



CRAB Park

October 23, 2024

Dear Intended User of the GM Temporary Daytime Sheltering Area,

The General Manager of the Vancouver Board of Parks and Recreation (“General Manager”) has made the decision to bring the Temporary Designated Area of CRAB Park (“Designated Area”) to a permanent close. The authority to make this decision is at the sole discretion of the General Manager as outlined in the Parks Control By-law. Closure of the Designated Area will mean that daytime sheltering will no longer be permitted as of the closure date.

Attached to this letter you will find a document titled “CRAB Park Temporary Designated Area: Closure Plan” (the “Closure Plan”). This is a draft document available for your review, and feedback. We are looking for your cooperation in reviewing the Closure Plan and providing your feedback for consideration by staff prior to finalizing the plan. Your feedback is an important part of this process.

Staff are working towards an intended closure date of November 7, 2024.

The Director of Parks and/or designated staff will be reaching out to you individually over the next few days to gather your feedback. Should you wish to share your feedback in writing or other manner, please let the staff teams know these preferences; we are happy to help accommodate. We must receive feedback by October 29, 2024 at 5pm. After this consultation and feedback period we will provide a final closure plan document, which will articulate the timeline for closing the Designated Area; the anticipated date to provide this final plan is October 31, 2024.

Our team and other service providers are working hard to find housing and shelter options. We are committed to supporting each person in identifying the help they need during and after the closure. The City’s Outreach teams will continue to visit the park during the consultation phase, and through to the final closure. We encourage you to engage with these teams to discuss your specific needs.

Upon the closure of the Designated Area, your ability to shelter in CRAB Park will be restricted to overnight sheltering as outlined in the Parks Control By-law.

Thank you for your cooperation,

A handwritten signature in black ink, appearing to be "SJ" followed by a long horizontal flourish.

Steve Jackson
General Manager
Vancouver Board of Parks and Recreation

Important Information for People Sheltering in the CRAB Park Temporary Designated Area

The purpose of this document is to provide key information contained within the Draft Closure Plan relevant to the individuals remaining in the Designated Area.

We encourage you to review the full Draft Closure Plan, but do believe the important points are provided below. Staff are able to assist in walking through all documents should you need.

What you need to know:

- The General Manager (GM) of Vancouver Park Board has made the decision to permanently close the temporary daytime shelter area in CRAB Park. This will mean that you won't be allowed to keep your tent up during the day after the closure date.
- The General Manager wants your feedback on what you may need in supports to move out of the Daytime Shelter Area.
- **Please give your feedback by 5:00pm Tuesday, October 29, 2024.**
- You can give feedback in person to any Parks or City staff member working in the park.
- Feedback received after October 29, 5:00pm may not be considered.

The GM wants your feedback on the planned closure:

- The Park Staff along with Rangers will be in the park every day to connect with you. Speak to them and give them your feedback.
- Let them know what support you need to pack up, how long you will need to pack up and any other feedback.
- Inform staff of any storage supports you may need

What happens with my feedback?

- The GM will use your feedback to finalize the plan and make best efforts to support your needs through the process/transition.
- Your feedback will also be used to help support any transition to shelter/housing options you may be provided with.

How do I get help to access shelter and housing?

- Carnegie Outreach, and other service providers will continue to be in the park to work with you to help you find places to stay

Important dates:

- The final plan will be ready by October 31, 2024, and the daytime area will close on November 7, 2024.

CRAB Park Temporary Designated Area: Closure Plan

Consultation Draft: October 23-29, 2024

POLICY AND PUBLIC SERVICE CONTEXT

Public parks play a critical role for the health and well-being of the whole community and are particularly important in park deficient neighbourhoods like the DTES. As our city continues to grow and densify, people rely on parks for their access to nature and green spaces.

The Vancouver Board of Parks and Recreation's Parks Control By-Law seeks to provide a balanced approach to managing use of limited park spaces across the city. Recognizing the homelessness crisis, the By-law allows for residents without housing to set up temporary shelters from dusk to 8:00am, so long as tents and structures are dismantled and moved by 8:00am. By allowing overnight sheltering with daytime structure removal, the By-law attempts to provide a balanced approach to managing the city's limited and highly valued public green spaces for the benefit of all Vancouver residents.

BACKGROUND: CRAB PARK DESIGNATED AREA

Following *Bamberger v. Vancouver (Board of Parks and Recreation)*, 2022 BCSC 49, the General Manager ("GM"), pursuant to Section 11 of the Parks Control By-law, used their discretion to establish a temporary area in CRAB Park where structures could stay up during the daytime ("Designated Area" or "DA").

This was not required by the Court and was implemented on a discretionary basis. Specific Information from the GM Notice: April 6, 2022

Effective April 7, 2022 (Excerpt)

"The General Manager of the Vancouver Board of Parks and Recreation designates the northwest point of CRAB Park at Portside (shaded orange in below map) as an area acceptable for temporary daytime shelter."

"This level area has been identified as sufficiently large to accommodate the allowable 9 square metres (3m x 3m) for one tent per individual who is currently camping on the slope."

By April 2024, a significant and costly clean-up operation was required due to ongoing non-compliance with posted operational and safety rules and guidelines. Following the temporary relocation to accommodate the clean-up, the GM re-established the Temporary Designated Area with fresh gravel for better drainage, new, sturdy and spacious tents, canopies/tent covers, sleeping bags, and cots for each returning intended users, as well as two large canopies to create a communal cooking area (with food storage and cooking supplies) and a sheltered gathering area with chairs and table. The following summary provides key points but is not comprehensive; full information is provided in the Confirmed Plan (March 18, 2024) and the subsequent GM orders.

- To ensure the DA did not grow beyond its original focused, temporary intent, the GM confirmed who the intended users of the Designated Area were and focused planning on this group.
- The clearly stated goal of the March 18, 2024, Confirmed Plan ("Confirmed Plan") was to bring the DA to a close and bring everyone inside into housing and shelter (p 31/47). The City's Homelessness Services team ("Outreach Team") would continue to work with BC Housing and other public and community partners to identify housing and shelter offers for intended users.
- When the DA re-opened, detailed updated requirements were posted to inform intended users of their obligations under the GMs Order. These requirements were designed to ensure that the DA would remain clean, more hygienic, and safe.

- In the Confirmed Plan and the GM order re-establishing the DA, the GM stated: Should conditions in the Designated Area deteriorate to the point of non-compliance with the Parks Control By-law or something happens that is a public safety or health concern as determined by the GM, the GM may withdraw this Notice and close the Designated Area.
- Since the re-opening of the DA, Park Board staff have not seen compliance with the requirements: significant amounts of prohibited materials are brought into the DA on a daily basis and some users are regularly setting fires. It has taken significant staff effort and expense to maintain the DA.
- In July 2024, to ensure that all intended users understood the importance of following the posted requirements and the potential consequences of not adhering to them, the Park Board developed a progressive warning system to try to assist intended users in understanding the importance of compliance with the requirements. This process is similar to the process used in Park Board Recreation facilities and City Social Service Centres that restrict users access or result in other consequences for not following posted rules. The implementation of this system for the DA did not result in improved compliance amongst intended users.
- In September, representatives for the intended users provided feedback to the GM that the Park Board staff were too heavy handed in their work to achieve compliance with the By-law and GM order requirements.
- As a result, and after communicating with the intended users, Park Rangers stepped back from daily compliance and cleaning work, with the exception of maintaining the number of sheltering spaces. However, the GM was clear that the area must be maintained as per the requirements. If the people using the DA could not maintain the DA to the same level of cleanliness and free of garbage and debris as was maintained by the Park Board staff, then the site would be out of compliance and the GM would order the site to close.

With the re-opening of the Designated Area on April 4, 2024, there were 27 intended users and four non-intended users. Since then, 17 people have been supported to move into housing and seven people left the Designated Area. As of October 19, there are seven people remaining in the Designated Area: six individuals, with one of them sharing their tent with a co-occupant.

CLOSURE OF THE DESIGNATED AREA

The General Manager of the Park Board – supported by the City – has determined that it is time to bring the Designated Area to a close for the following reasons:

1. Housing and Shelter Offers:

The City has a long-standing opposition to the notion that individuals living in encampments should be prioritized for housing over other people who are homeless across the city but have chosen to not be in encampments due to safety or other reasons or who have accepted shelter or are awaiting housing. While we recognize that the existing emergency shelter system may not meet the needs of all individuals/groups who are unhoused, such prioritization generally is neither appropriate nor fair.

As part of its work to support people experiencing homelessness and to support bringing CRAB Park to a close, the City's Homelessness Services Outreach Team ("Outreach Team") has been working intensely with people in the Designated Area. In their work, which is separate from the

Park Board’s Designated Area compliance work, they work with BC Housing and other public and community partners to identify options for each intended user, with the collective aim to offer housing or shelter that reasonably meets the person’s unique circumstances and needs.

As of October 19, six intended users and one co-habitant remain. Five of the seven people remaining have been offered housing and declined the offer, with one person having declined three housing offers. Two people have additional unique circumstances that staff are considering as they work on housing and shelter offers. They have all previously been offered and declined shelter. The Outreach Team, along with BC Housing and other public and community partners, continues to work on housing and shelter options for all seven people.

2. Ability to comply with regular Parks Control By-law:

Through daily work and observation, staff believe that the remaining intended users are able to pack up their belongings daily. Accordingly, we are concerned that there is not a fair and reasonable rationale for these individuals to have exclusive access to daytime public park space or that they are offered special provisions beyond those extended to the thousands of other people experiencing homelessness across the city who must comply with By-laws. During the October 23-29 consultation period, staff will seek to understand any unique circumstances that might impact their ability to comply with the By-law and will consider any special support or provisions that may be needed.

3. Continued Non-Compliance:

Despite significant information and support, the intended users are not maintaining the space according to the clearly posted and repeatedly discussed requirements that are intended to protect the health and safety of people living in and working in the Designated Area and manage the amount of community park dedicated to the exclusive use of this small group of people. As noted, the stepped warning approach to notifying people that they were not in compliance with the GM Order requirements has not been effective. Many warnings have been given, with some individuals receiving as many as 16. In other service sites, continued non-compliance with service guidelines/requirements would result in serious consequences, including access restrictions or bans. There also remains significant fire risk – and many actual fires – as some users ignore the guidelines prohibiting fires and combustibles. This creates a serious life-safety risk for the people in the area and a serious risk for the park itself. Without compliance, or constant Park Ranger intervention, the Area will continue to deteriorate and fire risk will persist.

4. Fiscal Responsibility:

Since the clean-up, the Park Board has incurred an average cost of \$21,000 per week to support the Designated Area. This service level does not have ongoing funding, and the continuation of this service will impact Park Board core services to the broader community.

DRAFT CLOSURE PLAN

The following timeline has been drafted to bring the Designated Area to a close:

Oct 23-29	<ul style="list-style-type: none">• Discussion of planned closure with intended users.• Consult on the supports they need to transition out of the Designated Area into shelter, other options, or into	The Outreach Team continues work with BC Housing and VCH on
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	<p>the regular Shelter-in-Place Bylaw (e.g., new tents, carts, storage)</p> <ul style="list-style-type: none"> • Consult re: how long is needed for intended users to pack-up belongings. (e.g., 2,3,5 days) 	<p>housing and shelter offers that are collectively assessed to best and/or reasonably meet the unique needs and/or circumstances of each individual.</p> <p>At the very least, a dedicated space in a Temporary Winter Shelter will be offered to anyone remaining.</p> <p>Intended users are strongly urged to accept indoor offers.</p>
Oct 30-31	<ul style="list-style-type: none"> • PB and City consider feedback from intended users and determine any changes to supports offered. • Plan for implementation 	
Nov 1	<ul style="list-style-type: none"> • Formal notice of closure with notice period. 	
Nov 1-6	<ul style="list-style-type: none"> • Supports requested are arranged and put in place 	
Nov 7	<ul style="list-style-type: none"> • Day time sheltering is no longer permitted in CRAB Park by November 7 • Anyone who is not in housing by this time will be offered a dedicated space in one of the City's Temporary Winter Shelters or another shelter appropriate to their needs. • Outreach and BC Housing will continue to work with them on housing options. • Anyone else remaining in the park will be supported much as possible to take down their structures during the day and comply with the Parks Control By-law. 	

We recognize that the closure of the DA will be stressful for people sheltering there and are taking the following measures to mitigate that impact:

- We are trying to work as quickly as possible to secure appropriate indoor options.
- We will try to incorporate intended users' feedback into the final closure plan when feasible and reasonable.
- We are trying to provide dates with notice so people have time to make choices and self-determine whether they will work with staff on indoor options, leave in advance of closure, or pack down the day of closure.
- We will be offering individuals smaller tents and wagons to aid in the daily pack down should individuals elect not to take shelter/housing options and rather remain outdoors and rely on the ability to shelter overnight until 8:00 am as per the Parks Control Bylaw.
- Our Community Services Liaison Team will work alongside Park Rangers.

Belongings

People's belongings are important; even more important when you are without housing. There are four options for belongings:

1. People can prioritize items to take with them that they can pack up daily.
2. People can take some items to Aboriginal Front Door (AFD) operated storage at Main & Hastings.
 - BC Housing funds the City to activate this service to support people who are without housing to have a safe space to store belongings. AFD is the operator.
 - AFD has limited space and will accept items subject to space and adherence to their requirements. Owner must be present to check-in belongings.

3. Staff can store some limited belongings at a City site for 30 days with a clear process for how to retrieve your belongings (items will not be delivered back to a park or sidewalk; a suitable address must be provided)
 - Staff do proactively try to contact people whose belongings are being held before disposing of them if there is contact information provided.
 - Not all items are appropriate for storage by City: soiled materials, commercial materials, substance use paraphilia, combustibles, etc.

All other materials will be disposed of unless the person makes other arrangements themselves for offsite storage or disposal, perhaps through friends, family, or an advocate. People who need support sorting through their belongings to self-determine how their belongings and other materials should be handled as per the four options outlined above will be offered that support.

Closure Day

Staff hope that by the time to officially remove the DA, the remaining intended users will have accepted their housing or shelter offers and have or will actively be transitioning indoors.

Refusal to comply with by-law, and take down tent/structure

- Staff will continue to encourage people to accept their housing or shelter offers over the coming weeks.
- If people refuse to pack down after reasonable time and efforts to support voluntary compliance, then they may need to be escorted out of the designated area by VPD.
- Staff will try to de-escalate situations so there is less risk of behaviour that may result in arrest.

Access to work zones

- Staff safety remains a primary concern as staff typically receive harassment and threats during this work, primarily from protestors and/or advocates.
- Most people in encampments work reasonably well with staff when they are not encouraged to do otherwise; however, there are enough situations of aggression that staff require VPD.
- VPD will be present to ensure staff safety and keep the peace. They will be asked to keep a buffer zone to ensure the work can proceed safely.
- As always, Communications staff will work with operations to ensure media has reasonable access so that they can fulfill their role in reporting on events of significance.

FINAL REMARKS

The Temporary Designated Area is no longer supportable operationally or in terms of providing a small number of people ongoing exclusive use of highly valued community parklands. The Park Board has worked authentically and earnestly to maintain this Designated Area in good condition for the intended users while the City's Outreach Team works with BC Housing and other public and community partners to identify and offer appropriate housing or shelter and support moving indoors. As each user has been offered housing and/or shelter – in some cases received multiple thoughtfully-selected housing offers – the Park Board and City believe that reasonable indoor options have been provided. As the Park Board and City work to bring the Designated Area to a close and return this area of CRAB Park to daytime use for the whole community, they will work with the understanding that information sharing, adequate notice,

opportunities to provide feedback, and reciprocal respect between staff and the intended users will be key to success.

As a reminder, the City's approach to homelessness is to partner with senior government to enable the building of social and supportive housing and emergency shelters in order to create options for people to come inside. Between 2018 and 2023 alone, the City committed over 50 sites to create 1,273 supportive housing units and approximately 3,900 units of social housing (total completed, under construction, under development). Between 2020 and 2024, the City supported the creation of 469 new shelter spaces – 382 year-round and 87 seasonal. The City alone has 201 properties deployed in total for these services.