

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW NUMBER 90-31

A By-Law to amend By-Law Number 89-24

- WHEREAS:
1. By-Law No. 81-9 regulates the use of lands and the erection, location and use of buildings and structures within the Township of Westmeath.
 2. Council passed By-Law No. 89-24 in order to establish various regulations related to group homes.
 3. Council deems it appropriate to further amend by-Law No. 81-9 as amended by By-Law No. 89-24 in order to resolve certain appeals.

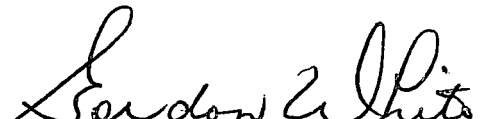
NOW THEREFORE the Council of the Corporation of the Township of Westmeath amends By-Law No. 89-24 as follows:-

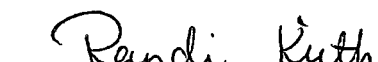
- 1) Section 1 is amended by deleting the "group home" definition and replacing it with the following:-

"(67A) "Group Home" means a single house-keeping unit in a residential dwelling in which between three and ten persons (excluding supervisory staff or the receiving family) live as a family under responsible supervision consistent with the particular requirements of the its residents. The home is licensed and/or approved under provincial statutes and in compliance with municipal by-laws. A "Group Home" shall not include a facility where the residents are ordered to attend at such facility, whether prusuant to the Climinal Code or Canada or the Young Offenders Act."

This By-Law shall become effective on the date of passing hereof.

PASSED and ENACTED this 4th day of July 1990.


Reeve


Clerk

EXPLANATORY NOTE

Amendment # 13 to the Westmeath Official Plan was passed in order to add policies concerning the establishment of group homes in the municipality. It was adopted by By-law # 89-23 on September 20, 1989 and submitted to the Ministry of Municipal Affairs for approval. After extensive circulation and consultation with affected agencies, the Ministry wrote to the Township of April 2, 1990 expressing several concerns and refused to approve the amendment. In order to resolve a concern over size limits, Council is considering a Ministerial Modification to Official Plan Amendment # 13 to allow group homes to accommodate between 3 and 10 persons. The actual number to be permitted in a proposed facility would be determined by the licencing authority taking into account the size of building, type of facility, etc.

In order to implement this proposed Official Plan amendment, as modified, a further amendment to the previously enacted Zoning By-law amendment # 89-24 is required. The attached By-law makes this change by establishing the same size range of 3 to 10 persons for a group home.

The other previously established policies of Official Plan Amendment # 13 and the implementing regulations of By-law # 89-24 are proposed to remain the same, including the requirement for a rezoning for certain types of correctional group homes.

Copies of the previous amendment are available at the municipal offices for public review.

Public Involvement

Prior to the passing of this By-law, a public meeting was held in order to permit interested persons an opportunity to make representations in support of, or in opposition to the proposed amendment. The meeting was advertised in accordance with the provisions of the Planning Act and the Regulations.

Two ratepayers, who had objected to By-law 89-24 attended the meeting.

The Planning Administrator outlined the events leading up to this public meeting, and said that the purpose of the proposed amendment was to satisfy the concerns of various ministries and ratepayers in this community.

A major concern with By-law 89-24 was that it limited the number of occupants of a group home to 3. This proposed amendment would change that provision to permit 3 to 10 occupants.

Mr. Sarto Lefebvre said that the group he represented, who had objected to the previous amendment (By-law # 89-24) were not interested in this meeting. He was assured that no correctional referrals would be permitted in a Group Home unless a site specific rezoning were to take place to allow a correctional type group home. He indicated that he felt his group would now withdraw their objection to the By-Law as amended.

Fred Coulsen stated that he was pleased that the number of occupants had been increased from 3 to 10, but that he was still concerned that young offenders could not be referred to serve time in Group Homes as defined in the By-law. He saw a big difference between criminals and half-way houses and young offenders, feeling that the latter were mostly troubled children having difficulties. He did agree, however, that he would withdraw his objection to By-law 89-24 since a compromise had been reached and his main concern had been addressed. No other comments or letters had been received.

The Planning Administrator in reply to questions about whether an OMB hearing would still be held, said that the MMA would be asked to modify the OP amendment to permit 3-10 occupants of a Group Home and also asked to approve the amendment. The OMB would be notified of the amendment discussed to-night, after its' passing and notified that the 3 objections have been withdrawn. If there are no further objections, it is hoped that the OMB will not hold a hearing, but this is not certain.