

B.3

COUNCIL MEMBER'S MOTION

3. Street Care, Not Street Sweeps: Ending Daily Displacement in Vancouver

Submitted by: Councillor Swanson

WHEREAS

1. "Street Sweeps" refer to the daily practice of City Engineering Workers and Vancouver Police Department officers moving throughout the Downtown Eastside (DTES), notionally in order to 'clean' City property and private property;
2. In reality, Street Sweeps perpetuate a cycle of displacement that diminishes the dignity, safety, and well-being of people who rely on public space, undermining efforts by community organizations and the City of Vancouver to meaningfully support people experiencing housing precarity. In contrast, City of Vancouver micro-cleaning grants address neighbourhood litter and/or debris;
3. City of Vancouver Engineering staff are currently directed to dismantle temporary structures and to remove structures and personal belongings from the area. These practices are detailed in the [Safe Operating Procedure - Dismantling of Transient Camps](#). The City of Vancouver Safe Operating Procedure outlines storage protocols for bicycles only. Currently, there are no low-barrier storage facilities available to people who rely on public space. Similarly, there is no accessible or identifiable facility where people can retrieve possessions that have been taken during Street Sweeps;
4. The most recent Metro Vancouver Homeless Count (2020) identified over 2,000 people as homeless. Of these, over one-quarter were unsheltered, and 52% of those unsheltered individuals resided in the Downtown Eastside. Unsheltered residents of Vancouver must fend for themselves in encampments, parks, sidewalks, and other public spaces. Even those residents who have access to overnight shelter may be forced into public space during the day, often with all their possessions;
5. Community members have highlighted how the Street Sweeps fail to abide by the City's own protocols, including not providing adequate notice when confiscating personal property, as detailed in the report [#StopTheSweeps: Ending Cyclical Displacement and Criminalized Poverty in Vancouver](#). The findings of this report reflect interviews with 85 people who rely on public space in the Downtown Eastside. The

Vancouver Area Network of Drug Users (VANDU) has also gathered firsthand information on the impact of street sweeps through interviews collected in the Downtown Eastside during May and June 2022;

6. Street Sweeps can infringe on constitutional and human rights law in two main ways: by endangering people's lives and security of the person, in violation of section 7 of the Charter; and by discriminating against protected groups, including Indigenous people, Black people, People of Colour, drug users, 2SLGBTQ+ and people with disabilities. The practice of displacing people and confiscating and presumably destroying their possessions, could be unconstitutional, against human rights law, and grounds for a civil lawsuit based on the seizure and destruction of private property;
7. The negative impacts of Street Sweeps on low-income and street-involved communities in Vancouver have been widely-documented as a harmful practice. There have been reports of family memorabilia (i.e. photos of children, ashes), identification documents, survival gear (i.e. blankets, sleeping bags, sleeping pads, tents and tarps), assistive devices (i.e. walkers), and other personal possessions inappropriately confiscated and destroyed by Street Sweeps;
8. The City of Vancouver, and therefore its staff and employees, cannot breach the constitutional and human rights of unhoused residents, nor its common law obligations to them. Street Sweeps policies, procedures, and associated job descriptions force workers to violate the rights of unhoused residents; and
9. The City of Vancouver is committed to Reconciliation and implementation of the UN Declaration on the Rights of Indigenous People ("UNDRIP"). The unsheltered community is disproportionately Indigenous, and Indigenous community members are therefore disproportionately subject to Street Sweeps. The displacement of Indigenous people from unceded land, and the disposal of their personal property - including items of cultural and ceremonial significance, as well as the items detailed above - must be recognized as genocidal.

THEREFORE BE IT RESOLVED

- A. THAT Council ask staff to continue to engage community partners, specifically the Alternatives to Street Sweeps Working Group (Coalition of Peers Dismantling the Drug War, VANDU, WAHRS, Pivot Legal Society, individuals with lived/living experience) to develop and implement a non-punitive and community-led alternative to Street Sweeps that does

not displace people who rely on public space.

- B. THAT Council direct staff to work with the Alternatives to Street Sweeps Working Group to create directives related to the confiscation of belongings from people who rely on public space and systems of accountability for their implementation, in recognition that this practice has continued potential for harmful and discriminatory impacts. These directives must apply to City staff and community-based organizations. Best practices include giving at least 24 hours notice of seizure and providing a receipt with details what was taken, and clear instructions on how to retrieve personal belongings.
- C. THAT Council direct staff to identify and develop appropriate storage facilities for DTES community members, along with an appropriate budget item for the 2023 City budget, with a twofold purpose: ongoing storage and storage of justifiably confiscated belongings. These facilities must be secure, easily accessible, of an adequate size, and informed by best practices and cultural safety for people who rely on public space.
- D. THAT Council direct staff to identify how to expand permanent parklets, seating areas, green and blue spaces, hygiene facilities (i.e. washroom trailers), garbage disposal sites, and other public outdoor amenities such as covered cooking facilities, and cultural programming sites throughout the DTES, along with an appropriate budget item for the 2023 City budget, as these are essential public spaces.
- E. THAT Council direct Engineering Services to identify total funds currently allocated to the Vancouver Police Department for street sweeps, and develop a work plan that redistributes these resources and funds to peer-based initiatives that can carry out micro-cleaning initiatives in affected areas.
- F. THAT Council ensure all programming and policies that impact Indigenous people are implemented in compliance with *UNDRIP*, *Declaration on the Rights of Indigenous Peoples Act*, and the City of Vancouver's Reconciliation goals.
- G. THAT Council instruct staff to examine section 71A of the Streets and Traffic bylaw which prohibits structures on streets and sidewalks and bring recommendations back to Council to make the section consistent with the human and Charter rights of people who have no homes.
- H. THAT Council request that the Mayor write to the Province to advocate for the addition of "social condition" as a protected ground in BC's Human

Rights Code, as recommended by the Office of the Human Rights Commissioner.

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