

January 11, 2023

Sent via email (Gloria.MacNeil@kitchener.ca)

By-law Enforcement Division
Attn: Gloria MacNeil, Director of By-law Enforcement
City of Kitchener
200 King Street West
Kitchener, Ontario N2G 4G7

Re: Posted Notices of Tent Removal at Victoria Park Encampment

We understand that City of Kitchener by-law staff posted notices on tents at the Victoria Park Encampment that appeared to be abandoned, but were in fact occupied by tenants. Although we commend the City of Kitchener for making efforts to remove debris at the encampment, we are writing to express our concerns with the attempted removal of tents at this encampment. Our comments are informed by our work with residents from encampments across Waterloo Region and the work we do as a community legal clinic providing services to people living in poverty in the Region.

As you may be aware, many people who are unhoused are in a continual state of transience and survival. Unhoused people spend much of their time focused on survival living – obtaining food, income, medication, etc. Unhoused people may spend hours or even days away from their tents for a wide variety of reasons including but not limited to: seeking health care, attending appointments, or obtaining food or other basic needs. Many unhoused people travel on foot, by bike or by public transit which increases their travel time and the length of time they may be away from their tents. Unhoused people may attempt to access a bed in a shelter for a few nights or stay with a friend or family member, particularly in the winter when staying outdoors becomes less sustainable. It is not uncommon for unhoused people to leave their tents for days at a time.

Our concerns are that the tents themselves, and the belongings within the tent, are crucial survival tools for unhoused people. These tents are often difficult to obtain – it is one of the most commonly requested items from our social work-outreach team when supporting the unhoused community. These tents are also often used to store important belongings for unhoused people, or may be shared among the unhoused community.

In December 2022, the Ontario Human Rights Commission (“OHRC”) released a statement on human rights and encampments, which can be accessed [here](#). The Statement emphasizes that encampment residents are rights-holders under human rights law. The OHRC supported a number of recommendations made by the Office of the Federal Housing



Waterloo Region
Community Legal Services

Kitchener – Main Office
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Kitchener, Ontario N2K 2P5

Phone: 519-743-0254
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Advocate, which includes requiring meaningful and inclusive participation of encampment residents to policies, programs and practices that affect them.

We strongly encourage the City of Kitchener to actively engage with the residents at the Victoria Park encampment, or any other encampment across the city, before taking steps to remove any tents from the encampment. We would welcome an opportunity to discuss these issues further with you, should that be of assistance. You may contact the undersigned at 519-743-0254 Ext. [REDACTED] or [REDACTED].

Sincerely,
WATERLOO REGION COMMUNITY LEGAL SERVICES
As per;

Ashley Schuitema
Barrister and Solicitor