



**City of Kingston
Administrative Policies Committee
Special Meeting Number 04-2023
Addendum**

**Thursday, November 9, 2023 at 6:00 p.m.
Hosted at City Hall in Council Chamber**

The consent of the Committee is requested for the **withdrawal** of Delegation a).

- a) Megan Knott, Executive Director, Tourism Kingston was present to speak to the Committee regarding the Proposed Community Standards By-Law.

The consent of the Committee is requested for the **addition** of Delegation Letters d) through f).

- d) Moved by Councillor Chaves

Seconded by Councillor Glenn

That Clause 2.14 of the City of Kingston Committee By-Law be waived to allow Peter Kingston, SPEAKingston to appear before Council to speak to the Proposed Community Standards By-Law.

Moved by Councillor Chaves

Seconded by Councillor Glenn

That Clause 2.14 of the City of Kingston Committee By-Law be waived to allow Shannon Lachapelle to appear before Council to speak to the Proposed Community Standards By-Law.

- e) Moved by Councillor Chaves

Seconded by Councillor Glenn

That Clause 2.14 of the City of Kingston Committee By-Law be waived to allow Robert Gibson to appear before Council to speak to the Proposed Community Standards By-Law.

f) Moved by Councillor Chaves

Seconded by Councillor Glenn

That Clause 2.14 of the City of Kingston Committee By-Law be waived to allow Janette Leroux to appear before Council to speak to the Proposed Community Standards By-Law.

Correspondence

a) Correspondence received from Sharon Way, dated November 6, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 1 - 2

b) Correspondence received from John Brackenbury, dated November 6, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 3 - 4

c) Correspondence received from Laura Chaignon, dated November 6, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 5 - 6

d) Correspondence received from Tara Poole, dated November 6, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 7 - 8

e) Correspondence received from Alex Dawson, dated November 6, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 9 - 10

f) Correspondence received from Amanda Dorter, dated November 6, 2023, regarding the Proposed Community Standards By-Law.

Schedule Page 11

- g) Correspondence received from Mignon Morphet, dated November 7, 2023,
regarding the Proposed Community Standards By-Law.

Schedule Pages 12 - 15

- h) Correspondence received from Meena Krishnamurthy, dated November 7, 2023,
regarding the Proposed Community Standards By-Law.

Schedule Pages 16 - 17

- i) Correspondence received from Harshavardhan Thyagarajan, dated November 7,
2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 18 - 20

- j) Correspondence received from Jamie Swift, dated November 7, 2023, regarding
the Proposed Community Standards By-Law.

Schedule Pages 21 - 22

- k) Correspondence received from Yasmine Djerbal, dated November 7, 2023,
regarding the Proposed Community Standards By-Law.

Schedule Pages 23 - 24

- l) Correspondence received from Lise Melhorn-Boe, dated November 7, 2023,
regarding the Proposed Community Standards By-Law.

Schedule Pages 25 - 26

- m) Correspondence received from Gavin Anderson, dated November 7, 2023,
regarding the Proposed Community Standards By-Law.

Schedule Pages 27 - 28

- n) Correspondence received from Jacob Benn, dated November 7, 2023, regarding
the Proposed Community Standards By-Law.

Schedule Pages 29 - 30

- o) Correspondence received from Clifford Ells and Angie Ells, dated November 7,
2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 31 - 32

- p) Correspondence received from Toni Pickard, dated November 7, 2023, regarding
the Proposed Community Standards By-Law.

Schedule Pages 33 - 35

- q) Correspondence received from Steve Luckwaldt, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 36 - 37

- r) Correspondence received from Joan Jardin, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 38 - 39

- s) Correspondence received from Peter Kingston and Wanda Williams, SPEAKingston, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 40 - 43

- t) Correspondence received from Paul Quick, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 44 - 46

- u) Correspondence received from Nancy Jones, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Page 47

- v) Correspondence received from Alexandra Creighton, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 48 - 49

- w) Correspondence received from Cleo Boyd, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 50 - 51

- x) Correspondence received from Margaret Hughes, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Page 52

- y) Correspondence received from Holly Crawford, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 53 - 54

- z) Correspondence received from Abigail McIntyre-Tsiang, dated November 7, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 55 - 56

- aa) Correspondence received from Margaret Pappano, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 57 - 58

- bb) Correspondence received from Chloe Savoie-Bernard, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 59 - 60

- cc) Correspondence received from Robert Lachapelle, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 61 - 62

- dd) Correspondence received from Kathryn Londry, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 63 - 64

- ee) Correspondence received from Lisa Guenther, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Pages 65 -66

- ff) Correspondence received from Vicki Schmolka, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Page 67

- gg) Correspondence received from Marie Louise Adams, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Schedule Page 68

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Sharon Way Brackenbury

King's town District

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

John Brackenbury

King's Town District

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Laura Chaignon

King’s Town District

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you:**

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about Section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely, putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines will do nothing to decrease substance use; as stated in the previous paragraph, fining people who use substances will only put them at further risk of drug-poisoning and death. It is the City of Kingston’s responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I am also concerned with the assumptions that appear throughout the new by-law and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,
Tara Poole
Kingston Resident
Lakeside District

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though I am asking that you:

1. Vote no to this draft bylaw
2. Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
3. Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: Safe Use of Public Places.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

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The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there

is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

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Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

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This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use the outdoors. If they face fines for using in public space and parks, they will use them in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place. See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s Purpose and Intent are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Alex Dawson

Dear Administrative Policy Committee members,

I am writing to you having read the recent amendments to the proposed community standards by-law with concerns that, despite what i trust are your best efforts at addressing initial concerns with this bylaw, it continues to stigmatize people living in poverty and with mental health challenges and addictions. If everyone in our communities had access to adequate, accessible and supportive housing, i might feel differently about this bylaw but the reality is that unhoused people don't always have the options to refrain from many of the actions you've listed in section 9. Moreover, given that highways including sidewalks are public spaces, it is incredibly concerning, and arguably unconstitutional to prevent people from using these spaces and to give arbitrary power to provincial offences officers to determine who should "move on".

While I share your hope that our community is one where people feel safe, this is not a way to do that. The reality is that people need housing, addictions and mental health supports, public bathrooms, harm reduction areas, and other measures that uphold our collective dignity, rather than seeks to stigmatize those among us who most need public space. I encourage the committee to consider exploring professional development opportunities that will help you understand the reality of what it is like to live in our community with mental heath struggles, and/or with addictions, especially if that is combined with poverty and lack of housing. Perhaps after such training you would be better positioned to proposed community standards that uphold the rights and dignity of all of our members; standards such as not harassing people who don't have the comfort of housing, or supportive mental health and addictions services. Accepting those among us who struggle the standard we want to hold ourselves to in our community.

I urge you to reconsider the proposal as it stands.

Thank you,

Amanda Dorter

Dear Administrative Policies Committee,

I am asking that you

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to develop an educational campaign about stigma that must include addressing the difference between feeling uncomfortable versus unsafe.

Below are some examples of concerns I have regarding the Community Standards Bylaws.

City of Kingston By-Law Number 2023–XX Community Standards By-Law page 6 of 18 does not have “park” defined, Exhibit A to Report Number AP-23-017 page 6 and 7 of 20 has park defined:

“park” means any *premises* owned, leased, or controlled by the *City* or a school

board and designated or used as parkland or as a trail, including gardens, playgrounds, sports fields, skate parks, splash parks, pools and beach areas;

Concern:

This definition of “park” seems to be created to support 9.7 of Exhibit A to Report Number AP-23-017 (revised community standards bylaw) and specifically targets those people who are deprived of housing and health care from sheltering near the Integrated Care Hub (ICH) and in and near the Belle Park area. This would also impact people who have sought to shelter within wooded areas near other “parks”. This will discriminate against Disabled people.

It also appears from this definition of “park” that the discrimination of Disable people is acceptable if the Disabled person is using “any premises owned, leased, or controlled by the City or a school board and designated or used as parkland or as a trail, including gardens, playgrounds, sports fields, skate parks, splash parks, pools and beach areas”.

<https://www.ohrc.on.ca/en/human-rights-and-mental-health-fact-sheet>

Mental health and services

The Accessibility for Ontarians with Disabilities Act (2005) says goods and services must be provided in a way that respects the dignity and independence of people with disabilities, which includes people with mental health disabilities and addictions. It is discriminatory to deny a service to someone with a mental health disability or addiction simply because of their disability. Goods, services and facilities could be public or private and include:

Schools and universities

Shops, restaurants and gyms

Hospitals and health care organizations

Police and the court system

Administrative tribunals, like the Social Benefits Tribunal or the Landlord Tenant Board

Public assistance programs

Insurance

Government services

Exhibit A to Report Number AP-23-017

3 Purpose & Intent

3.1 The purpose of this by-law is to promote a healthy, safe and vibrant community for all residents and visitors in the City of Kingston by regulating and prohibiting activities or conditions that interfere with the public's right to use and enjoy public spaces or that negatively impact the safety, comfort or wellbeing of the community.

Concern:

Safe supplies, fulsome access to publicly provided health care and fully-accessible public housing are the ways to achieve a "healthy, safe and vibrant community for all residents and visitors in the City of Kingston". Creating bylaws as tools to oppress, harass, destabilize, alienate and criminalize residents will not positively impact the "safety, comfort or wellbeing of the community.". Who is "community"?

How many current and planned residential and multi-residential projects are targeted to people with no-income, low-income or fixed-income?

According to a recent article from Global News:

"Canada needs a long-term plan to bridge the gap in its affordable housing supply. It must include significant, sustained government investment in non-market housing – such as cooperative, non-profit, and public housing. The ultimate goal is a sustainable housing system. The key ingredient to get there is a human rights approach that puts people first, and programs that respond to their needs," Marie-Josée Houle, the head of the OFHA, said in a statement.

Source: <https://globalnews.ca/news/10063968/more-canadians-housing-need-cmhc-estimates-report/>

These bylaws will not equitably provide feelings of safety, comfort or wellbeing for all members of the community.

There is nothing inclusive about the bylaws 9.1 to 9.8 Safe Use of Public Places. Safe for who? Why isn't the term "safe" defined in Exhibit A to Report Number AP-23-01, 1 Interpretation?

9 Safe Use of Public Places

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance; or

(b) communicating with a person in a manner that could reasonably cause offence or intimidation including any conduct, comment, or action that refers to the person's race, religious beliefs, colour, disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression, or sexual orientation.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

9.3 No person will participate in a fight or similar physical confrontation in any public place, provided that this subsection 9.3 does not apply to participants in a sanctioned organized sporting event who are governed by the rules of conduct of that sporting event.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

9.5 No person will loiter in any public place washroom or change-room.

9.6 No person will engage in lewd sexual activity, including masturbation, in a public place.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

Concerns:

Conduct that is "likely to disturb or interfere with the reasonable enjoyment of another person in a public place" is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose "reasonable enjoyment... in a public place," is to be prioritized and to what effect for those demonstrating mental health challenges?

This also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

These bylaws target and disadvantage residents who are not hotel using tourists and residents who do not reside in single-family detached homes. Tourists and persons residing in single-family detached homes have the privacy and readily available washroom facilities that come with being in a hotel or being in a single-family detached home and are advantageously equipped to abide by the by-laws.

There are not enough single-user public washrooms in Kingston that are available year round 24 hours, fully-accessible and free to use to prevent the people from needing to urinate and defecate in public places.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a "loiterer"? Why is "loitering" in public space a problem that needs addressing? If a person isn't causing harm, they shouldn't be asked to move on. This clause should be removed entirely.

These bylaws discriminate against people with substance use disorder and who are unhoused. If the city/province isn't providing housing for everyone, and housing that people can use substances in, then this is unfair.

This will also create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people's consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to "permit the unsafe disposal of needles"?

These bylaws are exclusive and are not able to be equally followed by all residents and community members. These bylaws will alienate community members and leave even more people behind.

There is no mention throughout the bylaws on if the City of Kingston will be monitoring, collecting and analyzing human rights-based data based on the Ontario Human Rights Code of those who report a by-law infraction and those who are the subject of the by-law infraction to ensure the by-laws are not being used in ways that violate the Ontario Human Rights Code.

There is no mention of if the City of Kingston will publicize the anonymized human rights-based Ontario Human Rights Code data collected in relation to the reporting of and to the subjects of the by-laws no less than bi-annually to the public.

Whose definition of "a healthy, safe and vibrant community," is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I do not want the City of Kingston to have By-Laws that leave any community members being in fear of existing in public spaces.

These bylaws are still discriminatory and violate the human rights of persons who are to be protected under the Ontario Human Rights Code.

Will you support all community members and please vote no to these discriminatory bylaws that exclude and leave many members of the community behind and excluded?

Sincerely, Min.

Collins-Bayridge, Kingston ON

Mignon (Min) Morphet

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Meena Krishnamurthy

Dear Administrative Policies Committee,

I am writing to let you know how disappointed I am about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023, specifically regarding the section on safe use of public spaces. Overall, this bylaw modification feels like an attempt to squash any symptoms that this city may show of poverty and substance use, aimed at satisfying people who do not have these issues and do not want to look at it, rather than supporting the people who urgently need our support. Communities are not fixed by policing symptoms of existential crises!

Some of the amendments to the report are welcomed changes, but it seems like the City does not meaningfully engage community feedback on the first draft of the bylaw. As it stands, this By-Law will hurt our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I join other members in of the community in the following:

We ask that you

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include **addressing the difference between feeling uncomfortable versus unsafe.**

Specific concerns about section 9: *Safe Use of Public Places.*

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

A likely consequence of this vague bylaw is simply subjective policing decisions made by a police force that already regularly interacts with community members who are unhoused/use substances in extremely hostile circumstances, only further exacerbating a traumatic situation.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists **only 3 facilities** that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused. Do you really expect someone not in the vicinity of one of these three facilities to be able to manage this?

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? I am frequent visitor of downtown Kingston. One of my favourite pastimes is to spend time idly along Princess st - but I am sure that I would not be considered to be loitering, simply because of the signs of social status that I display. Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely - it offers nothing but palpable discrimination.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. ***If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning!!***

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. **Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report?** Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

I urge the city to focus its efforts on accommodating its residents better and improving their quality of life starting with the people having the most difficult time.

Sincerely,

Harshavardhan Thyagarajan

(Portsmouth dist)

Dear Administrative Policies Committee,

I'm a downtown resident who spends much time (on foot and bike) on and around Princess Street. In my thirty plus years here, I've supported downtown, local businesses.

I helped to organize a good-bye party for the S&R and subsequently helped to organize DARN, the Downtown Action and Revitalization Network. DARN's love-themed posters, distributed for several years at Valentine's Day, still adorn downtown store windows. "I love shopping downtown..." and similar messages.

I give money to panhandlers and sometimes try to engage them in conversation

I am worried about my concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

The updated report does show City staff heard and integrated community feedback on the first draft of the bylaw. If approved, this By-Law will negatively affect our community, especially some of our poorest neighbours. People who are unhoused, people who use substances, and people who struggle with their mental health.

Please

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

Let's think about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is "likely to disturb or interfere with the reasonable enjoyment of another person in a public place" is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose "reasonable enjoyment... in a public place," is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

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See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

The language is vague. Subjective terms that appear throughout. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. Vulnerable community members could easily be targeted for simply existing in our public places.

Back to the drawing board, please

Cheers

Jamie Swift

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely, Yasmine Djerbal

District 9- Williamsville

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. It could also be used to target buskers, or protesters, or people dancing in the streets. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

I know from my own experience that it isn’t easy to find a public washroom even in the daytime. The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? As a downtown worker, I have seen lots of people who sat on the benches for hours at a time, just because it got them out of their apartments and enabled them to people-watch or maybe talk to someone. Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

There are a number of vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Lise Melhorn-Boe

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though I am asking that you

Vote no to this draft bylaw

Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and

Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: Safe Use of Public Places.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s Purpose and Intent are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Gavin Anderson

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you:**

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about Section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely, putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines will do nothing to decrease substance use; as stated in the previous paragraph, fining people who use substances will only put them at further risk of drug-poisoning and death. It is the City of Kingston’s responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I am also concerned with the assumptions that appear throughout the new by-law and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely

Jacob Benn, Portsmouth District

Dear Administrative Policies Committee,

We are writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure us that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. We remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

We will outline our concerns in detail below, though **We are asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While we see many issues in the proposed report, we wish to focus on the concerns we continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

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This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

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See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

We take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. We worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Clifford (Russ) Ells and Angie Ells

Dear Members of the Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcome, unfortunately the updated report does not seem to me to indicate that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain deeply concerned that, if approved, this By-Law will negatively impact our community's most vulnerable people - those who are unhoused and/or use substances or struggle with their mental health.

The problem we have in Kingston is a major and serious one for all of us. There is insufficient affordable housing or safe alternatives thereto provided for Kingstonians who are unhoused and so subject to the demands of this proposed amended by-law at pain of monetary penalties. The Report has a variety of vague and subjective terms that appear in particular provisions as well as in the report's *Purpose and Intent* section. The provisions make it clear whose idea of "a healthy, safe and vibrant community," is being prioritized, effectively excluding Kingston's unhoused citizens from the community. Doing so lacks common humanity. Furthermore, standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. It seems obvious that the effect of this By-Law will be to target and punish our most vulnerable community members for their involuntary need to conduct their lives in public space. As a resident of the downtown area, I am aware of discomfort caused by the many unhoused people on our downtown streets. Discomfort is unpleasant, but it has to be balanced with an understanding of the causes of the situation of those who are most subject to targeting, and a commitment to humanity and decency.

I recognize that the causes of nationwide homelessness are outside the City's control, though it falls to Municipal Councils to deal with the its crisis aspects on many dimensions. But that doesn't justify Municipalities in enacting inhumane and ineffective by-laws aimed to keep things pleasant and enjoyable for those who are housed at the cost of injustice and cruelty to those who are unhoused. I try to show you what I mean by that below, but first, **I'm asking you to**

- vote no to this draft bylaw
- instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, struggle with their mental health and/or use substances, and
- instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus being unsafe.

I see many issues in the proposed report, but am mainly concerned about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is, of course, a subjective measure. This clause could be used to target people who are unhoused and show outward symptoms of mental health challenges. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to hide their mental health issues or enjoy their use of drugs, including alcohol. This is understandably disturbing to others, but what are such unhoused people to do, where are they to go? In the absence of alternatives for them, it is both inhumane and ineffective to take a punitive stance by imposing unaffordable administrative penalties on them.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Loitering is notoriously difficult to define and in any event raises the question what is it about 'loitering' in a public space that makes it a problem if a person isn't causing harm? From my point of view, this clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If the City doesn't provide sufficient housing at affordable prices that people can use substances in, then this clause is discriminatory because it makes the use of drugs, even those legal in Canada like alcohol and cannabis, a violation if paraphernalia is involved. In the early 1970's, Kingston prohibited the use of alcohol in public view - even on one's front porch. That was eventually repealed. Now it's time to move on from stigmatizing and outlawing drug use. If people do not have a home, or a home that is safe, they are driven to use their drugs outdoors. If they face fines for doing that in public spaces and parks, they will go - perhaps alone, particularly dangerous for women and girls - to hidden, isolated places. Apart from genderized dangers, this can bring about unsafe use, eg. - rushing the process, not testing substances, cleaning whatever apparatus first, etc. This puts unhoused Kingstontians at an increased risk of health consequences or death from drug poisoning.

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances can solve anything? What does it mean to “permit the unsafe disposal of needles”?

Sincerely,

Toni Pickard

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though I am asking that you:

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about Section 9: Safe Use of Public Places.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

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Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely, putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines will do nothing to decrease substance use; as stated in the previous paragraph, fining people who use substances will only put them at further risk of drug-poisoning and death. It is the City of Kingston’s responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I am also concerned with the assumptions that appear throughout the new by-law and those in which the report’s Purpose and Intent are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,
Steve Luckwaldt
Meadowbrook-Strathcona District

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards Bylaw report that will be presented to your committee on November 9, 2023.

I believe that the dignity of people is best supported by providing for the well-known determinants of health. Also, many of the concerns that we have as a society can be alleviated if we take a caring approach and not a penalizing stance (especially financial penalties). Addressing root causes also deals with needs in the long-term.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this Bylaw will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

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Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this bylaw is discriminating against people who are unhoused.

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See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this Bylaw will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Joan Jardin

Lakeside District

To: Mayor Bryan Patterson, Kingston City Council

SPEAKingston Comments on Proposed Community Standards By-Law

As you may know SPEAKingston is a volunteer organization committed to working with community partners to create a vision for Kingston that incorporates smart growth in four key areas: physical, technological and cultural infrastructure, expanding the tax base by growing employment and providing a variety of housing options, fostering a safe and livable City and protecting the historical and environmental assets of Kingston.

Our city is in the middle of a crisis and although this crisis is not unique to Kingston the impact on our community is far-reaching and perhaps even more potentially devastating than it may be for other communities. The reason for this is that Kingston has worked so hard and has had such great success in developing, protecting and preserving our vital and historic downtown. We do not believe that there is any compelling vision of Kingston that does not incorporate a vibrant, safe and prosperous downtown core as well as safe and walkable historic neighborhoods that border the downtown.

As you will be hearing this evening this vision is far from the reality of the lived experience today in downtown Kingston. In fact, we have heard from many local business owners that the downtown area is anything but safe. We have heard stories of theft, harassment of and physical threats to staff and customers, public defecation, drug use and other activities that will be outlined for you at the special committee meeting by others who have firsthand experience. We are very concerned about many aspects of the deterioration of the downtown because as we have heard in almost every related presentation to Council over the years our downtown along with our waterfront parks and historic districts are three jewels in the crown that make Kingston unique among Ontario destination cities.

At a recent meeting hosted by the DBIA we also heard descriptions of the downtown as near dystopian. A place where anything goes and where either the police have given up responding because they feel their efforts are so futile or business owners and community members have given up even reporting the

misbehaviors' because they believe that no one will respond. We heard comments to the effect that if this continues many business owners will either relocate or close and even worse that some business owners would be inclined to take matters into their own hands - vigilantism is the surest sign of complete social breakdown.

No doubt you will hear this evening that the blame for the deteriorating conditions downtown rests on three social issues: lack of affordable housing, a drug epidemic and lack of support for mental health issues. There is no doubt that these all play a role. It is important to remember however that Kingston has had housing shortages for many years, drug issues have been with us for many years and there has been a distinct failure on the part of provincial and federal levels of government to provide adequate resources to support those suffering from mental health issues for many years. We think it is important to ask why these issues have suddenly merged to create the intolerable conditions that we now find in the downtown and surrounding neighborhoods.

Obviously, the pandemic has had an effect. In an effort to provide for the safety of some of its disenfranchised and at-risk residents Kingston City Council at the time, however well intended, contributed to creating the conditions that encouraged encampments on the edge of the downtown. This in turn contributed to the proliferation of a concentrated community of unhoused in the area of the ICH and Belle Park, a segment of whom are illicit drug users - many of whom are likely using drugs to try and deal with their own mental health issues, and simply had nowhere else to go during the day.

At the same time there has been a real absence of police support dedicated to the downtown. The lack of officers on foot and the reality that arresting and charging this volume of people who ultimately would not be held responsible for their actions has seemingly led to a reluctance, or at least a perceived reluctance, around enforcement. This in turn has contributed to a sense of resignation among business and community members that calling police about issues that do not involve immediate physical safety will just be ignored because of the volume and the futility of pursuing them.

So here we are. We applaud the development of the community standards

bylaw as a first step. Importantly, this bylaw is aimed at addressing behaviours and not aimed at any particular demographic as previous laws around vagrancy tended to be. We see this however as only a bare minimum first step and encourage Council and the Police Services Board to look additional measures to address these challenges:

- Return to police foot patrols in the downtown core and particularly in the business district on a 24-hour basis
- Establish a satellite office in the downtown core that includes Kingston police, Kingston bylaw officers and harm reduction staff under one roof
- That City Council request that Addiction & Mental Health Services close the Integrated Care Hub in its current form and search for alternatives to providing wrap around services and a continuum of health care that include safe injection sites and harm reduction support that is focused on recovery that are located in more than one location and that do not allow encampments. Further, that City Council establishes a date by which AMHS, and the province amend the current service model for Kingston and failing action from AMHS and Provincial health authorities that the \$500,000.00 contribution that the City makes to the current ICH model be discontinued and the money be redirected to supporting alternative delivery models.
- Continue to press for next level support from federal and provincial governments by telling the story of the impact that the lack of adequate funding has had on our community
- That City Council call on the province and federal governments to Look for additional housing solutions including the opening up of the provincial and federal precincts in the city for the expressed purpose of building more housing. (For example, how much additional housing could be built if the grounds of Collins Bay penitentiary were to be opened up for that purpose?)
- Look at an additional bylaw that forces grocery and other large store owners to take special precautions to ensure that their grocery carts stay on their property as well as making it illegal to utilize a grocery cart in areas other than the property of the stores to which they belong which has been spoken

to in the proposed bylaw.

I think every one of us here can imagine what it must be like to be a resident or a businessperson working and living in the downtown. These people pay the highest taxes of anyone in the city. They want to be there, and they want to be a part of a vibrant and safe downtown community. Without them our downtown will steadily deteriorate, and Kingston will cease to be the tourist destination and livable City that we enjoy and prosper from.

Imagine how any of us would react if we were to experience - even for one day - what these residents and business owners see every day happening on their property, in their vestibules and on the sidewalks. Imagine if it was happening instead on your property, on the sidewalk in front of your house and to your friends and family. If it is happening to any of us it is happening to all of us and it is up to all of us, led by our City Council, to find a real solution that protects the property and personal safety rights of all of our citizens. SPEAKingston stands ready to assist in any way that we can. We applaud this new bylaw as a first step, and we hope that the work that this begins will be extended in the coming months.

Respectfully submitted on behalf of the Board of SPEAKingston.

Peter Kingston, Chair

Wanda Williams, Vice-Chair

Good afternoon members of the Administrative Policies Committee,

I am writing regarding the Proposed Community Standards By-Law report that I understand will be presented to your committee this Thursday.

The French man of letters, Anatole France, once wrote: “The law, in its majestic equality, forbids rich and poor alike to sleep under bridges, to beg in the streets, and to steal their bread.” The theft of bread aside, I think such sarcastic praise would well describe the likely effect of Kingston’s Proposed Community Standards By-Law.

If approved, it is not hard to see how this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health. The community I want to live and work in would not treat such individuals as a public nuisance or law enforcement problem, but would work to provide services and supports to help lift people out of poverty and provide support and safety for those wrestling with addiction and mental health challenges.

I am writing to ask that you:

1. Vote no to this draft bylaw
2. Instruct staff to explore and present further amendments/removal of clauses that don’t respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
3. Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

My specific concerns relate to section 9: *Safe Use of Public Places*. In this, I understand I am not alone, and many others have expressed similar concerns, as I expect your own email inboxes will attest. Here are a few specific concerns that I expect you will find familiar:

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

If you got this far, I thank you for reading this email. I sincerely hope you will take the moral consequences of the decision before you seriously, and with due regard to the most marginalized and least resourced members of our community.

Yours truly,

Paul Quick (he/him)

Barrister and Solicitor

Queen's Prison Law Clinic

To the Administrative Policies Committee:

I am concerned that this policy would be used to further criminalize poverty.

What we need is housing for all, mental health and addictions services for those who need them, adequate public washrooms (I don't believe we have any at all that are open 24/7 365 days/year.)

I walk downtown regularly and it is true that it can be distressing to hear the occasional person shouting or living in a different reality, to see people who are poor. But we are all human beings and we all share this world, and we must all have a right to use public space.

I am afraid this policy will be used to push marginalized people out of public spaces—that middle class people will be seen as window-shoppers while poor people will be seen as loiterers. This is not the kind of community I want to live in.

Please choose compassion. Vote no to this draft.

Nancy Jones

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though I am asking that you
Vote no to this draft bylaw

Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and

Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: Safe Use of Public Places.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is "likely to disturb or interfere with the reasonable enjoyment of another person in a public place" is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose "reasonable enjoyment... in a public place," is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place. See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s Purpose and Intent are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,
Alex Creighton

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

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I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Cleo Boyd

Lakeside District

Dear Councillors,

I am writing about my concerns regarding the proposed updated Community Standards Bylaw to be presented to Council on Nov. 9th 2023. I am asking you to vote “No” to the draft bylaw report and instruct staff to amend or remove clauses that do not respect the dignity of those who are unhoused or who suffer from mental health or substance use.

I also request that you instruct staff to develop an education campaign that includes the difference between feeling uncomfortable versus being unsafe.

My comments below refer to the numbered clauses.

9.1. The description is completely subjective and open to exaggeration and personal opinion of the bylaw officer.

9.2. Kingston should be provided with more public washrooms. There is a severe lack of these. Please advocate for this.

9.4. Loitering is not a crime. Unhoused people should not be asked to move on for merely occupying a public space. Please vote to remove this clause.

9.8. There are too few yellow bins available for needle disposal. It is unfair to punish people for unsafe needle disposal if there are not sufficient yellow bins available.

Thank you for your consideration. Losing one’s home could happen to any of us. We should not be punishing people for merely trying to exist without having the security of their own space.

Sincerely,

Margaret Hughes.

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

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This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

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The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

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Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

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I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. **I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.**

Sincerely,

Holly Crawford

King’s Town District resident

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Our focus should not be geared towards the punishment of the most vulnerable parts of our community. Rather, we need to spend our time and money supporting our community. Preventive, not punitive action is needed.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

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Sincerely,

Abigail McIntyre-Tsiang

Dear Administrative Policies Committee,

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Sincerely,

Margaret Pappano

Dear Administrative Policies Committee,

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This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Thank you,

Chloé Savoie-Bernard

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you:**

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about Section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

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This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely, putting them at an increased risk of health consequences or death from drug poisoning.

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The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines will do nothing to decrease substance use; as stated in the previous paragraph, fining people who use substances will only put them at further risk of drug-poisoning and death. It is the City of Kingston’s responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I am also concerned with the assumptions that appear throughout the new by-law and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely

Robert and Nancy Lachapelle

Kingston Resident

Trillium District

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Sincerely,

Kathryn Londry,

Pittsburgh District

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Sincerely,

Lisa Guenther

Williamsville, Kingston

Please accept this correspondence to the Administrative Policies Committee. (pasted below and attached) Thank you.

November 8, 2023

To the Administrative Policies Committee

Re: Report: AP-23-017 – Proposed Community Standards Bylaw

I appreciate that staff has done considerable research and consultation to prepare this report.

The report lists six Ontario cities that have similar bylaws. I do not see answers to these crucial questions anywhere in the report:

- What are the infractions that have resulted in fines in these municipalities?
- Has enhanced enforcement – more bylaw officers – resulted in greater revenues for a city?
- What has been the impact of the bylaw on behaviour change?
- Has the bylaw contributed to community safety and cohesion?
- What Ontario cities use a mediation model when there are neighbourhood disputes rather than involving bylaw enforcement and imposing fines? What is the success rate?

I think the Committee would be wise to get answers to these questions before recommending a bylaw that tries to solve a myriad of social problems through a bylaw approach.

A happy, healthy community is not grounded in rules, enforcement, and punishment. It is grounded in kindness, empathy, and understanding, and a shared sense of responsibility as a member of the community.

Wouldn't it be a better investment to offer more support services to people in the city rather than impose fines on them?

The proposed Community Standards Bylaw risks having some unwanted and unwelcome consequences, including a city of scofflaws, where no one wants to follow rules that they consider unwelcome or unnecessary. How is this better?

Please think twice before voting “yes” on Thursday.

Vicki Schmolka

Kingston, ON

Dear Members of the Administrative Policy Committee,

I am writing to share my concerns about the Draft Community Standards Bylaw. I encourage you to vote to return the draft to staff for further amendments.

I appreciate the process of public engagement and revision that has taken place to date.

However, sections of the draft continue to target the behaviours of the most disadvantaged people in our city, framing the 'public' as those who would be inconvenienced or put out or made uncomfortable by the inevitable consequences of the current housing and drug crises in our city and elsewhere.

The prohibition against public urination is the best example of how impossible it would be for an unhoused person not to contravene the bylaw.

Everyone needs to pee. And not everyone can make sure they will only have to pee when in the vicinity of the three public washrooms that are open over night in our city. Not having a private, comfortable place to use the toilet is one of the great indignities that our rich society imposes on those without resources. The only appropriate response to this issue is to provide more facilities; it is not to put people who have to pee outdoors at risk of encountering a bylaw officer.

Bylaws are not effective responses to huge social problems. The enactment of a bylaw that prohibits public drug use will not stop people who have addictions from needing to use drugs and sometimes having to use them in public. Such a bylaw simply encodes the community's failure to address the problem in other ways. No bylaw will stop the public use of drugs or public urination or the loud outbursts of people who live with mental illness. For those of us who live more comfortable, well-resourced lives, these behaviours can make us uncomfortable and sometimes nervous. But no bylaw can change that. Public urination by people who do not have secure homes is not the same category of problem as idling a car or failing to control construction noise or dust. We need to develop documents and policy options that clearly recognize this.

As someone whose academic training dealt significantly with the history public health and the history of sexuality, I also want to point out that the definitions of 'loitering' and 'lewd sex' have been challenged since the 19th century. One person's loitering is another person's resting, one person's lewd sexual activity could be key to someone else's identity -- as we have seen through generations of persecution of people who engage in same-sex activity. These are both vague terms that can be and have been used to impede the ability of some groups of people to access public space.

I appreciate the opportunity to share my views. Thank you for your attention.

Sincerely,
Mary Louise Adams



**City of Kingston
Administrative Policies Committee
Special Meeting Number 04-2023
Addendum 2**

**Thursday, November 9, 2023 at 6:00 p.m.
Hosted at City Hall in Council Chamber**

The consent of the Committee is requested for the **addition** of Delegation g).

g) Moved by Councillor Chaves

Seconded by Councillor Ridge

That Clause 2.14 of the City of Kingston Committee By-Law be waived to allow Sayyida Jaffer to appear before Council to speak to the Proposed Community Standards By-Law.

Correspondence

hh) Correspondence received from Mason Choi, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 1 - 2

ii) Correspondence received from Dr. Irene Zouros and Marney McDiarmid, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Page 3

jj) Correspondence received from Kristin Moriah, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 4 - 5

kk) Correspondence received from Laura Murray, dated November 8, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 6 - 7

ll) Correspondence received from Alyssa Langlois, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 8 -9

mm) Correspondence received from Kerry Hill, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 10 - 11

nn) Correspondence received from Imaan Bayoumi, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 12 - 13

oo) Correspondence received from Eleanor MacDonald, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Page 14

pp) Correspondence received from Anisah Schwarz, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 15 -16

qq) Correspondence received from Elaine Power, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 17 - 18

rr) Correspondence received from Tara Kainer, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Page 19

ss) Correspondence received from Victoria Pett, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Page 20 - 21

tt) Correspondence received from Ian Clark, dated November 9, 2023, regarding the Proposed Community Standards By-Law.

Scheduled Pages 22 - 23

uu) Correspondence received from Anne Lougheed, dated November 9, 2023,
regarding the Proposed Community Standards By-Law.

Scheduled Page 24

vv) Correspondence received from Zoe Robson, dated November 9, 2023, regarding
the Proposed Community Standards By-Law.

Scheduled Pages 25 - 26

ww) Correspondence received from Matthew Gventer, dated November 9, 2023,
regarding the Proposed Community Standards By-Law.

Scheduled Page 27

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

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- Vote no to this draft bylaw
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- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

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This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. I worry that this will be used to discriminate against people with substance use disorders who are unhoused.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

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This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair. It also creates a dangerous environment for these people - if people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Nothing will be solved by criminalizing people who struggle with substance use; all it will do is harm an already vulnerable population.

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution, and it does not address the reasons why this is happening in the first place (e.g. a lack of places for safe disposal). Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Mason Choi

Dear Members of the Administrative Policies Committee,

We are writing to request that you vote "No" to the Proposed Community Standards draft by-law due to the following concerns we have about the by-law.

We live on Skeleton Park. As you know, it is a vibrant community space used by a wide range of people. It is not uncommon to see individuals who, based on their behaviour (loud yelling, sometimes including profanities), appear to be experiencing mental health distress. In the ten years we have lived here, we have never seen an individual exhibiting this behaviour be aggressive to another park user. It alarms us to think that under section 9.1, people exhibiting this behaviour could be fined. It seems counterintuitive to penalize people for their distress.

Furthermore, we are concerned about the negative messages these actions would convey to our child. These actions teach our thirteen-year-old, who has played in the park for his whole life, that our community does not tolerate being witness to the suffering of others and that they are to be feared.

We also have concerns with section 9.2. Kingston has a profound lack of public washrooms. This affects all residents in the city, not only unhoused individuals. Instead of focusing on penalizing people, we would like to see a movement towards more public washrooms.

Concerning section 9.8, the city should provide more Needle Drop Boxes instead of fining people. In my experience, people using drugs are interested in disposing of their paraphernalia correctly, but sometimes lack the infrastructure to do so.

Section 9.4 should be removed from the bylaw entirely. We frequently see people who are not causing any harm staying for long periods in the park and on downtown streets and feel that they should not be penalized for not having any other place to go.

This proposed by-law conceptualizes the behaviour of individuals as the problem, when the problem is, in fact, the lack of support for marginalized individuals. Fining people is not the answer, instead we need infrastructure and social supports that address people's basic human needs. A system that penalizes people further disenfranchises members of our community and reinforces the stigma of those struggling with mental health issues, substance use disorders, and a lack of secure housing. These rules further divide our community instead of engaging Kingstonians in the question of how we can support one another.

Sincerely,

Dr. Irene Zouros,

Chief of Psychiatry and ACT team physician

Brockville General Hospital

and

Marney McDiarmid

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

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This clause also wrongfully conflates the use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public spaces a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to pick up needles safely. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public spaces.

Sincerely,

Kristin Moriah

Kingston, ON

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

I have commented before, in June 2022, on proposals regarding loitering and related issues. While some elements of the proposal have improved since that time, overall the updated report does not assure me that the City has meaningfully heard and integrated community feedback. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people: people who are unhoused, people who use substances, and people who struggle with their mental health.

Furthermore, on a practical level, I can't see how the By-Law will be effective in reducing the behaviours about which you are concerned

I am asking that you

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

This clause wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances in public because they do not have a private place or home to use them in.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. I have noticed that a number of restaurants on Princess Street now have signs with wording such as "we keep our bathrooms clean for our customers only." As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents, including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused.

If people do not have a home, or a home that is safe, they will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns Re: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles.

In conclusion,

While many of the behaviours addressed by this proposal may be distressing to witness, they are more distressing to experience. It is inhumane to prioritize the passing discomfort of more privileged people over the everyday safety of less privileged people.

Furthermore, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve any of the problems perceived? It certainly won’t generate revenue.

Finally, I am distressed by the vague and subjective terms that appear throughout the report. Whose definition of “a healthy, safe and vibrant community” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members – the very people who have little choice to live their lives with a privacy many of us take for granted -- are targeted for their very existence in public space.

Sincerely,

Laura J. Murray

Kingston ON

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

While I recognize and appreciate that some amendments were made following community feedback, there continue to be parts of this proposed by-law that remain problematic. Namely, I have ongoing concerns regarding Section 9: *Safe Use of Public Places*, and believe that many parts of this section continue to be discriminatory towards vulnerable members of our community, namely those with complex mental health and addiction struggles, and those experiencing homelessness. While it is claimed that introduction of this by-law is in the interest of creating safe and inclusive communities, it is doing quite the opposite, implying that those populations being discriminated against, are not worthy of being considered part of the Kingston community.

I implore you to vote no to this draft by-law. There needs to be further opportunity to amend this by-law in a way that does not stigmatize and unfairly target community members who struggle with their mental health and/or substance use and who are unhoused.

My specific concerns are with the following sections:

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

The concept of “reasonable enjoyment” is subjective and therefore lends the opportunity for inconsistent application, including discriminatory practice. It also specifically names being intoxicated by alcohol or substances as a potential cause of disturbing behaviour.

This discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren't providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

Our community and many others are experiencing substantially increased levels of drug poisoning, frequently resulting in death. By limiting spaces in which people can use safely, this increases using in isolation, therefore increasing the risk of preventable overdose deaths.

Further, some people's consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While I understand that unsafe disposal of needles in parks can create risk to community, there need to then be safe alternatives available for disposal. Further, a fine for this behaviour is not a rational consequence. This will only create greater risk of drug poisoning and death and contribute to levels of poverty.

It is the City of Kingston's responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I have lived in Kingston my entire life and am disappointed to see such discriminatory by-laws not only be created, but also receive a concerning level of support. As someone who sees the negative effects of drug poisoning, stigmatization of mental health, substance use, and being unhoused everyday, to see "solutions" being presented that do not support, but further harm members of our community, while hiding behind the concept of safe communities is disturbing. It clearly shows that only particular members of this city are being represented and protected by these by-laws, while others are deemed unworthy to be members of our so-called community.

Sincerely,

Alyssa Langlois

Kingston Resident

Kingscourt-Rideau District

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though I welcome some of the amendments to the report, I am not assured that the updated report shows that the City meaningfully heard and integrated community feedback on the first draft of the bylaw.

I stand by the adage that **a community's greatness is reflected in how it treats its most vulnerable citizens and its lived environment**. Kingston has taken many steps to improve the welfare of its citizens. However, we are failing in supporting each other. I am very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is "likely to disturb or interfere with the reasonable enjoyment of another person in a public place" is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose "reasonable enjoyment... in a public place," is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there

is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Lastly, here is an opportunity to educate ourselves and our community to the plight of the unhoused. Let's not sustain the status quo by enacting the graft Community Standards By-law in its current form.

Sincerely,

Kerry Hill

Dear Administrative Policies Committee,

I am a family physician and researcher at Queen's University. I am writing to share my concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though there are some welcomed amendments to the report, I continue to be concerned about the impact of the bylaw on the health and wellbeing of vulnerable people in our community including those who are unhoused, use drugs or experience poor mental health.

In particular, some of the provisions in the bylaw are likely to be applied in a discriminatory manner and are likely to threaten the health of vulnerable people. My specific concerns are as follows:

1. Section 9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Some individuals may well feel uncomfortable witnessing people who are experiencing significant mental health symptoms. If there is no threat to public safety, it is possible that bylaw officers attempting to intervene may well escalate the concerns and behaviours they are trying to manage. Despite being well intentioned, actions of systems such as police and mental health agencies often trigger a cascade of events that may result in a punitive response to a health crisis, often with substantial negative impacts for the individual.

2. Section 9.2 states that "No person will urinate or defecate in a public place, except in a facility designed and intended for such use." Access to public washrooms is very limited for unhoused people, especially late at night. It is wrong and discriminatory to target them.

3. Section 9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

The nature of the concern regarding 'loitering' is unclear, and also is likely to disproportionately impact homeless individuals. This clause should be removed.

4. Section 9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

From a public health perspective this clause can increase the risk to people who use drugs. If people do not have a home, or a home that is safe, people will use drugs outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of overdose and death from drug poisoning. Further, some people's consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

5. Section 9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

A public health approach (ie increasing the number of yellow bins available in public spaces and parks, and education for local residents who want to learn how to safely pick up needles) is a much more effective approach than a punitive one. Is there evidence that fines will achieve the desired effect?

Finally, it is vital that we all work together to support all members of our community, including those who live with severe mental illness, as well as those experiencing homelessness and who use drugs.

Sincerely,

Imaan Bayoumi MD, MSc, FCFP

PSI Foundation Graham Farquaharson Knowledge Translation Fellow

Assistant Professor, Research Director, Department of Family Medicine

Assistant Professor, Public Health Sciences

Queen's University

Adjunct Scientist ICES

Dear Members of the Administrative Policy Committee,

I am writing in regard to the Draft Community Standards Bylaw. I believe the draft bylaw continues to be problematic and I urge you not to pass it in its present form.

My principal concern is that the bylaws will be implemented in a way to further harm those who are unhoused and/or who are suffering from addictions or severe mental health concerns. Bylaws that prohibit behaviours such as public urination, use of drugs in public space, and loud outbursts may seem to "protect" the general public, but they in fact target those who do not have access to public washrooms or to private spaces. That is to say, these bylaws target our most vulnerable community members. Using bylaws to regulate and control these behaviours not only ignores the reasons behind these behaviours, but it actually increases the vulnerability of that population.

In recognition of this, I recommend that council vote against the present policy recommendations. I also request that council increase its efforts to create more housing options for those who are unhoused. Council would do well to recognize that current public washroom access in this city is severely inadequate, and measures need to be taken to provide an accessible and safe public washroom system for the use of all citizens. Mental health supports for those who are suffering, along with better public education on housing and mental health issues would also be more useful responses.

Sincerely,

Eleanor MacDonald

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you:**

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about Section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely, putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines will do nothing to decrease substance use; as stated in the previous paragraph, fining people who use substances will only put them at further risk of drug-poisoning and death. It is the City of Kingston’s responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I am also concerned with the assumptions that appear throughout the new by-law and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Anisah Schwarz

Kingston Resident

District Sydenham, ON

Good morning Councillors,

I read with interest Councillor Gregory Ridge's op ed in this morning's Kingstonist. I have also taken the time to read the revised draft Community Standards Bylaw. I thank you all for your work to make Kingston a "thriving community."

As a public health academic who has taught and researched social determinants of health for many years, I disagree with the idea that a Community Standards bylaw is the foundation of the framework needed to build a thriving community. In public health terms, a Community Standards bylaw is a discriminatory *downstream* attempt to deal with *upstream* structural issues—in this case, our collective abandonment of the most marginalized citizens of our community, through lack of housing, lack of supports for mental health and addictions, and desperate poverty. I don't understand how a Community Standards Bylaw will result in a "higher quality of life" (Ridge in the Kingstonist) for people who are unhoused and/or living with mental illness or addictions, and I respectfully ask the Committee to consider the Community Standards Bylaw through that lens.

It is also striking to me that in his op ed, Councillor Ridge mentions that constituents *FEEL* unsafe, not that they have been physically attacked, and that the Bylaw aims to ensure that "residents and visitors.. *feel safe* in public places" (pg. 11, emphasis added.) How can the City ensure that residents and visitors feel safe? This is an unattainable goal because the City can't ensure that anyone feels anything, let alone safety. Moreover, I doubt very much that unhoused residents of Kingston will feel any safer because of the Community Standards Bylaw. Surely, everyone will only feel safer when all citizens of Kingston have a decent home, adequate income to live with dignity, and have the care and treatment they need and deserve for their health and well-being. Decent housing and adequate income are essential determinants of physical and mental health, and we cannot expect anyone to be well without these essentials for life.

If I look at the draft Community Standards Bylaw from the perspective of someone who is unhoused or mentally ill, I wonder who gets to decide what is a "public disturbance" and whose "reasonable enjoyment of a public place" takes priority. I am concerned that there are very few (only 3) public washrooms available in Kingston overnight - so if the City is concerned about public urination and defecation then surely we need more public washrooms. Similarly, for disposal of needles and syringes, surely we need more safe disposal options. From the perspective of someone who is unhoused, the prohibition against "loitering" on a street or sidewalk is especially cruel, when there are no other places to go. From my own perspective, as someone who has used sidewalks and roads for peaceful protests, I wonder if the Bylaw could be used to prevent such activities.

I appreciate all the work the Committee and City Staff have done to take account of citizen input for this draft bylaw. I also appreciate that there is only so much that municipalities can do to address the urgent crises - housing, mental health, poverty - affecting so many of us. As Councillor Ridge expresses in his op ed, I do urge you to continue to appeal to the provincial and federal governments to address these dire and overlapping crises. Only then will we have the basis of "a healthy, safe and vibrant community for all residents and visitors in the City of Kingston."

Sincerely,

Elaine Power

Professor and Citizen (Meadowbrook-Strathcona)

Dear Administrative Policies Committee,

I sent a response to the Kingston Mayor and councillors in August summarizing my concerns that the draft Community Standards Bylaw targets Kingston's most vulnerable and criminalizes their behaviour. The revised draft, unfortunately, has not alleviated my concerns. Consequently, I am asking you to vote NO to this bylaw.

The bylaw still does not adequately address the causes of homelessness, poverty, mental illness, and drug addiction, nor does it provide adequate resources, alternatives, or solutions to those affected.

For example, the bylaw in Section 9: 2 decrees that "No person will urinate or defecate in a public place, except in a facility designed and intended for such use", but lists only three facilities that provide overnight access to washrooms: the Kingston General Hospital waiting room, the Adelaide Street Shelter, and the Integrated Care Hub. Is it realistic to expect people to walk across town in the middle of the night to use a washroom? Would you?

In regard to 9.7 of the bylaw, the homeless use substances in public because they have no homes in which to consume them in private. If they feel they must hideout to use, or else be harassed and fined, they will isolate themselves, hide, and be at increased risk of negative health consequences i.e., overdose and death.

It is unrealistic to fine homeless people who have no money. Fining the homeless may appease those who don't want them on downtown streets or sitting in front of their shops, but it does nothing to alleviate the situation. Quite the opposite: feeling unfairly targeted, homeless individuals, already ostracized and alone, and being blamed for their plight without being offered meaningful solutions, are likely to act out in frustration and anger when they receive fines they can't pay.

Terms such as "disorderly conduct", "public disturbances", and "loitering" in Section 9:1 and 9:4 are open to interpretation and likely to be applied to those who struggle with mental health issues, substance use, are homeless, and act out because they are being punished for reasons beyond their control. As such, the bylaw is discriminatory.

Instead of passing a bylaw that targets Kingston's homeless, we need to strive harder to provide alternatives and find solutions. People need homes, liveable incomes, specialized healthcare, our compassion and concern.

Please vote against the Community Standards Bylaw and request instead that staff research options offering meaningful solutions which respect the dignity and humanity of the vulnerable and homeless. Request, in addition, that staff explore providing education and training to those in Kingston who, through ignorance and misunderstanding, discriminate against our homeless and most vulnerable citizens.

Yours sincerely,

Tara Kainer, Kings's Town

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you:**

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about Section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is “likely to disturb or interfere with the reasonable enjoyment of another person in a public place” is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose “reasonable enjoyment... in a public place,” is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused, who have addictions, and who use substances in public because they do not have access to trauma-informed services and/or a private place to do so.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use.

There are only three facilities that allow for 24/7 access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating a serious lack of overnight, accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a daytime spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause does not align with internationally-recognized principles of harm reduction or trauma-informed care. It discriminates against people with substance use disorder and/or people who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely, putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

The City of Kingston needs to increase the number of biohazard disposal bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines will do nothing to decrease substance use; as stated in the previous paragraph, fining people who use substances will only put them at further risk of drug-poisoning and death. It is the City of Kingston’s responsibility to produce evidence that fining people who use substances will reduce substance use before approving this clause in its current form.

I am also concerned with the assumptions that appear throughout the new by-law and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Victoria Pett

Kingston Resident

Rideau Heights

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, unfortunately the updated report does not assure me that the City meaningfully heard and integrated community feedback on the first draft of the bylaw. I remain very worried that, if approved, this By-Law will negatively impact our community, especially some of its most vulnerable people - people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you**

- Vote no to this draft bylaw
- Instruct staff to explore and present further amendments/removal of clauses that don't respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report, I wish to focus on the concerns I continue to have about section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

Conduct that is "likely to disturb or interfere with the reasonable enjoyment of another person in a public place" is subjective. What is considered a public disturbance? This clause could be used to target people who are unhoused and struggle with their mental health and demonstrate outward symptoms. Whose "reasonable enjoyment... in a public place," is to be prioritized and to what effect for those demonstrating mental health challenges?

This clause also wrongfully conflates use of substances and alcohol with causing a public disturbance. It discriminates against people who are unhoused and who use substances because they do not have a private place or home to use drugs and/or drink alcohol.

9.2 No person will urinate or defecate in a public place, except in a facility designed and intended for such use

The report lists only 3 facilities that have overnight access to public washrooms: the Integrated Care Hub, the Adelaide Street Shelter, and the Kingston General Hospital waiting room, indicating that there is a serious lack of 24/7 accessible washrooms in Kingston. As such, this by-law is discriminating against people who are unhoused.

9.4 No person will loiter on a highway, including a sidewalk, after having been requested by a provincial offences officer to move on.

Public space is for all residents including people who ask for money, people who stay overnight in shelters who do not have a day time spot to stay in and others. Who is considered a “loiterer”? Why is “loitering” in public space a problem that needs addressing? If a person isn’t causing harm, they shouldn’t be asked to move on. This clause should have been/should still be removed entirely.

9.7 No person will use or display drug paraphernalia in a park or in any public place that is within 15 metres of a park.

This clause discriminates against people with substance use disorder and who are unhoused. If you aren’t providing housing for everyone, and housing that people can use substances in, then this clause is unfair.

This clause also would create a more dangerous environment for people who use substances. If people do not have a home, or a home that is safe, people will use outdoors. If they face fines for using in public space and parks, they will use in hidden, isolated places, perhaps alone, and perhaps less safely (i.e. not testing substances first, rushing the process, etc.) putting them at an increased risk of health consequences or death from drug poisoning.

Further, some people’s consumption needs may exceed the available hours of the safe consumption site. In this case, where are people supposed to go?

9.8 No person will engage in or permit the unsafe disposal of needles or syringes in a public place.

See concerns RE: 9.7. The City of Kingston needs to increase the number of yellow bins available in public spaces and parks, and educational offerings for local residents who want to learn how to safely pick up needles. While needles in parks are not ideal, giving people fines is not a solution. Can the City of Kingston produce any evidence that fining people who use substances will solve anything? What does it mean to “permit the unsafe disposal of needles”?

I take issue with the vague and subjective terms that appear throughout the report and those in which the report’s *Purpose and Intent* are staked. Whose definition of “a healthy, safe and vibrant community,” is being prioritized in this report? Standards of social conduct are cultural, circumstantial, and subject to interpretation at the enforcement level. I worry that the effect of this By-Law will be that vulnerable community members are targeted for their existence in public space.

Sincerely,

Ian Clark

Good morning councillors,

I'm a resident of the downtown and I've just read the draft of the community standards by-law.

Like many people who commented on the draft, I'm concerned that enforcement of the by-law will target unhoused members of the community. I did read in the report (AP-23-017) that by-law officers would assess the circumstances of an individual before determining an "appropriate" response, but I'm concerned that this section (on page 16) was inserted to appease those who advocate for the less fortunate, and that not all officers will respond with compassion to people with mental health challenges or who are unhoused.

In addition, while steep fines for "nuisance behaviours" may discourage students from jumping off rooftops, using fines to threaten people who have nothing is just absurd.

Thank you for attention.

Anne Lougheed

Dear Administrative Policies Committee,

I am writing with concerns about the updated Proposed Community Standards By-Law report that will be presented to your committee on November 9, 2023.

Though some amendments to the report are welcomed changes, the updated report does not assure me that the City has integrated community feedback on the first draft of the by-law in meaningful ways. I remain very worried that, if approved, this by-law will negatively impact our community, especially some of its most vulnerable people – people who are unhoused, people who use substances, and people who struggle with their mental health.

I will outline my concerns in detail below, though **I am asking that you:**

- Vote no to this draft by-law,
- Instruct staff to explore and present further amendments/removal of clauses that respect the dignity and humanity of people who are unhoused, who struggle with their mental health and/or use substances, and
- Instruct staff to explore developing an educational campaign about stigma that should include addressing the difference between feeling uncomfortable versus unsafe.

While I see many issues in the proposed report. I also have a first hand view of these issues as being a former employee of the Integrated Care Hub. I wish to focus on the concerns I continue to have about Section 9: *Safe Use of Public Places*.

9.1 No person will engage in or permit conduct in a public place that is likely to disturb or interfere with the reasonable enjoyment of another person in a public place by:

(a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance;

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Sincerely,

Zoe Robson

Resident of Kingston

Community Outreach Worker at Elizabeth Fry Society

And former employee of the Integrated Care Hub.

Dear Councillors,

I wish to register my concerns about the draft bylaw and ask that you delay implementation for further public consultation. I note that the Kingston and District Labour Council is not specifically mentioned as having been consulted as an example of incomplete consultation.

I am very concerned that public democratic communication is in danger of being negatively affected. As an active communicator with the public on significant social issues I fear that the limits on public engagement will be a consequence.

Consider the restriction on distributing flyers to mailboxes. I have distributed health coalition flyers widely over the years. Such distribution is not frequent, but addresses critical issues vital to the public debate on public medical care. We work on limited budgets far below the capacity of corporate interests. They address government practices and policy often between elections. I assure you that it is not always clear as to which mail boxes one should avoid. Is such a flyer "junk mail" as declined in many mail boxes? What is junk mail as compared to "No flyers". Is our communication indirectly relevant to electoral issues albeit outside of election campaign periods? Is the depositing of a few flyers erroneously justifiably punishable by a minimum \$500 fine. And what if the notice is missed while distributing hundreds of flyers? Are you creating a great obstacle to getting volunteers to distribute such flyers? I will have to warn volunteers that they would be liable to a \$500 fine for making an error in depositing a flyer in the wrong box inadvertently. Would you volunteer in that circumstance?

By the way, if a Councillor wants to distribute notices of a district townhall, will volunteers helping dropping a flyer and dropping in a mail box in which it shouldn't be placed be subject to a \$500 fine?

Another political activity that could be subject to unfortunate restriction could be public demonstration without prior parade approval. If environmental demonstrator choose to demonstrate in front of a bank that is investing in fossil fuel production, are they creating a disturbance? Are they engaging in provocative behaviour? What if they march up or down Princess Street? Are they interfering with enjoyment of public facilities by others? What if a union is engaged in public education demonstrations re working conditions? Are they antagonizing others?

Beyond these issues, I want to emphatically state that a \$500 fine minimum is inordinate for most minor violations of this ordinance. Most violations will be of limited impact. Think about it. A person gets angry at another person for knocking into them and makes a rude comment. Does that merit a \$500 fine? And the report indicates that the intent is to use community education as a priority measure, but the reaction options jump immediately to a \$500 fine. It doesn't matter if you are dealing with a person of limited means or a person of great wealth. A \$500 fine for a person at minimum wage could end up homeless having to pay such and exorbitant fine. Am I exaggerating? The Landlords and Tenants Act allows landlords to evict someone for missing ONE months rent.

Thank you for considering this.

Matthew Gventer