



# The Corporation of the Town of Milton

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Report To:	Council
From:	Barbara Koopmans, Commissioner, Planning and Development
Date:	February 11, 2019
Report No:	PD-010-19
Subject:	Town of Milton Supportive Housing Study - Policy and Zoning Amendment Implementation
<b>Recommendation:</b>	<b>THAT Report PD-010-19, with respect to Town Initiated draft Official Plan and Zoning By-law Amendments – Supportive Housing, be received for information.</b>

## EXECUTIVE SUMMARY

In accordance with the *Planning Act*, the purpose of this report is to present the draft Official Plan and Zoning By-law amendments for the purpose of a statutory public meeting. The proposed amendments would update Town policies and regulations to ensure compliance with provincial and federal legislation and implement the recommendations of the Council endorsed 2018 Supportive Housing Study.

## REPORT

### Background

In May 2017, Council directed Staff to retain consultants to undertake a review of the Town's existing supportive housing policy framework; identify the desired policy framework; recommend updates to meet the needs of the community; and, ensure compliance with provincial and federal legislation as well as the Human Rights Code.

In August 2017, MHBC Planning in conjunction with SHS Consulting was awarded the Supportive Housing Study and work commenced at that time.

The Supportive Housing Study was completed in 2018, with Council endorsing the Study on January 29, 2018 through report PD-007-18. The Study consists of three main components: a Background and Research Report, Community Engagement/Engagement Summary Report and a final Recommendation Report.

### 2018 Supportive Housing Background Research and Analysis Report

The Background Research and Analysis Report consists of a comprehensive review of the current policy and regulatory framework, a review of best practices in other municipalities and a review of the Town's current policy framework. A comprehensive review of the following was undertaken:

- The Municipal Act;
- The Planning Act;
- The Provincial Policy Statement;
- The Growth Plan for the Greater Golden Horseshoe (2017);
- Ontario Housing Policy Statement ;
- The Ontario Human Rights Commission’s “In the Zone” guide;
- The Ontario Human Rights Commission’s “Room for Everyone: Human Rights and Rental Housing Licensing” ;
- City of Toronto “Opinion on Group Homes in the City-Wide Zoning By-law” Review;
- Town of Milton Group Home Study (2002);
- Halton Region Official Plan (January 2016 Consolidation);
- Town of Milton Official Plan (2008 Consolidation);
- Town of Milton Zoning By-law 016-2014 (Urban);
- Town of Milton Zoning By-law 144-2003 (Rural); and
- Town of Milton Business Licensing By-law.

Background research also involved examining policy and regulatory framework best practices in other municipalities (Toronto, Hamilton, London, Waterloo and Cambridge). This included a review of their associated Housing and Homelessness Plans, Official Plans, Licensing By-laws and Zoning By-laws.

## **2018 Supportive Housing Community Engagement and Summary Report**

While conducting the Study, a wide range of public engagement methods were employed including an online survey, key stakeholder meetings/interviews and a public open house.

All three methods provided meaningful insight into how the current framework operates today, identifying challenges and opportunities for improvement. The overarching themes identified through consultation are as follows:

- There is a lack of justification for separation distances between group homes;
- There is a need to revise the current definitions to allow for flexibility;
- There should be more flexibility as to where supportive housing can locate;
- Supportive Housing should be permitted to take different forms (i.e. not just single detached dwellings);
- There is a need to ensure that planning documents are consistent with current legislation; and
- Requiring licensing for supportive housing is not appropriate.

Overall, it was agreed that there is a need for a wide variety of supportive housing options within the Town of Milton. While the most pressing need appears to be options for the



aging population, there is also a need for supportive housing for other population groups including people with physical disabilities, mental health issues, developmental disabilities, substance abuse issues and youth.

## **2018 Supportive Housing Study Recommendation Report**

The Recommendation Report took the information gathered from the background research and community engagement and provides key recommendations to improve the Town's policy and regulatory framework and better inform the community about supportive housing. The recommendations are as follows:

- Revise current definitions combining the current three definitions, Group Home 1, Group Home 2 and Correctional Group Home into one new definition "Shared Housing" ;
- Remove the 500 metre separation distances currently required;
- Permit supportive housing in a wider range of dwelling types to include semi-detached, townhouse, apartment units as well as the currently permitted single detached dwelling;
- Modify the current resident caps to remove the minimum number of residents and raise the maximum to ten residents;
- Modify zoning permissions to allow supportive housing in all residential zones;
- Allow Supportive Housing in both Urban and Rural areas, where residential use is permitted and in compliance with all local, regional and provincial land use policies;
- Move away from the existing licensing program to a registration program for supportive housing;
- Continue to increase Staff knowledge surrounding supportive housing and the Town's new framework;
- Improve public communication about supportive housing and improve awareness of the new framework and process as well as the important role of supportive housing in the community through educational initiatives; and
- Review the policies, regulations, by-laws and processes at regular intervals and to re-evaluate the continued effectiveness of policy and regulations at regular intervals.

It is important to note that the consultant's Recommendation Report indicates that the implementation of the above is required to ensure that the Town's policy and regulatory framework aligns with the Human Rights Code and other provincial and federal policies. Also of note, in accordance with the Planning Act, 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 or dwelling unit.



## Discussion

### Intent:

The intent of the proposed amendments is to ensure Milton's policies and zoning regulations meet the current needs of the community and are in compliance with legislation. The proposed amendments are consistent with the directions provided by the 2018 Supportive Housing Recommendation Report.

### Official Plan Amendment:

There are two proposed Official Plan amendments attached to this report; one is amending the 2008 Milton Official Plan Consolidation and the other amends Milton's Official Plan Amendment 31 (OPA 31). OPA 31 updates Milton's Official Plan in accordance with Milton's mandated conformity exercise with the Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2006) and was adopted by Council in June 2010. Council endorsed Regional modifications in June 2018 and the Region issued its decision of approval in November of 2018. In December 2018, OPA 31 was appealed; as such, it is not in-force at this time. Out of an abundance of caution, Staff prepared two draft amendments for public consultation, demonstrating that the amendments result in the same policy outcome. This positions Staff to forward the applicable amendment for Council's consideration in relation to the in-force plan as part of a future Technical Report.

The proposed Official Plan changes include:

- Updating definitions by removing the "Group Home Type 1", "Group Home Type 2", "Correctional Group Home", and "Special Needs Housing" definitions and adds the definition of Shared Housing to reflect the findings of the Consultant's Council endorsed Recommendation Report;
- Replacing the deleted definitions with "Shared Housing" where appropriate throughout the Plan; and
- Allowing permissions for Shared Housing in any land use designation that permits residential uses, including all dwelling types provided that such dwellings comply with all relevant zoning regulation, by-laws, codes and other regulations.

### Zoning By-law Amendment:

The proposed Zoning By-law changes include:

- Updating definitions by removing "Group Home, Correctional", "Group Home Type 1", and "Group Home Type 2" and adding the definition of "Shared Housing";



- Modifying the current resident caps to remove the minimum number of residents and raise the maximum to ten residents;
- Removing the 500 metre separation distances currently required;
- Replacing the deleted definitions where appropriate throughout the documents; and
- Allowing “Shared Housing” to be permitted as a residential use where that use is permitted in a zone.

### Public Consultation Process:

In addition to the community engagement outlined in the Background section of this report, in June 2018 Town Planning Staff held a public open house with MHBC Planning to present and review the proposed amendments to the Official Plan and Zoning By-law prior to moving forward to a statutory public meeting. The open house was held at Town Hall. Attendees had the opportunity to ask questions and share their ideas. There was also opportunity to submit written comments. Attached as Appendix 5 is a consultation summary and response document.

### Financial Impact

None arising from this report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO  
Commissioner, Planning and Development

For questions, please contact: Megan Lovell, Policy Planner Phone: Ext. 2338

### Attachments

Appendix 1: Proposed Official Plan Amendment to the Milton Official Plan 2008  
Appendix 2: Proposed Official Plan Amendment to OPA 31 Official Plan Update  
Appendix 3: Proposed Zoning By-law Amendment By-law 016-14 (Urban)  
Appendix 4: Proposed Zoning By-law Amendment By-law 144-2003 (Rural)  
Appendix 5: Consultation Summary and Response Document

CAO Approval  
William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF  
Chief Administrative Officer

**Proposed Official Plan Amendment to the  
2008 Milton Official Plan Consolidation (1997)**

**THE CORPORATION OF THE TOWN OF MILTON**

BY-LAW NO. -2019

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT*, AS AMENDED, TO ADOPT AMENDMENT NO. XX SHARED HOUSING TO THE APPROVED OFFICIAL PLAN

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, hereby enacts as follows:

1. THAT Amendment No. XX to the Official Plan of the Corporation of the Town of Milton, attached hereto, is hereby adopted
2. THAT pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Land Use Planning Appeals Tribunal
3. THAT in the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number XX to the Official Plan of the town of Milton

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED** this \*\* day of \*\*\*, 2019

\_\_\_\_\_ Mayor Gordon A. Krantz

\_\_\_\_\_ Clerk Troy McHarg

AMENDMENT NUMBER XX

TO THE OFFICIAL PLAN  
OF THE TOWN OF MILTON

Subject: Shared Housing (Group Homes)

The following text and schedules constitute

Amendment No. XX to the Official Plan

Of the Town of Milton

XX,2019

DRAFT



**AMENDMENT NUMBER XX TO THE OFFICIAL PLAN OF THE TOWN OF MILTON**

**PART I- THE PREAMBLE, does not constitute part of this Amendment**

**PART II- THE AMENDMENT, consisting of the following text constitutes Amendment No. XX to the Official Plan of the Town of Milton**

**DRAFT**

## **PART I: THE PREAMBLE**

### **THE TITLE**

This amendment, being an amendment to the Official Plan to the Town of Milton shall be known as:

Amendment No. XX to the Official Plan of the Town of Milton- Town Wide

### **PURPOSE OF THIS AMENDMENT**

The purpose of the amendment is to incorporate revisions to various sections of the Town's Official Plan, related to Group Homes, which are necessary to:

- Ensure the Town's planning policy framework with respect to Group Homes and supportive housing is compliant with Provincial policies and legislation; and,
- Implement the recommendations from the Supportive Housing study conducted by MHBC Planning and SHS consulting.

### **LOCATION OF THE AMENDMENT**

This amendment is a Town- wide amendment.

### **EFFECT OF THE AMENDMENT**

The effect of the amendment will be to modify various sections of the Official Plan to reflect the findings of the background research and analysis and implement the policy recommendations of the Town of Milton Supportive Housing Study prepared by MHBC Planning and SHS Consulting on behalf of the Town of Milton.

This amendment has the effect of providing policy direction with respect to:

1. Enabling and supporting the provision of shared housing throughout the Town in a wider variety of land use designations and built form types, in line with Provincial policies and legislation.

**Part II: THE AMENDMENT**

The various sections of the Town of Milton Official Plan, as referenced below, are amended as follows:

- 1) Subsection 4.1.1 of the table of contents is amended by removing the word 'Group Homes' replacing it with 'Shared Housing'
- 2) Subsection 3.2.2 d) is amended by removing the phrase "...Group Homes Type 1 and Group Homes Type 2, but not Correctional Group Homes" and replacing it with "Shared Housing"
- 3) Section 3.2.3.3 is amended by removing subsection a) in its entirety and replacing it with the following:

*"a) Shared Housing shall be permitted in any designation that permits residential uses on Schedules "A" and "B" to this Plan, in all dwelling types, provided that such dwellings comply with the relevant zoning requirements, applicable codes and other regulations; and all other applicable land use policies."*
- 4) Section 3.2.3.3 is amended by adding new subsections b) as follows:

*"b) any form of shared housing which accommodates more than ten (10) individuals, exclusive of staff, shall be permitted only within an Institutional Designation"*
- 5) Section 3.3.2 c) is amended by removing the phrase "Group Homes Type 1 and Group Homes Type 2, but not Correctional Group Homes" and replacing it with "Shared Housing"
- 6) Section 3.10.2.1 is amended by:
  - Replacing the phrase "large religious facilities" with the phrase "large places of worship"; and,
  - Removing the phrase "supportive housing, Residential Care Facilities and Correctional Group Homes".
- 7) Section 3.10.2 is amended by adding the following new policy

*"3.10.2.1 b) any form of shared housing which contains more than ten (10) individuals, exclusive of staff, shall be permitted"*
- 8) The title heading for Section 4.1.1.5 is amended by removing the phrase "GROUP HOMES" and replacing it with the phrase "SHARED HOUSING"
- 9) Section 4.1.1.5 is amended by removing the phrase "Group Homes Type 1 and Group Homes Type 2, excluding Correctional Group Homes" and replacing it with "Shared Housing"
- 10) Section 4.1.1.5 is amended by removing the phrase "Special Needs Housing".

- 11) Section 4.3.2 y) is amended by removing the phrase “Group Homes Type 1 and Group Homes Type 2, but not Correctional Group Homes” and replacing it with “Shared Housing”
- 12) Section 4.3.2 y) is further amended by adding “and subject to compliance with applicable codes , regulations and all other applicable land use policies.” after the phrase “subsection 3.2.3.3”
- 13) Section 4.4.2 v) is amended by removing the phrase “Group Homes Type 1 and Group Homes Type 2, but not Correctional Group Homes” with “Shared Housing”
- 14) Section 4.4.2 v) is further amended by adding “and subject to compliance with applicable codes ,regulations and all other applicable land use policies.” after the phrase “subsection 3.2.3.3”
- 15) Section 5.10.6 Definitions is modified by deleting the following definitions in their entirety:
  - Correctional Group Home
  - Group Home Type 1
  - Group Home Type 2
- 16) Section 5.10.6 Definitions is amended by adding Shared Housing as a defined term as follows:

*“**SHARED HOUSING** means a living arrangement which is licensed or regulated under a provincial or federal statute, and the operation is subject to provincial or Federal oversight, where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit within a dwelling unit and are supported and/or supervised within that unit.”*
- 17) Section 5.10.6 Definitions is amended by deleting the definition for “Special Needs Housing” it in its entirety:
- 18) Section C.6.5.4.2 b) is amended by removing the phrase “Correctional Group Homes” and replacing it with “Shared Housing”

**Proposed Official Plan Amendment to the  
Milton Official Plan Amendment 31**

**THE CORPORATION OF THE TOWN OF MILTON**

BY-LAW NO. -2019

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3. THAT in the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number XX to the Official Plan of the town of Milton

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### **LOCATION OF THE AMENDMENT**

This amendment is a Town- wide amendment.

### **EFFECT OF THE AMENDMENT**

The effect of the amendment will be to modify various sections of the Official Plan to reflect the findings of the background research and analysis and implement the policy recommendations of the Town of Milton Supportive Housing Study prepared by MHBC Planning and SHS Consulting on behalf of the Town of Milton.

This amendment has the effect of providing policy direction with respect to:

1. Enabling and supporting the provision of shared housing throughout the Town in a wider variety of land use designations and built form types, in line with Provincial policies and legislation.

## Part II: THE AMENDMENT

The various sections of the Town of Milton Official Plan, as referenced below, are amended as follows:

- 1) Subsection 2.7.1 h) is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing'.
- 2) Subsection 2.7.1 i) is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing'
- 3) Section 2.7.2.5 is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing'
- 4) Section 2.11.2.16 is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing'
- 5) Section 3.2.2 is amended by replacing the phrase 'special needs housing, including Group Homes Type 1 and Group Homes Type 2, but not Correctional Group Homes' with 'shared housing'
- 6) Section 3.2.3.4 is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing' in the title and body of the policy
- 7) Section 3.2.3.4 is further amended by removing subsection a) in its entirety and replacing it with a new subsection a) as follows:  
  
*"a) Shared Housing shall be permitted in any designation that permits residential uses on Schedule "B" to this Plan, in all dwelling types, provided that such dwellings comply with the relevant zoning requirements, applicable codes and other regulations; and all other applicable land use policies."*
- 8) Section 3.2.3.4 b) is amended by Replacing the phrase 'special needs housing' with the phrase 'shared housing'
- 9) Section 3.2.3.4 is further amended by adding new policy 3.2.3.4 c) as follows:  
  
*"c) Any form of shared housing which accommodates more than ten (10) individuals, exclusive of staff, shall be permitted only within an Institutional Designation."*
- 10) Subsection 3.3.2 b) is amended by:
  - Replacing the phrase 'special needs housing' with the phrase 'shared housing'; and
  - Removing the phrase 'Housing including Group Homes Type 1 and Group Homes Type 2, but not Correctional Group Homes'.

11) Section 3.5.2.1 is amended by removing the word 'special needs housing' and replacing it with 'shared housing'

12) Section 3.10.2.1 is amended by:

- Replacing the phrase 'religious facilities' with the phrase 'places of worship';
- Replacing the phrase 'special needs housing' with the phrase 'shared housing'; and
- Removing the phrase 'and Correctional Group Homes'

13) Section 3.10.2.1 is further amended by adding new policy 3.10.2.1 a) as follows:

*"a) any institution which contains more than ten (10) individuals, exclusive of staff, shall be permitted."*

14) Section 3.10.2.3 is amended by:

- Replacing the phrase 'special needs housing' with the phrase 'shared housing'; and
- Adding the phrase 'and subject to compliance with applicable codes, regulations and all other applicable land use policies.' following the phrase '...policies of subsection 3.10.3.2'

15) Section 4.5.3.3 is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing'

16) Section 5.10.6 Definitions is modified by deleting the following definitions in their entirety:

- Correctional Group Home
- Group Home Type 1
- Group Home Type 2
- Special Needs Housing

17) Section 5.10.6 Definitions is further amended by adding Shared Housing as a defined term as follows:

***"SHARED HOUSING** means a living arrangement which is licensed or regulated under a provincial or federal statute, and the operation is subject to provincial or Federal oversight, where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit within a dwelling unit and are supported and/or supervised within that unit."*

18) Subsection C.6.5.3.2 b) is amended by replacing the phrase 'special needs housing' with the phrase 'shared housing'.

19) Section C.6.5.4.2 b) is amended by deleting the phrase 'Correctional Group Homes'

20) Section C.6.5.4.2 is further amended by adding new policy C.6.5.4.2 c) as follows and renumbering the subsequent subsections accordingly:

*“c) Any institution which contains more than ten (10) individuals, exclusive of staff, in conjunction with institutional uses of on separate sites; and”*

21) Subsection C.8.5.3.2 c) is amended by replacing the phrase ‘special needs housing’ with the phrase ‘shared housing’ and removing the phrase ‘designed to accommodate individuals with specific needs’ and adding the phrase ‘and subject to compliance with applicable codes, regulations and all other applicable land use policies’ following the phrase ‘...policies of subsection 3.2.3.4 of this Plan’ and preceding the word ‘;and,’

22) Subsection C.8.5.4.2 b) is amended by replacing the phrase ‘special needs housing’ with the phrase ‘shared housing’ and removing the phrase ‘designed to accommodate individuals with specific needs’ and adding the phrase ‘and subject to compliance with applicable codes, regulations and all other applicable land use policies’ following the phrase ‘in conjunction with institutional uses or on separate sites’ and preceding the word ‘;and,’

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. -2019

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS WITHIN THE TOWN OF MILTON, **FILE: X-XX/XX**

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

**AND WHEREAS** the Town of Milton Official Plan will provide for the lands affected by this by-law to be zoned as set forth in this by-law upon the approval of **OPA XX**;

**NOW THEREFORE** the Council of the Corporation of the Town of Milton hereby enacts as follows:

**1.0 THAT** Section 1.4 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the phrase '*Group Home, Correctional Group Home, Group Home Type 1 and Group Home Type 2*' and replacing it with '*and Shared Housing*'.

**2.0 THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the following definitions in their entirety:

- Group Home, Correctional
- Group Home Type 1
- Group Home Type 2

**3.0 THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following definition:

**Shared Housing**

Means a living arrangement which is licensed or regulated under a provincial or federal statute, and the operation is subject to provincial or federal oversight, where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit within a dwelling unit and are supported and/or supervised within that unit.

**4.0 THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the defined term '*Bed and Breakfast Establishment*' by removing the phrase '*a Group Home*' and replacing it with '*Shared Housing*'.

**5.0 THAT** Section 4 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting "Section 4.12" in its entirety and replacing it with the following:

4.12 SHARED HOUSING

Shared Housing is permitted in accordance with the following:

- i) Shared housing shall be permitted as a residential use where that use is permitted in the zone

**6.0 THAT** Section 5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 5 E as follows:

- Under the 'Type or Nature of Use' Column, the phrase '*Group Homes*' is removed and replaced with '*Shared Housing*'; and,
- The 'Minimum Off-Street Parking Requirements' column for '*Shared Housing*' is amended by replacing the word 'every' with the word 'each'; the phrase 'per working shift' is added after the words 'staff member' and before the words ', in addition to'; and, the words '*unit type*' are added after the word '*dwelling*'.

**7.0 THAT** Section 6 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 6A as follows:

- *Group Home Type 1* is deleted from the table;
- *Group Home Type 2* is deleted from the table;
- *Shared Housing* is added to the table under the Residential Uses Column;
- A bullet point (•) is added to the table under the columns 'RLD, RMD1, RMD2, RHD, and RO' in the row containing '*Shared Housing*'
- An asterisk '(\*2)' is added beside '*Shared Housing*' In the Permitted Uses column; and,
- The following footnote (\*2) is added to the Footnote(s) for Table 6A:  
"*Shared Housing* is permitted within any dwelling unit that is permitted in the zone."

**8.0 THAT** Section 7 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 7A as follows

- '*Shared Housing*' is added to the table under the Residential Uses Column;
- A bullet point (•) and an asterisk (\*1) and (\*3) is added to the table under the column 'CBD-A' in the row containing '*Shared Housing*';
- A bullet point (•) and an asterisk (\*3) is added to the table under the column 'CBD-B' in the row containing '*Shared Housing*';
- A bullet point (•) is added to the table under the column 'UGC-MU' in the row containing '*Shared Housing*'
- An asterisk '(\*7)' is added beside '*Shared Housing*' in the Permitted Uses column; and,
- The following footnote '(\*7) is added to the Footnote(s) for Table 7A  
"*Shared Housing* is permitted within any dwelling unit that is permitted in the zone."

**9.0 THAT** Section 7 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 7B as follows:

- *Group Home Type 1 and 2* is deleted from the table.

**10.0 THAT** Section 9 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 9A as follows:

- *Group Home, Correctional* is deleted from the table.

**11.0 THAT** the Table of Contents of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing the phrase 'GROUP HOMES' with 'SHARED HOUSING' and deleting 'TABLE 4F'.

**12.0 THAT** the List of Tables for By-law No. 016-2014 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting 'TABLE 4F Group Homes'.

**13.0 THAT** Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows:

- By deleting 'Group Home Type 1' in Section 13.1.1.129 i) b) and replacing it with 'Shared Housing';
- By deleting Section 12.1.130 i) c) 'Group Home Type 2 (subject to Footnote \*1) in its entirety and renumbering the remainder of subsection i) accordingly; and,
- By deleting the reference 'Group Home Type 1' in Section 13.1.146 and replacing it with 'Shared Housing'.

**14.0 THAT** if no appeal is filed pursuant to Section 34 (19) of the Planning Act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Land Use Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which **OPA XX** comes into effect. If the Land Use Planning Appeal Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of the Tribunal's Order is issued directing the amendment or amendments.

**PASSED** this XX day of XX, 2019.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. -2019

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS WITHIN THE TOWN OF MILTON, **FILE: X-XX/XX**

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, as amended;

**AND WHEREAS** the Town of Milton Official Plan will provide for the lands affected by this by-law to be zoned as set forth in this by-law upon the approval of **OPA XX**;

**NOW THEREFORE** the Council of the Corporation of the Town of Milton hereby enacts as follows:

**1.0 THAT** Section 1.3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting the phrase '*Group Home, Correctional Group Home, Group Home Type 1 and Group Home Type 2*' and replacing it with '*and Shared Housing*'.

**2.0 THAT** Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting the following definitions in their entirety:

- Group Home, Correctional
- Group Home Type 1
- Group Home Type 2

**3.0 THAT** Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the following definition:

**Shared Housing**

Means a living arrangement which is licensed, approved and/or regulated under a provincial and/or federal statute where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit within a dwelling unit and are supported and/or supervised within that unit.

**4.0 THAT** Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying the defined term '*Bed and Breakfast Establishment*' by removing the phrase '*Group Home*' and replacing it with '*Shared Housing*'.

**5.0 THAT** Section 4 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting "Section 4.7" in its entirety and replacing it with the following:

4.7 SHARED HOUSING

*Shared Housing* is permitted in accordance with the following



- i) *Shared Housing* shall be permitted as a residential use where that use is permitted in the zone;

**6.0 THAT** Section 5 of Comprehensive Zoning By-law 016-2004, as amended, is hereby further amended by modifying Table 5D as follows:

- Under the 'Type or Nature of Use' Column, the phrase '*Group Homes*' is removed and replaced with '*Shared Housing*'; and,
- The 'Minimum Off-Street Parking Requirements' column for '*Shared Housing*' is amended by replacing the word 'every' with the word 'each'; the phrase 'per working shift' is added after the words 'staff member' and before the words ', in addition to'; and, the words '*unit type*' are added after the word '*dwelling*'.

**7.0 THAT** Section 6 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying Table 6A as follows:

- *Group Home Type 1* is deleted from the table;
- *Group Home Type 2* is deleted from the table;
- *Shared Housing* is added to the table under the Residential Uses Column;
- A bullet point (•) is added to the table under the columns 'RE and RV' in the row containing *Shared Housing*
- Footnote (\*1) is deleted;
- An asterisk '(\*1)' is added beside '*Shared Housing*' in the Permitted Uses column; and,
- The following footnote (\*1) is added to the Footnote(s) for Table 6A:  
"*Shared Housing* is permitted within any dwelling unit that is permitted in the zone."

**8.0 THAT** Section 7 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying Table 7B as follows:

- *Group Home Type 1 and 2* is deleted from the table;
- *Shared Housing* is added to the table under the Residential Uses Column;
- A bullet point (•) is added to the table under the column C4 in the row containing *Shared Housing*;
- An asterisk '(\*2)' is added beside '*Shared Housing*' in the Permitted Uses column; and,
- The following footnote '(\*2)' is added to the Footnote(s) for Table 7B  
"*Shared Housing* is permitted within any dwelling unit permitted in the zone."

**9.0 THAT** Section 9 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying Table 9A as follows:

- *Group Home, Correctional* is deleted from the table.

**10.0 THAT** Section 10 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying Table 10A as follows:

- *Group Home Type 1* is replaced with ‘*Shared Housing*’;
- *Group Home Type 2* is deleted from the table
- An asterisk ‘(\*2)’ is added beside ‘*Shared Housing*’ in the Permitted Uses column; and,
- The following footnote ‘(\*2)’ is added to the Footnote(s) for Table 10A  
“*Shared Housing* is permitted within any dwelling unit permitted in the zone.”.

**11.0 THAT** the Table of Contents of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by replacing the phrase ‘GROUP HOMES’ with ‘SHARED HOUSING’.

**12.0 THAT** the List of Tables of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting ‘TABLE 4C Group Homes’.

**13.0 THAT** Section 13 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended as follows:

- By deleting ‘Group Home Type 1 and Group Home Type 2’ in Section 13.1.1.48 i) h) and i) and replacing it with ‘Shared Housing’ and renumbering the section accordingly;
- By deleting ‘Group Home Type 1’ in Section 13.1.1.180 A. and replacing it with ‘Shared Housing’;
- By deleting ‘Group Home Type 1’ in Section 13.1.1.181 A. and replacing it with ‘Shared Housing’;
- By deleting ‘Group Home Type 1’ in Section 13.1.1.184 A. and replacing it with ‘Shared Housing’;
- By deleting ‘Group Home Type 1’ in Section 13.1.1.185 A. and replacing it with ‘Shared Housing’;
- By deleting ‘Group Home Type 1’ in Section 13.1.1.186 A. and replacing it with ‘Shared Housing’;
- By deleting ‘Group Home Type 1’ in Section 12.1.1.188 A. and replacing it with ‘Shared Housing’; and,
- By deleting ‘Group Home Type 1’ in Section 12.1.1.189 A. and replacing it with ‘Shared Housing’.

**14.0 THAT** if no appeal is filed pursuant to Section 34 (19) of the Planning Act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Land Use Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which **OPA XX** comes into effect. If the Land Use Planning Appeal Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as

amended, the part or parts so amended come into force upon the day of the Tribunal's Order is issued directing the amendment or amendments.

**PASSED** this XX day of XX, 2019.

DRAFT

# MEMO

KITCHENER  
WOODBIDGE  
LONDON  
KINGSTON  
BARRIE  
BURLINGTON

<b>To:</b>	<b>Jill Hogan and Megan Lovell</b>
<b>From:</b>	<b>Dana Anderson and Kelly Martel</b>
<b>Date:</b>	<b>January 28, 2019</b>
<b>File:</b>	██████████
<b>Subject:</b>	<b>Consultation Summary Update and Draft Modification and Amendment Documents- Town of Milton Supportive Housing Study</b>

In September of 2017, the Town of Milton retained MacNaughton Hermsen Britton Clarkson Planning (MHBC) and SHS Consulting (SHS) to undertake a review of the Town’s Official Plan and Zoning By-laws with respect to Group Homes to identify gaps in the framework and provide recommendations to improve the framework and ensure compliance with Provincial policies and legislation.

The first phase of this work involved background research, including:

- A review and analysis of legislative authority with respect to municipal regulation of inclusionary and supportive housing;
- A review and analysis of the Town’s current planning framework as it relates to supportive housing;
- A best practice review of how other municipalities have responded to Provincial changes related to supportive housing in their Official Plans and Zoning By-laws; and,
- Consultation activities with key stakeholders and members of the public, including group interviews, a public open house and an online survey.

The consultation activities held as part of the first phase of work occurred as follows:

- Key stakeholder meetings: October 17<sup>th</sup> and 18<sup>th</sup>, 2017;
- Online survey: October 19<sup>th</sup>- November 5<sup>th</sup>, 2017;
- Public open house: November 1, 2017;
- Meeting with Halton Region housing and policy staff: November 27, 2018; and,
- Technical Advisory Committee (TAC) meetings: ongoing throughout the study to receive input and feedback on the process from Town and Region staff (zoning, building, fire, community services, and policy planning).

A summary of the consultation approach and findings from the first phase was provided in a report in January 2018. The key findings of the Phase 1 engagement activities are provided below:

- Supportive housing should not have to meet requirements beyond those for all other dwellings;
- Supportive housing should be permitted in all areas where residential uses are permitted;
- Official Plan policies and Zoning By-law regulations should be updated to remove the requirements related to separation distances;
- The current definitions in the Official Plan and Zoning By-laws should be revised to allow for more flexibility;
- It may be beyond the Town's land use planning responsibility and expertise to license supportive housing, although some form of oversight should be required; and,
- There should be consistency across all Town and Regional planning documents related to supportive housing and consistent interpretation and application of these.

The Phase 1 Consultation Summary Report concluded by stating that the analysis of demographic data and consultation activities show that there is a need for supportive housing options in the Town of Milton and that current policies and regulations should be revised to allow more flexibility with regard to supportive housing. Additionally, the findings revealed a need to remove any policy or planning barriers related to supportive housing, including barriers to more innovative approaches to providing supportive housing.

Following the completion of the first phase of the work, a series of recommendations were brought forward to Council for endorsement on January 29, 2018. These recommendations are summarized, for reference, below:

1. Revise the current definitions in the Town's planning documents to reflect the range of supportive housing forms; provide more flexibility; and, address the Human Rights Code;
2. Update regulations in the Town's Zoning By-laws to reflect the range of supportive housing forms, provide more flexibility in terms of location permissions, including removing requirements for frontage on a Major Arterial Road, Arterial Road or Collector Road; and, remove 500 metre separation distance limitations;
3. Consider implementing a registration programme in place of the existing licensing system;
4. Improve communications between Town and Region staff regarding policy interpretation and where supportive housing is to be permitted;
5. Increase staff capacity/ knowledge around supportive housing and the Town's new framework;
6. Improve messaging to the public about supportive housing and educate Council, the public and group home operators about the framework, licensing process and the important role supportive housing serves in the community; and,
7. Review the policies, regulations, By-laws and process actions at regular intervals.

The recommendations were endorsed by Council at the meeting and, based on Council direction, the consulting team proceeded toward the second phase of the work to implement the recommendations through amendments to the Official Plan and Zoning By-laws.

As a first step in this process, modification documents were prepared to show where changes to the documents were proposed. These documents were released for public comment and an open house was held on June 20, 2018 to provide further opportunity for feedback on the proposed changes.

The proposed changes presented for public input and comment can be summarized as follows:

1. Introduce a new defined term (Shared Housing) to both the Official Plan and urban and rural Zoning By-laws, which will replace the following existing defined terms: 'Group Home Type 1', 'Group Home Type 2', 'Correctional Group Home' and 'Special Needs Housing'

*"SHARED HOUSING- means a living arrangement which is licensed, approved and/or regulated under a provincial and/or federal statute where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit within that dwelling unit and are supported and/or supervised within that unit.";*

2. Update policies and regulations in both the Official Plan and Zoning By-laws to permit Shared Housing in all residential areas in both the Urban and Rural Area, subject to compliance with applicable codes, regulations, and all other applicable land use policies;
3. Update policies and regulations in both the Official Plan and Zoning By-laws to remove the 500 metre separation distance requirement;
4. Update regulations in the Zoning By-laws to remove the requirements for frontage on a Major Arterial Road, Arterial Road or Collector Road;
5. Expand the types of dwellings in which Shared Housing is permitted to reflect the range of residential dwelling forms that exist throughout the Town, whereas existing policies and regulations limit the use to only single detached dwellings;
6. Harmonize regulations for Shared Housing across all zones such that a maximum of 10 persons, exclusive of staff, are permitted in all applicable zones, whereas the existing regulations have varying numeric caps associated with the use within each applicable zone;
7. Clarify that any form of Shared Housing in excess of 10 persons, exclusive of staff, is institutional and permitted within the Institutional designation only; and,
8. Make technical changes to table of contents and site specific policies and regulations to reflect the new framework.

Since the modification documents were released for public input, a number of comments have been received, which relate to:

- The proposed modifications; and,
- General process relative to approvals of the proposed new framework and its integration into the Town's New Official Plan (through Official Plan Amendment 31).

These comments have been used to inform the preparation of formal amendment documents to both the Official Plan and Urban and Rural Zoning By-laws. A summary of written and verbal comments received on the proposed modifications, with responses is included in this report as **Table 1** and **Table 2**.

**Table 1: Summary of Written Comments Received on Proposed Modifications**

Comment	Response/ Action
<p>With respect to the new definition of 'Shared Housing', what constitutes approval</p>	<p>Within the context of the proposed definition and the operation of the use, approval means that the operation has received the appropriate license/ approval by a provincial or federal government, in accordance with legislative requirements.</p> <p>Provincial and/or Federal governments have the responsibility of approving and licensing Shared Housing, with many ministries involved in this process as authorized under various pieces of legislation (e.g. the Child and Family Services Act, Ministry of Correctional Services Act, etc.) as well as other regulations, policies and standards. When an approved/ licensed operation is not meeting standards, the Provincial and/or Federal government body has the power to address and take action.</p> <p>The various Acts that would apply to a particular form of Shared Housing stipulate requirements for approval. For example, the Ministry of Children and Youth Services is authorized to approve group homes for youth, in accordance with the Child and Family Services Act. A prospective operator would be required to make the appropriate applications to that Ministry of Child and Youth Services for a license to operate the home which demonstrates that the proposed operation meets the Provincial requirements and the Ministry is authorized by law to issue such an approval if, upon review of the submitted application and associated materials, the Ministry has deemed the operation to meet the standards and requirements set out in the Act.</p> <p>In summary, approval in this context means that the appropriate Ministry authorized to grant a license to operate the home has issued the license and approved the operation.</p>
<p>Where are Greenlands A and B</p>	<p>Greenlands A and B are designations through the 2008 Milton Official Plan Consolidation that identify areas within the Urban Area where preservation of the natural area and features is essential (Greenlands A) and where it is identified natural areas and features are intended for protection (Greenlands B).They can be found on the Official Plan Consolidation Schedules.</p>



Comment	Response/ Action
	<p>This is outdated terminology and is in the process of being updated through the Milton’s conformity exercise (Official Plan Amendment 31) and updated to match Halton Region’s Natural Heritage System.</p>
<p>The proposed definition limits supportive housing to only those activities whose activities have been regulated by either the Federal or Provincial governments. This wording would automatically disqualify, to the detriment of the Code Identified groups such housing would service, including non-licensed or non-supervised homes for battered First Nations women, or non-supervised drug rehabs. It would limit supportive housing only to those activities whose activities have been regulated by either the Federal or Provincial governments.</p> <p>Ontario has a long history of concerned citizens, churches and various non-profits rendering aid to disadvantaged and disabled people, but the current proposed wording would exclude almost all of them. This, to us, is a clear Code violation as it would act to “subject the people who live in the housing to higher levels of scrutiny and expectations than do other forms of residential housing”</p> <p>The impact of this wording would be to exclude many types of supportive housing that are not currently regulated</p> <p>A municipality must comply with the Human Rights Code and if there is a conflict between the legislation and the Code, the Code must prevail</p>	<p>The <i>Municipal Act</i> defines and describes group homes 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”.</p> <p>Through our background research undertaken in the first phase of this study, the project team reviewed a report prepared for the City of Toronto by Sandeep Argawal, titled “Opinion on the Provisions of Group Homes in the City-wide Zoning By-Law for the City of Toronto”, which mentions that the individual definitions across Ontario Municipalities are generally similar, with some encapsulating various types of homes (e.g. foster home, home for the elderly, crisis care facility, emergency shelter, etc.) while others do not expressly encapsulate these forms of homes.</p> <p>The proposed definition for Shared Housing is in alignment with the definition for Group Home included within the Municipal Act and aligns with many of those definitions of other municipalities reviewed.</p> <p>The definition of Shared Housing proposed for the Town of Milton is intended to encapsulate all types of homes that would be permitted, by either a federal or provincial license or funding under a federal or provincial statute, without referring to the specific Acts under which they would be permitted. The purpose in having an all-encompassing definition is to ensure that, should Provincial and/or Federal Acts be repealed or renamed, amendments to the definition in the Town’s planning documents would not be required to update references to a specific Act.</p>

Comment	Response/ Action
	<p>As noted in the background report, a comparative analysis of many other Ontario Municipalities revealed that the requirement for approval/ licensing under a Federal or Provincial statute was nearly ubiquitous across all municipalities (Toronto, Burlington, Sarnia, Hamilton, London, and Waterloo) save and except for the City of Cambridge.</p> <p>Through stakeholder consultation undertaken through the first phase of the study, feedback received from the public and most stakeholders identified that a level of oversight should be maintained in any revisions to the framework to ensure facilities are operating in accordance with Federally and/or Provincially approved standards.</p> <p>Under the new framework, any such facility would still require approval and a license under a statute.</p> <p>In the case of a crisis care facility or women’s shelter, whether or not it were exclusively for the use of First Nations women or other cultural or religious affiliation, regardless of the women, the operation would be required to obtain the appropriate federal or provincial approval as they do now.</p>
<p>Arbitrary cap of 10 residents. 10 residents in an 1,800 square foot 3 bedroom home are apparently permitted, even though seriously overcrowded, but 12 residents in a 15,000 square foot ten bedroom home are not. Why is that?</p> <p>“In the Zone” notes that arbitrary caps that discriminate are contrary to the Code and have been defeated in the courts. If the large, 10 bedroom, house is legally permitted to be occupied by a large family, or an extended family, then it would be discriminatory to restrict the number of residents just because they shared a disability of some sort and were not related to other. This appears to us to be systemic discrimination.</p>	<p>The cap of ten persons has been applied as a result of findings from background research and in response to feedback received throughout the consultation process related to scale of the operation.</p> <p>Traditionally, the Municipal Act has provided direction with respect to scale of the operation, identifying that three to ten persons living as a single housekeeping unit constitutes a group home. The proposed definition of Shared Housing implements this ten person cap identified in the Municipal Act</p> <p>In introducing a numeric cap on the number of residents, the Agarwal study points out that the purpose of Group Homes, historically, has been to ensure a community living environment (vs institutional environment) which would provide a more home-like setting for residents. Additionally, feedback received from stakeholders and members of the public through the</p>

Comment	Response/ Action
	<p>consultation period during the first phase of the study echoed this, as many people identified that any more than ten persons within a housekeeping unit would lose the “family unit” feel. The proposed definition of Shared Housing has applied a ten person cap to ensure that the scale of the use remains a “home-like” community living environment versus institutional, which is consistent with both previous research and findings conducted in other municipalities as well as consistent with the feedback received through the first phase of the study.</p> <p>Ultimately, the intent and purpose of Shared Housing is to provide an opportunity for people to live as a single housekeeping unit while receiving supports and/or supervision within that unit. The ten person cap ensures that the scale of the use maintains a “single housekeeping unit” function.</p>
<p>We have only 2800 drug rehab beds to attempt to service the over 1.2 million addicted persons in Ontario. Of the 2800 beds available, only facilities offering 1760 of them receive any sort of funding at all, and of these, there are only some 400 beds funded by the government. The government funded beds all have waiting lists ranging from 2-6 months, and addicts are admitted to Emergency departments every day, many of whom do not survive.</p> <p>The vast majority of Drug Rehab in the province is not government funded, and many addicts die each year awaiting an opening. The current bylaw wording would exclude non-government funded facilities, and with the decision of the Health Department and the LHINs to not fund additional facilities, the bylaw effectively bans unfunded Drug Rehabs from providing much needed services.</p> <p>The proposed bylaw would prohibit facilities which were not " licensed, approved and/or regulated under a provincial and/or federal statute", and would pose an impossible condition on any Drug Rehab not already funded and supervised by an existing service agreement as new facilities are not being funded, regardless of need. There is no statute under which Drug rehabs can be licensed, approved and/or regulated under any provincial and/or</p>	<p>The recommended definition is consistent and conforms with the broader definition provided in the Municipal Act; is consistent with the recommended definition provided for the City of Toronto in the Agarwal study; and, is consistent with definitions and standards applied in many municipalities which were reviewed as part of the background research and analysis component of the study.</p> <p>Of all municipalities reviewed as part of this study, all included Federal/ Provincial approval, save and except for Cambridge.</p> <p>With respect to the City of Toronto Study, the report recommended the City adopt the following definition(s):</p> <p><b>Group Home</b> means premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit.</p> <p><b>Residential Care Home</b> Means supervised living accommodation that may include associated support services, and is:</p>

Comment	Response/ Action
<p>federal statute.</p> <p>This is already the subject of a Human Rights Tribunal Case involving us and the Town of Milton, with the Mediator appointed, and the hearing scheduled for August 8th so these points can be decided then, but I wish to understand the Town's reasoning on these points and why it has chosen to take such an exclusionary position.</p>	<ul style="list-style-type: none"> <li>i. Licensed or funded under Province of Ontario or Government of Canada legislation;</li> <li>ii. Meant for semi-independent or group living arrangements; and</li> <li>iii. For more than ten persons, exclusive of staff.</li> </ul> <p>Both definitions proposed included reference to Provincial or Federal licensing and/or funding. In recommending these definitions, the Study notes that the Province of Ontario has a legislative responsibility for Group Homes as well as the major responsibility for funding them and that the logical authority to license or approve group homes should rest with the Province.</p> <p>Based on the feedback received through the consultation period, maintaining Provincial and/or Federal oversight for licensing and approving Shared Housing was identified as important and many participants in the consultation sessions and online survey identified that this element should be maintained in any new framework.</p> <p>As a result of the literature review, best practice review and consultation, the recommendation is to maintain Provincial and/or Federal oversight in the new framework and this is reflected in the definition for Shared Housing.</p> <p>Ministry approved and/or operated drug rehabilitation facilities are permitted to operate in the Town.</p>
<p>Proposed definition includes impossible to meet conditions that would act to exclude urgently needed supportive housing projects, where it requires licensing and approvals even where no such licensing or approvals exist or are possible, as opposed to requiring such only where required by appropriate authorities.</p> <p>This is in contrast to the wording of the Cambridge Official Plan ("Every group home referred to in Policy 8.1.5.5 shall be approved and licensed where required by the Province (or other appropriate</p>	<p>Based on the feedback received through the consultation period, maintaining Provincial and/or Federal oversight for licensing and approving Shared Housing was identified as important and many participants in the consultation sessions and online survey identified that this element should be maintained in any new framework.</p> <p>As a result of the literature review, best practice review and consultation, the recommendation is to maintain Provincial and/or Federal oversight in the new framework and this is reflected in the definition for Shared Housing.</p>

Comment	Response/ Action
<p>approval authorities) and shall be registered with the registrar of group homes designated by Council, and such registration shall be renewed annually.”)</p> <p>A slight amendment in the wording, to eliminate the 'catch 22' and the Human Rights Discrimination against Code identified groups, could be as simple as amending the definition to: Section 3 Definitions</p> <p>SHARED HOUSING Means a living arrangement which is licensed, approved and/or regulated under a provincial and/or federal statute (insert- where required by the Province or other appropriate approval authorities), where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit and are supported and/or supervised within that unit.</p> <p>This slight change of wording would act to eliminate impossible to meet conditions for non-existent requirements, and systemic discriminatory practises from the proposed bylaw.</p>	<p>Ministry approved and/or operated drug rehabilitation facilities are permitted to operate in the Town.</p>
<p>My greatest concern is in regards to the definition of Shared Housing. I understand and agree with the words "licensed" and "regulated". I do not understand with the word "approved". I would think that if something is licensed and regulated therefore it must be approved. Approved can mean a lot of things and could open a can of worms and also act as a loop hole. This word should be clearly defined or eliminated.</p>	<p>Receipt of a licence from the Provincial and/or Federal government, in accordance with a general or specific Act, would constitute approval. Approval, in this instance, means that the operator has received the required license from the appropriate Ministry to operate Shared Housing.</p> <p>In our review of other municipalities’ definitions, all municipalities include this language. This is also the language that was recommended by the City of Toronto Study. Additionally, it is consistent with the definition provided in the Municipal Act. We do not believe that including this language would result in any loop holes.</p>
<p>The word "funding" was used as an example of approval during the meeting. The questions then arise as to what kind of funding, how much funding, dollar wise or percentage wise would constitute approval. Is there a difference between "funding" and a "grant". For example, if I received a government grant of \$2,000 to be used for a</p>	<p>Approval constitutes the receipt of the appropriate license or permission to operate the establishment by the appropriate government body, in accordance with a general or specific Act (e.g. a youth home would need to apply for and receive approval from the Ministry of Children Community and Social Services, in accordance with the Child, Youth and Family Services Act).</p>

Comment	Response/ Action
<p>Canada Day celebration for the clients would that constitute approval. Would a \$5,000 grant to hire staff constitute approval? Would this constitute funding? I think anyone wanting to gain approval could easily find a way around the concept since it is very "loosey goosey"</p>	<p>Approval means that the operation has met the Provincial and/or Federal requirements.</p> <p>The proposed definition does not include 'funding' as part of the definition. While many shared housing operators receive government funding for the operation, receipt of funding in itself would not constitute approval.</p>
<p>Can you or your consultants tell me what the Ministry of Health defines "approval" as? I was unable to find any info on the website nor do I know who to speak to for a clear and concise definition. Can you please provide the answer or point me in the right direction?</p>	<p>"Approval", in itself, is not a defined term. Approval is an action. It means that the appropriate Ministry has reviewed an application to operate Shared Housing and has approved the application and issued a license to operate.</p> <p>The Ministry of Health and Long- Term Care is the authority for granting a license to operate a Home for Special Care, in accordance with the Homes for Special Care Act. The Act allows the Minister to license homes for special care and may renew or cancel the licenses on such terms and conditions as the regulations prescribe.</p> <p>An Application for Home For Special Care License and Agreement must be filled out, completed correctly and submitted to the Ministry of Health and Long-Term Care for approval. Renewal of the License is required on an annual basis.</p> <p>Copies of the applicable application forms for the Homes for Special Care program, as administered by the Ministry of Health and Long-Term Care, can be found at the following link:  <a href="http://www.health.gov.on.ca/en/public/forms/special_fm.aspx">http://www.health.gov.on.ca/en/public/forms/special_fm.aspx</a></p>
<p>We support the Shared Housing definition. Shared housing supports vulnerable people in our society. It is therefore imperative that strict controls are in place to protect such vulnerable citizens. This is accomplished through this definition. We strongly suggest that exceptions to the definition not be permitted. Exceptions could allow organizations/ businesses to argue non-conforming private interests.</p>	<p>No action required as a result of this comment.</p>

**Table 2: Summary of Verbal Comments Received at June 20, 2018 Public Open House**

Comment	Response/ Action
<p>What does licensed/ approved mean? Under what statute?</p>	<p>“Approval”, in itself, is not a defined term. Approval is an action. It means that the appropriate Ministry has reviewed an application to operate Shared Housing, in accordance with the Act under which it is granted approval authority, and following review, has approved the application and issued a license to operate.</p> <p>There are many Ministries and Acts which grant approvals. Examples include the Ministry of Health and Long-Term Care, under the Homes for Special Care Act; and, the Ministry of Children, Community and Social Services, under the Child and Family Services Act). While the Town’s current definition lists the specific Ministries and Acts under which approval is granted, these have been removed from the new definition in order to account for the fluidity of Provincial and Federal Governments and Acts under which approval may be granted so as to not have to amend the definition whenever other government bodies change names to Ministries or Acts.</p>
<p>The definitions and provisions do not look much different from what is currently in place. Could you explain the changes?</p>	<p>The definition has been revised to encapsulate varying forms of Group Homes, which exist today in the Town’s planning and regulatory framework, into one all-encompassing definition (e.g. Group Home Type 1, Group Home Type 2 and Correctional Group Home are treated the same). This definition also standardizes the number of residents, capping it at ten for all forms of shared housing, whereas previous definitions and implementing regulations included a variety of number caps. Reference to Ministries and Acts under which approval is granted has been removed, in recognition of the fluidity of Provincial and Federal government Acts under which approval may be granted so as to not have to amend the Town’s definition whenever other government bodies’ change names to Ministries or Acts. Finally, the reference to single detached dwelling has been removed, to reflect the range of housing forms in which Shared Housing can exist so as to provide flexibility in location and not to limit the use to single detached dwellings.</p>
<p>What does supervised/ supported within that unit mean?</p>	<p>Supervised and/or supported within that unit means that the residents within the Shared Housing unit are receiving supervision and support consistent with their specific needs and requirements and in compliance with the approved Provincial Statute and municipal by-laws.</p>

<p>Where does a hospice fit?</p>	<p>A hospice would be permitted as Shared Housing, if it meets that definition (e.g. up to 10 persons, exclusive of staff and the appropriate license/ approval has been received from the Ministry of Health, the Local Health Integration Network, etc., as appropriate). If the hospice has more than 10 persons, exclusive of staff, then the use would be considered institutional and would be permitted only within the institutional areas of the Town, in accordance with the applicable zone standards.</p>
<p>Gaining approvals for private drug rehabilitation centres isn't possible because it is not provincially regulated. The Ministry of Health won't approve drug rehabilitation operations. How would a drug rehabilitation centre operate? Are the policies and regulations being exclusive? Cambridge uses 'where such regulations exist'. Is it possible to use that language in Milton's definition?</p>	<p>The Town's language and proposed definition is consistent with the Municipal Act, and other municipalities reviewed in the first phase of the study.</p> <p>Based on the feedback received through the consultation period, maintaining Provincial and/or Federal oversight for licensing and approving Shared Housing was identified as important and many participants in the consultation sessions and online survey identified that this element should be maintained in any new framework.</p> <p>As a result of the literature review, best practice review and consultation, the recommendation is to maintain Provincial and/or Federal oversight in the new framework and this is reflected in the definition for Shared Housing.</p> <p>Ministry approved and/or operated drug rehabilitation facilities are permitted to operate in the Town.</p>
<p>There is an accreditation program called CARF that could work in place of provincial regulations where they do not exist. There should be a provision to allow for it to be accepted in the absence of government regulations</p>	<p>The proposed definition requires approval from the Provincial and/or Federal government. If there is no Ministry or Act under which authority to approve a particular form of Shared Housing is granted, such an operation would be required to undergo a process to assess the oversight or amend the definition (Official Plan Amendment).</p>
<p>With respect to the definition, the purpose of it is to maintain control. If there are too many "loopholes", there is no point of having a definition or regulations at all</p>	<p>Noted. The proposed definition has not been altered as a result of comments received.</p>
<p>Do you anticipate any changes as a result of potential changes in the government?</p>	<p>Any changes instituted at the Provincial level, as a result of the new Provincial government, would need to be implemented at the local level, as necessary.</p>
<p>Has the Town reviewed the In the Zone document in the context of</p>	<p>"In the Zone" has been reviewed as part of the background research</p>



this study?	conducted in the first phase of the study.
What is the purpose of the 10 person cap?	<p>The cap of ten persons has been applied as a result of findings from background research and in response to feedback received throughout the consultation process related to scale of the operation.</p> <p>Traditionally, the Municipal Act has provided direction with respect to scale of the operation, identifying that three to ten persons living as a single housekeeping unit constitutes a group home. The proposed definition of Shared Housing implements this ten person cap identified in the Municipal Act.</p> <p>In introducing a numeric cap on the number of residents, the City of Toronto Study points out that the purpose of Group Homes, historically, has been to ensure a community living environment (vs institutional environment) would provide a more home-like setting for residents. Additionally, feedback received from stakeholders and members of the public through the consultation period during the first phase of the study revealed that many people identified that any more than ten persons within a housekeeping unit would lose the “family unit” feel. The proposed definition of Shared Housing has applied a ten person cap to ensure that the scale of the use remains a “home-like” community living environment versus institutional, which is consistent with both previous research and findings conducted in other municipalities as well as consistent with the feedback received through the first phase of the study.</p> <p>Ultimately, the intent and purpose of Shared Housing is to provide an opportunity for people to live as a single housekeeping unit while receiving supports and/or supervision within that unit. The ten person cap ensures that the scale of the use maintains a “single housekeeping unit” function.</p>
If there are more than 10 persons, what would the use be considered as?	The use would be an institutional use and would be permitted to locate within institutional designations in the Town, in accordance with the applicable Zone regulations for the use and location.
Is 10 persons a reasonable and appropriate standard?	The cap of ten persons has been applied as a result of findings from background research and in response to feedback received throughout the consultation process related to scale of the operation.

	<p>Traditionally, the Municipal Act has provided direction with respect to scale of the operation, identifying that three to ten persons living as a single housekeeping unit constitutes a group home. The proposed definition of Shared Housing implements this ten person cap identified in the Municipal Act</p> <p>In introducing a numeric cap on the number of residents, the Agarwal study points out that the purpose of Group Homes, historically, has been to ensure a community living environment (vs institutional environment) would provide a more home-like setting for residents. Additionally, feedback received from stakeholders and members of the public through the consultation period during the first phase of the study revealed that many people identified that any more than ten persons within a housekeeping unit would lose the “family unit” feel. The proposed definition of Shared Housing has applied a ten person cap to ensure that the scale of the use remains a “home-like” community living environment versus institutional, which is consistent with both previous research and findings conducted in other municipalities as well as consistent with the feedback received through the first phase of the study.</p> <p>Ultimately, the intent and purpose of Shared Housing is to provide an opportunity for people to live as a single housekeeping unit while receiving supports and/or supervision within that unit. The ten person cap ensures that the scale of the use maintains a “single housekeeping unit” function.</p>
<p>The Human Rights Code doesn’t allow for discrimination. Municipal Councils are not exempt from the Code and it must prevail. Code protected groups should not be subject to higher levels of scrutiny</p>	<p>Noted.</p>