

Date: 2019-11-13

Subject: **Information Report**
Supportive Housing (Group Home Type 1 & 2 and Supportive Housing Facilities) Review: Interim Control By-Law Considerations

Contact: Mirella Palermo Policy Planner, Planning and Development Services, mirella.palermo@brampton.ca, 905-84-2457, and Malik Majeed Acting Manager, Land Use Policy, Planning and Development Services, malik.majeed@brampton.ca.

Recommendation:

1. **THAT** the report from Mirella Palermo, Policy Planner, Planning and Development Services, dated November 7, 2019, to the Planning & Development Committee Meeting of November 18, 2019, re: **“Supportive Housing (Group Home Type 1 & 2 and Supportive Housing Facilities) Review: Interim Control By-Law Considerations”**, be received.

Overview:

- On November 4, 2019, an Information Report outlining the City’s Group Home policies and registration requirements was presented to Planning & Development Committee. This report also provided a status update on the registration of a Group Home Type 1 at 23 Hillside Drive.
- Arising from the report, the Committee directed staff to report back on November 18, 2019, identifying the implications of implementing an Interim Control By-Law (ICBL) that would prohibit Supportive Housing applications in appropriate areas of the City, including Ward 7, during the comprehensive review of the City’s Supportive Housing policies as directed through Council Resolution C364-2019.
- Accordingly, this report identifies considerations in moving forward with an ICBL as a measure to freeze the processing of Group Home applications while staff undertake a comprehensive review of the City’s Supportive Housing policies.

Background:

An interim control by-law (ICBL) is a tool available to municipalities through the Planning Act (*Section 38*) that will prohibit the use of land, buildings or structures within the municipality or within a defined area of the municipality for, or except for, such purposes as are set out in the by-law, while a municipality is studying or reviewing its land use policies. The ICBL can be in force for only a year, with a maximum extension of another year.

As per the Planning Act, no public notice is required prior to passing an ICBL. The Clerk's office of the municipality is required to give notice of the passing of the ICBL within thirty days of passing of the by-law. Only the Minister of Municipal Affairs and Housing may appeal the initial ICBL to the Local Planning Appeal Tribunal (LPAT) within 60 days after the passing of the by-law. If the initial ICBL is amended to extend the period of time during which it will be in effect, any person or public body may appeal it to the LPAT within 60 days after the passing of the by-law. The appeal is filed with the Clerk's office and provides reasoning in support of the objection.

Once the ICBL has expired or is repealed, Council cannot pass another ICBL that applies to any lands to which the original ICBL applied for a period of three years. This restriction is especially important to note as it could have a significant impact on the City's ability to use an ICBL in the future to respond to emerging land use issues not related to supportive housing.

For example, if the City decides to impose a supportive housing ICBL on certain lands across the City, that would mean that upon the expiry of that ICBL the City would not be able to pass another ICBL with respect to those same lands even if the intended purpose of a new ICBL is unrelated to supportive housing. Council would not be able to enact another ICBL until the three year period has expired.

City's Official Plan Policies and Previous ICBLs Regarding Group Homes

The City's Official Plan (OP) policies regarding Interim Control By-Laws (Section 5.11) states that an ICBL may, when appropriate, be used as a mechanism to prohibit certain uses for a limited period of time, to provide reasonable opportunity to complete planning policy studies.

The last major review of the City's Supportive Housing policies took place in 2000 and took two years to complete a thorough review. During the review of the Group Home and Lodging House policies the City passed an ICBL (51-2000) to prohibit the opening of new group homes, supportive lodging houses and lodging houses in the City. At that time, several exemptions to the ICBL were granted by Council for Group Home registration and

10.2-3

lodging house licensing applications that had been submitted prior to the passing of the ICBL.

Current Situation:

As per Planning and Development Committee's motion on November 4, 2019, Planning and Development Services staff were directed to present a report and draft by-law to the November 18, 2019, Planning and Development Committee meeting to enable the implementation of an ICBL that would restrict Supportive Housing applications in appropriate areas of the City, including Ward 7, during the comprehensive review of the City's Supportive Housing policies as directed through Council Resolution C364-2019.

Staff anticipate that the review will take approximately one year to complete, which will involve reviewing existing policies, conducting engagement with interested stakeholders and the public, and adopting the recommended policies.

Considerations of Implementing an ICBL:

Option 1 – Applying a City-wide ICBL

Option 1 involves enacting a City-wide ICBL. The ICBL would exclude lands that currently have an ICBL in place or had an ICBL that expired within the past 3 years and zones where residential group homes are not permitted. The ICBL would also not apply to retirement homes, nursing homes and senior citizens residence as defined by the Zoning By-law.

The implementation of a City-wide ICBL would freeze the registration of new group homes and supportive housing facilities (as defined by the Zoning By-Law) within a prescribed area for a year with the possibility of extending the ICBL for an additional year, until the study is completed.

Section 45 of the Planning Act allows applicants to apply for a minor variance through the Committee of Adjustment to get relief from the ICBL. Council has the right to appeal the Committee of Adjustment's decision to the LPAT should it not agree with the decision.

Option 2 – Continue to Conduct the Policy Review without Implementing an ICBL

Option 2 involves a thorough review of the Supportive Housing policies without implementing an ICBL. Staff will report to Council with the scope and timeline of the review. Not having an ICBL in place means staff will continue to register new Group Home applications in accordance with the existing regulatory framework until new policies are adopted following completion of the review. On average, staff process one to three Group Home applications per year. In 2019, the City registered one group home application and is in the process of registering a group home application for 23 Hillside Drive. Staff anticipate that in 2020 they will be processing three to four applications based on discussions with various stakeholders to date.

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Implications for Current Applications

Once an ICBL is enacted new applications that are received as well as those currently under review will be placed on hold until the study is completed, unless an exemption from the by-law is passed by Council or approved by the Committee of Adjustment. Staff could not process applications to register a group home since compliance with the Zoning By-law is mandatory for registration. Once an ICBL is in place, as-of-right permissions under the Zoning By-law are suspended in accordance with the terms of the ICBL.

There are three (3) Group Home applications being processed at this time, including 23 Hillside Drive. The other two applications under review have a few outstanding issues to be addressed (i.e. inspection reports). Staff have also received notification that another group home application will be submitted in the coming month as the applicant is close to completing the registration requirements. Two of the three applications (including 23 Hillside Drive) currently under review are located in Ward 7. The property associated with the pending application expected to be submitted in the coming month is also within Ward 7.

Summary

Staff recommend that an ICBL not to be enacted while the Supportive Housing policy review is underway. Should Council proceed with passing an ICBL, staff recommend that the applications that have already been submitted be exempt from the ICBL so that they continue to be processed while the Supportive Housing policy review is underway. The associated applicants have already been advised by staff that their Group Home applications will satisfy the City's registration requirements and are permitted 'as-of-right' by the Zoning By-law. It is also recommended that the ICBL exclude retirement homes, nursing homes and senior residences as defined in the Zoning By-law, in areas where these uses are specifically permitted and/or as may be permitted through subsequent amendments to the Zoning By-law.

Draft Interim Control By-Law

Planning Committee directed staff to prepare a draft ICBL. Depending on the direction of Committee in consideration of the two options outlined in this report staff will prepare an appropriate Interim Control By-Law for consideration by Council, if necessary.

Corporate Implications:

Financial Implications:

There are no financial implications associated with the report at this time. Budget for any additional consulting resources required to complete the Supportive Housing review will be allocated from the approved 2019 budget.

10.2-5

Economic Development Implications

There are no economic development implications associated with this report.

Legal Implications

Specific legal implications associated with this report will be addressed in the closed session report to Committee to be received on the same date as this report.

Term of Council Priorities:

This report supports the Term of Council Priority of 'A City of Opportunities' to manage growth to achieve societal and economic success, and the associated goal of building complete communities to accommodate residents of Brampton.

Living the Mosaic – 2040 Vision

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

Conclusion:

The City recognizes the need to offer a variety of housing options that meet the needs of all residents and provide affordable options. The City's Affordable Housing Strategy - Housing Brampton, will examine ways to address the needs of the community as a whole.

The current Group Home provisions in both the City's Official Plan and Comprehensive Zoning By-Law require revisions to outdated sections and definitions to meet current legislation and align with supportive housing demands.

Staff will be updating Supportive Housing policies of the Official Plan in advance of the completion of the City's Official Plan review and a Comprehensive Zoning By-Law review. Staff do not recommend adopting an ICBL during the policy review period so that Group Home applications can continue to be reviewed and registered to ensure that housing opportunities for vulnerable populations continue to be provided.

Approved by:

Bob Bjerke, MCIP, RPP
Director, Policy Planning
Planning & Development
Services Department

Attachment:

Appendix 1: Comprehensive Zoning By-Law (270-2004) Section 5 Excerpt Supportive
Housing Definitions

Report authored by: Mirella Palermo

Appendix 1 - Zoning Definitions

Section 5 – Definitions	Clientele	Provincial Regulator
<p>Group Home Type 1</p> <p>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</p>	<p>The persons being cared for or obtaining services at a facility established under the <i>Developmental Services Act</i>;</p> <p>Individuals over sixty (60) years of age as a satellite residence under the <i>Homes for the Aged and Rest Homes Act</i>;</p> <p>Children under the <i>Child and Family Services Act</i>; and,</p> <p>Persons under the <i>Mental Hospitals Act</i> and <i>Homes for Special Care Act</i>.</p>	<p>Ministry of Children, Community and Social Services</p> <p>Children and Youth Licensed Residential Services – includes group homes, foster homes, provincially operated facilities and youth justice open and secure custody/detention facilities.</p> <p>Developmental Services Ontario is funded by the Ministry of Children, Community and Social Services provides support services, including housing, to adults (18 years or age and older) that have a developmental disability.</p> <p>Retirement Home Regulatory Authority is responsible for licensing and regulating retirement homes on behalf of the government. The RHRA’s duties under the Act include licensing homes, handling complaints about homes and enforcing the standards in the Act. The RHRA defines ‘retirement home’ as a building, group of buildings, or part of a building (with more than one rental units): occupied primarily by persons who are 65 years of age or older; occupied by at least six persons who are not related to the operator of the home; and, where the operator of the home makes at least two care services available (directly or indirectly) to residents.</p>

<p>Group Home Type 2</p>	<p>Shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling or dwelling unit within a commercial building</p>	<p>Persons who have been placed on probation under the <i>Ministry of Correctional Services Act</i>, the <i>Criminal Code</i> or any Act passed to replace the foregoing Acts;</p> <p>Persons who have been released under the provisions of the <i>Ministry of Correctional Services Act</i>, <i>Corrections and Conditional Release Act</i> or any Act passed to replace the foregoing Acts;</p> <p>Persons who have been charged under the Youth Criminal Justice Act, but who have been placed in open or secure custody;</p> <p>Persons who require temporary care, and transient or homeless persons;</p> <p>Persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or</p> <p>Persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six residents.</p>	<p>Ministry of Children, Community and Social Services</p> <p>Children and Youth Licensed Residential Services – includes group homes, foster homes, provincially operated facilities and youth justice open and secure custody/detention facilities.</p> <p>Ministry of the Solicitor General</p>
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13.1-1

Subject: FW: Matter of 23 Hillside Dr. Brampton

From: Rebecca Altamira

Sent: 2019/11/17 2:23 PM

To: MayorBrown <MayorBrown@brampton.ca>; Bowman, Jeff - Councillor <Jeff.Bowman@brampton.ca>; Dhillon, Gurpreet - Councillor <Gurpreet.Dhillon@brampton.ca>; Fortini, Pat - Councillor <Pat.Fortini@brampton.ca>; Medeiros, Martin - Councillor <Martin.Medeiros@brampton.ca>; Palleschi, Michael - Councillor <Michael.Palleschi@brampton.ca>; Singh, Harkirat - Councillor <Harkirat.Singh@brampton.ca>; Vicente, Paul - Councillor <Paul.Vicente@brampton.ca>; Whillans, Doug - Councillor <Doug.Whillans@brampton.ca>; Williams, Charmaine - Councillor <Charmaine.Williams@brampton.ca>; Tino Ngoy <tino.ngoy@rhra.ca>; Palermo, Mirella <Mirella.Palermo@brampton.ca>

Cc: Jagtoo, Ingrid <Ingrid.Jagtoo@brampton.ca>; ; Fay, Peter <Peter.Fay@brampton.ca>; Santos, Rowena - Councillor <Rowena.Santos@brampton.ca>;

Subject: Matter of 23 Hillside Dr. Brampton

Dear Mayor Patrick Brown, Regional and City Councillors,

As I may be unavailable to attend tomorrow's planning meeting regarding the matter of "23 Hillside Dr.", please see the following documents in the email below for your review, pertaining to the current agenda item.

- 1) Letter- Aug. 6,2019 from Ester Williams, applicant of 23 Hillside Dr.
- 2) Application status from RHRA website
- 3) Map of Hillside Dr. used in previous correspondence from City of Brampton. (Provided for Councillors that may be unfamiliar with our neighbourhood).
- 4) doc. From RHRA re: how to find compliance issues.
- 5) Email from City Staff with regard to usage of 23 Hillside Dr.
- 6) Email from Mirella Palermo and documentation regarding notes and bylaw from Aug. 26, 19 meeting.
- 7) Letter from Councillor Williams to residents regarding application type.
- 8) FB post of Nov. 1, 19 regarding "Application to Retirement Home".
- 9) Email of Nov. 16, 19 from Councillor Williams re: consultation with Mayor Brown.
- 10) Several additional pages from RHRA website referring to Retirement Home being a for profit business including tenancy and landlord rights and responsibilities as well as the difference between a Retirement Home business and that of Long Term Care etc.
- 11) Lastly, article from Brampton Guardian referring to lack of Councillors knowledge or her willingness to follow bylaws.

13.1-2

My position has been , and remains, that I do not want a business of any kind on Hillside Dr., or surrounding Bramalea Woods area. We do not need the added traffic burden in an already problematic area.

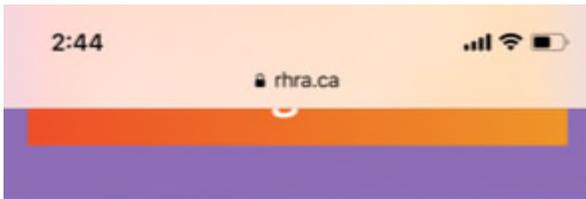
This is not about supporting our Seniors! It is about keeping businesses out of our neighbourhood. I'm officially considered a senior when dining at Denny's! How great is that?

Aside, I would like to personally thank Regional Councillor Pat Fortini for his continued support, and listening to his constituents regarding this matter.

I personally believe that Council does not have the full background regarding 23 Hillside, which is why I have tried to address it in my email. This is not meant as a criticism, but rather it is a matter not pertaining to their wards. I also believe for whatever reason the Bylaw Office and supporting staff do not understand their bylaws and the agenda item of 23 Hillside, hence the attached document from RHRA website clearly showing the application for a Retirement Home.

Thank you for you time regarding this matter.

Rebecca Altamira



The RHRA's Public Register gives you a more complete history of a retirement home's track record of compliance with the Act. You can access more than 700 licensed retirement homes located across Ontario including those in your community. Get the facts needed to make an informed decision about where you want to live.



2:45



rhra.ca

place where it is easily seen in the retirement home. A "retirement home" for the purposes of the Act is as follows:



building or related group of buildings, or a part of a building or a part of a related group of buildings, with one or more rental units of living accommodation that meets the following criteria:

- Occupied primarily by persons who are 65 years or older;
- Occupied or intended to be occupied by at least six persons who are not related to the operator of the home;
- Makes at least two of the 13 care services set out in the Act (and listed below) available, directly or indirectly, to residents.

"CARE SERVICES" FOR THE PURPOSES OF THE ACT ARE AS FOLLOWS:

- Administration of a drug

2:48	ontario.ca
PART II	
TENANCY AGREEMENTS	
<u>10.</u>	Selecting prospective tenants
<u>11.</u>	Information to be provided by landlord
<u>12.</u>	Tenancy agreement
<u>12.1</u>	Tenancy agreement in respect of tenancy of a prescribed class
<u>13.</u>	Commencement of tenancy
<u>14.</u>	"No pet" provisions void
<u>15.</u>	Acceleration clause void
<u>16.</u>	Minimize losses
<u>17.</u>	Covenants interdependent
<u>18.</u>	Covenants running with land
<u>19.</u>	Frustrated contracts
PART III	
RESPONSIBILITIES OF LANDLORDS	
<u>20.</u>	Landlord's responsibility to repair
<u>21.</u>	Landlord's responsibility re services
<u>22.</u>	Landlord not to interfere with reasonable enjoyment
<u>23.</u>	Landlord not to harass, etc.
<u>24.</u>	Changing locks
<u>25.</u>	Privacy
<u>26.</u>	Entry without notice
<u>27.</u>	Entry with notice
<u>28.</u>	Entry by canvassers
<u>29.</u>	Tenant applications
<u>30.</u>	Order, repair, comply with standards
<u>31.</u>	Other orders re s. 29
<u>32.</u>	Eviction with termination order
PART IV	
RESPONSIBILITIES OF TENANTS	



SAFEGUARDING ONTARIO'S RETIREMENT HOME RESIDENTS

The RHRA provides the expertise and oversight to protect the safety, security, and rights of Ontario's more than 70,000 retirement home residents. The RHRA, working in close collaboration with community partners, helps residents make informed choices about where they live and the care they receive in the home.



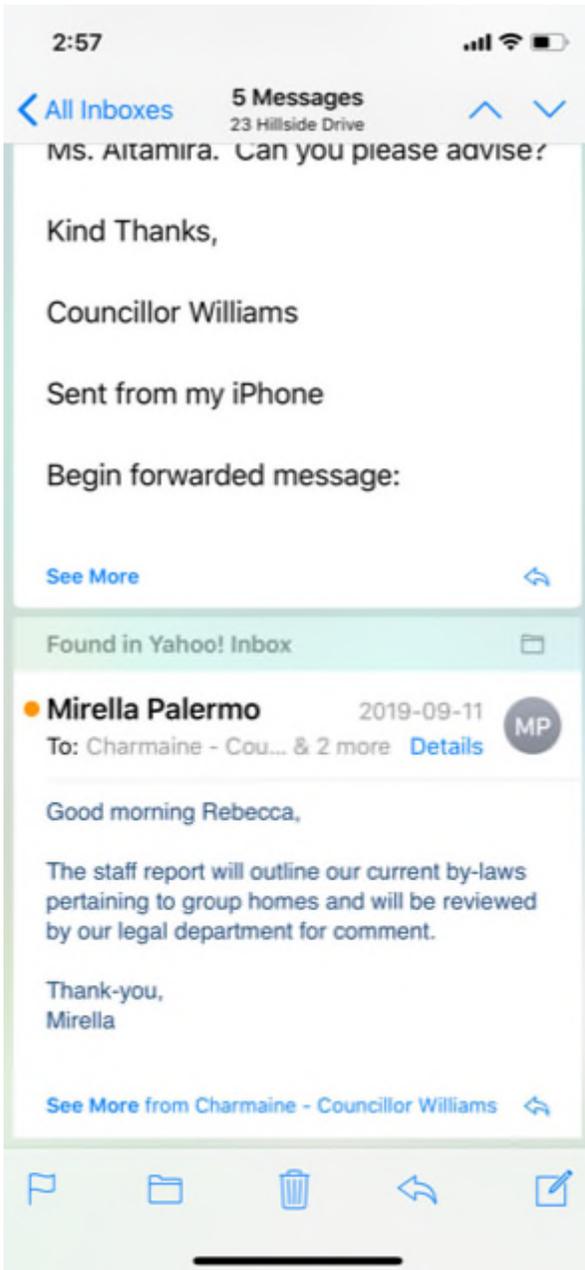
RHRA
committed to

13.1-7

Hi Rebecca, Councillor Fortini and Williams met with the owner Ester and City staff to discuss the project.

The project is 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 it residents and which is licensed or approved pursuant to Provincial Status within the jurisdiction of the Ontario Ministry of Children, Community & Social Services or the Ministry of Health. A group home type 1 may provide accommodation, supervision and treatment for: individuals over the sixty (60) years of age as a satellite residence under the Homes for the Aged and Rest Homes Act.

This is not a youth group home. Its primary for seniors living. The owner Ester will also be living in the home.





nursing homes, are different from retirement homes. They are regulated by the Ministry of Health and Long-Term Care and receive government funding. Retirement homes do not receive government funding.

Residents of retirement homes pay for the full cost of their accommodation and any care services they purchase from the home. Retirement homes decide the type of care services they will provide. Residents can purchase any of the care services offered by the home, or arrange for private care from external care providers (or a combination of both).

It is important to remember that retirement homes are homes, not institutions. Many residents are capable and independent, and can come and go as they please.

What is the RHRA?



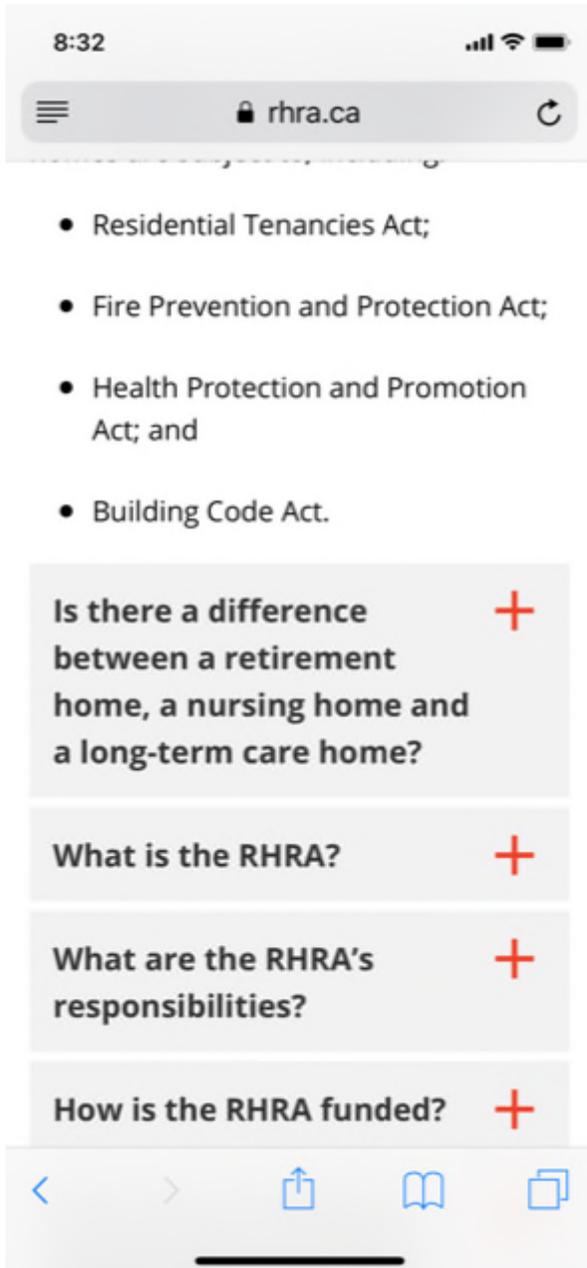
What are the RHRA's responsibilities?





Businesses that meet the definition of a retirement home under the Act must obtain a licence to operate a retirement home. A retirement home is a building, group of buildings, or a part of a building (with one or more rental units):

- occupied primarily by persons who are 65 years of age or older;
- occupied or intended to be occupied by at least six persons who are not related to the operator of the home; and
- where the operator of the home makes at least two care services available (directly or indirectly) to residents. Some facilities that meet these criteria may be exempt from the Act, for example if they receive certain government funding.



8:32



rhra.ca

between a retirement home, a nursing home and a long-term care home?

Long-term care homes, often called nursing homes, are different from retirement homes. They are regulated by the Ministry of Health and Long-Term Care and receive government funding. Retirement homes do not receive government funding.

Residents of retirement homes pay for the full cost of their accommodation and any care services they purchase from the home. Retirement homes decide the type of care services they will provide. Residents can purchase any of the care services offered by the home, or arrange for private care from external care providers (or a combination of both).

It is important to remember that retirement homes are homes, not institutions. Many residents are capable and independent, and can come and go as they please

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Done 23 Hillside GH Open House N... 📍

Open House - 23 Hillside
August 26, 2019

Meeting notes:

- Need clarification about the definition of "supportive" and the Zoning interpretation of this
- If a supportive home, then 632m separation distance is required from Group 1 or 2 home
- Questioning what was in the application - will the residents require assistance?
- Believes the City has made a mistake in its zoning interpretation
- If it is indeed a correct interpretation then the community will welcome it, if not the community will oppose
- Does the application meet the 296 definition?
- What process exists to appeal?
- Councillor Fortin indicated at the meeting that an appeal process exists
- City staff will consult with legal to seek an opinion as to whether 23 Hillside is supportive or Group 1 as well as the impact that this could have on the distance separation.
- 2 Heath does not meet the 296
- 26 Linden has property standards issues
- Please look into ownership of 2 Heath
- Need some research done on 2 Heath to determine if it is Group 1
- If it is, then no recourse for 23 Hillside
- Want a plan going forward - point of contact
- Want to clearly know when opening
- Safety concerns, no basement egress
- Want entire community notified
- Want to know how to stop this application?
- If approved, how often will it be inspected?
- Answer: 6 month assessment from Ministry | random health inspections (Property Standards 5/yr)
- What happens if conditions of residents change and they require more assistance?
- Answer (owners): go to hospital for assessment
 - if not able to return then they will be placed elsewhere
 - Need to be forward to deal with dementia, etc., which will not occur at 23 Hillside.
- Would like a timely answer from legal
- When will the next meeting be?
- Answer (Minella): get back to the community by the end of the week re: timelines for a response
- Want clear understanding that this home will not open until all matters resolved
- Want clear notification to the entire neighbourhood
- Owner is smart, don't fault her
 - Don't feel safe in neighbourhood
 - 26 Linden - mysterious behaviour
 - City not listening to us

- Definition of Group 1 is a mistake
- Councillor needs to work with us as our representative
- 632m separation should apply
- Confusing interpretation as 23 Hillside seems to meet both definitions of Group 1 and Supportive. If that stands then the 632m should apply
- How do we appeal?
- Don't want businesses to have more rights than residential in the neighbourhood
- 2 Heath - parking an issue
- Reference made to 43, 61 and 65 Hillside as problematic homes
- Concerned property values going down
- Increased noise/traffic
- Quality of life declining

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- Need to be learned to deal with dementia, etc., which will not occur at 23 Hillside.
- Would like a timely answer from legal
- Will the next meeting be?
- or (Mirella) get back to the community by the end of the week re: timelines for a response clear understanding that this home will not open until all matters resolved
- Want clear notification to the entire neighbourhood
- Owner is smart, don't fault her
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2 of 2

- Definition of Group 1 is a mistake
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- Confusing interpretation as 23 Hillside seems to meet both definitions of Group 1 and Supportive. If that stands then the 632m should apply
- How do we appeal?
- Don't want businesses to have more rights than residential in the neighbourhood
- 2 Health - parking an issue
- Reference made to 41, 41 and 45 Hillside as problematic homes
- Concerned property values going down
- Increased noise/traffic
- Quality of life declining
- Want the ZML changed
- Can there be some process such as C of A where signs go on laws for Group Homes?
- Not everyone got letters - he instructed staff to provide (Councillor Fortin)
- Is this home dealing with dementia patients or not - getting conflicting messages from owner
- City should disclose who living and what care required for residents
- Wants to understand timelines for approvals
- Is there a chance for an appeal?
- 2 Health should register 23 Hillside because of separation distance
- Would like a copy of the initial application
- Was there a building permit?
- Is there a minimum age for residents (answered by owner - 55 years)
- Can we pull data from 311 to understand complaints that have been issued against some of the neighbouring illegal group homes?

By-law

- Call 311 if have concerns
- Some of neighbouring homes are illegal and charges have been issued

Commitments made:

- Staff to follow up with legal re: definition interpretation
- Follow-up meeting to be scheduled
- Mail-outs to entire community to occur



1 of 1 REBECCAVILLE Dr., Ontario

Questions about Rebeccaville:

1. The age of Clients in Home.

A. The home will be occupied primarily by persons who are 65 or older.

2. The number of residents in the home?

B. The Home will be occupied by at least six people not related to the operator and make available at least two of the thirteen care services set out in the RRBRA Act. These include providing meals, assistance with bathing, personal hygiene, dressing or ambulation, providing a dementia care program, administering medicines, providing incontinence care or making available the services of a dietician, nurse or pharmacist.

3. The type and level of care?

C. please note, some of these care services are only offered once the residents health care needs have changed. If a resident's care needs change from independent to an assisted level of care, the management of the home along with the family, Central West LHN and all other community supports will work together to find an alternate home that will service the resident changing care needs.

4. How are clients selected to come to the home?

D. Retirement homes are about choices. They are designed for seniors who want to live a somewhat independent lifestyle but who may need occasional to moderate support with their daily living activities. They are referred by hospitals around the GTA, Central West LHN (CCAC), allied health from within the community and advertisement.

5. The cognitive level of the residents living in the home.

Anyone can apply to live in the home. The home will assess each potential resident medical needs to ensure that the home can provide the requisite support level. If a resident in the home is hospitalized, and the hospitalization results in a higher care needs, i.e., (Cognitive impairment) the home will reassess whether we are adequately equipped, and able to provide the requisite level of care.

6. Advise whether you obtained a building permit for interior renovation recently completed.

Home was purchase as is, no renovation was recently done, except for the safety features installed as per the fire department recommendation, e.g., exit signs, smoke etc.

7. Advise whether they are proceeding with the building addition.

The present building addition permit will be cancelled, and a new application will be submitted under the intended use of the group home, and not under a single family detached as was previously submitted.

**If you require further clarification on any of the answers we have provided please feel free to forward your questions, and we would be happy to address all your concerns.





CITY COUNCILLOR CHARMINE WILLIAMS
WARDS 7 & 8

2 Wellington St W
Brampton ON L6Y 4R2
T 905.874.2671
F 905.874.3644
TTY 905.874.2150

September 9, 2019

RE: REMINDER NOTICE

This is a reminder of the Planning & Development Committee, City of Brampton
7:00 p.m. Monday, Sept 9th TONIGHT!

Residents concerned with the Hillside Group Home application are welcome to
attend and to speak to Members of Council who comprise the committee.

If you think you would like to speak at the meeting contact my office at
905 874-2671, or the City Clerk's until 4:00 p.m.

Sincerely,

Charmaine Williams
City Councillor Ward 7 & 8

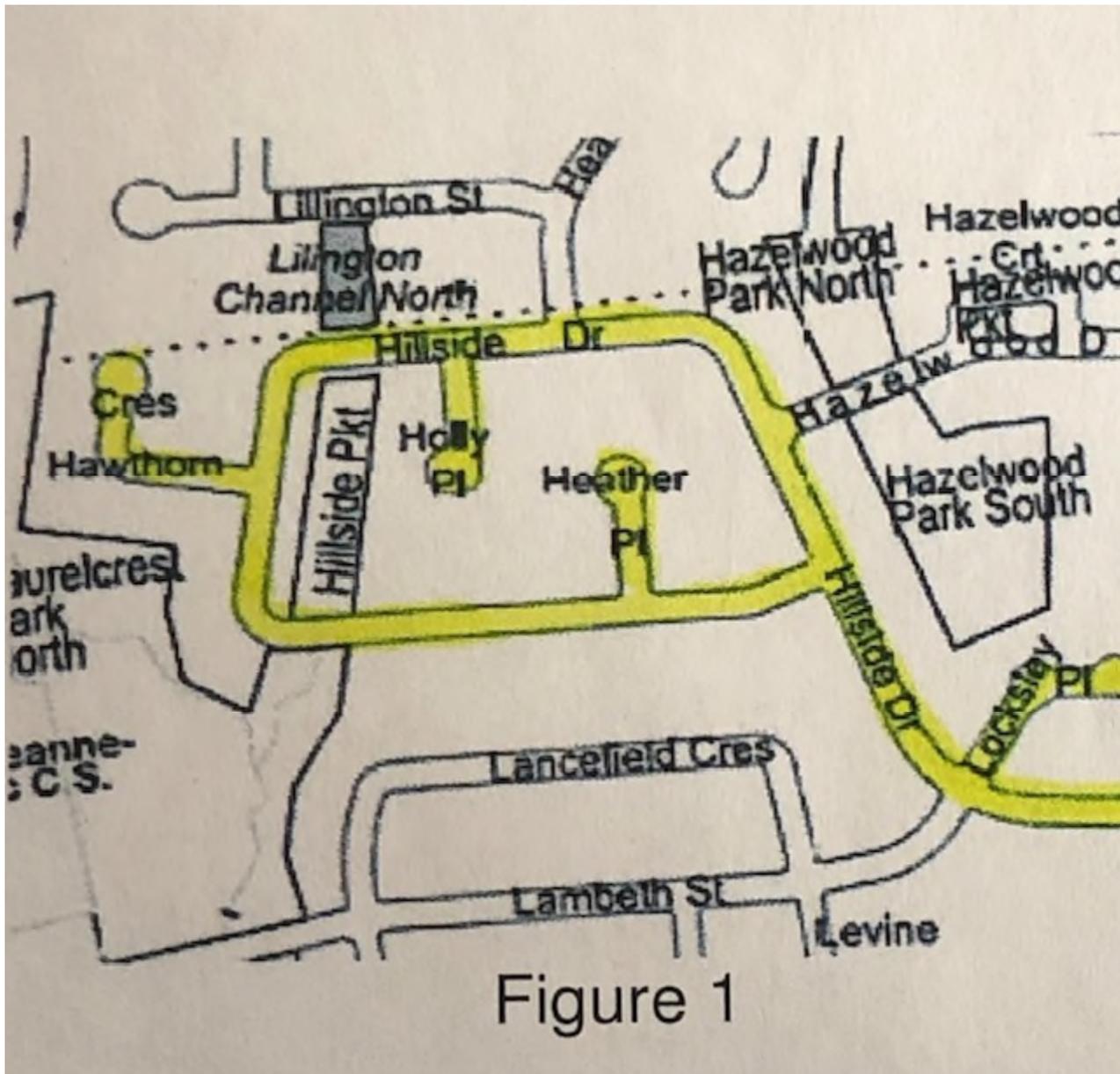
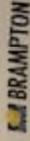


Figure 1



CITY COUNCILLOR CHARMAINE WILLIAMS
WARDS 7 & 8

September 30, 2019

Dear Bramalea Woods Neighbour:

Last week at Brampton City Council, a motion was introduced to revise the City of Brampton bylaws and policies to align them with provincial policies as it relates to supportive housing. Additionally, the report on 23 Hillside Drive that was due to be presented at the October 7th, 2019 meeting was deferred for consideration to the Planning and Development meeting scheduled for November 9, 2019.

I voted against the motion for three main reasons.

1. The motion will neither delay or cancel the application for 23 Hillside Drive
2. Aligning Brampton's minimum number of residents for seniors homes from 4 to 6 will exclude many communities except those like Bramalea Woods
3. City staff have indicated the possible legal necessity to eliminate distance requirements between group homes to comply with charter rights and align with provincial policies

I have included a copy of an article from The Pointer, an online Brampton news service, about the debate that occurred for you to read.

An additional unintended consequence is the affect on the 150 beds in almost 30 different seniors residences throughout Brampton.

As you know Long-term care beds, retirement homes, and seniors residences play an important role in the continuum of care. They help to alleviate the chronic hospital bed shortages in Brampton.

While staff are working through all the possible changes that will come forward I wanted to inform all stakeholders and residents like yourself. If you have concerns or recommendations please feel free to share them with the appropriate city staff. You can call Michelle Gervais, Planner at the City of Brampton (905) 874-2073 with your ideas, suggestions, and questions.

Understanding the true impact of a change in policy is the best way for me as your city councillor to make informed decisions on your behalf and on behalf of all residents of Brampton.

I hope this letter better explains my position and the process on a go forward basis.

Sincerely,

Charmaine Williams



X No one else got this

Rebecca Ville Assisted Living Residence

August 6th, 2019

Dear Resident,

Re: Invitation to Attend Open House for a New Group Home at 23 Hillside Drive on August 26th at 6pm

Please be advised that Rebecca Ville Assisted Living Residence is seeking to open a new group home at 23 Hillside Drive. In accordance with the City of Brampton's group home registration process, an application for a license to operate the home was submitted to the Retirement Home Regulatory Authority, and is currently under review. The group home will accommodate up to six (6) seniors and is anticipated to open on September 1st, 2019.

As part of the City of Brampton's group home registration process, an open house is being held for residents in the surrounding area. Please accept this letter as a formal invitation to explore the facility's amenities available to our residents. Staff will be on-hand to answer any questions and concerns you might have. Light refreshments will be served.

Open House Details:

- **Date: Monday, August 26th, 2019**
- **Time: 6pm to 8 pm**

Provided below is an overview of the support and services offered to residents of the group home:

- 24-hour supervision with qualified nursing staff;
- To give our residents a balanced diet, our delicious meals are prepared in accordance with Canada's Food Guide;
- Supervision of daily living activities;
- A pleasant variety of programs to encourage mental stimulation and to address the social, recreational and spiritual needs of the residents;
- The home will be operated in accordance with all municipal and provincial laws; and,
- In keeping with best practices, we will have an on-call physician who will see our residents if and when the need arises.

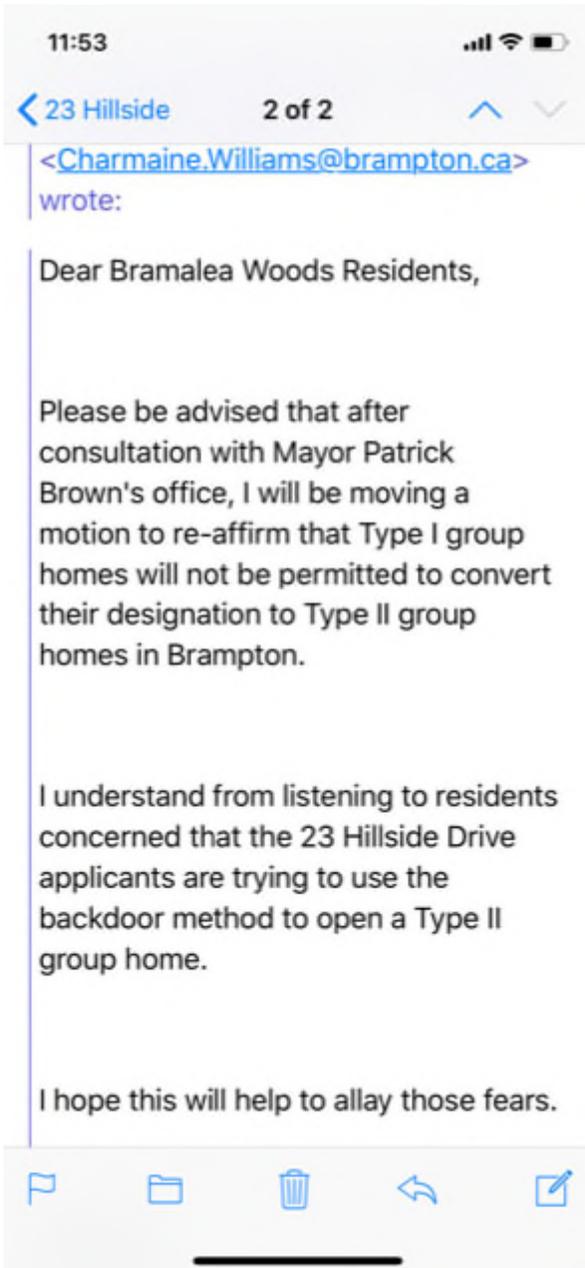
In the interim, should you have any questions regarding the registration of the proposed group home, please contact:

- Mirella Palermo, Policy Planner, City of Brampton 905-874-2457
- Esther Isaacs, Rebecca Ville Assisted Living Residence, Administrator 416-886-4950

Yours Truly,

Esther Isaacs, Administrator
Cc: Mirella Palermo, City of Brampton.







Brampton councillor remains defiant of city's sign bylaws despite ethics complaints

NEWS Oct 30, 2019 by [Graeme Frisque](#)

Brampton Guardian



Brampton wards 7 and 8 Coun. Charmaine Williams said she plans to restart her "Please slow down" lawn sign campaign despite an ongoing ethics probe by the city's integrity commissioner. - Bryon Johnson

Brampton wards 7 and 8 Coun. Charmaine Williams isn't backing down after being hit with

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Sent from my iPhone

Re: 5.2-1 - Delegation - Warren Parkes

Intro – Mayor & Council

My understanding of our governance is each Councillor here, represents a specific group of wards. Each Councillor was elected to a ward, by taxpaying constituents, living in those specific wards. When conducting City business, a Councillor's first responsibility is to the ward which they were elected and in the way they fulfill those roles. Their personal beliefs, should not interfere with how they represent their constituents. How they conduct City governance and apply rules and by-laws should be their first concern in making decisions and conducting business for the city.

In saying this, at the last planning meeting I asked about steps to take when a Councillor crosses a line. I misinterpreted an email that was sent out about a Facebook rant and a flyer that was distributed in our neighbourhood on Hillside Drive. Both have the same inaccurate information regarding this matter, but the flyer was not hand delivered for Councillor Williams nor did it have the City of

Re: 5.2-1 - Delegation - Warren Parkes

Brampton's name on it. Although it does appear to have come from Councillor Williams.

I will proceed with a complaint that provides accurate information as to her behavior in this matter and I am sure her constituents votes will reflect their opinions of this matter at our next election.

This single incident, however, should lead to us to look at where we are today and the history of this matter regarding 23 Hillside Drive.

The City of Brampton has a process that tries to make sure things are done right and everyone's wishes and concerns are respected. If someone wishes to change or amend a by-law, they must go through the process that is set out to do that.

Bramalea Woods originally was a single family, detached home neighborhood that continues to be that on streets such as Hillside Drive, Hawthorne Crescent, Holly Place, Hazelwood Drive and Heather Place. With average size lots close to 100' x 200' since the original development, this area should be considered an

Re: 5.2-1 - Delegation - Warren Parkes

executive estate, under its original plan. Additional streets and homes have been added outside Bramalea Woods that include town homes, semi detached and detached homes with large lots, but smaller than Bramalea Woods. Bramalea Woods original planning should not change without further review, as both the Official Plan and Living The Mosaic 2040 Vision both clearly mention. The correct facts, the misinterpretation and distribution of incorrect information and inaccurate information and one specific Councillor's behavior has led us to where we are today.

The Facts are as of today:

There were a group of persons represented by or representing Esther Isaacs.

They met and discussed opening a retirement residence in Bramalea Woods as they did on at least two additional occasions previously for addresses in other wards in Brampton. I believe those applications met with no opposition and there was no further review. I would expect the Councillors in those wards would have

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given the same response as ours, in this application. They would support it if it met with current city by-laws.

Their next step was to begin the application process which required specific steps to be followed, which includes an information session for surrounding

neighbours. This session, was attended by a large contingency of Bramalea

Woods residences. Prior to the meeting I assume various people involved were

contacted by residents, including Councillor Fortini, Councillor Williams, Esther

Isaacs and her staff, which is where the misinformation starts.

The only issue other than this matter that are a concern should be; did they do

anything to the residence prior to applying to open the residence. They say they

did not which is where it should stand unless there is any real evidence otherwise.

It is their explanations inconsistencies that have confused everyone and created

displeasure, regarding building code compliance, type of residence, number of

residents, services provided etc.

Re: 5.2-1 - Delegation - Warren Parkes

From that meeting, the City was to minute and provide information that clarified the issues that were raised at the meeting.

Most of the items that were raised, concerning this application, have been addressed by providing the information in the City's Information Report – dated 2019/09/17, issued to the Planning & Development Committee, from Mirella Palermo.

This report gives responses to the issues. Here is where it is unclear how they are interpreting and applying the by-laws and the official plan.

What is the City of Brampton's official plan for retirement residences –

4.1 applies and should be referenced, especially as a Group Home application to residential areas not 4.2 reference is made in the report to section 4.2.6. This does not mention retirement residences and classifications, but does state “must comply with all relevant zoning and registration requirements.

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Item 4.2.6.10 is referenced as supportive housing (ie. Retirement residence). But would only apply if it is a Type 2 Group Home which is not allowed in a low density, residential area “unless an application is made to change the zoning or a change is made to the by-law.

4.1 is the residential application of the official plan

4.1.1 are the objectives of general policies

4.1.2 Upscale executive housing is referenced in this review A-1 Type homes require special review, have different density. Density categories (not referenced)

4.1.7 is where special needs housing objectives are listed (not referenced)

4.1.7.6 explains group homes and planning objectives (not referenced)

4.8.4 is the section for long term care home policies and objectives

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The City report, as issued, gives more confusion and use of policies that are, or seem to be misinterpreted, or are not explained properly. The Official Plan is broken into various sections. Section 4 refers to policies and the general land designation use. The objectives under section 4 are broken down into sub headings.

4.1 Refers specifically to residential area (not referenced)

4.2 Refers to commercial areas (should not be used)

4.3 Appears to refer to industrial uses

4.8. Institutional and public uses which includes 4.8.4 long term care centres

From the Official Plan we go to

Living the mosaic 2040 – Vision

Re: 5.2-1 - Delegation - Warren Parkes

The first step in its “Steps to Achieve Success” is to obtain public engagement.

We have not started that process. This is one direction we could head with this matter as part of it.

Action 5-2 is housing related but doesn't give a direction or clarification in this matter, other than to propose to adopt a Brampton made comprehensive housing strategy for partnerships and to implement through a local civic agency – target to end homelessness.

In all matters and references there seems to be little consideration as to what are the special needs of a retirement home and transition from what is accepted and the correct way of dealing with changes to the accepted model, and deciding on if the City of Brampton and its residents are okay with those changes as an entire community.

Re: 5.2-1 - Delegation - Warren Parkes

- We should not reference data for social housing or assisted housing for special needs to come up with these decisions when it's regarding retirement residences, which aren't even mentioned in most of this data.

The city currently addresses all special housing needs in its current by-laws. We have 2 categories for group homes in our by-laws that would apply to retirement residences, in residential and commercial zoned areas. This should be as simple as applying the specific language of the by-law and not expanded interpretations.

SECTION 5.0 (Excerpt) DEFINITIONS GROUP HOME TYPE 1 shall mean a supportive housing facility located within a dwelling unit that is occupied by four (4) to six (6) persons, exclusive of staff and/or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or 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:

Re: 5.2-1 - Delegation - Warren Parkes

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

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

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

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

Re: 5.2-1 - Delegation - Warren Parkes

- Persons who have been placed on probation under the Ministry of Correctional Services Act, the Criminal Code or any Act passed to replace the forgoing Acts;
- Persons who have been released under the provisions of the Ministry of Correctional Services Act, Corrections and Conditional Release Act or any Act passed to replace the foregoing Acts;
- Persons who have been charged under the Youth Criminal Justice Act, but who have been placed in open or secure custody;
- Persons who require temporary care, and transient or homeless persons;
- Persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or
- Persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six residents.

A group home type 2 shall not include a residence defined as a group home

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type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility.

Under Group Home Type 1 definition it states – Individuals 60 years plus at a satellite residence under Homes for the Aged and Rest Homes Act.

The Satellite Home definition was not used in the new 2010 New Homes For the Aged Act which replaces the Homes for the Aged and Rest Homes Act. This should have been reviewed in this 5 Year review, after 2010, but no amendment has been made to the by-law.

I could not find a definition in the Act, for satellite residence, but since the primary writing in this by-law is related to municipally run residences, it should be deemed to apply to municipally run sites only that have a legislated standard of care to the residents and a commitment to the community.

Any change to this should have had a planning committee review, and or Council direction, previous to now, to allow for changes that are now coming up.

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We do not have access to the City's interpretations and what happens at non council meetings, but based on feedback and the open ended lack of correct information, it can be assumed this home could have up to 6 residents who have vehicles, potential visitors, family, in-home care givers, and medical staff, the driveway is properly sized as a four car driveway. This is potentially just another rooming house, but using seniors as residents.

For any of the other classifications under "Group Home Type 1", there is a Ministry or Group that provides residents to the group home, and ensures that rules are made by the agency are followed. That agency, or ministry, pays for the lodging and support of this residence, based on a legislated formula.

23 Hillside Drive is a for profit residence that can set its own fees based on market value, not legislated formulas. Based on the interpretation of the by-law, they can offer services to anyone who applies without any governance other than their own service plan for each resident (the violations mentioned to date are related to those plans from their other homes) and a 60 plus age requirement. They are a

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rental residence, and should be classified as such until by-laws are reviewed and changed to meet everyone's concerns or needs.

The Region of Peel administers the municipally run services for retirement care residences in Brampton so they are the only ones that would have satellite sites for this reasoning under the current bylaw, so they should be the only ones that receive a Type 1 Group Home classification.

It is the City of Brampton's responsibility to ensure a fair process takes place, advocating for the residents first, before allowing changes. Especially when they don't meet the requirements of the by-law.

Before someone opens a business, and does their business plan, they should be consulting with their own lawyer and getting correct information that they can base their decisions on, and understand the potential costs and requirements related to them, especially when it comes to municipal affairs and changes. This is just a part of being an independent, private business.

Re: 5.2-1 - Delegation - Warren Parkes

City of Brampton residents should expect protection at all steps with the City looking to err on the side of caution when it is directly related to residents and their homes. This is far too complicated and potentially damaging a decision to be made without proper review either through an application by the business, to amend the applicable by-law, or wait for Council's review of existing, outdated by-laws that should allow for public input, before changing.

Residents should not have to hire lawyers to fight interpretations of an outdated by-law.

Once a by-law is made, the set as the right to allow unhindered open for business policies. But, in this case that does apply because the City is changing the wording of the by-law without proper consultation.

I have been asked to speak on behalf of the residents of Bramalea Woods. I am not a lawyer, but as a business owner, and resident. I have done my best to decipher the by-laws and official plans as well as the misinterpreted information.

Re: 5.2-1 - Delegation - Warren Parkes

I appreciate Council taking the time to hear our concerns, and hope time will be taken to fully understand all the information available before going ahead with any decisions.

There should be only one of two decisions today.

1. The bylaw as it stands, does not allow for this type of residence at 23 Hillside

Drive under current by-laws and the owners can make application for a variance to the bylaw or

2. The current bylaw must be reviewed and updated properly before any decision

can be made as it is outdated and does not take care of where Brampton is in

2019 and the direction it is going with its Mosaic 2040 Vision.

Thank you for your time

Warren Parkes