
Community Care and Recovery Act, 2024

[S.O. 2024, CHAPTER 27](#)

[SCHEDULE 4](#)

CURRENT Consolidation period: April 1, 2025 - e-Laws currency date (May 2, 2025)

Last amendment: [2024, c. 27, Sched. 4, s. 5.](#)

Legislative History

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Definitions

1 In this Act,

“child care centre” means a child care centre within the meaning of the *Child Care and Early Years Act, 2014*; (“centre de garde”)

“controlled substance” means a controlled substance within the meaning of the *Controlled Drugs and Substances Act* (Canada); (“substance désignée”)

“designated premises” means,

(a) a school, other than a school at which the only programs provided are adult education programs,

(b) a private school, other than,

(i) a private school located on a reserve, or

(ii) a private school that only offers classes through the internet,

(c) a child care centre, other than a child care centre located on a reserve,

(d) an EarlyON child and family centre, other than an EarlyON child and family centre located on a reserve, or

(e) a prescribed premises; (“lieu désigné”)

“EarlyON child and family centre” means a centre of that name, administered by a service system manager within the meaning of the *Child Care and Early Years Act, 2014*, offering programs for families and children; (“centre pour l’enfant et la famille ON y va”)

“Health Canada” means the federal Minister of Health and the Department over which that Minister presides; (“Santé Canada”)

“local board” means a local board within the meaning of section 1 of the *Municipal Affairs Act*; (“conseil local”)

“Minister” means the Minister of Health or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or

transferred under the *Executive Council Act*; (“ministre”)

“precursor” means a precursor within the meaning of the *Controlled Drugs and Substances Act* (Canada); (“précurseur”)

“prescribed” means prescribed by the regulations; (“prescrit”)

“private school” means a private school within the meaning of the *Education Act*; (“école privée”)

“regulations” means the regulations made under this Act; (“règlements”)

“reserve” means a reserve as defined in subsection 2 (1) of the *Indian Act* (Canada) or an Indian settlement located on Crown land, the Indian inhabitants of which are treated by Indigenous and Northern Affairs Canada in the same manner as Indians residing on a reserve; (“réserve”)

“safer supply services” means the prescribing of medications by a legally qualified medical practitioner as an alternative to a controlled substance or precursor; (“services d’approvisionnement plus sécuritaire”)

“school” means a school within the meaning of the *Education Act*; (“école”)

“supervised consumption site” means a site in respect of which the federal Minister of Health has granted an exemption to allow activities at the site in relation to a controlled substance or precursor that is obtained in a manner not authorized under the *Controlled Drugs and Substances Act* (Canada),

(a) under section 56.1 of the *Controlled Drugs and Substances Act* (Canada), in circumstances where the federal Minister of Health is of the opinion that the exemption is necessary for a medical purpose, or

(b) under subsection 56 (1) of the *Controlled Drugs and Substances Act* (Canada), in circumstances where the federal Minister of Health is of the opinion that the exemption is necessary for a scientific purpose or is otherwise in the public interest.

(“site de consommation supervisée”)

Prohibition re location of supervised consumption site

2 (1) Subject to subsection (4), no person shall establish or operate a supervised consumption site at a location that is less than 200 metres, measured in accordance with subsection (2), from a designated premises.

Measurement

(2) Subject to the regulations, the distance mentioned in subsection (1) shall be measured in accordance with the following rules:

1. The distance shall be measured from the geometric centre of the building in which a supervised consumption site is located.
2. In the case of a school, the distance shall be measured to the door primarily used by the public to enter the building in which the school is located for the purpose of accessing the area where the school operates.
3. In the case of a private school, the distance shall be measured from,
 - i. the centre of the building in which the school is located, as determined by the private school and made available on a Government of Ontario website, or
 - ii. if the private school is located only in a portion of a building, the centre of the portion of the building in which the school is located, as determined by the private school and made available on a Government of Ontario website.
4. In the case of a child care centre or EarlyON child and family centre, the distance shall be measured to the geographic coordinates of the street address of the child care centre or EarlyON child and family centre, determined through the use of software or a web service that implements an address geocoding process.
5. In the case of a premises prescribed for the purposes of clause (e) of the definition of “designated premises” in section 1, the distance shall be measured to the point specified in the regulations.
6. If the measurement results in a number of metres that is not a whole number, the number shall be rounded up to the nearest whole number.

Geocoding

(3) If the regulations provide for a specific software or web service for the purposes of paragraph 4 of subsection (2), the distance to a child care centre or EarlyON child and family centre shall be measured using the prescribed software or web service.

Exception

(4) If a private school began providing instruction or a child care centre began operating after the day the *Safer Streets, Stronger Communities Act, 2024* received Royal Assent,

subsection (1) does not apply to a supervised consumption site with respect to the private school or child care centre, as the case may be, until the day that is 30 days after the day the private school began providing instruction or the child care centre began operating.

Same

(5) Despite subsection (4), if the Minister specifies a day on which subsection (1) applies to a supervised consumption site, subsection (1) applies to the supervised consumption site as of that day.

Limit on power of municipalities, local boards

Application for exemption to decriminalize

3 (1) Subject to such exceptions as may be prescribed, despite sections 7 and 8 of the *City of Toronto Act, 2006* and sections 9, 10 and 11 of the *Municipal Act, 2001*, a municipality or local board does not have the power to apply to Health Canada for an exemption under subsection 56 (1) of the *Controlled Drugs and Substances Act* (Canada) from any provision of that Act for the purpose of decriminalizing the personal possession of a controlled substance or precursor.

Applications related to supervised consumption sites, safer supply services

(2) Subject to such exceptions as may be prescribed, despite sections 7 and 8 of the *City of Toronto Act, 2006* and sections 9, 10 and 11 of the *Municipal Act, 2001*, a municipality or local board does not have the power, without the approval of the Minister, to do any of the following:

1. Apply to Health Canada for an exemption or a renewal of an exemption to the *Controlled Drugs and Substances Act* (Canada) for the purpose of operating a supervised consumption site.
2. Apply to Health Canada for funding under Health Canada's Substance Use and Addictions Program or any other Health Canada program in respect of safer supply services, or enter into an agreement with the Government of Canada with respect to funding under such a program in respect of safer supply services.

3. Support, including by passing a by-law or making a resolution, an application made to Health Canada by any other person in respect of any matter described in paragraph 1 or 2.

Regulations

4 The Lieutenant Governor in Council may make regulations,

- (a) prescribing anything that is referred to in this Act as prescribed or as otherwise dealt with in the regulations;
- (b) defining or clarifying the meaning of any word or expression used in this Act that is not otherwise defined in this Act;
- (c) varying, for specified circumstances, how the distance mentioned in subsection 2 (1) shall be measured under subsection 2 (2). 2024, c. 27, Sched. 4, s. 4, 5.

▼ **Section Amendments with date in force (d/m/y)**

5 OMITTED (PROVIDES FOR AMENDMENTS TO THIS ACT).

6 OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS ACT).

7 OMITTED (ENACTS SHORT TITLE OF THIS ACT).
