

REPORT

Climate Action, Planning and Development

To: Mayor Johnstone and Members of Council
Date: January 22, 2024

From: Jackie Teed, Director,
Climate Action, Planning and
Development
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Item #: 2024-22

Subject: **Addictions Treatment and Supportive Recovery Residences:
Proposed Conditions related to Rezoning and Temporary Use
Permits**

RECOMMENDATION

THAT Council endorse the proposed conditions for addictions treatment and supportive recovery residences in situations requiring a Rezoning or a Temporary Use Permit, as included in the Proposed Conditions section of this report

PURPOSE

The purpose of this report is threefold: (1) to provide background information on the need for addictions treatment and supportive recovery residences; (2) to outline the current situation in New Westminster; and (3) to propose criteria related to Rezoning and Temporary Use Permit applications which balance the need to facilitate these types of programs while addressing community concerns related to them.

EXECUTIVE SUMMARY

In 2016, the BC Provincial Government declared a Public Health Emergency in response to the Opioid Epidemic. Between 2016 and 2022, New Westminster had a higher toxic drug overdose death rate than Fraser Health and Fraser North in six of the seven years in question and a higher rate than the provincial average in five of the seven years in question.

Given this crisis, there is a recognized need for a continuum of health services and supports to address the Opioid Epidemic and other addictions and substance use harms. This includes access to addictions treatment and supportive recovery residences, and affordable, secure, stable and supportive housing for those in recovery.

With regard to this continuum, New Westminster is home to a Health Contact Centre, which incorporates an overdose prevention site and other harm reduction services. It is also home to a number of addictions treatment and supportive recovery residences, and is nationally known as the Recovery Capital of Canada. The City is aware of 12 such programs, and it is receiving inquiries from others who are interested in establishing.

These 12 programs were established through a Rezoning or a Temporary Use Permit (TUP), with conditions of use being incorporated into both. Historically, as part of these applications, a number of concerns have been raised by the community, including related to accountability, clientele, proximity, and safety. Based on these concerns, City staff undertook research and consultation related to possible conditions to inform future Rezoning and TUP applications. These conditions balance the need to facilitate these types of programs while addressing community concerns.

BACKGROUND

Public Health Emergency in response to the Opioid Epidemic

The BC Centre on Substance Use estimates that one in every five Canadians will be impacted by substance use and related harms in their lifetime. While individuals can experience a variety of substance use challenges, those using illicit drugs are at significant risk. Provincial medical experts have reported that an increasingly toxic drug supply is a major driver of overdose deaths, and is currently the leading cause of unnatural death in the province.

In 2016, the BC Provincial Government declared a Public Health Emergency in response to the Opioid Epidemic. Between 2016 and 2022, New Westminster had a higher toxic drug overdose death rate than Fraser Health and Fraser North in six of the seven years in question and a higher rate than the provincial average in five of the seven years in question. In 2016, New Westminster recorded 10 overdose deaths. In 2021, New Westminster recorded a peak of 47 overdose deaths, while in 2022, this number fell to 32 overdose deaths. However, in the first nine months of 2023, there have already been 29 overdose deaths, putting New Westminster on pace for 39 overdose deaths in 2023.

Although there have been some successful harm reduction measures in New Westminster, including the Health Contact Centre, and improved access to addictions treatment and supportive recovery residences, the Opioid Epidemic continues to cause very high numbers of deaths locally, as is the case both provincially and nationally.

Continuum of Substance Use Supports

There is a recognized need for a continuum of health services and supports to address the Opioid Epidemic and other addictions and substance use harms. This includes access to addictions treatment and supportive recovery residences, and affordable, secure, stable and supportive housing for those in recovery.

Both licensed addictions treatment and supportive recovery residences typically offer higher care to people who may require additional supports and clinical services (e.g., clinical counselling, medical supervision, etc.) to achieve their treatment and recovery goals. For more information, please see attachment 1.

Recovery Capital of Canada

New Westminster is nationally known as the Recovery Capital of Canada and it holds an annual celebration in recognition of Recovery Day. This recognition is due to its extensive network of support for those who are recovering from addictions or substance use, with the two most notable service providers being Last Door Recovery and Westminster House Societies. The former addresses the needs of adult and adolescent males and serves about 400 people per year and the latter addresses the needs of adult and adolescent females and serves about 250 people per year.

Social Benefits Zoning

City staff are exploring Social Benefits Zoning, which could permit addictions treatment and supportive recovery residences “as of right” subject to certain conditions or requirements being met. This work is scheduled to commence in 2025, and the proposed conditions as contained in this report could inform it.

DISCUSSION

Benefits of Community-Based Programming

Community-based addictions treatment and supportive recovery residences build a strong community of support around an individual dealing with addictions or substance use. This network of support is aimed at providing those struggling with addictions or substance use a comforting and supporting community, free from stigma, that can help them seek comfort during recovery (Nelson, February 22, 2022).

Existing Situation

The majority of addictions treatment and supportive recovery residences are located in the Brow of the Hill neighbourhood, with most being operated by either Last Door Recovery or Westminster House Societies. For a map of existing programs, please see attachment 2.

These programs are permitted in New Westminster through a Rezoning or a Temporary Use Permit, with conditions of use being incorporated into both. Requiring a Rezoning or a Temporary Use Permit, and taking action against unpermitted addictions treatment and supportive recovery residences, has avoided a situation whereby operators are providing minimal or no services or supports, with such programs acting as unregulated rooming houses. Without regulation and oversight, problems arise for building residents and the general community.

ANALYSIS

Municipal Scan

City staff conducted research on conditions or requirements related to addictions treatment and supportive recovery residences associated with Rezoning and Temporary Use Permit applications. Case study research was conducted on the following municipalities:

- Abbotsford
- Burnaby
- Chilliwack
- Coquitlam
- Maple Ridge
- North Vancouver District
- Port Coquitlam
- Richmond
- Surrey

Consultation

City staff conducted consultation with Community Care Facilities Licensing, Health Protection, Fraser Health Authority, and representatives of Last Door Recovery Society, Maintain Society and Westminster House Society, which offer 12 programs in New Westminster. City staff also conducted a review of recent related Rezoning and Temporary Use Permit approvals processes, with particular attention being paid to concerns from the community, which is summarized below.

- That clients may relapse and may pose a public safety risk.
- That the operator has limited experience and no track record.
- That the proposed use may negatively impact nearby property values.
- That the proposed use should be located away from residential areas.
- That there is a lack of consultation associated with Temporary Use Permits.
- That there is no clear intake and assessment process.
- That there is no mitigation plan to address potential risks.
- That these types of uses should not be located near child cares, parks, playgrounds and schools.

Locational Considerations

Based on the above cited scan, some municipalities have imposed locational guidelines which restrict addictions treatment and supportive recovery residences based on their proximity to child cares, parks, playgrounds and schools. Based on the above cited consultation, some community members also called for such restrictions.

Given the small geographic size of New Westminster (15.62 sq. km.), the number of amenities serving families (see attachment 3) and the benefits of community-based addictions treatment and supportive recovery residences, City staff have not considered locational guidelines. In reality, and depending on the restrictive distance in place (e.g., 100 or 200 metres), it would all but preclude such programs in some neighbourhoods. As part of Rezoning and Temporary Use Permit applications, Council and the community are made aware of potential proximity concerns, and the former can take them into consideration when considering such applications.

PROPOSED CONDITIONS

Based on the research and consultation, the following are proposed conditions for Rezoning and Temporary Use Permit applications for addictions treatment and supportive recovery residences in New Westminster:

- Hold a valid City of New Westminster business license prior to commencement of operations, which will be reviewed and renewed on an annual basis.
- Meet all legislative requirements to be registered or licensed under the Community Care and Assisted Living Act. Once registered or licensed, provide care/service in accordance with the Assisted Living Regulation or the Residential Care Regulation and the Community Care and Assisted Living Act.
- Operate in accordance with all applicable Provincial Ministry and Health Authority policies.
- Meet the requirements for accreditation for facilities or programs with 20 or more beds, (e.g., Accreditation Canada, the Commission on Accreditation of Rehabilitation Facilities, the Council on Accreditation, or similarly recognized body) within 36 months of commencement of operations.
- Provide operating policies (e.g., consent for services agreements, wellness and early exit plans, infection prevention and control polices, and program standards) to the City of New Westminster prior to commencement of operations.
- Provide staff certifications (e.g., Addiction Counselling Certificate, a Canadian Addiction Counselling Certificate, a Recovery Coach Certificate, or other recognized certifications) and number and positions of staff certified or trained prior to the commencement of operations. After commencement, the operator will immediately notify the City of any changes to the staffing model.

- Ensure 24/7 supervision and provide a supervision plan to the City of New Westminster prior to commencement of operations. After commencement, the operator will immediately notify the City of any changes to the supervision plan.
- Provide an emergency and disaster response plan, including key contacts, to the City of New Westminster prior to commencement of operations.
- Prepare a Good Neighbor Agreement in conjunction with the City of New Westminster, which will incorporate information about the facility or program, including key contacts in which to make a complaint or inquiry. The agreement will be finalized prior to commencement of operations.
- Other conditions that the operator proposes or agrees to in order to address or respond to community concerns as part of the application approvals process.

FINANCIAL IMPLICATIONS

This work is being undertaken as part of the Climate Action, Planning and Development Department’s existing workplan, with no offsets from other workplan items.

OPTIONS

The following options are presented for Council’s consideration:

1. That Council endorse the proposed conditions for addictions treatment and supportive recovery residences in situations requiring a Rezoning or a Temporary Use Permit, as included in the Proposed Conditions section of this report
2. That Council provide other direction.

Staff recommends Option 1.

ATTACHMENTS

- Attachment 1: Types of Facilities and Programs
- Attachment 2: Map of Existing Facilities and Programs
- Attachment 3: Locational Considerations

APPROVALS

This report was prepared by:
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