



REPEALED BY BY-LAW 115-97

Repeal Rescinded by By-law 179-98

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 234-93

To amend By-law 200-82
(former Town of Brampton
Comprehensive Zoning By-law)

The Council of the Corporation of the City of Brampton
ENACTS as follows:

1. By-law 200-82, as amended, is hereby further amended:
 - (1) by deleting from section 5.0 (Definitions) thereto, the definition of "GROUP HOME" and substituting therefor the following:

"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 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:

- o the mentally retarded pursuant to the Homes for Retarded Persons Act, or the Development Services Act;
- o individuals over 60 years of age as a satellite residence under the Homes for the Aged and Rest Homes Act;
- o children under the Child and Family Services Act;
- o persons under the Mental Hospitals Act and Homes for Special Care Act; and

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.

"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 family detached dwelling or a dwelling unit within a commercial building which shall be maintained and operated primarily for:

- o persons who have been placed on probation under the provisions of the Probation Act, the Criminal Code of Canada, or any Act passed to replace the foregoing Acts;
- o persons who have been released on parole under the provisions of the Ministry of Correctional Services Act, or Parole Board of Canada or any Act passed to replace the foregoing Acts;
- o persons who have been charged under the Young Offenders Act but who have been placed in open or secure custody;
- o persons who require temporary care, and transient or homeless persons;
- o persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or,
- o 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."

- (2) by deleting from Section 5.0 (Definitions) thereto, the definition of "AUXILIARY GROUP HOME" and substituting therefor the following:

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:

- o Group Home Type 1
- o Group Home Type 2
- o Supportive Lodging House
- o Foster Home "

- (3) by adding to Section 5.0 (Definitions) thereto, the definition:

Foster Home shall mean a place where parent-model care is provided for no more than four children under the supervision of a licensee through a foster care service agreement as defined in the Child and Family Services Act."

- (4) by deleting from section 5.0 (Definitions) thereto, the definition of "LODGING HOUSE", and substituting therefor the following:

Lodging House shall mean a single detached dwelling in which residential accommodation is provided, or is intended to be provided for hire or gain, in which each lodger does not have access to all of the habitable areas of the building and consists of more than three (3) lodging units; or a single detached dwelling in which lodging is provided for more than three (3) persons with or without meals."

- (5) by adding to section 5.0 (Definitions) thereto, the following:

Lodging Unit shall mean a room with sleeping facilities supplied to a lodger or lodgers for

hire or gain for the use of such person(s)."

- (6) by adding to section 5.0 (Definitions) thereto, the following definition:

"Lodger shall mean any person who pays rent, fees or other valuable consideration to a lodging house keeper for living accommodation in which kitchen or washroom facilities are shared with other persons."

- (7) by deleting from section 5.0 (Definitions) thereto, the definition of "Residential Care Facility", and substituting therefor the following:

"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 a foster home as defined in the Child and Family Services Act or successor legislation."

- (8) by deleting from section 5.0 (Definitions) thereto, the definition of "Rest Home", and substituting therefor the following:

"Supportive Lodging House shall mean a supportive housing facility located within a single detached dwelling which accommodates no less than three (3) and no more than six (6) lodgers exclusive of staff and is subject to one or more of the following conditions:

- o the operator or employees of the supportive lodging house are effectively paid to give guidance and assistance in the activities of daily living;
- o the operator makes it known to the public or to persons such as hospital discharge planners, that care to residents is provided by the operator; and/or
- o care is regularly provided to residents by

the operator or an adult person employed by the operator to furnish guidance and assistance to the lodgers in the activities of daily living.

A supportive lodging house shall not include a lodging house, a group home type 1, a group home type 2, a foster home, an auxiliary group home or a supportive housing facility."

- (9) by deleting from section 5.0 (Definitions) thereto, (d), (e) and (f) of the definition for "Retirement Home", and substituting therefor the following:

"(d) a supportive housing facility;

(e) a supportive lodging house; or

(f) a lodging house."

- (10) by deleting therefrom section 10.14 in its entirety and substituting therefor the following:

"10.14 Provisions for Group Homes and Supportive Lodging Houses

Group Homes and Supportive Lodging Houses shall be subject to the following requirements and restrictions:

(i) A supportive lodging house shall be located in a single family detached dwelling;

(ii) A group home type 1 or auxiliary group home shall be located in any dwelling unit type;

(iii) The supportive lodging house shall occupy the whole of the single detached dwelling;

(iv) A group home type 2 shall be located within a single detached dwelling or a dwelling unit within a mixed use development;

- (v) A minimum separation distance of 305 metres shall be maintained between a group home type 1 use, any other group home type 1, or a supportive lodging house;
- (vi) A minimum separation distance of 450 metres shall be maintained between a group home type 2 and another group home type 2, a supportive lodging house and a group home type 1;
- (vii) A minimum separation distance of 610 metres shall be maintained between a supportive housing facility or a group home type 1, or a group home type 2 or a supportive lodging house or another supportive housing facility;
- (viii) Group homes shall be subject to compliance with the Group Home Registration By-law;
- (ix) Supportive lodging houses shall be subject to the Lodging House Licensing By-law; and
- (x) The maximum number of group homes and supportive lodging houses combined, permitted in each area 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.

Column 1 Area Number	Column 2 Maximum Number of Group Homes and Supportive Lodging Houses
5	3
6	3
7	2
8	5
9	5
15	3
16	5
17	5
18	1

(11) by adding thereto the following section:

"10.16 Provisions for Lodging Houses

Lodging houses shall be subject to the following requirements and restrictions:

- (i) A lodging house shall be located in a single detached dwelling;
- (ii) The lodging house shall occupy the whole of the single detached dwelling;
- (iii) A minimum separation distance of 305 metres shall be maintained between a lodging house, and any other lodging house; and
- (iv) A lodging house and a supportive lodging house shall comply with the requirements of the Lodging House Licensing By-law."

(12) by deleting therefrom reference to the term "group home" in sections 11.1.1(a)(2), 11.2.1 (a)(2), 11.3.1 (a)(2), 11.4.1 (a)(2), 12.1.1 (a)(4), 12.2.1. (a)(8), 12.3..1 (a)(3), 15.1.1 (a)(2), and 16.1.1 (h) thereto, and substituting therefor the term "group home type 1".

(13) by adding sections 11.1.1 (a)(4), 11.2.1 (a)(4), 11.3.1 (a)(4), 11.4.1 (a)(4), 12.1.1 (a)(6), 12.2.1 (a)(10), 12.3.1 (a)(5), 15.1.1 (a)(4), and 16.1.1 (k) thereto, containing the following wording: "supportive lodging house subject to the requirements and restrictions set out in section 10.14."

(14) by adding to Section 14.1.1(a) thereto, the following:

"(4) a group home type 2 subject to the requirements and restrictions set out in section 10.14.

(5) a lodging house subject to the requirements and restrictions set out in section 10.16."

- (15) by adding to Section 14.2.1.(a), thereto, the following:

"(3) a group home type 2 subject to the requirements and restrictions set out in section 10.14.

(4) a lodging house subject to the requirements and restrictions set out in section 10.16."

- (16) by deleting the words "group home" in section 16.1.1(1) and substituting therefor "group home type 1 and group home type 2."

- (17) by adding to section 16.1.1(1) thereto the following:

"(1) a lodging house subject to the requirements and restrictions set out in section 10.16."

- (18) by adding to sections 13.1.1 (a), 13.2.1 (a) and 14.2.1 (a) thereto the following:

"(3) a group home type 1 subject to the requirements and restrictions set out in section 10.14."

- (19) by adding to sections 14.1.1 (a) thereto the following:

"(4) a group home type 1 subject to the requirements and restrictions set out in section 10.14."

- (20) by deleting therefrom section 20.8 in its entirety and substituting therefor the following:

"20.8 Provisions for Group Home Type 2 or Supportive Housing Facility

A Group Home Type 2 or Supportive Housing Facility shall be subject to the following restrictions:

- (i) A group home type 2 shall be located in a single detached dwelling or a dwelling unit within a mixed use development;

- (ii) The group home type 2 shall occupy the whole of the dwelling;
- (iii) A minimum separation distance of 450 metres shall be maintained between a group home type 2 and any other group home type 2 or a supportive lodging house, or a group home type 1;
- (iv) 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 a supportive lodging house, or another supportive housing facility; and
- (v) Group home type 2 shall be subject to compliance with the Group Home Registration By-law."

(21) by adding thereto the following new section:

"20.9 Provisions for Lodging Houses

Lodging Houses shall be subject to the following requirements and restrictions:

- (i) A lodging house shall be located in a single detached dwelling;
- (ii) The lodging house shall occupy the whole of the single detached dwelling;
- (iii) A minimum separation distance of 305 meters shall be maintained between a lodging house and any other lodging house; and
- (v) A lodging house and a supportive lodging house shall comply with the requirements of the Lodging House Licensing By-law."

(21) by adding to section 21.1.1(c) thereto the following:

"(3) a group home type 2 subject to the requirements and restrictions set out in section 20.8."

(22) by adding to section 22.1.1(c) thereto the following:

"(2) a group home type 2 subject to the requirements and restrictions set out in section 20.8.

(3) a lodging house subject to the requirements and restrictions set out in section 20.9."

(23) by deleting therefrom section 23.1.1(b)(3) and substituting therefor the following:

"23.1.1(b)(3) a group home type 2, subject to the requirements and restrictions set out in section 20.8."

(24) by adding to section 23.1.1(b) thereto the following:

"(4) a lodging house, subject to the requirements and restrictions set out in section 20.9."

(25) by deleting therefrom section 24.1.1(b)(1) and substituting therefor the following:

"24.1.1(b)(1) a group home type 2, subject to the requirements and restrictions set out in section 20.8."

(26) by adding to section 24.1.1(b) thereto the following:

"(2) a lodging house, subject to the requirements and restrictions set out in section 20.9."

(27) by adding to section 40.1.1(a) thereto the following:

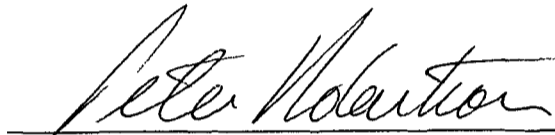
"(4) a group home type 1 or a group home type

2 subject to the requirements and restrictions set out in section 10.14."

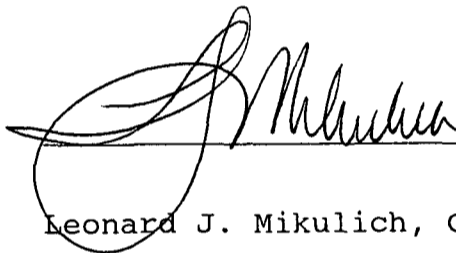
(28) by deleting therefrom section 40.2.1(c)(2) and substituting therefor the following:

"40.2.1(c)(2) a group home type 1 or group home type 2 subject to the requirements and restrictions as set out in section 10.14 of this by-law."

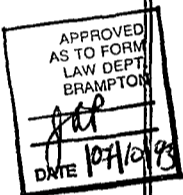
READ a FIRST, SECOND and THIRD TIME and PASSED IN OPEN COUNCIL, this 13th day of October, 19 93.

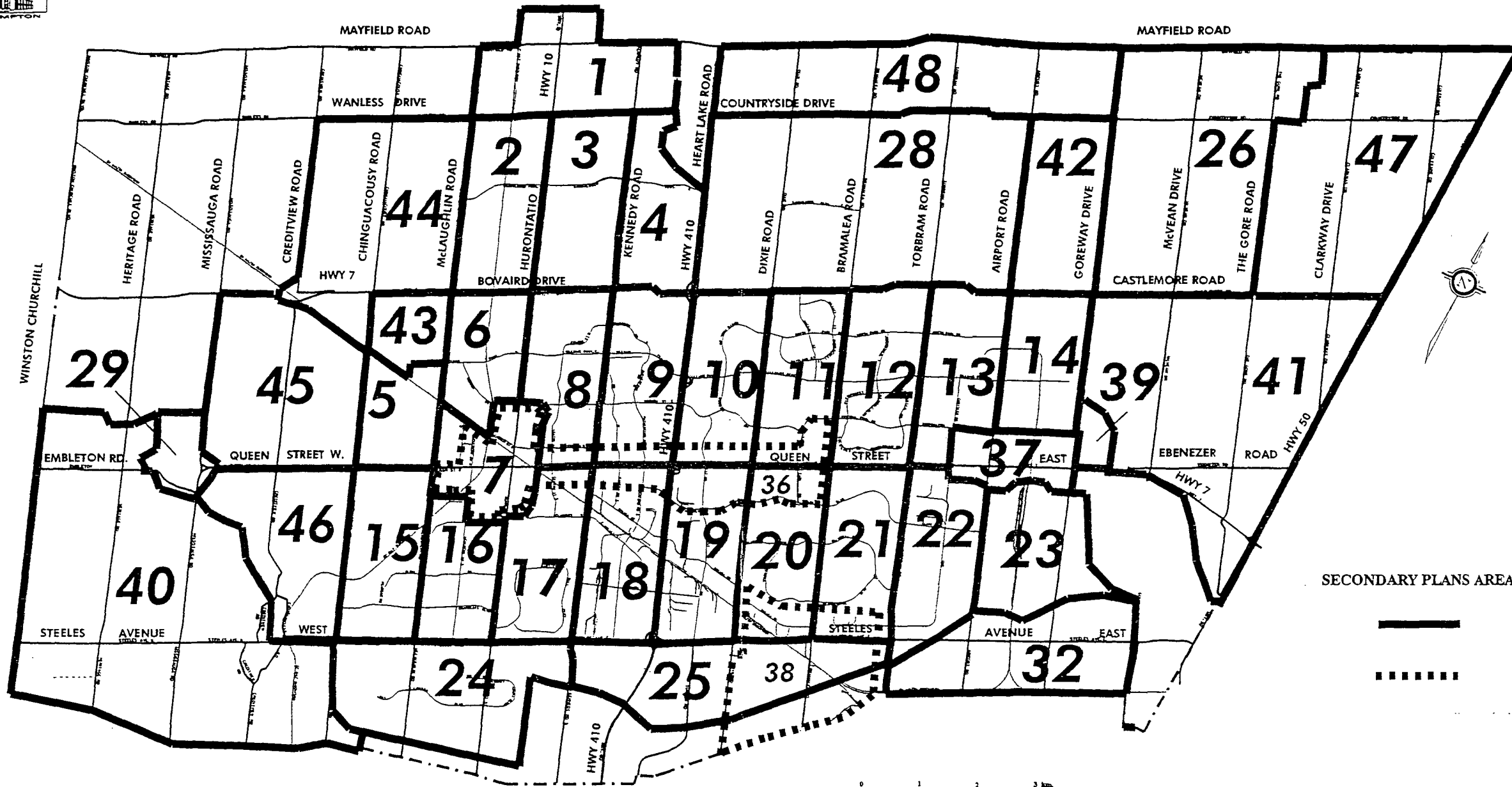


Peter Robertson, Mayor



Leonard J. Mikulich, Clerk





City of Brampton

PLANNING AND DEVELOPMENT DEPARTMENT

OCTOBER 5, 1993

Schedule D By-Law 234-93

DB #	196	FOLIO #	94
ORDER ISSUE DATE			
JAN 3 1 1996			
DB #	196	FOLIO #	246



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

R 940016

Her Majesty the Queen in Right of Ontario, as represented by the Minister of the Solicitor General and Correctional Services, the Ministry of Housing and Don McMullen, have appealed to the Ontario Municipal Board under subsection 34(19) of the Planning Act, R.S.O. 1990, c. P.13, against Zoning By-laws 234-93, 235-93, 236-93 and 237-93 of the City of Brampton

COUNSEL:

Janice E. Atwood-Petkovski

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City of Brampton

Evelyn Brown

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Ministry of Municipal Affairs and Housing
Ministry of Solicitor General and
Correctional Services

**DISPOSITION delivered by D. S. COLBOURNE on January 23, 1996
and ORDER OF THE BOARD**

This hearing was conducted by a telephone conference call. Ms S. Avarell was also a participant.

All of the original appellants have agreed to the amendments proposed in Exhibits 2, 3, 4 and 5.

Further notice of this telephone conference was advertised and no further interested parties came to the fore.

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Mr. C. Saunders, planner, supports the amendments as representing good planning.

The appeals are allowed in part in that the by-laws are amended in accordance with Exhibits 2, 3, 4 and 5 attached hereto as Schedules "A", "B" "C" and "D", and the Board so orders.



D. S. COLBOURNE
EXECUTIVE VICE-CHAIR

SCHEDULE "A"

~~-SCHEDULE A-~~
Amendment
TO BY-LAW 234-93

E+H2
R9+016

The following sections of By-law 234-93 are to be amended as follows:

1. By renumbering those sections after section (21) from section (22) to section (29) respectively.
2. By deleting from section 1.(4) the words "for hire or gain" from the definition of a Lodging House.
3. By deleting from section 1.(5), the words "hire or gain for" from the definition of a Lodging Unit.
4. By deleting section 1.(6) in its entirety.
5. By adding to section 1.(10), "10.14(ii)" the words "or part" after the word "whole".
6. By changing the separation distance of 305 metres to 120 metres in section 1.(10), "10.14 (v)".
7. By changing the separation distance of 450 metres to 120 metres in section 1.10, "10.14(vi)".
8. By adding to section 1.(11), "10.16(ii)" the words "or part" after the word "whole".
9. By deleting section 1 (16) in its entirety and replacing it with the following:
 "1.(16) by adding to section 18.1.1 thereto the following:
 16.1.1(l) a group home type 2 subject to the requirements and restrictions set out in section 10.14."
10. By deleting section 1.(17) in its entirety and replacing it with the following:
 "1.(17) by adding to section 18.1.1 thereto the following:
 16.1.1(m) a lodging house subject to the requirements and restrictions set out in section 10.16."
11. By adding to section 1.(20), "20.8(ii)" the words "or part" after the word "whole".
12. By changing the separation distance of 450 metres to 120 metres in section 1.(20), "20.8(iii)".
13. By adding to section 1.(21) "20.9(ii)" the words "or part" after the word "whole".
13. By renumbering those sections after section (5) from section (6) to section (28) respectively.
14. By adding the following new section:
 "1.(29) by deleting therefrom section 10.9.6 and substituting therefor the following:
 10.9.6 For lodging houses, a minimum of 0.5 parking space for each lodging unit, plus two parking spaces for proprietor, shall be provided."

SCHEDULE "B"

**SCHEDULE A
AMENDMENTS
TO BY-LAW 235-93**

Handwritten: 3
R 94016

The following sections of By-law 235-93 are to be amended as follows:

1. By deleting from section 1.(4) the words "for hire or gain" from the definition of a Lodging House.
2. By deleting from section 1.(5), the words "hire or gain for" from the definition of a Lodging Unit.
3. By deleting section 1.(6) in its entirety.
4. By adding to section 1.(10) "6.27(iii)", the words "or part" after the word "whole".
5. By changing the separation distance of 305 metres to 120 metres in section 1.(10) "6.27(v)".
6. By changing the separation distance of 450 metres to 120 metres in section 1.(10) "6.27(vi)".
7. By changing the number reference from "10.12" to "10.13" in section 1.(11).
8. By adding to section 1.(11) "10.13 (iii)", the words "or part" after the word "whole".
9. By changing the separation distance of 305 metres to 120 metres in section 1.(11) "10.13(v)".
10. By changing the separation distance of 450 metres to 120 metres in section 1.(11) "10.13(vi)".
11. By changing the number reference of "10.13" to "10.14" in section 1.(12).
12. By adding to section 1.(12) "10.14(ii)", the words "or part" after the word "whole".
13. By adding to section 1.(13), section "11.4.1(a)(2)" after number "11.3.1(a)(2)".
14. By changing number reference "10.12" to "10.13" at the end of section 1.(13).
15. By deleting section 1.(14) in its entirety and replacing it with the following:
 "1.(14) by adding sections 11.1.1(a)(4), 11.2.1(a)(4), 11.3.1(a)(4), 11.4.1(a)(4), and 12.1.1(a)(4) thereto, containing the following wording: "supportive lodging house subject to the requirements and restrictions set out in section 10.13."
16. By adding to section 1.(15) "20.7(ii)", the words "or part" after the word "whole".
17. By changing the separation distance of 450 metres to 120 metres in section 1.(15) "20.7(iii)".
18. By adding to section 1.(16) "20.8(ii)", the words "or part" after the word "whole".
19. by changing the number reference from "10.12" to "10.13" at the end of section 1.(21).
20. by changing the number reference from "10.12" to "10.13" at the end of section 1.(22).

21. by deleting section 1.(23) in its entirety and replacing it with the following:
"46.1.1(b)(2) a group home type 1 or group home type 2 subject to the requirements and restrictions set out in section 10.13."
22. By renumbering those sections after section (5) from section (6) to section (22) respectively.
23. By adding the following new section:
1.(23) "by deleting therefrom section 10.9.6 and substituting therefor the following:
10.9.6 For lodging houses, a minimum of 0.5 parking space for each lodging unit, plus two parking spaces for proprietor, shall be provided."

/ghb11

SCHEDULE "C"

~~SCHEDULE A~~
Don't mention
 TO BY-LAW 236-93

EXH 4
R 94016

The following sections of By-law 236-93 are to be amended as follows:

1. By deleting from section 1.(4) the words "for hire or gain" from the definition of a Lodging House.
2. By deleting from section 1.(5), the words "hire or gain for" from the definition of a Lodging Unit.
3. By deleting section 1.(6) in its entirety.
4. By adding to section 1.(10) "10.13(iii)", the words "or part" after the word "whole".
5. By changing the separation distance of 305 metres to 120 metres in section 1.(10) "10.13(v)".
6. By changing the separation distance of 450 metres to 120 metres in section 1.(10) "10.13(vi)".
7. By changing the number reference from "10.14" to "10.16" in section 1.(11).
8. By adding to section 1.(11) "10.16(ii)", the words "or part" after the word "whole".
9. By adding to section 1.(12), section number "12.6.1(a)(8)" after section "12.4.1(b)".
10. By amending section 1.(14), by changing the reference to section "11.1.1(1)(f)" to "11.1.1(1)(e)".
11. By deleting section 1.(15) in its entirety and replacing it with the following:
 "1.(15) by adding to section 15.1.1 thereto, the following:
 - 15.1.1 (f) a group home type 2 subject to the requirements and restrictions set out in section 10.13.
 - (g) a lodging house subject to the requirements and restrictions set out in section 10.16."
12. By deleting section 1.(16) in its entirety and replacing it with the following:
 "1.(16) by adding to section 15.2.1 thereto, the following:
 - 15.2.1 (e) a group home type 2 subject to the requirements and restrictions set out in section 10.13.
 - (f) a lodging house subject to the requirements and restrictions set out in section 10.16."
13. By adding to section 1.(17) "20.7(ii)", the words "or part" after the word "whole".
14. By changing the separation distance of 450 metres to 120 metres in section 1.(17) "20.7(iii)".
15. By adding to section 1.(18) "20.8 (ii)", the words "or part" after the word "whole".
16. By adding to section 1.(26) the words "or a group home type 2" after the words "a group home type 1".

17. By renumbering those sections after section (5) from section (6) to section (25) respectively.

18. By adding the following new section:

1.(26) "by deleting therefrom section 10.9.6 and substituting therefor the following:

10.9.6 For lodging houses, a minimum of 0.5 parking space for each lodging unit, plus two parking spaces for proprietor, shall be provided."

/gbbj

SCHEDULE "D"

SCHEDULE A
Amendment
TO BY-LAW 237-93

ELHS

The following sections of By-law 237-93 are to be amended as follows:

1. By deleting from section 1.(4) the words "for hire or gain for" from the definition of a Lodging House.
2. By deleting from section 1.(5), the words "hire or gain for" from the definition of a Lodging Unit.
3. By deleting section 1.(6) in its entirety.
4. By adding to section 1.(10), "10.14(iii)" the words "or part" after the word "whole".
5. By changing the separation distance of 305 metres to 120 metres in section 1.(10), "10.14(v)".
6. By changing the separation distance of 450 metres to 120 metres in section 1.(10), "10.14(vi)".
7. By adding to section 1.(11), "10.15(ii)" the words "or part" after the word "whole".
8. By deleting from section 1.(12) number reference "3.1(a)(4)" and adding sections numbers "19.2.1(a)(4)" and "19.3,1(4)" after section number "18.1.1(a)(3)".
9. By adding to section 1.(15) the words "a group home type 1 or" before the words "a group home type 2".
10. By adding to section 1.(18) "22.1.1(a)(3)", the words "a group home type 1 or" before the words "a group home type 2".
11. By adding to section 1.(19), "30.7(ii)" the words "or part" after the word "whole".
12. By changing the separation distance of 450 metres to 120 metres in section 1.(19) "30.7 (iii) .
13. By adding to section 1.(20) "30.8(ii)" the words "or part" after the word "whole".
14. By adding to section 1.(27) the words "or a group home type 2" after the words "a group home type 1".
15. By renumbering those sections after section (5) from section (6) to section (26) respectively.
16. By adding the following new section:

"1.(27) by deleting therefrom section 10.10.5 and substituting therefor the following:

10.10.5	For lodging houses, a minimum of 0.5 parking space for each lodging unit, plus two parking spaces for proprietor, shall be provided."
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