



# GM NOTICE

November 1, 2024

Dear Intended User of the GM Temporary Daytime Sheltering Area (CRAB Park “Designated Area”),

This Notice is to confirm that as General Manager, I will be permanently closing the Temporary Designated Area of CRAB Park, effective November 7, 2024. This closure means that as of 8:00am on November 7, 2024, tents or structures cannot be left up past 8:00 AM daily, in accordance with the Parks Control By-law. Intended Users will have from today, November 1, 2024, until November 7, 2024, at 8:00 AM to transition to indoor arrangements that have been offered to them, or to prepare themselves to adhere to the Shelter-in-Place bylaws. The authority to make this decision lies solely with the General Manager, as outlined in the Parks Control By-law.

From October 23-29, the Director of Park Operations visited the Designated Area each morning to consult and hear directly from each individual in the Designated Area about the Consultation Draft of the Designated Area Closure Plan, which was hand-delivered the morning of October 23 to intended users in the Designated Area. The consultation was focused on the supports people in the Designated Area will need to transition indoors or to compliance with the Parks Control By-law provisions regarding temporary overnight sheltering.

Thank you for taking the time to provide your feedback on the Draft Closure plan through daily conversation with the Director. The conversations were constructive and the feedback received was as follows:

- Several individuals acknowledged the consultation and feedback process and had no additional questions.
- Some expressed a need for assistance transporting belongings to indoor spaces or for temporary storage options.
- Some shared that they were awaiting the spaces to be prepared in order to move in.

The feedback above which highlights transition supports have been integrated into the Confirmed CRAB Park Temporary Designated Area: Closure Plan (“Confirmed Plan”), which is attached.

In addition to gathering feedback, the City’s Homelessness Services Outreach team (“Outreach team”) and other service providers have been working hard to find responsive housing and shelter options. I understand that as of October 31, all seven people remaining in the Designated Area have housing, health services, income supports and transition plans developed through weekly collaboration between the City’s Outreach Team, BC Housing, MSDPR and VCH. Teams are focussed on supporting individuals to transition off the site by the November 7th deadline. To aid in this, it is my understanding that the City’s



Outreach team will continue to visit the park during the closure phase and through to November 7. We encourage the remaining users to continue to engage with these teams or service providers. We understand that the Outreach team will also continue to work with any intended user who may not have yet confirmed an indoor option.

Effective November 7, 2024, Park Operations will close the former GM Temporary Shelter Area to complete a general assessment and cleanup before returning it to open park space. The work is anticipated to take two days to complete and may require a temporary restriction to overnight sheltering in this area. After completion of the cleanup work, the area will be re-opened as general park space in compliance with the Parks Control By-law, permitting overnight sheltering with the removal of all tents and structures by 8:00 AM daily.

Thank you for your cooperation,

A handwritten signature in black ink, appearing to be "S. Jackson".

Steve Jackson  
General Manager  
Vancouver Board of Parks and Recreation



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

November 1, 2024

### What you need to know:

The General Manager (GM) of Vancouver Board of Parks and Recreation is permanently closing the temporary daytime shelter area in CRAB Park. This will mean that you won't be allowed to have your tent there during the day anymore, starting 8:00am on November 7, 2024.

### The GM received your feedback on the planned closure:

The Park Staff along with Rangers were in the park every day to connect with you. Speaking with you to get your feedback.

### What happened with my feedback?

The GM has taken your feedback to finalize the plan and ensure you have the supports you need to pack up in the morning once you are no longer allowed to keep your tent up during the day.

### What do I do with my stuff?

Parks staff and Rangers can provide you with bins to pack up, and a tent that is easier to bring down so that you can comply with the by-law.

If you need storage, or transportation supports, please discuss these needs with Rangers.

Storage of your belongings may be made available at Aboriginal Front Door (AFD) at Main & Hastings. Parks can also store some limited belongings for 30 days.

### How do I get help to access shelter and housing?

Carnegie Outreach, and other service providers will continue working with you to help you find places to stay and support you when moving indoors.

### Important dates:

The last day for tents or other structures to stay up during the day is next Thursday, November 7<sup>th</sup>. From this day forward, all tents and structures need to be taken down and removed from the area every morning by 8am.

### What happens to the area after tents are taken down?

Parks staff and Rangers will finish small checks and repairs to the area and then the designated area will go back to general park use.

# CRAB Park Temporary Designated Area: Closure Plan

Confirmed Plan: November 1, 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 Outreach 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 (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.

## **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 housing system partners recognize that the existing emergency shelter system may not meet the needs of all individuals/groups who are unhoused, priority access to housing for individuals in encampments such as CRAB Park needs to be reviewed and balanced with the needs of those in shelters and sleeping unsheltered across the city.

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 consistently with and intensely for people in the Designated Area. In their outreach work, which is separate from the Park Board's Designated Area compliance work, the Outreach team works with other public and community partners in BC Housing's Coordinated Access and Assessment (CAA) program to identify options for each individual brought forward, and prioritizes allocations based on vulnerability, need, and type of housing available. The program's focus is to offer housing that reasonably meets the person's unique circumstances and will result in best possible housing outcomes. Where housing is not immediately achievable, teams work to provide shelter options and choice for those in the Designated Area.

As of October 31, there are seven people remaining in the Designated Area, all with housing, health services, income supports and transition plans. These plans were developed through weekly collaboration of CAA partners from the Outreach Team, BC Housing, MSDPR and VCH.

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

Through daily work and observation, Parks staff believe that the remaining intended users are able to pack up their belongings daily. Accordingly, the Park Board and City no longer believe there is 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 sought to understand any unique circumstances that might impact user's ability to comply with the By-law and consider any special support or provisions that may be needed. Findings of this consultation are shared below, noting no users expressed concerns that would limit their ability to pack up daily other than transportation and storage supports which can be arranged if requested.

**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 management of 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 CONSULTATION PERIOD (OCTOBER 23-29, 2024)**

On October 23, 2024, the GM issued a formal Notice regarding the intention to bring the Designated Area to a close and included a Consultation Draft of the Closure Plan. This information package was hand-delivered to each intended user and the co-occupant in the Designated Area. One person was not in the park so Rangers left a copy of the plan in the tent that currently contains the person’s belongings as they have been known to frequent the tent periodically.

Feedback on Closure Plan Consultation Draft

From October 23-29, the Director of Park Operations visited the Designated Area each morning to consult and hear directly from each individual in the Designated Area. The conversations were constructive and the feedback received was as follows:

- Several individuals acknowledged the consultation and feedback process and had no additional questions.
- Some expressed a need for assistance transporting belongings to indoor spaces or for temporary storage options.
- Some shared that they were awaiting the spaces to be prepared in order to move in.

The feedback above regarding supports has been integrated into the confirmed plan below.

**CONFIRMED CLOSURE PLAN**

The following is the confirmed timeline for bringing the Designated Area to a close:

Nov 1	<ul style="list-style-type: none"> <li>• Formal notice of closure with notice period.</li> <li>• Closure means removal of GM order allowing daytime sheltering in Designated Area.</li> </ul>	The Outreach Team continues work with BC Housing and VCH on housing and shelter offers that are assessed through CAA to best
Nov 1-6	<ul style="list-style-type: none"> <li>• Supports arranged and put in place based on individual need (e.g., moving arrangements, storage supports, replacement items needed to transition to overnight sheltering for those who do not accept housing or shelter offers)</li> </ul>	and/or reasonably meet the unique needs and/or circumstances of each individual.
Nov 7	<ul style="list-style-type: none"> <li>• Day time structures are no longer permitted in CRAB Park; all temporary overnight structures need to be packed down by 8:00 am, November 7<sup>th</sup>, as per the Parks Control By-law</li> <li>• 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.</li> <li>• Outreach and BC Housing will continue to work with them on housing options.</li> <li>• Anyone else remaining in the park will be required to take down their structures during the day and comply with the Parks Control By-law.</li> <li>• People are still allowed to be in CRAB Park during the day like other park users, so long as all structures and belongings are packed up by 8am each morning.</li> </ul>	<p>A dedicated space in a Temporary Winter Shelter will be held and offered to anyone remaining.</p> <p>Intended users are strongly urged to accept indoor offers.</p>

We recognize that the closure of the DA may 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 sought to receive and incorporate intended users' feedback into the final closure plan when feasible and reasonable.
- We have provided 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 any of the Intended Users who have not moved indoors smaller tents and wagons to aid in the daily pack down.
- Our Community Services Liaison Team will work alongside Park Rangers as needed.

### Belongings

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

1. People can prioritize items to take with them to their housing or shelter placement or 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 before closure day.
- 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 Homelessness Services 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 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.