

## **Appendix I**

### **A Coordinated Encampment Response for Peel Region, the City of Brampton, the City of Mississauga, and the Town of Caledon**

#### **Homeless Encampment Policy for Peel Region, the City of Brampton, the City of Mississauga, and the Town of Caledon**

##### **Purpose and Principles**

The purpose of the Homeless Encampments Policy is to provide high-level guidance to inform a set of protocols that coordinate the encampment response between Peel Region, the City of Mississauga, City of Brampton, and Town of Caledon. The response balances the needs of encampment residents and residents in surrounding communities. It delivers client-focused and accountable services to encampments on regionally and municipally owned lands, while enforcing regional/municipal bylaws and/or other applicable laws or policies.

As Peel Region is a two-tier municipality, responsibility for various functions related to the response to homeless encampments is shared between the Region of Peel and the local municipalities of the City of Mississauga, the City of Brampton, and the Town of Caledon. Peel Region is responsible for providing services such as housing supports, public health, and funding and overseeing the unsheltered street homelessness program known as Peel Outreach. Local municipalities are responsible for providing community services, including fire and emergency services, as well as overseeing and maintaining municipally-owned lands where encampments may be present. Local municipalities also enforce local by-laws relating to parks, noise, property standards, encroachments, debris, and anti-littering. This arrangement creates additional complexity, for which the policy provides clarity to assist with consistent implementation of the protocols and other materials.

The policy was developed through a collaborative co-design process involving regional government (including housing, homelessness, legal, public health, and paramedics), police, and municipal governments (including fire and emergency services, parks, community services, legal, security, and community safety staff) as well as community agencies who support people experiencing street homelessness, Peel Outreach, people who live in encampments, and people with other lived/living experience of homelessness.

##### **Definition**

For the purposes of this policy framework, an ‘encampment’ refers to temporary outdoor accommodations for individuals and groups of unhoused and unsheltered individuals that have been established – often without permission – on public property or privately-owned land<sup>1</sup>.

Homeless hotspots are not in scope for this policy as they could divert resources from the Encampment Response Teams, which were designed to focus on specific challenges posed by encampments. Hotspots can be defined as typically lacking the fixed structures and organized setup that often characterize encampments. Hotspots can also involve more transient and less cohesive populations. Nevertheless, the needs of people in hotspots often include a lack of adequate shelter and resources, for whom Peel Outreach and other organizations continue to offer programs and services.

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<sup>1</sup> Federal Housing Advocate definition

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#### Principles

To achieve a balanced approach, the policy framework aligns with all applicable legislation and provides consistent direction to all partners who respond to homeless encampments in Peel Region. It respects the needs of people living in encampments as well as other community members living and sharing the same community spaces.

The Peel Encampment Working Group and the Peel Encampment Steering Committee have agreed on the objectives and intent of a coordinated response, ensuring a consistent level of service. In all interactions with people who are living unsheltered, staff will use a housing first, rights-based approach that respects the dignity of all individuals living in encampments. This means providing the time and space for staff to build relationships, facilitate access to supportive services, and encourage voluntary relocation.

According to the Federal Housing Advocate, “the human right to adequate housing, and interconnected rights such as the right to life, are clearly established in international human rights law, including in treaties that Canada has signed and ratified as well as in human rights declarations and other international norms and standards. With the National Housing Strategy Act enacted in 2019, the human right to adequate housing is now also explicitly enshrined in domestic law”<sup>2</sup>.

Further principles that have guided policy development and implementation include:

- Using a case-by-case approach to ensure practices are context-informed and to uphold human rights, keeping in mind that:
  - Each encampment is unique, and the response is adapted to meet the needs and conditions of each encampment and its residents.
  - Flexibility is important to meet the unique needs and conditions of encampment residents and the surrounding community.
- Committing to:
  - Work to build rapport through mutual respect,
  - Provide effective communication and education,
  - Practice empathy and trauma-informed lens/care,
  - Maintain transparency around the expectations of individuals living in encampments.
- Establishing training and other supports as needed for Encampment Response Teams. Training includes trauma-informed, culturally safe, peer based, human rights centred approaches.
- Maintaining community safety through a risk-informed and decision-making approach.
- Ensuring the health and safety of people living in encampments are a priority.
- Ensuring minors 18 years and under and families with children are prioritized for shelter.

The National Working Group on Homeless Encampments developed a Municipal Engagement Guidance document through discussions with work group members, people with lived expertise, frontline workers, and academics. Its basic principles state that municipalities do not always have the jurisdiction, capacity, and resources to ensure unhoused people have affordable,

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<sup>2</sup> The Office of the Federal Housing Advocate, 2024. Upholding dignity and human rights: the Federal Housing Advocate’s review of homeless encampments – Final report. Ottawa: The Office of the Federal Housing Advocate.

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secure, and dignified housing. Significant support and intervention from other levels of government is required. Working to prevent and reduce homelessness by providing permanent, affordable and supportive housing for all is critical and will require an ongoing commitment from Peel Region, local municipalities, communities, and federal and provincial governments to find meaningful solutions.

#### Member Organizations

Member organizations are Peel Region, the City of Brampton, the City of Mississauga, and the Town of Caledon. They are owners of public lands where accountability is determined based on criteria such as whether the land has a public or private purpose and if there are agreements in place with other public or private entities. These organizations are referred to as “custodians” in the Peel encampments protocols and associated documents. Each municipal partner is responsible for their own standard operating procedures to meet their implementation requirements, based on this policy framework and the protocols.

#### Roles and Responsibilities of Member Organizations

To ensure a coordinated and effective response, each member organization plays a distinct role:

- Peel Region is accountable for:
  - Delivering housing, health, and outreach services to encampment residents.
  - Coordinating Peel Outreach (currently contracted out to the Canadian Mental Health Association of Peel-Dufferin) and managing the Encampment Response protocols.
  - Leading strategic oversight through the Steering Committee.
  - Leading the Working Group.
  - Coordinating and providing information to the Encampment Response Teams.
  - Providing additional supports as appropriate.
- The City of Brampton, Town of Caledon, and City of Mississauga are accountable for:
  - Investigating reports of encampments on municipally owned lands.
  - Coordinating municipal services (e.g., bylaw, security, parks, fire and emergency services) to support encampment sites.
  - Monitoring active encampments on public property and coordinating service delivery as required to maintain health and safety for encampment residents and broader community (e.g. litter maintenance)
  - Referring cases to the Encampment Response Teams.
  - Making decisions on enforcement actions in accordance with the protocols.
  - Providing additional supports as appropriate.

Specific departmental responsibilities are outlined in the Roles & Responsibilities Protocol and municipal/regional standard operating procedures to allow for flexibility and adaptation over time.

#### Accountability Measures:

- Memoranda of Understanding between Peel Region, the City of Brampton, the City of Mississauga, and the Town of Caledon that include:
  - roles and responsibilities
  - designated program areas
  - funding eligibility criteria, accountability, and reporting
  - performance measures

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- regular data collection, sharing, reporting, and privacy obligations
- governance
- communications
- shared workflow solution
- Protocols and supporting documents that are consistent with the policy framework
- Decision-making authority for enforcement actions rests with the land custodian (regional or municipal), in consultation with the Encampment Response Teams.
- Delegated authority may be required to enable timely decisions and actions, particularly for enforcement or health and safety interventions.

#### Peel Encampment Steering Committee

The Steering Committee provides strategic oversight, monitors resources and accountability for implementation, and supports escalation when encampments pose significant health or safety risks. It includes senior representatives from all member organizations and is chaired by the Director of Housing Services (Peel Region).

#### Peel Encampment Working Group

The Working Group developed the joint policy and protocols for homeless encampments. The protocols include an implementation plan and a roadmap about roles, responsibilities and coordination for supports, enforcement, daily operations, communications, and engagement. The Working Group includes member organizations as well as members from police and community organizations and is chaired by the Manager, Client Services (Peel Region). The Working Group focuses on operational coordination and service delivery. It may be restructured into a new Peel Encampment Response Operations Group to reflect its evolving role.

#### Peel's Encampment Response

The Encampment Response is a coordinated, multi-agency approach to supporting individuals living in encampments on public lands in Peel Region. It is grounded in a human rights-based, housing-first philosophy that prioritizes voluntary engagement, access to services, and community safety. The Encampment Response Teams bring these responsibilities together to ensure a balanced, compassionate, and effective response.

#### Encampment Response Teams

Encampment Response Teams (ERTs) are established in each municipality – City of Brampton, Town of Caledon, and City of Mississauga. They are comprised of member organizations as well as police and other community agencies. The ERTs coordinate service delivery, site monitoring, and decision-making. The ERTs use the joint policy, protocols, and other tools to guide consistent implementation across Peel Region.

#### **Reporting Encampments**

Community members can report encampments through:

- An online Service Request Form.
- Calling 311.

Community members can call the Street Helpline (1-877-878-8481) to report concerns about individuals living unsheltered.

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#### When Encampments are Reported

Every time someone calls 311 to report a complaint or a concern about an encampment in Peel, a process is followed. Not all reports result in immediate removal. The goal is to build trust, offer support, and enable encampment residents to be successfully housed and restore public space to their intended use. What happens next after a report is made:

- 1) Encampment Response Team is notified
- 2) A member of the Encampment Response Team goes to the encampment to gather information
- 3) Peel Outreach connects with encampment residents and completes a resident needs assessment
- 4) Encampment Response Team completes a site assessment
- 5) Encampment Response Team monitors and supports the site
  - Health and safety risks are managed and reduced
  - Litter clean ups are completed as needed
  - Encampment residents are encouraged to access appropriate shelter options

Encampment Response Teams use a balanced, human rights-based approach to help encampment residents transition to appropriate indoor housing options. When this happens, public spaces can be restored to their intended use. This can happen for several reasons, including:

- Residents have moved to emergency shelter or other housing options, and the encampment has become “inactive” (no one is living there).
- The encampment is removed because it is in a “no encampment zone”. No encampments are permitted in these zones because of significant health and safety concerns.
- The encampment is removed because of other high risks that cannot be safely reduced.

#### Privacy Note

Due to privacy laws, specific actions taken in response to a report may not be shared. However, all reports are reviewed and inform ongoing monitoring and response. Peel Region publishes monthly encampment data on its webpage and provides opportunities for visitors to share feedback about Peel’s encampment response.

#### **Peel Outreach Supports**

Peel Outreach is a member of each Encampment Response Team in Peel. A key role of Peel Outreach is to develop meaningful engagement and connection with people who live in encampments to help facilitate trusting relationships. Outreach services follow a “nothing about us without us” service response that respects a person’s autonomy and right to choose whether to accept any offer of service including shelter. Any information sharing with Encampment Response Teams will be guided by the level of client specific consent.

While encampments on private property are out of scope for this policy, property owners of private lands are encouraged to contact Peel Outreach for supports for encampment residents, and/or police regarding any other concerns. The Street Helpline (1-877-848-8481) should be used to access Peel Outreach services.

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Peel Outreach supports all individuals experiencing homelessness regardless of their location on public or private property. The following principles guide the interaction and interventions offered to individuals experiencing homelessness:

- Peel Outreach works towards a goal of engagement, not enforcement
- Services are accessible to anyone who is experiencing homelessness regardless of ethno-cultural background, religious beliefs, physical ability, mental health status, gender identity or sexual orientation
- A safe space must be created to ensure that those who are facing intersecting levels of marginalization feel safe to take support from outreach services
- A range of service approaches may be required to ensure access to a diverse population
- Providing rapid access to sheltering options and support services is fundamental to service delivery
- Acceptance of any services is not a requirement for accessing or maintaining housing
- Service engagement is based on the willingness of clients
- Clients must be given choice in terms of housing options as well as the services they wish to access
- Outreach services respect the self-determination and autonomy of clients, however Outreach will continue to regularly offer shelter options

#### **No Encampment Zones**

While the encampment response uses a human rights-based approach to support people living in encampments with the ultimate goal of assisting them to access indoor space, this policy recognizes a responsibility of ensuring that public spaces are safe and accessible for all residents, including people experiencing homelessness.

To create a balanced approach, there are areas where encampments are not permitted as they would interfere with the intended use of the space and/or the health and safety of the broader community. These areas are identified where the use of the space is so inconsistent with the purpose of the area, or where dangers are present which are unlikely to be effectively mitigated, such that an assessment of the encampment would almost certainly result in a recommendation for removal. The Health & Safety section of the policy provides criteria through which residents living in an encampment may need to find safer shelter options and reduce health and safety risks. Encampment removal is determined on a case-by-case basis and based on factors outlined in this policy framework and associated protocols.

Nothing in this policy purports in any way to limit or fetter the responsibilities, discretion, duties or powers of the Fire Chief, Medical Officer of Health, Chief of Police or any other statutory or other office or power holder in relation to anything that may fall within their respective purview or jurisdiction, including the enforcement of any law.

The “no encampment zones” noted below apply to public lands including regionally or municipally owned public or private land where there is a management agreement or lease between a regional or municipal government and a private landowner. Encampments on private property will require a separate process that is out of scope for this policy. Property owners of private lands are encouraged to contact Peel Outreach at 1-877-848-8481 for supports for encampment residents, and/or police regarding any other concerns.

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If an encampment is in a no encampment zone, the custodian may decide to proceed with a removal and take actions to enforce the removal. The removal process may be expedited in these zones. Regardless of the decision, the Encampment Response Team will continue to follow a human rights-based approach with encampment residents. Encampment inspections include assessing risk if an encampment is in close proximity to a no encampment zone.

The no encampment zones on regional and municipal lands are as follows:

- Encampments that are blocking public rights-of-way to sidewalks, streets, trails, medians, regional or municipal facilities (e.g., accessible entrances and ramps, park restrooms, community centres, parking lots, libraries, fire, paramedic or police stations, or under bridges)
- Prominent municipal spaces regularly used for public gatherings
- Events with a permit at municipal facilities
- Sites located within floodplains
- Obstructing critical infrastructure sites
- Active construction sites
- Playgrounds, sports field, and any fenced-in, off-leash dog area
- On any community garden or in any garden shed or greenhouse
- On or within any designated fire route, or the entrance to or exit from a designated fire route, or located so as to block any fire hydrant
- On or within any area identified as susceptible to erosion, slope instability, not serviced in winter, or other environmental hazards that presents a risk to health and safety

#### **Note:**

No temporary shelter or tent will be placed against, under, or be attached or tied to any building or permanent structure. All shelters and tents must be freestanding. Areas that are not serviced during the winter are prohibited sites for encampments.

Some lands that are not owned by the Region, Cities, or Town, but that are owned by other organizations that serve the public are recognized in the policy as being no encampment zones. These are:

- Schoolyards, daycare centres, playgrounds, and sports fields on schoolboard property
- Conservation areas
- Transit stations owned and operated by Metrolinx

#### **Notices**

This policy acknowledges that people living in homeless encampments cannot be forced to accept services and supports. However, the refusal of an individual to accept services and supports is not sufficient reason to prevent the enforcement of Regional local area municipal by-laws.

Encampments on public spaces in no encampment zones will require municipal bylaw and/or security services involvement. Notice of violations or trespass will be issued verbally and in writing by the property owner or agent of the property owner. Written communications for encampment residents must be plain language, respectful, and accessible.

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Where the custodian decides to proceed with removal and the Encampment Response Team provides a recommendation to do so, Peel Regional Police retains the discretion to determine such action is both necessary and lawful, and will provide appropriate assistance based on assessment of circumstances and available resources. Police will attend an encampment removal with the primary goal of assisting the custodian in maintaining public safety and keeping the peace. Peel Regional Police retains enforcement discretion under the *Trespass to Property Act* based on operational requirements. When enforcement is deemed appropriate, Divisional Front-Line and/or Community Intervention Response Team (CIRT) officers will assist with the removal, as necessary.

Peel Outreach does not participate in dismantling encampments or issuing enforcement notices. However, Peel Outreach will support encampment residents and encourage voluntary relocation. The amount of notice provided to encampment residents will vary based on the unique circumstances of the encampment and the needs of its residents.

Following an encampment health and safety risk assessment that focuses on improving health and safety for encampment residents, notices are only issued when:

- Circumstances in an encampment or encampments pose a public safety or health and safety risk to people living in encampments, other members of the public and/or surrounding communities; or
- People living in encampments have been provided with enhanced and intensive supports, particularly people with complex needs, and other reasonable tools and options have been exhausted and they continue to decline indoor space or decline to meaningfully work on the development of a housing plan.

### **Health and Safety**

Peel Region, City of Brampton, City of Mississauga, Town of Caledon, and other encampment response members prioritize the safety and well-being of people living in encampments, staff, service providers, and surrounding communities. Conditions in encampments may create health and safety concerns for people living in encampments and the surrounding community. People living in encampments are also at increased risk of cold weather injuries such as frostbite and hypothermia and may be targets for victimization, human trafficking, violence and assault, substance use, addiction, and sexual exploitation.

The coordinated response will assess risks posed by encampments to best allocate resources, prioritize actions, and better support people living in encampments, in addition to the surrounding community. The Encampment Response Teams use a standardized tool to ensure objectivity and track changes in risks over time. Documented risks in encampment site and resident needs assessments are evaluated within a Hazard Identification and Risk Assessment Framework that includes:

- Safety
- Health
- Interference with public use
- Site compliance

Addressing health and safety concerns of people living in encampments will help reduce harm. Various mitigation and risk reduction measures that could be used include fire safety education,

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providing and safely disposing of harm reduction supplies, crisis prevention and intervention supports, facilitating access to sanitation and hygiene facilities, waste disposal, and wellness and safety checks.

Where mitigation efforts are not sufficient to address the public safety or health and safety concerns, the custodian (i.e., City of Mississauga, City of Brampton, Town of Caledon, or Peel Region) may consider enforcement. In situations where the need to intervene is less acute, encampment response partners may consult with additional internal and external members to determine how to best balance the needs of individuals living in encampments and other community residents.

Risk mitigation measures will benefit the entire community. Regular inspections that ensure encampment site and resident needs assessments are conducted, as well as education, will ensure the safety of both the residents and the surrounding community, effectively managing potential risks and enhancing overall community well-being.

#### **Reporting**

To provide ongoing accountability and transparency to the encampment response process and the implementation of the encampment policy and protocols, communication with Regional and Local Councils will be through information updates to Regional Council, City of Brampton Council, City of Mississauga Council, and Town of Caledon Council. The reports will include data and trends, operations updates, performance measurements, key issues or risks and how they are being addressed and mitigated, and the status of outreach and enforcement activities as necessary. If a regional or local councillor requests information regarding a specific encampment site within their ward, the appropriate Encampment Response Team will respond.

#### **Privacy and Information Sharing**

A key part of Peel's encampment response is a shared commitment to protecting privacy and upholding the dignity of all individuals involved. Privacy considerations are embedded throughout all aspects of the Encampment Response. Each participating organization is responsible for managing the information under its control and meeting its obligations under Ontario's privacy legislations. Personal information and personal health information are not shared except in limited cases, such as:

- When an encampment resident gives permission and is being referred to a specific service, or
- When sharing is required by law (e.g., for health or safety concerns)

Further information is included in the Privacy and Information Sharing Protocol.

#### **Monitoring and Review**

Peel Region, the City of Brampton, the City of Mississauga, and the Town of Caledon recognize the policy and protocols may need to evolve and adapt to emerging issues and trends. The policy and protocols will be maintained by Peel Region's Housing Services Division with a commitment to ongoing monitoring and periodic review and evaluation of its implementation. The Director of Housing Services may, from time to time, make any necessary clarifications, refinements, minor modifications, or technical amendments to the policy and/or protocols.

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Monitoring and evaluation are critical parts of tracking and assessing performance to identify areas for improvement, adjustment, and ensuring that the goals and objectives of the Region, local municipalities, and partners are being achieved. The Peel Encampment Working Group has developed key performance indicators to support ongoing monitoring and evaluation. Regular feedback from regional and municipal staff, street outreach, police, people with lived experience in encampments, community service providers, and other key stakeholders will be critical for informing this evaluation. Reviews will also take into consideration any changes in any applicable legislation, regional and municipal council direction, and any policy or procedural changes.