

The following is my response to the current series of emails being sent by supporters of the Hamilton Community Legal Clinic and Keeping Six Hamilton urgent call to action. I respond to the common themes of each letter in this campaign.

*It was brought to my attention today that the City of Hamilton is planning to dismantle the encampments at the First Ontario Centre and the Ferguson Street encampment on July 31, 2020, all without any plan to provide encampment residents with access to safe indoor spaces in the interim or solutions for permanent housing with the appropriate supports.*

Councillor Farr: With the daily engagement that staff, along with our housing/shelter and outreach partners, we are hopeful that as of this Friday (July 31) many of those living rough in donated tents and tarps on Ferguson Avenue North and York Boulevard will agree to move to more safer and humane conditions by choosing one of the available options staff share with them, such as housing, shelter or hotel space that we discuss with every individual. There was no direction given, nor have staff advised that there was direction provided to any individual living rough that the tents would be dismantled on Friday (July 31) in the absence of offering alternative accommodations.

*Encampments for folks who are homeless is not a long-term solution, however taking them down with no immediate plan for access to safe indoor space will have deleterious health effects.*

Councillor Farr: As stated, staff discuss safer and more humane living conditions in each case, such as housing, shelter and hotel. Since the pandemic began, over 80 individuals living in encampments have worked with our staff and our outreach partners to take advantage of the options we provided. We agree that encampments or living rough is NOT a long-term solution and that is why we have the Encampment Task-Force in place. While we carried out this work for some time prior to July 2019, it was then that Council formally and unanimously recognized the mandate.

*At this time, I am urging you to do the following:*

- 1. The City not dismantle homeless encampments.*

Councillor Farr: Currently the City of Hamilton, like many other municipalities, has a bylaw that does not permit camping outdoors in public parks or streets. Those who continue to support encampments (local orgs and their followers and contributors) know this. Recently, these organizations made formal delegations that question the lawfulness of encampment bylaws and requested non-enforcement. This was delegated to the Emergency and Community Services Standing Committee on July 13<sup>th</sup>, 2020; those delegations were also discussed at Council on July 17<sup>th</sup>, 2020. During these official meetings of council, at no time was there a motion by any of my colleagues on the committee to amend this bylaw. Therefore, encampments (camping in our streets or parks etc) remain an activity that is not permitted in Hamilton.

A growing number of very concerned residents are also aware that there is a bylaw respecting encampments and they are asking us (me, mostly) to have the appropriate staff enforce this bylaw because as encampments get larger, the problems unfortunately

associated with these sites become more acute and more prevalent. At our last council meeting, I listed a number of these issues that residents and businesses have shared with me. I also observe some of these issues myself daily. Most people on both sides (supportive or not) are aware of what these issues are. On Ferguson and York, by some (not all) there is regular open drug use (and resulting drug paraphernalia on our streets), alcohol consumption, fights, destruction of public property, trespassing, litter, verbal intimidation, sexual acts and public defecation / urination. Not surprisingly, these issues are very concerning to the children, families and seniors that live adjacent or within proximity to encampments. I receive a growing number of concerns from commuters of all forms, pedestrians, business people and property-owners. Each have their own stories and while all are sympathetic to the homelessness issues, they are also scared and anxious and increasingly requesting that we enforce the law(s).

- 2. The City provide interim and permanent housing for encampment residents with necessary supports.***

Councillor Farr: Permanent housing is one option, where available and applicable. Hotel and shelter space are also options provided in every case, based on the person's individualized needs.

- 3. The City prioritize individuals experiencing homelessness for urgent housing placement.***

Councillor Farr: That is what the City of Hamilton Encampment Task-Force does. That is the expectation of Hamilton City Council.

- 4. The City engage encampment residents in assessing their needs prior to dismantling.***

Councillor Farr: We always do, and we rely on the help and support we receive from our community partners. I firmly believe we could do much better if all City and community partners worked together on coordinated approaches and solutions. It is most unfortunate that some are publicly sharing a narrative that we are not acting in good faith or even within legal parameters when the reality is that we are in every case respecting the principles that guide the successful daily work of our Encampment Task-Force. As mentioned, staff continue to do individual outreach to help people know what their options are and to find a housing solution.

- 5. The City remove barriers in shelters and hotels in order to accommodate the individual needs of encampment residents.***

Councillor Farr: Throughout this pandemic staff have worked closely with our shelter providers and hotel accommodations to ensure access is prioritized, and where appropriate, flexibility is enacted to ensure access is not denied.

In very limited instances, where behaviours are serious enough to compromise the health and safety of staff and/or other residents, individuals have been asked to leave or placed under service restrictions. Even under these circumstances staff and shelter providers

continue to work with the individual and explore individualized options that may assist in securing alternative accommodations.

Notwithstanding this, to maximize the amount of accommodation choices available, staff and service/shelter providers are committed to further explore all opportunities within housing, shelters and hotel accommodations to provide greater access to those currently in encampments.

**6. *The City allow for sanctioned encampment sites and/or designate specific parks/public lands where individuals are allowed to set up tents/temporary structures.***

Councillor Farr: I am keeping an open mind after having visited London, Ontario to see first hand how this is achieved (there is one non-enforcement area in London with approximately 12 tents). Location would be an important consideration. Right now in Hamilton there are tents on public streets adjacent to homes where children, seniors and families live. Right now in Hamilton encampments exist on downtown public sidewalks on major thoroughfares adjacent to business on commuter routes. This is not the case in London (or Kitchener) and when I asked our staff where else this occurs, staff are challenged to share even one city in Ontario where this exists and/or is permitted. If you know of a city where sanctioned encampments exist, please share and I will visit this city to further understand and educate myself on how these encampments operate and coexist with the surroundings. While this short-term possible solution is not without its challenges (as I have witnessed in London) and still does not address the larger issue that sleeping rough is less safe and humane than housing, shelter and hotel options, I understand that there are some individuals who still prefer to camp. Clearly there are some well meaning organizations that appear interested in going beyond the current supports they currently offer (tent donations and other necessities) and they appear ready and qualified to operate such an area. Again, this is something council may want to consider and something that our Housing and Homelessness staff may include in their August report to council.

**7. *The City allow for a streamlined, low-barrier, accessible process of issuing permits allowing for tents and temporary structures.***

As noted above, I will keep an open mind to creating a sanctioned area for encampments. I am sure if Council chooses to go this route, it would be low barrier and accessible and permitting may not be required (at least I do not see the need).

Finally, I want to make it very clear that while I appreciate the advocacy for encampments in Hamilton, Council has NOT moved any motion that amends our current law. Tents on city streets, parks or private property are currently not permitted. I understand the homelessness issue - I was strongly supportive of the Encampment Task-Force work for this very reason. We need a formal approach to addressing the serious health and well-being issues related to sleeping rough. A formal Encampment Task-Force accomplishes this. Overall, we have been mostly successful at addressing each and every individuals' needs in a respectful and sensitive manner as we provide them with safer housing options. This is and will continue to be our shared goal.

Once again, while we (staff and our community partners working with and not against us) had hoped that many of those living rough on Ferguson Ave N and York Blvd would take us up on offers for safer and more humane accommodations by this Friday (July 31), we did not formally state that all the tents would be dismantled on this date.

We hope to see many individuals move to safer living situations by Friday, but for those who choose to remain or whom may be currently encouraged to set up a tent at these sites, there will be a date where the encampments must be dismantled. Prior to this date, every individual currently living rough will have safer living conditions options presented to them. There has been no direction by council to permit encampments and therefore there is a bylaw that a growing number of residents are requesting enforcement of. And there is a highly capable and successful Council approved Encampment Task-Force to assist in the transition.

I remain optimistic that we can all work together and bring a comfort that everyone expects and deserves, regardless of what side of the issue you are on.

Councillor Farr  
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