



Motion on Chronic Homelessness, Mental Health, Safety and Addictions Crisis

October 18, 2024

Moved by Mayor Kevin Davis

Seconded by Mayor Alex Nuttall

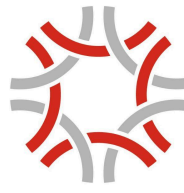
Passed with Consensus

1. WHEREAS the chronic homelessness, mental health, safety and addictions crisis continues to escalate, with at least 1,400 homeless encampments now present in Ontario communities, putting unsustainable pressure on municipalities and public spaces creating a Humanitarian Crisis; and,
2. WHEREAS housing, homelessness and healthcare - including access to appropriate and timely supports - are the responsibility of the Provincial government and proper management of these issues is crucial to addressing the root causes of the Humanitarian Crisis that Ontario is facing; and,
3. WHEREAS municipalities are being left to manage these issues without the necessary resources or legal authority to sufficiently respond, and as a result are caught balancing the important needs of unsheltered people living in encampments, with the responsibility to ensure our communities are safe and vibrant places for all residents; and,
4. WHEREAS the causes of homelessness can be complex and individually unique to each unhoused person, with one of the primary causes being undiagnosed and untreated mental health and addiction issues, which are difficult to address without specialized support systems providing a continuum of care; and,
5. WHEREAS some individuals experiencing untreated or undiagnosed acute and/or chronic mental health or addictions challenges may be at higher risk to themselves and pose safety concerns for other members of the community; and,
6. WHEREAS every individual deserves the opportunity for treatment and recovery, including crucial systemic resources, prompt access, and appropriate intervention; and,
7. WHEREAS OBCM has launched the SolveTheCrisis.ca campaign to raise awareness of the scale of the humanitarian crisis in our communities, seek partnerships with the federal and provincial governments to solve it including by: a single responsible Minister and ministry to coordinate action to solve the crisis; an action table with multi-sector stakeholders to create a comprehensive Made in Ontario solution that addresses these issues for all communities in the province; providing municipalities with the tools and resources to transition those in encampments to more appropriate supports; committing to fund the resources required, community by community, to fill existing gaps; invest in a sufficient number of 24/7 community hubs and crisis centres to relieve pressure on



hospital emergency departments and first responders and,

8. WHEREAS OBCM recommends the consideration of some specific tools and policy asks for municipalities and other sectors involved in this crisis as detailed below; and
9. WHEREAS an encounter with the criminal court system can be an effective pathway to treatment when the offender is offered a timely and effective treatment referral through a Diversion Court process; and,
10. WHEREAS the Province's plan to create 19 treatment hubs is a good step and has the potential to substantially improve access to treatment that can be referred through a Diversion Court process if these hubs are properly funded, accessible and expanded in scope and number based on community need; and
11. WHEREAS the ability of municipalities to ensure safe and vibrant communities is compromised by a double standard in our legal system that allows for the open consumption of illicit drugs but prohibits the unrestricted consumption of tobacco or alcohol, causing confusion and undermining public health efforts; and,
12. WHEREAS the ability of municipalities to make decisions regarding public safety is compromised by court decisions that enable encampments in public spaces and restrict municipal capacity to manage public lands effectively, including ensuring the safety of the people in those encampments, and the community surrounding them; and,
13. WHEREAS residents and business owners in neighbourhoods where homeless encampments exist and drug users congregate are unreasonably impacted by social disruption, rising crime, vandalism, and declining public confidence due to concerns for public safety; and,
14. WHEREAS provincial and federal governments need to take responsibility for policy decisions that have led to this humanitarian crisis and must take on a greater leadership role in helping municipalities address the associated issues of social disruption and public safety; and,
15. WHEREAS municipalities need clear, effective and enforceable legislative tools from provincial and federal governments regarding how to address encampments and social disruption, and must have the legal authority to act swiftly and decisively when public safety is at risk; and,
16. WHEREAS establishing and reinforcing principles and parameters at a provincial level will allow municipalities to focus on what they do best – providing services to members of the public – without the impossible task of reconciling provincial and federal policy or



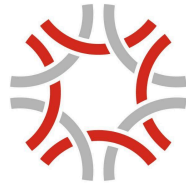
various judicial decisions that are at odds with a group or individual rights; and,

17. WHEREAS municipal governments must implement solutions that are efficient, effective, appropriate, feasible, practical, and in compliance with Ontario and Canadian law, while balancing individual rights with the safety and well-being of the broader community;

18. THEREFORE BE IT RESOLVED that the Ontario Big City Mayors Caucus:

- A) Reaffirm calls to the federal and provincial governments, through our Solve the Crisis Campaign, to:
 - i. Appoint one Minister and ministry responsible for the humanitarian crisis Ontarians are facing and who has been provided appropriate authority and resources to find solutions;
 - ii. Create an action table of government representatives from all three levels, subject matter experts, and those impacted by this crisis including community partners, first responders and businesses to evaluate solutions to create a Made in Ontario solution; and
 - iii. That both levels of government provide the funding required for municipalities big and small to put in place the solutions they need to end this crisis.

- B) And further that OBCM strongly requests the provincial and federal governments to:
 - i. Take on intervenor status in the case of court decisions that restrict the ability of municipalities to regulate and prohibit encampments; and
 - ii. Develop a fully funded and resourced range of compassionate care and treatment programs that strengthens the system of community-based and residential mental health & addictions treatments under the Mental Health Act and the Health Care Consent Act, ensuring that individuals in need are able to access care and treatment in a timely manner; and
 - iii. Urgently review, consult on, and update the Mental Health Act and the Health Care Consent Act to reflect the current realities of this crisis, including consultation with medical professionals, first responders and municipalities to determine whether to expand the scope of and strengthen the existing system of mandatory community-based and residential mental health and addictions care and treatment; and
 - iv. Implement Diversion Courts throughout the Province and expand the scope and reach of these courts by permitting referrals to the Diversion Court for Provincial and Municipal Offences, with a focus on rehabilitation rather than punitive measures; and
 - v. Review, consult on, and update the Trespass to Property Act to address the public safety issues municipalities are facing within their



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- communities. With such a review to include but not be limited to options to assist communities in addressing aggressive or repetitive trespass (“repetitive trespass”); and
- vi. To establish for municipalities a prescribed provincial priority of maintaining public order and public safety to allow, in line with the above, stronger local deterrents to offenses related to social disruption and public safety risks;
19. AND THAT the provincial and federal governments introduce legislation prohibiting open and public use of illicit drugs and public intoxication, whether that be by consumption of alcohol or illicit drugs, with clear enforcement provisions and public awareness campaigns to reduce the harmful impact on communities.
20. AND THAT the province creates a blueprint, along with associated funding programs from both federal and provincial governments, to address the significant need for the quick build of supportive housing units, which includes units that address the specific needs of those who have started treatment and need shelter and care as they continue their recovery journey.