

**January 29, 2024**

**VIA E-mail**

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Dear Elected Representatives,

**Re: The Proposed Development at 1639 Lakeshore Road West, Mississauga, Ontario**

**A. Introduction and Overview**

1. This letter is being sent on behalf of a coalition of concerned citizens in the City of Mississauga, Region of Peel (referred to herein as the “Coalition”) regarding the development of affordable support housing at

Human Services

1639 Lakeshore Road West in Mississauga. A list of the Coalition (persons and/or organizations), consisting of almost 2500 members of the community, is available on-line<sup>1</sup>.

2. We are sending this letter to each of you in your capacity as elected representatives who occupy a position within the federal, provincial and municipal levels of government who we understand are responsible, directly or indirectly, for a decision that the Coalition believes presents a significant risk to the protection, and safety of our community in general, and the most vulnerable sectors of the community – our children<sup>2</sup>, the elderly, and women’s supportive housing, who are numerous and within minutes walking distance from the property at 1639 Lakeshore Road West, Mississauga.

3. Our concerns are twofold. First, it would appear that a decision has been made to approve a development at 1639 Lakeshore Road West in Mississauga (also referred to as the “Clarkson Standard Support Project”), without allowing for any **prior** consultation with the community that will be directly, and we believe adversely, affected by the development. Stated differently, the Coalition believes that a decision was made approving the development at 1639 Lakeshore Road West, including the expenditure of ‘significant public funds’, in the absence of any consideration for the vulnerable members of the community that occupy schools, daycares, after school programs, elderly care homes, elderly residents, and the existing two supportive housing facilities for women (and their children), all within a short walking distance from 1639

<sup>1</sup> [https://www.change.org/p/halt-the-proposed-indwell-development-at-1639-lakeshore-road-w?utm\\_content=cl\\_sharecopy\\_37778320\\_en-CA%3A6&recruiter=1192886380&recruited\\_by\\_id=a1380fb0-9c73-11eb-a864-711ddd75583d&utm\\_source=share\\_petition&utm\\_medium=copylink&utm\\_campaign=psf\\_combo\\_share\\_initial&hare\\_bandit\\_exp=initial-37778320-en-CA](https://www.change.org/p/halt-the-proposed-indwell-development-at-1639-lakeshore-road-w?utm_content=cl_sharecopy_37778320_en-CA%3A6&recruiter=1192886380&recruited_by_id=a1380fb0-9c73-11eb-a864-711ddd75583d&utm_source=share_petition&utm_medium=copylink&utm_campaign=psf_combo_share_initial&hare_bandit_exp=initial-37778320-en-CA)

<sup>2</sup> The recognition of the importance of safeguarding the protection and safety of children has been recognized as a matter of International Law including human rights conventions to which Canada is a party. The Interdepartmental Working Group on Children’s Rights, co-chaired by the Public Health Agency of Canada and the Department of Justice, was created in 2007 for the purpose of promoting a whole-of-government approach to children’s rights and to encourage linkages among departments when considering policies that affect children. The “Best Interests of the Child” is a principle that according to the Convention on the Rights of the Child Article 3 “places the best interests of children as the primary concern in making decisions that may affect them. All adults, including those who are involved in making decisions related to budgets, policy and the law, should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. <https://www.canada.ca/en/canadian-heritage/services/rights-children.html>

Lakeshore Road West. The community deserves the right to be heard and for their serious concerns to be recognized, valued, and taken into account in the decision-making process. We have been denied that right.

4. Second, in approving the development at 1639 Lakeshore Road West, the Coalition believes there was an abject failure on the part of the responsible government officials to give any consideration to the real and substantial threat posed by the development, as currently contemplated, for the protection, health, and safety of the numerous children, elderly, and women in supportive housing that form part of the vulnerable sectors in the local community, all within close proximity to 1639 Lakeshore Road West..

5. What the Coalition is seeking is an immediate suspension of any further steps being taken in connection with the development at 1639 Lakeshore Road West until a meaningful consultative process has been facilitated to provide the community with an opportunity to be heard, and with the benefit of such consultation, taking steps to identify and ameliorate the risks which the development will pose to the protection and safety of the community.

6. It is important to stress at the outset that the Coalition understands and accepts that as with other regions in the province, there is an acute shortage of ‘affordable housing’ in the City of Mississauga that must be addressed, which includes the development of affordable support housing. Our opposition to the development at 1639 Lakeshore Road West is not to be misconstrued as an objection to the development of affordable support housing in the community for the benefit of those vulnerable members of the community in need of support, including the development of affordable support housing at 1639 Lakeshore Road West. In general, and to be clear, the Coalition supports the initiatives which are being undertaken to address this issue, the community having already welcomed two women’s supportive housing complexes in the community,

. The objection is therefore not to the development of affordable support housing at 1639 Lakeshore Road West.

7. The Coalition’s objection concerns the stated intention to offer affordable support housing to persons with a history of drug addiction, alcohol abuse and serious mental illness which the Coalition believes will result in a significant risk to the protection and safety of vulnerable members of the community, including other vulnerable members of the community who are in need of affordable housing, such as women, BIPOC, members of the LGBTQ community, and those suffering from physical disabilities.

8. We believe there is ample evidence which demonstrates that housing persons with a history of serious drug addiction, alcohol abuse and serious mental illness will materially enhance the risk to the protection and safety of other members of the community, including but not limited to the numerous children who are attending schools and daycares that are in very close proximity to 1639 Lakeshore Road West. These concerns are not fanciful or speculative. These concerns are rooted in the evidence that is available respecting other similar developments in Mississauga, and elsewhere in the province, where the provision of affordable supportive housing to persons suffering from drug addiction, alcohol abuse and serious mental illness has resulted in fatalities and serious risks to the protection, health, and safety of the community. These concerns are also shared by vulnerable persons (who are not drug addicts, alcohol abusers or suffering from serious mental illness) currently living in other supportive housing projects run by the same developer, Indwell, where drug addicts, alcohol abusers and the seriously mentally ill have been permitted to reside.

9. It has been repeatedly stated by those advocating for affordable housing of the need to involve and encourage the participation of the community as a crucial component for the successful development of affordable housing. However, to be meaningful, this participation must occur **before**, and not after, the decision is made to proceed with any particular development. This is particularly important where, as in the instant case, significant public funds are intended to be spent in support of the development. That community consultation did not occur prior to approving the development at 1639 Lakeshore Road West.

10. As our elected representatives, we trust that you appreciate the value of meaningful public consultation. We also trust that you share our belief that consideration must be given to the protection and safety of the community, particularly children, elderly, and women in supportive housing - those we regard as the most vulnerable members of our community. In the circumstances, we expect that you will agree that suspending the further development of 1639 Lakeshore Road West to allow for meaningful public consultation and a consideration of the impact for vulnerable sectors currently in the community, to be of vital importance.

#### **B. The History of the Development of 1639 Lakeshore Road West**

11. On October 19, 2023 Indwell Community Homes, a Christian charity that develops affordable supportive housing, using federal funding, purchased 1639 Lakeshore Road West<sup>3</sup>. Three weeks later, on

<sup>3</sup> Indwell, Media Release, October 20, 2023

November 10, 2023, the Government of Canada and the Regional Municipality of Peel issued the following announcement<sup>4</sup>:

The Government of Canada and Regional Municipality of Peel announced funding to support the construction of 118 homes in Peel Region. The federal government is providing over \$23.8 in funding through the National Housing Co-Investment Fund (NHCF) and the third round of the Rapid Housing Initiative (RHI), while the Regional Municipality of Peel is providing \$21 million.

The announcement took place at the Clarkson Standard Support project, located at 1639 Lakeshore West in Mississauga. The project was selected under the third round of the Rapid Housing Initiative Cities Stream and benefited from \$19.7 million in federal funding. This multi-residential community will create 50 new affordable apartments for some of Mississauga's most vulnerable who face housing insecurity due to various barriers to stable, independent living including women, BIPOC, and those who live with mental health, addiction, and/or physical and mental disabilities.

12. Notably, in the same release<sup>5</sup>, it was announced that a second project, Lakeshore Lofts, located at 425 Lakeshore Road East in Mississauga (approximately 6 kms east of 1639 Lakeshore Road West), was receiving \$4.1 million in repayable loans from the National Housing Co-Investment Fund and \$21 million in a forgivable loan from the Regional Municipality of Peel. According to the announcement, Lakeshore Lofts "will offer" 68 affordable units with the target population being people with physical disabilities, mental health challenges, substance abuse and addiction issues.

13. Contrary to the November 10, 2023 announcement, Lakeshore Lofts was not a future development, but rather a development that was completed in February 2022<sup>6</sup> with tenants occupying units in the building since that date. As will be discussed below, the community's experience with Lakeshore Lofts over the past two years, has informed the Coalition's concerns respecting the development of 1639 Lakeshore Road West. Lakeshore Lofts was also developed by Indwell Community Homes. The knowledge and experience which has been gained from the Lakeshore Lofts development and other similar developments in the province targeted to serve people with physical disabilities, mental health challenges and addiction issues, must not be ignored.

<sup>4</sup> Government of Canada and Regional Municipality of Peel, Joint Media Release, Nov. 10, 2023

<sup>5</sup> Ibid

<sup>6</sup> <https://indwell.ca/lakeshore-lofts>

14. Although the announcement made on November 10, 2023 was the first occasion where any disclosure was made by the responsible governments of the development at 1639 Lakeshore Road West, the first announcement was in fact made by Indwell on October 20, 2023, wherein the following was stated under the heading “Indwell acquires site for 50 units of affordable housing in Clarkson Village, Mississauga”<sup>7</sup>:

On Thursday, October 19 Indwell celebrated the acquisition of its newest project in Peel Region.

The Christian charity opened the 68-unit Lakeshore Lofts in Port Credit in early 2022 and will open a second program, currently under construction in Streetsville in 2024. Indwell purchased a vacant lot on 1639 Lakeshore Road West in Clarkson Village to develop into 50 units of affordable supportive housing.

15. Although perhaps implied, no mention was made in Indwell’s announcement that the property at 1639 Lakeshore Road West, as subsequently confirmed on the website of the local councilor Alvin Tedjo<sup>8</sup>, was purchased with federal funding. In the circumstances, it is reasonable to believe that before Indwell was permitted to use federal funding to purchase the land on October 19, 2023, government approval had to be given to Indwell to proceed with a transaction at a cost to taxpayers of approximately \$3.5 million just to acquire the land<sup>9</sup>. Moreover, it is reasonable to believe that the process by which such government approval was obtained for an expenditure of this nature, had to be under discussion for several weeks, and more likely months, before the real estate transaction closed on October 19, 2023.

16. Remarkably, despite what is understood to be a funding program which engages all three levels of government in the process, prior to Indwell’s announcement on October 20, 2023, there is **no record** that any opportunity for public consultation was given to the community. By the time the community learned of the development at 1639 Lakeshore Road West via social media, it was presented to the community as a “done deal”.

17. Furthermore, not only was there no opportunity for public consultation prior to either Indwell’s announcement on October 20, or the governments’ announcement on November 10, but based on a review of the minutes of meetings available to the public, there is no record that the development at 1639 Lakeshore

<sup>7</sup> Supra, note 2

<sup>8</sup> [www.alvintedjo.ca](http://www.alvintedjo.ca)

<sup>9</sup> Teranet, Property Summary, 1639 Lakeshore Road West

Road West was ever discussed by the responsible elected representatives, whether at meetings of the Mississauga City Council, or at meetings of the Council of the Regional Municipality of Peel, or by any committees of these Councils.

18. In fact, members of the Coalition were informed that Alvin Tedjo, the Councillor for Ward 2 (1639 Lakeshore Road West is located in Ward 2) was only informed of the development a matter of days before he attended the “groundbreaking” ceremony on November 10, 2023<sup>10</sup>. Although not certain, it appears that Councillor Tedjo may not have even been informed of the development at the time Indwell issued its release on October 20, 2023.

19. If the elected representative for Ward 2 had no knowledge of the development prior to the announcement being made, it is no surprise that the community was also left completely in the dark until after the decision was made to proceed with the development. If community involvement is to be regarded as an important element in the development of affordable support housing, why was the decision to approve the development shrouded in secrecy to the extent that both the community and our own elected officials were left in the dark? The Coalition does not believe that this is how the system leading to the government’s approval of affordable support housing was intended to operate.

### **C. The Failure to Consult with the Community Before Approving the Development**

20. At a community meeting held on December 13, 2023 a representative of Indwell advised that 1639 Lakeshore Road West had been on the market for several months prior to October 2023, which would suggest that there was no urgency associated with having to close the deal for the purchase of the land. It is also clear that the price that was paid (using government funds) was no bargain, with a premium of approximately 37% being paid to the vendors compared to what they paid for the property only 18 months earlier in May 2022. In other words, there is no suggestion that if Indwell had not acquired the property when it did, the property would not have been available at the same price that was paid after a meaningful opportunity for public consultation had been provided.

21. As to why there was a complete failure to allow for any form of public consultation (including consultation among elected officials at public meetings of Council), the Coalition has been given conflicting

<sup>10</sup> Steve Cornwell, Mississauga News, “Mississauga affordable housing project lands nearly \$20M investment”, Nov. 18, 2023

explanations, neither of which would justify excluding meaningful public consultation and serious consideration for the risks, health, and safety of the current vulnerable sectors, which include children, the elderly, and women's supportive housing, all located within minutes from 1639 Lakeshore Road West.

22. Following the announcement made by the government, on November 16, 2023<sup>11</sup> efforts were made by members of the Coalition to seek clarification from Councillor Tedjo respecting various issues associated with the development. In addition to requesting clarification respecting who would be permitted to reside at 1639 Lakeshore Road West, including whether persons with a history of drug addiction, alcohol abuse, serious mental illness or with criminal records, would be permitted, the question was asked: "Why was there no transparency around this initiative/project before it was endorsed by the Councillor?" On November 21, 2023 Councillor Tedjo's Executive Assistant responded advising as follows:<sup>12</sup>

I can have Alvin provide a more wholesome response to question 4, but in short there has been limited community involvement thus far because Indwell is building what is permitted in the neighbourhood.

1639 Lakeshore Road West is zoned for buildings with ground floor commercial with residential units on top. Indwell's proposal fits within this zoning criteria so there is no need to change the Mississauga Official Plan or Zoning By-Law, and the accompanying statutory community meetings. Indwell is working through Site Plan approval with the City right now, meaning that the present plan may need minor variances that require committee of adjustment (CoA) approval. When they apply for variances from CoA, neighbours will be invited to provide comment at a public meeting.

23. We take no issue with the assertion that Indwell's proposal fits within the existing zoning and, as a consequence, the public notice and consultation statutorily prescribed by the *Planning Act*<sup>13</sup> (pursuant to s.34(12)) where it is necessary for Council to pass a by-law to rezone the property, as well as the right to appeal from Council's decision to the Ontario Land Tribunal (pursuant to s.34(19)), do not apply.

24. However, the Coalition rejects any suggestion that the particular kind of affordable support housing being contemplated for 1639 Lakeshore Road West does not require public consultation before a government decision is made to approve the development when public funds are used and vulnerable sectors

<sup>11</sup> Email dated November 16, 2023 from Claudio Cowdry to Alvin Tedjo

<sup>12</sup> Email dated November 21, 2023 from Ryan Vopini to Claudio Cowdry

<sup>13</sup> Planning Act, RSO 1990, c. P.13



in the community are being exposed to serious risks to their health and safety. To be clear, in circumstances where as many as 50 units of affordable support housing may be offered, at the taxpayer's expense, to persons who are drug addicts, alcohol abusers or have serious mental illness, it is imperative that there be meaningful public consultation within the community before the development is approved. While we accept that the public may have no right to tell a 'private developer', expending their own resources, who may or may not reside in their building, when that building is being paid for by public funds for the stated purpose of housing drug addicts, alcohol abusers and the seriously mentally ill, consultation with the community and consideration for the vulnerable sectors within that community, is clearly a necessity. Absent a meaningful opportunity for such consultation, the notion that the development has been the product of a transparent process in which the community has been encouraged to participate, is completely devoid of any merit.

25. The Coalition believes that where it is intended to use public funds to develop housing in a community intended for persons whose occupancy would give rise to a risk to the protection and safety of the community, the community is entitled to expect they will be given an opportunity to be heard and their concerns considered before any decision is made to approve such a development. Stated differently, simply because the existing zoning may allow for residential development, in no way excuses or justifies denying the community an opportunity to inform the government's decision whether to fund that development. If public consultation is to be limited to circumstances where the development does not comply with the existing zoning (i.e. as provided for by the *Planning Act*) as was suggested by Councillor Tedjo, in theory the government could have decided to approve the use of public funding to build residential units for known gang members, or known sex offenders, and the public would have absolutely no right to be consulted before the decision is made.

26. More particularly, whatever rights may be enjoyed by a private developer to determine who may rent units in their buildings without community input, that right is surely compromised where the private developer intends to use tens of millions of dollars of public funds to finance the development.

#### **D. The Government's Need for a "Good News Announcement"**

27. As noted above, following the joint announcement by the Federal government (CMHC) and the Regional Municipality of Peel on November 10, 2023, members of the Coalition began to reach out to Councillor Tedjo to express their concerns and to seek clarification regarding the implications of the

announcement for the community. These concerns were fueled by disturbing reports as to what was occurring in similar affordable support housing projects in Hamilton (referred to as Parkdale Landing) and down the road at 425 Lakeshore Road East in Port Credit - the Lakeshore Lofts.

28. Criticism respecting the lack of any apparent transparency led Councillor Tedjo to convene a “community meeting” for December 13, 2023, attended by representatives of the Region as well as Indwell. Consistent with what the Coalition believes to be wide spread concern within the community, literally hundreds of members of the community attended the meeting<sup>14</sup> with hundreds of persons also attending online.

29. Unfortunately, what the meeting held on December 13<sup>th</sup> confirmed was that absent intervention by the government, as far as Indwell was concerned the development at 1639 Lakeshore Road West was a “done deal”. Indwell advised that with the zoning in place, they were proceeding with site plan approval. Whether they would even need to go to the Committee of Adjustment for the approval of so called “minor variances” (another potential, albeit limited, opportunity for public consultation), was not certain.

30. What also became clear at the December 13<sup>th</sup> meeting was that the government’s decision to preclude any public consultation before the decision was made to approve the development, was deliberate and the result of what was described by one senior Indwell representative as the result of the federal government’s desire to make a “good news announcement”.

31. At the December 13, 2023 community meeting, Indwell’s Director of Projects and Development, Graham Cubitt, as well as Indwell’s CEO, Jeff Neven, attempted to address questions posed by the audience. One of the questions asked was why had there been no prior consultation with the community in respect of the project? In response, Mr. Cubitt explained as follows<sup>15</sup>: (at 47:50 to 50:30)

Because we do utilize funding from all levels of government the federal government was looking for some form of a good news announcement and of course as part of all of our contracts it says they can have an announcement on the site whenever they like, so there was a funding announcement/groundbreaking in early November; so in some respects we were like “we haven’t even talked about this in front of the community”, but if the federal government calls you answer.

<sup>14</sup> [1639 Lakeshore Road West Community Engagement Meeting December 13, 2023 \(youtube.com\)](https://www.youtube.com/watch?v=1639LakeshoreRoadWestCommunityEngagementMeetingDecember13,2023)

<sup>15</sup> Ibid

32. The notion that the right of the community to participate in the decision-making process was being sacrificed in the name of the federal government's (or any government's) desire to make a "good news announcement" is clearly unacceptable and cannot be condoned. Steps must be taken to immediately redress what amounts to an obvious flaw in the process that was followed, to the overwhelming prejudice of the interests and safety of the community which our elected representatives are supposed to be protecting. The desire for a "good news announcement", or what amounts to a government sponsored public relations exercise, is not a legitimate excuse for excluding meaningful public consultation as part of the decision-making process.

#### **E. The Opportunity to Facilitate Public Consultation Before the Decision was Made**

33. Whenever it is intended by a private developer to expend significant government (and therefore taxpayer) resources on a project, a process must be followed by which the consent of the government is required to be obtained. The decision to approve the use of literally tens of millions of dollars of government resources (i.e. as much as \$19.7 million in federal funding alone), is not a decision in the normal course that is made in a matter of days or weeks. It is reasonable to expect that the approval process would require months of deliberation by government officials and ultimately by the elected representatives with authority to approve such expenditures.

34. We believe there was ample time to have facilitated consultation with the public before a decision was made to approve the expenditure of government funds for the development of 50 units at 1639 Lakeshore Road West. The government simply chose to exclude the public from the process. This is unacceptable, particularly where the consequences of the governments' decision will create a risk for the protection and safety of the most vulnerable members of the community. This is why we are asking that the decision to proceed with the development of 1639 Lakeshore Road West be suspended until meaningful public consultation and consideration for the impact of the development on vulnerable sectors within the community has occurred; consultation that ought to have occurred before any decision was made to approve the use of public funds to develop 1639 Lakeshore Road West.

35. On October 19, 2023 Indwell purchased the property for \$3,498,000<sup>16</sup>, from a number company (2757431 Ontario Corporation or “275 Ontario”). The Corporate Profile Report as of January 18, 2024<sup>17</sup> indicates 275 Ontario was incorporated on May 26, 2020 with the sole officer and director identified as Nitika Puri. The registered office is a home located in Toronto. There is no other publicly available information respecting 275 Ontario, including no available information respecting ownership.

36. What is clear is that the purchase of 1639 Lakeshore Road West by Indwell using public funds, by all reasonable standards generated a substantial windfall for 275 Ontario, which had acquired the same vacant lot just 18 months earlier in May 2022 for \$2.2 million (i.e. 37%, or \$1.3 million less than what Indwell agreed to pay 18 months later). As noted above, as confirmed in a release issued by Councillor Tedjo<sup>18</sup>, “the land was purchased with the federal funding”.

37. The government’s decision to allocate \$19.7 million for the project, including the decision to provide \$3.5 million to Indwell to purchase the property on October 19, 2023 clearly required that: a) the government be informed of the proposed project; and b) that a process be followed by the government in determining whether to make the investment. This necessarily means that well before the funds were spent on October 19, when the deal closed to purchase the property, there was ample time for a process to have been implemented to allow for meaningful public consultation. Regardless of whether the federal government was looking for a “good news” announcement, this can in no way justify or explain the complete absence of any public consultation before the decision was made to invest in this particular project.

38. At any time in the period leading up to the government’s decision, steps to facilitate public consultation could have been implemented by one or more levels of government. Whatever the perceived urgency may have been, there is no reasonable justification for why the community was excluded from participating in the decision-making process. This must be redressed.

39. It is important to stress that the Coalition does not fault Indwell for the absence of any public consultation before the decision was made to approve the project. Facilitating meaningful public consultation is the responsibility, if not the duty, of the government and not the developer. The government

<sup>16</sup> Supra, note 8

<sup>17</sup> Corporate Profile Report, 2757431 Ontario Corporation

<sup>18</sup> Supra, note 7

has decided to use public funds to finance this project, not Indwell. The government is accountable to the community, not Indwell. The government has clearly failed the community and must take steps forthwith to properly address this failure.

#### **F. Public Consultation After the Decision has Been Made is Too Late**

40. If the community's voice in the decision-making process is to be meaningful, and not simply an after the fact procedural adornment, the community must be given a right to be heard at a time when their voices may still make a difference. Unless the government suspends its support for the development of 1639 Lakeshore Road West, and expresses a willingness to reconsider the decision, apart from allowing the public an opportunity to vent their frustration, facilitating public consultation after the decision has already been made is at best an effort which pays lip service to the concept of community involvement, and will only validate the notion that public consultation is an option, but not a necessity.

41. In February 2023 the City of Mississauga issued a report entitled "Growing Mississauga: An Action Plan for New Housing"<sup>19</sup>. In the Report the City described the steps that it was taking to create new housing including streamlining the approval process. Nevertheless, streamlining the approval process was not to be at the expense of consultation with the community or consideration for other vulnerable sectors which will be affected. As stated in the City of Mississauga report (at p.31)<sup>20</sup>:

Managing such rapid change will also require a more thoughtful approach to engaging the community, who will experience this significant change. Mississauga will need to work closely with all stakeholders to ensure we continue to build complete communities that are walkable, well served by transit, provide a range of housing sizes and tenures, and that which showcase resulting great urban design, parks, facilities, and quality employment opportunities.

The City is committed to exploring and adopting new and innovative ways to engage, to inform and to report on growth and development.

42. Ignoring the community prior to the decision being made is clearly not a "more thoughtful approach to engaging the community". To the contrary; after the fact consultation is the antithesis of a thoughtful approach. Once again, it is difficult to conceive how approving the development of 1639 Lakeshore Road

<sup>19</sup> Growing Mississauga: An Action Plan for New Housing, February 2023

<sup>20</sup> Ibid

West before engaging in any community consultation could be regarded as remotely consistent with the City's "Action Plan for New Housing".

#### **G. The Complete Absence of Public Discussion by Elected Representatives**

43. A traditional means by which the community's voice can be heard is at Council meetings that are open to the public and which allow for members of the public to participate. For example, the Region of Peel provides an opportunity for members of the public to appear before council, or a committee of council, in order to make submissions on one or more agenda items before council or a committee<sup>21</sup>. This of course would require that the public be informed of the agenda in advance of the meeting.

44. Remarkably, and in stark contrast to what occurred in respect of the decision to approve the development of the Lakeshore Lofts at 425 Lakeshore Road East, it appears that not only was the public denied any right to participate in the decision-making process, there appears to have been no consideration of the development at 1639 Lakeshore Road West by elected representatives at public meetings of council or committees (Regional or City) before the decision was made<sup>22</sup>. Stated differently, the decision to approve 1639 Lakeshore does not appear to have even been included on the agenda of a council or committee meeting. Not only did this preclude the community from obtaining notice and seeking an opportunity to make submissions before the Council or Committee, it also appears to have precluded any public consideration of the project by our elected representatives. This may explain why Councillor Tedjo advised at the December 13, 2013 community meeting that he had just found out about the development himself. Needless to say, the Coalition does not know what discussions may have occurred in private, behind closed doors. What is clear however is that none of the public consultation that occurred leading up to the approval to proceed with the development at 425 Lakeshore Road East, occurred in respect of 1639 Lakeshore Road West.

45. In respect of 425 Lakeshore Road East, the public record shows that as far back as July 2018, Regional Council was provided with a report dated July 4, 2018 from the Commissioner of Human Services entitled

<sup>21</sup> Peel Region, Guide for Delegations

<sup>22</sup> A search of the minutes of meetings of Regional Council, City Council and their respective committees, contained no reference to any consideration of the development at 1639 Lakeshore Road West.

“Funding for New Supportive Housing in Mississauga”<sup>23</sup> (the “July 2018 Report”), recommending that Indwell be awarded a contract for new supportive housing in the amount of \$21.5 million.

46. In the same report<sup>24</sup>, it was recommended that the Commissioner of Human Services be authorized to negotiate and execute an MOU with Indwell to fund an affordable housing project located at 425 Lakeshore Road East and to provide funding for the project of up to \$21.5 million. In advance of making this recommendation, the report noted that Indwell, further to the pre-qualification process, had presented to Regional Staff, as early as December 2017, a proposal to build a 66 unit building at 425 Lakeshore. The report makes clear that discussions respecting the proposed project at 425 Lakeshore had been ongoing for several months before being brought before the Regional Council in a public forum.

47. The approval of the July 2018 report was an agenda item that was brought before the Regional Council on July 12, 2018<sup>25</sup>. As an agenda item the public was informed in advance and could have sought to make submissions to Council before the decision was made by the Regional Council authorizing the Commissioner of Human Resources to enter into an MOU with Indwell regarding the project at 425 Lakeshore Road East. That is the way the process of facilitating public consultation was supposed to work. Why that never occurred in connection with the decision to approve the development at 1639 Lakeshore Road West, particularly given the interests at stake, is difficult to comprehend.

48. What is important to stress is, whether or not the public chose to engage in the discussion at that time is irrelevant. In July 2018 the community may not have been aware of the serious risk to the protection and safety of the community presented by these kind of affordable support developments. What is relevant is that the process that was followed by the government leading to the approval of 425 Lakeshore Road East allowed for public consultation, whereas the process leading to the approval of 1639 Lakeshore Road West did not.

<sup>23</sup> “Funding for New Supportive Housing In Mississauga”, Janice Sheey, Commission of Human Resources, July 4, 2018

<sup>24</sup> Ibid

<sup>25</sup> Minutes, The Council of the Regional Municipality of Peel, July 12, 2018

49. To be clear, the public’s right to participate in the process is not to be arbitrarily conferred or denied; it is a fundamental right which appears to have been arbitrarily denied at the whim of those who made the decision to approve the development of affordable support housing at 1639 Lakeshore Road West.

50. Notably, on July 6, 2023<sup>26</sup> there was another report tabled before Regional Council entitled “Building More Community and Supportive Housing” prepared by the Commissioner of Human Services. The report recommended an increase in funding for community supportive housing development projects. Several different projects were identified in the report as either being under consideration, or as having been approved. No mention was made of 1639 Lakeshore Road West.

51. At the July 6, 2023 Regional Council meeting, the CEO of Indwell, Jeffrey Neven made a presentation to the Regional Council providing an overview of Indwell and its service areas<sup>27</sup>. Council was asked for its “support for the housing development update recommendations” that were set out in Staff’s report. Once again, there is no reference to any development being contemplated at 1639 Lakeshore Road West.

52. It is understood that according to Indwell, the development of 1639 Lakeshore Road West was not on their radar as of July 2023. While this may explain the absence of any discussion of 1639 Lakeshore Road West in either the report “Building More Community and Supportive Housing” or at the meeting of Council held on July 6, 2023, this does not explain why, once 1639 Lakeshore Road West did appear on Indwell’s radar, the question of Regional Council’s approval of the project did not become the subject of any public discussion. In other words, unlike the development of the Lakeshore Lofts, the public received no notice of Regional Council ever having contemplated, let alone approved, the development of affordable supportive housing at 1639 Lakeshore Road West.

53. In short, what we are seeking is an immediate halt of any further steps associated with the development of 1639 Lakeshore Road West, until such time as a meaningful process of public consultation has been facilitated, and with the benefit of that community consultation, a decision made whether to proceed with the project, and under what terms and conditions.

<sup>26</sup> “Building More Community and Supportive Housing, Sean Baird, Commission of Human Services, July 6, 2023

<sup>27</sup> Minutes, The Council of the Regional Municipality of Peel, July 6, 2023



## **H. Public Consultation in Advance of a Decision being Made Can Make a Difference**

54. The facilitation of public consultation and the process by which the government may decide to approve an affordable housing project, are not incompatible. They are inextricably linked. The recently released decision of the Ontario Land Tribunal<sup>28</sup> in connection with an affordable housing project to be developed in Willowdale, Ontario, demonstrates the obvious importance of facilitating community consultation in advance of the government deciding whether to approve the project.

55. Unlike the project at 1639 Lakeshore Road West, rezoning was required to permit the Willowdale project to proceed. Nevertheless, the reasons of the OLT go through the history of events leading up to the appeal to the OLT and demonstrate that the kind of public consultation that the Coalition demands must occur in connection with 1639 Lakeshore Road West, is entirely compatible with an appropriate process to be followed in advance of the government deciding whether to approve the project.

56. In particular, as noted in the OLT reasons for decision<sup>29</sup>, Toronto City Council specifically requested that Staff not bring forward their final recommendation respecting the Willowdale Project “until community consultation has taken place”. As the OLT reasons make clear<sup>30</sup>, extensive discussion with the community occurred before the decision to approve the project was made, and as noted in the reasons, “based on the feedback received through community engagement....a number of changes were made to the proposal”<sup>31</sup>. This is precisely the process and consideration which the Coalition is demanding be facilitated before any further steps are taken to proceed with the development of 1639 Lakeshore Road West. We believe that meaningful public consultation in advance of the decision being made by the government can and will make a difference.

## **I. The Demographics of the Community Surrounding 1639 Lakeshore Road West**

57. Set out below<sup>32</sup> is a link to a map of the community which surrounds 1639 Lakeshore Road West. The map demonstrates at a glance the numerous facilities used by vulnerable members of the community,

<sup>28</sup> *Bayview Cumber Neighbourhood Association*, OLT, released January 2, 2024

<sup>29</sup> *Ibid*, at para. 17

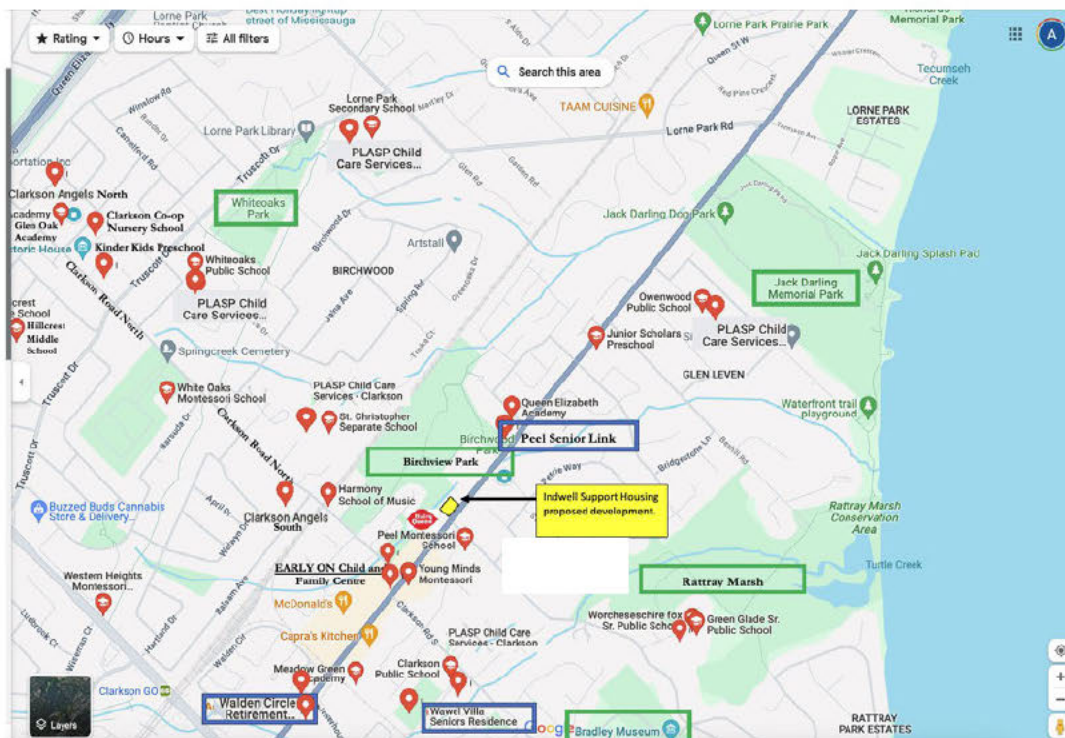
<sup>30</sup> *Ibid*, at para. 17 to 33

<sup>31</sup> *Ibid*, at para. 34

<sup>32</sup> <https://www.google.com/maps/search/schools+and+daycares+in+clarkson+/@43.5187777,-79.6211737,156m/data=!3m1!1e3?entry=ttu>

including children, elderly, and women’s supportive housing in close proximity to 1639 Lakeshore Road West. The map identifies the daycare centres, public and private schools, senior homes, women’s supportive housing, and after school programs in the immediate vicinity of 1639 Lakeshore Road West. All of these facilities are locations where the most vulnerable members of our community, and in particular children, attend and/or reside. All of these facilities are within a very short walking distance of 1639 Lakeshore Road West. The development of an affordable support housing project intended for persons who are drug addicts, alcohol abusers or seriously mentally ill, in close proximity to places where the most vulnerable members of our community attend and reside, clearly creates a significant risk for the protection and safety of the community. In addition to the map attached as a link, the following map vividly demonstrates the condensed population of vulnerable sectors all within minutes of the 1639 Lakeshore Road West.

**Map of Vulnerable Sectors in Proximity to 1639 Lakeshore Road West**



## **J. The Risk to the Protection and Safety of the Community**

58. From the Coalition's perspective, the single most important issue for which the Coalition is insisting on the right to public consultation, is the fear that as currently contemplated, permitting persons who are drug addicts, alcohol abusers or suffering from serious mental illness, to reside at 1639 Lakeshore Road West presents a serious risk to the protection and safety of the community and in particular vulnerable sectors within the community. In addition to the risk posed by drug addicts, alcohol abusers and the seriously mentally ill, who are permitted to reside at 1639 Lakeshore Road West, experience has shown that these residents also appear to attract numerous visitors who frequently remain as cohabitators, who are also drug addicts and alcohol abusers. At the community meeting held on December 13<sup>th</sup>, residents of 425 Lakeshore Road East shared their experience in this regard, and their very real concerns which residing with e.g. drug addicts, has created for their protection and safety.

59. The purpose of this letter is not to serve as a substitute for providing a meaningful opportunity for the public to be heard, at which time a full consideration of the safety concerns can be properly explored. The purpose of this letter is to impress upon the government why the Coalition believes that public consultation with the community, including a consideration of the impact of the development for other vulnerable sectors in close proximity to the development, is an imperative.

60. In the governments' November 10, 2023 announcement<sup>33</sup>, it was stated that the development at 1639 Lakeshore Road West is intended to consist of "50 new affordable apartments for some of Mississauga's most vulnerable who face housing insecurity due to various barriers to stable, independent living including women, BIPOC and those that live with mental health, addiction and/or physical and mental disabilities".

61. The Coalition does not object to the development of "affordable housing" at 1639 Lakeshore Road West, nor to the development of affordable "support housing" at 1639 Lakeshore Road West. To be clear, having regard to the demographics of the surrounding community in which 1639 Lakeshore Road West is located, the Coalition is objecting to offering "affordable support housing" to persons who are drug addicts, alcohol abusers or seriously mental ill, as the Coalition believes this will give rise to an unreasonable risk

<sup>33</sup> Supra, note 3

to the protection and safety of the vulnerable sectors within the community including children, the elderly, and women's supportive housing, all in very close proximity to 1639 Lakeshore Road West.

62. In addition to the experience which has been encountered with other supportive housing developments occupied by persons who are drug addicts, alcohol abusers and seriously mentally ill (as further described below), there is a significant body of literature tracking the clear correlation that exists between drug addiction and the incidence of criminal behaviour, including predatory criminal behaviour. For example, in one 2002 report prepared on behalf of the Canadian Centre on Substance Abuse entitled "Proportions of Crimes Associated with Alcohol and Other Drugs in Canada"<sup>34</sup>, which surveys the available literature at that time, the authors concluded as follows:

Conclusions and future research possibilities: The main findings of this report confirm the close association between the use of psychoactive substances and criminal behaviour and indicate that a substantial portion of this association represents a causal relationship.

63. It is also important to stress that the risk posed to the community by housing drug addicts, alcohol abusers and the seriously mentally ill, is not limited to the community surrounding 1639 Lakeshore Road West, but is shared by other vulnerable segments of the community who are also intended to be offered housing at 1639 Lakeshore Road West (and who are not drug addicts, alcohol abusers or suffering from serious mental illness). The Coalition is unaware of any literature that would support the notion that it is safe to house persons who are drug addicts and alcohol abusers, or persons who suffer from mental illness, with the elderly, or single mothers, or persons from the LGBTQ or BIPOC communities. In an article in the Journal of Criminal Justice entitled "Crime Victimization, Alcohol Consumption and Drug Use in Canadian Public Housing"<sup>35</sup>, the authors identified a clear correlation between the risk to the safety of residents in public housing projects and residents who are drug addicts and abusers. We are unaware of any reason to believe that these other vulnerable members of the community would be any safer from persons who are drug addicts and abusers, than the community at large.

<sup>34</sup> "Proportions of Crimes Associated with Alcohol and Other Drugs in Canada", Canadian Centre on Substance Abuse, April 2002

<sup>35</sup> "Crime Victimization, Alcohol Consumption and Drug Use in Canadian Public Housing"<sup>35</sup>, Journal of Criminal Justice, Volume 31, Issue 4, July-August 2003, pgs. 383-386

### K. The Distinction between “Affordable Housing” and Affordable “Support Housing”

64. As noted by the CMHC in a March 31, 2018 release entitled “About Affordable Housing in Canada”<sup>36</sup>, the concept of “affordable housing” is a broad term that falls within a continuum of housing options as reflected in the following illustration from the CMHC release, entitled “The Housing Continuum”:



There is much confusion since government officials appear to use affordable housing and affordable ‘supportive housing’ interchangeably; however, as shown on the Housing Continuum, “affordable housing” and “supportive housing” are distinctly different. The property at 1639 Lakeshore Road West is clearly contemplated as offering “supportive housing”. Unfortunately, it does not appear that any of the supports that one would expect to be included as part of a supportive housing facility are contemplated being offered at 1639 Lakeshore Road West, which serves to only heighten the community’s concerns. The Coalition does not oppose affordable housing as per the continuum, or affordable supportive housing, consistent with the fact that there are two women’s supportive housing complexes, one of which has been in the community for over twenty years. What the Coalition opposes, given the close proximity to 1639 Lakeshore Road West to other vulnerable sectors in the community, is offering supportive housing to drug addicts, alcohol abusers and the seriously mentally ill.

65. Having regard to the Housing Continuum, what has been approved for 1639 Lakeshore Road West is not “affordable housing” nor “community housing” but what would qualify as “supportive housing”. What is not clear is that apart from the deeply discounted (and heavily subsidized) rent which tenants of 1639 Lakeshore Road West, will be asked to pay, there appears to be no other supports being contemplated that

<sup>36</sup> “About Affordable Housing in Canada”, CMHC, March 31, 2018

may otherwise mitigate the risk of permitting drug addicts, alcohol abusers and the seriously mentally ill to reside in the building.

66. With the stated intention of offering supportive housing to drug addicts, alcohol abusers and the seriously mentally ill, what additional supports are being contemplated would be a crucial consideration. Unfortunately, although the project has already been approved, based on the limited information provided at the December 13<sup>th</sup> community meeting, there are no specific supports contemplated as a condition for housing drug addicts, alcohol abusers and the seriously mentally ill at 1639 Lakeshore Road West.

67. At the community meeting held on December 13, 2023, Indwell advised<sup>37</sup> that 1639 Lakeshore Road West was intended to be a “standard support” project intended to house single and two person households. Indwell contrasted this with a project in Streetsville which Indwell described as offering an “enhanced level” of support, and the project at 425 Lakeshore Road East which Indwell described as receiving a “medium level” of support. In other words, Indwell confirmed at the December 13<sup>th</sup> meeting that, as currently contemplated, the level of support currently being offered to tenants occupying units at the Lakeshore Lofts is greater than what is proposed to be offered to tenants at 1639 Lakeshore Road West. Given the experience at 425 Lakeshore Road East, this serves to only heighten the concerns of the Coalition and clearly does not bode well for the future of 1639 Lakeshore Road West.

68. The distinction between the levels of support as described by Indwell and what it may mean in practical terms when it comes to ameliorating the risk to the protection and safety of the community, is not clear. What is clear is that at the Lakeshore Lofts, a facility where the level of “support” being offered is greater than what is contemplated being offered at 1639 Lakeshore Road West, acute problems have been encountered posing significant risks to the protection and safety of the community, including significant risks for vulnerable members of the community such as children, the elderly, and women’s supportive housing.

**L. The Experience at the Lakeshore Lofts (425 Lakeshore Road East, Port Credit) – 68 units**

69. The problems currently being experienced at the Lakeshore Lofts, where drug addicts and alcohol abusers (as well as the mentally ill) have been offered accommodation, amply supports the Coalition’s concerns that if permitted to proceed as currently contemplated, the same problems will be encountered at

<sup>37</sup> Supra, note 13

1639 Lakeshore Road West. In fact, as the “standard” level of support contemplated being offered at 1639 Lakeshore Road West, is less than the “medium” level of support in place at the Lakeshore Lofts, there is a reasonable basis to believe the problems that may be encountered will be even more severe.

70. While several residents of the Lakeshore Lofts shared their intense concerns at the community meeting on December 13, 2023, and in particular their real fears for their protection and safety, such anecdotal accounts are not a substitute for meaningful consideration of what has ailed the development. It does speak to the absolute necessity of ensuring that before any development proceeds at 1639 Lakeshore Road West, steps must be taken to address the specific issues which threaten the protection and safety of the community.

71. At the community meeting held on December 13<sup>38</sup> residents of 425 Lakeshore Road East described the constant presence of drug addicts and dealers who are either residents of the building or “guests” purportedly visiting residents of the building. It is the Coalition’s understanding, based not only on discussions with current residents of 425 Lakeshore Road West, but also based on discussions with local police in the community, that there has been a literal explosion of drug related crime at the building and in the immediate vicinity, with frequent calls on almost a daily basis being made for police and ambulance assistance. Although the Coalition does not have access to the data documenting these calls, the frequency of the calls has been confirmed by residents of the building, business owners in the vicinity of the building and by local law enforcement. The experience at 425 Lakeshore Road East cannot be ignored.

**M. The Experience at the Parkdale Landing (205 Melvin Avenue, Hamilton) - 57 units**

72. Parkdale Landing, like 425 Lakeshore Road East and what has been approved for 1639 Lakeshore Road West, is an Indwell development in which accommodation was offered to drug addicts, alcohol abusers and the seriously mentally ill. The experience at Parkdale Landing further informs the concerns of the Coalition.

71. In an article dated May 9, 2022 entitled “The Pitfalls of Supportive Housing – Part One” the following was noted<sup>39</sup>:

In Parkdale Landing from September 2018 to February 24, 2022 there were 1,261 emergency calls to the building or one per day. The most frequent was ambulance. 103 criminal charges were laid mostly for fail to comply with a probation order and there were

<sup>38</sup> Supra, note 13

<sup>39</sup> “The Pitfalls of Supportive Housing – Part One”, Martin Ross, May 9, 2022; see also: “It was supposed to be safer housing – but then a murder happened”, Hamilton Spectator, April 29, 2022

seven deaths – one murder, two suicides, two overdoses, one natural causes and one undetermined but likely an overdose.

In the new building [next door] from December 2020 to February 24, 2022 there were 302 emergency calls, 21 criminal charges mostly fail to comply and no deaths.

72. Once again, the experience at Parkdale Landing, where according to Indwell “enhanced support” is being provided to residents (as distinct from the “medium support” offered at the Lakeshore Lofts and the “standard support” contemplated for 1639 Lakeshore Road West) clearly demonstrates the significant risks to the protection and safety of the community caused by offering supportive housing to drug addicts, alcohol abusers and the seriously mentally ill. The experience at Parkdale Landing amply supports the Coalition’s concerns that if permitted to proceed as currently contemplated, the identical problems will be encountered at 1639 Lakeshore Road West as have occurred at Parkdale Landing and at the Lakeshore Lofts.

#### **N. Other Relevant Indwell Projects**

73. Several other projects proposed by Indwell have recently be rejected by the government, including projects proposed for the District of Muskoka,<sup>40</sup> the City of London,<sup>41</sup> and the City of Chatham, Ontario<sup>42</sup>. The reasons why these projects were rejected by the government has not been disclosed. Understandably, the question being asked by the Coalition is whether these projects were aborted, at least in part, due to the very same concerns the Coalition has for 1639 Lakeshore Road West. In addition, another Indwell affordable support housing project located in the City of St. Thomas, Ontario recently had to be evacuated due to an explosion in one of the units caused by the improper use of compressed gas which is commonly used in the manufacture of illegal drugs. The explosion, which witnesses indicated rocked the entire building, has resulted in the City issuing an unsafe building order<sup>43</sup>.

<sup>40</sup> “Huge Disappointment: District of Muskoka housing project request denied”, Bracebridge Examiner, August 10, 2023

<sup>41</sup> “\$13.5M grant denied for affordable housing plan at old London hospital”, The London Free Press, August 14, 2023

<sup>42</sup> “Back to ground zero: CMHC nixes \$14M funding for Chatham housing project”, Chatham Daily News, August 4, 2023

<sup>43</sup> <https://www.youtube.com/watch?v=7g5a83TiwzQ>



## O. Conclusion

74. In conclusion, for the reasons set out above, the Coalition believes that the community has been unreasonably denied a reasonable opportunity to be consulted. The Coalition believes there has been a complete failure to have considered the protection and safety of vulnerable sectors within the community, **before** the government decided to allocate public funding to build affordable support housing at 1639 Lakeshore Road West, with the intention of offering housing to drug addicts, alcohol abusers, and the seriously mentally ill (not to mention the “visitors” and “cohabitators” which experience with other Indwell developments has shown will be attracted to the development). The Coalition further believes, for the reasons set out above, that if the development is permitted to offer housing at 1639 Lakeshore Road West to drug addicts, alcohol abusers, and the seriously mentally ill, this will create a serious risk to the protection and safety of the community, including the most vulnerable members of that community: our children, the elderly, and the two existing woman’s supportive housing.

75. In the circumstances, the Coalition is asking that the government suspend any further steps to develop 1639 Lakeshore Road West, and to take steps forthwith to facilitate a meaningful opportunity for public consultation and consideration for the vulnerable sectors in the community that will be affected.

76. Following appropriate public consultation, the Coalition believes that the government will conclude that while affordable support housing can and should be built at 1639 Lakeshore Road West, concerns relating to the protection and safety of the most vulnerable members of our community demands that persons who are drug addicts, alcohol abusers or suffering from serious mental illness be excluded from being eligible to reside at 1639 Lakeshore Road West.

77. We look forward to receiving your response.

Regards,



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