



City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6

March 4, 2021

**RE: Treatment of current tenants at 940 Caledonia in relation to TUP No. 00017 and DP Application No. 00591 / 940 Caledonia Ave**

Dear Mayor and Council,

Today, you will be reviewing the Temporary Use Permit for the Transitional Tiny Home Community at 940 Caledonia.

As you review this TUP, I am requesting that you imagine the impact of the decisions you are about to make on the tenants currently living at 940 Caledonia. You will notice that I use the address, not the place name - RAP parking lot. This is because the tenants who have been living here refer to it by "940 Caledonia." For some, this is the first time in months or years they have had an address. In the early days of this encampment, some were hoping they would even be able to receive mail here.

The City has imposed an eviction date of March 11, 2021 for all tenants at 940 Caledonia to leave the site. As of March 2, 2021 tenants at 940 Caledonia have been given the choice to move to the Arena or to be given a new tent and be displaced to another City park. The only offer being given right now - the arena - does not suit everyone, *and* is not being offered to everyone. It is also my understanding that anyone at 940 Caledonia who will receive an offer for the arena, has received it. As of March 3, 2021 there will be no additional offers for the arena to folks at 940 Caledonia.

Your agenda package includes the [NPNA's feedback submitted on January 20, 2021 and February 9, 2021](#). In both communications we requested that the transition to the Tiny Home Community take into account the reality that there are already tenants living at 940 Caledonia. After weekly discussions with BC Housing and the City (through the Engagement Department), I am deeply concerned that the current transition plan does not take into account, and is not even considering, the impact on, and the rights of the current tenants.

I would like to highlight a number of concerns:

- In our January 20 and February 9 letters NPNA requested that all tenants at 940 Caledonia have a housing plan and destination in place prior to any construction. While we did not explicitly state that this should also be in place before a decampment date has been determined, we have been bringing this up with BC Housing and the City for weeks.

- Tenants at 940 Caledonia were notified of a mid March eviction date at the weekly circle meeting on February 24, 2021 by way of an in person announcement from an outreach worker. This is not adequate notice, and has not been submitted in writing. It also did not come from anyone representing the City or BC Housing.
- If there is a new decampment date, or if March 11, 2021 is inaccurate, tenants at 940 Caledonia need to receive written notice well in advance allowing for a dignified transition from the site. Word of mouth does not constitute adequate notice.
- The March 11, 2021 eviction date that BC Housing is working towards has been determined by the City. However, the TUP will not have been approved by Council until at the earliest March 18, 2021. We have asked BC Housing if they would be willing to request an extension until March 18, 2021.
- The obfuscation that surrounds the CAA process is resulting in misconceptions and misunderstandings, and is not being addressed with proactive communication. It remains unclear at this point whether or not moving to the Arena or another park forfeits an individual's opportunity to be offered a Tiny Home, and there is no clarity surrounding roles and responsibilities for this entire project.
- The choice between the Arena or displacement to another City park is not providing an acceptable level of housing choice. Especially considering that in the coming week additional BC Housing resources will be coming on line (such as Capital City Centre) and some of the remaining residents at 940 Caledonia may be eligible to move into that site.
- The City of Victoria as landlord, regulator of the TUP, and land owner is not upholding adequate standards based on the Tenant Assistance Policy (TAP). Furthermore, here are two excerpts from the "[National Protocol for Homeless Encampments in Canada](#)" that relate directly to the eviction process underway at 940 Caledonia.

*Principle 3: Prohibit forced evictions of homeless encampments*

International human rights law does not permit governments to destroy peoples' homes, even if those homes are made of improvised materials and established without legal authority.

**Governments may not remove residents from encampments without meaningfully engaging with them and identifying alternative places to live that are acceptable to them....** Common reasons used to justify evictions of encampments, such as 'public interest,' 'city beautification', development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.

*Principle 5: Ensure that relocation is human rights compliant*

Considerations regarding relocation must be grounded in the principle that "the right to remain in one's home and community is central to the right to housing." Meaningful, robust, and ongoing engagement with residents is required for any decisions regarding relocation. Governments must adhere to the right to housing and other human rights standards when relocation is necessary or preferred by residents. **In such cases, adequate alternative housing, with all necessary amenities, must be provided to all residents prior to any eviction. Relocation must not result in the**

**continuation or exacerbation of homelessness, or require the fracturing of families or partnerships.**

- There are supports being provided at 940 Caledonia right now by Peers Victoria Resources Society through the warming tent. Considerable human and financial resources were spent establishing this warming tent by two organizations that are already working beyond their capacity - Peers and NPNA. The warming tent acts as a hub for service providers and outreach. Evicting tenants to other City parks would result in further displacement as well as a significant reduction and disruption in support and services, not just from the warming tent, but also from medical outreach - pharmacy, nursing, harm reduction/overdose prevention - services to the site.
  - \$35,000 about 200 hours of staff and volunteer time has gone into setting up the warming tent. It took nearly a month to gain approval and open, and another month to get power to the warming tent.

Recommendations:

- Extend the eviction date at 940 Caledonia until March 18, 2021, and ensure that all 940 Caledonia residents have a relocation plan developed by this time *with* the tenants involvement. A proper relocation is an individual-centred planning that includes proper communication to outreach workers, service providers, etc.
- Instead of evicting tenants to another City park, allow the warming tent and the 940 Caledonia tenants who do not move to the Arena or the CCC to stay at the site until March 31, 2021
- Move the Tiny Home Community site further to the west in the parking lot, allowing current tenants and the warming tent to stay in use during the construction. Upon completion of the Tiny Home Community, the footprint can become an expanded community gathering space.
  - Our January 20, 201 feedback to Aryze included a request to increase the setback along Vancouver to allow for community gathering space. This would increase the setback that Aryze created to accommodate our request, and allow for a larger footprint for placemaking.

Thank you for your consideration. We look forward to having the Tiny Home Transitional Community in North Park. With that said, the process, and the way this project is achieved is just as important as the outcome.

Sincerely,

North Park Neighbourhood Association Board  
Sarah Murray, Executive Director, NPNA  
Eleni Gibson, Land Use Planning Advisor, NPNA