

Amendment No. 10  
to the  
Official Plan for the  
Pelham Planning Area

This amendment to the Official Plan for the Pelham Planning Area, which has been adopted by the Council of the Corporation of the Town of Pelham is hereby modified under the provisions of section 17 of the Planning Act, 1980, as follows:

1. PART B - THE AMENDMENT is hereby modified by adding the following policy:  
"1.52.7 Upon approval of a group homes policy for the Region of Niagara Official Plan, the Town of Pelham shall amend the Pelham Official Plan to bring it into conformity with the regional policy."
2. PART B - THE AMENDMENT is hereby further modified by renumbering policies 1.53.4, and 1.53.5 and 1.53.6 to 1.52.4, 1.52.5 and 1.52.6 respectively.

As thus modified, this amendment is hereby approved pursuant to section 17 of the Planning Act, 1980, as Amendment No. 10 to the Official Plan for the Pelham Planning Area.

Date

July 13/80

Amendup

AMENDMENT NO. 10  
to the  
Official Plan  
of the  
Pelham Planning Area

Planning Consultants  
Miller, O'Dell & Paul  
Urban & Rural Planning Consultants Inc.  
St. Catharines & Ancaster

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CERTIFICATES  
OFFICIAL PLAN  
OF THE  
PELHAM PLANNING AREA  
AMENDMENT NO. 10

This Amendment was adopted by the Corporation of the Town of Pelham by By-law No. 862(1983) in accordance with Sections 13 and 17 of The Planning Act on the 25<sup>TH</sup> day of JULY, 1983.

E.G. Bergenstein Murray Hackett (SEAL)  
MAYOR CLERK

This Amendment to the Official Plan of the Pelham Planning Area, which has been recommended by the Pelham Planning Board and adopted by the Council of the Town of Pelha, is hereby approved in accordance with Section 17 of The Planning Act, as Amendment No. 10 to the Official Plan of the Pelham Planning Area.

Date: \_\_\_\_\_  
Approval Authority \_\_\_\_\_


THE CORPORATION OF THE  
T O W N   O F   P E L H A M  
BY-LAW NO. 862 (1983)

The Council of the Corporation of the Town of Pelham in accordance with the provisions of The Planning Act, R.S.O. 1980, hereby enacts as follows:

1.           Amendment No. 10 to the Official Plan of the Pelham Planning Area, consisting of the attached schedules and explanatory text, is hereby adopted.
  
2.           That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of the aforementioned Amendment No. 10 to the Official Plan of the Pelham Planning Area.
  
3.           This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed the 25th. day of JULY, A.D., 1983.

  
CLERK

  
MAYOR

Certified that the above is a true copy of By-law No. 862 (1983) as enacted and passed by the Council of the Town of Pelham on July 25th., 1983.

Signed:   
Clerk of the Municipality

Part A - the Preamble does not constitute a part of this amendment.

Part B - The Amendment, consisting of the following text and Schedule "A", constitutes Amendment No. 10 to the Official Plan for the Pelham Planning Area.

Part C - The Appendices do not constitute a part of this amendment. These appendices contain only information in support of the Amendment.

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## PART A - THE PREAMBLE

### Purpose

The purpose of this Amendment is to add appropriate group home policies to the Pelham Official Plan.

### Location

This Amendment will add policies to the Pelham Official Plan to permit group homes within the "Urban Residential Area", the "Village Residential Area", the "Agricultural Area" and the "Rural Area." Schedule "A" (land use Plan) is not affected by this Amendment.

### Basis

The Region of Niagara has been investigating the group home issue within the overall Region for some time. Several detailed reports have been produced (DPD 1375, DPD 1544, DPD 1618) since 1980 to which local municipalities have been urged to respond. Pertaining to the Town of Pelham, a comprehensive planning report was prepared dealing with group homes and is included in the appendix.

### Implementation and Interpretation

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Pelham Official Plan.

## PART B - THE AMENDMENT

All of this part of the document entitled Part B - The Amendment, consisting of the following text constitutes Amendment No. 10 to the Pelham Official Plan.

### Details of the Amendment

The following is added to the Pelham Official Plan as Policy 1.52:-

#### "1.52" Group Homes

- 1.52.1 Group homes shall be considered a residential use of land and shall be permitted wherever residential uses are allowed by other policies in this plan."

- 1.52.2 For the purposes of this section, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or the receiving family) live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and in compliance with municipal by-laws.

While in no case may a group home exceed ten residents, the implementing Zoning By-law may further restrict the maximum number of group home residents.

- 1.52.3 The Province, under the Secretariat for Social Development in conjunction with the Ministry of Health, the Ministry of Correctional Services, and the Ministry of Community and Social Services, has developed group home programs in the following nine categories:-

- . Approved Homes (psychiatric care)
  - . Homes for Special Care-Residential (psychiatric care)
  - . Community Resource Centres (minor offender rehabilitation)
  - . Halfway Houses for Alcoholics
  - . Halfway Houses for Ex-Offenders
  - . Halfway Houses for the Socially Disadvantaged
  - . Satellite Residence for Seniors
  - . Accommodation Services for the Mentally Retarded
  - . Childrens' Residences
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- MODIFICATION  
NO. #2  
UNDER SECTION 14(1) OF  
THE PLANNING ACT
- ~~1.53.4~~ The implementing Zoning By-law may permit any or all of the above nine types of group homes based on the need for the particular type of group home in the Town of Pelham. In determining the need and suitability of each type of group home and the number of residents per group home, the size and general rural character of the Town of Pelham together with the merits of each specific application must be given consideration.
- ~~1.53.5~~ Existing group homes which do not comply with the provisions of the Zoning By-law will be allowed to continue in operation and may only be permitted to expand by amendment to the Zoning By-law based on the merits of each application.
- ~~1.53.6~~ Group homes may only operate subject to the provisions of this section, the provisions of the implementing Zoning By-law, and all necessary Provincial approvals. Further, all group homes in the Town of Pelham must be registered with the municipality pursuant to Section 236 of The Municipal Act R.S.O. 1980.
- MODIFICATION  
NO. #1  
UNDER SECTION 14(1) OF  
THE PLANNING ACT



PART C - THE APPENDICES do not constitute a part of this Amendment. These appendices contain only information in support of the Amendment.

- (1) Preliminary Report of Planning Consultants - November 16, 1982
- (2) Definitions from Municipal Act

GROUP HOMES

TOWN OF PELHAM

PRELIMINARY REPORT

INTRODUCTION

This report will examine the group home issue in the Town of Pelham. In order to provide a full assessment for the review of Planning Committee, it is necessary to examine provincial, regional, and local policies as they relate to group homes. Also, in order to develop a proper insight into various remedies that are available, we have examined the group home policies of Niagara Falls, Port Colborne, St. Catharines, West Lincoln, Hamilton and Burlington.

BACKGROUND

Prior to examining the current state of the art in respect to group homes, it is necessary to set out a brief history of the topic.

The group home issue came to light several years ago when various parties including social services professionals found the treatment and/or rehabilitation of certain persons with social, physical or mental handicaps more successful in group homes rather than traditional institutions. Group homes have been operating in some local municipalities for a number of years under a variety of provincial programs with rather disjointed licensing, funding and registration procedures.

Traditionally, the provision of group homes in a community has been a difficult issue to resolve due to the perceived stigma attached to persons with physical, social or mental problems, and the view of nearby residents and the overall community. These viewpoints have resulted largely from misinformation, misconceptions, and isolated problems with larger group homes in the few municipalities that have permitted them. Group homes in all municipalities, properly controlled and administered, could

provide for locally disadvantaged residents in their own community which should result in a minimum of problems.

#### PROVINCIAL POLICY

A report entitled "Group Homes - Report of the Interministerial Working Group," dated June 1978, was submitted to the Secretary for Social Development for consideration. A resulting announcement encouraged municipalities to amend their official plans and zoning by-laws to permit group homes in all residential areas.

The policy is designed to ensure that members of a community are cared for where possible in the community in a way which protects both the interests of the individual and the neighbourhood.

In order to encourage provincial-municipal co-operation in the establishment of group homes, the Province has developed planning guidelines for group homes. These guidelines are not mandatory; they have been developed to assist municipalities with the preparation of proper official plan and zoning by-law policies and regulations. Included within these guidelines is the following recommended definition for group homes:-

"a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or the receiving family) live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and in compliance with municipal by-laws."

Also of interest to Pelham, these planning guidelines provide the following distinction between foster homes and group homes for children:-

"DISTINCTION BETWEEN FOSTER HOMES AND GROUP HOMES  
FOR CHILDREN

Group homes for children can be either staff or parent model but must be licensed under The Children's Residential Services Act. Parent model homes with more than four children are considered group homes. Similarly, staff model homes of three or more children are group homes. A parent model home is a residence where one or two persons live in the residence full time, acting as surrogate parents to a child by providing 24-hour care, training, and supervision. Relief may be provided, but not on a daily shift rotation basis. A staff model home is a residence in which persons are employed to provide 24-hour coverage for the care of children where at least one employee is on active duty each shift. Aside from the number of children, a final determination as to whether a home is a group home can be made by contacting the local office of the Children's Services Division of the Ministry of Community and Social Services."

Once the suggested local official plan and zoning by-law policies are in place the applicant for a group home must satisfy the following procedural requirements:-

"As a condition of licensing or approval for funding all Adult and Children's group homes the relevant provincial ministry will require the operator to:

- a) Notify the Municipality of the intent to establish a group home, subject to compliance with provincial and municipal requirements.
- b) Comply with municipal zoning by-laws.

- c) Define their program and demonstrate the need for service in the specific location within the municipality.
- d) Demonstrate a knowledge of the community and its resources, to ensure that the needs of their residents can be met within a climate of community acceptance and consistent with the objectives of their program requirements.
- e) Demonstrate the suitability of the proposed facility as required by provincial and municipal legislation as to its construction and compliance with local health, safety and fire regulations.

Following the establishment of each group home, the responsible provincial ministry is required annually to take the following steps to safeguard the operation of each group home:-

- a) A review of the management and operation of the group home to ensure that prescribed programs are being carried out and that the staff/resident ratio and supervision is in accordance with program requirements.
- b) The operator will also be required to demonstrate continued compliance with local health, fire, safety and building regulations.

The Municipal Act also contains specific requirements for municipal registration and renewal of registration of all group homes in a municipality. This is only a recording mechanism and is fully described in the municipal section of this report.

#### REGIONAL NIAGARA POSITION

The Region has been involved in a detailed investigation of the group home issue in Niagara since mid-1980. This investigation

has resulted in two staff reports from the Planning and Development Department, DPD 1375 and DPD 1544. The following excerpt from DPD 1544 would appear to provide the reasons for the Region's involvement in this otherwise local issue:-

"Group homes are important contributions to providing suitable and affordable accommodations. As such, they involve the underlying objective of the Regional Housing Statement which is to provide adequate housing for all members of the community. This general comment and the following five points are the main reasons for the Region becoming involved in the discussion of the appropriate means of allowing group homes.

- a) Group homes will naturally tend to locate in municipalities which allow them, so that if some municipalities do not allow them, those which do allow them will get a disproportionate share of such facilities. Such concentrations should not be encouraged and the suggested regional approach should enable group homes to be fairly evenly distributed across the Niagara Region...
- b) The desire to provide group homes for those who need them as compared to the view of nearby residents has been a difficult issue for municipalities to resolve. Residents of the community who need such facilities should, as a general rule, not have to leave the community simply because the homes are not allowed. Also, nearby residents should know about the facility and have an opportunity to comment. The proposal presented in this report provides a mechanism for local input into the licensing and funding review process. It would seem to be a reasonable approach to providing

these homes, and to assisting those residents who need the services, while at the same time providing the opportunity for meaningful local input.

- c) Group homes are expected to have quite similar effects to those of a large family on the community. Thus the homes are viewed as another form of housing and the location of such homes is viewed as being quite appropriate in residential areas. Since the provision of individual group homes is viewed primarily as a social issue rather than as a land use issue, the licensing and funding approval procedures which focus on the need for the service would seem to be a more appropriate review mechanism than rezoning which focuses on land use issues.
- d) The consensus of the social service community clearly supports treatment in group homes where it is appropriate as opposed to institutional care. It appears that the community-oriented, small group environment is preferable to institutional care from both treatment and cost-effectiveness viewpoints.
- e) Finally, the Province has asked municipalities to amend official plans and zoning by-laws to allow group homes in all residential areas. In reviewing the issue in this report, the general thrust of the provincial initiative is supported subject to some proposed refinements."

The approach that is preferred by the Region is a Policy Plan amendment to establish the general context for the location of group homes in all residential areas without a rezoning. The following is the proposed form of the Policy Plan amendment:-

"The Regional Municipality of Niagara supports the establishment of group homes in any residential area in Niagara subject to the provincial licensing and funding review procedure having adequately considered the input of the appropriate locally-based review procedure. That procedure would normally include representation from the area municipality or municipalities, social agencies, and appropriate social or health planning bodies.

For purposes of this policy a "group home" is defined as a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or the receiving family) live as a family under responsible supervision consistent with the requirements of its residents. The home must be licensed or approved under provincial statute and be in compliance with municipal by-laws. At the discretion of the area municipality, the maximum size could be eight residents (excluding staff or the receiving family)."

Subsequent to the approval of the regional policy change, the local municipality would then be required to amend their official plan and zoning by-law to conform with the Policy Plan. Local policies could be framed around the provincial guidelines for group homes. Applications for group homes would, in addition to these revamped local and regional policies, be subject to the previously outlined provincial criteria. Three additional criteria recommended by the Region are:-

- "(a) The establishment of a broadly-based review process with representation from the municipalities, social agencies and the appropriate social or health planning bodies, to provide input to the provincial licensing and funding review procedures. This



locally-based process would provide important input to the relevant provincial agencies. It is understood that the provincial authorities and the City of Niagara Falls have substantially agreed on the terms of reference of such a process for Niagara Falls.

- (b) The local municipality can determine appropriate "distance separations" or other means of ensuring that group homes do not all concentrate in one area. Alternative ways of doing this might be through a "Site Plan Analysis" procedure such as is suggested by Niagara-on-the-Lake and/or through site planning requirements that could be included in the zoning by-law. However, the proposed mechanisms should be reviewed by the Region to ensure that they conform to the intent of the proposed Policy Plan amendment. Thus distance separations should be reasonable, and site plan analysis or site plan requirements should not be a zoning procedure in disguise but should instead be reasonable approaches to improving the location of group homes rather than largely preventing them.
- (c) At the municipal discretion, the maximum size of the group home could be reduced from 10 residents, exclusive of staff or receiving family, to 8 residents, exclusive of staff or receiving family. This suggestion accommodates the concern that 10 residents is too many. However, it allows a reasonably sized group home to establish and should not severely restrict most of the applications which are expected to fall within the size range proposed. Larger

homes could be established in residential areas but only through rezoning in addition to the licensing or funding approval process."

It is important to note that there are 9 different types of group homes. A full description of each type is provided in Appendix 1 to this report.

The Region's proposed policy does not speak to the issue of differentiation between types or classes of group homes, and further, regional staff indicates they are not in support of any differentiation.

We have discussed this issue with both the Ministry of Municipal Affairs and Housing and the Social Services Secretariat. The Province would prefer to see all types or classes provided in all residential area; however, they realize a reduced variety of group homes in a municipality is better than total exclusion. It must also be pointed out the OMB has recently approved zoning by-laws in at least two municipalities which specify only some of the nine types.

#### LOCAL MUNICIPAL CONTROL

##### Official Plan

The existing Official Plan of the Town of Pelham is silent in respect to the group home issue. Lack of local policy would normally preclude a land use; however the Ministry of Municipal Affairs and Housing staff feel group homes are presently a permitted use in Pelham. The planning guidelines for group homes referred to earlier in this report recommend that the local official plan:-

- . provide a definition for group homes;
- . establish group homes as a permitted use in all residential designations;

- . prevent undue concentration of group homes in specific areas by requiring reasonable distance separation between facilities contained in the zoning by-law, or to provide for any other relevant zoning provisions where separation distances are not practical for rural municipalities. These provisions should be designed to suit the given circumstances in the municipality; provide for the continuation of any existing group homes not meeting the requirements of the zoning by-law.

#### Zoning By-law

Zoning By-law 279 (1974) as amended and approved by the OMB does not provide for group homes as defined by the Province. It is interesting to note, however, the following three group homes are in operation in Pelham:-

1. Mutual Support System #3, 216 Welland Road, R. R. #5 Fenwick ( 7 children)
2. David S. Horne Home, Highway #20, Fonthill (10 children)
3. H. Shultz, Effingham road, Ridgeville (5 children)

Prior to Zoning By-law Amendment 809 (1982), which reduced the number of unrelated children to 3 in the definition of "family" the third home noted above would have been a permitted use in Zoning By-law 279 (1974). The writer can only assume the Mutual Support System home predated the Zoning By-law and therefore has a legal non-conforming use status. Apparently, the David S. Horne home is located in a former duplex (2-family dwelling) and would therefore have been a permitted use under the former "family" definition. In regard to your definition of "family", it is important to reiterate the provincial distinction between foster homes and

group homes for children. A parent model group home for children would consist of 5 or more children and a staff model group home for children would consist of 3 or more children. Conversely, a parent model foster home could have up to 4 children and a staff model foster home could have a maximum of 2 children. It would appear a similar revision to your "family" definition could be supported before the OMB.

In order to avoid confusion and adequately address the group home issue in the zoning by-law, an amendment is necessary. Such an amendment would:-

- . Define a group home. Some municipalities have reduced the maximum number of residents per group home to as few as 5 persons. The permitted types or classes could be listed in the definition (i.e. Satellite Residents for Seniors, Accommodation for the Mentally Retarded).
- . Permit group homes in all residential zones. Some municipalities permit group homes in all residential zones, but only in single detached dwellings.
- . Prescribe minimum separation distances between facilities in urban areas or other suitable zoning provisions for rural municipalities.

Distances range in municipalities canvassed from 180 metres (600 feet) to 460 metres (1500 feet).

#### Registration By-law

A registration By-law may be enacted by Council pursuant to Section 236\* of the Municipal Act, R.S.O. 1980. Such a by-law can only be passed if group homes are a permitted use in the Zoning By-law of the municipality, and said By-law may:-

- (a) provide for the registration and annual renewal of registration, with the registrar, of group homes or such class or classes thereof as may be set out in the by-law;\*\*
  - (b) prohibit any person from owning or operating a group home that is not registered in accordance with a by-law passed under this section;
  - (c) fix fees for the registration and renewal of registration of group homes, and
  - (d) authorize the registrar to register and renew registrations required by a by-law passed under clause (a).
- \* See appendix 2 of this report for reproduction of Section 236.
- \*\* this by-law is a Zoning By-law pursuant to Section 39 of The Planning Act.

#### Other Controls

In addition to the above controls and in compliance with the proposed regional group home policy, a locally based review committee can be established to scrutinize group home applications at the local level and make recommendations to the responsible provincial ministry.

Group homes must also meet all other municipal requirements such as building by-laws and fire and safety regulations, etc.

#### Recommendations

We trust the preceding findings are self-explanatory and understandable. The following recommendations are made for your consideration.

1. Amend the Pelham Official Plan to provide suitable policies for group homes.
2. Amend the Zoning By-law to allow group homes in all residential areas. This would include:-
  - . the types or classes of group homes to be permitted;
  - . the maximum number of residents per group home;
  - . the minimum distance between group homes;
  - . required changes to family definition.
3. The Region should be encouraged to permit local dis-cretion as to:-
  - . the types or classes of group homes permitted;
  - . the maximum number of residents per group home.
4. A registration by-law should be enacted pursuant to Section 236 of The Municipal Act.
5. A locally based review committee should be formed.

Respectfully submitted:

MILLER O'DELL AND PAUL

A handwritten signature in dark ink, appearing to read "D. J. Logan" with a stylized flourish at the end.

D. J. Logan, MCIP  
Consulting Planner

November 16, 1982

# APPENDIX 1 (1)

## INFORMATION ON GROUP HOMES PROGRAMS

Group Home Program	Residents	Funding		Profit or Non-Profit	Inspections	Approval/Licensing	Competence of Operator	Support Services
		Rate	Continuance					
Halfway Houses for the Socially Disadvantaged Ministry of Community & Social Services	The residents of these homes are adults who are either social disadvantaged or who have emotional problems.	Same as Above	Same as Above	Same as Above	Same as Above	Same as Above	Same as Above	Same as Above
Satellite Residences for Seniors Ministry of Community & Social Services	These are individuals over the age of 60 who are referred to satellite residences by Municipal Homes for the Aged.	Municipal Funding by the Home for the Aged. Province defrays 70% of per diem.	Funding continues upon the inspection and approval by municipal Home for the Aged.	Can be either profit or non-profit	By the municipality every 4 months.	Approval by the Municipal Home for the Aged.	Responsibility of the Municipal Home for the Aged.	Determined by the Municipal Home for the Aged.
Accommodation services for the mentally retarded. Ministry of Community & Social Services	Those living in these residences are mentally retarded children or adults who have previously been living in a community or facility setting.	By the Province on a per diem or purchase of service, at no cost to the municipality. Note: In Niagara Region we have an historic agreement whereby the Region pays 7% of the operating costs	Funding continues if service exists and home is properly operated, in compliance with all municipal & provincial regulations.	Non-Profit Organization	Annual formal inspection by the Province. Municipality provides proof of compliance with all municipal regulations and by-laws. Ministry staff regularly visit the home. Funding renewal contingent upon	Provincial approval/licensing subject to compliance with all municipal & provincial regulations. Can be revoked for non-compliance with municipal or provincial regulations, removal of residents and	Ministry responsibility - Operator must demonstrate knowledge & ability to provide required level of care. Most Operators have years of experience in human care services.	Availability of support services demonstrated by Operator as a prerequisite to approval or licensing. Most clients are residents of the community who require group home care in the community.

INFORMATION ON GROUP HOMES PROGRAMS

Group Home Program	Residents	Funding		Profit or Non-Profit	Inspections	Approval/Licensing	Competence of Operator	Support Services
		Rate	Continuance					
Accommodation Services for the Mentally Retarded Continued		of certain residential programs. Any new programs such as a Group Home would not be automatically included in that agreement.			formal inspection & proper operation.	closure of the home.		
Children's Residences Ministry of Community & Social Services	Those living in these residences are primarily children under 16 who because of special needs cannot live with parents or other relatives, but would benefit from an alternate living arrangement. Occasionally, homes have children who are 16 years or older.	By Province on a per diem or fee for service, at no direct cost to the municipality. Municipality defrays about 20% of total service budget of Children's Aid Society including C.A.S. placements in group homes.	Same as Above	Can be either profit or non-profit	Same as Above	All Children's residences must be licensed by Province in compliance with municipal regulations & regulations of The Children's Residential Services Act. License can be revoked for non-compliance with municipal or provincial regulations, residents removed & closure of home.	Same as Above	Same as Above Operator must also demonstrate availability of space and program with in the school system.



APPENDIX 1 (2)

INFORMATION ON GROUP HOMES PROGRAMS

Group Home Program	Residents	Funding		Profit or Non-Profit	Inspections	Approval/Licensing	Competence of Operator	Support Services
		Rate	Continuance					
Approved Homes The Ministry of Health	Patients of provincial psychiatric hospitals who at this point in their recovery can benefit from a family oriented living arrangement in the community.	By the Province on a per diem or purchase of service, at no cost to the municipality.	Funding continues if service exists and home is properly operated, in compliance with all municipal and provincial regulations.	Can be either	Annual formal inspection by Province. Municipality provides proof of compliance with all municipal regulations and by-laws. Ministry staff regularly visit the home. Funding renewal contingent upon formal inspection & proper operation.	Provincial approval/licensing subject to compliance with all municipal and provincial regulations. Can be revoked for non-compliance with municipal or provincial regulations, removal of residents & closure of home.	Ministry responsibility: Operator must demonstrate knowledge & ability to provide required level of care. Most are non-profit organizations who have years of experience in human care services.	Availability of support services demonstrated by Operator as a prerequisite to approval or licensing. Most clients are residents of the community who require group home care in their own community.
Homes for Special Care Ministry of Health	Those living in homes for special care are individuals, who on discharge from provincial psychiatric hospitals or regional centres for the mentally retarded, require a sheltered community living arrangement.	Same as Above	Same as Above	Same as Above	Same as Above	Same as Above	Same as Above	Same as Above
Community Resource Centres Ministry of Correctional Services	Those living in community resource centres are sentenced individuals who can benefit more from rehabilitation in a	Same as Above	Same as Above	Non-Profit Organization	Same as Above	Same as Above	Same as Above	Same as Above

## INFORMATION ON GROUP HOMES PROGRAMS

[illegible]

APPENDIX 2

236 - (1) In this section,

- (a) "group home" means a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario for the accommodation of three to ten 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;
- (b) "registrar" means the person designated as the registrar of group homes by the council of a local municipality.

(2) The council of every local municipality may pass by-laws,

- (a) providing for the registration and annual renewal of registration, with the registrar, of group homes or such class or classes thereof as may be set out in the by-law;
- (b) prohibiting any person from owning or operating a group home that is not registered in accordance with a by-law passed under this section;
- (c) fixing fees for the registration and renewal of registration of group homes; and
- (d) authorizing the registrar to register and renew registrations required by a by-law passed under clause (a).

(3) Where an application is made to the registrar of a municipality in the form prescribed by a by-law of

Appendix 2 (cont'd)

the municipality under subsection 2 for the registration or renewal of registration of a group home, the registrar shall register or renew the registration, as the case may be, of the group home.

- (4) Where the registrar has reasonable and probable grounds to believe that any person is operating a group home that is not registered in accordance with a by-law passed under this section, the registrar or a person acting on his instructions may, under the authority of a search warrant issued under the Provincial Offences Act, enter and inspect the property for the purpose of determining whether or not the property is being used as a group home.
- (5) No council may pass by-laws under this section unless there is in effect in the municipality a by-law passed under Section 39 of The Planning Act that permits the establishment and use of group homes in the municipality.