

Community Care Facilities

Response to Council Motion



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Background and Purpose

- On March 1, 2019 Council passed the following motion:
“That Council request that the Mayor write to the Minister of Mental Health and Addictions requesting that the Province open publicly funded and financially accessible treatment and recovery rooms and facilities on lower Vancouver Island and that Council direct staff to report back with options for allowing sober housing for people in recovery within residential zones.”
- Report before Council provides information on the regulation of community care facilities.



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Community Care and Assisted Living Act

“community care facility” means a premises or part of a premises:

- (a) in which a person provides care to 3 or more persons who are not related by blood or marriage to the person and includes any other premises or part of a premises that, in the opinion of the medical health officer, is used in conjunction with the community care facility for the purpose of providing care, or
 - (b) designated by the Lieutenant Governor in Council to be a community care facility.
- Definition applies to a broad range of services that provide care, such as sobering houses and addiction treatment facilities.



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Community Care and Assisted Living Act

Section 20 of the Community Care and Assisted Living Act identifies that:

- Municipal regulations (e.g. zoning) do not apply to community care facilities that comply with provincial regulations related to licensing, number of occupants, health and safety and that are:
 - located in a single (family) detached dwelling (approved by municipality)
 - being used as a day care for no more than 8 persons in care; or
 - used as a residence for no more than 10 persons, of whom not more than 6 are persons in care.
- A community care facility such as a sobering house or addiction treatment facility that complies with provincial regulations is permitted to operate in a single detached dwelling anywhere in the city without further amendments to the zoning bylaws.



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Recommendation

- Staff recommend that Council receive this report for information.

