

April 3, 2018

Ms. Kimberley Kitteringham  
City Clerk  
City of Markham  
101 Town Centre Boulevard  
Markham, ON L3R 9W3

Dear Ms. Kitteringham:

**Re: Bill 175, Safer Ontario Act, 2017 - Community Safety and Well-being Plans**

Regional Council, at its meeting held on March 29, 2018, adopted the following recommendations of Committee of the Whole regarding "Bill 175, Safer Ontario Act, 2017 Community Safety and Well-being Plans":

1. The Ministry of Community Safety and Correctional Services be requested to extend funding to municipalities required to complete a Community Safety and Well-being Plan in the amounts made available during the community pilots.
2. Council confirm the direction to proceed, subject to budget consideration, with completion of a Community Safety and Well-being Plan to meet the statutory requirements once they have been established.
3. Council direct the Commissioner of Community and Health Services to revise the Terms of Reference for the Human Services Planning Board of York Region to also meet the requirements of the "Advisory Committee" set out in Bill 175, and report to Council in June 2018 with a revised Terms of Reference for approval.
4. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the local municipalities, the Human Services Planning Board of York Region and the Chief of York Regional Police.

A copy of Clause 17 of Committee of the Whole Report No. 4 is enclosed for your information.

Please contact Lisa Gonsalves, Director, Strategies and Partnerships, Community and Health Services at 1-877-464-9675 ext. 72090 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'CR' or similar initials, written over the printed name.

Christopher Raynor  
Regional Clerk

/C. Clark  
Attachment

Clause 17 in Report No. 4 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on March 29, 2018.

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### **Bill 175, Safer Ontario Act, 2017 Community Safety and Well-being Plans**

Committee of the Whole recommends:

1. Receipt of the memorandum from Joy Hulton, Regional Solicitor dated March 1, 2018 regarding "AMO Submission on Bill 175, Safer Ontario Act and The Regional Municipality of York's Written Submission to the Standing Committee on Justice Policy" and endorsement of AMO's submissions and the written submissions to be made on behalf of Regional Council in support of AMO's position.
2. Receipt of the communication from the Association of Municipalities of Ontario dated February 12, 2018 regarding "AMO's Submission on Bill 175, Safer Ontario Act".
3. Adoption of the following recommendations contained in the report dated February 16, 2018 from the Commissioner of Community and Health Services:
  1. The Ministry of Community Safety and Correctional Services be requested to extend funding to municipalities required to complete a Community Safety and Well-being Plan in the amounts made available during the community pilots.
  2. Council confirm the direction to proceed, subject to budget consideration, with completion of a Community Safety and Well-being Plan to meet the statutory requirements once they have been established.
  3. Council direct the Commissioner of Community and Health Services to revise the Terms of Reference for the Human Services Planning Board of York Region to also meet the requirements of the "Advisory Committee" set out in Bill 175, and report to Council in June 2018 with a revised Terms of Reference for approval.
  4. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the local municipalities, the Human Services Planning Board of York Region and the Chief of York Regional Police.

## **Bill 175, Safer Ontario Act, 2017 Community Safety and Well-being Plans**

Report dated February 16, 2018 from the Commissioner of Community and Health Services now follows:

### **1. Recommendation**

It is recommended that:

1. The Ministry of Community Safety and Correctional Services be requested to extend funding to municipalities required to complete a Community Safety and Well-being Plan in the amounts made available during the community pilots.
2. Council confirm the direction to proceed, subject to budget consideration, with completion of a Community Safety and Well-being Plan to meet the statutory requirements once they have been established.
3. Council direct the Commissioner of Community and Health Services to revise the Terms of Reference for the Human Services Planning Board of York Region to also meet the requirements of the "Advisory Committee" set out in Bill 175, and report to Council in June 2018 with a revised Terms of Reference for approval.
4. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the local municipalities, the Human Services Planning Board of York Region and the Chief of York Regional Police.

### **2. Purpose**

This report informs Council about the province's proposed requirements that will mandate municipalities to develop Community Safety and Well-being Plans and to establish an Advisory Committee as part of Bill 175, Section XIII, Safer Ontario Act, 2017. It recommends advocating for funding to cover costs of preparing the Plan, directing staff to proceed with completion of a Plan to meet the statutory requirements once they have been established, and amending the Terms of Reference for the Human Services Planning Board of York Region to meet the requirements of the "Advisory Committee" set out in Bill 175.

Bill 175, Safer Ontario Act, 2017 (the Bill) has received Second Reading and was referred to the Standing Committee on Justice Policy. The Committee held public hearings in the City of Toronto on February 22, 2018 and March 1, 2018.

### **3. Background**

#### **The Ontario Government has developed a new framework for community safety with the introduction of Bill 175, Safer Ontario Act, 2017**

On November 2, 2017, the Province of Ontario introduced Bill 175, Safer Ontario Act, 2017 a comprehensive public safety legislative package that, if passed, would represent the largest policing transformation in a generation.

Although the proposed Bill focuses largely on policing issues, it also requires each municipality in Ontario to develop a Community Safety and Well-being Plan (the Plan) and to establish an Advisory Committee to guide the Plan.

In 2012, the Ministry of Community Safety and Correctional Services (the Ministry) began working with municipal, policing and community safety stakeholders to address the rising cost of policing and local community concerns. Main components of the Ministry's work were focused on Community Safety and Well-being Plans. Most recently, the Ministry released a booklet Community Safety and Well-Being Planning Framework: A Shared Commitment in Ontario that includes a toolkit for Community Safety and Well-being Planning, including the establishment of advisory bodies and implementation teams.

As part of a provincial initiative, eight municipalities were selected by the Ministry to pilot aspects of Community Safety and Well-being Planning to ensure that they are as practical and helpful as possible. These municipalities include: the Regions of Waterloo and Chatham-Kent, the Cities of Greater Sudbury, Brantford, Sault Ste. Marie and Kenora, the Town of Bancroft and the Township of Rama. Provincial grants were provided to each municipality, ranging from \$80,000 - \$185,000. In addition, Halton Region and the Halton Region Police Services recently jointly prepared a Community Safety and Well-being Plan.

#### **The Community Safety and Well-being Plans must identify risk factors to the community and identify holistic strategies to reduce prioritized risk factors**

Provincially, the concept of Community Safety and Well-being Planning has been championed by the Ontario Working Group on Collaborative, Risk-driven Community Safety (a subcommittee of the Ontario Association of Chiefs of Police) and the Ontario Ministry of Community Safety and Correctional Services. In 2014, the Ontario Working Group released the report New Directions in Community Safety which encourages Community Safety and Well-being Planning within four levels of intervention. The levels include:

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- **Social Development:** Addressing the underlying causes of social issues through upstream approaches that promote and maintain individual and community wellness. This includes opportunities for employment, income, adequate housing, access to education and other supports that promote social and economic inclusion.
- **Prevention:** Applying proactive strategies to known and identified risks that are likely to result in harm to individuals or communities if left unmitigated.
- **Risk Intervention:** Identifying and responding to situations of acutely elevated risk and mobilizing immediate interventions before an emergency or crisis-driven response is required.
- **Emergency Response:** Circumstances that require intervention by first responders such as police, paramedics and other crisis-driven services in the human services system.

**Community Safety and Well-being Planning is a collaborative process so that people in need of help receive the right response, at the right time, and by the right service provider**

This approach to planning recognizes that complex risks to safety and well-being cannot be addressed in isolation by any one organization or sector. Too often, situations rooted in issues like mental health, addictions, a lack of safe and affordable housing, inadequate access to services or social isolation require an emergency response from the police, paramedics, hospital emergency department or other crisis-driven services. In many cases, these issues could be addressed earlier and more effectively through greater collaboration among sectors including police, paramedics, education, public health, healthcare, social services and community-based human services agencies (Community Safety and Well-Being in Halton, 2017).

## **4. Analysis and Implications**

**Community Safety and Well-being Plans will require municipal government, police and the community to work together to address crime, victimization and community safety**

The purpose of these Plans is for municipal government, police, community-based organizations and other sector representatives to work collaboratively to find solutions to crime, victimization and community safety by mobilizing resources. As currently drafted, the Bill states the Plans must:

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- Identify risk factors in the municipality such as systemic discrimination and other social factors that contribute to crime, victimization, addiction, drug overdose and suicide and other prescribed factors
- Identify which risk factors the municipality will treat as a priority
- Identify strategies to reduce risk factors, including providing new services, changing services, improving integration and coordinating existing services in a different way
- Set out measurable outcomes
- Address any other issues that the municipal government may prescribe by regulation

Council must also:

- Publish the Plan
- Monitor, evaluate and report on the progress of the Plan
- Review the Plan within timelines to be established by regulation
- Provide information to the Minister such as how the Plan was prepared, implementation and outcomes. If a municipality does not meet its Community Safety and Well-being obligations, the Minister may appoint a Community Safety and Well-being Planner, with costs to be paid by the municipality.

Municipal councils must prepare and adopt their first Community Safety and Well-being Plan within two years of the Bill coming into force. Timelines for review and implementation, details for the Plan and Advisory Committee requirements will be set out in regulation.

### **Municipalities would be required to establish an Advisory Committee to guide preparation of Community Safety and Well-being Plans**

The Advisory Committee must be representative of the municipality (or municipalities), having regard for the diversity of the population. Subject to the regulations, membership at a minimum must include representatives from the Local Health Integration Network, healthcare, education, social services, child services, a municipal employee or a member of municipal council, a person who represents the police services board and others as prescribed.

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Municipalities are also required to consult with members of the public, including racialized groups and members of First Nation, Inuit and Metis communities. The province may prescribe other consultation requirements.

### **Under Bill 175 Community Safety and Well-being Plans can be developed individually or jointly by municipalities**

Bill 175 does not differentiate between upper and lower tier municipalities when referencing a municipality or council. While the details of implementation will be set out in regulation, as it is currently written York Region may develop Plans in the following ways:

- One joint Region-wide Plan with the nine local municipalities; or
- Ten separate Plans by the Region and each of the nine local municipalities; or
- Somewhere between one and ten Plans, depending upon whether groups of municipalities chose to jointly prepare Plans.

Initial indications from local municipal staff are that they are interested in having one joint Region wide Plan. York Regional Police has also expressed interest in a partnership with the Region to develop and implement the Plan.

### **There is potential for the Human Services Planning Board to take on the Community Safety and Well-being Advisory Committee function**

A recent review of existing boards/committees which align with the conditions set out by the Province, indicates that York Region's Human Services Planning Board may be most suited to take on this additional mandate for the Region.

Human Services Planning Board membership already includes representatives from most of the sectors required. The current membership includes:

- Catholic and Public school boards
- Southlake and Markham-Stouffville Hospitals
- Central Local Health Integration Network
- York Regional Police
- The United Way of Toronto and York Region
- Members of Regional council



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- Business community
- Social services organizations
- Community leaders
- Federal and provincial governments

Additional representatives would need to be added to meet the minimum requirements set out in the Bill, for example, a person who represents the police services board, child services and social services and representatives of all local area municipalities participating in development of a joint plan. Coordination and support to the Board would continue to be provided by the Community and Health Services Department with Regional staff from other departments participating as required.

### **The Human Services Planning Board's Terms of Reference would need to be changed to reflect the new mandate to act as the Advisory Committee**

The Human Services Planning Board is currently in the final year of its term. Subject to approval of recommendation three, staff will report back to Council in June 2018, with a revised Terms of Reference for approval.

### **Community Safety and Well-being Plans align with existing Regional priorities and plans**

One of the objectives of York Region's Official Plan is to promote human health and well-being in York Region; a place where people can live, work, play and learn in accessible and safe communities. Community Safety and Well-being Plans have a major focus on identifying risks and proactive solutions.

The Region has a number of well-established boards/committees, programs and plans based on the same or similar outcomes which the Community Well-Being and Safety Plans would be based on, such as:

- The Human Services Planning Board
- York Region Mental Health Hub Steering Committee
- The Crisis Intervention Working Group
- The Region's 10-year Housing Plan

**The Association of Municipalities of Ontario does not support mandating municipalities to develop Community Well-Being and Safety Plans, and will be making a submission to the Standing Committee on Justice Policy**

The Association of Municipalities of Ontario does not support the mandated development of a Community Safety and Well-being Plan or the requirement to establish an Advisory Committee. It believes the Province has not fully considered what the new requirements set out in Bill 175 would mean for municipal governments in terms of capacity to deliver, costs and ability to implement, or what the risk of non-compliance would mean to communities.

Regional staff have identified further areas of concern including a lack of clarity on the timelines for review, municipal implementation expectations and associated costs as well as the requirements of the Advisory Committee, such as approval of members.

In addition, the Bill does not include a specific role for the police services to take part in the Advisory Committee, outside of having a person who represents the police services board on the Committee. This is somewhat of a shortcoming given the positive and productive experiences we have had with York Regional Police on a number of joint initiatives (such as Mental Health Matters and the Rapid Response table) and shared activities (such as participation on the Human Services Planning Board and the York Region Seniors Strategy).

## **5. Financial Considerations**

**Mandating municipal Community Safety and Well-being Plans and Advisory Committees would have financial implications to the Region**

Development of the Plan, implementation and monitoring represent a new work load for the Region, as well as all local municipalities. The extended consultation requirements and amount of work required to develop, monitor and evaluate the Plan could become significant and may not be absorbed within existing resources.

Depending on the Advisory Committee design, the Region may need to provide additional secretariat support which could have resource implications such as: staffing, administrative support, public engagement costs, research and publication of a Plan.

## **Bill 175, Safer Ontario Act, 2017 Community Safety and Well-being Plans**

To date, the province has not committed any funding for this additional work. Staff will assess the required resources and potential costs once the Bill is enacted. This will be brought forward as part of future budget submissions. Provincial funding in the amounts granted for municipal pilots (\$80,000-\$185,000) would help offset cost implications. It is recommended that the province be requested to fund its legislated direction.

### **6. Local Municipal Impact**

Creating safe, complete and healthy communities represents a common goal for local municipalities and Community Safety and Well-being Plans. These Plans will help to ensure that risks to community safety in areas such as mental health, addiction, homelessness and housing concerns are addressed without the use of emergency resources.

### **7. Conclusion**

The expectation is that implementation and monitoring details will be finalized once regulations are added before the Bill receives Royal Assent. The development of a Plan along with an Advisory Committee is a positive step towards a framework that is community-focused, accountable, sustainable and culturally responsive, but the need for provincial financial assistance is evident.

This provincial direction is more prescriptive than the work currently being carried out by a number of cross-functional, inter-governmental and agency groups. Recommendations coming from an "Advisory Committee" will have financial implications for the province (e.g. healthcare and community services) and municipalities, and will likely need to be prioritized for consideration in budgets.

Staff will continue to monitor the Bill and assess potential impacts on the Region as it progresses through the legislative process. A full overview of the legislation will be communicated to Council once the Bill has been finalized.

For more information on this report, please contact Lisa Gonsalves, Director, Strategies and Partnerships Branch at 1-877-464-9675 ext. 72090.

The Senior Management Group has reviewed this report.

February 16, 2018

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Accessible formats or communication supports are available upon request