

PROTECTION

Chapter 545 GROUP HOMES - REGISTRATION

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Article 1
INTERPRETATION

545.1.1 Crisis residence - defined

“crisis residence” means a residence that is licensed and/or approved for funding under provincial or federal statute for the temporary accommodation of three (3) or more persons (exclusive of staff) living under supervision in a single dwelling unit, and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement on an immediate emergency basis (normally not exceeding two weeks in length) for their well-being, and in which any counselling or support services are provided. A crisis residence in this Chapter shall be deemed not to include a:

- group home;
- mini-group home;
- group residence;
- group correctional home;
- group correctional residence;
- clinic;
- hostel;
- foster home;
- nursing home as defined by the Nursing Homes Act; or

- home as defined by the Homes for the Aged and Rest Homes Act.

545.1.2 Group correctional home - defined

“group correctional home” means a dwelling unit used as either a community resource centre under the provisions of the Ministry of Correctional Services Act or as an open or closed custody residence under the Young Offenders Act or the Child and Family Services Act. A group correctional home shall operate as a single housekeeping unit accommodating, or having the facilities to accommodate, three to ten residents (exclusive of staff and receiving family), in a group living arrangement under responsible supervision consistent with the requirements of the residents. Any counselling or support services provided shall be limited to those required by the residents. A group correctional home shall be deemed not to include a:

- group home;
- mini-group home;
- group residence;
- group correctional residence;
- lodging house;
- crisis residence;
- hostel; or
- foster home.

545.1.3 Group correctional residence - defined

“group correctional residence” means a dwelling unit used as either a community resource centre under the provisions of the Ministry of Correctional Services Act or as an open or closed custody residence under the Young Offenders Act or the Child and Family Services Act. A group correctional residence shall operate as a single housekeeping unit accommodating, or having the facilities to accommodate, eleven or more residents (exclusive of staff and receiving family), in a group living arrangement under responsible supervision consistent with the requirements of the residents. Any counselling or support services provided shall be limited to those required by the residents. A group correctional residence shall be deemed not to include a:

- group home;

- mini-group home;
- group residence;
- group correctional home;
- crisis residence;
- lodging house;
- hostel; or
- foster home.

545.1.4 Group home - defined

“group home” means a single housekeeping unit accommodating, or having the facilities to accommodate, five to ten residents (exclusive of staff or the receiving family), and who, by reason of their emotional, mental, social or physical condition require a group living arrangement under responsible supervision consistent with the requirements of its residents, and the group home is either licensed or funded under provincial or federal statute. Any counselling or support services provided in the group home shall be limited to those required by the residents. A group home shall be deemed not to include a:

- mini-group home;
- group residence;
- crisis residence;
- group correctional home;
- group correctional residence;
- hostel;
- lodging house;
- foster home;
- nursing home as defined by the Nursing Homes Act; or
- home as defined by the Homes for the Aged and Rest Homes Act.

545.1.5 Group residence - defined

“group residence” means a single housekeeping unit accommodating, or having the facilities to accommodate, eleven or more residents (exclusive of staff or the receiving family), and who, by reason of their emotional, mental, social or physical condition require a group living arrangement under responsible supervision consistent with the requirements of its residents, and the group residence is either licensed or funded under provincial or federal statute. Any counselling or support services provided in the group residence shall be limited to those required by the residents. A group residence shall be deemed not to include a:

- mini-group home;
- group home;
- crisis residence;
- group correctional home;
- group correctional residence;
- hostel;
- lodging house;
- foster home;
- nursing home as defined by the Nursing Homes Act; or
- home as defined by the Homes for the Aged and Rest Homes Act.

545.1.6 Mini-group home - defined

“mini-group home” means a single housekeeping unit accommodating, or having the facilities to accommodate, one to four residents (exclusive of staff or the receiving family), and who, by reason of their emotional, mental, social or physical condition require a group living arrangement under responsible supervision consistent with the requirements of its residents, and the mini-group home is either licensed or funded under provincial or federal statute. Any counselling or support services provided in the mini-group home shall be limited to those required by the residents. A mini-group home shall be deemed not to include a:

- group home;

- group residence;
- crisis residence;
- group correctional home;
- group correctional residence;
- hostel;
- lodging house;
- foster home;
- nursing home as defined by the Nursing Homes Act; or
- home as defined by the Homes for the Aged and Rest Homes Act.

545.1.7 Operator - defined

“operator” means the person for the time being managing a group home and includes a person which receives rent, fees, or other compensation paid by or for the residents of the group home, whether on his/her own account or as agent or trustee for any other person.

545.1.8 Owner - defined

“owner” includes the person shown by the records in the Land Registry Office to be the holder of the fee of the group home and a person who has possession of the premises pursuant to an agreement.

545.1.9 Registrar - defined

“registrar” means the Clerk of the Corporation of the City of Brantford.

545.1.10 Resident - defined

“resident” means a person other than an operator, owner or an employee of the operator or owner being at the premises.

Article 2

GROUP HOME - REGISTRATION

545.2.1 Own - operate - without registration - prohibited

No person shall own or operate a group home without registering the group home with the registrar.

545.2.2 Application - information - required

Every person required to register a group home shall file an application with the registrar on the form provided by the registrar and shall include the following information:

- (a) the name, address and telephone number of the owner, and of the applicant;
- (b) the name and telephone number of the operator if the applicant does not reside on the premises or is not actively in charge;
- (c) the address and legal description or plan of survey of the premises in respect of which the registration is sought;
- (d) the zoning category of the premises in respect of which a license is sought;
- (e) the number of sleeping rooms available for residents;
- (f) the maximum number of residents to be accommodated in rooms set out in (e) above, together with evidence satisfactory to the registrar that the residence is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario as a group home.

545.2.3 Application - fee

Every person making an application to register a group home shall pay a fee of \$50.00 to the registrar at the time the application is made.

545.2.4 Registration - where filings complete

The registrar, upon receiving a completed application, the evidence and fee set out in Sections 545.2.1 and 545.2.2 shall register the premises as a group home.

545.2.5 Registration - duration - one year

The registration of a group home shall last for a period of one year.

545.2.6 Renewal - information - required

A group home registration shall be renewed by filing a renewal application with the registrar on the form provided by the registrar and shall include the following information:

- (a) the name, address and telephone number of the owner, and of the applicant;
- (b) the name and telephone number of the operator if the applicant does not reside on the premises or is not actively in charge;

- (c) the address and legal description or plan of survey of the premises in respect of which the registration is sought;
- (d) the zoning category of the premises in respect of which a licence is sought;
- (e) the number of sleeping rooms available for residents;
- (f) the maximum number of residents to be accommodated in rooms set out in (e) above,

together with a renewal fee of \$50.00.

545.2.7 Renewal - duration - one year

The registrar, upon receiving the completed renewal application and renewal fee, shall renew the registration of the group home for a further term of one year. By-law 12-88, 18 January 1988.

545.2.8 Emergency Shelter

“emergency shelter” means an establishment providing short term accommodation to individuals who are in immediate need of emergency accommodation, food and may include ancillary health care, counselling and social support services. An emergency shelter shall be deemed not to include a;

- group home;
- mini-group home;
- crisis residence;
- group residence;
- group correctional home;
- group correctional residence;
- hostel;
- lodging house;
- foster home;
- long-term care home as defined by the Long Term Care Homes Act, 2007 as amended .

545.2.9 Emergency Shelter – Zoning

An emergency shelter as defined in Section 545.2.8 of Chapter 545 of the City of Brantford Municipal Code shall be considered to be a “crisis residence” for the purpose of zoning in accordance with Zoning By-law 160-90 as amended.

Article 3 ENFORCEMENT

545.3.1 Fine - for contravention

Every person who contravenes Section 545.2.1 shall be guilty of an offence and is liable, upon conviction, to a fine not to exceed \$5,000.00 exclusive of costs and every such fine is recoverable under the Provin-

cial Offences Act. By-law 12-88, 18 January 1988; By-law 55-92, 23 March, 1992; By-law 11-2015, 26 January 2015

Article 4
ENACTMENT

545.4.1 Effective date

This Chapter shall come into full force and effect from and after the passing thereof. By-law 12-88, 18 January 1988.