



# TRANSFORMING POLICY RESPONSES TO HOMELESS ENCAMPMENTS IN CANADA

2022- 2024

NATIONAL ROADMAP  
FOR DEVELOPING HUMAN RIGHTS-  
BASED PLANS TO ADDRESS HOMELESS  
ENCAMPMENTS

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# NATIONAL ROADMAP FOR DEVELOPING HUMAN-RIGHTS BASED PLANS TO ADDRESS HOMELESS ENCAMPMENTS



## Step 1: Meaningful Engagement

Pages: 07-12

ENCAMPMENTS AND HOMELESSNESS  
CANNOT BE ENGAGED BY  
MUNICIPALITIES ALONE, AND REQUIRE  
ALL ORDERS OF GOVERNMENT TO  
COMMIT TO ADDRESSING IT.

Develop interim plan  
to ensure basic  
services are  
adequate and meet  
encampment  
residents' needs

## Step 2: Ensure encampments meet basic needs

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LOCAL GOVERNMENTS  
SHOULD DEMONSTRATE A  
GENUINE COMMITMENT TO  
PRIORITIZING THE WELL-  
BEING AND RIGHTS OF  
THOSE EXPERIENCING  
HOMELESSNESS

RECOGNIZE & TREAT  
ENCAMPMENTS AS COMMUNITIES

FOCUS DISCUSSIONS ON HEALTH AND  
SAFETY FROM THE PERSPECTIVE OF  
THOSE WHO LIVE IN ENCAMPMENTS

LIVING OUTDOORS IS NOT A CHOICE;  
HOMELESSNESS REPRESENTS THE  
ABSENCE OF CHOICE

# EXECUTIVE SUMMARY



COMMIT

TO A

HUMAN RIGHTS

APPROACH

TO  
ENCAMPMENTS

The Shift, alongside BGM Strategy Group, is carrying out a 2-year CMHC-funded Solutions Lab on Encampments which aims to understand the issue of encampments in three cities (Kitchener, ON; Vancouver, BC; and Edmonton, AB) with the end goal of developing policies for implementing a rights-based approach to addressing encampments in municipalities across Canada.

The following is a National Encampment Response Road Map to aid all orders of government in addressing and preventing homelessness on a priority basis in line with the Office of the Federal Housing Advocates recommendation that the federal government establish a National Encampments Response plan. This road map outlines essential steps for local governments to develop effective rights-based strategies to address encampments, in accordance with the Government of Canada's commitment to invest \$250M (to be cost-matched by provinces and territories) in support of rights-based strategies that promote a housing-first approach to encampment responses. The road map also guides actions local governments should take—or avoid—to ensure their responses to encampments are compliant with human rights principles.

The information in this road map draws on key principles from the National Protocol on Homeless Encampments in Canada, authored by former United Nations Special Rapporteur on the Right to Adequate Housing, Leilani Farha, and Dr. Kaitlin Schwan. It also integrates insights from the Municipal Engagement Guidance developed by The National Working Group on Homeless Encampments (NWG-HE), convened by The Shift.

This document seeks to highlight the capacity challenges municipalities face in implementing a human rights response to encampments – given their limited jurisdictional scope. It will also pinpoint the policy and legislative levers that higher orders of government must pull to ensure that local governments have the adequate resources, support, and direction to be able to adhere to their right to housing obligations.

Included in this document is a list of actions and recommendations for all orders of government that should be implemented to ensure responses to homeless encampments are based on human rights standards and principles. However, the onus and responsibility of curating a coordinated and strategic national response to homelessness and encampments lies within the National Government, which must ensure that the homelessness crisis is addressed as a matter of urgent priority.

# ESSENTIAL STEPS TO DEVELOPING A LOCAL RIGHTS-BASED STRATEGY TO ADDRESS HOMELESS ENCAMPMENTS



## STEP 1

**Ensure meaningful engagement and effective participation of encampment residents in the decision-making process**



## STEP 2

**Ensure to the greatest extent possible that encampments meet the basic needs of those living there**



## STEP 3

**Work creatively with encampment residents toward long-term housing solutions**



## STEP 4

**Prevent homelessness**

In 2019, the Government of Canada formally recognized the human right to housing in the National Housing Strategy Act (NHS Act). In doing so, it committed all levels of government to progressively realizing the human right to housing. The Office of the Federal Housing Advocate, in her most recent report on encampments, Upholding dignity and human rights: the Federal Housing Advocate's review of homeless encampments, called on the federal government to adhere to this commitment and address the homelessness crisis by establishing a National Encampments Response Plan by August 31, 2024.

In its recent initiative, Solving the Housing Crisis: Canada's Housing Plan, the Government of Canada committed to investing \$250M (to be cost-matched by provinces and territories) "to support human rights-based community action plans that commit to a housing-first approach to ending encampments", indicating that the government realizes this is a national issue requiring a national response and that no one level of government can solve the housing crisis on its own.

The spotlight is once again on municipalities, which – if they seek to get the funding – have the task of developing rights-based strategies capable of effectively addressing homeless encampments. However, the inherent problem is that the right to housing has not been properly socialized by the federal government, leaving sub-national governments without the knowledge of what this right means, the obligations it creates and how to apply it practically to create better outcomes for those in greatest need. As a result, municipalities need more foundational tools to guide them as they strategize to create plans that are based on human rights and can produce better human rights outcomes for those living in encampments.

**This road map is that foundational tool. It aims to guide local governments through the process of creating this strategy by highlighting 4 key steps that must be taken to produce an effective rights-based plan to address encampments.**

# ROADMAP LEGEND

The road map is divided into 4 sections, with each speaking to a crucial step that local governments should follow in the process of developing a rights-based plan to address encampments. Each section includes a chart that outlines the following.



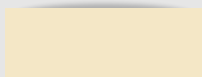
## Where We Want To Go

This is the ideal vision that local governments should strive to achieve in accordance with their human rights obligation to progressively realize the right to housing



## What Local Governments See as Roadblocks to Getting There

These are the challenges frequently cited by local governments as barriers to implementing rights-based principles in response to encampments



## Tips for Overcoming Roadblocks

These tips are intended to assist local governments in overcoming barriers to achieve better human rights outcomes for individuals living in encampments




# ROADMAP FOR DEVELOPING RIGHTS-BASED STRATEGIES TO ADDRESS HOMELESS ENCAMPMENTS



If local governments follow this road map and adhere to the human rights principles that are included within it, they will be well on their way to creating a rights-based strategy that can address homeless encampments and prevent homelessness in their communities.

# STEP 1:



Ensure meaningful  
engagement and the  
effective participation  
of encampment  
residents in the  
decision-making  
process



# Ensure meaningful engagement and the effective participation of encampment residents in the decision-making process

People have the right to shape the policies that affect them and through meaningful engagement, affected communities (those experiencing housing need) can be actively involved in shaping the outcome of decision-making processes. The right to meaningful engagement has been widely recognized and affirmed under international human rights law<sup>2</sup> and is critical to dignity, the exercise of agency, autonomy, and self-determination. Human rights law mandates that people experiencing housing need and homelessness, or other systemic housing issues are rights holders and should be recognized as experts in their own lives, therefore, they need not only to be consulted but directly involved in the creation, implementation, and monitoring of housing programs and policies. This is why meaningful engagement with encampment residents must feed into the rights-based housing first plan; When policies are co-created with affected communities, they are more sustainable, long-lasting, and have a greater potential to produce greater human rights outcomes.

Engaging with rights holders is an ongoing process, not a one-off event,<sup>3</sup> and as such it requires sustained interaction. Engaging with communities must be about more than conveying information or receiving feedback, it should be a dialogue, a two-way exchange between two parties<sup>4</sup> that can allow relationships to be fostered and a foundation of trust to be built.

Meaningful engagement requires co-creating solutions with affected communities from the very beginning of the decision-making process. This is impossible if government officials have already begun to explore the feasibility of certain solutions prior to engaging with the public. What is needed is a process whereby affected groups and government can co-develop long-term solutions focused on repairing and -where necessary- dismantling laws, policies, and practices that are discriminatory and further disadvantage already vulnerable groups.

With respect to Indigenous peoples, the application of the right to housing must be consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and thus must integrate the right to self-determination and the principle of free, prior, and informed consent. This means that all government engagement with Indigenous Peoples must be guided by the obligation to respect, protect, and fulfil their distinct rights as outlined in the UNDRIP. Indigenous Peoples have the right to play an active role in the creation and any decision-making around housing programs that affect them. In fact, Article 18 of the UNDRIP mandates that “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.” As such,<sup>5</sup> wherever possible, regarding municipal housing strategies and plans to address homelessness and housing needs, local governments must transfer decision-making power and resources to Indigenous Peoples. Furthermore, the UNDRIP also demands that governments “consult and cooperate in good faith with Indigenous peoples to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them”.<sup>6</sup>

In developing a rights-based strategy to address encampments it is essential to center Indigenous knowledge in the planning process. Too often, Indigenous peoples are relegated to serving as 'stakeholders' in planning processes that dictate land use, despite their inherent rights to the land. Moving towards reconciliation with Indigenous peoples and communities requires acknowledging that Western policy planning frameworks are inherently colonial. These frameworks are often regarded as singularly capable of ensuring positive outcomes, ultimately dismissing the valuable knowledge, wisdom, and extensive planning experience of diverse communities.<sup>7</sup>

Local governments must recognize and rectify significant mistakes when engaging Indigenous peoples in planning processes. Firstly, they often expect Indigenous communities to participate within a system that historically dispossessed them of their land, displaced them from their communities, and eroded their language, culture, and identity. This approach perpetuates a cycle of mistrust and disrespect. Secondly, local governments frequently assume Indigenous peoples need guidance in planning processes, disregarding the fact that these communities possess longstanding traditional planning methods that span generations and territories. These methods should be acknowledged, respected, and integrated into planning efforts moving forward.<sup>8</sup>

In the field of planning, community engagement and collaboration are frequently viewed as necessary steps to reach specific, predetermined outcomes. However, it is essential to recognize that genuine engagement and collaboration among communities should be valued as an end goal in themselves. Recognizing the expertise that other communities possess through intercultural collaboration can allow for the development of more inclusive and holistic policies that better reflect diverse needs.

Committing to the progressive realization of housing as a human right requires prioritizing rights-based participation and recognizing the vital role that rights holders must play in the decision-making process. This also means integrating Indigenous knowledge and planning practices into municipal planning frameworks, which can create more equitable outcomes, build stronger relationships with diverse communities and ultimately lead to more meaningful and sustainable solutions.

# MEANINGFUL ENGAGEMENT

## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

### Develop a formal community engagement agreement with encampment residents<sup>17</sup> that:

- Details when and how encampment residents will be engaged
- Is ongoing and responsive to the needs of the residents

Those experiencing homelessness and their advocates lack trust in city authorities and at times question their intentions.

### Develop municipal government infrastructure that embeds the meaningful participation of people with lived expertise into all policy development relevant to housing and homelessness

- Such mechanisms should be co-developed with these experts, based on rights-based principles of participation, and be equitably and permanently funded

People with lived expertise are not perceived as experts, and those who advocate on their behalf are perceived as political.

## Tips for Overcoming Roadblocks

- Effective collaboration between local authorities, unhoused residents and their advocates requires transparent dialogue, and necessitates that local governments demonstrate a consistent and genuine commitment to addressing homelessness in a way that prioritizes the well-being and rights of those experiencing homelessness and moves away from the use of law-enforcement mechanisms. Making such explicit commitments will allow for the building of trust that has been corroded over the past few years.
- The role of people with lived expertise should be expanded - beyond service recipients and objects of policymaking- across various capacities within organizations responsible for research, policy formation, and service delivery.



## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

Reduce the reliance on policing in encampment responses and prioritize non-enforcement interventions. Foster a collective understanding of distinguishing between actual violence or safety concerns and perceived ones within the context of encampments.

Law enforcement and by-law regulations are some of the primary tools that municipalities have at their disposal to address encampments

Housed neighbours and businesses often resort to calling 9-1-1 when they encounter someone experiencing homelessness, particularly if they appear to be dealing with mental health or addiction issues.

Prioritize training and supporting municipal staff to understand the human right to housing, their obligations as public employees, and how it should impact their work.

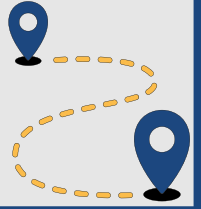
The nature of their job puts staff in direct contact with vulnerable communities despite not having the proper trauma-informed and human rights training needed to effectively engage with these communities.

Local governments also lack sufficient understanding of the right to housing and the obligations it creates for municipal staff across departments.

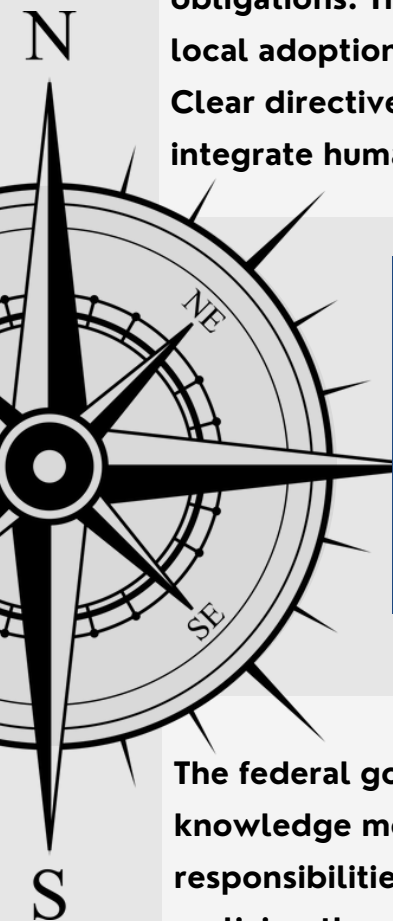
## Tips for Overcoming Roadblocks

- There should be a clear separation between enforcement and the provision of support and services.
- Establish specialized teams within by-law departments -composed of non-law enforcement personnel such as social and peer support workers- trained to address encampments without enforcement. Such teams should prioritize safety and health concerns sensitively and respond to community complaints supportively.
- Having a dedicated hotline for reporting safety and health issues in encampments that are staffed by trauma-informed professionals is a way of offering compassionate support and avoiding escalating situations through law enforcement.
- Engage a human rights organization or commission to spearhead training and educational initiatives that possess specialized expertise in human rights, a profound understanding of Canadian housing policies, and considerable expertise on the homelessness crisis.

# WHAT SUPPORT IS NEEDED TO IMPLEMENT LOCAL RIGHTS-BASED APPROACHES?



The federal government must ensure all levels of government uphold human rights obligations. This includes holding provincial governments accountable for guiding local adoption of a human rights approach to homelessness and encampments. Clear directives from higher levels are crucial for enhancing local capacity to integrate human rights standards effectively.



## **If higher orders of government fail to provide the necessary support:**


Local governments should commit to a human rights approach, and publicly declare that this commitment is a direct response to the federal government's pledge to progressively realize the right to housing. They can then advocate for the resources needed to meet obligations, urging the federal government to fulfill its commitments under the NHSA.

The federal government should conduct a comprehensive public awareness and knowledge mobilization campaign on the NHSA and should clarify the responsibilities and obligations of each level of government in progressively realizing the right to adequate housing.

## **If higher orders of government fail to provide the necessary support:**

Local governments should uphold their human rights obligations by adopting a human rights approach to addressing homelessness and encampments. This includes leveraging the expertise of credible human rights organizations specializing in housing and homelessness. Municipalities should actively seek guidance and utilize resources from these organizations to educate staff effectively and develop local strategies aligned with human rights principles.

## STEP 2:



Ensure to the  
greatest extent  
possible that  
encampments meet  
the basic needs of  
those living there



# Ensure to the greatest extent possible that encampments meet the basic needs of those living there

While recognizing that encampments are not a solution to homelessness and that -because they fall far below human rights standards- the right to housing does not mean that encampments are permitted to exist in perpetuity, it's also critical to emphasize that local governments still have an immediate obligation to address the conditions within encampments. Governments have a responsibility to ensure that those living in encampments have access to basic services – the things necessary for survival- such as clean drinking water and sanitization facilities while alternative housing options, that are acceptable to them, are being negotiated. Unsheltered homelessness and encampments are contentious and fraught issues that are upsetting to many communities and businesses. Much of this is a direct result of encampments being left in a state of abandonment. Long-term housing is the key to ensuring equitable access to the right to housing, however, in the interim, strategies need to be in place to protect those who are sheltering outdoors while alternative housing options that are acceptable to them are being negotiated and secured. To adequately respond to the needs of the most vulnerable, an interim plan should be developed, which must be guided and informed by lived experts who are best positioned to identify their immediate needs and what resources need to be procured to better protect and fulfill their human rights and guarantee their dignity. Addressing encampment conditions, while more permanent solutions are secured, could allow for greater co-existence with the broader community, thereby providing stability and security for encampment residents, and easing tensions and concerns amongst neighbours and businesses.

Encampment residents should not have to abandon the homes and communities they have established to have access to the variety of health and social services they require. In many cases, encampments are constructed adjacent or near to essential supports and services that are easy to access. Rather than taking residents out of their communities that are well serviced, and disconnecting them from the contacts they have made with outreach workers, housing service providers and more, it is more strategic to ensure access to a range of services such as (ID replacement, health services including access to medications and treatments, and housing services and support). Cities worldwide are increasingly embracing the concept of 15-minute cities, where every resident's daily needs are conveniently reachable within a short 15-minute journey. This urban planning approach impacts various facets such as transportation, urban design, land use planning, mixed-use development, and policymaking, aiming to enhance accessibility and mobility for all residents, taking into account their diverse needs. However, it is crucial to note that this inclusive framing often overlooks the city's most vulnerable populations, who already struggle with limited access to essential resources.

As we envision and plan for the future of our cities, it is imperative to ensure that every planning initiative considers and accommodates the needs of all residents, particularly those who are marginalized and in greatest need.

## BASIC SERVICES

### Where We Want to Go

**While adequate housing options are being negotiated and secured, ensure encampment residents are provided with the following:**

- 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
- 5) social supports and services, and guarantee of personal safety of residents
- 6) facilities and resources to support food safety
- 7) resources to support harm reduction
- 8) rodent and pest prevention

### What Local Governments See as Roadblocks to Getting There

Local governments often lack the resources needed to provide essential services to encampment residents, often relying on provincial funding for support.

Additionally, they depend on third-party service providers to manage facilities like washrooms but sometimes encounter refusals to serve homeless individuals.

There is also a fear among local governments that providing such services may inadvertently perpetuate the existence of encampments or provide a message to the wider public that encampments are a permanent fixture.

### Tips for Overcoming Roadblocks

- Resources allocated to finance law enforcement intervention in and around issues of homelessness could be better used to support those sheltering in tent communities and ensure better access to fundamental human rights
- Improved outcomes are achievable when local governments employ resources to address the hierarchy of needs of those experiencing homelessness, starting with addressing the immediate needs by providing access to basic services that are critical to survival. Once those needs are met, steps can be made to address psychosocial factors and conditions associated with homelessness, eventually moving towards the end goal of providing long-term housing solutions

## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

**Develop an encampment safety protocol in collaboration and through mediation with encampment residents, relevant personnel from fire departments, emergency responders, law enforcement, healthcare providers, and outreach workers**

- This protocol should outline under what circumstances police and security personnel should be called into the encampment community and by whom and should take into consideration relevant power imbalances <sup>18</sup>

Aligning all stakeholders on how to address safety and health issues within encampments can be challenging, particularly if they hold fundamentally different views on the matter.

Additionally, encampment residents, especially those with traumatic experiences involving service providers and city authorities, may harbour deep distrust and feel unsafe participating in such discussions.

**Encampment residents should have access to essential social and health services directly within the encampment, including:**

- Assistance with replacing various forms of identification
- Provision of health services and support
- Access to addiction treatment and support programs
- Provision of necessary medications and treatments
- Provision of housing services and support

Encampments may expand if they consistently receive mobile support from service providers, attracting more homeless individuals seeking help and support to those locations.

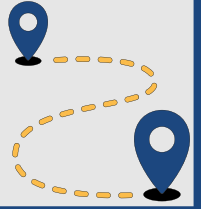
There is a fear that when encampments grow bigger they become more unmanageable and can pose a threat to both the residents within the encampment and the surrounding communities and businesses.

## Tips for Overcoming Roadblocks

- Local governments should make it clear through laws, policies, plans and strategies concerning homeless encampments that it has committed to taking a human rights approach and place expectations on other local authorities to respect and abide by this commitment.
- Local governments should make every effort to ensure the engagement process is accessible to affected communities. This includes creating an environment where diverse groups feel safe to participate and express themselves freely without being fearful of intimidation and or retribution.
- It should be deemed as a success rather than a failure if unhoused populations are gravitating towards an encampment to receive access to vital services. This signifies that the current plan is effective, facilitating more individuals to transition from homelessness—where access to basic needs is limited or nonexistent—to a situation where their immediate needs can be met.
- Work with the established community to ensure that newcomers understand the culture of the encampment they are coming into.



# WHAT SUPPORT IS NEEDED TO IMPLEMENT LOCAL RIGHTS-BASED APPROACHES?



Municipalities need increased support in resources, funding, and coordinated efforts across government levels to ensure residents of encampments have access to essential services. Collaboration among departments, emergency services, housing providers, and outreach teams is crucial for establishing safe systems and facilities (in collaboration with encampment residents). The federal government has a crucial role to play by leveraging funding to enforce a rights-based approach to addressing homelessness, and to compel provinces and municipalities to uphold and protect these rights in accordance with the NHSA.

The recent \$250 million federal investment in rights-based community action plans that commit to a housing-first approach to addressing encampments represents a positive step forward, yet all funding aimed at addressing homelessness and encampments should similarly prioritize rights-centered solutions.



## If higher orders of government fail to provide the necessary support:

Municipalities should prioritize using their resources to directly assist encampment residents. Currently, funds aimed at homelessness often go towards punitive measures like criminalizing behaviors, surveillance, and enforcing encampment by-laws, rather than meeting basic needs. Redirecting these resources would improve safety, health, and trust between residents and authorities, fostering the exploration of sustainable solutions that support encampment residents.

Municipalities urgently need increased support in resources, funding, and coordinated efforts across different orders of government to ensure encampment residents have access to essential social and health services. Simplifying access through coordinated efforts can remove barriers and bring services directly to residents.

## If higher orders of government fail to provide the necessary support:

Municipalities should actively collaborate with supportive agencies and organizations dedicated to addressing homelessness in their communities. Enhancing coordination among these entities is crucial to establish a unified network of care for encampment residents. This approach aims to streamline services and provide more effective support tailored to the diverse needs of unsheltered individuals.

# STEP 3:



Work creatively with  
encampment  
residents toward  
long-term housing  
solutions

# Work creatively with encampment residents toward long-term housing solutions

Local governments need to explore ways to improve procedures and approaches to engaging encampment residents to co-create solutions, including securing alternative housing options. Satisfying the right to housing standards and principles requires working with those living in homelessness to develop housing solutions that meet their diverse needs. Working collaboratively with affected communities on long-term housing solutions can lead to better outcomes.

There are various examples of how local governments worked creatively with those living in homelessness to secure access to fundamental human rights and improve the living conditions for unsheltered populations in the absence of permanent housing options. A prominent example can be found in A Better Tent City, an outdoor living facility in the City of Kitchener that was created as a response to the homelessness crisis across the City. The tiny home community, which is currently situated on property owned by the City of Kitchener and the Waterloo Region District School Board, is equipped with 42 eight-foot by ten cabins that accommodate 50 unhoused residents. What makes this community more innovative and rights-centered than other outdoor shelter communities is the sheer amount of services and amenities made available to the residents. Each cabin in ABTC is equipped with bedding, electricity, heat and plumbing. The site also contains an indoor warming space, garbage, recycling, washrooms, two shower and laundry units,<sup>9</sup> and a community kitchen the size of three school portables.<sup>10</sup> Residents at ABTC also have regular access to a mobile health clinic, harm reduction services for those who use substances, weekly deliveries from the Food Bank of Waterloo Region and an onsite methadone treatment program.<sup>11</sup> To emphasize the community that exists within this tiny home residence, the streets where the homes are situated are paved and marked with street signs.

Similarly, the City of Seattle Washington is home to 9 tiny house villages funded by the City and developed and managed by the Low-Income Housing Institute. The tiny homes are weatherproof, lockable, and have electricity, an overhead light, and a heater. Each tiny house village has kitchen and restroom facilities, onsite showers and laundry, and a counselling office, and also provides the following services: housing resources, employment search, education, help with benefits, daycare, transportation (both local and long-distance) and reunification with families and relatives.<sup>12</sup> These communities act as a supportive village environment where residents can reclaim their dignity and be placed on a path to long-term housing. Residents are also empowered to democratically run their own communities,<sup>13</sup> which challenges the stigmatization that unhoused populations are incapable of articulating and advocating for their own needs.<sup>14</sup> According to LIHI, tiny house villages are more effective than other shelters, exiting a high percentage of users to permanent housing.<sup>15</sup> According to King County Regional Homelessness Authority, between 27% and 65% of tiny house residents eventually move into housing.<sup>16</sup>

Local governments must understand that meaningfully engaging with the unhoused population, recognizing their expertise, respecting and protecting their human rights, are key to developing effective solutions to homelessness.



# WORK CREATIVELY WITH RESIDENTS ON LONG-TERM SOLUTIONS

## Where We Want to Go

Take evictions off the table of options for addressing encampments; cease eviction notices and trespass warnings to eliminate them as looming threats. By doing so, city authorities can engage with encampment residents genuinely, free from any hidden agendas such as closing down the encampments.

## What Local Governments See as Roadblocks to Getting There

Evictions, trespass regulations, and anti-camping by-laws are some of the only competencies municipalities have to address encampments.

When safety and health issues emerge, both the city and police are obligated to intervene to safeguard the well-being of encampment residents and the surrounding community.

City staff are under immense public pressure to remove encampments and restore public parks and other sites for community use and enjoyment

## Tips for Overcoming Roadblocks

- Recognize and treat encampments as communities; This should drastically change the approach employed when responding to health and safety concerns. I.e., when 9-1-1 responds to a call in a traditional single-family housing community it would be unusual for emergency responders to instruct the entire neighbourhood to evacuate their homes, especially when no clear threat exists to other households.
- Conversations around health and safety in encampments are often focused on the perspectives of those who do not live in them; This needs to shift to center the experiences of those living in encampments.
- What the broader public might deem as a threat to health and safety, encampment residents may view as essential characteristics of a community that safeguard rather than pose a risk to their physical, social, and mental health.
- The right to housing for those in greatest need should trump public outcries for access to public parks. Local governments have an obligation to center the needs and experiences of the most vulnerable and marginalized groups that are more likely to experience human rights violations. Limited access to parks, for example, is not a human rights violation.

## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

**City authorities invest efforts in building trust with encampment residents, enabling them to collaborate thoroughly with each individual to identify alternative and long-term accommodations tailored to their unique needs. By removing strict timelines for encampment closures, they can exercise patience throughout the process.**

Municipal governments may face external pressures necessitating the relocation or dismantling of encampments, such as impending land development, proximity to sensitive areas like schools or playgrounds, or safety concerns flagged by police or fire departments.

City authorities are not social workers and thus they may lack the resources, expertise, or time to engage in lengthy discussions with encampment residents before the relocation is agreed upon.

**Recognize that declining a housing alternative doesn't warrant eviction. Being homeless does not diminish the right to choose accommodation that aligns with one's preferences and needs.**

Individual housing needs of encampment residents may not align with the available options provided by the city. Limited resources and constraints on housing alternatives may result in residents declining available options and deciding to remain outdoors.

## Tips for Overcoming Roadblocks

- If relocation is necessary due to eminent safety and health concerns, then local authorities should engage with encampment residents to select another more feasible location that the residents deem acceptable while alternative housing options are being negotiated and secured.
- The housing crisis did not develop overnight, and neither will the solution. Local authorities need to exercise patience and commit to working and engaging with encampment residents for as long as it takes to find alternative housing options that are acceptable to them.
- Unsheltered populations cannot make choices concerning their housing without being provided with options that they deem viable.
- The narrative that living outdoors is a choice must be dismantled. Instead, there needs to be a deeper understanding that homelessness represents the absence of choice—an absence of access to fundamental human rights and recognition as deserving of life, liberty, security, dignity, and autonomy.



## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

**Acknowledgement that addressing immediate needs takes precedence before initiating discussions about relocation.**

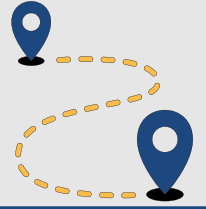
Municipal governments are accountable to various constituents, each with distinct needs. They cannot disregard the concerns of one group to address those of another.

Allowing an encampment to persist without addressing relocation discussions may fail to meet the safety and well-being needs of surrounding neighbourhoods and businesses, potentially causing unease or insecurity due to the encampment's location.

## Tips for Overcoming Roadblocks

- Local governments need to prioritize those in greatest need —those experiencing homelessness.
- Develop a non-enforcement team in collaboration with business associations that responds to local businesses' concerns regarding encampments. This has the potential to enhance communication between businesses and unsheltered residents, thereby minimizing complaints directed towards the city.

# WHAT SUPPORT IS NEEDED TO IMPLEMENT LOCAL RIGHTS-BASED APPROACHES?



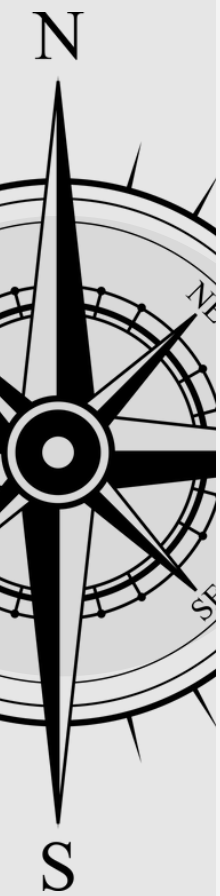
The Government of Canada has committed to reconciliation with Indigenous peoples through building a new relationship with Indigenous communities that is based on a recognition of rights, respect, and partnership. If they seek to uphold this pledge, then there needs to be a concerted effort to encourage all orders of government to adopt approaches to homeless encampments that strive for decolonization and reconciliation. Taking a decolonizing approach to encampments requires recognizing that there are alternative housing forms and types that can better support different communities and is the logical first step towards genuine meaningful engagement with those experiencing homelessness.

Efforts to advance reconciliation also require decolonizing Western worldviews that define housing narrowly in exchange for a more holistic and nuanced conceptualization of a home that integrates Indigenous traditional knowledge and better aligns with diverse communities. The federal government must take the lead on this decolonization work as the nation's colonial structure is a hindrance to recognizing and considering alternative housing options that may better support diverse populations with unique needs and may also be well within the reach of city budgets.

All orders of government must work together to combat stigmas and misconceptions around homelessness, which often lead to the discrimination and dehumanization of unsheltered residents. The federal government must work towards dismantling the perception that those without property forfeit essential rights to life, survival, and dignity. These ideologies must be dismantled both in legislation and practice.

Local governments need to acknowledge that homelessness is not a choice. True choice arises only when there are genuinely suitable options available. Often, individuals experiencing homelessness are offered inadequate alternatives such as shelters or incarceration, none of which meet their needs or provide adequate support. Taking a decolonizing approach to encampments requires recognizing that there are alternative housing forms and types that can better support different communities and is the logical first step towards genuine meaningful engagement with those experiencing homelessness.

Effecting meaningful change requires recognizing that there are key lessons to learn from other communities with different worldviews who have their own planning processes, and finding synergy between those processes is critical to ensure better relationships can be fostered with diverse communities.





# STEP 4:



Prevent  
Homelessness

# Prevent Homelessness

Addressing homeless encampments has become a priority for many municipalities across the country due to the increased visibility of the homelessness crisis. While it is essential to address homelessness immediately and on a priority basis, local governments must also take proactive steps to prevent people from falling into homelessness. Understanding the root causes of housing instability within cities and among different communities is essential for developing effective strategies.

By identifying the primary sources of housing precarity, local governments can implement targeted initiatives that ensure equitable access to housing, particularly for those most in need. This dual approach—combating homelessness while simultaneously preventing it—is pivotal for sustainable solutions. Focusing solely on addressing current homelessness without addressing its underlying causes will only succeed in perpetuating the cycle and leaving vulnerable individuals without adequate support.

A comprehensive approach is necessary, one that acknowledges and addresses the diverse needs of various populations across the housing spectrum. This approach entails not only providing immediate shelter and support services but also implementing long-term strategies to create affordable and stable housing options. By adopting a holistic perspective and engaging with communities to understand their specific challenges and aspirations, governments can develop more inclusive and effective policies that uphold the right to housing for all residents.

# PREVENT HOMELESSNESS

## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

**Municipal governments have a deeper understanding of the primary factors placing individuals at risk of experiencing homelessness.**

Will require significant time and resources to conduct such an assessment. Gathering accurate data from diverse stakeholders involved can also present logistical challenges.

**To guarantee housing affordability for all households irrespective of income, and to ensure that housing costs are commensurate with household income levels.**

Achieving housing affordability demands collaboration across all levels of government; municipal authorities alone lack the capacity and authority to enact comprehensive solutions.

**Cities should conduct audits of their housing landscapes to identify financialized actors in real estate, such as large investment firms or speculative investors; the prevalence of short-term rentals, including those through platforms like Airbnb; and the availability of vacant units or underutilized public assets that could be used for housing.**

Undertaking such an assessment will necessitate substantial time and resources. Gathering accurate data from diverse stakeholders can pose logistical challenges, compounded by potential reluctance from financialized actors to disclose information about their properties.

## Tips for Overcoming Roadblocks

- Hiring a third-party consultant to assist in gathering, analyzing and outlining the data could help ease some of the burden on the municipality.
- Deciphering what the local government has the capacity to do to improve affordability is critical and using the tools and resources available towards this goal is also key.
- Hiring a third-party consultant to assist in gathering, analyzing and outlining the data and engaging with diverse stakeholders could help make the process simpler.

## Where We Want to Go

## What Local Governments See as Roadblocks to Getting There

**Safeguard tenants in the rental market; ensure they have access to affordable and suitable housing while preventing displacement due to escalating costs.**

Landlord and tenant relations fall under the jurisdictional responsibility of provincial governments. Municipal governments lack the authority and capacity to enact significant changes in this domain without support from provincial authorities.

**Implement programs that offer housing support for households facing financial hardship.**

Municipal governments often lack the financial resources required to provide direct financial aid to households facing economic difficulties. Addressing these challenges necessitates support from higher levels of government.

**Stop the flow of people falling into homelessness.**

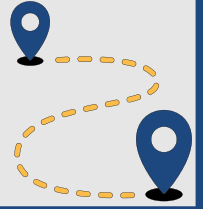
Addressing complex societal issues like housing affordability and homelessness cannot be solely tackled by municipal governments. Instead, it demands a comprehensive, all-of-government approach involving collaboration across various levels of government and sectors

## Tips for Overcoming Roadblocks

- There are actions local governments can take to help protect tenants and their right to housing and lessons to be learned from other cities that have implemented various policies to prevent renovations, ensure tenant protections, and protect affordability.
- The human rights principle of governments using the maximum of available resources to meet their human rights obligations applies in this context; Local governments must use all the resources that they have available or could make available to realize the right to housing. Resources are not limited to money, they are also about investing time, people and capacity.
- Continue to advocate to upper orders of government that inter-jurisdictional cooperation is essential to solving the housing crisis, and that key issues driving homelessness should be addressed. For example: social subsidy rates must match the cost of living.



# WHAT SUPPORT IS NEEDED TO IMPLEMENT LOCAL RIGHTS-BASED APPROACHES?



The provincial government must work in close collaboration with municipalities to identify the primary factors putting people at risk of experiencing homelessness. This partnership should aim to clearly delineate the roles and responsibilities of each level of government, as well as determine the necessary resources and support required to effectively address these factors and prevent homelessness.

Provincial governments should require local governments to regularly assess their housing landscapes. These assessments should evaluate housing supply, vacant land availability, and financial entities in the local housing market. This comprehensive assessment will complement municipalities' housing needs assessments, providing essential data to address local housing needs effectively.

Provincial governments should empower municipalities to manage housing supply by implementing rent and vacancy controls, granting them right of first refusal for properties, and assisting in acquiring vacant buildings. They should also strengthen tenant protections against predatory practices. The federal government must enforce NHTS human rights standards, regulating institutional housing investments to uphold human rights obligations and ensuring robust oversight and accountability.

## **If higher orders of government fail to provide the necessary support:**

Local governments can use their resources and tools to address landlord actions that threaten tenants and their right to housing. This includes enacting policies to prevent repossessions, ensuring tenant protections. These measures can safeguard against displacement from renovations or redevelopment and maintain affordability after renovations. Municipalities like Hamilton have already implemented such policies, serving as a model for others to consider and adopt.

It is imperative that all levels of government collaborate strategically, pooling resources to effectively support households facing housing precarity. Collective efforts are needed to develop comprehensive programs, policies, and laws aimed at addressing housing affordability challenges, preventing homelessness, and ensuring subsidy rates are commensurate with living costs. No single government entity can tackle these complex issues in isolation; instead, a coordinated approach is essential to ensure impactful solutions and meaningful support for vulnerable populations.



# ENDNOTES

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