

Report
Staff Report
The Corporation of the City of Brampton
2020-12-07

**Date:** 2020-10-13

Subject: Information Report - City-Initiated Supportive Housing Policy

Review (RM 104/2019)

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5179

Report Number: Planning, Building and Economic Development-2020-266

#### **Recommendations:**

 THAT the report titled Information Report: City-Initiated Supportive Housing Policy Review (RM 104/2019), to the Planning & Development Committee Meeting of September 14, 2020, be received; and,

2. **THAT Planning, Building and Economic Development Department** staff be directed to report back to Planning & Development Committee with the results of the Public Meeting and final recommendations.

#### Overview:

- On September 25, 2019, Council directed staff through Resolution C364-2019 to review the City's policies and regulations with respect to supportive housing, particularly Group Homes, to ensure the policies and provisions have regard for Provincial legislation and regulatory bodies.
- Council passed Interim Control By-Law 286-2019 (ICBL) (see Appendix 1) on November 20, 2019, prohibiting all lands, buildings and structures within a residential zone category within the area set-out in Area 10 of Schedule A of Zoning By-Law 270-2004 from being used for a Supportive Housing Facility, including a Group Home Type 1 and Group Home Type 2, for a six month period. Retirement Home, Nursing Home and Senior Citizen's Residence, along with existing Group Homes were exempt from the ICBL.

- Due to the COVID-19 pandemic and the State of Emergency declared by the Province on March 17, 2020, the second open house was put on hold. Ontario Regulation 149/20 froze a number of timelines under the *Planning Act*, including the expiry of ICBLs.
- On June 15, 2020, the Province passed Ontario Regulation 278-20, which ended the suspension of *Planning Act* timelines under O. Reg 149/20 as of June 22, 2020. Under this regulation, the ICBL expired on August 24, 2020.
- WSP was retained to undertake the City's Supportive Housing Policy Review. WSP's draft recommendations align with the recommendations outlined 'In the Zone' guide prepared by the Ontario Human Rights Commission. Some recommendations for the non-correctional Group Homes include; supportive housing providers not being subject to additional restrictions; not limiting the number of homes in a specific area (such as Wards,; removing the requirement for additional non-statutory public meetings; removing minimum separation distance; and, not providing restrictions on where certain housing forms can be located.
- Group Homes are regulated and licenced through the Province and are permitted 'as of right' provided they satisfy the Zoning By-Law provisions. The City's role is to ensure group homes are registered and satisfy the City's zoning by-law provisions pertaining to group home registration and annual inspections.
- Two public information centres were held on March 11, 2020, and July 29, 2020, to present WSP's findings and draft recommendations for public input.
- The purpose of this statutory public meeting is to present proposed amendments to the City's Official Plan and Zoning By-Law as it pertains to Supportive Housing Facilities.
- This Information Report and associated public consultation meetings facilitate compliance with the Term of Council "A Well-run City (Good Government)" priority with respect to encouraging public participations by actively engaging the community.

# Background:

On November 4, 2019, staff presented a report to Planning & Development Committee that outlined the Group Home registration process, the City's role in the Provincial review of Group Home applications and the status of the Group Home registration application for 23 Hillside Drive. The City of Brampton requires that Group Homes Type 1 and Type 2 be registered with the City in accordance with the City's Group Home Registration By-Laws (244-82, 240-93 and 106-95) and Section 166 of the Municipal Act before the Group Home can commence operation. The registration of a Group Home is not a planning application under the Planning Act and is not subject to a statutory public process or appeal. Group homes are supported, regulated and licenced by the Provincial government through the

Ministry of Children, Community and Social Services or the Retirement Home Regulatory Authority depending on the clients being served. The City renews registrations on an annual basis and requires clearance from Property Standards and Fire & Emergency Services.

The Region of Peel's *Supportive Housing Demand and Supply Analysis and Action Plan* report dated March 28, 2016, outlined the demand and supply of supportive housing between August and October of 2015 from a survey distributed to known agencies providing supports and/or supportive housing in the Region of Peel. The survey results indicated there are 2,396 individuals on the wait list for supportive housing and only 1,645 units operating in the Region of Peel. Population groups captured on the wait list include those with physical disabilities, acquired brain injury, intellectual disabilities, autism spectrum disorder, frail health, mental illness, substance abuse/addictions, dual diagnosis and disorders.

# Official Plan Policies

The City's Official Plan (OP), Section 4.2.6 – Special Housing Needs, supports and promotes provisions of specialized housing for a diverse population, including persons with disabilities and having special housing needs. Special housing is to be strategically located and integrated in the community to provide access to all public amenities, including transportation, parks and open space. The City shall have regard for the need for Group Homes and other forms of supportive housing and shall provide opportunities for their establishment.

# **Group Homes**

Section 4.2.6.6 of the OP supports the principle of integrating Group Homes into existing and new residential communities as approved by the City and the appropriate government regulatory agency, subject to zoning and registration requirements.

A Group Home Type 1 as defined in the OP is a supportive housing facility located in a single detached dwelling unit occupied by four (4) to six (6) persons, exclusive of staff or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licenced or approved pursuant to Provincial Statue.

A Group Home Type 2 similar to Type 1 provides supportive housing however, is occupied by four (4) to ten (10) persons, exclusive of staff and can be located in a single detached dwelling or a dwelling within a commercial building for persons that have been placed on probation under the Probation Act, the Criminal Code of Canada or persons requiring treatment and rehabilitation for addiction to drugs or alcohol.

The City currently permits Group Homes within areas designated for residential use subject to the following criteria:

- i. Group Homes shall occupy part or the whole of the dwelling unit;
- ii. Group Homes shall conform in size, height and general appearance with other dwellings in the host neighbourhood;
- iii. To prevent the concentration of Group Homes in any one area, standards, including

- a minimum distance separation, shall be adopted by the City; and,
- iv. All Group Homes shall comply with the relevant zoning and registration requirements.

## **Auxiliary Group Homes**

An Auxiliary Group Home is a supportive housing facility located within a dwelling unit occupied by no more than three persons in need of supervision or guidance but shall not have full time staff attending the home. Section 4.2.6.8 of the OP permits auxiliary Group Homes in single detached, semi-detached and multiple dwelling units within residential designations. This section of the OP currently notes that in addition to zoning compliance the home is to comply with registration and separation distances requirements adopted by the City.

# Supportive Housing Facilities

A Supportive Housing Facility is an accommodation for persons by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their wellbeing. Section 4.2.6.10 of the OP states that the City shall permit supportive housing facilities for more than 10 persons (i.e. retirement homes) located in any areas designated Major Institutional on Schedule A of the OP and in the applicable Secondary Plan, subject to the policies of these documents, in particular to the Institutional and Public Uses section of the OP.

#### Retirement Housing

A Retirement Home is a place or dwelling for the accommodation of persons by reason of their emotional, mental, social or physical condition, or legal status require a supervised living arrangement for their wellbeing, in which: dwelling units, rooms or room and board are supplied for hire or gain; more than eight (8) persons in additional to staff are accommodated in the retirement; there is a common dining and sitting room for residents, but does not include, a group home, an auxiliary group home, nursing home, supportive housing facility, supportive lodging house, or a place maintained and operated primarily for the treatment and rehabilitation with addictions. The City shall permit retirement housing in residential, commercial, institutional and public use designations of the OP subject to compliance with the zoning requirements set out in the City's By-Law.

Staff recognizes the need to update various policies within Section 4.2.6 Special Housing Needs of the Official Plan to align with Provincial legislation, the Ontario Human Rights Code and address inconsistencies with the provisions of the Comprehensive Zoning By-Law.

#### Zoning By-Law

The City's Comprehensive Zoning By-Law (270-2004) provides more detail in regards to definitions and the requirements for Group Home Type 1, Group Home Type 2, Retirement Home and Supportive Housing Facilities.

Group Homes (Type 1 and 2) are differentiated by the number of individuals occupying the home and the needs of the clientele. Should the proposed use not satisfy the definition of Group Homes it may fall within the scope of the definition for a Supportive Housing or a Retirement Home.

Group Homes (Type 1 and 2) must comply with the provisions in Sections 10.14 and 20.7 of the Comprehensive Zoning By-Law that outline the type of dwelling unit where the use is permitted, separation distance requirements and maximum number of Group Homes per planning area .

The City's Zoning By-Law currently permits Group Home Type 1 as of right in all residential zone categories. A Group Home Type 2 is permitted only in specific higher density residential districts and, some commercial and institutional zones.

Retirement Homes and other Supportive Housing Facilities are permitted only on a sitespecific basis where the applicable use is supported in the OP.

The review of the provisions in the Zoning By-Law with respect to Supportive Housing Facilities, particularly Group Homes, will provide the opportunity to update definitions and provisions as needed. Schedule D of Section 10.14 of the Comprehensive Zoning By-Law (270-2004) also needs to be reviewed as the boundaries of the planning areas have changed because of the City-wide Secondary Plan Review amending the City's Official Plan that took effect in 2019.

## Provincial Role

The Province is responsible for regulating Supportive Housing Facilities. The Ministry of Children, Community and Social Services is responsible for licensing Group Homes, foster homes, provincially operated facilities and youth justice open and secure custody/detention facilities. The Ministry for Seniors and Accessibility provides information on programs and services, healthy lifestyles and aging, including overseeing the Retirement Home Regulatory Authority (RHRA). Under the Retirement Homes Act (2010) the RHRA is responsible for licensing and regulating retirement homes on behalf of the government.

# Provincial and Regional Policy Framework

The *Planning Act* and Provincial policy framework are consistent in their direction to municipalities regarding housing related matters. The provision states providing an appropriate mix and range of housing options for current and future residents, including housing for those with special needs requirements. Housing policies should contribute to the creation of safe and healthy communities, where all residents can benefit from access to transit, amenities and employment opportunities, and for those who require it, specific support services.

The Provincial Policy Statement 2020 (PPS 2020) that came into effect on May 1, 2020, specifically highlights requirements for planning authorities to permit and facilitate housing options to meet the "social, health, economic well-being requirements" of residents, including "special needs requirements".

The Regional Official Plan (ROP) encourages municipalities to "explicitly identify special needs housing as permitted uses in residential or other suitably zoned lands where appropriate in area municipal zoning by-laws" and that Official Plan policies should support special needs housing in locations with convenient access to existing or planned amenities and support services. The ROP permits supportive housing forms in residential areas without restrictions, such as minimum separation distances or limits on the number of Group Homes per area, aligning with provincial and regional policy framework.

#### **Current Situation:**

#### Interim Control By-Law

On September 25, 2019, Council directed staff through Resolution C364-2019 to review the City's policies and regulations with respect to supportive housing, particularly Group Homes, to ensure the policies and provisions have regard for Provincial legislation and regulatory bodies. Council passed Interim Control By-Law 286-2019 (ICBL) on November 20, 2019, that prohibited all lands, buildings and structures within a residential zone category within the area set-out in Area 10 of Schedule A of Zoning By-Law 270-2004 from being used for a Supportive Housing Facility, including a Group Home Type 1 and Group Home Type 2, for a six month period (see Appendix 1). Retirement Home, Nursing Home and Senior Citizen's Residence, along with existing Group Homes were exempt from the ICBL.

However, due to the COVID-19 pandemic and the State of Emergency declared by the Province on March 17, 2020, the second open house was put on hold. Ontario Regulation 149/20 froze a number of timelines under the *Planning Act*, including the expiry of ICBLs.

On June 15, 2020, the Province passed Ontario Regulation 278-20, which ended the suspension of *Planning Act* timelines under O. Reg 149/20 as of June 22, 2020. Under this regulation, the ICBL expired on August 24, 2020, prior to the endorsement of any proposed amendments. Since the expiry of the ICBL staff have been proceeding with the registration of group home applications if they satisfy the requirements under the current registration process.

To date, the City received one minor variance application that was considered by the Committee of Adjustment on two occasions, in early March 2020 and at the end of July 2020, requesting an exemption from the ICBL. Most recently (November 2020) the applicant requested that the item be deferred to August 2021, which was granted by the Committee.

# Supportive Housing Policy Review

In January 2020 the City retained WSP to undertake the review of the supportive housing policies, including focusing on the City's Group Home policies and process.

The purpose of the City's supportive housing policy review included:

- Updating the City's policies in accordance with current provincial legislation and regulations, including Building and Fire Codes;
- Complying with the Ontario Human Rights Code;
- Simplifying the Group Home registration process;
- Providing clarity to the City's supportive housing terms;
- Aligning with current practices; and,
- Increasing the availability of supportive housing options for vulnerable populations to align with Regional initiatives.

As part of the study's review an internal steering committee was established to review the consultant's work and address the business needs of other departments/divisions including Zoning, By-Law Enforcement, Building, Fire & Emergency Services, Legal Services and Policy Planning.

To date the consultant has completed the background review, benchmarked the policies and regulations of other municipalities, undertaken stakeholder and public consultations, and prepared a draft report including a recommended approach for the City.

## Benchmarking

WSP reviewed the supportive housing policies of twelve Southern Ontario municipalities including, City of Toronto, City of Mississauga, City of Vaughan, City of Kitchener, and Town of Oakville, to establish a baseline of current best practices. All municipalities permitted Group Homes in all designations where residential uses are permitted in the Official Plan. The approach of applying a minimum separation distance varied amongst municipalities. However, municipalities that have recently updated their Zoning By-Laws (i.e. City of Vaughan, Town of Oakville, and Town of Caledon) have removed minimum separation distances to comply with the direction from the Ontario Human Rights Commission. The majority of municipalities did not require Public Information Meetings as part of the Group Home registration process, except for the City of Burlington which updated their Zoning By-Law in 2005. Five of the twelve municipalities reviewed required Group Homes (non-correctional) to be registered or licensed.

# **Proposed Official Plan and Zoning By-Law Amendments:**

WSP considered the above-noted Provincial and Regional policy framework, the Ontario Human Rights Code and best practices, and has recommended amendments to the Official Plan and Comprehensive Zoning By-law which:

- Simplifies the Supportive Housing definitions to align with Provincial legislation (i.e. Municipal Act) and removing outdated references;
- Complies with the Ontario Human Rights Code by removing the restrictions on Group Homes per planning area and separation distances;

- Allows non-correctional Supportive Housing as a permitted use in all residential districts;
- Removes the requirement for the open house as part of the registration process; and,
- Increases the availability of Supportive Housing options for vulnerable populations to align with the Region of Peel's Supportive Housing initiatives.

The charts below outlines the proposed amendments recommended by our consultant to update the City's Official Plan and Comprehensive Zoning By-Law.

Official Plan	<b>Current Policies</b>	Proposed Amendments
Section 5 – Implementation Definitions	Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include: group home type 1; group home type 2; supportive lodging house; foster home.	Delete definition Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include: group home type 1; group home type 2; supportive lodging house; foster home.
Section 5 – Implementation Definitions	Group Home Type 1 shall mean a supportive housing facility located within a detached dwelling unit that is occupied by four (4) to six (6)persons, exclusive of staff and/ or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health.  A Group Home Type 1 may provide accommodation, supervision and treatment for: the mentally retarded pursuant to the Homes for Retarded Persons Act, or the Development Services Act; individuals over 60 years of age as a satellite residence under the Homes for the Aged and Rest Homes Act; children under the Child and Family Services Act; persons under the Mental Hospitals Act and Homes for	Delete Group Home Type 1 definition and replace with:  Supportive Housing Type 1  A single housekeeping unit in a residential dwelling licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. Supportive Housing Type 1 shall not have any correctional purpose.

Special Care Act, and persons under the Charitable Institutions Act. No supervision or treatment shall be provided to any person not residing in the group home. A group home type 1 shall not include a residence defined as a group home type 2, supportive lodging house, lodging house, a foster home, or a supportive housing facility. Section 5 -Group Home Type 2 shall mean a **Delete Group Home Type 2 definition and** supportive housing facility occupied Implementation replace with: by four (4) to ten (10) persons, **Supportive Housing Type 2 Definitions** exclusive of staff located within a single detached dwelling, or a A single housekeeping unit licensed. dwelling within a commercial building approved or funded under Federal or which shall be maintained and Provincial statute for the accommodation of operated primarily for: persons who 3 to 10 residents, exclusive of staff, that have been placed on probation under provides housing and rehabilitation for the provisions of the *Probation Act*, persons on probation, parole, early or rethe Criminal Code of Canada, or any release, or any other form of executive, Act passed to replace the foregoing judicial or administrative release from a Acts; persons who have been penal institution. Supportive Housing Type 2 released on parole under the shall not include Supportive Housing Type provisions of the *Ministry of* Correctional Services Act, or Parole Board of Canada or any Act passed to replace the foregoing Acts; persons who have been charged under the Young Offenders Act but who have been placed in open or secure custody; persons requiring treatment and rehabilitation for addiction to drugs or alcohol; persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six (6) residents. A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility. No supervision or treatment shall be provided to any person not residing in the group home. Section 5 -Long Term Care Home refers to a **Delete Long Term Care Home definition** residential facility, approved either **Implementation** and replace with: under the Nursing Act, Charitable

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Definitions	Institution Act, Home for the Aged and Rest Home Act, or any other applicable Province of Ontario Act, which provides 24 hour supervision and nursing care and services in a private or semi private accommodation for persons who are no longer able to live independently. Residential accommodation is provided along with shared facilities including dining rooms and common rooms, and other amenities such as lounge, gift shop, beauty salon, chapel, and garden.	Residential Care Home  Supervised living accommodation that may include associated support services, and:  (a) Is licensed or funded under Federal or Provincial legislation;  (b) Is for persons requiring semi-independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.	
Section 5 – Implementation	Rest Home means a place or dwelling for the accommodation of	Delete Rest Home definition and replace	
Implementation	persons, who, by reason of their	with:	
Definitions	emotional, mental, social or physical	Residential Care Home	
	condition, or legal status, require a supervised living arrangement for their well-being, in which: (i) Rooms or room and board are supplied for hire or gain; (ii) No less than 3, and no more than 8 persons, exclusive of staff, can be accommodated; (iii) There is a common dining room and common sitting room there is for the residents, but shall not include: a) A group home;	Supervised living accommodation that may include associated support services, and:	
		(a) Is licensed or funded under Federal or Provincial legislation;	
		(b) Is for persons requiring semi- independent or supervised group living arrangements; and	
		(c) Is for more than 10 residents, exclusive of staff.	
	b) An auxiliary group home; c) A nursing home; d) A place maintained and operated primarily for, and occupied by, persons placed on parole or inmates; e) A place maintained and operated primarily for the temporary care of, and occupied by, transient or homeless persons; or f) A place maintained and operated primarily for the treatment and rehabilitation of, and occupied by, persons who are addicted to drugs or alcohol.		
Section 5 –	Retirement Home means a place or	Delete Retirement Home definition and	
Implementation	dwelling for the accommodation of persons, who, by reason of their	replace with:	

	Residential Care Home	
	Supervised living accommodation that may	
• • •	include associated support services, and:	
which:	(-)  -	
(i) Dwelling units, rooms or room and	(a) Is licensed or funded under Federal or	
board are supplied for hire or gain;	Provincial legislation;	
	(b) Is for persons requiring semi-	
	independent or supervised group living	
	arrangements; and	
·	(a) le fer mare than 10 recidents, evaluaive	
and common sitting room for the	(c) Is for more than 10 residents, exclusive	
residents, but shall not include,	of staff.	
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or, f) A place maintained and operated primarily for the treatment		
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Supportive Housing Facilities shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their well being, but shall exclude foster homes as defined in the Child and Family Services Act or successor	Delete Supportive Housing Facilities	
	definition and replaced with:	
	Residential Care Home	
	Supervised living accommodation that may	
	include associated support services, and:	
	(a) Is licensed or funded under Federal or	
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legislation.	Provincial legislation;	
- I	Provincial legislation; (b) Is for persons requiring semi-	
- I	Provincial legislation;  (b) Is for persons requiring semi-independent or supervised group living	
- I	Provincial legislation; (b) Is for persons requiring semi-	
- I	Provincial legislation;  (b) Is for persons requiring semi-independent or supervised group living	
- I	Provincial legislation;  (b) Is for persons requiring semi-independent or supervised group living arrangements; and	
legislation.	Provincial legislation;  (b) Is for persons requiring semi- independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.	
Group Homes The City supports the principle of	Provincial legislation;  (b) Is for persons requiring semi- independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.  Replace Group Homes with:	
Group Homes The City supports the principle of integrating Group Homes into existing	Provincial legislation;  (b) Is for persons requiring semi- independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.  Replace Group Homes with:  Group Homes Supportive Housing	
Group Homes The City supports the principle of integrating Group Homes into existing and new residential communities as	Provincial legislation;  (b) Is for persons requiring semi- independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.  Replace Group Homes with: Group Homes Supportive Housing The City supports the principle of integrating	
Group Homes The City supports the principle of integrating Group Homes into existing	Provincial legislation;  (b) Is for persons requiring semi- independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.  Replace Group Homes with:  Group Homes Supportive Housing	
	(i) Dwelling units, rooms or room and board are supplied for hire or gain; (ii) More than 8 persons in addition to the staff and operator are accommodated in the retirement home; (iii) There is a common dining room and common sitting room for the residents, but shall not include,  a) A group home; b) An auxiliary group home; c) A nursing home; d) A supportive housing facility; e) A supportive lodging house; or, f) A place maintained and operated primarily for the treatment and rehabilitation of, and occupied by, persons who are addicted to drugs or alcohol.  Supportive Housing Facilities shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their well being, but shall exclude foster homes as defined in the Child	

	registration requirements.	government regulatory agency, subject to zoning and registration requirements.
Policy 4.2.6.7	The City shall permit group homes in dwellings within areas designated as Estate Residential, Village Residential, Residential, Major Institutional, Business Corridor, Regional Retail, and Office on Schedule "A" to this Plan subject to the following criteria:	Revise Policy 4.2.6.7 to read as follows:  The City shall permit group homes supportive housing in dwellings within areas designated as Estate Residential, Village Residential, Residential, Major Institutional, Business Corridor, Regional Retail, and Office on Schedule "A" to this Plan subject to the following criteria:
	(i) Group homes shall occupy part or the whole of the dwelling unit;	(i) Group homes shall occupy part or the whole of the dwelling unit; (ii) Group homes Supportive housing shall
	(ii) Group homes shall conform in size, height and general appearance with other dwellings in the	generally conform in size, height and general appearance with other dwellings in the host neighbourhood;
	host neighbourhood;  (iii) To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,	(iii) To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,
		(iii+) All group homes Supportive housing shall comply with the relevant zoning and registration requirements.
	(iv) All group homes shall comply with the relevant zoning and registration requirements.	(iv) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a correctional form of supportive housing, due regard will be given to:
		a) Siting and landscaping to minimize     any adverse impact on adjacent     uses;
		<ul> <li>b) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;</li> </ul>
		<ul><li>c) Locating away from hazardous lands or hazardous sites; and,</li><li>d) Accessibility for persons with disabilities.</li></ul>
Policy 4.2.6.8	Auxiliary Group Homes The City shall permit auxiliary group homes in single detached dwellings,	Delete Policy 4.2.6.8 Auxiliary Group Homes

semi-detached dwelling units and multiple dwelling units, all to be within areas designated Estate Residential, Village Residential, Residential and Major Institutional on Schedule "A" to this Plan subject to the following criteria:

- (i) All auxiliary group homes shall comply with the relevant zoning and registration requirements; and,
- (ii) To prevent a concentration of group homes and auxiliary group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City.

Policy 4.2.6.8 states that the City shall permit auxiliary group homes in single detached dwellings, semi-detached dwelling units and multiple dwelling units, all to be within areas designated Estate Residential, Village Residential, Residential and Major Institutional on Schedule "A" to this Plan subject to the following criteria:

- (i) All auxiliary group homes shall comply with the relevant zoning and registration requirements; and,
- (ii) To prevent a concentration of group homes and auxiliary group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City.

## Policy 4.2.6.10

# **Supportive Housing Facilities**

The City shall permit supportive housing facilities for more than 10 persons (i.e. retirement homes) located in any area designated Major Institutional on Schedule "A" to this Plan and in the applicable Secondary Plan, subject to the policies of these documents, in particular the Institutional and Public Uses section of this Plan. No supportive housing facilities shall be permitted to locate in hazardous lands or hazardous sites.

# Replace Supportive Housing Facilities with:

#### **Residential Care Homes**

#### **Supportive Housing Facilities**

The City shall permit supportive housing facilities residential care homes for more than 10 persons (i.e. retirement homes) located in any area designated Major Institutional on Schedule "A" to this Plan and in the applicable Secondary Plan, subject to the policies of these documents, in particular the Institutional and Public Uses section of this Plan. No supportive housing facilities residential care homes shall be permitted to locate in hazardous lands or hazardous sites.

When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a residential care home, due regard will be given to:

 a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;

		b)	Adequate vehicular ingress/egress and on-site parking;
		c)	Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;
		d)	Siting and landscaping to minimize any adverse impact on adjacent uses;
		e)	Impact of the development on the ecosystem and natural environmental features;
		f)	Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;
		g)	Access to municipal water and sanitary waste;
		h)	Locating away from hazardous lands or hazardous sites; and,
		i)	Accessibility for persons with disabilities.
Policy 4.2.6.11	The City shall have regard for the need for group homes, and other forms of supportive housing and shall provide opportunities for their establishment. In this regard, the City may create these opportunities on a planning area basis.	Delete Policy 4.2.6.11  The City shall have regard for the need for group homes, and other forms of supportive housing and shall provide opportunities for their establishment. In this regard, the City may create these opportunities on a planning area basis.	
Policy 4.2.6.12	The City will monitor applications for, and the establishment of group homes in order to ensure available	Delete Policy 4.2.6.12  The City will monitor applications for, and	
	opportunities for additional group homes.	to ensure	e available opportunities for I group homes.
Policy 4.2.6.13	Council shall direct staff to review opportunities for the development of group homes when 60 percent of the potential opportunities in the City	Council s	olicy 4.2.6.13  shall direct staff to review ities for the development of group hen 60 percent of the potential

	have been utilized. Staff will report to Council within one year of this direction and recommend appropriate strategies regarding adequate opportunities for this type of housing.	opportunities in the City have been utilized. Staff will report to Council within one year of this direction and recommend appropriate strategies regarding adequate opportunities for this type of housing.	
Policy 4.2.6.14	Notwithstanding Sections 4.2.6.7(iii)	Delete Policy 4.2.6.14	
		Notwithstanding Sections 4.2.6.7(iii) and 4.2.6.8(i) above:	
	on the number of group homes permitted within a planning area; and,	a) Where a zoning by-law sets a limit on the number of group homes permitted within a planning area; and,	
	b) Where the said limit has been reached, an application for a minor variance to this provision of the zoning by-law, permitting the creation of an additional group home within the subject planning area will not be unfavourably considered by staff solely on the basis that the limit within the subject planning area will thereby be exceeded, or that there are opportunities available elsewhere in the City.	b) Where the said limit has been reached, an application for a minor variance to this provision of the zoning by-law, permitting the creation of an additional group home within the subject planning area will not be unfavourably considered by staff solely on the basis that the limit within the subject planning area will thereby be exceeded, or that there are opportunities available elsewhere in the City.	
Policy 4.2.6.15	Retirement Housing	Delete Policy 4.2.6.15	
	The City shall permit Retirement	Retirement Housing	
	Housing in Residential, Commercial and Institutional and Public Uses designations in the Official Plan, subject to the following provisions:	The City shall permit Retirement Housing in Residential, Commercial and Institutional and Public Uses designations in the Official Plan, subject to the following provisions:	
	(i) Retirement home shall comply with all zoning requirements set out in the City's By-law;	(i) Retirement home shall comply with all zoning requirements set out in the City's Bylaw;	
	(ii) In determining the suitability of a site for use as retirement	(ii) In determining the suitability of a site for use as retirement housing, due regard shall be given to:	
	housing, due regard shall be given to:  a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;	a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities; b) Adequate vehicular ingress/egress and on-site parking; c) Adequate on-site landscaped open space suitable for	

	b) Adequate vehicular ingress/egress and on-site parking; c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home; d) Siting and landscaping to minimize any adverse impact on adjacent uses; e) Impact of the development on the ecosystem and natural environmental features; f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood; g) Access to municipal water and sanitary waste; h) Locating away from hazardous lands or hazardous sites; and, i) Accessibility for persons with disabilities.	passive recreational use by the residents of the home; d) Siting and landscaping to minimize any adverse impact on adjacent uses; e) Impact of the development on the ecosystem and natural environmental features; f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood; g) Access to municipal water and sanitary waste; h) Locating away from hazardous lands or hazardous sites; and, i) Accessibility for persons with disabilities.	
Policy 4.2.6.16	The City shall encourage the use of the City of Brampton Accessibility Technical Standards in the design and improvement of Retirement Housing.	Replace Retirement Housing with: Residential Care Home The City shall encourage the use of the City of Brampton Accessibility Technical Standards in the design and improvement of Retirement Housing Residential Care Homes.	
Section 4.4 Employment Policy 4.4.1.5	The City shall also permit Supportive Housing Facilities to be permitted within areas designated as Business Corridor that are not within the Lester B. Pearson International Airport (LBPIA) Operating Area subject to the following criteria:  (i) The supportive housing facility shall	Delete Policy 4.4.1.5  The City shall also permit Supportive Housing Facilities to be permitted within areas designated as Business Corridor that are not within the Lester B. Pearson International Airport (LBPIA) Operating Area subject to the following criteria:  (i) The supportive housing facility shall have	
	have direct access or frontage on an arterial or collector road;  (ii) The supportive housing facility may occupy a single detached dwelling or any building converted or newly constructed for that purpose but in every case shall occupy the whole of such buildings; and,	direct access or frontage on an arterial or collector road;  (ii) The supportive housing facility may occupy a single detached dwelling or any building converted or newly constructed for that purpose but in every case shall occupy the whole of such buildings; and,	

(iii) To prevent a concentration of supportive housing facilities in any one area, the City shall adopt
standards including a minimum distance separation between crisis
care facilities, group homes or other residential care facilities.

(iii) To prevent a concentration of supportive housing facilities in any one area, the City shall adopt standards including a minimum distance separation between crisis care facilities, group homes or other residential care facilities.

#### Section 4.9.4

# Long Term Care Centres

The demand for special needs housing including long term care centres and retirement homes is growing as the population of Brampton matures. In opting for these types of housing, there is a strong tendency for Brampton residents to remain in the community closer to areas and places that are familiar to them. The provision of special housing in appropriate locations throughout the City is essential to improving access to these facilities and enhancing the range of choice of location available to older residents with special housing needs.

#### **Delete Policy 4.9.4**

Section 4.9.4 Long Term Care Centres

The demand for special needs housing including long term care centres and retirement homes is growing as the population of Brampton matures. In opting for these types of housing, there is a strong tendency for Brampton residents to remain in the community closer to areas and places that are familiar to them. The provision of special housing in appropriate locations throughout the City is essential to improving access to these facilities and enhancing the range of choice of location available to older residents with special housing needs.

# Policy 4.9.4.1

The City shall permit Long Term Care Centres in Institutional and Public Uses, Residential and Commercial designations in the Official Plan, subject to the following provisions:

- (i) The long term care centre shall comply with all zoning requirements set out in the City's Zoning By-law;
- (ii) In determining the suitability of a site for use as a long term care centre, due regard shall be given to:
- (a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;
- (b) Adequate vehicular ingress/egress and on-site parking;

# Delete Policy 4.9.4.1

- 4.9.4.1 The City shall permit Long Term Care Centres in Institutional and Public Uses, Residential and Commercial designations in the Official Plan, subject to the following provisions:
- (i) The long term care centre shall comply with all zoning requirements set out in the City's Zoning By-law;
- (ii) In determining the suitability of a site for use as a long term care centre, due regard shall be given to:
  - a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities:
  - b) Adequate vehicular ingress/egress and on-site parking;

Zoning By- Law	Current Provisions	Proposed Amendments
Section 5 – Definitions	AUXILIARY GROUP HOME shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) person in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include:  • A Group Home Type 1  • A Group Home Type 2	Delete definition  Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include:  • A Group Home Type 1  • A Group Home Type 2  • A Foster Home
Section 5 – Definitions	GROUP HOME TYPE 1 shall mean a supportive housing facility located within a dwelling unit that is occupied by four (4) to six (6) persons, exclusive of staff and/or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or	Delete Group Home Type 1 definition and replace with:  Supportive Housing Type 1  A single housekeeping unit in a residential dwelling licensed, approved or funded under Federal or Provincial statute for the

approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health.

A Group Home Type 1 may provide accommodation, supervision and treatment for:

- The persons being cared for or obtaining services at a facility established under the Developmental Services Act;
- Individuals over sixty (60) years of age as a satellite residence under the Homes for the Aged and Rest Homes Act;
- Children under the Child and Family Services Act, and
- Persons under the Mental Hospitals Act and Homes for Special Care Act.

No supervision or treatment shall be provided to any persons not residing in the group home.

A group home type 1 shall not include a residence defined as a group home type 2, lodging house, a foster home, or a supportive housing facility.

accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. Supportive Housing Type 1 shall not have any correctional purpose.

# Section 5 – Definitions

GROUP HOME TYPE 2 shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling or dwelling unit within a commercial building which shall be operated primarily for:

- Persons who have been placed on probation under the Ministry of Correctional Services Act, the Criminal Code or any Act passed to replace the forgoing Acts;
- Persons who have been released under the provisions of the Ministry of Correctional Services Act, Corrections and Conditional Release Act or any Act passed to replace the foregoing Acts;
- Persons who have been charged under the Youth Criminal Justice

# Delete Group Home Type 2 definition and replace with:

#### **Supportive Housing Type 2**

A single housekeeping unit licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or rerelease, or any other form of executive, judicial or administrative release from a penal institution. Supportive Housing Type 2 shall not include Supportive Housing Type 1.

	<ul> <li>Act, but who have been placed in open or secure custody;</li> <li>Persons who require temporary care, and transient or homeless persons;</li> <li>Persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or</li> <li>Persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six residents.</li> <li>A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility.</li> </ul>	
Section 5 – Definitions	NURSING HOME shall mean any building or place maintained and operated for persons requiring nursing care.	No changes proposed
Section 5 – Definitions	RETIREMENT HOME shall mean a residential care facility for the accommodation of persons, who, by reason of their emotional, mental, social, or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:  (a) dwelling units, rooms or room and board are supplied for hire or gain; (b) more than eight (8) persons in addition to the staff and operator are accommodated in the retirement home; (c) there is a common dining room and common sitting room for the residents, but shall not include:  (a) a group home; (b) an auxiliary group home; (c) a nursing home; (d) a supportive housing facility; (e) a lodging house.	Delete Retirement Home definition and replace with:  Residential Care Home  Supervised living accommodation that may include associated support services, and:  (a) Is licensed or funded under Federal or Provincial legislation;  (b) Is for persons requiring semi-independent or supervised group living arrangements; and  (c) Is for more than 10 residents, exclusive of staff.
Section 5 – Definitions	SUPPORTIVE HOUSING FACILITIES shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status	Delete Supportive Housing Facilities definition and replace with:  Residential Care Home

require a supervised group living arrangement for their well being, but shall exclude a foster home as defined in the *Child and Family Services Act* or successor legislation.

- Supervised living accommodation that may include associated support services, and:
- (a) Is licensed or funded under Federal or Provincial legislation;
- (b) Is for persons requiring semiindependent or supervised group living arrangements; and
- (c) Is for more than 10 residents, exclusive of staff.

# Provision 10.14

# **10.14 Provisions for Group Homes**Group Homes shall be subject to the following requirements and restrictions:

- (a) a group home type 1shall be located within a single detached dwelling:
- (b) a group home type 2 shall be located within a single detached dwelling or a dwelling within a mixed use development;
- (c) a minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1;
- (d) a minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, or a group home type 1;
- (e) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2;
- (f) the maximum number of group homes combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.

#### Revise to read as follows:

Section 10.14 'Provisions for Group Homes' 'Supportive Housing':

Group Homes **Supportive housing** shall be subject to the following requirements and restrictions:

- (a) a group home type 1 shall be located within a single detached dwelling;
- (b) a group home Supportive Housing
  Type 2 shall be located within a single
  detached dwelling 'Dwelling', as defined
  within this By-law, where it occupies the
  whole of the building, or as the sole
  dwelling within a mixed use development;
- (c) a minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1;
- (d) a minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, or a group home type 1;
- (e) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2;
- (f) the maximum number of group homes combined, permitted in each area as shown and numbered on Schedule D and listed in

	Column 1 Area Number	Column 2 Column 1 of the table set out below, shall  Maximum Number of Group horn be as set out in Column 2 of said table.			
	1 2	4		Delete the following tables:	
	3 4	4 3 (m)	Column 1 Area Number	Column 2	
	5 6 7	3	1	Maximum Number of Group homes	
	8 9	5 5	2 3 4	1 4 3 allih	
	10 11 12	4 6 4	5 6	3	
	13 14 15	1 1 2	7 8 9	2 5 5	
	16 17	5	10 11 12	4 6	
	18 19 20	1 3 5	13 14	1	
	21	4	15 16 17 18 19	3 5 5 1	
			20 21	5 4 ———————————————————————————————————	
	22 23 24 25	2 2 6 1	22 23 24 25	2 2 6 1	
	26 28 32 43, 44, 45 29, 36, 37, 38, 39, 40, 41, 42, 46, 47, 48	1 3 2 2	26 28 32 43, 44, 45 29, 36, 37, 38, 39, 40, 41, 42, 46, 47, 48	1 3 2 2	
Commercial	20.7 Provisions for a	Group Home Type	Revise to read as	follows:	
Provision 20.7	2 or Supportive Hous A Group Home Type Housing Facility shall following requirement	sing Facility 2 or a Supportive I be subject to the	Section 20.7 'Provisions for a Group Home Type 2 or Supportive Housing Facility		
	(a) a group home typ located in a single de and a dwelling unit w development;	tached dwelling	A Group Home Typ Housing Type 2 us subject to the follow restrictions:	• •	
	(b) the group home ty the whole of the singl dwelling;	le detached	` ' • ' •	rpe 2 shall be located in lwelling and or as the rithin a mixed use	
	(c) a minimum separa 120 metres shall be r between a group hon	maintained	(b) the group home located within a m	type 2 where not ixed use development,	

other group home type 2, or a group home type 1;

- (d) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and a group home type 1, or a group home type 2, or another supportive housing facility; and
- (e) a group home type 2 shall be subject to compliance with the Group Home Registration By-law

a supportive housing type 2 use shall occupy the whole of the single detached dwelling;

- (c) a minimum separation distance of 120 metres shall be maintained between a group home type 2 and any other group home type 2, or a group home type 1;
- (d) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and a group home type 1, or a group home type 2, or another supportive housing facility; and
- (e) a group home type 2 shall be subject to compliance with the Group Home Registration By-law.

Refer to Appendix 2 for WSP's report outlining the supportive housing policy review and proposed recommendations

#### **Public Information Centres**

At the first open house held at City Hall on March 11, 2020, the background information and proposed recommendations from WSP's draft report were presented for public input. Unfortunately, due to the short notification and COVID-19 there was a low turnout. To improve the consultation process staff ensured the material was available on-line and provided residents the opportunity to review the display boards and provide their comments digitally. Staff have also been in contact with the residents of Bramalea Woods and other interested delegates via email to provide project updates. Staff moved forward with a second open house virtually on July 29, 2020, to improve the public consultation process and ensured residents were provided adequate notice and provided the opportunity to speak regarding the proposed recommendations. The pre-recorded presentation and material was made available on the City's website to be reviewed after the public consultation sessions.

# Stakeholder Engagement

Staff met on October 8, 2019 and on February 27, 2020 with Group Home operators that currently operate in the City to get their input on the current registration process, experience operating in Brampton and challenges. The general consensus amongst attendees with respect to the Group Home Type 1 use was to: simplify the Group Home definitions to be clear and concise; improve the registration process to remove elements that are not legislatively required such as, the open house, meeting with the area Councilors and the separation distance requirement, as recommended by WSP. There

were no comments regarding amending the registration process/requirements for the Group Home Type 2 use.

#### Resident Input

Since the City began the review of its supportive housing policies, residents have expressed concerns regarding the lack of clarity in the City's current policies and zoning definitions, particularly in interpreting the circumstances when certain provisions should apply. There are concerns that Group Homes are businesses operating in residential neighbourhoods, thereby compromising the character of the neighbourhood and generating traffic and parking issues. Residents have also noted they would prefer the Group Home process to be more restrictive in terms of, increasing the separation distance, regulating where they are permitted, being informed of the Group Home application early in the process and having input on whether a Group Home should be permitted to operate.

Group Homes are regulated and licenced through the Province and are permitted 'as of right' provided they are licenced by the Ministry and satisfy the Zoning By-Law provisions. The City's role is to ensure group homes are registered and satisfy the City's zoning by-law provisions pertaining to group home registration and annual inspections.

Staff have also received resident comments in support of WSP's draft recommendations presented at the first open house that propose less restrictive policies such as permitting Group Home Type 1 in all residential districts and through various housing typologies such as, semis and townhouses.

#### **Public Meeting Notification:**

Notice of the Public Meeting was provided by public notification in the Brampton Guardian. The Public Notice was also emailed to the list of interested parties on file. This report has been posted to the City's website.

#### **Corporate Implications:**

#### Financial Implications:

There are no financial implications associated with this report.

# Other Implications:

There are no other implications at this time.

#### **Term of Council Priorities:**

This report directly aligns with the Strategic Direction – Brampton is a Mosaic by proposing policies and zoning provisions that embed diversity and equity. As well, the proposals support the implementation of the Age Friendly Strategy to improve

accessibility and affordability, and encourage greater civic participation for people of all ages and abilities.

## <u>Living the Mosaic – 2040 Vision</u>

This Report aligns with Action #5-2 "Housing" of the Planning Vision by providing special needs housing for vulnerable groups.

## **Next Steps:**

Following the Statutory Public Meeting staff will be evaluating the comments received prior to and at the Statutory Public meeting and will include the feedback in staff's recommendation report.

Staff will report back to Planning & Development Committee with the final recommendations and the Official Plan and Zoning By-Law amendments to the City's Supportive Housing policies, including Group Homes for final adoption in early Q1 2021.

#### Conclusion:

The City recognizes the need to offer a variety of housing options that meet the needs of all residents and provide affordable options. The City's Affordable Housing Strategy, Housing Brampton, will address the housing needs of the community in a comprehensive manner.

In compliance with the requirements of the *Planning Act*, the City is holding a statutory public meeting to present a draft Official Plan Amendment and Zoning By-law Amendment with respect to the City's Supportive Housing policies for public review and comment.

Authored by:	Reviewed by:
Mirella Palermo, MCIP, RPP, OALA Policy Planner	Bob Bjerke, MCIP, RPP Director, Policy Planning

Approved by:	Submitted by:
Richard Forward, MBA, M.Sc., P. Eng.	David Barrick
Commissioner, Planning, Building and	Chief Administrative Officer Services
Economic Development Department	

# **Attachments:**

Appendix 1: Interim Control By-Law 286-2019 Appendix 2: WSP's Supportive Housing Policy Review Final Draft Report (Nov 2020)