

Public Participation Meeting
July 31, 2017

Amendment of Zoning By-law
No. Z.-1

Presented by: Aileen Watt
Community Living London

Community Living London (CLL), in collaboration with families and the community, is a registered charity dedicated to supporting people with developmental disabilities to live inclusive, fulfilled lives. I am here today in support of the proposed amendment to remove from the minimum separation distance from the Zoning by-law for type one group homes. By amending this by-law people with disabilities will have the opportunity to choose where they want to live as you and I do.

The right to choose where you live is protected within the Ontario *Human Rights Code* and the Canadian *Charter of Rights and Freedoms*.

In March 2012 after the St. Patrick's Day Riot that occurred on Fleming Drive in London, the president of Fanshawe College suggested the student enclave be broken up to reduce the concentration of young people...in effect, introduce a zoning bylaw for Student housing. Michael Fox, professor of Geography and Environment at Mount Allison University in New Brunswick and a graduate of Western University remarked on this suggestion by stating the following; "removing one class of people from a particular neighbourhood is simply a form of segregation....counter to our Charter of Rights and Freedoms" He also went on to state; "if any other name was inserted in place of students, it wouldn't be acceptable".

No, it wouldn't be acceptable...yet the City of London has maintained this discriminatory by-law for people with disabilities.

In 2013, the City of Toronto commissioned a report by Dr. Sandeep Agrawal, a land use planning expert with knowledge of the interaction between planning and human rights issues. His report concluded that the definitions and Minimal Distance Separations applicable to group homes were not supportable on land use planning and human rights grounds and recommended their removal.

Toronto then directed its own staff to review the matter further, in consultation with Provincial Ministry representatives. City Staff reached the same conclusion as Dr. Agrawal: there is no land use planning justification to include a Minimal Distance Separation for Group Homes in a zoning by-law.

Ultimately, Toronto's Council agreed with the experts and voluntarily removed the zoning restrictions. The City of Toronto's decision to voluntarily remove these provisions resolved the legal dispute, but not before the City (and its taxpayers) incurred significant legal costs.

CLL has continued to advocate for the amendment of this by-law and has provided City staff with information related to actions taken by Toronto's Council as well as examples of similar discriminatory by-laws in other municipalities. Sarnia, Kitchener and Smith Falls followed Toronto and removed the discriminatory Minimum Distance Separations criteria for group homes like those operated by CLL. That was 4 years ago and yet London continues to enforce this discriminatory by-law.

CLL works with private investors to secure homes to then rent to people who receive supports and services. On average, each successful purchase has taken a year to secure, and our experience has been that it has taken 5 offers before a successful purchase is made. This means that people are not able to live where they wish.

In a search for a new home we can all relate to the fact that it takes many viewings to find the home that is right for you. Once you make that decision the excitement grows as you make an offer. Our investors must make a conditional offer upon zoning request and then wait for the City to respond with zoning approval, allowing people with disabilities to live in that neighbourhood. These zoning requests have taken up to 51 days to receive a response. The home is lost to other offers without such a condition...in today's housing market the home is lost in 48 hours.

CLL has had a long, respectful and professional relationship with the City of London over many years. CLL has an obligation to the people it supports and their families to ensure that they are treated fairly and that they do not face continuing discriminatory treatment by the City in which they live.

It is important not to confuse government regulated group homes to unregulated, privately operated homes that have been in the media reporting devastating stories of a lack of support and safety to vulnerable people.

All of Community Living London's group homes are inspected by employees of the Provincial Government, who require us to:

- have homes well maintained
- provide adequate supervision to meet the individual needs of the people who live there
- to have fire safety plans and inspections
- to meet provincial health and safety standards and
- to immediately comply with any orders

Our direct support professionals are qualified and trained. They focus on positive neighbour relations, and assisting the people we support to form lifelong relationships within their community. In the rare circumstance that a neighbour puts forward a concern, Community Living London is immediately responsive to rectify the concern and continue to build positive relations in an inclusive neighbourhood.

We trust City Council to make the right decision – the only legal decision – to abolish this discriminatory practice which negatively impacts people with a disability from having the same right to choose where they live as all other citizens.