Advisory Land Use Planning Notes
Municipal Land Use Bylaws and Group Care Facilities

Recently, a situation arose where a definition in a municipal land use bylaw was broad enough to include uses ranging from nursing home facilities to half way houses and residential alcohol and drug abuse treatment centres. The broad range of uses, have a variety of impacts on surrounding community. Some of these uses may not be suitable in all locations.

Municipalities should review their land use bylaws to consider the following issues:
- The broad range of functions that may be included in group care facilities.
- The impact of group care facilities on the adjacent community.
- Whether different classes of group care facilities may be appropriate given their potential impact on the neighbourhood and conversely, the neighbourhood’s potential impact on the facility.
- Would all functions included in the definition have similar impacts on the surrounding land uses?
- The type and timing of notice of any changes to the group care facility for its consistency with administrative law, planning law and civil law.

Citizens of municipalities have cited concerns about the ability to participate in the land use process when the intensity or type of use changes. It is strongly recommended that bylaws should accommodate processes for public input in accordance with the Provincial Land Use Policies.

The Provincial Land Use Policies, adopted under Section 622 of the Municipal Government Act, provide general direction to municipalities in carrying out their land use planning responsibilities. Goal 2 states that planning activities are to be carried out in a fair, open, considerate, and equitable manner.

To achieve this goal, municipalities are expected to inform interested and potentially affected parties, and provide opportunities and sufficient information for them to participate in the planning process.

For further information on this bulletin, contact the Planning and Coordination Unit toll free by dialing 310-0000, and then entering 427-2225.