



Regina Park encampment

FREQUENTLY ASKED QUESTIONS

Updated September 11, 2018

Encampment

Why did Saanich let this encampment happen?

Staff were led to understand the camp was only going to stay at Regina Park temporarily for a few weeks. A temporary camp would have been consistent with the pattern previously established by the camp and its leadership as a roving encampment throughout the Capital Regional District. Allowing the camp to come and go was the prudent decision at the time and is a strategy that has worked in the past, including in other Saanich parks. The alternative was to take immediate action and almost certainly provoke retaliation in the form of entrenchment and expansion. The fact is, of course, that entrenchment and expansion have occurred, but that was not a foregone conclusion at the commencement of the Regina Park encampment.

At some point the camp organizers changed their minds and decided the encampment was going to stay in Regina Park, contrary to the pattern established over most of the past year. As soon as that position was conveyed to Saanich staff, through Saanich Police members in attendance at the camp, on or about May 22, staff immediately began to develop a strategy to deal with the situation.

What is Saanich doing about the camp?

Our initial goal was to end the encampment on a voluntary basis.

Saanich Fire and Parks Departments, with the support of Saanich Police, have taken steps to address the most significant fire and life safety hazards associated with the encampment, and continue to closely monitor the situation on a daily basis. Further actions will be taken as necessary to preserve the safety of the surrounding community, local businesses and camp occupants.

Saanich Police have increased their presence in the area surrounding Regina Park and continue to investigate and take enforcement action with respect to criminal activity.

Why isn't Saanich just enforcing its bylaws?

Municipal governments, such as Saanich, are authorized by statute to enforce their bylaws by way of either a criminal prosecution or by a civil lawsuit. In the case of a criminal prosecution the primary consequence is a ticket requiring the payment of a fine. In the case of a civil lawsuit, the usual remedy sought is an injunction to compel the party violating the bylaw to cease doing so. In the case of unlawful occupations, such as are occurring at Regina Park, the experience of municipal governments has been that ticketing people experiencing homelessness for unlawful occupation of property is not an effective way to bring such occupations to an end.

Consequently, Saanich made the determination to proceed to court and ask for a civil injunction to bring the occupation of Regina Park to an end. Under the District's Parks Bylaw, those in need of temporary overnight shelter may use Regina Park for such a purpose, but must remove their temporary shelter during the daytime.

Has Saanich taken legal action against the camp?

The occupants of the park have been asked twice to terminate their occupation of the park. A "notice to vacate" was issued to the encampment June 8, followed by a "notice to cease occupation" July 12. Saanich issued these notices with the goal of achieving voluntary compliance. In reply, the occupants have indicated they intend to maintain the encampment.

On Monday, July 23, the District of Saanich commenced legal proceedings in British Columbia Supreme Court, by which an injunction will be sought to require Regina Park be immediately vacated to allow for fire risks and other hazards in the park to be addressed and, thereafter, to require that uses of the park be limited to uses permitted by Saanich's bylaws.

On Friday, September 7 following a five-day court hearing, the Honourable Mr. Justice Branch granted Saanich and the Province of BC interlocutory injunctions to require Regina Park and the adjoining Trans-Canada Highway road allowance be vacated by 7 p.m. Tuesday, September 11.

What is Saanich doing to enforce the court order?

After 7 p.m. on September 11 anyone who remains in the camp is in violation of the court order, and the Police will have the authority to arrest them. Furthermore, there is no "grace period" as such, but Police will use all reasonable means to achieve voluntary decampment before relying upon the power to arrest. Starting the morning of September 12, there will be 24/7 Police presence in the park and construction fencing will be erected. Police and Saanich Parks staff will work with the occupants to attempt to achieve voluntary compliance with the court order.

What support is Saanich providing to the occupants in the decampment process?

In addition to the property storage facility located at Municipal Hall, where individuals may use a plastic tote bin to store essential items, Saanich is working with a service provider to arrange additional storage for larger valuable items on a case-by-case basis. Saanich has not committed to providing unlimited storage for materials in the park without qualification, but rather is willing to assist with limited volume additional storage arrangements for items capable of being safely stored.

Why is Saanich providing services for an illegal encampment?

Saanich has provided portable toilets, garbage containers and collection, and rat-proof storage containers for food. These services are provided in part to maintain a minimum level of

cleanliness and dignity for occupiers of the camp, but just as importantly, they are provided to mitigate the negative impacts of the encampment on the park lands and the surrounding area. This does not mean Saanich is encouraging the camp, and in fact Saanich has been clear from the outset that a permanent camp will not be tolerated.

Why isn't Saanich listening to the concerns of neighbouring residents?

Saanich is aware of the frustration being experienced by neighbouring residents and businesses. The negative impacts of the encampment are significant. We can only continue to ask for patience as we work toward a resolution.

Parks bylaw amendments

What amendments were made to Saanich's parks bylaw?

At its July 9 meeting, Saanich Council adopted amendments to the [Parks Management and Control Bylaw](#) to regulate overnight shelters in parks, including implementing hours for temporary overnight shelters (7 p.m. to 9 a.m.) and [restricted areas](#).

The amendments align the bylaw with the BC Supreme Court rulings on temporary overnight sheltering in parks.

Of 172 parks owned by Saanich, a total of 102 may be used for temporary overnight sheltering purposes from the hours of 7 p.m. to 9 a.m., including Regina Park.

[Restricted areas](#) in Saanich where temporary overnight shelters are not permitted include:

- environmentally sensitive areas;
- playgrounds, spray parks or pools;
- horticultural display areas or gardens;
- skateboard bowls, tennis courts or other sports courts;
- sports fields, stadiums or dugouts;
- stages or bleachers;
- washroom facilities, picnic shelters or gazebos;
- recreation facilities;
- beaches;
- cemeteries;
- golf courses;
- pathways, bridges, boardwalks, docks or wharves;
- roads, driveways or parking facilities; or
- any land designated in the Zoning Bylaw, 2003 as Natural Park - P4N or Conservation Park – P5.

Please view the [parks map](#) that outlines where people experiencing homelessness may or may not seek overnight shelter in accordance with the updated bylaw.

Hygiene station and storage facility

Why is Saanich providing a hygiene station and storage facility for people experiencing homelessness?

The hygiene station and property storage facility are part of Saanich's strategy to achieve compliance with our updated [Parks Management and Control Bylaw](#). The bylaw amendments in relation to people experiencing homelessness seeking temporary overnight shelter in parks were adopted by Council on July 9. The amendments align Saanich's bylaw with BC Supreme Court decisions around temporary overnight sheltering in parks. The hygiene station and property storage will provide services to people experiencing homelessness and will support overnight sheltering in accordance with the bylaw.

Why is Saanich placing a hygiene station and property storage facilities at the Municipal Hall?

The location was chosen for several reasons: a central location for many of Saanich's parks, it is on municipally owned property, its proximity to Regina Park, its accessibility to a safe travel route (Lochside and Galloping Goose Trails) used by people experiencing homelessness, and its proximity to the Saanich Fire Department and Saanich Police. The facilities have been placed as a temporary measure while Council works with the Capital Regional District and BC Housing to develop long-term supportive housing solutions.

Why not place the facilities near Regina Park?

The facility location was chosen for several reasons one of which is its close proximity to support from the Saanich Fire Department and Saanich Police. Regina Park is not centrally located nor is it a suitable location for a hygiene station and storage facility.

When are the facilities open?

The hygiene station, including four washroom and shower facilities, and the property storage facility was operational as of Tuesday, July 10. The facilities are open daily from 7 to 11 a.m. and 5 to 9 p.m. Paladin Security is providing onsite service operation and oversight. The hygiene station is serviced and cleaned by a contractor.

Public safety

What do I do if I see something illegal near the encampment or the hygiene station and storage facility?

Our first priority is public safety. If you see something suspicious, or to report a crime that has occurred, no matter how minor you think it may be, we strongly encourage you to call the Saanich Police non-emergency line at [250-475-4321](tel:250-475-4321). To report an emergency, or to report a crime in progress, please call 9-1-1.

What do I do if I find a sharp?

Parks, Public Works and Facility Operations staff will conduct daily perimeter sweeps of the hygiene station and storage facility site for sharps. If you find a sharp on site, do not touch it. If you're able to, cover or mark the spot then contact Municipal Hall Reception at 250-475-1775.

Costs

How much is Saanich spending on the encampment?

At its July 9 meeting, Council approved use of \$700,000 of contingency funds to cover costs such as extra policing, the hygiene station and storage facility, and costs associated with management of issues at Regina Park. The costs were not anticipated as part of the 2018 budget deliberations and cannot be covered by existing departmental budgets.

How much is Saanich spending on the hygiene station and storage facility?

The establishment of a hygiene station and property storage facility is anticipated to cost up to \$250,000 in 2018 to cover setup and rental of the unit, security, supplies, and staffing. This amount is included in the \$700,000 from Saanich's contingency funds.

District staff have committed to report back to Council with costs to date and updated projections to the end of the year at the October 1 Council meeting.

Are my taxes going to increase because of the encampment costs?

Tax rates have already been set for 2018 and the property tax deadline of July 3 has passed. If the encampment issues persist into 2019, any additional taxation required would be considered as part of the 2019 budget development.

Housing

What is Saanich doing to address housing issues in the community?

Saanich continues to assist the provincial government by exploring options for social housing, but is not in a position to fund or develop new social housing on its own. Responsibility for social housing, mental health care and treatment and support for addictions rests with the province, and Saanich will continue to support the province in its efforts to invest in solutions to these issues.