g., safe metal vessels for heat)
- Warming tents
- In-tent heat sources
- Fire-proof tents
- Fire evacuation plan
- Signage indicating evacuation plans
- Accessible information on fire safety tips and how to handle and store flammable materials (e.g., gasoline, butane, propane)
- Fire extinguishers appropriately spaced and training for residents on how to operate them
- Electricity/charging stations for phones and laptops
- On-site ashtrays or cigarette disposal posts

iv. Waste management systems

The lack of waste management systems in homeless encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities, including during food preparation or shelter building. Unwanted materials can pile up quickly when there is no waste system in place to remove garbage from the area. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste.

Human and animal biological waste also poses a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the ground and transmit diseases.[128] The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles.

[128] CalRecycle. *Homeless Encampment Reference Guide*. Online at https://www.calrecycle.ca.gov/illegaldump/homelesscamp#SolidWaste

It is the responsibility of governments to ensure that homeless encampments have sufficient resources for the establishment of waste management systems, which should include:

- Weekly garbage and recycling (more frequent if needed)
- Regular service for waste water and portable toilets
- Independent waste bins for flammable/hazardous waste (e.g., fuel, motor oil, batteries, light bulbs)
- Large rodent-proof waste bins with tight fitting lids
- Garbage bags, cleaning supplies, hand soap, hand sanitizer
- Waste water holding tanks (if there are no sewers near encampment)

v. Social Supports and Services

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive. Governments should consult encampment residents on how best to provide access to these services, including through approaches such as outreach and/or on-site service provision. The provision of social services should not be linked to data gathering of any kind.

i. Guarantee Personal Safety of Residents

Although research indicates that unsheltered people in Canada are disproportionately targets of violence, rather than perpetrators,[129] interpersonal violence and exploitation can occur within encampments. interpersonal violence is often exacerbated when people do not have their basic needs met,[130] thus the provision of meaningful resources and supports will likely help ameliorate issues of safety.

It is the State's duty to protect the safety of all residents, particularly those who may be particularly vulnerable to abuse, harm, trafficking, or exploitation. Responses to violence must be guided by principles of transformative justice, rather that reproduce punitive outcomes and must be based in community-developed safety protocols. Governments must recognize that engaging police or other state authorities as a response to violence in encampments may put people at increased risk of harm, including due to risks of being criminalized or incarcerated.

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[129] Sylvia, N., Hermer, J., Paradis, E., & Kellen, A. (2009). "More Sinned Against than Sinning? Homeless People as Victims of Crime and Harassment." In: Hulchanski, J. David; Campsie, Philippa; Chau, Shirley; Hwang, Stephen; Paradis, Emily (Eds.), *Finding Home: Policy Options for Addressing Homelessness in Canada* (e-book), Chapter 7.2. Toronto: Cities Centre, University of Toronto. www.homelesshub.ca/FindingHome

[130] Slabbert, I. (2017). Domestic violence and poverty: Some women's experiences. *Research on social work practice*, *27*(2), 223-230.

Any approach to addressing interpersonal safety within encampments must:

- Center on the most vulnerable members of the encampment, namely: BIPOC, women, trans-people and other LGBTQ2S+ persons, persons with disabilities, and other groups who experience discrimination or marginalization.
- Provide resources and supports to allow for Indigenous and other non-colonial approaches to conflict resolution.
- Provide safe, confidential, accessible, and non-coercive mechanisms through which individuals experiencing violence can report these experiences and receive trauma-informed supports and services, ensuring that these individuals are able to access alternative safe housing (as desired).

vi. Facilities and resources that support food safety

Consuming contaminated food or water can cause a variety of foodborne illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting.

One of the best ways to prevent the spread of illness is to for governments to provide resources that enable the encampment to implement food safety measurements. This includes:

- Rodent-proof storage containers, with lids that can be sealed
- Shelving units to ensure food is stored off the ground
- Soap and sanitizer to clean food preparation surfaces
- Cooling appliance(s) to prevent spoilage
- Cooking appliance(s) to ensure food is thoroughly cooked

vii. Resources to support harm reduction

Governments must provide homeless encampments with the resources to implement effective harm reduction measures within homeless encampments. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies. Encampment residents should be provided with:

- Overdose prevention training (e.g., CPR training)
- Overdose prevention supplies (e.g., Naloxone)
- Overdose Prevention Sites, where possible
- Puncture-proof containers for needle disposal
- Harm reduction outreach supports
- Regular servicing of puncture-proof containers by a certified waste-management company

- Information about available emergency services in the event of overdoses or other health-related crises

viii. Rodent and pest prevention

The presence of rodents and pests can pose a significant threat to the health of residents. Appropriate prevention and treatment options should be available for pest management that are safe for use in human environments (e.g., diatomaceous earth). Encampment residents should be provided with the resources to prevent and address the presence of rodents and pests, including:

- Resources and information on rodent and pest prevention
- A bait-station to detract rodents from sleeping tents, regularly serviced and monitored
- Cleaning materials and gloves to dispose of rodents

In implementing these standards, it must be recognized that residents of encampments are the experts of their living spaces — they often know what resources are needed and how best to mobilize them. As a matter of human rights, encampment residents must be engaged in planning and carrying out any measures developed to improve access to basic services for the encampment. Practices, systems, and agreements residents already have in place should be recognized by government officials and should inform any further improvements.

TAB 4

INFORMATION REPORT

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	September 9, 2021
SUBJECT/REPORT NO:	Encampment Response Update (PED21188/HSC20038(c)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Monica Ciriello (905) 546-2424 Ext. 5809 Edward John (905) 546-2424 Ext. 4860
SUBMITTED BY: **SIGNATURE:**	Jason Thorne General Manager Planning and Economic Development Department
SUBMITTED BY: **SIGNATURE:**	Grace Mater General Manger Healthy and Safe Communities Department

COUNCIL DIRECTION

At its August 9, 2021 meeting, Council approved the repealing of the By-law Enforcement Protocol that permitted some individuals to camp in public spaces for up to 14 days. Further to that decision and the three-week winddown associated with it, as of August 30, 2021, the City returned to pre-protocol enforcement of City by-laws that prohibit camping on City property, including park areas.

INFORMATION

The COVID-19 pandemic highlighted and exacerbated ongoing systemic challenges and inequities across Canada as it relates to housing and homelessness. This has been demonstrated by the rise in, and visibility of, unsheltered homelessness and encampments throughout many Canadian cities. Person-centred strategies and approaches are required to address urgent issues associated with supporting residents

experiencing homelessness and living in encampments, while supporting long-term adequate housing solutions and broader community needs.

Encampment Process

With the repealing of the By-law Enforcement Protocol, staff will proceed with the following Encampment Process:

Step one
Complaints are received by Municipal Law Enforcement (MLE) regarding structures/tents in parks, road allowance and private property.

Step two
MLE attends, determines if there is a violation of a City By-law including the Parks Bylaw, seeks voluntary compliance and notifies Housing Outreach.

Step three
Housing Focused Street Outreach attends site and carries out the following:

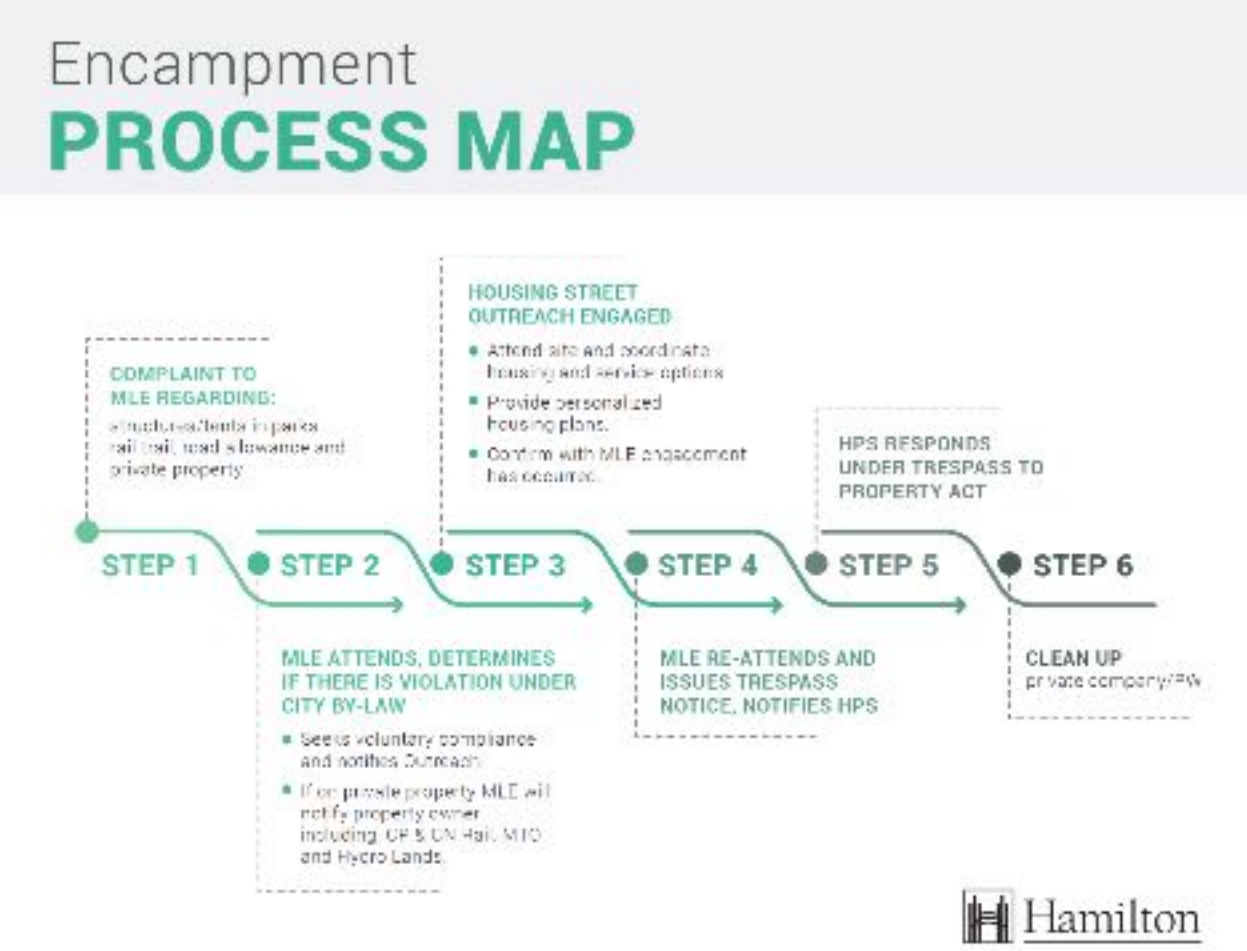
- Work from Housing Focused Street Outreach framework and within the context of Hamilton's Homeless Coordinated Access System
- Support individuals, families and groups, in order to promote connection to shelter, housing and the achievement of their optimal health and well-being
- Collaborative development of housing and service plans
- Assist individuals with obtaining necessary documents needed to obtain housing, including the completion of supportive and subsidized housing applications
- Collaborate and co-ordinate services with appropriate community and health agencies
- Crisis intervention
- Provide a summary of these actions (omitting any privileged and confidential information) in the form of an encampment assessment checklist to MLE pursuant to their request

Step four
MLE re-attends and issues a verbal trespass notice and notifies Hamilton Police Service (HPS).

Step five
Hamilton Police Service responds under the *Trespass to Property Act*, R.S.O. 1990, c. T.21

Step six
Park and Waste Divisions are contacted to coordinate a clean up.

Table 1



Encampment Response

The City of Hamilton's Licensing and Bylaw Services Division will be the first point of contact for complaints regarding structures and tents in parks, road allowances and private property. MLE Officers will attend to determine if there is a City Bylaw, including the Parks By-law 01-291 violation, which prohibits camping on City property, including park areas. MLE Officers will be responding to complaints proactively Monday to Friday and reactively on weekends along with other COVID-19 By-law and Provincial Regulation priorities. MLE Officers will attend, provide education and seek voluntary compliance under the City Bylaw, ticketing those who are unsheltered will not be a course of action. If determined to be private property, MLE Officers will notify the property owner, including CP & CN Rail and MTO. If voluntary compliance is not achieved, MLE Officers will reach out to the Street Outreach team within the Housing Services Division and the Social Navigator Program.

The Housing Focused Street Outreach team will, if not already, attend the site and engage with those individuals currently unsheltered. Outreach will endeavor to provide an update summary of the site including identifying potential opportunities for connection to services and housing for those individuals, assess their needs and update MLE of the actions that have occurred.

MLE Officers will re-attend the location and, a verbal trespass notice would be issued to those contravening the bylaw. MLE will contact the Hamilton Police Service as the *Trespass to Property Act*, R.S.O. 1990, c. T.21 is a Provincial Act enforced by HPS. The City will continue to collaborate with HPS and the Social Navigator with regard to the service pathway. The last step will be to contact the Public Works Department (Parks, Streets, Waste Management) to coordinate a clean up.

Following the Council decision to repeal the By-law Enforcement Protocol, the City of Hamilton's Housing Services Division remains focused on supporting individuals experiencing homelessness in securing safe and affordable housing, by continuing to take an individualized approach to connect them to available supports.

Housing Services' Housing Focused Street Outreach Team connects with unsheltered individuals, regardless of their circumstances, to assess their immediate needs and housing preferences. The team completes common consent and intake forms for individuals not yet on the City's By-Name List (BNL), supports with benefit applications, unit viewings, harm reduction supplies, connections and referrals. As part of the City's homeless-servicing system, Outreach uses a shared system-wide database to stay connected to residents in encampments and outside of encampments in areas such as alleys, vacant lands, etc. Outreach services are provided to unsheltered residents across the geographic area of Hamilton Monday to Friday from 8:00 a.m. to 8:00 p.m. and Saturday and Sunday from 8:00 a.m. to 4:00 p.m. On a daily basis, the team undertakes progressive engagement to offer shelter or other available (and appropriate) space, works with individuals to find safe and supportive housing options, and works to address any barriers including a referral to our health partners.

During the COVID-19 pandemic, emergency shelter capacity has been expanded; however, occupancy pressures exist, particularly for women. Challenges remain in the access to available beds and in a number of instances capacity is not available. For example, length of stay in shelters has increased significantly during the pandemic and, with factors such as unaffordable costs of rent, housing availability has not kept pace with demand. Longer stays impact shelter bed turnover frequency, thus reducing the capacity of shelters to serve a higher volume of individuals. Outbreak status, availability of appropriate supports, staff turnover, shortages and burnout further impact the responsiveness of the system. When a move from encampment to emergency shelter occurs, the City of Hamilton recognizes that this remains a temporary measure of accommodation until safe, secure and adequate housing is secured.

For individuals for whom emergency shelters are not an option, Housing Services' Outreach Team supports connection to health partners, works to address issues related to service restrictions, and continues progressive engagement towards accepting housing assistance. The City of Hamilton funds numerous agencies to assist in the housing of homeless individuals through funding streams such as the Federal Reaching Home program. City staff monitor, advise and assist these agencies in meeting predetermined targets through the homeless-serving sector's coordinated access system. From January 2020 to present, approximately 440 individuals and families have been housed by agencies funded by the City. Of the approximately 440 households housed, this includes people who have been unsheltered at one point during that time period. Since March 2020, more than 70 individuals were housed directly from encampments.

Outreach staff engage with every individual from a rights-based approach, ensuring dignity and confidentiality is maintained. On an ongoing basis, both Housing Services and agency staff work from a person-centred approach to engage with individuals in order to refer and make connections to appropriate support and resources. Referrals may include Intensive Case Management, Rapid Rehousing, Transitional or permanent supportive housing programs, in addition to housing affordability benefits, depending on individuals' needs, preferences and available resources. Increased engagement for the direct purpose of assessing effectiveness of approaches and appropriateness of available resources will continue to inform potential changes or adaptations to service and supports over time.

Coming Together to End Homelessness: Hamilton's Systems Planning Framework outlines a strategic local approach to preventing and ending homelessness, which must account for the systemic over-representation of Indigenous persons experiencing homelessness. The City is committed to ongoing coordination with Hamilton's Urban Indigenous Community to ensure that approaches to service coordination and provision are culturally appropriate, safe and built on principles of relationship, trust and informed consent. This includes ongoing discussion to achieve equitable access to resources including, for example, housing affordability benefits as they become available to support unsheltered individuals who identify as Indigenous. Through ongoing dialogue with the Indigenous community, the City aims to ensure appropriate referrals are consistently made from mainstream supports to Indigenous agencies, including at intake by City outreach staff.

The City continues to commit to permanent housing solutions by implementing increased prioritization of those in encampments for permanent housing and intensive case management support programs while continuing multi-sectoral discussions to enhance permanent housing with supports options. From September to December 2021, Housing Services Division, together with partner agencies, will undertake a

housing campaign to maximize resources and collaboration to house 250 households experiencing homelessness.

Health and Safety Concerns

Due to the vulnerability and transience of encampment populations, health and safety concerns are present for both residents and City staff. COVID-19 exposure, verbal and sometimes physical aggressions have been noted at various sites. MLE Officers are not trained in outreach or mental health engagement techniques and therefore cannot offer support to address health and safety for encampment residents. This fact extends to include staff themselves, who navigate a challenging array of health and safety concerns when carrying out their duties. For example, Waste management staff have received numerous negative comments, which may be perceived as threats from residents, activists, advocates and the general public. Staff have been videotaped with postings on social media platforms such as Twitter and Facebook. Staff have been called repeatedly at all hours on their cell phone. In one instance a staff member was assaulted during clean up, resulting in injuries to the worker and charges being laid by Hamilton Police Service. As a result, the injured employee has yet to return to work.

There is a steady increase of incidents involving the Hamilton Fire Department and the Hamilton Police Service. Where emergency service response is needed, the City will respond swiftly with staff health and safety supports. Healthy and Safe Communities Department staff are better able to flag resident health and safety concerns to the appropriate support services for timely resolution.

The professional skillset required of Housing Service's Outreach staff facilitates mitigation of challenging behaviours, circumstances and establishment of positive rapport. Staff have been trained in non-violent crisis intervention, work only in pairs and are in constant communication with each other.

Budgetary Implications

Costs vary site to site; while staff time is not itemized by site, typical contractor costs for waste management average $15 K. Across all encampments, average monthly security costs have been approximately $23 K from October 2020 to July 2021.

Licensing and By-law Services

Council may direct Licensing and Bylaw Services (LBS) to enforce 7 days a week, inclusive of evenings and weekends. To oversee and coordinate the MLE officer response for encampments 7 days a week LBS requires 1 temporary FTE By-law Clerk at a cost of $26, 162 and 1 temporary FTE MLE Officer at a cost of $30, 795 from the date of Council approval to December 31, 2021.These staff will assist in the collection of

weekly stats on complaints received, locations of encampments, determine priority locations in collaboration with others on the Encampment Response Team, provide status updates as to the step each encampment site is in throughout the City. MLE Officers will be attending encampment sites in pairs, and one additional temporary FTE MLE Officer will allow for a timely proactive and reactive response to each encampment site 7 days a week. The Bylaw Clerk will provide administrative support to the MLE Officers and will ensure all tracking, scheduling, monitoring, entering areas of concern, preparation of orders, and dispatch to this team 7 days a week. The total cost would be $56, 958.

Emergency Services Responses

The Hamilton Fire Department has attended to an increasing number of incidents involving encampments and individuals experiencing homelessness over the last three years (54 incidents in 2019, 82 incidents in 2020, and 101 incidents to date in 2021). The majority of incidents in 2021 to date have involved burning (controlled) and property fires/explosion.

Hamilton Paramedic Service responded to 55 encampment related calls in four parks from October 1, 2020 to August 31, 2021. There has been a steady increase in paramedic service response to encampments in City parks in 2021, ranging from two in January to 15 in August.

The Hamilton Police Service indicated there were 502 events from October 1, 2020 to August 31, 2021 related to six known encampment locations, but not necessarily due to the presence of an encampment. These incidents include events related to trespassing, assist (ambulance & fire), and other events requiring police service response (i.e. assault, harassment, protests, etc.)

Government Outreach

There remains an ongoing need to align provincial health and housing and homelessness investments to enable service managers to provide permanent housing with supports for high acuity chronically homeless individuals living in shelters and encampments. Strategic investment and partnership between Ontario Health West and City of Hamilton can demonstrably reduce chronic homelessness in Hamilton and the reliance on emergency hospital resources for those with the most complex, co-occurring needs.

Staff are actively pursuing funding opportunities from higher levels of government to address these needs. Specifically, the Ministry of Health (Ontario), Associate Minister of Mental Health and Addictions and the Ministry of Municipal Affairs and Housing (Ontario) in addition to the equivalent Ministries federally such as Health, Housing,

Infrastructure and Communities, and Families, Children and Social Development. Staff have proposed a pilot project to the Government of Ontario in order to address the needs of high-acuity individuals in Hamilton, this pilot outlines the resources required to take immediate action.

The proposed pilot would include 40 new units of supportive housing to address the needs of higher acuity individuals and continuing existing outreach activities will address needs in a new and improved way. The total funding necessary to undertake this development is $2,440,000. The request for on-going provincial operational funding is $1,940,000.

Staff have been using forums like the Association of Municipalities of Ontario (AMO), Federation of Canadian Municipalities (FCM) and Ontario Big City Mayors, of which Hamilton is a member, to further advocacy and align objectives in voicing our concerns about the lack of funding from higher levels of government to address these immediate needs. AMO, FCM and Ontario Big City Mayors are focused on improving supports for mental health. Ontario Big City Mayors has provided recommendations to support and complement the Province's Road to Wellness plan which seeks to improve mental health and addictions services across Ontario. The proposed recommendations and desire to collaborate demonstrate the need for municipalities to work with other levels of government and local service providers to ensure residents can access the help they need, where and when they need it.

APPENDICES AND SCHEDULES ATTACHED

None

TAB 5

City of Hamilton
EMERGENCY & COMMUNITY SERVICES COMMITTEE REVISED

Meeting #: 21-009
Date: September 09, 2021
Time: 1:30 p.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)
All electronic meetings can be viewed at:
City's Website: https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas
City's YouTube Channel: https://www.youtube.com/user/InsideCityofHamilton or Cable 14

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

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1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 July 8, 2021

5. COMMUNICATIONS

5.1 Robin McKee, Sir John A. Macdonald Society, regarding petition not to remove the statue of Sir John A. Macdonald from Gore Park

6. DELEGATION REQUESTS

6.1 Linda Maloney, respecting statue of Sir John A. Macdonald (for a future meeting)

6.2 Tom Cooper, Hamilton Roundtable for Poverty Reduction, respecting recent community forums related to extreme heat in Hamilton (for a future meeting)

6.3 Stephane Cox and Sharon Crowe, Hamilton Community Legal Clinic, regarding revocation of the Encampment Protocol (for today's meeting)

6.4 Dr. Jill Wiwcharuk, Hamilton Social Medicine Response Team, regarding encampments (for today's meeting)

6.5 Marcie McIleen, Keeping Six, respecting encampments (for today's meeting)

7. CONSENT ITEMS

7.1 Automatic Mechanical Cardio Pulmonary Resuscitation (CPR) Devices (HSC21028) (City Wide)

7.2 Single-Source Paramedic Service Linen Supply (HSC21029) (City Wide)

7.3 Purchase of New Stair Chair Conveyance Equipment (HSC21030) (City Wide)

8. STAFF PRESENTATIONS

8.1 Harmonizing Eligibility Requirements for Subsidy Programs (HSC21026) (City Wide)

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

10.1 Service Manager Consents for CityHousing Hamilton's Development Reset (HSC20055(a)) (Wards 2 and 4) (Outstanding Business List Item)

10.2 Replacement for the Ontario Works Scheduler (HSC21022) (City Wide)

*10.3 Municipal Affairs and Housing Social Services Relief Fund Phase 4 and Canada-Ontario Community Housing Initiative (HSC20036(b)) (City Wide)

*10.4 Encampment Response Update (PED21188/HSC20038(c)) (City Wide)

11. MOTIONS

12. NOTICES OF MOTION

*12.1 Youth Violent Crimes

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Amendments to the Outstanding Business List

13.1.a Items Considered Complete and to be Removed

13.1.a.a Service Manager Consents for CityHousing Hamilton Development Reset

Item on OBL: 20-I

Addressed as Item 10.1 on today's agenda

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT

TAB 6

City of Hamilton

CITY COUNCIL
REVISED

21-018
Wednesday, October 13, 2021 at 9:30 A.M.
Due to the COVID-19 and the Closure of City Hall (CC)
All electronic meetings can be viewed at:
City's Website: https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas
City's YouTube Channel: https://www.youtube.com/user/InsideCityofHamilton or Cable 14

Call to Order

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

3.1 2021 Trillium Awards

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 September 29, 2021

5. COMMUNICATIONS

5.1 Correspondence from York Region requesting support for their resolution respecting preventing impacts of violence towards York Region paramedics.

Recommendation: Be received.

5.2 Correspondence from the City of Kingston requesting support for their resolution respecting a National Child Care Program.

Recommendation: Be received.

5.3 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the expiry of Temporary Regulations (130/20 and 131/20) Limiting Municipal Authority to Regulate Construction Noise.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

5.4 Correspondence from the Town of Caledon in support of the City of Hamilton's resolution respecting Noise Concerns and Request for Expiry of Extended Construction Hours.

Recommendation: Be received.

5.5 Correspondence from Gord Baker respecting low speed limits.

Recommendation: Be received.

5.6 Correspondence respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12):

5.6.a	Sandra Starr	
5.6.b	Heather Bull	
*5.6.c	Gail Moffatt	
*5.6.d	Cindi Watson	
*5.6.e	John Allan	
*5.6.f	Darren Earl	
*5.6.g	David and Donna Molnar	
*5.6.h	Aimee Frketich	
*5.6.i	WJ Burtch	
*5.6.j	Honor Hughes	
*5.6.k	R. H. Baker	
*5.6.l	Bob Maton, President, Ancaster Village Heritage Community Inc.	
*5.6.m	Robin Larin	
*5.6.n	David Wallis	
*5.6.o	Andrea Connor	
*5.6.p	Jim MacLeod	
*5.6.q	Sandra Starr	
*5.6.r	David Starr	
*5.6.s	Patrick DeNardis	
*5.6.t	Graham and Linda Clements	
*5.6.u	Rosa Beraldo	
*5.6.v	Pat Nash	
*5.6.w	John Chaffey	
*5.6.x	Michael Weyman	
*5.6.y	Janice Currie	
*5.6.z	Robert Maton, President, Ancaster Village Heritage Community	
*5.6.aa	Brad Kuhn	
*5.6.ab	Jennifer Davis	
*5.6.ac	Lisa Cole	

Recommendation: Be received and referred to the consideration of Item 5(b) of Planning Committee Report 21-015.

5.7 Correspondence requesting the End of Encampment Evictions:

5.7.a	Ani Chenier
5.7.b	Kelsea McCready
5.7.c	Alison Cupido
5.7.d	Lee Skinner
5.7.e	Daya Williams
5.7.f	Sheryl Kyorkis
5.7.g	Dan Ashworth
5.7.h	Sarah Pegg
5.7.i	Jess Maurice
5.7.j	Allie Blumas
5.7.k	Miles Oreskovic
5.7.l	Ameil Joseph
5.7.m	Briar von der Kall
5.7.n	Alex Ramsay
5.7.o	Melissa Folk
5.7.p	Emma Croll-Baehre
5.7.q	Zeina Hassan
5.7.r	Rowa Mohamed
5.7.s	Alissa Harvey
5.7.t	Dina Catalucci
5.7.u	Arianne Di Nardo
5.7.v	Glenn Davies
5.7.w	Elizabeth Catalucci
5.7.x	Hiva Nematollahi
5.7.y	Will Allen
5.7.z	Sarah Dawson
5.7.aa	Daisy Martindale
5.7.ab	Gabriel Baribeau
5.7.ac	Brenna Inglis
5.7.ad	Clara MacKinnon
5.7.ae	Allison Burda
5.7.af	Harlee Mackenzie
5.7.ag	Jonathan Jaeger-Dumont
5.7.ah	Elle Klassen

5.7.ai	Michael Schnittker	
5.7.aj	Meredith Park	
5.7.ak	Victoria Iles	
5.7.al	Shanze Yoell	
5.7.am	Sonali Menezes	
5.7.an	Linnea Siggelkow	
5.7.ao	Michelle Cordeiro	
5.7.ap	Miranda Clayton	
5.7.aq	Maggie Martineau	
5.7.ar	Lia Hamelin	
5.7.as	Haley Reap	
5.7.at	James Lambert	
5.7.au	Hollie Pocsai	
5.7.av	Ayda Ghaffari	
5.7.aw	Julia Schuurman	
5.7.ax	Laura Carpenter	
5.7.ay	Oliver Knutton	
5.7.az	Liana Shaw	
5.7.ba	Layla El-Dakhakhni	
5.7.bb	Adrian Lee	
5.7.bc	Laura Palumbo	
5.7.bd	Mariel Rutherford	
5.7.be	Vic Wojciechowska	
5.7.bf	Ayeza Tahir	
5.7.bg	Laura Sorbara	
5.7.bh	Neve Doyle-Davis	
5.7.bi	Lauren Glegg	
5.7.bj	Ahmed Abdoulrazig	
5.7.bk	Nick de Koning	
5.7.bl	Sidney Drmay	
5.7.bm	Trina Hetherington	
5.7.bn	Jess Glegg	
5.7.bo	Connor Bennett	
5.7.bp	Nathan Todd	
5.7.bq	Eric Kapteyn	

5.7.br Daniel Empringham

5.7.bs Maryssa Barras

5.7.bt Talia Hooper

5.7.bu Rose Allain

5.7.bv Catherine Skewes-Donaldson

5.7.bw Emily Lauzon

5.7.bx Deanna Allain

5.7.by Amrit Randay

5.7.bz Karen Huynh

5.7.ca Annette Paiement

5.7.cb Sebastian James

5.7.cc Emily O'Halloran

5.7.cd Shawna Stewart

5.7.ce Julia Karpiuk

5.7.cf India Morrish

5.7.cg Francesca Morreale

5.7.ch Sidney Szijarto

5.7.ci Trish Holmes

5.7.cj Brit Clarke

5.7.ck Cam Heres

5.7.cl Melissa Abaya-Ramos

5.7.cm Courtney Darling

5.7.cn Emma Rockwood

5.7.co Maddie Brockbank

5.7.cp Kate Melville

5.7.cq Erin Yusek

5.7.cr Kelsey Burns

5.7.cs Ryan Riddell

5.7.ct Grace Moran

5.7.cu Clara Vuillier-Devillers

5.7.cv Brooke Koslowski

5.7.cw Tom Flood

5.7.cx Kiera Boult

5.7.cy Rebecca Katz

5.7.cz	LeeAnna Moran
5.7.da	Heather Gibson
5.7.db	Andrea Kirkconnell
*5.7.dc	Vince Soliveri
*5.7.dd	Emily Hamel
*5.7.de	Bethany Kenyon
*5.7.df	Megan Myke
*5.7.dg	Thomas Catchpole
*5.7.dh	Leilani Rocha
*5.7.di	Blake Bristol
*5.7.dj	Alexandra Rideout
*5.7.dk	Emrys MacLeod
*5.7.dl	Molly Orr
*5.7.dm	Genevieve Marrin
*5.7.dn	Carly Billings
*5.7.do	Nicole Mossop
*5.7.dp	Camden Driedger
*5.7.dq	Daniel Voloshin
*5.7.dr	Phoebe Underhill
*5.7.ds	Emily Jackson
*5.7.dt	Candence Underhill
*5.7.du	Jut Anta
*5.7.dv	Jaime Land
*5.7.dw	Carla Compagnoni
*5.7.dx	Daniela Oliveira
*5.7.dy	Shane Cabral
*5.7.dz	Danica Evering
*5.7.ea	Sierra Smith
*5.7.eb	Vania Pagniello
*5.7.ec	Melissa Robertson
*5.7.ed	Austin Ruffo
*5.7.ee	Arwen Ballentine
*5.7.ef	Alexandra Henderson
*5.7.eg	Olivia Bozzo
*5.7.eh	Matt Carson

*5.7.ei Andrea Phair

*5.7.ej Tyler Mason

*5.7.ek Clara Rebello

*5.7.el Emily Jewer

*5.7.em Nicole Levaque

*5.7.en Katherine Walker-Jones

*5.7.eo Stevie Garnett

*5.7.ep Julia McGregor

*5.7.eq Olivia Mancini

*5.7.er Jocelyn Froese

*5.7.es Laura Katz

*5.7.et Kayla Crabtree

*5.7.eu Aisha Yusuf

*5.7.ev Matthew Crabtree

*5.7.ew Hamilton Harm Reduction Coalition

*5.7.ex Student Overdose Prevention and Education Network

*5.7.ey Alex Berze

*5.7.ez Emily Hart

*5.7.fa Sarah Jama

*5.7.fb Rebecca Morris-Miller

*5.7.fc Alisha Atri

*5.7.fd Austin Boyes

*5.7.fe Ester Chow

*5.7.ff Ian Walker

*5.7.fg Ryan Tse

*5.7.fh Anvita Gupta

*5.7.fi Claire Guyatt

*5.7.fj Janice Mancini

*5.7.fk Ben Robinson

*5.7.fl Ashley Sperry

*5.7.fm Elise Durie

*5.7.fn Stephen McCormcik

*5.7.fo Julio Rendeiro

*5.7.fp Paige Guyatt

*5.7.fq Olivia Hopen

*5.7.fr Sonjia McEachin

*5.7.fs Rachel Chaplow

*5.7.ft Josh Mitchell

*5.7.fu Hailey Dittrich

*5.7.fv Debbie Finn

*5.7.fw Tashiya Brown

*5.7.fx Hayley Pettis

*5.7.fy Mina Linklater

*5.7.fz Mitchell German

*5.7.ga Claudia Spadafora

*5.7.gb Anika Anand

*5.7.gc Erica Love-Jones

*5.7.gd Melanie Vair

*5.7.ge Alisa Gayle

*5.7.gf Joanna Aswani

*5.7.gg Karli Murdy

*5.7.gh Thomas Lewington

*5.7.gi Laura Konyndyk

*5.7.gj Emunah Woolf

*5.7.gk Amrit Randay

*5.7.gl Brandi Matthews

*5.7.gm Megan George

*5.7.gn Krista Browne

*5.7.go Natalie Hayes

*5.7.gp Spencer Blackwood

Recommendation: Be received.

5.8 Correspondence from the Ministry of Environment, Conservation and Parks respecting the amendments to the Conservation Authorities Act made in 2019/2020.

Recommendation: Be received.

*5.9 Correspondence from the Ministry of Northern Development, Mines, Natural Resources and Forestry respecting proposed amendments to the Crown Forest Sustainability Act, 1994, Professional Foresters Act, 2000 and the Public Lands Act,

Ministry of Northern Development, Mines, Natural Resources and Forestry included in the Supporting People and Businesses Act, 2021.
Recommendation: Be received and referred to the General Managers of Planning and Development and Public Works for appropriate action.

*5.10 Correspondence from Carlo Silvestri respecting ZAC-20-033, 1411, 1415 Upper Wellington St., Planning Committee meeting October 5, 2021, 9:30 a.m.

Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 21-015.

*5.11 Correspondence from the Ministry of the Environment, Conservation and Parks respecting EA Modernization: Clarifying the authority to change the classes of projects that follow a class environmental assessment process.

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Public Works for appropriate action.

6. COMMITTEE REPORTS

6.1 Public Works Committee Report 21-014 - October 4, 2021

6.2 Planning Committee Report 21-015 - October 5, 2021

6.3 General Issues Committee Report 21-019 - October 6, 2021

6.4 Audit, Finance and Administration Committee Report 21-015 - October 7, 2021

6.5 Emergency and Community Services Committee Report 21-010 - October 7, 2021

6.6 STAFF REPORTS

6.6.a Encampment Response Update (PED21188(a)/HSC20038(d)/LS21039) (City Wide)

7. MOTIONS

8. NOTICES OF MOTIONS

*8.1 "Rent Ready" Program

9. STATEMENT BY MEMBERS (non-debatable)

10. COUNCIL COMMUNICATION UPDATES

10.1 September 24, 2021 to October 7, 2021

11. PRIVATE AND CONFIDENTIAL

11.1 Closed Session Minutes - September 29, 2021

Pursuant to Section 9.1, Sub-section (b) and (f) of the City's Procedural By-law 21-021, as amended and Section 239(2), Sub-section (b) and (f) of *Ontario Municipal Act, 2001*, as amended, personal matters about an identifiable individual, including City or a local board employees and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

11.2 Grey Cup Update (PED18234(e)) (City Wide)

Pursuant to Section 9.1, Sub-section (k) of the City's Procedural By-law 21-021, as amended and Section 239(2), Sub-section (k) of *Ontario Municipal Act, 2001*, as amended, A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

12. BY-LAWS AND CONFIRMING BY-LAW

12.1 171

To Amend By-law No. 01-218, as amended,

Being a By-law To Regulate On-Street Parking
Schedule 8 – No Parking
Schedule 12 – Permit Parking
Schedule 13 – No Stopping

Ward 3, 13

12.2 172

To Amend Zoning By-law No. 05-200, as Amended by By-law No. 18-232, Respecting Lands located at 90 Garner Road East (Formerly 70 Garner Road East), Ancaster

Ward 12

12.3 173

To Adopt:
Official Plan Amendment No. 30 to the Rural Hamilton Official Plan
Respecting:
Updates and Modifications to the Rural Hamilton Official Plan
City-Wide

12.4 174

To Adopt:
Official Plan Amendment No. 155 to the Urban Hamilton Official Plan
Respecting:
Updates and Modifications to the Urban Hamilton Official Plan
City-Wide

12.5 175

To amend Zoning By-law No. 05-200 with respect to lands located at 1411 and 1415 Upper Wellington Street, Hamilton

Ward 7

12.6 176

To Rename a Portion of Woodworth Drive, from West of Elgin Place to Calvin Street, and Calvin Street to Hatton Drive, to Woodworth Drive West, in the Former Town of Ancaster
Ward: 12

12.7 177

To Rename William Street to Vinegar Hill, in Waterdown, in the Former Town of Flamborough
Ward: 15

12.8 178

To Rename William Street to William Terrace North, in Freelton, in the Former Town of Flamborough
Ward: 13

12.9 179

To Rename Union Street to Pine Terrace Lane, in Lynden, in the Former Town of Flamborough
Ward: 12

12.10 180

To Rename a Portion of Sleepy Hollow Court, from the Existing Road Median to the Northerly End, to Sleepy Hollow Court North, in the Former Town of Dundas
Ward: 13

12.11 181

To Rename Margaret Street to Cheryl Lynn Lane, in Lynden, in the Former Town of Flamborough
Ward: 12

12.12 182

To Rename Bayview Avenue to Bayview Court North, in Greensville, in the Former Town of Flamborough

Ward: 13

12.13 183

To Amend Zoning By-law No. 87-57
Respecting Modifications and Updates to General Provisions and Administration in the former Town of Ancaster Zoning By-law
Ward: 12

12.14 184

To Amend Zoning By-law 3581-86 (Dundas)
Respecting Modifications and Updates to Administration, Enforcement and Penalties and a portion of the lands located at Part of 194 Pleasant Avenue
Ward: 11

12.15 185

To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Modifications and Updates to Administration and Enforcement (Flamborough)
Ward: 15

12.16 186

To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Modifications and Updates to Administration (Glanbrook)
Ward: 11

12.17 187

To Amend Zoning By-law No. 6593
Respecting Modifications and Updates to Administration and Violation in the former City of Hamilton Zoning By-law
Ward: 11

12.18 188

To Amend Zoning By-law 3692-92 (Stoney Creek)
Respecting Modifications and Updates to Administration and Enforcement and lands located at 57, 61, 63, 67 and 71 East Street
Ward: 11

12.19 189

To Amend By-law 05-200 Respecting Modifications and Updates to certain Definitions, General Provisions, Parking, Open Space and Parks Zones, Industrial Zones, Commercial and Mixed Use Zones, Transit Oriented Corridor Zones, Rural Zones, Utility Zones, Waterfront Zones, Special Exceptions, Holding Provisions and Mapping Changes for the City of Hamilton
Wards: City Wide

12.20 190

To Establish City of Hamilton Land
Described as Part 6 on Plan 62R-15449 and Parts 1, 2, 3, and 4 on Plan 62R-21611, save and except Parts 10, and 11 on Plan 62R-12459, Part 5 on Plan 62R-21611, Part 1 on Plan 62R-21136, and Parts 1 and 2 on Plan 62R-18932 as part of Aeropark Boulevard
Ward: 11

12.21 191

To Establish City of Hamilton Land
Described as Parts 3, 10, and 11 on Plan 62R-12459
as Part of Glanair Drive
Ward: 11

12.22 192

To Establish City of Hamilton Land
Described as Parts 3, 6, 9, 10, 12, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 38, 39, 40 and 41, Parts on Plan 62R-21643 as Part of Leavitt Boulevard.

To Establish City of Hamilton Land
Described as Parts 15, 16 and 19 on Plan 62R-21643 as part of the existing Dundas Street East
Ward: 15

12.23 193

Removal of Part Lot Control Respecting Lots 3 to 7 on Registered Plan No. 62M-1257, municipally known as 12, 16, 20, 24 and 28 Toffee Trail, Stoney Creek.
Ward: 5

12.24 194

To Rename a Portion of Woodworth Drive, from East of Elgin Place to Calvin Street, to Woodworth Drive East, in the Former Town of Ancaster
Ward: 12

12.25 195

To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Ward: 3, 7, 8, 9, 13

12.26 196

To Confirm Proceedings of Council

13. ADJOURNMENT

TAB 7

CITY OF HAMILTON

N O T I C E OF M O T I O N

EMERGENCY AND COMMUNITY SERVICES COMMITTEE: December 9, 2021

MOVED BY COUNCILLOR N. NANN……..…..……..……...

Comprehensive, Human-rights Based, Health-focused Housing Solutions for Residents Living Encamped across Hamilton

WHEREAS, the reality of unhoused residents living in encampments is a persistent reality across the City of Hamilton;

WHEREAS, these encampments have become increasingly visible throughout the pandemic;

WHEREAS, the number of unhoused residents who have been living encamped in Hamilton ranges between 80 to 140 people;

WHEREAS, encampments will persist until the City of Hamilton develops and implements a strategy to eliminate homelessness that addresses the unique health needs experienced by those who are encamped;

WHEREAS, the City's Housing & Homelessness Strategy is rooted in a solution-focused, person-centred approach and recognizes that best practices for solutions are the result of direct participation of those with lived experience of being unhoused;

WHEREAS, the largest gap in addressing the unique needs of many of those residents who have no other option than to live encamped rests in the lack of comprehensive, coordinated housing and health-based resources with a disproportionate impact on unhoused indigenous people, those unhoused residents living with disabilities, and those unhoused residents of other equity-seeking group that continue to face culture, structural and systemic barriers in accessing appropriate supportive housing; and

WHEREAS, an enforcement led response to the existence of encampments on city property does not solve homelessness, nor result in healing.

THEREFORE, BE IT RESOLVED:

(a) That City staff be directed to host solution-focused planning session(s) made up of representatives from the health sector, housing service providers, organizations that provide frontline support to the unhoused, people with lived

experiences of being unhoused and living in encampments, and other community stakeholders be convened to identify comprehensive, human-rights based, health-focused housing solutions to directly address the needs of those 80 to 140 unhoused residents living encamped in Hamilton;

(b) That any costs associated in hosting and facilitating the planning session(s) be covered through the existing Housing Services budget; and

(c) That staff report back the recommendations of these planning session(s) for Council's consideration to the Emergency Community Services Committee.

TAB 8

CITY OF HAMILTON

M O T I O N

Planning Committee: March 22, 2022

MOVED BY COUNCILLOR J. FARR ……..……..……

SECONDED BY COUNCILLOR ……..……

Enhanced Parks By-law - Encampment Enforcement

WHEREAS, on August 9, 2021, City Council voted to return to enforcing the prohibition of camping in our City parks and public places and through our Parks By-law. A prohibition no different than most other municipalities across the Province and by-law confirmed as "valid" in a 2021 Superior Court decision;

WHEREAS, the number of encampments more than doubled from approximately 20 to over 40 following the August 9, 2021 resolution, with many encampments entrenched in public parks for months.

WHEREAS, on September 15, 2021, City Council received Report PED21188/HSC20038(c), Encampment Response Update attached hereto as Appendix 'A', which outlined the Encampment Process implemented by City Staff;

WHEREAS, City Council is concerned that persons continue to camp in City parks in contravention of the Parks By-law and for extended periods in Hamilton while other neighbouring municipalities enforce the same by-law as a priority and within a few hours and few days. Like Hamilton, many of these municipalities include outreach assistance and safer options to encamped individuals as part of their enforcement process; and

WHEREAS, City Council believes Hamilton should not be the only City with a Parks By-law enforcement process that often results in both an increase in the number of encampments and an open-ended duration for encampments in parks or public spaces and should therefore facilitate the implementation of the Encampment Process to incorporate more precise timelines and direction into the Process consistent with similar processes implemented in other Ontario municipalities;

THEREFORE, BE IT RESOLVED:

That staff be directed to:

(i) complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;

(ii) enforce the Encampment Process 7 days per week; and

(iii) report any staffing feasibility/service levels impacts to Council at their March 30, 2022 meeting.

Attachments:

Appendix ‘A’ - PED21188/HSC20038(c), Encampment Response Update

TAB 8a

INFORMATION REPORT

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	September 9, 2021
SUBJECT/REPORT NO:	Encampment Response Update (PED21188/HSC20038(c)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Monica Ciriello (905) 546-2424 Ext. 5809 Edward John (905) 546-2424 Ext. 4860
SUBMITTED BY: **SIGNATURE:**	Jason Thorne General Manager Planning and Economic Development Department
SUBMITTED BY: **SIGNATURE:**	Grace Mater General Manger Healthy and Safe Communities Department

COUNCIL DIRECTION

At its August 9, 2021 meeting, Council approved the repealing of the By-law Enforcement Protocol that permitted some individuals to camp in public spaces for up to 14 days. Further to that decision and the three-week winddown associated with it, as of August 30, 2021, the City returned to pre-protocol enforcement of City by-laws that prohibit camping on City property, including park areas.

INFORMATION

The COVID-19 pandemic highlighted and exacerbated ongoing systemic challenges and inequities across Canada as it relates to housing and homelessness. This has been demonstrated by the rise in, and visibility of, unsheltered homelessness and encampments throughout many Canadian cities. Person-centred strategies and

approaches are required to address urgent issues associated with supporting residents experiencing homelessness and living in encampments, while supporting long-term adequate housing solutions and broader community needs.

Encampment Process

With the repealing of the By-law Enforcement Protocol, staff will proceed with the following Encampment Process:

Step one
Complaints are received by Municipal Law Enforcement (MLE) regarding structures/tents in parks, road allowance and private property.

Step two
MLE attends, determines if there is a violation of a City By-law including the Parks Bylaw, seeks voluntary compliance and notifies Housing Outreach.

Step three
Housing Focused Street Outreach attends site and carries out the following:

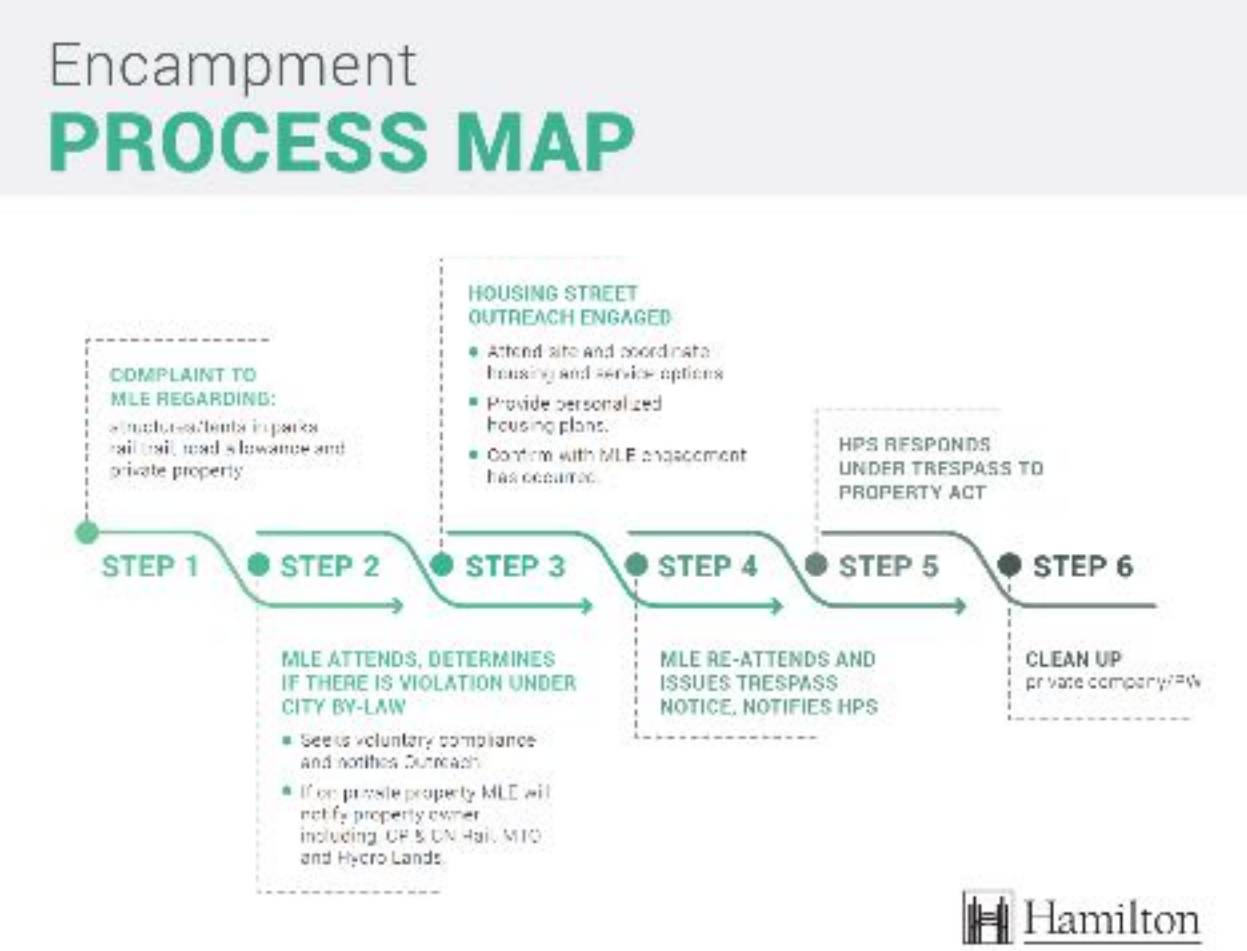
- Work from Housing Focused Street Outreach framework and within the context of Hamilton's Homeless Coordinated Access System
- Support individuals, families and groups, in order to promote connection to shelter, housing and the achievement of their optimal health and well-being
- Collaborative development of housing and service plans
- Assist individuals with obtaining necessary documents needed to obtain housing, including the completion of supportive and subsidized housing applications
- Collaborate and co-ordinate services with appropriate community and health agencies
- Crisis intervention
- Provide a summary of these actions (omitting any privileged and confidential information) in the form of an encampment assessment checklist to MLE pursuant to their request

Step four
MLE re-attends and issues a verbal trespass notice and notifies Hamilton Police Service (HPS).

Step five
Hamilton Police Service responds under the *Trespass to Property Act*, R.S.O. 1990, c. T.21

Step six

Park and Waste Divisions are contacted to coordinate a clean up.
Table 1



Encampment Response

The City of Hamilton's Licensing and Bylaw Services Division will be the first point of contact for complaints regarding structures and tents in parks, road allowances and private property. MLE Officers will attend to determine if there is a City Bylaw, including the Parks By-law 01-291 violation, which prohibits camping on City property, including park areas. MLE Officers will be responding to complaints proactively Monday to Friday and reactively on weekends along with other COVID-19 By-law and Provincial Regulation priorities. MLE Officers will attend, provide education and seek voluntary compliance under the City Bylaw, ticketing those who are unsheltered will not be a course of action. If determined to be private property, MLE Officers will notify the property owner, including CP & CN Rail and MTO. If voluntary compliance is not

achieved, MLE Officers will reach out to the Street Outreach team within the Housing Services Division and the Social Navigator Program.
The Housing Focused Street Outreach team will, if not already, attend the site and engage with those individuals currently unsheltered. Outreach will endeavor to provide an update summary of the site including identifying potential opportunities for connection to services and housing for those individuals, assess their needs and update MLE of the actions that have occurred.

MLE Officers will re-attend the location and, a verbal trespass notice would be issued to those contravening the bylaw. MLE will contact the Hamilton Police Service as the *Trespass to Property Act*, R.S.O. 1990, c. T.21 is a Provincial Act enforced by HPS. The City will continue to collaborate with HPS and the Social Navigator with regard to the service pathway. The last step will be to contact the Public Works Department (Parks, Streets, Waste Management) to coordinate a clean up.

Following the Council decision to repeal the By-law Enforcement Protocol, the City of Hamilton's Housing Services Division remains focused on supporting individuals experiencing homelessness in securing safe and affordable housing, by continuing to take an individualized approach to connect them to available supports.

Housing Services' Housing Focused Street Outreach Team connects with unsheltered individuals, regardless of their circumstances, to assess their immediate needs and housing preferences. The team completes common consent and intake forms for individuals not yet on the City's By-Name List (BNL), supports with benefit applications, unit viewings, harm reduction supplies, connections and referrals. As part of the City's homeless-servicing system, Outreach uses a shared system-wide database to stay connected to residents in encampments and outside of encampments in areas such as alleys, vacant lands, etc. Outreach services are provided to unsheltered residents across the geographic area of Hamilton Monday to Friday from 8:00 a.m. to 8:00 p.m. and Saturday and Sunday from 8:00 a.m. to 4:00 p.m. On a daily basis, the team undertakes progressive engagement to offer shelter or other available (and appropriate) space, works with individuals to find safe and supportive housing options, and works to address any barriers including a referral to our health partners.

During the COVID-19 pandemic, emergency shelter capacity has been expanded; however, occupancy pressures exist, particularly for women. Challenges remain in the access to available beds and in a number of instances capacity is not available. For example, length of stay in shelters has increased significantly during the pandemic and, with factors such as unaffordable costs of rent, housing availability has not kept pace with demand. Longer stays impact shelter bed turnover frequency, thus reducing the capacity of shelters to serve a higher volume of individuals. Outbreak status, availability of appropriate supports, staff turnover, shortages and burnout further impact the responsiveness of the system. When a move from encampment to emergency shelter

occurs, the City of Hamilton recognizes that this remains a temporary measure of accommodation until safe, secure and adequate housing is secured.
For individuals for whom emergency shelters are not an option, Housing Services' Outreach Team supports connection to health partners, works to address issues related to service restrictions, and continues progressive engagement towards accepting housing assistance. The City of Hamilton funds numerous agencies to assist in the housing of homeless individuals through funding streams such as the Federal Reaching Home program. City staff monitor, advise and assist these agencies in meeting predetermined targets through the homeless-serving sector's coordinated access system. From January 2020 to present, approximately 440 individuals and families have been housed by agencies funded by the City. Of the approximately 440 households housed, this includes people who have been unsheltered at one point during that time period. Since March 2020, more than 70 individuals were housed directly from encampments.

Outreach staff engage with every individual from a rights-based approach, ensuring dignity and confidentiality is maintained. On an ongoing basis, both Housing Services and agency staff work from a person-centred approach to engage with individuals in order to refer and make connections to appropriate support and resources. Referrals may include Intensive Case Management, Rapid Rehousing, Transitional or permanent supportive housing programs, in addition to housing affordability benefits, depending on individuals' needs, preferences and available resources. Increased engagement for the direct purpose of assessing effectiveness of approaches and appropriateness of available resources will continue to inform potential changes or adaptations to service and supports over time.

Coming Together to End Homelessness: Hamilton's Systems Planning Framework outlines a strategic local approach to preventing and ending homelessness, which must account for the systemic over-representation of Indigenous persons experiencing homelessness. The City is committed to ongoing coordination with Hamilton's Urban Indigenous Community to ensure that approaches to service coordination and provision are culturally appropriate, safe and built on principles of relationship, trust and informed consent. This includes ongoing discussion to achieve equitable access to resources including, for example, housing affordability benefits as they become available to support unsheltered individuals who identify as Indigenous. Through ongoing dialogue with the Indigenous community, the City aims to ensure appropriate referrals are consistently made from mainstream supports to Indigenous agencies, including at intake by City outreach staff.

The City continues to commit to permanent housing solutions by implementing increased prioritization of those in encampments for permanent housing and intensive case management support programs while continuing multi-sectoral discussions to enhance permanent housing with supports options. From September to December

2021, Housing Services Division, together with partner agencies, will undertake a housing campaign to maximize resources and collaboration to house 250 households experiencing homelessness.

Health and Safety Concerns

Due to the vulnerability and transience of encampment populations, health and safety concerns are present for both residents and City staff. COVID-19 exposure, verbal and sometimes physical aggressions have been noted at various sites. MLE Officers are not trained in outreach or mental health engagement techniques and therefore cannot offer support to address health and safety for encampment residents. This fact extends to include staff themselves, who navigate a challenging array of health and safety concerns when carrying out their duties. For example, Waste management staff have received numerous negative comments, which may be perceived as threats from residents, activists, advocates and the general public. Staff have been videotaped with postings on social media platforms such as Twitter and Facebook. Staff have been called repeatedly at all hours on their cell phone. In one instance a staff member was assaulted during clean up, resulting in injuries to the worker and charges being laid by Hamilton Police Service. As a result, the injured employee has yet to return to work.

There is a steady increase of incidents involving the Hamilton Fire Department and the Hamilton Police Service. Where emergency service response is needed, the City will respond swiftly with staff health and safety supports. Healthy and Safe Communities Department staff are better able to flag resident health and safety concerns to the appropriate support services for timely resolution.

The professional skillset required of Housing Service's Outreach staff facilitates mitigation of challenging behaviours, circumstances and establishment of positive rapport. Staff have been trained in non-violent crisis intervention, work only in pairs and are in constant communication with each other.

Budgetary Implications

Costs vary site to site; while staff time is not itemized by site, typical contractor costs for waste management average $15 K. Across all encampments, average monthly security costs have been approximately $23 K from October 2020 to July 2021.

Licensing and By-law Services

Council may direct Licensing and Bylaw Services (LBS) to enforce 7 days a week, inclusive of evenings and weekends. To oversee and coordinate the MLE officer response for encampments 7 days a week LBS requires 1 temporary FTE By-law Clerk at a cost of $26, 162 and 1 temporary FTE MLE Officer at a cost of $30, 795 from the

date of Council approval to December 31, 2021.These staff will assist in the collection of weekly stats on complaints received, locations of encampments, determine priority locations in collaboration with others on the Encampment Response Team, provide status updates as to the step each encampment site is in throughout the City. MLE Officers will be attending encampment sites in pairs, and one additional temporary FTE MLE Officer will allow for a timely proactive and reactive response to each encampment site 7 days a week. The Bylaw Clerk will provide administrative support to the MLE Officers and will ensure all tracking, scheduling, monitoring, entering areas of concern, preparation of orders, and dispatch to this team 7 days a week. The total cost would be $56, 958.

Emergency Services Responses

The Hamilton Fire Department has attended to an increasing number of incidents involving encampments and individuals experiencing homelessness over the last three years (54 incidents in 2019, 82 incidents in 2020, and 101 incidents to date in 2021). The majority of incidents in 2021 to date have involved burning (controlled) and property fires/explosion.

Hamilton Paramedic Service responded to 55 encampment related calls in four parks from October 1, 2020 to August 31, 2021. There has been a steady increase in paramedic service response to encampments in City parks in 2021, ranging from two in January to 15 in August.

The Hamilton Police Service indicated there were 502 events from October 1, 2020 to August 31, 2021 related to six known encampment locations, but not necessarily due to the presence of an encampment. These incidents include events related to trespassing, assist (ambulance & fire), and other events requiring police service response (i.e. assault, harassment, protests, etc.)

Government Outreach

There remains an ongoing need to align provincial health and housing and homelessness investments to enable service managers to provide permanent housing with supports for high acuity chronically homeless individuals living in shelters and encampments. Strategic investment and partnership between Ontario Health West and City of Hamilton can demonstrably reduce chronic homelessness in Hamilton and the reliance on emergency hospital resources for those with the most complex, co-occurring needs.

Staff are actively pursuing funding opportunities from higher levels of government to address these needs. Specifically, the Ministry of Health (Ontario), Associate Minister of Mental Health and Addictions and the Ministry of Municipal Affairs and Housing

(Ontario) in addition to the equivalent Ministries federally such as Health, Housing, Infrastructure and Communities, and Families, Children and Social Development. Staff have proposed a pilot project to the Government of Ontario in order to address the needs of high-acuity individuals in Hamilton, this pilot outlines the resources required to take immediate action.

The proposed pilot would include 40 new units of supportive housing to address the needs of higher acuity individuals and continuing existing outreach activities will address needs in a new and improved way. The total funding necessary to undertake this development is $2,440,000. The request for on-going provincial operational funding is $1,940,000.

Staff have been using forums like the Association of Municipalities of Ontario (AMO), Federation of Canadian Municipalities (FCM) and Ontario Big City Mayors, of which Hamilton is a member, to further advocacy and align objectives in voicing our concerns about the lack of funding from higher levels of government to address these immediate needs. AMO, FCM and Ontario Big City Mayors are focused on improving supports for mental health. Ontario Big City Mayors has provided recommendations to support and complement the Province's Road to Wellness plan which seeks to improve mental health and addictions services across Ontario. The proposed recommendations and desire to collaborate demonstrate the need for municipalities to work with other levels of government and local service providers to ensure residents can access the help they need, where and when they need it.

APPENDICES AND SCHEDULES ATTACHED

None

TAB 9

GENERAL ISSUES COMMITTEE
MINUTES 23-017

9:30 a.m.
May 17, 2023
Council Chambers, City Hall, 2nd Floor
71 Main Street West, Hamilton, Ontario

Present: Mayor A. Horwath
Deputy Mayor E. Pauls (Chair)
Councillors J. Beattie, C. Cassar, B. Clark, M. Francis, T. Hwang, T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, M. Spadafora, M. Tadeson, A. Wilson, M. Wilson

Absent: Councillor J. P. Danko – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Proposed Encampment Protocol (HSC20036(f) / PED21188(c)) (Item 8.1)

(i) (A. Wilson/Nann)
That sub-section (e) of Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, ***be amended***, with the inclusion of a new sub-section (f), as follows:

(e) That staff be directed to work with stakeholders to:
- i. Address washrooms, showers, and access to drinking water;
- ii. Integrate of peer and Indigenous supports into encampment response;
- iii. ***Develop a task force or committee, comprised of City staff, community stakeholders, and people with lived experience to advise on the development and policy of encampment response and appeals process;***
- iv. Report back to the General Issues Committee with recommendations and required resourcing; and,

(f) That prior to May 24, 2023 Council meeting staff incorporate - a process to inform residents of nearby compliant sites in the case of any enforcement measures (voluntary compliance notices, etc.), ensuring no residents are facing enforcement measures without being made aware of sanctioned and permitted sites where they can go - into the Proposed

Encampment Protocol attached as Appendix "A" to Report HSC20038(f) / PED21188(c).

Result: Vote on Sub-Section (e) and (f) of Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, as *Amended* CARRIED by a vote of 12 to 2, as follows:

Absent	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
No	-	Ward 5	Councillor Matt Francis
No	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(ii) (Kroetsch/A. Wilson)

That sub-section (c) to Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, ***be amended***, as follows:

(c) That, ~~***following Council ratification,***~~ staff be directed to make the Proposed Encampment Protocol attached as Appendix "A" to Report HSC20038(f) / PED21188(c) available for public comment ***(including written comments) until June 30, 2023***, ~~***and that staff monitor the implementation of the protocol,***~~ and that staff report back with a final recommended protocol at the General Issues Committee on August 2023.

Result: Vote on Sub-Section (c) of Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, as *Amended* CARRIED by a vote of 13 to 1, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis

Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
No	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(iii) (A. Wilson/M. Wilson)

(d) That staff be directed to conduct a scan of jurisdictions that currently operate sanctioned encampments and further research/consultation as required and bring back options regarding operating models, parameters and criteria for site identification and potential sites with the goal of incorporating sanctioned sites into a new encampment protocol once site(s) and operating model are approved by Council;

Result: Vote on Sub-Section (d) of Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, CARRIED by a vote of 8 to 5, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
No	-	Ward 5	Councillor Matt Francis
No	-	Ward 6	Councillor Tom Jackson
No	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
No	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
No	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

2. Dundas Business Improvement Area (BIA) Revised Board of Management (PED23109) (Ward 13) (Item 9.1)

(A. Wilson/Hwang)
That the following individuals be appointed to the Dundas Business Improvement Area (BIA) Board of Management for the 2022-2026 term:

(a) Jennifer Hayes, Jax Sweet Shoppe;
(b) Lily Zoghaib, Urban Vine;
(c) Dave Maciulis, Red Door Cucina;
(d) Melanie Barlow, Dundas Community Services;
(e) Donna Cole, The Kitchen Witch.

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

3. Dundas Business Improvement Area (BIA) Proposed Budget and Schedule of Payments (PED23110) (Ward 13) (Item 10.1)

(A. Wilson/M. Wilson)
(a) That the 2023 Operating Budget for the Dundas Business Improvement Area, attached as Appendix “A” to Report PED23110, in the amount of $268,214.00 be approved;

(b) That the levy portion of the Operating Budget for the Dundas Business Improvement Area (BIA) in the amount of $178,880.00 be approved;

(c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to

Section 208, The *Municipal Act, 2001*, to levy the 2023 Budget as referenced in Recommendation of Report PED23110; and,

(d) That the following schedule of payments for 2023 Operating Budget for the Dundas Business Improvement Area (BIA) be approved:

(i)	February	$89,440.00
(ii)	June	$89,440.00

Note: Assessment appeals may be deducted from the levy payments.

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

4. Airport Sub-Committee Report 23-001 - April 27, 2023 (Item 10.2)

(Hwang/Tadeson)

(a) Appointment of Chair and Vice-Chair (Item 1)

That Councillor M. Tadeson be appointed as Co-Chair of the Airport Sub Committee on a rotating basis for the term of 2022-2026.

(b) 2023-2024 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Incentives (PED23121) (City Wide) (Item 10.1)

That the City of Hamilton approve and allocate $100K, from the Airport Joint Marketing Reserve Fund No. 112217 as the City's contribution to the 2023-2024 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Initiatives outlined in Report PED23121.

(c) Airport Lease – Status Update (PED19084(g)) (City Wide) (Item 14.1)

That Report PED19084(g) and Appendix 'A' to Report PED19084(g), respecting Airport Lease – Status Update, be received and remain confidential.

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

5. 2023 Tax Policies and Area Rating (FCS23049) (City Wide) (Item 10.3)

(Nann/Jackson)

(a) That the following optional property classes be continued for the 2023 taxation year:

(i) Parking Lot and Vacant Land;
(ii) Large Industrial;

(b) That, the following final tax ratios be established for the 2023 taxation year:

(i)	Residential	1.0000
(ii)	Multi-Residential	2.2174
(iii)	New Multi-Residential	1.0000
(iv)	Commercial	1.9800
(v)	Parking Lot and Vacant Land	1.9800
(vi)	Industrial	3.1025
(vii)	Large Industrial	3.6381
(viii)	Pipeline	1.7947

(ix)	Farm	0.1767
(x)	Managed Forest	0.2500
(xi)	Landfills	2.9696

(c) That the following tax reductions be established for the 2023 taxation year:

(i)	Farmland awaiting development (1st Subclass)	25%
(ii)	Farmland awaiting development (2nd Subclass)	0%
(iii)	Excess land Subclass (Residual Commercial)	0%
(iv)	Excess land Subclass (Residual Industrial)	0%
(v)	Vacant land Subclass (Residual Industrial)	0%
(vi)	Excess land Subclass (Large Industrial)	0%

(d) That the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program (Deferral of Tax Increases Program) be continued for the 2023 taxation year;

(e) That the Full Tax Deferral Program for Seniors and Low Income Persons with Disabilities Program (Full Tax Deferral Program) be continued for the 2023 taxation year;

(f) That the Seniors' (65+) Tax Rebate Program be continued for the 2023 taxation year;

(g) That the 40% Tax Rebate for eligible charities and similar organizations be continued for the 2023 taxation year;

(h) That, for the 2023 taxation year, the Area Rated Levies be approved as identified in Appendix "A" to Report FCS23049, "2023 Tax Policies and Area Rating", attached hereto; and,

(i) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2023 taxation year.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Absent	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko

Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

6. Pier 8 Animation Q4 2023 (PED23116) (City Wide) (Item 10.4)

(Kroetsch/Hwang)

(a) That up to $125,000, to be funded from the Economic Development Initiatives Capital Project 3621708900, be approved, to support special public programming and animation of Pier 8 during the month of November 2023; and,

(b) That the General Manager of Planning and Economic Development be authorized to enter into the necessary agreements to execute the special programming and animation, including securing a temporary art installation.

Result: MOTION, CARRIED by a vote of 11 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Absent	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Conflict	-	Ward 15	Councillor Ted McMeekin

7. Advisory Committee for Persons with Disabilities (ACPD) Report 23-005 - May 9, 2023 (Item 10.5)

(Tadeson/A. Wilson)

(a) Advisory Committee for Persons with Disabilities' "Ability First" Accessibility Fair, September 28, 2023 (Item 12.2)

WHEREAS, the Advisory Committee for Persons with Disabilities has received permission to begin organizing the “Ability First” Accessibility Fair annually;

WHEREAS, the date of the 2023 “Ability First” Accessibility Fair is scheduled for September 28th;

WHEREAS, the proposed budget for “Ability First” is an upset limit of $5811.67 to be funded from the Advisory Committee for Persons with Disabilities’ reserve; and,

WHEREAS, in order to organize and promote the event, Advisory Committee for Persons with Disabilities’ members and volunteers will be required to contact City of Hamilton staff, outside agencies and media to arrange attendance, but will exclude official media releases which will still need to be approved by Committee and Council.

THEREFORE, BE IT RESOLVED:

(i) That the Advisory Committee for Persons with Disabilities “Ability First” Accessibility Fair, to be held on Thursday September the 28th, 2023 on the Forecourt of City Hall, be approved;

(ii) That the Advisory Committee for Persons with Disabilities “Ability First” Accessibility Fair budget with an upset limit of $5811.67, attached as Appendix “A” to the Advisory Committee for Persons with Disabilities Report 23-005, to be funded from the ACPD Reserve Fund (#112212), be approved; and

(iii) That the Advisory Committee for Persons with Disabilities’ members and volunteers be permitted to contact City of Hamilton staff (when appropriate and available), outside agencies and media in order to organize, promote and arrange attendance to the event.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Absent	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko

Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

8. Facility Naming Sub-Committee Report 23-001 - May 11, 2023 (Added Item 10.6)

(M. Wilson/A. Wilson)

(a) Appointment of Chair and Vice-Chair (Item 1)

(i) That Councillor C. Cassar be appointed as Chair of the Facility Naming Sub-Committee for the 2022-2026 term.

(ii) That Councillor M. Francis be appointed as Vice-Chair of the Facility Naming Sub-Committee for the 2022-2026 term.

(b) Renaming of Ryerson Recreation Centre (HSC23031) (Ward 1) (Added Item 10.2)

(i) That the Ryerson Recreation Centre at 251 Duke Street be renamed “Kanétskare” (pronounced Ga-nét-sga-re, a Mohawk term meaning Bay or Inlet) Recreation Centre as it meets the guidelines as set out in Section 4(b)(i) of the City of Hamilton Municipal Property and Building Naming Policy;

(ii) That a budget of $20K funded from the City’s Tax Stabilization Reserve, (110046) be established for costs associated with the removal, repair, preparation and installation of new facility signage at the 251 Duke Street site;

(iii) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor; and,

(iv) That the renaming of Ryerson Recreation Centre to Kanétskare Recreation Centre be considered complete and removed from the Facility Naming Sub Committee Outstanding Business List.

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath

Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

9. Advocate Registry for Homelessness (Added Item 11.1)

(Francis/Hwang)
WHEREAS, the compassionate nature of advocates and Council members compels us to seek innovative solutions to address the challenges faced by individuals experiencing homelessness;

WHEREAS, recognizing Council members play a vital role in leading by example and demonstrating compassion for individuals experiencing homelessness, this too will be extended to members of Council to participate if desired

WHEREAS, the voluntary nature of the registry allows participants the flexibility to opt out of the program at any time, ensuring that it respects the preferences and needs of both hosts and houseless individuals;

WHEREAS, the creation of a registry aligns with our city's commitment to foster a compassionate and inclusive community that values the dignity and well-being of all its residents;

WHEREAS, the registry program offers a practical and cost-effective approach to expanding available housing options for individuals experiencing homelessness;

WHEREAS, other municipalities like Oshawa have championed community led programs like Spirit in Service Sponsorship Program that is modelled after Refugee Sponsorship Programs and providing an opportunity for residents to contribute to solution building;

THEREFORE BE IT RESOLVED:

That staff be directed to determine the feasibility, financial impacts to the municipality, and potential liability of a registry for advocates, members of Council, and residents to voluntarily add their name to host a person experiencing homelessness as identified by housing support staff, and report back to the General Issues Committee.

Result: MOTION, CARRIED by a vote of 10 to 3, as follows:

Yes	-	Mayor Andrea Horwath	
No	-	Ward 1	Councillor Maureen Wilson
No	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
No	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

10. Encampment Litigation Update (LS20023(g)) (City Wide) – REVISED (Item 14.1)

(Kroetsch/Spadafora)
That Report LS20023(g), respecting Encampment Litigation Report, be received and remain confidential.

CARRIED

11. Safety and Security at City Hall (No Copy) (Added Item 14.2)

(Hwang/Clark)
That the verbal update respecting Safety and Security at City Hall, be received and remain confidential.

CARRIED

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

5.1 Correspondence respecting Item 8.1, Proposed Encampment Protocol (HSC20036(f) / PED21188(c)) (Item 8.1), from the following individual:

(b) Keeping Six and HAMSMaRT

Recommendation: Be received and referred to the consideration of Item 8.1.

6. DELEGATION REQUESTS

6.2 Delegation Requests respecting Item 8.1, Proposed Encampment Protocol (HSC20036(f) / PED21188(c)), from the from the following individuals (For today's meeting):

(a) Gessie Stearns (In Person)

(b) Lisa Nussey (In Person)

(c) Jammy Lo, Keeping Six (In Person)

(d) Leon Blaze (In Person)

10. DISCUSSION ITEMS

10.6 Facility Naming Sub-Committee Report 23-001 - May 11, 2023

14. PRIVATE AND CONFIDENTIAL

14.1 Encampment Litigation Update (LS20023(g)) (City Wide) – REVISED

14.2 Safety and Security at City Hall (No Copy)

(Francis/Hwang)
That the agenda for the May 17, 2023 General Issues Committee meeting, be approved, as amended.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Absent	-	Ward 3	Councillor Nrinder Nann

Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Absent	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Absent	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor T. McMeekin declared a non-disqualifying interest, however, opted to vote with a conflict to Report PED23116, respecting Pier 8 Animation Q4 2023 as his daughter is employed by the City of Hamilton as an animator.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)

(Francis/Spadafora)
That the following Minutes of the General Issues Committee be approved, as presented:

(i) May 3, 2023 (Item 4.1)
(ii) May 5, 2023 – Special GIC (Item 4.2)

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Absent	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Absent	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Absent	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(d) COMMUNICATIONS (Item 5)

(M. Wilson/Horwath)
That the following Communications Items, be approved, as presented:

(i) Correspondence respecting Item 8.1, Report HSC20036(f) / PED21188(c), Proposed Encampment Protocol, from the following individuals (Item 5.1):

(1) Brooke Beney (Item 5.1(a))
(2) Keeping Six and HAMSMaRT (Added Item 5.1(b))

Recommendation: Be received and referred to consideration of Item 8.1.

(ii) Correspondence from Grant Bivol, Clerk, Niagara Peninsula Conservation Authority (NPCA) respecting the Financial Statements of the NPCA for the year ended December 31, 2022 (Item 5.2).

Recommendation: Be received.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Absent	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Absent	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Absent	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(e) DELEGATION REQUESTS (Item 6)

(i) Hafeez Hussain, respecting more about my experience on Unconscious Bias and EDI and how as a resident it is hard to navigate the city of Hamilton to address these matters to management (Virtually) (For a future meeting) (Item 6.1)

(Nann/Clark)
That the delegation request from Hafeez Hussain, respecting more about my experience on Unconscious Bias and EDI and how as a resident it is hard to navigate the city of Hamilton to address these matters to management, be approved for a future meeting.

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Absent	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Absent	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(Kroetsch/Francis)

(ii) That the following Delegation requests respecting Item 8.1, Proposed Encampment Protocol (HSC20036(f) / PED21188(c)) (For today's meeting), be approved, as follows:

(1) Gessie Stearns (In Person) (Added Item 6.2(a))

(2) Lisa Nussey, HAMSMaRT (In Person) (Added Item 6.2(b))

(3) Jammy Lo, Keeping Six (In Person) (Added Item 6.2(c))

(4) Leon Blaze (In Person) (Added Item 6.2(d))

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Absent	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Absent	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(f) DELEGATIONS (Item 7)

(i) Delegations respecting Item 8.1, Proposed Encampment Protocol (HSC20036(f) / PED21188(c)) (Added Item 7.1):

The following Delegates addressed the Committee respecting Item 8.1, Proposed Encampment Protocol (HSC20036(f) / PED21188(c)):

(1) Gessie Stearns (In Person) (Added Item 7.1(a))

(2) Lisa Nussey, HAMSMaRT (Added Item 7.1(b))

(3) Jammy Lo, Keeping Six (In Person) (Added Item 7.1(c))

(4) Leon Blaze (In Person) (Added Item 7.1(d))

(Hwang/Francis)
That the following Delegations, respecting Item 8.1, Proposed Encampment Protocol (HSC20036(f) / PED21188(c)), be received:

(1) Gessie Stearns (In Person) (Added Item 7.1(a))

(2) Lisa Nussey, HAMSMaRT (Added Item 7.1(b))

(3) Jammy Lo, Keeping Six (In Person) (Added Item 7.1(c))

(4) Leon Blaze (In Person) (Added Item 7.1(d))

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(g) STAFF PRESENTATIONS (Item 8)

(i) Proposed Encampment Protocol (HSC20036(f) / PED21188(c)) (Item 8.1)

Angela Burden, General Manager, Healthy and Safe Communities introduced Michelle Baird, Director, Housing Services Division; and Monica Ciriello, Director, Licensing and By-law Services who addressed the Committee with a presentation respecting Report HSC20036(f) / PED21188(c), Proposed Encampment Protocol.

(M. Wilson/Kroetsch)
That the General Issues Committee recess for 40 minutes until 1:30 pm.

Result: MOTION, CARRIED by a vote of 13 to 1, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
No	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie

Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Absent	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(Cassar/Clark)
That the staff presentation respecting Report HSC20036(f) / PED21188(c), Proposed Encampment Protocol, be received.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(Horwath/Hwang)

(a) That Council adopt the Proposed Encampment Protocol attached as Appendix “A” to Report HSC20038(f) / PED21188(c) and that staff be directed to implement the Proposed Encampment Protocol upon Council ratification on May 24, 2023.

(b) That the staff and budget resources for the Coordination Response Team previously approved through Report HSC20038(e) / PED21188(b) be allocated to the implementation of the Proposed Encampment Protocol attached as Appendix “A” to Report HSC20038(f) / PED21188(c).

(c) That, following Council ratification, staff be directed to make the Proposed Encampment Protocol attached as Appendix “A” to Report HSC20038(f) / PED21188(c) available for public comment, and that staff monitor the implementation of the protocol, and that

staff report back with a final recommended protocol at the General Issues Committee on August 2023.

(d) That staff be directed to conduct a scan of jurisdictions that currently operate sanctioned encampments and further research/consultation as required and bring back options regarding operating models, parameters and criteria for site identification and potential sites with the goal of incorporating sanctioned sites into the new encampment protocol once site(s) and operating model are approved by Council; and,

(e) That staff be directed to work with stakeholders to address washrooms, showers, and access to drinking water, as well as integration of peer and Indigenous supports into encampment response, and report back to the General Issues Committee with recommendations and required resourcing.

Upon request, Committee considered the sub-sections of Report HSC20036(f) / PED21188(c), Proposed Encampment Protocol separately, as follows:

(M. Wilson/Horwath)

(a) That Council adopt the Proposed Encampment Protocol attached as Appendix “A” to Report HSC20038(f) / PED21188(c) and that staff be directed to implement the Proposed Encampment Protocol upon Council ratification on May 24, 2023.

Result: Vote on Sub-Section (a) of Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, DEFEATED by a vote of 3 to 10, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
No	-	Ward 2	Councillor Cameron Kroetsch
No	-	Ward 3	Councillor Nrinder Nann
No	-	Ward 4	Councillor Tammy Hwang
No	-	Ward 5	Councillor Matt Francis
No	-	Ward 6	Councillor Tom Jackson
Absent	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
No	-	Ward 9	Councillor Brad Clark
No	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
No	-	Ward 13	Councillor Alex Wilson
No	-	Ward 14	Councillor Mike Spadafora

No - Ward 15 Councillor Ted McMeekin

(b) That the staff and budget resources for the Coordination Response Team previously approved through Report HSC20038(e) / PED21188(b) be allocated to the implementation of the Proposed Encampment Protocol attached as Appendix "A" to Report HSC20038(f) / PED21188(c).

Result: Vote on Sub-Section (b) of Report HSC20036(f) / PED21188(c), respecting Proposed Encampment Protocol, DEFEATED by a vote of 2 to 11, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
No	-	Ward 2	Councillor Cameron Kroetsch
No	-	Ward 3	Councillor Nrinder Nann
No	-	Ward 4	Councillor Tammy Hwang
No	-	Ward 5	Councillor Matt Francis
No	-	Ward 6	Councillor Tom Jackson
Absent	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
No	-	Ward 9	Councillor Brad Clark
No	-	Ward 10	Councillor Jeff Beattie
No	-	Ward 11	Councillor Mark Tadeson
Absent	-	Ward 12	Councillor Craig Cassar
No	-	Ward 13	Councillor Alex Wilson
No	-	Ward 14	Councillor Mike Spadafora
No	-	Ward 15	Councillor Ted McMeekin

For further disposition of this matter, refer to Item 1.

(Kroetsch/A. Wilson)
That the General Issues Committee meeting of May 17, 2023, be extended past the 5:30 pm curfew, up to an additional 60 minutes.

Result: MOTION, CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Absent	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko

Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendment to the Outstanding Business List (Item 13.1):

(A. Wilson/Hwang)
That the amendments to the Outstanding Business List, be approved, as follows:

(a) Items Considered Complete and Needing to be Removed (Item 13.1(a)):

Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide)
OBL Item: 2023-E
Added: February 1, 2023 at GIC (Item 10.4)
Completed: May 17, 2023 at GIC (Item 8.1)

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Absent	-	Ward 5	Councillor Matt Francis
Absent	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(i) PRIVATE & CONFIDENTIAL (Item 14)

(A. Wilson/Hwang)
Pursuant to Section 9.3, Sub-sections (a), (b), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (a), (b), (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the security of the property of the City or a local board; personal matters about an identifiable individual, including City or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Andrea Horwath	
Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Cameron Kroetsch
Absent	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Tammy Hwang
Absent	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

(i) Encampment Litigation Update (LS20023(g)) (City Wide) – REVISED (Item 14.1)

For disposition of this matter, refer to Item 10.

(ii) Safety and Security at City Hall (No Copy) (Added Item 14.2)

For disposition of this matter, refer to Item 11.

(j) ADJOURNMENT (Item 15)

(Spadafora/Jackson)
That there being no further business, the General Issues Committee be adjourned at 6:21 p.m.

CARRIED

Respectfully submitted,

_____
Deputy Mayor Esther Pauls
Chair, General Issues Committee

_____
Angela McRae
Legislative Coordinator
Office of the City Clerk

TAB 10

City of Hamilton

CITY COUNCIL AGENDA

23-010
Wednesday, May 24, 2023 at 9:30 A.M.
Council Chambers
Hamilton City Hall
71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 May 10, 2023

5. COMMUNICATIONS

5.1 Correspondence from the Township of Armour requesting support for their resolution raising awareness about the loopholes in current regulations regarding water aerodromes that allow proponents to build massive docks and boathouses without municipal

consultation, approval or adherence to bylaws and regulations.

Recommendation: Be received.

5.2 Correspondence from Robert Burke respecting vacant property tax administration.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

5.3 Correspondence from the County of Prince Edward requesting support for their resolution urging the province to pause proposed changes to the Provincial Planning Statement (PPS).

Recommendation: Be received.

5.4 Correspondence from the Town of Fort Frances requesting support for their resolution respecting the Opioid Crisis.

Recommendation: Be received.

5.5 Correspondence from the City of Cambridge requesting support for their resolution requesting that the Ontario Government permit municipalities to locate an Automated Speed Enforcement systems (ASE) permanently or temporarily on any roadway under the

jurisdiction of municipalities and as determined by municipalities, and not be restricted to only community safety zones and school safety zones.

Recommendation: Be received.

5.6 Correspondence from the Municipality of Tweed requesting support for their resolution respecting Bell-Hydro Infrastructure.

Recommendation: Be received.

5.7 Correspondence from the Citizens of Flamborough/City of Hamilton Action Committee respecting Soil Dumping at 1771 Highway 5 West, Flamborough "Waterdown Garden Supplies".

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Public Works for appropriate action.

5.8 Correspondence from Peter Vander Klippe respecting Urgent Action Needed: Resist Urban Boundary Expansion and Prioritize Sustainable Urban Planning.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

5.9 Correspondence from Adeola Egbeyemi respecting the implementation of a maximum heat bylaw.

Recommendation: Be received and referred to the consideration of Item 1 of the Public Health Committee Report 23-005.

5.10 Correspondence from the Ministry of the Environment, Conservation and Parks respecting the Highway 6/Hanlon Expressway Midblock Interchange (GWP 3059-20-00) 2022 Annual Compliance Report (EA File No. TC-CE-02).

Recommendation: Be received.

5.11 Correspondence from Adam Pacey respecting prioritizing growth within our pre-2022 boundaries.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

5.12 Correspondence from Lyn Folkes in support of the much more progressive growth strategy of our current Hamilton Council

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

5.13 Correspondence from alPHa respecting the Resolutions for Consideration at the June 13, 2023 Annual General Meeting.

Recommendation: Be received.

5.14 Correspondence respecting the Proposed Encampment Protocol

a. Warren Woermke

b. Paul Vicari

c. Michelle Hruschka

d. Ted Pudney

Recommendation: Be received and referred to the consideration of Item 1 of the General Issues Committee Report 23-017.

6. COMMITTEE REPORTS

6.1 Hamilton Police Services Board Selection Committee Report 23-001 - May 8, 2023

6.2 Selection Committee for Agencies, Boards and Sub-Committees Report 23-002, May 9, 2023

6.3 Public Health Committee (Special) Report 23-006 - May 15, 2023

6.4 Public Works Committee Report 23-007 - May 15, 2023

6.5 Planning Committee Report 23-008 - May 16, 2023

6.6 General Issues Committee Report 23-017 - May 17, 2023

6.7 Audit, Finance and Administration Committee Report 23-008 - May 18, 2023

6.8 Emergency and Community Services Committee Report 23-007 - May 18, 2023

6.9 CityHousing Hamilton Shareholder Report 23-002 - May 23, 2023

7. MOTIONS

7.1 City of Hamilton Representatives at the 2023 alPHa Conference and Annual General Meeting

8. NOTICES OF MOTIONS

9. STATEMENT BY MEMBERS (non-debatable)

10. COUNCIL COMMUNICATION UPDATES

10.1 May 5, 2023 to May 18, 2023

11. PRIVATE AND CONFIDENTIAL

11.1 Labour Relations Update (no copy)

Pursuant to Section 9.3, Sub-sections (b) and (d) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (b) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees and labour relations or employee negotiations.

12. BY-LAWS AND CONFIRMING BY-LAW

12.1 084

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Schedule 8 – No Parking

Schedule 12 – Permit

Schedule 13 – No Stopping
Ward: 1,2,12,14

12.2 085

To Amend City of Hamilton By-law 01-215, being a By-law to Regulate Traffic, to Add Additional Community Safety Zones in Hamilton
Schedule 34: Designated Community Safety Zones
Ward: City Wide

12.3 086

To Establish City of Hamilton Land described as Block 111 on Plan 62M-1073, Save and Except Parts 1 and 2 on Plan 62R-21881, as Part of Watershore Drive
Ward: City Wide

12.4 087

To Amend By-law R00-054, the Regional Municipality of Hamilton-Wentworth Conservation By-law (as amended by By-law 10-013, By-law 14-213, and By-law 17-094)
Ward: City Wide

12.5 088

To Amend By-law 14-212, To Promote the Conservation and Sustainable Use of Woodlands on Private Property within the Urban Boundary of the City of Hamilton

Ward: City Wide

12.6 089

To Set Optional Property Classes Within the City of Hamilton for the Year 2023

Ward: City Wide

12.7 090

To Establish Tax Ratios and Tax Reductions for the Year 2023
Ward: City Wide

12.8 091

To Set and Levy the Rates of Taxation for the Year 2023

Ward: City Wide

12.9 092

To Levy a Special Charge Upon the Rateable Property in the Business Improvement Areas for the Year 2023

Ward: City Wide

12.10 093

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 4 and 10 Trinity Church Road, Hamilton

Ward: 6

12.11 094

To Adopt Official Plan Amendment No. 38 to the Rural Hamilton Official Plan Respecting 127 Freelton Road, Flamborough

Ward: 13

12.12 095

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 127 Freelton Road, Flamborough

ZAC-23-002

Ward: 13

12.14 097

To Confirm the Proceedings of City Council

13. ADJOURNMENT

TAB 11

OUR WARD 3 NEWS FOR OCTOBER 14TH, 2021

OCTOBER 14, 2021

NRINDER NANN
CITY COUNCILLOR | WARD 3

Dear Neighbour,

I hope you had a chance to rest and reflect on what you are grateful for this past long weekend. I was grateful for a weekend with my family, walking in forests, admiring mushrooms, feathers on the ground, the changing leaves, the sparkle of water, and all the gifts nature offers.

I couldn't help but connect those precious moments to the critical and important decision facing Council about urban boundary expansion, the need to preserve farmland and protect environmentally rich and sensitive areas from development. The special General Issues Committee focused on growth related development has been rescheduled for Tuesday, November 9th at 9:30am.

Below are this week's updates from Council, engagement opportunities and vaccine clinic locations in #OurWard3.

Yours in Community,

Nrinder Nann
Ward 3 City Councillor

Encampment Response Update

Yesterday at Council we received an update on a recent application for a Superior Court injunction that would stop the enforcement of some encampments in Hamilton.

Enforcement doesn't solve homelessness, only housing does.

In fact, more people are living in encampments today than there were in August before the previous Encampment Protocol was repealed by the majority of Council during an at the whim meeting. We have more sites with more tents than before. And yesterday, staff confirmed there is

in fact not enough shelter beds, supports nor housing to safely transition each person currently living in tents. There remains a chronic shortage for women, non-binary and trans residents for emergency housing. And forcing residents living in encampments to move from site to site impairs their health, breaks trust with outreach workers working to address their needs, and literally shortens their life expectancy.

No one wants encampments. Everyone deserves a safe and dignified place to live. And, we need each level of government to invest and work together with our social housing partners to eradicate homelessness. We also need the provincial government to unlock the COVID-19 specific surplus of $5B to help adequately address the health needs of those living in tents.

My focus is on solutions and working directly to address and understand the root causes of homelessness in our communities. It's important that we all talk about it with our families, children and neighbours. The recent release of the book, Shelter: Homelessness in Our Community is an important new resource that addresses these layers. The Ward 3 team is eagerly working on a virtual community reading and discussion for us to share, learn and build community together. If you want to help us plan the event, email us at ward3@hamilton.ca.

In the meantime,you can request to borrow a copy from the Hamilton Public Library via both ebook and in print at the Barton Branch or Book Mobile.

Free Mums Show 2021 at the Gage Park Greenhouses - October 22 to 31, 2021

TAB 12

City of Hamilton
GENERAL ISSUES COMMITTEE
REVISED

Meeting #: 21-027
Date: December 08, 2021
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)
All electronic meetings can be viewed at:
City's Website: https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas
City's YouTube Channel: https://www.youtube.com/user/InsideCityofHamilton or Cable 14

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

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1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4.1 November 9, 2021 - Special GIC

4.2 November 17, 2021

4.3 November 19, 2021 - Special GIC

5. COMMUNICATIONS

*5.1 Correspondence from Richard McKinnon, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update

Recommendation: Be received and referred to consideration of Item 8.2.

*5.2 Correspondence from Hollie Pocsai, respecting the Encampment Matter - J. C. Beemer Park

Recommendation: Be received.

*5.3 Correspondence from Eshan Merali respecting the Encampment Matter - J.C. Beamer Park

Recommendation: Be received.

*5.4 Correspondence from Eshran Merali respecting Item 10.10 - Report CM19006(g), Hate Prevention, Mitigation and Community Initiatives Action Plan

Recommendation: Be received and referred to consideration of Item 10.10.

*5.5 Correspondence from Rose Janson and Family respecting Item 10.10 - Report CM19006(g), Hate Prevention, Mitigation and Community Initiatives Action Plan

Recommendation: Be received and referred to consideration of Item 10.10.

*5.6 Correspondence from Gary Warner respecting the Encampment Matter - J.C. Beamer Park

Recommendation: Be received.

*5.7 Correspondence from Katherine Walker Jones, respecting Report CMO19006(g) - Hate Prevention, Mitigation and Community Initiatives Action Plan

Recommendation: Be received and referred to consideration of Item 10.10.

*5.8 Correspondence from Kevin Intini, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update

Recommendation: Be received and referred to consideration of Item 8.2.

*5.9 Correspondence from Lia Hamelin, respecting Item 10.10 - Report CM19006(g), Hate Prevention, Mitigation and Community Initiatives Action Plan

Recommendation: Be received and referred to consideration of Item 10.10.

*5.10 Correspondence from Sarah Dawson respecting the Encampment Matter - J. C. Beamer Park

Recommendation: Be received.

*5.11 Correspondence from Katie Sullivan, respecting Item 10.10 - Report CM19006(g), Hate Prevention, Mitigation and Community Initiatives Action Plan

Recommendation: Be received and referred to consideration of Item 10.10.

*5.12 Correspondence from Alex Wilson and Zoe Green, Action 13, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update

Recommendation: Be received and referred to consideration of Item 8.2.

*5.13 Correspondence from Ian Graham, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

6. DELEGATION REQUESTS

6.1 Cameron Kroetsch (Chair), Rebecca Banky (Chair-Elect), LGBTQ Advisory Committee, respecting Changes to the Code of Conduct for Advisory Committees

(For the January 17, 2022 Special GIC)

6.2 Bianca Caramento, Bay Area Climate Change Council, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

(For the December 8, 2021 GIC)

*6.3 Ian Borsuk, Environment Hamilton, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

(For the December 8, 2021 GIC)

*6.4 Don McLean, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

(For the December 8, 2021 GIC)

*6.5 Ian Graham, Copetown Institute on Climate Response, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

(For the December 8, 2021 GIC)

*6.6 Dr. James S. Quinn, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

(For the December 8, 2021 GIC)

*6.7 David Carson, respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

(For the December 8, 2021 GIC)

*6.8 James Lambert respecting the Encampment Matter - J. C. Beamer Park

(For the December 8, 2021 GIC)

*6.9 Merima Menzildzic respecting the Encampment Matter - J. C. Beamer Park

(For the December 8, 2021 GIC)

*6.10 Joanna Aitcheson respecting Report CM19006(g) - Hate Prevention, Mitigation and Community Initiatives Action Plan

(For the December 8, 2021 GIC)

*6.11 Kojo Damptey, Hamilton Center for Civic Inclusion, respecting Report CM19006(g) - Hate Prevention, Mitigation and Community Initiatives Action Plan; and, the Encampment Matter - J.C. Beamer Park

*6.12 Video Submissions respecting Item 8.2 - Hamilton's Corporate-Wide Climate Change Update 2021

*6.12.a Grant Linney, Climate Change Reality Canada

*6.12.b Neil Woodley

*6.12.c Miriam Sager

7. CONSENT ITEMS

7.1 Ottawa Street Business Improvement Area (BIA) Revised Board of Management (PED21229) (Wards 3 and 4)

7.2 Downtown Hamilton Business Improvement Area (BIA) Revised Board of Management (PED21232) (Ward 2)

7.3 2021 S&P Global Ratings Credit Rating Review (FCS21109) (City Wide)

8. STAFF PRESENTATIONS

8.1 COVID-19 Verbal Update (no copy)

8.2 Hamilton's Corporate-Wide Climate Change Update 2021 (CMO19008(b)/HSC19073(b)) (City Wide)

9. PUBLIC HEARINGS / DELEGATIONS

9.1 David Carter, Innovation Factory, respecting Item 10.1 - Report PED21204, Innovation Factory and Synapse Life Sciences Consortium Request for Funding Renewal

10. DISCUSSION ITEMS

10.1 Innovation Factory and Synapse Life Sciences Consortium Request for Funding Renewal (PED21204) (City Wide)

10.2 2022 Budget Submission – Advisory Committee for Persons with Disabilities (HUR21012) (City Wide)

10.3 Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045) (City Wide)

10.4 Use of City Resources During an Election (FCS21113) (City Wide)

10.5 Concession Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED21225) (Ward 7)

10.6 Dundas Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED21226) (Ward 13)

10.7 Ottawa Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED21228) (Wards 3 and 4)

10.8 International Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED21227) (Ward 2)

10.9 Arts Advisory Commission Budget Submission (PED21218) (City Wide)

10.10 Hate Prevention, Mitigation and Community Initiatives Action Plan (CM19006(g)) (City Wide)

10.11 Support for the National Council of Canadian Muslims brought forward by the NCCM recommendations in Motion 6.2 (CM21015) (City Wide)

10.12 Business Improvement Area Advisory Committee Report 21-020, November 9, 2021

10.13 Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168(b)) (Ward 14)

*10.14 2022 Tax Supported User Fees (FCS21115) (City Wide)

*10.15 Non-Union Compensation Sub-Committee Report 21-001, December 3, 2021

*10.16 Red Hill Valley Parkway Inquiry Update (LS19036(g)) City Wide)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Amendments to the Outstanding Business List

13.1.a Items to be removed:

13.1.a.a Innovation Factory Request for Funding Renewal Option

Addressed on this agenda as Item 10.1.

*13.1.a.b Synapse Life Sciences Consortium Finding Update

Addressed as Item 10.1 on this agenda.

13.1.a.c Multi-Purpose Community Hub for Diverse & Marginalized Communities – Business Case

Addressed on this agenda as Item 10.3.

13.1.a.d Hate Prevention and Mitigation Update

Addressed on today's agenda as Item 10.10.

13.1.a.e NCCM Recommendations brought forward by the National Council of Canadian Muslims – Recommendation 59

Addressed on this agenda as Item 10.11.

13.1.a.f Adaptive Reuse Project at Balfour House/Chedoke Estate by The Cardus Institute

Addressed on this agenda as Item 10.13.

13.1.a.g Land Needs Assessment and the Municipal Comprehensive Review Survey Results

Addressed at the November 19, 2021 GIC - Reports PED17010(m), PED17010(n), and PED17010(o).

13.1.a.h Land Needed to Accommodate Growth to 2051

Addressed at the November 19, 2021 GIC - Reports PED17010(m), PED17010(n), and PED17010(o).

13.1.a.i GRIDS 2 and Municipal Comprehensive Review – Employment Land Review

Addressed at the November 19, 2021 GIC - Reports PED17010(m), PED17010(n), and PED17010(o).

13.1.a.j GRIDS and Municipal Comprehensive Review - Consultation Update and Evaluation Framework and Phasing Principles

Addressed at the November 19, 2021 GIC - Reports PED17010(m), PED17010(n), and PED17010(o).

13.1.a.k Discontinuation of Water Billing Services by Alectra Utilities

Alectra representatives attended at the November 17, 2021 GIC meeting.

13.1.a.l 2020 Property and Liability Insurance Renewal Report (LS20010)

Addressed at as Item 10.8 at the August 9, 2021 GIC - Report LS21029.

13.1.a.m Options for Resolving the Parking Issues at the Carluke Cemetery

Was addressed as Item 14.2 at the October 5, 2021 Planning Committee - Report PED21171.

13.1.b Proposed New Due Dates:

13.1.b.a Update on Request for Information – Downtown Parking Structure (PED16105 and PED15183)

Current Due Date: December 8, 2021

Proposed New Due Date: April 6, 2022

13.1.b.b Corporate Strategic Growth Initiatives – Annual Update

Current Due Date: November 17, 2021

Proposed New Due Date: March 23, 2022

13.1.b.c Revenue Enhancement Opportunities at the John C. Munro International Airport

Current Due Date: September 22, 2021

Proposed New Due Date: March 23, 2022

13.1.b.d Potential Solutions to the Chedoke Creek Matter

Current Due Date: December 8, 2021

Proposed New Due Date: January 12, 2022

13.1.b.e Airport Employment Growth District (AEGD) Wastewater Servicing Update and Capacity Allocation Policy

Current Due Date: November 3, 2021

Proposed New Due Date: February 2, 2022

13.1.b.f Mayor's Task Force on Economic Recovery

Current Due Date: December 8, 2021

Proposed New Due Date: January 12, 2022

13.1.b.g Recommendations related to the implementation of the Municipal Accommodation Tax and the updated Hamilton Tourism Strategy 2021

Current Due Date: November 17, 2021

Proposed New Due Date: January 12, 2022

13.1.b.h ACPD Environmental Working Group Plan

Current Due Date: December 8, 2021

Proposed New Due Date: March 23, 2022

13.1.b.i Protection of Privacy

Current Due Date: November 17, 2021

Proposed New Due Date: February 16, 2022

13.1.b.j Downtown Entertainment Precinct Master Agreement – Municipal Capital Facility Agreement By-Laws

Current Due Date: December 8, 2021

Proposed New Due Date: February 16, 2022

13.1.b.k Considerations to Implement a Vacant Home Tax in Hamilton (FCS21017(a) / PED21114)

Current Due Date: December 8, 2021

Proposed New Due Date: January 12, 2022

13.1.b.l Community Benefits Protocol

Current Due Date: Deferred at the June 16, 2021 GIC

Proposed New Due Date: March 23, 2022

*13.1.b.m Draft City of Hamilton Public Engagement Policy

Current Due Date: May 4, 2022

Proposed New Due Date: June 15, 2022

13.1.c Items to be referred to another Standing Committee:

13.1.c.a Draft Official Plan Amendment (OPA), as part of the Municipal Comprehensive Review

To be referred to the Planning Committee.

*13.2 J.C. Beemer Park Verbal Overview

14. PRIVATE AND CONFIDENTIAL

14.1 Closed Session Minutes - November 17, 2021

Pursuant to Section 9.1, Sub-sections (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14.2 Closed Session Minutes - November 19, 2021

Pursuant to Section 9.1, Sub-sections (e) and (f) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

14.3 Canadian Union of Public Employees Local 5167 (Macassa/ Wentworth Lodges), Ratification of Collective Agreement (HUR21014) (City Wide)

Pursuant to Section 9.1, Sub-section (d) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations.

14.4 Investigation Update (AUD21012) (City Wide)

Pursuant to Section 9.1, Sub-sections (b), (d) and (e) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (b), (d) and (e) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; and, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

14.5 Litigation Update – Property Damage Claim (LS21028) (City Wide)

Pursuant to Section 9.1, Sub-sections (b), (e), (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (b), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local

board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14.6 Disposition Strategy – Portion of the Wentworth Lodge Lands (PED19138) (Ward 13)

Deferred from the August 12, 2019 GIC.

Pursuant to Section 9.1, Sub-sections (c), and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (c) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

*14.7 Red Hill Valley Parkway Inquiry Update (LS19036(h)) (City Wide)

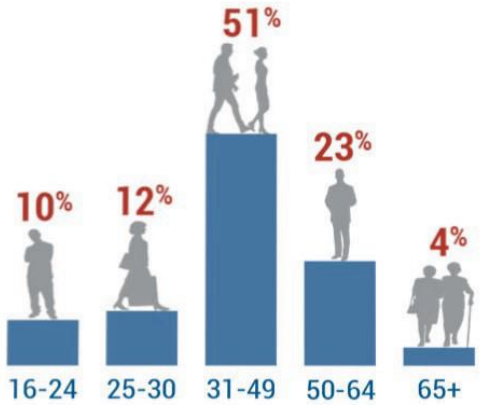
15. ADJOURNMENT

TAB 13

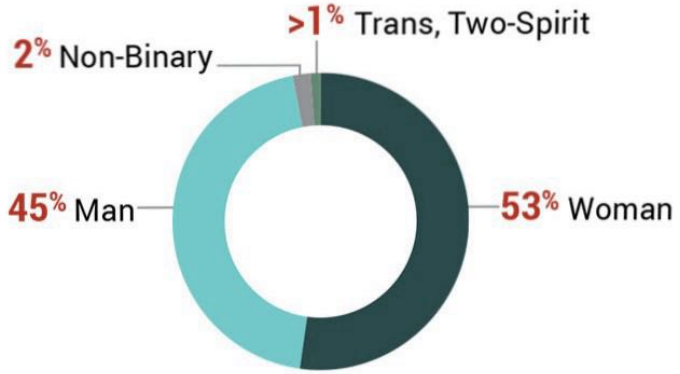
DID YOU HAVE ANY FAMILY MEMBERS OR ANYONE ELSE WHO STAYED WITH YOU LAST NIGHT?

WHERE DID YOU STAY LAST NIGHT?

AGE



GENDER IDENTITY



INDIGENOUS ANCESTRY

23% identified as Indigenous or as having Indigenous ancestry

IMPACTS OF COVID

77 number of people who report that their most recent housing loss is related to the COVID-19 pandemic

HEALTH

40% of those surveyed reported having a chronic illness or health condition.

270 respondents had been to an emergency room (ER) in the last 12 months, with a cumulative total of 787 ER visits

TOP 3 REASONS FOR MOST RECENT HOUSING LOSS

- Not enough income
- Landlord/tenant conflict
- Unfit/unsafe housing conditions

TOP 5 BARRIERS TO FINDING HOUSING

- Rent too high
- Low income
- No income assistance
- Poor Housing Conditions
- Discrimination

HOMELESS FOR 6 MONTHS OR MORE IN THE PAST YEAR

304 People

TAB 14

2022 PiTC Results Infographic Description

Did you have any family members or anyone else who stayed with you last night?

- None / single: 431
- Family: 94
- Partner: 8
- Other adult: 12

Where did you stay last night?

- Emergency Shelter: 298
- Hotel/motel - City funded: 68
- Unsheltered: 60
- Transitional shelter / housing: 52
- Encampment 35
- Someone else's place: 15
- Other - non permanent: 17

Age

- 16-24: 10%
- 25-30: 12%
- 31-49: 51%
- 50-64: 23%
- 65+: 4%

Gender Identity

- Woman: 53%
- Man: 45%
- Non-binary 2%
- Trans, Two-spirit 1%

Indigenous Ancestory

- 23% identified as Indigenous or having Indigenous ancestory

Impacts of COVID

- 77 people who report that their most recent housing loss is related to the COVID-19 pandemic

Health

- 40% of those surveyed reported having a chronic illness or health condition
- 270 respondents had been to an emergency room in the last 12 months, with a cumulative total of 787 ER visits.

Top 3 reasons for most recent housing loss

- Not enough income
- Landlord/tenant conflict
- Unfit/unsafe housing conditions

Top 5 barriers to find housing

- Rent to high
- Low income
- No income assistance
- Poor housing conditions
- Discrimination

Homeless for 6 months or more in the past year

- 304 People

TAB 15

City of Hamilton

Point in Time Connection Results 2021

Housing Services Division – April 2022

The 2021 Point in Time Connection (PiTC), a joint planning effort with City of Hamilton's Housing Services Division and the Coalition of Hamilton Indigenous Leadership (CHIL), was made possible through the support of a wide range of community partners who assisted greatly in its planning and implementation. The Housing Services Division would like to specifically acknowledge and thank every single survey participant whose contributions allow us to more deeply examine the impact of our ongoing work to end homelessness.

The partnership with, and leadership of, CHIL remain central in efforts to prioritize Indigenous led solutions to homelessness. Recommendations from the Indigenous community guide efforts to ensure that the PiTC is conducted in a way that is safe and culturally appropriate, acknowledging autonomy and self-determination as key pillars of engagement.

For the first time, Hamilton's PiTC was led on the ground exclusively by community partners and City staff without the support of volunteers; these efforts were critical in prioritizing the health and safety of all involved throughout the survey week. Building on this initiative, we continue to strive to centre the voices of unhoused residents to work toward ensuring that their needs are directly prioritized in approaches taken and decisions made in the context of local planning, policy and investment.

Land Acknowledgment

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

Coming Together to End Homelessness: Hamilton's Systems Planning Framework outlines our strategic local approach to preventing and ending homelessness, which must account for the systemic over-representation of Indigenous persons experiencing homelessness. The Housing Services Division is committed to ongoing coordination with urban Indigenous leadership to ensure that approaches to service coordination and provision are culturally appropriate, safe and built on principles of relationship, trust and informed consent.

Table of Contents

Summary and Key Findings 3
Snapshot of Homelessness in Hamilton on November 19, 2021 4
Introduction 4
COVID-19 Context 4
Overview of Homelessness in Hamilton 5
Sheltered Homelessness 5
Unsheltered Homelessness 6
Shelter System Flow Data 7
Methodology 9
Snapshot 10
Survey Participation 11
Profile of Respondents Experiencing Homelessness 11
Age 11
Gender Identity 12
Indigenous Identity 12
Migration to Canada 13
Racial Identity 14
Length of Time in Hamilton 14
Family Homelessness 15
Sexual Identity 15
Veteran Homelessness 16
Health 16
Sources of Income 17
Homelessness History 18
Length of Homelessness in Past Year 18
Age of First Homeless Experience 19
Experience with Foster Care 19
Reasons for Homelessness/Housing Loss 20
Barriers to Finding Housing 21
Service Use Patterns 21
Shelter Use in the Last Year 21
Interaction with the Health Care & Criminal Justice System 22
Conclusion and Next Steps 23
Appendix A: 2021 PiTC Survey 24

Summary and Key Findings

Hamilton's most recent PiTC survey of individuals experiencing homelessness in the city highlights a shift in the demographic profile of those experiencing homelessness, identifies key barriers to maintaining or obtaining housing, and shows specific groups are overrepresented in their experience of homelessness.

Held November 15 to 19, 2021, and jointly planned by the City's Housing Services Division and CHIL, it is the third nationally-coordinated Point-in-Time Count since 2016. The information collected complements existing local efforts to collect and report on key data on the state of homelessness and helps to ensure available resources are used as efficiently and effectively as possible to prevent and end homelessness.

Service staff from community-based social service organizations conducted 545 surveys over the five-day period at emergency shelters, drop-in programs, community agencies, and in unsheltered locations to better understand the needs of people experiencing homelessness in our community.

Results of the survey highlight:

- the overrepresentation of Indigenous peoples, as 23% of all respondents identified as Indigenous or as having Indigenous ancestry;
- a shift in the demographic profile of those experiencing homelessness throughout the COVID-19 pandemic, including an increase in the percentage of respondents who identify as a woman (53%), which was higher than in 2018 (32%) and 2016 (28%);
- key barriers to maintaining or obtaining housing, such as impacts from the COVID-19 pandemic, housing affordability, low income/low income assistance, landlord/tenant conflict, poor housing conditions and discrimination;
- a majority of respondents reported they had most recently stayed in an emergency shelter or a City funded hotel/motel; and,
- the 2021 PiTC engaged a larger number of people staying in outdoor unsheltered locations and encampments (95) compared to 2016 and 2018 (In 2016, 34 survey respondents were unsheltered and/or in encampments compared to 25 survey respondents in 2018).

In keeping with the principles of Indigenous data sovereignty, as directed by the Indigenous Community Advisory Board (ICAB), CHIL has led the analysis of Indigenous respondent data and the City of Hamilton has not and will not use this data without the approval of the ICAB. Housing Services Division continues to prioritize collaborative work with local Indigenous leadership to develop connections to housing and supports

that are culturally appropriate, rooted in the spirit and actions of reconciliation that recognize the values of autonomy and self-determination.

Snapshot of Homelessness in Hamilton on November 19, 2021

- Shelters were at 93% capacity during the period of November 15-19, 2021
- 748: the number of unique individuals that stayed in an emergency shelter during the period of November 15-19, 2021
- 1426: total number of people on the City of Hamilton's By-Name List on November 12, 2022

Introduction

From November 15 to 19, 2021 the City of Hamilton participated in Everyone Counts, the third nationally coordinated Point-in-Time Count in Canada. Completion of the PiTC fulfilled requirements of both the Federal government's Reaching Home: Canada's Homelessness Strategy and the Ontario Ministry of Municipal Affairs and Housing.

Point-in-Time Counts have historically been used to help communities better understand the nature and extent of homelessness and the circumstances of the people experiencing homelessness, while providing information to help shape ongoing system and service responses. Point-in-Time Counts can assist in identifying how many people in a community experience homelessness at any given time; however, it is not an exhaustive count. Through the accompanying survey, the initiative provides information on the demographics and service needs of the local population experiencing homelessness.

545 surveys were completed during the week at emergency shelters, provincially administered Violence Against Women shelters, drop-in programs, community agencies, and in unsheltered locations including encampments. An Indigenous led magnet event was also held in Beasley Park on November 17, 2021 to provide an opportunity for Indigenous community members to be surveyed by Indigenous surveyors.

COVID-19 Context

Investments specifically targeted towards housing-focused interventions in Hamilton to prevent and end people's experience of homelessness total approximately $25 M annually in regular funding. In addition, since the beginning of the COVID-19 pandemic, the City has sustained an emergency response across the homelessness-serving system directing more than $60 M in additional pandemic response funds. These funds ensured for a responsive and flexible response throughout the evolving demands of the pandemic.

Through the pandemic, additional investments have enabled the temporary expansion of shelter space across the system from 341 beds up to 548 beds at the highest point plus additional overflow space, as well as a new temporary women's shelter. In addition, these investments supported the expansion of the City's Housing Focused Street Outreach team and have also enabled community drop-in programs to expand and

maintain services for vulnerable residents, including: meals, showers, harm reduction supplies, and overnight access to drop-in services. These investments and the dedicated efforts of agency staff provided additional settings and opportunities for engagement through the PiTC.

Overview of Homelessness in Hamilton

Sheltered Homelessness

Emergency shelters are a critical first-line response to ensure people experiencing homelessness have a safe place to stay while they pursue stable housing. The City's outreach staff work on a daily basis to engage individuals experiencing unsheltered homelessness to offer shelter space and work with them to find safer, humane, and supportive housing options.

There has been growing pressure within the shelter system throughout the course of the pandemic. In 2020, emergency shelter average length of stay increased 18% and the women's system was particularly over-capacity. From 2020 to 2021 there has been an increasing trend in number of unique individuals accessing shelters by month.

Figure 1: Unique Individuals in Shelter by Month

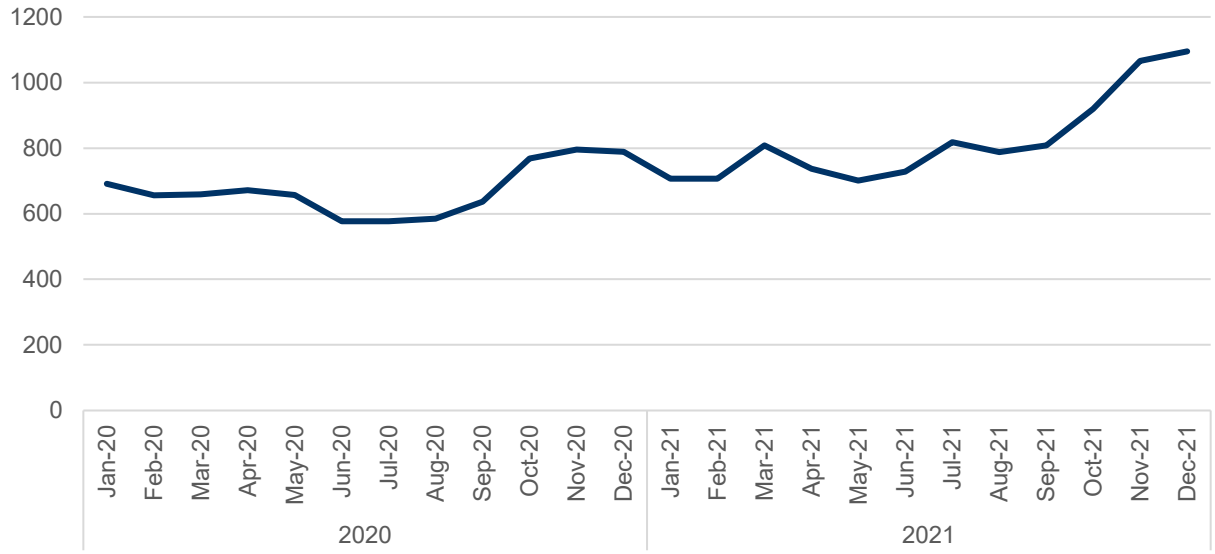


Figure 2: Monthly Shelter Bed Usage and Max Capacity by Month

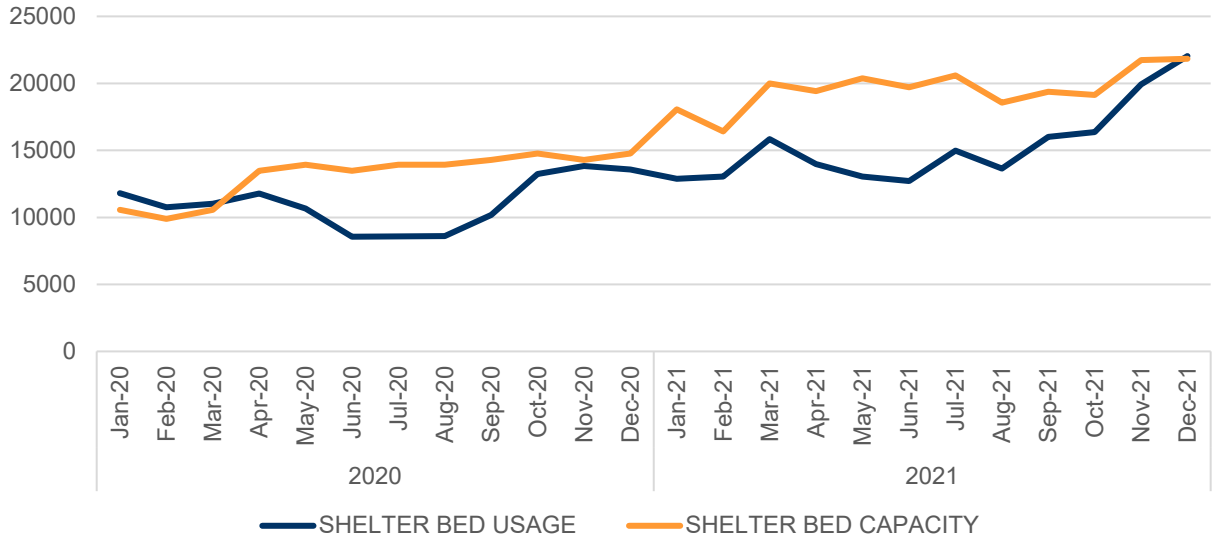
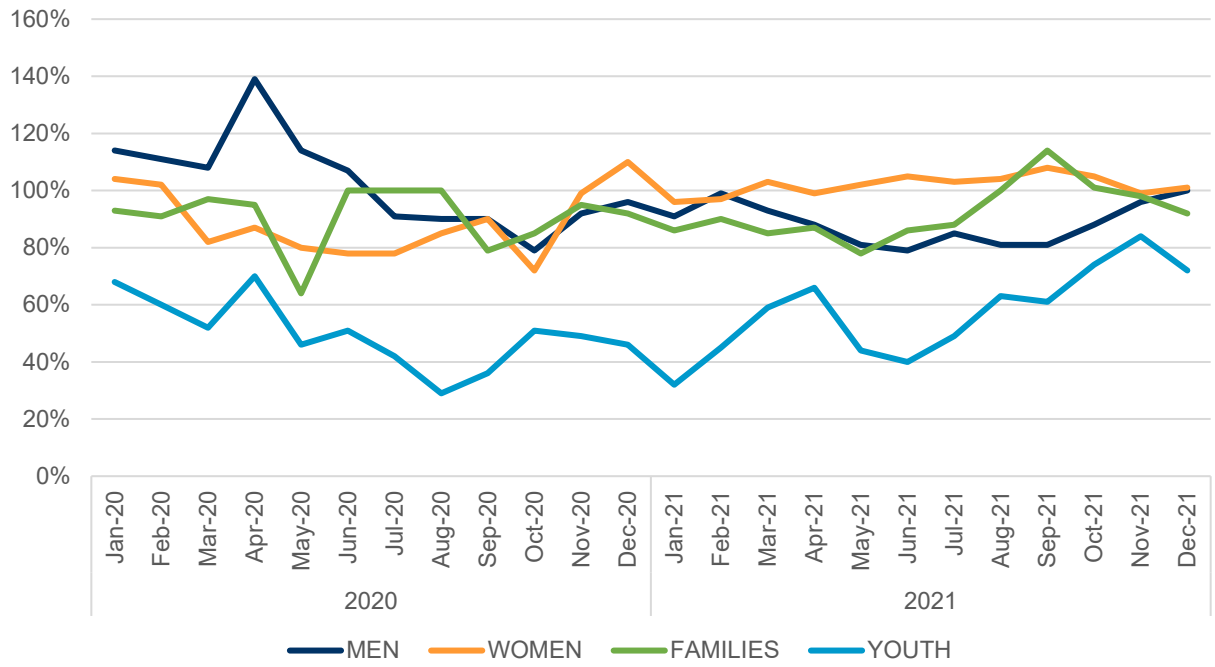


Figure 3: Shelter Occupancy by Sector and Month



Unsheltered Homelessness

During the week of the PiTC (Nov. 15-19, 2021), the City's Housing Focused Street Outreach team reported that there were approximately 90 unique individuals staying in unsheltered locations, including encampments. The rise in, and visibility of, unsheltered

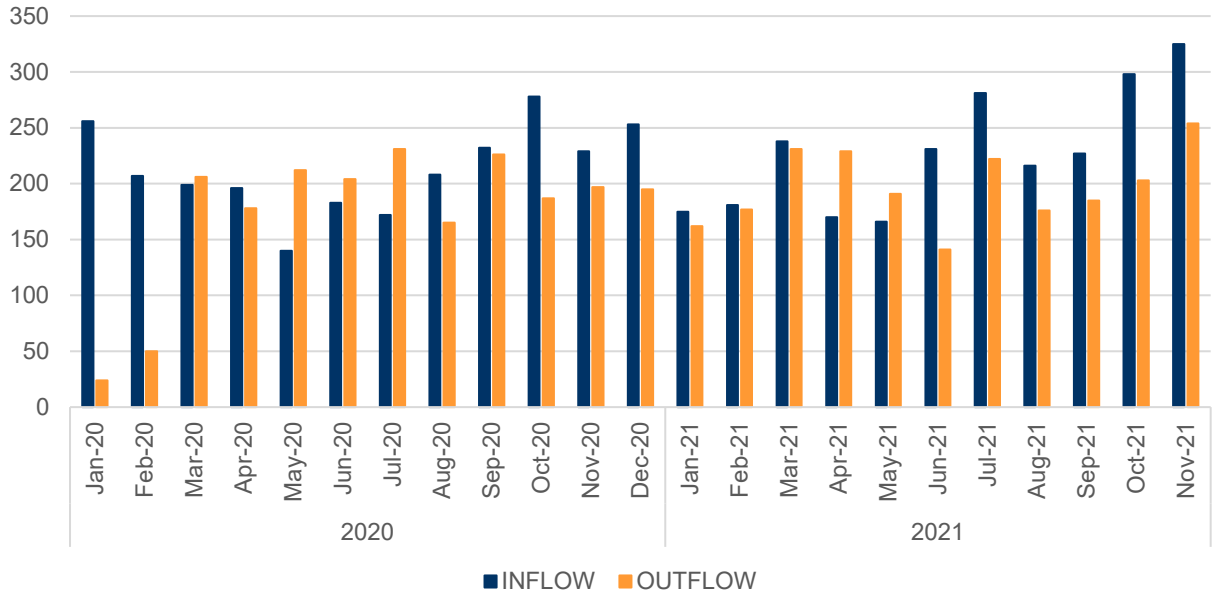
homelessness and encampments throughout many Canadian cities continues to demonstrate how the COVID-19 pandemic persists in exacerbating ongoing systemic challenges and inequities as it relates to housing and homelessness. While the City has worked to develop new strategies and approaches to address these issues locally, unsheltered homelessness remains a persistent reality in Hamilton along with structural barriers to accessing adequate housing and supports.

Shelter System Flow Data

Inflow and outflow are two of the most important measures for monitoring progress towards the goal of ending homelessness. The goal towards ending homelessness is to see outflow exceed inflow. When this happens, it means that more people are exiting from homelessness than are entering the homeless-serving system. As of the end of November 2021, there have been two months where outflow exceeds inflow. In 2020, there were four months where outflow exceeded inflow. Note that outflow data was limited for the first two months of 2020.

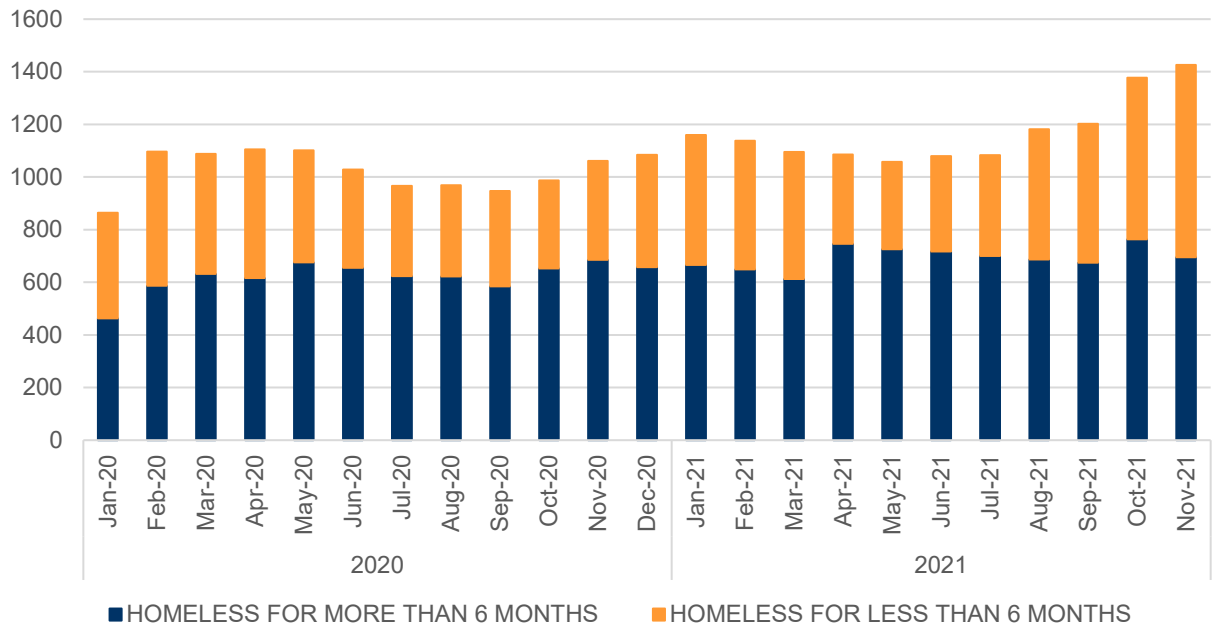
INFLOW	OUTFLOW
Represents the number of individuals: • newly identified as homeless, • returned to homelessness from housing, • returned to homelessness from inactive status.	Represents the number of individuals: • who have moved from housing to housed, • those who have moved to inactive status (meaning they have not interacted with the homeless-serving system for 90+ days).

Figure 4: Individuals (shelter stayers) entering (inflow) or exiting (outflow) homelessness by month



The number of people actively experiencing homelessness is based on data collected by homeless-serving shelters through the Homeless Individuals and Families Information System (HIFIS). Individuals on the By Name List (BNL) who have been engaged only through Outreach and Drop-in programs are not included in this depiction at this time as we look to improve our data reporting.

Figure 5: Individuals (shelter stayers) experiencing homelessness for less than six months and more than six months, by month



Methodology

The nationally coordinated Point-in-Time Count approach includes a set of core standards for the methodology that guide how the counts are conducted in participating communities across Canada. The core standards, identified by Federal and Provincial governments, identify common screening and survey questions that are asked in all participating communities. The approach does give some flexibility for communities to adapt methodology, and Hamilton's survey design and implementation was guided by local partners, including consultation with Indigenous partners through CHIL.

Given the COVID-19 pandemic, adaptations to methodology were made available to communities to support the implementation of Point-in-Time Counts to reduce risks and burden on participants and staff in the homeless serving sector. Adaptations to the 2021 PiTC included:

- expansion of surveying timeline to five days, creating additional flexibility to participate and complete surveys, while avoiding large gatherings to reduce the risk of infection and community spread of COVID-19;
- no additional assessment tool included for 2021, as the survey consisted of only the core anonymous questions;
- 24-hour online survey submission, completed through the Homeless Individuals and Families Information System (HIFIS);
- no additional community volunteers recruited - surveying was conducted exclusively by community social-service agency and City of Hamilton staff;
- full training module completed online; and,
- focus on sheltered sites (emergency shelter, drop in, etc.) and a targeted approach to connect with unsheltered individuals and families in the community in known locations through the City's Housing Focused Street Outreach team, alongside partners from local Indigenous housing organizations.

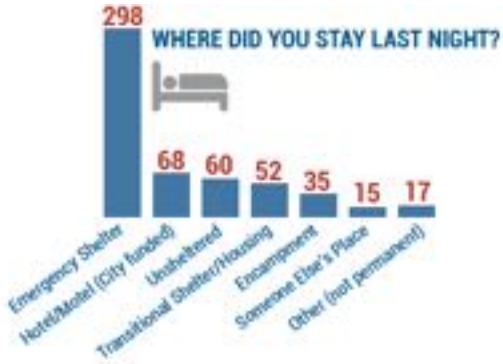
As in 2016 and 2018, an Indigenous led magnet event was held during the week to provide an opportunity for Indigenous community members to be surveyed by Indigenous surveyors. All survey participants of the PiTC were provided a $15 gift card honorarium upon completion of the survey.

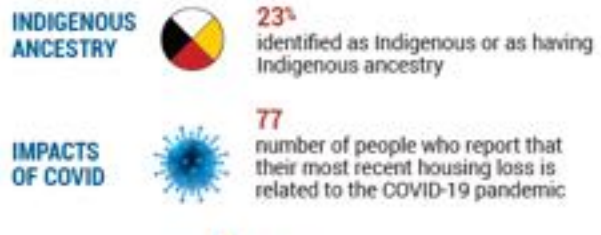
While a number of strategic decisions allowed for increased engagement through the PiTC, there remains limitations in the methodology. In the 2018 PiTC, Hamilton had expanded survey sites to include additional drop-in programs focused on youth, as well as including the Central Library location as a survey site. As a result of enhanced COVID-19 health and safety regulations and limitations on volunteer recruitment, staff were unable to include these additional spaces and build upon learnings and reflections from these survey sites in 2018.

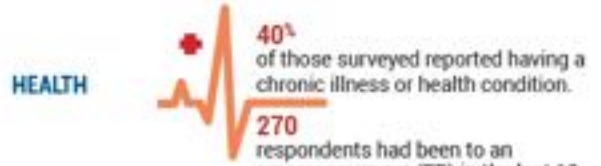
Snapshot

Comparison and analysis of detailed results across multiple PiTC initiatives remains a challenge given the varying contextual factors from year to year. Between PiTC initiatives, the Housing Services Division has worked with community partners to strengthen local reporting on key data related to the state of homelessness and actions towards preventing and ending it. As a part of these broader efforts, the PiTC remains a valuable tool to further support evidence-informed action and improvement within Hamilton's Housing and Homelessness Serving System.

A total of 545 individuals completed voluntary surveys during the 2021 Hamilton Point in Time Connection. Here is a snapshot of the survey results:







Survey Participation

The following chart provides a summary of where the 545 survey respondents reported staying the night before completing the survey:

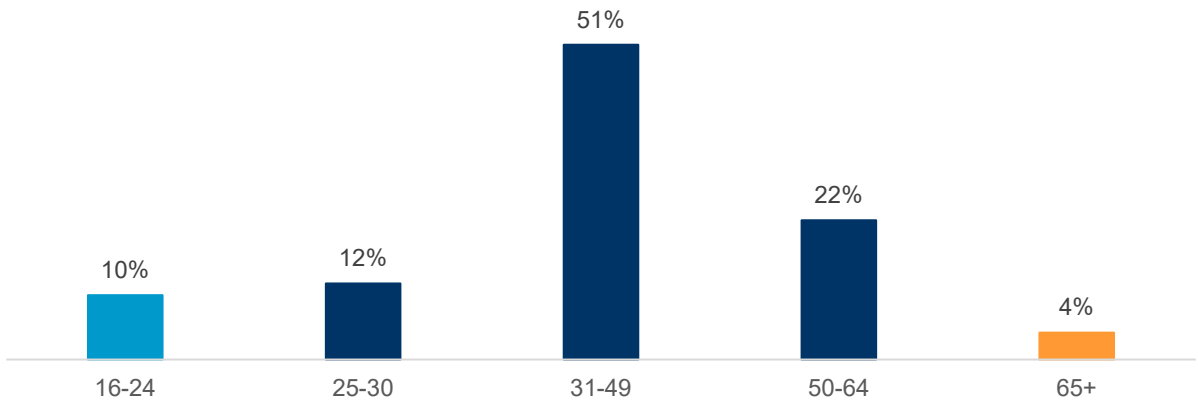
Location	Total	Description
Emergency Shelters	366 (67%)	An emergency shelter, hotel or motel, and domestic violence shelters for emergency accommodation.
Unsheltered	61 (11%)	An unsheltered location in a public space, such as a park, vehicle, or other place not intended for human habitation.
Encampment	35 (6%)	A group of tents, makeshift shelters, or other long-term outdoor settlements.
Couch Surfing	15 (3%)	Staying with a friend, family member, or stranger.
Transitional Housing	52 (10%)	Housing which is a temporary type of accommodation meant to bridge the gap from homelessness to permanent housing.
Motel / Hotel (Self-funded)	1 (0.2%)	Staying in a motel / hotel that was paid for by the individual or family.
Location undetermined	15 (3%)	Location was not reported.

Profile of Respondents Experiencing Homelessness

Age

The average age of respondents was 35 years. Respondents ranged in age from 16 being the youngest and 79 as the oldest. Most respondents (73%) were between the ages of 31 and 64.

Figure 6: Age of Respondents



Gender Identity

A key demographic shift in 2021 results was the percentage of respondents who identified as a woman (53%), which was higher than in 2018 (32%) and 2016 (28%). There are contributing factors to keep in mind when considering this shift in respondent profile, including intentional adaptations to methodology, and where surveys were administered in 2021 in comparison to previous years.

Although not required, Hamilton continues to include people who may be experiencing "hidden homelessness" into the PiTC survey. This has been a standing recommendation by our community to ensure that we better represent populations who may typically not be as highly represented in the mainstream emergency shelter system. Enhanced gender-specific responses during COVID-19, including an expanded emergency shelter system and enhanced drop in locations, along with the option to complete surveys 24 hours a day through the entire duration of the initiative may have also contributed to a shift in response rate.

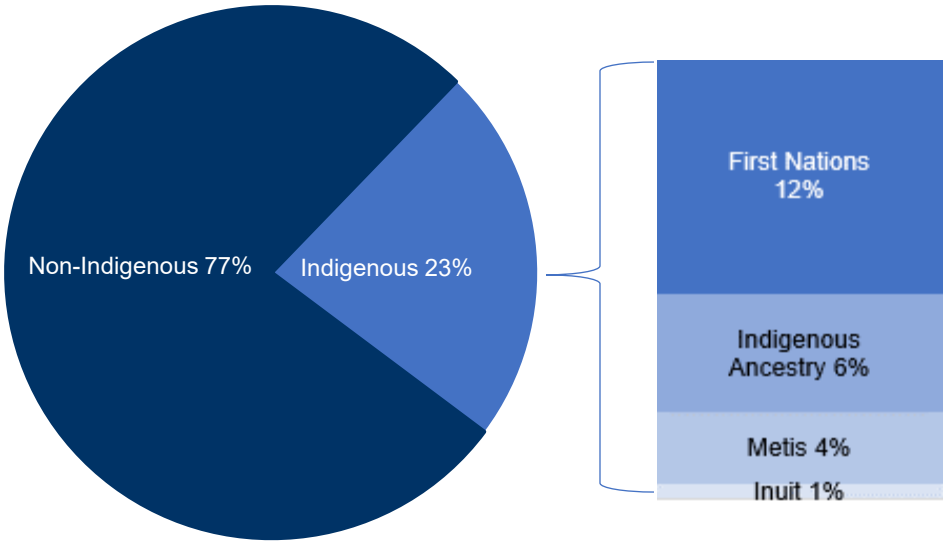
Table 1: Gender Identity of Respondents

Gender	Percentage
Woman	53%
Man	45%
Non-Binary	2%
Trans, Two-Spirit	<1%

Indigenous Identity

In 2021, the PiTC continues to highlight the overrepresentation of Indigenous persons experiencing homelessness in Hamilton (23% of all respondents). A full analysis of Indigenous respondent data can be found in Appendix "B" to Report HSC22021 - 2021 Point in Time Count (Hamilton, Ontario): Indigenous Responses, submitted by CHIL and approved by the ICAB.

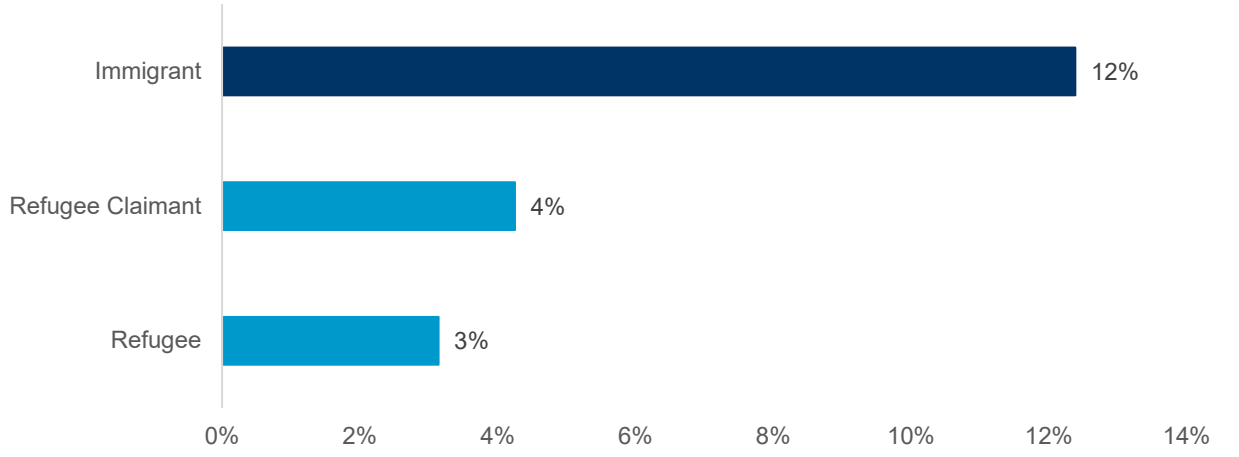
Figure 7: Indigenous Identity of Respondents



Migration to Canada

One-fifth of respondents identified as an immigrant or refugee. A total of 91% reported having been in Canada for one year or more, and 9% reported being in Canada for less than six months.

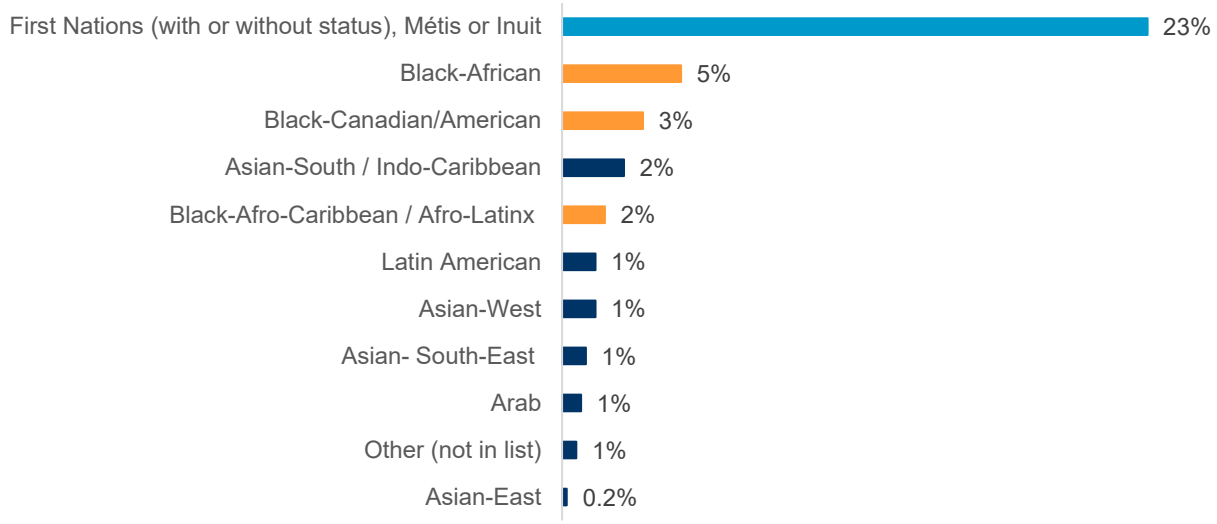
Figure 8: Respondents Migration to Canada



Racial Identity

In 2021, 39% of respondents identified as members of racialized groups, with the largest percentage identifying as First Nations (with or without status), Métis or Inuit (23%). Also, 10% of respondents identified as Black.

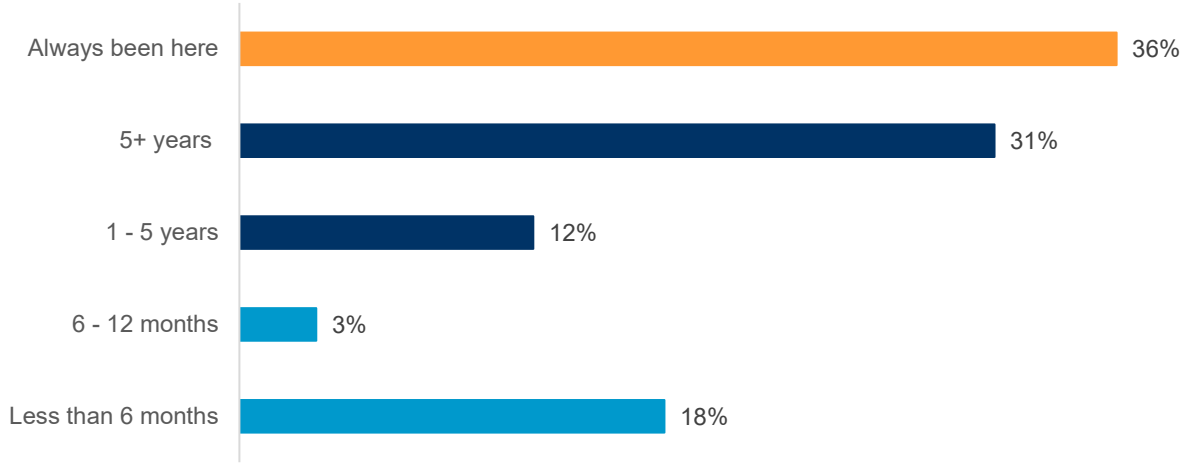
Figure 9: Racial Identity of Respondents



Length of Time in Hamilton

A total of 79% of respondents identified having been in Hamilton for one year or more, including those who reported as always been in Hamilton (36%). 21% of individuals reported being in Hamilton for less than one year.

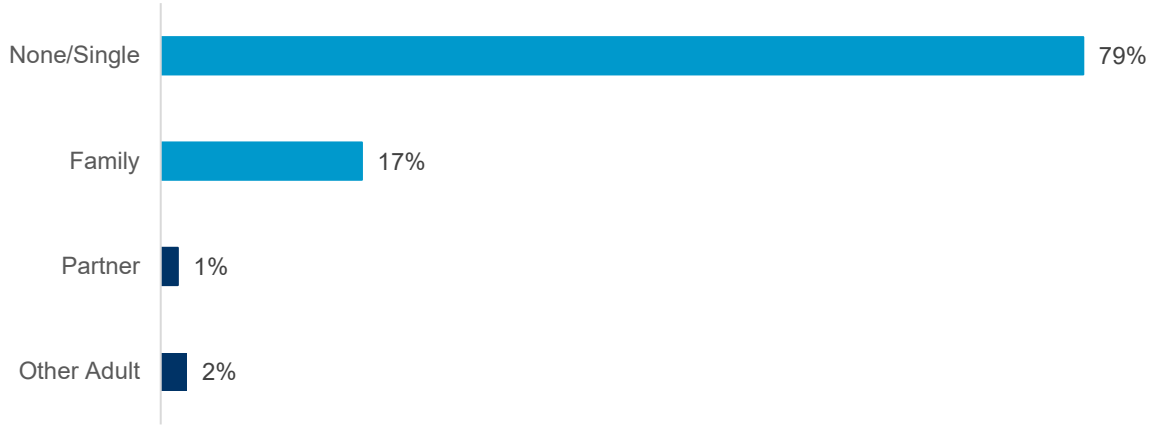
Figure 10: Respondents Length of Time in Hamilton



Family Homelessness

The majority of respondents identified that they were staying alone when surveyed (79%); 21% reported that they had either a partner, other adults or non-adult dependents staying with them that night.

Figure 11: Persons Staying with Respondent on Night of PiTC Survey



Sexual Identity

A total of 10% of respondents identified as 2SLGBTQ+ (Two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, + refers to sexual and gender identities not represented in the acronym). Of those who identified as 2SLGBTQ+ (50), 16% (9) were youth between the ages of 16 and 24.

Figure 12: Sexual Identity of Respondents

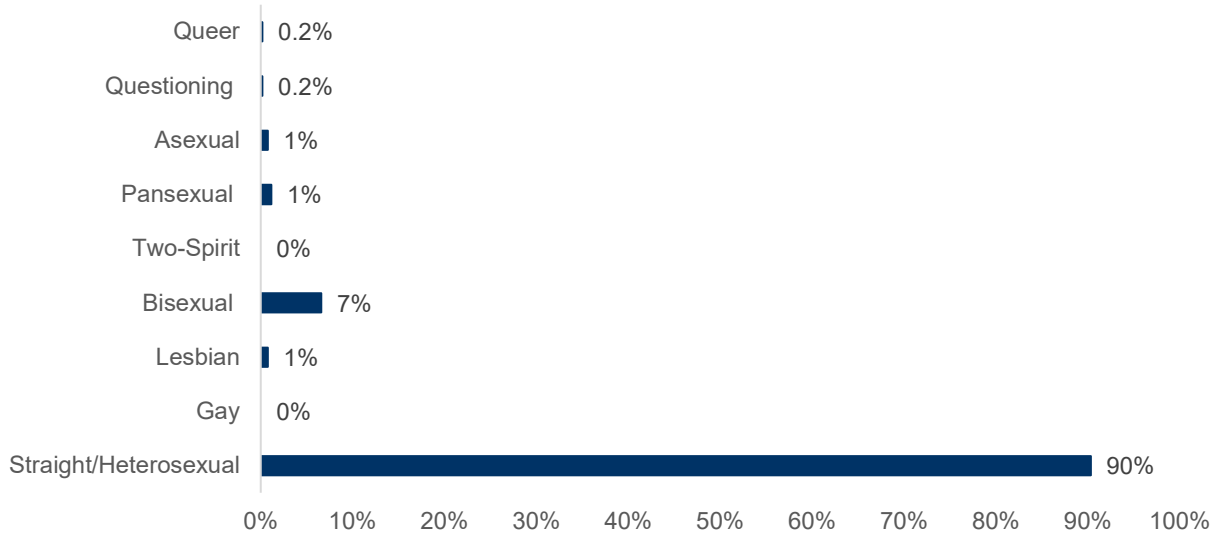
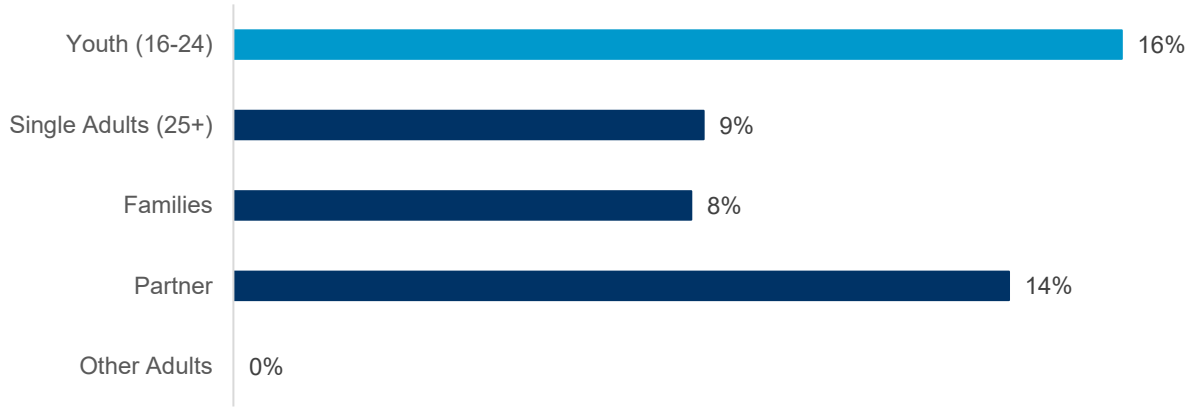


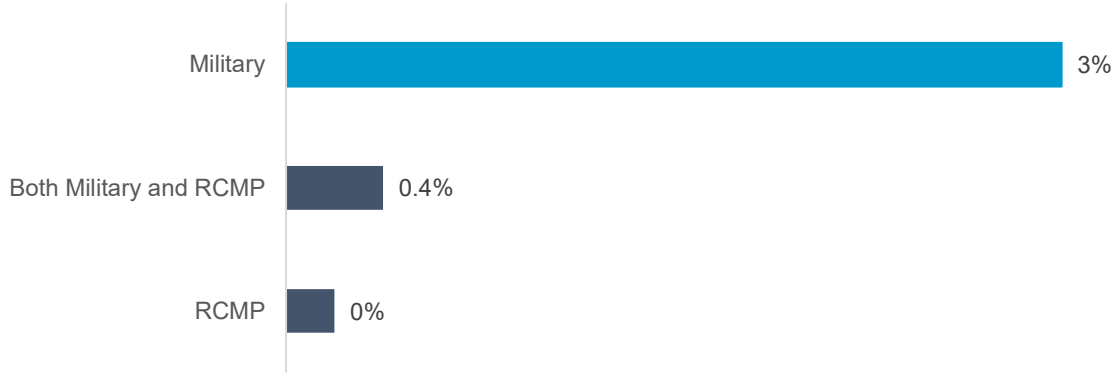
Figure 13: Respondents Identifying as 2SLGBTQ+ by Surveyed Group



Veteran Homelessness

In 2021, 3% of all respondents experiencing homelessness reported having served in the Canadian Military or RCMP.

Figure 14: Respondents Reporting Ever Serviced in the Military or RCMP



Health

Respondents were asked if they had any of the following types of health challenges:

- mental health issue [diagnosed or undiagnosed] (e.g. depression, PTSD, bipolar disorder),
- substance use issue (e.g. tobacco, alcohol, opiates),
- illness or medical condition (e.g. diabetes, arthritis, TB, HIV),
- physical limitation (e.g. challenges with mobility, physical abilities or dexterity),
- learning or cognitive limitations (e.g. dyslexia, autism spectrum disorder, or as a result of ADHD or an acquired brain injury).

A total of 457 respondents identified having at least one health challenge. More than half of respondents indicated having a health challenge relating to mental health (60%)

and substance use (59%). A total of 40% of those surveyed reported having a chronic illness or health condition.

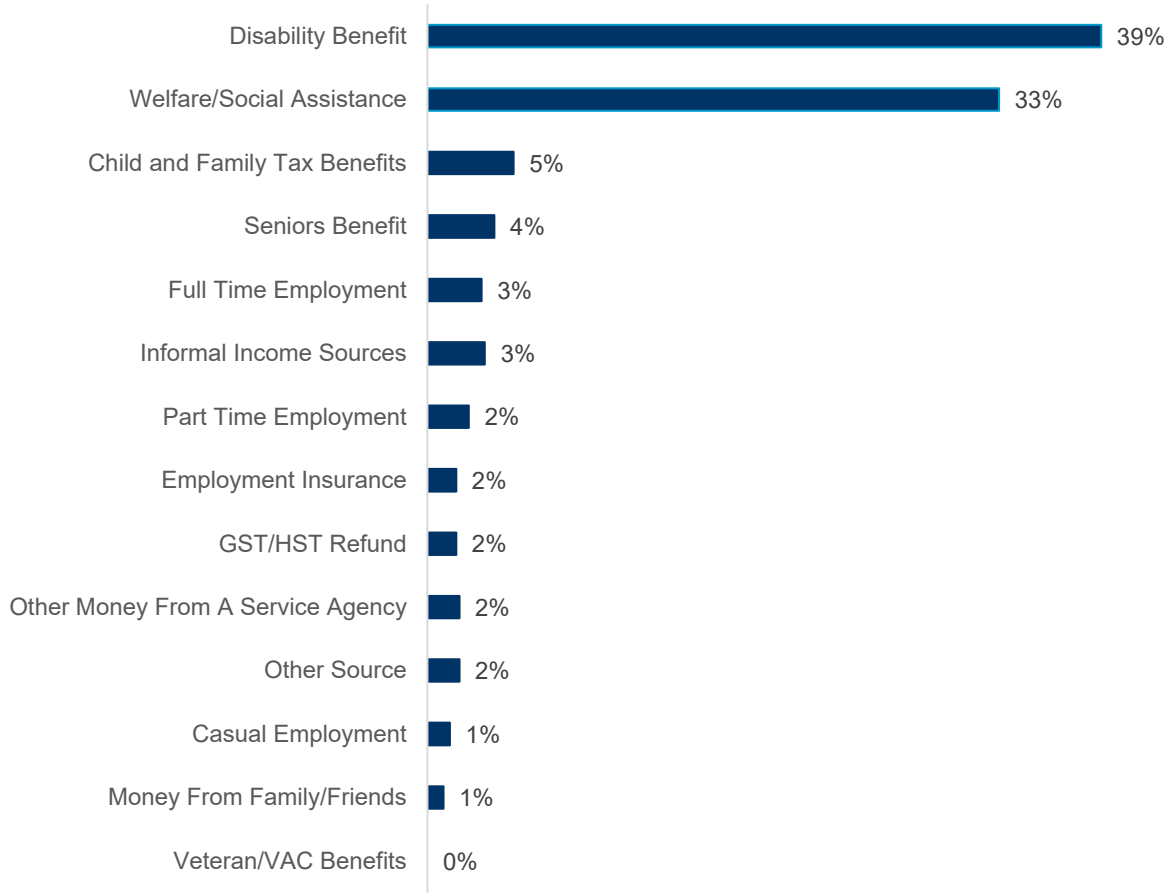
Figure 15: Health Challenges Identified by Respondents

Figure 16: Multiple Types of Health Challenges Identified by Respondents

Sources of Income

The majority of respondents (87%) reported having at least one source of income. The most common sources of income reported in 2021 were disability benefit (39%) and welfare/social assistance (33%). All other sources of income were reported by less than 5% of respondents.

Figure 17: Respondents Source of Income

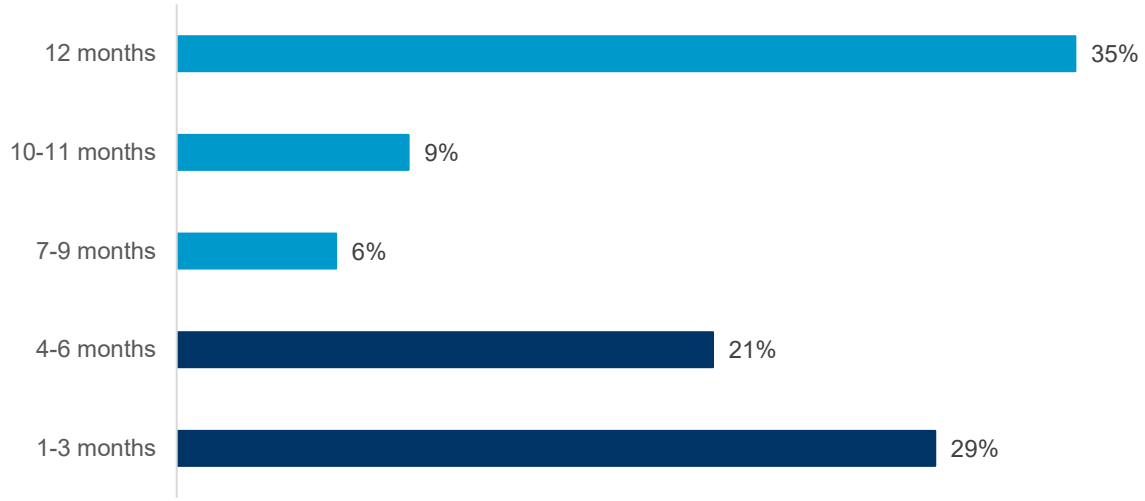


Homelessness History

Length of Homelessness in Past Year

The average reported length of homelessness in the past year was seven months. For the purposes of coordinated point-in-time counts, the federal definition of chronic homelessness is experiencing homelessness for six months or more in the past year. A total of 50% of respondents reported being homeless for more than six months over the past year. 65% of both youth and families identified as being homeless for less than six months in the past year. 57% of single adults identified as being homeless for more than six months in the last year.

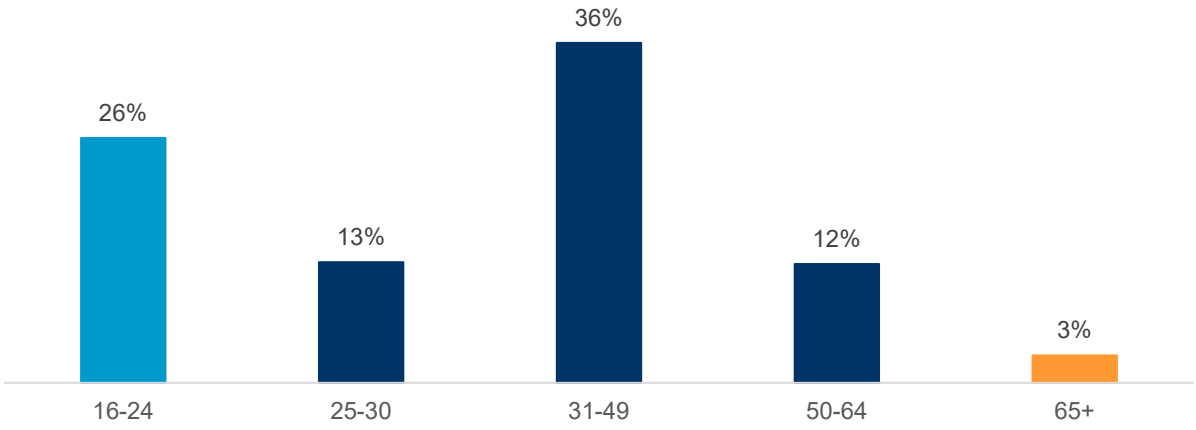
Figure 18: Length of Homelessness in the Past Year



Age of First Homeless Experience

Respondents were asked how old they were the first time they experienced homelessness. A total of 26% of respondents reported being between 16-24 years old the first time they experienced homelessness; 61% were between the ages of 25 and 64.

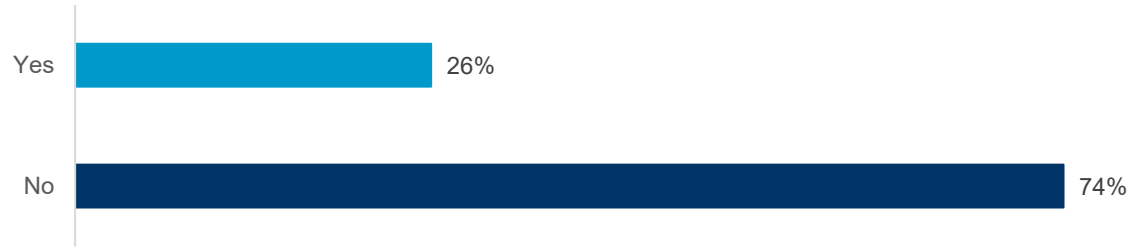
Figure 19: Respondents Age of First Homeless Experience



Experience with Foster Care

A total of 26% of respondents indicated that they had previous experience being in foster care or a youth group home.

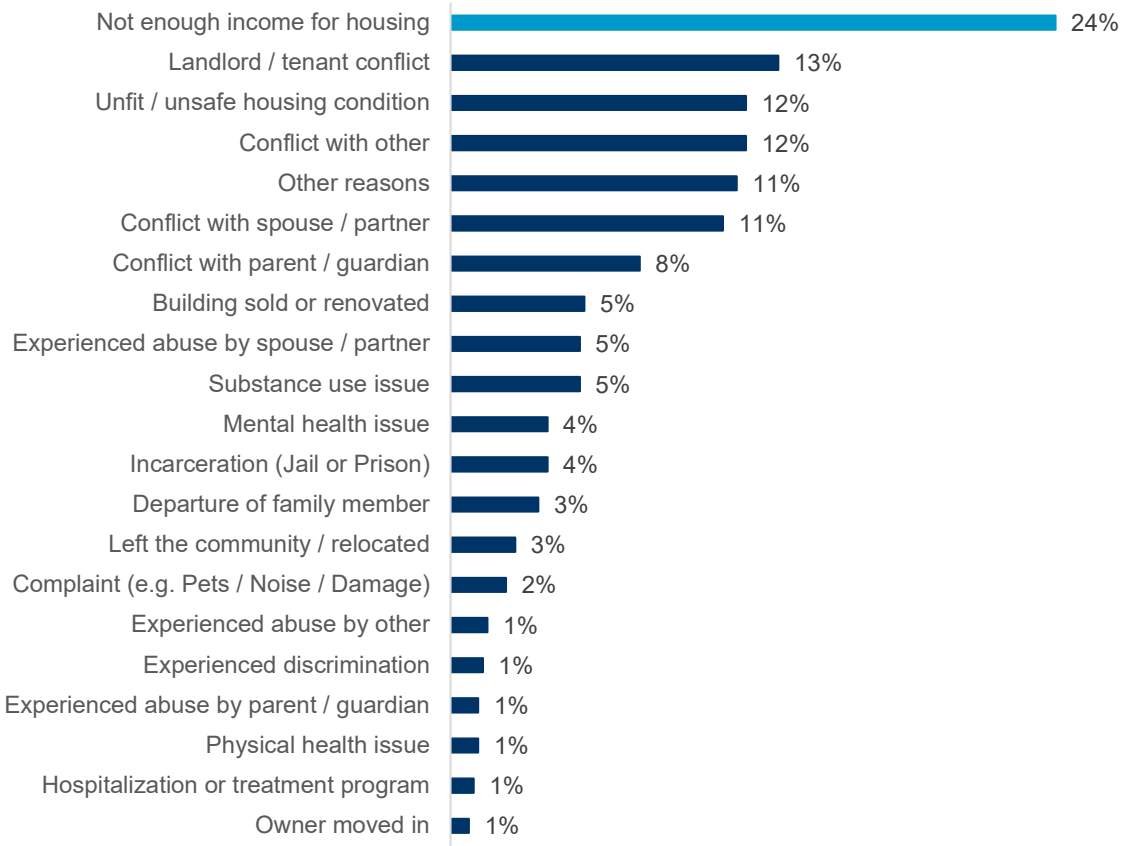
Figure 20: Respondents with Foster Care Experience



Reasons for Homelessness/Housing Loss

When asked what is necessary to maintain and/or find new housing, respondents consistently and clearly identified the need for enhanced income supports and spoke to ongoing challenges with housing affordability. The top reasons for most recent housing loss identified included: not enough income; landlord/tenant conflict; unfit/unsafe housing conditions and conflict with someone other than spouse/partner or parent/guardian.

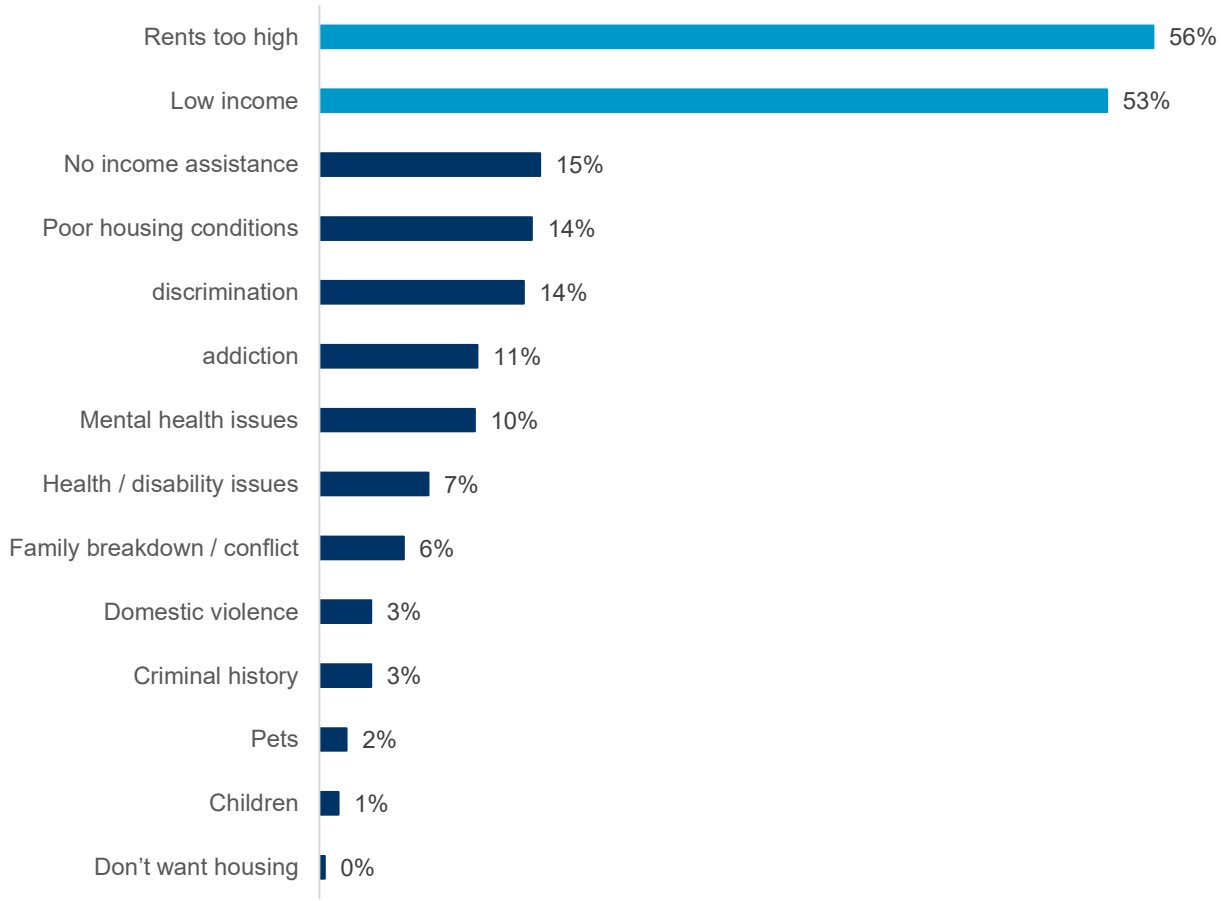
Figure 21: Respondents Reasons for Homelessness



Barriers to Finding Housing

The top barriers and challenges to finding new housing identified by respondents include: rents too high; low income; no income assistance; poor housing conditions; and, discrimination. Additionally, 67 respondents identified having a low credit score as a barrier as well.

Figure 22: Respondents Barriers to Finding Housing

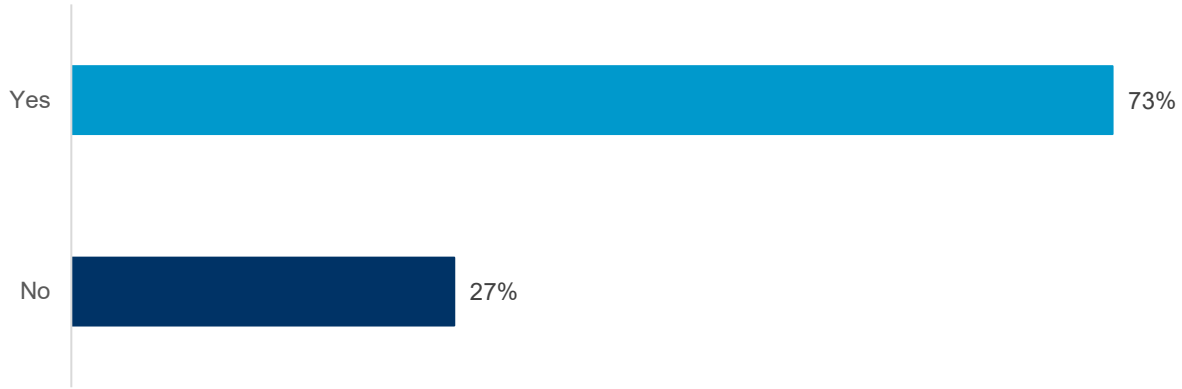


Service Use Patterns

Shelter Use in the Last Year

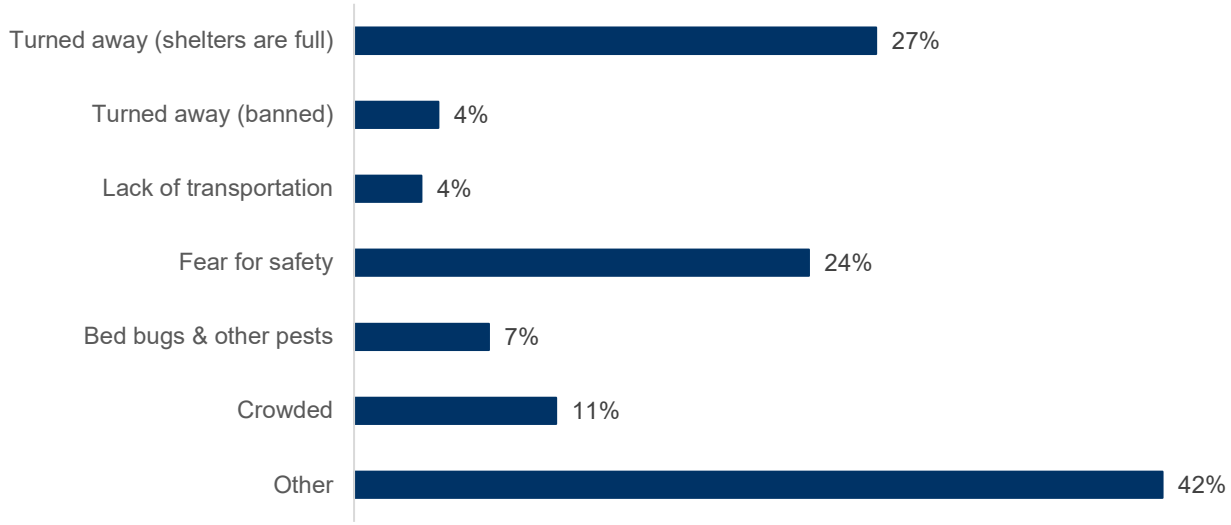
When asked if they have stayed in a shelter in the last year (including emergency and extreme weather shelters), 73% of respondents reported that they had.

Figure 23: Respondents Reporting Staying in Shelter in the Last Year



When individuals were asked about why they decided not to stay in a homeless shelter in the last year, 27% reported that they were turned away because the shelter was full, 24% feared for their safety in a shelter, and 11% expressed concerns about crowding.

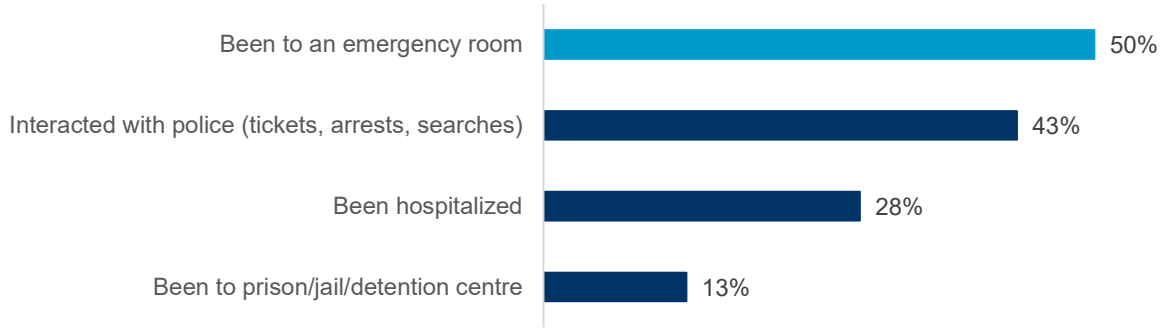
Figure 24: Respondents Reporting Staying in Shelter in the Last Year



Interaction with the Health Care & Criminal Justice System

A total of 270 respondents (50%) reported that they had been to an emergency room (ER) in the last 12 months, with a cumulative total of 787 ER visits. Approximately 61% of those who visited the ER in the last year had been there more than once.

Figure 25: Respondents Interaction with the Health Care and Criminal Justice System



Conclusion and Next Steps

The PiTC remains an important local initiative and a demonstration of Hamilton's commitment to work collaboratively to prevent and end homelessness. As Service System Manager and Designated Community Entity for the provincial and federal funding respectively, the Housing Services Division remains committed to working in partnership with urban Indigenous leadership to build a coordinated housing and homeless-serving system in deep collaboration with community partners to ensure everyone in Hamilton has a home.

In addition, enhanced gender-specific responses and housing options for women, trans-feminine, trans-masculine and non-binary adults remain an important local priority. The Housing Services Division continues to consult with the sector planning tables including the Women's Housing Planning Collaborative, the Street Youth Planning Collaborative and the membership of the Men's Emergency Services Coordination Committee. Through this ongoing engagement and collaboration, it is our goal to continue to share the results and further analysis of the PiTC, while discussing next steps to further centre the voices of unhoused residents in our collective responses.

In the ongoing development and adaptation of systems-level responses, it remains essential that people with living/lived experience are empowered to inform services and hold the homelessness-serving system accountable for delivering on its promise of housing and supports. A distinct focus on Indigenous rights should be prioritized in these efforts, guided by the obligation to respect, protect and fulfil the distinct rights of Indigenous peoples through engagement with unhoused residents. Underpinning further strategic coordination efforts remains the collective obligation to ensure that people experiencing homelessness have access to long-term, adequate housing that meets their needs.

Appendix A: 2021 PiTC Survey

SCREENING TOOL

Hello, my name is _____ and I'm a volunteer for the **Hamilton** Point in Time Connection – a housing needs survey. We are conducting a survey to provide better programs and services to people experiencing homelessness. The survey takes about 10 minutes to complete.

- **Participation is voluntary** and **your name will not be recorded –** participation will not affect the services you receive.
- You can choose to **skip any question** or to **stop the interview at any time**.
- Results will contribute to the understanding of homelessness across Canada, and will help with research to improve services.

A. Have you answered this survey already this week?
[YES: Thank and tally] **[NO: Go to B]**

B. Are you willing to participate in the survey?
[YES: Go to C] **[NO: Thank and tally]**

C. Where did you stay last night? [DO NOT READ CATEGORIES – circle response]

a. DECLINE TO ANSWER b. OWN APARTMENT / HOUSE	**[THANK & END SURVEY]**
c. SOMEONE ELSE'S PLACE d. MOTEL/HOTEL (SELF-FUNDED) e. HOSPITAL f. TREATMENT CENTRE g. JAIL, PRISON, REMAND CENTRE	**C1. Do you have access to a permanent residence where you can safely stay as long as you want?** a. Yes **[THANK & END]** b. No (not permanent AND/OR not safe) **[BEGIN SURVEY]** c. Don't Know **[BEGIN SURVEY]** d. Decline to answer **[THANK & END]**
h. HOMELESS SHELTER (EMERGENCY, FAMILY OR DOMESTIC VIOLENCE SHELTER) i. HOTEL/MOTEL (FUNDED BY CITY OR HOMELESS PROGRAM) j. TRANSITIONAL SHELTER/HOUSING k. UNSHELTERED IN A PUBLIC SPACE (E.G. STREET, PARK, BUS SHELTER, FOREST OR ABANDONED BUILDING) l. ENCAMPMENT (E.G. GROUP OF TENTS, MAKESHIFT SHELTERS OR LONG-TERM OUTDOOR SETTLEMENT) m. VEHICLE (CAR, VAN, RV, TRUCK, BOAT) n. UNSURE: INDICATE PROBABLE LOCATION _____	**[BEGIN SURVEY]**

- You will receive a $15 gift card as a thank you for your participation.

Survey Number: _____

Location: _____ **Time: _____AM/PM**

Interviewer: _____ **Contact #: _____**

BEGIN SURVEY

1. **Did you have any family members or anyone else who stayed with you last night?** [Indicate survey number for partners. Check all that apply]

☐ NONE					☐ OTHER (Can include other family or friends)			
☐ PARTNER - Survey #: ___ ___ ___ ___					☐ DECLINE TO ANSWER			
☐ CHILD(REN)/DEPENDENT(S)	1	2	3	4	5	6	7	8
[indicate gender and age for each] GENDER								
AGE								

2. **How old are you? [OR] What year were you born?** [If unsure, ask for best estimate]

○ AGE _____**OR** YEAR BORN _____	○ DON'T KNOW	○ DECLINE TO ANSWER

➔ **For this survey, "homelessness" means any time when you have been without a permanent and secure place to live, including sleeping in shelters, on the streets, or living temporarily with others without having your own permanent housing (e.g. couch surfing).**

3. **How old were you the first time you experienced homelessness?**

○ AGE_____	○ DON'T KNOW	○ DECLINE TO ANSWER

4. **In total, for *how <u>much time</u>* have you experienced homelessness over the PAST YEAR (the last 12 months)?** [Does not need to be exact. Best estimate.]

○ LENGTH _____ DAYS | WEEKS | MONTHS	○ DON'T KNOW	○ DECLINE TO ANSWER

5. **Have you stayed in a homeless shelter in the past year? For example,** (*COMMUNITY NOTE: Include examples of emergency shelters and extreme weather shelters for interviewers to provide*).

○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

5B➔ If not, what are the main reasons? [Do not read categories; select all that apply)

☐ TURNED AWAY (SHELTERS ARE FULL)	☐ FEAR FOR SAFETY	☐ OTHER: _____
☐ TURNED AWAY (BANNED)	☐ BED BUGS & OTHER PESTS	☐ DON'T KNOW
☐ LACK OF TRANSPORTATION	☐ CROWDED	☐ DECLINE TO ANSWER

6. Did you come to Canada as an immigrant, refugee or a refugee claimant (i.e. applied for refugee status after coming to Canada)?

○ YES, IMMIGRANT ---------->	**If YES:** **How long have you been in Canada?**
○ YES, REFUGEE---------->	○ LENGTH: _____ DAYS | WEEKS | MONTHS | YEARS
○ YES, REFUGEE CLAIMANT--------->	OR DATE: _____/_____/_____ DAY / MONTH / YEAR
○ NO	○ DON'T KNOW
○ DON'T KNOW	○ DECLINE TO ANSWER
○ DECLINE TO ANSWER	

7. How long have you been in Hamilton?

○ LENGTH _____ DAYS / WEEKS / MONTHS / YEARS	○ ALWAYS BEEN HERE ○ DON'T KNOW ○ DECLINE TO ANSWER
↳ **Where did you live before you came here?**	○ CITY: _____ | PROVINCE/TERRITORY/COUNTRY: _____ ○ DECLINE TO ANSWER

8a. Do you identify as First Nations (with or without status), Métis, or Inuit, or do you have North American Indigenous ancestry? [If yes, please specify]

○ YES, FIRST NATIONS	○ YES, MÉTIS	○ NO	○ DECLINE TO ANSWER
○ YES, INUIT	○ YES, INDIGENOUS ANCESTRY	○ DON'T KNOW	

8b. In *addition* to your response in the question above, do you identify with any of the racialized identities listed below? [Show or Read list. Select all that apply]

☐ ARAB (e.g., Syrian, Egyptian, Yemeni)	☐ BLACK-AFRO-CARIBBEAN OR AFRO-LATINX (e.g., Jamaican, Haitian, Afro-Brazilian)
☐ ASIAN-EAST (e.g., Chinese, Korean, Japanese)	☐ LATIN AMERICAN (e.g., Brazilian, Mexican, Chilean, Cuban)
☐ ASIAN- SOUTH-EAST (e.g., Filipino, Vietnamese, Cambodian, Malaysian, Laotian)	☐ WHITE (e.g. European, French, Ukrainian, Euro-Latinx)
☐ ASIAN-SOUTH OR INDO-CARIBBEAN (e.g., Indian, Pakistani, Sri Lankan, Indo-Guyanese, Indo-Trinidadian)	☐ NOT LISTED (PLEASE SPECIFY): _____
☐ ASIAN-WEST (e.g., Iranian, Afghan)	☐ IDENTIFY AS INDIGENOUS ONLY
☐ BLACK-CANADIAN/AMERICAN	☐ DON'T KNOW
☐ BLACK-AFRICAN (e.g., Ghanaian, Ethiopian, Nigerian)	☐ DECLINE TO ANSWER

9. Have you ever served in the Canadian Military or RCMP?
[Military includes Canadian Navy, Army, or Air Force]

○ YES, MILITARY	○ BOTH MILITARY AND RCMP	○ DON'T KNOW
○ YES, RCMP	○ NO	○ DECLINE TO ANSWER

10. As a child or youth, were you ever in foster care or in a youth group home (*COMMUNITY NOTE: include any other Provincial child welfare programs*)? [Note: This question applies specifically to child welfare programs.]

○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

11. Do you identify as having any of the following health challenges at this time:

ILLNESS OR MEDICAL CONDITION [e.g. diabetes, arthritis, TB, HIV]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

PHYSICAL LIMITATION [e.g. challenges with mobility, physical abilities or dexterity]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER
LEARNING OR COGNITIVE LIMITATIONS [e.g. dyslexia, autism spectrum disorder, or as a result of ADHD or an acquired brain injury]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER
MENTAL HEALTH ISSUE [diagnosed/undiagnosed] [e.g. depression, Post traumatic stress disorder (PTSD), bipolar disorder]]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER
SUBSTANCE USE ISSUE [e.g. tobacco, alcohol, opiates]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

12. What gender do you identify with? [Show list.]

○ WOMAN	○ TRANS WOMAN	○ NOT LISTED: _____
○ MAN	○ TRANS MAN	
○ TWO-SPIRIT	○ NON-BINARY (GENDERQUEER)	○ DON'T KNOW
		○ DECLINE TO ANSWER

13. How do you describe your sexual orientation, for example straight, gay, lesbian? [Show list.]

○ GAY	○ BISEXUAL	○ ASEXUAL	○ NOT LISTED: _____
○ LESBIAN	○ TWO-SPIRIT	○ QUESTIONING	○ DON'T KNOW
○ STRAIGHT/HETEROSEXUAL	○ PANSEXUAL	○ QUEER	○ DECLINE TO ANSWER

14a. What happened that caused you to lose your housing most recently?

[Do not read the options. Check all that apply. "Housing" does not include temporary arrangements (e.g., couch surfing) or shelter stays. Follow up for the reason if the respondent says "eviction" or that they "chose to leave".]

A: HOUSING AND FINANCIAL ISSUES	B: INTERPERSONAL AND FAMILY ISSUES	C: HEALTH OR CORRECTIONS
☐ NOT ENOUGH INCOME FOR HOUSING (E.G. LOSS OF BENEFIT, INCOME, OR JOB)	☐ EXPERIENCED DISCRIMINATION	☐ PHYSICAL HEALTH ISSUE
☐ UNFIT/UNSAFE HOUSING CONDITION	☐ CONFLICT WITH: SPOUSE / PARTNER	☐ MENTAL HEALTH ISSUE
☐ BUILDING SOLD OR RENNOVATED (RENOVICTION)	☐ CONFLICT WITH: PARENT / GUARDIAN	☐ SUBSTANCE USE ISSUE
☐ OWNER MOVED IN	☐ CONFLICT WITH: OTHER (_____)	☐ HOSPITALIZATION OR TREATMENT PROGRAM
☐ LANDLORD/TENANT CONFLICT	☐ EXPERIENCED ABUSE BY: SPOUSE / PARTNER	☐ INCARCERATION (JAIL OR PRISON)
☐ COMPLAINT (E.G. PETS/NOISE/DAMAGE)	☐ EXPERIENCED ABUSE BY: PARENT / GUARDIAN	
☐ LEFT THE COMMUNITY/RELOCATED	☐ EXPERIENCED ABUSE BY: OTHER (_____)	
	☐ DEPARTURE OF FAMILY MEMBER	

☐ OTHER REASON: _____ ☐ DON'T KNOW ☐ DECLINE TO ANSWER

14b. Was your most recent housing loss related to the COVID-19 pandemic?

○ YES ○ NO ○ DON'T KNOW ○ DECLINE TO ANSWER

14c. How long ago did that happen (that you lost your housing most recently)? (Best estimate)

○ LENGTH _____ DAYS | WEEKS | MONTHS | YEARS ○ DON'T KNOW ○ DECLINE TO ANSWER

15. What are your sources of income? [Reminder that this survey is anonymous. **Read list** and check all that apply.]

☐ FULL TIME EMPLOYMENT	☐ EMPLOYMENT INSURANCE	☐ CHILD AND FAMILY TAX BENEFITS
☐ PART TIME EMPLOYMENT	☐ DISABILITY BENEFIT [Name of PROV. DISABILITY BENEFIT]	☐ GST/HST REFUND
☐ CASUAL EMPLOYMENT (E.G. CONTRACT WORK)	☐ SENIORS BENEFITS (E.G. CPP/OAS/GIS)	☐ OTHER MONEY FROM A SERVICE AGENCY
☐ INFORMAL INCOME SOURCES (E.G. BOTTLE RETURNS, PANHANDLING)	☐ WELFARE/SOCIAL ASSISTANCE [Prov. Benefit]	☐ OTHER SOURCE: _____
☐ MONEY FROM FAMILY/FRIENDS	☐ VETERAN/VAC BENEFITS	☐ NO INCOME
		☐ DON'T KNOW
		☐ DECLINE TO ANSWER

16. In the past year (12 months) have you: [Ask respondents to give their best estimate]

BEEN TO AN EMERGENCY ROOM ---------->	Y ____ N____	# _____ *Times*
BEEN HOSPITALIZED ---------->	Y ____ N____	# _____ *Times*
→DAYS YOU HAVE SPENT HOSPITALIZED		_____ *Days Total*
INTERACTED WITH POLICE (*Tickets, arrests, searches)* ---------->	Y ____ N____	# _____ *Times*
BEEN TO PRISON/JAIL ---------->	Y ____ N____	# _____ *Times*
→DAYS YOU HAVE SPENT IN PRISON/JAIL		_____ *Days Total*

17. What challenges or problems have you experienced when trying to find housing? [Select all that apply]

☐ LOW INCOME	☐ MENTAL HEALTH ISSUES	☐ DISCRIMINATION
☐ NO INCOME ASSISTANCE	☐ ADDICTION	☐ DON'T WANT HOUSING
☐ RENTS TOO HIGH	☐ FAMILY BREAKDOWN/CONFLICT	☐ OTHER: _____
☐ POOR HOUSING CONDITIONS	☐ CRIMINAL HISTORY	☐ NO BARRIERS TO HOUSING
☐ DOMESTIC VIOLENCE	☐ PETS	☐ DECLINE TO ANSWER
☐ HEALTH/DISABILITY ISSUES	☐ CHILDREN	

----------END OF SURVEY – PROVIDE GIFT CARD----------

TAB 16

2021 POINT IN TIME COUNT

(Hamilton, Ontario)

INDIGENOUS RESPONSES

Submitted: April 15th, 2022

Approved by: Indigenous Community Advisory Board - Hamilton

Submitted by: Coalition of Hamilton Indigenous Leadership
Victoria Bomberry, Indigenous Data and Policy Analyst
Cindy Sue McCormack, Executive Director

Table of Contents

List of Figures 4
About the Coalition of Hamilton Indigenous Leadership 5
Reaching Home: Canada's National Homelessness Strategy 5
Indigenous Community Advisory Board 5
2021 Point in Time Survey Key Findings (Hamilton, ON) 6
Gender Identity 6
Age Groups 6
Shelter Use 6
Hamilton is Home 6
First Experiences of Homelessness 6
Foster Care and/or Youth Group Home Experiences 6
COVID-19 and Housing Loss 6
Income 6
Background 7
Indigenous Homelessness 7
Indigenous Magnet Event Background 7
COVID-19 8
Methodology and Methods 8
Indigenous Identity 9
Limitations 9
Survey Locations 9
Hidden Homelessness 9
Two-Spirit and Non-Binary (Gender Queer) Participation 10
Findings 10
Demographics 10
Gender 10
Age 11
Child and Youth Experiences of Homelessness 12
Experiences of Foster Care or Youth Group Homes 12
Length of Homelessness 13
Length of Time in Hamilton 14
Indigenous Youth Experiencing Homelessness in Hamilton 15

Shelter System Use 16
Health Challenges 18
Causes of Most Recent Housing Loss 19
Challenges Experienced in Finding Housing 20
COVID-19 21
Income Sources 22
Appendices 23
Appendix A – Indigenous Magnet Event Promo Card 23
Appendix B – 2021 Point in Time Survey (Hamilton, Ontario) 24

List of Figures

Figure 1. Gender Identity of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) .. 11

Figure 2. Age of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 11

Figure 3. Age of First Experience of Homelessness - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 12

Figure 4. Experiences of Foster Care or Youth Group Home, by Gender - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 13

Figure 5. Total Time Experienced Homelessness Within Past Year - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 14

Figure 6. Length of Time in Hamilton - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 15

Figure 7. Gender Identity of Indigenous Youth Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 15

Figure 8. Shelter System Usage - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 16

Figure 9. “Where did you stay last night?” - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 17

Figure 10. Reasons for Not Staying in Shelter - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 18

Figure 11. Health Challenges - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 19

Figure 12. Causes of Most Recent Housing Loss - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 20

Figure 13. Challenges Experienced in Trying to Find Housing - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 21

Figure 14. Sources of Income - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 22

Figure 15. "Was your most recent housing loss related to the COVID-19 pandemic?" - Indigenous Respondents, 2021 Point in Time Count (Hamilton, Ontario) 21

About the Coalition of Hamilton Indigenous Leadership

Formerly known as the Hamilton Executive Directors Aboriginal Coalition, the Coalition of Hamilton Indigenous Leadership is a collaborative of Indigenous leaders representing six Indigenous agencies in Hamilton, Ontario. The Coalition of Hamilton Indigenous Leadership (CHIL) is represented by the Hamilton Regional Indian Centre, De dwa da dehs nyes Aboriginal Health Centre, Sacajawea Non-Profit Housing Inc., the Native Women's Centre, Niagara Peninsula Aboriginal Area Management Board, and Ontario Aboriginal Housing Services.

The Executive Director (or Designate) of each member agency sits on the CHIL Board of Directors and contributes to achieving CHIL's vision, mission, and values.

Our vision is a vibrant, healthy, inclusive, and culturally safe community.

Our mission is to increase equitable access to services and programs for Indigenous community members of Hamilton.

Our values are informed by the Seven Grandfather teachings as we strive to live and work with Ka'nikonhrí:yo (the Haudenosaunee concept of a "Good Mind").

Reaching Home: Canada's National Homelessness Strategy

The Coalition of Hamilton Indigenous Leadership works to address Indigenous homelessness in Hamilton and is funded by Employment and Social Development Canada through Reaching Home: Canada's National Homelessness Strategy. Through Reaching Home, CHIL acts as the Indigenous Community Entity for Hamilton and is responsible for administering and managing the Indigenous stream of Reaching Home funding in our community.

Indigenous Community Advisory Board

In working to address Indigenous experiences of homelessness in Hamilton, CHIL is supported by the Indigenous Community Advisory Board (ICAB). The ICAB is made up of Indigenous identifying community members living in the city of Hamilton who draw from their lived, personal, and professional experiences to guide a community-wide and wholistic response to Indigenous experiences of homelessness in Hamilton.

Some of the ICAB's key responsibilities include:

- Gathering relevant information related to Indigenous homelessness to identify community priorities to address Indigenous homelessness in Hamilton
- Assessing and recommending projects for funding to the Indigenous Community Entity (CHIL)
- Supporting the Indigenous Community Entity (CHIL) to plan and coordinate a community-wide effort to prevent and address Indigenous homelessness
- Developing terms of reference and other policies and procedures central to fulfilling the responsibilities of the Indigenous Community Advisory Board

2021 Point in Time Survey Key Findings (Hamilton, ON)

Indigenous Peoples continue to be overrepresented among community members experiencing homelessness in Hamilton. Among the general population, 2% of Hamilton residents identify as Indigenous or having Indigenous ancestry[1]. However, among community members experiencing homelessness in Hamilton and participating in the 2021 Point in Time Connection survey, 23% identify as Indigenous or having Indigenous ancestry.

Gender Identity

Among Indigenous respondents to Hamilton's 2021 Point in Time survey, 55% identify as women, 40% identify as men, 1% identify as Two-Spirit, and 4% identify as Non-Binary/Gender Queer.

Age Groups

The majority of Indigenous respondents to the 2021 PIT survey are middle aged. Eighty percent of Indigenous respondents indicated they were between the ages of thirty-one and sixty-four.

Shelter Use

Eighty percent of respondents reported having stayed in a homelessness shelter within the past year. When asked where they had stayed the night before completing the survey, thirty-seven percent of Indigenous respondents reported they had stayed in a homeless shelter.

Hamilton is Home

Among Indigenous respondents, 44% reported always living in Hamilton. An additional twenty-eight percent (28%) reported having lived in Hamilton for five or more years.

First Experiences of Homelessness

More than one in three Indigenous respondents to the survey indicated having first experienced homelessness on or before their 25th birthday.

Foster Care and/or Youth Group Home Experiences

Experiences of having been in foster care or a youth group home are prevalent among Indigenous respondents. Forty-two percent of Indigenous respondents reported having been in foster care or a youth group home as a child or youth.

COVID-19 and Housing Loss

Approximately one in seven Indigenous respondents related their most recent housing loss to the COVID-19 pandemic. Other common reasons identified by Indigenous respondents for their most recent housing loss included "Unfit or unsafe housing conditions", "Not enough income" and "Conflict with spouse/partner".

Income

The three most common sources of income reported by Indigenous respondents included Disability benefit (provincial), Welfare/social assistance (provincial), and Informal sources (such as bottle returns, panhandling, friends, and family).

[1] Statistics Canada. Census Profile, 2016 Census. Hamilton, Ontario, Canada.

Background

The Point in Time (PIT) survey initiative is conducted in urban communities across lands occupied by Canada. Over a pre-established period of time, homeless-serving frontline workers and/or community volunteers connect with and survey community members currently experiencing homelessness. Point in Time surveys provide as a *snapshot* of homelessness in a community, which helps to articulate each community's unique homeless priorities and context. The PIT survey initiative also provides common data points to compare experiences of homelessness across all participating communities.

The 2021 Point in Time survey in Hamilton Ontario was led by the City of Hamilton – Housing Services Division alongside community partner the Coalition of Hamilton Indigenous Leadership (CHIL). The 2021 PIT survey marked the third execution of the survey and was carried out over the week of November 15th through 19th, 2021 and conducted at various locations in Hamilton's downtown area.

Point in Time surveys are completed by community members currently experiencing homelessness. In Hamilton, a total of five hundred and forty-five surveys were completed during the 2021 Point in Time initiative. Of the five hundred and forty-five PIT surveys completed in Hamilton, one hundred and twenty-three community members completing the PIT survey identified as Indigenous or having Indigenous ancestry, representing 23% of 2021 PIT survey respondents.

Indigenous Homelessness

In attempting to understand the experiences and causes of homelessness on lands occupied by Canada, it is critically important to disentangle the homeless experiences, causes, and needs of Indigenous Peoples. The roots of Indigenous experiences of homelessness stretch back to colonization through historical and ongoing social and economic policies and practices that have sought to dispossess, disempower, and disadvantage Indigenous Peoples. As articulated by Métis scholar Jesse Thistle (2017) and now acknowledged in Reaching Home: Canada's National Homelessness Strategy, Indigenous experiences of homelessness are distinct from those of non-Indigenous Peoples and therefore, require resources, programs, and supports that recognize and respond to the unique needs of Indigenous community members.

Since 2015, local Indigenous leaders in Hamilton have successfully demonstrated the need for methodologies rooted in Indigenous Ways of Knowing to help PIT initiatives better capture Indigenous experiences of homelessness in Hamilton.

Indigenous Magnet Event Background

In 2015, the Indigenous Community Entity[2] for addressing homelessness in Hamilton developed and led "All We Need is Community" an urban Aboriginal homelessness survey to connect with Indigenous community members experiencing homelessness. Guided by the principle "For Indigenous, by Indigenous", the Indigenous Magnet event brought together Indigenous volunteers, Indigenous frontline workers, and local Indigenous leaders to provide a highly visible and culturally safe space for Indigenous community members experiencing homelessness to share their experiences of homelessness in Hamilton. The 2015 urban Aboriginal homelessness survey interviewed three hundred and sixty-two people in

[2] The Social Planning and Research Council of Hamilton acted as the Indigenous Community Entity for Hamilton's federal homelessness funding from 2004 through 2020. The Coalition of Hamilton Indigenous Leadership became the Indigenous Community Entity for Hamilton's Federal homelessness funding on April 1st, 2020.

Hamilton's downtown area, of which seventy-six community members identified as currently experiencing homelessness in Hamilton[3]. Among the seventy-six community members experiencing homelessness, thirty-six identified as Aboriginal or having Aboriginal ancestry, representing 47% of those surveyed and experiencing homelessness[3]. A 2016 mainstream initiative to enumerate homelessness in Hamilton, reported 28% of community members experiencing homelessness identified as Aboriginal or having Aboriginal ancestry[4]. The 2015 urban Aboriginal survey data demonstrated to local leaders that Indigenous experiences of homelessness were not being fully captured through mainstream data collection efforts and required Indigenous-led initiatives.

The 2021 Point in Time – Indigenous Magnet event was led by CHIL and built upon the principles and methodologies of "All We Need is Community" 2015 Urban Aboriginal homelessness survey. The 2021 Indigenous Magnet event was an outdoor gathering held at Beasley Park on November 17th, 2021, from 11:00 a.m. until 7:00 p.m. In addition to completing a survey, community members were invited to enjoy a traditional meal, participate in drumming and singing, connect with Indigenous homelessness programs and services, as well as speak with cultural advisors throughout the event. A giveaway of supplies (socks, hats, gloves, toiletries, etc.) and traditional medicines was also provided.

Of the five hundred and forty-five surveys completed during the week-long 2021 PIT initiative, fifty-eight were completed during the one-day Indigenous Magnet event.

COVID-19

In regard to the COVID-19 pandemic, the 2015 Indigenous Magnet event observed Hamilton Public Health guidelines and restrictions throughout planning and implementation. During the Indigenous Magnet event, public outdoor gatherings were permissible in Hamilton. In addition to providing various pandemic supplies (such as hand sanitizers and masks), the Indigenous Magnet event also included an on-site "GO-VAXX" bus. The GO-VAXX bus is a mobile COVID-19 vaccine clinic fully equipped and staffed to safely administer COVID-19 vaccinations. Community members participating in the Indigenous Magnet event who wished to receive a COVID-19 vaccination were able to do so throughout the event. Receiving a vaccination was optional and not in any way tied to the PIT survey or Indigenous Magnet event activities and giveaways.

Methodology and Methods

The Point in Time survey in Hamilton is part of a coordinated enumeration of homelessness across lands occupied by Canada. As a multi-community initiative, the PIT survey methodology is guided by core standards that allow for data comparisons across communities. There is also flexibility in PIT survey methodology that support local leaders in selecting survey methods that best need their community's homelessness context. Hamilton's PIT incorporates Indigenous methodologies through the co-planning of the PIT survey initiative as well as the Indigenous-led design and execution of the Indigenous Magnet

[3] Social Planning and Research Council of Hamilton. (2015). *All we need is community: Urban Aboriginal homelessness survey.* Hamilton: Social Planning and Research Council of Hamilton.

[4] City of Hamilton. (2022, April 07). *Point in Time Connection*. Retrieved from City of Hamilton: https://www.hamilton.ca/social-services/housing/point-in-time-connection

event. The Indigenous Magnet event is guided by the "For Indigenous, by Indigenous" principle, which prioritizes Indigenous methods of community engagement.

The Indigenous Magnet event engages Indigenous principles of reciprocation to provide space for Indigenous community members to feast, gather, socialize, and to complete the PIT survey. The Indigenous Magnet event in Hamilton is an extension of homelessness programs, resources, and supports for Indigenous community members, which are rooted in local Indigenous Knowledges and cultures. By having Indigenous frontline workers as well as traditional medicines, foods, and giveaways available, the Indigenous Magnet event creates a safe and welcoming environment for community members to self-identify as Indigenous without fear of judgement or discrimination.

The location of the Indigenous Magnet event is selected for high accessibility (geographic location and physical space of the gathering) to lower barriers to participation and engagement. Although the Indigenous Magnet event seeks to connect with Indigenous community members specifically, all community members experiencing homelessness are welcome to take part.

Indigenous Identity

All 2021 Point in Time Connection participants in Hamilton were asked if they identify as First Nations (with or without status), Métis, or Inuit, or having North American Indigenous ancestry. This report reflects the responses of those who self-identified "Yes" to this question.

Limitations

There are important considerations to keep in mind when examining and attempting to interpret Point in Time data. The PIT survey initiative is *not* a comprehensive survey of all community members experiencing homelessness within a community. The PIT survey provides a *snapshot* of homelessness, which provides important local data to help leaders better identify and address the unique experiences of homelessness in a community.

Survey Locations

In Hamilton, the PIT survey was conducted entirely in the downtown area. The 2021 PIT survey was not conducted in any Hamilton suburbs due to the lack of response from these areas during the 2018 PIT survey initiative.

Hamilton's 2021 PIT surveys were conducted at Emergency Shelters (including extreme weather shelters and COVID-related sites), Violence Against Women Shelters, Transitional Housing as well as other locations such as drop-in centres, encampments, and the Indigenous Magnet event.

Hidden Homelessness

Not all community members experiencing or at-risk of homelessness access the homelessness supports available in community. The experiences of people who do not access community supports are referred to as *hidden homeless*. People experiencing hidden homelessness are more likely to leverage their personal support networks (for example, staying with family and friends) instead of staying in shelter or accessing homelessness support programs. As the majority of survey sites for the 2021 Point in Time Count in Hamilton were sites of community homelessness programs and services (such as homeless shelters, drop-in centres, and encampments), the experiences of community members experiencing hidden homelessness in Hamilton may not be well captured in this dataset.

Two-Spirit and Non-Binary (Gender Queer) Participation

The homelessness experiences and needs of Indigenous community members who identify as Two-Spirit, Non-Binary or Gender Queer may not be fully represented in 2021 PIT survey data. Among the one hundred twenty-three Indigenous-identifying 2021 PIT respondents, five also identified as Two-Spirit, Non-Binary/Gender Queer.

Findings

The findings presented here represent 2021 PIT respondents who self-identified as Indigenous or having Indigenous ancestry. Indigenous identity was gathered by asking respondents if they identified as First Nations (with or without status), Métis or Inuit, or if they identified as having North American Indigenous ancestry.

A comparison of responses between Indigenous and non-Indigenous community members experiencing homelessness in Hamilton will be provided in a separate report.

The response rates among Indigeous youth[5] (n=17) as well as those identifying as Two-Spirit or Non-Binary/Gender Queer (n=5) must also considered in interpreting these findings.

Demographics

While not comprehensive of all Indigenous community members experiencing homelessness, the 2021 PIT survey data offers useful *snapshots* of Indigenous experiences of homelessness in Hamilton. The 2021 PIT data provides important context to experiences and risks of homelessness in Hamilton for community leadership and service providers.

Gender

Among Indigenous 2021 PIT respondents, sixty-nine identified their gender as women, representing 55% of Indigenous respondents. Forty-nine Indigenous respondents identified their gender as men, representing forty percent of Indigenous respondents. One Indigenous identifying 2021 PIT survey respondent also identified their gender as Two-Spirit and four Indigenous identifying respondents also identified their gender as Non-Binary/Gender Queer.

[5] For the purposes of this report, Indigenous youth are 2021 PIT respondents who self-identified as Indigenous and identified as being 30 years old or younger.

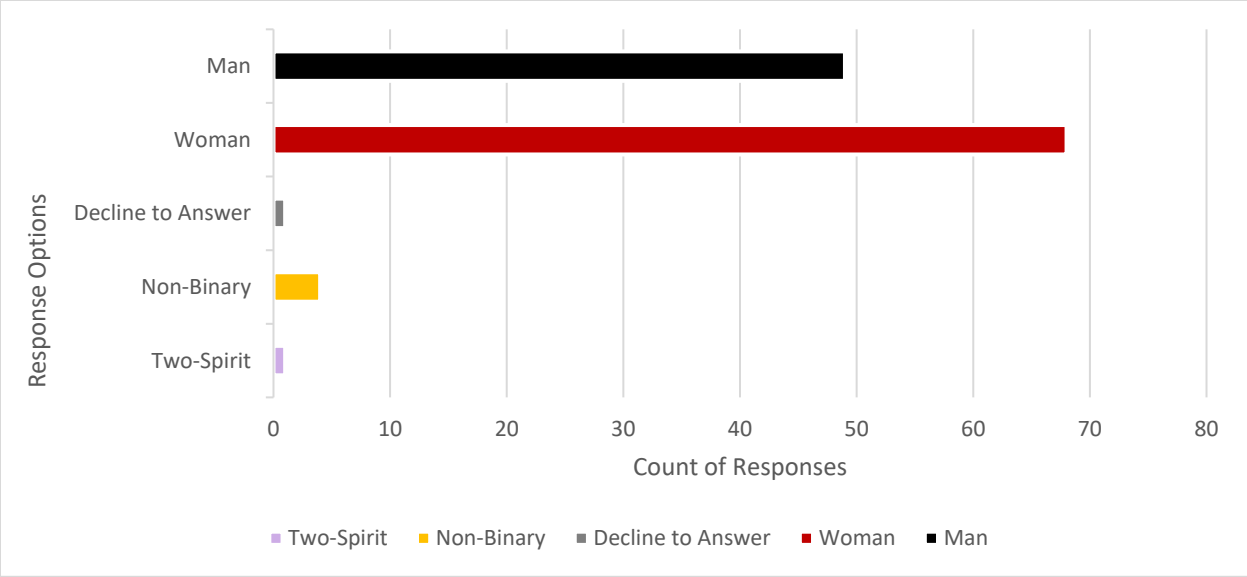


Figure 1. Gender Identity of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Age[6]

The majority of Indigenous respondents to Hamilton's 2021 PIT survey reported being middle-aged. Ninety-nine Indigenous survey respondents reported being between the ages of 31 years old and 64 years old, representing 80% of Indigenous respondents. Seventeen Indigenous respondents reported being under the age of 31, representing fourteen percent (14%) of Indigenous respondents. One Indigenous survey respondent reported being over the age of 65 years old.

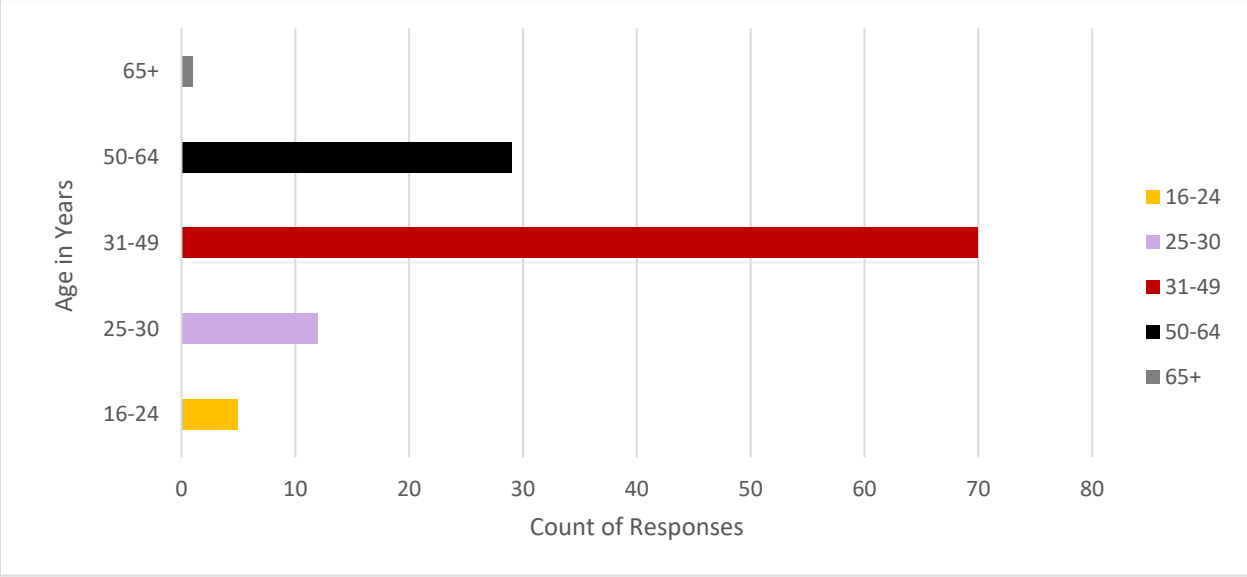


Figure 2. Age of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

[6] *Among Indigenous respondents, there were six responses to this question that were unclear or blank and have not been included in* Figure 2. Age of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

The pattern of age distribution among all Indigenous survey respondents is consistent across genders. Among Indigenous women who participated in Hamilton's 2021 Point in Time survey, 85% were between 31 and 64 years old. A similar proportion (80%) of Indigenous men were also between the ages of 31 and 64 years old.

Child and Youth Experiences of Homelessness

Among the one hundred and twenty-three Indigenous 2021 PIT respondents, fifty-one reported having first experienced homelessness before the age of 31 years old, representing 41% of Indigenous respondents.

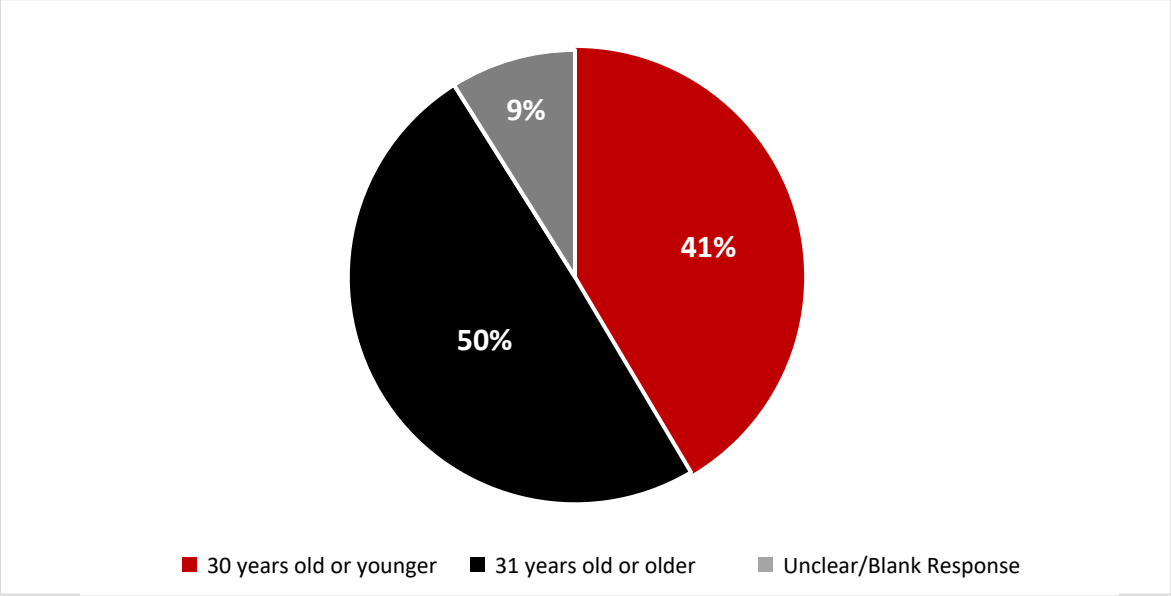


Figure 3. Age of First Experience of Homelessness - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Experiences of Foster Care or Youth Group Homes

Experiences with foster care or youth group home are prevalent among Indigenous community members responding to the 2021 PIT survey in Hamilton. Fifty-two Indigenous respondents reported having been in foster care or a youth group home as a child or youth, representing forty-two percent (42%) of Indigenous respondents.

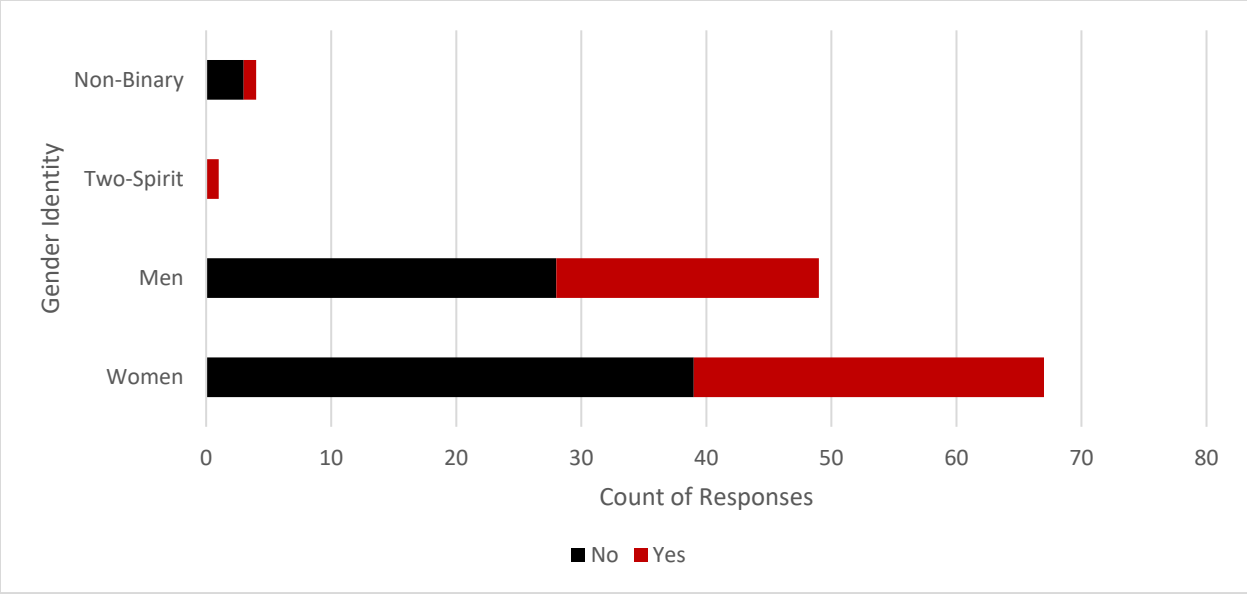


Figure 4. Experiences of Foster Care or Youth Group Home by Gender - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Among Indigenous women experiencing homelessness in Hamilton (n=68), twenty-eight reported having stayed in foster care or a youth group home. Among Indigenous men experiencing homelessness in Hamilton (n=49), 21 reported having lived in foster care or a youth group home.

Length of Homelessness

The 2021 Point in Time survey also asked respondents the total length of time they had been homeless over the past year. This does not necessarily mean community members experienced homelessness uninterrupted. Rather, responses indicate how much total time over the course of the past year they experienced homelessness. For example, a respondent may have experienced homelessness for three weeks, found housing for a few months but returned to homelessness.

Among all Indigenous respondents, ninety indicated they had experienced homelessness for more than six months of the past year, representing seventy-three percent (73%) of Indigenous respondents. The proportion of Indigenous participants experiencing homelessness for more than half of the past year is consistent across genders. Among Indigenous women responding to the 2021 Point in Time survey, seventy-eight percent (78%) reported having experienced homelessness for more than 6 months within the past year. Similarly, sixty-nine percent (69%) of Indigenous men respondents to the survey reported experiencing homelessness for more than half of the past year.

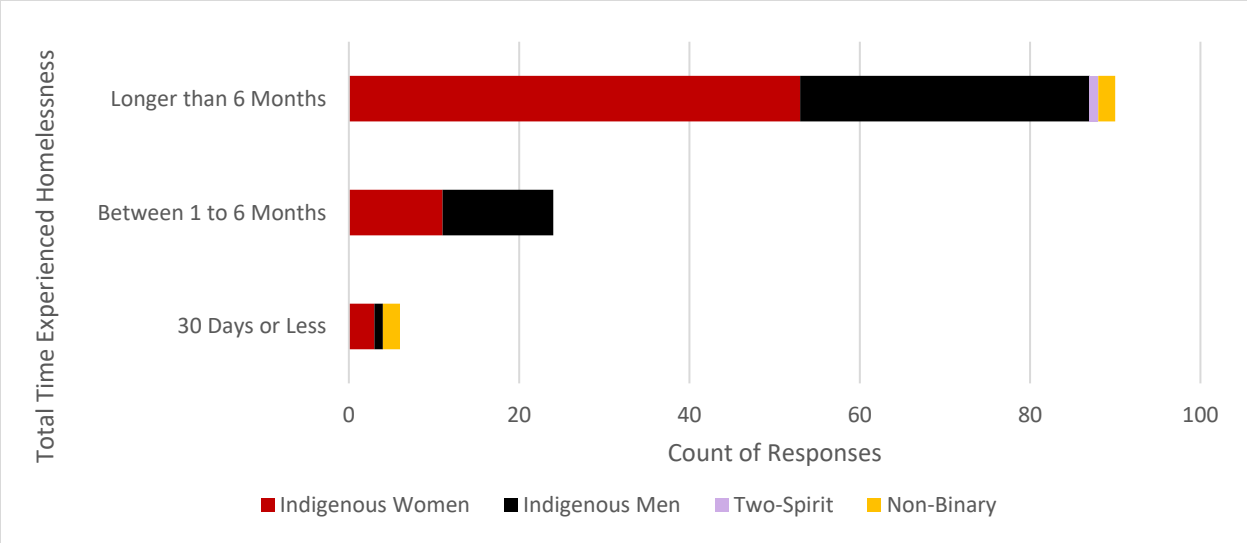


Figure 5. Total Time Experienced Homelessness Within Past Year - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

This pattern of experiencing homelessness in Hamilton for the majority of the past year repeats across all age groups of Indigenous respondents. Among Indigenous youth[7] PIT survey responses (n=17), eighty-two percent (82%) reported having experienced a total of six or more months of the past year homeless. Among Indigenous adult survey respondents (n=99), eighty-one percent (81%) had experienced homelessness for a total of six (6) months or longer within the past year.

Length of Time in Hamilton[8]

Of Indigenous respondents, 54 reported having always lived in Hamilton, representing forty-four percent (44%) of Indigenous respondents. Seventeen Indigenous-identifying respondents reported they have lived in Hamilton for less than a year, representing fourteen percent (14%) of Indigenous survey respondents. Eleven Indigenous respondents reported living in Hamilton for more than one year but less than 5 years, representing nine percent (9%) of Indigenous-identifying respondents. Thirty-four Indigenous respondents reported having lived in Hamilton for five or more years, representing twenty-eight percent (28%) of Indigenous respondents.

[7] This report utilizes the Indigenous youth age range observed by the federal government, which identifies Indigenous youth as being between the ages of 15 and 30 years of age

[8] Among Indigenous respondents, seven responses to this question were unclear or blank and have not been included in Figure 6. Length of Time in Hamilton - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario)

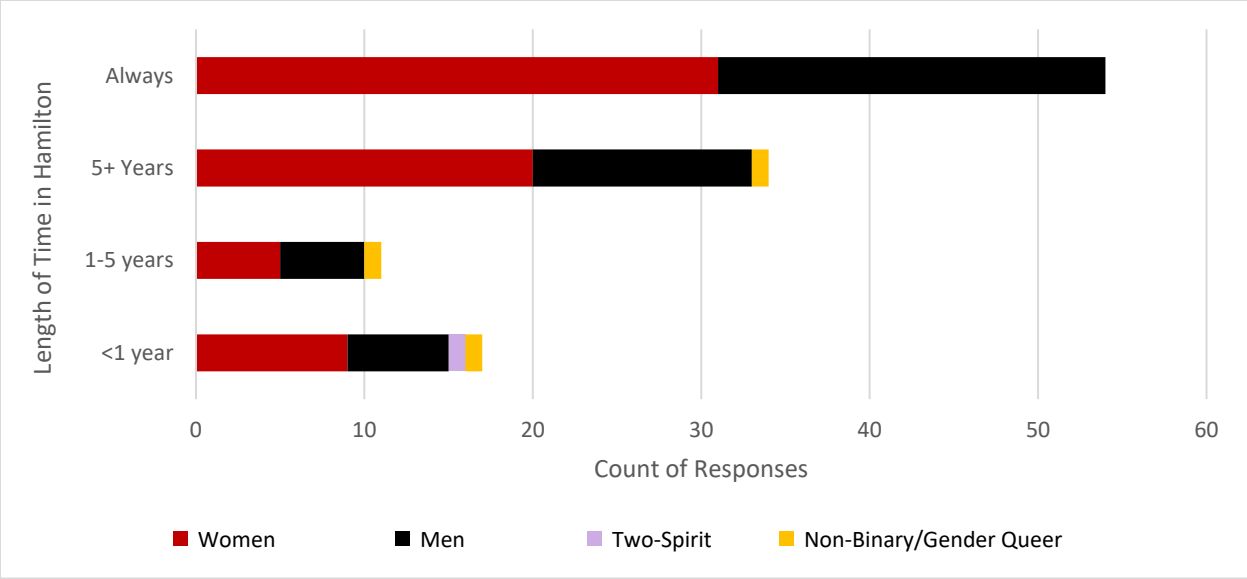


Figure 6. Length of Time in Hamilton - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Indigenous Youth Experiencing Homelessness in Hamilton

In total, 17 Indigenous youth participated in the 2021 Point in Time survey in Hamilton. The gender breakdown of Indigenous youth participating in the 2021 PIT survey included 18% of Indigenous youth identifying as Non-Binary/Gender Queer, with an equal proportion (41%) of Indigenous youth experiencing homelessness who identify as women and men.

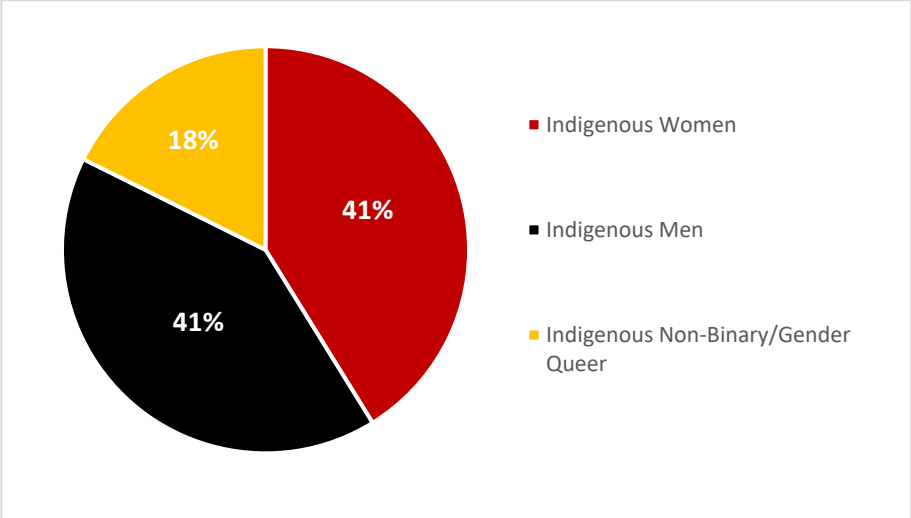


Figure 7. Gender Identity of Indigenous Youth Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Shelter System Use

The majority of Indigenous respondents have stayed in a homelessness shelter (emergency, family, or domestic violence shelter) in the past year. Of Indigenous respondents, one hundred and one reported having stayed in a homeless shelter within the past year, representing eighty-two percent (82%) of Indigenous respondents.

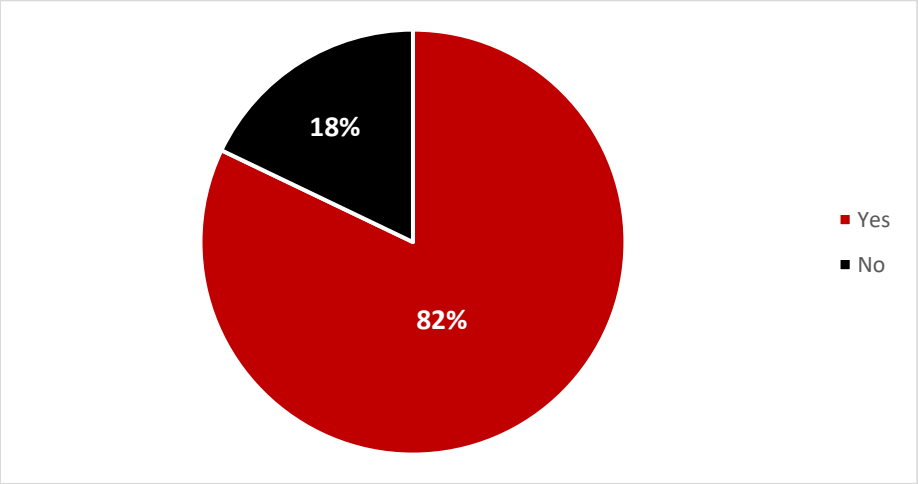


Figure 8. Shelter System Usage - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

When asked where they had stayed the night before participating in Hamilton's 2021 PIT survey, Indigenous responses included Unsheltered Public Spaces (street, park, bus shelter, etc.), Transitional Housing, a city-funded hotel or motel, an encampment site, or someone else's place. One respondent identified sleeping in their vehicle the night before participating in the survey. No respondent (Indigenous or non-Indigenous) identified having stayed in a hospital, treatment centre, or jail/prison the previous night.

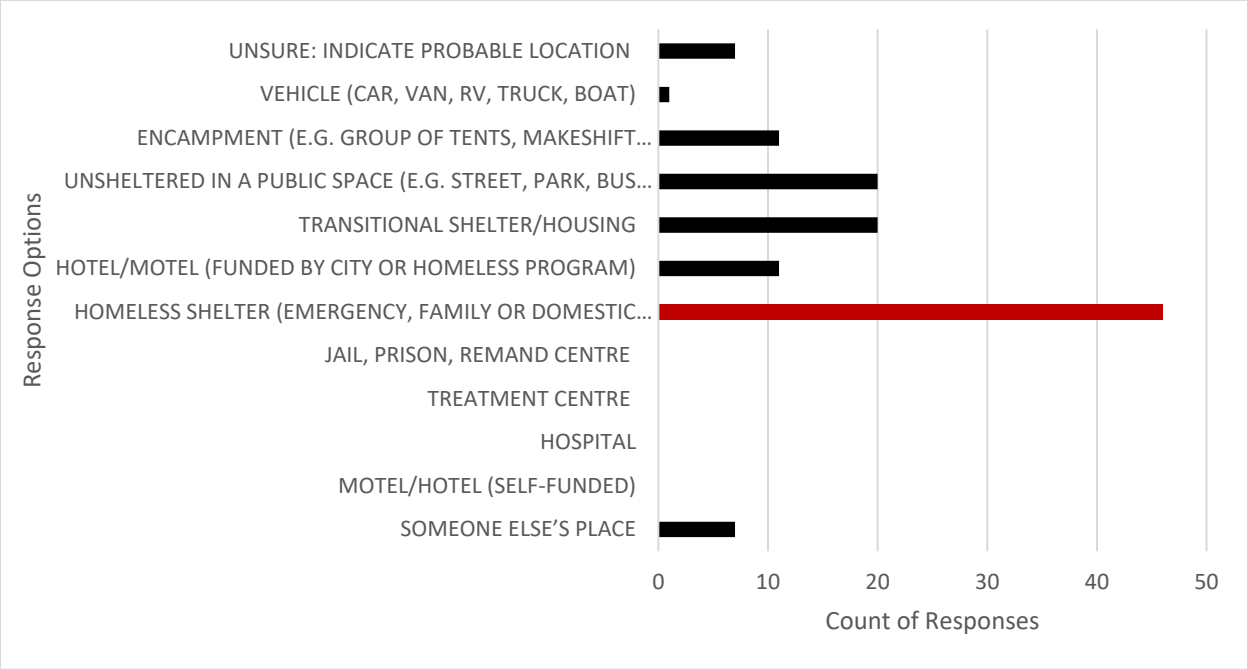


Figure 9. "Where did you stay last night?" - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The most common response is highlighted in red.

Of Indigenous community members who are experiencing homelessness but chose not to stay in a homeless shelter last year (n=22), twenty-one provided one or more reasons why they chose not to stay in shelter. The most common reason Indigenous community members experiencing homelessness chose not to stay in a homeless shelter was due to safety concerns. Other reasons Indigenous community members experiencing homelessness chose not to stay in shelter included being turned away from the shelter due to lack of available beds, having lack of transportation to reach a shelter, concerns over pests, and feeling "crowded" in homeless shelters.

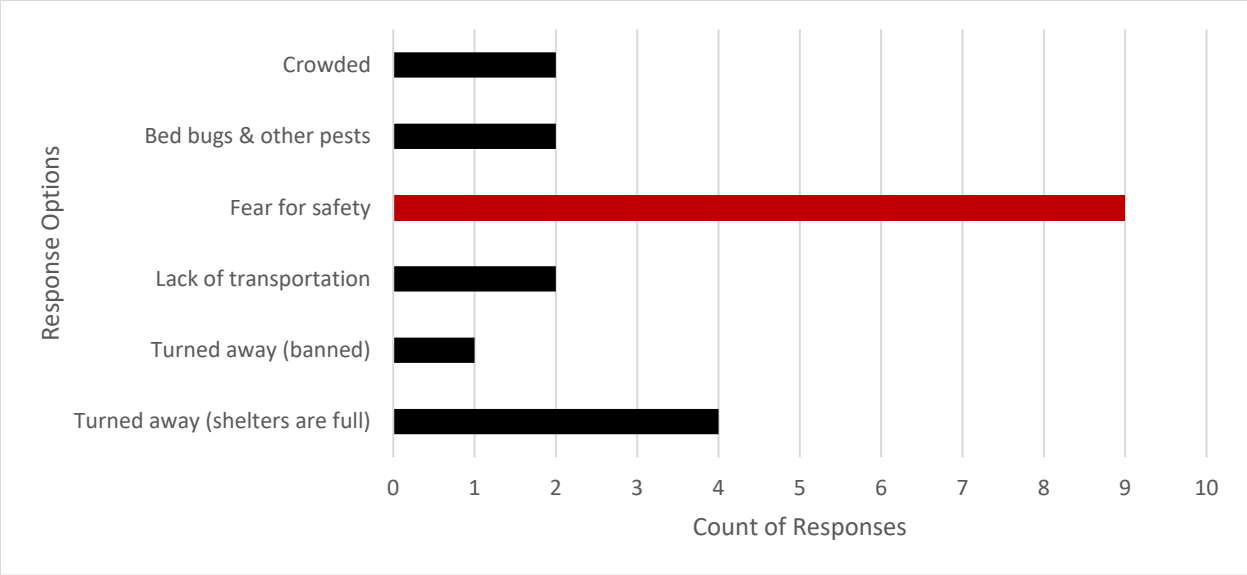


Figure 10. Reasons for Not Staying in Shelter - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The most common response is highlighted in red.

Health Challenges

Response options to health challenges faced were multiple choice, allowing respondents to indicate the total health issues or challenges experienced. The most prominent health challenge reported by Indigenous 2021 PIT respondents is substance abuse (including tobacco, alcohol, or opiates).

Among Indigenous respondents, ninety-two reported experiencing substance use issues, representing seventy-five percent (75%) of Indigenous survey respondents. Hamilton's 2021 PIT survey data also indicates a high proportion of Indigenous respondents are experiencing mental health issues (including depression, post traumatic stress disorder and bipolar disorder. Eighty-three Indigenous respondents reported managing a diagnosed or undiagnosed mental health issue, representing sixty-seven percent (67%) of Indigenous respondents. Fifty-seven Indigenous respondents indicated managing an illness or medical condition, such as diabetes, arthritis, tuberculosis, or HIV, representing forty-six percent (46%) of Indigenous respondents. An equal proportion (46%) of Indigenous respondents reported having learning or cognitive limitations, such as dyslexia, autism spectrum disorder, or as a result of ADHD or an acquired brain injury. Forty-two Indigenous respondents reported experiencing a physical limitation (such as challenges with mobility, physical abilities and/or dexterity), representing thirty-four percent (34%) of Indigenous survey respondents.

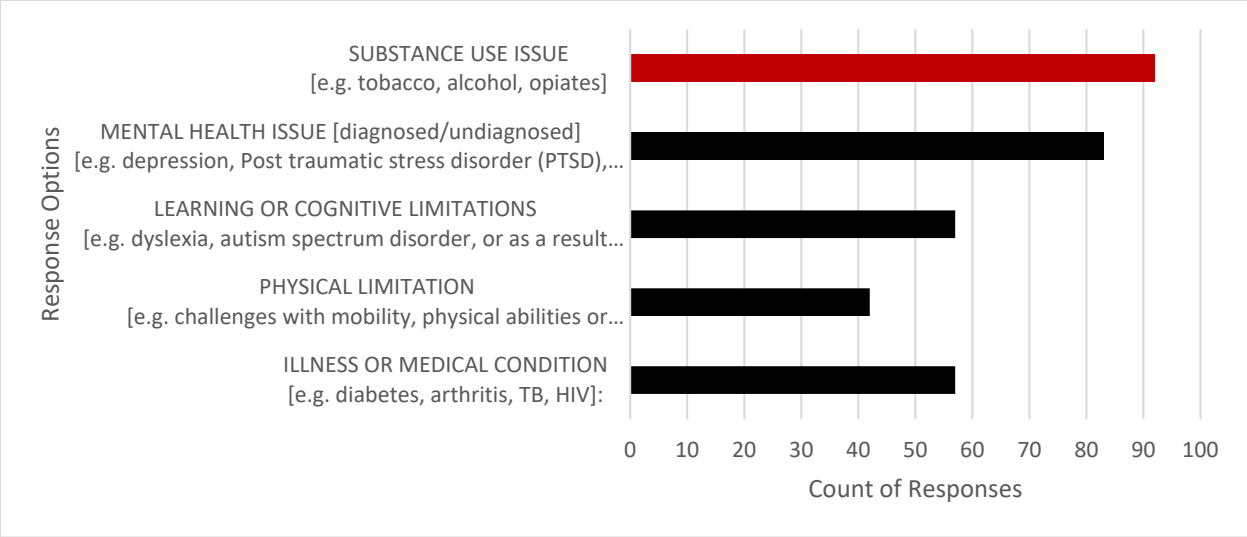


Figure 11. Health Challenges - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The most common response is highlighted in red.

Causes of Most Recent Housing Loss

Of Indigenous-identifying respondents to the 2021 Point in Time survey (n=123), one hundred and twenty (120) provided one or more reasons for their most recent loss of housing. Respondents were able to provide multiple reasons for their most recent loss of housing. The most common reasons given by Indigenous community members experiencing homelessness in Hamilton for their most recent loss of housing included: “Not having enough income for housing”, “Unfit or unsafe housing conditions”, “Landlord/tenant conflict”, “Conflict with spouse”, “Conflict with: Other” (someone other than a parent, partner/spouse, or guardian).

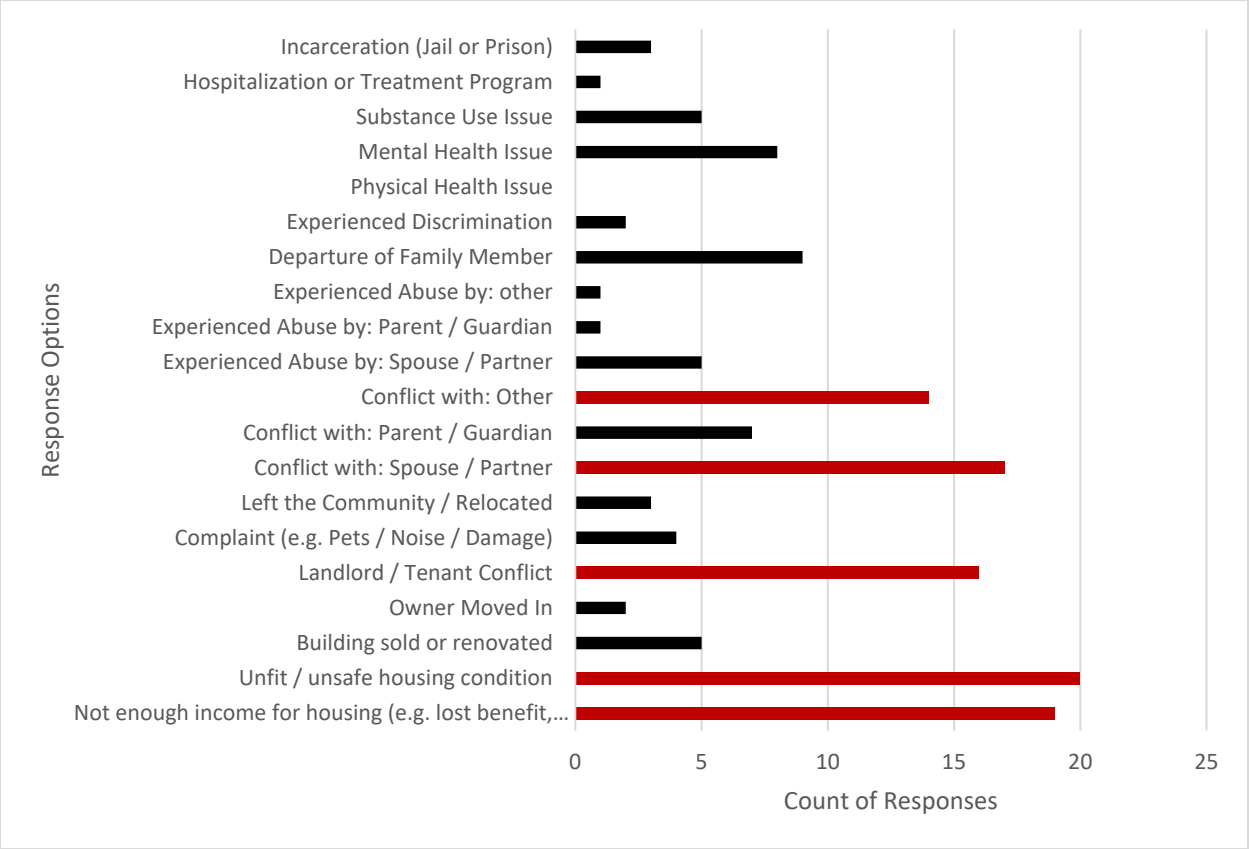


Figure 12. Causes of Most Recent Housing Loss - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The five most common responses are highlighted in red.

Challenges Experienced in Finding Housing

Indigenous respondents to the 2021 PIT survey indicated the cost of housing in Hamilton posed the most common barrier to exiting homelessness. Among Indigenous survey respondents (n=123), one hundred and fifteen Indigenous community members identified one or more challenges or problems encountered in trying to find housing. The fives most commonly reported challenges to finding housing identified by Indigenous community members are “Rent being too high”, “Having low income”, “Poor housing conditions”, “Discrimination”, and “Addiction”.

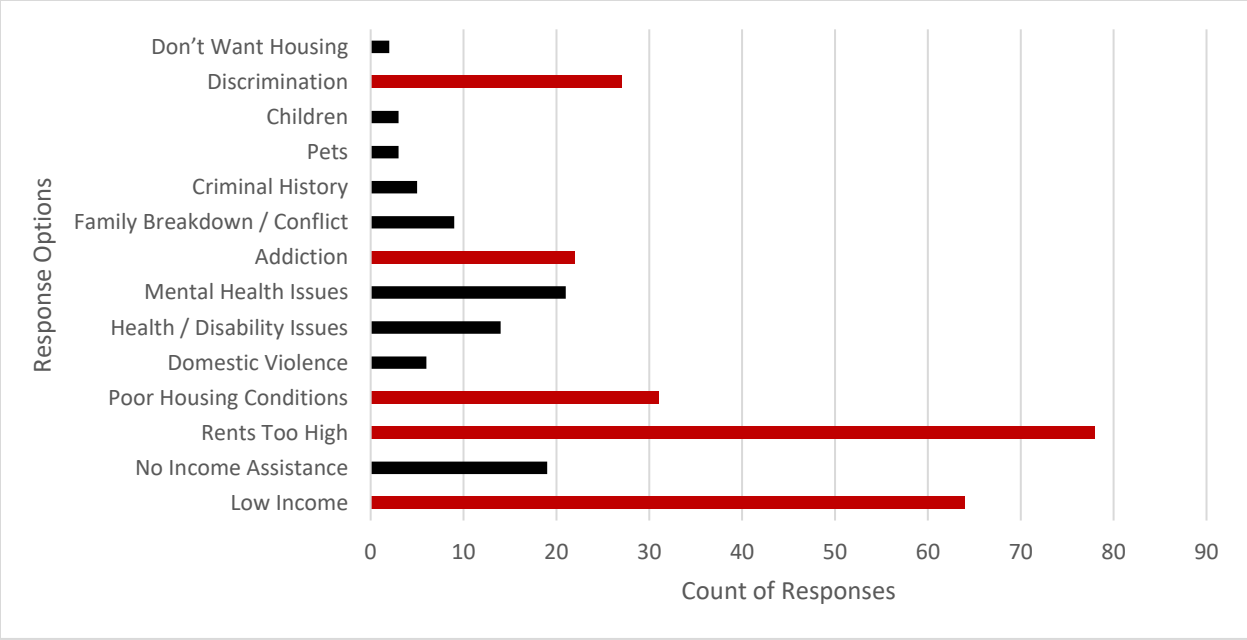


Figure 13. Challenges Experienced in Trying to Find Housing - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The five most common responses are highlighted in red.

COVID-19

Seventeen Indigenous PIT respondents related their most recent housing loss to the COVID-19 pandemic, representing fourteen percent (14%) of Indigenous survey respondents. Of Indigenous community respondents who related their most recent housing to the pandemic (n=17), 82% were between the ages of 31 and 64 years old.

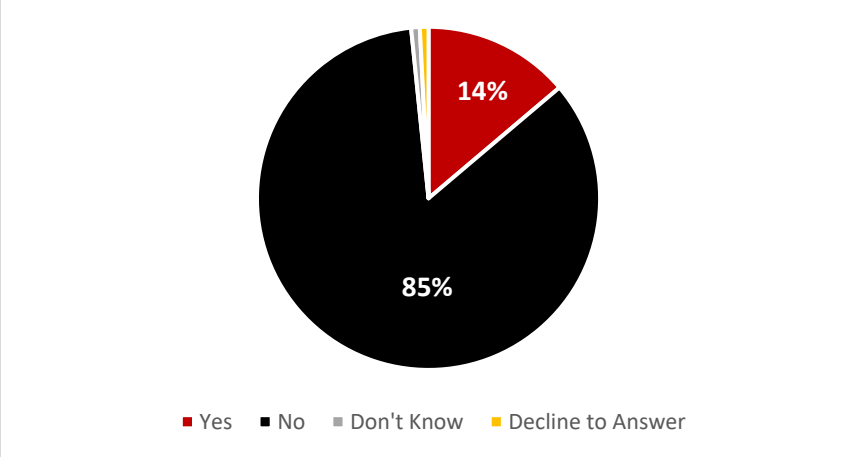


Figure 14. "Was your most recent housing loss related to the COVID-19 pandemic?" - Indigenous Respondents, 2021 Point in Time Count (Hamilton, Ontario).

Income Sources

Sixty-nine Indigenous PIT respondents reported receiving Disability Benefits (provincial) as a source of income, representing fifty-six percent (56%) of Indigenous respondents. Thirty-six Indigenous respondents reported receiving Welfare/social assistance (provincial) as a source of income, representing twenty-nine percent (29%) of Indigenous respondents of Indigenous respondents.

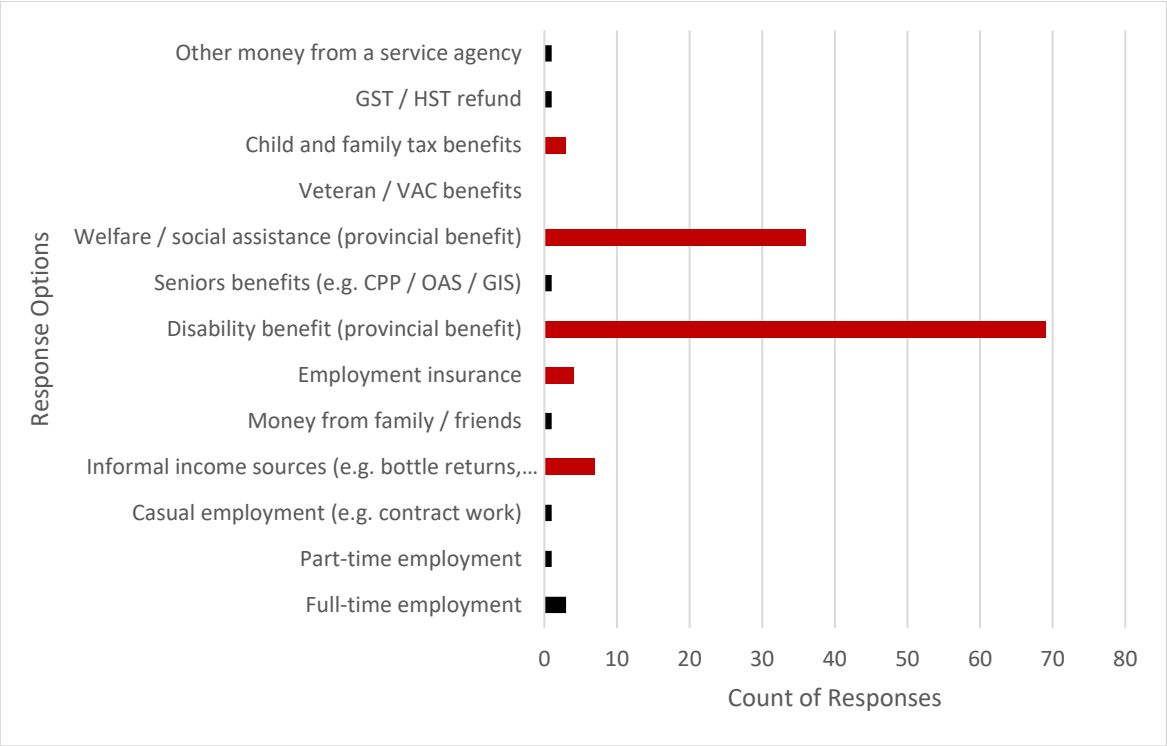


Figure 15. Sources of Income - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The five most common responses are highlighted in red.

Appendices

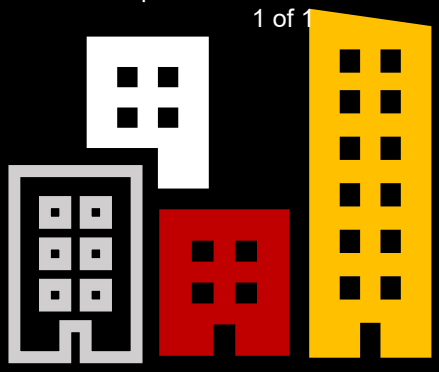
Appendix A – Indigenous Magnet Event Promo Card

Appendix B – 2021 Point in Time Survey (Hamilton, Ontario)

TAB 17

2021 POINT IN TIME SURVEY (Hamilton, Ontario)

The 2021 Point in Time (PIT) survey for Hamilton was led by the City of Hamilton – Housing Services Division and the Coalition of Hamilton Indigenous Leadership. Each PIT survey was completed by a community member currently experiencing homelessness in Hamilton.



INDIGENOUS RESPONDENTS

The responses shared in this infographic represent 2021 PIT respondents who self-identified as Indigenous or having Indigenous ancestry. *

Indigenous Peoples continue to be overrepresented among community members experiencing homelessness in Hamilton. Of Hamilton's general population, 2% of residents identify as Indigenous or having Indigenous ancestry. Among community members responding to Hamilton's 2021 PIT survey, 23% self-identified as Indigenous or having Indigenous ancestry.

545

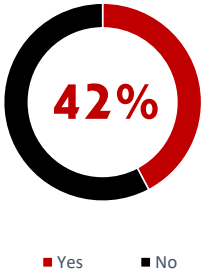
SURVEYS WERE COMPLETED DURING HAMILTON'S 2021 POINT IN TIME CONNECTION SURVEY INITIATIVE.

123 **OF 2021 PIT SURVEY RESPONDENTS IDENTIFIED AS INDIGENOUS OR HAVING INDIGENOUS ANCESTRY.**

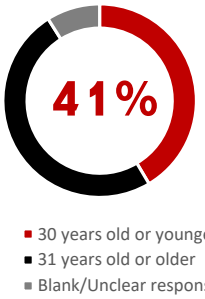
OF THE 123 INDIGENOUS IDENTIFIED RESPONDENTS:

- **68** Identified as **WOMEN**
- **49** Identified as **MEN**
- **5** Identified as **TWO-SPIRIT or NON-BINARY**

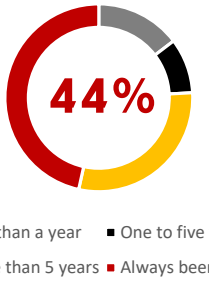
As a child or youth, were you ever in foster care or in a youth group home?



How old were you the first time you experienced homelessness?



How long have you been in Hamilton?



Top 5 reported sources of income:

1. Disability benefit
2. Welfare/social assistance
3. Informal income (e.g., bottle returns, panhandling, family)
4. Employment (full or part-time)
5. Employment insurance

Top 5 reported causes for most recent loss of housing:

1. Unfit/unsafe housing condition
2. Not enough income for housing
3. Conflict with Spouse/Partner
4. Landlord/tenant conflict
5. Conflict with other

Top 5 challenges or experienced when trying to find housing:

1. Rent too high
2. Low Income
3. Poor Housing Conditions
4. Discrimination
5. Addiction

Coalition of Hamilton Indigenous Leadership

Hamilton

The 2021 Point in Time survey for Hamilton, Ontario was conducted during the week of November 15th through 19th. All 2021 PIT survey respondents in Hamilton were asked if they self-identified as First Nations (with or without status), Métis or Inuit or if they identified as having North American Indigenous ancestry.

For comments and questions about this infographic, please contact the Coalition of Hamilton Indigenous Leadership at communications@chileadership.com

Court File No. CV-21-77187

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH, MARIO MUSCATO, SHAWN ARNOLD, BRADLEY CALDWELL, CHRISTINE DELOREY, GLEN GNATUK, TAYLOR GOGO-HORNER, CASSANDRA JORDAN, JULIA LAUZON, AMMY LEWIS, ASHLEY MACDONALD, COREY MONAHAN, MISTY MARSHALL, SHERRI OGDEN, JAHMAL PIERRE, LINSLEY GREAVES and PATRICK WARD

Applicants

and

CITY OF HAMILTON

Respondent

APPLICATION UNDER RULE 14.05 OF THE *RULES OF CIVIL PROCEDURE*

RESPONSE TO REQUEST TO ADMIT

In response to your request to admit dated May 31, 2023, the respondent:

1. Admits the truth of facts numbers N/A – none requested.

2. Admits the authenticity of the following documents, subject to the qualification that the Respondent's response is made with respect to the documents appended to the Applicant's May 31, 2023 Request to Admit only, and not the hyperlinks contained in the Applicant's May 31, 2023 Request to Admit, as it is not possible to admit the authenticity of a hyperlink:

   (a) 1

   (b) 2a

(c) 2b[1]

(d) 2c

(e) 2d

(f) page 1 of Document Number 3 (excerpt from City of Hamilton Emergency & Community Services Committee Agenda Addendum, Meeting 20-004, July 13, 2020),

(g) pages 2-4 of Document Number 3 (written delegation 6.2, “Dr. Jill Wiwcharuk and Dr. Tim O’Shea, Hamilton Social Medicine Response Team, respecting the City’s strategy about homeless encampments”);

(h) pages 5-8 of Document Number 3, (first four pages of “written delegation 6.3, Jody Ans and Lisa Nussey, Keeping Six, respecting request that the City re-evaluate and change its approach to encampments”);

(i) pages 9-46 of Document Number 3 (pages 5-42 of written delegation 6.3, Jody Ans and Lisa Nussey, Keeping Six, respecting request that the City re-evaluate and change its approach to encampments”) *only insofar as the Respondent admits that this is the document provided by the delegates Jody Ans and Lisa Nussey, Keeping Six, with their written delegation; the Respondent is not able to admit the authenticity of the document*

[1] The Respondent notes that the hyperlink provided and the document contained in the Index are different documents. The admission of authenticity is made with respect to the document only.

"Understanding Encampments of People Experiencing Homelessness and Community Responses" (see para. 6(a) below);

(j) pages 47-49 of Document Number 3 (first three pages of "written delegation 6.4, Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, respecting Dismantlement of Homeless Encampments");

(k) pages 50-96 of Document Number 3 (pages 4-46 of "written delegation 6.4, Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, respecting Dismantlement of Homeless Encampments") *only insofar as the Respondent admits that these are documents provided by the delegates Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, with their written delegation; the Respondent is not able to admit the authenticity of the untitled document appearing at pages 50-56 of Document Number 3 and the document titled "A National Protocol for Homeless Encampments in Canada" appearing at pages 57-96 of Document Number 3 (see para. 6(b) below);*

(l) pages 1-3 of Document Number 5, being the City of Hamilton Emergency & Community Services Committee Revised Agenda, Meeting 21-009, September 9, 2021. *Note, no video was enclosed the Applicants' Request to Admit. See para. 6(c) below.*

(m) Pages 1-24 of Document Number 6, being the City of Hamilton General Issues Committee Minutes, Meeting 23-017, May 17, 2023. *Note, no video was enclosed the Applicants' Request to Admit. See para. 6(d) below.*

(n) 7

(o) 8

(p) 8a

(q) 9

(r) pages 1-4 of Document Number 10, being the City of Hamilton City Council Agenda, Meeting 23-010, May 24, 2023. *Note, no video was enclosed the Applicants' Request to Admit. See para. 6(e) below.*

(s) 11

(t) Pages 1-7 of Document Number 12, being the City of Hamilton General Issues Committee Revised Agenda, Meeting 21-027, December 8, 2021. *Note, the subheading preceding Document Number 11 states "Statements from City Councillors Regarding Encampments." For clarity, Document Number 12 does not contain any statements and thus, none are admitted.*

(u) 13

(v) 14[2]

(w) 15

(x) 16

(y) 17

3. Denies the truth of facts numbers N/A - none requested.

4. Denies the authenticity of documents numbers: See paragraph 6 below.

5. Refuses to admit the truth of facts numbers

(a) N/A – none requested.

6. Refuses to admit the authenticity of documents numbers:

(a) pages 9-46 of Document Number 3 (pages 5-42 of written delegation 6.3, Jody Ans and Lisa Nussey, Keeping Six, respecting request that the City re-evaluate and change its approach to encampments"): the Respondent is not able to admit the authenticity of the document "Understanding Encampments of People Experiencing Homelessness and Community Responses" as the Respondent has not been provided with, and is thus unable to verify, the original source of this document;

[2] The Respondent notes that the hyperlink provided and the document contained in the Index are different documents. The admission of authenticity is made with respect to the document only.

(b) pages 50-96 of Document Number 3 (pages 4-46 of "written delegation 6.4, Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, respecting Dismantlement of Homeless Encampments"): the Respondent is not able to admit the authenticity of the untitled document appearing at pages 50-56 of Document Number 3 and the document titled "A National Protocol for Homeless Encampments in Canada" appearing at pages 57-96 of Document Number 3 as the Respondent has not been provided with, and is thus unable to verify, the original source of these documents;

(c) Document Number 5, City of Hamilton, Emergency and Community Services Committee, September 9, 2021 video recording: no video recording was included with the Request to Admit.

(d) Document Number 9, "video recording at recording at: https://pub-hamilton.escribemeetings.com/Players/ISIStandAlonePlayer.aspx?Id=1d954544-be89-4959-a370-abd5ccfcd269": no video recording was included with the Request to Admit.

(e) Document Number 10, "recording found at recording found at: https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=a6132950-b909-48b1-93a5-d4371a05273b&Agenda=Agenda&lang=English&Item=37&Tab=attachments": no recording was included with the Request to Admit.

June 20, 2023

GOWLING WLG (CANADA) LLP
Barristers & Solicitors
1 King Street W, Suite 1500
Hamilton ON L8P 1A4

Tel: 905-523-5666

Bevin Shores (LSO#56161F)
Tel: 905-540-2468
bevin.shores@gowlingwlg.com

Jordan Diacur (LSO#65860E)
Tel: 905-540-2500
jordan.diacur@gowlingwlg.com

Lawyers for the Respondent

TO: **HAMILTON COMMUNITY LEGAL CLINIC**
100 Main Street East, Suite 203
Hamilton, ON L8N 3W4

Emily O'Keefe
Tel: 905-527-4572
emily.okeefe@hclc.clcj.ca

Mohamad Bsat
Tel: 905-527-4572
mohamad.bsat@hclc.clcj.ca

Counsel to the Applicants

AND TO: **COMMUNITY LEGAL CLINIC OF YORK REGION**
21 Dunlop Street
Richmond Hill, ON L4C 2M6

Sharon Crowe
Tel: 905-508-5018 ext. 57
sharon.crowe@yr.clcj.ca

Counsel to the Applicants

AND TO: **HĀKI CHAMBERS**
319 Sunnyside Avenue
Toronto, ON M6R 2R3

Sujit Choudhry
Tel: 416-436-3679
sujit.choudhry@hakichambers.com

Counsel to the Applicants

AND TO: **ROSS & MCBRIDE LLP**
1 King Street West, 10th Floor
Hamilton, ON L8P 1A4

Wade Poziomka
Tel: 905-572-5824
wpoziomka@rossmcbride.com

Counsel to the Applicants

AND TO: **KASTNER LAM LLP**
55 University Avenue, Suite 1800
Toronto, ON M5J 2H7

Ashley Wilson
Tel: 416-655-3044 ext. 824
awilson@kastnerlam.com

Court File No. CV-21-00077187-0000

KRISTEN HEEGSMA et al. - and - CITY OF HAMILTON

Applicants Respondent

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT HAMILTON

RESPONSE TO REQUEST TO ADMIT

GOWLING WLG (CANADA) LLP
Barristers & Solicitors
1 King Street W, Suite 1500
Hamilton ON L8P 1A4

Tel: 905-523-5666

Bevin Shores (LSO#56161F)
Tel: 905-540-2468
bevin.shores@gowlingwlg.com

Jordan Diacur (LSO#65860E)
Tel: 905-540-2500
jordan.diacur@gowlingwlg.com
Lawyers for the respondent

Email for parties served:
Emily O'Keefe: emily.okeefe@hclc.clcj.ca
Mohamad Bsat: mohamad.bsat@hclc.clcj.ca
Sharon Crowe: sharon.crowe@yr.clcj.ca
Sujit Choudhry: sujit.choudhry@hakichambers.com
Wade Poziomka: wpoziomka@rossmcbride.com
Ashley Wilson: awilson@kastnerlam.com

Court File No. CV-21-00077187-0000

ONTARIO

SUPERIOR COURT OF JUSTICE

BETWEEN:

KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH, MARIO MUSCATO, SHAWN ARNOLD, BRADLEY CALDWELL, CHRISTINE DELOREY, GLENN GNATUK, TAYLOR GOGO-HORNER, CASSANDRA JORDAN, JULIA LAUZON, AMMY LEWIS, ASHLEY MACDONALD, COREY MONAHAN, MISTY MARSHALL, SHERRI OGDEN, JAHMAL PIERRE, LINSLEY GREAVES and PATRICK WARD

Applicants

-and-

CITY OF HAMILTON

Respondent

REQUEST TO ADMIT

YOU ARE REQUESTED TO ADMIT, for the purposes of this proceeding only, the truth (see rule 51.01 of the Rules of Civil Procedure) of the following facts from the following documents:

Homelessness Dashboard: Data on Homeless Population, Including Shelter Use, Availability and Capacity (Tabs 1a and b):

1. In January of 2020:
    a. the total homeless population was 864; and
    b. there were 220 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 287 beds available, and a total of 20 rooms available.
2. In February of 2020:
    a. the total homeless population was 1,096; and
    b. there were 193 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 260 beds available, and a total of 20 rooms available.
3. In March of 2020:
    a. the total homeless population was 1,088; and
    b. there were 219 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 286 beds available, and a total of 20 rooms available.

4. In April of 2020:
    a. the total homeless population was 1,105; and
    b. there were 150 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 217 beds available, and a total of 87 rooms available.
5. In May of 2020:
    a. the total homeless population was 1,102; and
    b. there were 127 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 194 beds available, and a total of 63 rooms available.
6. In June of 2020:
    a. the total homeless population was 1,028; and
    b. there were 127 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 194 beds available, and a total of 63 rooms available.
7. In July of 2020:
    a. the total homeless population was 967; and
    b. there were 127 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 194 beds available, and a total of 67 rooms available.
8. In August of 2020:
    a. the total homeless population was 969; and
    b. there were 127 beds available for men, 38 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 186 beds available, and a total of 82 rooms available.
9. In September of 2020:
    a. the total homeless population was 947; and
    b. there were 115 beds available for men, 38 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 174 beds available, and a total of 147 rooms available.
10. In October of 2020:
    a. the total homeless population was 987; and
    b. there were 142 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 181 beds available, and a total of 152 rooms available.
11. In November of 2020:
    a. the total homeless population was 1,061; and
    b. there were 186 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 225 beds available, and a total of 149 rooms available.

12. In December of 2020:

    a. the total homeless population was 1,084; and

    b. there were 186 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 225 beds available, and a total of 143 rooms available.

13. In January of 2021:

    a. the total homeless population was 1,160; and

    b. there were 196 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 235 beds available, and a total of 177 rooms available.

14. In February of 2021:

    a. the total homeless population was 1,138; and

    b. there were 223 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 262 beds available, and a total of 178 rooms available.

15. In March of 2021:

    a. the total homeless population was 1,095; and

    b. there were 223 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 262 beds available, and a total of 198 rooms available.

16. In April of 2021:

    a. the total homeless population was 1,086; and

    b. there were 223 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 262 beds available, and a total of 199 rooms available.

17. In May of 2021:

    a. the total homeless population was 1,058; and

    b. there were 223 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 262 beds available, and a total of 178 rooms available.

18. In June of 2021:

    a. the total homeless population was 1,079; and

    b. there were 223 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 262 beds available, and a total of 183 rooms available.

19. In July of 2021:

    a. the total homeless population was 1,083; and

    b. there were 209 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 248 beds available, and a total of 169 rooms available.

20. In August of 2021:

    a. the total homeless population was 1,182; and

    b. there were 210 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 249 beds available, and a total of 177 rooms available.

21. In September of 2021:

    a. the total homeless population was 1,202; and

    b. there were 218 beds available for men, 26 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 257 beds available, and a total of 185 rooms available.

22. In October of 2021:

    a. the total homeless population was 1,380; and

    b. there were 219 beds available for men, 41 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 273 beds available, and a total of 218 rooms available.

23. In November of 2021:

    a. the total homeless population was 1,426; and

    b. there were 238 beds available for men, 41 beds available for women, 20 rooms available for family, 13 beds available for youth, for a total of 292 beds available, and a total of 235 rooms available.

24. In December of 2021:

    a. the total homeless population was 1,541; and

    b. there were 239 beds available for men, 41 beds available for women, 20 rooms available for families, 13 beds available for youth, for a total of 293 beds available, and a total of 218 rooms available.

25. In January of 2022:

    a. the total homeless population was 1,594; and

    b. there were 245 beds available for men, 41 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 307 beds available, and a total of 268 rooms available.

26. In February of 2022:

    a. the total homeless population was 1,523.

    b. there were 212 beds available for men, 41 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 274 beds available, and a total of 281 rooms available.

27. In March of 2022:

    a. the total homeless population was 1,596; and

    b. there were 212 beds available for men, 96 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 329 beds available, and a total of 210 rooms available.

28. In April of 2022:

    a. the total homeless population was 1,735; and

    b. there were 154 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 279 beds available, and a total of 201 rooms available.

29. In May of 2022:

    a. the total homeless population was 1,673; and

    b. there were 154 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 279 beds available, and a total of 220 rooms available.

30. In June of 2022:

    a. the total homeless population was 1,539; and

    b. there were 193 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 318 beds available, and a total of 158 rooms available.

31. In July of 2022:

    a. the total homeless population was 1,494; and

    b. there were 193 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 318 beds available, and a total of 157 rooms available.

32. In August of 2022:

    a. the total homeless population was 1,476; and

    b. there were 212 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 337 beds available, and a total of 155 rooms available.

33. In September of 2022:

    a. the total homeless population was 1,531; and

    b. there were 212 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 337 beds available, and a total of 124 rooms available.

34. In October of 2022:

    a. the total homeless population was 1,569; and

    b. there were 212 beds available for men, 104 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 337 beds available, and a total of 100 rooms available.

35. In November of 2022:

    a. the total homeless population was 1,670; and

    b. there were 201 beds available for men, 107 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 329 beds available, and a total of 100 rooms available.

36. In December of 2022:

    a. the total homeless population was 1,536; and

    b. there were 198 beds available for men, 109 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 328 beds available, and a total of 62 rooms available.

37. In January of 2023:

    a. the total homeless population was 1,545; and

    b. there were 198 beds available for men, 109 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 328 beds available, and a total of 62 rooms available.

38. In February of 2023:

    a. the total homeless population was 1,465; and

    b. there were 198 beds available for men, 109 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 328 beds available, and a total of 62 rooms available.

39. In March of 2023:

    a. the total homeless population was 1,571; and

    b. there were 198 beds available for men, 81 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 300 beds available, and a total of 62 rooms available.

40. In April of 2023:

    a. the total homeless population was 1615; and

    b. there were 198 beds available for men, 65 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 284 beds available, and a total of 62 rooms available.

41. In May of 2023:

    a. the total homeless population was 1650; and

    b. there were 198 beds available for men, 46 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 265 beds available, and a total of 62 rooms available.

42. In June of 2023:

    a. the total homeless population was 1,732; and

    b. there were 198 beds available for men, 66 beds available for women, 20 rooms available for families, 21 beds available for youth, for a total of 285 beds available, and a total of 62 rooms available.

Point In Time Connection Survey Data

City of Hamilton, 2022 Homelessness Point in Time Count (Tab 2)

1. In 2022, from November 15-19, the City of Hamilton participated in the *Point in Time Connection* received completed 545 surveys at emergency shelters, drop-in programs, community agencies, and in unsheltered locations.

2. When asked “Did you have any family members or anyone else who stayed with you last night?”, survey participants responded as follows: 431 participants did not stay with anyone, 94 stayed with family, 8 stayed with a partner, and 12 stayed with an ‘Other adult’.
3. When asked “Where did you stay last night?”, survey participants responded as follows: 298 participants stayed at an emergency shelter, 68 stayed in a city funded hotel/motel, 60 were unsheltered, 52 stayed in transitional shelter/housing, 35 stayed in an encampment, 15 stayed at someone else’s place, and 17 answered ‘other - non permanent’.
4. Survey participants identified their ages as follows: 10% were between the ages of 16-24, 12% were between 25-30, 51% were between 31-49, 23% were between 50-64, and 4% were 65 and older.
5. Survey participants identified their gender indity as follows: 53% identified as women, 45% as men, 2% as non-binary, and 1% as trans or Two-Spirit.
6. 23% of survey participants identified as Indigenous or as having Indigenous ancestry.
7. 77 survey participants reported that their most recent housing loss was related to the COVID-19 pandemic.
8. 40% of survey participants reported having a chronic illness or health condition.
9. 270 survey participants reported having been to an emergency room in the last 12 months, with a cumulative total of 787 emergency room visits.
10. The top three reasons for most recent housing loss reported by survey participants were: not enough income, landlord/tenant conflict, and unfit/unsafe housing conditions.
11. The top five barriers to finding housing reported by survey participants were: rent too high, low income, no income assistance, poor housing conditions, and discrimination.
12. 304 survey participants reported being homeless for six months or more within the past year.

City of Hamilton, 2021 Point in Time Connection Results (Tab 3)

13. One fifth of the survey participants identified as an immigrant or refugee.
14. Of the survey participants, 12% identified as immigrants, 4% as refugee claimants, and 3% as refugees.
15. Of the survey participants, 10% identified as Black.
16. Of the 545 survey participants, 457 identified having at least one health challenge.
17. Of the survey participants, 60% indicated that they have a challenge relating to mental health.
18. Of the survey participants, 59% indicated having a challenge with substance use.
19. Of the survey participants, 40% reported having a chronic illness or health condition.
20. Of the survey participants, 39% reported having an illness or medical condition.
21. Of the survey participants, 34% reported having learning or cognitive limitations.
22. Of the survey participants, 33% reported having a physical limitation.
23. Of the survey participants, 39% reported that they receive disability benefits.
24. Of the survey participants, 10% identified as 2SLGBTQ+.
25. Of the survey participants, 73% reported staying in a shelter in the last year, 27% reported that they had not stayed in a shelter in the last year.

26. Of the survey participants who had not stayed in a shelter in the last year, 27% reported that they were turned away because the shelter was full, 24% feared for their safety in a shelter, and 11% expressed concerns about crowding.

City of Hamilton, 2021 Point in Time Count Indigenous Responses (Tab 4)

27. Of the 123 Indigenous survey respondents, 92 reported experiencing substance use issues.
28. Of the 123 Indigenous survey respondents, 83 reported managing a diagnosed or undiagnosed mental health issue.
29. Of the 123 Indigenous survey respondents, 57 reported managing an illness or medical condition such as diabetes, arthritis, tuberculosis, or HIV.
30. Of the 123 Indigenous survey respondents, 57 reported having learning or cognitive limitations such a dyslexia, autism spectrum disorder, ADHD, or an acquired brain injury.
31. Of the 123 Indigenous survey respondents, 42 reported experiencing a physical limitation, such as challenges with mobility, physical abilities and/or dexterity.
32. Of the 123 Indigenous survey respondents, 69 reported receiving provincial disability benefits as a source of income.
33. Of the 123 Indigenous survey respondents, 49 identified as men, 69 identified as women, 1 identified as Two-Spirit, and 4 identified as Non-Binary/Gender Queer.
34. Of the 123 Indigenous survey respondents, 99 reported being between the ages of 31 and 64 years old, 17 reported being under the age of 31, and 1 reported being over the age of 65.
35. Of the 17 Indigenous youth survey respondents, 18% identified as Non-Binary/Gender Queer.
36. Of the 123 Indigenous survey respondents, 82% reported having stayed in a shelter in the last year, 18% reported that they had not stayed in a shelter in the last year.
37. Of the 22 Indigenous survey respondents who did not stay in a shelter in the past year, 21 provided one or more reasons why they chose not to stay in shelter. 9 reported fearing for their safety, 4 reported that they were turned away because the shelter was full, 2 reported concerns about bed bugs and other pests, 2 reported concerns about crowding, 2 reported a lack of transportation, 1 reported that they were turned away because they were banned.

City of Hamilton, 2021 Point in Time Infographic – Indigenous Respondents (Tab 5)

38. Of Hamilton's general population, 2% of residents identify as Indigenous or having Indigenous ancestry.
39. Among the 545 individuals responding to Hamilton's 2021 Point in Time survey, 23% self-identified as Indigenous or having Indigenous ancestry.
40. Of the 123 Indigenous survey respondents, 68 identified as women, 49 identified as men, and 5 identified as two spirit or non-binary.
41. When asked "As a child or youth, were you ever in foster care or in a youth group home?", 42% of survey respondents responded yes.
42. When asked "How old were you the first time you experienced homelessness?", 41% or survey respondents said they were 30 years old or younger.
43. When asked "How long have you been in Hamilton?", 44% of survey respondents reported that they had "always been here".

44. The top five sources of income reported by survey respondents were: disability benefit, welfare/social assistance, informal income (e.g., bottle returns, panhandling, family), employment (full or part time), and employment insurance.

45. The top five causes for most recent loss of housing reported by survey respondents were: unfit/unsafe housing condition, not enough income for housing, conflict with spouse/partner, landlord/tenant conflict, and conflict with other.

46. The top five challenges or experiences when trying to find housing reported by survey respondents were: rent being too high, low income, poor housing conditions, discrimination, and addiction.

Attached to this request is a copy of each of the documents referred to above.

YOU MUST RESPOND TO THIS REQUEST by serving a response to request to admit in Form 51B prescribed by the Rules of Civil Procedure WITHIN TWENTY DAYS after this request is served on you. If you fail to do so, you will be deemed to admit, for the purposes of this proceeding only, the truth of the facts and the authenticity of the documents set out above.

August 1, 2023

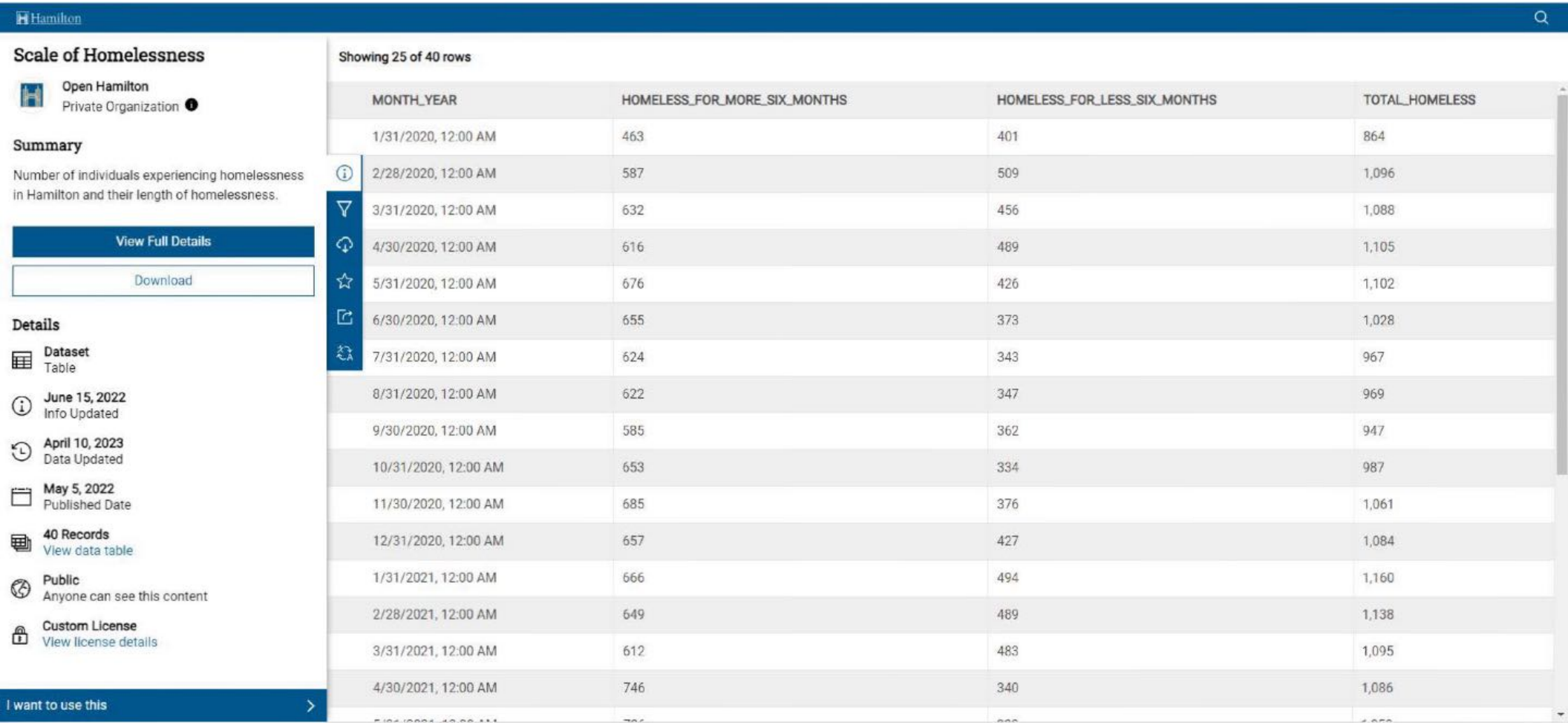
Sujit Choudhry, LSO#: 45011E
Hāki Chambers Global
319 Sunnyside Avenue
Toronto, ON M6R 2R3
Tel: (416) 436-3679
Email:
sujit.choudhry@hakichambers.com

Lawyer for the Applicants

TO: **Bevin Shores**, LSO#: 56161F
Gowlings LLP
Barristers and Solicitors
1 King Street West, Suite 1500
Hamilton, ON L8P 1A4
Tel: (905) 540-8208
Email: bevin.shores@gowlingwlg.com

Lawyer for the Respondent

TAB 1a


Hamilton
Scale of Homelessness
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Private Organization
Summary
Number of individuals experiencing homelessness in Hamilton and their length of homelessness.
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MONTH_YEAR
HOMELESS_FOR_MORE_SIX_MONTHS
HOMELESS_FOR_LESS_SIX_MONTHS
TOTAL_HOMELESS
1/31/2020, 12:00 AM 463 401 864
2/28/2020, 12:00 AM 587 509 1,096
3/31/2020, 12:00 AM 632 456 1,088
4/30/2020, 12:00 AM 616 489 1,105
5/31/2020, 12:00 AM 676 426 1,102
6/30/2020, 12:00 AM 655 373 1,028
7/31/2020, 12:00 AM 624 343 967
8/31/2020, 12:00 AM 622 347 969
9/30/2020, 12:00 AM 585 362 947
10/31/2020, 12:00 AM 653 334 987
11/30/2020, 12:00 AM 685 376 1,061
12/31/2020, 12:00 AM 657 427 1,084
1/31/2021, 12:00 AM 666 494 1,160
2/28/2021, 12:00 AM 649 489 1,138
3/31/2021, 12:00 AM 612 483 1,095
4/30/2021, 12:00 AM 746 340 1,086

Hamilton

Scale of Homelessness

Open Hamilton
Private Organization

Summary

Number of individuals experiencing homelessness in Hamilton and their length of homelessness.

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MONTH_YEAR	HOMELESS_FOR_MORE_SIX_MONTHS	HOMELESS_FOR_LESS_SIX_MONTHS	TOTAL_HOMELESS
5/31/2021, 12:00 AM	726	332	1,058
6/30/2021, 12:00 AM	717	362	1,079
7/31/2021, 12:00 AM	700	383	1,083
8/31/2021, 12:00 AM	687	495	1,182
9/30/2021, 12:00 AM	674	528	1,202
10/31/2021, 12:00 AM	763	617	1,380
11/30/2021, 12:00 AM	695	731	1,426
12/31/2021, 12:00 AM	632	909	1,541
1/31/2022, 12:00 AM	889	705	1,594
2/28/2022, 12:00 AM	803	720	1,523
3/31/2022, 12:00 AM	795	801	1,596
4/30/2022, 12:00 AM	326	1,409	1,735
5/31/2022, 12:00 AM	370	1,303	1,673
6/30/2022, 12:00 AM	373	1,166	1,539
7/31/2022, 12:00 AM	367	1,127	1,494
8/30/2022, 12:00 AM	395	1,081	1,476
9/30/2022, 12:00 AM	390	1,141	1,531

Hamilton

Scale of Homelessness

Open Hamilton
Private Organization

Summary

Number of individuals experiencing homelessness in Hamilton and their length of homelessness.

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MONTH_YEAR	HOMELESS_FOR_MORE_SIX_MONTHS	HOMELESS_FOR_LESS_SIX_MONTHS	TOTAL_HOMELESS
11/30/2021, 12:00 AM	695	731	1,426
12/31/2021, 12:00 AM	632	909	1,541
1/31/2022, 12:00 AM	889	705	1,594
2/28/2022, 12:00 AM	803	720	1,523
3/31/2022, 12:00 AM	795	801	1,596
4/30/2022, 12:00 AM	326	1,409	1,735
5/31/2022, 12:00 AM	370	1,303	1,673
6/30/2022, 12:00 AM	373	1,166	1,539
7/31/2022, 12:00 AM	367	1,127	1,494
8/30/2022, 12:00 AM	395	1,081	1,476
9/30/2022, 12:00 AM	390	1,141	1,531
10/31/2022, 12:00 AM	409	1,160	1,569
11/30/2022, 12:00 AM	542	1,128	1,670
12/31/2022, 12:00 AM	488	1,048	1,536
1/31/2023, 12:00 AM	494	1,051	1,545
2/28/2023, 12:00 AM	476	989	1,465
3/31/2023, 12:00 AM	556	1,015	1,571
4/30/2023, 12:00 AM	591	1,024	1,615

TAB 1b

Hamilton

Shelter Beds Available

Open Hamilton
Private Organization

Summary

Total number of shelter beds or rooms available on the last day of the month.

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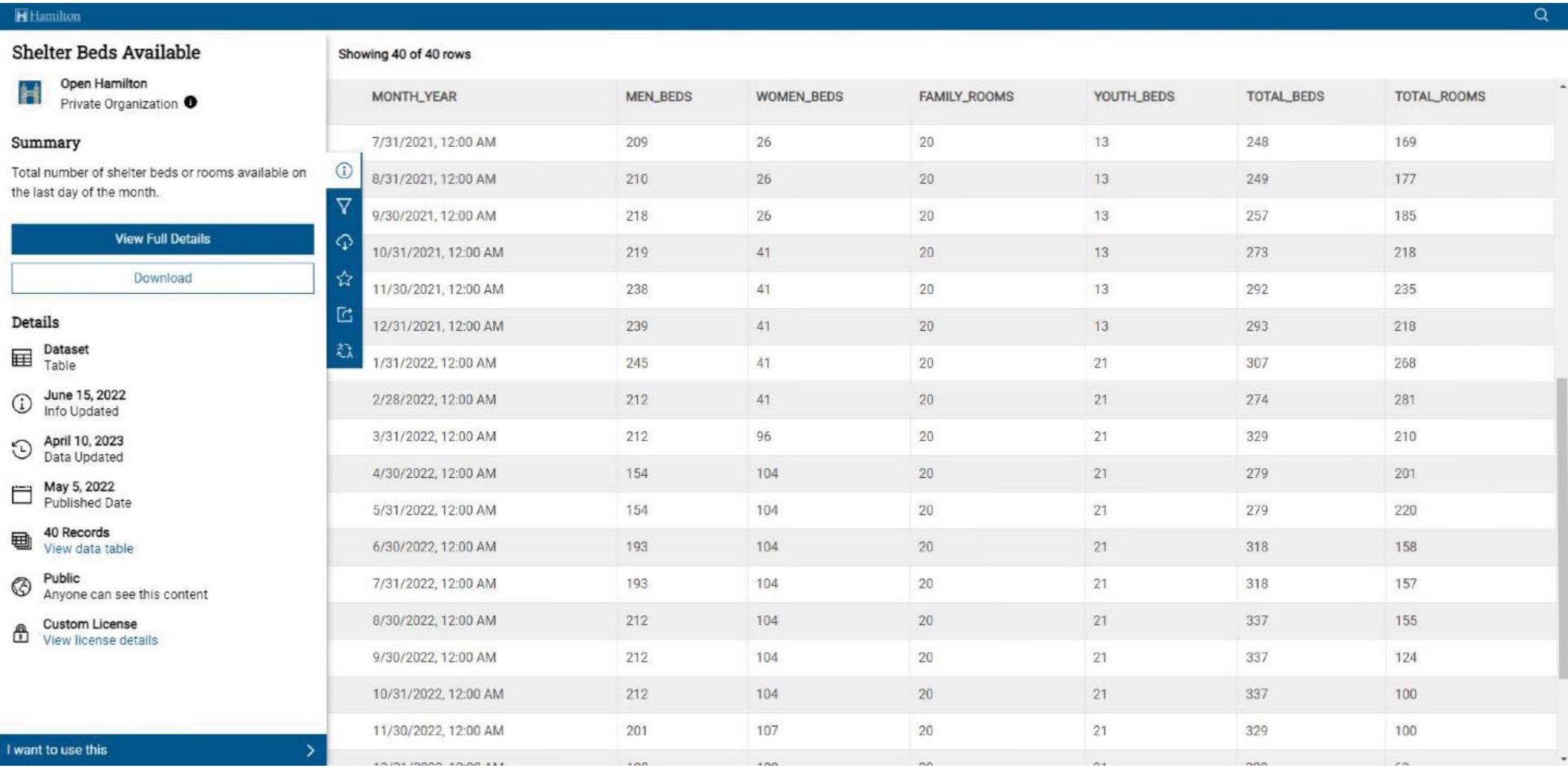
MONTH_YEAR	MEN_BEDS	WOMEN_BEDS	FAMILY_ROOMS	YOUTH_BEDS	TOTAL_BEDS	TOTAL_ROOMS
1/31/2020, 12:00 AM	220	46	20	21	287	20
2/28/2020, 12:00 AM	193	46	20	21	260	20
3/31/2020, 12:00 AM	219	46	20	21	286	20
4/30/2020, 12:00 AM	150	46	20	21	217	87
5/31/2020, 12:00 AM	127	46	20	21	194	63
6/30/2020, 12:00 AM	127	46	20	21	194	63
7/31/2020, 12:00 AM	127	46	20	21	194	67
8/31/2020, 12:00 AM	127	38	20	21	186	82
9/30/2020, 12:00 AM	115	38	20	21	174	147
10/31/2020, 12:00 AM	142	26	20	13	181	152
11/30/2020, 12:00 AM	186	26	20	13	225	149
12/31/2020, 12:00 AM	186	26	20	13	225	143
1/31/2021, 12:00 AM	196	26	20	13	235	177
2/28/2021, 12:00 AM	223	26	20	13	262	178
3/31/2021, 12:00 AM	223	26	20	13	262	198
4/30/2021, 12:00 AM	223	26	20	13	262	199
5/31/2021, 12:00 AM	223	26	20	13	262	178
6/30/2021, 12:00 AM	223	26	20	13	262	183


Hamilton
Shelter Beds Available
Open Hamilton
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Summary
Total number of shelter beds or rooms available on the last day of the month.
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MONTH_YEAR MEN_BEDS WOMEN_BEDS FAMILY_ROOMS YOUTH_BEDS TOTAL_BEDS TOTAL_ROOMS
7/31/2021, 12:00 AM 209 26 20 13 248 169
8/31/2021, 12:00 AM 210 26 20 13 249 177
9/30/2021, 12:00 AM 218 26 20 13 257 185
10/31/2021, 12:00 AM 219 41 20 13 273 218
11/30/2021, 12:00 AM 238 41 20 13 292 235
12/31/2021, 12:00 AM 239 41 20 13 293 218
1/31/2022, 12:00 AM 245 41 20 21 307 268
2/28/2022, 12:00 AM 212 41 20 21 274 281
3/31/2022, 12:00 AM 212 96 20 21 329 210
4/30/2022, 12:00 AM 154 104 20 21 279 201
5/31/2022, 12:00 AM 154 104 20 21 279 220
6/30/2022, 12:00 AM 193 104 20 21 318 158
7/31/2022, 12:00 AM 193 104 20 21 318 157
8/30/2022, 12:00 AM 212 104 20 21 337 155
9/30/2022, 12:00 AM 212 104 20 21 337 124
10/31/2022, 12:00 AM 212 104 20 21 337 100
11/30/2022, 12:00 AM 201 107 20 21 329 100

Hamilton

Shelter Beds Available

Open Hamilton
Private Organization

Summary

Total number of shelter beds or rooms available on the last day of the month.

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MONTH_YEAR	MEN_BEDS	WOMEN_BEDS	FAMILY_ROOMS	YOUTH_BEDS	TOTAL_BEDS	TOTAL_ROOMS
11/30/2021, 12:00 AM	238	41	20	13	292	235
12/31/2021, 12:00 AM	239	41	20	13	293	218
1/31/2022, 12:00 AM	245	41	20	21	307	268
2/28/2022, 12:00 AM	212	41	20	21	274	281
3/31/2022, 12:00 AM	212	96	20	21	329	210
4/30/2022, 12:00 AM	154	104	20	21	279	201
5/31/2022, 12:00 AM	154	104	20	21	279	220
6/30/2022, 12:00 AM	193	104	20	21	318	158
7/31/2022, 12:00 AM	193	104	20	21	318	157
8/30/2022, 12:00 AM	212	104	20	21	337	155
9/30/2022, 12:00 AM	212	104	20	21	337	124
10/31/2022, 12:00 AM	212	104	20	21	337	100
11/30/2022, 12:00 AM	201	107	20	21	329	100
12/31/2022, 12:00 AM	198	109	20	21	328	62
1/31/2023, 12:00 AM	198	109	20	21	328	62
2/28/2023, 12:00 AM	198	109	20	21	328	62
3/31/2023, 12:00 AM	198	81	20	21	300	62
4/30/2023, 12:00 AM	198	65	20	21	284	62

TAB 2

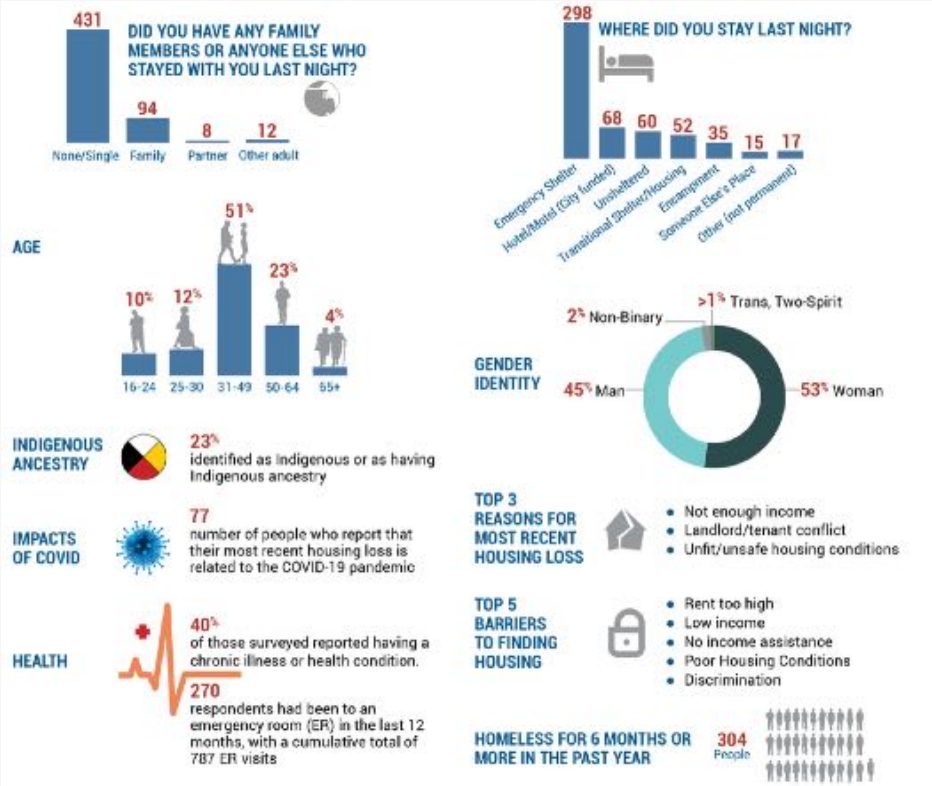
HOMELESSNESS

POINT IN TIME CONNECTION

From November 15 to 19, the City of Hamilton joined communities across Canada in participating in Everyone Counts: the third nationally coordinated Point-in-Time Count in Canada. This initiative, referred to locally as the Point in Time Connection, is a joint planning effort with City of Hamilton's Housing Services Division and the local Indigenous community through the Coalition of Hamilton Indigenous Leadership (CHIL).

During the initiative, staff from community-based social services organizations conducted surveys, hearing directly from unhoused residents, to better understand the needs of people experiencing homelessness in our community. 545 surveys were completed during the week at emergency shelters, drop-in programs, community agencies, and in unsheltered locations. Indigenous led magnet event was also held in Beasley Park on November 17 to provide an opportunity for Indigenous community members to be surveyed by Indigenous surveyors.

2022 POINT IN TIME CONNECTION RESULTS



2022 PiTC Results Infographic Description +

The goal of Hamilton's homeless-serving System is to connect people to the housing resources that will best meet their needs to access long-term sustainable housing. The system follows the principles of housing first and relies on person-centred data to facilitate the housing process.Point in Time Connection data helps to ensure available resources are leveraged as efficiently and effectively as possible to prevent and end homelessness.

- **City of Hamilton Point in Time Connection Results - 2021 (PDF, 1.09 MB)**
  In keeping with the principles of Indigenous data sovereignty, as directed by the Indigenous Community Advisory Board (ICAB), CHIL will continue to lead the analysis of Indigenous respondent data and the City of Hamilton will not use this data without the approval of the ICAB. See below for the full analysis of Indigenous respondent data, completed by CHIL and approved by the ICAB:
- **2021 Point in Time Count Indigenous Responses – Hamilton (PDF, 1.15 MB)**
- **2021 PiT Infographic - Indigenous Respondents (PDF, 800.43 KB)**

Coalition of Hamilton Indigenous Leadership

BACKGROUND

- Completion of the PiTC fulfilled requirements of both the Federal government's Reaching Home: Canada's Homelessness Strategy and the Ontario Ministry of Municipal Affairs and Housing.
- The 2021 PiTC complements existing local efforts to collect and report on key data on the state of homelessness to inform homelessness prevention and reduction efforts.

- Hamilton was the second community in Ontario to undertake homelessness enumeration in 2016 and one of the first to put in place a Coordinated Access system underpinned by a By-Name Priority List.
- Hamilton's PiTC was initially planned for April 2020, however was subsequently postponed by the City of Hamilton and CHIL due to COVID-19 response and impacts, and to await further direction from Federal and Provincial Governments.
- Unlike in previous years, no additional volunteers were recruited to support the surveying. The 2021 PiTC survey was conducted over the course of the week of November 15-19, 2021 in order to: ease the burden on agency staff working to complete the surveys and provide essential services in the community; to enable more time to safely connect with individuals and families in a variety of settings; and to avoid large gatherings to reduce the risk of infection and community spread of COVID-19 within these settings.

2018 Point in Time Connection +

2016 Point in Time Connection +

Date modified: October 31, 2022

Preventing & Ending Homelessness

Cathedral Temporary Shelter

City of Hamilton Encampment Response

Emergency Shelters & Drop-ins

Hamilton's Homelessness Ending Strategy

Housing & Homelessness Action Plan

Housing Stability & Rent Ready Benefits

Point in Time Connection

Resources for Homeless-serving partners

Resources for Individuals at Risk of and Experiencing Homelessness

Contact Us

Homelessness Policy & Programs
Call 905-546-2424 ext. 4666
Email **homelesspolicyprograms@hamilton.ca**

RELATED PAGES

TAB 3

City of Hamilton

Point in Time Connection Results 2021

Housing Services Division – April 2022

The 2021 Point in Time Connection (PiTC), a joint planning effort with City of Hamilton's Housing Services Division and the Coalition of Hamilton Indigenous Leadership (CHIL), was made possible through the support of a wide range of community partners who assisted greatly in its planning and implementation. The Housing Services Division would like to specifically acknowledge and thank every single survey participant whose contributions allow us to more deeply examine the impact of our ongoing work to end homelessness.

The partnership with, and leadership of, CHIL remain central in efforts to prioritize Indigenous led solutions to homelessness. Recommendations from the Indigenous community guide efforts to ensure that the PiTC is conducted in a way that is safe and culturally appropriate, acknowledging autonomy and self-determination as key pillars of engagement.

For the first time, Hamilton's PiTC was led on the ground exclusively by community partners and City staff without the support of volunteers; these efforts were critical in prioritizing the health and safety of all involved throughout the survey week. Building on this initiative, we continue to strive to centre the voices of unhoused residents to work toward ensuring that their needs are directly prioritized in approaches taken and decisions made in the context of local planning, policy and investment.

Land Acknowledgment

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

Coming Together to End Homelessness: Hamilton's Systems Planning Framework outlines our strategic local approach to preventing and ending homelessness, which must account for the systemic over-representation of Indigenous persons experiencing homelessness. The Housing Services Division is committed to ongoing coordination with urban Indigenous leadership to ensure that approaches to service coordination and provision are culturally appropriate, safe and built on principles of relationship, trust and informed consent.

Table of Contents

Summary and Key Findings 3
Snapshot of Homelessness in Hamilton on November 19, 2021 4
Introduction 4
COVID-19 Context 4
Overview of Homelessness in Hamilton 5
Sheltered Homelessness 5
Unsheltered Homelessness 6
Shelter System Flow Data 7
Methodology 9
Snapshot 10
Survey Participation 11
Profile of Respondents Experiencing Homelessness 11
Age 11
Gender Identity 12
Indigenous Identity 12
Migration to Canada 13
Racial Identity 14
Length of Time in Hamilton 14
Family Homelessness 15
Sexual Identity 15
Veteran Homelessness 16
Health 16
Sources of Income 17
Homelessness History 18
Length of Homelessness in Past Year 18
Age of First Homeless Experience 19
Experience with Foster Care 19
Reasons for Homelessness/Housing Loss 20
Barriers to Finding Housing 21
Service Use Patterns 21
Shelter Use in the Last Year 21
Interaction with the Health Care & Criminal Justice System 22
Conclusion and Next Steps 23
Appendix A: 2021 PiTC Survey 24

Summary and Key Findings

Hamilton's most recent PiTC survey of individuals experiencing homelessness in the city highlights a shift in the demographic profile of those experiencing homelessness, identifies key barriers to maintaining or obtaining housing, and shows specific groups are overrepresented in their experience of homelessness.

Held November 15 to 19, 2021, and jointly planned by the City's Housing Services Division and CHIL, it is the third nationally-coordinated Point-in-Time Count since 2016. The information collected complements existing local efforts to collect and report on key data on the state of homelessness and helps to ensure available resources are used as efficiently and effectively as possible to prevent and end homelessness.

Service staff from community-based social service organizations conducted 545 surveys over the five-day period at emergency shelters, drop-in programs, community agencies, and in unsheltered locations to better understand the needs of people experiencing homelessness in our community.

Results of the survey highlight:

- the overrepresentation of Indigenous peoples, as 23% of all respondents identified as Indigenous or as having Indigenous ancestry;
- a shift in the demographic profile of those experiencing homelessness throughout the COVID-19 pandemic, including an increase in the percentage of respondents who identify as a woman (53%), which was higher than in 2018 (32%) and 2016 (28%);
- key barriers to maintaining or obtaining housing, such as impacts from the COVID-19 pandemic, housing affordability, low income/low income assistance, landlord/tenant conflict, poor housing conditions and discrimination;
- a majority of respondents reported they had most recently stayed in an emergency shelter or a City funded hotel/motel; and,
- the 2021 PiTC engaged a larger number of people staying in outdoor unsheltered locations and encampments (95) compared to 2016 and 2018 (In 2016, 34 survey respondents were unsheltered and/or in encampments compared to 25 survey respondents in 2018).

In keeping with the principles of Indigenous data sovereignty, as directed by the Indigenous Community Advisory Board (ICAB), CHIL has led the analysis of Indigenous respondent data and the City of Hamilton has not and will not use this data without the approval of the ICAB. Housing Services Division continues to prioritize collaborative work with local Indigenous leadership to develop connections to housing and supports

that are culturally appropriate, rooted in the spirit and actions of reconciliation that recognize the values of autonomy and self-determination.

Snapshot of Homelessness in Hamilton on November 19, 2021

- Shelters were at 93% capacity during the period of November 15-19, 2021
- 748: the number of unique individuals that stayed in an emergency shelter during the period of November 15-19, 2021
- 1426: total number of people on the City of Hamilton's By-Name List on November 12, 2022

Introduction

From November 15 to 19, 2021 the City of Hamilton participated in Everyone Counts, the third nationally coordinated Point-in-Time Count in Canada. Completion of the PiTC fulfilled requirements of both the Federal government's Reaching Home: Canada's Homelessness Strategy and the Ontario Ministry of Municipal Affairs and Housing.

Point-in-Time Counts have historically been used to help communities better understand the nature and extent of homelessness and the circumstances of the people experiencing homelessness, while providing information to help shape ongoing system and service responses. Point-in-Time Counts can assist in identifying how many people in a community experience homelessness at any given time; however, it is not an exhaustive count. Through the accompanying survey, the initiative provides information on the demographics and service needs of the local population experiencing homelessness.

545 surveys were completed during the week at emergency shelters, provincially administered Violence Against Women shelters, drop-in programs, community agencies, and in unsheltered locations including encampments. An Indigenous led magnet event was also held in Beasley Park on November 17, 2021 to provide an opportunity for Indigenous community members to be surveyed by Indigenous surveyors.

COVID-19 Context

Investments specifically targeted towards housing-focused interventions in Hamilton to prevent and end people's experience of homelessness total approximately $25 M annually in regular funding. In addition, since the beginning of the COVID-19 pandemic, the City has sustained an emergency response across the homelessness-serving system directing more than $60 M in additional pandemic response funds. These funds ensured for a responsive and flexible response throughout the evolving demands of the pandemic.

Through the pandemic, additional investments have enabled the temporary expansion of shelter space across the system from 341 beds up to 548 beds at the highest point plus additional overflow space, as well as a new temporary women's shelter. In addition, these investments supported the expansion of the City's Housing Focused Street Outreach team and have also enabled community drop-in programs to expand and

maintain services for vulnerable residents, including: meals, showers, harm reduction supplies, and overnight access to drop-in services. These investments and the dedicated efforts of agency staff provided additional settings and opportunities for engagement through the PiTC.

Overview of Homelessness in Hamilton

Sheltered Homelessness

Emergency shelters are a critical first-line response to ensure people experiencing homelessness have a safe place to stay while they pursue stable housing. The City's outreach staff work on a daily basis to engage individuals experiencing unsheltered homelessness to offer shelter space and work with them to find safer, humane, and supportive housing options.

There has been growing pressure within the shelter system throughout the course of the pandemic. In 2020, emergency shelter average length of stay increased 18% and the women's system was particularly over-capacity. From 2020 to 2021 there has been an increasing trend in number of unique individuals accessing shelters by month.

Figure 1: Unique Individuals in Shelter by Month

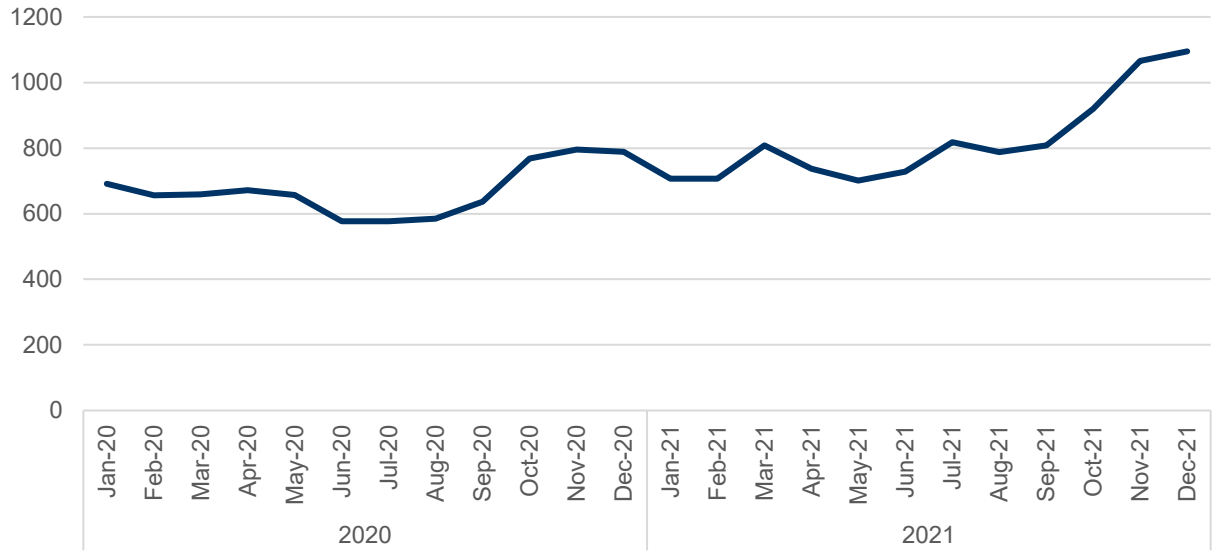


Figure 2: Monthly Shelter Bed Usage and Max Capacity by Month

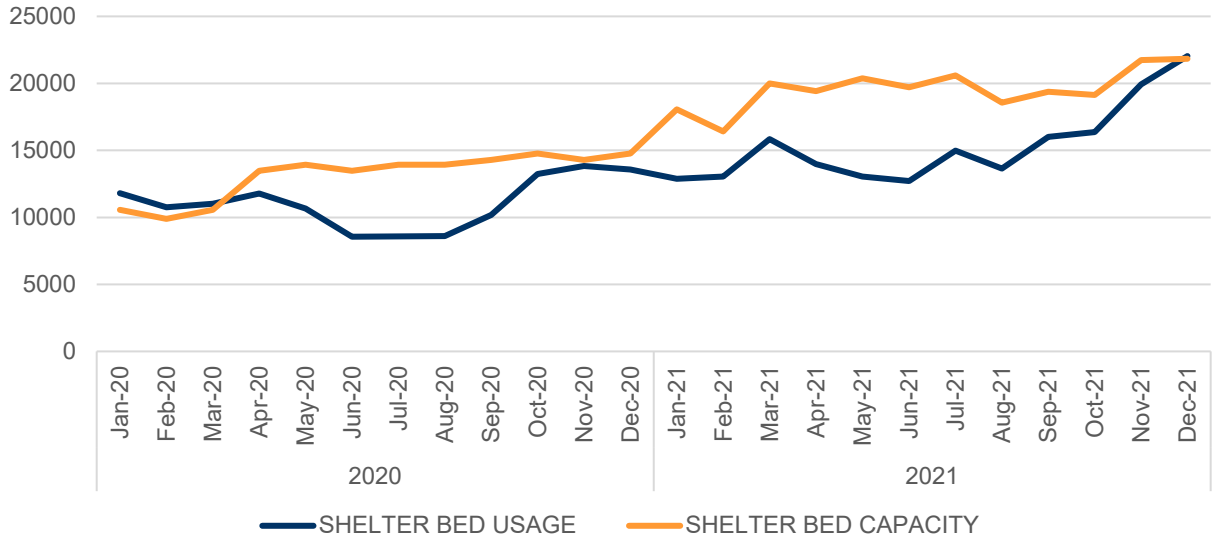
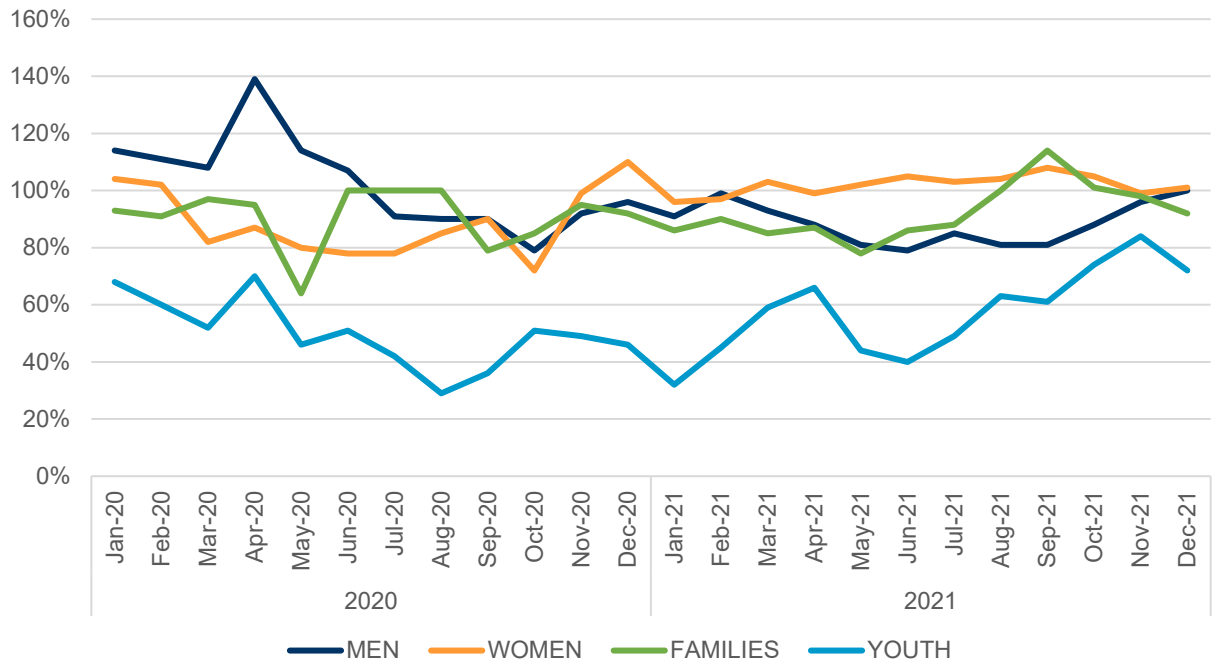


Figure 3: Shelter Occupancy by Sector and Month



Unsheltered Homelessness

During the week of the PiTC (Nov. 15-19, 2021), the City's Housing Focused Street Outreach team reported that there were approximately 90 unique individuals staying in unsheltered locations, including encampments. The rise in, and visibility of, unsheltered

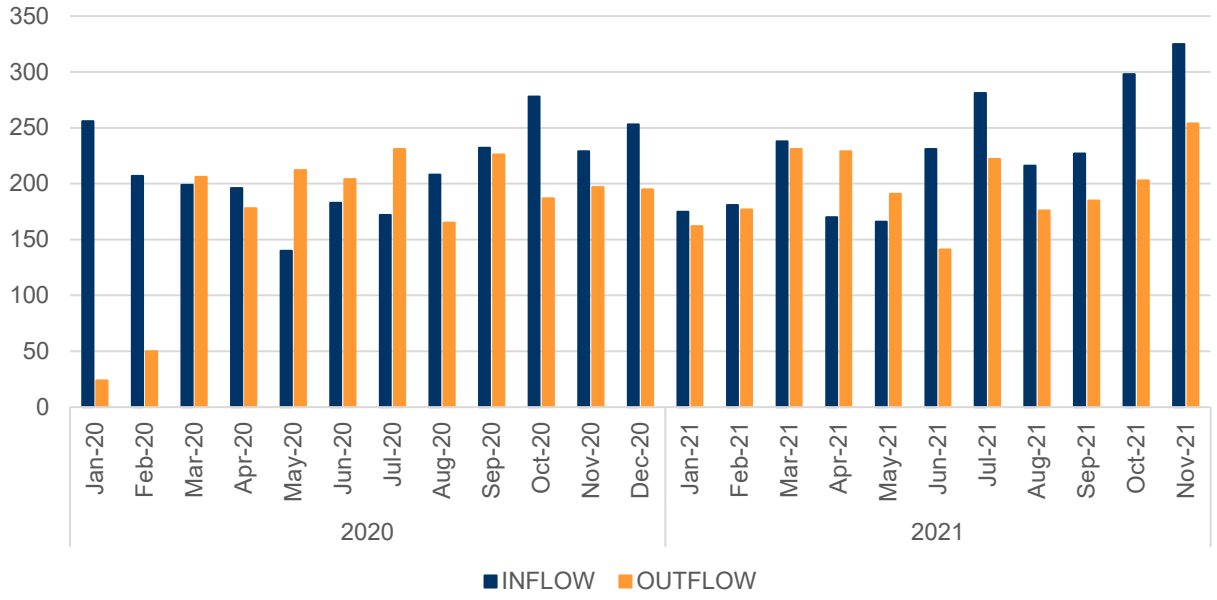
homelessness and encampments throughout many Canadian cities continues to demonstrate how the COVID-19 pandemic persists in exacerbating ongoing systemic challenges and inequities as it relates to housing and homelessness. While the City has worked to develop new strategies and approaches to address these issues locally, unsheltered homelessness remains a persistent reality in Hamilton along with structural barriers to accessing adequate housing and supports.

Shelter System Flow Data

Inflow and outflow are two of the most important measures for monitoring progress towards the goal of ending homelessness. The goal towards ending homelessness is to see outflow exceed inflow. When this happens, it means that more people are exiting from homelessness than are entering the homeless-serving system. As of the end of November 2021, there have been two months where outflow exceeds inflow. In 2020, there were four months where outflow exceeded inflow. Note that outflow data was limited for the first two months of 2020.

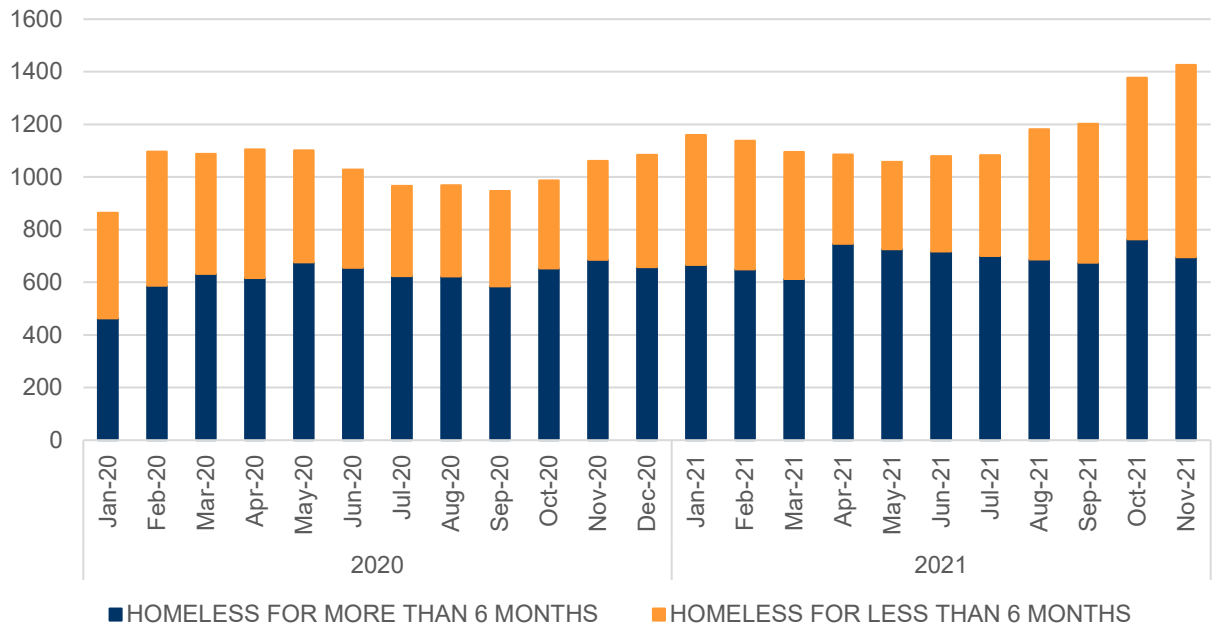
INFLOW	OUTFLOW
Represents the number of individuals: • newly identified as homeless, • returned to homelessness from housing, • returned to homelessness from inactive status.	Represents the number of individuals: • who have moved from housing to housed, • those who have moved to inactive status (meaning they have not interacted with the homeless-serving system for 90+ days).

Figure 4: Individuals (shelter stayers) entering (inflow) or exiting (outflow) homelessness by month



The number of people actively experiencing homelessness is based on data collected by homeless-serving shelters through the Homeless Individuals and Families Information System (HIFIS). Individuals on the By Name List (BNL) who have been engaged only through Outreach and Drop-in programs are not included in this depiction at this time as we look to improve our data reporting.

Figure 5: Individuals (shelter stayers) experiencing homelessness for less than six months and more than six months, by month



Methodology

The nationally coordinated Point-in-Time Count approach includes a set of core standards for the methodology that guide how the counts are conducted in participating communities across Canada. The core standards, identified by Federal and Provincial governments, identify common screening and survey questions that are asked in all participating communities. The approach does give some flexibility for communities to adapt methodology, and Hamilton's survey design and implementation was guided by local partners, including consultation with Indigenous partners through CHIL.

Given the COVID-19 pandemic, adaptations to methodology were made available to communities to support the implementation of Point-in-Time Counts to reduce risks and burden on participants and staff in the homeless serving sector. Adaptations to the 2021 PiTC included:

- expansion of surveying timeline to five days, creating additional flexibility to participate and complete surveys, while avoiding large gatherings to reduce the risk of infection and community spread of COVID-19;
- no additional assessment tool included for 2021, as the survey consisted of only the core anonymous questions;
- 24-hour online survey submission, completed through the Homeless Individuals and Families Information System (HIFIS);
- no additional community volunteers recruited - surveying was conducted exclusively by community social-service agency and City of Hamilton staff;
- full training module completed online; and,
- focus on sheltered sites (emergency shelter, drop in, etc.) and a targeted approach to connect with unsheltered individuals and families in the community in known locations through the City's Housing Focused Street Outreach team, alongside partners from local Indigenous housing organizations.

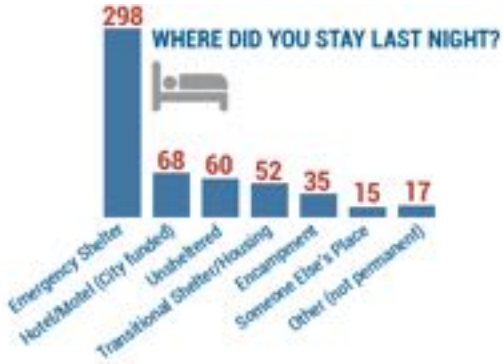
As in 2016 and 2018, an Indigenous led magnet event was held during the week to provide an opportunity for Indigenous community members to be surveyed by Indigenous surveyors. All survey participants of the PiTC were provided a $15 gift card honorarium upon completion of the survey.

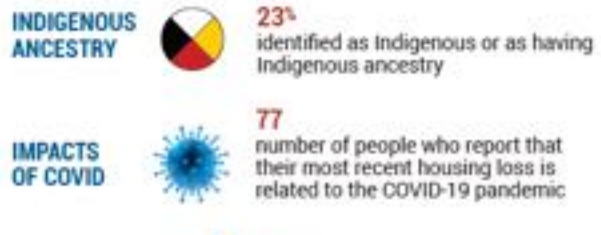
While a number of strategic decisions allowed for increased engagement through the PiTC, there remains limitations in the methodology. In the 2018 PiTC, Hamilton had expanded survey sites to include additional drop-in programs focused on youth, as well as including the Central Library location as a survey site. As a result of enhanced COVID-19 health and safety regulations and limitations on volunteer recruitment, staff were unable to include these additional spaces and build upon learnings and reflections from these survey sites in 2018.

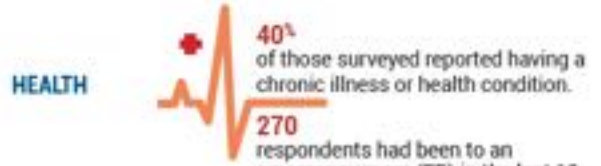
Snapshot

Comparison and analysis of detailed results across multiple PiTC initiatives remains a challenge given the varying contextual factors from year to year. Between PiTC initiatives, the Housing Services Division has worked with community partners to strengthen local reporting on key data related to the state of homelessness and actions towards preventing and ending it. As a part of these broader efforts, the PiTC remains a valuable tool to further support evidence-informed action and improvement within Hamilton's Housing and Homelessness Serving System.

A total of 545 individuals completed voluntary surveys during the 2021 Hamilton Point in Time Connection. Here is a snapshot of the survey results:







Survey Participation

The following chart provides a summary of where the 545 survey respondents reported staying the night before completing the survey:

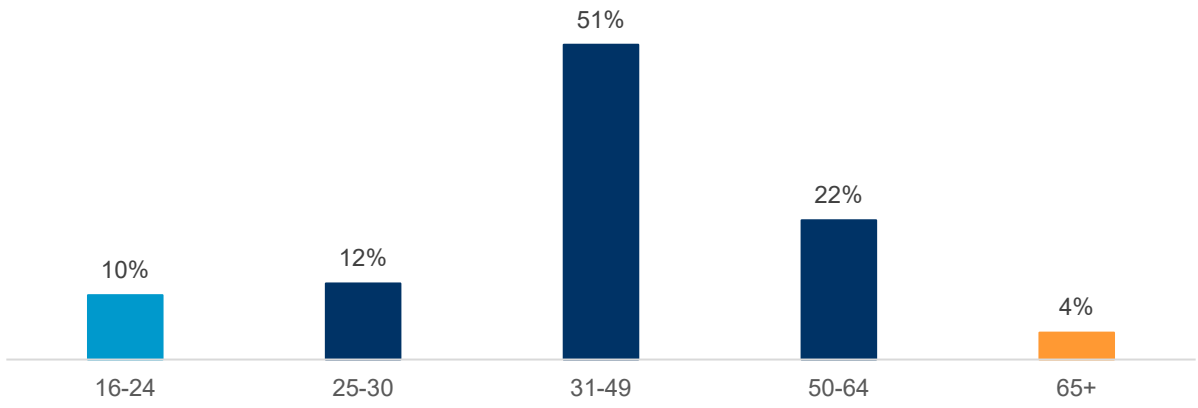
Location	Total	Description
Emergency Shelters	366 (67%)	An emergency shelter, hotel or motel, and domestic violence shelters for emergency accommodation.
Unsheltered	61 (11%)	An unsheltered location in a public space, such as a park, vehicle, or other place not intended for human habitation.
Encampment	35 (6%)	A group of tents, makeshift shelters, or other long-term outdoor settlements.
Couch Surfing	15 (3%)	Staying with a friend, family member, or stranger.
Transitional Housing	52 (10%)	Housing which is a temporary type of accommodation meant to bridge the gap from homelessness to permanent housing.
Motel / Hotel (Self-funded)	1 (0.2%)	Staying in a motel / hotel that was paid for by the individual or family.
Location undetermined	15 (3%)	Location was not reported.

Profile of Respondents Experiencing Homelessness

Age

The average age of respondents was 35 years. Respondents ranged in age from 16 being the youngest and 79 as the oldest. Most respondents (73%) were between the ages of 31 and 64.

Figure 6: Age of Respondents



Gender Identity

A key demographic shift in 2021 results was the percentage of respondents who identified as a woman (53%), which was higher than in 2018 (32%) and 2016 (28%). There are contributing factors to keep in mind when considering this shift in respondent profile, including intentional adaptations to methodology, and where surveys were administered in 2021 in comparison to previous years.

Although not required, Hamilton continues to include people who may be experiencing "hidden homelessness" into the PiTC survey. This has been a standing recommendation by our community to ensure that we better represent populations who may typically not be as highly represented in the mainstream emergency shelter system. Enhanced gender-specific responses during COVID-19, including an expanded emergency shelter system and enhanced drop in locations, along with the option to complete surveys 24 hours a day through the entire duration of the initiative may have also contributed to a shift in response rate.

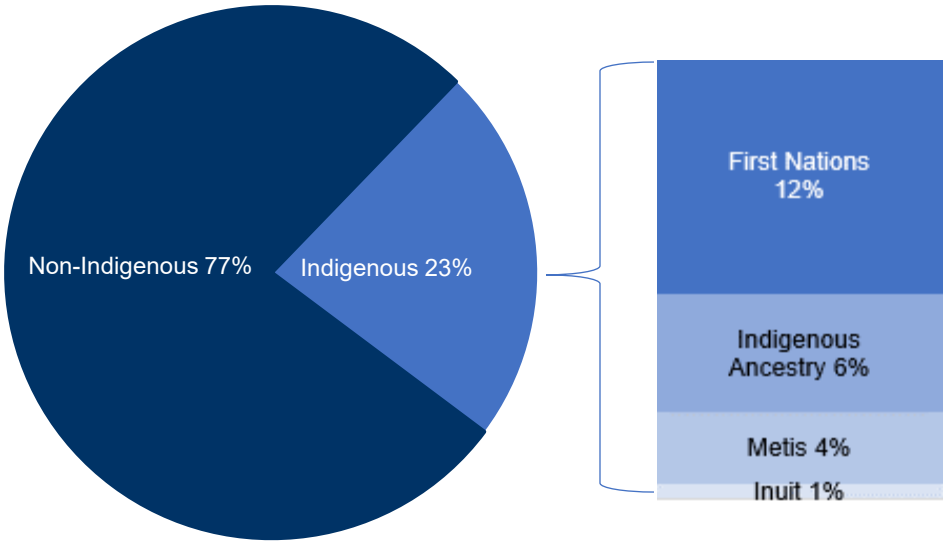
Table 1: Gender Identity of Respondents

Gender	Percentage
Woman	53%
Man	45%
Non-Binary	2%
Trans, Two-Spirit	<1%

Indigenous Identity

In 2021, the PiTC continues to highlight the overrepresentation of Indigenous persons experiencing homelessness in Hamilton (23% of all respondents). A full analysis of Indigenous respondent data can be found in Appendix "B" to Report HSC22021 - 2021 Point in Time Count (Hamilton, Ontario): Indigenous Responses, submitted by CHIL and approved by the ICAB.

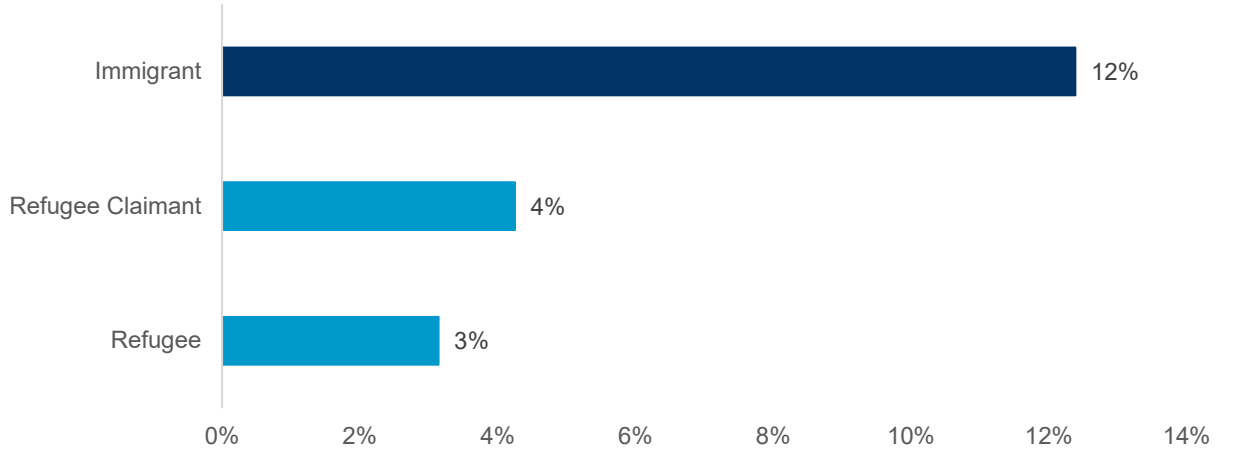
Figure 7: Indigenous Identity of Respondents



Migration to Canada

One-fifth of respondents identified as an immigrant or refugee. A total of 91% reported having been in Canada for one year or more, and 9% reported being in Canada for less than six months.

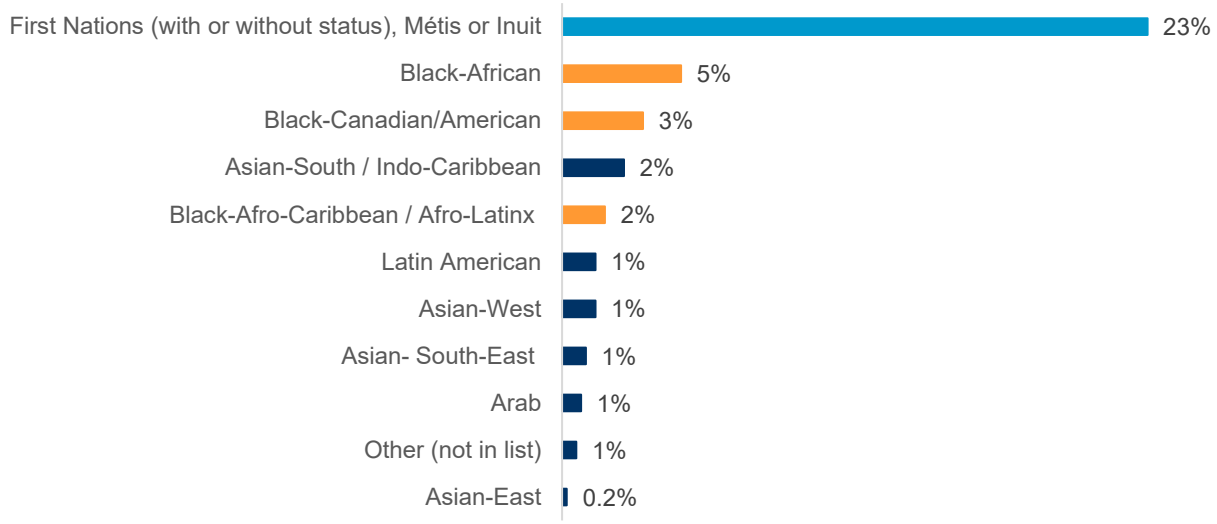
Figure 8: Respondents Migration to Canada



Racial Identity

In 2021, 39% of respondents identified as members of racialized groups, with the largest percentage identifying as First Nations (with or without status), Métis or Inuit (23%). Also, 10% of respondents identified as Black.

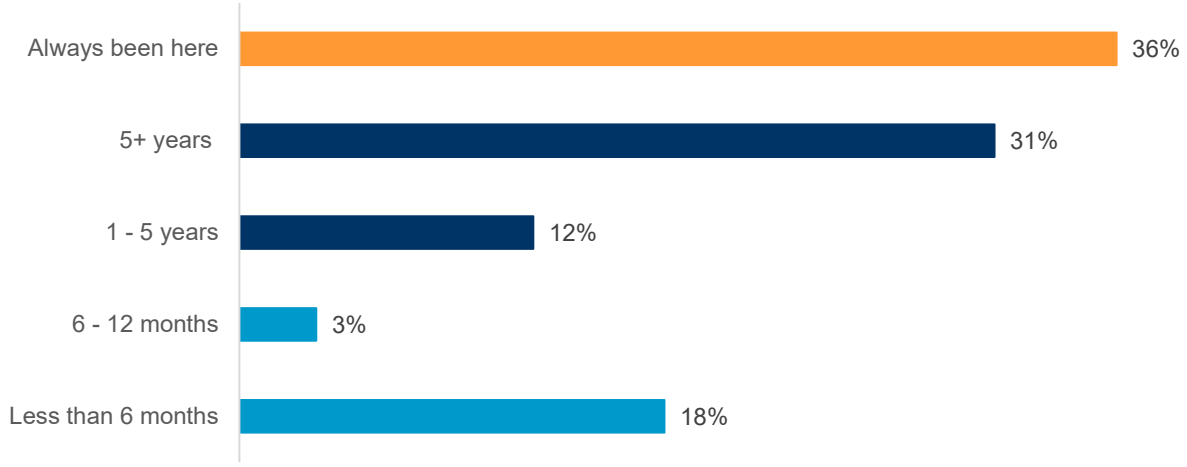
Figure 9: Racial Identity of Respondents



Length of Time in Hamilton

A total of 79% of respondents identified having been in Hamilton for one year or more, including those who reported as always been in Hamilton (36%). 21% of individuals reported being in Hamilton for less than one year.

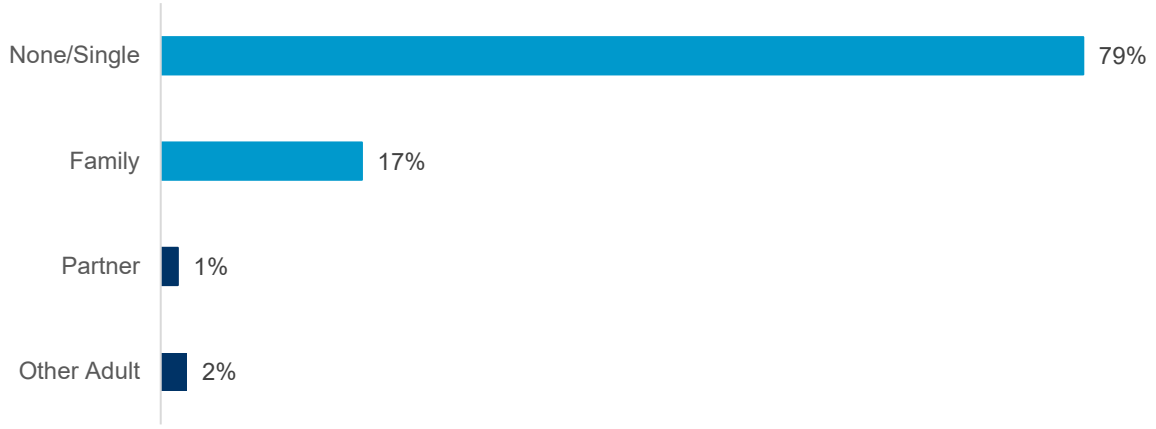
Figure 10: Respondents Length of Time in Hamilton



Family Homelessness

The majority of respondents identified that they were staying alone when surveyed (79%); 21% reported that they had either a partner, other adults or non-adult dependents staying with them that night.

Figure 11: Persons Staying with Respondent on Night of PiTC Survey



Sexual Identity

A total of 10% of respondents identified as 2SLGBTQ+ (Two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, + refers to sexual and gender identities not represented in the acronym). Of those who identified as 2SLGBTQ+ (50), 16% (9) were youth between the ages of 16 and 24.

Figure 12: Sexual Identity of Respondents

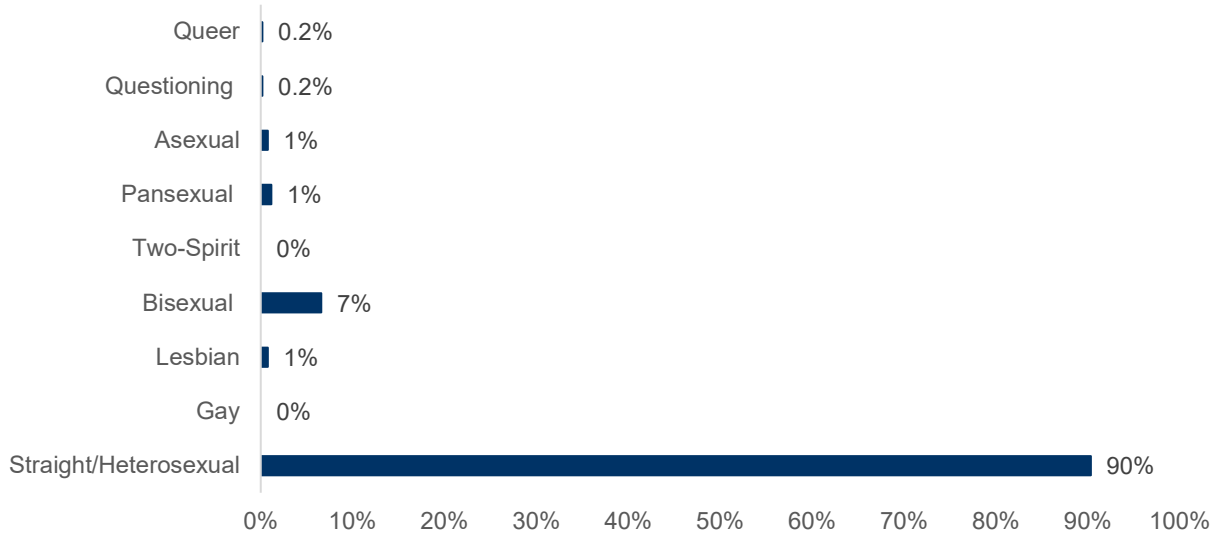
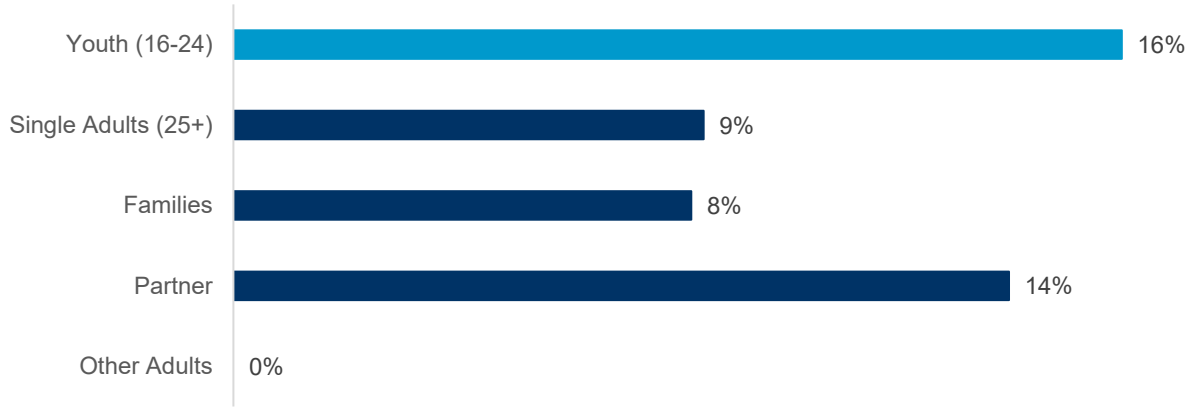


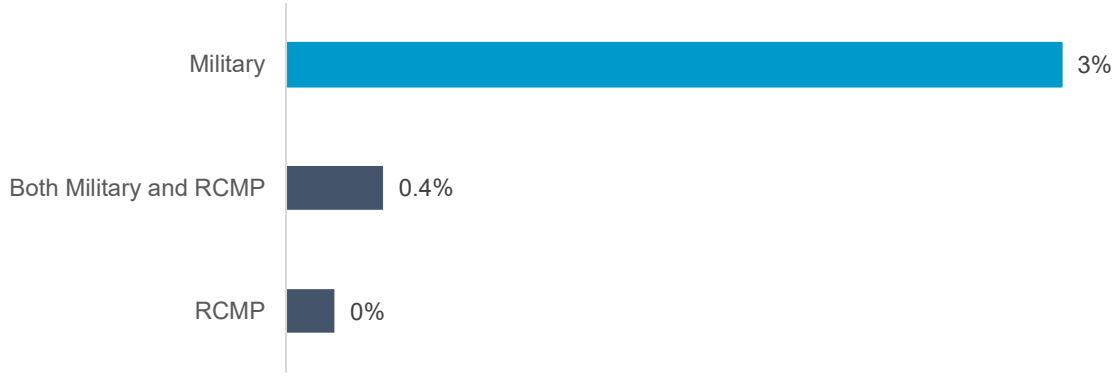
Figure 13: Respondents Identifying as 2SLGBTQ+ by Surveyed Group



Veteran Homelessness

In 2021, 3% of all respondents experiencing homelessness reported having served in the Canadian Military or RCMP.

Figure 14: Respondents Reporting Ever Serviced in the Military or RCMP



Health

Respondents were asked if they had any of the following types of health challenges:

- mental health issue [diagnosed or undiagnosed] (e.g. depression, PTSD, bipolar disorder),
- substance use issue (e.g. tobacco, alcohol, opiates),
- illness or medical condition (e.g. diabetes, arthritis, TB, HIV),
- physical limitation (e.g. challenges with mobility, physical abilities or dexterity),
- learning or cognitive limitations (e.g. dyslexia, autism spectrum disorder, or as a result of ADHD or an acquired brain injury).

A total of 457 respondents identified having at least one health challenge. More than half of respondents indicated having a health challenge relating to mental health (60%)

and substance use (59%). A total of 40% of those surveyed reported having a chronic illness or health condition.

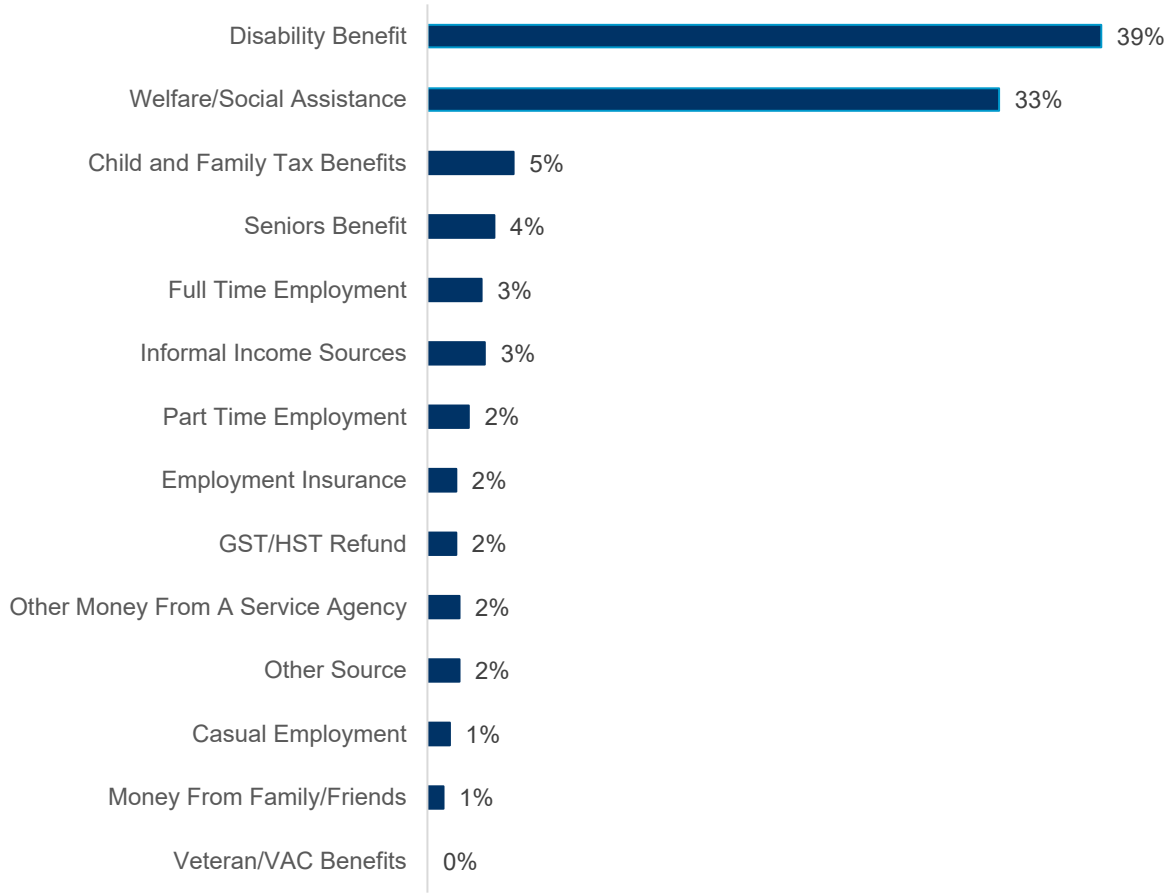
Figure 15: Health Challenges Identified by Respondents

Figure 16: Multiple Types of Health Challenges Identified by Respondents

Sources of Income

The majority of respondents (87%) reported having at least one source of income. The most common sources of income reported in 2021 were disability benefit (39%) and welfare/social assistance (33%). All other sources of income were reported by less than 5% of respondents.

Figure 17: Respondents Source of Income

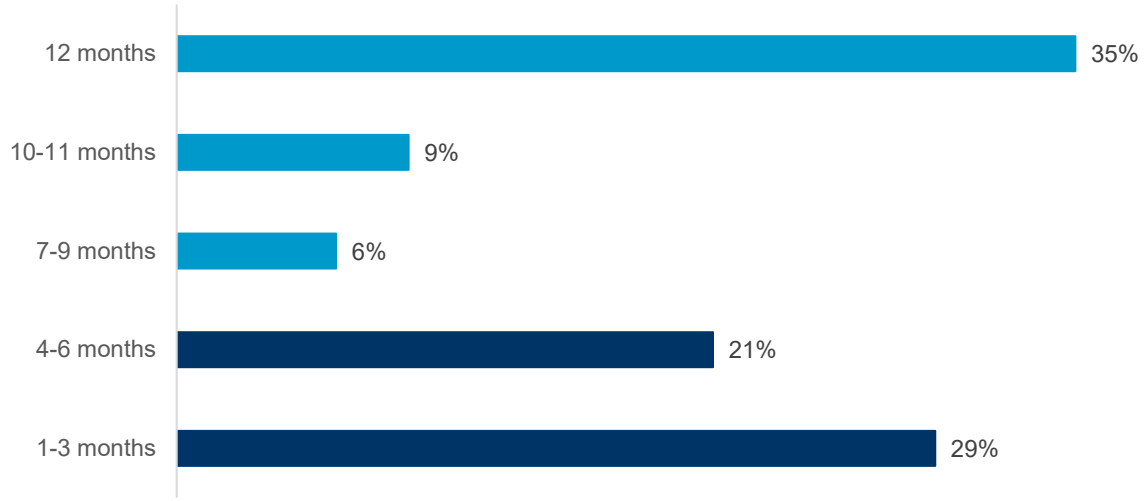


Homelessness History

Length of Homelessness in Past Year

The average reported length of homelessness in the past year was seven months. For the purposes of coordinated point-in-time counts, the federal definition of chronic homelessness is experiencing homelessness for six months or more in the past year. A total of 50% of respondents reported being homeless for more than six months over the past year. 65% of both youth and families identified as being homeless for less than six months in the past year. 57% of single adults identified as being homeless for more than six months in the last year.

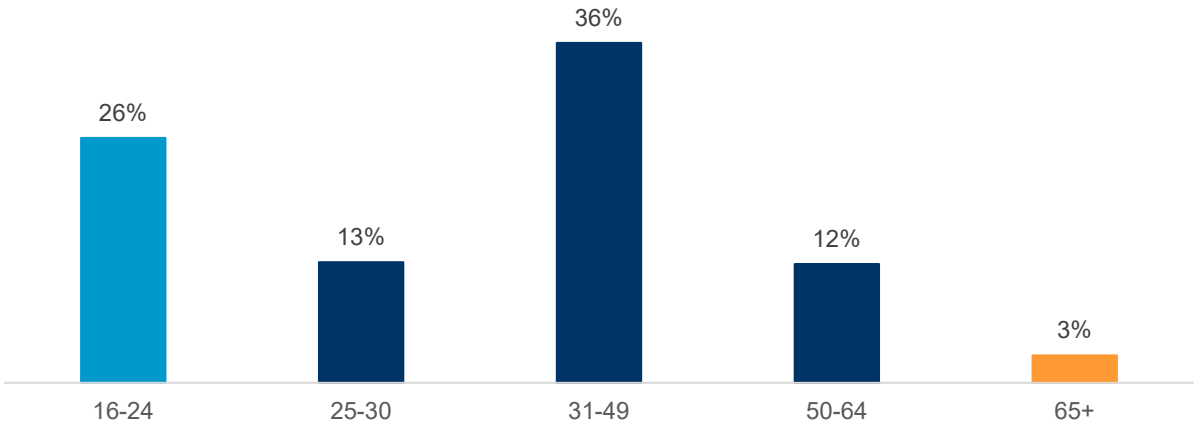
Figure 18: Length of Homelessness in the Past Year



Age of First Homeless Experience

Respondents were asked how old they were the first time they experienced homelessness. A total of 26% of respondents reported being between 16-24 years old the first time they experienced homelessness; 61% were between the ages of 25 and 64.

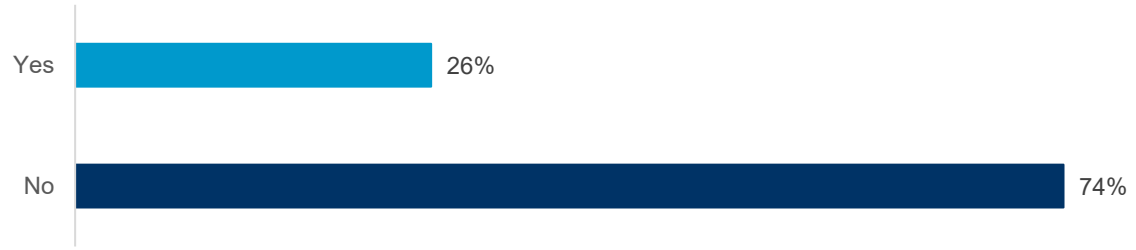
Figure 19: Respondents Age of First Homeless Experience



Experience with Foster Care

A total of 26% of respondents indicated that they had previous experience being in foster care or a youth group home.

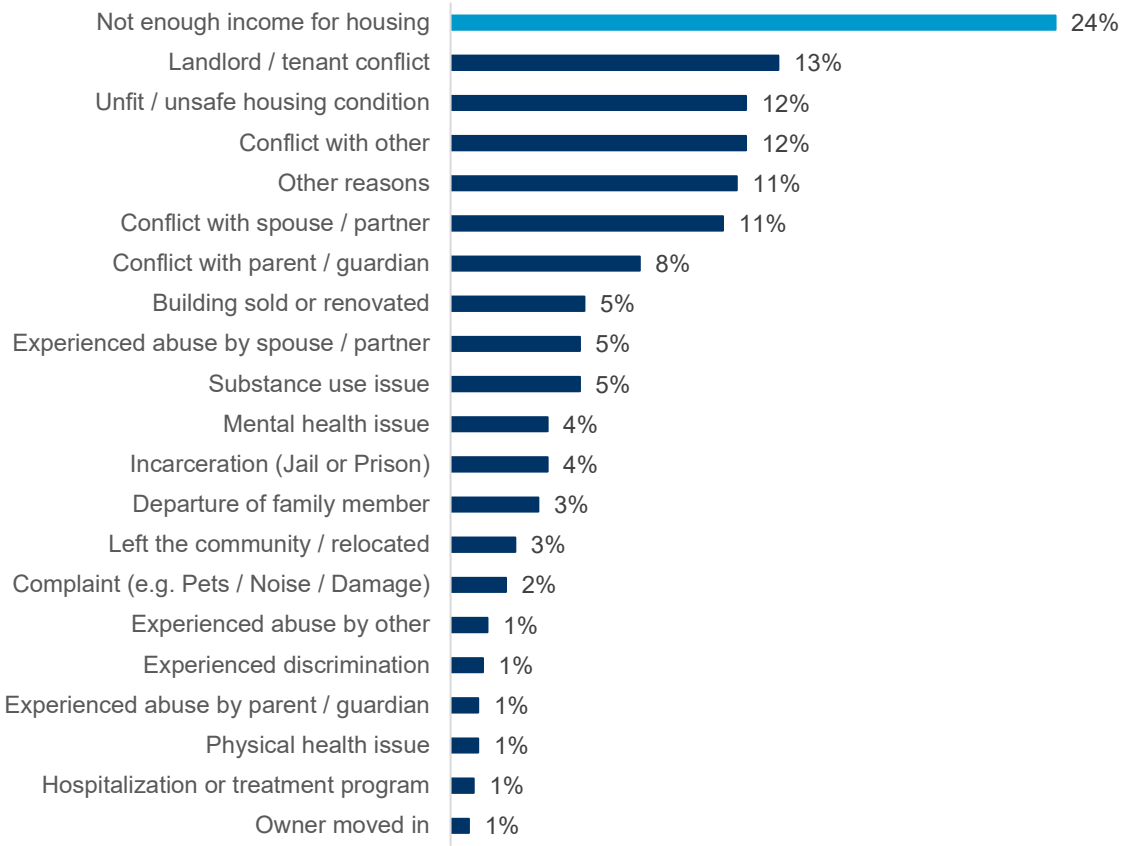
Figure 20: Respondents with Foster Care Experience



Reasons for Homelessness/Housing Loss

When asked what is necessary to maintain and/or find new housing, respondents consistently and clearly identified the need for enhanced income supports and spoke to ongoing challenges with housing affordability. The top reasons for most recent housing loss identified included: not enough income; landlord/tenant conflict; unfit/unsafe housing conditions and conflict with someone other than spouse/partner or parent/guardian.

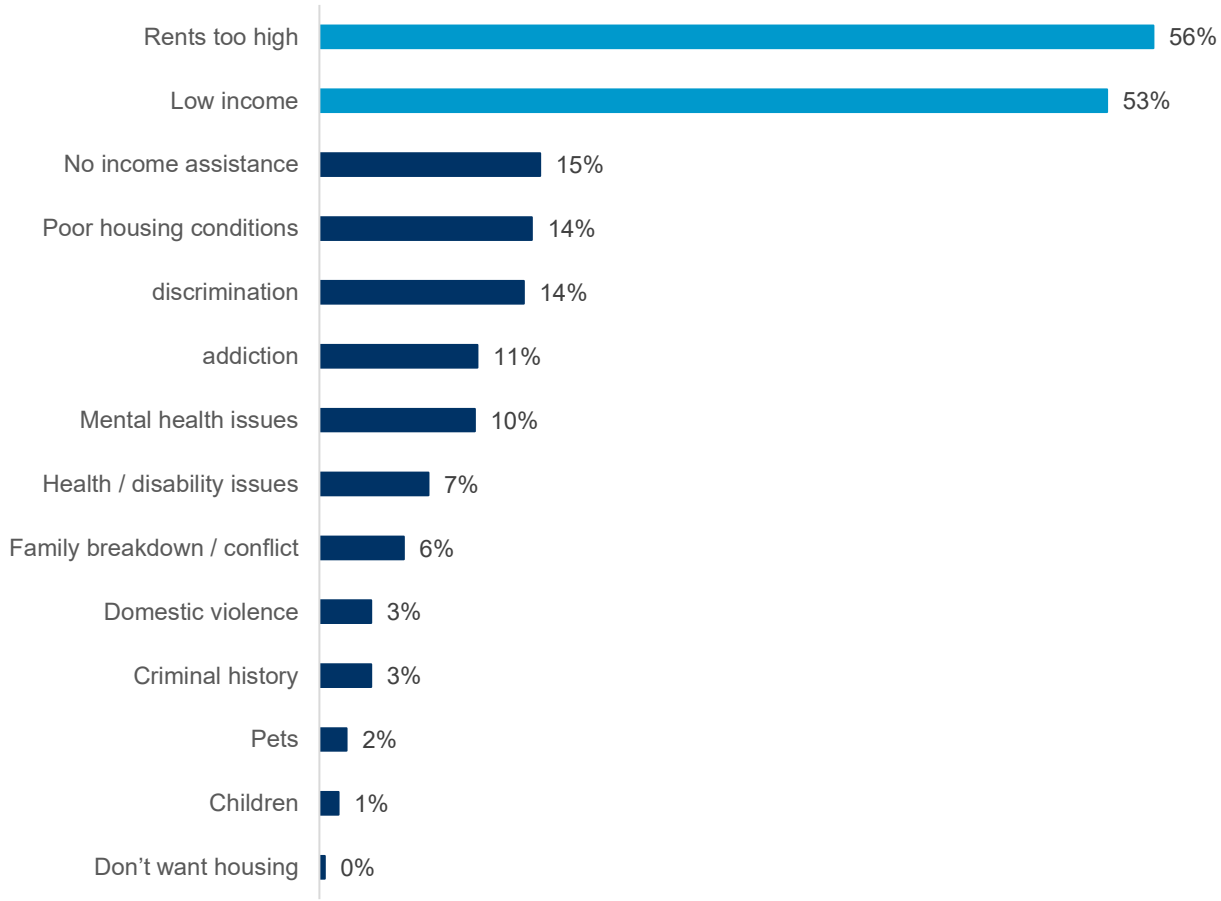
Figure 21: Respondents Reasons for Homelessness



Barriers to Finding Housing

The top barriers and challenges to finding new housing identified by respondents include: rents too high; low income; no income assistance; poor housing conditions; and, discrimination. Additionally, 67 respondents identified having a low credit score as a barrier as well.

Figure 22: Respondents Barriers to Finding Housing

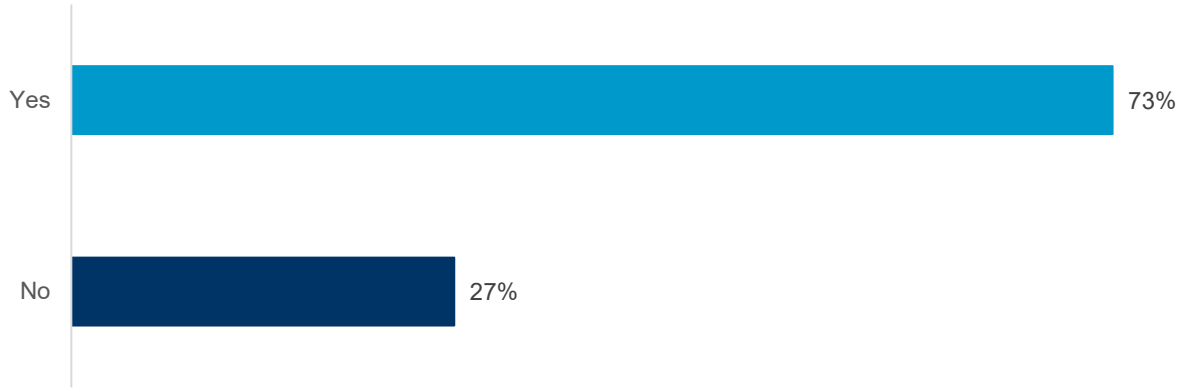


Service Use Patterns

Shelter Use in the Last Year

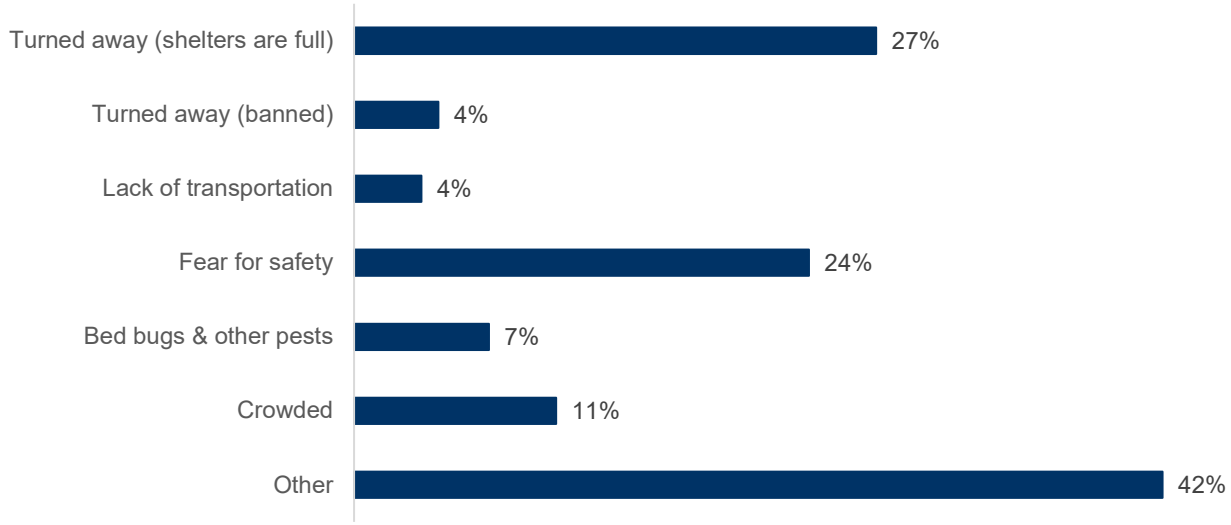
When asked if they have stayed in a shelter in the last year (including emergency and extreme weather shelters), 73% of respondents reported that they had.

Figure 23: Respondents Reporting Staying in Shelter in the Last Year



When individuals were asked about why they decided not to stay in a homeless shelter in the last year, 27% reported that they were turned away because the shelter was full, 24% feared for their safety in a shelter, and 11% expressed concerns about crowding.

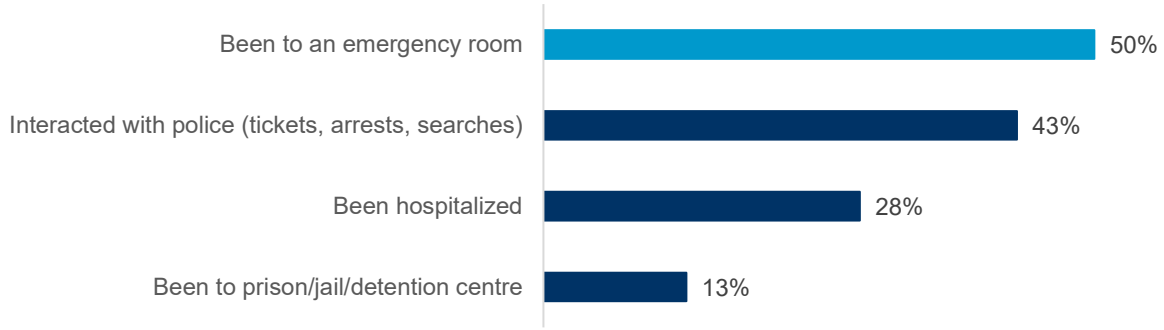
Figure 24: Respondents Reporting Staying in Shelter in the Last Year



Interaction with the Health Care & Criminal Justice System

A total of 270 respondents (50%) reported that they had been to an emergency room (ER) in the last 12 months, with a cumulative total of 787 ER visits. Approximately 61% of those who visited the ER in the last year had been there more than once.

Figure 25: Respondents Interaction with the Health Care and Criminal Justice System



Conclusion and Next Steps

The PiTC remains an important local initiative and a demonstration of Hamilton's commitment to work collaboratively to prevent and end homelessness. As Service System Manager and Designated Community Entity for the provincial and federal funding respectively, the Housing Services Division remains committed to working in partnership with urban Indigenous leadership to build a coordinated housing and homeless-serving system in deep collaboration with community partners to ensure everyone in Hamilton has a home.

In addition, enhanced gender-specific responses and housing options for women, trans-feminine, trans-masculine and non-binary adults remain an important local priority. The Housing Services Division continues to consult with the sector planning tables including the Women's Housing Planning Collaborative, the Street Youth Planning Collaborative and the membership of the Men's Emergency Services Coordination Committee. Through this ongoing engagement and collaboration, it is our goal to continue to share the results and further analysis of the PiTC, while discussing next steps to further centre the voices of unhoused residents in our collective responses.

In the ongoing development and adaptation of systems-level responses, it remains essential that people with living/lived experience are empowered to inform services and hold the homelessness-serving system accountable for delivering on its promise of housing and supports. A distinct focus on Indigenous rights should be prioritized in these efforts, guided by the obligation to respect, protect and fulfil the distinct rights of Indigenous peoples through engagement with unhoused residents. Underpinning further strategic coordination efforts remains the collective obligation to ensure that people experiencing homelessness have access to long-term, adequate housing that meets their needs.

Appendix A: 2021 PiTC Survey

SCREENING TOOL

Hello, my name is _____ and I'm a volunteer for the **Hamilton** Point in Time Connection – a housing needs survey. We are conducting a survey to provide better programs and services to people experiencing homelessness. The survey takes about 10 minutes to complete.

- **Participation is voluntary** and **your name will not be recorded –** participation will not affect the services you receive.
- You can choose to **skip any question** or to **stop the interview at any time**.
- Results will contribute to the understanding of homelessness across Canada, and will help with research to improve services.

A. Have you answered this survey already this week?
[YES: Thank and tally] **[NO: Go to B]**

B. Are you willing to participate in the survey?
[YES: Go to C] **[NO: Thank and tally]**

C. Where did you stay last night? [DO NOT READ CATEGORIES – circle response]

a. DECLINE TO ANSWER b. OWN APARTMENT / HOUSE	**[THANK & END SURVEY]**
c. SOMEONE ELSE'S PLACE d. MOTEL/HOTEL (SELF-FUNDED) e. HOSPITAL f. TREATMENT CENTRE g. JAIL, PRISON, REMAND CENTRE	**C1. Do you have access to a permanent residence where you can safely stay as long as you want?** a. Yes **[THANK & END]** b. No (not permanent AND/OR not safe) **[BEGIN SURVEY]** c. Don't Know **[BEGIN SURVEY]** d. Decline to answer **[THANK & END]**
h. HOMELESS SHELTER (EMERGENCY, FAMILY OR DOMESTIC VIOLENCE SHELTER) i. HOTEL/MOTEL (FUNDED BY CITY OR HOMELESS PROGRAM) j. TRANSITIONAL SHELTER/HOUSING k. UNSHELTERED IN A PUBLIC SPACE (E.G. STREET, PARK, BUS SHELTER, FOREST OR ABANDONED BUILDING) l. ENCAMPMENT (E.G. GROUP OF TENTS, MAKESHIFT SHELTERS OR LONG-TERM OUTDOOR SETTLEMENT) m. VEHICLE (CAR, VAN, RV, TRUCK, BOAT) n. UNSURE: INDICATE PROBABLE LOCATION _____	**[BEGIN SURVEY]**

- You will receive a $15 gift card as a thank you for your participation.

Survey Number: _____

Location: _____ **Time: _____AM/PM**

Interviewer: _____ **Contact #: _____**

BEGIN SURVEY

1. **Did you have any family members or anyone else who stayed with you last night?** [Indicate survey number for partners. Check all that apply]

☐ NONE					☐ OTHER (Can include other family or friends)			
☐ PARTNER - Survey #: ___ ___ ___ ___					☐ DECLINE TO ANSWER			
☐ CHILD(REN)/DEPENDENT(S)	1	2	3	4	5	6	7	8
[indicate gender and age for each] GENDER								
AGE								

2. **How old are you? [OR] What year were you born?** [If unsure, ask for best estimate]

○ AGE _____**OR** YEAR BORN _____	○ DON'T KNOW	○ DECLINE TO ANSWER

➔ **For this survey, "homelessness" means any time when you have been without a permanent and secure place to live, including sleeping in shelters, on the streets, or living temporarily with others without having your own permanent housing (e.g. couch surfing).**

3. **How old were you the first time you experienced homelessness?**

○ AGE_____	○ DON'T KNOW	○ DECLINE TO ANSWER

4. **In total, for *how <u>much time</u>* have you experienced homelessness over the PAST YEAR (the last 12 months)?** [Does not need to be exact. Best estimate.]

○ LENGTH _____ DAYS | WEEKS | MONTHS	○ DON'T KNOW	○ DECLINE TO ANSWER

5. **Have you stayed in a homeless shelter in the past year? For example,** (*COMMUNITY NOTE: Include examples of emergency shelters and extreme weather shelters for interviewers to provide*).

○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

5B➔ If not, what are the main reasons? [Do not read categories; select all that apply)

☐ TURNED AWAY (SHELTERS ARE FULL)	☐ FEAR FOR SAFETY	☐ OTHER: _____
☐ TURNED AWAY (BANNED)	☐ BED BUGS & OTHER PESTS	☐ DON'T KNOW
☐ LACK OF TRANSPORTATION	☐ CROWDED	☐ DECLINE TO ANSWER

6. Did you come to Canada as an immigrant, refugee or a refugee claimant (i.e. applied for refugee status after coming to Canada)?

○ YES, IMMIGRANT ---------->	**If YES:** **How long have you been in Canada?**
○ YES, REFUGEE---------->	○ LENGTH: _____ DAYS | WEEKS | MONTHS | YEARS
○ YES, REFUGEE CLAIMANT--------->	OR DATE: _____/_____/_____ DAY / MONTH / YEAR
○ NO	○ DON'T KNOW
○ DON'T KNOW	○ DECLINE TO ANSWER
○ DECLINE TO ANSWER	

7. How long have you been in Hamilton?

○ LENGTH _____ DAYS / WEEKS / MONTHS / YEARS	○ ALWAYS BEEN HERE ○ DON'T KNOW ○ DECLINE TO ANSWER
↳ **Where did you live before you came here?**	○ CITY: _____ | PROVINCE/TERRITORY/COUNTRY: _____ ○ DECLINE TO ANSWER

8a. Do you identify as First Nations (with or without status), Métis, or Inuit, or do you have North American Indigenous ancestry? [If yes, please specify]

○ YES, FIRST NATIONS	○ YES, MÉTIS	○ NO	○ DECLINE TO ANSWER
○ YES, INUIT	○ YES, INDIGENOUS ANCESTRY	○ DON'T KNOW	

8b. In *addition* to your response in the question above, do you identify with any of the racialized identities listed below? [Show or Read list. Select all that apply]

☐ ARAB (e.g., Syrian, Egyptian, Yemeni)	☐ BLACK-AFRO-CARIBBEAN OR AFRO-LATINX (e.g., Jamaican, Haitian, Afro-Brazilian)
☐ ASIAN-EAST (e.g., Chinese, Korean, Japanese)	☐ LATIN AMERICAN (e.g., Brazilian, Mexican, Chilean, Cuban)
☐ ASIAN- SOUTH-EAST (e.g., Filipino, Vietnamese, Cambodian, Malaysian, Laotian)	☐ WHITE (e.g. European, French, Ukrainian, Euro-Latinx)
☐ ASIAN-SOUTH OR INDO-CARIBBEAN (e.g., Indian, Pakistani, Sri Lankan, Indo-Guyanese, Indo-Trinidadian)	☐ NOT LISTED (PLEASE SPECIFY): _____
☐ ASIAN-WEST (e.g., Iranian, Afghan)	☐ IDENTIFY AS INDIGENOUS ONLY
☐ BLACK-CANADIAN/AMERICAN	☐ DON'T KNOW
☐ BLACK-AFRICAN (e.g., Ghanaian, Ethiopian, Nigerian)	☐ DECLINE TO ANSWER

9. Have you ever served in the Canadian Military or RCMP?
[Military includes Canadian Navy, Army, or Air Force]

○ YES, MILITARY	○ BOTH MILITARY AND RCMP	○ DON'T KNOW
○ YES, RCMP	○ NO	○ DECLINE TO ANSWER

10. As a child or youth, were you ever in foster care or in a youth group home (*COMMUNITY NOTE: include any other Provincial child welfare programs*)? [Note: This question applies specifically to child welfare programs.]

○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

11. Do you identify as having any of the following health challenges at this time:

ILLNESS OR MEDICAL CONDITION [e.g. diabetes, arthritis, TB, HIV]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

PHYSICAL LIMITATION [e.g. challenges with mobility, physical abilities or dexterity]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER
LEARNING OR COGNITIVE LIMITATIONS [e.g. dyslexia, autism spectrum disorder, or as a result of ADHD or an acquired brain injury]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER
MENTAL HEALTH ISSUE [diagnosed/undiagnosed] [e.g. depression, Post traumatic stress disorder (PTSD), bipolar disorder]]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER
SUBSTANCE USE ISSUE [e.g. tobacco, alcohol, opiates]	○ YES	○ NO	○ DON'T KNOW	○ DECLINE TO ANSWER

12. What gender do you identify with? [Show list.]

○ WOMAN	○ TRANS WOMAN	○ NOT LISTED: _____
○ MAN	○ TRANS MAN	
○ TWO-SPIRIT	○ NON-BINARY (GENDERQUEER)	○ DON'T KNOW
		○ DECLINE TO ANSWER

13. How do you describe your sexual orientation, for example straight, gay, lesbian? [Show list.]

○ GAY	○ BISEXUAL	○ ASEXUAL	○ NOT LISTED: _____
○ LESBIAN	○ TWO-SPIRIT	○ QUESTIONING	○ DON'T KNOW
○ STRAIGHT/HETEROSEXUAL	○ PANSEXUAL	○ QUEER	○ DECLINE TO ANSWER

14a. What happened that caused you to lose your housing most recently?

[Do not read the options. Check all that apply. "Housing" does not include temporary arrangements (e.g., couch surfing) or shelter stays. Follow up for the reason if the respondent says "eviction" or that they "chose to leave".]

A: HOUSING AND FINANCIAL ISSUES	B: INTERPERSONAL AND FAMILY ISSUES	C: HEALTH OR CORRECTIONS
☐ NOT ENOUGH INCOME FOR HOUSING (E.G. LOSS OF BENEFIT, INCOME, OR JOB)	☐ EXPERIENCED DISCRIMINATION	☐ PHYSICAL HEALTH ISSUE
☐ UNFIT/UNSAFE HOUSING CONDITION	☐ CONFLICT WITH: SPOUSE / PARTNER	☐ MENTAL HEALTH ISSUE
☐ BUILDING SOLD OR RENNOVATED (RENOVICTION)	☐ CONFLICT WITH: PARENT / GUARDIAN	☐ SUBSTANCE USE ISSUE
☐ OWNER MOVED IN	☐ CONFLICT WITH: OTHER (_____)	☐ HOSPITALIZATION OR TREATMENT PROGRAM
☐ LANDLORD/TENANT CONFLICT	☐ EXPERIENCED ABUSE BY: SPOUSE / PARTNER	☐ INCARCERATION (JAIL OR PRISON)
☐ COMPLAINT (E.G. PETS/NOISE/DAMAGE)	☐ EXPERIENCED ABUSE BY: PARENT / GUARDIAN	
☐ LEFT THE COMMUNITY/RELOCATED	☐ EXPERIENCED ABUSE BY: OTHER (_____)	
	☐ DEPARTURE OF FAMILY MEMBER	

☐ OTHER REASON: _____ ☐ DON'T KNOW ☐ DECLINE TO ANSWER

14b. Was your most recent housing loss related to the COVID-19 pandemic?

○ YES ○ NO ○ DON'T KNOW ○ DECLINE TO ANSWER

14c. How long ago did that happen (that you lost your housing most recently)? (Best estimate)

○ LENGTH _____ DAYS | WEEKS | MONTHS | YEARS ○ DON'T KNOW ○ DECLINE TO ANSWER

15. What are your sources of income? [Reminder that this survey is anonymous. **Read list** and check all that apply.]

☐ FULL TIME EMPLOYMENT	☐ EMPLOYMENT INSURANCE	☐ CHILD AND FAMILY TAX BENEFITS
☐ PART TIME EMPLOYMENT	☐ DISABILITY BENEFIT [Name of PROV. DISABILITY BENEFIT]	☐ GST/HST REFUND
☐ CASUAL EMPLOYMENT (E.G. CONTRACT WORK)	☐ SENIORS BENEFITS (E.G. CPP/OAS/GIS)	☐ OTHER MONEY FROM A SERVICE AGENCY
☐ INFORMAL INCOME SOURCES (E.G. BOTTLE RETURNS, PANHANDLING)	☐ WELFARE/SOCIAL ASSISTANCE [Prov. Benefit]	☐ OTHER SOURCE: _____
☐ MONEY FROM FAMILY/FRIENDS	☐ VETERAN/VAC BENEFITS	☐ NO INCOME
		☐ DON'T KNOW
		☐ DECLINE TO ANSWER

16. In the past year (12 months) have you: [Ask respondents to give their best estimate]

BEEN TO AN EMERGENCY ROOM ---------->	Y ____ N____	# _____ *Times*
BEEN HOSPITALIZED ---------->	Y ____ N____	# _____ *Times*
→DAYS YOU HAVE SPENT HOSPITALIZED		_____ *Days Total*
INTERACTED WITH POLICE (*Tickets, arrests, searches)* ---------->	Y ____ N____	# _____ *Times*
BEEN TO PRISON/JAIL ---------->	Y ____ N____	# _____ *Times*
→DAYS YOU HAVE SPENT IN PRISON/JAIL		_____ *Days Total*

17. What challenges or problems have you experienced when trying to find housing? [Select all that apply]

☐ LOW INCOME	☐ MENTAL HEALTH ISSUES	☐ DISCRIMINATION
☐ NO INCOME ASSISTANCE	☐ ADDICTION	☐ DON'T WANT HOUSING
☐ RENTS TOO HIGH	☐ FAMILY BREAKDOWN/CONFLICT	☐ OTHER: _____
☐ POOR HOUSING CONDITIONS	☐ CRIMINAL HISTORY	☐ NO BARRIERS TO HOUSING
☐ DOMESTIC VIOLENCE	☐ PETS	☐ DECLINE TO ANSWER
☐ HEALTH/DISABILITY ISSUES	☐ CHILDREN	

----------END OF SURVEY – PROVIDE GIFT CARD----------

TAB 4

2021 POINT IN TIME COUNT

(Hamilton, Ontario)

INDIGENOUS RESPONSES

Submitted: April 15th, 2022

Approved by: Indigenous Community Advisory Board - Hamilton

Submitted by: Coalition of Hamilton Indigenous Leadership
Victoria Bomberry, Indigenous Data and Policy Analyst
Cindy Sue McCormack, Executive Director

Table of Contents

List of Figures 4
About the Coalition of Hamilton Indigenous Leadership 5
Reaching Home: Canada's National Homelessness Strategy 5
Indigenous Community Advisory Board 5
2021 Point in Time Survey Key Findings (Hamilton, ON) 6
Gender Identity 6
Age Groups 6
Shelter Use 6
Hamilton is Home 6
First Experiences of Homelessness 6
Foster Care and/or Youth Group Home Experiences 6
COVID-19 and Housing Loss 6
Income 6
Background 7
Indigenous Homelessness 7
Indigenous Magnet Event Background 7
COVID-19 8
Methodology and Methods 8
Indigenous Identity 9
Limitations 9
Survey Locations 9
Hidden Homelessness 9
Two-Spirit and Non-Binary (Gender Queer) Participation 10
Findings 10
Demographics 10
Gender 10
Age 11
Child and Youth Experiences of Homelessness 12
Experiences of Foster Care or Youth Group Homes 12
Length of Homelessness 13
Length of Time in Hamilton 14
Indigenous Youth Experiencing Homelessness in Hamilton 15

Shelter System Use 16
Health Challenges 18
Causes of Most Recent Housing Loss 19
Challenges Experienced in Finding Housing 20
COVID-19 21
Income Sources 22
Appendices 23
Appendix A – Indigenous Magnet Event Promo Card 23
Appendix B – 2021 Point in Time Survey (Hamilton, Ontario) 24

List of Figures

Figure 1. Gender Identity of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) .. 11

Figure 2. Age of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 11

Figure 3. Age of First Experience of Homelessness - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 12

Figure 4. Experiences of Foster Care or Youth Group Home, by Gender - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 13

Figure 5. Total Time Experienced Homelessness Within Past Year - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 14

Figure 6. Length of Time in Hamilton - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 15

Figure 7. Gender Identity of Indigenous Youth Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 15

Figure 8. Shelter System Usage - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 16

Figure 9. “Where did you stay last night?” - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 17

Figure 10. Reasons for Not Staying in Shelter - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 18

Figure 11. Health Challenges - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 19

Figure 12. Causes of Most Recent Housing Loss - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 20

Figure 13. Challenges Experienced in Trying to Find Housing - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 21

Figure 14. Sources of Income - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario) 22

Figure 15. "Was your most recent housing loss related to the COVID-19 pandemic?" - Indigenous Respondents, 2021 Point in Time Count (Hamilton, Ontario) 21

About the Coalition of Hamilton Indigenous Leadership

Formerly known as the Hamilton Executive Directors Aboriginal Coalition, the Coalition of Hamilton Indigenous Leadership is a collaborative of Indigenous leaders representing six Indigenous agencies in Hamilton, Ontario. The Coalition of Hamilton Indigenous Leadership (CHIL) is represented by the Hamilton Regional Indian Centre, De dwa da dehs nyes Aboriginal Health Centre, Sacajawea Non-Profit Housing Inc., the Native Women's Centre, Niagara Peninsula Aboriginal Area Management Board, and Ontario Aboriginal Housing Services.

The Executive Director (or Designate) of each member agency sits on the CHIL Board of Directors and contributes to achieving CHIL's vision, mission, and values.

Our vision is a vibrant, healthy, inclusive, and culturally safe community.

Our mission is to increase equitable access to services and programs for Indigenous community members of Hamilton.

Our values are informed by the Seven Grandfather teachings as we strive to live and work with Ka'nikonhrí:yo (the Haudenosaunee concept of a "Good Mind").

Reaching Home: Canada's National Homelessness Strategy

The Coalition of Hamilton Indigenous Leadership works to address Indigenous homelessness in Hamilton and is funded by Employment and Social Development Canada through Reaching Home: Canada's National Homelessness Strategy. Through Reaching Home, CHIL acts as the Indigenous Community Entity for Hamilton and is responsible for administering and managing the Indigenous stream of Reaching Home funding in our community.

Indigenous Community Advisory Board

In working to address Indigenous experiences of homelessness in Hamilton, CHIL is supported by the Indigenous Community Advisory Board (ICAB). The ICAB is made up of Indigenous identifying community members living in the city of Hamilton who draw from their lived, personal, and professional experiences to guide a community-wide and wholistic response to Indigenous experiences of homelessness in Hamilton.

Some of the ICAB's key responsibilities include:

- Gathering relevant information related to Indigenous homelessness to identify community priorities to address Indigenous homelessness in Hamilton
- Assessing and recommending projects for funding to the Indigenous Community Entity (CHIL)
- Supporting the Indigenous Community Entity (CHIL) to plan and coordinate a community-wide effort to prevent and address Indigenous homelessness
- Developing terms of reference and other policies and procedures central to fulfilling the responsibilities of the Indigenous Community Advisory Board

2021 Point in Time Survey Key Findings (Hamilton, ON)

Indigenous Peoples continue to be overrepresented among community members experiencing homelessness in Hamilton. Among the general population, 2% of Hamilton residents identify as Indigenous or having Indigenous ancestry[1]. However, among community members experiencing homelessness in Hamilton and participating in the 2021 Point in Time Connection survey, 23% identify as Indigenous or having Indigenous ancestry.

Gender Identity

Among Indigenous respondents to Hamilton's 2021 Point in Time survey, 55% identify as women, 40% identify as men, 1% identify as Two-Spirit, and 4% identify as Non-Binary/Gender Queer.

Age Groups

The majority of Indigenous respondents to the 2021 PIT survey are middle aged. Eighty percent of Indigenous respondents indicated they were between the ages of thirty-one and sixty-four.

Shelter Use

Eighty percent of respondents reported having stayed in a homelessness shelter within the past year. When asked where they had stayed the night before completing the survey, thirty-seven percent of Indigenous respondents reported they had stayed in a homeless shelter.

Hamilton is Home

Among Indigenous respondents, 44% reported always living in Hamilton. An additional twenty-eight percent (28%) reported having lived in Hamilton for five or more years.

First Experiences of Homelessness

More than one in three Indigenous respondents to the survey indicated having first experienced homelessness on or before their 25th birthday.

Foster Care and/or Youth Group Home Experiences

Experiences of having been in foster care or a youth group home are prevalent among Indigenous respondents. Forty-two percent of Indigenous respondents reported having been in foster care or a youth group home as a child or youth.

COVID-19 and Housing Loss

Approximately one in seven Indigenous respondents related their most recent housing loss to the COVID-19 pandemic. Other common reasons identified by Indigenous respondents for their most recent housing loss included "Unfit or unsafe housing conditions", "Not enough income" and "Conflict with spouse/partner".

Income

The three most common sources of income reported by Indigenous respondents included Disability benefit (provincial), Welfare/social assistance (provincial), and Informal sources (such as bottle returns, panhandling, friends, and family).

[1] Statistics Canada. Census Profile, 2016 Census. Hamilton, Ontario, Canada.

Background

The Point in Time (PIT) survey initiative is conducted in urban communities across lands occupied by Canada. Over a pre-established period of time, homeless-serving frontline workers and/or community volunteers connect with and survey community members currently experiencing homelessness. Point in Time surveys provide as a *snapshot* of homelessness in a community, which helps to articulate each community's unique homeless priorities and context. The PIT survey initiative also provides common data points to compare experiences of homelessness across all participating communities.

The 2021 Point in Time survey in Hamilton Ontario was led by the City of Hamilton – Housing Services Division alongside community partner the Coalition of Hamilton Indigenous Leadership (CHIL). The 2021 PIT survey marked the third execution of the survey and was carried out over the week of November 15th through 19th, 2021 and conducted at various locations in Hamilton's downtown area.

Point in Time surveys are completed by community members currently experiencing homelessness. In Hamilton, a total of five hundred and forty-five surveys were completed during the 2021 Point in Time initiative. Of the five hundred and forty-five PIT surveys completed in Hamilton, one hundred and twenty-three community members completing the PIT survey identified as Indigenous or having Indigenous ancestry, representing 23% of 2021 PIT survey respondents.

Indigenous Homelessness

In attempting to understand the experiences and causes of homelessness on lands occupied by Canada, it is critically important to disentangle the homeless experiences, causes, and needs of Indigenous Peoples. The roots of Indigenous experiences of homelessness stretch back to colonization through historical and ongoing social and economic policies and practices that have sought to dispossess, disempower, and disadvantage Indigenous Peoples. As articulated by Métis scholar Jesse Thistle (2017) and now acknowledged in Reaching Home: Canada's National Homelessness Strategy, Indigenous experiences of homelessness are distinct from those of non-Indigenous Peoples and therefore, require resources, programs, and supports that recognize and respond to the unique needs of Indigenous community members.

Since 2015, local Indigenous leaders in Hamilton have successfully demonstrated the need for methodologies rooted in Indigenous Ways of Knowing to help PIT initiatives better capture Indigenous experiences of homelessness in Hamilton.

Indigenous Magnet Event Background

In 2015, the Indigenous Community Entity[2] for addressing homelessness in Hamilton developed and led "All We Need is Community" an urban Aboriginal homelessness survey to connect with Indigenous community members experiencing homelessness. Guided by the principle "For Indigenous, by Indigenous", the Indigenous Magnet event brought together Indigenous volunteers, Indigenous frontline workers, and local Indigenous leaders to provide a highly visible and culturally safe space for Indigenous community members experiencing homelessness to share their experiences of homelessness in Hamilton. The 2015 urban Aboriginal homelessness survey interviewed three hundred and sixty-two people in

[2] The Social Planning and Research Council of Hamilton acted as the Indigenous Community Entity for Hamilton's federal homelessness funding from 2004 through 2020. The Coalition of Hamilton Indigenous Leadership became the Indigenous Community Entity for Hamilton's Federal homelessness funding on April 1st, 2020.

Hamilton's downtown area, of which seventy-six community members identified as currently experiencing homelessness in Hamilton[3]. Among the seventy-six community members experiencing homelessness, thirty-six identified as Aboriginal or having Aboriginal ancestry, representing 47% of those surveyed and experiencing homelessness[3]. A 2016 mainstream initiative to enumerate homelessness in Hamilton, reported 28% of community members experiencing homelessness identified as Aboriginal or having Aboriginal ancestry[4]. The 2015 urban Aboriginal survey data demonstrated to local leaders that Indigenous experiences of homelessness were not being fully captured through mainstream data collection efforts and required Indigenous-led initiatives.

The 2021 Point in Time – Indigenous Magnet event was led by CHIL and built upon the principles and methodologies of "All We Need is Community" 2015 Urban Aboriginal homelessness survey. The 2021 Indigenous Magnet event was an outdoor gathering held at Beasley Park on November 17th, 2021, from 11:00 a.m. until 7:00 p.m. In addition to completing a survey, community members were invited to enjoy a traditional meal, participate in drumming and singing, connect with Indigenous homelessness programs and services, as well as speak with cultural advisors throughout the event. A giveaway of supplies (socks, hats, gloves, toiletries, etc.) and traditional medicines was also provided.

Of the five hundred and forty-five surveys completed during the week-long 2021 PIT initiative, fifty-eight were completed during the one-day Indigenous Magnet event.

COVID-19

In regard to the COVID-19 pandemic, the 2015 Indigenous Magnet event observed Hamilton Public Health guidelines and restrictions throughout planning and implementation. During the Indigenous Magnet event, public outdoor gatherings were permissible in Hamilton. In addition to providing various pandemic supplies (such as hand sanitizers and masks), the Indigenous Magnet event also included an on-site "GO-VAXX" bus. The GO-VAXX bus is a mobile COVID-19 vaccine clinic fully equipped and staffed to safely administer COVID-19 vaccinations. Community members participating in the Indigenous Magnet event who wished to receive a COVID-19 vaccination were able to do so throughout the event. Receiving a vaccination was optional and not in any way tied to the PIT survey or Indigenous Magnet event activities and giveaways.

Methodology and Methods

The Point in Time survey in Hamilton is part of a coordinated enumeration of homelessness across lands occupied by Canada. As a multi-community initiative, the PIT survey methodology is guided by core standards that allow for data comparisons across communities. There is also flexibility in PIT survey methodology that support local leaders in selecting survey methods that best need their community's homelessness context. Hamilton's PIT incorporates Indigenous methodologies through the co-planning of the PIT survey initiative as well as the Indigenous-led design and execution of the Indigenous Magnet

[3] Social Planning and Research Council of Hamilton. (2015). *All we need is community: Urban Aboriginal homelessness survey.* Hamilton: Social Planning and Research Council of Hamilton.

[4] City of Hamilton. (2022, April 07). *Point in Time Connection*. Retrieved from City of Hamilton: https://www.hamilton.ca/social-services/housing/point-in-time-connection

event. The Indigenous Magnet event is guided by the "For Indigenous, by Indigenous" principle, which prioritizes Indigenous methods of community engagement.

The Indigenous Magnet event engages Indigenous principles of reciprocation to provide space for Indigenous community members to feast, gather, socialize, and to complete the PIT survey. The Indigenous Magnet event in Hamilton is an extension of homelessness programs, resources, and supports for Indigenous community members, which are rooted in local Indigenous Knowledges and cultures. By having Indigenous frontline workers as well as traditional medicines, foods, and giveaways available, the Indigenous Magnet event creates a safe and welcoming environment for community members to self-identify as Indigenous without fear of judgement or discrimination.

The location of the Indigenous Magnet event is selected for high accessibility (geographic location and physical space of the gathering) to lower barriers to participation and engagement. Although the Indigenous Magnet event seeks to connect with Indigenous community members specifically, all community members experiencing homelessness are welcome to take part.

Indigenous Identity

All 2021 Point in Time Connection participants in Hamilton were asked if they identify as First Nations (with or without status), Métis, or Inuit, or having North American Indigenous ancestry. This report reflects the responses of those who self-identified "Yes" to this question.

Limitations

There are important considerations to keep in mind when examining and attempting to interpret Point in Time data. The PIT survey initiative is *not* a comprehensive survey of all community members experiencing homelessness within a community. The PIT survey provides a *snapshot* of homelessness, which provides important local data to help leaders better identify and address the unique experiences of homelessness in a community.

Survey Locations

In Hamilton, the PIT survey was conducted entirely in the downtown area. The 2021 PIT survey was not conducted in any Hamilton suburbs due to the lack of response from these areas during the 2018 PIT survey initiative.

Hamilton's 2021 PIT surveys were conducted at Emergency Shelters (including extreme weather shelters and COVID-related sites), Violence Against Women Shelters, Transitional Housing as well as other locations such as drop-in centres, encampments, and the Indigenous Magnet event.

Hidden Homelessness

Not all community members experiencing or at-risk of homelessness access the homelessness supports available in community. The experiences of people who do not access community supports are referred to as *hidden homeless*. People experiencing hidden homelessness are more likely to leverage their personal support networks (for example, staying with family and friends) instead of staying in shelter or accessing homelessness support programs. As the majority of survey sites for the 2021 Point in Time Count in Hamilton were sites of community homelessness programs and services (such as homeless shelters, drop-in centres, and encampments), the experiences of community members experiencing hidden homelessness in Hamilton may not be well captured in this dataset.

Two-Spirit and Non-Binary (Gender Queer) Participation

The homelessness experiences and needs of Indigenous community members who identify as Two-Spirit, Non-Binary or Gender Queer may not be fully represented in 2021 PIT survey data. Among the one hundred twenty-three Indigenous-identifying 2021 PIT respondents, five also identified as Two-Spirit, Non-Binary/Gender Queer.

Findings

The findings presented here represent 2021 PIT respondents who self-identified as Indigenous or having Indigenous ancestry. Indigenous identity was gathered by asking respondents if they identified as First Nations (with or without status), Métis or Inuit, or if they identified as having North American Indigenous ancestry.

A comparison of responses between Indigenous and non-Indigenous community members experiencing homelessness in Hamilton will be provided in a separate report.

The response rates among Indigeous youth[5] (n=17) as well as those identifying as Two-Spirit or Non-Binary/Gender Queer (n=5) must also considered in interpreting these findings.

Demographics

While not comprehensive of all Indigenous community members experiencing homelessness, the 2021 PIT survey data offers useful *snapshots* of Indigenous experiences of homelessness in Hamilton. The 2021 PIT data provides important context to experiences and risks of homelessness in Hamilton for community leadership and service providers.

Gender

Among Indigenous 2021 PIT respondents, sixty-nine identified their gender as women, representing 55% of Indigenous respondents. Forty-nine Indigenous respondents identified their gender as men, representing forty percent of Indigenous respondents. One Indigenous identifying 2021 PIT survey respondent also identified their gender as Two-Spirit and four Indigenous identifying respondents also identified their gender as Non-Binary/Gender Queer.

[5] For the purposes of this report, Indigenous youth are 2021 PIT respondents who self-identified as Indigenous and identified as being 30 years old or younger.

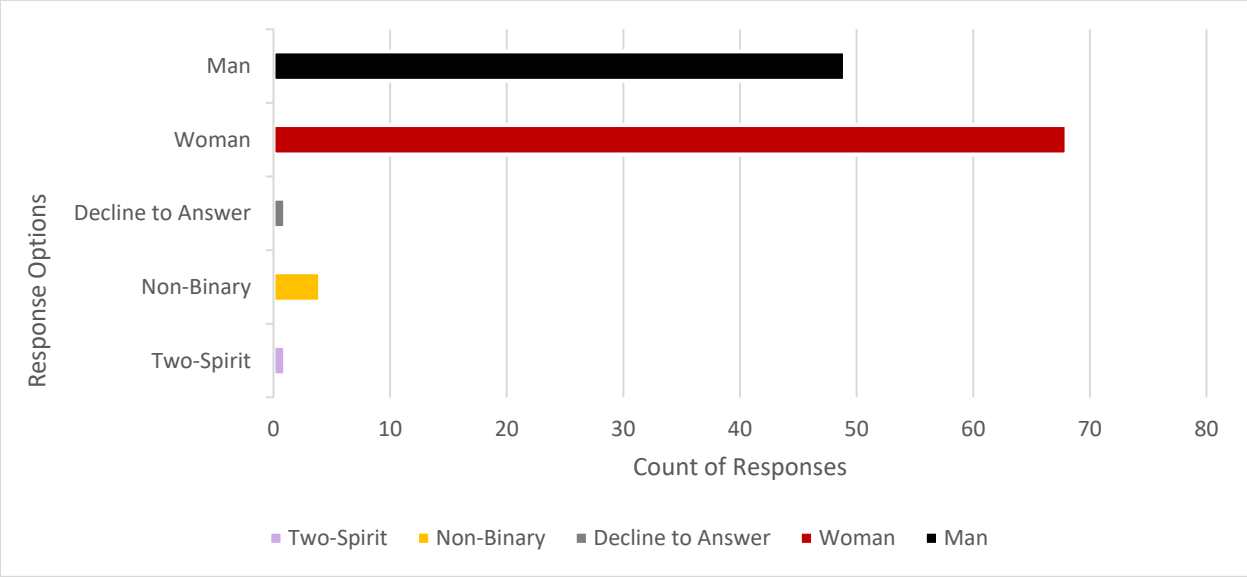


Figure 1. Gender Identity of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Age[6]

The majority of Indigenous respondents to Hamilton's 2021 PIT survey reported being middle-aged. Ninety-nine Indigenous survey respondents reported being between the ages of 31 years old and 64 years old, representing 80% of Indigenous respondents. Seventeen Indigenous respondents reported being under the age of 31, representing fourteen percent (14%) of Indigenous respondents. One Indigenous survey respondent reported being over the age of 65 years old.

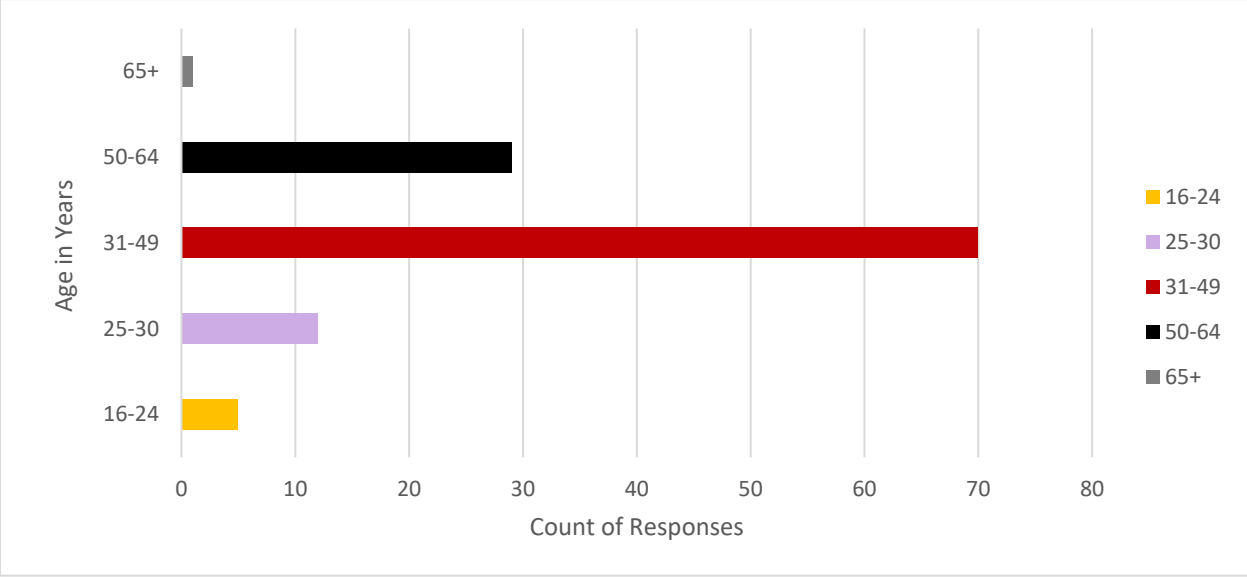


Figure 2. Age of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

[6] *Among Indigenous respondents, there were six responses to this question that were unclear or blank and have not been included in* Figure 2. Age of Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

The pattern of age distribution among all Indigenous survey respondents is consistent across genders. Among Indigenous women who participated in Hamilton's 2021 Point in Time survey, 85% were between 31 and 64 years old. A similar proportion (80%) of Indigenous men were also between the ages of 31 and 64 years old.

Child and Youth Experiences of Homelessness

Among the one hundred and twenty-three Indigenous 2021 PIT respondents, fifty-one reported having first experienced homelessness before the age of 31 years old, representing 41% of Indigenous respondents.

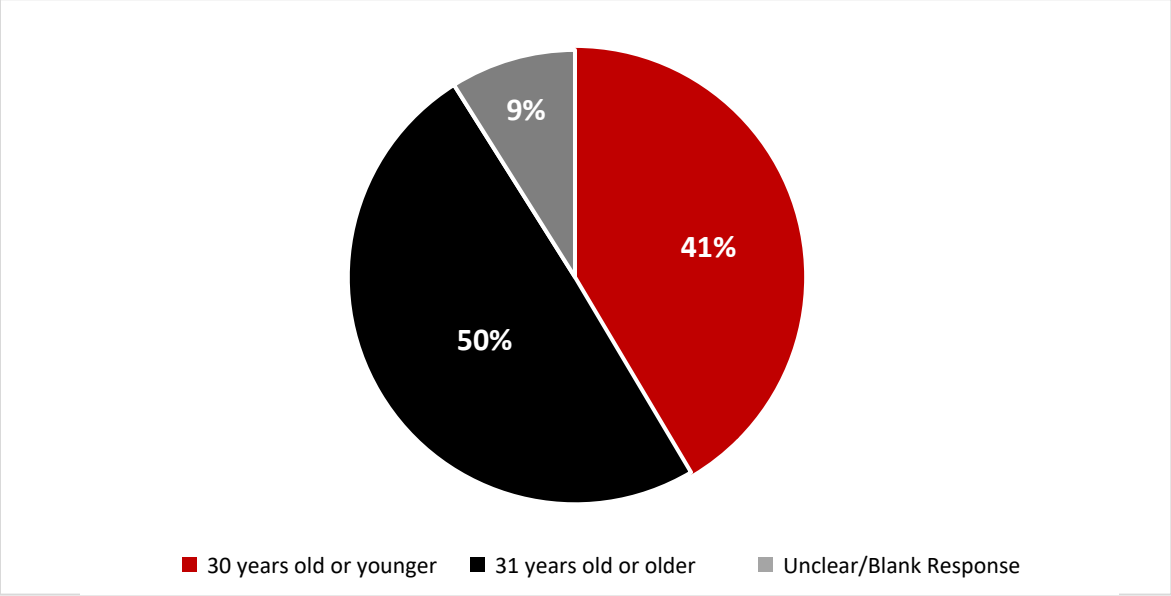


Figure 3. Age of First Experience of Homelessness - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Experiences of Foster Care or Youth Group Homes

Experiences with foster care or youth group home are prevalent among Indigenous community members responding to the 2021 PIT survey in Hamilton. Fifty-two Indigenous respondents reported having been in foster care or a youth group home as a child or youth, representing forty-two percent (42%) of Indigenous respondents.

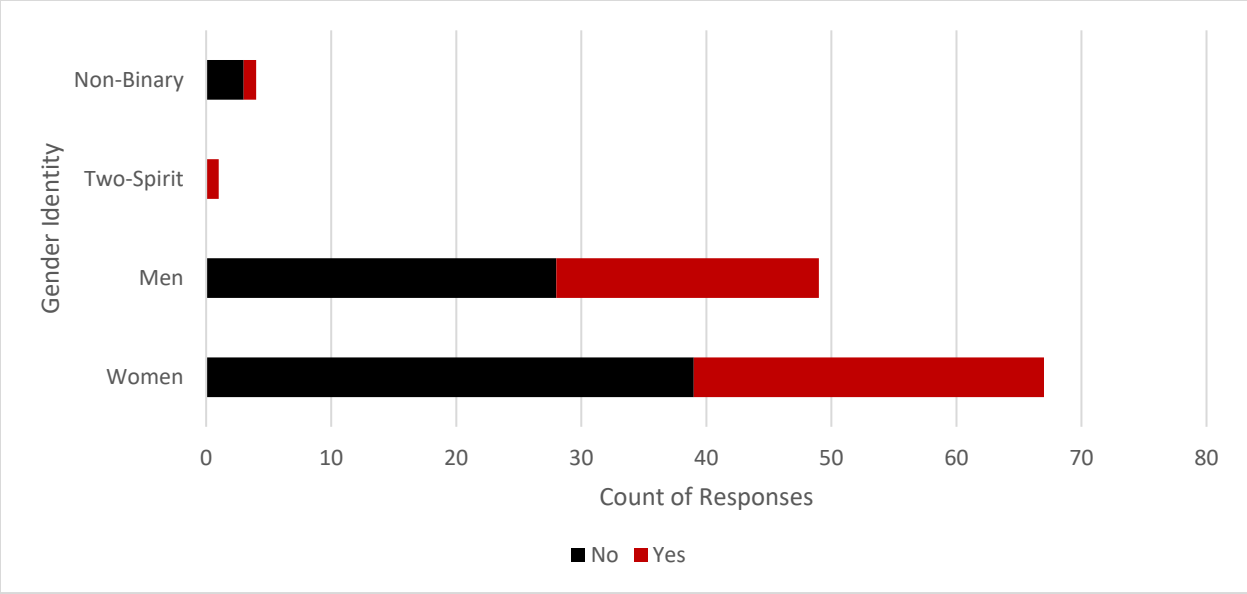


Figure 4. Experiences of Foster Care or Youth Group Home by Gender - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Among Indigenous women experiencing homelessness in Hamilton (n=68), twenty-eight reported having stayed in foster care or a youth group home. Among Indigenous men experiencing homelessness in Hamilton (n=49), 21 reported having lived in foster care or a youth group home.

Length of Homelessness

The 2021 Point in Time survey also asked respondents the total length of time they had been homeless over the past year. This does not necessarily mean community members experienced homelessness uninterrupted. Rather, responses indicate how much total time over the course of the past year they experienced homelessness. For example, a respondent may have experienced homelessness for three weeks, found housing for a few months but returned to homelessness.

Among all Indigenous respondents, ninety indicated they had experienced homelessness for more than six months of the past year, representing seventy-three percent (73%) of Indigenous respondents. The proportion of Indigenous participants experiencing homelessness for more than half of the past year is consistent across genders. Among Indigenous women responding to the 2021 Point in Time survey, seventy-eight percent (78%) reported having experienced homelessness for more than 6 months within the past year. Similarly, sixty-nine percent (69%) of Indigenous men respondents to the survey reported experiencing homelessness for more than half of the past year.

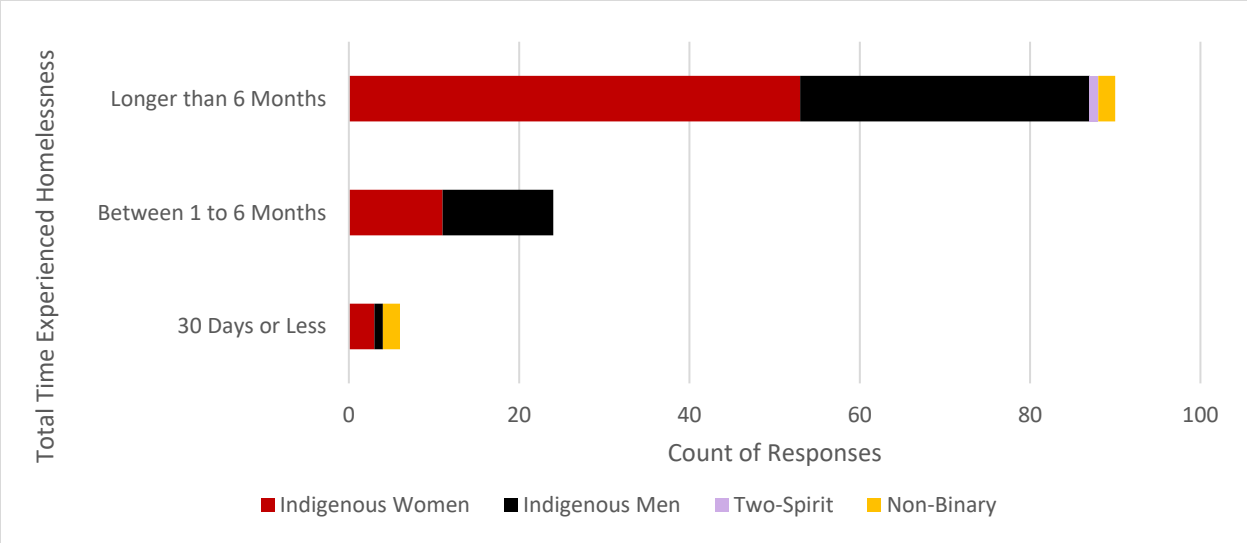


Figure 5. Total Time Experienced Homelessness Within Past Year - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

This pattern of experiencing homelessness in Hamilton for the majority of the past year repeats across all age groups of Indigenous respondents. Among Indigenous youth[7] PIT survey responses (n=17), eighty-two percent (82%) reported having experienced a total of six or more months of the past year homeless. Among Indigenous adult survey respondents (n=99), eighty-one percent (81%) had experienced homelessness for a total of six (6) months or longer within the past year.

Length of Time in Hamilton[8]

Of Indigenous respondents, 54 reported having always lived in Hamilton, representing forty-four percent (44%) of Indigenous respondents. Seventeen Indigenous-identifying respondents reported they have lived in Hamilton for less than a year, representing fourteen percent (14%) of Indigenous survey respondents. Eleven Indigenous respondents reported living in Hamilton for more than one year but less than 5 years, representing nine percent (9%) of Indigenous-identifying respondents. Thirty-four Indigenous respondents reported having lived in Hamilton for five or more years, representing twenty-eight percent (28%) of Indigenous respondents.

[7] This report utilizes the Indigenous youth age range observed by the federal government, which identifies Indigenous youth as being between the ages of 15 and 30 years of age

[8] Among Indigenous respondents, seven responses to this question were unclear or blank and have not been included in Figure 6. Length of Time in Hamilton - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario)

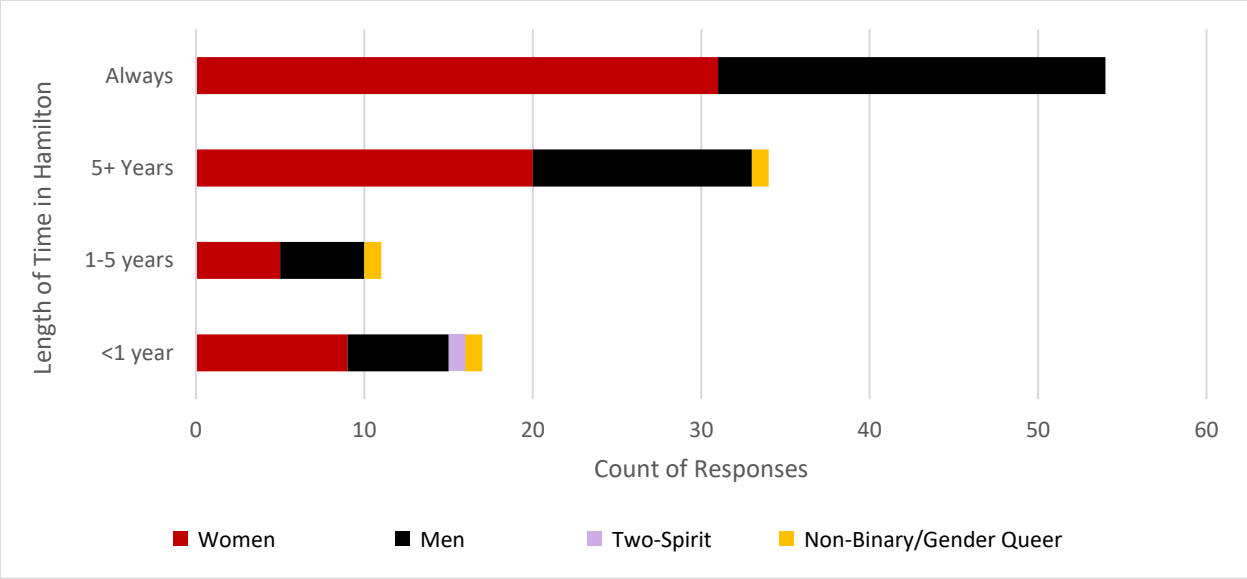


Figure 6. Length of Time in Hamilton - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Indigenous Youth Experiencing Homelessness in Hamilton

In total, 17 Indigenous youth participated in the 2021 Point in Time survey in Hamilton. The gender breakdown of Indigenous youth participating in the 2021 PIT survey included 18% of Indigenous youth identifying as Non-Binary/Gender Queer, with an equal proportion (41%) of Indigenous youth experiencing homelessness who identify as women and men.

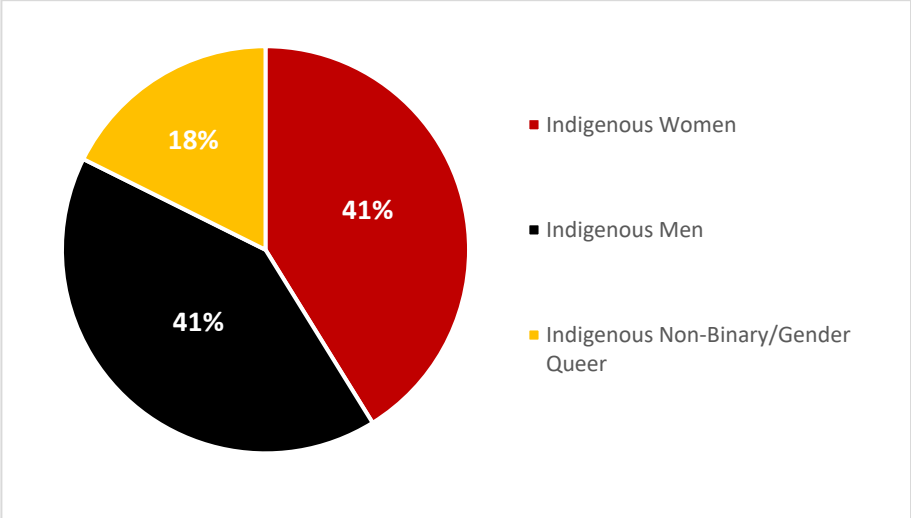


Figure 7. Gender Identity of Indigenous Youth Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

Shelter System Use

The majority of Indigenous respondents have stayed in a homelessness shelter (emergency, family, or domestic violence shelter) in the past year. Of Indigenous respondents, one hundred and one reported having stayed in a homeless shelter within the past year, representing eighty-two percent (82%) of Indigenous respondents.

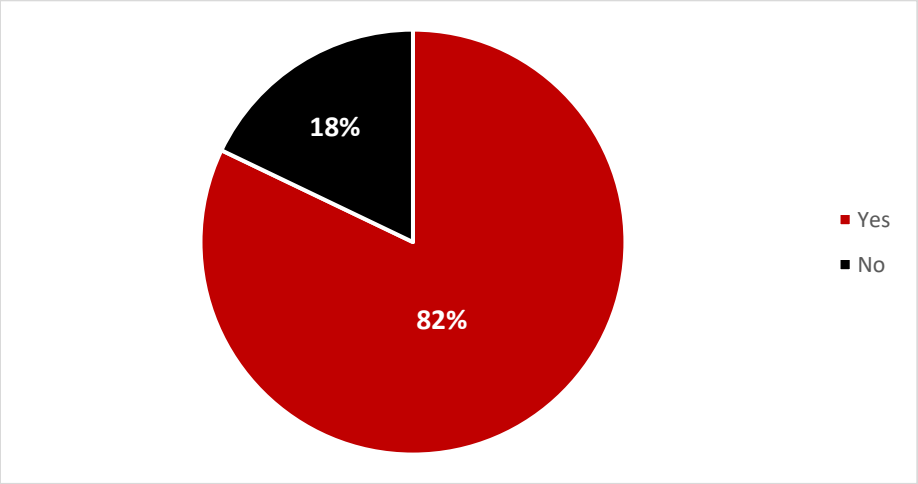


Figure 8. Shelter System Usage - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario).

When asked where they had stayed the night before participating in Hamilton's 2021 PIT survey, Indigenous responses included Unsheltered Public Spaces (street, park, bus shelter, etc.), Transitional Housing, a city-funded hotel or motel, an encampment site, or someone else's place. One respondent identified sleeping in their vehicle the night before participating in the survey. No respondent (Indigenous or non-Indigenous) identified having stayed in a hospital, treatment centre, or jail/prison the previous night.

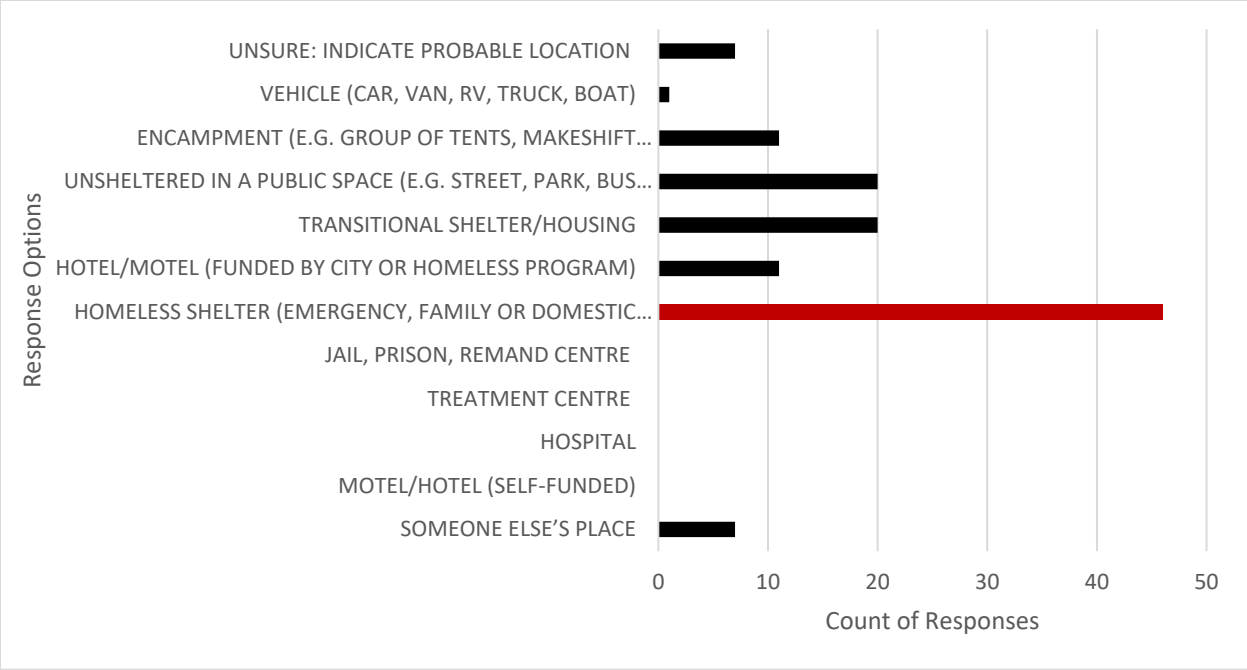


Figure 9. "Where did you stay last night?" - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The most common response is highlighted in red.

Of Indigenous community members who are experiencing homelessness but chose not to stay in a homeless shelter last year (n=22), twenty-one provided one or more reasons why they chose not to stay in shelter. The most common reason Indigenous community members experiencing homelessness chose not to stay in a homeless shelter was due to safety concerns. Other reasons Indigenous community members experiencing homelessness chose not to stay in shelter included being turned away from the shelter due to lack of available beds, having lack of transportation to reach a shelter, concerns over pests, and feeling "crowded" in homeless shelters.

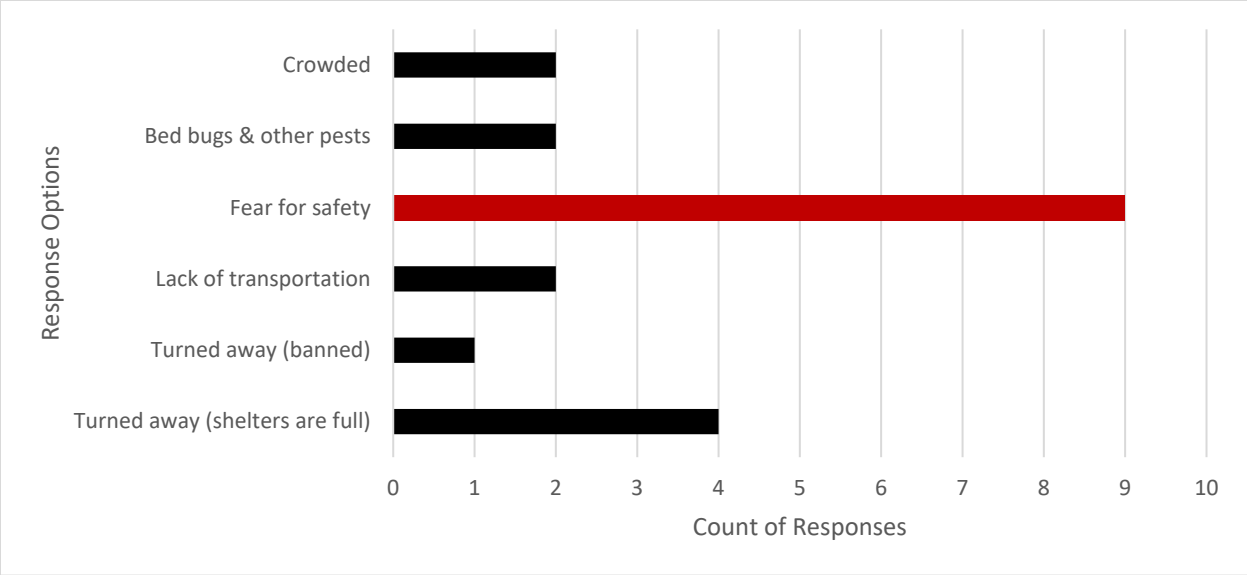


Figure 10. Reasons for Not Staying in Shelter - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The most common response is highlighted in red.

Health Challenges

Response options to health challenges faced were multiple choice, allowing respondents to indicate the total health issues or challenges experienced. The most prominent health challenge reported by Indigenous 2021 PIT respondents is substance abuse (including tobacco, alcohol, or opiates).

Among Indigenous respondents, ninety-two reported experiencing substance use issues, representing seventy-five percent (75%) of Indigenous survey respondents. Hamilton's 2021 PIT survey data also indicates a high proportion of Indigenous respondents are experiencing mental health issues (including depression, post traumatic stress disorder and bipolar disorder. Eighty-three Indigenous respondents reported managing a diagnosed or undiagnosed mental health issue, representing sixty-seven percent (67%) of Indigenous respondents. Fifty-seven Indigenous respondents indicated managing an illness or medical condition, such as diabetes, arthritis, tuberculosis, or HIV, representing forty-six percent (46%) of Indigenous respondents. An equal proportion (46%) of Indigenous respondents reported having learning or cognitive limitations, such as dyslexia, autism spectrum disorder, or as a result of ADHD or an acquired brain injury. Forty-two Indigenous respondents reported experiencing a physical limitation (such as challenges with mobility, physical abilities and/or dexterity), representing thirty-four percent (34%) of Indigenous survey respondents.

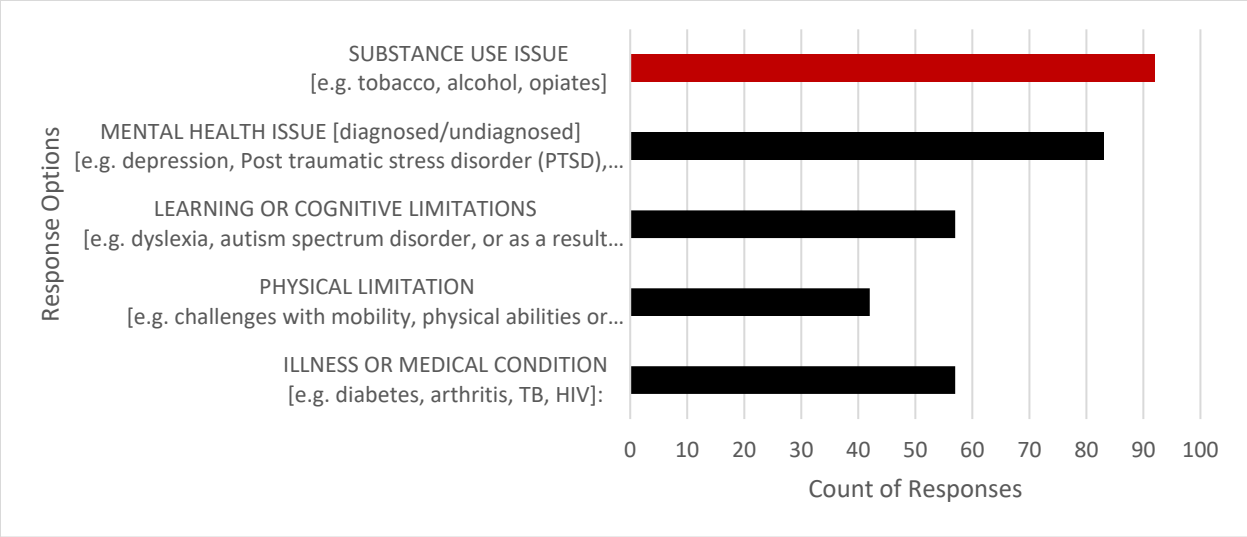


Figure 11. Health Challenges - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The most common response is highlighted in red.

Causes of Most Recent Housing Loss

Of Indigenous-identifying respondents to the 2021 Point in Time survey (n=123), one hundred and twenty (120) provided one or more reasons for their most recent loss of housing. Respondents were able to provide multiple reasons for their most recent loss of housing. The most common reasons given by Indigenous community members experiencing homelessness in Hamilton for their most recent loss of housing included: “Not having enough income for housing”, “Unfit or unsafe housing conditions”, “Landlord/tenant conflict”, “Conflict with spouse”, “Conflict with: Other” (someone other than a parent, partner/spouse, or guardian).

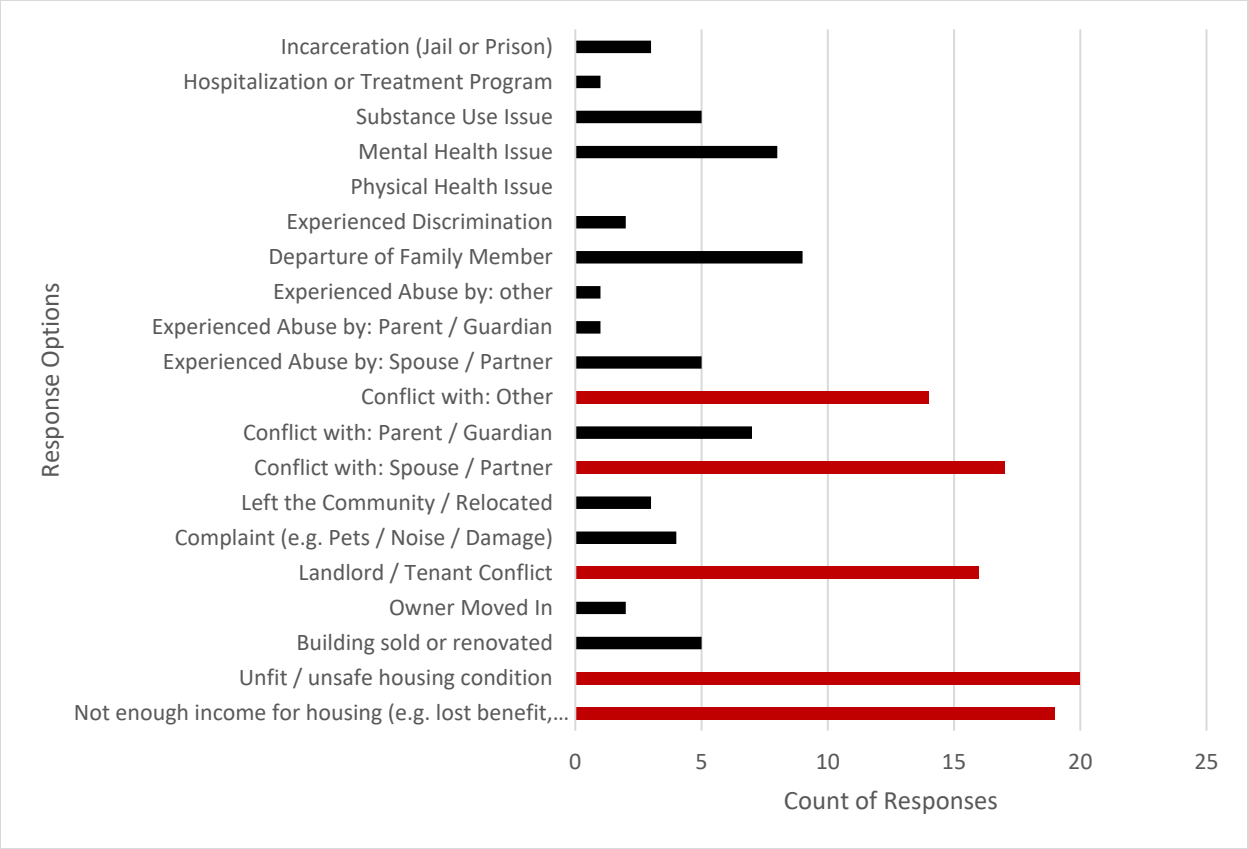


Figure 12. Causes of Most Recent Housing Loss - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The five most common responses are highlighted in red.

Challenges Experienced in Finding Housing

Indigenous respondents to the 2021 PIT survey indicated the cost of housing in Hamilton posed the most common barrier to exiting homelessness. Among Indigenous survey respondents (n=123), one hundred and fifteen Indigenous community members identified one or more challenges or problems encountered in trying to find housing. The fives most commonly reported challenges to finding housing identified by Indigenous community members are “Rent being too high”, “Having low income”, “Poor housing conditions”, “Discrimination”, and “Addiction”.

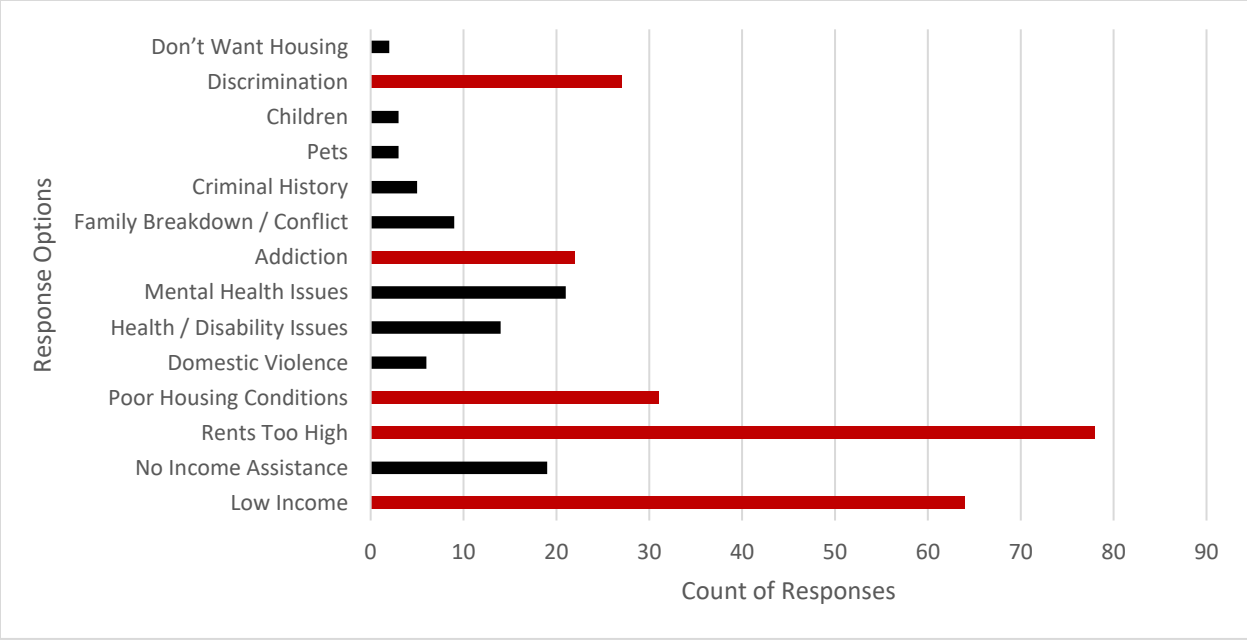


Figure 13. Challenges Experienced in Trying to Find Housing - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The five most common responses are highlighted in red.

COVID-19

Seventeen Indigenous PIT respondents related their most recent housing loss to the COVID-19 pandemic, representing fourteen percent (14%) of Indigenous survey respondents. Of Indigenous community respondents who related their most recent housing to the pandemic (n=17), 82% were between the ages of 31 and 64 years old.

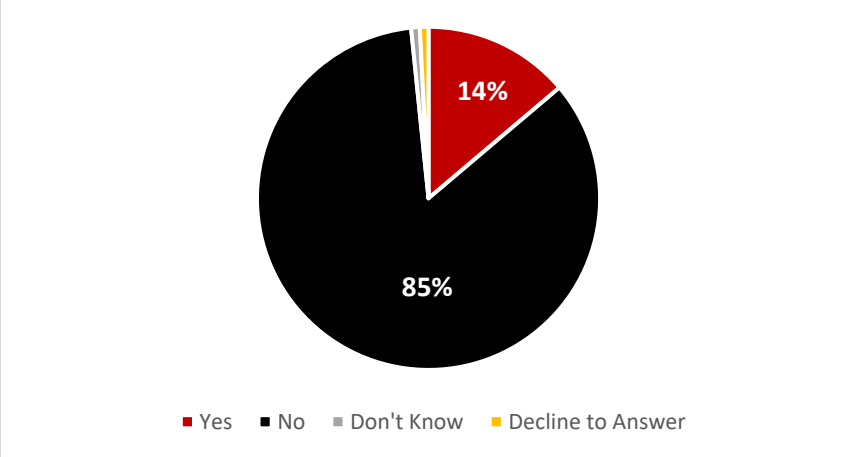


Figure 14. "Was your most recent housing loss related to the COVID-19 pandemic?" - Indigenous Respondents, 2021 Point in Time Count (Hamilton, Ontario).

Income Sources

Sixty-nine Indigenous PIT respondents reported receiving Disability Benefits (provincial) as a source of income, representing fifty-six percent (56%) of Indigenous respondents. Thirty-six Indigenous respondents reported receiving Welfare/social assistance (provincial) as a source of income, representing twenty-nine percent (29%) of Indigenous respondents of Indigenous respondents.

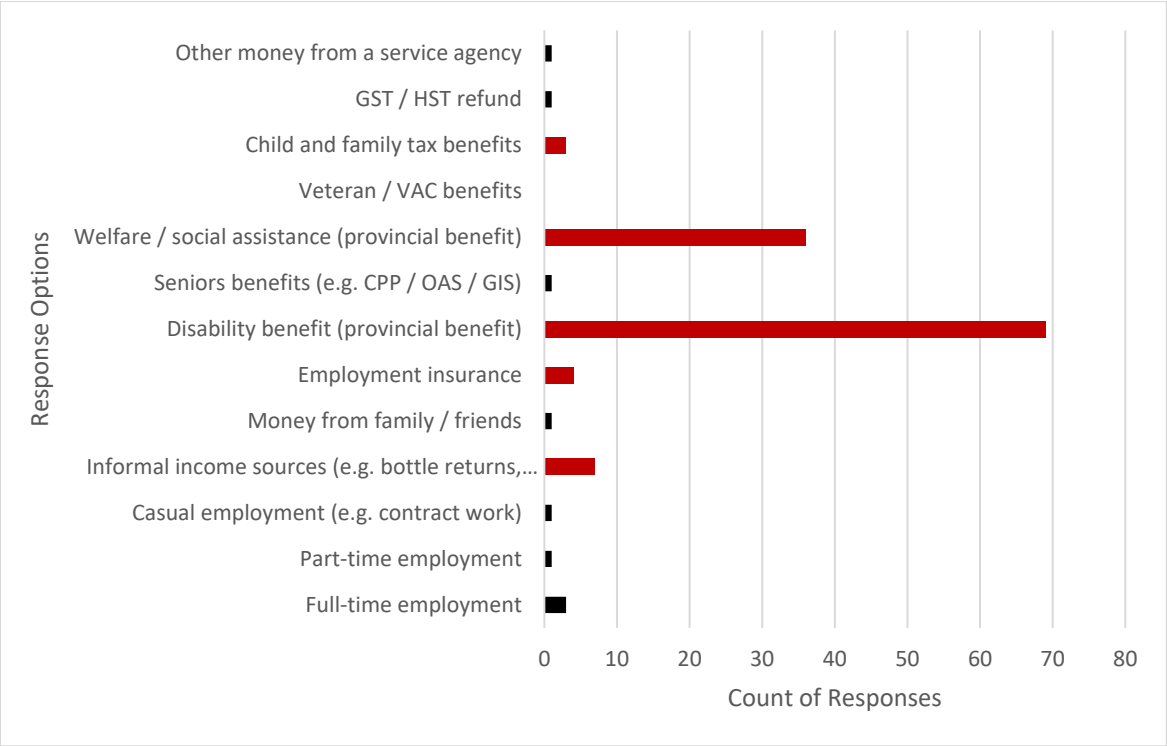


Figure 15. Sources of Income - Indigenous Respondents, 2021 Point in Time Survey (Hamilton, Ontario). The five most common responses are highlighted in red.

Appendices

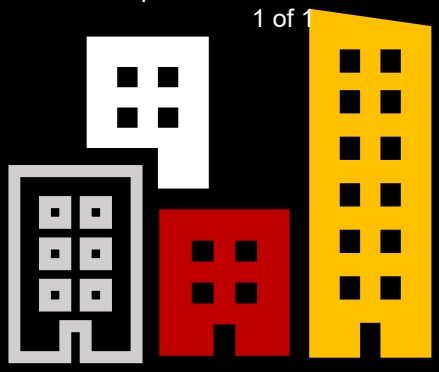
Appendix A – Indigenous Magnet Event Promo Card

Appendix B – 2021 Point in Time Survey (Hamilton, Ontario)

TAB 5

2021 POINT IN TIME SURVEY (Hamilton, Ontario)

The 2021 Point in Time (PIT) survey for Hamilton was led by the City of Hamilton – Housing Services Division and the Coalition of Hamilton Indigenous Leadership. Each PIT survey was completed by a community member currently experiencing homelessness in Hamilton.



INDIGENOUS RESPONDENTS

The responses shared in this infographic represent 2021 PIT respondents who self-identified as Indigenous or having Indigenous ancestry. *

Indigenous Peoples continue to be overrepresented among community members experiencing homelessness in Hamilton. Of Hamilton's general population, 2% of residents identify as Indigenous or having Indigenous ancestry. Among community members responding to Hamilton's 2021 PIT survey, 23% self-identified as Indigenous or having Indigenous ancestry.

545

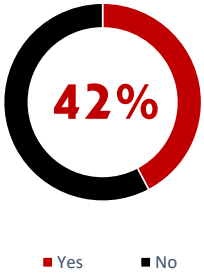
SURVEYS WERE COMPLETED DURING HAMILTON'S 2021 POINT IN TIME CONNECTION SURVEY INITIATIVE.

123 **OF 2021 PIT SURVEY RESPONDENTS IDENTIFIED AS INDIGENOUS OR HAVING INDIGENOUS ANCESTRY.**

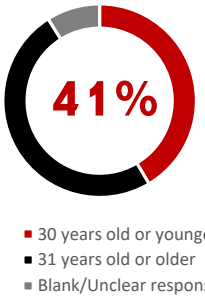
OF THE 123 INDIGENOUS IDENTIFIED RESPONDENTS:

- **68** Identified as **WOMEN**
- **49** Identified as **MEN**
- **5** Identified as **TWO-SPIRIT or NON-BINARY**

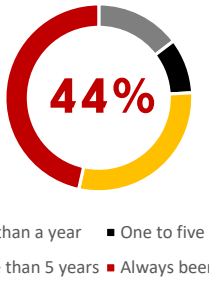
As a child or youth, were you ever in foster care or in a youth group home?



How old were you the first time you experienced homelessness?



How long have you been in Hamilton?



Top 5 reported sources of income:

1. Disability benefit
2. Welfare/social assistance
3. Informal income (e.g., bottle returns, panhandling, family)
4. Employment (full or part-time)
5. Employment insurance

Top 5 reported causes for most recent loss of housing:

1. Unfit/unsafe housing condition
2. Not enough income for housing
3. Conflict with Spouse/Partner
4. Landlord/tenant conflict
5. Conflict with other

Top 5 challenges or experienced when trying to find housing:

1. Rent too high
2. Low Income
3. Poor Housing Conditions
4. Discrimination
5. Addiction

Coalition of Hamilton Indigenous Leadership

Hamilton

The 2021 Point in Time survey for Hamilton, Ontario was conducted during the week of November 15th through 19th. All 2021 PIT survey respondents in Hamilton were asked if they self-identified as First Nations (with or without status), Métis or Inuit or if they identified as having North American Indigenous ancestry.

For comments and questions about this infographic, please contact the Coalition of Hamilton Indigenous Leadership at communications@chileadership.com

Court File No. CV-21-77187

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

KRISTEN HEEGSMA, DARRIN MARCHAND, GORD SMYTH, MARIO MUSCATO, SHAWN ARNOLD, BRADLEY CALDWELL, CHRISTINE DELOREY, GLEN GNATUK, TAYLOR GOGO-HORNER, CASSANDRA JORDAN, JULIA LAUZON, AMMY LEWIS, ASHLEY MACDONALD, COREY MONAHAN, MISTY MARSHALL, SHERRI OGDEN, JAHMAL PIERRE, LINSLEY GREAVES and PATRICK WARD

Applicants

and

CITY OF HAMILTON

Respondent

APPLICATION UNDER RULE 14.05 OF THE *RULES OF CIVIL PROCEDURE*

RESPONSE TO REQUEST TO ADMIT

In response to the Applicants' Request to Admit dated August 1, 2023 (received August 3, 2023), the Respondent:

1. Admits the truth of facts numbers:

   (a) Under the Heading "Point In Time Connection Survey Data," the Respondent admits facts number 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46.

2. Admits the authenticity of the following documents: N/A – none requested.

3. Denies the truth of facts numbers: None. See paragraphs 1 above and 5 below.

4. Denies the authenticity of documents numbers: N/A – none requested.

5. Refuses to admit the truth of facts numbers:

(a) Under the heading “Homelessness Dashboard: Data on Homeless Population, Including Shelter Use, Availability and Capacity (Tabs 1a and b)”: The Respondent refuses to admit facts numbers 1 through 42 for the following reasons:

(i) The Homelessness Dashboard data regarding “Scale of Homelessness” (erroneously referred to as “Data on Homeless Population” in the Request to Admit) does not quantify and does not purport to quantify the “homeless population” in the City of Hamilton. The data in the “TOTAL_HOMELESS” column of the “Scale of Homelessness” table correlates to the number of “Current Individuals Actively Homeless” displayed on the Homelessness Dashboard for that month. The term “Actively Homeless” refers to individuals who were experiencing homelessness at the end of the month, and includes individuals who have accessed the homeless-serving system at least one time in the past three months. This is expressly stated within the “Data Notes” that accompany the Homelessness Dashboard (see, e.g., Tab 1 of the Respondent’s Response to Request to Admit dated May 25, 2023). The homeless-serving system includes shelters, drop-ins, street outreach, transitional housing, and case management programs. One person who may

have accessed any or all of these supports in the past three months will be counted as one individual who is “Actively Homeless” during the applicable reporting period. The number of “Current Individuals Actively Homeless” does not indicate the number of people seeking shelter. As well, the number of “Current Individuals Actively Homeless” does not indicate that those “actively homeless” people are all experiencing homelessness at the same time. Further, the information from which the “TOTAL_HOMELESS” data is drawn is based on the self-report of people who access the homeless-serving system, as recorded in the City’s Homeless Individuals and Families Information System (“HIFIS”). People who access the homeless-serving system may provide inconsistent information, or may decline to provide their information, and may therefore be counted more than once. The foregoing is provided for explanation purposes, and should not be taken as exhaustive of or in any way limiting the City’s evidence on this topic.

(ii) The Homelessness Dashboard data regarding “Shelter Beds Available” quantifies the total number of shelter beds *or rooms* available at the last day of the applicable month. Some rooms contain more than one bed. The number of rooms available are in addition to the number of beds available. Therefore, the figures in the “TOTAL_BEDS” column of the “Shelter Beds Available” table do not reflect the total number of beds available in the City-funded shelter

system. The number of shelter beds available in the City-funded shelter system at the end of a given month would be the total number of beds in the "TOTAL_BEDS" column *plus* the total number of beds available within the rooms in the "TOTAL_ROOMS" column. The Respondent will provide separately the number of beds available within the rooms in the "TOTAL_ROOMS" column on the "Shelter Beds Available" table.

(1) It should also be noted that the "Shelter Beds Available" data does not exhaustively record the number of shelter beds available within the City of Hamilton. The "Shelter Beds Available" data tracks shelter beds and rooms available in the City-funded emergency shelter system. For example, the City provides partial funding for Violence Against Women's (VAW) shelters for women escaping violence, which are managed through the Ministry of Children's and Community Social Services (MCCSS); however the beds available through those shelters are not included in the number of beds in the emergency women's sector. As well, any shelter beds available through charities or non-City funded sources are not counted in the "Shelter Beds Available" data.

(b) Under the heading "Point In Time Connection Survey Data," the Respondent refuses to admit:

(i) fact number 5 (under the subheading “City of Hamilton, 2022 Homelessness Point in Time Count (Tab 2)”), for the reason that survey participants identified their gender identity as “>1%” as trans or Two-Spirit, not “1%” as stated in the Request to Admit. The Respondent admits that survey participants identified their gender identity as follows: 53% identified as women, 45% as men, 2% as non-binary, and >1% as trans or Two-Spirit.

(ii) Fact number 33 (under the subheading “City of Hamilton, 2021 Point in Time Count Indigenous Responses (Tab 4)”), for the reason that of the 123 Indigenous survey respondents, 68 identified as women; not 69. The Respondent acknowledges that the 2021 Point in Time Count Indigenous Responses report states that “69” respondents identified as women, however that is an inadvertent error. The City admits that of the 123 Indigenous survey respondents, 68 identified as women, 49 identified as men, and 5 identified as two spirit or non-binary. One person declined to answer.

6. Refuses to admit the authenticity of documents numbers: N/A – none requested.

August 23, 2023

GOWLING WLG (CANADA) LLP
Barristers & Solicitors
1 King Street W, Suite 1500
Hamilton ON L8P 1A4

Tel: 905-523-5666

Bevin Shores (LSO#56161F)
Tel: 905-540-2468
bevin.shores@gowlingwlg.com

Jordan Diacur (LSO#65860E)
Tel: 905-540-2500
jordan.diacur@gowlingwlg.com

Lawyers for the Respondent

TO: **HAMILTON COMMUNITY LEGAL CLINIC**
100 Main Street East, Suite 203
Hamilton, ON L8N 3W4

Emily O'Keefe
Tel: 905-527-4572
emily.okeefe@hclc.clcj.ca

Mohamad Bsat
Tel: 905-527-4572
mohamad.bsat@hclc.clcj.ca

Counsel to the Applicants

AND TO: **COMMUNITY LEGAL CLINIC OF YORK REGION**
21 Dunlop Street
Richmond Hill, ON L4C 2M6

Sharon Crowe
Tel: 905-508-5018 ext. 57
sharon.crowe@yr.clcj.ca

Counsel to the Applicants

AND TO: **HĀKI CHAMBERS**
319 Sunnyside Avenue
Toronto, ON M6R 2R3

Sujit Choudhry
Tel: 416-436-3679
sujit.choudhry@hakichambers.com

Counsel to the Applicants

AND TO: **ROSS & MCBRIDE LLP**
1 King Street West, 10th Floor
Hamilton, ON L8P 1A4

Wade Poziomka
Tel: 905-572-5824
wpoziomka@rossmcbride.com

Counsel to the Applicants

AND TO: **KASTNER LAM LLP**
55 University Avenue, Suite 1800
Toronto, ON M5J 2H7

Ashley Wilson
Tel: 416-655-3044 ext. 824
awilson@kastnerlam.com

Court File No. CV-21-00077187-0000

KRISTEN HEEGSMA et al. - and - CITY OF HAMILTON

Applicants Respondent

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT HAMILTON

RESPONSE TO REQUEST TO ADMIT

GOWLING WLG (CANADA) LLP
Barristers & Solicitors
1 King Street W, Suite 1500
Hamilton ON L8P 1A4

Tel: 905-523-5666

Bevin Shores (LSO#56161F)
Tel: 905-540-2468
bevin.shores@gowlingwlg.com

Jordan Diacur (LSO#65860E)
Tel: 905-540-2500
jordan.diacur@gowlingwlg.com
Lawyers for the respondent

Email for parties served:
Emily O'Keefe: emily.okeefe@hclc.clcj.ca
Mohamad Bsat: mohamad.bsat@hclc.clcj.ca
Sharon Crowe: sharon.crowe@yr.clcj.ca
Sujit Choudhry: sujit.choudhry@hakichambers.com
Wade Poziomka: wpoziomka@rossmcbride.com
Ashley Wilson: awilson@kastnerlam.com

Heegsma et al
Applicants

-and-

CITY of HAMILTON
Respondents

Court File No. CV-21-00077187-0000

Ontario
Superior Court of Justice

PROCEEDING COMMENCED AT HAMILTON

APPLICATION RECORD VOLUME 18
TABS 144-147

COMMUNITY LEGAL CLINIC OF YORK REGION
21 Dunlop Street, Richmond Hill, ON L4C 2M6
Sharon Crowe (LSO# 47108R)
sharon.crowe@yr.clcj.ca

Michelle Sutherland (LSO# 70159T)
michelle.sutherland@yr.clcj.ca

Curtis Sell (LSO # 84128A)
curtis.sell@yr.clcj.ca

HĀKI CHAMBERS
319 Sunnyside Avenue, Toronto, ON M6R 2R3
Sujit Choudhry (LSO# 45011E)
sujit.choudhry@hakichambers.com

ROSS & MCBRIDE LLP
1 King Street West, 10th Floor, Hamilton, ON L8P 1A4
Wade Poziomka (LSO# 59696T)
wpoziomka@rossmcbride.com

Counsel to the Applicants