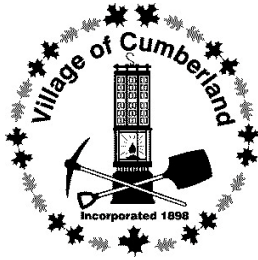


Corporation of the Village of Cumberland

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Homelessness and Affordable Housing Select Committee Agenda February 20, 2019 at 9 am Council Chambers

1. **Approval of Agenda**
2. **Adoption of Minutes**
 - 2.1 November 14, 2018 1
4. **Unfinished Business**
 - 4.1 Homeless Response Protocol
 - Policy 3
 - Parks and Public Open Spaces Regulation Bylaw 6Recommendation THAT the Committee recommend that Council adopt the Policy 10.2 Homeless Response Protocol and Temporary Overnight Shelter provisions in a parks and outdoor spaces bylaw.
5. **New Business**
 - 5.1 Committee conference, education budget: \$500; Homelessness and Housing Congress, Victoria, BC, April 2-4, 2019.
 - 5.2 Reports from Committee members
6. **Upcoming meetings**
 - March 20, 2019 at 9am
7. **Adjournment**



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Homelessness and Affordable Housing Select Committee Minutes November 14, 2018 at 9 am Council Chambers

Members Present:

Roger Albert, Chair
Kathy Duperron, Vice-Chair
Ian Cooper
Bobby Herron
Mark Fortin
Lindsay Monk

Staff:

Rachel Parker, Corporate Officer
Ken Rogers, Manager of Development Services

Regrets: Councillor Jesse Ketler

Mr. Albert called the meeting to order at 9:06 am

1. Approval of Agenda

Duperron/Fortin: That the Committee approve the agenda, with a change in order by switching items 5.1 and 5.2.

Carried

2. Adoption of Minutes

Duperron/Cooper: That the Committee adopt the minutes of July 18, 2018.

Carried

4. Unfinished Business

None

5. New Business

5.2 Council referral: Development Procedures and Fees Bylaw

Discussion took place on the amount of time necessary for not-for-profit organizations to complete build projects, which may be longer, and the need to extend the allowable time of construction under a development permit.

Monk/Fortin: That the Committee recommend THAT Council include reduced or waived fees for development applications under proposed Bylaw No. 1073 from not-for-profit organizations for affordable housing projects, as well as municipal corporations and for-profit applicants committed to long term affordable housing under provincial guidelines; and flexibility in the application process and timelines for affordable housing projects; and THAT Council refer the bylaw back

to the Homelessness and Affordable Housing Committee for further consideration and specific recommendations.

Carried

5.1 Reports from Committee members

Mr. Albert reported that the Cumberland Community Housing Society intends to apply for CMHC seed funding, and is exploring project options.

5.3. Terms of Reference

Discussion took place on the continuation of the Committee as an advisory body to Council. Members discussed recommending additions to the scope of work to include development of an affordable housing strategy and policy, and a commitment to affordable housing, looking at the role of the Village in affordable housing, exploring an affordable housing fund and corporation, review of “rental” in *Local Government Act*, infill zoning, accessory dwelling units, concessions to build small manufactured units, and review and address vacation rentals and enforcement consulting with economic development.

Cooper/Duperron: That the Committee recommend THAT Council amend Policy 1.8, Homelessness and Affordable Housing Select Committee, Terms of Reference, under Scope of Work to add: explore the impact of vacation rentals on affordable housing and advise Council on potential solutions, explore housing fund and corporation, and draft an affordable housing strategy/policy.

Carried

Mr. Fortin, Ms. Monk and Mr. Rogers left the meeting at 10:35 pm.

5.4 Homeless Response Protocol

Members requested information on how bylaw enforcement works with individuals living in vehicles and recreational vehicles.

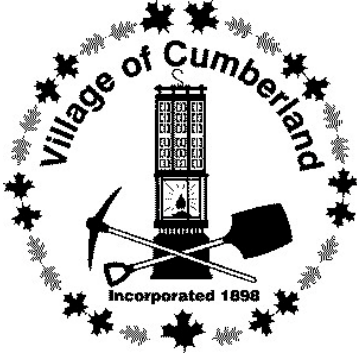
6. Upcoming meetings

Members discussed changing meeting time potentially to Thursday evenings at 7pm, with the next Committee meeting being on December 12, 2018 at 10 am or December 13 at 7pm if the Development Procedures bylaw is referred back to the Committee.

7. Adjournment

The meeting was adjourned at 10:47 am.

COUNCIL POLICY



<p>Title: Homelessness Response Protocol</p> <p>Authority:</p> <p>Adopted Date: February 13, 2019 DRAFT</p> <p>Amended Date:</p>	<p>No. 10.2</p> <p>Section: Community Services</p> <p>Motion No.</p>
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POLICY STATEMENT

The Village of Cumberland acknowledges that there are residents who are homeless, and those who are at risk of becoming homeless. The Village also acknowledges

- a) the cost of living, and/or physical and mental health and addiction issues, among other social problems, make safe, affordable housing unattainable for some individuals;
- b) there are individuals whose personal circumstances preclude conventional housing and shelter solutions;
- c) the rental vacancy rate in the Comox Valley is extremely low at this time; and
- d) social housing is limited and oversubscribed in the Comox Valley at this time.

The Village will

- a) encourage and foster social inclusion and community kindness,
- b) seek to connect individuals with local resources, as appropriate,
- c) seek to prevent homelessness through affordable housing initiatives, and
- d) prioritize the health and safety of all residents.

PURPOSE

The purpose of this policy is to set out response protocols to guide Village of Cumberland staff members when they engage with residents

- a) who are at risk of homelessness, and who live in structures on private property that contravene Village bylaws, or in ways that are considered a risk to health and safety, or
- b) who are homeless and live in public places, or by trespass on private property.

Existing Rights and Legislation

Discrimination

In acting on this policy or its bylaws, the Village will not discriminate against residents based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Fire Safety

Under the *Cumberland Fire Protection Services and Regulation Bylaw*, the Manager of Protective Services has the authority to

- take measures to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spreading of fire; and
- require an owner or occupier of real property to undertake any actions directed by the manager of protective services for the purpose of removing or reducing any thing or condition the Manager of Protective Services considers is a fire hazard or increases the danger of fire.

It is not the intention of this policy to restrict this authority in any way. The protection of public safety remains paramount.

Safe Streets Act

The BC *Safe Streets Act* makes it an offence to aggressively solicit passerby (i.e. cause obstruction, use abusive language, following a person, repeatedly asking for money etc.) or to solicit to “captive audiences”, for example, on buses, to people waiting for a bus, getting in or out of a car or on or off of a bicycle or near ATMs.

Pets

The *Animal Control Bylaw* applies regarding aggressive dogs and animals at large.

Parking

The *Streets and Traffic Bylaw* applies regarding parking motor vehicles, including recreational vehicles, trailers, and overnight parking.

Parks

The *Parks Regulation Bylaw* applies regarding Park use, including conduct, pollution, damage and other prohibited uses.

Policy

1. Staff will
 - (a) communicate respectfully with individuals and groups,
 - (b) seek voluntary compliance with these guidelines and Village bylaws,
 - (c) document attempts at compliance and resources used to manage ongoing issues,

- (d) enforce Village bylaws and the Village may seek legal remedies, if staff considers that the health, safety and protection of persons and property is at risk,
- (e) not use aggressive displacement tactics nor intentionally damage any personal property,
- (f) attempt to notify the owner of any impounded chattel or personal property and provide a reasonable opportunity of up to seven days to recover that property, other than perishable items, before it is considered for disposal, and
- (g) provide individuals with information about local resources, where appropriate, such as a copy of the most recent version of the Comox Valley Resource Guide.

Temporary Overnight Accommodation in Public Spaces

- 2. The Village will not consider overnight sleeping on sidewalks to be an obstruction or impediment to travel, provided that individuals use only a sleeping bag and tarp, do not block the path of travel on the sidewalk, and do not exceed two sleepers in one location.
- 3. Despite the Bylaw Enforcement Policy, the enforcement of parking regulations for vehicles providing temporary overnight shelter and parked overnight on highways will take place on a complaint basis.
- 4. Staff will use the regulations set out in a parks regulation bylaw as a guideline for temporary **overnight** shelters and temporary shelter camps in public spaces or Village property other than parks.

Unlawful Residence on Private Property

- 5. Enforcement of regulations regarding unlawful residential structures and unlawful residence in vehicles on private property will take place on a complaint basis as set out in the Bylaw Enforcement Policy.
- 6. Tenants and property owners will be notified of any health and safety concerns and given 30 days notice that an unlawful occupancy must cease.

Trespass on Private Property

- 6. The Village does not have the authority to regulate or respond to trespass on private property.
- 7. If the Village receives a complaint about trespass on private property, staff will
 - (a) request that the property owner first try to resolve the issue by speaking with the trespasser unless there is a valid reason for not doing so, and
 - (b) advise the property owner to contact the RCMP if the issue cannot otherwise be resolved.

Camping

7. No person shall use a park for the purpose of holiday camping, tenting, or overnight accommodation except in designated campgrounds or by permission of the Village under an agreement or a park use permit.

Temporary Overnight Shelters

- x. In this bylaw,

“homeless person” means a person who has neither a fixed address, no access to public shelter facilities, nor a predictable safe residence to return to on a daily basis;

“prohibited area” means an area

- (a) within 40 metres of any recreational or cultural facility or amenity, including, but not limited to, a playground, water park, bike park, skatepark, tennis court, basketball court, horseshoe pitch, a sports field and related amenities, an area of cultural or historical value, washroom, ornamental garden, picnic shelter, picnic table, solid waste receptacle, bench,
- (b) within 40 metres of an area that is in use under a park use permit,
- (c) within 40 metres of private property,
- (d) within 10 metres of an established trail, walkway, sidewalk, roadway, parking area, watercourse, stream or other body of water, or
- (e) established as a sensitive area to protect sensitive habitat and ecosystems or the Village’s drinking water supply.

“temporary overnight shelter” means a structure, improvement or overhead shelter, including a tent, lean-to or other form over overhead shelter constructed from a tarpaulin, plastic, cardboard or other rigid or non-rigid material to allow persons relief from the elements during periods or rest.

12. A homeless person may erect, occupy, and use a temporary overnight shelter

- (a) in an area in a park that is not a prohibited area, provided that the person complies with all other provisions of this bylaw, and

- (b) during the following hours:

- i) between the hours of 9pm on one day until 7am on the following day from March 1 to October 31;
- ii) between the hours of 6pm on one day until 8am on the following day from November 1 to February 29,

- x. No person shall erect, occupy and use a temporary overnight shelter

- (a) that covers an area greater than 10m² (107ft²),

- (b) in, on, within, or attached to any prohibited area,

- (c) in a way that damages or alter fencing, trees, shrubs, flowers, plantings, benches, or other equipment or infrastructure in a park.
- x. For the purposes of fire prevention and safety,
 - (a) portable propane stoves, barbecues and heating devices, and candles must be located at least 3 metres away from any combustible material or temporary overnight shelter, and
 - (b) there must be at least one metre of clear access between temporary overnight shelters.
- x. All persons erecting, occupying, or using a temporary overnight shelter in a park must remove the temporary overnight shelter and all possessions, wastes, and other incidental materials associated with the temporary overnight shelter from the park at any time other than the permitted times.
- x. Any temporary overnight shelter in a park that is found
 - (a) in, on, within, or attached to any prohibited area,
 - (b) during times not authorized by this bylaw, or
 - (c) greater than the permitted size authorized by this bylawshall be unlawful and subject to enforcement and removal, including the removal of any possession, waste, and other incidental materials, in, at or near the erection, occupancy, or use of the temporary overnight shelter.
- x. All persons using temporary shelter in a park must comply with all other provisions of this bylaw and any other applicable bylaws and Provincial or Federal regulations.