

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 31-2001

A By-law to provide for the registration of Group Homes and Correctional Group Homes.

File: 501-01-1.58 (CD-32-01-1)

WHEREAS section 240 of the *Municipal Act*, R.S.O. 1990 c.M. 45, as amended, provides for the registration and renewal of registration of Group Homes;

AND WHEREAS it is desirable that Group Homes and Correctional Group Homes should be registered;

AND WHEREAS the Council of the Corporation of the City of Burlington, conducted a Group Homes Review of the 10 year old Registration and Zoning By-laws, in the year 2000;

AND WHEREAS it has been determined that Group Homes are compatible a land use;

AND WHEREAS as part of the Group Homes Review a literature review was undertaken revealing that there is no evidence that Group Homes have an impact on neighbouring property values;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. Definitions in this By-law:

- (a) “Group Home” A single housekeeping unit supervised by staff on a daily basis which provides special care and treatment to persons for physical or mental deficiency, physical handicap or other such cause. A Group Home shall be funded, licensed, approved, or supervised by the Province of Ontario under a general or specific Act, for the accommodation of not less than 3 and not more than 8 residents, exclusive of staff. Where a Group Home is located outside the Urban Improvement Area boundary, the maximum number of residents permitted, exclusive of staff is 10. A Group Home may contain an office provided that the office is used only for the administration of the Group Home in which it is located.
- (b) “Correctional Group Home” A single housekeeping unit supervised by staff on a daily basis for persons who have been placed on probation, released on parole or admitted for correctional purposes. A Correctional Group Home shall be funded, licensed, approved or supervised by the Province of Ontario, for the accommodation of not less than 3 and not more than 8 residents, exclusive of staff. Where a Correctional Group Home is located outside the Urban Improvement Area boundary, the maximum number of residents permitted, exclusive of staff is 10.

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A Correctional Group Home may contain an office, provided that the office is used only for the operation of the Correctional Group Home in which it is located. A Correctional Group Home shall not include any detention or correctional facility operated or supervised by Corrections Canada or any other Federal Government agency or by any organization on behalf of the Federal Government.

- (c) "Registrar" means the Clerk of The Corporation of the City of Burlington.
  - (d) "Service Provider" means an owner and/or operator of a Group Home or Correctional Group Home as approved, licensed and/or funded by a Ministry or Government Agency.
- 2.
- (a) No person shall own and/or operate a Group Home or Correctional Group Home in the City of Burlington unless such Group Home or Correctional Group Home has been registered with the Registrar of Group Homes.
  - (b) A Group Home or Correctional Group Home already in existence on the date of passage of this By-law shall be deemed to have been registered in accordance with this section.
  - (c) Every person required to register a Group Home or Correctional Group Home shall file an application with the Registrar on the form provided by the Registrar and shall provide the following:
    - (i) Written notification from the approving Ministry or Government Agency that it has issued a licence to, granted approval for funding, or entered into an agreement with respect to the Group Home or Correctional Group Home.
    - (ii) The contact names and telephone numbers of Ministry or Government Agency staff who will be overseeing the Group Home or Correctional Group Home program.
    - (iii) The name and type of program and the number of occupants.
    - (iv) The name, address and telephone number of the Owner and/or Service Provider of the Group Home or Correctional Group Home.
  - (d) Every person making an application to register a Group Home or Correctional Group Home to the Registrar, shall pay a fee of \$200.00 (two hundred dollars) at the time the application is made, payable to The Corporation of the City of Burlington.

- (e) The Registrar shall not register the Group Home or Correctional Group Home until receiving written confirmation from the Building Department that the site conforms to the zoning by-law.
  - (f) Where a Group Home or Correctional Group Home ceases to operate for a period of 90 days or more, the registration of that Home under this by-law is deemed to be revoked and any new Group Home or Correctional Group Home at the same location shall be required to register in accordance with the provisions of this by-law.
3. (1) The Registrar shall not register the Group Home or Correctional Group Home until a neighbourhood information meeting has been held by the Owner and/or Service Provider. Such meeting must satisfy the following requirements:
- (a) The meeting shall be scheduled by the Registrar in consultation with the Service Provider, the Director of Planning and the Ward Councillor in which the Group Home or Correctional Group Home will be located.
  - (b) Notice of the meeting shall be given by the Registrar, by regular postage paid mail, at least two weeks prior to the meeting.
  - (c) The Service Provider will provide the Registrar with a sufficient supply of its envelopes and letterhead to allow the Registrar to mail on the letterhead provided, in a form approved by the Registrar, the notice referred to in paragraph (b), to all property owners and/or tenants within 120 metres of the proposed Group Home or Correctional Group Home. The Registrar will prepare the list of property owners and tenants to whom the notice is to be mailed.
  - (d) The Registrar, Director of Planning and the Ward Councillor, or designates, shall attend the neighbourhood information meeting.
  - (e) The Registrar shall keep a record of the meeting, and which record shall include the approximate number of attendees from the public and expressions of interest.
- (2) The Registrar shall encourage the Service Provider to hold the neighbourhood information meeting on site at the location of the Group Home or Correctional Group Home subject to a written confirmation from the Fire Department that the building can be occupied for purposes of the meeting.
- (3) The Registrar shall encourage the Service Provider to host an on-site informal, neighbourhood open house for the Group Home or Correctional Group Home at least four (4) weeks following occupancy.

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4.
  - (a) The Registrar shall by regular postage paid mail, send out a confirmation of registration notice to the Owner and/or Service Provider of the Group Home or Correctional Group Home within 15 days following the date of the meeting, subject to the Registrar receiving a copy of the final site inspection by the Fire Department advising that all Fire Code regulations and safety standards have been satisfied.
  - (b) The registration of a Group Home or Correctional Group Home shall be valid to December 31<sup>st</sup> of the year in which the registration occurs, and the registration must be renewed on an annual basis thereafter. No home may be operated unless it is renewed.
5.
  - (a) The Registrar, shall by regular postage paid mail, send a registration renewal form to each Owner and/or Service Provider of a Group Home or Correctional Group Home at least 30 days prior to December 31<sup>st</sup> of the registration renewal year.
  - (b) A Group Home or Correctional Group Home registration shall be renewed by filing a renewal application with the Registrar on the form provided by the Registrar and shall include the following information:
    - (i) Written documentation from the Group Home or Correctional Group Home operator that the Group Home continues to be operated as approved and that the sponsoring Ministry or Government Agency has renewed the licence or approval.
    - (ii) The cost of renewal is \$30.00 (Thirty Dollars) which must be submitted to the Registrar with the renewal application.
    - (iii) The Registrar, upon receiving the completed renewal application and fee, shall renew the registration of the Group Home or Correctional Group Home for a further term of one year effective January 1<sup>st</sup>.
    - (iv) The Registrar, shall by regular postage paid mail, send a confirmation of registration renewal to the Owner and/or Service Provider of the Group Home or Correctional Group Home within 15 days from the date of receipt of the completed renewal application and fee.
6. Every person who contravenes sections 2, 3, 4 or 5 of this By-law shall be guilty of an offence, and liable upon conviction to a fine under the Provincial Offences Act.

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7. This By-law is in full force and effect on the date that Zoning By-law 2020.77 and By-law 26-2001 are in full force and effect, and that Registration By-law 132-1990 be repealed once By-laws 2020-77 and 26-2001 are in full force and effect.

ENACTED AND PASSED this 22<sup>nd</sup> day of May, 2001.

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Robert S. MacIsaac

MAYOR

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John Bolognone

ACTING DEPUTY CITY CLERK