

Minutes of Meeting with Lawyer

Lawyer: Virginia MacLean Q.C.

Attendees: Bob Alden, Mark Leonard, Carol Nolan, Alina Zogala

Date: November 26, 2008

Virginia MacLean will follow-up with Ron Miller the writer of the report to the Planning Committee with respect to the follow items.

1: Why the Bylaw is written as is? It is unclear what the City of Mississauga is trying to achieve.

2: What are the current conversion policies if any? Under the old system there were several and this could not happen. The change took place under the Harris Regime.

3: What the R1 Zoning uses are.

4: Given the answers she gets, she will formulate a plan of attack for December 1, 2008 submission(s).

Meeting Summary

1: Under current legislation if there is a lock on the door the Fire Code prevails and a secondary exit must be provided. Additional Fire Code upgrades are necessary and this makes the venture uneconomical.

2: London, Ontario experience was that by putting in a hold on all such conversions and then requiring a license they were able to declare all that didn't get a license illegal. The hold nullified all such designations as legal non-conforming. It was suggested that we push for an interim control Bylaw or Zoning hold restriction until such time as a final plan can be put in place under the Affordable Rental Housing Strategy. This would make everything currently in existence illegal.

3: Definition of a Dwelling Unit

Ms. MacLean felt that R1 Zoning uses need to be defined first. Also the definition of a dwelling unit is the problem. Specifically excluding a Lodging Unit or leaving it out was best. Conversion would then be deemed illegal.

The terms Lodging Unit, houses and rooming houses have been used interchangeably in the past. The City needs to look at all the definitions across the board so that consistency can be achieved. Then final definitions of a dwelling unit, lodging house, etc. can be developed. Essentially, a definition now is premature.

4: Affordable Rental Housing Strategy

This was mandated by the Harris Regime. Downloading has put Municipalities in a position of responsibility for this. Student Housing is a sub-set of this yet undeveloped policy. The policy may vary interim and/or existing bylaws and zoning. We as a group need to keep this in mind and continue with representations to the appropriate committees responsible for developing and finalizing the plan/ policy.

5: Restrictions to request

- A) 400 ft. separation is likely used for Group Homes and therefore used as a basis for Student Housing separation. We can and should request a wider separation. The current group home can be added to the mix and will setup another separation radius. The separation is measured from all points of the property line – i.e. each corner of the lot in a circle. It is not calculated based on frontage only.

B) Licensing and strict Fire Code Compliance

To make this type of housing uneconomical the application of the Fire Code is the best way to go. The upgrades necessary usually make it too costly especially if the number of inhabitants is small. License renewal should be annual and only issued after full compliance with Fire and Building Code.

C) Number of renters to make It a Lodging House

We should push for 3 if no owner is on the premises. This is uneconomical from a revenue and cash flow perspective also making Fire and Building Code compliance unattractive.

D) Density Considerations

The current density designation for our area appears to be low density where the houses are and medium density where the townhomes are. By allowing increased occupancy levels the City is changing the nature and character of our neighbourhood. Until such time as a formal change is made (if ever) we do not accept or tolerate intensification.

E) Zoning

If any such conversion is requested the City is to give notice of a zoning change and representations for or against should be sought before granting or refusing the necessary zoning change for the right to convert. We should also try for the complete exclusion of such zoning changes and conversions under R1 Zoning allowable uses. (See #3 above)

6) Forming a Ratepayers' Association

This is essential both now and in the future. Because we do not have one, we all need to get on the list to make representations on Dec. 1, 2008. If this is not done we as a Community and as individuals will lose our right to appeal to higher levels of decision making – i.e. City Council and OMB. Currently, a single person cannot speak on behalf of all the residents of Sir John's Homestead because we do not have an official Ratepayers' Association. In the past the City assisted with incorporating these associations. It is not known if they are currently providing this service. Most likely not, but further investigation is needed.

7) Legal Counsel Costs

The first meeting today was free. Ms. MacLean is willing to work for an hourly fee of \$225.00. She suggested that we set a limit of \$3,000.00 and then revisit the issue to determine if we wish to continue. The \$3,000.00 would include the follow-up and presentation strategies for Dec.1, 2008, City Council and the Planning Dept. She is well respected in her field and is known as a formidable adversary by the City of Mississauga. A contribution of \$30.00 per household is a small price to pay in order to preserve the nature and character of our area along with our property values.

Conclusions

1: We must get as many as possible to speak at the Dec.1, 2008 meeting complaining and refusing to accept Student Housing Conversions in our area. We should not speak to conditions etc. This will happen at a later date.

2: We should continue using Ms. MacLean's legal counsel. She is an expert in her field and can only help our cause not hinder it. Consequently, we must collect \$30.00 per household to cover the cost of her services.

3: A Ratepayers' Association must be incorporated ASAP. We will be able to be represented on other matters as a Community. Right now we must represent ourselves as individuals.