

Planning Report

REPORT FOR: Town of Cornwall
DATE: November 27, 2024
PREPARED BY: Samantha Murphy, RPP, FCIP
FILE NUMBER: CW-2024-06
SUBJECT: Planning Review [REDACTED]

BACKGROUND

The Town received an application for a change of use for [REDACTED] to permit the development of a group home. The property involves an existing dwelling which currently includes a bed and breakfast use.

The parcel is zoned for R1 (Single-Detached Residential) in a neighbourhood featuring a mix of residential zones of varying density.

The application was first approved in February 2024 but is currently being reconsidered by Council due to responses from members of the public.

Context

The applicant is seeking a change of use from the current use designation as Bed and Breakfast to "Group Home," in keeping with the Town of Cornwall's Town Bylaw #422 definition of Group Home: "a facility licensed or funded by the Province of Prince Edward Island that provides accommodation for six (6) or fewer residents who require special care or supervision, staffed 24 hours a day by trained care giver(s)."

The proposed Group Home will be dedicated to supporting the needs of off-reserve Indigenous women and Two-Spirit peoples who are escaping situations of gender-based violence (GBV), part of the Canada Mortgage and Housing Corporation (CMHC)'s comprehensive Violence Prevention Strategy to expand culturally relevant supports for Indigenous women and 2SLGBTQQIA+ people facing GBV. The proposed Group Home will help to address several of the Calls to Action stemming from the Missing and Murdered Indigenous Women and Girls Final Report (2019), including but not limited to the Calls specific to Human Security, which includes safe housing.

ASSESSMENT

Bylaw Considerations

Zoning

The property is zoned R1 – Single-Detached Residential. The zone permits single-detached dwellings, parks and playgrounds and accessory buildings as-of-right, while group homes and early learning and child care centres are special permit uses.

The criterion for special permit uses in the R1 zone are that Council deems the Development is appropriate and all other relevant provisions of this Bylaw are met. Council may impose conditions for special permit uses.

Group homes and other forms of shared housing and shared housing with special care are increasingly being included as an as-of-right use in all residential zones in recognition of the fact that these uses are inherently residential in nature and that they are, despite societal stigmatization, an appropriate use.

The proposed group home will provide housing for up to 6 people at a time. The dwelling in question has 6 bedrooms, each with an ensuite bathroom, making the site suitable for the type and intensity of use.

Lot size

The property is an existing flag lot set back from the adjacent properties, with side, rear, and partial front yards screen by trees. The property is significantly larger than the neighbouring properties and exceeds zone lot standards.

Site Suitability:

Access/safe traffic flow and access: access is controlled through one existing driveway on an existing street, located near an active transportation network.

Adequate utilities and services: to be confirmed by Town, existing dwelling

Reasonable conformance with existing land uses in immediate vicinity: all adjoining parcels feature other forms of residential uses, with the exception of the large Town-owned park space located along the western property line.

Proposed Operations:

Based on the application, the proposed group home will be supervised 24 hours a day by staff trained in basic First Aid as well also trauma-informed care, conflict resolution, Mental Health First Aid, and other relevant courses. The Native Council also has an Indigenous Mental Health Navigator who can further assist clients by connecting them to provincial services relevant to their individual needs. The 24-hour supervision will also help to ensure client/resident safety, and the property is located within 750 m or a 1-minute drive of the new RCMP detachment.

Day programming will be provided on site, including culturally relevant activities aimed at helping Indigenous clients to recover from the traumas of abuse and to regain confidence and independence by building various life and job skills (financial skills, job search skills, etc.). The applicant's housing coordinator will also be available to help clients find more permanent housing once they are ready to do so.

The group home will be a substance-free site: no alcohol or drugs will be allowed on premises, with firm policies and procedures established to ensure staff enforce and manage this.

The applicant has noted that the Indigenous women and Two-Spirit clients/residents at the group home would be leaving situations involving violence and would be seeking a calm and healing environment. As such, the residents will not wish to attract attention to themselves or to the residence; and confidentiality, privacy, and safety will be an operational priority.

The applicant, the Native Council of PEI, has extensive experience delivering these kinds of services in a group-home setting.

The project is funded by both CMHC and the Province of Prince Edward Island.

Development Agreements

The Bylaw allows for the requirement for development agreements and Council may establish conditions; should there be any matters Council considers significant, they could be included in a development agreement.

Official Plan Considerations

The proposed development is supported by a number of Official Plan goals and policies, including:

- To encourage new, innovative, and economical housing forms.
- To be a welcoming, inclusive community that celebrates and encourages diversity to ensure everyone feels safe and accepted.
- To foster social interaction and healthy lifestyles for all town residents.
- To provide a range of housing opportunities to meet various socio-economic needs.
- To place an increased emphasis on the differing needs of seniors, youth, newcomers, and the mentally and physically challenged, including emphasis on care services, health programs, affordability, and accessibility.

The Town participated in a recent capital region housing needs assessment, which highlighted the growing need to ensure that housing supply, variety, and housing affordability are met. The province's ability to meet supply and affordability needs has only become more constrained since that study was undertaken. Further, the lack of options for those experiencing gender-based violence effectively leads to both adults and children continuing to live in dangerous situations.

Accessibility and Climate

The location of the proposed use is supportive of the principles of accessibility, diversity, and inclusion, recognizing that proximity to public and active transportation is a key factor for households, particularly those with lower incomes or limited resources.

Provincial Interests

The *Planning Act* now contains a list of provincial interests in section 2.1, and clause (m) in particular – *the adequate provision of a full range of housing options*, is particularly relevant to and supportive of the proposed use.

Public Response

Letters of support have been received, including from the Province of Prince Edward Island, community organizations, and area residents. The project is funded by CMHC and has federal support.

Letters and a petition in opposition to the proposed use have also been received. While special permit uses in the R1 zone are not subject to public meeting requirements, the neighbourhood has been engaged and feedback has been received.

Residents’ concerns include the following:

Concerns/perceptions	Considerations
<p>Concern that the group home would result in additional crime and other safety issues in the neighbourhood due to residents of the group home likely having mental health, addiction, and/or behavioral issues that would affect the overall safety and security of the area.</p>	<p>These concerns are largely based on the continued stigmatization of individuals either precariously housed or escaping situations of gender-based violence.</p> <p>Residents, and particularly children, are most at risk from people they know, rather than people they don’t know. Children are especially at risk of being harmed by someone who is close to them.</p> <p>Further, mental health, addiction and/or behavioral issues present in all socioeconomic situations and are not unique to group home uses or residents.</p>
<p>The group home could potentially reduce property values.</p>	<p>No changes to the building are proposed and it will continue to look like any other dwelling on the street – there is no data to support claims that property values would be affected and some evidence to suggest that more stable housing in a community improves property values. Further, real property values are excluded from the definition of ‘detrimental’ under the Bylaw.</p>
<p>Approval of the group home would set a precedent for the Town approving other non-residential uses in the area.</p>	<p>Group homes are a residential use and are recognized in the Bylaw as a special permit use.</p>
<p>Lack of community input.</p>	<p>There is no requirement under the Bylaw for community input in special permit uses, recognizing that they are largely appropriate in the zone in which they are listed, except where site or project-specific specific conditions might make the use problematic. Further, there was an informal meeting where residents were heard.</p>
<p>A request that the Town review potential impacts.</p>	<p>The Town is consulting RCMP, city police, and other active shelters in order to undertake its due diligence. Shelters for individuals fleeing gender-based violence in particular tend not to lead to the types of safety concerns cited and there are a number of approaches and measures available to provide reassurances to the neighbourhood.</p>

SUMMARY

Safe and stable housing is recognized as being a key social determinant of health. The provision of housing of all types is of critical importance and there is no evidence of any factors specific to this site that would suggest that it is not an appropriate use based on the application submitted. In fact, the property features a large dwelling on a large, screened lot located in a central location close to services; it represents an ideal site for the proposed use.

The requested group home special permit use is appropriate on the proposed site and approval is recommended.