

# Request for Decision City Council



## Type of Decision

Meeting Date	March 10, 2005				Report Date	March 2, 2005			
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

## Report Title

Ministry of Community and Social Services and Ministry of Children and Youth Services Group Home Application Policy

## Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

### Policy Implications:

This matter was deferred at the August 8th, 2004 meeting of Council pending receipt of an information report identifying the implications of implementing a "Municipal Consultation" process.

The report states that City staff in the Development Services Section have developed a protocol for advising Ward Councillors when staff become aware that a service provider is looking to locate a group home in a particular area of the City of Greater Sudbury.

### Budget Impact:

There is no budget impact.

Background Attached

## Recommendation

This Report appears for the information of Council only, in response to a Council request.

Recommendation Continued

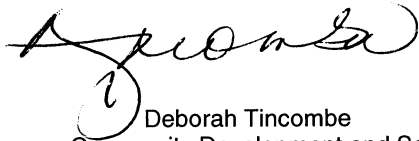
## Recommended by the Department Head

Catherine Matheson  
General Manager, Community Development

## Recommended by the C.A.O.

Mark Mieto  
Chief Administrative Officer

**Report Prepared By**



Deborah Tincombe  
Manager, Community Development and Social Policy

**Division Review**

Not applicable

**Executive Summary**

At its August 12, 2004 meeting, Council requested an information report identifying the implications of requesting the Ministry of Community and Social Services and the Ministry of Children and Youth Services amend its Group Home Application Policy to reflect that public consultation is the first step in the approval process for a group home and that the Ministry communicates directly with the respective Ward Councillors when an application is being made to allow the Councillors to co-ordinate the public consultation process with the applicant.

Licensing of group homes for children who are under the age of eighteen is the responsibility of the Ministry of Children and Youth Services under the Child and Family Services Act.

Operators applying for a licence are required to provide documentation to the Ministry that the location of the group home conforms with municipal zoning by-laws as well as provide details of a plan for securing neighbourhood acceptance of the group home.

As a result of the concerns raised in August 2004, the local office of the Ministry of Children and Youth Services advises that it is encouraging each potential group home operator to send a letter to the City Clerk advising of the location of the group home. The City Clerk will send copies of the letter to the respective Councillors for the Ward in which the proposed group home will be located.

City staff in the Development Services Section have also developed a protocol for advising the respective Councillors when staff become aware that a service provider is looking to locate a group home in a particular ward.

The implications of requesting the Ministry of Community and Social Services and Ministry of Children and Youth Services to amend its Group Home Application Policy include:

1. Heightened awareness and understanding of the operator and the neighbourhood with respect to either other's concerns and needs; and
2. Requirement to change Provincial legislation and policy.

## **Background**

At its August 12, 2004 meeting, Council deferred the following resolution until an information report identifying the implications is received from the General Manager of Health and Social Services by Council.

WHEREAS the placement of Group Homes within a neighbourhood can cause concerns amongst neighbours, especially if they feel left out of decision making process, and are not informed early in the application process;

AND WHEREAS City Councillors are not told of the application process either by the Province or the Applicant;

AND WHEREAS getting technical approval for a building permit for a property that is already properly zoned should not constitute "municipal consultation" by the Province or the Applicant;

BE IT RESOLVED THAT the City of Greater Sudbury requests of the Ministry of Community and Social Services and Children and Youth Services that it amend its Group Home Application Policy such that:

1. Public consultation is step #1 in the Approval Process for a group home.
2. Under the Municipal Consultation part of the application process, the Ministry communicates directly with the local councillor(s) when an application is being made in order to allow the councillor(s) to co-ordinate the public consultation process with the applicant.

## **Municipal and Provincial Jurisdiction**

The City's Development Services Section advises that Group Homes are permitted in any single detached dwelling, subject to the requirements of the Zoning By-law. Group homes of a correctional nature or for more than ten individuals are allowed in zones which permit institutional use. Group homes are licensed, or approved, under Provincial Statutes.

The Ministry of Children and Youth Services is responsible for licensing and funding group homes for children who are under the age of eighteen under the Child and Family Services Act. These group homes normally provide residential care and support services for children who reside away from their family homes, and, in some cases, their communities.

The Ministry of Community and Social Services is responsible for approving and funding group homes for adults under the Developmental Services Act. These group homes are not licensed as they accommodate ten or fewer adults in a residential setting.

## **Application Process**

As part of the application process for being licensed by the Ministry of Children and Youth Services or approved by the Ministry of Community and Social Services, the applicant is required to provide documentation that the location of the group home conforms with municipal zoning by-laws and must provide details of a plan for securing neighbourhood acceptance of the group home. The Ministry of Children and Youth Service's Children's Residence Licensing Manual states that "while the issuance of a licence is not contingent on neighbourhood acceptance, it is expected that a well-informed and accepting neighbourhood will provide a more positive community environment for the youth". The guidelines further state that "the Ministry must be satisfied that the operator has developed and implemented a community acceptance plan to inform the neighbourhood, schools, etc. of the planned home. The operator is responsible for communicating and gaining support from the community to the extent that it is possible."

## **Developments Since August 2004**

As a result of the concerns raised in August 2004, the local office of the Ministry of Children and Youth Services is encouraging each potential group home operator to send a letter to the City, specifically the City Clerk, advising of the location of the group home that will be opened, especially if the operator is able to proceed without zoning changes or a building permit. The City Clerk will send copies of the letter to the respective Councillors for the Ward in which the proposed group home will be located.

In addition, City staff in the Development Services Section have developed a protocol for advising the respective Councillors when staff become aware that a service provider is considering establishing a group home in a particular ward. Staff may become aware when a service provider makes inquiries about the provisions of zoning by-laws in the neighbourhood in which the group home may be located. However, inquiries about zoning by-laws can be made by citizens without them disclosing for what reason the information is required.

## **Implications of Requesting Amendments to Ministry Policy**

Following are some of the implications of requesting the Ministry of Community and Social Services and Ministry of Children and Youth Services to amend its Group Home Application Policy.

### **1. Heightened awareness and understanding**

The involvement of citizens in a public consultation as the first step of the approval process has the following advantages:

- provides residents of the neighbourhood with an opportunity to have their concerns heard and questions answered by the operator;
- provides the operator with an opportunity to provide facts about the proposed service and the needs of disadvantaged children and youth who require it; and

- builds trust between the neighbourhood and operator that will enable them to address any concerns that may arise in the future when the group home is operational.

The Ministry's Children's Residence Licensing Manual states that "a well-informed and accepting neighbourhood will provide a more positive community environment for the youth". Public consultation is the first step toward maintaining a positive community environment for the residents of the neighbourhood as well as the youth who will reside in the group home.

## **2. Requirement to Change Provincial Legislation and Policy**

The application and licensing process for Group Homes is prescribed under Regulation 70 of the Child and Family Services Act. The Ministry's Children's Residence Licensing Manual states that the issuance of a licence is not contingent on neighbourhood acceptance. Provincial legislation would likely need to be amended to accommodate the City's request that public consultation be the first step in the approval process for a group home. A legislative change might require public consultation throughout the Province. An amendment to policy could take six to twelve months.