



March 8, 2019

MEMO TO : Park Board Commissioners

FROM : Malcolm Bromley
General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Oppenheimer Park Encampments and Support Services**

Dear Commissioners,

The purpose of this memo is to provide you with background information on Oppenheimer Park in preparation for your consideration of the Motion on Notice that is on the Regular Board meeting agenda for March 11, 2019.

Background

Oppenheimer Park is bounded by Jackson Avenue, Dunlevy Avenue, Powell Street, and East Cordova Street in the Downtown Eastside of Vancouver (DTES). The park was upgraded in 2010 and its facilities include a softball field, a sports court with basketball hoop, a children's playground, accessible walkways, a new fieldhouse and washrooms, patio spaces, picnic and seating areas. The nearby Carnegie Community Centre offers accessible social, cultural, educational, and recreational programs from the park's fieldhouse, as well as core essential services such as public bathrooms, harm reduction responses, referrals, and free nutritious food.

Encampments

Municipal by-laws prohibit camping by making it illegal to erect tents and structures on City and Park Board lands. These by-laws can be enforced in three ways: 1) by removing the tents and structures; 2) by issuing violation tickets; or 3) by seeking an injunction.

In the summer of 2014, homeless campers began to assemble large tent encampments in Oppenheimer Park. On September 25, 2014, the Vancouver Park Board took the matter to court after neither an eviction notice nor two orders from the Fire Chief to remove safety hazards persuaded campers to vacate the park. A Supreme Court injunction ruled that approximately 200 makeshift shelters must come down or City workers may proceed with their dismantling.

Despite the injunction, year round homeless encampments have continued to dominate the park as the homeless population in the DTES continues to grow. As recently as February 21, 2019, staff counted 48 tents and estimated that approximately 72 people from the encampment were using the park during the day and 40 people were staying in the park overnight. An extended period of cold weather in early 2019 has created significant challenges for those living in the outdoors, underscoring the need for sufficient shelters including warming centres.

Winter Response Strategy

Extreme Weather Response is the legislated responsibility of the Province of British Columbia as laid out in the Assistance to Shelter Act. Each year, the City of Vancouver and BC Housing partner to open temporary shelters so people experiencing homelessness can find the support



they need. Based on the City and BC Housing Winter Response Strategy, there are three types of shelter responses when the weather gets cold:

1. Temporary Winter Shelters

- 298 beds are available from November until March 31 across 10 locations in Vancouver, funded by the BC Government and the City of Vancouver;
- All temporary shelters are open every night throughout the winter;
- On March 4, 2019, the Ministry of Municipal Affairs and Housing announced \$3.1M in funding to keep nearly 240 temporary shelter beds in Vancouver open for the next 12 months.

2. Extreme Weather Response (EWR) Shelters

- An additional 100 shelter beds are opened when EWR alerts are issued by the Homelessness Services Association of BC (HSABC);
- Criteria for activating an extreme weather alert in Vancouver include:
 - Temperatures near zero with rainfall that makes it difficult or impossible for those experiencing homelessness to remain dry;
 - Sleet or freezing rain, snow accumulation, or sustained high winds;
 - Temperatures at or below 0°C, or "feels like" 0°C with wind chill;
 - Rainfall of at least 50mm in a 24-hour period.

3. Warming Centres

- The City activates warming centres in extreme cold weather as a life-saving measure when the temperature reaches -5°C or below (or it feels like -5°C or below);
- Warming centres include community centres and other public buildings;
- While they are not set-up with beds or mats, warming centres provide a safe, warm space for people, their pets, and their belongings.

Current Shelters and Warming Centre Activations

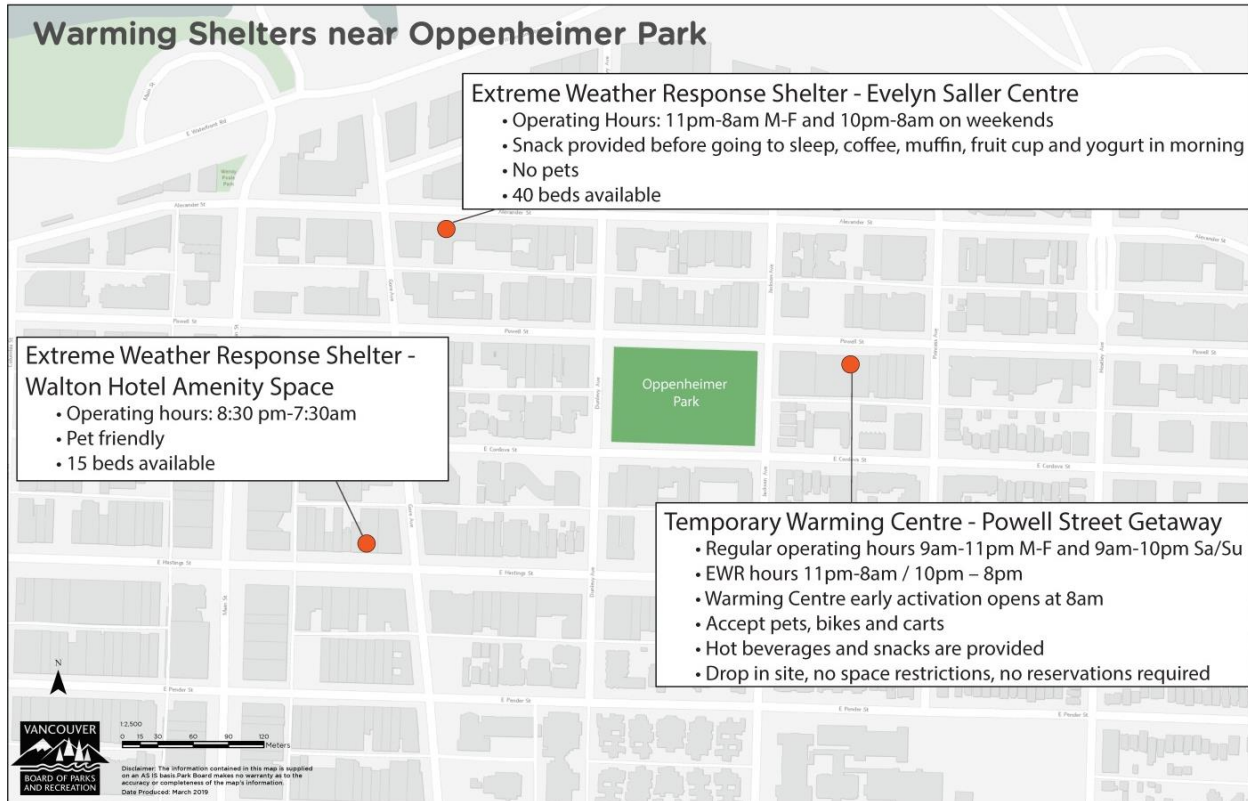
Due to the recent cold conditions that "feels like temperatures at or below 0°C", an EWR alert is currently in effect through March 10th at the following locations: First Baptist Church, Directions Youth Services Centre, Evelyn Saller Centre, the Salvation Army Belkin House, and the Walton Hotel Amenity Space.

Due to the "feels like temperatures at or below -5°C" weather conditions, warming centre activations have been extended from March 6th through 10th at the following locations: Powell Street Getaway, Britannia Community Centre, and Vancouver Public Library.

The EWR alert is re-evaluated on an ongoing basis and extended as needed. For reference, the shelters have been activated on various nights since December 2018, and the current activation through to March 10th has been in effect since February 3, 2019. As identified on the map in Figure 1, the shelters in close proximity to Oppenheimer Park include: the Powell Street

Getaway (528 Powell Street); the Walton Hotel Amenity Space (261-B East Hastings St); and the Evelyne Saller Centre (320 Alexander St).

Figure1: Warming Shelters in Proximity to Oppenheimer Park.



Warming Tent Considerations

The following information should be considered when evaluating the activation of a warming tent at Oppenheimer Park.

Jurisdiction and Roles & Responsibilities

The Park Board General Manager or designate has the discretion to direct that one or more assets under the jurisdiction of the Vancouver Board of Parks and Recreation be made available for use as extreme weather response centres in an emergency capacity, and only after all shelters and Community Services options are at capacity.

A number of City departments, government agencies, and community service programs work in collaboration and should be engaged in any discussions regarding a warming tent at Oppenheimer Park for those affected by homelessness. This would include:

- City Manager's Office; Arts, Culture & Community Services (ACCS) departments including Housing Policy & Projects, and Non-Market Housing & Social Operations; Park Operations; Recreation Services; Engineering Street Operations; Vancouver Fire & Rescue Services (VFRS); Vancouver Police Services (VPS); BC Housing; Vancouver Coastal Health; and the Homelessness Services Association of BC (HSABC).



Current Practices and Services

- The BC Supreme Court has ruled in other jurisdictions to allow for temporary shelters to be erected in parks and public spaces overnight between 7pm – 9am if adequate shelter is not available.
- Every day outreach teams and park staff visit people sleeping in parks; they work hard to help those sleeping outside get into warming centres and shelters.
- The City has a warming centre open at Powell Street Getaway, less than one block from Oppenheimer Park, that is open 8am–5pm seven days a week with space for everyone who wants to come inside; pets and carts are welcome; outreach staff encourage people sleeping in the park to go to this centre on particularly cold days.
- EWR shelters are open overnight at the Walton Hotel (run by Lookout) and the Evelyne Saller Centre; the Walton Hotel shelter has up to 20 spaces, is pet-friendly, and is open from 8:30pm to 7:30am; the Evelyne Saller Centre shelter has up to 40 beds available, offers snacks, and is open from 11pm to 8am Monday to Friday, and 10pm to 8am on weekends.
- Three of the City's community centres (Gathering Place, Carnegie, and Evelyne Saller), which provide vital services such as hot meals and showers, have extended their hours to open earlier at 8am daily when warming centres are activated to ensure there is somewhere to come inside when shelters and warming centres close in the morning.
- In addition to the regular programming offered through the Oppenheimer fieldhouse, staffing levels at the park have been increased to provide additional resources to support engagement with people camping in the park, including provision of harm reduction and health promotion services, assistance and referrals for health and income resources, as well as increased oversight of and response to issues arising in the park.
- ACCS staff are in active and productive discussions with BC Housing to provide additional capacity on a more long-term basis, which is reflected in the \$3.1M in additional funding provided on March 4, 2019.

Operational, Safety and Financial Considerations

- Oppenheimer Park is a challenging environment in which to ensure a safe, engaging community space; the addition of a warming tent would require significant staff resources, security, peer workers, and VPD support to ensure safety for community members, people camping in the park, and staff.
- There are significant health and safety concerns with opening the current washrooms overnight; it would require 24/7 staff, security & peer monitoring, and VPD support due to risk of violence, criminal activity, and potential harm to park patrons and assets.
- Additional funding from Park Board for cleaning, janitorial, and maintenance would be required.
- A detailed risk analysis would be needed to thoroughly assess the justification, requirements, risks, and financial implications of this initiative.
- ACCS is currently funding and operating a warming centre with sufficient capacity in close proximity to Oppenheimer; the justification for adding another warming shelter in



close proximity, including financial and operational implications, would require relevant approval from the City of Vancouver and /or the Park Board.

In summary, the City is committed to providing space for anyone sleeping outdoors to come inside during the extremely cold weather facing Vancouver. The City has a warming centre open at Powell Street Getaway (less than one block from Oppenheimer Park) that is open from 8am-5pm seven days a week with space for everyone who wants to come inside. In addition, there are two overnight EWR shelters with a total of 60 beds in close proximity. The current EWR alerts and warming centre activations are effective through March 10th and will be re-evaluated on an ongoing basis and extended as needed.

Regards,

A handwritten signature in black ink that reads "Malcolm Bromley". The signature is written in a cursive, flowing style.

Malcolm Bromley
General Manager - Vancouver Board of Parks and Recreation

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Copy to: PB Senior Leadership Team
PB Communications