



June 23, 2020

Madam Mayor  
Bonnie Crombie  
Mississauga, Ontario

Dear Madam Mayor

**Ref: LPAT CASE NO.: PL171203, DECISION ISSUED JUNE 12, 2020**

We are writing to you as the Board of Directors of the Erindale Village Association on behalf of the 130 resident families in our beautiful village. This letter is in response to the above referenced decision issued by the Local Planning Appeal Tribunal ('LPAT' or 'Tribunal') for the proposed development of an 8-story mixed-use development at 1646 Dundas Street West.

We the residents of Erindale Village request that the City of Mississauga apply to LPAT to consider a review of their decision on the following basis:

- **There are a number of material errors of fact and law in the LPAT decision;**
- The Tribunal considered **incorrect, false, and misleading information** that, if correctly considered, would have resulted in a different decision;
- The Tribunal **has not considered information** that was available at the time of the hearing that has a **significant bearing** on the decision
- **It is imperative** that the City of Mississauga submit its request for reconsideration to the Tribunal **within the stipulated 30 days from June 12.**

In particular, below are the **key factors** that should have been considered by the Tribunal.

Page 3 Point 5 Refers to the village representative as John Lawton. His name is David Lawton.

Page 23 Point 91 Refers to the village representative as Mr. Layton. His name is Mr. Lawton

Page 3 Point 8 **Erindale Village is a much smaller and closely knit community than as described in the decision.** Our village is bound on the north by Dundas, on the East by the Erindale United Church, and on the South and West by the Credit River. This **error** results in ignoring the more significant impact that the proposed development would have on our **small community.**

Page 3 Point 10 **The decision cites** that the existing building at 1646 Dundas Street West (Roll # 21-05-060-141-24900-0000) **is not of heritage significance.** This is an **error** as the **existing property is listed in the Mississauga Heritage Register**, and the Mississauga Official Plan 7.4.12 states that the **City will discourage the demolition, destruction or inappropriate alteration of heritage resources.**



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- Page 3 Point 15 The city council has voted **3 times** in favour of **rejecting** the E.V. Royale application; 12-0, 12-0 and 11-0
- Page 5 Point 16 **The access to the site on the west side is virtually non-existent and any access will infringe on the CVC lands and wildlife, which becomes a major environmental problem.** Access by emergency vehicles, school buses, garbage trucks and 52' delivery vehicles will be virtually impossible.
- Page 6 Point 19 The report from the planning committee **was rejected** by council 12-0.
- Page 7 Point 22 The decision states that an environmental impact assessment has been completed. This is **misleading** as the **developer has not sought or obtained any approval from the Credit Valley Conservation Authority (CVCA)**. A specific, explicit CVCA **approval is required by Ontario Regulation 160/06, which prohibits any development that interferes with hydrologic functions of wetlands and holding areas within 120 metres of "top of bank" provincial wetlands.** There are **no** high-rise developments along the full stretch of the Credit River through the entire city of Mississauga except one at the mouth of the river in Port Credit. The obvious reason is the provincial regulation mentioned above.
- We have a number of residents of the Village who have had to seek and obtain this CVC approval, at significant costs and effort. Some examples are Mr. Barrett on Mindemoya applying for a permit to construct a swimming pool and Mr. Kendall on Jarvis applying for a permit to renovate his home which took 8 months to receive a permit from the CVC. These properties are further away from the Credit River and the requested changes were significantly smaller than the proposed development. **The fact that the Tribunal did not consider or require** the developer to seek and obtain the CVC approval after conducting a detailed hydrologic study is a **gross error by the Tribunal** and would have added significant new information that needed to be considered before making the decision referenced above. In addition, **there are numerous underground streams flowing from Robinson down to the river which will create severe problems for this development.** Being a resident and knowing neighbours who have had their basements flooded by underground streams in the area, the city must take a hard look at the environment around this property.
- Page 7 Point 25 These lands are definitely not underutilized as they are fully operational with an on-going business office, restaurant , and spa. **This was a personal opinion of Mr. Quarcoopome and is definitely not reality.**
- Page 7 Point 26 **The decision states that the proposed development will result in minimum intensification.** This is **incorrect** as the proposed development will almost **double** the current residents of the Village. **A 100% increase in density cannot be considered as 'minimal'.**
- Page 8 Point 27 **Piatto's has been a landmark of the village since 1986 and it's property has been added to the Heritage Registry because of it's conformity to the personality of the village. The feeling from the LPAT decision is that 1646 Dundas St. W. is a vacant lot.**
- Page 10 Point 34 The statement on landscaping is meaningless because after looking at the drawings in the application there is **no actual earth surface to plant trees and shrubs** around the new proposed building.



- Page 11 Point 38 How can this be pedestrian friendly when the proposed building literally sits on the street. [see plan drawing]
- Page 12 Point 41 As a result of the proposed development, the existing community hall, a designated heritage property, will be under shadow for the majority of the afternoon. The Tribunal **clearly disregards or did not consider** the heritage character of the village and community hall and would significantly affect the heritage character of both.
- Page 12 Point 42 The decision states that the Dundas Connects master plan establishes a comprehensive framework for intensification along Dundas. However, this is **incorrect as the Dundas Connect master plan did not consider the Erindale Village area and areas west of Mississauga Road for intensification.** Importantly, the Dundas Connects specifically identified areas east of Hurontario for intensification. **In the MOP. 5.3.5.3 Erindale is recognized as a neighbourhood and there will be no intensification in a neighbourhood.**
- Page 15 Point 53 It clearly points out that the proposed building does not follow the MOP and does not fit the current or planned urban context of Erindale Village.
- Page 15 Point 56 This proposal is an over development. It does not conform to MOP policies, is not consistent with PPS and does not conform with GR and the ROP and does not represent good planning. This statement is so true and is a clear objection to this application.
- Page 18 Point 70 **It is stated that this location has no heritage significance. This is totally wrong as it's listed in the heritage registry.**
- Page 19 Point 74 The decision states that the visibility of the Community Hall will be somewhat reduced by the proposed development for Westbound traffic. This is **incorrect** as the proposed development is situated west of the Community Hall and will significantly reduce the visibility of the Community Hall for both eastbound and westbound traffic due to the approved height for the new construction.
- Page 29 Point 112 The tribunal states it is satisfied that the proposal does not adversely impact the community hall, village or Credit valley Cultural Landscape or otherwise diminish or detract from the well-being of the community  
**This is a totally untrue statement;**
- 1. The community hall will be impacted by shadows.**
  - 2. The residents Of Erindale Village filed and presented a petition signed by 100% of the residents against the development.**
  - 3. There has been no official CVCA study done which is required by a provincial regulation 160/06, S.1 and states no buildings within 120 meters of "Top of Bank" will be permitted.**
- Page 30 # 116 The decision requires a number of conditions that need to be fulfilled in order to issue the final order, including the completion of an updated Traffic study. The Tribunal has clearly **not considered** the impact of the current lockdown situation in Mississauga as a result of the Covid-19 pandemic and the minimal traffic on Dundas Street. Any study conducted before normal traffic resumes after Covid-19 would result in artificially reducing the impact and would not be appropriate. A storm sewer upgrade will definitely be required and who will pay for this?



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**The CVC study should definitely be added to the 9 items that were requested to be updated before approval.**

**As a result of the above noted material errors of fact and law, the misleading information considered by the Tribunal, and the material information that was available but not considered in reaching this decision, it is imperative that the City of Mississauga submit its request for reconsideration to the Tribunal within the stipulated 30 days from June 12.**

Yours truly

David MacRae  
Erindale Village Association – Liaison to the City of Mississauga

CC:

Stephen Dasko	Ward 1
Karen Ras	Ward 2
Chris Fonseca	Ward 3
John Kovac	Ward 4
Carolyn Parrish	Ward 5
Ron Starr	Ward 6
Dipika Damerla	Ward 7
Matt Mahoney	Ward 8
Pat Saito	Ward 9
Sue McFadden	Ward 10
George Carlson	Ward 11