

Review of Zoning Regulations Pertaining to Group Homes

Current regulations at issue

- Two definitions:
 - **Group Home** means premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for **three to ten persons**, exclusive of staff, living together in a single housekeeping unit because they require a **supervised** group living arrangement
 - **Residential Care Home** means supervised living accommodation that may include associated support services, and:
 - (A) is licensed or funded under Province of Ontario or Government of Canada legislation;
 - (B) is for persons requiring semi-independent or supervised group living arrangements; and
 - (C) is for **more than ten persons**, exclusive of staff
- **Separation distance** of **250 metres** must be maintained between either group homes or residential care homes

Human rights concerns

- The zoning by-law regulations are the subject of an application to the Human Rights Tribunal – the definitions and separation distances discriminate against persons with disabilities
- Human Rights Code must be followed by Council in carrying out its responsibilities under the Planning Act
- Charter of Rights and Freedoms guarantees equal treatment before and under the law – all laws must be consistent with the Charter
- Expert's opinion is that the current zoning regulations fail in a test against the HRC or the Charter
- Recommends the definition eliminate the minimum of 3 persons but the maximum is reasonable
- The separation distance should also be eliminated

Proposed zoning changes

- Eliminate the minimum requirement of 3 persons in the 'group home' definition but retain the maximum of 10
- Eliminate the separation distance; no land use impact to mitigate
- Retain the definition of 'residential care home' as having more than 10 persons
- Permit group homes in all residential zones; residential care homes in RM, RA, CR, CRE and I zones only
- Add definition of correctional group home