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Town of Milton

Supportive Housing Study

BACKGROUND RESEARCH AND ANALYSIS REPORT

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1.0 INTRODUCTION

1.1 Purpose

Over the past several years, the Province of Ontario has released and/or revised several policy and legislative documents aimed toward ensuring the adequate provision of a full range of housing types to meet the needs of communities including the provision of supportive housing. The result of this evolving and emerging policy and legislative framework is that many municipalities planning policies and zoning regulations have required review and update to ensure the framework remains current, complies with Provincial policies and legislation, and continues to meet community housing needs.

In order to ensure the Town of Milton's local planning policies and zoning regulations comply with the Provincial framework, and address local supportive housing needs, the consulting team of MacNaughton Hermsen Britton Clarkson Planning ("MHBC") and SHS Consulting ("SHS") were retained in order to undertake an independent review of the Town's current supportive housing framework, which includes group homes, which was last reviewed and updated in 2002.

The purpose of this review is to analyze the Town's current policies and regulations in order to identify gaps in the framework and provide recommendations to improve the framework to accommodate supportive housing and ensure compliance with Provincial policies and legislation.

1.2 Study Process and Methodology

In order to better understand and assess the current state of the Town's policy and regulatory framework for supportive housing, and to further recommend appropriate implementation measures for improvement, the foundation of this review is based on background research and analysis, consultation with Town of Milton and Halton Region staff, external stakeholders and the public.

It is the intent that this review completes the following:

1. Complete a comprehensive background review of the current policy and regulatory framework related to supportive housing in the Province and within 'benchmark' municipalities. This will provide a foundation for obtaining an understanding of the system at a broader scale and establish a benchmark for analysis as it relates to the policies and regulations currently implemented by the Town of Milton through their Official Plan Policies, Zoning By-law and Municipal Licencing By-law;

2. Undertake a review and analysis of the legislative authority with respect to the municipal regulation of inclusionary and supportive housing;
3. Complete a best practice review of how other benchmark municipalities have responded to Provincial changes related to supportive housing in their Official Plans and Zoning By-Laws;
4. Analyze and review the policies and regulations currently implemented by the Town, as they apply to supportive housing to identify where modifications are required to ensure compliance with Provincial regulations and to ensure the land use planning tools are able to meet the needs of Milton's community;
5. Engage Town staff, regional staff, stakeholders, and the public in order to identify gaps in policy and regulation or opportunities for further improvement. It is the intent that the results of these engagement exercises be considered in any recommendations;
6. Prepare recommendations for the Town that can be implemented in order to ensure the Official Plan Policies, Zoning By-law and Municipal Licensing By-law are in compliance with Provincial regulations and policies in addition to meeting the needs of the community; and
7. Provide revised policies and regulations to be included in the Towns planning documents by way of amendments to the Official Plan and Rural and Urban Zoning By-Laws.

1.3 Organization of this Report

This report provides a background review, which includes items 1-3 in the above noted work program. The report is organized as follows:

- Section 2.0 includes a background review of the legislative and policy framework;
- Section 3.0 includes a summary of the current supportive housing framework employed by the Town and the Region; and
- Section 4.0 provides a summary review and analysis of the policy and zoning approaches in other jurisdictions.

2.0 BACKGROUND REVIEW

2.1 Municipal Act

The *Municipal Act, 2001, S.O. 2001* came into force on January 1, 2003 and provides legislation related to the extent of powers and duties, internal organization and structure of municipalities in Ontario for the purpose of providing good government. Under the Municipal Act, municipalities have broad powers to pass By-laws on matters such as health, safety and well-being of the municipality, and to protect persons and property. In this regard the Act provides direction on supportive housing to assist municipalities in regulating supportive housing including group homes.

The Municipal Act defines a group home as a residence licensed or funded under a federal or provincial statute for the accommodation of three to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

With respect to group homes, the Municipal Act grants municipalities the authority to license, regulate and govern businesses operating within the municipality, including the authority to pass licensing by-laws covering the business of renting residential units and operating rooming, lodging or boarding houses or group homes.

Specific regulations related to licensing group homes are as follows:

163(1) A municipality shall not pass a business licensing by-law for group homes unless there is in effect in the municipality a by-law passed under Section 34 of the Planning Act that permits the establishment and use of Group Homes in the Municipality (a Zoning By-Law).

163(2) A business licensing by-law for group homes may prohibit a person from carrying on the business of a group home without a licence and may provide for the following conditions, but shall not provide for any additional conditions concerning the operation of the group home:

1. The by-law may require the payment of licence fees.
2. The by-law may require a licensee or an applicant for a licence to give the municipality such information as the municipality considers appropriate

concerning the business name, ownership and method of contacting the licensee or applicant

In summary, the Municipal Act defines a group home and grants municipalities the power to require licensing of group homes, subject to a Zoning By-Law being in effect which permits group homes.

2.2 Planning Act

The *Planning Act, R.S.O., 1990* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled. The Act sets out Provincial interests; establishes local planning administration; provides direction on the preparation of Official Plans and Zoning By-laws; establishes planning processes for development and land use controls (e.g. subdivision of land, minor variance); provides tools to allow municipalities to identify community improvement areas and to plan for the future; and, ensures the rights of local citizens to be involved in planning proposals.

Section 2 of the Planning Act establishes matters of Provincial interest which the council of a municipality, local board, planning board and the municipal board shall have regard for while carrying out their responsibilities under the Act. In accordance with the Act, the following areas are of provincial interest and are of relevance to this study:

- The orderly development of safe and healthy communities and the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies as provincial interests (**Section 2h**);
- The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies (**Section 2h.1**); and,
- The adequate provision of a full range of housing, including affordable housing (**Section 2 j**),
- It is through the Official Plan that Municipalities implement items of provincial interest via policy.

Section 34 of the Planning Act grants municipal Councils the power to pass Zoning By-laws which regulate the use of land within a municipality. In accordance with Section 34 of the Planning Act, municipalities may prohibit the erection, location or use of buildings or structures, as set out in the By-law within a municipality. It is through the Zoning By-law that regulations for group homes are established.

2.3 Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) is issued under Section 3 of the Planning Act and the most recent Statement came into effect on April 30, 2014. The PPS establishes the policy foundation for regulating the development and use of land in Ontario and provides policy direction on matters of provincial interest related to land use planning and development. The PPS also supports the provincial goal

to enhance the quality of life for all Ontarians. The PPS directs that settlement areas be the focus of growth and the policies of the PPS aim to ensure the wise and efficient use of land in order to support sustainability by promoting strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Ultimately, the PPS aims to build strong, healthy, communities. Improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society is identified as one of the components required to sustain a healthy, livable and safe community (**Policy 1.1.1 f**).

Section 1.4 of the PPS provides policy direction specifically related to housing. In this section, policies direct municipalities to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents. This includes permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements (**Policy 1.4.3 b) 1**).

The PPS includes a specific definition of *special needs*, which means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons. In accordance with provincial policy, local Official Plans should include policies which address the Provincial housing interest, and support and promote the development of many forms of housing, including special needs housing at a community level.

2.4 Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe, 2017 was prepared and approved under the Places to Grow Act, 2005 and was updated on July 1, 2017. The Growth Plan provides a framework for implementing Ontario's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe for the land use planning horizon to 2041.

The 2017 Growth Plan builds upon the policy foundations of the Provincial Policy Statement (2014) and responds to key challenges in the Region by providing enhanced policy directions designed to achieve complete communities. It is the Ontario Government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The plan envisions the Greater Golden Horseshoe as an area that offers wide choices for living, where thriving, livable, vibrant and productive urban and rural areas foster community health and individual well-

being. The policies of the Plan are based on a series of guiding principles, including:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime; and,
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households;

Section 2.2 establishes policies for managing growth within the GGH. With respect to achieving complete communities, the policies of the plan are to be applied to support communities that improve social equity and overall quality of life, including human health, for people of all ages, abilities and incomes; and, provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes (**Policy 2.2.1.4. b)-c**).

Section 2.2.6 provides specific policy direction related to housing. In accordance with the policies contained within this Section, municipalities are directed to develop a housing strategy that:

- Identifies a diverse range and mix of housing options to meet the needs of current and future residents;
- Establishes targets for affordable ownership housing and rental housing;
- Identifies mechanisms, including the use of land use planning and financial tools;
- Aligns with housing and homelessness plans; and
- Will be implemented through Official Plan policies and designations and Zoning By-laws (**Policy 2.2.6.1 a)- d**).

In preparing this strategy, municipalities will support the achievement of complete communities by considering the range and mix of housing options and planning to diversify the overall housing stock across the municipality (**Policy 2.2.6.2 c) and d**).

2.5 Ontario Housing Policy Statement

The Ontario Housing Policy Statement provides additional policy context and direction to Service Managers in the development of local housing and homelessness plans. This updated Policy Statement took effect on July 1, 2016 and Service Managers’ housing and homelessness plans will be required to be consistent with this Policy Statement by January 1, 2019. It is noted that Halton Region is the service manager as an upper tier.

The Policy Statement is based on the vision that every person in Ontario has an affordable, suitable, and adequate home to provide the foundation to secure employment, raise a family, and build strong communities.

The Housing Policy Statement identifies policy directions for local housing and homelessness plans. These are:

1. Accountability and Outcomes
2. Goal of Ending Homelessness
3. Coordination with Other Community Services
4. Indigenous Peoples
5. A Broad Range of Community Needs
6. Non-Profit Housing Corporations and Non-Profit Housing Co-operatives
7. The Private Market
8. Climate Change and Environmental Sustainability

The fifth policy direction, A Broad Range of Community Needs, identifies a number of requirements which are related to group homes, supportive housing, and special needs housing in communities. The Housing Policy Statement requires Service Manager housing and homelessness plans to:

- Include a strategy to address accessible housing and homelessness services for people with disabilities, as well as those who have mental health needs and/or addictions;
- Include a strategy to address the housing needs for survivors of domestic violence, in coordination with other community-based services and supports;
- Address the needs of different demographic groups within their community, including seniors, Indigenous peoples, people with developmental disabilities, children and youth, LGBTQ youth, women, immigrants and refugees, persons released from custody or under community supervision, youth transitioning from the child welfare system, and Franco-Ontarians; and
- Demonstrate a commitment to service delivery that is based on inclusive and culturally appropriate responses to the broad range of community needs.

Additional information can be found at:

<http://www.mah.gov.on.ca/Page14964.aspx>

2.6 “In the Zone” (Ontario Human Rights Commission)

The Ontario Human Rights Commission developed the “In the Zone” guide to provide an overview of the human rights responsibilities of municipalities with regard to housing. The guide helps make the connection between human rights and the by-laws, policies, and procedures that govern housing.

The Ontario Human Rights code offers protection from discrimination in five social areas. These areas are the following.

- Services, goods, and facilities;
- Accommodation, which includes housing;
- Employment;

- Contracts; and
- Membership in trade, vocational and professional associations.

The guide notes that the Human Rights Code is “quasi-constitutional” which means it has priority over provincial and municipal legislation, unless the legislation specifically says that it operates despite the Code. This means that when a conflict exists between municipal by-laws and the Code, the Code takes precedence.

The guide identifies the types of discriminatory opposition to affordable housing and provides some examples of discriminatory practices. Some examples that may be relevant to the current study include the following:

- Requiring affordable or supportive housing providers to adopt restrictions or design compromises that are not applied to other similar housing structures in the area, such as putting arbitrary caps on the numbers of residents allowed by project, ward, or municipality or requiring residents to sign contracts with neighbours as a condition of occupying the building;
- Requiring extra public meetings, a lengthy approval process, or development moratoria because the intended residents of a proposed housing project are people from Code-identified groups;
- Imposing minimum separation distances or restrictions on the number of housing projects allowed in an area;
- Making discriminatory comments or conduct towards the intended residents of a housing project at public planning meetings; and,
- Enacting zoning by-laws that restrict affordable housing development that services people identified by Code grounds (e.g. group homes) in certain areas while allowing other housing of a similar scale.

The guide also notes that affordable, supportive and group housing, with or without support workers, are residential uses and should be zoned as such. The Code does not support zoning these types of houses as businesses or services because these zoning categories can subject the residents to higher levels of scrutiny and expectations than do other forms of residential housing.

The following human rights principles apply to housing and should be taken into account in the development of by-laws, legislation, and policies related to affordable and supportive housing in Milton.

- Everyone in Ontario has the right to be free from discrimination in housing based on membership in a Code-protected group. This includes obtaining housing, during tenancy, and evictions;
- People should be able to live in the community of their choice without discrimination.
- Healthy and inclusive communities provide and integrate a range of housing for people of all income levels;
- Landlords, housing providers, neighbourhood associations, municipal appeal bodies like the Ontario Municipal Board and the courts all have an obligation to make sure that people do not face discrimination in housing;

- Discriminatory opposition to affordable housing projects is often found in the form of policies, legislation, actions, attitudes, or language used that create barriers for people from Code-protected or disadvantaged groups; and,
- Legislation governing municipalities such as the Municipal Act, 2001 and the Planning Act are frameworks for municipal autonomy, decision-making, transparency, and accountability. In carrying out their responsibilities under these and other legislation, policies and programs, municipalities are responsible for ensuring they do not violate the Code.

Additional considerations that are highlighted in the guide include the following:

- **Licensing Rental Housing**
Municipalities have the authority to license, regulate and govern businesses operating within the municipality. This authority includes passing licensing by-laws covering the business of renting residential units and operating rooming, lodging or boarding houses or group homes. However, the Code requires that decisions related to licensing rental housing do not have a disproportionate adverse impact on or target people or groups who identify with Code grounds.
- **Locating Housing for Seniors, People with Disabilities, and other people identified under Code grounds**
Housing for these and other groups should be located across a municipality, including but not limiting them to locations that are close to amenities such as transit and community services, by including objectives and policies to this end in Official Plans.
- **Zoning for Land Use not People**
The Building Code Act provides municipalities with the authority to pass property standards by-laws covering the maintenance and occupancy of buildings and properties. However, By-laws cannot set out requirements, standards or prohibitions that distinguish between persons who are related and persons who are unrelated when considering the occupancy or use as a single housekeeping unit. In addition, the *Planning Act* states that municipalities cannot pass Zoning By-laws that distinguish between people who are related and people who are unrelated with respect to the occupancy or use of a building.
- **Minimum Separation Distances**
Minimum separation distances may act as barriers by limiting housing options, particularly for people with special needs or low incomes. Instead of minimum separation distances, municipalities should consider ways to encourage and facilitate affordable and special needs housing in all areas of the municipality.

Additional information can be accessed via the following link:

<http://www.ohrc.on.ca/en/zone-housing-human-rights-and-municipal-planning>

2.7 “Room for Everyone: Human Rights and Rental Housing Licensing”

The OHRC developed the document entitled “*Room for Everyone*” to address the issue of how municipal rental licensing by-laws can disadvantage Code-groups. The document gives an overview of human rights responsibilities with regard to licensing rental housing and provides recommendations to help municipalities protect the human rights of tenants.

The *Municipal Act, 2001*, provides municipalities with the authority to license, regulate, and govern businesses operating within the municipality. This includes the authority to pass licensing By-Laws covering the business of renting residential units and operating rooming, lodging or boarding houses, or group homes. However, the Human Rights Code takes precedence over the *Municipal Act* and requires that municipal programs, By-Laws, and decisions such as licensing consider all members of the community and that these do not target or have a disproportionate adverse impact on people or groups who identify with Code grounds.

Room for Everyone notes that if people experience a disadvantage due to rental housing licensing, such as being forced out of housing or having a harder time finding housing, because of their connection to Code grounds, municipalities may be violating the Code unless they can prove the following:

- The municipality adopted the By-law, or a particular element of it, to achieve a rational planning purpose;
- The municipality held a good faith belief that it needed to adopt the By-law or the requirement to achieve that purpose; and,
- The By-law requirement was reasonably necessary to accomplish its purpose or goal, in the sense that other, less discriminatory alternatives would present undue hardship relating to health and safety or financial factors.

The guide provides municipalities the following recommendations with regard to rental housing licensing:

- Consider the Ontario Human Rights Code before drafting the By-law and refer to the Code in the By-law;
- Consult with Code-protected groups;
- Make sure that meetings about the By-law do not discriminate;
- Roll out the By-law in a consistent, non-discriminatory way;
- Work to secure existing rental stock;
- Avoid arbitrary bedroom caps;
- Avoid gross floor area requirements that exceed the Building Code;
- Eliminate per-person floor area requirements;
- Eliminate minimum separation distances;
- Enforce the By-law against the property owner and not the tenants;
- Protect tenants in cases of rental shut down;
- Monitor for impacts on Code groups; and,

- Make sure licensing fees are fair.

Additional information can be accessed via the following link:

<http://www.ohrc.on.ca/en/room-everyone-human-rights-and-rental-housing-licensing>

2.8 Opinion on the Provisions of Group Homes in City-wide Zoning By-law – City of Toronto (2013)

Recently, the City of Toronto was involved in a matter brought before the OHRC related to group homes. As a result of the application being brought forward to the Human Rights Tribunal related to land use planning and human rights issues pertaining to group homes and, in particular the inclusion of a separation distances required between group homes, the city of Toronto retained a planning expert (Sandeep Agrawal) to conduct a review and provide advice to City Council on the land use planning and human rights issues related to group homes. The study examined policies and the City Wide Zoning By-law.

The report provided the City with the following recommendations:

- Change the definition of group home from:

“means premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for 3 to 10 persons, exclusive of staff, living together in a single housekeeping unit because they require a group living arrangement by reason of their emotional, mental, social, or physical condition or legal status.”

to:

“means premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit.”

- Remove the requirement for a separation distance for group homes as there is no evidence of a planning rationale to justify the current required minimum 250 metres separation distance;
- Before adopting the proposed City-wide Zoning By-law, review all of its provisions in the context of the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act, and the Canadian Charter of Rights and Freedoms;

- If the City had reason to believe that a land use had an unwanted impact on its surroundings, then separation distances could be considered to alleviate such an impact. These distances would need to be rationalized through further studies of the facilities, activities, and functions associated with the specified land use and their impacts along with public consultation;
- Develop a Citizens Guide to the proposed City-wide Zoning By-law, which could include, among other things, clarifications about and considerations of respecting sensitive or incompatible uses and a brief rationale behind separation distances, if they are included; and,
- Initiate a training program for the City's land use planners and policy makers to help them understand and apply the provisions of the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act, and the Canadian Charter of Rights and Freedoms in the context of municipal planning policies and practice.

2.9 Group Homes Study- Town of Milton (2002)

In November 2001, the Town of Milton Council directed that a study be undertaken to address the concerns of Council and residents, at that time, regarding the regulatory framework surrounding group homes. B.G.D. Consulting Inc. was retained to undertake this study, which involved a detailed review of the provisions of the Official Plan, Zoning By-law, other municipal practices and a consultation process.

The review identified several issues with the framework, including:

- Conflicts between Official Plan and Zoning By-law Provisions;
- Need for clarity in policy framework;
- Need for additional facilities to keep Milton residents in their own community;
- Potential regulation of small scale group care facilities; and,
- Creating a balance between what is acceptable to the community and what is required under the Regional Official Plan policies.

The results of the work recommended revisions to the policy and regulatory framework regarding group homes as follows:

- Revise the Official Plan to provide a new policy framework regarding group homes, which provide for the creation of two categories of group homes with differing regulations, including:

- Revised definitions of group homes and residential care facilities;
 - Revised policies for Special Needs Housing.
- Maintain policy framework for Correctional Group Homes and continue to permit only in Institutional designation and zone;
- Revise the Town of Milton Zoning By-law to include definitions of the following:
 - Group Home Type 1;
 - Group Home Type 2.
- Revise the Town of Milton Zoning By-law Institutional Zone as follows:
 - Include all correctional group home facilities with 3 or more persons and all group care facilities over 8 persons in the urban and hamlet areas and 10 persons in the agricultural and rural areas;
- Revise the Town of Milton Zoning By-law to include locational controls
 - Permitted in all designations where single detached dwellings are permitted in both the agricultural/ rural area and the urban area;
 - 500 metre separation distance for Type 1 and Type 2 Group Homes;
 - Type 2 Group Homes to be restricted to Major Arterial, Arterial and Collector Roads as designated in the Official Plan.
- Implement a registration process as per The Municipal Act which includes all existing group homes as well as any new group homes; and
- Continue to work with the Region of Halton and group home providers to enhance the education of the public regarding special needs housing within Milton.

2.10 Supportive Housing Policy Framework

As part of the Long-Term Affordable Housing Strategy (LTAHS), the Province has developed the Supportive Housing Policy Framework to guide both Provincial and local program improvements and support coordination across sectors to enable people to better access the housing and support services they need. The Framework also provides a foundation for new investments in supportive housing to help ensure that programs respond to people's needs and support social and economic inclusion. This Framework is a product of ongoing collaboration between the Ministries of Housing (MOH), Health and Long-Term Care (MOHLTC), Community and Social Services (MCSS), and Children and Youth Services (MCYS).

The Framework aims to address the following challenges with the current supportive housing system:

- Unmet demand;
- Fragmented client access;
- Programs inconsistent with best practices;
- Lack of coordination across systems; and
- Limited data to support evidence-based policy.

The following principles will help guide the way the Province, partners, and stakeholders develop and implement supportive housing policies, programs and services.

1. Programs, services and supports are person-driven and foster independence, respect and dignity, and inclusion;
2. Housing and supports foster choice, portability as appropriate, and flexibility to accommodate changing needs;
3. System encourages local innovation to explore new approaches to better meet the people's needs;
4. Services are well-coordinated across systems (housing, health, community services, and children and youth) with a common commitment to help people thrive; and
5. Programs and services are evidence-based, committed to continuous improvement, and support the long-term sustainability of the system.

The Framework will apply to 14 supportive housing-related programs, as well as programs that are developed in the future, and their related service systems.

1. Programs with the Ministry of Housing
 - Strong Communities Rent Supplement Program;
 - Community Homelessness Prevention Initiative;
 - Social Housing;
 - Investment in Affordable Housing Program; and
 - Affordable Housing Program.
2. Programs with the Ministry of Health and Long Term Care
 - Dedicated Supportive Housing;
 - Rent Supplement Supportive Housing Program;
 - Homes for Special Care;
 - Habitat Services Program; and
 - Assisted Living Services in Supportive Housing and for High Risk Seniors.
2. Programs with the Ministry of Community and Social Services
 - Dedicated Supportive Housing;
 - Residential Supports for Adults with a Developmental Disability; and
 - Transitional and Housing Support Program.
3. Program with the Ministry of Children and Youth Services
 - Dedicated Supportive Housing.

Additional information is available at the following link:

<http://www.mah.gov.on.ca/Page15268.aspx>

2.11 Summary of Key Findings from Background Research

The background review reveals that, over time, there has been a shift in the Provincial regulatory and legislative framework toward ensuring a stronger focus on housing to meet the diverse needs of residents, as evidenced by the introduction of housing as a Provincial interest. Additionally, legislation has been

strengthened to ensure that human rights principles are taken into account in the development of planning policies and zoning regulations with respect to supportive housing, this includes limiting the ability to control the location of group homes through minimum distance separation (e.g. a shift toward removal or re-evaluation of this requirement). The approach to providing supportive housing has also shifted to a more person-centred model, whereby supportive housing programs and services are geared toward the individual and are less 'institutional' in nature.

Through the background review, it is also clear that housing to accommodate those with special needs has been better clarified through legislation and has been more clearly defined. Group homes and supportive housing to accommodate a diverse range of needs in the community are also to be provided through a range of housing types and not just within single detached homes.

3.0 CURRENT FRAMEWORK

3.1 Halton Region Official Plan (January 2016 Consolidation)

The Region of Halton Regional Official Plan (ROP) serves as Halton's guiding document for land use planning and is intended to manage growth across the Region's four municipalities. The latest review of the ROP (called 'Sustainable Halton') was adopted unanimously by Regional Council on December 16, 2009, as Regional Official Plan Amendment 38 (ROPA 38). ROPA 38 was sent to the Province, as the approval authority, who approved it with modifications in 2011. The Province's decision to approve, with modifications, was appealed to the Ontario Municipal Board (OMB) and the hearing process to address the appeals is ongoing. The 2015 Office Consolidation of the ROP includes those policies that have been approved and are in force and effect and identifies the policies that remain under appeal.

The ROP outlines the long term vision for the physical form and community character of the Region and includes policies intended to achieve the vision, goals and objectives contained within the ROP. Ultimately, it is the intent of the ROP to provide broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid waste management, transportation, and health and social services to the local municipalities of Burlington, Oakville, Milton and Halton Hills.

The ROP contains a section which sets out the policy framework and objectives for housing in the Region. Section 84 provides the goal for housing, which is to supply the people of Halton Region with an adequate mix and variety of housing to satisfy differing physical, social and economic needs. In order to achieve this goal, a series of objectives are identified. The following housing objectives are of relevance to this study:

- To meet housing needs through the provision of Assisted Housing, Affordable Housing and Special Needs Housing in Halton (**Section 85(5)**);
- To integrate Assisted and Special Needs Housing with Market Housing (**Section 85(6)**);
- To encourage the local municipalities and the building and development industry to develop innovative housing designs that stress flexibility in use, mix of compatible uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability and

- energy and natural resource conservation while maintaining sound engineering and planning principles (**Section 85(8)**);
- Consider financial and other incentives including grants, property tax reductions, infrastructure improvements and Community Improvement Plans in the provision of Assisted, Affordable and Special Needs Housing (**Section 86(15)**);
 - Encourage the Local Municipalities and other commenting agencies to expedite planning approvals and provide other incentives in the provision of Assisted, Affordable and Special Needs Housing and further to give priority to planning approval of those receiving government funding (**Section 86(16)**);
 - Require Local Official Plans to provide an appropriate mix of housing by density, type and affordability in each geographic area, consistent with current and projected demands reflecting socio-economic and demographic trends (**Section 86(21)**);
 - Require Local Official Plans and Zoning By-laws to permit Special Needs Housing as of right in all residential neighbourhoods subject to reasonable planning standards and design criteria (**Section 86(22)**); and
 - Encourage Local Municipalities to adopt and enforce maintenance and occupancy standards By-laws (Property Standards By-laws)(**Section 86(24)**).

The ROP includes the following definition of Special Needs Housing: “any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, group homes, emergency shelter, housing for the homeless and independent permanent living arrangements where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community-based support services in their own home.”

3.2 Town of Milton Official Plan (2008 Office Consolidation)

The Town of Milton Official Plan (OP) was adopted by Council on August 26, 1996 and approved by Halton Region on December 14, 1997 with deferrals. Further approvals were granted by the Ontario Municipal Board in 1999. Since this time, the OP has been consolidated to include a series of approved Official Plan Amendments. Official Plan Amendment 31 (OPA 31), which was adopted by Council in June 2010, brought the Plan into conformity with the Growth Plan for the Greater Golden Horseshoe (2006) and the Regional Official Plan (ROPA 38). OPA 31 was submitted to Halton Region and is currently awaiting approval.

The 2008 Office Consolidation of the Town of Milton Official Plan was consulted for this review. The 2008 Consolidated OP includes all Official Plan Amendments up to the date of consolidation (OPAs 1-28).

The Town's vision for the future, as outlined in the Official Plan, is "to be the best Town and Country in Ontario" (**Section A.2.2**). A series of community values are established to complement the vision, organized in three themes (for living, business, and leisure). The values for living are related to creating a well-planned community of a high quality of life, which: encourages healthy lifestyles, blends urban and rural living, supports the family as the foundation of the community, nurtures community spirit, participation and a sense of belonging, and uses historical preservation and neighbourhood scale planning to encourage unique identities and qualities in downtown, urban and rural areas (**A.2.2 a) i)-v**)).

Milton's goals are set out in **Section A.2.3** of the Plan. The following goals are of relevance to this study:

- To build and maintain a safe, livable and healthy community supportive of family life and with leisure opportunities for residents of all ages; and,
- To provide responsible cost-effective local government and services

A series of environment and land use strategies are provided, which are intended to assist in achieving the goals. These goals include:

- Provide for urban area development;
- Provide for appropriate rural area/ agricultural land uses; and
- Encourage public participation in the planning process.

The theme of the Plan is "Community Rediscovered", which elaborates upon the Town's commitment to rediscover the principles which will maintain the strong sense of community and the friendly environment that exists in Milton (**Section 2.1.1**).

Objectives are established within the Plan, intended to facilitate achievement of the theme and goals. In particular, **Objective 2.1.3.10** states that it is an objective of the Plan to enable all residents to find housing, employment and social and community facilities within the Town. **Objective 2.1.3.11** identifies a further goal of the Plan which is to encourage the creation of livable and attractive residential environments which provide a wide range of housing opportunities (including affordable housing for low and moderate income residents) within all neighbourhoods.

Section 2.7 of the Plan contains specific policies related to housing, with the overall theme being that the Town is committed to the creation of housing which is affordable, accessible, adequate and appropriate to the full range of present and expected households.

Goals and objectives are set out in **Section 2.7.1** and **2.7.2**, with the following goals being of relevance to this study:

- Ensuring a full range of housing types are permitted within the Town to meet a wide range of needs of current and future households (2.7.1 a));
- Encouraging the inter-mixing of different housing forms and types within neighbourhoods to foster community integration (2.7.1 d));
- Improving public awareness and understanding of the housing issues facing the Town (2.7.1 e)); and
- Encourage the distribution and creation of housing opportunities that will result in a mix of tenure forms (ownership and rental) in each residential neighbourhood (2.7.2.4).

With respect to supportive housing, the Official Plan identifies the following definitions:

- Correctional Group Home: a single detached dwelling occupied by not less than 3 and not more than 10 residents, exclusive of staff or receiving family, who live as a single housekeeping unit, supervised on a daily basis, for persons who have been placed on probation, released on parole or admitted for correctional purposes, and which is licensed, approved, supervised or funded by the Province
- Group Home Type1: a single detached dwelling occupied by not less than 6 and not more than 8 residents within the Urban or Hamlet areas and not more than 10 residents in the Agricultural and Rural areas, exclusive of staff or receiving family, who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved, supervised or funded by the Province as:
 - Home for Special Care, Homes for Special Care Act;
 - Approved Home, Mental Hospitals Act;
 - Children's Residence, Child and Family Services Act;
 - Approved Home or Facility, Developmental Services Act;
 - Charitable Home for the Aged, Charitable Institutions Act; and
 - Home for the Aged, Homes for the Aged and Rest Homes Act.
- Group Home Type 2: a single detached dwelling occupied by not less than 3 and not more than 8 residents within the Urban or Hamlet Areas and not more than 10 residents in the Agricultural and Rural Areas, exclusive of staff or receiving family, who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved, supervised or funded by the Province under any general or specialized Act and which shall be maintained and operated primarily for:
 - Persons who require temporary care and transient or homeless persons; and
 - Persons requiring treatment and rehabilitation for addiction to drugs or alcohol.

- Institutional Use: use of land for some public or social purpose but not for commercial purposes, and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar or non-commercial use to serve the immediate community
- Residential Care Facility: a home, group care facility or similar facility occupied by more than 8 residents, exclusive of staff or receiving family, who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved, supervised or funded by the Province
- Rooming, Boarding or Lodging Houses: dwellings where lodging for 4 or more persons is provided in return for remuneration of the provision of services or both and where the lodging units do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants
- Special Needs Housing: housing that is designed to accommodate individuals with specific needs of certain households and includes Group Homes Type 1 and Group Homes Type 2, with the exception of Correctional Group Homes, and also includes independent permanent living arrangement where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendance services are provided

3.3 Town of Milton Zoning By-law 016-2014 (Urban By-law)

The Town of Milton Zoning By-law 016-2014 (applicable to the Town's Urban Area only) was adopted by Council on February 24, 2014 and was approved in part by the Ontario Municipal Board (OMB) on October 16, 2014. The purpose of this Zoning By-law is to implement the policies of the Town of Milton Official Plan. Staff has consolidated the By-law to include all amendments and Board directions up to November 2014.

Section 3 of the By-law divides the definition of Group Homes into two separate categories: Group Home Type 1 and Group Home Type 2. Correctional Group Homes are also identified. Definitions for each, as they appear in the By-law, are provided below.

Group Home Type 1 means a dwelling unit occupied by residents who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved or supervised, or funded by the Province of Ontario as:

- Home for Special Care, Homes for Special Care Act;
- Approved Home, Mental Hospitals Act;
- Children's Residence, Child and Family Services Act;
- Approved Home, Developmental Services Act;
- A Facility, Developmental Services Act;

- Charitable Home for the Aged, Charitable Institutions Act; or,
- Home for the Aged, Homes for the Aged and Rest Homes Act.

Group Home Type 2 means a dwelling unit occupied by residents who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved or supervised, or funded by the Province of Ontario under any general or specialized Act and which shall be maintained and operated primarily for:

- Persons who require temporary care and transient or homeless persons; or
- Persons requiring treatment and rehabilitation for addiction to drugs or alcohol.

Correctional Group Homes means a dwelling unit occupied by residents who live as a single housekeeping unit, supervised on a daily basis, for persons who have been placed on probation, released on parole or admitted for correctional purposes, and which is licensed, approved, supervised or funded by the Province of Ontario.

General Provisions are outlined within **Section 4.12**. Where a Group Home is permitted, the following provisions shall apply:

- Group Home Type 1, Group Home Type 2 and Correctional Group Homes shall only be permitted in a detached dwelling;
- Group homes shall be permitted in accordance with the following Table

Type	Permitted Residents	Permitted Zones
Group Home Type 1	6-8	Residential Low Density (RLD) Residential Medium Density (RMD1)
Group Home Type 2	3-8	Residential Low Density (RLD) Residential Medium Density (RMD1)
Correctional Group Home	3-10	Major Institutional (I-B)

- No Group Home Type 1 or Group Home Type 2 shall be located closer than 500m to any other Group Home Type 1 or Group Home Type 2
- A Group Home Type 2 shall only be located on a lot having frontage on a Major Arterial Road, Arterial or Collector Road.

3.4 Town of Milton Zoning By-law 144-2003 (Rural By-law)

Comprehensive Zoning By-law 144-2003 was adopted by Milton Council on October 20, 2003 and was approved in part by the Ontario Municipal Board (OMB) through OMB Order No. 1155, issued on July 7, 2004.

Section 3 of the By-law divides the definition of Group Homes into two separate categories: Group Home Type 1 and Group Home Type 2. Correctional Group Homes are also identified. The definitions and provisions are consistent in both the Rural and Urban Zoning By-law, as recommended by the 2002 Group Homes Study. The only notable difference between the By-laws is within the permitted residents and zones outlined in **Section 4.7** General Provisions (see table below).

Where a Group Home is permitted, the following provisions shall apply:

- Group Home Type 1, Group Home Type 2 and Correctional Group Homes shall only be permitted in a detached dwelling;
- Group homes shall be permitted in accordance with the following Table: (See table below)

Table 2: Rural Zoning By-law Provisions for Group Homes		
Type	Permitted Residents	Permitted Zones
Group Home Type 1	6-8	Hamlet Commercial (C4)
Group Home Type 1	6-10	Agriculture (A1) Rural (A2)
Group Home Type 2	3-8	Hamlet Commercial (C4)
Group Home Type 2	3-10	Agriculture (A1) Rural (A2)
Correctional Group Home	3-10	Major Institutional (I-B)

- No Group Home Type 1 or Group Home Type 2 shall be located closer than 500m to any other Group Home Type 1 or Group Home Type 2
- A Group Home Type 2 shall only be located on a lot having frontage on a Major Arterial Road, Arterial or Collector Road.

3.5 Town of Milton Business Licensing By-law

Following the completion of the 2002 study on Group Homes, the Town implemented a Licencing process for Group Homes in accordance with the recommendations of the study via the Town’s Business Licensing By-law. The Town of Milton Business Licensing By-Law is intended to regulate the conduct of trades and businesses in the Town and ensure they comply with applicable By-Laws. The By-law’s definition of Business includes group homes. Accordingly, group homes may not be carried out in the Town without a license to do so.

Schedule “I-1” to the By-Law sets out specific regulations that apply to group homes, and is summarized generally below. A copy of the By-Law is also included as Appendix 1 to this report.

- The By-law includes definitions for Correctional Group Home, Group Home Type 1 and Group Home Type 2, consolidated with the definitions in the Official Plan and Zoning By-Law;
- Definitions of “Service Provider” is included as follows “an owner, and/or operator of a group Home Type 1, Group Home Type 2, or correctional Group Home as approved, licensed and/or funded by a Ministry or Government Agency;
- The By-law required an application with the Licensing Officer, with specific details to be included in the application (as outlined in the By-law);
- Written confirmation of Zoning compliance by the Zoning Officer is required before a license can be granted (waived for renewal application);
- A license can be deemed to be revoked if the use ceases to operate for a period of 90 days or more;
- Confirmation of licensing shall be sent out to the Halton District School Board and Halton Catholic District School Board, subject to the licensing officer receiving written confirmation from the Fire Department that all fire code regulations and safety standards have been satisfied; and
- Renewal of a license is required and required written documentation from the operator that it continues to be operated as approved and that the supporting Ministry or Government Agency has renewed the license or approval.

The fee for licensing and/or renewing a group home is set at \$314.23 (2017) and will increase to \$321.00 in January 2018.

4.0 POLICY AND ZONING APPROACHES IN OTHER JURISDICTIONS

As part of the overall review, the research team examined the policy and regulatory framework of other jurisdictions in order to learn from their approaches. This work provided examples from which Milton could consider in its update. To ensure the jurisdictions reviewed fall under the same policy context, municipalities in Ontario were reviewed as benchmarks.

A variety of jurisdictions were selected, including larger cities such as Toronto and London, also in addition to smaller benchmark Cities throughout Ontario. This is important as larger cities are generally the Service Manager as a single tier city similar to a region, while smaller municipalities are not (as is the case with Milton, where Halton Region is the Service Manager).

To uncover best practices and innovative approaches related to supportive housing, the research team examined the following documents in each municipality:

- Housing and Homelessness Plan;
- The Official Plan;
- Licensing By-laws; and,
- Zoning by-laws

Key themes from the research are highlighted in this section, as opposed to detailed descriptors of the reviewed documents. Where necessary, references to the Official Plans and Zoning By-Laws are made. A detailed comparative summary of the various Zoning By-Law regulations is also provided in table format and can be found in **Appendix 2**.

4.1 Toronto

The City of Toronto is a single tier municipality guided by the City of Toronto Act and acts as a Service Manager under the Province's Housing Policy Statement. The City of Toronto is experiencing difficulties related to housing as a result of

the housing affordability crisis in the Province. The City has little undeveloped land available, unlike other municipalities in the Province but, despite this, has still been able to pioneer some inclusionary approaches.

In order to address the emerging housing issues in the City, a housing and homelessness strategy was introduced and adopted on August 5th, 2009 called Housing Opportunities Toronto 2010-2020. The City of Toronto was one of the first areas in the region to create such a document, four years before the Housing Services Act (2011), required Service Managers to do so.

It is interesting to note that the strategy included a housing rights charter for each Toronto resident. The charter states a need to improve inclusivity in housing for every resident in the City of Toronto and an end to discriminatory practices in housing of all types. Toronto is the only municipality in Ontario with such a charter. It serves as a blueprint for the municipality when it develops new policy and guidelines.

Similar wording and commitments to improve inclusivity in housing have also been included in the City of Toronto Official Plan.

As an example, Chapter 3: Building a successful City, states that:

“a full range of housing, in terms of form, tenure and affordability, across the City and within neighborhoods, will be provided and maintained to meet the current and future needs of residents.

A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.”

With respect to the regulatory framework, Group Homes and Supportive Housing are permitted in all zones classified as residential within the City. Additionally, the City has removed all separation distance restrictions for group homes and residential care facilities from the Zoning By-Law. From the jurisdictions reviewed, it is the only municipality to have done so. However, it should be noted that this revision was the result of the outcome from an official complaint filed against the Municipality to the Ontario Human Rights Commission (OHCR) in 2013.

The amalgamated City of Toronto does not license group homes, but does license rooming houses. Some of the former municipalities use rooming house licensing as a tool to “license” group homes (Scarborough and Etobicoke). These former municipalities maintain independent by-laws which still require the group home to become provincially licensed. Once provincially licensed, the house is no longer labeled as a rooming house. Rooming houses are illegal in most parts

of Scarborough and Etobicoke. These practices go against the Provincial and OHCR policies and guidelines. The OHCR has filed a complaint against Toronto regarding rooming house policies and the City is currently reviewing the older, former independent municipality's practices.

4.2 Hamilton

The City of Hamilton is a single tier municipality guided by the Municipal Act and acts as a Service Manager under the Province's Housing Policy statement. The City of Hamilton stands out among the jurisdictions reviewed as a result of its integrated approach to housing. Group homes are part of this approach, as they are part of the housing continuum. The City's Housing and Homelessness strategy, approved in 2012, establishes a goal to ensure that 10% of all new affordable housing is a form of housing with supports. Together with London, Hamilton is the only geography reviewed for this study that includes specific targets for supportive housing.

This inclusive approach is also found in both the Rural and Urban Official Plan. Supportive Housing is labeled "as of right" in the Rural Plan and the Urban Plan specifically mentions that *"The City shall endeavor to provide a facilitative land use planning process for development applications for affordable housing and housing with supports"*.

Hamilton shows a striking difference between housing policy versus planning and licensing. Group homes and residential care facilities are permitted in all residential zones in the City; however, depending on the type of residential zone, there are different maximum numbers of residents permitted in a group home. With respect to separation distances, the City requires a minimum distance separation from other group homes of 300 metres.

Urban areas marked as Residential Zones and Multiple Residential Zones have additional requirements for group homes and residential care facilities set out in the By-law. Examples of these requirements are physical barriers, such as separation from the street; minimum height; lot size, and as required amounts of green space. These requirements are contrary to many of the OHRC "In the Zone" guidelines.

Hamilton licenses residential care facilities through the municipal Business Licensing By-law. The Business Licensing By-law allows the municipality to control a facility if a residential care facility follows the Building and Fire Code as well as if the group home has proper staff and programming in place for residents. In addition, Hamilton's By-law requires specific square footage and cubic footage space for every type of room in the house including the bathroom. It also explains how waste should be treated from organic waste to cigarette ash disposals. These are licensing practices that the OHRC calls out as restrictive and should be avoided.

4.3 London

The City of London is a single tier municipality, guided by the Municipal Act and acts as Service Manager under the Province's Housing Policy Statement. Compared to Hamilton, the City of London takes a more integrated approach between planning and policy. Similar to Hamilton and Toronto, the City applies a system-based approach to housing in the Official Housing and Homelessness Strategy and, like Hamilton, actual targets for supportive housing are included. Within their Plan, the City recognizes the local limitations in providing supportive housing and calls upon the Provincial and Federal government for more funding.

In Chapter 12 of the City's Official Plan, Housing Policies in section 12.1 provide for Housing objectives, and only reference the City in relation to supportive housing as a facilitator. In particular, Sections 12.1.iv, 12.1.v and 12.1.vi state:

“the City of London commits to support the development, at appropriate locations, of residential facilities that meet the housing needs of persons requiring specialized care.”

“Through the Housing Division and other relevant departments, the City shall promote Federal, Provincial and local opportunities for the provision of affordable and supportive housing”

“The City shall encourage and support private, public and local partnerships in the provision of affordable and supportive housing.”

The City's Zoning By-Law permits group homes in all residential zones and does not differentiate between the numbers of people permitted to live in a group home depending on the zoning district. The Zoning By-Law does not call for physical barriers such as green space or distance from the street. Additionally, there are no minimum separation distances for Group Homes Type 1 and Residential Care Facilities. There are, however, minimum separation distances for Group Homes Type 2 (correctional) of 450 metres from any other Group Home Type 2.

Of the municipalities reviewed, London is the most progressive in its licensing By-law. Licensing was introduced as a response to issues and incidents in group homes as a result of a loss of human life caused by fire in 2014. In the City of London, the operator of the group home is licenced, which ensures the By-law is enforced against the property owner/operator and not the tenants. The By-law ensures that the operators and staff are qualified to run the building. The By-law does not mention anything about the number of tenants permitted, or other regulations (e.g. floor space, etc.) and minimum floor space etc. The By-law is focused on tenant safety and protection by making sure the building conforms to the Building Code, the Fire Protection and Prevention Act, and the Property Standards By-law, while also ensuring there are proper rental agreements in

place with the tenants, and tenants have separated files and programs to assist in their treatment. Applying for a license has a cost of \$750.

4.4 Waterloo

The previously described jurisdictions, as single tier municipalities, are both the Service Manager and the planning authority for their location. In contrast, The City of Waterloo, as a lower tier municipality in a two tiered system, is part of the larger Waterloo Region. As a result, the City does not set its own affordable housing policies (this is the case with Milton as well, where Halton Region is Service Manager). These are outlined in the Affordable Housing and Homelessness strategy of the Service Manager. As a smaller municipality within a Region, Waterloo can influence supportive housing through its Official Plan, licensing By-Law and Zoning. Throughout the Official Plan and licensing, a commitment to inclusivity can be observed.

Similar to Hamilton, Waterloo licenses residential care facilities and group homes through the business licensing by-law. This ensures the owner/operator is licensed and not the tenant. Unlike Hamilton, the By-law does have minimum space requirements and focuses, like London, on tenant protection such as fire and building safety.

The City of Waterloo's Official Plan shows a strong commitment to supportive housing. It states that "inclusive and complete communities can only be labeled this way if they provide a full range of housing for its residents". The Official Plan also states that group homes will be allowed in all designations that permit residential uses.

Although the Official Plan and Licensing By-law seem compliant with Provincial and human rights guidelines, the Zoning By-law does present some barriers.

Waterloo allows group homes in all residential zones. In addition, there are no specific requirements in terms of dimensions of the building. The By-law only states that group homes must comply with the same requirements for all other residential buildings in the area. The By-law does mention a group home cannot be shared with another residential form on the same lot. However, similar to London and Hamilton, Waterloo imposes distance requirements of 300 metres from any other group home and 100 metres of the municipal border.

It must be noted that the municipality is currently going through the process of updating their Zoning By-law to implement the recently approved 2012 Official Plan. The second draft of the City's New Comprehensive Zoning By-law was released for consultation, feedback and review in April of 2017 and includes revised definitions for Group Home Type A and B. Group Homes are identified as a "sensitive use" in the By-law. In accordance with the proposed draft General Regulations, Group Homes are limited to and shall occupy the whole of a residential building on a lot and must be registered with the City in accordance

with the City's Business Licence By-law and Residential Rental Housing Licencing By-law. Group homes are proposed to be permitted in all residential zones.

4.5 Cambridge

The Municipality of Cambridge is located in the same region as Waterloo. It provides an interesting comparison between two different municipalities in the same region. Similar to Waterloo, Cambridge is ambitious in its attempt to include supportive and special needs housing in its Official Plan. Of all the Plans reviewed, it shows the most commitment to supportive and special needs housing. The best example of this commitment is found in Section 8 of the Plan, quoted below:

“The City recognizes the need for, and will facilitate where possible, the integration of housing for people with special needs, including group homes and institutional special care facilities. More detailed regulations may be enacted under the City’s Zoning By-law. Housing for people with special needs is encouraged to locate in proximity to medical facilities, employment areas, social services, human services, transit and other applicable services.”

City Council may pass Zoning By-laws to permit the establishment of any Group Home without requiring further site-specific amendments to the City’s Zoning By-law. If this were to happen, Council can ask the owner/operator to inform the local neighborhood through consultations.

Unlike Waterloo, Cambridge does not have a licensing by-law for group homes, but requires registration with the City Clerk, which informs the Municipality of group home locations. Registration costs are \$100.

Similar to Waterloo, the Zoning By-law does not seem to be in line with the Official Plan. It should be noted that the City is currently undertaking a comprehensive Zoning By-Law Review which will update the Zoning By-Law to complement the new Official Plan. Until such time as the new Zoning By-Law is approved the current Zoning By-Law continues to apply. Several barriers to inclusion can be found under the current Zoning. Residential care facilities can be located in any area marked as residential given some additional requirements. Two requirements are problematic and appear to contravene Provincial Policy and OHRC guidelines. These requirements are related to minimum lot size requirements of 360 m² and minimum frontage requirements of 12m as well as minimum distance requirements of 200m from any other group home in the area.

4.6 City of Burlington

The City of Burlington Official Plan (2015 Office Consolidation) defines Group Home as “A single housekeeping unit supervised by staff on a daily basis which provides special care and treatment to persons for physical or mental deficiency,

physical handicap or other such cause. A Group Home shall be funded, licensed, approved, or supervised by the Province of Ontario under a general or specific act, for the accommodation of not less than 6 and not more than 8 residents, exclusive of staff. Where a Group Home is located outside the Urban Planning Area boundary as indicated on Schedule B, the maximum number of residents permitted, exclusive of staff, is 10. A Group Home may contain an office provided the office is used only for the administration of the Group Home in which it is located. The City is currently undergoing an Official Plan Review Process and a proposed draft New Official Plan was released in November, 2017. The proposed (but not yet adopted or approved) Official Plan defines Group Home as “A single housekeeping unit supervised by staff on a daily basis which provides special care and treatment to persons for physical or mental deficiency, physical handicap or other such cause. A Group Home shall be funded, licensed, approved, or supervised by the Province of Ontario under a general or specific Act.”

The City of Burlington Zoning By-law 2020 separates group home and correctional group home and includes the following regulations for group homes (General Provisions, 2.21 (g):

- Permitted in a dwelling unit (in all zones)
- In RNA1, RNA2 and RNA3 zones, lots shall have a minimum 30 m lot width and 0.3 ha lot area
- In apartment buildings over 3 storeys one group home is permitted for each 30 units and subject to one Group Home per floor
- Minimum distance between Group Home properties: 400m
- Minimum distance between a Group Home property and a Correctional Group Home property: 400 m

It is noted that while the definitions contained within the current and proposed Official Plans and some of the regulations are progressive, others may be discriminatory in nature (e.g. separation distance)

In terms of regulation, the City of Burlington requires group homes to undergo a registration process which is administered by the Clerk's department. The original registration By-law and zoning provisions were adopted by City Council in 1990, reviewed in 2000-2001, and updated again in 2005. A number of requirements must be met before a group home can be registered. A brochure is available on the City's website to provide information and assistance to Group Home providers with regard to the City's registration and renewal process. The process for group home registration is as follows:

- Obtain an application form, either for registration or renewal, either at City Hall or online through the City's website;
- Complete the application form, which includes
 - Written confirmation of zoning compliance;
 - Written clearance from the Fire Department; and,

- Written notification from the approving ministry or government agency that it has issued a license to, granted approval for funding of or entered into an agreement with the group home; and,
- Hold a public information meeting

Fees include \$280.00 for a zoning certificate and \$200.00 for the Group Home Registration. Additionally, an annual renewal fee of \$40.00 is set.

It is noted that the background research indicates the requirement of hosting a public meeting prior to occupancy of a group home may be discriminatory in nature.

4.7 Summary of Key Findings

The review of policies related to supportive housing in different jurisdictions in Ontario found that these jurisdictions all attempt to assist with the integration of supportive housing in the community. However, there is no one jurisdiction that has an overall comprehensive approach which flows through to all legislative tools including the Official Plan, licensing and Zoning By-laws. This creates discrepancies between different policy and regulatory documents within the same jurisdiction. Each jurisdiction does, however, have progressive practices in certain components related to supportive housing.

In terms of the Official Plan, Cambridge is notable for the inclusion of supportive housing and group homes. In terms of Licensing, London appears to be the most progressive, while Hamilton's overall strategy for housing and homelessness exhibits a strong inclusionary example. Toronto's Zoning By-law represents a sound practice with regard to supportive housing. It is the only municipality of the reviewed jurisdictions that has completely removed minimum distance requirements.

This initial background review and best practice analysis will assist in the next phase of the supportive housing study as it will inform the approach to be considered by the Town of Milton in addressing supportive housing and group homes through its policies and regulations given the local Milton context.

Appendix 1

Schedule “I-1” to the Town of Milton Municipal Licensing By-law

- (iii.1) “*application fee*” shall mean the administrative fee to process a *License* application; **(By-law No. 043-2009)**
- (iv) “*Auctioneer*” shall mean a person selling or putting up for sale, goods, wares, merchandise, effects or livestock by public auction;
- (v) “*business*” shall mean the following trades, callings, businesses, or occupations (and includes the sale or hire of goods or services in those trades, callings, businesses or occupations):
- *Personal Service Businesses*
 - *Pawnbrokers*
 - *Transient Traders*
 - *Commercial Refreshment Vehicles*
 - *Auctioneers*
 - *Salvage Yards*
 - **Deleted per By-law No. 063-2014**
 - *Food Business*
 - *Kennels*
 - *Group Homes (By-law No. 043-2009)*
- (v.1) “*Chief Constable*” shall mean the Chief of Police for the Halton Regional Police Service, or his or her designate; **(By-law No. 043-2009)**
- (v.2) “*Chief Fire Official*” shall mean the Chief Fire Official for the *Town*, or his or her designate; **(By-law No. 043-2009)**
- (vi) “*Commercial Refreshment Vehicle*” shall mean any vehicle from which refreshments are sold, and/or meted out or distributed for consumption by the public and includes carts, wagons, trailers, trucks and bicycles, regardless of the type of motive power employed to move the refreshment vehicle from one point to another, and “*CRV*” has the same meaning; **(By-law No. 043-2009)**
- (vii) “*Council*” shall mean the *Council* of the *Town*;
- (viii) “*criminal records check*” shall mean a criminal records check performed by the Halton Regional Police Service, or the Police Service in the jurisdiction of the *Applicant’s* residence and dated within six (6) months of the date of application for the *business* license;
- (ix) “*Director of Community Services*” shall mean the Director of Community Services for the *Town*, or his or her designate;
- (x) “*Director of Engineering Services*” shall mean the Director of Engineering Services for the *Town*, or his or her designate;

4. LICENSE REQUIRED

- 4.1 The *businesses* listed in section 4.1 of this By-law, require a license issued by the *Town* under this By-law, to operate in the *Town* of Milton:
- *Personal Service Businesses*
 - *Pawnbrokers*
 - *Transient Traders*
 - *Commercial Refreshment Vehicles*
 - *Auctioneers*
 - *Salvage Yards*
 - **Deleted per By-law No. 063-2014**
 - *Food Business*
 - *Kennels*
 - *Group Homes (By-law No. 043-2009)*
- 4.2 A *License* issued under this By-law, authorizes a *person* to carry on a *business* within the *Town*, and no *person* shall carry on such *business* until he or she has obtained a *License* to do so.
- 4.3 No *person* shall carry on or engage in any *business*, unless the *person* has a valid *License* or *Licenses* permitting the *person* to do so.
- 4.4 The *Licensing Officer* may require the *Applicant* to obtain more than one *License* under this By-law, if the nature of the *business* of the *Applicant* qualifies under more than one licensing category as set out in section 4.1 of this By-law.
- 4.5 The requirement of a *License* under this By-law is in addition to and not in substitution for any other requirement to obtain a *License* or *Licenses* under any other federal, provincial, or municipal regulation and does not relieve any party from its obligations to comply with any other law.
- 4.6 No person shall enjoy a vested right in the continuance or renewal of a *License* and the *License* shall be the property of the *Town* and shall remain so regardless of the issuance, renewal, suspension, or revocation thereof.
- 4.7 **Deleted per By-law No. 043-2009.**
- 4.8 No person shall permit a *Business* to be operated on his or her property unless a valid *License* has been issued for that *Business*. **(By-law No. 043-2009)**

SCHEDULE "I-1" TO BY-LAW NO. 111 - 2004

Group Homes (schedule added by By-law No. 043-2009)

In addition to the other requirements of this By-law, the following regulations apply to *Group Homes* as defined in this By-law:

1. In this Schedule "I-1":
 - (i) "Correctional Group Home" shall mean a detached dwelling occupied by not less than 3 and not more than 10 residents, exclusive of staff or receiving family, who live as a single housekeeping unit, supervised on a daily basis, for persons who have been placed on probation, released on parole or admitted for correctional purposes, and which is licensed, approved, supervised or funded by the Province.
 - (ii) "Group Home Type 1" shall mean a detached dwelling occupied by not less than 6 and not more than 8 residents within the Urban or Hamlet Areas (as defined in the *Town's* Official Plan), and not more than 10 residents in the Agricultural and Rural Areas (as defined in the *Town's* Official Plan), exclusive of staff or receiving family, who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved, supervised or funded by the Province as:
 - Home for Special Care, Homes for Special Care Act
 - Approved Home, Mental Hospitals Act
 - Children's Residence, Child and Family Services Act
 - Approved Home or Facility, Developmental Services Act
 - Charitable Home for the Aged, Charitable Institutions Act
 - Home for the Aged, Homes for the Aged and Rest Homes Act
 - (iii) "Group Home Type 2" shall mean a detached dwelling occupied by not less than 3 and not more than 8 residents within the Urban or Hamlet Areas (as defined in the *Town's* Official Plan), and not more than 10 residents in the Agricultural and Rural Areas (as defined in the *Town's* Official Plan), exclusive of staff or receiving family, who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved, supervised or funded by the Province under any general or specialized Act and which shall be maintained and operated primarily for:
 - Persons who require temporary care and transient or homeless persons
 - Persons requiring treatment and rehabilitation for addiction to drugs or alcohol.

- (iv) "Service Provider" shall mean an owner and/or operator of a *Group Home Type 1, Group Home Type 2 or Correctional Group Home* as approved, licensed and/or funded by a Ministry or Government Agency.
2. Every person required to license a *Group Home Type 1, Group Home Type 2 or Correctional Group Home* shall file an application with the *Licensing Officer* on the form provided by the *Licensing Officer* and shall provide the following:
- (i) Written notification from the approving Ministry or Government Agency that it has issued a license to, granted approval for funding, or entered into an agreement with respect to the *Group Home Type 1, Group Home Type 2 or Correctional Group Home*.
 - (ii) The contact names and telephone numbers of Ministry or Government Agency staff who will be overseeing the *Group Home Type 1, Group Home Type 2 or Correctional Group Home* program.
 - (iii) The name and type of program and the number of occupants.
 - (iv) The name, address and telephone number of the Owner and/or Service Provider of the *Group Home Type 1, Group Home Type 2 or Correctional Group Home*.
 - (v) Every applicant with respect to operation of the *group home shall* procure a Broad Form Commercial General Liability policy of insurance with respect to the operations in a form satisfactory to Treasurer, endorsed to the effect that the Town through the *Licensing Officer*, shall be given at least ten (10) days' notice in writing of any cancellation.

Such policy shall be written with limits of no less than TWO MILLION DOLLARS (\$2,000,000) per occurrence and shall apply to all operations of the Named Insured and include coverage for bodily injury including death, broad form property damage, personal injury, products and completed operations liability, blanket contractual liability, contingent employer's liability, non-owned automobile. It shall also include cross liability and/or severability of interest clauses.

A certified copy of such policy or a certificate of insurance must be provided to the Licensing Officer thirty (30) days' prior to the issuance of the required License and annually thereafter.

3. The *Licensing Officer* shall not issue a *Group Home License* for a *Group Home Type 1, Group Home Type 2 or Correctional Group Home* until receiving written confirmation from the *Zoning Officer* that the site conforms to the *Zoning By-law*. This requirement is waived for the renewal of a *Group Home License* provided the renewal is for the same operation as was originally licensed.
4. Where a *Group Home Type 1, Group Home Type 2 or Correctional Group Home* ceases to operate for a period of 90 days or more, the license of that Home under this By-law is deemed to be revoked and any new *Group Home Type 1, Group Home Type 2 or Correctional Group Home* at the same location shall be required to license in accordance with the provisions of this By-law.
5. The *Licensing Officer* shall, by regular postage paid mail, send out a confirmation of licensing to the Halton District School Board and Halton Catholic District School Board, subject to the *Licensing Officer* receiving written confirmation from the Fire Department advising that all Fire Code regulations and safety standards have been satisfied.
6. A *Group Home Type 1, Group Home Type 2 or Correctional Group Home License* shall be renewed by filing a renewal application with the *Licensing Officer* on the form provided and shall include written documentation from the *Group Home Type 1, Group Home Type 2 or Correctional Group Home* operator that the Group Home continues to be operated as approved and that the sponsoring Ministry or Government Agency has renewed the licence or approval.

Appendix 2

Comparative Analysis of Zoning Regulations Pertaining to Group Homes in Case Study Municipalities

COMPARITIVE ANALYSIS OF ZONING REGULATIONS PERTAINING TO GROUP HOMES IN CASE STUDY MUNICIPALITIES

Municipal Document	Definition	Permitted Zones	# of Residents	Provisions	Parking
Town of Milton Zoning By-law 144-2003 (Rural By-law)	<p>Group Home Type 1 - A detached dwelling occupied by residents who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved or supervised, or funded by the Province of Ontario as: Home for Special Care, Homes for Special Care Act; Approved Home, Mental Hospitals Act; Children's Residence, Child and Family Services Act; Approved Home, Homes for Retarded Persons Act; A Facility, Developmental Services Act; Charitable Home for the Aged, Charitable Institutions Act; or, Home for the Aged, Homes for the Aged and Rest Homes Act.</p>	C4 – Hamlet Commercial	6-8	<p>i) Group Home Type 1, Group Home Type 2 and Correctional Group Homes shall only be permitted in a detached dwelling;</p> <p>ii) Group homes shall be permitted in accordance with # of residents and permitted zones</p> <p>iii) No Group Home Type 1 or Group Home Type 2 shall be located closer than 500m to any other Group Home Type 1 or Group Home Type 2 ; and,</p> <p>iv) A Group Home Type 2 shall only be located on a lot having frontage on a Major Arterial Road, Arterial or Collector Road.</p>	Minimum off street: 1 parking space for every staff member in addition to the required parking for the dwelling
	<p>Group Home Type 2 - A detached dwelling occupied by residents who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved or supervised, or funded by the Province of Ontario under any general or specialized Act and which shall be maintained and operated primarily for: Persons who require temporary care and transient or homeless persons; or Persons requiring treatment and rehabilitation for addiction to drugs or alcohol.</p>	A1 Agriculture A2 - Rural	6-10		
		C4 – Hamlet Commercial *A Group Home Type 2 shall be located only on a lot having a frontage onto a major arterial, arterial or collector road	3-8		
		A1, A2	3-10		
Town of Milton Zoning By-law 016-2014 (Urban By-law)	<p>Group Home Type 1 – same as above</p>	RMD1 – Residential Medium Density RLD – Residential Low Density	6-8	Same as above	Same as above
	<p>Group Home Type 2 – same as above</p>	RMD1 – Residential Medium Density I RLD – Residential Low Density	3-8		
City of Toronto Zoning By-law 569-2013	<p>Group Home - Means premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement. [By-law: 0550-2014]</p>	<p>R – Residential</p> <p>CR – Commercial Residential</p> <p>CRE – Commercial Residential Employment</p> <p>I – Industrial</p>	0-10	<p>(1) Foster Group Homes - Despite regulation 150.15.1(1), the regulations in Section 150.15 do not apply to a group home complying with the definition of a "Parent Model Residence" in the Child and Family Services Act, R.S.O. 1990, c. C.11. as amended.</p> <p>(2) Group Home or Residential Care Home - Use Restriction: A group home or a residential care home must occupy the entire building and may not be combined with any other use.</p> <p>(3) Group Home - Type of Building in the Residential Zone Category In the Residential Zone category, a group home may be in: (A) a building that was originally constructed as a detached house; and</p>	<p>2 parking spaces: (1) a minimum of one parking space must comply with the requirements for the zone and building type; (2) no more than one</p>

Municipal Document	Definition	Permitted Zones	# of Residents	Provisions	Parking
				<p>(B) a building that was originally constructed as a semi-detached house if:</p> <p>(i) the building is on a lot in the R zone; and</p> <p>(ii) the group home occupies the entire building.</p> <p>(4) Correctional Use - Location A group home or a residential care home used for correctional purposes must be on a lot that: (A) is not in the RD zone; and (B) has a front lot line abutting a major street on the Policy Areas Overlay Map.</p>	parking space may be on the driveway
<p>City of Hamilton Zoning By-law No. 05-200</p>	<p>Residential Care Facility – Shall mean a group living arrangement, within a fully detached residential building occupied wholly by a minimum of four supervised residents and a maximum number of supervised residents as permitted by the zone, exclusive of staff, residing on the premises because of social, emotional, mental or physical handicaps or personal distress and which residential setting is developed for the well-being of its residents through the provision of self-help, guidance, professional care and supervision not available within the resident’s own family, or in an independent living situation or if:</p> <p>a) The resident was referred to the facility by a hospital, court or government agency; or</p> <p>b) The facility is licensed, funded, approved by a contract or agreement with the Federal, Provincial or Municipal Governments.</p> <p>A residential care facility shall include a children’s residence and group home but shall not include an emergency shelter, lodging house, corrections residence or correctional facility</p>	<p>D3- Downtown Mixed Use</p> <p>D4 – Downtown Local Commercial</p> <p>D5 – Downtown Residential</p> <p>D6 – Downtown Multiple Residential</p> <p>I1- Neighbourhood Institutional</p> <p>I2 – Community Institutional</p> <p>I3 – Major Institutional</p> <p>TOC1 – Mixed Use in Transit Oriented Corridor</p> <p>TOC3 – Multiple Residential Zone</p> <p>A1 – Agriculture</p> <p>A2 – Rural Agriculture</p> <p>S1 – Settlement Residential</p>	<p>4 to 20 for D3, D4, TOC1, TOC3 zones</p> <p>4 to 6 for D5, D6, S1 zones</p> <p>4 to 10 for A1, A2 zone</p> <p>4 to 15 for I1 zones</p> <p>4 to 50 for I2, I3 zones</p>	<p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter and Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter or Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, either of the existing Residential Care Facility or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p> <p>iii) Notwithstanding Subsection 6.3.1, within the lands bounded by Queen Street, 6.3-6 Hunter Street, James Street and Main Street, no new Residential Care Facility or Emergency Shelter shall be permitted.</p>	1 for each 3 persons accommodated or designed for accommodation.
<p>City of London Zoning By-Law No. Z.-1</p>	<p>Group Home Type 1 means a residence licensed, supervised, approved, or funded under federal or provincial statute for the accommodation of three to eight persons, excluding staff, living under responsible supervision in a single housekeeping unit and who, by reason of their intellectual, mental health, social, or physical condition or legal status, require a group living</p>	<p>Group Home Type 1 permitted in all residential zones</p> <p>Group Home Type 2 only permitted in:</p> <p>OR –Office Residential</p>	3 – 8	<p>Notwithstanding any other provision of this By-law to the contrary, a Group Home Type 1 is permitted to occupy the whole of an individual dwelling unit, other than dwelling units located within areas designated as Agriculture in the Official Plan, including a single detached dwelling, a semi-detached dwelling, a duplex dwelling, and a triplex dwelling provided the total number of residents within the building structure does not</p>	<p>2 spaces</p> <p>Emergency Care – 1per 40m²</p>

Municipal Document	Definition	Permitted Zones	# of Residents	Provisions	Parking
	<p>arrangement for their well being. A Group Home Type 1 may include youth on probation under provincial or federal statute, but does not include an Emergency Care Establishment or a Group Home Type 2, as defined by this By-law. (Z.-1-94236) (Z.-1-021050)</p> <p>Group Home Type 2 means a residence for the accommodation of up to eight persons, excluding staff, that is maintained and operated primarily for: persons who have been placed on probation or released on parole under provincial or federal statute; or youth who have been charged under provincial or federal statute and who have been placed in detention or custody. A Group Home Type 2 may include a Group Home Type 1, a Supervised Residence, and an Emergency Care Establishment for children or youth. (Z.-1-94236) (Z.-1-021050)</p> <p>Supervised Residence means a Group Home Type 1 with more than eight residents, excluding staff or the receiving family.</p> <p>Emergency Care Establishment means an institutional use that provides a means of immediate, temporary accommodation and assistance for a short-term period, generally less than six weeks for the majority of the residents. "Emergency care establishments" are distinct from "group homes" in that the former has a shorter length of stay, and that their capacity usually exceeds eight residents (excluding staff or the receiving family)</p>	<p>DA –Downtown Area AC – Arterial Commercial RF – Regional Facility CF – Community Facility</p> <p>Emergency Care Establishment only permitted in: R11 – Residential OR –Office Residential OC – Office Conversion RO – Restricted Office OF – Office</p> <p>DA –Downtown Area AC – Arterial Commercial RF – Regional Facility CF – Community Facility BDC – Business District Commercial RSC3 – Restricted Service Commercial</p>		<p>exceed eight, The dwelling must have 20.0 square metres (216 sq. ft.) of gross floor area per person residing within the unit.</p> <p>Group Homes Type 2 and Supervised Residences are permitted only within the zones where specified as a permitted use. In order to prevent concentrations of Group Home Type 2 uses within specific areas, and notwithstanding their being listed as a permitted use, a minimum separation between such facilities shall be 450.0 metres (1,476 ft.) measured in any one direction.(Z.-1-172602)</p>	
<p>City of Waterloo Zoning By-Law No. 1108</p> <p>Note: The city is undergoing a comprehensive zoning bylaw review process to achieve conformity with 2012 Official Plan and update includes revised definitions and general regulations (Draft 2 released for public comment April 2017).</p>	<p>Group Home - means a single housekeeping unit in a residential dwelling which a range of three to ten residents (excluding staff or the receiving family) live under supervision and who, by reason or their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. The home is licensed or approved for funding under an Act of the Parliament of Canada or the Province of Ontario.</p> <p>Class A Group Home - means a group home having 3 to 6 residents and shall include and be limited to the following residential facilities provided for in any general or specific Act (as amended from time to time) and regulations made thereunder:</p> <ul style="list-style-type: none"> • accommodation services for the mentally retarded including a home for retarded persons approved 	<p>Class A+B both permitted in: MR - Multi Residential GR2 - General Residential</p> <p>Only Class A permitted in:</p> <p>MD – Medium Density GR, GR3, GR2A– General Residential SD – Single Detached SR1, SR2, SR2A, SR1-10, SR1A – Single Residential R – Residential</p>	3-10	<p>Group Homes shall comply with the requirements for residential buildings within the zoning category in which the group home is located unless otherwise specified by the bylaw or amendments to the by-law.</p> <p>A group home is limited to and shall occupy the whole of:</p> <ul style="list-style-type: none"> • a single detached dwelling • a semi-detached dwelling • a duplex • a triplex • a converted dwelling house <p>A group home shall be located at least 300 metres (300m) from any other group home.</p> <p>A group home shall be located at least 100 metres (100m) from any municipal boundary.</p>	n/a

Municipal Document	Definition	Permitted Zones	# of Residents	Provisions	Parking
	<p>under the authority of the Homes for Retarded Persons Act, R.S.O. 1980, C. 201, and an approved children's home approved under the authority of the Development Services Act, R.S.O. 1980, C. 118;</p> <ul style="list-style-type: none"> • a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, C. 203; • a children's residence licensed under the authority of the Child and Family Services Act. • a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, C. 202. • a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act. <p>Class B Group Home - means a group home having 3 to 8 residents and shall include and be limited to the following residential facilities provided for in any general or specific Act (as amended from time to time) and regulations made thereunder:</p> <ul style="list-style-type: none"> • accommodation services for the mentally retarded including a home for retarded persons approved under the authority of the Homes for Retarded Persons Act, R.S.O. 1980, C. 201, and an approved children's home approved under the authority of the Development Services Act, R.S.O. 1980, C. 118; • a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, C. 203; • a children's residence licensed under the authority of the Child and Family Services Act; • a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, C. 202; • an approved home licensed under the authority of the Mental Hospitals Act, R.S.O. 1980, C. 263; • a community resource centre approved under the authority of the Ministry of Correctional Services Act, R.S.O. 1980, C. 275; • a halfway house approved under the authority of the Charitable Institutions Act, R.S.O. 1980, C. 64. • a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act. 			<p>No persons shall operate or permit to operate a group home without registering the group home with the City Clerk in accordance with the City of Waterloo Group Home Registration By-Law, approved under the authority of the Municipal Act, R.S.O. 1980, C.302 as amended.</p>	
<p>Cambridge Zoning By-law No. 150-85</p>	<p>Group home means residential special care accommodation for up to ten people (exclusive of staff)</p>	<p>All classes permitted in all Residential zones</p>	<p>0-10</p>	<p>A residential special care facility shall be provided in a detached one family dwelling, a semi-detached one family</p>	<p>2 spaces</p>

Municipal Document	Definition	Permitted Zones	# of Residents	Provisions	Parking
<p>Note: City is currently undergoing a comprehensive Zoning By-law review to implement the new Official Plan which will likely result in revised definitions and provisions.</p>	<p>with special needs</p> <p>Group home, class 1 means:</p> <ol style="list-style-type: none"> 1. accommodation services for the physically and/or mentally handicapped; 2. a satellite residence to accommodate aging individuals who are no longer able to be cared for at home without supervision or assistance; <p>Group home, class 2 means a children's residence to accommodate children usually under the age of 16 who, because of their special needs, cannot live with their parents or other relatives but would benefit from an alternative living arrangement;</p> <p>Group home, class 3 means:</p> <ol style="list-style-type: none"> 1. a home for patients of provincial psychiatric hospitals who can benefit from a household oriented living arrangement in the community; 2. a community resource centre for criminally sentenced individuals who can benefit more from rehabilitation in a community residential program than in a correctional institution; 3. a halfway house for ex-offenders (people on probation or parole from a provincial correctional institution or Federal penitentiary); and 4. a group home for other special purpose needs not described in class 1, class 2 and class 3 group home in this by-law, such as victims of accidents who require long term rehabilitation; <p>Group home, class 4 means an institution used for any of the same purposes as a class 1, class 2 or class 3 group home but providing accommodation for more than ten residents exclusive of supervisory staff or the receiving family;</p>	<p>Only class 4 permitted in N zone (Institutional)</p> <p>Only class 2 permitted in A zone (Agriculture)</p>		<p>dwelling or a detached duplex dwelling only in accordance with the following regulations</p> <ol style="list-style-type: none"> (a) a residential special care facility shall have a maximum of 10 residents, exclusive of staff; (b) a minimum lot frontage of 12 m and a minimum lot area of 360 m² (c) the minimum separation distance between all residential special care facilities shall be 200m; (d) a residential special care facility shall be registered with the registrar of group homes designated from time to time by the Council and such registration shall be annually renewed; (e) all residential special care facilities shall provide parking in accordance with section 2.2.1 of this by-law 	