

Update about Meeting with City Staff re the Sir John's Homestead Area

(Sir John's Homestead, Redstart Drive, Solitaire Court)

On Tuesday December 16, 2008 at 7:00 PM, your Sir John's Homestead (SJH) neighborhood review committee met with Councillor Mahoney and Mississauga City staff at Mississauga Civic Center to "review and make recommendations to planned zoning and licensing bylaws". The key city staff present were; Katie Mahoney (Councillor, Ward 8), Ron Miller (Policy Planner), Jamie Hinton (Enforcement/Compliance and Licensing), Brian Walsh (Fire Inspection), Barb Leckey (Zoning) and Michal Minkowski (Legal).

The purpose of the meeting was to have an informal discussion about city staff's ongoing efforts to revise current zoning and licensing bylaws and to seek input on this process from the SJH review committee. City staff explained that they intend to control what we call "commercial student rental housing" by introducing definitions of lodging houses and lodging units into current zoning and licensing bylaws. They are currently working on the definitions of lodging houses and lodging units. Further, staff will develop the conditions of the license after the zoning bylaw definitions are established. The notion of a separation distance between adjacent lodging units was discussed and it was indicated that the initial figure of 400 ft (120 m) will be increased. Revised distances of 800 ft (240 m) and up to 1000 ft (305 m) were proposed. We were informed that the separation distance is measured from the perimeters of adjacent lodging house property lines. Based on this, if, for example, 240 m was adopted as the minimum separation distance between lodging houses, then the two existing lodging houses on SJH would preclude any additional lodging houses in the SJH community (SJH, Solitaire and Redstart). City staff made it clear that, until the by-law amendments are put in place, there is nothing preventing individuals or corporations from establishing additional commercial lodging houses in our neighborhoods.

Michal Minkowski explained that any bylaw changes and licensing conditions are subject to challenge (appeal) by any interested parties in various venues. Thus, city officials will attempt to prepare the text of these bylaw amendments and licensing conditions in such a manner that they are not "unrealistic" (overly restrictive) and thus likely to be upheld in any future challenges. He noted that zoning challenges can be taken to the provincial level (OMB) but that licensing challenges stay at the city level. He also explained that the challenge of any bylaw restriction or licensing condition must be done in a public forum following judicial format (e.g. cross examination of witnesses) after prior public notification to interested parties. For example, in the case of a challenge of a restriction of a new lodging house in our community, our community would be notified and we would have the opportunity to testify to uphold the restriction.

Councillor Mahoney committed to sending us the proposed bylaw and licensing details as soon as they are finalized by staff prior to the February public meetings of the planning committee and council, so that we would have an opportunity to review the text ahead of the public meetings.

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