



**MIDDLESEX COUNTY COUNCIL  
AGENDA**

Tuesday, April 11, 2023, 1:00 PM  
Middlesex County Building  
399 Ridout Street North, London

THE MEETING WILL BE AVAILABLE AS FOLLOWS:

<https://www.youtube.com/channel/UCSIRBMaSUbravUhLTjSKc9A>

---

**Pages**

- 1. CALL TO ORDER AND WARDEN'S REMARKS**
- 2. PROVISION FOR DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
- 3. APPROVAL OF THE AGENDA**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

THAT the Agenda be approved as presented.

- 4. ADOPTION OF MINUTES AND RECOMMENDATIONS OF THE COMMITTEE OF THE WHOLE**

4.a Minutes of the March 28, 2023 Meeting of County Council

1

4.b Closed Session Minutes of the March 28, 2023 Meeting of County Council

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

THAT the Minutes of the March 28, 2023 Meeting of Council and the March 28, 2023 Closed Session be approved as presented; and

THAT the recommendations made by Committee of the Whole as set out in the Minutes of the March 28, 2023 meeting be adopted.

- 5. NEW BUSINESS**

5.a ACTION ITEMS

5.a.1 Tender for the Installation of Steel Beam Guide Rail M-H-23 11

Report from Ryan Hillinger, Engineering Supervisor

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

THAT the County Engineer be authorized and directed to award Tender M-H-23 Steel Beam Guide Rail to Royal Fence in the amount of \$123,495.00 before taxes and that the County Engineer be authorized to execute, on behalf of the County of Middlesex, all agreements and other documents necessary to implement this award on confirmation that such agreements and other documents be in a form satisfactory to the County Solicitor.

5.a.2 "LSAA" (Long Term Care Home Services Accountability Agreement) 13

Report from Brent Kerwin, Strathmere Lodge Administrator

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

THAT a by-law be introduced at the April 11, 2023 Council meeting to:

- a. Authorize and approve the Long Term Care Home Service Accountability Agreement (LSAA); and
- b. Authorize the Warden and the County Clerk to execute the Agreement.



**MIDDLESEX COUNTY COUNCIL**  
**MINUTES**

Tuesday, March 28, 2023, 1:00 PM  
Middlesex County Building  
399 Ridout Street North, London

Members Present	Warden Burghardt-Jesson Councillor Brennan Councillor Clarke Councillor DeViet Councillor Grantham Councillor Mayhew Councillor McMillan Councillor McGuire Councillor Ropp Councillor Smibert
-----------------	---

**1. CALL TO ORDER AND WARDEN'S REMARKS**

Warden Burghardt-Jesson called the meeting to order at 1:00pm and addressed Council as follows:

*"We acknowledge that the land we stand upon today is the traditional territory of the Attawandaron (Add-a-won-da-run), Anishinabeg (Ah-nish-in-a-beg), Haudenosaunee (Hoden-oh-show-nee), and Lunaapeewak (Len-ahpay-wuk) peoples who have long standing relationships to the land, water and region of Southwestern Ontario. The local First Nation communities of this area include Chippewas of the Thames First Nation, Oneida Nation of the Thames First Nation, and Munsee-Delaware Nation.*

*We acknowledge the treaties that are specific to this area: Treaty 2 (McKee Purchase), Treaty 3 (Between the Lakes Purchase), Treaty 6 (London Township Purchase), Treaty 21 (Long Woods Purchase) and Treaty 29 (Huron Tract Purchase). We value the significant contributions, both in the past and the present of local and regional first nations of Turtle Island.*

*We acknowledge historic and ongoing injustices that indigenous peoples endure in Canada and we affirm our commitment to honouring indigenous voices,*

*nations and cultures, and to moving forward in the spirit of reconciliation and respect.*

*It gives me great pleasure to welcome to this desk Paul Shipway. Paul has accepted the role as Acting Legislative Services Manager. Paul has extensive municipal experience, having served communities across the province. Most recently, he was CAO/Clerk in Central Elgin. In Central Elgin under his administrative leadership, the municipality received the Government Finance Officers Association Distinguished Budget Award. Prior to his time there, Paul served the Municipality of Bayham in the same capacity. While there, Paul led in designing and implementing a strategic digital knowledge management database with advanced automation and workflow capabilities. This critical asset allowed staff to sustainably modernize and innovate administration and service delivery. As a result, the Municipality of Bayham was awarded the E.A. Danby Award for Municipal Innovation and the John Niedra Better Practices – Innovative Service Delivery Award. I have no doubt that Paul will fit in quite nicely with our team here at Middlesex. I for one, look forward to working with you. You have jumped in feet first and haven't missed a beat. I know you all join me in welcoming Paul officially to Middlesex County. With Paul here, it means that Marci has taken her personal leave and again, I know you are thrilled for her as I am and join me in wishing her the best."*

**2. PROVISION FOR DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

None.

**3. APPROVAL OF THE AGENDA**

Moved by Councillor Mayhew

Seconded by Councillor McMillan

THAT the Agenda be approved as presented.

Carried

**4. ADOPTION OF MINUTES AND RECOMMENDATIONS OF THE COMMITTEE OF THE WHOLE**

4.a Minutes of the March 14, 2023 Meeting of County Council

4.b Minutes of the March 14, 2023 Budget Meeting

4.c Closed Session Minutes of the March 14, 2023 Budget Meeting

4.d Minutes of the March 20, 2023 Budget Meeting

Moved by Councillor Grantham

Seconded by Councillor McGuire

THAT the Minutes of the March 14, 2023 Meeting of Council, March 14, 2023 Budget Meeting, March 14, 2023 Closed Session and March 20, 2023 Budget Meeting be approved as presented; and

THAT the recommendations made by Committee of the Whole as set out in the Minutes of the March 14, 2023 Meeting, March 14, 2023 Budget Meeting, and March 20, 2023 Budget Meeting be adopted.

Carried

**5. NEW BUSINESS**

5.a ACTION ITEMS

5.a.1 MOH Primary Data Sharing and Service Agreement

Report from Neal Roberts, Chief, Middlesex-London Paramedic Service

Moved by Councillor Smibert

Seconded by Councillor Clarke

THAT Middlesex County Council receive this report and authorize the Chief of Middlesex-London Paramedic Service to execute the Primary Data Sharing and Service Agreement with the Ontario Ministry of Health.

Carried

5.a.2 Purchase of Service Renewal – LEADS Employment Services - Skills That Work Program April 1, 2023 – December 31, 2023

Report from Joe Winser, Manager of Social Services and Cindy Howard, General Manager of Finance and Community Services

Moved by Councillor DeViet

Seconded by Councillor Mayhew

THAT a by-law be introduced at the March 28th, 2023 Council meeting to:

- a. Authorize and approve the contract with Leads Employment Services for the Skills That Work program from April 1st, 2023 to December 31st, 2023, with the potential to extend to March 31st, 2024, for Ontario Works participants that have identified with life stabilization challenges and employment barriers; and
- b. Authorize the Warden and the County Clerk to execute the Agreement.

Carried

#### 5.a.3 County Forest; Sale of Timber; Bayne and McMaster Tracts

Report from Mark Brown, Woodlands Conservation Officer

Moved by Councillor Ropp

Seconded by Councillor Grantham

THAT the tender submitted by Townsend Lumber Inc. in the amount of \$45,500.00 for Tender W2023B be accepted; and

THAT a by-law be introduced at the March 28<sup>th</sup>, 2023 Council meeting to:

- a. Authorize and approve the logging contract with Townsend Lumber Inc.; and
- b. Authorize the Warden and the County Clerk to execute the Agreement

Carried

#### 5.a.4 2023 Tax Rates

Report from Cindy Howard, GM Finance and Community Services, County Treasurer and Deputy CAO

Moved by Councillor Smibert

Seconded by Councillor DeViet

THAT the 2023 Tax Ratios for the County of Middlesex remain the same as 2022, and that the Tax Ratio By-law be forwarded to County Council for approval.

Carried

**6. INQUIRIES**

None.

**7. NOTICES OF MOTION**

None.

**8. COUNCILLOR'S COMMENTS AND OTHER BUSINESS**

None.

**9. COMMITTEE OF THE WHOLE**

Moved by Councillor Clarke

Seconded by Councillor McMillan

THAT Committee of the Whole convene at 1:12pm.

Carried

**9.a DELEGATIONS**

**9.a.1 MPAC Property Assessment in Ontario**

Presentation by Brenda Slater, Account Manager, MPAC and Anne Haines, Regional Manager, MPAC

Moved by Councillor Clarke

Seconded by Councillor Smibert

THAT the MPAC Property Assessment in Ontario presentation be received for information.

Carried

**9.b REPORTS FROM COUNTY OFFICERS**

**9.b.1 Middlesex County Organizational Structure**

Presentation from Bill Rayburn, CAO and Jessica Ngai, Director of Human Resources

Moved by Councillor Brennan

Seconded by Councillor McGuire

THAT the Middlesex County Organizational Structure presentation be received for information.

Carried

9.c ACTION ITEMS

9.c.1 Middlesex Centre Official Plan Amendment No. 61; Housekeeping Amendment

Report from Durk Vanderwerff, Director of Planning and Development

Moved by Councillor Ropp  
Seconded by Councillor DeViet

THAT Amendment No. 61 to the Middlesex Centre Official Plan be approved and that staff be directed to circulate a Notice of Decision as required by the Planning Act, and that the Notice of Decision indicate that no written submissions were received concerning this application.

Carried

9.c.2 Provincially-Required Annual Quality Improvement Plan - 2023/24

Report from Brent Kerwin, Strathmere Lodge Administrator

Moved by Councillor McGuire  
Seconded by Councillor Grantham

THAT the 2023/24 Quality Improvement Plan be approved by County Council and the Strathmere Lodge Administrator be directed to submit the compliance report.

Carried

9.c.3 Access and Inclusion Childcare Framework – Canada-Wide Early Learning and Child Care Agreement

Report from Joe Winsor - Manager, Social and Children's Services and Cindy Howard, General Manager of Finance and Community Services

Moved by Councillor Smibert  
Seconded by Councillor DeViet

THAT this report be received for information on Targeted Expansion of Licensed Child Care through the Canada-Wide Early Learning and Child Care Agreement; and;

THAT the Social Services staff be directed to append Appendix A of this report to the London-Middlesex Child Care and Early Years Service System Plan, 2019-2023.

Carried

#### 9.d CORRESPONDENCE AND INFORMATION ITEMS

##### 9.d.1 Electronic Payments - February 2023

Moved by Councillor Clarke  
Seconded by Councillor Ropp

THAT item 9.d.1. be received for information.

Carried

##### 9.d.2 Thank-You letter from the family of Past Warden Jack Baker

##### 9.d.3 Final Approval of Cudney Blue (2270942 Ontario Ltd.), Plan of Subdivision; File 39T-MC2004, Municipality of Middlesex Centre Report from Teresa Hill, Planning and Development Coordinator

##### 9.d.4 Ontario Land Tribunal Appeal of Proposed Plan of Subdivision File No. 39T-MC0902; South Winds; Middlesex Centre Report from Durk Vanderwerff, Director of Planning and Development

##### 9.d.5 Letter from Ministry of Health - March 1, 2023

##### 9.d.6 Middlesex Accessibility Advisory Committee Meeting Minutes - March 13, 2023

##### 9.d.7 Public Sector Salary Disclosure

Report from Cindy Howard, General Manager of Finance and Community Services, County Treasurer and Deputy CAO

##### 9.d.8 2023 Annual Repayment Limit

Report from Cindy Howard, General Manager of Finance and  
Community Services / County Treasurer / Deputy CAO

9.d.9 2022 Council Remuneration and Expenses

Report from Cindy Howard, GM Finance and Community Services,  
County Treasurer and Deputy CAO

Moved by Councillor Smibert  
Seconded by Councillor McMillan

THAT Items 9.d.2 to 9.d.9 be received for information.

Carried

9.e CLOSED SESSION

Moved by Councillor Ropp  
Seconded by Councillor Grantham

THAT Committee of the Whole convene in Closed Session at 2:15pm in  
order to consider personal matters about an identifiable individual, labour  
relations or employee negotiations, and a position, plan, procedure,  
criteria or instruction to be applied to negotiations carried on or to be  
carried on by or on behalf of the municipality as part of employee  
negotiations in accordance with subsections 239(2)(b)(d)(k).

Carried

9.e.1 Employee Negotiations

Report from Bill Rayburn, CAO

Moved by Councillor McGuire  
Seconded by Councillor Clarke

THAT Committee of the Whole rise from Closed Session at  
3:15pm.

Carried

9.f RISE AND REPORT FROM CLOSED SESSION

None.



Moved by Councillor Brennan  
Seconded by Councillor Smibert

THAT Committee of the Whole rise at 3:18pm.

Carried

## **10. BY-LAWS**

- 10.a #7218 - A BY-LAW to prescribe a Tariff of Fees for processing applications with respect to planning matters
- 10.b #7219 - A BY-LAW to amend By-Law #7204 to appoint Board Members to the MLEMS Authority Board
- 10.c #7220 - A BY-LAW to appoint Paul Shipway as Clerk
- 10.d #7221 - A BY-LAW to authorize an Agreement with LEADS Employment Services London Inc.
- 10.e #7222 - A BY-LAW to authorize a Professional Timber Harvesting Services Agreement with Townsend Lumber Inc.
- 10.f #7223 - A BY-LAW to Adopt the 2023 Budget of the County of Middlesex
- 10.g #7224 - A BY-LAW to Adopt Tax Rates and the Payment Schedule for the 2023 County Levy
- 10.h #7225 - A BY-LAW to Confirm Proceedings of the March 28, 2022 meeting of Council

Moved by Councillor McGuire  
Seconded by Councillor McMillan

THAT the by-laws be given a first and second reading.

Carried

Moved by Councillor Mayhew  
Seconded by Councillor Clarke

THAT the by-laws be given a third and final reading.

Carried

**11. ANNOUNCEMENTS**

11.a Middlesex Municipal Day - Tuesday May 2, 2023

11.b Warden's Charity Golf Tournament - Thursday, June 22, 2023

11.c Next Meetings

Tuesday, April 11, 2023

Tuesday, May 9, 2023

Tuesday, May 23, 2023

**12. ADJOURNMENT**

Moved by Councillor McGuire

Seconded by Councillor DeViet

That the meeting adjourn at 3:23p.m.

Carried

---

Paul Shipway, County Clerk

---

Cathy Burghardt-Jesson, Warden



## County Council

---

**Meeting Date:** April 11, 2023

**Submitted by:** Ryan Hillinger, Engineering Supervisor

**Subject:** Tender for the Installation of Steel Beam Guide Rail M-H-23

---

### **BACKGROUND:**

Contract M-H-23 for the installation of Steel Beam Guide Rail was advertised with tenders accepted until 12 noon, Monday March 31, 2023.

### **ANALYSIS:**

The County received two bids for this contact. The lowest bid in the amount of \$123,495.00 plus HST was submitted by Royal Fence. This contractor has completed this type of work for the County in the past and has met or exceeded expectations. A summary of the unit prices is attached.

### **RECOMMENDATION:**

That the County Engineer be authorized and directed to award Tender M-H-23 Steel Beam Guide Rail to Royal Fence. in the amount of \$123,495.00 before taxes and that the County Engineer be authorized to execute, on behalf of the County of Middlesex, all agreements and other documents necessary to implement this award on confirmation that such agreements and other documents be in a form satisfactory to the County Solicitor.

M-H-23 - Installation of Steel Beam Guide Rail

Item No.	Contract Section	Road No.	Description	Unit	Estimated Quantity	Royal Fence Limited		Peninsula Construction Inc	
						Submission 1		Submission 1	
						Unit Price	Total	Unit Price	Total
1	1 (70171)	7	Install Steel Beam Guiderail Type M30 adjacent to concrete curb (Type OPSD 912.188) North Bridge approach.	m	15	\$ 215.00	\$ 3,225.00	\$ 290.00	\$ 4,350.00
2	1 (70171)	7	Install Steel Beam Guiderail with channel (Type OPSD 912.130) North Bridge approach.	m	19	\$ 245.00	\$ 4,655.00	\$ 360.00	\$ 6,840.00
3	1 (70171)	7	Install Steel Beam Guiderail splice transition (Type OPSD 912.125) North Bridge approach.	each	1	\$ 750.00	\$ 750.00	\$ 1,700.00	\$ 1,700.00
4	1 (70171)	7	Install Steel Beam Guiderail attenuating end treatment (Type OPSD 922.186) North Bridge approach.	each	1	\$ 8,200.00	\$ 8,200.00	\$ 8,800.00	\$ 8,800.00
5	1 (70171)	7	Install Steel Beam Guiderail structure connection (Type OPSD 912.430) North Bridge approach.	each	1	\$ 3,500.00	\$ 3,500.00	\$ 4,750.00	\$ 4,750.00
6	1 (70171)	7	Install Steel Beam Guiderail Type M30 adjacent to concrete curb (Type OPSD 912.188) South Bridge approach.	m	42	\$ 215.00	\$ 9,030.00	\$ 290.00	\$ 12,180.00
7	1 (70171)	7	Install Steel Beam Guiderail with channel (Type OPSD 912.130) South Bridge approach.	m	19	\$ 245.00	\$ 4,655.00	\$ 360.00	\$ 6,840.00
8	1 (70171)	7	Install Steel Beam Guiderail splice transition (Type OPSD 912.125) South Bridge approach.	each	1	\$ 750.00	\$ 750.00	\$ 1,700.00	\$ 1,700.00
9	1 (70171)	7	Install Steel Beam Guiderail attenuating end treatment (Type OPSD 922.186) South Bridge approach.	each	1	\$ 8,200.00	\$ 8,200.00	\$ 8,800.00	\$ 8,800.00
10	1 (70171)	7	Install Steel Beam Guiderail structure connection (Type OPSD 912.430) South Bridge approach.	each	1	\$ 3,500.00	\$ 3,500.00	\$ 4,750.00	\$ 4,750.00
11	1 (70171)	7	Install Steel Beam Guiderail Type M30 adjacent to concrete curb (Type OPSD 912.188) curve on sag east of bridge.	m	282	\$ 215.00	\$ 60,630.00	\$ 275.00	\$ 77,550.00
12	1 (70171)	7	Install Steel Beam Guiderail attenuating end treatment (Type OPSD 922.186) curve on sag east of bridge.	each	2	\$ 8,200.00	\$ 16,400.00	\$ 8,800.00	\$ 17,600.00
Subtotal:						\$123,495.00		\$155,860.00	

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Brent Kerwin, Strathmere Lodge Administrator  
**Subject:** “LSAA” (Long Term Care Home Service Accountability Agreement)

---

### **BACKGROUND:**

Ontario Health requires that there be an “LSAA” (Long Term Care Home Service Accountability Agreement) with The County to authorize the continued flow of provincial funding to Strathmere Lodge for the services it provides as an approved long term care home.

LSAAs have been a requirement since 2010, and are renewed periodically. The renewed LSAA (attached) covers the period from April 1, 2023 to March 31, 2024.

### **ANALYSIS:**

The LSAA for provincial long term care homes is similar to that which is in effect for the hospital and community care sectors. The Lodge’s LSAA includes a description of The Lodge and the services that The Lodge is responsible for providing, and spells out the need for The Lodge to report on various clinical, statistical and financial data.

A LSAA must be Board approved, signed and submitted to Ontario Health to take effective. County Council, as the Committee of Management for the Lodge, is required to approve the LSAA for Strathmere Lodge.

### **RECOMMENDATION:**

THAT a by-law be introduced at the April 11, 2023 Council meeting to:

- a. Authorize and approve the Long Term Care Home Service Accountability Agreement (LSAA); and
- b. Authorize the Warden and the County Clerk to execute the Agreement.

*Attachment*

**LONG-TERM CARE HOME SERVICE ACCOUNTABILITY AGREEMENT**  
**April 1, 2023 to March 31, 2024**

**SERVICE ACCOUNTABILITY AGREEMENT**

**with**

**The Corporation of the County of Middlesex**

**Effective Date: April 1, 2023**

**Index to Agreement**

ARTICLE 1.0 - DEFINITIONS & INTERPRETATION .....2

ARTICLE 2.0 - TERM AND NATURE OF THIS AGREEMENT .....8

ARTICLE 3.0 - PROVISION OF SERVICES .....8

ARTICLE 4.0 - FUNDING ..... 11

ARTICLE 5.0 - ADJUSTMENT AND RECOVERY OF FUNDING..... 12

ARTICLE 6.0 - PLANNING & INTEGRATION ..... 14

ARTICLE 7.0 - PERFORMANCE ..... 17

ARTICLE 8.0 - REPORTING, ACCOUNTING AND REVIEW..... 18

ARTICLE 9.0 - REPRESENTATIONS, WARRANTIES AND COVENANTS .....21

ARTICLE 10.0 - LIMITATION OF LIABILITY, INDEMNITY & INSURANCE .....22

ARTICLE 11.0 – TERMINATION.....24

ARTICLE 12.0 - NOTICE .....26

ARTICLE 13.0 - INTERPRETATION.....27

ARTICLE 14.0 - ADDITIONAL PROVISIONS .....27

ARTICLE 15.0 - ENTIRE AGREEMENT .....29

**Schedules**

- Schedule A: Description of Home and Services
- Schedule B: Additional Terms and Conditions Applicable to the Funding Model
- Schedule C: Reporting Requirements
- Schedule D: Performance
- Schedule E: Form of Compliance Declaration

**THIS AGREEMENT** effective as of the 1<sup>st</sup> day of April, 2023.

**B E T W E E N :**

**ONTARIO HEALTH** (the “Funder”)

**AND**

**The Corporation of the County of Middlesex** (the “HSP”)

**IN RESPECT OF:**

**Strathmere Lodge** located at

**599 Albert Street, PO Box 5000, Strathroy, ON N7G 3J3**

**Background:**

This service accountability agreement is entered into pursuant to the *Connecting Care Act, 2019* (the “CCA”).

The HSP and the Funder are committed to working together, and with others, to achieve evolving provincial priorities including building a connected and sustainable health care system centred around the needs of patients, their families and their caregivers.

The Funder recognizes municipalities as responsible and accountable governments with respect to matters within their jurisdiction. The Funder acknowledges the unique character of municipal governments that are funded health service providers (each a “**Municipal HSP**”) under the Provincial Long-Term Care Home Service Accountability Agreement template (the “**LSAA**”), and the challenges faced by Municipal HSPs in complying with the terms of the LSAA, given the legal framework under which they operate. The Funder further recognizes and acknowledges that where a Municipal HSP faces a particular challenge in meeting its obligations under the LSAA due to its responsibilities as a municipal government or the legal framework under which it operates, it may be appropriate for the Funder to consult with the Municipal HSP and to use reasonable efforts to resolve the issue in a collaborative way that respects the municipal government while operating under the LSAA as a Municipal HSP.

In this context, the HSP and the Funder agree that the Funder will provide funding to the HSP on the terms and conditions set out in this Agreement to enable the provision of services to the health system by the HSP.

In consideration of their respective agreements set out below, the Funder and the HSP covenant and agree as follows:

**ARTICLE 1.0 - DEFINITIONS & INTERPRETATION**

**1.1 Definitions.** In this Agreement the following terms will have the following meanings.

“**Accountability Agreements**” means each of the accountability agreements, as that term is defined in the Enabling Legislation, in place during a Funding Year, between

Funder and the Ministry of Health, and between the Funder and the Ministry of Long Term Care.

**“Act”** means the Fixing *Long-Term Care Homes Act, 2021* and the regulations made under it, as it and they may be amended from time to time, and includes any successor legislation.

**“Active Offer”** means the clear and proactive offer of service in French to individuals, from the first point of contact, without placing the responsibility of requesting services in French on the individual.

**“Agreement”** means this agreement and includes the Schedules and any instrument amending this agreement or the Schedules.

**“Annual Balanced Budget”** means that, in each calendar year of the term of this Agreement, the total expenses of the HSP in respect of the Services are less than or equal to the total revenue of the HSP in respect of the Services.

**“Applicable Law”** means all federal, provincial or municipal laws, orders, rules, regulations, common law, licence terms or by-laws, and includes terms or conditions of a licence or approval issued under the Act, that are applicable to the HSP, the Services, this Agreement and the parties’ obligations under this Agreement during the term of this Agreement.

**“Applicable Policy”** means any orders, rules, policies, directives or standards of practice or Program Parameters issued or adopted by the Funder, by the Ministry or by other ministries or agencies of the province of Ontario that are applicable to the HSP, the Services, this Agreement and the parties’ obligations under this Agreement during the term of this Agreement. Without limiting the generality of the foregoing, Applicable Policy includes the Design Manual and the Long Term Care Funding and Financial Management Policies and all other manuals, guidelines, policies and other documents listed on the Policy Web Pages as those manuals, guidelines, policies and other documents may be amended from time to time.

**“Approved Funding”** has the meaning ascribed to it in Schedule B.

**“Beds”** means the long term care home beds that are licensed or approved under the Act and identified in Schedule A, as the same may be amended from time to time.

**“Board”** means in respect of an HSP that is:

- (a) a corporation, the board of directors;
- (b) A First Nation, the band council;
- (c) a municipality, the committee of management;
- (d) a board of management established by one or more municipalities or by one or more First Nations’ band councils, the members of the board of management;
- (e) a partnership, the partners; and
- (f) a sole proprietorship, the sole proprietor.

**“BPSAA”** means the *Broader Public Sector Accountability Act, 2010*, and regulations made under it as it and they may be amended from time to time.



**“CCA”** means the *Connecting Care Act, 2019*, and the regulations under it, as it and they may be amended from time to time.

**“CEO”** means the individual accountable to the Board for the provision of the Services in accordance with the terms of this Agreement, which individual may be the executive director or administrator of the HSP, or may hold some other position or title within the HSP.

**“Compliance Declaration”** means a compliance declaration substantially in the form set out in Schedule E.

**“Confidential Information”** means information that is marked or otherwise identified as confidential by the disclosing party at the time the information is provided to the receiving party. Confidential Information does not include information that (a) was known to the receiving party prior to receiving the information from the disclosing party; (b) has become publicly known through no wrongful act of the receiving party; or (c) is required to be disclosed by law, provided that the receiving party provides Notice in a timely manner of such requirement to the disclosing party, consults with the disclosing party on the proposed form and nature of the disclosure, and ensures that any disclosure is made in strict accordance with Applicable Law.

**“Conflict of Interest”** in respect of an HSP, includes any situation or circumstance where: in relation to the performance of its obligations under this Agreement

- (a) the HSP;
- (b) a member of the HSP’s Board; or
- (c) any person employed by the HSP who has the capacity to influence the HSP’s decision,

has other commitments, relationships or financial interests that:

- (a) could or could be seen to interfere with the HSP’s objective, unbiased and impartial exercise of its judgement; or
- (b) could or could be seen to compromise, impair or be incompatible with the effective performance of its obligations under this Agreement.

**“Construction Funding Subsidy”** has the meaning ascribed to it in Schedule B.

**“Controlling Shareholder”** of a corporation means a shareholder who or which holds (or another person who or which holds for the benefit of such shareholder), other than by way of security only, voting securities of such corporation carrying more than 50% of the votes for the election of directors, provided that the votes carried by such securities are sufficient, if exercised, to elect a majority of the board of directors of such corporation.

**“Days”** means calendar days.

**“Design Manual”** means the Ministry design manual or manuals in effect and applicable to the development, upgrade, retrofit, renovation or redevelopment of the Home or Beds subject to this Agreement.

**“Designated”** means designated as a public service agency under the FLSA.

**“Digital Health”** refers to the use of digital and virtual tools, products, technologies, data, and services that enable improved patient experience and population health outcomes, care quality, access, integration, coordination, and system sustainability when they are leveraged by patients, providers and integrated care teams;

**“Director”** has the same meaning ascribed to it in the Act.

**“Effective Date”** means April 1, 2023.

**“Enabling Legislation”** means the CCA.

**“Explanatory Indicator”** means a measure that is connected to and helps to explain performance in a Performance Indicator or a Monitoring Indicator. An Explanatory Indicator may or may not be a measure of the HSP’s performance. No Performance Target is set for an Explanatory Indicator.

**“Factors Beyond the HSP’s Control”** include occurrences that are, in whole or in part, caused by persons, entities or events beyond the HSP’s control. Examples may include, but are not limited to, the following:

- (a) significant costs associated with complying with new or amended Government of Ontario technical standards, guidelines, policies or legislation;
- (b) the availability of health care in the community (hospital care, long-term care, home care, and primary care);
- (c) the availability of health human resources; arbitration decisions that affect HSP employee compensation packages, including wage, benefit and pension compensation, which exceed reasonable HSP planned compensation settlement increases and in certain cases non-monetary arbitration awards that significantly impact upon HSP operational flexibility; and
- (d) catastrophic events, such as natural disasters and infectious disease outbreaks.

**“FIPPA”** means the *Freedom of Information and Protection of Privacy Act*, (Ontario) and the regulations made under it, as it and they may be amended from time to time.

**“FLSA”** means the *French Language Services Act* and the regulations made under it, as it and they may be amended from time to time.

**“Funder”** means Ontario Health.

**“Funding”** means the amounts of money provided by the Funder to the HSP in each Funding Year of this Agreement. Funding includes Approved Funding and Construction Funding Subsidy.

**“Funding Year”** means in the case of the first Funding Year, the period commencing on the January 1 prior to the Effective Date and ending on the following December 31, and in the case of Funding Years subsequent to the first Funding Year, the period commencing on the date that is January 1 following the end of the previous Funding Year and ending on the following December 31.

**“Home”** means the long-term care home at the location set out above, which for clarity includes the buildings where the Beds are located and for greater certainty, includes the

Beds and the common areas and common elements which will be used at least in part, for the Beds, but excludes any other part of the building which will not be used for the Beds being operated pursuant to this Agreement.

**“HSP’s Personnel and Volunteers”** means the Controlling Shareholders (if any), directors, officers, employees, agents, volunteers and other representatives of the HSP. In addition to the foregoing HSP’s Personnel and Volunteers shall include the contractors and subcontractors and their respective shareholders, directors, officers, employees, agents, volunteers or other representatives.

**“Identified”** means identified by the Funder or the Ministry to provide French language services.

**“Indemnified Parties”** means the Funder and its officers, employees, directors, independent contractors, subcontractors, agents, successors and assigns and His Majesty the King in right of Ontario and Her Ministers, appointees and employees, independent contractors, subcontractors, agents and assigns. Indemnified Parties also includes any person participating on behalf of the Funder in a Review.

**“Interest Income”** means interest earned on the Funding.

**“Licence”** means one or more of the licences or the approvals granted to the HSP in respect of the Beds at the Home under Part VII or Part VIII of the Act.

**“Mandate Letter”** has the meaning ascribed to it in the Memorandum of Understanding between the Ministry of Health and the Funder, and includes a letter from the Minister of Long-Term Care to the Funder establishing priorities in accordance with the Premier’s mandate letter to the Minister.

**“Minister”** means such minister of the Crown as may be designated as the responsible minister in relation to this Agreement or in relation to any subject matter under this Agreement, as the case may be, in accordance with the *Executive Council Act*, as amended.

**“Ministry”** means, as the context requires, the Minister or the Ministry of Health or the Minister of Long-Term Care or such other ministry as may be designated in accordance with Applicable Law as the ministry responsible in relation to the relevant matter or the Minister of that ministry, as the context requires.

**“Monitoring Indicator”** means a measure of HSP performance that may be monitored against provincial results or provincial targets, but for which no Performance Target is set.

**“Notice”** means any notice or other communication required to be provided pursuant to this Agreement, the Enabling Legislation or the Act.

**“Ontario Health”** means the corporation without share capital under the name Ontario Health as continued under the CCA.

**“Performance Agreement”** means an agreement between an HSP and its CEO that requires the CEO to perform in a manner that enables the HSP to achieve the terms of

this Agreement.

**“Performance Corridor”** means the acceptable range of results around a Performance Target.

**“Performance Factor”** means any matter that could or will significantly affect a party’s ability to fulfill its obligations under this Agreement, and for certainty, includes any such matter that may be brought to the attention of the Funder, whether by PICB or otherwise.

**“Performance Indicator”** means a measure of HSP performance for which a Performance Target is set; technical specifications of specific Performance Indicators can be found in the 2023-2024 LSAA Indicator Technical Specifications document, as it may be amended or replaced from time to time.

**“Performance Standard”** means the acceptable range of performance for a Performance Indicator or a Service Volume that results when a Performance Corridor is applied to a Performance Target.

**“Performance Target”** means the level of performance expected of the HSP in respect of a Performance Indicator or a Service Volume.

**“person or entity”** includes any individual and any corporation, partnership, firm, joint venture or other single or collective form of organization under which business may be conducted.

**“PICB”** means Performance Improvement and Compliance Branch of the Ministry, or any other branch or organizational unit of the Ministry that may succeed or replace it.

**“Planning Submission”** means the planning document submitted by the HSP to the Funder. The form, content and scheduling of the Planning Submission will be identified by the Funder.

**“Policy Web Pages”** means the web pages available at [www.health.gov.on.ca/lsaapolicies](http://www.health.gov.on.ca/lsaapolicies), and at [www.health.gov.on.ca/erssldpolitique](http://www.health.gov.on.ca/erssldpolitique) or such other URLs or Web pages as the Funder or the Ministry may advise from time to time. Capital policies can be found at [Http://www.health.gov.on.ca/english/providers/program/ltc\\_redev/awardeeoperator.html](http://www.health.gov.on.ca/english/providers/program/ltc_redev/awardeeoperator.html).

**“Program Parameter”** means, in respect of a program, the provincial standards (such as operational, financial or service standards and policies, operating manuals and program eligibility), directives, guidelines and expectations and requirements for that program.

**“RAI MDS Tools”** means the standardized Resident Assessment Instrument – Minimum Data Set (“RAI MDS”) 2.0, the RAI MDS 2.0 User Manual and the RAI MDS Practice Requirements, as the same may be amended from time to time.

**“Reports”** means the reports described in Schedule C as well as any other reports or information required to be provided under the Enabling Legislation, the Act or this Agreement.

**“Resident”** has the meaning ascribed to it under the Act.

**“Review”** means a financial or operational audit, investigation, inspection or other form of review requested or required by the Funder under the terms of the Enabling Legislation or this Agreement, but does not include the annual audit of the HSP’s financial statements.

**“Schedule”** means any one, and **“Schedules”** mean any two or more, as the context requires, of the schedules appended to this Agreement including the following:

**Schedule A:** Description of Home and Services;

**Schedule B:** Additional Terms and Conditions Applicable to the Funding Model;

**Schedule C:** Reporting Requirements;

**Schedule D:** Performance; and

**Schedule E:** Form of Compliance Declaration

**“Services”** means the operation of the Beds and the Home and the accommodation, care, programs, goods and other services that are provided to Residents (i) to meet the requirements of the Act; (ii) to obtain Approved Funding; and (iii) to fulfill all commitments made to obtain a Construction Funding Subsidy.

**“Service Volume”** means a measure of Services for which a Performance Target is set.

- 1.2 Interpretation.** Words in the singular include the plural and vice-versa. Words in one gender include all genders. The words “including” and “includes” are not intended to be limiting and shall mean “including without limitation” or “includes without limitation”, as the case may be. The headings do not form part of this Agreement. They are for convenience of reference only and will not affect the interpretation of this Agreement. Terms used in the Schedules shall have the meanings set out in this Agreement unless separately and specifically defined in a Schedule in which case the definition in the Schedule shall govern for the purposes of that Schedule.

## **ARTICLE 2.0 - TERM AND NATURE OF THIS AGREEMENT**

- 2.1 Term.** The term of this Agreement will commence on the Effective Date and will expire on the earlier of (1) March 31, 2024 or (2) the expiration or termination of all Licences, unless this Agreement is terminated earlier or extended pursuant to its terms.
- 2.2 A Service Accountability Agreement.** This Agreement is a service accountability agreement for the purposes of the Enabling Legislation.
- 2.3 Prior Agreements.** The parties acknowledge and agree that all prior agreements for the Services are terminated.

## **ARTICLE 3.0 - PROVISION OF SERVICES**

### **3.1 Provision of Services.**

- (a) The HSP will provide the Services in accordance with, and otherwise comply with:

- (1) the terms of this Agreement;
  - (2) Applicable Law; and
  - (3) Applicable Policy.
- (b) When providing the Services, the HSP will meet the Performance Standards and conditions identified in Schedule D.
- (c) Unless otherwise provided in this Agreement, the HSP will not reduce, stop, start, expand, cease to provide or transfer the provision of the Services except with Notice to the Funder and if required by Applicable Law or Applicable Policy, the prior written consent of the Funder.
- (d) The HSP will not restrict or refuse the provision of Services to an individual, directly or indirectly, based on the geographic area in which the person resides in Ontario.

### **3.2 Subcontracting for the Provision of Services.**

- (a) The parties acknowledge that, subject to the provisions of the Act and the Enabling Legislation, the HSP may subcontract the provision of some or all of the Services. For the purposes of this Agreement, actions taken or not taken by the subcontractor and Services provided by the subcontractor will be deemed actions taken or not taken by the HSP and Services provided by the HSP.
- (b) When entering into a subcontract the HSP agrees that the terms of the subcontract will enable the HSP to meet its obligations under this Agreement. Without limiting the foregoing, the HSP will include a provision that permits the Funder or its authorized representatives, to audit the subcontractor in respect of the subcontract if the Funder or its authorized representatives determines that such an audit would be necessary to confirm that the HSP has complied with the terms of this Agreement.
- (c) Nothing contained in this Agreement or a subcontract will create a contractual relationship between any subcontractor or its directors, officers, employees, agents, partners, affiliates or volunteers and the Funder.

### **3.3 Conflict of Interest.** The HSP will use the Funding, provide the Services and otherwise fulfil its obligations under this Agreement without an actual, potential or perceived Conflict of Interest. The HSP will disclose to the Funder without delay any situation that a reasonable person would interpret as an actual, potential or perceived Conflict of Interest and comply with any requirements prescribed by the Funder to resolve any Conflict of Interest.

### **3.4 Digital Health.** The HSP shall make best efforts to:

- (a) align with, and participate in, the Funder's digital health planning, with the aim to improve data exchange and security, and use digital health to enable optimized patient experience, population health and wellbeing, and system sustainability;
- (b) assist the Funder to implement the provincial digital health plans by designing and modernizing digital health assets to optimize data sharing, exchange, privacy and security;

- (c) track the HSP's Digital Health performance against the Funder's plans and priorities;
- (d) engage with the Funder to maintain and enhance digital health assets to ensure service resilience, interoperability, security, and comply with any clinical, technical, and information management standards, including those related to data, architecture, technology, privacy and security, set for the HSP by the Funder and/or the Ministry; and
- (e) operate an information security program in alignment with reasonable guidance provided by Ontario Health.

**3.5 Mandate Letter.** The Funder will receive a Mandate Letter or Mandate Letters annually. Each Mandate Letter articulates areas of focus for the Funder, and the Minister's expectation that the Funder and health service providers it funds will collaborate to advance these areas of focus. To assist the HSP in its collaborative efforts with the Funder, the Funder will share each relevant Mandate Letter with the HSP. The Funder may also add local obligations to Schedule D as appropriate to further advance any priorities set out in a Mandate Letter.

### **3.6 French Language Services.**

**3.6.1** The Funder will provide the Ministry "Guide to Requirements and Obligations Relating to French Language Services" to the HSP and the HSP will fulfill its roles, responsibilities and other obligations set out therein.

**3.6.2 If Not Identified or Designated.** If the HSP has not been Designated or Identified, it will:

- (a) develop and implement a plan to address the needs of the local Francophone community, including the provision of information on services available in French;
- (b) work toward applying the principles of Active Offer in the provision of services;
- (c) provide a report to the Funder that outlines how the HSP addresses the needs of its local Francophone community; and,
- (d) collect and submit to the Funder as requested by the Funder from time to time, French language service data.

**3.6.3 If Identified.** If the HSP is Identified, it will:

- (a) work toward applying the principles of Active Offer in the provision of services;
- (b) provide services to the public in French in accordance with its existing French language services capacity;
- (c) develop, and provide to the Funder upon request from time to time, a plan to become Designated by the date agreed to by the HSP and the Funder;

- (d) continuously work towards improving its capacity to provide services in French and toward becoming Designated within the time frame agreed to by the parties;
- (e) provide a report to the Funder that outlines progress in its capacity to provide services in French and toward becoming Designated;
- (f) annually, provide a report to the Funder that outlines how it addresses the needs of its local Francophone community; and,
- (g) collect and submit to the Funder, as requested by the Funder from time to time, French language services data.

**3.6.4 If Designated.** If the HSP is Designated it will:

- (a) apply the principles of Active Offer in the provision of services;
- (b) continue to provide services to the public in French in accordance with the provisions of the FLSA;
- (c) maintain its French language services capacity;
- (d) submit a French language implementation report to the Funder on the date specified by the Funder, and thereafter, on each anniversary of that date, or on such other dates as the Funder may, by Notice, require; and,
- (e) collect and submit to the Funder as requested by the Funder from time to time, French language services data.

## **ARTICLE 4.0 - FUNDING**

**4.1 Funding.** Subject to the terms of this Agreement, and in accordance with the applicable provisions of the applicable Accountability Agreement, the Funder will provide the Funding by depositing the Funding in monthly instalments over the term of this Agreement, into an account designated by the HSP provided that the account resides at a Canadian financial institution and is in the name of the HSP.

**4.2 Conditions of Funding.**

- (a) The HSP will:
  - (1) use the Funding only for the purpose of providing the Services in accordance with Applicable Law, Applicable Policy and the terms of this Agreement;
  - (2) not use the Funding for compensation increases prohibited by Applicable Law;
  - (3) meet all obligations in the Schedules;
  - (4) fulfill all other obligations under this Agreement; and
  - (5) plan for and achieve an Annual Balanced Budget.
- (b) Interest Income will be reported to the Funder and is subject to a year-end reconciliation. The Funder may deduct the amount equal to the Interest Income from any further funding instalments under this or any other agreement with the HSP or the Funder may require the HSP to pay an amount equal to the unused Interest Income to the Ministry of Finance.

**4.3 Limitation on Payment of Funding.** Despite section 4.1, the Funder:



- (a) will not provide any funds to the HSP until this Agreement is fully executed;
- (b) may pro-rate the Funding if this Agreement is signed after the Effective Date;
- (c) will not provide any funds to the HSP until the HSP meets the insurance requirements described in section 10.4;
- (d) will not be required to continue to provide funds,
  - (1) if the Minister or the Director so directs under the terms of the Act;
  - (2) while the Home is under the control of an interim manager pursuant to section 157 of the Act; or
  - (3) in the event the HSP breaches any of its obligations under this Agreement until the breach is remedied to the Funder's satisfaction; and
- (e) upon notice to the HSP, may adjust the amount of funds it provides to the HSP in any Funding Year pursuant to Article 5.

**4.4 Additional Funding.** Unless the Funder has agreed to do so in writing, the Funder is not required to provide additional funds to the HSP for providing services other than the Services or for exceeding the requirements of Schedule D.

**4.5 Appropriation.** Funding under this Agreement is conditional upon an appropriation of moneys by the Legislature of Ontario to the Ministry and funding of the Funder by the Ministry pursuant to the Enabling Legislation. If the Funder does not receive its anticipated funding the Funder will not be obligated to make the payments required by this Agreement.

**4.6 Procurement of Goods and Services.**

- (a) If the HSP is subject to the procurement provisions of the BPSAA, the HSP will abide by all directives and guidelines issued by the Management Board of Cabinet that are applicable to the HSP pursuant to the BPSAA.
- (b) If the HSP is not subject to the procurement provisions of the BPSAA, the HSP will have a procurement policy in place that requires the acquisition of supplies, equipment or services valued at over \$25,000 through a competitive process that ensures the best value for funds expended. If the HSP acquires supplies, equipment or services with the Funding it will do so through a process that is consistent with this policy.

**4.7 Disposition.** Subject to Applicable Law and Applicable Policy, the HSP will not, without the Funder's prior written consent, sell, lease or otherwise dispose of any assets purchased with Funding, the cost of which exceeded \$25,000 at the time of purchase.

## **ARTICLE 5.0 - ADJUSTMENT AND RECOVERY OF FUNDING**

**5.1 Adjustment of Funding.**

- (a) The Funder may adjust the Funding in any of the following circumstances:

- (1) in the event of changes to Applicable Law or Applicable Policy that affect Funding;
  - (2) on a change to the Services;
  - (3) if required by either the Director or the Minister under the Act;
  - (4) in the event that a breach of this Agreement is not remedied to the satisfaction of the Funder; and
  - (5) as otherwise permitted by this Agreement.
- (b) Funding recoveries or adjustments required pursuant to section 5.1(a) may be accomplished through the adjustment of Funding, requiring the repayment of Funding, through the adjustment of the amount of any future funding installments, or through both. Approved Funding already expended properly in accordance with this Agreement will not be subject to adjustment. The Funder will, at its sole discretion, and without liability or penalty, determine whether the Funding has been expended properly in accordance with this Agreement.
- (c) In determining the amount of a funding adjustment under section 5.1 (a) (4) or (5), the Funder shall take into account the following principles:
  - (1) Resident care must not be compromised through a funding adjustment arising from a breach of this Agreement;
  - (2) the HSP should not gain from a breach of this Agreement;
  - (3) if the breach reduces the value of the Services, the funding adjustment should be at least equal to the reduction in value; and
  - (4) the funding adjustment should be sufficient to encourage subsequent compliance with this Agreement,

and such other principles as may be articulated in Applicable Law or Applicable Policy from time to time.

**5.2 Provision for the Recovery of Funding.** The HSP will make reasonable and prudent provision for the recovery by the Funder of any Funding for which the conditions of Funding set out in section 4.2(a) are not met and will hold this Funding in an interest bearing account until such time as reconciliation and settlement has occurred with the Funder.

**5.3 Settlement and Recovery of Funding for Prior Years.**

- (a) The HSP acknowledges that settlement and recovery of Funding can occur up to 7 years after the provision of Funding.
- (b) Recognizing the transition of responsibilities from the Ministry to the Funder, the HSP agrees that if the parties are directed in writing to do so by the Ministry, the Funder will settle and recover funding provided by the Ministry to the HSP prior to the transition of the funding for the Services to the Funder, provided that such settlement and recovery occurs within 7 years of the provision of the funding by the Ministry. All such settlements and recoveries will be subject to the terms applicable to the original provision of funding.

**5.4 Debt Due.**

- (a) If the Funder requires the re-payment by the HSP of any Funding, the amount required will be deemed to be a debt owing to the Crown by the HSP. The Funder may adjust future funding instalments to recover the amounts owed or may, at its discretion, direct the HSP to pay the amount owing to the Crown and the HSP shall comply immediately with any such direction.
- (b) All amounts repayable to the Crown will be paid by cheque payable to the "Ontario Minister of Finance" and mailed or delivered to the Funder at the address provided in section 12.1.

**5.5 Interest Rate.** The Funder may charge the HSP interest on any amount owing by the HSP at the then current interest rate charged by the Province of Ontario on accounts receivable.

## **ARTICLE 6.0 - PLANNING & INTEGRATION**

### **6.1 Planning for Future Years.**

- (a) **Advance Notice.** The Funder will give at least 60 Days' Notice to the HSP of the date by which a Planning Submission, approved by the HSP's governing body, must be submitted to the Funder.
- (b) **Multi-Year Planning.** The Planning Submission will be in a form acceptable to the Funder and may be required to incorporate
  - (1) prudent multi-year financial forecasts;
  - (2) plans for the achievement of Performance Targets; and
  - (3) realistic risk management strategies.

If the Funder has provided multi-year planning targets for the HSP, the Planning Submission will reflect the planning targets.

- (c) **Multi-year Planning Targets.** The parties acknowledge that the HSP is not eligible to receive multi-year planning targets under the terms of Schedule B in effect as of the Effective Date. In the event that Schedule B is amended over the term of this Agreement and the Funder is able to provide the HSP with multi-year planning targets, the HSP acknowledges that these targets:
  - (1) are targets only;
  - (2) are provided solely for the purposes of planning;
  - (3) are subject to confirmation; and
  - (4) may be changed at the discretion of the Funder.

The HSP will proactively manage the risks associated with multi-year planning and the potential changes to the planning targets.

The Funder agrees that it will communicate any material changes to the planning targets as soon as reasonably possible.

- (d) **Service Accountability Agreements.** Subject to advice from the Director about the HSP's history of compliance under the Act and provided that the HSP has fulfilled its obligations under this Agreement, the parties expect that they will enter into a new service accountability agreement at the end of the Term. The Funder will give the HSP at least 6 months' Notice if the Funder does not intend to enter into negotiations for a subsequent service accountability agreement because the HSP has not fulfilled its obligations under this Agreement. The HSP acknowledges that if the Funder and the HSP enter into negotiations for a subsequent service accountability agreement, subsequent funding may be interrupted if the next service accountability agreement is not executed on or before the expiration date of this Agreement.

## 6.2 Community Engagement & Integration Activities.

- (a) **Community Engagement.** The HSP will engage the community of diverse persons and entities in the area where it provides health services when setting priorities for the delivery of health services and when developing plans for submission to the Funder including but not limited to the HSP's Planning Submission and integration proposals. As part of its community engagement activities, the HSPs will have in place and utilize effective mechanisms for engaging families, caregivers, clients, residents, patients and other individuals who use the services of the HSP, to help inform the HSP plans.
- (b) **Integration.** The HSP will, separately and in conjunction with the Funder, other health service providers, if applicable, and integrated care delivery systems, if applicable, identify opportunities to integrate the services of the health system to provide appropriate, coordinated, effective and efficient services.
- (c) **Reporting.** The HSP will report on its community engagement and integration activities, using any templates provided by the Funder, as requested by the Funder and in any event, in its year-end report to the Funder.

## 6.3 Planning and Integration Activity Pre-proposals.

- (a) **General.** A pre-proposal process has been developed to (A) reduce the costs incurred by an HSP when proposing operational or service changes; (B) assist the HSP to carry out its statutory obligations; and (C) enable an effective and efficient response by the Funder. Subject to specific direction from the Funder, this pre-proposal process will be used in the following instances:
- (1) the HSP is considering an integration, or an integration of services, as defined in the Enabling Legislation between the HSP and another person or entity;
  - (2) the HSP is proposing to reduce, stop, start, expand or transfer the location of services, which for certainty includes: the transfer of Services from the HSP to another person or entity anywhere; and the relocation or transfer of services from one of the HSP's sites to another of the HSP's sites anywhere;
  - (3) to identify opportunities to integrate the services of the health system, other than those identified in (A) or (B) above; or
  - (4) if requested by the Funder.

- (b) **Funder Evaluation of the Pre-proposal.** Use of the pre-proposal process is not formal Notice of a proposed integration under the Enabling Legislation. Funder consent to develop the project concept outlined in a pre-proposal does not constitute approval to proceed with the project. Nor does the Funder consent to develop a project concept presume the issuance of a favourable decision, should such a decision be required by the Enabling Legislation. Following the Funder's review and evaluation, the HSP may be invited to submit a detailed proposal and a business plan for further analysis. Guidelines for the development of a detailed proposal and business case will be provided by the Funder.
- (c) Where an HSP integrates its services with those of another person and the integration relates to services funded in whole or in part by the Funder, the HSP will follow the provisions of the Enabling Legislation. Without limiting the foregoing, a transfer of services from the HSP to another person or entity is an example of an integration to which the Enabling Legislation may apply.

**6.4 Proposing Integration Activities in the Planning Submission.** No integration activity described in section 6.3 may be proposed in a Planning Submission unless the Funder has consented, in writing, to its inclusion pursuant to the process set out in section 6.3.

#### **6.5 Termination of Designation of Convalescent Care Beds.**

- (a) Notwithstanding section 6.3, the provisions in this section 6.5 apply to the termination of a designation of convalescent care Beds.
- (b) The HSP may terminate the designation of one or more convalescent care Beds and revert them back to long-stay Beds at any time provided the HSP gives the Ministry and the Funder at least 6 months' prior Notice. Such Notice shall include:
  - (1) a detailed transition plan, satisfactory to the Funder acting reasonably, setting out the dates, after the end of the 6-month Notice period, on which the HSP plans to terminate the designation of each convalescent care Bed and to revert same to a long-stay Bed; and,
  - (2) a detailed explanation of the factors considered in the selection of those dates.

The designation of a convalescent care Bed will terminate and the Bed will revert to a long-stay Bed on the date, after the 6-month Notice period, on which the Resident who is occupying that convalescent care Bed at the end of the 6-month Notice period has been discharged from that Bed, unless otherwise agreed by the Funder and the HSP.

- (c) The Funder may terminate the designation of the convalescent care Beds at any time by giving at least 6 months' prior Notice to the HSP. Upon receipt of any such Notice, the HSP shall, within the timeframe set out in the Notice, provide the Funder with:
  - (1) a detailed transition plan, satisfactory to the Funder acting reasonably, setting out the dates, after the end of the 6-month Notice period, on which the HSP plans to terminate the designation of each convalescent care Bed and, if required by the Notice, to revert same to a long-stay Bed; and,

- (2) a detailed explanation of the factors considered in the selection of those dates.

The designation of a convalescent care Bed will terminate, and if applicable revert to a long-stay Bed on the date, after the 6-month Notice period, on which the Resident who is occupying that convalescent care Bed at the end of the Notice period has been discharged from that Bed, unless otherwise agreed by the Funder and the HSP.

## **ARTICLE 7.0 - PERFORMANCE**

**7.1 Performance.** The parties will strive to achieve on-going performance improvement. They will address performance improvement in a proactive, collaborative and responsive manner.

**7.2 Performance Factors.**

- (a) Each party will notify the other party of the existence of a Performance Factor, as soon as reasonably possible after the party becomes aware of the Performance Factor. The Notice will:
  - (1) describe the Performance Factor and its actual or anticipated impact;
  - (2) include a description of any action the party is undertaking, or plans to undertake, to remedy or mitigate the Performance Factor;
  - (3) indicate whether the party is requesting a meeting to discuss the Performance Factor; and
  - (4) address any other issue or matter the party wishes to raise with the other party.
- (b) The recipient party will provide a written acknowledgment of receipt of the Notice within 7 Days of the date on which the Notice was received ("Date of the Notice").
- (c) Where a meeting has been requested under section 7.2(a), the parties agree to meet and discuss the Performance Factors within 14 Days of the Date of the Notice, in accordance with the provisions of section 7.3. PICB may be included in any such meeting at the request of either party.

**7.3 Performance Meetings.** During a meeting on performance, the parties will:

- (a) discuss the causes of a Performance Factor;
- (b) discuss the impact of a Performance Factor on the health system and the risk resulting from non-performance; and
- (c) determine the steps to be taken to remedy or mitigate the impact of the Performance Factor (the "Performance Improvement Process").

**7.4 The Performance Improvement Process.**

- (a) The Performance Improvement Process will focus on the risks of non-performance and problem-solving. It may include one or more of the following actions:
  - (1) a requirement that the HSP develop and implement an improvement

- plan that is acceptable to the Funder;
- (2) the conduct of a Review;
- (3) an amendment of the HSP's obligations; and
- (4) an in-year, or year end, adjustment to the Funding,

among other possible means of responding to the Performance Factor or improving performance.

- (b) Any performance improvement process begun under a prior service accountability agreement that was not completed under the prior agreement will continue under this Agreement. Any performance improvement required by a Funder under a prior service accountability agreement will be deemed to be a requirement of this Agreement until fulfilled or waived by the Funder.

**7.5 Factors Beyond the HSP's Control.** Despite the foregoing, if the Funder, acting reasonably, determines that the Performance Factor is, in whole or in part, a Factor Beyond the HSP's Control:

- (a) the Funder will collaborate with the HSP to develop and implement a mutually agreed upon joint response plan which may include an amendment of the HSP's obligations under this Agreement;
- (b) the Funder will not require the HSP to prepare an Improvement Plan; and
- (c) the failure to meet an obligation under this Agreement will not be considered a breach of this Agreement to the extent that failure is caused by a Factor Beyond the HSP's Control.

## **ARTICLE 8.0 - REPORTING, ACCOUNTING AND REVIEW**

### **8.1 Reporting.**

- (a) **Generally.** The Funder's ability to enable the health system to provide appropriate, co-ordinated, effective and efficient health services, is heavily dependent on the timely collection and analysis of accurate information. The HSP acknowledges that the timely provision of accurate information related to the HSP, its Residents and its performance of its obligations under this Agreement, is under the HSP's control.
- (b) **Specific Obligations.** The HSP:
  - (1) will provide to the Funder, or to such other entity as the Funder may direct, in the form and within the time specified by the Funder, the Reports other than personal health information as defined in the Enabling Legislation, that the Funder requires for the purposes of exercising its powers and duties under this Agreement or the Enabling Legislation or for the purposes that are prescribed under any Applicable Law;
  - (2) will comply with the applicable reporting standards and requirements in both Chapter 9 of the Ontario Healthcare Reporting Standards and the RAI MDS Tools;
  - (3) will fulfil the specific reporting requirements set out in Schedule C;
  - (4) will ensure that every Report is complete, accurate, signed on behalf

of the HSP by an authorized signing officer where required and provided in a timely manner and in a form satisfactory to the Funder; and

- (5) agrees that every Report submitted to the Funder by or on behalf of the HSP, will be deemed to have been authorized by the HSP for submission.

For certainty, nothing in this section 8.1 or in this Agreement restricts or otherwise limits the Funder's right to access or to require access to personal health information as defined in the Enabling Legislation, in accordance with Applicable Law for purposes of carrying out the Funder's statutory objects to achieve the purposes of the Enabling Legislation.

- (c) **RAI MDS.** Without limiting the foregoing, the HSP
  - (1) will conduct quarterly assessments of Residents, and all other assessments of Residents required by the RAI MDS Tools, using the RAI MDS Tools;
  - (2) will ensure that the RAI MDS Tools are used correctly to produce an accurate assessment of the HSP's Residents ("RAI MDS Data");
  - (3) will submit the RAI MDS Data to the Canadian Institute for Health Information ("CIHI") in an electronic format at least quarterly in accordance with the submission guidelines set out by CIHI; and
  - (4) acknowledges that if used incorrectly, the RAI MDS Tools can increase Funding beyond that to which the HSP would otherwise be entitled. The HSP will therefore have systems in place to regularly monitor, evaluate and where necessary correct the quality and accuracy of the RAI MDS Data.
- (d) **Quality Improvement Plan.** The HSP will submit a Quality Improvement Plan to Ontario Health that is aligned with this Agreement and supports health system priorities.
- (e) **CEO Changes.** The HSP will immediately notify the Funder if it becomes aware that the HSP's CEO will depart the organization.
- (f) **French Language Services.** If the HSP is required to provide services to the public in French under the provisions of the *FLSA*, the HSP will be required to submit a French language services report to the Funder. If the HSP is not required to provide services to the public in French under the provisions of the *FLSA*, it will be required to provide a report to the Funder that outlines how the HSP addresses the needs of its local Francophone community.
- (g) **Declaration of Compliance.** On or before March 1 of each Funding Year, the Board will issue a Compliance Declaration declaring that the HSP has complied with the terms of this Agreement. The form of the declaration is set out in Schedule E and may be amended by the Funder from time to time through the term of this Agreement.
- (h) **Financial Reductions.** Notwithstanding any other provision of this Agreement, and at the discretion of the Funder, the HSP may be subject to a financial reduction if any of the Reports are received after the due date, are incomplete, or are inaccurate where the errors or delay were not as a result of Funder actions or inaction or the actions or inactions of persons acting on behalf of the Funder. If assessed, the financial reduction will be as follows:



- (1) if received within 7 Days after the due date, incomplete or inaccurate, the financial penalty will be the greater of (1) a reduction of 0.02 percent (0.02%) of the Funding; or (2) two hundred and fifty dollars (\$250.00); and
- (2) for every full or partial week of non-compliance thereafter, the rate will be one half of the initial reduction.

## **8.2 Reviews.**

- (a) During the term of this Agreement and for 7 years after the term of this Agreement, the HSP agrees that the Funder or its authorized representatives may conduct a Review of the HSP to confirm the HSP's fulfillment of its obligations under this Agreement. For these purposes the Funder or its authorized representatives may, upon 24 hours' Notice to the HSP and during normal business hours enter the HSP's premises to:
  - (1) inspect and copy any financial records, invoices and other finance-related documents, other than personal health information as defined in the Enabling Legislation, in the possession or under the control of the HSP which relate to the Funding or otherwise to the Services; and
  - (2) inspect and copy non-financial records, other than personal health information as defined in the Enabling Legislation, in the possession or under the control of the HSP which relate to the Funding, the Services or otherwise to the performance of the HSP under this Agreement.
- (b) The cost of any Review will be borne by the HSP if the Review (1) was made necessary because the HSP did not comply with a requirement under the Act or this Agreement; or (2) indicates that the HSP has not fulfilled its obligations under this Agreement, including its obligations under Applicable Law and Applicable Policy.
- (c) To assist in respect of the rights set out in (a) above the HSP shall disclose any information requested by the Funder or its authorized representatives, and shall do so in a form requested by the Funder or its authorized representatives.
- (d) The HSP may not commence a proceeding for damages or otherwise against any person with respect to any act done or omitted to be done, any conclusion reached or report submitted that is done in good faith in respect of a Review.

## **8.3 Document Retention and Record Maintenance.** The HSP will

- (a) retain all records (as that term is defined in FIPPA) related to the HSP's performance of its obligations under this Agreement for 7 years after the termination or expiration of the term of this Agreement. The HSP's obligations under this section will survive any termination or expiry of this Agreement;
- (b) keep all financial records, invoices and other finance-related documents relating to the Funding or otherwise to the Services in a manner consistent with either generally accepted accounting principles or international financial reporting standards as advised by the HSP's auditor; and
- (c) keep all non-financial documents and records relating to the Funding or otherwise to the Services in a manner consistent with all Applicable Law.

#### **8.4 Disclosure of Information.**

- (a) **FIPPA.** The HSP acknowledges that the Funder is bound by FIPPA and that any information provided to the Funder in connection with this Agreement may be subject to disclosure in accordance with FIPPA.
- (b) **Confidential Information.** The parties will treat Confidential Information as confidential and will not disclose Confidential Information except with the consent of the disclosing party or as permitted or required under FIPPA, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Protection Act, 2004*, the Act, court order, subpoena or other Applicable Law. Notwithstanding the foregoing, the Funder may disclose information that it collects under this Agreement in accordance with the Enabling Legislation.

**8.5. Transparency.** The HSP will post a copy of this Agreement and each Compliance Declaration submitted to the Funder during the term of this Agreement in a conspicuous and easily accessible public place at the Home and on its public website if the HSP operates a public website.

**8.6 Auditor General.** For greater certainty the Funder's rights under this article are in addition to any rights provided to the Auditor General under the *Auditor General Act* (Ontario).

- (a)

### **ARTICLE 9.0 - REPRESENTATIONS, WARRANTIES AND COVENANTS**

**9.1 General.** The HSP represents, warrants and covenants that:

- (a) it is, and will continue for the term of this Agreement to be, a validly existing legal entity with full power to fulfill its obligations under this Agreement;
- (b) it has the experience and expertise necessary to carry out the Services;
- (c) it holds all permits, licences, consents, intellectual property rights and authorities necessary to perform its obligations under this Agreement;
- (d) all information that the HSP provided to the Funder in its Planning Submission or otherwise in support of its application for funding was true and complete at the time the HSP provided it, and will, subject to the provision of Notice otherwise, continue to be true and complete for the term of this Agreement;
- (e) it has not and will not for the term of this Agreement, enter into a non-arm's transaction that is prohibited by the Act; and
- (f) it does, and will continue for the term of this Agreement to, operate in compliance with all Applicable Law and Applicable Policy.

**9.2 Execution of Agreement.** The HSP represents and warrants that:

- (a) it has the full power and authority to enter into this Agreement; and
- (b) it has taken all necessary actions to authorize the execution of this Agreement.

### **9.3 Governance.**

- (a) The HSP represents, warrants and covenants that it has established, and will maintain for the period during which this Agreement is in effect, policies and procedures:
  - (1) that set out one or more codes of conduct for, and that identify, the ethical responsibilities for all persons at all levels of the HSP's organization;
  - (2) to ensure the ongoing effective functioning of the HSP;
  - (3) for effective and appropriate decision-making;
  - (4) for effective and prudent risk-management, including the identification and management of potential, actual and perceived conflicts of interest;
  - (5) for the prudent and effective management of the Funding;
  - (6) to monitor and ensure the accurate and timely fulfillment of the HSP's obligations under this Agreement and compliance with the Act and the Enabling Legislation;
  - (7) to enable the preparation, approval and delivery of all Reports;
  - (8) to address complaints about the provision of Services, the management or governance of the HSP; and
  - (9) to deal with such other matters as the HSP considers necessary to ensure that the HSP carries out its obligations under this Agreement.
- (b) The HSP represents and warrants that it:
  - (1) has, or will have within 60 Days of the execution of this Agreement, a Performance Agreement with its CEO;
  - (2) will take all reasonable care to ensure that its CEO complies with the Performance Agreement; and
  - (3) will enforce the HSP's rights under the Performance Agreement.

### **9.4 Funding, Services and Reporting.** The HSP represents, warrants and covenants that:

- (a) the Funding is, and will continue to be, used only to provide the Services in accordance with the terms of this Agreement;
- (b) the Services are and will continue to be provided:
  - (1) by persons with the expertise, professional qualifications, licensing and skills necessary to complete their respective tasks; and
  - (2) in compliance with Applicable Law and Applicable Policy; and
- (c) every Report is and will continue to be, accurate and in full compliance with the provisions of this Agreement, including any particular requirements applicable to the Report, and any material change to a Report will be communicated to the Funder immediately.

### **9.5 Supporting Documentation.** Upon request, the HSP will provide the Funder with proof of the matters referred to in this Article.

## **ARTICLE 10.0 - LIMITATION OF LIABILITY, INDEMNITY & INSURANCE**

- 10.1 Limitation of Liability.** The Indemnified Parties will not be liable to the HSP or any of the HSP's Personnel and Volunteers for costs, losses, claims, liabilities and damages howsoever caused arising out of or in any way related to the Services or otherwise in connection with this Agreement, unless caused by the negligence or wilful act of any of the Indemnified Parties.
- 10.2 Same.** For greater certainty and without limiting section 10.1, the Funder is not liable for how the HSP and the HSP's Personnel and Volunteers carry out the Services and is therefore not responsible to the HSP for such Services. Moreover, the Funder is not contracting with or employing any HSP's Personnel and Volunteers to carry out the terms of this Agreement. As such, it is not liable for contracting with, employing or terminating a contract with or the employment of any HSP's Personnel and Volunteers required to carry out this Agreement, nor for the withholding, collection or payment of any taxes, premiums, contributions or any other remittances due to government for the HSP's Personnel and Volunteers required by the HSP to carry out this Agreement.
- 10.3 Indemnification.** The HSP hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant costs), causes of action, actions, claims, demands, lawsuits or other proceedings (collectively, the "Claims"), by whomever made, sustained, brought or prosecuted, including for third party bodily injury (including death), personal injury and property damage, in any way based upon, occasioned by or attributable to anything done or omitted to be done by the HSP or the HSP's Personnel and Volunteers in the course of the performance of the HSP's obligations under, or otherwise in connection with, this Agreement, unless caused by the negligence or wilful misconduct of any Indemnified Parties.
- 10.4 Insurance.**
- (a) **Generally.** The HSP shall protect itself from and against all Claims that might arise from anything done or omitted to be done by the HSP and the HSP's Personnel and Volunteers under this Agreement and more specifically all Claims that might arise from anything done or omitted to be done under this Agreement where bodily injury (including personal injury), death or property damage, including loss of use of property is caused.
- (b) **Required Insurance.** The HSP will put into effect and maintain, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person in the business of the HSP would maintain including, but not limited to, the following at its own expense.
- (1) **Commercial General Liability Insurance.** Commercial General Liability Insurance, for third party bodily injury, personal injury and property damage to an inclusive limit of not less than 2 million dollars per occurrence and not less than 2 million dollars products and completed operations aggregate. The policy will include the following clauses:
- A. The Indemnified Parties as additional insureds,  
B. Contractual Liability,

- C. Cross-Liability,
  - D. Products and Completed Operations Liability,
  - E. Employers Liability and Voluntary Compensation unless the HSP complies with the Section below entitled “Proof of WSIA Coverage”,
  - F. Tenants Legal Liability (for premises/building leases only),
  - G. Non-Owned automobile coverage with blanket contractual coverage for hired automobiles, and
  - H. A 30 Day written notice of cancellation, termination or material change.
- (2) **Proof of WSIA Coverage.** Unless the HSP puts into effect and maintains Employers Liability and Voluntary Compensation as set out above, the HSP will provide the Funder with a valid *Workplace Safety and Insurance Act, 1997* (“WSIA”) Clearance Certificate and any renewal replacements, and will pay all amounts required to be paid to maintain a valid WSIA Clearance Certificate throughout the term of this Agreement.
- (3) All Risk Property Insurance on property of every description, for the term, providing coverage to a limit of not less than the full replacement cost, including earthquake and flood. All reasonable deductibles and self-insured retentions are the responsibility of the HSP.
- (4) Comprehensive Crime insurance, Disappearance, Destruction and Dishonest coverage.
- (5) Errors and Omissions Liability Insurance insuring liability for errors and omissions in the provision of any professional services as part of the Services or failure to perform any such professional services, in the amount of not less than two million dollars per claim and in the annual aggregate.
- (c) **Certificates of Insurance.** The HSP will provide the Funder with proof of the insurance required by this Agreement in the form of a valid certificate of insurance that references this Agreement and confirms the required coverage, on or before the commencement of this Agreement, and renewal replacements on or before the expiry of any such insurance. Upon the request of the Funder, a copy of each insurance policy shall be made available to it. The HSP shall ensure that each of its subcontractors obtains all the necessary and appropriate insurance that a prudent person in the business of the subcontractor would maintain and that the Indemnified Parties are named as additional insureds with respect to any liability arising in the course of performance of the subcontractor's obligations under the subcontract.

## **ARTICLE 11.0 – TERMINATION**

### **11.1 Termination by the Funder.**

- (a) **Immediate Termination.** The Funder may terminate this Agreement immediately upon giving Notice to the HSP if:

- (1) the HSP is unable to provide or has discontinued the Services in whole or in part or the HSP ceases to carry on business;
  - (2) the HSP makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or is petitioned into bankruptcy, or files for the appointment of a receiver;
  - (3) the Funder is directed, pursuant to the Act, to terminate this Agreement by the Minister or the Director;
  - (4) the Home has been closed in accordance with the Act; or
  - (5) as provided for in section 4.5, the Funder does not receive the necessary funding from the Ministry.
- (b) **Termination in the Event of Financial Difficulties.** If the HSP makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or is petitioned into bankruptcy, or files for the appointment of a receiver the Funder will consult with the Director before determining whether this Agreement will be terminated. If the Funder terminates this Agreement because a person has exercised a security interest as contemplated by section 107 of the Act, the Funder would expect to enter into a service accountability agreement with the person exercising the security interest or the receiver or other agent acting on behalf of that person where the person has obtained the Director's approval under section 110 of the Act and has met all other relevant requirements of Applicable Law.
- (c) **Opportunity to Remedy Material Breach.** If an HSP breaches any material provision of this Agreement, including, but not limited to, the reporting requirements in Article 8 and the representations and warranties in Article 10 and the breach has not been satisfactorily resolved under Article 7, the Funder will give the HSP Notice of the particulars of the breach and of the period of time within which the HSP is required to remedy the breach. The Notice will advise the HSP that the Funder may terminate this Agreement:
- (1) at the end of the Notice period provided for in the Notice if the HSP fails to remedy the breach within the time specified in the Notice; or
  - (2) prior to the end of the Notice period provided for in the Notice if it becomes apparent to the Funder that the HSP cannot completely remedy the breach within that time or such further period of time as the Funder considers reasonable, or the HSP is not proceeding to remedy the breach in a way that is satisfactory to the Funder; and
- the Funder may then terminate this Agreement in accordance with the Notice.

## 11.2 Termination of Services by the HSP.

- (a) Except as provided in section 11.2(b) and (c) below, the HSP may terminate this Agreement at any time, for any reason, upon giving the Funder at least six months' Notice.
- (b) Where the HSP intends to cease providing the Services and close the Home, the HSP will provide Notice to the Funder at the same time the HSP is required to provide Notice to the Director under the Act. The HSP will ensure that the closure plan required by the Act is acceptable to the Funder.

- (c) Where the HSP intends to cease providing the Services as a result of an intended sale or transfer of a Licence in whole or in part, the HSP will comply with section 6.3 of this Agreement.

### **11.3 Consequences of Termination.**

- (a) If this Agreement is terminated pursuant to this Article, the Funder may:
- (1) cancel all further Funding instalments;
  - (2) demand the repayment of any Funding remaining in the possession or under the control of the HSP;
  - (3) determine the HSP's reasonable costs to wind down the Services; and
  - (4) permit the HSP to offset the costs determined pursuant to section (3), against the amount owing pursuant to section (2).
- (b) Despite (a), if the cost determined pursuant to section 11.3(a) (3) exceeds the Funding remaining in the possession or under the control of the HSP the Funder will not provide additional monies to the HSP to wind down the Services.

**11.4 Effective Date.** Termination under this Article will take effect as set out in the Notice.

**11.5 Corrective Action.** Despite its right to terminate this Agreement pursuant to this Article, the Funder may choose not to terminate this Agreement and may take whatever corrective action it considers necessary and appropriate, including suspending Funding for such period as the Funder determines, to ensure the successful completion of the Services in accordance with the terms of this Agreement.

## **ARTICLE 12.0 - NOTICE**

**12.1 Notice.** A Notice will be in writing; delivered personally, by pre-paid courier, by any form of mail where evidence of receipt is provided by the post office or by facsimile with confirmation of receipt, or by email where no delivery failure notification has been received. For certainty, delivery failure notification includes an automated 'out of office' notification. A Notice will be addressed to the other party as provided below or as either party will later designate to the other in writing:

To the Funder:

Ontario Health West  
356 Oxford St W, London, ON N6H 1T3

Attention: Chief Regional Officer

Email: [OH-West-Reports@ontariohealth.ca](mailto:OH-West-Reports@ontariohealth.ca)

To the HSP:

Strathmere Lodge  
599 Albert Street,, PO Box 5000  
Strathroy, ON N7G 3J3

Attention: County Clerk

Email: [mivanic@middlesex.ca](mailto:mivanic@middlesex.ca)

**12.2 Notices Effective From.** A Notice will be deemed to have been duly given 1 business day after delivery if Notice is delivered personally, by pre-paid courier or by mail. A

Notice that is delivered by facsimile with confirmation of receipt or by email where no delivery failure notification has been received will be deemed to have been duly given 1 business day after the facsimile or email was sent.

### **ARTICLE 13.0 - INTERPRETATION**

- 13.1 Interpretation.** In the event of a conflict or inconsistency in any provision of this Agreement, the main body of this Agreement will prevail over the Schedules.
- 13.2 Jurisdiction.** Where this Agreement requires compliance with the Act, the Director will determine compliance and advise the Funder. Where the Act requires compliance with this Agreement, the Funder will determine compliance and advise the Director.
- 13.3 Determinations by the Director.** All determinations required by the Director under this Agreement are subject to an HSP's rights of review and appeal under the Act.
- 13.4 The Act.** For greater clarity, nothing in this Agreement supplants or otherwise excuses the HSP from the fulfillment of any requirements of the Act. The HSP's obligations in respect of the Enabling Legislation and this Agreement are separate and distinct from the HSP's obligations under the Act.

### **ARTICLE 14.0 - ADDITIONAL PROVISIONS**

- 14.1 Currency.** All payment to be made by the Funder or the HSP under this Agreement shall be made in the lawful currency of Canada.
- 14.2 Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of this Agreement will not affect the validity or enforceability of any other provision of this Agreement and any invalid or unenforceable provision will be deemed to be severed.
- 14.3 Terms and Conditions on Any Consent.** Any consent or approval that the Funder may grant under this Agreement is subject to such terms and conditions as the Funder may reasonably require.
- 14.4 Waiver.** A party may only rely on a waiver of the party's failure to comply with any term of this Agreement if the other party has provided a written and signed Notice of waiver. Any waiver must refer to a specific failure to comply and will not have the effect of waiving any subsequent failures to comply.
- 14.5 Parties Independent.** The parties are and will at all times remain independent of each other and are not and will not represent themselves to be the agent, joint venturer, partner or employee of the other. No representations will be made or acts taken by either party which could establish or imply any apparent relationship of agency, joint venture, partnership or employment and neither party will be bound in any manner whatsoever by any agreements, warranties or representations made by the other party to any other person or entity, nor with respect to any other action of the other party.



- 14.6 Funder is an Agent of the Crown.** The parties acknowledge that the Funder is an agent of the Crown and may only act as an agent of the Crown in accordance with the provisions of the Enabling Legislation. Notwithstanding anything else in this Agreement, any express or implied reference to the Funder providing an indemnity or any other form of indebtedness or contingent liability that would directly or indirectly increase the indebtedness or contingent liabilities of the Funder or of Ontario, whether at the time of execution of this Agreement or at any time during the term of this Agreement, will be void and of no legal effect.
- 14.7 Express Rights and Remedies Not Limited.** The express rights and remedies of the Funder are in addition to and will not limit any other rights and remedies available to the Funder at law or in equity. For further certainty, the Funder has not waived any provision of any applicable statute, including the Act and the Enabling Legislation, nor the right to exercise its rights under these statutes at any time.
- 14.8 No Assignment.** The HSP will not assign this Agreement or the Funding in whole or in part, directly or indirectly, without the prior written consent of the Funder which consent shall not be unreasonably withheld. No assignment or subcontract shall relieve the HSP from its obligations under this Agreement or impose any liability upon the Funder to any assignee or subcontractor. The Funder may assign this Agreement or any of its rights and obligations under this Agreement to any one or more agencies or ministries of His Majesty the King in right of Ontario and as otherwise directed by the Ministry.
- 14.9 Governing Law.** This Agreement and the rights, obligations and relations of the parties hereto will be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein. Any litigation arising in connection with this Agreement will be conducted in Ontario unless the parties agree in writing otherwise.
- 14.10 Survival.** The provisions in Articles 1.0, 5.0, 8.0, 10.5, 11.0, 13.0, 14.0 and 15.0 and sections 2.3, 4.6, 9.4, 19.5 and 11.3 will continue in full force and effect for a period of seven years from the date of expiry or termination of this Agreement.
- 14.11 Further Assurances.** The parties agree to do or cause to be done all acts or things necessary to implement and carry into effect this Agreement to its full extent.
- 14.12 Amendment of Agreement.** This Agreement may only be amended by a written agreement duly executed by the parties.
- 14.13 Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.
- 14.14 Insignia and Logo.** Neither party may use any insignia or logo of the other party without the prior written permission of the other party. For purposes of this section 14.14, the insignia or logo of the Funder includes the insignia and logo of His Majesty the King in right of Ontario.

## ARTICLE 15.0 - ENTIRE AGREEMENT

**15.1 Entire Agreement.** This Agreement together with the appended Schedules constitutes the entire Agreement between the parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

The parties have executed this Agreement on the dates set out below.

### ONTARIO HEALTH

By:

\_\_\_\_\_  
Susan deRyk, Chief Regional Officer,  
Ontario Health Central & West  
Regions

\_\_\_\_\_  
Date

And by:

\_\_\_\_\_  
Mark Brintnell, Vice President,  
Performance, Accountability and  
Funding Allocation

\_\_\_\_\_  
Date

### The Corporation of the County of Middlesex

By:

\_\_\_\_\_  
Marci Ivanic, County Clerk

\_\_\_\_\_  
Date

I have authority to bind the HSP

And by:

\_\_\_\_\_  
Brent Kerwin, Administrator

\_\_\_\_\_  
Date

I have authority to bind the HSP

## 2023-24 Description of Home and Services

**LTCH Name: Strathmere Lodge**

### .1 General Information

Name of Licensee: (as referred to on your Long-Term Care Home Licence)	The Corporation of the County of Middlesex		
Name of Home: (as referred to on your Long-Term Care Home Licence)	Strathmere Lodge		
LTCH Master Number (e.g. NH9898)	HF4645		
Address	599 Albert Street		
City	Strathroy	Postal Code	N7G 3J3
Accreditation organization	n/a		
Date of Last Accreditation (Award Date – e.g. May 31, 2020)	n/a		Year(s) Awarded (e.g. 3 years)
			n/a
French Language Services (FLS)	Identified (Y/N)	N	Designated Y/N
			N
Culturally Designated Home	Self Identified (Y/N)	N	Specific Community Served (i.e ethnic, linguistic or religious)
			n/a

## 2023-24 Description of Home and Services

**LTCH Name:**Strathmere Lodge

### A.2 Licensed or Approved Beds & Classification / Bed Type

1. Licence Type	Total # of Beds					Licence Expiry Date (e.g. May 31, 2025)	Comments/Additional Information
	A	B	C	Upgraded D	New		
Licence ("Regular" or Municipal Approval)					X		
<b>TOTAL BEDS (1)</b>	160						
Please include information specific to the following types of licences on a separate line below. Temporary Licence, Temporary Emergency Licence, or Short-Term Authorization						<b>Note:</b> Each individual licence should be on a separate row. Please add additional rows as required.	
2. Licence Type	Total # of Beds		Licence Expiry Date (e.g., May 31, 2025)		Comments/Additional Information		
Temporary							
Temporary Emergency							
Short-Term Authorization							
<b>TOTAL BEDS (2)</b>	160						
<b>TOTAL # OF ALL LICENSED BEDS (1) + (2)</b>	[Add total # of all licensed beds captured under (1) and (2) above]						

## 2023-24 Description of Home and Services

**LTCH Name: Strathmere Lodge**

Usage Type	Total # of Beds	Expiry Date (e.g., May 31, 2025)	Comments/Additional Information <u>Please specify number of beds designated as Behavioural Support Unit (BSU) Beds, Other Designated Specialized Unit Beds and Beds held as Isolation **</u>
Long Stay Beds <b>(not including beds below)</b>	159		
Convalescent Care Beds			
Respite Beds	1		
ELDCAP Beds			
Interim Beds			
Veterans' Priority Access beds			
Beds in Abeyance (BIA)			
Designated Specialized Unit beds			
Other beds *			
<b>Total # of all Bed Types (3)</b>	160		

\*Other beds available under a Temporary Emergency Licence or Short-Term Authorization

\*\* Include beds set aside in accordance with Emergency Plans (O. Reg 246/22 s. 268)

### A.3 Structural Information

**Type of Room** (this refers to structural layout rather than what is charged in accommodations or current occupancy).

## 2023-24 Description of Home and Services

**LTCH Name: Strathmere Lodge**

Room Type	Rooms	Multiplier	Number of beds
Number of rooms with 1 bed	100	x 1	100
Number of rooms with 2 beds	30	x 2	60
Number of rooms with 3 beds		x 3	
Number of rooms with 4 beds		x 4	
<b>Total Number of Rooms</b>	<b>130</b>	<b>Total Number of Beds*</b>	<b>160</b>

**\*Ensure the "Total Number of Beds" above matches "Total # of all Bed Types (3)" from Table A.2**

Original Construction Date (Year)

2006

Redevelopment: Please list year and details (unit/resident home area, design standards, # beds, reason for redevelopment. If active, please provide stage of redevelopment and forecasted year of completion.)

- 1)
- 2)
- 3)
- 4)

### Number of Units/Resident Home Areas and Beds

Unit/Resident Home Area	Number of Beds
<b>Bear Creek</b>	<b>32</b>
<b>Sydenham Meadows</b>	<b>32</b>
<b>Hickory Woods</b>	<b>32</b>
<b>Arbour Glen</b>	<b>32</b>
<b>Parkview Place</b>	<b>32</b>
<b>Total Number of Beds (Ensure total matches "Total # of all Bed Types (3)" from Table A.2)</b>	<b>160</b>

### Other Reporting

Accommodation Breakdown*			
Accommodation Type	Basic	Semi-Private	Private
<b>Total Beds</b>	<b>60</b>	<b>100</b>	<b>160</b>

\*For accommodation definition see *Fixing Long-Term Care Act, 2021*  
<https://www.ontario.ca/laws/regulation/220246#BK4>

## **Schedule B**

### **Additional Terms and Conditions Applicable to the Funding Model**

**1.0 Background.** Ontario Health provides subsidy funding to long-term care home health service providers pursuant to a funding model set by MOH and MLTC. The current model provides estimated per diem funding that is subsequently reconciled. The current funding model is under review and may change during the Term (as defined below). As a result, and for ease of amendment during the Term, this Agreement incorporates certain terms and conditions that relate to the funding model in this Schedule B.

**2.0 Additional Definitions.** Any terms not otherwise defined in this Schedule have the same meaning attributed to them in the main body of this Agreement. The following terms have the following meanings:

**“Allowable Subsidy”** refers to Allowable Subsidy as defined in s. 1 of Reg. 200/21 under Connecting Care Act, 2019.

**“Construction Funding Subsidy” or “CFS”** means the funding that the MOH and MLTC agreed to provide, or to ensure the provision of, to the HSP, in an agreement for the construction, development, redevelopment, retrofitting or upgrading of beds (a **“Development Agreement”**).

**“CFS Commitments”** means

- (a) commitments of the HSP related to a Development Agreement, identified in Schedule A of the service agreement in respect of the Home in effect between the HSP and the funder and
- (b) commitments of the HSP identified in a Development Agreement in respect of beds that were developed or redeveloped and opened for occupancy (including, without limitation, any commitments set out in the HSP's Application as defined in the Development Agreement, and any conditions agreed to in the Development Agreement in respect of any permitted variances from standard design standards.)

**“Envelope”** is a portion of the Estimated Provincial Subsidy that is designated for a specific use. There are four Envelopes in the Estimated Provincial Subsidy as follows:

- (a) the “Nursing and Personal Care” Envelope;
- (b) the “Program and Support Services” Envelope;
- (c) the “Raw Food” Envelope; and
- (d) the “Other Accommodation” Envelope.

**“Estimated Provincial Subsidy”** means the estimated provincial subsidy to be provided by Ontario Health to an HSP calculated in accordance with Applicable Law and Applicable Policy.

**“Reconciliation Report”** refers to the Reconciliation Report as referenced in s. 1 of Reg 200/21 under Connecting Care Act, 2019.

**“Term”** means the term of this Agreement.

### **3.0 Provision of Funding.**

3.1 In each Funding Year, Ontario Health shall advise the HSP of the amount of its Estimated Provincial Subsidy. The amount of the Estimated Provincial Subsidy shall be calculated on both a monthly basis and an annual basis and will be allocated among the Envelopes and other funding streams applicable to the HSP, including the CFS.

3.2 The Estimated Provincial Subsidy shall be provided to the HSP on a monthly basis in accordance with the monthly calculation described in 3.1 and otherwise in accordance with this Agreement. Payments will be made to the HSP on or about the twenty-second (22<sup>nd</sup>) day of each month of the Term.

3.3 CFS will be provided as part of the Estimated Provincial Subsidy and in accordance with the terms of the Development Agreement and Applicable Policy. This obligation survives any expiry or termination of this Agreement.

### **4.0 Use of Funding.**

4.1 Unless otherwise provided in this Schedule B, the HSP shall use all Funding allocated for a particular Envelope only for the use or uses set out in the Applicable Policy.

4.5 In the event that a financial reduction is determined by Ontario Health, the financial reduction will be applied against the portion of the Estimated Provincial Subsidy in the "Other Accommodation" Envelope.

### **5.0 Construction Funding Subsidies.**

5.1 Subject to 5.2 and 5.3 the HSP is required to continue to fulfill all CFS Commitments, and the CFS Commitments are hereby incorporated into and deemed part of the Agreement.

5.2 The HSP is not required to continue to fulfill CFS Commitments that the MOH and MLTC has acknowledged in writing: (i) have been satisfactorily fulfilled; or (ii) are no longer required to be fulfilled; and the HSP is able to provide Ontario Health with a copy of such written acknowledgment.

5.3 Where this Agreement establishes or requires a service requirement that surpasses the service commitment set out in the CFS Commitments, the HSP is required to comply with the service requirements in this Agreement.

5.4 MOH and MLTC are responsible for monitoring the HSP's on-going compliance with the CFS Commitments. Notwithstanding the foregoing, the HSP agrees to certify its compliance with the CFS Commitments when requested to do so by Ontario Health.

### **6.0 Reconciliation.**

6.1 The HSP shall complete the Reconciliation Reports and submit them to MOH and



MLTC in accordance with Schedule C. The Reconciliation Reports shall be in such form and containing such information as required by Applicable Law and Applicable Policy or as otherwise required by Ontario Health pursuant this Agreement.

6.2 The Estimated Provincial Subsidy provided by Ontario Health under section 3.0 of this Schedule shall be reconciled by Ontario Health in accordance with Applicable Law and Applicable Policy to produce the Allowable Subsidy.

## Schedule C – Reporting Requirements

<b>1. In-Year Revenue/Occupancy Report</b>	
<b>Reporting Period</b>	<b>Estimated Due Dates<sup>1</sup></b>
2023 – Jan 1, 2023 to Sept 30, 2023	By October 15, 2023
<b>2. Long-Term Care Home Annual Report</b>	
<b>Reporting Period</b>	<b>Estimated Due Dates<sup>1</sup></b>
2023 – Jan 1, 2023 to Dec 31, 2023	By September 30, 2024
<b>3. French Language Services Report</b>	
<b>Fiscal Year</b>	<b>Due Dates</b>
2023-24 – Apr 1, 2023 to March 31, 2024	April 29, 2024
<b>4. OHRS/MIS Trial Balance Submission</b>	
<b>2023-2024</b>	<b>Due Dates (Must pass 3c Edits)</b>
Q2 – Apr 1, 2023 to Sept 30, 2023 (Fiscal Year)	October 29, 2023
Q2 – Jan 1, 2023 to June 30, 2023 (Calendar Year)	
Q3 – Apr 1, 2023 to Dec 31, 2023 (Fiscal Year)	January 28, 2024 – Optional Submission
Q3 – Jan 1, 2023 to Sept 30, 2023 (Calendar Year)	
Q4 – Apr 1, 2023 to March 31, 2024 (Fiscal Year)	May 31, 2024
Q4 – Jan 1, 2023 to Dec 31, 2023 (Calendar Year)	
<b>5. Compliance Declaration</b>	
<b>Funding Year</b>	<b>Due Dates</b>
January 1, 2023 – December 31, 2023	March 1, 2024
<b>6. Continuing Care Reporting System (CCRS)/RAI MDS</b>	
<b>Reporting Period</b>	<b>Estimated Final Due Dates<sup>1</sup></b>
2023-2024 Q1	August 31, 2023
2023-2024 Q2	November 30, 2023
2023-2024 Q3	February 28, 2024
2023-2024 Q4	May 31, 2024
<b>7. Long-Term Care Staffing Data Collection (“Staffing Survey”)</b>	
<b>Reporting Period</b>	<b>Estimated Due Dates<sup>1</sup></b>
April 1, 2022 to June 30, 2022 – Q1	September 12, 2022
July 1, 2022 to September 30, 2022 – Q2	January 27, 2023
October 1, 2022 to December 31, 2022 – Q3	To be determined
January 1, 2023 to March 31, 2023 – Q4	To be determined
<b>8. Quality Improvement Plan (submitted to Ontario Health)</b>	
<b>Planning Period</b>	<b>Due Dates</b>
April 1, 2023 – March 31, 2024	April 1, 2023

<sup>1</sup> These are estimated dates provided by the MOH and MLTC and are subject to change. If the due date falls on a weekend, reporting will be due the following business day.

## Schedule D – Performance

### 1.0 Performance Indicators

The HSP's delivery of the Services will be measured by the following Indicators, Targets and where applicable Performance Standards. In the following table:

*n/a* means 'not-applicable', that there is no defined Performance Standard for the indicator for the applicable year.

*tbd* means a Target, and a Performance Standard, if applicable, will be determined during the applicable year.

INDICATOR CATEGORY	INDICATOR  P=Performance Indicator E=Explanatory Indicator M=Monitoring Indicator	2023-2024	
		Performance	
		Target	Standard
<b>Organizational Health and Financial Indicators</b>	Debt Service Coverage Ratio (P)	n/a	n/a
	Total Margin (P)	n/a	n/a
<b>Coordination and Access Indicators</b>	Percent Resident Days – Long Stay (E)	n/a	n/a
	Wait Time from Home and Community Care Support Services (HCCSS) Determination of Eligibility to LTC Home Response (M)	n/a	n/a
	Long-Term Care Home Refusal Rate (E)	n/a	n/a
<b>Quality and Resident Safety Indicators</b>	Percentage of Residents Who Fell in the Last 30 days (M)	n/a	n/a
	Percentage of Residents Whose Pressure Ulcer Worsened (M)	n/a	n/a
	Percentage of Residents on Antipsychotics Without a Diagnosis of Psychosis (M)	n/a	n/a
	Percentage of Residents in Daily Physical Restraints (M)	n/a	n/a

## 2.0 Local Obligations

This schedule sets out provincial goals identified by Ontario Health (OH) and the Local Obligations associated with each of the goals. The provincial goals apply to all HSPs and HSPs must select the most appropriate obligation(s) under each goal for implementation. HSPs must provide a report on the progress of their implementation(s) as per direction provided by OH regional teams.

### **Goal: Improve Access and Flow by Reducing Alternate Level of Care (ALC)**

#### Local Obligations related to goal:

- Participate in and align with regional plans to support admission diversion, maximize capacity, and support patients transition to community.

### **Goal: Advance Indigenous Health Strategies and Outcomes**

#### Local Obligations related to goal:

- Develop and/or advance First Nations, Inuit, Métis and Urban Indigenous (FNIMUI) FNIMUI Health Workplan:
  - a. Partner with your OH team to work through a process of establishing a First Nations, Inuit, Métis and Urban Indigenous Health Workplan, which aligns with provincial guidance, and includes a plan for Indigenous cultural awareness (improving understanding of Indigenous history, perspectives, cultures, and traditions) and cultural safety (improving understanding of anti-racist practice and identifying individual and systemic biases that contribute to racism across the health care system). Ontario Health will provide guidance material to support this process.
  - b. Or, if a First Nations, Inuit, Métis and Urban Indigenous Health Workplan (or similar) already exists, demonstrate advancement to implementation of the plan.
- Demonstrate progress (and document in reporting template) on outcomes, access and/or executive training:
  - a. Improvement in outcomes regarding First Nations, Inuit, Métis and Urban Indigenous health (note for 23/24 this will give HSPs the opportunity to demonstrate any improvement based on the data currently available to them. In future years, standardized indicators will be developed.)
  - b. Progress in increasing culturally safe access to healthcare services, programs to foster Indigenous engagement, and relationship building to improve Indigenous health (note for 23/24 this will give HSPs the opportunity to demonstrate any improvement based on initiatives they have targeted in their First Nations, Inuit, Métis and Urban Indigenous Health Workplan. In future years, standardized indicators will be developed.)
  - c. Demonstrate that executive level staff have completed Indigenous Cultural Safety Training

## **Goal: Advance Equity, Inclusion, Diversity, and Anti-Racism Strategies to**

### **Improve Health Outcomes**

#### Local Obligations related to goal:

- Develop and/or advance an organizational health equity plan
  - develop an equity plan that aligns with OH equity, inclusion, diversity and anti-racism framework, and existing provincial priorities, where applicable (i.e., French language health services plan; Accessibility for Ontarians with Disabilities Act; the provincial Black Health Plan; High Priority Community Strategy; etc.). Please note that HSPs will be provided with guidance materials to help develop their equity plan and complete a reporting template to submit to the region.
  - Or, if an equity plan already exists, demonstrate advancement to implementation of the plan, by completing the equity reporting template and submitting to the region.
- Increase understanding and awareness of health equity through education/continuous learning
  - Continue capacity-building through knowledge transfer, education, and training about health equity within the Region, HSPs will demonstrate that a minimum, executive level staff have completed relevant equity, inclusion, diversity, and anti-racism education (recommended education options to be provided).

## Schedule E – Form of Compliance Declaration

### DECLARATION OF COMPLIANCE

Issued pursuant to the Long-Term Care Home Service Accountability Agreement

**To:** The Board of Directors of Ontario Health Attn: Board Chair.

**From:** The Board of Directors (the “Board”) of the [insert name of License Holder] (the “HSP”)

**For:** [insert name of Home] (the “Home”)

**Date:** [insert date]

**Re:** January 1, 2023– December 31, 2023 (the “Applicable Period”)

---

The Board has authorized me, by resolution dated [insert date], to declare to you as follows:

After making inquiries of the [insert name and position of person responsible for managing the Home on a day to day basis, e.g. the Chief Executive Office or the Executive Director] and other appropriate officers of the Health Service Provider (the “HSP”) and subject to any exceptions identified on Appendix 1 to this Declaration of Compliance, to the best of the Board’s knowledge and belief, the HSP has fulfilled, its obligations under the long-term care home service accountability agreement (the “Agreement”) in effect during the Applicable Period.

Without limiting the generality of the foregoing, the HSP confirms that:

- (i) it has complied with the provisions of the *Connecting Care Act, 2019* and with any compensation restraint legislation which applies to the HSP; and
- (ii) every Report submitted by the HSP is accurate in all respects and in full compliance with the terms of the Agreement.

Unless otherwise defined in this declaration, capitalized terms have the same meaning as set out in the Agreement between the Ontario Health and the HSP effective April 1, 2023.

[insert name of individual authorized by the Board to make the Declaration on the Board's behalf],  
[insert title]

## **Schedule E – Form of Compliance Declaration Cont'd.**

### **Appendix 1 - Exceptions**

[Please identify each obligation under the LSAA that the HSP did not meet during the Applicable Period, together with an explanation as to why the obligation was not met and an estimated date by which the HSP expects to be in compliance.]

---

**Meeting Date:** April 11, 2023

**Submitted by:** Neal Roberts, Chief of Middlesex-London Paramedic Service,  
Director of Emergency Services

**Subject:** Surplus Vehicle Disposal

---

**BACKGROUND:**

As the designated delivery agent for ambulance services, the ambulance vehicles are owned by the County of Middlesex. Middlesex County policy requires that major items of equipment be declared surplus prior to being sold or traded-in.

**ANALYSIS:**

The following five (5) ambulances were decommissioned and replaced in 2022 as part of the fleet replacement cycle. As a result of ongoing supply chain issues, the decommissioned ambulances were placed into storage in the event they were required for parts or to be placed back into service. In May of 2023, five (5) additional ambulances are scheduled for replacement which will result in a total of ten (10) decommissioned ambulances. Historically, surplus ambulances could be sold in the range of \$5000 - \$12,000 dollars. The current market for surplus ambulances is strong with similar surplus ambulances in our region recently being sold on the government surplus website govdeals.ca for over the reserve bid.

The ambulances recommended for disposal are shown in the following chart:

Vehicle Number	Vehicle VIN	Mileage (KMS)	Date of Last Reading	Vehicle Make
2014-1076	1GB3G3CG3F1183579	280,175	03/15/2023	Demers
2015-1077	1GB3G3CGXF1186317	250,215	03/15/2023	Demers
2015-1183	1GB3G3CG7F1185660	241,297	03/15/2023	Demers
2015-1184	1GB3G3CG9F1185420	338,107	03/15/2023	Demers
2013-1170	1GB3G3CG7D1142580	292,949	03/15/2023	Crestline



<b>Vehicle Number</b>	<b>Vehicle VIN</b>	<b>Mileage (KMS)</b>	<b>Date of Last Reading</b>	<b>Vehicle Make</b>
<b>2014-1171</b>	1GB3G3CG8E1155484	335,973	03/15/2023	Crestline
<b>2014-1188</b>	1GB3G3CG1E1155505	336,351	03/15/2023	Crestline
<b>2015-1071</b>	1GB3G3CG9F1109521	304,939	03/15/2023	Crestline
<b>2015-1191</b>	1GB3G3CG8F1111440	273,219	03/15/2023	Crestline
<b>2014-1047</b>	1GB3G3CG4E1154543	324,794	03/15/2023	Crestline

#### **RECOMMENDATION:**

That Middlesex County Council declare the following vehicles as surplus to be sold on GOVDEALS.CA and that funds from the sale of these assets be placed into a capitol reserve account and be used to offset the 2023 ambulance purchases:

<b>Vehicle Number</b>	<b>Vehicle VIN</b>	<b>Mileage (KMS)</b>	<b>Date of Last Reading</b>	<b>Vehicle Make</b>
<b>2014-1076</b>	1GB3G3CG3F1183579	280,175	03/15/2023	Demers
<b>2015-1077</b>	1GB3G3CGXF1186317	250,215	03/15/2023	Demers
<b>2015-1183</b>	1GB3G3CG7F1185660	241,297	03/15/2023	Demers
<b>2015-1184</b>	1GB3G3CG9F1185420	338,107	03/15/2023	Demers
<b>2013-1170</b>	1GB3G3CG7D1142580	292,949	03/15/2023	Crestline
<b>2014-1171</b>	1GB3G3CG8E1155484	335,973	03/15/2023	Crestline
<b>2014-1188</b>	1GB3G3CG1E1155505	336,351	03/15/2023	Crestline
<b>2015-1071</b>	1GB3G3CG9F1109521	304,939	03/15/2023	Crestline
<b>2015-1191</b>	1GB3G3CG8F1111440	273,219	03/15/2023	Crestline
<b>2014-1047</b>	1GB3G3CG4E1154543	324,794	03/15/2023	Crestline



**AORS**  
PROMOTING **KNOWLEDGE**. PURSUING **EXCELLENCE**

March 27, 2023

Dear Heads of Councils and Councillors,

We, the Association of Ontario Road Supervisors (AORS), are writing you on behalf of all our municipal members to raise awareness and solicit your support by objecting to a new fee proposed by Enbridge Gas. Enbridge has announced their intention to implement a new charge to third-party contractors and other utilities for utility locates. Third-party contractors will include Ontario municipalities and contractors working on their behalf. Enbridge Gas will apply a charge of \$200 CAD (plus applicable taxes) per locate request where a field locate is required. The need for municipalities and their contractors to request these locates when doing road construction and maintenance is due to utilities being present in municipal right of ways, which municipalities across the province have allowed at no cost to the utility.

Enbridge has stated that the *Getting Ontario Connected Act* passed into law in April 2022 has resulted in changes to the *Ontario Underground Infrastructure Notification System Act* and has caused Enbridge to make significant investments in associated operational investments. The concern being raised by our members, your public works staff, is that Enbridge will be just the beginning of these additional fees, with other utility companies implementing similar charges. These new charges will have significant impacts on municipal budgets.

As examples of what impacts this announcement might have on municipalities, based on 2022 municipal locate requests alone, it is estimated that this new fee would directly cost the Municipality of Central Huron approximately \$35,000 annually, the City of Belleville approximately \$90,000 annually and the Town of Espanola approximately \$7,300 annually. It is important to note that these are direct costs alone. Any subcontractors working on behalf the municipality requesting locates will be charged this same cost, and these costs will have to be borne by someone – meaning the subcontractors will put this cost back to the municipality. Then there will be the added administrative costs at both ends of the transaction. It is difficult to determine this quickly the true fulsome costs to your budget. This will also add an extra item into tendering projects, as it will create concerns on both sides on who is responsible for these costs.

By Enbridge Gas passing on these locate costs to municipalities, these costs are borne by all ratepayers across the municipality, and not only those who use this utility.

We would like to request your Council consider passing the following resolution:

*WHEREAS, Enbridge recently made an announcement of their intention to begin charging third-party contractors and other utilities \$200 CAD (plus applicable taxes) for utility locates where a field locate is required;*

*AND WHEREAS, third-party contractors include Ontario municipalities;*

*AND WHEREAS, these locate requests are only required as Ontario municipalities have allowed utilities to use municipal right of ways at no charge to the utilities;*

*AND WHEREAS, this announcement of new downloaded costs will negatively impact the budgets of Ontario municipalities which are already burdened;*

*AND WHEREAS, if Enbridge is successful in implementing this new charge, a precedence is set for other utility companies to also begin charging for locates;*

*THEREFORE IT BE RESOLVED, that the <insert your municipality name> strongly opposes these utility locate costs being downloaded to Ontario municipalities by Enbridge Gas or other utilities;*

*AND THAT, the Province of Ontario's Ministry of Public and Business Service Delivery make it clear that these costs must be borne by the utilities themselves;*

*AND THAT, this decision be forwarded to Minister of Public and Business Service Delivery Kaleed Rasheed, Minister of Infrastructure Kinga Surma, Minister of Energy Todd Smith, Premier Doug Ford, <insert your municipality name>'s MPP, the Association of Ontario Road Supervisors and the Association of Municipalities of Ontario.*

Furthermore, AORS will be sending your public works senior managers and directors a survey to further investigate the true costs of this proposed fee on your budgets. We ask you to encourage your staff to complete this survey so we can better advocate on your behalf.

If you require additional information, please do not hesitate to contact us.

Sincerely,



John Maheu  
Executive Director  
[johnmaheu@aors.on.ca](mailto:johnmaheu@aors.on.ca)



Kelly Elliott  
Marketing and Communications Specialist  
[kellyelliott@aors.on.ca](mailto:kellyelliott@aors.on.ca)



# **Agriculture: An Economic Powerhouse**

**Supporting Agriculture in  
Middlesex County**

# Agriculture at a Glance

AS OF 2021

## Local Snapshot

Middlesex County  
CENSUS DIVISION



**2,518**  
farms



**628,592**  
acres of farmland



**250 acres**  
is the average sized farm



## Local Farm Sales



**8%**  
sell farm  
products directly  
to the  
consumer:



**5**  
farms operate a CSA  
(Community Supported Agriculture)



**19** farms sell  
at farmers' markets



**133** farms sell directly from their  
farm, at stands, or pick-your-own

## Economic Contributions in 2021

### Local Impact



The local agri-food sector  
employed **28,715** people  
through **4,645** local agri-food  
business establishments

### Farm Cash Receipts



**\$1.3 billion**  
in Farm Cash  
Receipts



- Grains & Oilseeds
- Poultry & Eggs
- Hogs

### Across the Province

Farm cash receipts  
generated by local farms  
supported **\$2.9 billion**  
in GDP and **43,412**  
employees in the agri-food  
sector from farm to fork  
across Ontario



# Agriculture: An Economic Powerhouse

- Middlesex County and the City of London have complementary strengths
- Middlesex County has a growing number of innovative farm businesses and input supply companies stimulating the economy
- The City of London has a thriving agri-food processing sector



# Less Farmers to Produce More Food

- Almost 50,000 farms in Ontario (Census of Agriculture, 2021)
- Farms are much larger – average size is 243 acres. (Census of Agriculture, 2021)
- Price of farm land has dramatically increased in last 10 years
- How do we feed our country with only 2% of the population are farming?
- Farmers are doing a really good job of meeting increase demand for food but need the land to do this





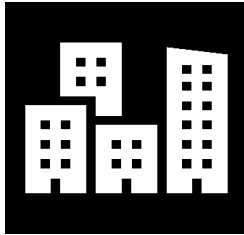
# Why we need to Protect Farmland

- Over half (52%) of prime soils in Canada are in Ontario (OMAFRA, 2016)
- In Ontario farmland makes up less than 5% of land base (OMAFRA, 2016)
- Agricultural land is: productive, valuable, essential, finite and non-renewable
- Between 2016 and 2021, Ontario lost **319 acres** of farmland per day (Census of Agriculture, 2021)





**319 Acres of Farmland =**



58 City Blocks



797 Hockey Rinks



1,207,096 Bottles of Wine



23,500,000 Apples

## 5 Areas to Work Together:

- Supply chain challenges and affordability
- Building infrastructure
- Energy transition and supply
- Strengthening Ontario's labour force
- Rural health care



## Rural infrastructure



Reliable broadband internet for business development and utilizing precision agriculture technology



Roads, bridges and culverts to transport farm equipment and distribute agri-food products



Access to natural gas to attract and retain businesses in rural communities



“Key economic sectors include agriculture and agribusiness, manufacturing, small business, and tourism.”

Middlesex 2046, Official Plan Update

## Hands to Table



- Explore local restaurants and producers
- Know where your local food comes from
- Pairs local producers with local restaurants

<https://handstotable.ca/>



**What OFA tools and resources are available to you?**



## Agriculture Matters: A Guide for Municipal Councillors and Staff

- Highlights key agricultural issues taking place at the municipal/local level.
- The latest iteration (August 2022) includes revisions and some new topics:
  - On-farm diversified uses
  - Cost of Community Services studies
  - Farm worker housing
  - Natural Heritage System
  - Tree by-laws
- Outlines the issues for farmers, how you can help, and resources to learn more.
- It can be downloaded at [ofa.on.ca/GrowAg](https://ofa.on.ca/GrowAg)

## GrowAg Page on OFA's Website

- For municipal staff and councils and local organizations.
- Has the ability to initiate dialogue and inform policy development by providing clear, concise solutions instead of focusing on the barriers.
- It can be downloaded at [ofa.on.ca/GrowAg](https://ofa.on.ca/GrowAg)
- Examples

### RESOURCE



#### Guide to Support Agricultural Growth in Your Municipality

The Ontario Federation of Agriculture (OFA) has identified municipal impediments and opportunities to support growth in Ontario's agriculture and agri-food businesses.

While many policies are established at the provincial and federal level, there are many best practices that municipalities can implement to support their agri-food sector.

### RESOURCE



#### Checklist to Support Agricultural Growth in Your Municipality

This checklist is accompanied by a Guide to Support Agricultural Growth in Your Municipality. Please consult the Guide for further information on how to implement the actions in the Checklist, and why they are important for supporting the agricultural sector in your municipality.



**The agriculture sector – from our farmers to our diverse food processing industry – is an economic powerhouse for the Ontario economy.**

**To keep this sector profitable and productive, we need strong, vibrant rural communities, with the infrastructure to support them.**



# The Corporation of the County of Middlesex

**Audit Planning Report  
for the year ended  
December 31, 2022**

*KPMG LLP*

Licensed Public Accountants  
March 30, 2023



# KPMG contacts

Key contacts in connection with this engagement



**Ian Jeffreys**

Lead Audit Engagement Partner

519-660-2137

[ijeffreys@kpmg.ca](mailto:ijeffreys@kpmg.ca)



**Tiffany Harriott**

Manager

519-660-2208

[tharriott@kpmg.ca](mailto:tharriott@kpmg.ca)

# Table of contents

## Digital use information

This Audit Planning Report is also available as a “hyper-linked” PDF document.

If you are reading in electronic form (e.g. In “Adobe Reader” or “Board Books”), clicking on the home symbol on the top right corner will bring you back to this page.



Click on any item in the table of contents to navigate to that section.

4	Audit quality	6	KPMG Clara	7	Highlights
8	Audit plan	10	Group audit plan	11	Audit risks
16	Key milestones and deliverables	17	Independence	18	Appendices

This report to County Council is intended solely for the information and use of management, and County Council and should not be used for any other purpose or any other party. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this report to County Council has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.



# Audit Quality: How do we deliver audit quality?

**Quality** essentially means doing the right thing and remains our highest priority. Our **Global Quality Framework** outlines how we deliver quality and how every partner and staff member contribute to its delivery.

**‘Perform quality engagements’** sits at the core along with our commitment to continually monitor and remediate to fulfil on our quality drivers.

Our **quality value drivers** are the cornerstones to our approach underpinned by the **supporting drivers** and give clear direction to encourage the right behaviours in delivering audit quality.

We define **‘audit quality’** as being the outcome when:

- audits are **executed consistently**, in line with the requirements and intent of **applicable professional standards** within a strong **system of quality controls**; and
- all of our related activities are undertaken in an environment of the utmost level of **objectivity, independence, ethics and integrity**.



**Doing the right thing. Always.**





# Audit Quality: Indicators (AQIs)

The objective of these measures is to provide more in-depth information about factors that influence audit quality within an audit process. Below are the AQIs that we have agreed with management are relevant for the audit. We would like to obtain agreement of County Council that these are the relevant AQIs.

**We will communicate the status of the below AQIs on an annual basis.**



## Team composition

### Experience of the team

- Role – number of years experience in the industry, number of years on this engagement



## Technology in the audit

### Implementation of technology in the audit

- Increase in use of technology in the audit year over year



## Timing of prepared by client (PBC) items

### Timeliness of PBC items

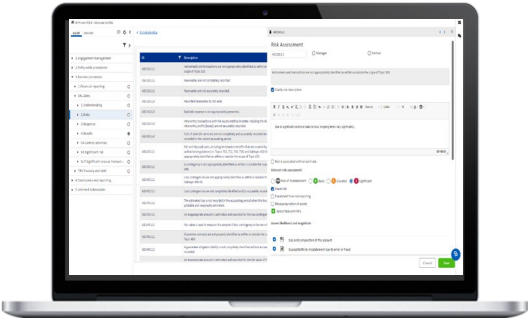
- Number of timely and overdue items received by the audit team.



# Our audit platform – KPMG Clara

Building upon our sound audit quality foundations, we are making significant investments to drive consistency and quality across our global audit practices. We’ve committed to an ongoing investment in innovative technologies and tools for engagement teams, such as KPMG Clara, our smart audit platform.

## KPMG Clara workflow



### Globally consistent execution

A modern, intuitively written, highly applicable audit methodology that allows us to deliver globally consistent engagements.

[▶ Learn more](#)

## KPMG Clara for clients



### Real-time collaboration and transparency

Allows the client team to see the real-time status of the engagement and who from our KPMG team is leading on a deliverable.

[▶ Learn more](#)

## KPMG Clara analytics



### Insights-driven efficient operations

Using the latest technologies to analyze data, KPMG Clara allows us to visualise the flow of transactions through the system, identify risks in your financial data and perform more specific audit procedures.

[▶ Learn more](#)



# Highlights

## Scope of the audit

Our audit of the consolidated financial statements (“financial statements”) of The Corporation of the County of Middlesex and its subsidiaries (“the Company”) as of and for the year ended December 31, 2022, will be performed in accordance with Canadian generally accepted auditing standards (CASs).

**Significant risks**

We have identified significant risks of material misstatement for the audit. See significant risks section for details.

**Rebuttable significant risks**

The presumed fraud risk involving improper revenue recognition has been rebutted by us.

**Required communications**

See Appendix A: Engagement letter and Appendix B: Other required communications

**Report highlights**

14

Other areas of focus

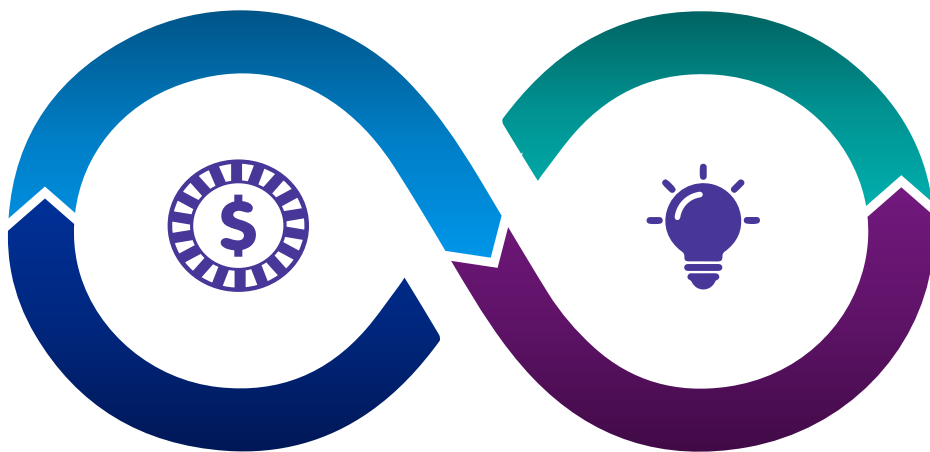
22

Newly effective auditing standards





# Materiality



We **initially determine materiality** at a level at which we consider that misstatements could reasonably be expected to influence the economic decisions of users. Determining materiality is a matter of **professional judgement**, considering both quantitative and qualitative factors, and is affected by our perception of the common financial information needs of users of the financial statements as a group. We do not consider the possible effect of misstatements on specific individual users, whose needs may vary widely.

We **reassess materiality** throughout the audit and revise materiality if we become aware of information that would have caused us to determine a different materiality level initially.

## Plan and perform the audit

We **initially determine materiality** to provide a basis for:

- Determining the nature, timing and extent of risk assessment procedures;
- Identifying and assessing the risks of material misstatement; and
- Determining the nature, timing, and extent of further audit procedures.

We design our procedures to detect misstatements at a level less than materiality in individual accounts and disclosures, to reduce to an appropriately low level the probability that the aggregate of uncorrected and undetected misstatements exceeds materiality for the financial statements as a whole.

## Evaluate the effect of misstatements

We also use materiality to evaluate the effect of:

- Identified misstatements on our audit; and
- Uncorrected misstatements, if any, on the financial statements and in forming our opinion.

# Materiality

**Materiality**

**\$2,300,000**

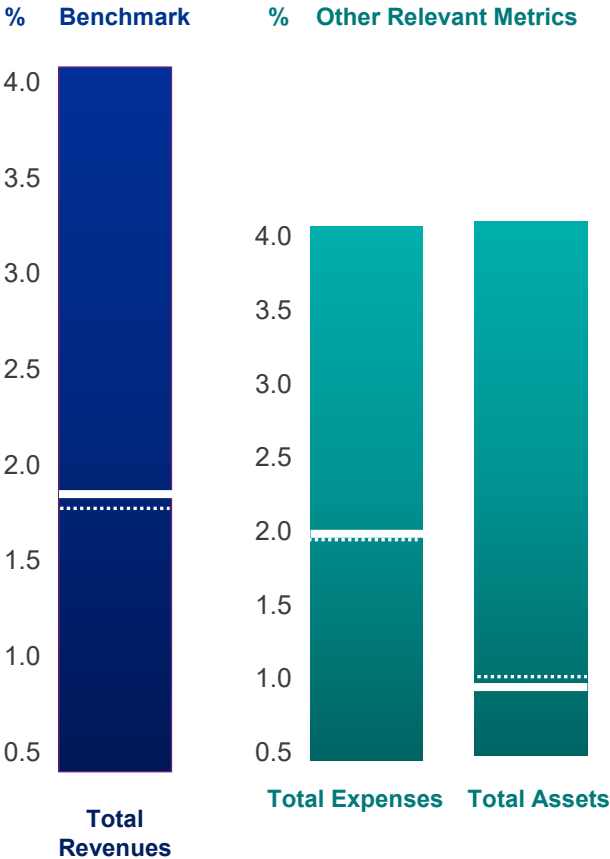
(2021: \$2,100,000)

**Audit Misstatement Posting Threshold**

**\$115,000**

(2021: \$105,000)

..... Prior year  
 — Current year



**Prior Year Total Consolidated Revenues\***

**\$128,089,459**

(2021: \$118,684,836)

\*Less the impact of non-recurring gain on sale of real estate

**Prior Year Total Consolidated Expenses**

**\$116,163,106**

(2021: \$105,714,905)

**Prior Year Total Consolidated Assets**

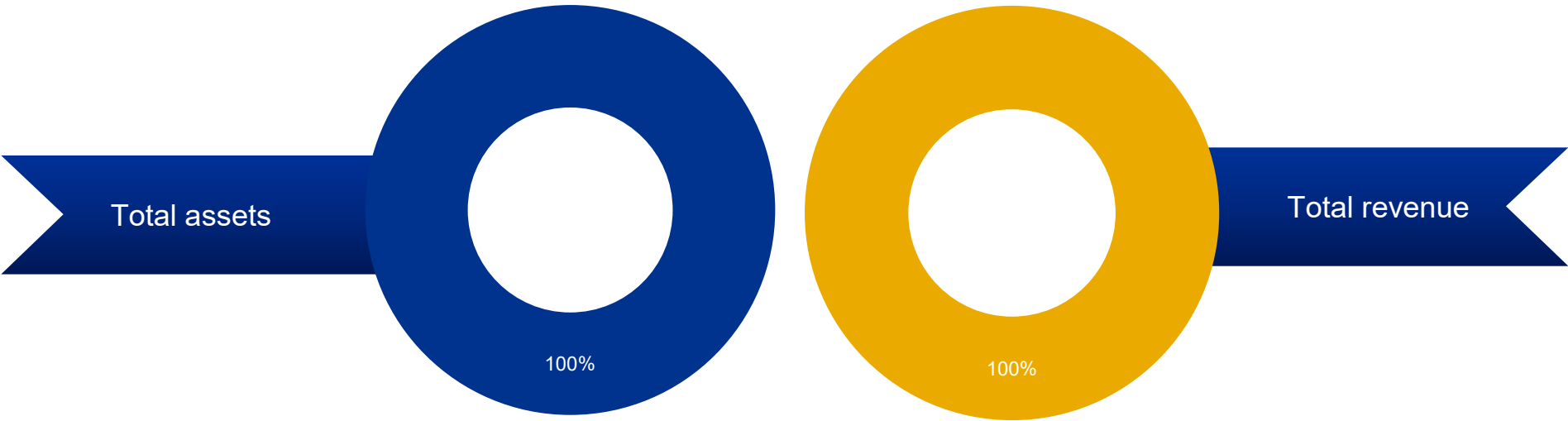
**\$254,589,468**

(2021: \$201,078,998 Consolidated 2020 Accumulated Surplus)

Change in metric from net assets in prior year to total assets in current year as a result of a change in audit methodology.

# Group audit - Scoping

Type of work performed	Total assets		Total revenue	
Total full-scope audits	100%		100%	
Excluded from direct testing	0%		0%	
Total consolidated	100%		100%	



# Risk assessment summary

Our planning begins with an assessment of risks of material misstatement in your financial statements.

We draw upon our understanding of the Company and its environment (e.g. the industry, the wider economic environment in which the business operates, etc.), our understanding of the Company’s components of its system of internal control, including our business process understanding.

	Risk of fraud	Risk of error
● Fraudulent revenue recognition	<i>Rebutted</i>	
● Management override of controls	✓	
● Accounts receivable, deferred revenue, and revenue		✓
● Accounts payable and expenses		✓
● Tangible capital assets		✓
● Payroll and employee future benefits		✓

\*Risk assessment has been completed based on preliminary audit planning and is subject to change during the course of the audit as new information arises. Significant changes, if any, from the audit approach noted here will be communicated in the audit findings report.

● SIGNIFICANT RISK ● PRESUMED RISK OF MATERIAL MISSTATEMENT ● OTHER AREA OF FOCUS



# Significant risks

<div><div></div><div>Presumed risk of fraud involving improper revenue recognition</div></div> <div><div>RISK OF</div><div></div><div>FRAUD</div></div>		
Estimate?	Significant risk	New or changed?
No	There are generally pressures or incentives on management to commit fraudulent financial reporting through inappropriate revenue recognition when performance is measured in terms of year-over-year growth or profit.	No
Relevant inherent risk factors affecting our risk assessment		
Performance is not measured based on earnings and a significant portion of revenues can be tied directly to government funding support.		
Our audit approach		
The audit team has rebutted this presumed risk.		



# Significant risks



## Management Override of Controls

RISK OF



FRAUD

**Presumption  
of the risk of fraud  
resulting from  
management  
override of  
controls**

### Why is it significant?

Management is in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Although the level of risk of management override of controls will vary from entity to entity, the risk nevertheless is present in all entities.

### Audit approach

As this presumed risk of material misstatement due to fraud is not rebuttable, our audit methodology incorporates the required procedures in professional standards to address this risk. These procedures include:

- testing of journal entries and other adjustments,
- performing a retrospective review of estimates
- evaluating the business rationale of significant unusual transactions.

## Advanced Technologies

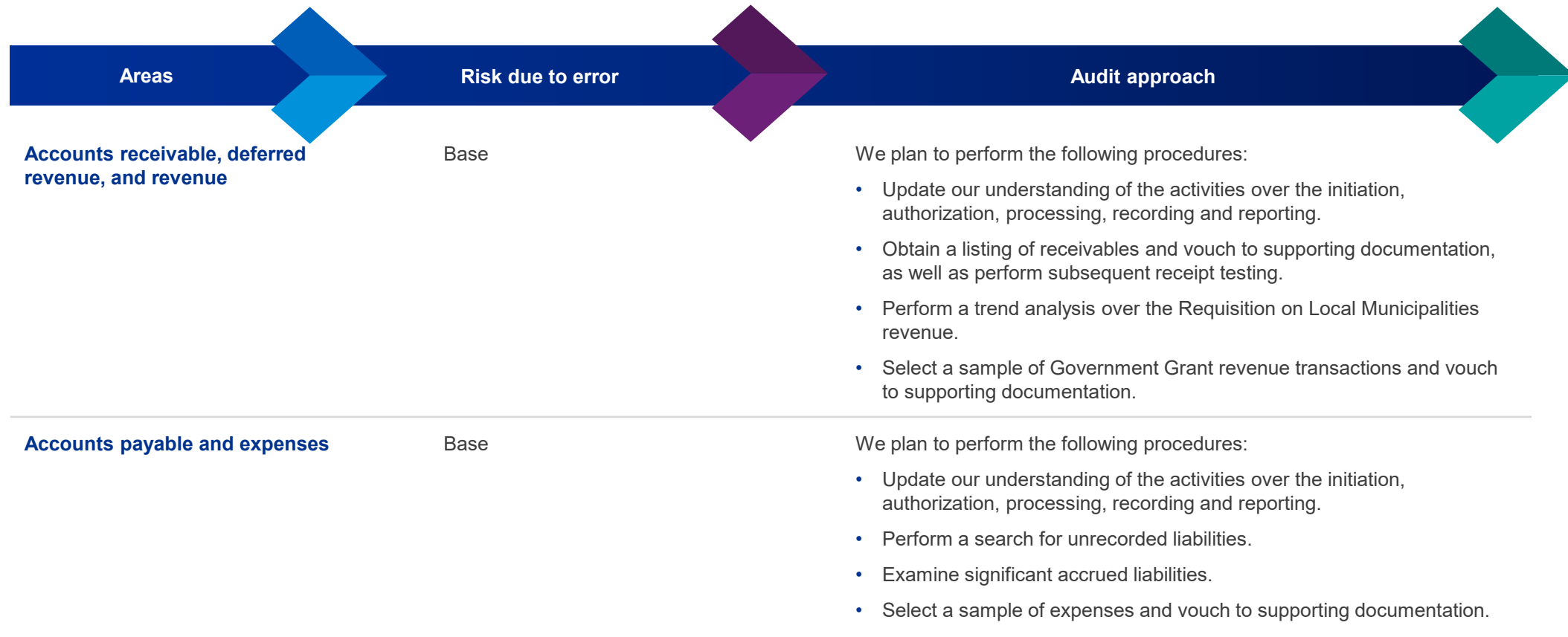
### Our **KPMG Clara Journal Entry Analysis Tool**

assists in the performance of detailed journal entry testing based on engagement-specific risk identification and circumstances. Our tool provides auto-generated journal entry population statistics and focusses our audit effort on journal entries that are riskier in nature.



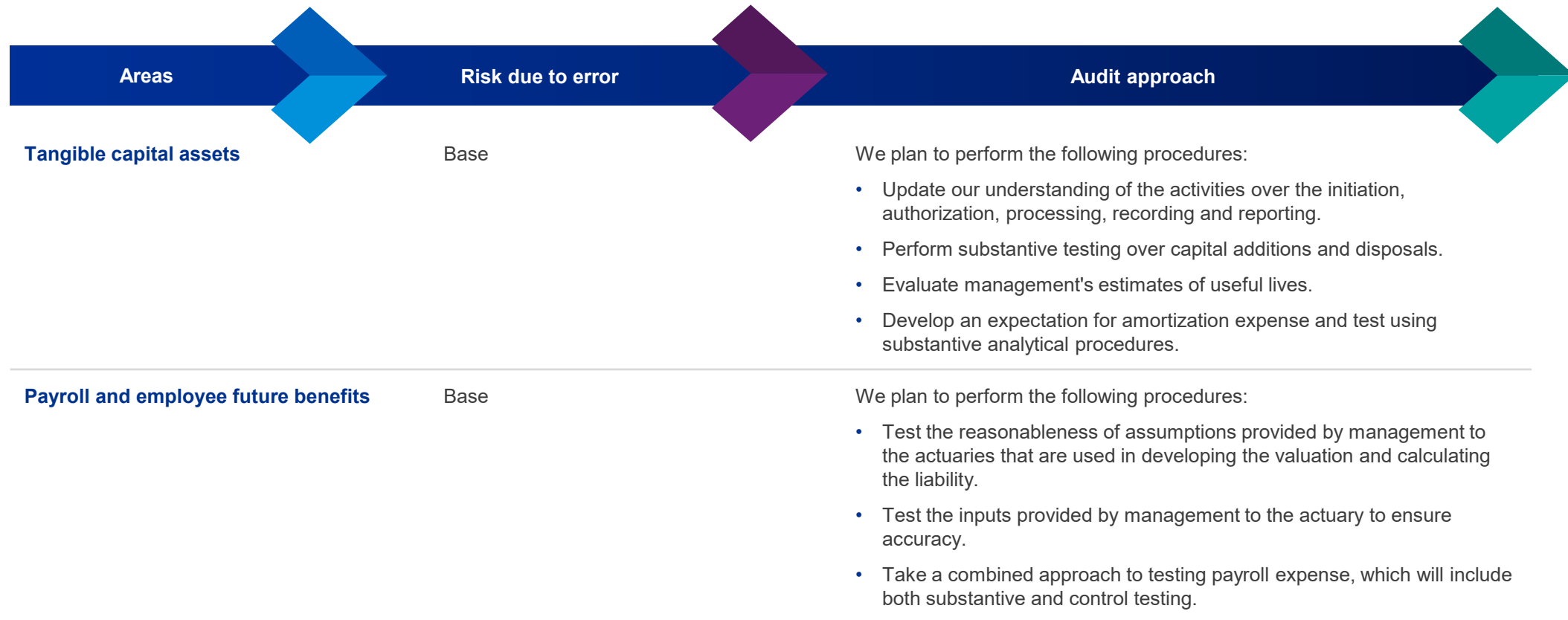
[Click to learn more](#)

# Other areas of focus



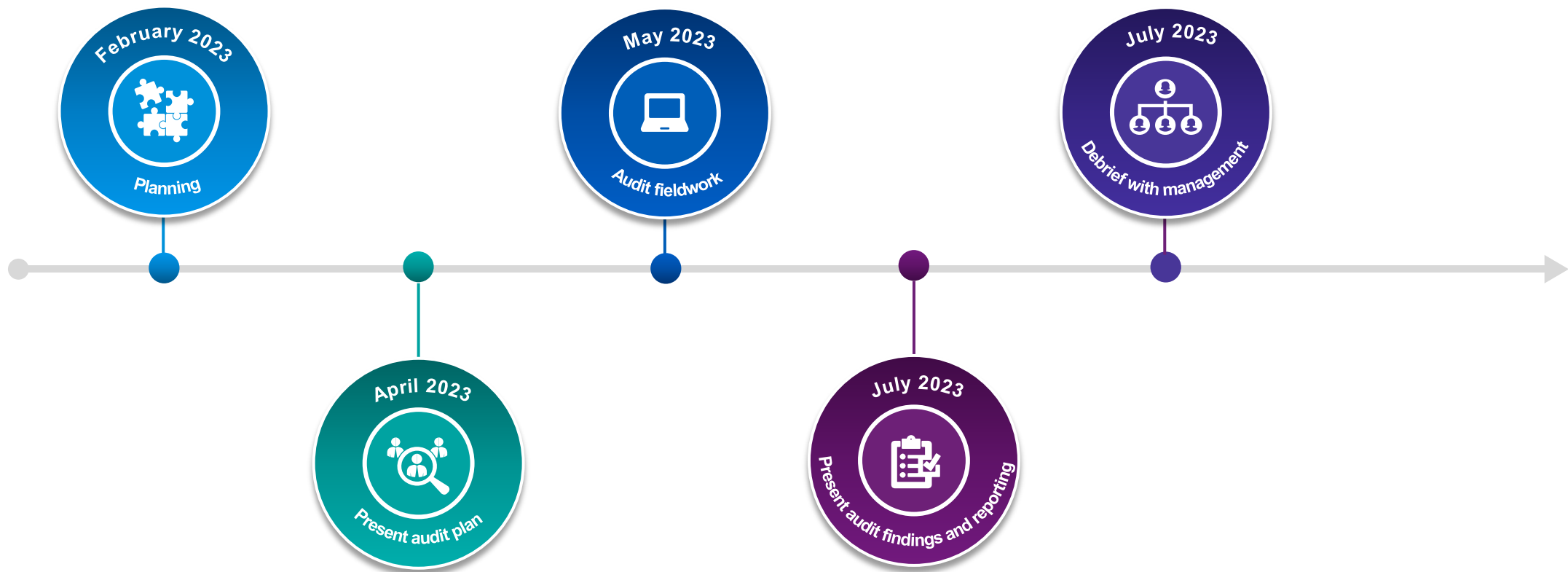


# Other areas of focus





# Key milestones and deliverables





# Independence: Fees



In determining the fees for our services, we have considered the nature, extent and timing of our planned audit procedures as described above. Our fee analysis has been reviewed with and agreed upon by management.

Estimated fees	Current period	Prior period
Audit of the Corporation of the County of Middlesex consolidated financial statements	\$34,500	\$31,700
Audit of the Middlesex County Library Board financial statements	\$6,500	\$5,900
Audit of the Middlesex-London Emergency Medical Services Authority financial statements	\$8,000	\$5,400
Audit of the County of Middlesex Trust Funds financial statements	\$1,750	\$1,600
Audit of the Schedules of Revenues and Expenditures for the Corporation of the County of Middlesex Strathmere Lodge Long-Term Care Facility	\$3,500	\$4,000
Additional fees related to incremental auditing work to address COVID related funding and operating impacts	\$ -	\$3,600
Incremental fees related to the implementation of CAS 315 ( <i>Revised</i> ) <i>Identifying and Assessing the Risks of Material Misstatement</i> (total for all 3 entities as this work is required in each one)*	\$5,500	\$ -
<b>Total</b>	<b>\$59,750</b>	<b>\$52,200</b>

## Matters that could impact our fee

The proposed fees outlined above are based on the assumptions described in the engagement letter.

\*Fees are non-recurring after the initial adoption of CAS 315.

# Appendices



Engagement letter



Other required communications



Newly effective auditing standards



Changes in accounting standards



Audit and assurance insights



Environmental, Social and Governance (ESG)

# Appendix A: Engagement letter

Engagement terms are outlined in our engagement letter, as provided to County Council in a prior year. There have been no changes to the terms of our engagement in the current year.



# Appendix B: Other required communications



## CPAB communication protocol

The reports available through the following links were published by the Canadian Public Accountability Board to inform Audit Committees and other stakeholders about the results of quality inspections conducted over the past year:

- [CPAB Audit Quality Insights Report: 2021 Annual Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2022 Interim Inspections Results](#)
- The 2022 Annual Inspection Results will be available in March 2023



# Appendix B: Other required communications (continued)



## Required inquiries

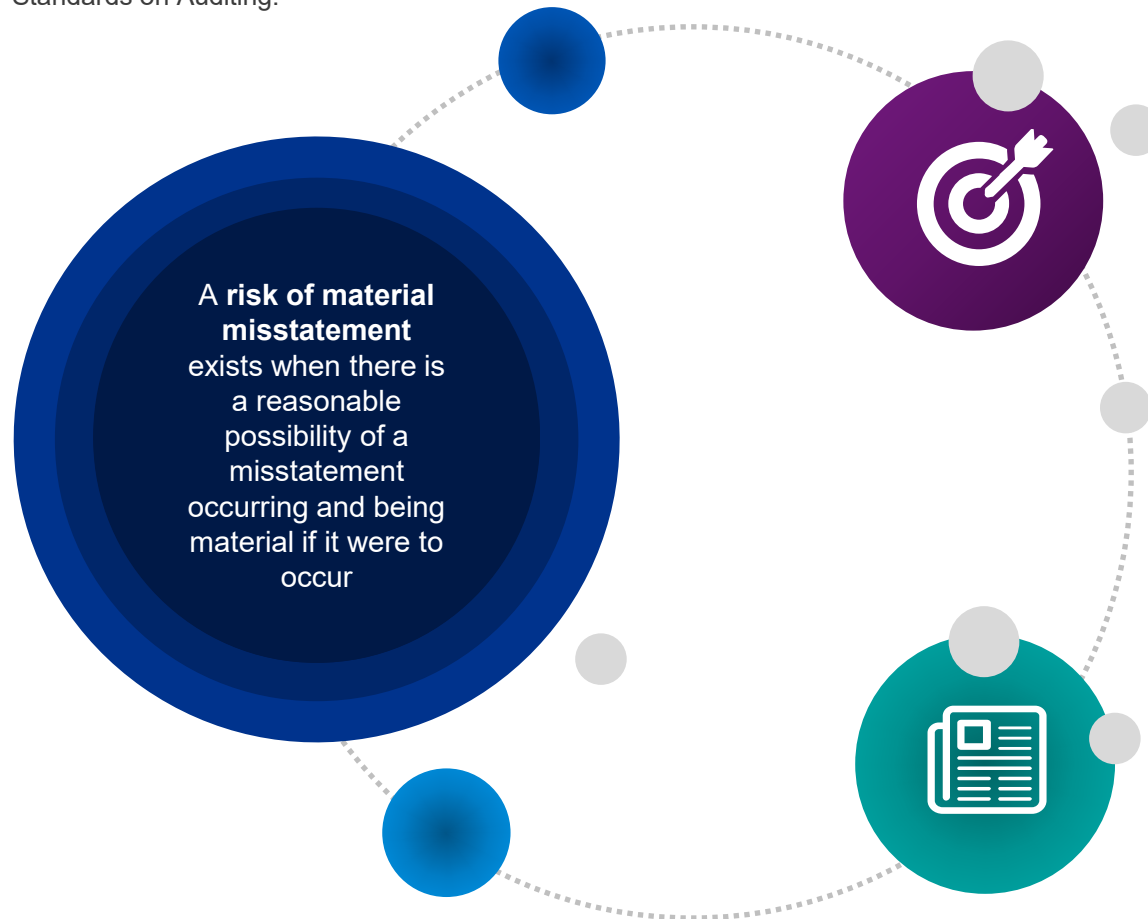
Professional standards require that during the planning of our audit, we obtain your views on the following:

- How do you oversee fraud risk assessments and the establishment of controls to address fraud risks?
- What are your views about fraud risks at the entity?
- Are you aware of, or have you identified, any instances of actual, suspected, or alleged fraud, including misconduct or unethical behavior related to financial reporting or misappropriation of assets? If so, have the instances been appropriately addressed and how have they been addressed?
- Are you aware of or have you received tips or complaints regarding the entity's financial reporting (including those received through the internal whistleblower program, if such program exists) and, if so, what was your response to such tips and complaints?
- What is County Council's understanding of the entity's relationships and transactions with related parties that are significant to the entity?
- Does any member of County Council have concerns regarding relationships or transactions with related parties and, if so, what are the substance of those concerns?
- Has the entity entered into any significant unusual transactions?



# Appendix C: Newly effective auditing standards

**CAS 315 (Revised) Identifying and Assessing the Risks of Material Misstatement** has been revised, reorganized and modernized in response to challenges and issues with the previous standard. It aims to promote consistency in application, improve scalability, reduce complexity, support a more robust risk assessment and incorporate enhanced guidance material to respond to the evolving environment, including in relation to information technology. Conforming and consequential amendments have been made to other International Standards on Auditing.



Affects both preparers of financial statements and auditors

Applies to audits of financial statements for periods beginning on or after 15 December 2021

See here for more information from CPA Canada



**We design and perform risk assessment procedures to obtain an understanding of the:**

- entity and its environment;
- applicable financial reporting framework; and
- entity's system of internal control.

**The audit evidence obtained from this understanding provides a basis for:**

- identifying and assessing the risks of material misstatement, whether due to fraud or error; and
- the design of audit procedures that are responsive to the assessed risks of material misstatement.



# Appendix C: Newly effective auditing standards (continued)

## Key change

### Overall, a more robust risk identification and assessment process, including:

- New requirement to take into account how, and the degree to which, 'inherent risk factors' affect the susceptibility of relevant assertions to misstatement
- New concept of significant classes of transactions, account balances and disclosures and relevant assertions to help us to identify and assess the risks of material misstatement
- New requirement to separately assess inherent risk and control risk for each risk of material misstatement
- Revised definition of significant risk for those risks which are close to the upper end of the spectrum of inherent risk

## Impact on the audit team

When assessing inherent risk for identified risks of material misstatement, we consider the degree to which inherent risk factors (such as complexity, subjectivity, uncertainty, change, susceptibility to management bias) affect the susceptibility of assertions to misstatement.

We use the concept of the spectrum of inherent risk to assist us in making a judgement, based on the likelihood and magnitude of a possible misstatement, on a range from higher to lower, when assessing risks of material misstatement

The changes may affect our assessments of the risks of material misstatement and the design of our planned audit procedures to respond to identified risks of material misstatement.

If we do not plan to test the operating effectiveness of controls, the risk of material misstatement is the same as the assessment of inherent risk.

## Impact on management

If the effect of this consideration is that our assessment of the risks of material misstatement is higher, then our audit approach may increase the number of controls tested and/or the extent of that testing, and/or our substantive procedures will be designed to be responsive to the higher risk.

We may perform different audit procedures and request different information compared to previous audits, as part of a more focused response to the effects identified inherent risk factors have on the assessed risks of material misstatement.



# Appendix C: Newly effective auditing standards (continued)

Key change	Impact on the audit team	Impact on management
<b>Overall, a more robust risk identification and assessment process, including evaluating whether the audit evidence obtained from risk assessment procedures provides an appropriate basis to identify and assess the risks of material misstatement</b>	When making this evaluation, we consider all audit evidence obtained, whether corroborative or contradictory to management assertions. If we conclude the audit evidence obtained does not provide an appropriate basis, then we perform additional risk assessment procedures until audit evidence has been obtained to provide such a basis.	In certain circumstances, we may perform additional risk assessment procedures, which may include further inquiries of management, analytical procedures, inspection and/or observation.
<b>Overall, a more robust risk identification and assessment process, including performing a ‘stand back’ at the end of the risk assessment process</b>	We evaluate whether our determination that certain material classes of transactions, account balances or disclosures have no identified risks of material misstatement remains appropriate.	In certain circumstances, this evaluation may result in the identification of additional risks of material misstatement, which will require us to perform additional audit work to respond to these risks.



# Appendix C: Newly effective auditing standards (continued)

Key change	Impact on the audit team	Impact on management
<p><b>Modernized to recognize the evolving environment, including in relation to IT</b></p>	<p>New requirement to understand the extent to which the business model integrates the use of IT.</p> <p>When obtaining an understanding of the IT environment, including IT applications and supporting IT infrastructure, it has been clarified that we also understand the IT processes and personnel involved in those processes relevant to the audit.</p> <p>Based on the identified controls we plan to evaluate, we are required to identify the:</p> <ul style="list-style-type: none"> <li>IT applications and other aspects of the IT environment relevant to those controls</li> <li>related risks arising from the use of IT and the entity's general IT controls that address them.</li> </ul> <p>Examples of risks that may arise from the use of IT include unauthorized access or program changes, inappropriate data changes, risks from the use of external or internal service providers for certain aspects of the entity's IT environment or cybersecurity risks.</p>	<p>We will expand our risk assessment procedures and are likely to engage more extensively with your IT and other relevant personnel when obtaining an understanding of the entity's use of IT, the IT environment and potential risks arising from IT. This might require increased involvement of IT audit professionals.</p> <p>Changes in the entity's use of IT and/or the IT environment may require increased audit effort to understand those changes and affect our assessment of the risks of material misstatement and audit response.</p> <p>Risks arising from the use of IT and our evaluation of general IT controls may affect our control risk assessments, and decisions about whether we test the operating effectiveness of controls for the purpose of placing reliance on them or obtain more audit evidence from substantive procedures. They may also affect our strategy for testing information that is produced by, or involves, the entity's IT applications.</p>
<p><b>Enhanced requirements relating to exercising professional skepticism</b></p>	<p>New requirement to design and perform risk assessment procedures in a manner that is not biased toward obtaining audit evidence that may be corroborative or toward excluding audit evidence that may be contradictory. Strengthened documentation requirements to demonstrate the exercise of professional scepticism.</p>	<p>We may make changes to the nature, timing and extent of our risk assessment procedures, such as our inquiries of management, the activities we observe or the accounting records we inspect.</p>



# Appendix C: Newly effective auditing standards (continued)

## Key change

**Clarification of which controls need to be identified for the purpose of evaluating the design and implementation of a control**

## Impact on the audit team

We will evaluate the design and implementation of controls that address risks of material misstatement at the assertion level as follows:

- Controls that address a significant risk.
- Controls over journal entries, including non-standard journal entries.
- Other controls we consider appropriate to evaluate to enable us to identify and assess risks of material misstatement and design our audit procedures

## Impact on management

We may identify new or different controls that we plan to evaluate the design and implementation of, and possibly test the operating effectiveness to determine if we can place reliance on them.

We may also identify risks arising from IT relating to the controls we plan to evaluate, which may result in the identification of general IT controls that we also need to evaluate and possibly test whether they are operating effectively. This may require increased involvement of IT audit specialists.



# Appendix D: Changes in accounting standards

Standard	Summary and implications
<b>Asset retirement obligations</b>	<ul style="list-style-type: none"> <li>• The new standard PS 3280 <i>Asset retirement obligations</i> is effective for fiscal years beginning on or after April 1, 2022.</li> <li>• The new standard addresses the recognition, measurement, presentation and disclosure of legal obligations associated with retirement of tangible capital assets. Retirement costs will be recognized as an integral cost of owning and operating tangible capital assets.</li> <li>• The asset retirement obligations (“ARO”) standard will require the public sector entity to record a liability related to future costs of any legal obligations to be incurred upon retirement of any controlled tangible capital assets (“TCA”). The amount of the initial liability will be added to the historical cost of the asset and amortized over its useful life if the asset is in productive use.</li> <li>• As a result of the new standard, the public sector entity will: <ul style="list-style-type: none"> <li>• Consider how the additional liability will impact net debt, as a new liability will be recognized with no corresponding increase in a financial asset;</li> <li>• Carefully review legal agreements, senior government directives and legislation in relation to all controlled TCA to determine if any legal obligations exist with respect to asset retirements;</li> <li>• Begin considering the potential effects on the organization as soon as possible to coordinate with resources outside the finance department to identify ARO and obtain information to estimate the value of potential ARO to avoid unexpected issues.</li> </ul> </li> </ul>



# Appendix D: Changes in accounting standards (continued)

Standard	Summary and implications
<b>Financial instruments and foreign currency translation</b>	<ul style="list-style-type: none"> <li>The new standards PS 3450 <i>Financial instruments</i>, PS 2601 <i>Foreign currency translation</i>, PS 1201 <i>Financial statement presentation</i> and PS 3041 <i>Portfolio investments</i> are effective for fiscal years beginning on or after April 1, 2022.</li> <li>Equity instruments quoted in an active market and free-standing derivatives are to be carried at fair value. All other financial instruments, including bonds, can be carried at cost or fair value depending on the public sector entity's choice and this choice must be made on initial recognition of the financial instrument and is irrevocable.</li> <li>Hedge accounting is not permitted.</li> <li>A new statement, the Statement of Remeasurement Gains and Losses, will be included in the financial statements. Unrealized gains and losses incurred on fair value accounted financial instruments will be presented in this statement. Realized gains and losses will continue to be presented in the statement of operations.</li> <li>PS 3450 <i>Financial instruments</i> was amended subsequent to its initial release to include various federal government narrow-scope amendments.</li> </ul>
<b>Revenue</b>	<ul style="list-style-type: none"> <li>The new standard PS 3400 <i>Revenue</i> is effective for fiscal years beginning on or after April 1, 2023.</li> <li>The new standard establishes a single framework to categorize revenue to enhance the consistency of revenue recognition and its measurement.</li> <li>The standard notes that in the case of revenue arising from an exchange transaction, a public sector entity must ensure the recognition of revenue aligns with the satisfaction of related performance obligations.</li> <li>The standard notes that unilateral revenue arises when no performance obligations are present, and recognition occurs when there is authority to record the revenue and an event has happened that gives the public sector entity the right to the revenue.</li> </ul>



# Appendix D: Changes in accounting standards (continued)

Standard	Summary and implications
<b>Purchased Intangibles</b>	<ul style="list-style-type: none"> <li>The new Public Sector Guideline 8 <i>Purchased intangibles</i> is effective for fiscal years beginning on or after April 1, 2023 with earlier adoption permitted.</li> <li>The guideline allows public sector entities to recognize intangibles purchased through an exchange transaction. The definition of an asset, the general recognition criteria and GAAP hierarchy are used to account for purchased intangibles.</li> <li>Narrow scope amendments were made to PS 1000 <i>Financial statement concepts</i> to remove the prohibition to recognize purchased intangibles and to PS 1201 <i>Financial statement presentation</i> to remove the requirement to disclose purchased intangibles not recognized.</li> <li>The guideline can be applied retroactively or prospectively.</li> </ul>
<b>Public Private Partnerships</b>	<ul style="list-style-type: none"> <li>The new standard PS 3160 <i>Public private partnerships</i> is effective for fiscal years beginning on or after April 1, 2023.</li> <li>The standard includes new requirements for the recognition, measurement and classification of infrastructure procured through a public private partnership.</li> <li>The standard notes that recognition of infrastructure by the public sector entity would occur when it controls the purpose and use of the infrastructure, when it controls access and the price, if any, charged for use, and it controls any significant interest accumulated in the infrastructure when the public private partnership ends.</li> <li>The public sector entity recognizes a liability when it needs to pay cash or non-cash consideration to the private sector partner for the infrastructure.</li> <li>The infrastructure would be valued at cost, which represents fair value at the date of recognition with a liability of the same amount if one exists. Cost would be measured in reference to the public private partnership process and agreement, or by discounting the expected cash flows by a discount rate that reflects the time value of money and risks specific to the project.</li> <li>The standard can be applied retroactively or prospectively.</li> </ul>



# Appendix D: Changes in accounting standards (continued)

Standard	Summary and implications
<b>Concepts Underlying Financial Performance</b>	<ul style="list-style-type: none"> <li>The revised conceptual framework is effective for fiscal years beginning on or after April 1, 2026 with earlier adoption permitted.</li> <li>The framework provides the core concepts and objectives underlying Canadian public sector accounting standards.</li> <li>The ten chapter conceptual framework defines and elaborates on the characteristics of public sector entities and their financial reporting objectives. Additional information is provided about financial statement objectives, qualitative characteristics and elements. General recognition and measurement criteria, and presentation concepts are introduced.</li> </ul>
<b>Financial Statement Presentation</b>	<ul style="list-style-type: none"> <li>The proposed section PS 1202 <i>Financial statement presentation</i> will replace the current section PS 1201 <i>Financial statement presentation</i>. PS 1202 <i>Financial statement presentation</i> will apply to fiscal years beginning on or after April 1, 2026 to coincide with the adoption of the revised conceptual framework. Early adoption will be permitted.</li> <li>The proposed section includes the following: <ul style="list-style-type: none"> <li>Relocation of the net debt indicator to its own statement called the statement of net financial assets/liabilities, with the calculation of net debt refined to ensure its original meaning is retained.</li> <li>Separating liabilities into financial liabilities and non-financial liabilities.</li> <li>Restructuring the statement of financial position to present total assets followed by total liabilities.</li> <li>Changes to common terminology used in the financial statements, including re-naming accumulated surplus (deficit) to net assets (liabilities).</li> <li>Removal of the statement of remeasurement gains (losses) with the information instead included on a new statement called the statement of changes in net assets (liabilities). This new statement would present the changes in each component of net assets (liabilities), including a new component called “accumulated other”.</li> <li>A new provision whereby an entity can use an amended budget in certain circumstances.</li> <li>Inclusion of disclosures related to risks and uncertainties that could affect the entity’s financial position.</li> </ul> </li> <li>The Public Sector Accounting Board is currently deliberating on feedback received on exposure drafts related to the reporting model.</li> </ul>



# Appendix D: Changes in accounting standards (continued)

Standard	Summary and implications
<b>Employee benefits</b>	<ul style="list-style-type: none"> <li>• The Public Sector Accounting Board has initiated a review of sections PS 3250 <i>Retirement benefits</i> and PS 3255 <i>Post-employment benefits, compensated absences and termination benefits</i>.</li> <li>• The intention is to use principles from International Public Sector Accounting Standard 39 <i>Employee benefits</i> as a starting point to develop the Canadian standard.</li> <li>• Given the complexity of issues involved and potential implications of any changes that may arise from the review of the existing guidance, the new standards will be implemented in a multi-release strategy. The first standard will provide foundational guidance. Subsequent standards will provide additional guidance on current and emerging issues.</li> <li>• The proposed section PS 3251 <i>Employee benefits</i> will replace the current sections PS 3250 <i>Retirement benefits</i> and PS 3255 <i>Post-employment benefits, compensated absences and termination benefits</i>. It will apply to fiscal years beginning on or after April 1, 2026. Early adoption will be permitted and guidance applied retroactively.</li> <li>• This proposed section would result in public sector entities recognizing the impact of revaluations of the net defined benefit liability (asset) immediately on the statement of financial position. Organizations would also assess the funding status of their post-employment benefit plans to determine the appropriate rate for discounting post-employment benefit obligations.</li> <li>• The Public Sector Accounting Board is in the process of evaluating comments received from stakeholders on the exposure draft.</li> </ul>





# Appendix E: Audit and assurance insights

Our latest thinking on the issues that matter most to Audit Committees, board of directors and management.

## KPMG Audit & Assurance Insights

Curated research and insights for Audit Committees and boards.

## Board Leadership Centre

Leading insights to help board members maximize boardroom opportunities.

## Current Developments

Series of quarterly publications for Canadian businesses including Spotlight on IFRS, Canadian Securities & Auditing Matters and US Outlook reports.

## Audit Committee Guide – Canadian Edition

A practical guide providing insight into current challenges and leading practices shaping Audit Committee effectiveness in Canada

## KPMG Learning Academy

Technical accounting and finance courses designed to arm you with leading-edge skills needed in today's disruptive environment.

## IFRS Breaking News

A monthly Canadian newsletter that provides the latest insights on international financial reporting standards and IASB activities.

## KPMG Climate Change Financial Reporting Resource Centre

Our climate change resource centre provides insights to help you identify the potential financial statement impacts to your business.

## Momentum

A quarterly newsletter providing curated insights for management, boards and Audit Committees.

## Uncertain Times Financial Reporting Resource Centre

Uncertain times resource center provides insights to support clients facing challenges relating to COVID-19, natural disasters and geopolitical events.

## Environmental, social and governance (ESG)

Building a sustainable, resilient and purpose-led organization

## Other Insights





# Appendix F: Environmental, Social and Governance (ESG)

## The Importance of Sustainability Reporting



### Sustainability Reporting – Who is impacted?

- **Lenders and underwriters** – increased focus on ESG considerations when making access to capital decisions
- **Investors** – ESG integration has become an investment norm
- **Employees** – ESG has become a key factor in attracting and retaining top talent
- **Consumers** – stakeholders increasingly scrutinize companies' ESG performance and transparency affecting brand acceptance and consumer demand



### Importance to the Audit Committee

- **Regulatory developments** – ESG-related compliance costs and disclosure requirements continue to evolve as rules are finalized
- **Material ESG issues** – Audit Committees should understand stakeholder priorities and the company's material ESG risks and opportunities
- **Value creation** – developing a clear ESG strategy, along with a standardized reporting process can set a company apart from its competitors



### Governance on ESG Data and Sustainability Reporting

- **Data collecting and reporting** – understand the ESG frameworks and reporting standards most commonly adopted in the industry and jurisdiction (benchmark to others in the industry)
- **ESG assurance** – Audit Committees are best positioned to understand which ESG metrics merit assurance. An assurance readiness assessment on Carbon is a common and often recommended first place to start



[kpmg.ca](https://kpmg.ca)

© 2022 KPMG LLP, an Ontario limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved. The KPMG name and logo are trademarks used under license by the independent member firms of the KPMG global organization.

KPMG member firms around the world have 227,000 professionals, in 145 countries.







Local Touch. National Strength.™



# 2023 EMPLOYEE BENEFITS RENEWAL HIGHLIGHTS

# PROGRAM HIGHLIGHTS

- Overall, a +1.8% increase in **premiums**
- **Life Insurance and Long Term Disability**
  - pooled benefits – 2 year rate guarantee until 2024
  - no change in premiums
- **Extended Health Care**
  - experience rated benefit
  - 4.2% increase in premiums
- **Dental (Administrative Services Only – ASO)**
  - fully funded and in a Surplus position
  - No Change in premiums

# LONG TERM DISABILITY

Year	Rate	Company
2015	3.40	La Capitale
2016	2.82	Cigna
2017	2.82	Cigna
2018	2.82	Equitable
2019	3.19	Equitable
2020	3.67	Equitable
2021	4.043	Equitable
2022 Proposed	6.146	Equitable
2022 & 2023	5.954	Industrial Alliance

## Corporation of the County of Middlesex LTD Claims Experience -January 1, 2019 to December 31, 2022

Period	Paid Claims
January 1, 2019 to November 30, 2019	101,556.27
December 1, 2019 to November 30, 2020	187,648.09
December 1, 2020 to November 30, 2021	235,687.79
April 1, 2022 to December 31, 2022	15,033.00
Total	539,925.15

Note: The Long Term Disability claims incidence dropped dramatically (93.6%) in 2022.

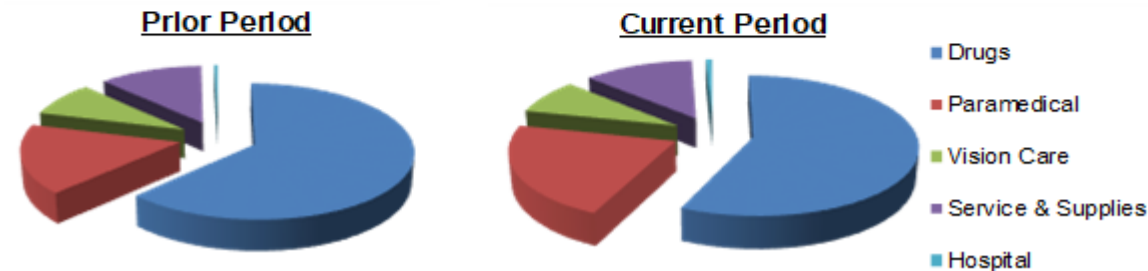
Should this trend continue, we will be a good position to reset the LTD rates in 2024.

LTD Premium is currently 31.5% of the overall premium.

# EXTENDED HEALTH CARE

Extended Health Care Claims Breakdown

Service	Prior Period Jan 1/21 - Dec 31/21		Current Period Jan 1/22 - Dec 31/22		Change
	Amount	%	Amount	%	
Drugs	\$333,121	62.5%	\$327,639	56.8%	-1.6%
Paramedical	\$89,282	16.8%	\$125,875	21.8%	41.0%
Vision Care	\$44,438	8.3%	\$47,012	8.2%	5.8%
Service & Supplies	\$63,979	12.0%	\$72,118	12.5%	12.7%
Hospital	\$1,935	0.4%	\$3,941	0.7%	103.6%
<b>Total</b>	<b>\$532,755</b>	<b>100.0%</b>	<b>\$576,584</b>	<b>100.0%</b>	<b>8.2%</b>



Services & Supplies included: Hearing Aids - \$36,092, Orthotics \$19,087 and Diabetic Glucose Monitoring and Insulin Pump Supplies \$10,879

# EXTENDED HEALTH CARE

## Paramedical Practitioners

Service	Prior Period		Current Period		Change
	Amount	%	Amount	%	
Chiropractor	\$28,380	31.8%	\$32,773	26.0%	15.5%
Chiropodist	\$815	0.9%	\$435	0.3%	-46.6%
Massage Therapist	\$40,165	45.0%	\$46,433	36.9%	15.6%
Acupuncture	\$0	0.0%	\$968	0.8%	100.0%
Naturopath	\$2,344	2.6%	\$2,702	2.1%	15.2%
Physiotherapist	\$12,327	13.8%	\$24,327	19.3%	97.4%
Podiatrist	\$100	0.1%	\$485	0.4%	385.0%
Osteopath	\$416	0.5%	\$4,125	3.3%	891.0%
Psychologist	\$3,700	4.1%	\$3,354	2.7%	-9.4%
Social Worker	\$790	0.9%	\$7,503	6.0%	849.7%
Homeopath	\$95	0.1%	\$0	0.0%	-100.0%
Dietician	\$0	0.0%	\$1,015	0.8%	100.0%
Speech Therapist	\$150	0.2%	\$1,755	1.4%	1070.0%
<b>Total</b>	<b>\$89,282</b>	<b>100.0%</b>	<b>\$125,875</b>	<b>100.0%</b>	<b>41.0%</b>



# TOP DRUG CATEGORIES & DISEASE STATES

Injectable Biotechnology Agents are the top drug category once again in 2023 and these claims are expected to recur.

Rank	Drug Class	Disease State	Amount Paid	# of Claims	Avg Cost Per Claim
1	RX - INJECTABLE BIOTECHNOLOGY AGENTS	RHEUMATOID ARTHRITIS AND OTHER AUTOIMMUNE DISEASES	\$72,721.89	18	\$4,040.11
2	RX - PROTON PUMP INHIBITORS	ULCERS/GERD	\$17,859.03	267	\$66.89
3	RX - ANTIDEPRESSANT AGENTS	DEPRESSION/ANXIETY/SLEEP DISORDERS	\$17,755.77	727	\$24.42
4	RX - CNS STIMULANT AGENTS	ADHD	\$15,111.91	109	\$138.64
5	RX - INJECTABLE BIOTECHNOLOGY AGENTS	DERMATOLOGY	\$13,159.45	7	\$1,879.92
6	RX - LONG ACTING BRONCHODILATORS	ASTHMA/COPD	\$8,396.15	52	\$161.46
7	RX - MISCELLANEOUS UNCLASSIFIED AGENTS	MISCELLANEOUS	\$8,211.05	7	\$1,173.01
8	RX - MULTIPLE SCLEROSIS AGENTS	MULTIPLE SCLEROSIS	\$7,752.05	5	\$1,550.41
9	RX - HMG-CoA REDUCTASE INHIBITORS	CHOLESTEROL	\$7,111.56	299	\$23.78
10	RX - SODIUM GLUCOSE CO-TRANSPORTER 2 INHIBITOR	DIABETES	\$6,707.47	36	\$186.32

Rheumatoid Arthritis, Psoriatic Arthritis, Multiple Sclerosis and Kidney Disorders are the conditions being assisted with the biologic drugs.

Rank	DIN	Drug Class	Amount Paid	# of Claims	Avg Cost Per Claim
1	HUMIRA 40MG/0.8ML INJ	RX - INJECTABLE BIOTECHNOLOGY AGENTS	\$47,932.77	11	\$4,357.52
2	ENBREL 50MG/ML PRE-FILLED SYRINGE	RX - INJECTABLE BIOTECHNOLOGY AGENTS	\$21,595.20	4	\$5,398.80
3	TALTZ 80MG/1ML PRE-FILLED AUTO-INJECTOR	RX - INJECTABLE BIOTECHNOLOGY AGENTS	\$13,159.45	7	\$1,879.92
4	MAR-CINACALCET 30MG TABLET	RX - MISCELLANEOUS UNCLASSIFIED AGENTS	\$8,110.28	4	\$2,027.57
5	COPAXONE 40MG/1ML PRE-FILLED SYRINGE	RX - MULTIPLE SCLEROSIS AGENTS	\$7,752.05	5	\$1,550.41
6	DEXILANT 60MG CAPSULE	RX - PROTON PUMP INHIBITORS	\$6,837.43	32	\$213.67
7	BOTOX 100IU INJ	RX - BOTOX AND ANALOGUES	\$5,868.44	8	\$733.56
8	VYVANSE 40MG CAPSULE	RX - CNS STIMULANT AGENTS	\$5,645.96	34	\$166.06
9	OZEMPIC 1.34MG/ML FLEXTOUCH PRE-FILLED PEN (1MG DO	RX - GLUCAGON LIKE PEPTIDE-1 AGONIST	\$5,586.93	21	\$266.04
10	VIREAD 300MG TABLET	RX - HEPATITIS B THERAPY	\$5,469.04	8	\$683.63

# DENTAL

## Dental Care Claims Breakdown

Service	Prior Period Jan 1/21 - Dec 31/21		Current Period Jan 1/22 - Dec 31/22		Change
	Amount	%	Amount	%	
Exams/Preventive	\$46,287	16.6%	\$59,395	19.96%	28.3%
Fillings	\$82,214	29.5%	\$93,926	31.56%	14.2%
Endodontics	\$14,442	5.2%	\$13,726	4.61%	-5.0%
Periodontics	\$75,220	27.0%	\$78,888	26.51%	4.9%
Denture Repair	\$2,607	0.9%	\$1,009	0.34%	-61.3%
Extractions	\$22,414	8.0%	\$20,050	6.74%	-10.5%
Anesthesia	\$4,234	1.5%	\$5,626	1.89%	32.9%
Major Restorative	\$21,610	7.8%	\$15,621	5.25%	-27.7%
Orthodontics	\$9,700	3.5%	\$9,357	3.14%	-3.5%
<b>Total</b>	<b>\$278,727</b>	<b>100.0%</b>	<b>\$297,598</b>	<b>100.0%</b>	<b>6.8%</b>

- ❖ Plan is set up as Administrative Services Only (ASO). The current program is in a surplus position.
- ❖ Exams/preventative and fillings saw an increase as employees return to more regular dental visits – post Covid.
- ❖ Fee Guide changes: 2021 = 4.6%, 2022 = 4.75%, 2023 = 8.5% reflect over a 20% compound increase in costs in 3 years!

# THANK YOU FOR YOUR BUSINESS



Allow me to answer your questions!

# MIDDLESEX COUNTY ON-DEMAND TRANSPORTATION NEEDS ASSESSMENT STUDY

FINAL PRESENTATION TO COUNTY COUNCIL  
APRIL 11 2023



# Agenda



---

## 1.0 STUDY BACKGROUND

---

## 2.0 THE NEED FOR TRANSIT

---

## 3.0 SERVICE DESIGN

---

## 4.0 IMPLEMENTATION PLAN

---

## 5.0 WHAT WE HEARD

---

## 6.0 CONCLUSIONS



# Study Background

# Study Purpose

To assess the feasibility and develop a plan for rural public transportation serving Middlesex County, including:

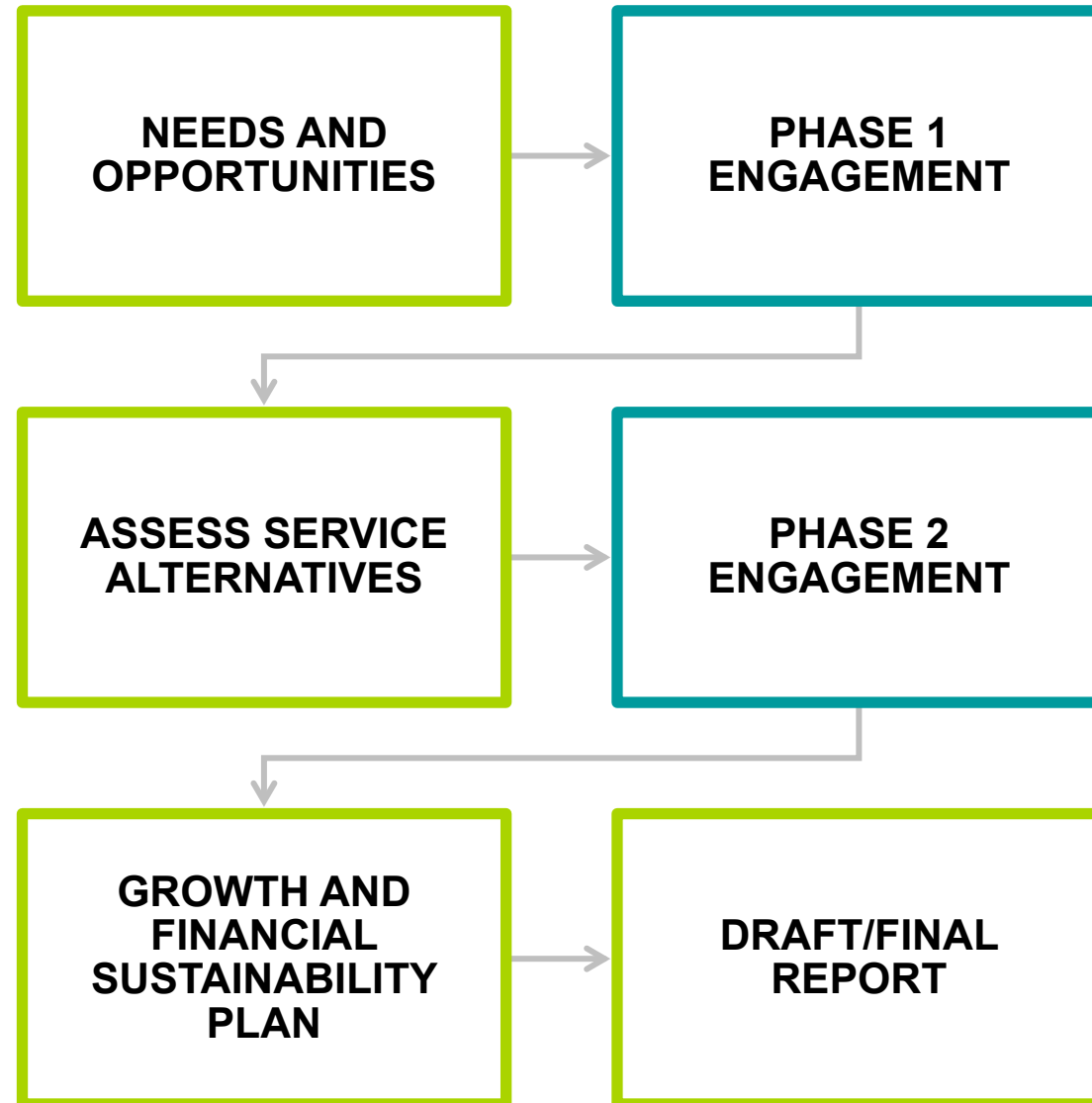
- Identifying unmet transportation **needs**;
- Assessing the **existing performance** of the Middlesex intercommunity service;
- Developing a plan which presents **solutions** to meet local and intercommunity needs;



# Study Progress

## Study Process and Timeline

- Study Initiation: July 2022
- Phase 1 Engagement: August 2022
- Phase 2 Engagement: October 2022
- Study Completion: March 2023





---

# Study Context

## Community Transportation Grant

- The Province has funded intercommunity transit since 2018 through the Community Transportation Grant program (CTG)
- Many intercommunity transit services in Ontario are fully-funded through CTG
- Middlesex County and Strathroy-Caradoc have received 100% operating funding for transit through 2025
- No plans to extend funding **beyond 2025** have been announced

# Study Context

## Study Outcomes

- To reflect CTG funding possibility, this study is presenting **two phases** of recommendations:

### Short-Term (2023-2025)

- Improvements to existing *Middlesex County Connect* services
- Net-neutral cost** within existing CTG funding envelope
- Minimize major service changes**
- Maintains **existing service approach**

### Long-Term (Post-2025)

- ‘Blank slate’ approach** to how intercommunity transit is provided across Middlesex County
- New routes** and partnerships with other neighbouring intercommunity services
- Considers **post-CTG** funding possibilities
- Explores **new service approaches**



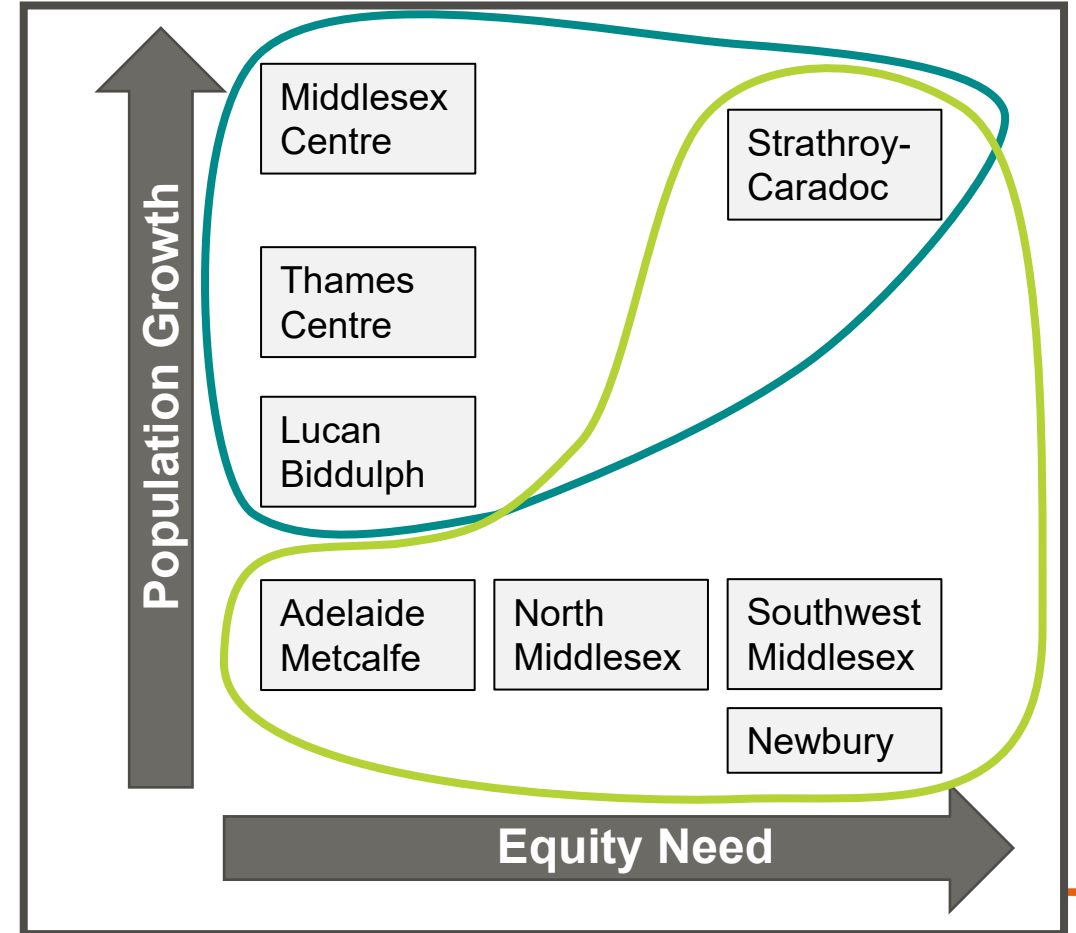
# The Need for Transit

# Needs and Opportunities Summary

## Needs:

- **Barriers to transportation** for equity-deserving groups: residents with disabilities, seniors, low-income residents, and rural residents
- Serve a **growing and aging rural population** (on average)
- Different **travel markets** in different areas of the county
- **Increased coordination** to integrate patchwork of existing intercommunity transit services
- **Financially sustainable** transit services upon discontinuation of the Community Transportation Grant program (2025)

Commuting into London, after-school trips, recreation, shopping



Lifeline access to healthcare and social services



## Opportunities

- Prioritize areas with high ridership potential – areas of population growth and high equity need. **“Walk before you run”**
- Build on and improve service coordination via the **Southwest Community Transit (SCT)** initiative
- Employ modern **on-demand transit technologies** to efficiently service rural areas



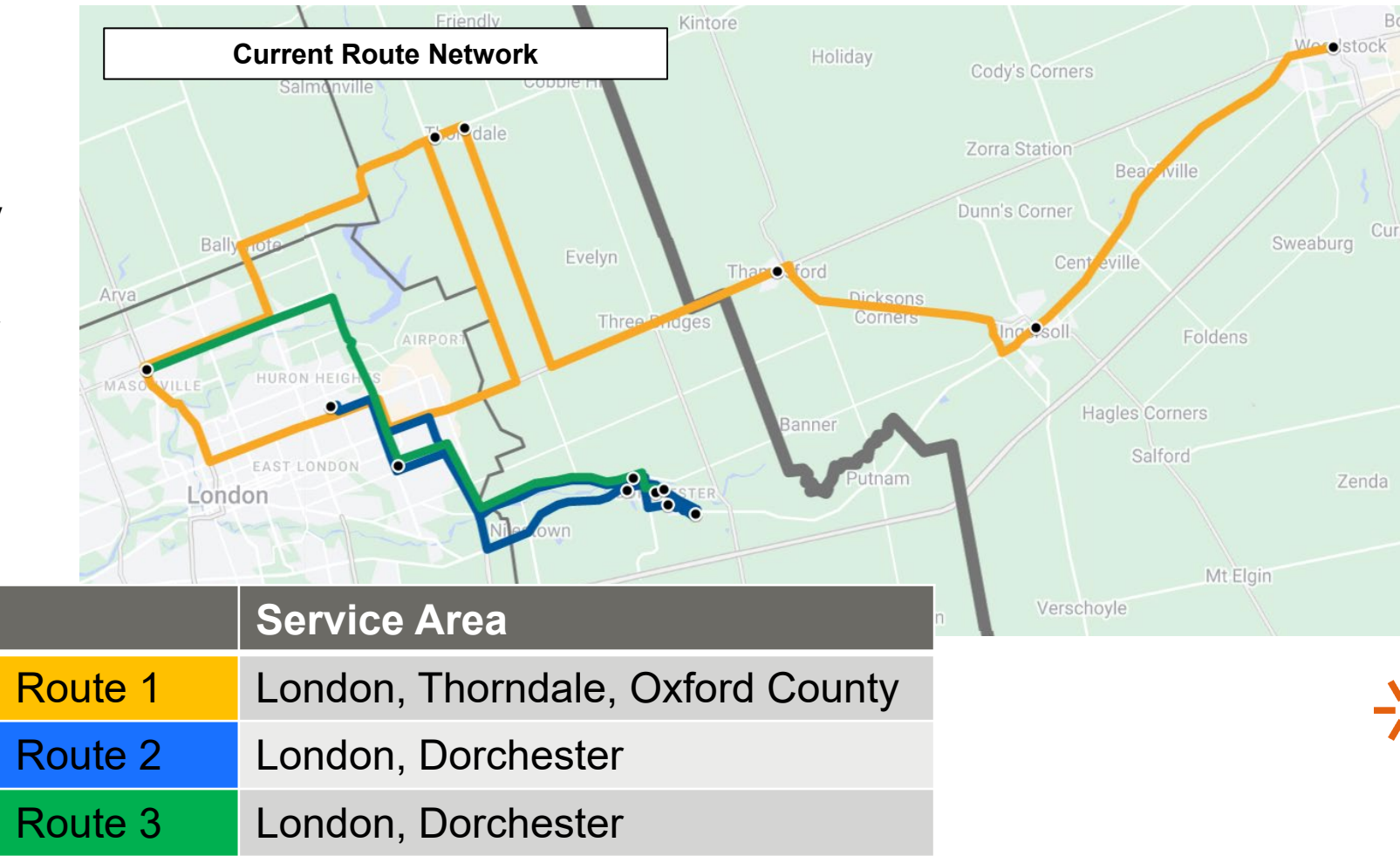
# Service Design

## Current State

# Current State

## Network Description

- Route 1 and Route 2 operate during peak hours Monday-Friday
- Route 3, a modified Saturday service, was discontinued in early 2023 due to persistently low ridership

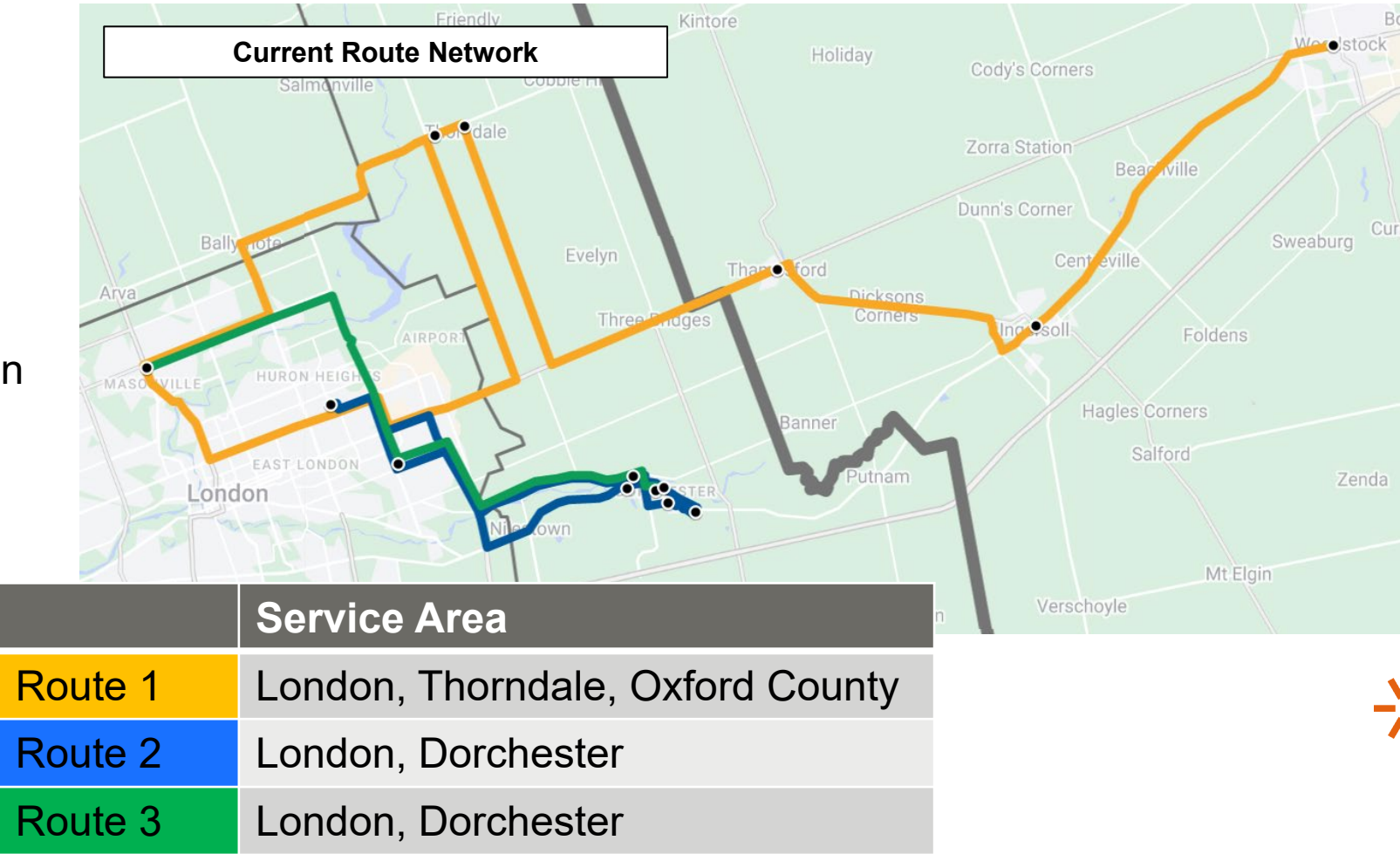




# Current State

## Challenges

- Indirect route design
- Low ridership, particularly in Thorndale and Thamesford
- Few destinations served in London (no access to Downtown)





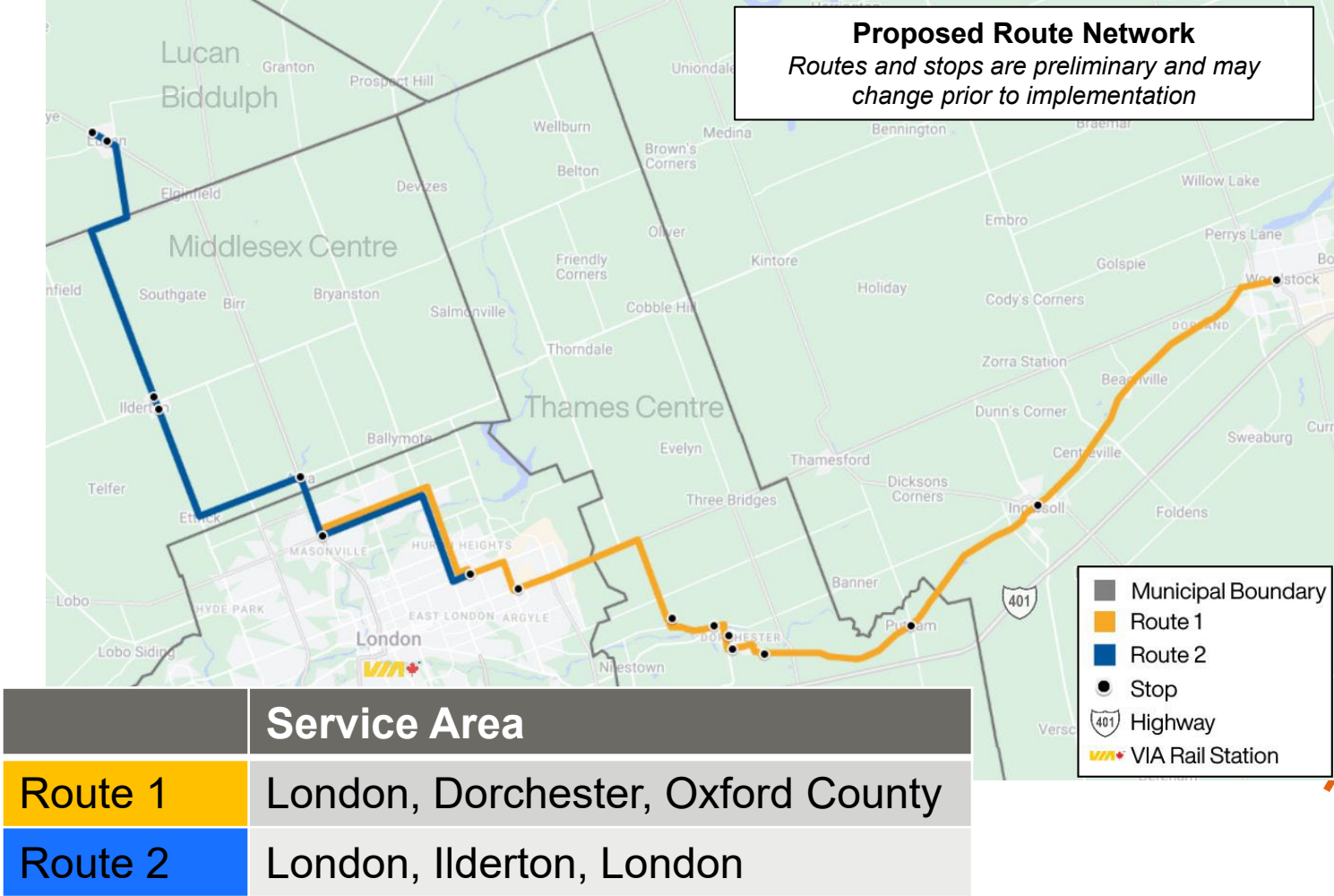


**Service Design**

**Short-Term Network**

# Short-Term Service Design

- **Route 1:** 2-3 round trips per day (weekdays)
- **Route 2:** 4 round trips per day (weekdays)
- **More trips** to Fanshawe College and Masonville Mall
- Serves **3,700+** more residents than current service, including in Lucan and Ilderton
- Removes service from Thorndale and Thamesford





**Service Design**

**Post-2025 “Day One” Network**

# Recommended Service Approach

## Hybrid Service (Fixed-Route and Demand-Response)



Demand-response to service rural areas of dispersed demand



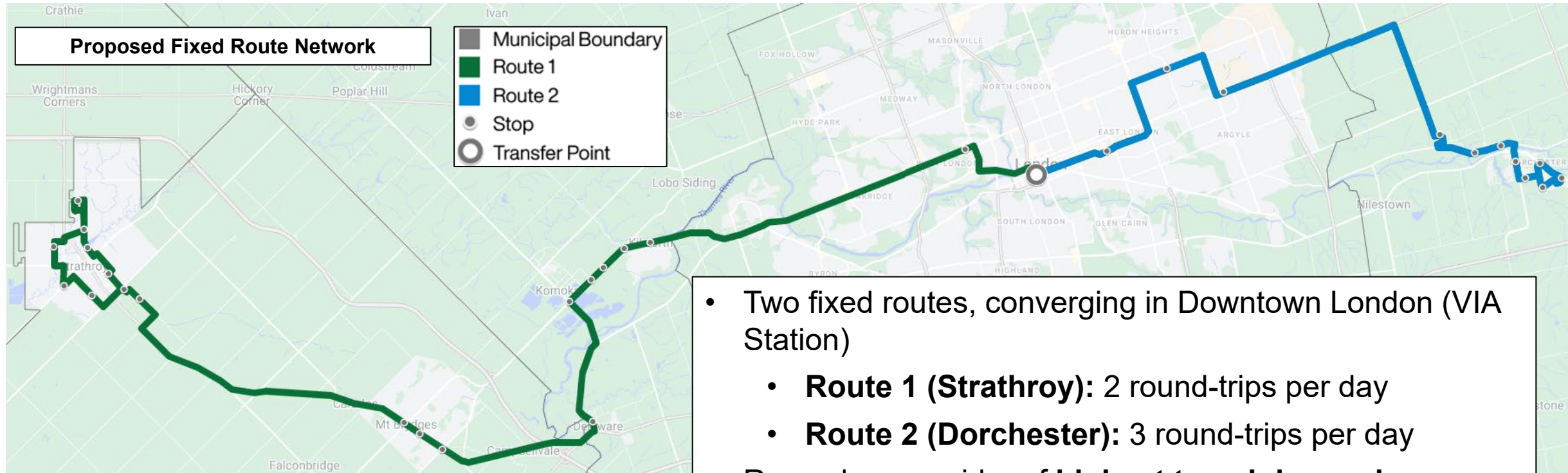
Fixed-route service along high-demand corridors



Integrated trip planning and fares to allow for region-wide travel



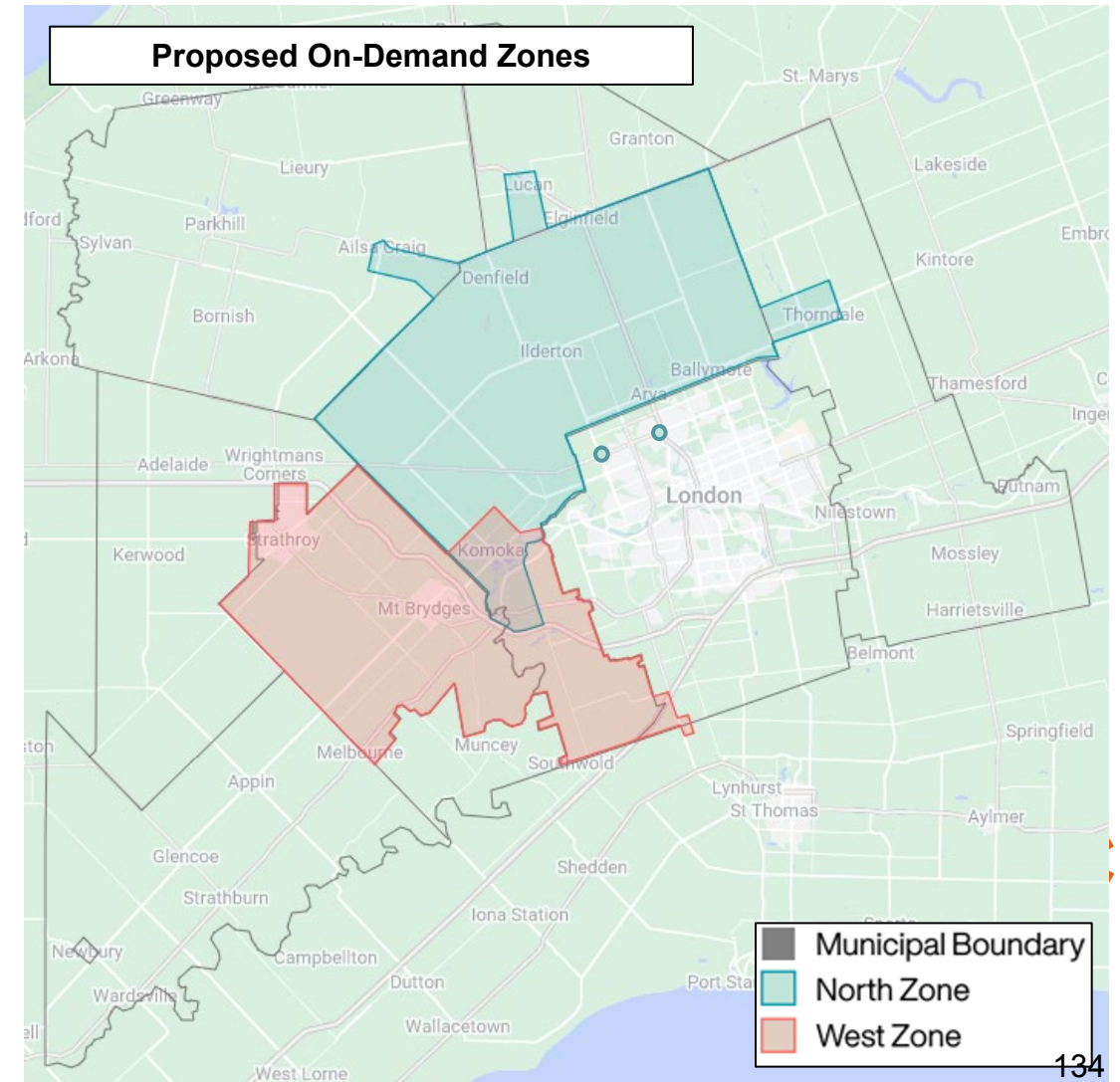
# Fixed Route Service Design



- Two fixed routes, converging in Downtown London (VIA Station)
  - **Route 1 (Strathroy):** 2 round-trips per day
  - **Route 2 (Dorchester):** 3 round-trips per day
- Runs along corridor of **highest travel demand**, population density, and residential development growth
- Multiple stops in **Strathroy** and **Dorchester** to provide wide service coverage

# On-Demand Service Design

- Two overlapping on-demand zones which serve differing travel markets - curb-to-curb service is envisioned
- **North Zone (7 hours/day)**
  - Middlesex Centre, Lucan, Ailsa Craig, Thorndale
  - Serves regional travel into London (Masonville Mall, Northwest London SmartCentre/Walmart)
- **West Zone (10 hours/day)**
  - Strathroy-Caradoc, Middlesex Centre, Adelaide-Metcalf, Southwold Amazon Fulfillment Centre
  - Serves internal travel within Strathroy as well as between neighbouring areas
- Taxi voucher program to subsidize taxi trips in areas which will not initially receive transit service



# Service Design

## Fares

- Flat \$5 fare for all trips except for Strathroy-London (\$10)
- Fare concessions are assumed to be offered to equity-deserving groups

Service	Trip	General Fare	Concession Fare
On-demand	Any trip	\$5	\$4
Fixed-route	Strathroy-London	\$10	\$8
	Any other trip	\$5	\$4

# Service Design

## Vehicles

- Two cutaway minibuses, similar to existing fleet, and one accessible van (to ensure *AODA* compliance)

## Technology

- Booking, scheduling, and vehicle dispatching will be largely automated by a central software system
- Users of the service would be able to book trips via a web portal, mobile app, or over the phone



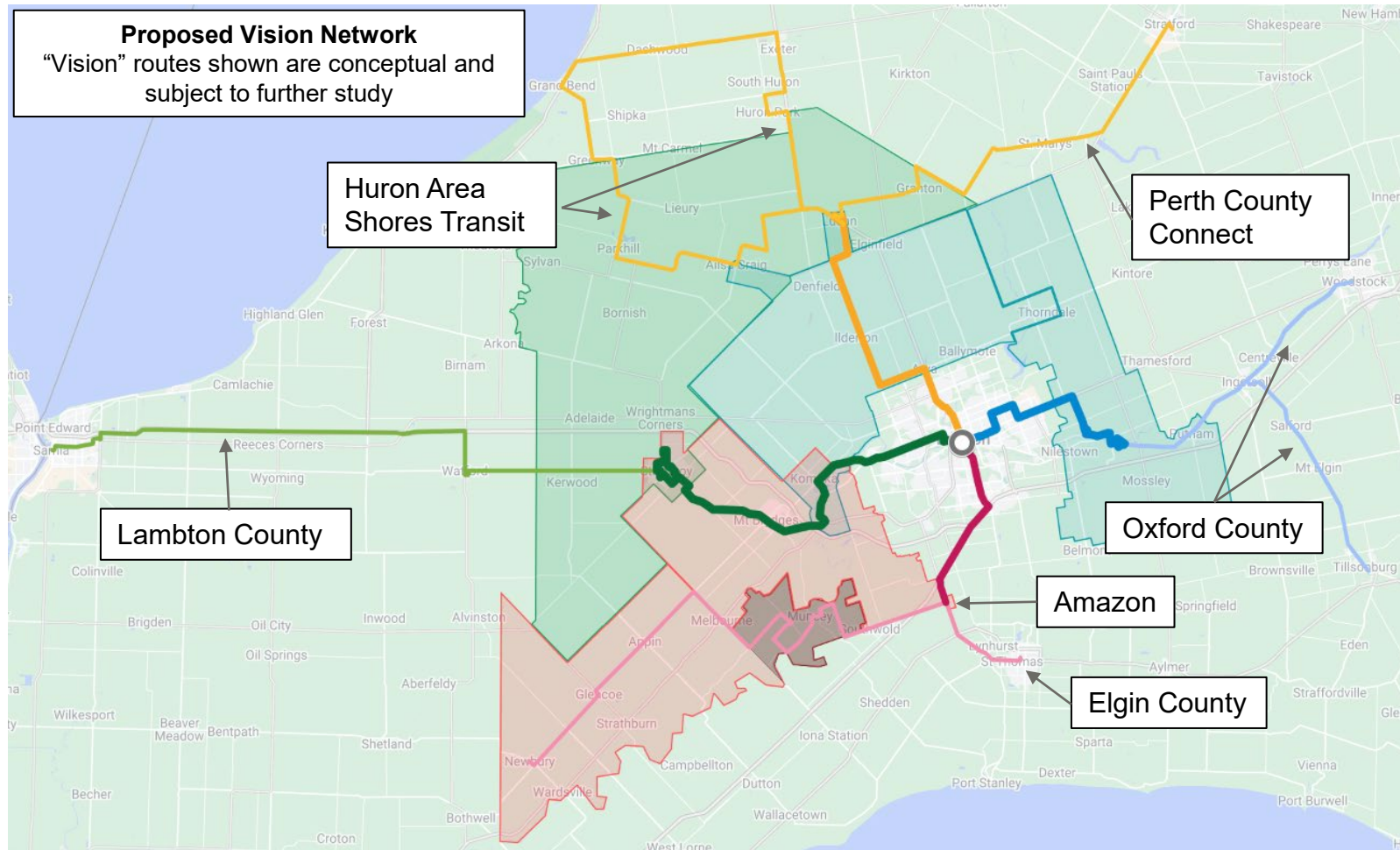




**Service Design**

**“Vision” Network**

# Fixed Route and On-Demand Vision



- Long-term goal of **North-South** and **East-West** spines to service regional travel needs
- On-demand zones covering the entire County for universal transit access
- Leverage partnerships with other stakeholders to develop out the regional transit network
- Costing subject to further discussion with regional stakeholders



# Implementation Plan

---

## Recommended Service Delivery Model

A **fully-contracted** service delivery approach is recommended, wherein the contractor would supply all vehicles, drivers, maintenance on vehicles, and booking software solution. This approach:

- Mitigates risk to the County should internal priorities change, or external factors impact the viability of the system;
- Lowers initial costs associated with the inauguration of service
- Allows for more rapid deployment by leveraging services and expertise already available on the market

The contractor is recommended to be retained via a competitive request-for-proposals process overseen by the County.

---

## Operating and Start-up Costs

The operating contract represents the largest cost to deliver the transit service and is inclusive of all vehicles, drivers, maintenance, and software required.

- The RFP would request an hourly cost to provide the service for 8,840 annual revenue-vehicle hours (includes 3 vehicles operating over 356 service days)
- Based on recent deployments in Ontario, an hourly operating cost of \$94/hour is anticipated by 2025, escalating by approximately 2% annually

An additional on-time system startup cost of \$20,000 is assumed based on other deployments.

# Staff Resources and Expenses

## Community Transportation Project Manager

- Prepares service strategy and RFP
- Administers and monitors contractor
- Responds to customer enquiries and feedback
- Coordinates with external agencies, as applicable

Estimated at 1 FTE.

## Marketing and Communications

Critical to initial and continuing success of the system. Includes:

- Branding
- Customer information materials via website and/or brochures
- Paid, owned, and earned media

Estimated at **\$20,000** to launch service and **\$10,000** per annum thereafter.

# Revenue

## Provincial Funding

The Province provides ongoing operating support via the **Gas Tax** program

- Ongoing funding amount of up to 75% of net municipal operating contribution
- Can be pro-rated if the County joins mid-year
- County must adopt a by-law or resolution committing ongoing financial support to transit

Estimated at **\$352,500** for the first complete year of service and escalating thereafter.

## Fare Revenue

- Fares are the primary method of revenue generation for transit
- Fares generate substantially less revenue than the cost to operate the system

Estimated at **\$72,800** once ridership has fully ramped up (2027) based on 14,400 annual riders

## Misc. Funding and Revenues

- Potential for limited advertising revenues, funding from BIAs, and other sources

# Financial Plan

Item	2025 (Q3-Q4)	2026	2027	2028	2029
<b>Capital and Operating Costs</b>					
Operating Contract	\$413,800	\$844,200	\$861,100	\$878,300	\$895,900
Dedicated Project Manager (1 FTE)	\$98,000	\$101,900	\$106,000	\$110,200	\$114,600
Software Platform	\$20,000	\$ -	\$ -	\$ -	\$ -
Marketing and Communications	\$20,000	\$10,000	\$10,000	\$10,000	\$10,000
Taxi Voucher	\$20,000	\$40,000	\$40,000	\$40,000	\$40,000
<b>Total Expenses</b>	<b>\$571,800</b>	<b>\$996,100</b>	<b>\$1,017,100</b>	<b>\$1,038,500</b>	<b>\$1,060,500</b>
<b>Funding and Revenue</b>					
Fare Revenue	\$17,600	\$53,700	\$72,800	\$74,000	\$75,300
Advertising Revenue	\$1,100	\$2,300	\$2,400	\$2,500	\$2,600
Gas Tax	\$212,300	\$352,500	\$352,300	\$359,900	\$367,700
<b>Total Funding and Revenue</b>	<b>\$231,000</b>	<b>\$408,500</b>	<b>\$427,500</b>	<b>\$436,400</b>	<b>\$445,600</b>
<b><i>Net Municipal Investment</i></b>	<b><i>\$340,800</i></b>	<b><i>\$587,600</i></b>	<b><i>\$589,600</i></b>	<b><i>\$602,100</i></b>	<b><i>\$614,900</i></b>



---

# Implementation Timeline

## Spring 2023

- Implement near-term service improvements

## Fall 2024

- Budget approval
- Develop procurement strategy
- Approach other funding partners
- Issue RFP for post-2025 service

## Winter 2025

- Review bids, evaluate, award contract
- Finalize contract

## Spring 2025

- Prepare communications material
- Targeted marketing

## Summer 2025

- Launch long-term service



# What We Heard

---

## Consultation Activities

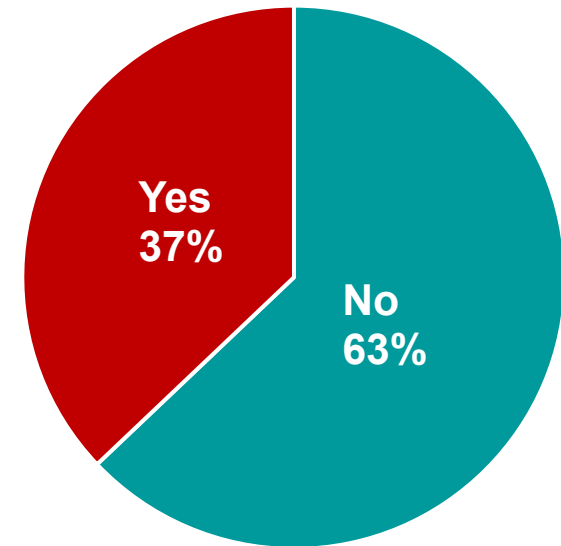
- **Public consultation** consisted of a survey, which ran from August-September 2022
  - The survey received nearly 400 responses from across the County
- **Stakeholder engagement** involved two rounds of meetings with lower-tier municipalities, healthcare providers, and social services
  - Stakeholders provided valuable insight into the transportation needs of their clients/constituents

# Public Consultation

## Key Themes

- Transit needs to be **affordable** for users to ride and for the County to operate
- Transit needs to be **accessible** for people with disabilities
- Transit needs to be **reliable** and available **all day** to meet diverse travel needs
- Transit needs to meet the unique needs of **youth and seniors**
- Transit should **complement existing services** and infrastructure (e.g. Via Rail, active transportation) and leverage **emerging technologies**

*"Have you ever been unable to complete a trip because you had no way to travel or could not afford to travel?"*



# Stakeholder Engagement

## Key Themes

- **Barriers** to transportation include:
  - Unaffordability
  - Lack of transportation options
  - Dispersed populations
  - Accessibility challenges
- A **future transit service** should tackle these barriers, by providing affordable service which:
  - Takes riders where they need to go,
  - Supports access to employment
  - Connects to regional services

*“Where are residents trying to go?”*

Jobs

Healthcare

Social Services

Libraries

Childcare





# Conclusions

---

## Conclusions

- **There is a need for improved County transit services** on the basis of existing gaps in the rural transportation network, high travel demand along certain linear corridors, and lack of transportation access for vulnerable and equity-deserving residents.
- **A hybrid transit solution**, combining fixed route and on-demand services, is the service delivery approach which will best meet the diverse needs of the County.
- **The transit service should be delivered by a third-party contractor** retained via a competitive Request for Proposals process.
- **Engaged stakeholders and the public are supportive** of expanded public transit service.

# Thank You!

 **ARCADIS** | **IBI GROUP**

## KEY CONTACT

**David Forsey**

Associate Director | Practice Lead

Transportation Engineering

416 596 1930 ext. 61062

[david.forsey@ibigroup.com](mailto:david.forsey@ibigroup.com)





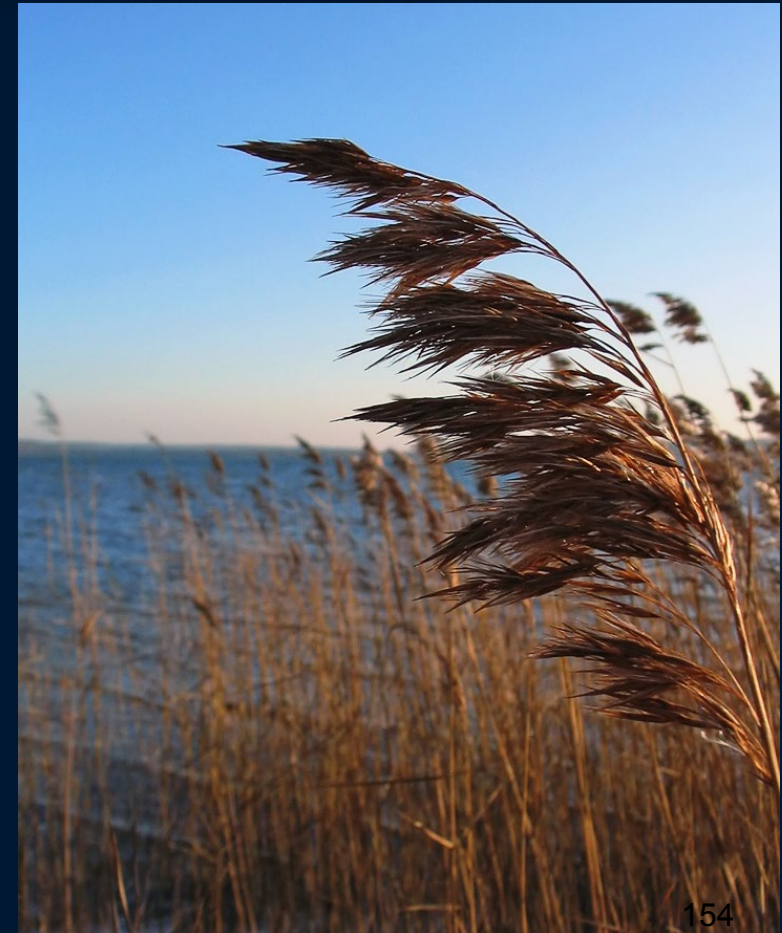
# Pilot Phragmites Treatment Update



April 11, 2023

# Phragmites

- *Phragmites australis* Subsp. *Australis* (Common Reed) is an invasive perennial grass that causes damage to lakeshores, wetlands and beaches in North America
- In the Middlesex County context, this reed has primarily colonized water carrying roadside ditches, disturbed wetlands and municipal drains
- Primarily spread via transportation corridor vectors - contaminated machines and seed hitching a ride on vehicles



# Weed Control Act

- Phragmites is not a noxious weed under the Weed Act
- Private / Public nuisance and damaging to ecology
- Control measures are limited

# Transportation Department



- Readily colonizes wet roadside ditches
- Seeds are spread along transportation corridor
- May be inadvertently spread during road reconstruction and municipal drainage projects (Clean Machine Protocols)
- Spreads from private lands
- Can create sightline issues
- Annual weed spray program



# Pilot Project – Concession Drive



- Treat area 1 (240 m<sup>2</sup>)
  - Roundup WeatherMax + MSO + Valid
  - Cost approx. \$6,000 per hectare
  - Or \$2,400 per km of roadside ditch
  - Does not include mowing costs
- Treat area 2 (420 m<sup>2</sup>)
  - Roundup WeatherMax + Arsenal Powerline
  - Cost approx. \$8,000 per hectare
  - Or \$3,200 per km of roadside ditch
  - Does not include mowing costs



# Treated Patch – Dead Phragmites



# Phragmites Control

## Cutting

- Provides quick solution for sightline issues in ditches
- Can cause the spread of phragmites through contaminated equipment and releasing seeds into air
- Phragmites will come back following year as cutting does not kill the plant.

## Spraying

- More likely to kill the Phragmites and less likely the Phragmites will regrow
- Must be very careful with spray as it will kill all plants not just weeds
- Possible issues with erosion control in ditches; grass will be killed as well
- Still require cutting or removal of debris in ditch
- Must be careful around watercourse with spraying
- Very weather dependent



# Southwest Middlesex Request



The Municipality of Southwest Middlesex passed a resolution requesting that:

“..Middlesex County investigate the success of the County of Elgin, Municipality of Lambton Shores and other neighbouring municipal programs..”



# Other Programs



The Counties of Lambton and Elgin have been active in this area including budget allocation (ie \$70,000 annually Lambton)

Their approaches generally follow the 'Smart Practices for the Control of Invasive Phragmites along Ontario's Roads' steps:

1) inventory of colony sites 2) selective spraying and cutting or rolling the dead biomass 3) monitoring and 4) revisiting

# Transportation – Next Steps



- Inventory is underway and currently road superintendent's prioritize areas with mowing and spot spraying
- Developing a decision matrix / policy for how and when areas might be treated - sightlines, intersections, encroachment, ecological sensitivities, no spray zones and education component
- Include prioritized areas in budget and maintenance schedule
- Encourage Municipalities to inventory phragmites on their roads and in municipal drains

# Forestry – Next Steps



- Continue research into efficacy of different treatments options
- Inventory / mapping of priority locations adjacent County woodlots
- Treat areas before they spread into County woodlands / wetlands
- Weed Inspector education / outreach
- Inter-agency collaboration

# Bio Control Opportunity?

- University of Waterloo biologists, in partnership with Agriculture and Agri-Food Canada and the University of Toronto, are working on a North American pilot program that uses moths as a management tool to control invasive plant
- “We’re one of the first 13 sites in North America to trial insect-based biocontrol for invasive phragmites,” says Dr. Rebecca Rooney “This offers hope for chemical-free invasive phragmites control.”
- Although not yet available to municipalities, staff are monitoring, may control the further spread

<https://uwaterloo.ca/news/moths-are-new-tool-protect-canadas-wetlands>





# Discussion



**Mark Brown**  
[mbrown@middlesex.ca](mailto:mbrown@middlesex.ca)

**Ryan Hillinger**  
[rhillinger@Middlesex.ca](mailto:rhillinger@Middlesex.ca)

# County Forestry Services 2023 Update



- a) County Forest Management
- b) Woodlands Conservation By-law
- c) Weed Control Act
- d) Support Services

# County Forest Management





# County Forest Context



- The County-owned Forest consists of 1040 hectares (2500 acres) within 27 tracts:
- The Banks Tract
- Big Swamp Tract
- Skunk's Misery / Bothwell Forest Complex
  - one of the largest and most significant remaining forest blocks in south-western Ontario
  - many rare and unique species that are uncommon elsewhere in Ontario

# County Forest Background



- The Forest was acquired between 1945 and 1983, with most purchased in the 1960s, under the Woodlands Improvement Act using Provincial grants
- The management operations recognize the environmental importance of the Forest, are cautious when dealing with matters such as Species at Risk legislation and serve to be an example for private land owners
- The management operations will, over the long term, improve the forest and provide a long term ecological and financial benefit

# County Forest Vision



***The Middlesex County Forests will be managed to ensure the ecological sustainability of the Middlesex County Forests and their associated natural heritage features and social and economic values through the utilization of an integrated ecosystem-based approach to management.***

# County Forest Timber Harvest

- Select conifer (white pine) harvests have now been completed in the Patterson and Purdy Tracts.
- A conifer thinning harvest has been tendered for the McMaster and Bayne Tracts





# County Forest Public Use

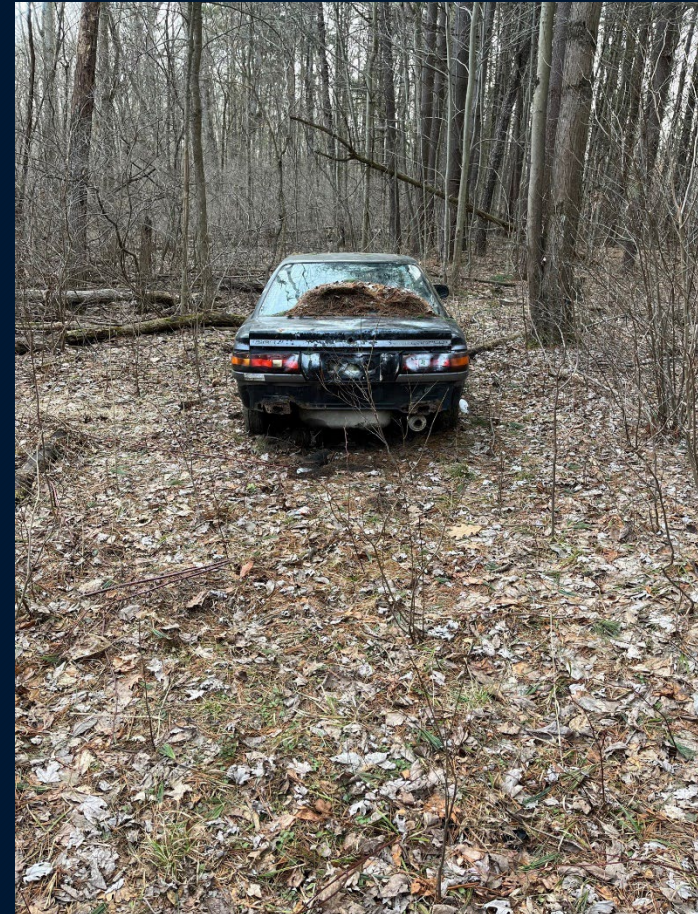


- Hunting season (no major issues; tree stand policy)
- Trail use (horseback, hiking, mountain biking) popular during summer months
- Education and research activities continue (Chestnut, SAR, Bird studies)
- Garbage (cleanup and installation of barriers continue)





# County Forest Misuse Continues





# Municipal Drain Clean Out





# Ecology – Birds Canada



© Trisha Snider



# Ecology Cont'd – Birds Canada



© Trisha Snider



Mark Brown RPI  
Middlesex County  
399 R d'air Street N.  
London, ON N6A 2P1

March 15, 2023

Dear Mark,

I am writing to share our findings from our 2022 forest bird surveys in Middlesex County. Every year, our team at Birds Canada surveys public and private woodlots across southwestern Ontario to monitor forest bird populations, with a focus on species at risk.

We've surveyed Skunk's Misery for forest birds at risk for several years; we make a point to survey here annually because Skunk's Misery is home to significant populations of some of Canada's rarest and most at-risk birds. Skunk's Misery is one of three strongholds for Prothonotary Warblers, a species which is Endangered in Ontario and Canada. The current Prothonotary Warbler population in Canada—all contained within southwestern Ontario—is estimated to be less than 40 individuals. However, our surveys indicate that Skunk's Misery hosts at least 25% of the Prothonotary Warbler population in Ontario, and in 2022 yielded at least 21 fledglings. Skunk's Misery also supports other species at risk, including Acadian Flycatchers, Wood Thrushes, Eastern Wood Pewees, and Carolina Warblers (the latter of which is extremely rare in the Carolinian region of Ontario due to the loss of its preferred habitat of old-growth forest). Other species that have been documented breeding in Skunk's Misery (some of which are uncommon in Ontario and require larger tracts of forest) include Yellow-throated Vireos, Hooded Warbler, Blue-winged Warbler, Yellow-bellied Sapsucker, Yellow-billed Cuckoo, Brown Creeper, Hairy Woodpecker, Swamp Sparrow, Wood Duck, Green Heron, Scarlet Tanager, and Veery, among many others.

In 2022, we also surveyed County Line Woods, as well as three Middlesex County woodlots we had not surveyed before: Clark, Steele, and Robinson Tracts. We knew that County Line Woods supports several Acadian Flycatchers (which are Endangered in Ontario and Canada) but weren't sure what to expect for the other three woodlots. We were happy to see the diversity of birds (again, including species that are uncommon in Ontario and those that require larger forest tracts) and the number of species at risk, including a Prothonotary Warbler, Acadian Flycatchers, Carolina Warblers, and a Red-headed Woodpecker, four of our five target species; there are very

National Headquarters/Administration Centrale  
P.O. Box/C.P. 160, 115 Front Road, Port Rowan, ON Canada N0E 1M0  
1-888-448-2473 | [BIRDS CANADA.ORG](https://www.birdscanada.org)  
Charitable Registration No./No. d'enregistrement de bienfaisance 11902 4313 RR0001





# Forest Research

- Growth and yield plots
- New silviculture practice trials are ongoing (OMNRF)
- Chestnut tree inventory and health monitoring. (UoG)
- Forest pests monitoring with CFIA
- SAR habitat protection and monitoring



# Woodlands Conservation By-law

---



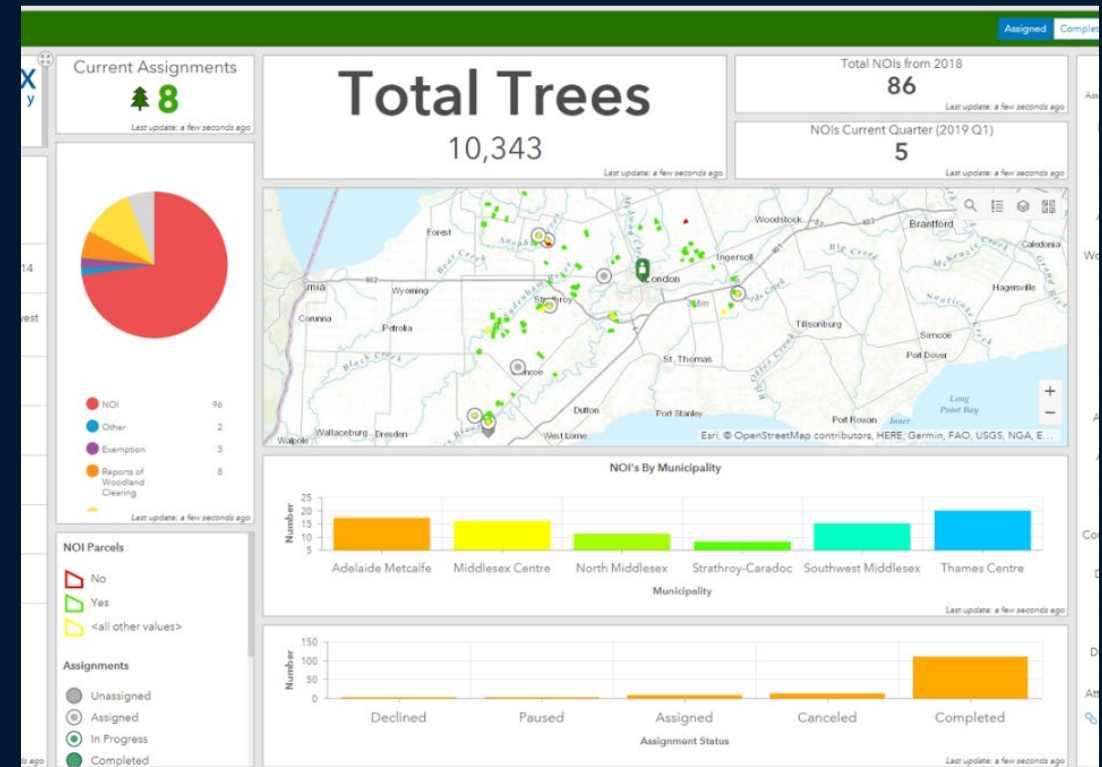
# Woodlands Conservation By-law



- Historically Southern Ontario was largely deforested for timber / potash production and cleared for agriculture
- Many complex and inter-related environmental, socio-economic, and cultural benefits of woodlands
- Woodlands Conservation By-laws are passed under the Municipal Act to 'prohibit or regulate the destruction or injuring of trees' on private property
- No person may injure or destroy living trees within regulated woodlands unless it is done in accordance with: Good Forestry, or Circumference Limit, or as a result of an 'exemption'

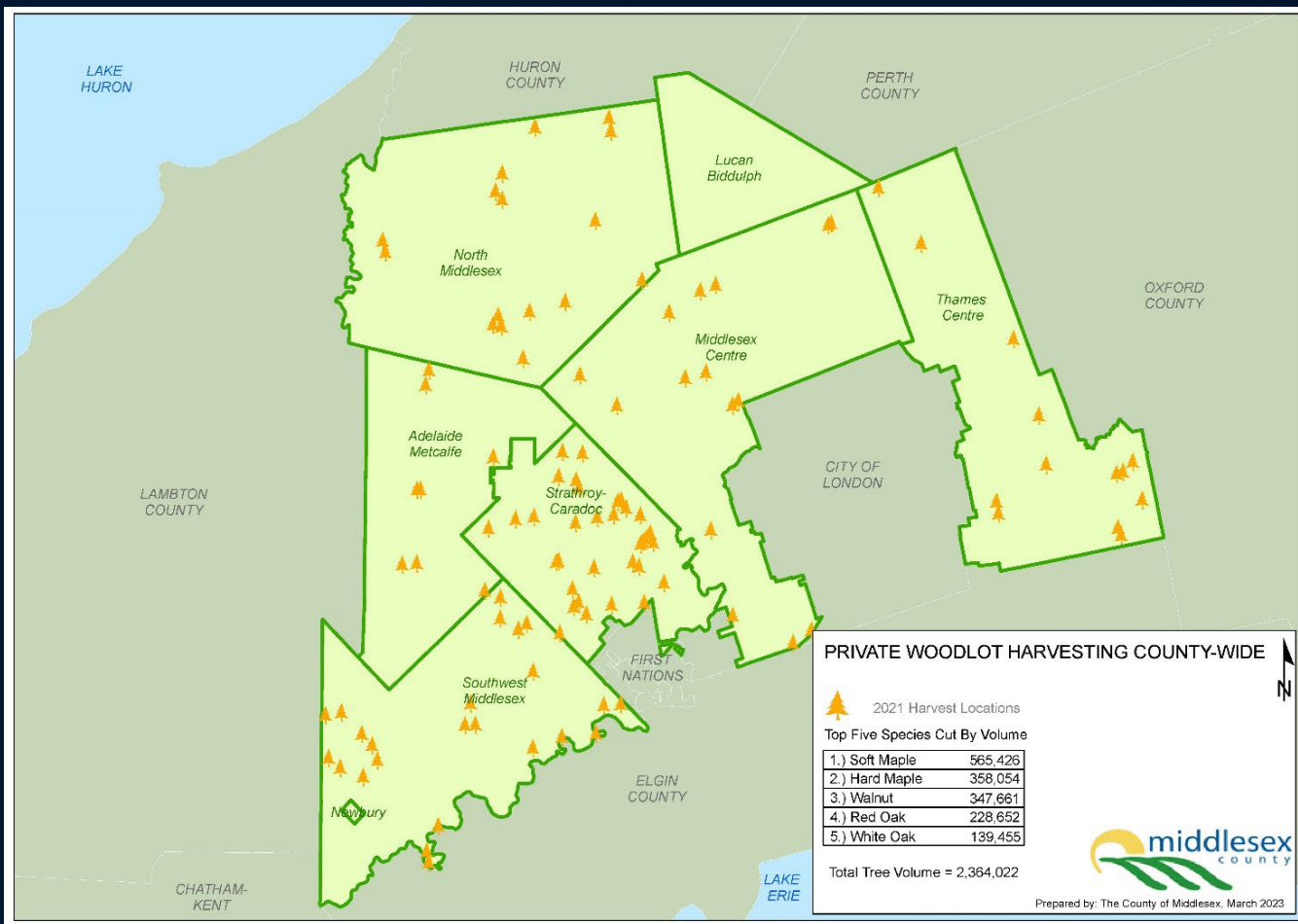
# Woodlands Conservation By-law

- All tasks are uploaded to phone “Workforce daily task list” by admin staff
- Field reviews are conducted adding photos and notes which are uploaded in the field
- Admin staff mail-out letters and MWB telephones landowners to confirm findings
- Central database available to admin and management





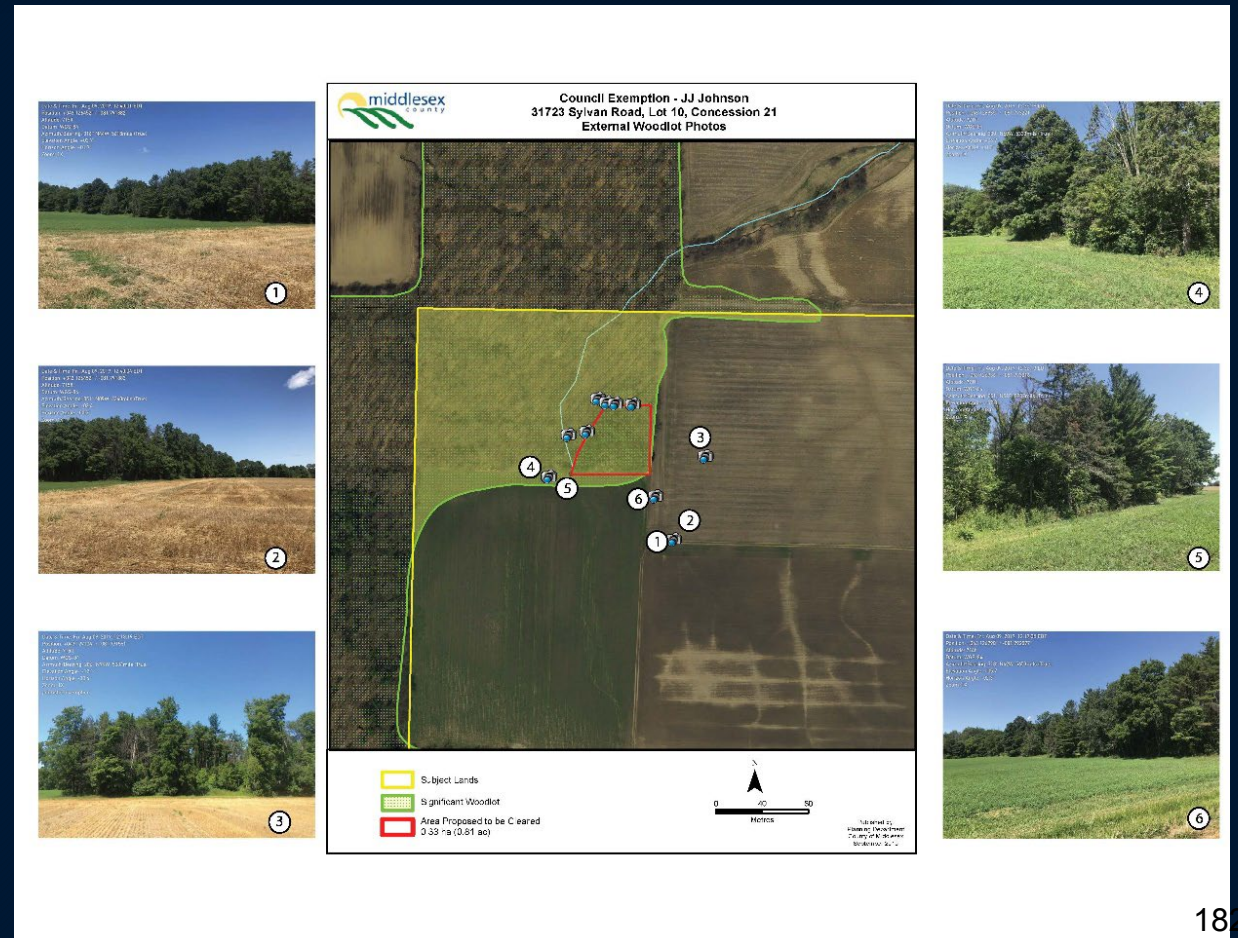
# County Wide 2022 Harvest Summary





# Woodlands Conservation By-law - Exemptions

- Landowners continue to apply for County Council exemptions to clear small areas of woodland to improve cash cropping operational efficiencies
- Replanting an equivalent area is required and usually contracted to the local CA



# Woodland Conservation By-Law Enforcement



- While most landowners and the logging industry comply with the By-law, there are some cases where enforcement is necessary
- The County continues to prosecute as necessary and the County Solicitor's Office is experienced in this specialized area
- The County seeks court ordered replanting of the area cleared, registered on title, prohibition order and fine



# Weed Control Act





# Weed Control Act



The Weed Act provides for Counties to appoint 'Area Weed Inspectors' and municipalities to appoint 'Municipal Weed Inspectors'

Within Middlesex, the County's Area Weed Inspector is also appointed by each local municipality to be the Municipal Weed Inspector

Having one Inspector has been seen as an 'economy of scale'

Responding primarily to complaints, the Weed Inspector works with landowners and staff from local municipalities and other agencies to address weed issues

A flexible enforcement model, first speaking to landowners to encourage compliance (which works 95% of the time) and then utilizing the authority of the Weed Act when necessary

# Weed Control Act

- Medium volume of complaints in 2022
- All issues were satisfactorily resolved
- Trial Phragmites treatments
- Two challenging years for landowners where seasonal weather has affected weed management efficacy in cash crops



# Support Services





# Support Services

The Woodlands Conservation Officer is a Registered Professional Forester (RPF) and is available for assistance including:

- Planning Files
- Municipal tree issues
- Regulatory compliance inspections
- As a general Q & A resource

Woodlands Officer was the County's lead on the Clean Water Program



# Invasive Pests

- Forestry services liaise and cooperate with senior government agencies NRCAN, CFIA, OMNRF and provide landowners with options for implementing control strategies and BMP's
- Continually updating our web resources





# Questions



**Mark Brown**  
[mbrown@middlesex.ca](mailto:mbrown@middlesex.ca)

**Durk Vanderwerff**  
[dvanderwerff@middlesex.ca](mailto:dvanderwerff@middlesex.ca)

# Accessibility Roles and Responsibilities



April 11, 2023

Sarah Savoie, Accessibility Coordinator

# Agenda

- Accessibility Legislation and Requirements
  - Accessibility Policies, Procedures, Plans & Guides
  - HR Policy 5.01 Accessibility Policy
  - Accessibility Compliance Report
  - Joint MYAP
  - Joint Annual Accessibility Status Report
- Role of the Accessibility Coordinator
- Role of the Middlesex Accessibility Advisory Committee
  - Consultation Requirements
- Contact Information

# Accessibility Legislation 1



**The following legislation oversees accessibility requirements and rights of people with disabilities across the Province:**

- *Accessibility for Ontarians with Disabilities Act, 2005*
- *O.Reg 191/11 Integrated Accessibility Standards Legislation*
- *Ontario Human Rights Code, R.S.O. 1990*
- *O.REG 332/12 Ontario Building Code Act*
- *Municipal Election Act, 1996*
- *Accessible Canada Act, 2019*
- *Canadian Charter of Rights and Freedom*
- *Canadian Human Rights Act R.S.C., 1985, c. H-6*



# Accessibility Legislation 2



## The main things that the legislation aims to achieve is:

- Ensuring people with disabilities have equal rights and equal participation and opportunities as people without disabilities
- That the Duty to Accommodate is fulfilled and in a timely manner
- That people with disabilities can access goods, services, facilities, accommodation, employment, building, structures and premises that are barrier free and accessible
- That people with disabilities are protected against discrimination
- That new construction and renovations accounts for accessibility
- That people with disabilities are included regarding initiatives for IASR General Requirements, Information and Communication, Employment, Transportation, the Design of Public Spaces, and Customer Service

# Accessibility Policies, Plans, Procedures & Guides 1



**The following policies and procedures have been established in accordance with the AODA and IASR requirements:**

## **Policies**

- HR 5.01 County Accessibility Policy
- HR 5.02 Accommodations Policy

## **Procedures**

- Accessibility Feedback Procedure
- Accessible Maintenance Procedures
- Accessibility Training Procedure
- Request for Accessible Formats and Communication Supports Procedure
- Service Animals in the Workplace Procedure
- Support Persons Procedure
- Temporary Service Disruptions Procedure

## Accessibility Policies, Plans, Procedures & Guides 2



**The following policies and procedures have been established in accordance with the AODA and IASR requirements:**

### **Plans and Reports**

- Return to Work Plan
- Return to Work Process
- Middlesex County and its Local Municipal Partners Joint Multi-Year Accessibility Plan 2022-2027
- Middlesex Joint Annual Accessibility Status Reports

### **Guides**

- Middlesex County Creating Accessible Documents Guide
- Middlesex County Accessibility Content Style and Design Guide

# Accessibility Policies, Plans & Reports 1



## HR Policy 5.01 Accessibility Policy

- The purpose is to provide the overarching framework to guide the review and development of Middlesex County goods, services, programs and facilities in an inclusive manner that considers the AODA and needs of people with disabilities
- It details how the County will meet the requirements of the *IASR*, including: information and communication, employment, transportation, design of public spaces, and customer service standards

## Accessibility Compliance Report

- The compliance report confirms that the County has met our current accessibility requirements under the Accessibility for Ontarians with Disabilities Act (AODA)
- The County of Middlesex filed our 2023 report in February

# Accessibility Policies, Plans & Reports 2



## The Joint Multi-Year Accessibility Plan

- It was created between Middlesex County and its Local Municipal Partners
- It lays out progress made in the last 5 years, and the goals and timelines for accessibility initiatives for the years 2022-2027
- It includes information from all Local Municipal Partners and the County on the initiatives and projects that are being undertaken to meet the legislative requirements, especially as it related to the *IASR* and the *AODA*

## Joint Annual Accessibility Status Report

- It is completed annually and it includes an update on the Joint MYAP, and info on continuous achievements in accessibility and accessibility highlights.

# Role of Accessibility Coordinator



## **The Accessibility Coordinator is responsible for:**

- Collaborating with Local Municipal Partners on accessibility initiatives and projects across the County
- Overseeing compliance with legislative requirements pertaining to accessibility and the rights of people with disabilities
- Providing advice and consultation on accessibility projects
- Work with the MAAC to ensure people with disabilities perspectives are considered
- Identifying accessibility issues, needs, resources and opportunities and ensuring best practices are implemented
- Acts as the main point of contact for accessibility concerns
- Responding to accessibility feedback form submissions and requests for accessible formats and communication supports
- Guide the creation of accessibility plans, policies, procedures etc.



# Middlesex Accessibility Advisory Committee



- If your municipality has 10,000 residents or more, you must create a local accessibility advisory committee (AAC) and involve it in your planning processes
- Two or more municipalities may set up a joint committee, instead of having their own separate committees
  - The MAAC includes the County of Middlesex and all LMPs
- The Middlesex Accessibility Advisory Committee was created to advise members of Council on the implementation of the *AODA* along with the affiliated *IASR*
- The focus of the MAAC is to ensure people with disabilities are being included and their perspectives are being considered, and to improve opportunities for people with disabilities
- **One of the most important functions of the MAAC is providing consultation**

# Consultation Requirements 1



By law, the County and LMPs **must** consult the MAAC on these specific matters:

- when establishing, reviewing and updating your multi-year accessibility plans
- when developing accessible design criteria in the construction, renovation or placement of bus stops and shelters
- when determining the proportion of on-demand accessible taxicabs needed in your community
- on the need, location and design of accessible on-street parking spaces when building new or making major changes to existing on-street parking spaces
- before building new or making major changes to existing recreational trails to help determine particular trail features
- on the needs of children and caregivers with various disabilities in their community when building new or making major changes to existing outdoor play spaces
- on the design and placement of rest areas along the exterior path of travel when building new or making major changes to existing exterior paths of travel

# Consultation Requirements 2



The County and LMPs **must** provide site plans and drawings from developers to the MAAC in a timely manner, when requested.

- For example, site plans for:
  - subdivisions
  - municipal offices
  - community centres
  - recreational centres
- The County and LMPs **must** seek the MAAC's advice on accessibility for people with disabilities on buildings that the municipal council: constructs, purchases, significantly renovates, or leases or declares a municipal capital facility
- The County and LMPs can engage with the MAAC in all other circumstances where it appears appropriate to seek its advice on how to remove barriers for people with disabilities

# Contact Information



## The Accessibility Coordinator can be reached regarding:

- Questions or concerns about accessibility
- To get clarification on legislative requirements
- To receive input on projects relating to accessibility
- To bring items to the MAAC for consultation, and more...

## Contact information for the Accessibility Coordinator:

- Email: [ssavoie@Middlesex.ca](mailto:ssavoie@Middlesex.ca)
- Phone: 519-614-0620 (call or text)
- Through the **Accessible Feedback Form** on the [Accessibility Page](#)



## Committee of the Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Sarah Savoie, County Accessibility Coordinator  
**Subject:** Accessibility Role and Responsibilities

---

### **Background:**

The purpose of this report is to provide Council with a detailed description of the following:

- Accessibility Legislation and Requirements
  - Accessibility Policies, Procedures, Plans & Guides
- Role of the Accessibility Coordinator
- Role of the Joint Accessibility Advisory Committee
- Upcoming Accessibility Initiatives

The information provided in the report is intended to provide a comprehensive overview of the role and responsibilities the County has regarding accessibility. The County is committed to the identification, removal and prevention of barriers that inhibit the full and equal participation of people with disabilities. The County works closely with Local Municipal Partners to ensure it is compliant with and meeting the requirements set out by the Province regarding accessibility.

### **Analysis:**

#### **Accessibility Legislation and Requirements**

The following legislation governs accessibility requirements in the province of Ontario:

[Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11](#)

The AODA was implemented to create accessibility standards that organizations in Ontario must follow to make the province accessible for all. Its purpose is to address and prevent discrimination in Ontario against people with disabilities, and to enforce accessibility standards relating to goods, services, facilities, accommodation, employment, buildings, structures and premises. It ensures the involvement of people with disabilities in the development of the standards, and takes into account their unique perspectives and experiences.

### [Integrated Accessibility Standard Regulation \(O. Reg 191/11\)](#)

The *IASR* focuses on the implementation and compliance requirements regarding the various standards including: General Requirements, Information and Communication, Employment, Transportation, the Design of Public Spaces, and Customer Service. The *IASR* sets out the standards that the municipality must adhere to in order to achieve accessibility for all. This legislation includes consultation requirements for Municipal Accessibility Advisory Committees.

### [Ontario Human Rights Code, R.S.O. 1990, c. H. 19](#)

The *Code* emphasizes the right to freedom from discrimination based on disability, and it recognizes the dignity of every person in Ontario. It applies to social areas such as employment, housing, goods, facilities and services, contracts, and membership in unions, trades or professional associations. It further details the duty to accommodate which reinforces the key principles: respect for dignity, individualization and integration and full participation.

### [O.REG. 332/12 Ontario Building Code Act](#)

The Building Code adds to the standards set out in the *IASR* as it relates to the built environment, and details the accessibility requirements for most new construction and extensive renovations to buildings, including: barrier free paths of travel, fire safety, washrooms, access to pool and saunas, and seating in public spaces.

### [Accessible Canada Act, 2019](#)

The *ACA* is a new piece of legislation that was introduced in 2019 that builds off of the *Canadian Human Rights Act* and the *Canadian Charter of Rights and Freedoms* by ensuring Canada takes appropriate measure to make the country accessible for people with disabilities to ensure their full and equal participation in society. It further aligns with the United Nations Convention on the Rights of Persons with Disabilities.

## **Accessibility Policies, Procedures, Plans & Guides**

The following policies and procedures have been established in accordance with the AODA and *IASR* requirements:

### Policies

- HR 5.01 County Accessibility Policy
- HR 5.02 Accommodations Policy



## Procedures

- Accessibility Feedback Procedure
- Accessible Maintenance Procedure
- Accessibility Training Procedure
- Request for Accessible Formats and Communication Supports Procedure
- Service Animals in the Workplace Procedure
- Support Persons Procedure
- Temporary Service Disruptions Procedure

## Plans and Reports

- Return to Work Plan
- Return to Work Process
- Middlesex County and its Local Municipal Partners Joint Multi-Year Accessibility Plan 2022-2027
- Joint Annual Accessibility Status Reports

## Guides

- Middlesex County Creating Accessible Documents Guide
- Middlesex County Accessibility Content Style and Design Guide

## **HR Policy 5.01 Accessibility Policy**

The purpose of this policy is to provide for the overarching framework to guide the review and development of other Middlesex County goods, services, programs and facilities in an inclusive manner that takes into account the needs of people with disabilities.

In addition, this policy will act as the main accessibility policy for Middlesex County and meet the requirements of Ontario Regulation 191/11 – *Integrated Accessibility Standards Regulation*.

Middlesex County is committed to being responsive to the needs of all its residents and employees. In order to meet the needs of people with disabilities the County will:

- Ensure policies, practices and procedures address dignity, independence, integration and provide for equal opportunity for people with disabilities.
- Allow people with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the County.
- Accommodate the accessibility needs of people with disabilities to ensure they can obtain, use or benefit from the County's goods, services, programs and facilities.
- Communicate with people with disabilities in a manner that takes into account the person's disability.

## **HR Policy 5.02 Accommodations Policy**

Middlesex County is committed to an inclusive workplace. To do this, we will ensure that accommodations are provided to current and potential employees with disabilities.

The County's commitment extends to all employment activities including recruitment, selection, orientation, working conditions, career development/advancement and performance management.

Middlesex County will ensure that accommodations are provided to current and potential employees with disabilities.

### **Middlesex County and its Local Municipal Partners Joint Multi-Year Accessibility Plan 2022-2027**

In accordance with the Accessibility for Ontarians with Disabilities Act (AODA), the County of Middlesex and its Local Municipal Partners (LMP) have created a Joint Multi-Year Accessibility Plan, which builds on the accomplishments of the previous MYAP.

The County and its LMPs continue to maintain compliance with the requirements under the AODA and the Integrated Accessibility Standards Regulations (IASR).

This plan acts as an accessibility road map, detailing key initiatives and progress made, as well as goals and timelines to be achieved over the next 5 years. It demonstrates the commitment made to identifying, removing and preventing barriers for people with disabilities. It is designed to create a more accessible and inclusive community.

The plan is available online at the County of Middlesex's website, as well as on all of the Local Municipal Partner websites, and it is made available in an alternative format and/or with communication supports, upon request.

The structure of the Joint Multi-Year Accessibility Plan is based upon requirements outlined under the [Accessibility for Ontarians with Disabilities Act](#) (AODA). The AODA came into effect in 2005 with a goal to make the Province of Ontario fully accessible to all by 2025. The AODA is a law that sets out a process for developing and enforcing accessibility standards.

Ontario is the first province and one of the first jurisdictions in the world to enact specific legislation establishing a goal and period for accessibility. It is also the first authority to legislate accessibility reporting and to establish standards in areas like employment, transportation and the design of public spaces.

These standards fall under the [Integrated Accessibility Standards Regulation O. Reg 191/11](#) (IASR). The IASR are laws that government, businesses non-profits and public

sector organizations must follow to become more accessible and provide barrier-free service delivery.

## **Joint Annual Accessibility Status Report**

The purpose of this Status Report is to make the public aware of Middlesex County and its Local Municipal Partners progress with implementing accessibility goals and initiatives as outlined in the Joint Multi-Year Accessibility Plan, and to prevent and remove barriers and meet requirements under the AODA and IASR.

In 2021, the County released its Joint Multi-Year Accessibility Plan (MYAP), which includes the County of Middlesex and its eight Local Municipal Partners' accessibility progress, goals and timelines for the next five years. As a result of the MYAP becoming a joint effort, it allowed the Annual Accessibility Status Reports to become streamlined and collaborative rather than requiring each LMP to create their own.

The Joint Annual Accessibility Status Report details continuous achievements and accessibility highlights in each calendar year. The plan is taken to the Joint Accessibility Advisory Committee for approval prior to being presented to County Council.

The Joint Annual Accessibility Status Report must be posted online for the public to access and be updated annually, per the IASR requirements.

## **Accessibility Compliance Reports**

On a bi-annual basis, the County of Middlesex and its Local Municipal Partners must complete an [Accessibility Compliance Report](#). The purpose of the report is to confirm that the municipality has met the current accessibility requirements under the AODA. Not completing the report can result in the municipality facing enforcement measures that can include financial penalties. 2023 is an accessibility compliance reporting year.

## **Accessible Election Plan – Local Municipal Partners**

In accordance to the [Municipal Elections Act, 1996](#) the Clerk conducting an election must have regard for the needs of electors and candidates with disabilities. As a result, the Clerk must establish locations of accessible voting locations and prepare a plan that identifies, removes and prevents barriers the impact electors and candidates with disabilities. Within 90 days after voting day in a regular election, the Clerk shall prepare a report to Council on the identification, removal and prevention of barriers.

## **Middlesex County Accessibility Content Style and Design Guide**

The Accessibility Content Style and Design Guide is focused on outlining rules when creating web content that is posted online and is intended to be easily found, understood, and accessed by the public. The rules are based on writing principles and

techniques that are aimed at making content more accessible, clearer, and considers the needs of people with disabilities.

This Guide was created to provide information on accessibility content style and design rules that must be applied to all County correspondence, documents, and media postings. The Guide outlines information relating to:

- The creation of accessible document templates
- How to use the accessibility checker in Microsoft and Adobe
- Style guidelines for documents
- Colour contrast requirements
- Accessible language and formatting
- Image and video accessibility
- Language and content readability

### **Middlesex County Creating Accessible Documents Guide**

The purpose of this guide is to provide step-by-step instructions on how to create accessible documents and posts in:

- Microsoft Word
- Microsoft PowerPoint
- Microsoft Excel
- Adobe PDF
- Adobe InDesign
- Canva
- Social Media

### **Role of the Accessibility Coordinator**

The Accessibility Coordinator looks after accessibility in Middlesex County, and collaborates with its Local Municipal Partners on accessibility initiatives. The Accessibility Coordinator provides consultation on accessibility related projects, and is responsible for overseeing the implementation of accessibility standards for the corporation as well as providing ongoing training. Further, the Accessibility Coordinator works to identify accessibility issues, needs, resources and opportunities for integrated accessibility planning to ensure best practices are being implemented.

The Accessibility Coordinator acts as the main point of contact for accessibility related concerns or questions, and can be reached by phone or email.

The Accessibility Coordinator connects with Local Municipal Partners on various accessibility related initiatives. These initiatives may relate to the standards set out in the *IASR* or may be assisting with questions relating to accessibility legislation and

application, identifying, removing and preventing barriers, or working collaboratively with the public to enhance accessibility of all LMP and County goods, services, and facilities.

The Accessibility Coordinator is also responsible for responding to accessibility feedback form submissions and requests for accessible formats and communication supports. The Accessibility Feedback Form and the Request for Accessible Formats and/or Communication supports can be found on the County of Middlesex's website on the [County Accessibility Page](#).

### **Role of the Joint Accessibility Advisory Committee**

The Middlesex Accessibility Advisory Committee (MAAC) is a public committee that is comprised of people with disabilities, members of the community who are actively involved in a disability related profession or are caregiver for a person with a disability, and staff members from the County of Middlesex and several Local Municipal Partners. The Middlesex Accessibility Advisory Committee was created with the intent to advise members of Council on the implementation of the *Accessibility for Ontarians with Disabilities Act (AODA)* along with the affiliated *Integrated Accessibility Standards Regulation (IASR)*.

Municipalities with a population of 10,000 or more are required to establish an accessibility advisory committee – two or more municipalities may, instead of each establishing their own committee, establish a joint accessibility advisory committee. Other local municipal partners do not meet the population threshold of 10,000 and thus the joint Middlesex Accessibility Advisory Committee was formed.

Participating Municipalities includes:

- County of Middlesex
- Township of Adelaide Metcalfe
- Township of Lucan Biddulph
- Municipality of Middlesex Centre
- Municipality of North Middlesex
- Municipality of Southwest Middlesex
- Municipality of Strathroy-Caradoc
- Municipality of Thames Centre
- Village of Newbury

According to the Committee's Terms of Reference, the Committee consists of five (5) members and is comprised of:

- Persons with disabilities
- Representative of an organization representing persons with disabilities
- Caregiver for persons with disabilities

- The Warden
- Two members of county Council

A majority of members must have a disability as defined by the *Accessibility for Ontarians with Disabilities Act*.

#### **Current Committee Members:**

- John Brennan - County Councillor, Middlesex Centre, and Chair of MAAC
- Cathy Burghardt-Jesson - Warden, Middlesex County
- Allan Mayhew - County Councillor, Southwest Middlesex
- Nancy Wickerson-Harmer - Citizen Member
- Leslie-Anne Steeper-Doxtator - Citizen Member
- Michele Ivanouski - Citizen Member
- Jerrica Gilbert - Citizen Member

#### **Staff Liaison**

- Sarah Savoie - Accessibility Coordinator
- Paul Shipway - Clerk, Middlesex County

#### **Committee Mandate:**

The MAAC assists Middlesex County Council and Local Municipal Councils in improving opportunities for persons with disabilities to participate in County programs and services. The goal is to advise on the development and implementation of the Joint Multi-Year Accessibility Plan as required by the *AODA*, and identify and remove barriers for people with disabilities.

The County of Middlesex Joint Accessibility Advisory Committee shall:

- Work with County staff in the preparation of the Joint Multi Year Accessibility Plan in consultation with local municipalities for consideration by Middlesex County Council and local municipal councils.
- Review municipal site plans described in Section 41 of the Planning Act.
- Advise councils about the requirements and implementation of accessibility standards and the preparation of accessibility reports and such other matters for which the participating councils may seek its advice.
- Perform other functions that are specified in the Regulations of the Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act.
- Advise Councils on the accessibility for people with disabilities to a building, structure or premise that the council purchases, constructs or significantly renovates, or for which the council enters into a new lease.



In addition, the Committee is required, by law, to consult on the following:

- When establishing, reviewing and updating your multi-year accessibility plans
- When developing accessible design criteria in the construction, renovation or placement of bus stops and shelters
- When determining the proportion of on-demand accessible taxicabs needed in your community
- On the need, location and design of accessible on-street parking spaces when building new or making major changes to existing on-street parking spaces
- Before building new or making major changes to existing recreational trails to help determine particular trail features
- On the needs of children and caregivers with various disabilities in their community when building new or making major changes to existing outdoor play spaces
- On the design and placement of rest areas along the exterior path of travel when building new or making major changes to existing exterior paths of travel

For more information on consultation requirements for the MAAC, visit the following:

[Municipal Accessibility Advisory Committees](#)

### **Previous Committee Accomplishments (2020-2022)**

The following accomplishments are examples of what the MAAC has achieved over the last several years:

### **Middlesex Accessibility Advisory Committee consultation and review of the following projects in 2020:**

- Strathroy Public Library Renovation
- Douglas B. Weldon Park lighting & asphalt project
- Caverhill Park swing bays
- Denfield Park play structure replacement
- Kilworth Heights West Park
- Poplar Hill Park project
- Ilderton Library addition

### **Middlesex Accessibility Advisory Committee provided consultation on and/or reviewed the following accessibility projects in 2021:**

- Ilderton Library Outdoor Play Space
- Thorndale Library Outdoor Play Space
- Dorchester Accessible and Inclusive Playground and RFI
- Ailsa Craig Community Centre accessibility upgrades
- Middlesex Centre Age Friendly Community Action Plan

**Middlesex County Accessibility Advisory Committee provided consultation on and/or reviewed the following accessibility projects in 2022:**

- Reviewed the County of Middlesex Accessibility Policy to ensure it meets industry best practice
- Approved the drafts of the Accessibility Content Style and Design Guide and Creating Accessible Documents Guide
- Consulted on the design of the Accessible and Inclusive playground in Dorchester Park
- Made recommendations for accessible on-street parking projects
- Consulted on the Lucan Biddulph Community Memorial Center renovation plans and addition
- Reviewed LMPs Accessible Election Plan to ensure it meets all legislative requirements

**Alignment with Strategic Focus:**

This report aligns with the following Strategic Focus and Objectives:

<b>Strategic Focus</b>	<b>Goals</b>	<b>Objectives</b>
Cultivating Community Vitality	Advance a diverse, healthy, and engaged community across Middlesex County	<ul style="list-style-type: none"><li>• Promote and support community wellness</li><li>• Innovate social and community services</li></ul>
Promoting Service Excellence	Innovate and transform municipal service delivery	<ul style="list-style-type: none"><li>• Anticipate and align municipal service delivery to emerging needs and expectations</li><li>• Engage, educate and inform residents, businesses, and visitors of county services and community activities</li><li>• Build organizational capacity and capabilities</li></ul>

**Recommendation:**

THAT the report titled “Accessibility Role and Responsibilities” dated April 11, 2023 be received for information and filed.



## Committee of the Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Sarah Savoie, County Accessibility Coordinator  
**Subject:** Middlesex Joint Annual Accessibility Status Report 2022

---

### **Background:**

Middlesex County and its Local Municipal Partners (LMPs) are required to collaboratively prepare an annual accessibility status report on the progress of measures taken to implement the goals outlined in the Joint Multi-Year Accessibility Plan. Additionally, the report must be posted on the County and LMPs websites, per the *Integrated Accessibility Standards Regulation* (IASR) requirements.

The Joint Annual Accessibility Status Report is completed collaboratively by Middlesex County and its LMPs. This reduces the amount of time that the Local Municipal Partners spend fulfilling this requirement. LMPs must send information to the County Accessibility Coordinator, who is wholly responsible for drafting the Joint Annual Accessibility Status Reports. It further provides the public and municipal employees a better understanding of all the accessibility projects and initiatives happening across Middlesex County.

The Joint Annual Accessibility Status Report for 2022 was approved by the Middlesex Accessibility Advisory Committee on March 13, 2023. Upon approval by County Council, the report will be forwarded to Local Municipal Councils to be adopted. Once approved by all Councils the report will be made available to the public via Middlesex County and LMPs websites, in an accessible format.

As outlined in the attached Joint Annual Accessibility Status Report 2022, the County of Middlesex and its LMPs will continue to identify, remove and prevent barriers to people with disabilities. These efforts will continue to be communicated to County Council and LMP Councils through the Joint Multi-Year Accessibility Plan and affiliated Joint Annual Accessibility Status Reports.

Completion of the Joint Annual Accessibility Status Report and posting it online for the public to access is a legislative requirement, and is reported in the Accessibility Compliance Report. 2023 is a compliance reporting year.

**Analysis:**

Over the 5-year period, on an annual basis, the County and its LMPs are required to provide an update to County Council as well as LMPs Councils on the progress made towards obtaining the goals outlined in the Joint Multi-Year Accessibility Plan (2022-2027).

The attached report outlines the measures taken to ensure compliance with the *Accessibility for Ontarians with Disabilities Act* (AODA) and IASR. It details the initiatives undertaken by the County and LMPs in 2022 to identify, remove and prevent barriers.

The Continuous Achievements in Accessibility section outlines the ongoing accessibility initiatives implemented across the County. The Accessibility Highlights of 2022 details the different accessibility initiatives and projects that were completed in 2022 by the following municipalities:

- County of Middlesex
- Middlesex Accessibility Advisory Committee
- Township of Adelaide Metcalfe
- Township of Lucan Biddulph
- Municipality of Middlesex Centre
- Municipality of North Middlesex
- Municipality of Southwest Middlesex
- Municipality of Strathroy-Caradoc
- Municipality of Thames Centre
- Village of Newbury

Accessibility highlights focus on detailing projects relating to accessibility as it aligns with the IASR requirements. Projects may include, but are not limited to, accessibility construction or upgrades to outdoor play spaces, on and off street parking, recreational trails, sidewalks, washrooms, paths of travel, ramp or elevator access, tactile plates, or the installation of accessible door operator switches, crosswalk buttons and so forth.

Many of the accessibility projects fall under the following categories under the IASR:

- Information and Communication
- Employment
- Design of Public Spaces
- Transportation
- Customer Service

**Alignment with Strategic Focus:**

This report aligns with the following Strategic Focus and Objectives:

<b>Strategic Focus</b>	<b>Objectives</b>
Cultivating Community Vitality	<ul style="list-style-type: none"><li>• Promote and support community wellness through various accessibility projects and initiatives in 2021</li><li>• Innovate social and community services by implementing changes that accounts for accessibility and inclusion of people with disabilities</li><li>• Champion and encourage active transportation and public transit opportunities by making accessibility related changes to Middlesex County Connect</li></ul>
Strengthening Our Economy	<ul style="list-style-type: none"><li>• Create an environment that enables the attraction and retention of businesses, talent, and investments by ensuring job descriptions and recruitment processes are accessible to all applicants</li><li>• Attract visitors to Middlesex County by making public spaces and attractions accessible for all</li></ul>
Promoting Service Excellence	<ul style="list-style-type: none"><li>• Anticipate and align municipal service delivery to emerging needs and expectations by considering the increased populations of seniors and people with disabilities and introducing strategic initiatives</li><li>• Engage, educate and inform residents, businesses, and visitors of county services and community activities and bring awareness to accessibility and customer service as it pertains to the IASR through training and improving web accessibility for all County and LMP websites</li></ul>

**Recommendation:**

THAT the Joint Annual Accessibility Status Report 2022 be approved and forwarded to the participating Local Municipal Partner's for approval.



## **Joint Annual Accessibility Status Report**

---

**A Summary of Middlesex County and Local Municipal Partners Accomplishments  
towards Accessibility in 2022**



## Objectives and Purpose

This is the sixth Joint Annual Accessibility Status Report update of Middlesex County's Multi-Year Accessibility Plan. In 2016, Middlesex County released its second Multi-Year Accessibility Plan, in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) and the Integrated Accessibility Standards Regulation (Ontario Regulation 191/11). The plan outlined our strategy to prevent and remove barriers to accessibility, which included how we will meet phased-in requirements under the AODA. The third Joint Multi-Year Accessibility Plan will be released in early 2022, detailing the progress made in the last 5 years, goals set for the next 5 years, and timelines for completion.

This Status Report includes the accessibility initiatives that were completed in 2022 to implement the strategy outlined in our Joint Multi-Year Accessibility Plan 2022-2027.

## Compliance Reporting

Middlesex County and its Local Municipal Partners filed Accessibility Compliance Reports in 2021 with the Ministry for Seniors and Accessibility. The next compliance reporting period is in 2023.

## Middlesex County's Commitment Statement

Middlesex County's statement of commitment establishes the vision and goals for the County to meet the legislated accessibility requirements. The County's statement of commitment is publicly available on the County website.

Middlesex County is committed to being responsive to the needs of all its residents and employees. In order to meet the needs of people with disabilities the County will:

- Ensure policies, practices and procedures address dignity, independence, integration and provide for equal opportunity for people with disabilities.
- Allow people with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the County.
- Accommodate the accessibility needs of people with disabilities to ensure they can obtain, use or benefit from the County's goods, services, programs and facilities.
- Communicate with people with disabilities in a manner that takes into account the person's disability.

The County will promote accessibility by ensuring that compliance is met for all regulations made under the *Accessibility for Ontarians with Disabilities Act, 2005*. Timelines for compliance vary. In order to ensure that timelines are met, the County has established, implemented and will maintain a Joint Multi-Year Accessibility Plan. The plan outlines our strategy to identify, prevent and remove barriers to people with

disabilities. The new plan will act as a roadmap for the next 5 years with regards to accessibility, and details the goals and timelines for implementing the initiatives.

## **Continuous Achievements in Accessibility**

The County and LMPs focus on removing barriers which may exist in our buildings and facilities, while ensuring that new buildings, leases, and renovations do not create any new barriers

- Middlesex County's Accessibility Policy was updated in 2016, outlining what the County has done to comply with the 2016 Integrated Accessibility Standards Regulations and what our customers and employees can expect as we move forward
  - Local Municipal Partners also made revisions to their accessibility policies to ensure compliance with the IASR and AODA
  - The Accessibility Policy is consistently reviewed to ensure it reflects industry best practice
- Middlesex County Accessibility Advisory Committee continues to meet and review accessibility initiatives while representing all Local Municipal Partners across the County
- The County and LMPs continue to comply with the requirements of the *Integrated Accessibility Standards Regulation* including continuing to train staff, volunteers and third parties who interact on behalf of the County on an ongoing basis
- All library branches continue to provide accessible materials and communication supports upon request
  - In addition, the library has several accessible materials and resources available including but not limited to: large print books, audio books, Centre for Equitable Library Access (CELA) Library loan access, and accessible computer workstations at the Strathroy, Lucan, Dorchester and Parkhill Library Branches. (Accessible Workstation includes: ZoomText with high-contrast, large print keyboard; Dragon Naturally Speaking and joystick mouse)
- The County and LMPs have policies in place to ensure the public is notified of accommodations for applicants with disabilities in its recruitment process and hiring process
- Continue to review customer feedback and take appropriate action
- The County and its Local Municipal Partners are continuously identifying opportunities to improve accessibility to municipal services and routinely identify funding opportunities to improve accessibility and inclusion

## Accessibility Highlights of 2022

- **The County of Middlesex achieved the following in 2022:**
  - Provided training on document accessibility to staff to ensure compliance (ongoing)
  - Created an Accessibility Content Style and Design Guide, and a Creating Accessible Documents Guide
  - Launched the new fully accessible Middlesex County website
  - Continued making changes to PDF documents posted online to ensure compliance with the WCAG 2.0 Level AA requirements
  - Provided training to LMPs, as requested, on document accessibility
  - Reviewed LMP site plans for ongoing accessibility projects
  - Reviewed the HR Policy 5.01 Middlesex Accessibility Policy and made recommendations to be incorporated in the upgraded policy in 2023
  - Provided training on the AODA and OHRC to various LMP staff
- **Middlesex County Accessibility Advisory Committee (MAAC) achieved the following in 2022:**
  - Reviewed the County of Middlesex Accessibility Policy to ensure it meets industry best practice
  - Approved the drafts of the Accessibility Content Style and Design Guide and Creating Accessible Documents Guide
  - Consulted on the design of the Accessible and Inclusive playground in Dorchester Park
  - Made recommendations for accessible on-street parking projects
  - Consulted on the Lucan Biddulph Community Memorial Center renovation plans and addition
  - Reviewed LMPs Accessible Election Plan to ensure it meets all legislative requirements
- **The Township of Adelaide Metcalfe achieved the following in 2022:**
  - Ongoing Accessibility updates to the Municipal Website ([www.adelaidemetcalfe.on.ca](http://www.adelaidemetcalfe.on.ca)) to ensure compliance with the WCAG 2.0 Level AA requirements
  - Construction of new accessible sidewalks along a portion of Second Street to Grogast Court to provide travel to the Gemini Arena and the Strathroy District High School/Holy Cross Catholic Secondary School located in the Municipality of Strathroy-Caradoc
  - Accessibility improvements to Kerwood Park including additional accessible pathways to and around the playground
  - Paved the parking lot at Kerwood Park which included accessible parking spots
  - Improved accessibility in the washroom pavilion facility at Kerwood park including the installation of adult change tables and emergency buttons

- **The Township of Lucan Biddulph achieved the following in 2022:**
  - Continue to remove of non-standard Sidewalk and replacement with AODA compliant sidewalk and expand sidewalk network, creating connections to trails and other sidewalk facilities completing missing links
  - Completion of Accessibility Audit for Main Street Lucan and Granton Line, Granton.
  - AODA Compliant Notice Templates for public planning meetings
  - Provided AODA Legislation –Customer Service Training for all staff / new hires / others identified in legislations
  - Increased service delivery methods through electronic means (accepting applications through email, using DocuSign to sign 3rd party agreements, etc.) while still maintaining original processes to serve the public when needed
  - Continue to coordinate livestreamed electronic council meetings
  - On-going training is provided to staff on creating accessible documents Feedback Process
  - Successfully held 2022 municipal election via internet and telephone voting and voter help centre had accessible voting station with lowered counter
    - Developed an Accessible Municipal Election Plan for the Municipal Election which included accessible voting locations with information on entrances and parking
    - This plan outlined voting assistance, availability of election materials in alternative formats as well as customer service and staff training
  - The Lucan Biddulph Community Memorial Project renovation and revitalization broke ground in March of 2022
    - Improvements included barrier free change rooms, access to the stands through a new elevator and accessible washrooms
    - Community Centre project will continue with a goal of barrier free access to the facility and its activities
    - In the Fall of 2022, the Council of Lucan Biddulph approved a renovation of the Lucan outdoor pool located at the Community Centre
      - Utilizing the new barrier free change rooms and ramp access to the pool deck residents can take advantage of the new ramp access and cushioned membrane in the shallow portion of the pool

- **The Municipality of Middlesex Centre achieved the following in 2022:**
  - Rick Hansen Foundation Accessibility Certification of the Komoka Wellness Centre, which recognizes this facility as having exceeded accessibility requirements for a public space.
  - New asphalt trails in Weldon Park. The playground, pavilion and washroom facility are now all interconnected by an accessible asphalt trail.
  - Construction of new universal washroom at Heritage Park
  - New accessible playground and hard surface trails for Deerhaven Park
  - New accessible playground and hard surface trails for Kilworth Optimist Park
  - New curbing with zero entry at Caverhill Park and new asphalt trail leading to playground. Allows easier access to playground and zero entry curbing meets accessibility requirements for playground.
  - New motion door opener for YMCA entrance and hall way entrance
  - Painting of zero entry exterior curbing and railings at Wellness Centre
  - New open single roll toilet paper dispensers in accessible washrooms
  - Continuation of hard surface trails further enhancing accessibility throughout the Komoka Park trails
  - Provided AODA Legislated Customer Service Training for newly hired staff
  - Continued updates to municipal website to ensure compliance with the WCAG 2.0 Level AA requirements
  - Replacement of substandard sidewalk with AODA compliant sidewalk on Towerline Street In Delaware
  - Expanded the sidewalk network in Delaware and Komoka
  - Added a Pedestrian Cross over on Komoka Road at St Clair Ave
  - Facilitation of an accessible 2022 Municipal and School Board Election. Accessible voting methods and communications. Election Accessibility Procedures, Guides and accessible Voting Help Centre.
  - Municipal Office Renovation, including new accessible council chambers and washrooms
  - Ongoing live streaming of all Council meetings, with closed captioning and alternative agenda and report formats available. Electronic, telephone and in-person participation permitted at Council meetings to ensure accessible attendance options
  - Expanded service delivery of online based building applications through Cloud Permit. This program has been expanded to included planning and development applications. The technology allows members of the public to apply, manage and stay up to date on permit applications.

- **The Municipality of North Middlesex achieved the following in 2022:**
  - Had accessibility training provided by the Accessibility Coordinator to Roads staff and staff at the Municipality on the AODA, IASR, and OHRC
  - A daily accessibility checklist at the Shared Services Facility was completed for the municipal election period, no issues were identified
- **The Municipality of Southwest Middlesex achieved the following in 2022:**
  - Conducted a site walkthrough for the Appin Playground and incorporated accessible features in the design of the playground including seating, accessible walkways, accessible parking, and playground equipment
    - Timeline for completion of the project is April 2023
  - Did a walkthrough of the Train Station and completed renovations including the addition of an accessible ramp with proper railings to provide access to the deck and front entrance
  - Upgraded the municipal sidewalks to ensure AODA compliance
  - Working on implementing an accessible lift for pool programs
  - Added an accessible ramp to provide wheelchair access to the front entrance of the Arena
  - Discussions began regarding accessible upgrades for Middlemiss park
  - Recommendations made to include accessible on-street parking on various Municipal main roads, project to be completed in 2023
- **The Municipality of Strathroy-Caradoc achieved the following in 2022:**
  - Installed a number of benches (6) throughout the community to the standard approved by the Advisory Committee
  - Reconfigured Sensory Park bench cement pads to comply with AODA
  - Wood Fibre top up on playgrounds (ongoing) to ensure accessibility
  - Have designed two parks/playgrounds with AODA components, yet to have public consultation or Advisory Committee consultation
  - Regular website checks for accessibility
  - Closed captioning for council meetings
  - Drafting and adhering to an accessibility plan for the conduction of the municipal election
  - Updated planning application forms and guidelines for AODA compliance
  - Draft design of a park pavilion with sidewalks and trails in the Fairgrounds Recreation Complex. Yet to have advisory committee consultation or Council approval
- **The Municipality of Thames Centre achieved the following in 2022:**
  - Administration
    - Accessible 2022 Municipal Election



- Coordinated Document Accessibility Training for 18 employees (creating accessible documents to ensure ongoing compliance with the IASR WCAG 2.0 Level AA requirements)
  - Conducted virtual and in-person Council meetings
  - Completed Joint Accessibility 5 Year Plan with the County
  - Continue to ensure municipal information on website and social media is accessible
  - Continue to provide AODA training for all new hires, committee member and council members at onboarding stage
- Public Works
  - Installation of tactile plates on newly constructed sidewalks (ie. Oakwood Dr/Ross Ave/Patricia Ave/David St/Countryside Ln)
  - Tactile plates (also known as *Detectable Warning Plates*) are a system of textured ground surface indicators found on sidewalks, stairs, and platforms to assist people who are visually impaired effectively navigate the surrounding environment
- Community Services and Facilities
  - Introduced wayfinding technology to some of our core recreation areas (Dorchester Park, Thorndale Park, FlightExec Centre and Thorndale Lions C.C.) which enables cell phone users to access two free smartphone apps, whereby BlindSquare and GoodMaps apps provide audio description of surroundings, directions, distance to specific amenities (washrooms, water fountains, benches, exits, etc.) and other information that will be useful for the visually impaired, based on GPS location of the phone
  - Addition of an inclusive and accessible playground at Dorchester Park, including not only accessible ramps and play features, but also tactile plates where nearby sidewalks approach road, added flashing light crosswalk, along with curbs cut for additional accessible parking spaces
  - Added 8 AODA picnic tables to our parks
- Planning and Development Services
  - Ongoing usage of CityWide Building Permit module - supports a more accessible application process for the public
- **Village of Newbury achieved the following in 2022:**
  - Started using a standardized font for all written communications (Arial 12 point), including council minutes and by-laws
  - An accommodation clause was incorporated into the job posting during the year

- The election was traditional ballot method but consideration was given to ballots being used (white on black) with a larger font
  - All voting was held in Council Chambers in the Municipal Office which provides has accessible parking and entrance
  - Print magnifiers were available at the voting station

## **Availability of the Plan and Status Report**

The Multi-Year Accessibility Plan and Annual Accessibility Status Reports can be accessed through Middlesex County's website: [Middlesex County Accessibility Page](#).

## **Contact Information**

For more information, contact:

Phone 519-434-7321

Fax 519-434-0638

Email Marci Ivanic, County Clerk: [mivanc@middlesex.ca](mailto:mivanc@middlesex.ca)

Sarah Savoie, County Accessibility Coordinator: [ssavoie@middlesex.ca](mailto:ssavoie@middlesex.ca)

Mail County Clerk

County of Middlesex

399 Ridout St. N, London ON N6A 2P1

**Accessible formats and/or communication supports available upon request.**



## Committee of the Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Durk Vanderwerff, Director of Planning and Development  
**Subject:** Middlesex Centre Official Plan Amendment No. 50; Dausett Drive; File No. 39-MC-OPA50

---

### **BACKGROUND:**

756949 Ontario Limited have applied to amend the Middlesex Centre Official Plan for a property located on Dausett Drive in Kilworth. Amendment No. 50 would re-designate the property from a 'Settlement Commercial' designation to the 'Medium Density Residential' designation to permit a residential townhouse development of approximately 54 units.

The subject lands are at the south-east corner of Glendon Drive (County Road 14) and Jefferies Road. Surrounding land uses are primarily residential to the east and south, however, commercial uses exist immediately to the west (Home Hardware). In addition to Amendment No. 50, locally the proposal is subject to a zoning by-law amendment to rezone the subject lands to a new site-specific 'Urban Residential Third Density (UR3)' zone.

County Council is the Provincially delegated Approval Authority for locally adopted official plan amendments. This report summarizes the planning policy context and provides a planning recommendation for Council from the perspective of the Approval Authority. More detailed local planning analysis, as provided to Middlesex Centre Council, is provided within the attached local planning reports. In addition, a location map, and a copy of Amendment No. 50 are appended.

### **ANALYSIS:**

The application was submitted to the Municipality on February 10, 2020 and was subject to several public meetings and an extensive local review. During the local process the application was paused to determine through the Municipality's Comprehensive Review if there was sufficient commercial lands in the Municipality to support the commercial to residential conversion. The Comprehensive Review and supplemental information from the proponent supported the conversion in this location in part due to the modest size of the lands in question.

Amendment No. 50 was adopted by Middlesex Centre Council on February 15<sup>th</sup> 2023 and submitted to the County as the Approval Authority. The submission was accepted as complete by the County and a further agency / ministry circulation was not undertaken given the location and consultation undertaken by the Municipality. The County has not received comment from the public concerning Amendment No. 50 however during the local process substantial feedback related to traffic, compatibility, parking, etc. was received.

The Provincial Policy Statement and County Official Plan provide direction on matters of Provincial and County interest and seek to encourage development in settlement areas on full municipal services. Settlement areas are intended to accommodate a variety of uses provided the development is compatible with surrounding areas and represents an efficient use of land and infrastructure. Residential infill and intensification to meet the needs over the planning horizon are supported by the planning policies.

The Middlesex Centre Official Plan provides direction regarding the conversion of employment / commercial lands to non-commercial uses and it may only be permitted through a Comprehensive Review where it has been demonstrated that the land is not required for employment purposes over the long-term and there is a need for conversion. The Municipality evaluated Amendment No. 50 as part of the Municipal Comprehensive Review and concluded that the lands are not required for employment and are more appropriate for residential intensification.

I have reviewed Amendment No. 50 against the PPS, the County Official Plan, and the Middlesex Centre Official Plan. I am satisfied that Amendment No. 50 is consistent with the PPS, conforms to the intent and purpose of the County's Official Plan and the Middlesex Centre Official Plan, and represents sound land use planning. I am therefore recommending approval of Official Plan Amendment No. 50, as adopted.

#### **FINANCIAL IMPLICATIONS:**

The budget expense related to the Provincially delegated Approval Authority responsibility for local official plans is offset, to an extent, through the collection of application fees.

#### **ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

<b>Strategic Focus</b>	<b>Goals</b>	<b>Objectives</b>
Strengthening Our Economy	Encourage a diverse and robust economic base throughout the county	Support the development and prosperity of downtown core areas in Middlesex County

**RECOMMENDATION:**

THAT Amendment No. 50 to the Middlesex Centre Official Plan be approved and that staff be directed to circulate a Notice of Decision as required by the Planning Act, and that the Notice of Decision indicate that no written submissions were received concerning this application.

*Attachments*

Attachment 1 Location Map

Attachment 2 Amendment No. 50

Attachment 3 Planners Report (February 15, 2023)

Attachment 4 Planners Report (January 26, 2022)

Attachment 5 Planners Report (August 11, 2021)

Attachment 6 Planners Report (June 24, 2020)





## LOCATION MAP

Description:  
OFFICIAL PLAN AMENDMENT NO. 50  
MUNICIPALITY OF MIDDLESEX CENTRE

File Number:  
39-MC-OPA50

Prepared by: Planning Department  
The County of Middlesex  
February 24, 2023



## LEGEND

 LANDS SUBJECT  
TO OPA 50

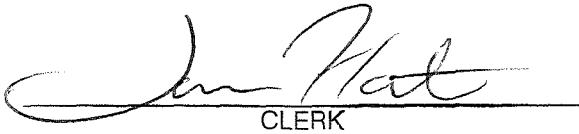


1:4,000  
0 100 200  
Meters



\_\_\_\_\_, Clerk of the Municipality of Middlesex Centre

Hereby Certify that this is a true and exact  
copy of the original document  
This 22<sup>nd</sup> day, of FEBRUARY, 2023

  
CLERK

**AMENDMENT NO. 50**

**TO**

**THE OFFICIAL PLAN**

**OF THE**

**Municipality of Middlesex Centre**

**Location:** The subject property is located off Dausett Drive which is south of Glendon Road (County Road 14) and east of Jefferies Road. The subject property is a portion of the parcel legally described as Plan 33M656 BLK 60, Municipality of Middlesex Centre.

**Date:** February 15, 2023

**Approval Authority:** County of Middlesex

AMENDMENT NO. 50

To the Official Plan of the Municipality of Middlesex Centre

The attached, constituting Amendment No. 50 to the Official Plan of the Municipality of Middlesex Centre, as authorized by the provisions of Section 22 of the Planning Act, R.S.O. 1990, c.P.13, was adopted by Council of the Municipality of Middlesex Centre by By-law 2023-022 on the 15<sup>th</sup> day of February, 2023, in accordance with the Planning Act, R.S.O. 1990, c.P.13.

A handwritten signature in black ink, appearing to read 'Aina DeViet', written over a horizontal line.

Aina DeViet  
Mayor

A handwritten signature in black ink, appearing to read 'James Hutson', written over a horizontal line.

James Hutson  
Municipal Clerk

AMENDMENT NO. 50

To the Official Plan of the Municipality of Middlesex Centre

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of the text which constitutes Amendment No. 50

PART C - THE APPENDICES - do not constitute part of this Amendment.

AMENDMENT NO. 50

To the Official Plan of the Municipality of Middlesex Centre

PART A - THE PREAMBLE

1.0 PURPOSE AND EFFECT

The purpose and effect of the Official Plan Amendment application is to re-designate a portion of the subject property from the Settlement Commercial designation to the Medium Density Residential designation to allow for the development of medium density residential units in the form of townhomes, stacked townhomes and/or apartment dwellings.

2.0 LOCATION

The subject property is located off Dausett Drive which is south of Glendon Road (County Road 14) and east of Jefferies Road. The subject property is a portion of the parcel legally described as Plan 33M656 BLK 60, Municipality of Middlesex Centre.

3.0 BASIS OF THE AMENDMENT

The Provincial Policy Statement and the County Official Plan directs intensification and residential development to settlement areas and there is availability of municipal services. Further, the conversion of Settlement Commercial lands can be supported as it has been acknowledged that there is a sufficient supply of vacant commercial lands in the Kilworth and Komoka area over the planning horizon.

The proposal is in keeping with the provincial and regional policy framework for new development within settlement areas. The proposed residential use is keeping with the existing residential nature of the community, and is not expected to have any significant impacts on existing residential and commercial uses within the area.

PART B - THE AMENDMENT

4.0 DETAILS OF THE AMENDMENT

The document known as the Official Plan of the Municipality of Middlesex Centre is hereby amended:

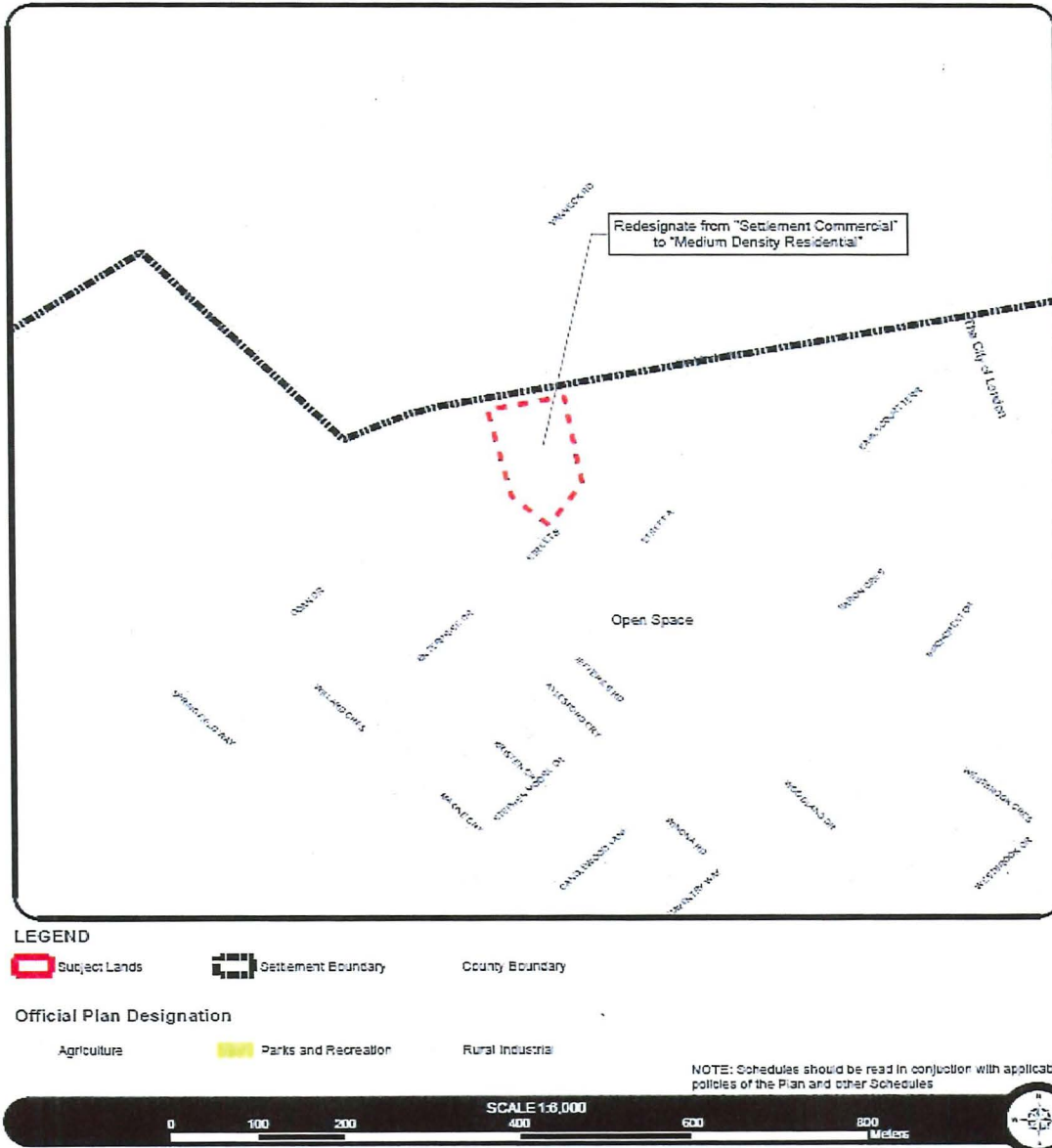
- i. By amending Schedule 'A-2' of the Official Plan by changing the designation of a portion of the land described as Plan 33M656 BLK 60, Municipality of Middlesex Centre as shown and defined on Schedule 'A' attached to this amendment, from "Settlement Commercial" to "Medium Density Residential".

## PART C - THE APPENDICES

**SCHEDULE A: TO OFFICIAL PLAN AMENDMENT #50**

## SCHEDULE A: LAND USE PLAN

MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN





**Meeting Date:** February 15, 2023

**Submitted by:** Marion-Frances Cabral, Planner

**Report No:** PLA-12-2023

**Subject:** Applications for Official Plan Amendment (OPA 50) and Zoning By-law Amendment (ZBA-09-2020) for lands on Dausett Drive; Filed by Zelinka Priamo Ltd. (Katelyn Crowley) on behalf of 756949 Ontario Limited

---

**Recommendation:**

THAT Official Plan Amendment application (OPA 50), filed by Zelinka Priamo Ltd. on behalf of 756949 Ontario Limited, to redesignate the lands from “Settlement Commercial” to “Medium Density Residential” be ADOPTED;

AND THAT Zoning By-law Amendment application (ZBA-09-2020), filed by Zelinka Priamo Ltd. on behalf of 756949 Ontario Limited, to rezone the land from ‘Highway Commercial exception 9 (C2-9)’ to a site-specific ‘Urban Residential Third Density (UR3)’ zone be DEFERRED.

**Purpose:**

This report is to provide a recommendation for Official Plan Amendment and Zoning By-law Amendment applications on the land located off Dausett Drive east of Jeffries Road in Kilworth. The subject land is located south of Glendon Drive. The subject land is legally described as Plan 33M656 BLK 60, Municipality of Middlesex Centre.

A location map is included as Attachment 1.

**Background:**

The Official Plan Amendment application requests to re-designate the lands from “Settlement Commercial” to “Medium Density Residential”. Additionally, the Zoning By-law Amendment application requests to rezone the subject lands from ‘Highway Commercial exception 9 (C2-9)’ to a site-specific ‘Urban Residential Third Density exception x (UR3-x)’ zone.



The irregularly shaped parcel subject to the applications is vacant of buildings and currently contains excess soil. However, existing and planned commercial uses are located on the western portion of the property. These lands contain a building supply outlet, restaurant and commercial buildings. Existing medium density residential units abut directly to the east of the subject land. West of Jefferies Drive contains commercial lands in proximity to Glendon Drive. South, south-west, and east of the subject parcel exists a low-density residential community.

The initial application was received in 2020 and a public meeting was held on June 24, 2020, and at following meetings on August 11, 2021 and January 26, 2022. The application proposed a total of 54-units comprised of 18 townhouses and 36 stacked townhouses units.

Since the public meeting in June 2020, Staff and the Applicant reviewed the comments provided by the public and Council. Staff advised the Applicant that a land use change, such as the one proposed, would generally require a comprehensive review or assessment to convert the employment land and that the applications should be reviewed comprehensively as part of the Municipality's Official Plan Review, which was set to commence in July 2020. The Applicant was also advised that they have the ability to revise the application and proposal to include comments made by the public, Staff and Council.

At the request of the Applicants, Staff presented the applications to the public at a public meeting in August 2021. Noting the Official Plan Review and supporting studies which were underway, Staff recommended that the applications be deferred until the comprehensive review was prepared by the Municipality's consultant. In February 2022, the Municipality accepted the final Growth Management Study which informs the employment and residential projected land needs for the Municipality. The Applicant reviewed the Growth Management Study and provided their analysis within the revised Planning Justification Report (Attachment 2).

The Applicant also submitted a revised concept development plan (Attachment 3). The concept plan is preliminary and can be altered or refined through site plan and condominium review processes. The principle design features of the proposed development include the following:

- A single access and driveway will be off Dausett Drive. There will be no vehicular access to Glendon Drive.
- A total of sixty-four (64) dwelling units
  - Sixteen (16) townhouse dwelling units proposed along the eastern and southern property boundaries abutting existing residential development. Each townhouse unit is proposed to have a single car garage and driveway for a total of 2 parking spaces per unit
  - Twenty-four (24) stacked, back-to-back townhouse dwellings (apartment dwellings) in a block is located along the Glendon Drive frontage.
  - Twenty-four (24) stacked, back-to-back townhouse dwellings (apartment dwellings) in a block is located in the centre of the development.

- Sixty-four (64) surface parking spaces are located abutting the townhouse blocks and along the western property boundary abutting existing commercial development
- Amenity area located adjacent to the central townhouse block near the entrance of the development
- Private internal road that loops around the central townhouse block
- Dedicated waste collection area in central location
- Sidewalks are proposed from the entrance of the development to the central amenity area and around the townhouse blocks
- A 1.82 m (5.97 ft) noise wall is proposed at the rear of the units to mitigate traffic noise levels from Glendon Drive
- All proposed units are to be serviced from an existing storm sewer and watermain located on Dausett Drive

### **Policy Regulation:**

When reviewing these applications the following planning instruments are applicable to guide development within settlement areas. The Provincial Policy Statement provides planning direction for growth and a variety of uses within settlement areas and contains specific policies to ensure development is appropriate. The property is identified as part of the Kilworth 'Settlement Area' in Middlesex County's Official Plan and designated as 'Settlement Commercial' and identified within 'Community Gateway' within Middlesex Centre's Official Plan. The property is zoned 'Highway Commercial exception 9 (C2-9)' by Middlesex Centre's Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the land.

#### Provincial Policy Statement, 2020:

The Planning Act states that all decisions made by planning authorities "shall be consistent with the policy statements issued" under subsection 3. The Provincial Policy Statement, 2020 (PPS) document is comprised of several policy statements and those that are applicable to the proposed development are noted below.

Section 1.0 – Building Strong Healthy Communities establishes policies that support long-term prosperity, environmental health and social well-being within communities.

Section 1.1 of the PPS identifies that healthy communities are sustained by accommodating an appropriate range and mix of uses, avoiding development patterns that cause environmental concerns, and promoting cost-effective development patterns that optimize the use of planned and future infrastructure.

Section 1.1.2 requires municipalities to accommodate an appropriate range and mix of land uses to meet projected land needs for a time horizon of up to 25 years. Within settlement areas land is to be made available through intensification and redevelopment.

Section 1.1.3 – Settlement Areas establishes that settlement areas can vary in size, population, and diversity and intensity of land uses. The PPS directs growth and development to settlement areas where new development varies in densities and land uses, and there are opportunities for intensification, redevelopment, and the efficient use of land. New development patterns are based on the efficient use of land that minimize negative impacts to the environment, support active transportation and are appropriate for the infrastructure and public service facilities.

Sections 1.1.3.4 and 1.1.3.6 promote intensification, compact development, varying uses and densities where it avoids or mitigates risks to public health and safety and is adjacent to the existing built-up area. Section 1.1.3.5 also allows municipalities to establish a minimum target for intensification within built-up areas subject to local conditions.

Section 1.3 – Employment directs municipalities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses and opportunities for diversification to meet long-term needs. Facilitating investment is generally completed by municipalities by identifying suitable sites for a variety of employment areas that support communities and that can be supported by current and future infrastructure.

Subsections of 1.3.2 – Employment Areas states that municipalities shall plan for, protect and preserve employment areas for current and future uses, and that necessary infrastructure is provided to support the needs.

Further, at the time of an Official Plan review, municipalities can review employment areas to ensure that the designations are appropriate. Municipalities may permit the conversion of lands within employment areas to non-employment uses, such as residential, through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long-term and that there is a need for the conversion.

Section 1.4 – Housing speaks to the provision of housing within a municipality. The PPS promotes an appropriate range and mix of housing types and densities and directs development of new housing towards areas where there is an appropriate level of infrastructure. Municipalities are to provide opportunities for all forms of housing and intensification to meet the social, health and well-being needs of the current and future community.

Sections 1.6 – Infrastructure and Public Service Facilities directs that infrastructure and be provided in an efficient manner that also prepares for the impacts of a changing climate. Section 1.6.2 directs municipalities to promote green infrastructure to complement existing infrastructure such as permeable surfaces, green roofs, and street trees.

Section 1.6.6 – Sewage, Water and Stormwater directs future growth and development to efficiently use and optimize existing services such as municipal sewage and water services, when available, and promote water conservation and water use efficiency. Servicing and land use considerations shall be integrated at all stages of the planning process. Further, municipal sewage and water services are the preferred form of servicing for settlement areas.

Section 1.6.6.7 promotes planning for stormwater management that is integrated with planning for sewage and water services and ensures that systems are optimized, feasible and financially viable over the long term; minimizes or prevents an increase in negative impacts on the environment and water system; does not increase risks to human health and safety and property damage; maximizes the extend and function of vegetative and pervious surfaces; and promotes stormwater management best practices such as low impact development, water conservation and stormwater attenuation.

Middlesex County's Official Plan:

The County of Middlesex Official Plan (County Plan) identifies the subject land within the Kilworth 'Settlement Area'.

Section 2.3.4 – Growth Management-Economic Development maintains a County goal to support economic activity and opportunities for residents to live and work within the County. The County Plan seeks to ensure there is a sufficient supply of employment land available throughout the County especially in areas where there is access to major arterial roads.

The County Plan also encourages municipalities to provide a balanced mix of housing and employment uses to ensure a sufficient labour force and to reduce the need for commuting.

Section 2.3.8 – Growth Management-Settlement Areas of the County Plan recognizes that Settlement Areas will be the focus for future growth including commercial, industrial and residential uses. These areas are intended to have the highest concentration and a wide range of land uses and full municipal servicing in conjunction with 2.4.5 of the County Plan.

Additionally, section 2.3.7 – Growth Management-Housing Policies encourages a wide variety of housing types, sizes and tenure to meet market requirements and demand for current and future residents. Municipalities are responsible to determine and encourage a range of housing types, densities and options through local official plans that meet current and future needs. This can also include intensification and redevelopment in appropriate locations.

Section 3.2 – Settlement Areas provides additional development policies for lands within Settlement Areas. The County Plan further supports that Settlement Areas are developed in a manner that is phased and compact, and preserves the historic character of Settlement Areas and complements the positive elements of the existing built-form. The County Plan defers to the municipality to provide detailed direction on a variety of areas including addressing land supply and policies for land uses within urban areas including residential and commercial.

With regard to municipal sanitary sewers and water services, Section 2.4.5 – Sanitary Sewers and Water of the County Plan promotes efficient and environmentally responsible development that can be supported by full municipal systems servicing.

County Council adopted Amendment No. 3 to the County official plan on July 19, 2022. The purpose of the Amendment was to update the official plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Policy Statement (PPS), and reflect changing community needs for the next 25-years. While the policies implemented through Amendment No. 3 are not in force and effect until Ministry approval, the updated policies are included in this report for informative purposes indicating the intent of County Council, but are not determinative for the purposes of this planning application.

Adopted Section 2.4.2.2 – General Policies states that the layout of all new residential developments shall provide a minimum of two access points to the existing road network. Exceptions to this policy shall be considered if the proposed street pattern is approved by the local Municipality, emergency service provider(s) and the County Engineer, where applicable.

#### Middlesex Centre's Official Plan:

The Middlesex Centre Official Plan (Official Plan) shows the land located within the Komoka-Kilworth Urban Settlement Area and Secondary Plan on Schedule A-2 and designated 'Settlement Commercial'. The land is also within the Community Gateway overlay on Schedule A-2 which provides additional guidance for specific areas within the Komoka-Kilworth area.

Lands designated 'Settlement Commercial' are to provide opportunities for retail, restaurants, recreational uses, personal services and offices within Settlement Areas where they do not undermine the planned function of the established Village Centres of the Municipality. New commercial development within 'Settlement Commercial' areas will be subject to the Municipality's Site Plan Manual and Urban Design Guidelines in order to reflect the traditional character of the settlement area it is in.

The 'Settlement Commercial' designation is not intended to accommodate sensitive land uses, such as residential, or more intense employment areas in order to maintain a sufficient supply of commercial uses that support an appropriate employment base.

Section 5.7.1 – Komoka-Kilworth Secondary Plan Goals establish the need to find a balance between a mix of land uses that serve key functions of a complete and vibrant community. Land uses include housing with different densities, local businesses, employment, institutions and recreation.

Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies applies special policies to the Komoka-Kilworth Settlement Area. This section requires appropriate screening between new commercial development and sensitive land uses, and does not permit the open storage of goods, materials, machinery or equipment.

Section 5.7.8 – Komoka-Kilworth Community Gateway Policies for Komoka-Kilworth are intended to promote a strong visual and signal of entry into the community. As such, these areas are intended to have landmark features such as signage and special landscape treatments that have visual prominence, and be considered when there are proposals for new development. Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies also provides direction for the Community Gateway. New development must adhere to site plan criteria such as having parking to the rear or side of the buildings, appropriate landscaping that provide a sense of entry to the community, and high quality design that contribute to the image of Komoka-Kilworth.

The Applicant has requested to amend the Official Plan by redesignating the land from 'Settlement Commercial' to 'Medium Density Residential' on Schedule A-2. The following policies will apply to the land.

Section 10.1 - Amendments to this Official Plan provides direction for municipalities when considering applications to amend the Official Plan. The municipality must consider all relevant issues relating to public interest, and notify the general public and agencies in accordance with the *Planning Act*.

At a minimum, the Municipality shall consider the following criteria:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?
- d) What are the effects of the proposed change on demand for Municipal services, infrastructure and facilities?
- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?



- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

The Municipality is also directed to undertake a five year review of the Official Plan to revise the plan as necessary.

Section 5.7.4 – Komoka-Kilworth Residential Area Policies summarized below apply to lands designated ‘Medium Density Residential’.

- The ‘Medium Density Residential’ designation has a housing mix target of 40% which refers to the intended balance between low density and medium density residential development in Komoka-Kilworth. Medium density development is intended to have a net density of 20 to 50 units per hectare.
- Development proposals shall provide for a diverse mix of multi-unit housing forms and choices of accommodate the needs and lifestyles of people at different stages throughout their life; and for the development along Glendon Drive, provide building orientation, façade and landscape treatments that create an attractive streetscape. Back-lotting of units will be strongly discouraged along Glendon Drive. Improvements to Glendon Drive may include upgrades to hard infrastructure (e.g. stormwater system, bike lanes, sidewalks) and may be a required as a condition of development.
- All new development must ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces, and to facilitate the penetration of sunlight to these spaces.
- In addition to compliance with the urban design guidelines, private garages for residential development shall not project into the front yard than the habitable portion of the building or porch on the main floor in order to limit visual and streetscape impacts of garages.
- Entrance features to new residential neighbourhood development shall be encouraged where features are landscape related and require minimal maintenance.

Section 6.3 – Design Policies-Site Plans and Infill Developments provide additional direction to guide infill development to ensure there is compatibility with existing residences and neighbourhoods. High quality site design and architectural design is encouraged for new medium density residential development. Setbacks, massing, location of parking, architecture and other design elements will be carefully reviewed to ensure new development is in keeping with the character of the neighbourhood.

The Growth Management Study completed as part of the Official Plan Review identified commercial lands within Settlement Commercial areas. The Growth Management Study notes that “commercial employment growth is anticipated to be primarily accommodated within Settlement Commercial Areas, while the Village Centres are anticipated to accommodate moderate growth through infill”. Fourteen (14) net hectares of commercial designated land is required to support projected commercial growth between 2021 and 2046. The Municipality currently has 13 ha of vacant designated commercial lands within Komoka-Ilderton and Ilderton which results in a 1 ha deficit of vacant commercial lands. Komoka and Kilworth are expected to have the strongest demand for growth, however, there is a sufficient land supply.

Middlesex Centre Council adopted Amendment No. 59 on May 18, 2022. While the policies implemented through Amendment No. 59 are not in force and effect until County approval, the updated policies are included in this report for informative purposes indicating the intent of County Council, but are not determinative for the purposes of this planning application.

Adopted Section 5.3.1 – General Residential Policy was revised to ensure the Municipality has at least a fifteen year supply of designated land available at all times to meet projected new housing needs of the Municipality, and that 20% of development in Urban Settlement Areas like Kilworth occur by way of intensification.

The Municipality shall encourage that 20% of new housing is accessible to lower and moderate income households in accordance with the County Official Plan. In the case of ownership, the least expensive housing is where the purchase price is at least 10% below the average purchase price of a comparable resale unit in the regional market area for the previous year.

Adopted Section 5.8.4 – Komoka-Kilworth Residential Area Policies was revised to state the targeted housing mix within the Medium Density Residential designation has a Gross Density (units per hectare) of 20 to 50.

Adopted Section 6. 2 – Design Policies Plan of Subdivision states that this section shall apply to subdivisions, condominiums and site plan applications or cluster development. New development shall include sidewalks, other active transportation infrastructure and traffic calming measures as deemed appropriate by the municipality. Rear-lotting or reverse lotting on Municipal roads is discouraged. Wherever possible, new residences will be oriented towards street or parks. Developments shall be required to comply with the Municipality’s current infrastructure design standards as may be amended from time to time.

Adopted Section 6. 4 – Design Policies – Streetscapes and Public or Semi-Public Realm provides direction of streetscaping to complement the existing built form of the neighbourhood. Accessible sidewalks and low impact development standards should be incorporated to minimize the impacts of climate change and reduce stormwater management costs. Surface parking shall be located behind buildings and away from the

street to provide a continuous streetscape. Appropriate design treatments and buffering is encourage to screen parking areas from the public realm.

#### Middlesex Centre Zoning By-law:

The subject land is currently zoned site-specific 'Highway Commercial exception 9 (C2-9)' and permits all uses within the 'Highway Commercial (C2)' zone, *open storage as an accessory use to a Building Supply Establishment* and a *clinic*. The 'Highway Commercial (C2)' zone permits uses such as, but are not limited to, financial institutions, hotels, offices, restaurants, and retail and convenience stores. Additional site-specific zoning standards apply to the subject land such as maximum lot coverage, minimum front yard setback minimum exterior side yard setback and open storage exceptions.

The requested amendment would rezone the property to a site specific 'Urban Residential Third Density exception x (UR3-x)' zone to reflect the proposed 64-unit medium density development that consists of townhouses and stacked townhouses (apartment dwelling).

The proposed site-specific zone would address standards such as permitted uses, setbacks, maximum density, and lot coverage. The standards shown below are based on the proposed site plan (Attachment 3) and in some instances meet the current standards of the 'Urban Residential Third Density' zone such as Minimum Lot Area, Minimum Rear Yard Setback, Minimum Floor Area, Maximum Height, and Minimum Outdoor Amenity Space.

All proposed standards are shown in the table below and may change based on information and comments received from the public, Council, agencies and Staff:

	<b>UR3 Zone</b>	<b>Proposed Site Specific UR3-x</b>
<b>Permitted Uses</b>	Accessory Use Apartment Dwelling Multiple Unit Dwelling Street Townhouse Dwelling Townhouse Dwelling	Accessory Use Apartment Dwelling Multiple Unit Dwelling Street Townhouse Dwelling Townhouse Dwelling
<b>Minimum Lot Area –</b> for Apartment Dwelling, Multiple Unit Dwelling	250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter	250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter
<b>Minimum Lot Area –</b> for Townhouse Dwelling	250.0 m <sup>2</sup> (2, 691 ft <sup>2</sup> ) per dwelling unit	178.0 m <sup>2</sup> (1, 916 ft <sup>2</sup> ) per dwelling unit

	UR3 Zone	Proposed Site Specific UR3-x
<b>Minimum Lot Frontage</b>	30.0 m (98 ft)	9.8 m (32.15 ft)
<b>Minimum Lot Depth</b>	35.0 m (115.0 ft)	110.2 m (362 ft)
<b>Minimum Front Yard Setback</b>	6.0 m (19.7 ft)	6.0 m (19.7 ft)
<b>Minimum Side Yard Setback</b> – for Townhouse Dwelling	3.0 m (10 ft) on an interior lot, and 6.0 m (20 ft) on the side abutting a street and 3.0 m (10 ft) on the other side on a corner lot; provided that no side yard shall be required between the common wall dividing individual dwelling units.	3.0 m (9.8 ft); 6.0 m (19.7 ft) on the easterly property lines that abuts residential uses
<b>Minimum Side Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	10.0 m (33 ft)	
<b>Minimum Rear Yard Setback</b>	8.0 m (26 ft)	8.0 m (26.2 ft) (for the purpose of this by-law, the property line abutting Glendon Drive is classified as the rear yard)
<b>Maximum Lot Coverage</b>	35% for the main building  38% for all buildings including accessory buildings subject to Section 4.1 a) of this By-law.	35% for the main building  38% for all buildings including accessory buildings subject to Section 4.1 a) of this By-law.
<b>Minimum Floor Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit;  55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit;	40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit;  55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit;

	<b>UR3 Zone</b>	<b>Proposed Site Specific UR3-x</b>
	65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit; 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit; 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms	65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit; 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit; 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms
<b>Minimum Floor Area</b> – for Townhouse Dwelling	65.0 m <sup>2</sup> (700 ft <sup>2</sup> )	65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<b>Maximum Density</b>	30 units per hectare	60 Units per hectare (gross)
<b>Maximum Height</b>	20.0 m (19.7 ft)	20.0 m (19.7 ft)
<b>Minimum Outdoor Amenity</b>	45 m <sup>2</sup> (484 ft <sup>2</sup> ) per dwelling unit.	Total amount to be confirmed by Applicant.
<b>Minimum Parking</b>	1.5 spaces per unit = 96	1.5 spaces per unit
<b>Visitor Parking</b>	-	0 parking spaces identified on concept plan

### **Consultation:**

Notice of the application was posted on the property and circulated to agencies, and property owners in accordance with the *Planning Act* and Ontario Regulation 545/06 ahead of the public meeting in June 2020 and August 2021. Additionally, residents who requested to be notified about decisions related to these applications were notified of this meeting.

### **Public Comments:**

Prior to or at the public meetings in August 2021, Staff received the comments from area residents. The summary is included as Attachment 4.

The following comments have been received by Staff in relation to the revised conceptual plan prior to the February 2023 meeting.

- Traffic is a big issue in Kilworth heights.  
Dausett is a small street with a condominium complex already emptying out onto it. It creates many safety issues. Any new development should have access off Glendon in order to accommodate existing families, and the safety of the community.  
If an access off of Glendon cannot be accommodated than I am opposed to having this many new homes on this plot of land.
- It seems like a lack of prior planning on the part of the purchaser of these lands should not constitute an emergency on ours the local residents. They should have been aware of the municipal plan and not tried to pull a fast one and instead of asking permission before the purchase, asking forgiveness later.

There are a lot of homes in this plan, without a significant amount of parking. Not sure if anyone has been in Kilworth recently, but there is not transit so anyone living there will have a car or several cars (this is Canada we live in) and if they have any visitors those individuals will have cars. Overflow will be either onto the street, filling up the commercial parking spaces, or even worse filling up the adjoining condos visitor parking.

Continuing with the parking issue, over the winter will bylaw enforcement be out ticketing people that are blocking the plow during the no overnight parking hours? I've yet to see bylaw work after hours for infractions.

I can see the area proposed as the driveway for this development. It is not significant. And it will exit right next to the already present driveway to the condos as 9 Dausett. This is guaranteed to cause accident, especially as that corner isn't an intersection but is a curve, onto which this driveway would connect to the road.

- My concerns are that the proposal is for 64 units that will have only have 1 1/2 driveways for each (majority of families have two cars) which means any visitors would likely have to park elsewhere....and they won't have visitors parking there. That means Dausett will likely become congested with cars parking on the road. Also there will only be an entrance and exit using the small area between Homehardware and the condos. This is a busy area already with cars coming and going from the condos. There are numerous children on Dausett (that play on the sidewalk) and many walkers that use the sidewalk behind the Homehardware. To put 64 units (possibly 108 cars more or less) coming and going will make that small area crazy busy and dangerous. Also with all the new businesses being built off Jeffries the traffic is sure to get much busier there as well.
- Please accept this letter as our formal opposition to the proposed zoning change from commercial to medium density residential.



Residents who live near the Home Hardware are already dealing with increases and delays in traffic on Jefferies. With this re-zoning, these same residents will experience additional traffic on Dausett, not to mention parking overflow when the 54 dwellings have get together and there is not ample space to park guest cars, which will frequently occur in condo and townhome complexes. While we found the existing commercial zoning plan barely acceptable with the Home Hardware and additional commercial spaces within our quiet community we have moved out here for, the proposed changes are not something we can support. This part of Kilworth is known for the wide lots and space between unique homes. We do not want to cheapen and reduce the value of the homes that have most likely already taken a hit with the Home Hardware being in backyards and sightlines. This appears to be a case of the developer and Municipality trying to pack way too much into the remaining space, and visually you can tell that from the rendering.

Maintaining the zoning as commercial would keep the traffic flow out of the residential area and off of Glendon/Jefferies. If residential is sought after and keeping it commercial can no longer be considered, low density single family homes would be the only acceptable option to reduce the amount of total dwellings that go in that narrow space.

### **Agency Comments:**

Prior to the public meeting in June 2020, Staff received the following comments. No additional comments were received at the time of writing this report.

The Municipality's Chief Building Official reviewed the requested amendments and has no concerns with the development at this time. Additional detailed comments will be provided during review of a detailed site plan.

The Municipality's Public Works and Engineering Department have reviewed the requested amendments and provided the following comments:

- A noise study will be required to review the application due to proximity of the sensitive land uses to Glendon Drive.
- A buffer will be required between the proposed residential use and existing commercial use to the west.
- The entrance to the site is crowded and not ideal given the proposed width (9.8 m/32.1 ft), however, Staff can work with the Applicant to find an appropriate solution.
- Due to the single entrance to the site, all services should be located outside of the roadway so that if there is future maintenance of the services, emergency services would still be able to access the development.
- The Applicant will need to provide a storm water management report and servicing brief.
- Additional detailed comments will be provided during review of the site plan

The Municipality's Director of Emergency Services – Fire Chief reviewed the requested amendments and previous site plan, and provides the following comments:

- Complex streets must meet the minimum width and turning requirements of the Ontario Building Code for firefighting apparatus
- The Applicant should address on-street parking. If on-street parking is allowed additional distances and street widths must be factored in
- The Applicant will need to identify the location of the proposed hydrants and how many there are. It is understood that a 250mm water supply will be available.
- Additional detailed comments will be provide during review of the site plan.

The County Engineer reviewed the requested amendments and has no concerns with the proposed uses. However, land dedication for proposed road widening may be necessary as prescribed in the Environmental Assessment for Glendon Drive, and no direct access would be permitted to Glendon Drive. Setbacks for proposed buildings need to comply with County standards as stated within the County Official Plan.

The Upper Thames River Conservation Authority (UTRCA) has no objections to the applications.

### **Analysis:**

To consider the appropriateness of the requested Official Plan Amendment and Zoning By-law Amendment, it must be consistent with the Provincial Policy Statement, 2020, and conform and maintain the intent of the policies of the County Official Plan and Middlesex Centre Official Plan.

It is noted above that Staff requested the applications, which convert the commercial lands into residential lands, be reviewed concurrently with the Official Plan Review which commenced in July 2020. The Official Plan Review included a municipal comprehensive review that assessed the current employment and residential land inventory, and determine the land needs for the Municipality over the planning horizon. The review would also provide supplementary information for the applications. The Applicant has since provided a commercial land inventory and analysis of the Growth Management Study. The analysis generally supports the conversion of the commercial lands due to the available supply of land within Kilworth and Komoka and relatively low demand (within Attachment 2). The Applicant has determined that medium density residential development is the most efficient use of land at this location.

It should also be noted that unlike employment land conversion, there is no Provincial directive or framework to evaluate the conversion of commercial lands to other uses. However, some jurisdictions considered the Province's definition of "Employment" to include commercial uses (e.g. retail), or they have establish their own criteria or principles to consider these types of conversions. Criteria include consideration of the site characteristics (e.g. access, size); consideration of the entire commercial area and larger urban area (e.g. commercial node at Glendon Drive and Jefferies Road, and impact on

Komoka and Kilworth area), and consideration of the site as a transition between employment and sensitive land uses.

As Planning Staff addressed previously, the primary concern is related to the conversion of employment lands to residential, and removal of employment/commercial lands from an area that is identified at a priority intersection in Kilworth. While the lands may not be large and bound by sensitive residential land uses, the lands were intended to serve the Kilworth and Komoka communities, and become a gateway into the area with commercial lands to the west and north. The removal of an additional hectare would further deplete the available and vacant commercial land supply.

In previous studies prepared by the applicant during review of the initial commercial businesses (large scale retail), future service and retail commercial uses were planned for the west and east portions of the site. This included smaller-scale, stand alone or multi-unit commercial buildings with uses such as personal service, retail, restaurants or financial institutions. The applicant's intention at that time was to establish the large retail store and have it act as a catalyst for additional commercial development. Staff acknowledge that the applicant has since increased the amount of leasable commercial space on the land. Moreover, during this time the Municipality's vision for the Kilworth-Komoka community has also shifted its focus for commercial development along Glendon Drive for a range of small to large commercial developments. While this intersection continues to be an important node, it is not the sole commercial destination for the community.

Additionally, Schedule A-2: Komoka-Kilworth Urban Settlement Area and Secondary Plan designates lands south and east of the subject lands as Settlement Commercial. This designation extends south to Peregrine Avenue and east incorporating the existing medium density residential development on Dausett Drive and single detached homes on Peregrine Avenue. These residential developments removed the supply of commercial lands and encroach on the commercial focus of the intersection initially identified in the Secondary Plan. It is also acknowledged that adopted Official Plan (OPA 59) has removed these adjacent lands from the Settlement Commercial designation to reflect the current residential uses. As such, it is reasonable to determine that the initial focus of the commercial oriented intersection has shifted towards mixed-use development along Glendon Drive and that residential development has already encroached the commercial lands.

Staff acknowledge that the western portion of the subject lands are currently used or planned for commercial uses, and lands to the east of the subject lands also contain residential uses. Planning Staff initially raised concern with the compatibility of the proposed residential development with commercial development. However, Staff are confident that appropriate site design on subject lands could act as a transition area or intermediary between the commercial uses and existing residential uses to the east.

With regard to the revised concept plan, Staff acknowledge that the applicant attempted to address concerns raised by members of the public and Staff. This includes increased setbacks from abutting residential uses, removing residential uses from the western property boundary abutting the commercial uses, and providing an enhanced streetscape along Glendon Drive similar to other developments on Glendon Drive in Kilworth. However, the number of parking spaces shown for residents and visitors is limited and there is continued concern related to the single-access and impact on the local traffic network. Staff recommend that the zoning implement a minimum rate (0.1 spaces per unit) for on-site visitor parking through the Zoning By-law Amendment. Further, Staff acknowledge that this is a concept plan at this time, and final details related to access and the impact on Dausett Drive can be addressed during review of the site plan and/or condominium applications.

Section 5.4.4 of the Middlesex Centre Official Plan identifies the ability to request an amendment to 'establish permitted uses within Settlement Commercial designations that are not contemplated or permitted in Sections 5.4.2 and 5.4.3 of this Plan'. Proposals should be accompanied by sufficient market analysis, transportation studies, and planning studies detailing implications of the application to land use and public interest issues. Section 10.1 also provides the following criteria when considering amendments to the Official Plan.

**a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?**

The requested amendment does not support the planned Settlement Commercial designation at the Glendon Drive and Jefferies Road intersection. However, the vision for Middlesex Centre, through its Official Plan and Strategic Plan, identify the need to increase housing stock and a variety of built forms, and diversifying land uses to accommodate the significant population increases. The proposal contributes to adding stability to an existing urban community and is representative of infill development.

**b) Is there a demonstrated need or justification for the proposed change?**

The Growth Management Study prepared by Watson and Associates has determined that the existing commercial land supply is sufficient noting the small shortfall, and needed for the Municipality over the planning horizon. Additionally, medium to high density residential uses are needed to meet the short and long-term demand of housing and it should be provided through means such as intensification and infilling of existing residential lands.

**c) Is the amendment in keeping with Provincial and County policy?**

The Provincial Policy Statement, 2020 (PPS) and County Official Plan identifies that settlement areas are to attract diversity of land uses including commercial and residential growth. New development is based off efficient use of land that minimizes negative impacts to the environment, support active transportation and public service

facilities. The PPS also direct municipalities to promote economic development opportunities to meet long-term needs, and protect employment areas. As such, the PPS and County Official Plan allows local municipalities to determine the appropriate balance of uses to support a robust and healthy community to meet the needs of its current and future residents.

**d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?**

Proposed development on the subject lands will be required to be on full services available within the area.

**e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?**

Public Works and Engineering has not identified servicing constraints with the proposal. However, the applicant will need to provide supporting studies to confirm the servicing required for proposed development to the satisfaction of the Municipality prior to any development occurring on the subject lands.

**f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?**

The proposed development may require improvements to the local road network and/or intersection as a result of the additional units and proximity to other medium density residential uses. It is noted by area residents that the current traffic patterns of Dausett Drive can be hazardous and the addition of vehicles may exacerbate the conditions. Should development be approved, Staff would recommend the applicant prepare a traffic study and work with the Municipality to implement mitigation methods.

As noted above the proposed residential development is compatible with existing residential uses. Appropriate site design will need to be considered to mitigate the impact from this development on adjacent lands and from commercial lands to the west. Further, Staff will work with the applicant to confirm zoning standards such as visitor parking rate, density and setbacks to mitigate impacts from adjacent landowners.

Planning Staff do not foresee negative impacts to the natural environment, municipal character, or cultural heritage.

As a result of the above and in consideration of all available information provided by the applicant and through the Official Plan review process, Planning Staff are satisfied that the Official Plan Amendment application can be supported by Council at this time. However, Planning Staff would like to continue working with the applicant to determine appropriate zoning standards for the site such as amenity area requirements, visitor parking requirements, garage depth, maximum density, and minimum building frontage along Glendon Drive. At a later date Planning Staff will provide Council with a recommendation on the Zoning By-law Amendment application.

This opinion has been provided with the benefit of receiving comments from agencies, the public and Council. Should new information arise regarding this proposal prior to or at the meeting, Council is advised to take such information into account when considering the applications.

**Financial Implications:**

None.

**Strategic Plan:**

This matter aligns with following strategic priorities:

- Balanced Growth

**Attachments:**

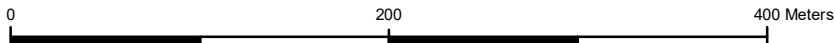
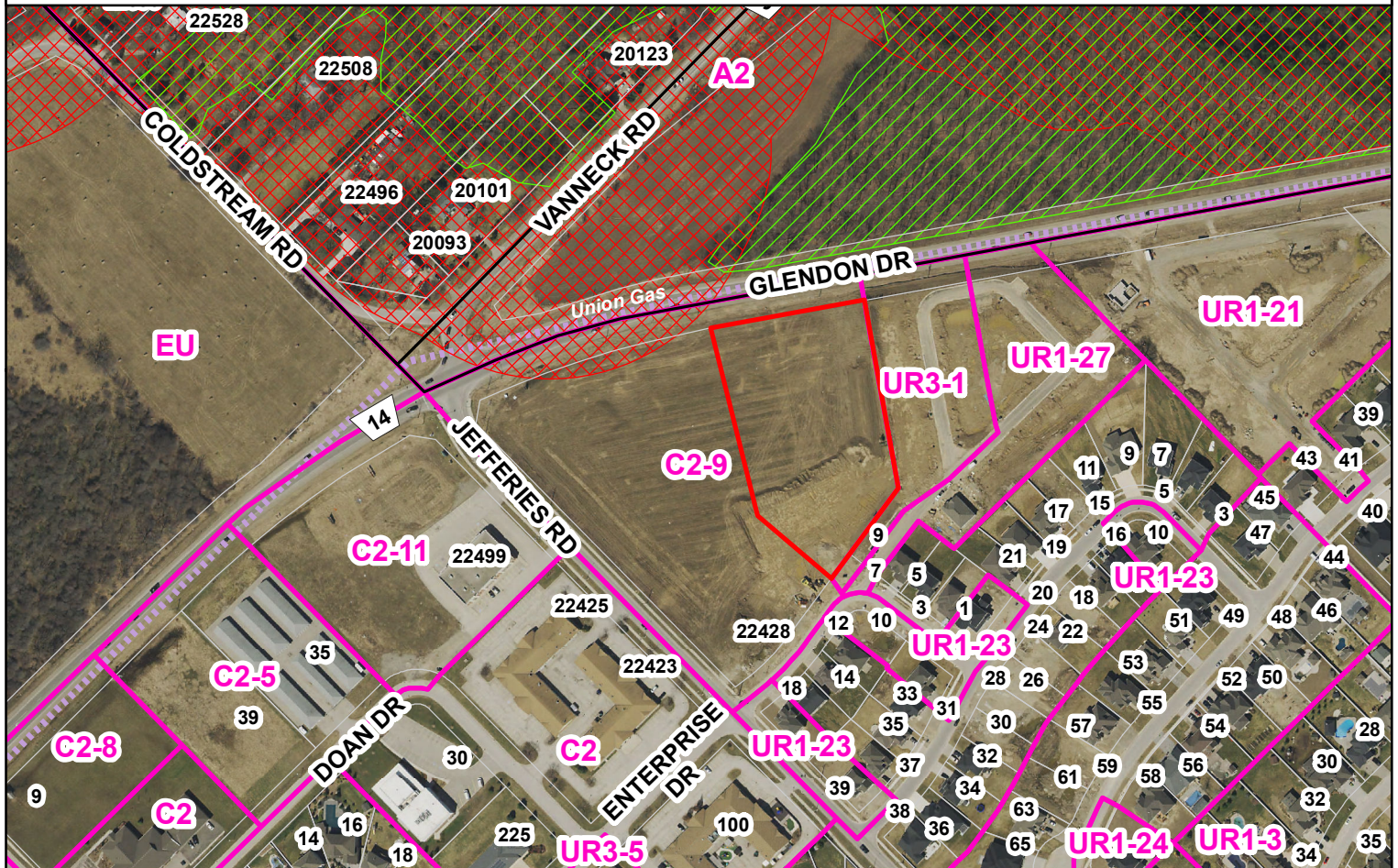
Attachment 1 – Location Map

Attachment 2 – Planning Justification Report

Attachment 3 – Concept Plan

Attachment 4 – Public Comments from previous Public Meeting





## Legend

- Lands to be designated to "Medium Density Residential", and rezoned to "Urban Residential Third Density exception x (UR3-x)"
- Zone Boundary
- Parcels
- Significant Woodland (MNHS 2014)
- CA Regulated Area



# Planning Justification Report

Glendon Drive at Jefferies Road (Block 60 Plan 33M-656)

Municipality of Middlesex Centre, County of Middlesex

Orange Rock Developments Inc.



February, 2020

REVISED November 17<sup>th</sup>, 2022



**Zelinka Priamo Ltd.**  
LAND USE PLANNERS

## TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>3</b>
<b>2.0</b>	<b>THE SUBJECT LANDS .....</b>	<b>3</b>
<b>3.0</b>	<b>PROPOSED DEVELOPMENT .....</b>	<b>8</b>
<b>4.0</b>	<b>PROPOSED PLANNING ACT APPLICATIONS .....</b>	<b>9</b>
<b>5.0</b>	<b>PLANNING DOCUMENT REVIEW AND ANALYSIS .....</b>	<b>9</b>
<b>6.0</b>	<b>ADDITIONAL CONSIDERATIONS .....</b>	<b>26</b>
<b>7.0</b>	<b>PUBLIC COMMENT RESPONSES .....</b>	<b>28</b>
<b>8.0</b>	<b>CONCLUSION .....</b>	<b>30</b>
	<b>APPENDIX 'A' .....</b>	<b>31</b>

## 1.0 INTRODUCTION

Orange Rock Developments Inc. submitted an application to the Municipality of Middlesex Centre to amend its Official Plan and Zoning By-Law for lands at the southeast corner of Glendon Drive and Jefferies Road. The original application was submitted in February 2020, and the application was deemed complete at that time. The purpose of this revised report is to reflect an up-to-date planning analysis based on a revised concept plan. The purpose of the proposed Official Plan Amendment and Zoning By-Law Amendment is to facilitate the residential development of the subject lands for townhomes and multiple unit dwellings (i.e. stacked townhousing or a low-rise apartment building).

This Planning Justification Report evaluates the proposed Official Plan Amendment and Zoning By-Law within the context of existing land use policies and regulations, including the Provincial Policy Statement, the Middlesex County Official Plan, the Municipality of Middlesex Centre Official Plan and the Municipality of Middlesex Centre Zoning By-law. An Official Plan review has been completed by the Municipality since the original submission of these applications; therefore, a revised Planning Justification Report was considered necessary to reflect the most recent Official Plan policies.

## 2.0 THE SUBJECT LANDS

The subject lands have an irregular shape, and are generally located at the southeast corner of Glendon Drive and Jefferies Road, in the community of Kilworth, in the Municipality of Middlesex Centre, in Middlesex County (Figures 1-2). The subject lands are the eastern part of Block 60 in the Komoka-Kilworth Settlement Area. A portion of the Block on the corner of Glendon Drive and Jefferies Road has been developed for a Home Hardware Building Supply Store. An office-commercial building has been more recently granted site plan approval and is under construction. The subject lands have a lot frontage of approximately 9.8m (32.2ft) along Dausett Drive, and an area of approximately 1.089 ha (2.691 ac). The lands are vacant (Figures 3-5). Access to the subject lands is available from Dausett Drive. Full municipal services are available. There are no significant cultural and archaeological features and no man made or natural hazards on the subject lands.

The subject lands are designated “Settlement Areas” (Urban and Community) in the Middlesex County Official Plan and “*Settlement Commercial*” in the Komoka-Kilworth Urban Settlement Area and Secondary Plan in the Municipality of Middlesex Centre Official Plan, and are zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law 2005.



Figure 1 – Subject Lands and Area Context (Location and Boundaries are Approximate)



Figure 2 – Subject Lands Boundary





**Figure 3 –Glendon Drive looking east (Google Streetview)**



**Figure 4 – Subject lands from Glendon Drive looking south at the subject lands (Google Streetview)**

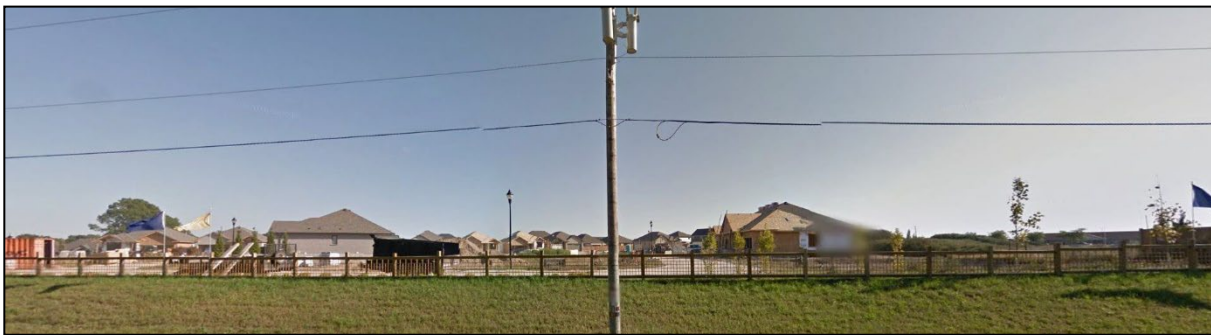


## 2.1 SURROUNDING LAND USES

The subject lands abut low-density residential uses in the form of townhouses and single detached dwellings to the east (Figure 5). They are located across Dausett Drive from low density residential uses in the form of single detached dwellings (Figure 6). To the west of Block 60, across Jefferies Road, is the Kilworth Business Park which consists of a range of commercial, office, commercial recreation, and light industrial uses (Figure 7). The Kilworth Children's Centre (daycare) is located at the southwest corner of Jefferies Road and Dausett Drive/Enterprise Drive. Lands to the north of the subject lands, on the north side of Glendon Drive, consist of a small cultivated field, wooded lands, rural residential uses, and open space. The predominant land use in the community of Kilworth is single-detached dwellings.

---

**Figure 5 – Low Density Residential Uses to the East of the Subject Lands (Google Streetview)**



**Figure 6 – Low Density Residential on Dausett Drive (Google Streetview)**



**Figure 7 – Kilworth Business Park, West of the Subject Lands, from Jefferies Road (Google Streetview)**



---

The intersection of Glendon Drive and Jefferies Road is a major intersection in the community of Komoka-Kilworth, and is considered a community focal point. An Environmental Assessment (EA) was undertaken to evaluate potential roundabout options to implement at this intersection. Road widening dedication for the subject lands has been granted to the Municipality for the purpose of implementing the roundabout.

Glendon Drive is designated as a *Four Lane Arterial County Road*, under the jurisdiction of the County of Middlesex, while Jefferies Road and Dausett Drive are local roads, under the jurisdiction of the Municipality of Middlesex Centre.



### 3.0 PROPOSED DEVELOPMENT

The westerly and southerly portion of the subject lands are proposed to be developed for 16 condominium townhomes. The interior of the lot and portion of the lot along Glendon Drive is proposed to be used for a 4-storey apartment building / stacked townhousing with approximately 48 units for a total of 64 units proposed, along with sufficient parking spaces at grade and a common amenity area centrally located (Figure 8). The proposed development is not anticipated to shadow neighboring properties and the scale of development is compatible with abutting lands.

Figure 8 – Conceptual Development Plan (excerpt)



Vehicular access to the proposed development is from Dausett Drive. The proposed private drive aisle provides circulation throughout the development and loops around the entirety of the property. Individual driveway access is provided off the internal drive for the townhouse units with parking spaces provided for the apartment units/stacked townhousing units.

There is no direct vehicular access proposed from Glendon Drive.

Appropriate setbacks are proposed from Glendon Drive to provide sufficient space for landscaping between Glendon Drive and the proposed residential dwelling units. Proposed setbacks for the townhouse units on the westerly side of the subject lands provide adequate space for landscaping and fencing to effectively buffer the units from the Home Hardware.

The proposed concept plan is preliminary and will be refined through a future detailed Site Plan Approval application.

## **4.0 PROPOSED PLANNING ACT APPLICATIONS**

The proposed residential development is not contemplated in the Komoka-Kilworth “*Settlement Commercial*” land use designation, nor is it permitted in the current “*Highway Commercial (C2-9)*” zone. As such, an Official Plan Amendment (OPA) to change the designation on the subject lands from “*Settlement Commercial*” to “*Medium Density Residential*”; and, a Zoning By-Law Amendment (ZBA) to rezone the lands from a C2-9 zone to a UR3 zone with exceptions, are proposed to facilitate the development.

## **5.0 PLANNING DOCUMENT REVIEW AND ANALYSIS**

### **5.1 2020 PROVINCIAL POLICY STATEMENT (PPS)**

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications, including OPA and ZBA applications, are required to be consistent with these policies.

### **Section 1.1.1**

*Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.*

As discussed throughout this report, the proposed development is an efficient and appropriate form of development on the subject lands. It adds to the range and mix of housing types that meet the long-term housing needs for a variety of demographics. The proposed development is a compact and cost-effective form of development that will maximize the use of existing municipal services within the existing built-up area of Kilworth. No extension of municipal services is required. The need for additional commercial lands is addressed in Appendix 'A'.

### **Section 1.1.3.1**

*Settlement areas shall be the focus of growth and development.*

The subject lands are within the settlement area of Komoka-Kilworth, an appropriately designated *Settlement Area* in the County and Municipal Official Plans.

### **Section 1.1.3.2**

*Land use patterns within settlement areas shall be based on:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

### **Section 1.1.3.3**

*Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

The proposed development adds to the medium density housing mix of residential land uses in Komoka-Kilworth and makes efficient use of vacant land, infrastructure, and the existing transportation network. The proposed development is appropriate infill and intensification as it proposes the development of a vacant portion of land within an existing built-up area. The subject lands are at an appropriate location for modest intensification. The lands are located adjacent to commercial land uses, and medium and low density residential land uses. The lands have convenient access to an arterial road via Dausett Drive and Jefferies Road. The lands can accommodate the proposed number of dwelling units and parking, while also providing appropriate building setbacks. The proposed development will make use of existing municipal services along Dausett Drive.

### **Section 1.1.3.4**

*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

The proposed Zoning By-law Amendment provides appropriate development standards to facilitate intensification while avoiding risks to public health and safety. The proposed Zoning By-law provides adequate setbacks from existing residences, as well as separation for both Glendon Drive and the commercial area with the Home Hardware and the office/commercial

building currently under construction. We note that the Home Hardware development includes enhanced fencing requirements around the outdoor storage yard to protect existing residential development in the area. These enhancements will provide similar protection to the proposed residential uses. The subject lands are also close to commercial, institutional and service amenities in the Komoka-Kilworth settlement area, encouraging the use of active transportation as promoted by the PPS and Official Plan policies.

**Section 1.1.3.6**

*New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

The proposed development is within an existing built-up residential area in a designated growth area. The proposed density of 60uph is permitted by the Middlesex Centre Official Plan. The proposed density is a compact form of housing which adds to the mix of the existing residential, commercial and employment uses in the area. As noted later in the report, the proposed density can be achieved with only one minor proposed zone variation (other than the density increase) to address an existing site specific frontage situation. This provides strong evidence that the site is capable of accommodating the proposed increase in density.

**Section 1.4.3**

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

*b. permitting and facilitating:*

*2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

The proposed development contributes to a range and mix of housing types to accommodate future growth in the Komoka-Kilworth area, and is consistent with the municipality's intent to encourage appropriate intensification. The proposed development has been designed to offer appropriate housing forms on part of Block 60.

### **Section 1.6.6.2**

*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

The proposed development will make use of full municipal services. There are sufficient reserve capacities to service the proposed development.

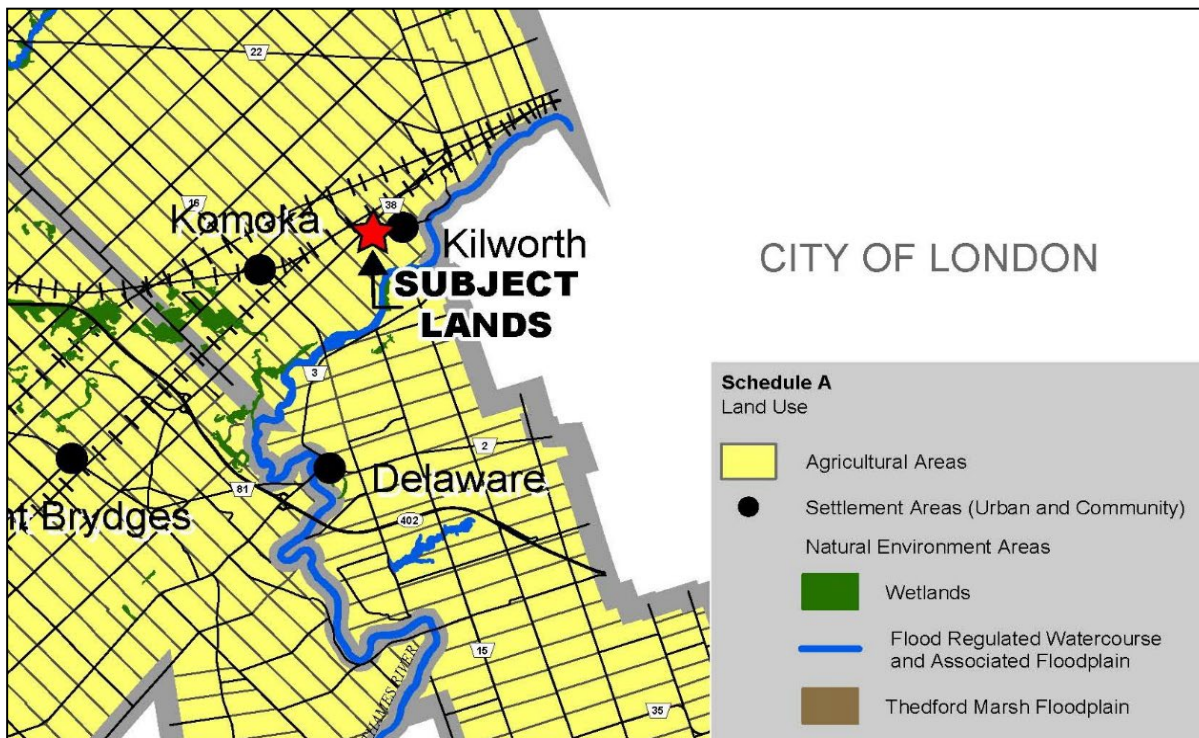
As addressed above, the OPA and ZBA to facilitate the proposed development are consistent with the relevant policies of the 2014 Provincial Policy Statement.

## **5.2 MIDDLESEX COUNTY OFFICIAL PLAN**

The Middlesex County Official Plan was adopted by County Council on September 9, 1997, it was amended by Official Plan Amendment No. 3 adopted on June 17<sup>th</sup>, 2022 and finalized July 19<sup>th</sup>, 2022. The Official Plan, which was current at the time this report was revised, is the latest adoption of the Middlesex County Official Plan.

The subject lands are designated “Settlement Areas (Urban and Community)” on Schedule A Land Use (Figure 10). Applicable policies are found in **Sections 2.3 Growth Management and 3.2 Settlement Areas**.

Figure 10 – Middlesex County OP Schedule A (Excerpt), Approximate Location of Subject lands (Red Star)



Komoka-Kilworth has full municipal services and the range of uses and services which qualifies it as a designated Urban Settlement Area in **Section 2.3.2** Growth Management Hierarchy. The Komoka-Kilworth Urban Area can accommodate population projections allocated to the Township in the County Official Plan on full municipal services, as required by the County Plan.

The County Plan promotes communities that are diverse and have a sense of place with lifestyle choice and economic vitality in **Section 2.3.5** General Policies. The proposed Official Plan and Zoning By-law Amendments to allow residential development to meet demand for residential development on the subject lands strengthens sense of place and promotes economic vitality in a community designated for significant growth in the planning period. The proposed development in the Urban Settlement Area of Komoka-Kilworth conforms to policies in **Section 2.3.5**.

**Section 2.3.7** Housing Policies in the County Plan encourages a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County. The County Plan supports the proposed residential development within the Komoka-Kilworth Settlement Area, where an appropriate level of physical services is available. The County Plan also supports the provision of housing that is accessible to lower and moderate income households and adds to the variety of housing types, housing densities



and housing options to meet the needs of the Municipality's share of projected County residents.

**Section 2.3.7.3** Intensification and Redevelopment, encourages residential intensification and redevelopment in areas designated for residential use at locations with the physical potential to accommodate residential intensification and have the physical services to support new households in the area and are physically compatible with the existing built form. The proposed amendments are appropriate as physical services are available and the proposal is compatible with the built form at this location. The proposed zoning regulations support the appropriate level of intensification. The proposed development conforms to the applicable policies in **Section 2.3.7.**

In **Section 2.3.8** Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial and industrial development. As previously stated, Komoka-Kilworth is a designated Urban Settlement Area in the Municipal Official Plan and has concentrations and intensity of different land uses. The Settlement Areas policy supports the proposed development in the Urban Area of Komoka-Kilworth to accommodate a significant portion of the projected growth in Middlesex Centre over the planning period. The proposed development conforms to the applicable policies in **Section 2.3.8.**

The proposed residential use is a permitted use in Settlement Urban Areas. Permitted uses are stated in **Section 3.2.4.1** Permitted Use Urban Areas. Direction to local Municipalities includes providing a variety of housing types.

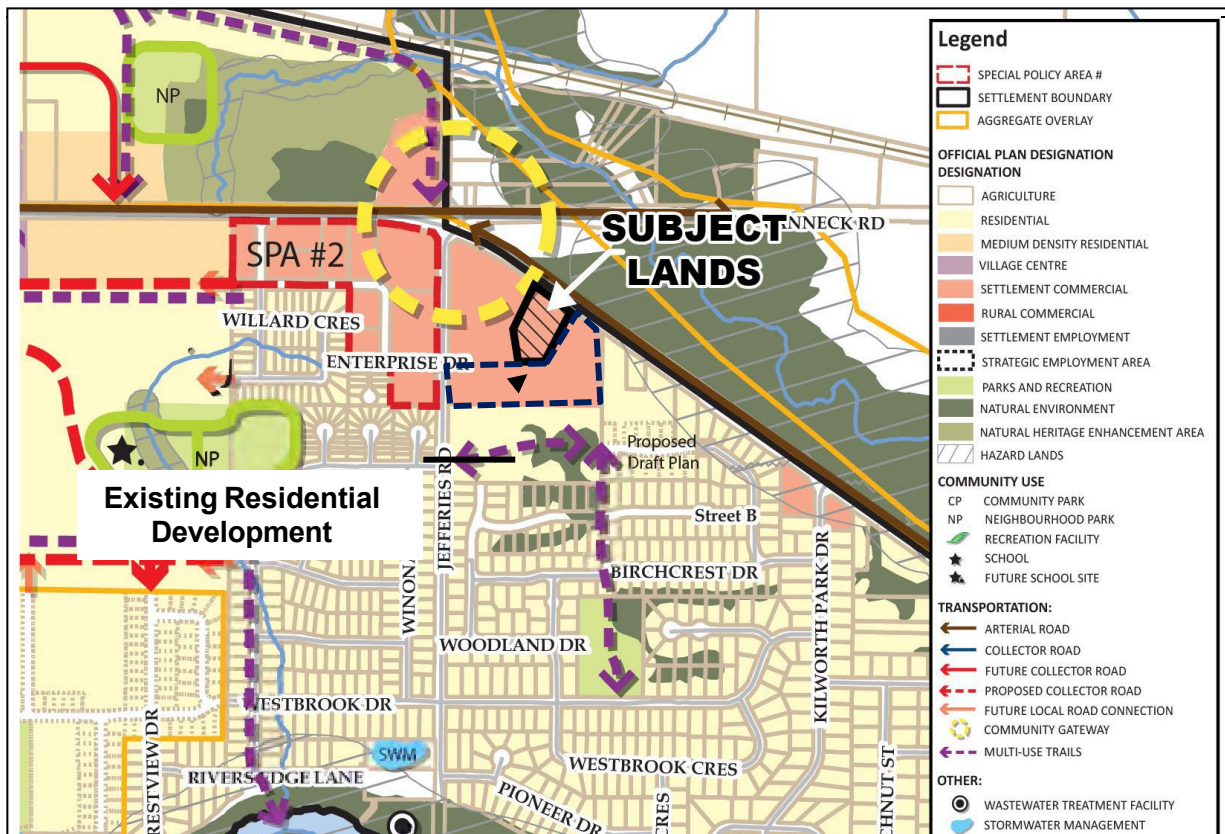
The proposed amendment to the municipal Official Plan and Zoning By-law to permit the proposed development is in conformity with the Growth Management and Urban Areas policies in the Middlesex County Official Plan. No Official Plan Amendment is required to the County of Middlesex Official Plan.

### **5.3 MIDDLESEX CENTRE OFFICIAL PLAN**

The Middlesex Centre Council adopted Official Plan Amendment No. 59 after a comprehensive review of the 2018 office consolidated Middlesex Centre Official Plan. This plan was forwarded to the County of Middlesex for review and final adoption. The Ministry of Municipal Affairs and Housing (MMAH) then suspended the timeline for the planning review process. As a result, approval of the Middlesex Centre Official Plan is on-hold until further notification is received. The July 2018 Office Consolidation of the Middlesex Centre Official Plan has been used throughout this report, with consideration of the Middlesex Centre Official Plan REDLINE

The subject lands are currently within the “Settlement Commercial” land use designation, on Schedule ‘A-2’ - Komoka-Kilworth Secondary Plan to the Middlesex Centre Official Plan (Figure 11). This designation does not contemplate the proposed residential land use. Lands surrounding the subject lands are existing, recently built up low-density residential development. We are advised by municipal staff that this development was approved during the time the Middlesex Centre Official Plan was updated (OPA #28).

Figure 11 – Middlesex Centre OP Schedule A-2 – Komoka-Kilworth Secondary Plan (Excerpt)



General Residential Policies encourage a wide variety of housing types, sizes and tenures, supports intensification in settlements areas with municipal services, high quality design and affordable housing

#### 5.2.1 General Residential Policy

*The following policy relates to lands designated Residential within Urban and Community Settlement Areas of the Municipality, as well as to residential development within Hamlets.*

*a) The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents.*

*e) The Municipality shall support opportunities to increase the supply of housing through intensification, while considering issues of municipal service capacity, transportation issues, and potential environmental considerations. Specifically, the Municipality shall require that 15 percent of all development occur by way of intensification.*

*f) Residential development including intensification should reflect a high quality of residential and neighbourhood design, in keeping with the design policies included in Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

*g) The Municipality shall encourage housing accessible to lower and moderate-income households. In this regard the County of Middlesex through its Official Plan will require that 20 percent of all housing be affordable.*

The proposal is within the settlement area of Kilworth, a predominantly single detached dwelling community. The proposal adds medium density housing, a more affordable housing option, to the housing mix. Full municipal services are available, and there are no hazards on the lands. The proposal is a logical extension to an established residential community. The preliminary concept contemplates a development of contemporary designed buildings. Details regarding design and site plan considerations can be refined during site plan approval review. The proposal is generally in conformity with the General Residential policies.

The following goals and policies apply to the Komoka-Kilworth Secondary Plan area. Generally, the goals and policies provide direction for the provision of a diversity of housing to provide choices and types of housing that are more affordable than the predominant single detached housing in the area.

#### 5.7.1 Komoka-Kilworth Secondary Plan Goals

- b) To plan for a community of all ages by providing a diversity of housing choice and affordability and providing community and recreational services to match population needs;*
- c) To provide for additional housing and employment and address urban land requirements for these uses in the Municipality through intensification of existing developed areas and compact land use in new development areas*
- f) To provide for an appropriate range and mix of housing types and densities;*
- i) To require full municipal services and direct new development in accordance with the servicing strategy for the area;*

#### 5.7.2 Land Use Plan

- a) Future land use and development proposals, as well as public works and other municipal projects, shall contribute to the establishment of a balanced, mixed use community with a new village centre, a mix of housing types and densities distributed among residential and medium density residential areas, a strategic employment area, community gateways, schools and community facilities, a connected network of multi-use trails and a linked parks and open space system, based on Schedule A-2.*
- c) The pattern of development is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and multi-use trails and Schedule A-2 recognizes the need to plan for these public spaces. Development shall provide landscaping adjacent to the street or sidewalk to promote an attractive landscaped transition between the public and private realm.*

#### 5.7.4 Komoka-Kilworth Residential Area Policies

- a) The types of housing, density of development and targeted housing mix within the Residential and Medium Density Residential designations on Schedule A-2 are as follows:*

Use	Housing Mix Targets	Net Density (units per ha)
Low density residential (e.g. singles, semis)	60%	less than 20
Medium density residential (e.g. townhouses)	40%	20 to 50

*The net density refers to the land area to be used for housing as well as the abutting local streets, but does not include major streets and other residentially associated land uses. Notwithstanding the housing mix targets and net density provisions, multiple dwellings shall be permitted in the Residential designation in accordance with Section 5.2.3.*

The proposed Official Plan and Zoning By-law amendments facilitate development that provides housing choice and housing affordability. The proposed designation adds to the supply of residential land to provide for a mix of medium density housing types in a developing area. Development will proceed on full municipal services. The proposed amendments facilitate the development of medium density housing to meet the housing mix targets.

Sixty four (64) dwelling units are proposed in a defined area of 1.089 ha. The proposed net density is 60uph in the defined area. The subject lands have the dimensions to accommodate the proposed buildings, parking and driveways, landscape and amenity areas, and appropriate separation from Glendon Drive and abutting residences. The proposal conforms to the Komoka-Kilworth Secondary Plan Goals and policies. The proposed density is higher than what is normally permitted within the Medium Density Residential designation; however, through the Official Plan Amendment, we would seek to add a special policy for the subject lands to permit a minor increase in density from the permitted 50uph to the proposed 60uph.

Specific policies for multiple dwellings in **Section 5.2.3** provide location, density and compatibility criteria.

#### 5.2.3 Policies For Multiple Dwellings in Residential Areas

*Multiple dwellings, including fourplexes, townhouses and low/medium rise apartments shall be subject to the following policies:*

*a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.*

*b) Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas. For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*

*c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*

*e) Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.*

*f) Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

The subject lands are adjacent to an evolving Settlement Commercial Area. Special policies also allow uses permitted in the Settlement Employment designation. Kilworth Park is located within walking distance and services are provided in the Settlement Commercial area such as child care and other personal services. The proposed density is appropriate for the site as previously stated and the proposal has nearby access to Glendon Drive, a major road. The proposed development is clustered adjacent to an existing townhouse development. The scale of these developments is appropriate for the location. The proposal is subject to site plan approval where details regarding facilities and servicing, access, off-street parking, accessibility for persons with disabilities, lighting, landscaping, and other matters are reviewed. The proposal conforms to policies for multiple dwellings.

The Komoka-Kilworth Secondary Plan servicing policies require full municipal services.

5.7.11 Komoka-Kilworth Servicing Policies

*b) For the purposes of this section, the term “services” includes: linear sanitary sewage collection system; sanitary treatment facilities, storm water management, water distribution and treatment.*

*c) Full municipal services shall be required for all land use and development proposals that require services within the Komoka-Kilworth Urban Settlement Area and Secondary Plan.*

Full municipal services are available for the proposed development as described in the servicing report prepared in support of this proposal. The proposed amendments to facilitate development conform to the Komoka-Kilworth servicing policies.

Amendments to the Official Plan must satisfy the criteria found in Section 10.1 Amendments to This Official Plan.

#### 10.1 AMENDMENTS TO THIS OFFICIAL PLAN

*This Official Plan may be amended by the Municipality upon consideration of all relevant issues relating to the public interest. The Municipality shall give consideration to all applications to amend its Official Plan, and shall notify the general public and various agencies and Ministries of the nature of the proposed amendment in accordance with the notice requirements of the Planning Act. Applications to amend this Official Plan shall be considered by the Municipality using the following criteria as a minimum:*

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?*
- b) Is there a demonstrated need or justification for the proposed change?*
- c) Is the amendment in keeping with Provincial and County policy?*
- d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?*
- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?*
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?*

Middlesex Centre is a rapidly growing community and the community of Kilworth is one of the designated growth areas in the County and Municipal Official Plans. Among the strategic priorities in the Municipal Strategic Plan is “Diversifying future residential development” with the desired outcome statement “Middlesex Centre is a multi-generational, sustainable community committed to fulfilling the needs of youth, young families, and seniors.” Single-detached housing is the predominant form of housing in the Kilworth community. The proposed amendment relates to the strategic plan priority of providing housing, including housing for young families and seniors. The proposed Official Plan Amendment relates to and conforms to the relevant vision for residential development in the Municipality by adding to the variety of housing and housing



price points in the Kilworth community.

There is a need for the proposed form of housing. There are relatively few medium density housing developments in Kilworth, and few opportunities for additional medium density development in the near future. The proposed development adds important forms of medium density housing to the housing mix. The proposed development is also consistent with the Province's recent legislation 'The More Homes Built Faster Act, 2022 (Bill 23)' to support Ontario's newest "Housing Supply Action Plan". The government has a more long-term strategy to increase housing supply and provide attainable housing options for Ontario residents.

The proposal is consistent with Provincial Policy and in conformity with the applicable policies in the County of Middlesex Official Plan. Consistency with Provincial Policy and conformity to the County Plan has been demonstrated.

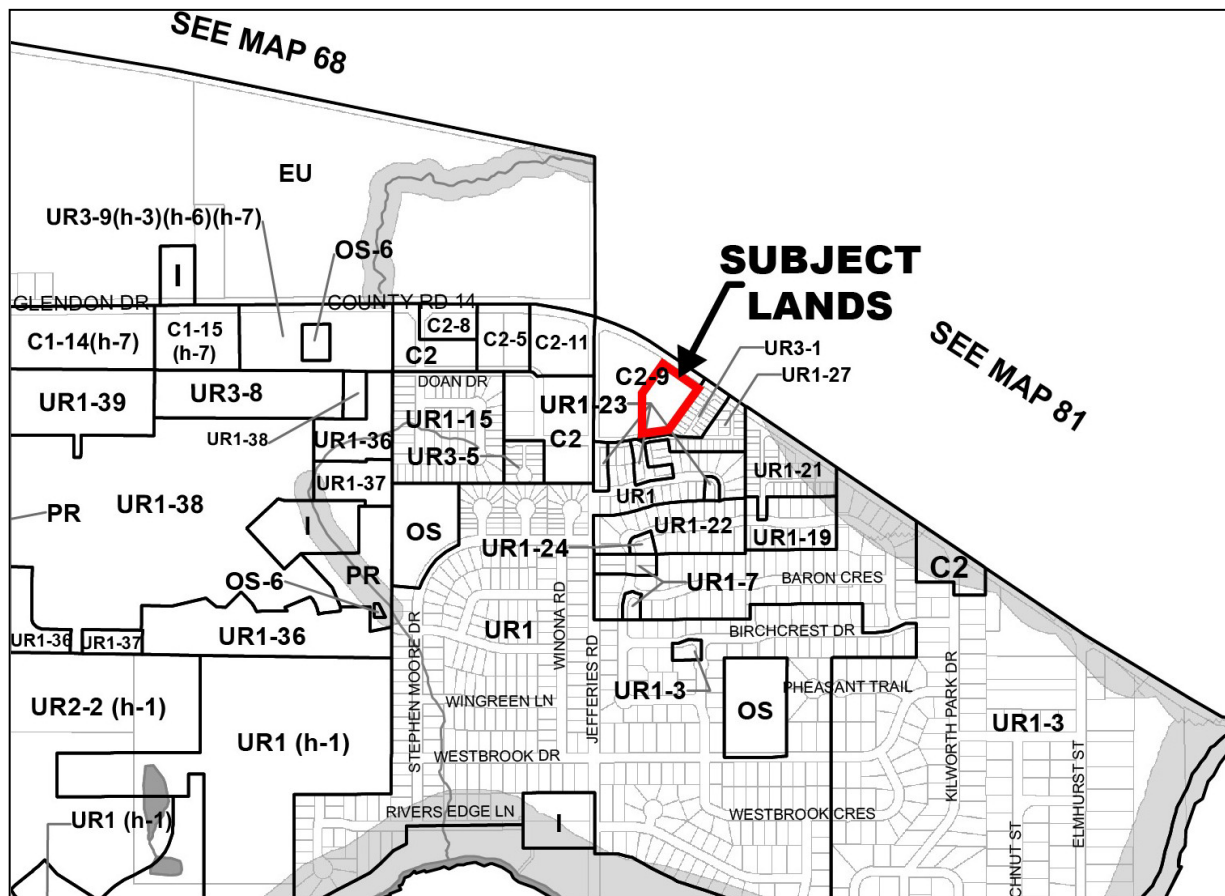
To the best of our knowledge the Kilworth community is adequately served by emergency and other public services. No extensions are required to municipal infrastructure.

The proposed development is not anticipated to have adverse impacts on surrounding land uses and residences. The proposal supports commercial development in the area. There are no cultural or natural heritage features on or adjacent to the subject lands.

## 5.4 MIDDLESEX CENTRE ZONING BY-LAW

The subject lands are currently zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law (Figure 12). In order to permit the proposed residential development, a Zoning By-law Amendment is required to rezone the lands to an “*Urban Residential Third Density (UR3)*” zone to implement the proposed Official Plan Amendment.

Figure 12 – Middlesex Centre Zoning By-Law Map (Excerpt)



Permitted uses within the proposed UR3 zone are as follows:

- Accessory use
- Apartment dwelling
- Multiple unit dwelling
- Street townhouse dwelling
- Townhouse dwelling

The proposed ZBA seeks to permit the following provisions and regulations for the subject lands:

Regulations	Required UR3	Proposed
Min. Lot Area	(a) street townhouse: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) (b) apartment dwelling: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter; → Minimum area required based on number of dwelling units = 0.87ha (8,700m <sup>2</sup> )	1.089ha (10,889.0m <sup>2</sup> )
Min. Lot Frontage*	(a) townhouse, apartment, or multiple unit dwelling: 30.0 m (98 ft) (b) street townhouse dwelling: 6.0 m (20 ft) for each dwelling unit on a separate lot	**a) 9.8m for entirety of the subject lands (b) N/A
Min. Lot Depth	35.0m	110.2m
*Min. Front Yard Setback (Dausett Dr.)	6.0m	6.0m
Min. Side yard Setback	3.0m	6.0m
Min. Rear Yard Setback (Glendon Dr.)	8.0m	8.0m
Min. Floor Area	(a) street townhouse dwelling, 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) townhouse dwelling per dwelling unit (b) apartment, multiple unit dwelling 40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms	Street TH Dwelling = 65.0m <sup>2</sup> . Apartment Dwelling = 40.0m <sup>2</sup> - 85.0m <sup>2</sup>
Max. Height	20.0m	13.5m
Max. Density	30 uph	**60 uph
Min. Outdoor Amenity	45m <sup>2</sup> /dwelling unit	45m <sup>2</sup> /dwelling unit
Max. Lot Coverage	35%	30%

\*For the purposes of determining which street frontage constitutes the front yard, it is interpreted as Dausett Drive

\*\* Exceptions

By way of this application the lands are proposed to be rezoned to an “*Urban Residential Third Density (UR3-())*” with exceptions.

The exceptions sought within the “*Urban Residential Third Density (UR3-())*” zone are as follows with further analysis below:

- Minimum lot frontage of 9.8m for the subject lands, whereas 30.0m is required; and,
- Maximum density of 60uph, whereas a maximum of 30uph is permitted.

#### *Lot Frontage*

The intent of minimum lot frontage is to provide adequate space for access to a public street. The proposed frontage of 9.8m supports the access on Dausett Drive and is sufficient space for servicing the development. Buildings are adequately setback from the front lot line.

#### *Density*

The intent of the maximum permitted density of 30uph, as per the “*Urban Residential Third Density (UR3)*” zone, is to ensure that the intensity of a proposed development can be appropriately accommodated on developable lands (i.e. including parking and amenity space).

The proposed Zoning By-Law Amendment seeks to establish a density of 60uph which includes sixty four (64) residential units on a land area of 1.089 ha. The proposed development provides adequate rear yards for the townhouse dwellings and a common amenity area for the low-rise apartment /stacked townhouses for amenity space. The lands also provide parking, a garage and driveway, for each standard townhouse unit, and 69 surface parking spaces for the proposed 44 unit low-rise apartment/stacked townhouse building. This provides a parking rate of approximately 1.5 spaces/ dwelling unit for the apartment building, and 2 spaces/dwelling unit for the proposed standard townhomes. The proposed density exceeds the normally permitted density in the “*Medium Density Residential*” land use designation, as noted earlier; however, it is a minor increase. The subject lands have sufficient dimensions and area to accommodate the proposed type and density of development.

The proposed Zoning By-Law Amendment to permit a sixty four (64) unit, residential development conforms to the policies of the proposed land use designation in the Middlesex Centre Official Plan. The proposed density conforms to the general policies in the County Official Plan and is consistent with the Provincial Policy Statement.

---

## **6.0 ADDITIONAL CONSIDERATIONS**

### **6.1 GROWTH MANAGEMENT STRATEGY TECHNICAL REPORT (WATSON & ASSOCIATES)**

The Growth Management Strategy Technical Report (Feb, 2022) was prepared by Watson & Associates in association with WSP in support of the Middlesex Centre Official Plan Review. This report concluded that the supply of urban residential lands in Komoka-Kilworth and Arva is sufficient to accommodate long-term housing demand over the next 25 years according to the Watson & Associates report.

The report also concluded that the commercial building space in Komoka-Kilworth and Ilderton relative to population is considered low (a low amount of commercial space per resident according to Watson & Associates) in comparison to similar sized communities. It is anticipated that Ilderton and Komoka-Kilworth will further expand their commercial bases, but will maintain a slightly lower per capita level by 2046, recognizing e-commerce trends. Recent commercial developments within the Settlement Area have included a new Foodland grocery-anchored plaza and a Home Hardware store (located on the same block as the subject lands). According to the Municipality of Middlesex Centre Strategic Plan, a key objective for the Municipality is the creation of an identifiable village centre (mix use centre) with a “traditional Main Street” in the Komoka area. A successful focal point of a community requires multiple functions. The Middlesex Wellness and Recreational Centre, situated in the vicinity of this area, will act as an important anchor to the Village Centre.

The Watson & Associates Growth Management Report also includes a residential land use analysis which summarizes the potential supply of housing units in draft approved and registered plans, plus intensification potential within the Urban Settlement Areas. Short-term housing demand has been derived from the 2021 to 2026 housing forecast. The analysis indicates that there is “just enough” total supply of potential housing units in registered and draft approved plans, and through intensification, to accommodate housing demand. It is noted, however, that the Municipality’s near-term supply of low-density housing is limited to two years.

The Watson & Associates report was prepared for the Middlesex Centre Official Plan update and provided sufficient analysis to provide the Municipality with broad understanding of land use trends and needs. The report states that further site-specific analysis would be required-hence the need for this additional, more site-specific land needs analysis.

---

## Assumptions

According to the Growth Management Technical Report, approximately 14 net hectares (ha) of commercial designated land is required to support commercial growth for the planning period. The Municipality is described as having approximately 13 ha of vacant designated commercial lands, which is 1 ha short of the estimated commercial land demand within Komoka-Kilworth and Ilderton, as per the calculation below:

### Commercial Land Requirements

Commercial Building Space Demand = 370,000ft<sup>2</sup> (3.4 ha)

Target Building Coverage = 25%

Commercial Land Demand:  $(3.4 \div 0.25) = 14$  ha

Designated Commercial Vacant Land Supply = 13 ha

Designated Commercial Land Shortfall = 1 ha

Commercial lands within Komoka-Kilworth are anticipated to be sufficient over the next 25 years. To better understand the commercial land needs, Watson & Associates recommended that the Municipality prepare a commercial land needs study that would review the suitability of the commercial land supply to meet commercial demand. A commercial inventory is provided in Appendix 'A'.

The Watson report provides a generalized analysis. It assumes a coverage of 25% for commercial development and a commercial building space demand of 3.4 ha. It should be noted that the 25% coverage target does not take into account the movement in Komoka-Kilworth toward more efficient land use. Also, the generalized calculation of commercial land needs does not account for the re-use of existing vacant commercial building space. Therefore, the generalized numbers potentially overstate the need for additional commercial land during the planning period.

Moving forward, the Municipality is looking for more efficient use of land. Based on the analysis in Appendix 'A', the existing commercial land supply in Komoka-Kilworth is sufficient to support the commercial needs of residents. The suggested shortfall estimated in the Growth Management Report is not absolute. The removal of the subject lands from this commercial lands supply will not generate a shortfall. Based on appropriate lot coverage, as permitted in the Middlesex Centre Zoning By-law, future commercial lands should target a lot coverage which is higher than the 25% coverage target set in the Growth Management Report. There are sufficient available leasable and vacant lands throughout Komoka-Kilworth, which suggests a

relatively low demand for commercial land uses. Because of restricted access, the subject lands are not well-situated as Settlement Commercial lands; and removing these lands from the commercial lands inventory and using them for multi-family residential development is a more efficient use of land.

## 6.2 NOISE STUDY

A Noise Assessment Study was completed by Stantec. The result of the noise assessment concluded that predicted noise levels are above the Ministry of Environment Conservation and Parks (MECP) criteria at the living area of the townhouse dwellings with exposure on Glendon Drive (Units 37, 38 & 39). A 1.82m high noise wall is proposed at the rear of these units to mitigate traffic noise levels from Glendon Drive. The report also recommends noise warning clauses.

## 6.3 SERVICING BRIEF

A servicing design brief was completed by Stantec. All proposed units are to be serviced from an existing 525mm storm sewer and a 250mm watermain located on Dausett Drive. The servicing design brief established that there is reserve sanitary sewer capacity.

## 7.0 PUBLIC COMMENT RESPONSES

Throughout the application and consultation process, surrounding neighbours have been consulted with regard to the proposed development. There is a mix of residents who prefer residential development over commercial development, and others who prefer that the lands remain commercial. Below are comments which had been received by the Municipality up to the time this report was revised, with our responses as to how they have been addressed or will be addressed at a future stage.

- Public Comment: *Provide visitor parking to avoid on-street parking on Dausett Drive or in adjacent residential developments.*
  - Response: Visitor parking is to be provided where possible. A total of 64 spaces are provided for the stacked/apartment units and a total of 72 are required. A total of 32 spaces are provided for the standard townhouse units, whereas only 24 are required. The proposed development is required to provide a total of 96 parking spaces, and the proposed development is shown providing 96 spaces with room for designated visitor spaces.



- Public Comment: *Identify where snow piles will be located*
  - Response: Snow storage locations have not been confirmed, but will be identified through the site plan process. Several locations around the property, which are currently labelled “landscaped,” would provide for suitable snow storage pile locations during the winter months.
- Public Comment: *The entrance is too close to the existing driveway entrance for abutting lands. It may become a hazard especially in the winter. A single access is not enough for this development.*
  - Response: A single access is suitable for the size of this development. Based on restricted access from Glendon Drive, and, the notion of shared access between commercial and residential land uses being discouraged, the access on Daussett Drive would be the only suitable location for vehicular access.
- Public Comment: *Provide additional details regarding fencing and landscaping abutting the neighbouring properties.*
  - Response: The Concept Plan has been revised to reflect an increased landscaped buffer area between the proposed development and the existing dwellings to the east. Details of fencing and landscaping have been preliminarily evaluated and the locations and height of the proposed buffers will be suitable to screen the proposed development.
- Public Comment: *Concerns about the height of the stacked townhouses development if the top floor has a private outdoor amenity space. This may reduce privacy for residents in the neighbouring residential development.*
  - Response: The stacked townhouses/apartment building is located centrally on the property (closer to the commercial land use to the west). This was done to avoid compatibility and privacy issues from abutting residential development to the east. A buffer is provided by the 2-storey standard townhouses proposed on the property as well as the landscaped area on the easterly property line.
- Public Comment: *The density for the site is too high.*
  - Response: Based on best development practices, the need for varying housing forms and practicing efficient land use, the proposed development has an

appropriate number of units while still being able to accommodate sufficient parking, landscaped area separation and circulation.

- Public Comment: *The development would have an adverse effect on the farm land within the area and encroach on the sensitive wooded area.*
  - Response: The proposed development is located on land within an existing built-up area and surrounded by existing development. The lands are separated from wooded area to the north by Glendon Drive.
- Public Comment: *Concerns with the additional traffic at the Glendon Drive intersection*
  - Response: A traffic report was not required for the proposed OPA and ZBA submission. However, on a preliminary basis, the traffic will increase at Glendon and Jefferies, but based on the road classifications, these roads are designed to manage the increased residential traffic. Moreover, based on these applications, increased residential traffic will be offset by a reduction in the previously-planned commercial traffic.
- Public Comment: *Concerns about the lack of sidewalks.*
  - Response: The revised plan has shown sidewalks throughout the development which are to connect to the public sidewalk on Daussett Drive.

The proposed development has sought to address public comments and concerns throughout the planning process.

## 8.0 CONCLUSION

The proposed Official Plan Amendment and Zoning By-law Amendment satisfy the requirement of Section 10.1 Amendment to the Official Plan in the Middlesex Centre Official Plan. The proposal fits within the vision for housing and helps to fill a need to add to the mix of housing in the Kilworth Community. The proposed amendments are consistent with the relevant policies in the Provincial Policy Statement and conform to the relevant policies in the Middlesex County Official Plan. Finally, the proposal will not place undue demands on County and Municipal services. The proposed amendments to facilitate development represent good land use planning, and are in the community interest.

## **APPENDIX 'A'**

# Commercial Land Analysis

Glendon and Jefferies – Block 60

Komoka-Kilworth

Municipality of Middlesex Centre

Orange Rock Developments



May, 2022

## TABLE OF CONTENTS

	Page No.
<b>1.0 PURPOSE.....</b>	<b>3</b>
<b>2.0 DESCRIPTION / BACKGROUND .....</b>	<b>3</b>
2.1 The Subject lands .....	3
2.2 Background .....	4
<b>3.0 THE STUDY .....</b>	<b>5</b>
3.1 Commercial Context .....	5
3.2 Growth Management Strategy Technical Report (Watson & Associates).....	5
3.3 Commercial Inventory.....	7
<b>4.0 ANALYSIS .....</b>	<b>12</b>
<b>5.0 CONCLUSION .....</b>	<b>14</b>

## **1.0 PURPOSE**

Applications for an Official Plan Amendment and Zoning By-law Amendment were submitted in February, 2020 for land located at 22428 Jefferies Road in the Komoka-Kilworth Settlement Area (hereby known as the 'subject lands'). The subject lands are located on the southeast corner of Glendon Drive and Jefferies Road. The purpose of the submitted applications is removing a portion of the property from the available commercial supply and adding it to the Settlement Area's residential land supply.

The purpose of this Commercial Lands Analysis is to evaluate the Komoka-Kilworth Urban Settlement area and its inventory of existing viable commercial lands, and to determine whether the inventory is sufficient to support the commercial needs of the Komoka-Kilworth area.

This analysis has been undertaken in response to the Municipality's request for the applicant to provide supplementary justification for removing a portion of the subject lands from the area's commercial lands inventory.

## **2.0 DESCRIPTION / BACKGROUND**

### **2.1 THE SUBJECT LANDS**

The subject lands are located in Block 60 Plan 33M656, at the corner of Glendon Drive and Jefferies Road in the Municipality of Middlesex Centre. They have an irregular shape. A portion of the property has been developed for a Home Hardware Building Supply Store, and another portion was the subject of a recent Site Plan Amendment application for the construction of a medical/dental office and a restaurant. The subject lands make up the easterly portion of the property, with a frontage of approximately 9.8m (32.2ft) along Dausett Drive, and an area of approximately 1.09 ha (2.69 ac). The subject lands are currently vacant. Full municipal services are available. There are no significant cultural or archaeological features, and no man-made or natural hazards on the subject lands (Figure 1).



Figure 1: The Subject Lands



The subject lands are currently designated “Settlement Areas” (Urban and Community) in the Middlesex County Official Plan and “*Settlement Commercial*” in the Komoka-Kilworth Urban Settlement Area and Secondary Plan in the Municipality of Middlesex Centre Official Plan. They are zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law 2005.

## 2.2 BACKGROUND

The existing designation of the subject lands does not contemplate the proposed residential land use and, therefore, there was a need for both an Official Plan Amendment and a Zoning By-law Amendment. The Municipality has undertaken an Official Plan review with several discussion documents, one of which is the Growth Management Technical Report (February 2022). The Growth Management Report is a broad analysis of land use needs within the entire Municipality of Middlesex Centre. In order to support the proposed Official Plan Amendment and Zoning By-law Amendment the Municipality requested the applicant to provide supplementary justification for removing a portion of these lands from the area’s commercial lands inventory and adding it to the residential land supply.

This Commercial Land Analysis report is intended to more specifically look at the commercial needs of Komoka-Kilworth using findings, assumptions and conclusions from the Watson & Associates Growth Management Report.



## **3.0 THE STUDY**

This commercial analysis report is based on the finding of the Growth Management Technical Report prepared by Watson & Associates in association with WSP in February, 2022 in support of the Middlesex Centre Official Plan Review. The present study and report, however, focus more specifically on Komoka-Kilworth and its available commercial land supply.

### **3.1 COMMERCIAL CONTEXT**

The vision of the Middlesex Centre Strategic Plan 2021-2046 is “a thriving, progressive and welcoming community that honours our rural roots and embraces our natural spaces.” The purpose of the *Settlement Commercial Area* designation within Komoka-Kilworth is to accommodate larger retail uses outside the Village Centres that require large sites for parking and access to major roads. Retail uses within the *Settlement Commercial Areas* include grocery stores, drug stores, hardware stores and commercial plazas<sup>1</sup>. Komoka-Kilworth is a bedroom community with commercial land uses located throughout the community in order to provide residents with access to everyday needs. However, with the community’s proximity to London (approximately 10 minute drive), there is easy access to a wider variety, larger, and higher-order commercial uses.

### **3.2 GROWTH MANAGEMENT STRATEGY TECHNICAL REPORT (WATSON & ASSOCIATES)**

The Growth Management Strategy Technical Report (Feb, 2022) was prepared by Watson & Associates in association with WSP in support of the Middlesex Centre Official Plan Review. This report concluded that the supply of urban residential lands in Komoka-Kilworth and Arva are sufficient to accommodate long-term housing demand over the next 25 years according to the Watson & Associates report.

The report also concluded that the commercial building space in Komoka-Kilworth and Ilderton relative to population is considered low (a low amount of commercial space per resident according to Watson & Associates) in comparison to similar sized communities. It is anticipated that Ilderton and Komoka-Kilworth will further expand their commercial bases, but will maintain a slightly lower per capita level by 2046, recognizing e-commerce trends. Recent commercial developments within the Settlement Area have included a new Foodland grocery-

---

<sup>1</sup> Growth Management Strategy Technical Report (Feb 2022), Watson & Associates, in association with WSP

anchored plaza and a Home Hardware store (located on the same block as the subject lands). According to the Municipality of Middlesex Centre Strategic Plan, a key objective for the Municipality is the creation of an identifiable village centre (mix use centre) with a “traditional Main Street” in the Komoka area. A successful focal point of a community requires multiple functions. The recently built, Middlesex Wellness and Recreational Centre situated in the vicinity of this area will act as an important anchor to the Village Centre.

The Watson & Associates Growth Management Report also includes a residential land use analysis which summarizes the potential supply of housing units in draft approved and registered plans, plus intensification potential within the Urban Settlement Areas. Short-term housing demand has been derived from the 2021 to 2026 housing forecast. The analysis indicates that there is “just enough” total supply of potential housing units in registered and draft approved plans, and through intensification, to accommodate housing demand. It is noted, however, that the Municipality’s near-term supply of low-density housing is limited to two years.

The Watson & Associates report was prepared for the Middlesex Centre Official Plan update and provided sufficient analysis to provide the Municipality with broad understanding of land use trends and needs. The report states that further site-specific analysis would be required—hence the need for this additional, more site-specific land needs analysis.

### **3.2.1 Assumptions**

According to the Growth Management Technical Report, approximately 14 net hectares (ha) of commercial designated land is required to support commercial growth for the planning period. The Municipality is described as having approximately 13 ha of vacant designated commercial lands, which is 1 ha short of the estimated commercial land demand within Komoka-Kilworth and Ilderton, as per the calculation below:

#### **Commercial Land Requirements**

Commercial Building Space Demand = 370,000ft<sup>2</sup> (3.4 ha)

Target Building Coverage = 25%

Commercial Land Demand:  $(3.4 \div 0.25) = 14$  ha

Designated Commercial Vacant Land Supply = 13 ha

Designated Commercial Land Shortfall = 1 ha

Commercial lands within Komoka-Kilworth are anticipated to be sufficient over the next 25 years. To better understand the commercial land needs, Watson & Associates recommended that the Municipality prepare a commercial land needs study that would review the suitability of the commercial land supply to meet commercial demand.

The Watson report provides a generalized analysis. It assumes a coverage of 25% for commercial development and a commercial building space demand of 3.4 ha. It should be noted that the 25% coverage target does not take into account the movement in Komoka-Kilworth toward more efficient land use. Also, the generalized calculation of commercial land needs does not account for the re-use of existing vacant commercial building space. Therefore, the generalized numbers potentially overstate the need for additional commercial land during the planning period.

### **3.3 COMMERCIAL INVENTORY**

The existing designated commercial land supply available in the Komoka-Kilworth Settlement Area is shown on Schedule A-2 Komoka-Kilworth Urban Settlement Area and Secondary Plan.

Lands abutting the subject lands on, Block 60, are proposed to remain within the “Settlement Commercial” land use designation. These lands are currently under applications for a medical/dental building and restaurant, and have recently been developed for a Home Hardware store. Lands across from the subject lands on the west side of Jefferies Road are designated “Settlement Commercial” (same as the subject lands), as well as lands on the northwest corner of the intersection of Glendon and Jefferies. Commercial space is available further west on Glendon Drive at the intersection of Komoka Road. The broader market of London and Strathroy provides an abundance of higher order commercial uses which also serve the local population.

The chart below highlights the existing and available commercial lands supply in Komoka-Kilworth. Locations of the inventoried lands are shown in Figures 3 and 4:

No.	Location	OP Designation	Zoning	Commercial Lands		Available Commercial Space/Existing Use
				BUILT	VACANT	
1	10293 Glendon Dr, Komoka (Kilworth Heights West)	Village Centre	C1-14, C1-15 (h-7)		3.22ha and 0.69 ha commercial blocks	<b><u>Vacant Land</u></b>
2	North Corner of Glendon Drive and Tunks Lane (1048 & 10166 Glendon Drive)	Village Centre	C1-11, C1-12	3.33 ha		<b><u>Occupied:</u></b> Grocery Store/mixed use <b><u>Vacant Building Area:</u></b> Unit 201 = ~134m <sup>2</sup>
3	10178, 10190, 10194, 10246 Glendon Drive and part of CON 2 S PT LOT 7	Village Centre	EU and I		4.7 ha	<b><u>Vacant Land:</u></b> Currently contains 3 single detached dwellings and Presbyterian Church
4	CON 2 S PT LOT 6 AND PLAN MRD144 PT PART 1	Village Centre	EU		5.1 ha	<b><u>Vacant Land</u></b>
5	171 Tunks Lane	Village Centre	EU	3.0 ha		<b><u>Occupied:</u></b> Hoskin Feed and Country Store
6	10082 Glendon Drive	Village Centre	EU		1.5 ha	<b><u>Vacant Land</u></b>
7	101 Ontario Ave, 22568 Komoka Road and 102 Railway Ave	Village Centre	C1, I-7, I	0.57 ha		<b><u>Occupied:</u></b> Kids Ko Childcare Centre and 2 single-detached dwellings
8	100 Huron Avenue	Village Centre	C1	0.62 ha		<b><u>Occupied:</u></b> A 1 Restoration
9	East Side of Komoka Road between Huron Avenue and Simcoe Avenue	Village Centre	C1	1.4 ha		<b><u>Occupied:</u></b> single-detached dwellings, Oxbow Audio Lab, Simple Concrete Solutions, Push Rod Garage
10	West side of Komoka Road between Hamilton Street and north portion of CNR Railway	Village Centre	C1, C1-16, I	1.32 ha	0.38 ha	<b><u>Vacant Land: 0.38 ha</u></b> <b><u>Occupied:</u></b> single-detached dwellings, Moirs Skate Shop, D'Lux Auto Spa, Canada Post, ACC Motorwerks, The Kitchen Powered by Pierogi Queen, Pharmasave
11	9919 Glendon Drive	Settlement Commercial	C2	0.78 ha		<b><u>Occupied:</u></b> Restaurant, Gas Bar, Convenience Store
12	9909 Glendon Drive (commercial with 3 detached buildings)	Settlement Commercial	C2-12	0.79 ha		<b><u>Occupied:</u></b> Restaurant, Dentistry, Wellness, clinic
13	9930 & 9918 Glendon Drive	Settlement Commercial	C2-16	0.70 ha		<b><u>Occupied:</u></b> Animal Clinic, Gas Bar, Convenience Store <b><u>Vacant Building Area:</u></b> Medical/Office Building under construction (4,650 ft <sup>2</sup> / 432 m <sup>2</sup> )

14	9952 Komoka Road	Settlement Commercial	C2-3	0.53 ha		<b>Occupied:</b> Restaurant, Cannabis, Clinic, Pharmacy
15	9964, 9990, 9998, 10006 Glendon Drive and 56,55 Delaware Street	Settlement Commercial	C2		0.9 ha	<b>Available Land and Building:</b> Contain single-detached dwellings on 6 residential lots, but zoned and designated for commercial use
16	22428 Jefferies Road	Settlement Commercial	C2-9	1.39 ha		<b>Occupied:</b> Home Hardware
					0.69 ha	<b>Vacant Land:</b> Awaiting Site Plan Approval
					1.089 ha	<b>Subject Lands:</b> Subject to OPA/ZBA
17	LOBO CON 2 S PT LOTS 7 AND 8	Settlement Commercial	EU		2.7 ha	<b>Vacant Land:</b> 'Settlement Commercial' lands
18	22499 Jefferies Road (Kilworth Business Park)	Settlement Commercial	C2-11	1.41 ha		<b>Occupied:</b> Multiple Businesses <b>Vacant Building:</b> Building under construction abutting Glendon Drive (15,210ft <sup>2</sup> / 1,413 m <sup>2</sup> )
19	35 & 39 Doan Drive	Settlement Commercial	C2-5	0.60 ha	0.60 ha	<b>Occupied:</b> My Storage Space <b>Vacant Land:</b> 39 Doune Drive
20	9 Springfield Way	Settlement Commercial	C2-8		0.59 ha	<b>Vacant Land</b>
21	15, 10 & 55 Springfield Way	Settlement Commercial	C2	0.60 ha & 0.49 ha		<b>Occupied:</b> RSP Motorsports, Rob Clarke Automotive
<b><u>TOTAL COMMERCIAL LANDS</u></b>				17.5 ha <b>BUILT</b>	21.2 ha <b>VACANT</b>	38.7 ha <b>TOTAL</b>
<b><u>VACANT COMMERCIAL BUILDING SPACE</u></b>						1,979 m <sup>2</sup> <b>TOTAL</b>

Figure 3: Commercial Land Supply (1-15)

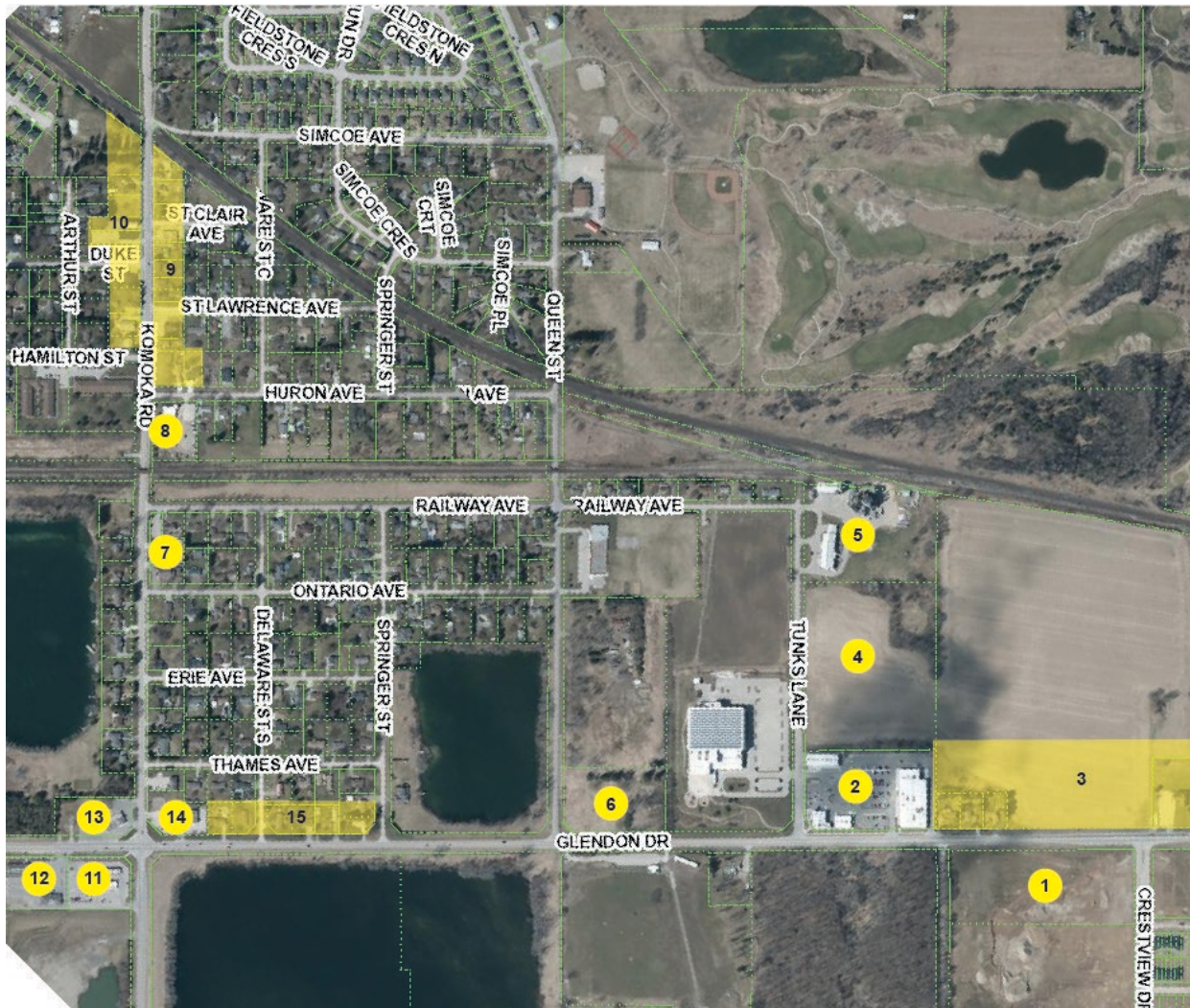
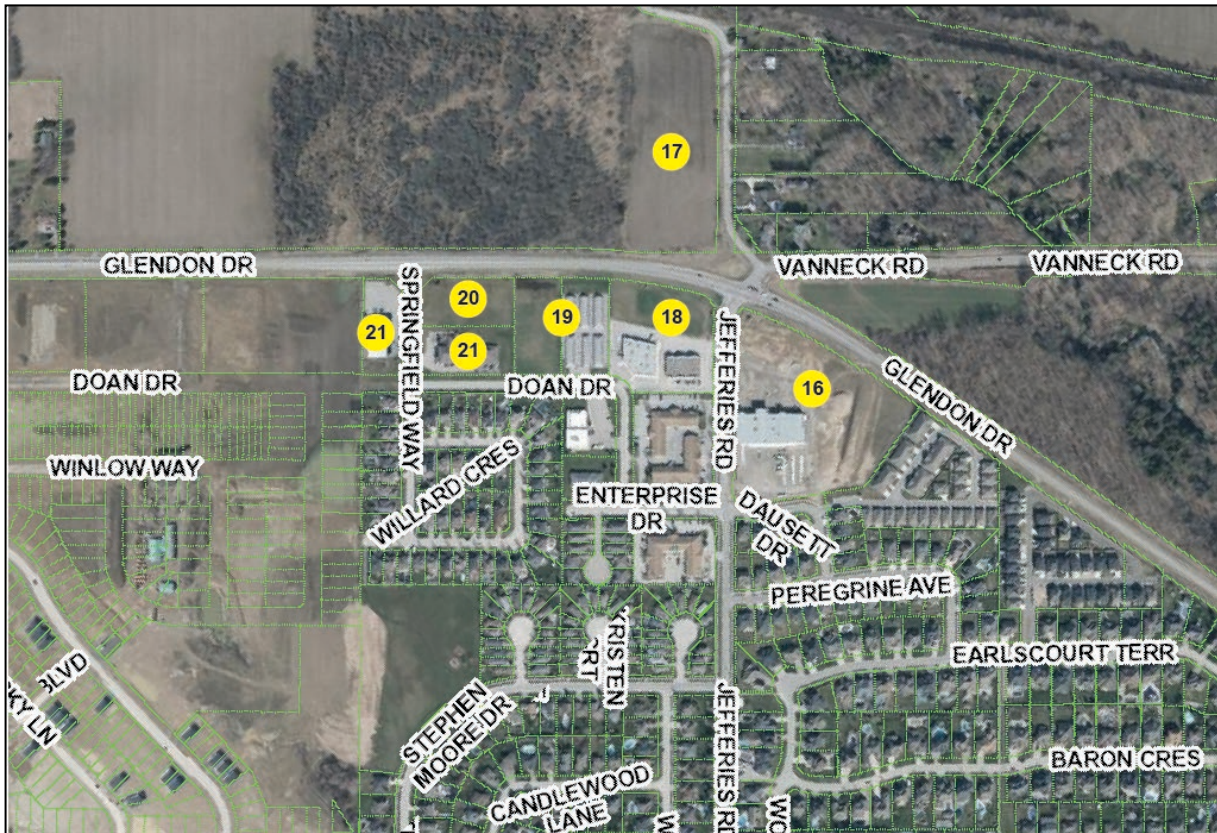




Figure 4: Commercial Land Supply (16-21)





## 4.0 ANALYSIS

The commercial lands located within the settlement area of Komoka-Kilworth found in the above table consist of both occupied and vacant commercial lands which could be developed, re-developed and/or used for the commercial needs of the residents of Komoka-Kilworth. They include “Settlement Commercial” and “Village Centre” lands which have similar permitted uses for the purpose of meeting the commercial needs of the residents of Komoka-Kilworth. The table in Section 3.3 of this report shows a total commercial inventory of 39.5 ha, with approximately 21.2 ha being vacant, available commercial lands and existing occupied lands of approximately 17.5 ha. The chart also lists vacant existing buildings. The 1.089 ha subject lands are listed as part of the vacant commercial lands inventory. The inventory shows a 21.2 ha supply of vacant commercial lands which is well above the 14 ha estimated need for the planning period noted in the Watson Report.

In addition to the above, “Settlement Employment” and “Rural Commercial” designations permit a variety of commercial uses which may supplement the “Settlement Commercial” and “Village Centre” lands.

The Watson report notes that Komoka-Kilworth will further expand their commercial base but maintain a slightly lower per capita level by 2046, recognizing e-commerce trends<sup>2</sup>. There are vacant commercial buildings within Komoka-Kilworth as per the table above and site visit observations of properties within the Village Centre, and Settlement Employment designated properties within the Settlement Area. The subject lands are not a priority location for “Settlement Commercial” uses which require access to major roads. Because of access restrictions on Glendon Drive and the configuration of the property, the subject lands can not be considered prime commercial lands. The large Home Hardware on the property and two proposed commercial uses in front of the existing store have more immediate access to the already-indirect entry from Jefferies Road.

The Watson & Associates Growth Management Technical Report provided information related to Komoka-Kilworth’s commercial land needs, which has been the basis of this Commercial Land Analysis Report. The Watson report identifies a commercial land shortfall of 1 ha within the Settlement Area, but the report did not have access to a detailed inventory as provided here.

---

<sup>2</sup> Growth Management Strategy Technical Report (Feb 2022), Watson & Associates, in association with WSP

Moreover, the Watson calculation is based on the assumption of 25% lot coverage, which does not support the direction of the Middlesex Centre Official Plan (Section 5.1.4) and the Middlesex Centre Zoning By-law. Lot coverage in the 'Highway Commercial Zone (C2)' is permitted at a maximum of 35%. Through our analysis, we maintained the Commercial Building Space Demand Calculation from the Watson & Associates Growth Management Technical Report 3.4 ha. However, if we were to use the 35% coverage allowed in the Zoning By-law, the resulting calculation would be  $3.4 \text{ ha} \div 0.35$  (35% coverage) = approximately 10 ha of commercial lands needed for future commercial use. The target building coverage of the Watson report can be considered to underestimate the maximum lot coverage potential of future and existing commercial developments. A 35% lot coverage, as is permitted, better represents the development potential for commercial lands. For example, the 10293 Glendon Drive site projects a commercial building coverage of approximately 33%.

However, even a modest movement in the target coverage from 25% to 28% would result in an estimated commercial land need of  $(3.4 \div 0.28)$  = approximately 12 ha.

With a 10 ha commercial land need calculation, or even a 12 ha need calculation, for Komoka-Kilworth, the Settlement Area has more than enough commercial lands inventory to meet the commercial needs of the community. The numbers used in the Watson report are not absolute and are subject to adjustment based on more efficient land use trends.

The inventory also lists vacant built commercial space totaling 1,979 m<sup>2</sup>, which, based on the Watson 25% formula, represents the equivalent of 0.77 ha of commercial land inventory. Taking this into account, even without changing the Watson report 25% coverage target, the need for additional vacant commercial lands is reduced from 14 ha to 13.2 ha.

New commercial development and mixed use is encouraged to be within the village centres as stated in the Watson Growth Management Report. Uses permitted in the "Village Centre" designation include convenience retail, personal services, offices uses, restaurants, hotels and entertainment and recreational facilities that are compatible in terms of scale and function with the village centre. Generally, Village Centres are intended to accommodate the majority of commercial and institutional services in the settlement areas. The "Settlement Commercial" designation is not intended to be the focus or the principal location for new commercial development. The subject lands, which we are proposing to remove from the commercial lands inventory, are not even prime "Settlement Commercial" lands.

The existing commercial land use supply and potential future supply of commercial land uses to serve Komoka-Kilworth can be accommodated through the Settlement Commercial and Village Centre land use designations in the Middlesex Centre Official Plan. The conversion of the subject lands supports a mix of land uses at a community gateway and provides for a more logical and efficient use of land. Based on our letter submitted when the application was last brought in front of Council, limiting access to Jefferies Road as a result of the County prohibiting access to Glendon Drive, remains a deterrent to future commercial development on the site and does not support an efficient use of land for the purpose of "Settlement Commercial" land use. As a result of this analysis, we are of the opinion that there is no need for the subject lands to be retained for future commercial purposes.

## **5.0 CONCLUSION**

This report provides a detailed inventory of commercial lands for the Komoka-Kilworth Settlement Area, which information was not available through the Official Plan Review process, and was not previously available to assist Municipal Council and staff to properly assess the potential effect of removing the 1.089ha subject lands from the commercial lands available for development.

The information in this report demonstrates that, rather than there being a potential shortfall of 1ha as estimated by the Growth Management Report, there is currently more than adequate inventory of commercial lands, supplemented by existing vacant built inventory, to meet the commercial needs of the community's residents over the planning period.

Moreover, looking to more efficient use of land over the planning period, and based on appropriate lot coverage as permitted in the Middlesex Centre Zoning By-law, future commercial lands could reasonably target a lot coverage which is higher than the 25% coverage target set in the Growth Management Report, thus reducing the overall commercial land area needed.

Because of restricted access, the subject lands are not well-situated as Settlement Commercial lands; and removing these lands from the commercial lands inventory and using them for multi-family residential development is a more efficient use of land, and will not result in a shortfall in commercial land supply.





PART OF  
--  
--  
MIDDLESEX CENTRE  
IN THE  
COUNTY OF MIDDLESEX

SUBJECT PROPERTY AREA  
10,877.4 m<sup>2</sup> (2.69 ac, 1.09 ha)

PROPOSED 64 RESIDENTIAL UNITS  
PROPOSED DENSITY = 69.8 u.p.h

MINIMUM PARKING SPACE DIMENSIONS 2.7m X 5.5m,  
 DUPLEX DWELLING, LINK DWELLING, APARTMENT DWELLING  
 MULTIPLE UNIT DWELLING, STREET TOWNHOUSE,  
 TOWNHOUSE DWELLING = 1.5 SPACES PER UNIT

TOTAL PARKING REQUIRED  
= 96 SPACES (64 UNITS @ 1.5 SPACES / UNIT)

TOTAL PROVIDED PARKING  
= 96 SPACES (64 UNITS @ 1.5 SPACES / UNIT)

PARKING BREAKDOWN  
 STACKED TOWNHOUSE = 48 UNITS @1.33 = 64 SPACES  
 TOWNHOUSES = 16 UNITS @1 DRIVEWAY + 1 GARAGE  
 SPACE = 32 SPACES

TOTAL SPACES =  $64 + 32 = 96$  SPACES

DISCLAIMER:

1. THIS IS A COMPILED PLAN AND SHOULD NOT BE CONSIDERED A PLAN OF SURVEY.
2. CONCEPT PLAN IS PRELIMINARY AND HAS NOT BEEN REVIEWED BY THE CITY.

CONCEPTUAL DESIGN FOR  
DISCUSSION PURPOSES ONLY

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

CLIENT 756949 ONTARIO LTD.  
ORANGE ROCK DEVELOPMENT  
3003 PAGE STREET  
LONDON, ONTARIO  
N5V 4J1  
P: 519.652.2104



## Attachment 4 – Comments from members of the public

Public Meeting, August 2021

- I have recently learned of the resubmission of the plan for medium density development on the property between the Home Hardware and our condo complex at 9 Dausett Drive. My unit backs onto the field and will be directly impacted by the proposed units. I submitted my concerns at the time of the initial meeting, and have the same concerns at this time. I am astounded to learn that the plan could be resubmitted without notification to impacted property owners.

I echo the concerns and questions outlined in the correspondence from our Board of Directors - Kilworth Heights Mews

- I would like to state opposition to the re- application.

My understanding is that there have not been any changes made to the plans with the previous application.

1. With the height of the proposed building with rooftop balconies, there will be little privacy to our community yards due to the proximity to the back yards and because of the increase in density, it will negatively affect our property values. We are concerned these units will all be rentals but need confirmation on this issue.

2. The proposed development does not allot space for visitor parking or snow removal storage and with the lack of space the overflow of cars and snow will appear in our visitor parking located at the only entrance of both communities.

3. Due to the proposed 1.5 minimum parking allotment, it is not adequate for parking as there is no public transit here. Our concern is there will be parking on roadways and poor access for fire, ambulance and garbage removal.

4. My concerns also include the planned intention for access through the community along Dausett Drive, including construction access. There should be access in and out at Jeffreies or Glendon Drive.

5. Our concerns also are the trees planted on the swale towards the lot lines of the new development. The concerns that trees will be damaged and that the drainage systems for the new development ensure adequate drainage to ensure no flooding of the Dausett Drive community.

- Given the footprint of the proposed development area is similarly sized to 9 Dausett Drive, but with at least 20 more units - my key concern is an over-concentration of vehicles and traffic. As a former resident of downtown Toronto I have experienced first-hand how a pocket of residential/vehicle concentration like that can significantly impact traffic flow and noise - particularly being so close to a high-volume intersection.

The plan also leads me to think there will be insufficient parking allotment for the

## Attachment 4 – Comments from members of the public

### Public Meeting, August 2021

occupants and visitors of the 54 units. This causes me concern that surrounding streets - and even our own visitor parking - will become parking overflow for the proposed complex.

While I am not adverse to the idea of residential development on that particular property - the proposed plan strikes me as far too over-concentrated, which will inevitably impact the neighbourhood negatively.

- I have reviewed the development plans for Middlesex Centre and have been impressed with the care taken to make this a desirable place to live for all. When I see the request to amend the plan for the addition of an apartment building of 3 stories and which does not meet the plan in parking and exterior facing I am extremely concerned that it will affect property values and popularity of the area. This will also ultimately reduce property tax revenue.

The result of the amendment and zoning by-law changes will open the door to a different type of living in not only this area but ultimately all of Middlesex centre. The current infrastructure cannot support the additional traffic from the recent developments on Glendon Drive. I have heard many complaints from those who work on London and have witnessed that the traffic at rush hour is very heavy. This will be a future expense worsened by the size of this building.

- I have done some research since I sent that email and realized it will be a 2 story building. My apologies.

As long as it is faced to match the neighbourhood that would remove my basic objection.

I am still concerned about the lack of visitor parking and ask that it be seriously considered when approving the development. This is a problem because the probability that the existing condo development will have illegally parked visitors is quite high.

- The Board is opposed to the following:  
The Board is opposed to the height of the planned buildings and the plan for roof top balconies. These buildings will be in very close proximity to our community offering very little privacy for our community members who would be backing onto this new development.

The Board is opposed to the unit density of the new development. The concern is that this increase in density in the small area will negatively affect our property values.

The requested UPH (50) is almost double what the current zoning allows (30), this is excessive for this small an area

## Attachment 4 – Comments from members of the public

Public Meeting, August 2021

The Board is opposed to the layout of this new development. The layout has no space planned for visitor parking or snow removal storage. The Board's concern regarding the lack of visitor parking/snow storage space is that the overflow of cars and snow will appear in our visitor parking area located close to the main entrance of both communities.

The Board has questions/concerns to the following:

- 1) The Board has concerns regarding the planned purpose of this new development. The Board's concern is that these units will be managed by a rental property agency instead of individually purchased and owned units. We are requesting clarification on this matter.
  - 2) The Board has concerns regarding the planned storm water drainage system location. We have concerns that our community members who back onto this new development will have flooded backyards if the drainage system is not planned with our community in mind.
  - 3) The Board has concerns regarding the trees located on our swale towards the lot lines of the new development. The Board is concerned that the trees will be damaged during construction.
  - 4) The Board has concerns regarding the planned intention for construction access. The Board does not want construction access through our community along Dausett Drive and would prefer access off of Jeffries/Glendon.
  - 5) The Board has concerns over no visitor parking. With 54 units, visitors should be expected. Concern is that there will be parking within our condominium complex and /or on Dausett Drive. If significant parking on Dausett Drive, have the impact on sight lines for entry/exit been considered? Has a traffic study been completed?
  - 6) The Board has concerns regarding the proposed 1.5 minimum parking allotment for apartments as inadequate as there is no public transit and we are a rural community requiring transportation
  - 7) The Board has concerns regarding access for large Emergency Vehicles or Municipal garbage collection vehicles is adequate.
- Changing from Commercial to Residential Zoning is a loss for the Municipality tax base and there is plenty of new Residential going on in our community already.  
**Please do not allow Zoning Change**

COVID has created an unusual circumstance for Commercial ventures and time will allow them to adapt to continue



## Attachment 4 – Comments from members of the public

### Public Meeting, August 2021

If allowed to proceed, we are opposed to the density of this project and are concerned this will have a negative impact on our property values.

The zoning being asked for (UR3) has a maximum density of 30UPH, while the applicant wants to increase this by almost double to (50)  
Seems excessive to allow such a dramatic increase in density, should the zoning be allowed to change.

Along with the frontage requirements being one third of required number by Zoning

The fact that No Visitor parking is supplied, whether in Zoning or not, is ridiculous as we are a rural community and vehicles are required to get here to visit.

The fact that there is only 1.5 parking spaces per stacked townhouse, again we are a rural community and vehicles are required.

The proposed entrance into the Development is in a poor location as far as site lines to Dausett Dr and Development beside it are concerned.

Add the parking, which will surely fill up Dausett Dr, this area becomes extremely congested and dangerous for families with young children.

The existing Condo Corp at 9 Dausett already has problems with other people parking in our visitor parking and this will only increase, as not enough parking will be supplied in the new Development.

This will force us to implement a towing policy to protect our community from insurance liabilities, allow for our snow storage and also ensure adequate visitor parking for our residents.

We have been informed that, because this was a Re-application, there was no requirement to notify the Public of this.

This is concerning to all as it could negatively affect their property values and lifestyle.

I suggest in future the Municipality notify all that have shown concern regarding this "re-application"

- We would like to express our opposition to the re-application of proposed zoning amendment on Dausett Drive from "Settlement Commercial" to "Medium Density Residential".

While not opposed to rezoning to residential, we have serious concerns regarding the maximum density for this amendment. We understand that the current maximum density is 30 units per hectare. The proposal states 50 units per hectare. There is the concern of lack of infrastructure to support such an immense

## Attachment 4 – Comments from members of the public

### Public Meeting, August 2021

increase. The location of the storm water draining system should be considered for the homes who back onto this new development to ensure they are protected from flooded backyards.

With 54 units, visitors should be expected, and the parking allotment does not seem to take this into account. Concern is that there will be parking within our condominium complex and/or on Dausett Drive. If significant parking on Dausett Drive, has the impact on sight lines for entry/exit been considered?

With such a narrow/awkward angled entrance we have concerns regarding access for large Emergency Vehicles, Municipal Garbage collection vehicles would be inadequate.

- It has been brought to my attention that an application that was previously rejected by municipal council has been resubmitted.

When I purchased my condo I was informed that I would have commercial development behind my home. It is much to my dismay to find out that stacked housing could potentially be built quite close to my lot line WITH a rooftop patio. This infringes on the privacy of all the condos lining the property.

It also creates issues with the visitor parking we already have trouble with as the proposed housing will not have enough parking on its own.

Furthermore, the Fire Marshall had stated that the layout of the parking lot as well as the number of residents in this proposed building is hazardous as the area does not have enough space for traffic movement.

I feel that this proposal is not in keeping with the environment, noise wise or visually with our beautiful and quaint little town.

- We are opposed to the following:
  - 1) The height of the planned buildings and the plan for roof top balconies. These buildings will be in very close proximity to our home and neighbours homes offering very little privacy for us.
  - 2) We are opposed to the unit density of the new development. The concern is that this increase in density in the small area will negatively affect our property values.
  - 3) We are opposed to the layout of this new development. The layout has no space planned for visitor parking or snow removal storage. We have concerns regarding the lack of visitor parking/snow storage space in that the overflow of cars and snow will end up on Dausett Drive causing visibility problems for those of us trying to get out of our driveways.

## Attachment 4 – Comments from members of the public

### Public Meeting, August 2021

The proposed 1.5 minimum parking allotment for apartments is inadequate. Additionally, the overflow of cars and/or snow would reduce visibility of young children and pedestrians crossing to use the sidewalk on Dausett.

Other concerns:

1) Concerns regarding the planned purpose of this new development. The concern is that these units will be managed by a rental property agency instead of individually purchased and owned units. We are requesting clarification on this matter.

2) Also there are concerns regarding the planned storm water drainage system location. We have concerns that the Condo community members who back onto this new development will have flooded backyards if the drainage system is not planned with that community in mind. This may not directly affect us but these are still concerns for our neighbours.

3) We have concerns regarding the planned intention for construction access. We do not want construction access along Dausett Drive and would prefer access off of Jeffries/Glendon. Many families walk their children along Dausett to access the school bus stops on Jefferies. An increase of truck traffic could lead to safety concerns for these families.

4) We have big concerns over no visitor parking. With 54 units, visitors should be expected. Concern is that there will be visitors parking on Dausett Drive creating difficulties when we back out of our driveways if vehicles are parked on both sides.

5) We have concerns regarding that the access for large Emergency Vehicles or Municipal garbage collection vehicles is inadequate.



**Meeting Date:** January 26, 2022

**Submitted by:** Marion-Frances Cabral, Planner

**Report No:** PLA-7-2022

**Subject:** Applications for Official Plan Amendment (OPA 50) and Zoning By-law Amendment (ZBA-09-2020) for lands on Dausett Drive; Filed by Zelinka Priamo Ltd. (Katelyn Crowley) on behalf of 756949 Ontario Limited

---

**Recommendation:**

THAT Zoning By-law Amendment application (ZBA-09-2020) and Official Plan Amendment application (OPA 50), filed by Zelinka Priamo Ltd. on behalf of 756949 Ontario Limited, to redesignate and rezone the land for 54-unit medium density residential development be **DEFERRED**.

**Purpose:**

This report is to provide a recommendation regarding applications for an official plan amendment and zoning by-law amendment on the land located off Dausett Drive east of Jeffries Road in Kilworth. The subject land is located south of Glendon Drive. The subject land is legally described as Plan 33M656 BLK 60, Municipality of Middlesex Centre.

A location map is included as Attachment 1.

**Background:**

The official plan amendment application requests to re-designate the lands from "Settlement Commercial" to "Medium Density Residential". Additionally, the zoning by-law amendment application requests to rezone the subject lands from 'Highway Commercial exception 9 (C2-9)' to a site-specific 'Urban Residential Third Density exception x (UR3-x)' zone.

The irregularly shaped parcel subject to the applications is vacant of buildings and currently contains excess soil. However, existing and planned commercial uses are located on the western portion of the property. These lands contain a building supply outlet and future restaurant and commercial building. Existing medium density residential units abut directly to the east of the subject land. West of Jeffries Drive contains commercial lands in proximity to Glendon Drive. South, south-west, and east of the subject parcel exists a low-density residential community.

The effect of these applications would permit the proposed development townhouses and stacked townhouses on a 1.089 ha (2.691 ac) parcel. The principle design features of the proposed development include the following:

- A single access and driveway will be off Dausett Drive. There will be no vehicular access to Glendon Drive.
- Five (5) townhouse dwellings will back onto the southern perimeter of the property and abut a driveway for an existing residential development to the east.
- Thirteen (13) townhouse dwellings will back onto the western perimeter of the property abutting the existing commercial development. Landscaping and fencing would be provided to buffer units from the commercial lands. The property line is approximately 9.8m from the nearest wall of the building supply store.
- Thirty-six (36) stacked townhouse units (multiple unit dwellings) are located on the north-eastern are of the land and is surrounding by the private road that loops around the development.
- Each townhouse dwelling will contain a single-car driveway and a single-car garage for a total of 2 parking spaces per unit. The driveways will be 'sunken' into the first floor of the home and will not project beyond the front face of the main wall.
- Parking for the stacked townhouses is proposed at a rate of 1.58 spaces per unit. No garages are provided and parking spaces are located immediately in front of the stacked townhouse development and amenity area.
- No visitor parking is proposed.
- No sidewalks are proposed adjacent to the townhouses, but a sidewalk is provided between the parking spaces and entrances to the stacked townhouse units.
- A 1.82 m (5.97 ft) noise wall is proposed at the rear of the units to mitigate traffic noise levels from Glendon Drive.
- All proposed units are to be serviced from an existing storm sewer and watermain located on Dausett Drive.
- The proposed concept plan is preliminary and will be refined through site plan review and condominium applications.

Since the public meeting in June 2020, staff and the applicant reviewed the comments provided by the public and Council. Staff advised the applicant that a land use change such as the one proposed would generally require a comprehensive review or assessment to convert the employment land and that the applications should be reviewed comprehensively as part of the Municipality's Official Plan Review, which was set to commence in July 2020. The applicant was also advised that they have the ability to revise the applicant and proposal to include comments made by the public, staff and Council. At the time of writing this report, staff did not receive a revision to the Official Plan or Zoning By-law amendment applications.

At the request of the applicants, Staff presented the applications to the public at a public meeting in August 2021. Noting the Official Plan Review and supporting studies which were underway, staff recommended that the applications be deferred until the comprehensive review was prepared by the Municipality's consultant. In October 2021, the Municipality received a draft Growth Management Study to inform the employment

and residential projected land needs for the Municipality. The draft Growth Management Study also addressed commercial land needs.

### **Policy Regulation:**

When reviewing these applications the following planning instruments are applicable to guide development within settlement areas. The Provincial Policy Statement provides planning direction for growth and a variety of uses within settlement areas and contains specific policies to ensure development is appropriate. The property is identified as part of the Kilworth 'Settlement Area' in Middlesex County's Official Plan and designated as 'Settlement Commercial' and identified within 'Community Gateway' within Middlesex Centre's Official Plan. The property is zoned 'Highway Commercial exception 9 (C2-9)' by Middlesex Centre's Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the land.

### **Provincial Policy Statement, 2020:**

The Planning Act states that all decisions made by planning authorities "shall be consistent with the policy statements issued" under subsection 3. The Provincial Policy Statement, 2020 (PPS) document is comprised of several policy statements and those that are applicable to the proposed development are noted below.

Section 1.0 – Building Strong Healthy Communities establishes policies that support long-term prosperity, environmental health and social well-being within communities.

Section 1.1 of the PPS identifies that healthy communities are sustained by accommodating an appropriate range and mix of uses, avoiding development patterns that cause environmental concerns, and promoting cost-effective development patterns that optimize the use of planned and future infrastructure.

Section 1.1.2 requires municipalities to accommodate an appropriate range and mix of land uses to meet projected land needs for a time horizon of up to 25 years. Within settlement areas land is to be made available through intensification and redevelopment.

Section 1.1.3 – Settlement Areas establishes that settlement areas can vary in size, population, and diversity and intensity of land uses. The PPS directs growth and development to settlement areas where new development varies in densities and land uses, and there are opportunities for intensification, redevelopment, and the efficient use of land. New development patterns are based on the efficient use of land that minimize negative impacts to the environment, support active transportation and are appropriate for the infrastructure and public service facilities.

Sections 1.1.3.4 and 1.1.3.6 promote intensification, compact development, varying uses and densities where it avoids or mitigates risks to public health and safety and is adjacent to the existing built-up area. Section 1.1.3.5 also allows municipalities to establish a minimum target for intensification within built-up areas subject to local conditions.



Section 1.3 – Employment directs municipalities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses and opportunities for diversification to meet long-term needs. Facilitating investment is generally completed by municipalities by identifying suitable sites for a variety of employment areas that support communities and that can be supported by current and future infrastructure.

Subsections of 1.3.2 – Employment Areas states that municipalities shall plan for, protect and preserve employment areas for current and future uses, and that necessary infrastructure is provided to support the needs.

Further, at the time of an Official Plan review, municipalities can review employment areas to ensure that the designations are appropriate. Municipalities may permit the conversion of lands within employment areas to non-employment uses, such as residential, through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long-term and that there is a need for the conversion.

Section 1.4 – Housing speaks to the provision of housing within a municipality. The PPS promotes an appropriate range and mix of housing types and densities and directs development of new housing towards areas where there is an appropriate level of infrastructure. Municipalities are to provide opportunities for all forms of housing and intensification to meet the social, health and well-being needs of the current and future community.

Sections 1.6 – Infrastructure and Public Service Facilities directs that infrastructure and be provided in an efficient manner that also prepares for the impacts of a changing climate. Section 1.6.2 directs municipalities to promote green infrastructure to complement existing infrastructure such as permeable surfaces, green roofs, and street trees.

Section 1.6.6 – Sewage, Water and Stormwater directs future growth and development to efficiently use and optimize existing services such as municipal sewage and water services, when available, and promote water conservation and water use efficiency. Servicing and land use considerations shall be integrated at all stages of the planning process. Further, municipal sewage and water services are the preferred form of servicing for settlement areas.

Section 1.6.6.7 promotes planning for stormwater management that is integrated with planning for sewage and water services and ensures that systems are optimized, feasible and financially viable over the long term; minimizes or prevents an increase in negative impacts on the environment and water system; does not increase risks to human health and safety and property damage; maximizes the extend and function of vegetative and pervious surfaces; and promotes stormwater management best practices such as low impact development, water conservation and stormwater attenuation.

**Middlesex County's Official Plan:**

The County of Middlesex Official Plan (County Plan) identifies the subject land within the Kilworth 'Settlement Area'.

Section 2.3.4 – Growth Management-Economic Development maintains a County goal to support economic activity and opportunities for residents to live and work within the County. The County Plan seeks to ensure there is a sufficient supply of employment land available throughout the County especially in areas where there is access to major arterial roads.

The County Plan also encourages municipalities to provide a balanced mix of housing and employment uses to ensure a sufficient labour force and to reduce the need for commuting.

Section 2.3.8 – Growth Management-Settlement Areas of the County Plan recognizes that Settlement Areas will be the focus for future growth including commercial, industrial and residential uses. These areas are intended to have the highest concentration and a wide range of land uses and full municipal servicing in conjunction with 2.4.5 of the County Plan.

Additionally, section 2.3.7 – Growth Management-Housing Policies encourages a wide variety of housing types, sizes and tenure to meet market requirements and demand for current and future residents. Municipalities are responsible to determine and encourage a range of housing types, densities and options through local official plans that meet current and future needs. This can also include intensification and redevelopment in appropriate locations.

Section 3.2 – Settlement Areas provides additional development policies for lands within Settlement Areas. The County Plan further supports that Settlement Areas are developed in a manner that is phased and compact, and preserves the historic character of Settlement Areas and complements the positive elements of the existing built-form. The County Plan defers to the municipality to provide detailed direction on a variety of areas including addressing land supply and policies for land uses within urban areas including residential and commercial.

With regard to municipal sanitary sewers and water services, Section 2.4.5 – Sanitary Sewers and Water of the County Plan promotes efficient and environmentally responsible development that can be supported by full municipal systems servicing.

### **Middlesex Centre's Official Plan:**

The Middlesex Centre Official Plan (Official Plan) shows the land located within the Komoka-Kilworth Urban Settlement Area and Secondary Plan on Schedule A-2 and designated 'Settlement Commercial'. The land is also within the Community Gateway overlay on Schedule A-2 which provides additional guidance for specific areas within the Komoka-Kilworth area.

Lands designated 'Settlement Commercial' are to provide opportunities for retail, restaurants, recreational uses, personal services and offices within Settlement Areas

where they do not undermine the planned function of the established Village Centres of the Municipality. New commercial development within 'Settlement Commercial' areas will be subject to the Municipality's Site Plan Manual and Urban Design Guidelines in order to reflect the traditional character of the settlement area it is in.

The 'Settlement Commercial' designation is not intended to accommodate sensitive land uses, such as residential, or more intense employment areas in order to maintain a sufficient supply of commercial uses that support an appropriate employment base.

Section 5.7.1 – Komoka-Kilworth Secondary Plan Goals establish the need to find a balance between a mix of land uses that serve key functions of a complete and vibrant community. Land uses include housing with different densities, local businesses, employment, institutions and recreation.

Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies applies special policies to the Komoka-Kilworth Settlement Area. This section requires appropriate screening between new commercial development and sensitive land uses, and does not permit the open storage of goods, materials, machinery or equipment.

Section 5.7.8 – Komoka-Kilworth Community Gateway Policies for Komoka-Kilworth are intended to promote a strong visual and signal of entry into the community. As such, these areas are intended to have landmark features such as signage and special landscape treatments that have visual prominence, and be considered when there are proposals for new development. Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies also provides direction for the Community Gateway. New development must adhere to site plan criteria such as having parking to the rear or side of the buildings, appropriate landscaping that provide a sense of entry to the community, and high quality design that contribute to the image of Komoka-Kilworth.

The applicant has requested to amend the Official Plan by redesignating the land from 'Settlement Commercial' to 'Medium Density Residential' on Schedule A-2. The following policies will apply to the land.

Section 10.1 - Amendments to this Official Plan provides direction for municipalities when considering applications to amend the Official Plan. The municipality must consider all relevant issues relating to public interest, and notify the general public and agencies in accordance with the *Planning Act*.

At a minimum, the Municipality shall consider the following criteria:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?

- d) What are the effects of the proposed change on demand for Municipal services, infrastructure and facilities?
- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

The Municipality is also directed to undertake a five year review of the Official Plan to revise the plan as necessary.

Section 5.7.4 – Komoka-Kilworth Residential Area Policies summarized below apply to lands designated 'Medium Density Residential'.

- The 'Medium Density Residential' designation has a housing mix target of 40% which refers to the intended balance between low density and medium density residential development in Komoka-Kilworth. Medium density development is intended to have a net density of 20 to 50 units per hectare.
- Development proposals shall provide for a diverse mix of multi-unit housing forms and choices of accommodate the needs and lifestyles of people at different stages throughout their life; and for the development along Glendon Drive, provide building orientation, façade and landscape treatments that create an attractive streetscape. Back-lotting of units will be strongly discouraged along Glendon Drive. Improvements to Glendon Drive may include upgrades to hard infrastructure (e.g. stormwater system, bike lanes, sidewalks) and may be a required as a condition of development.
- All new development must ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces, and to facilitate the penetration of sunlight to these spaces.
- In addition to compliance with the urban design guidelines, private garages for residential development shall not project into the front yard than the habitable portion of the building or porch on the main floor in order to limit visual and streetscape impacts of garages.
- Entrance features to new residential neighbourhood development shall be encouraged where features are landscape related and require minimal maintenance.

Section 6.3 – Design Policies-Site Plans and Infill Developments provide additional direction to guide infill development to ensure there is compatibility with existing

residences and neighbourhoods. High quality site design and architectural design is encouraged for new medium density residential development. Setbacks, massing, location of parking, architecture and other design elements will be carefully reviewed to ensure new development is in keeping with the character of the neighbourhood.

### **Middlesex Centre Zoning By-law:**

The subject land is currently zoned site-specific 'Highway Commercial exception 9 (C2-9)' and permits all uses within the 'Highway Commercial (C2)' zone, *open storage as an accessory use to a Building Supply Establishment* and a *clinic*. The 'Highway Commercial (C2)' zone permits uses such as, but are not limited to, financial institutions, hotels, offices, restaurants, and retail and convenience stores. Additional site-specific zoning standards apply to the subject land such as maximum lot coverage, minimum front yard setback minimum exterior side yard setback and open storage exceptions.

The requested amendment would rezone the property to a site specific 'Urban Residential Third Density exception x (UR3-x)' zone to reflect the proposed 54-unit medium density development that consists of townhouses and stacked townhouses (multiple unit dwelling).

The proposed site-specific zone would address standards such as permitted uses, setbacks, maximum density, and lot coverage. The standards shown below are based on the proposed site plan (Attachment 3) and in some instances meet the current standards of the 'Urban Residential Third Density' zone such as Minimum Lot Area, Minimum Rear Yard Setback, Minimum Floor Area, Maximum Height, and Minimum Outdoor Amenity Space.

All proposed standards are shown in the table below and may change based on information and comments received from the public, Council, agencies and staff:

	<b>Proposed UR3-x Zone</b>
<b>Permitted Uses</b>	Accessory Use Apartment Dwelling Townhouse Dwelling Street Townhouse Dwelling Multiple Unit Dwelling
<b>Minimum Lot Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter;
<b>Minimum Lot Area</b> – for Street Townhouse Dwelling, Townhouse Dwelling	178.0 m <sup>2</sup> per dwelling unit
<b>Minimum Lot Frontage</b> – for Apartment Dwelling, Multiple Unit Dwelling	9.8 m (32.15 ft)

	<b>Proposed UR3-x Zone</b>
<b>Minimum Lot Frontage</b> – for Street Townhouse Dwelling, Townhouse Dwelling	6.0 m (20 ft) per dwelling unit
<b>Minimum Lot Depth</b> – for Apartment Dwelling, Multiple Unit Dwelling	110.2 m (361.5 ft)
<b>Minimum Lot Depth</b> – for Street Townhouses Dwelling, Townhouse Dwelling	25.0 m (82.0 ft) for each dwelling unit
<b>Minimum Front Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	6.1 m (20.0 ft)
<b>Minimum Front Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	6.8 m (22.31 ft) per dwelling unit from an interior road
<b>Minimum Side Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	10.0 m (32.8 ft)
<b>Minimum Interior Side Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	2.1 m (6.89 ft) on an interior end unit 0.0 m (0.0 ft) on an interior inside unit
<b>Minimum Exterior Side Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	3.1 m (10.17 ft) on an end unit from an interior road, and 6.0 m (19.68 ft) on an exterior end unit
<b>Minimum Rear Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	8.0 m (26 ft) and in accordance with Section 4.16 b) of this By-law regarding minimum setbacks from County Roads
<b>Minimum Rear Yard Setback</b> – for Street Townhouses, Townhouse Dwelling	6.0 m (19.69 ft)
<b>Maximum Lot Coverage</b> – for Apartment Dwelling, Multiple Unit Dwelling	35% for the main building 38% for all buildings including accessory buildings subject to Section 4.1 a) of this By-law.



	<b>Proposed UR3-x Zone</b>
Street Townhouses Townhouse Dwelling	
<b>Minimum Floor Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms
<b>Minimum Floor Area</b> – for Street Townhouse Dwelling, Townhouse Dwelling	65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<b>Maximum Density</b>	50 Units Per Hectare
<b>Maximum Height</b>	13.5 m (44.29 ft)
<b>Minimum Outdoor Amenity</b>	72 m <sup>2</sup> per dwelling unit
<b>Minimum Parking</b> – for Apartment Dwelling, Multiple Unit Dwelling	1.5 spaces per unit
<b>Minimum Parking</b> – for Street Townhouse Dwelling, Townhouse Dwelling	2 spaces per unit
<b>Visitors Parking</b>	0 parking spaces

### **Consultation:**

Notice of the application was posted on the property and circulated to agencies, and property owners in accordance with the *Planning Act* and Ontario Regulation 545/06 ahead of the public meeting in June 2020. Additionally, residents who requested to be notified about decisions related to these applications were notified of this meeting.

### **Public Comments:**

Prior to or at the public meetings in August 2021 and June 2020, staff received the comments from area residents. A summary is provided below:

- There is a mix of residents who prefer the residential development over commercial development, and others who prefer the land remains commercial.
- Provide visitor parking to avoid on-street parking on Dausett Drive or in adjacent residential developments.

- Identify where snow piles will be located
- Recommendation for 2 parking spaces per unit. Not enough parking is provided.
- The entrance is too close to the existing driveway entrance for abutting lands. It may become a hazard especially in the winter. A single access is not enough for this development.
- Provide additional details regarding fencing and landscaping abutting the neighbouring properties.
- Concerns about the height of the stacked townhouses development if the top floor has a private outdoor amenity space. This may reduce privacy for residents in the neighbouring residential development.
- The density for the site is too high.
- The development would have an adverse effect on the farm land within the area and encroach on the sensitive wooded area.
- Concerns with the additional traffic at the Glendon Drive intersection.
- The development is not in keeping with the area.
- Concerns about the lack of sidewalks.
- Confirm if it will be a condominium development.
- Confirm if the units be rentals or sold.
- Confirm if the units will be geared to income housing.

### **Agency Comments:**

Prior to the public meeting in June 2020, staff received the following comments. No additional comments were received at the time of writing this report.

The Municipality's Chief Building Official reviewed the requested amendments and has no concerns with the development at this time. Additional detailed comments will be provided during review of a detailed site plan.

The Municipality's Public Works and Engineering Department have reviewed the requested amendments and provided the following comments:

- A noise study will be required to review the application due to proximity of the sensitive land uses to Glendon Drive.
- A buffer will be required between the proposed residential use and existing commercial use to the west.

- The entrance to the site is crowded and not ideal given the proposed width (9.8 m/32.1 ft), however, staff can work with the applicant to find an appropriate solution.
- Due to the single entrance to the site, all services should be located outside of the roadway so that if there is future maintenance of the services, emergency services would still be able to access the development.
- The applicant will need to provide a storm water management report and servicing brief.
- Additional detailed comments will be provided during review of the site plan

The Municipality's Director of Emergency Services – Fire Chief reviewed the requested amendments and proposed site plan, and provides the following comments:

- Complex streets must meet the minimum width and turning requirements of the Ontario Building Code for firefighting apparatus
- The applicant should address on-street parking. If on-street parking is allowed additional distances and street widths must be factored in
- The applicant will need to identify the location of the proposed hydrants and how many there are. It is understood that a 250mm water supply will be available.
- Additional detailed comments will be provide during review of the site plan.

The County Engineer reviewed the requested amendments and has no concerns with the proposed uses. However, land dedication for proposed road widening may be necessary as prescribed in the Environmental Assessment for Glendon Drive, and no direct access would be permitted to Glendon Drive. Setbacks for proposed buildings need to comply with County standards as stated within the County Official Plan.

The Upper Thames River Conservation Authority (UTRCA) has not provided at the time of writing this report.

### **Analysis:**

To consider the appropriateness of the requested Official Plan Amendment and Zoning By-law Amendment, it must be consistent with the Provincial Policy Statement, 2020, and conform and maintain the intent of the policies of the County Official Plan and Middlesex Centre Official Plan.

It is noted above that Staff requested the applications, which convert the commercial lands into residential lands, be reviewed concurrently with the Official Plan Review which commenced in July 2020. The Official Plan Review included a municipal comprehensive review that assesses the current employment and residential land inventory, and determine the land needs for the Municipality over the planning horizon. The review would also provide supplementary information to support the applications. To date, the applicant has not provided their own supplemental analysis or justification to support the removal of commercial lands from the municipal inventory or conversion of the lands to residential uses.

It should also be noted that unlike employment land conversion, there is no Provincial directive or framework to evaluate the conversion of commercial lands to other uses.

However, some jurisdictions considered the Province's definition of "Employment" to include commercial uses (e.g. retail), or they have establish their own criteria or principles to consider these types of conversions. Criteria include consideration of the site characteristics (e.g. access, size); consideration of the entire commercial area and larger urban area (e.g. commercial node at Glendon Drive and Jefferies Road, and impact on Komoka and Kilworth area), and consideration of the site as a transition between employment and sensitive land uses.

In October 2021 Staff received the draft Growth Management Study which provided an analysis of the current land supply and projected demand, including analysis for commercial lands.

The draft Growth Management Study (prepared by Watson and Associates, dated October 25, 2021) identifies that the "purpose of the Settlement Commercial Area designation is to accommodate larger retail uses outside the Village Centres that require large sites for parking and access to major roads...Commercial employment growth is anticipated to be primarily accommodate within Settlement Commercial Areas, while the Village Centres are anticipated to accommodate moderate growth through infill". Based upon the supply and forecasted demand determined by Watson and Associates, The Municipality will experience a demand of 14 ha of commercial lands over the 25 year planning horizon where a majority of the demand will be located within Komoka-Kilworth and Ilderton. However, the Municipality has a supply of 13 ha of vacant commercial land.

The draft Study determined that there is a sufficient supply with a small shortfall of approximately 1 ha, and that additional review may be needed to determine the suitability of that existing land supply. As Planning Staff addressed previously, the primary concern is related to the conversion of employment lands to residential, and removal of employment/commercial lands from an area that is identified at a priority intersection in Kilworth. While the lands may not be large and bounded by sensitive residential land uses, the lands were intended to serve the Kilworth and Komoka communities, and become a gateway into the area with commercial lands to the west and north. The removal of an additional hectare would further deplete the available and vacant commercial land supply.

Additionally, Schedule A-2: Komoka-Kilworth Urban Settlement Area and Secondary Plan also designates lands south and east of the subject lands as Settlement Commercial. This designation extends south to Peregrine Avenue and east incorporating the existing medium density residential development on Dausett Drive and single detached homes on Peregrine Avenue. These residential developments removed the supply of commercial designated lands and there is concern that the requested applications could further reduce the supply and change the function of the commercial area that was initially identified in the Secondary Plan.

Further, Staff acknowledge that the approved uses on the western portion of the subject lands are currently used or planned for commercial uses. Planning staff addressed that there is concern with the compatibility of the proposed medium density development with the existing commercial lands. While lands to the east of the subject lands also contain

residential uses, the subject lands could allow for a gentle transition from the commercial uses and allow for commercial expansions as necessary.

In previous studies prepared by the applicant for the commercial uses on the western portion of the subject lands, the subject parcel was planned for smaller-scale, stand alone or multi-unit commercial buildings with uses such as personal service, retail, restaurants or financial institutions. The applicant's intention of the existing building supply establishment was to help spur additional commercial development and uses that fulfill the planned function of this site and serve the needs of the community. Planning Staff concur with this position to provide opportunities for small-medium scale commercial businesses and not alter the planned function of the site.

Section 5.4.4 of the Middlesex Centre Official Plan identifies the ability to request an amendment to 'establish permitted uses within Settlement Commercial designations that are not contemplated or permitted in Sections 5.4.2 and 5.4.3 of this Plan'. Proposals should be accompanied by sufficient market analysis, transportation studies, and planning studies detailing implications of the application to land use and public interest issues. Section 10.1 also provides the following criteria when considering amendments to the Official Plan.

**a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?**

The requested amendment does not support the planned Settlement Commercial node at the Glendon Drive and Jefferies Road intersection. The removal of the commercial lands from the land supply alters the planned vision of the Secondary Plan for the Municipality.

**b) Is there a demonstrated need or justification for the proposed change?**

The draft Growth Management Study prepared by Watson and Associates has determined that the existing commercial land supply is sufficient noting the small shortfall, and needed for the Municipality over the planning horizon. While medium to high density residential uses are needed to meet the long-term demand of housing, it should be provided through other means such as intensification and infilling of existing residential lands and not through the removal or conversion of commercial lands.

**c) Is the amendment in keeping with Provincial and County policy?**

The Provincial Policy Statement, 2020 (PPS) and County Official Plan identifies that settlement areas are to attract diversity of land uses including commercial and residential growth. New development is based off efficient use of land that minimizes negative impacts to the environment, support active transportation and public service facilities. The PPS also direct municipalities to promote economic development opportunities to meet long-term needs, and protect employment areas. As such, the PPS and County Official Plan allows local municipalities to determine the appropriate balance of uses to support a robust and healthy community to meet the needs of its current and future residents.

**d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?**

Proposed development on the subject lands will be required to be on full services available within the area.

**e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?**

Public Works and Engineering has not identified servicing constraints with the proposal. However, the applicant will need to provide supporting studies to confirm the servicing required for proposed development to the satisfaction of the Municipality prior to any development occurring on the subject lands.

**f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?**

The proposed development may require improvements to the local road network and/or intersection as a result of the additional units and proximity to other medium density residential uses. It is noted by area residents that the current traffic patterns of Dausett Drive can be hazardous and the addition of vehicles may exacerbate the conditions. Should development be approved, staff would recommend the applicant prepare a traffic study and mitigate any impacts.

Planning staff do not foresee negative impacts to the natural environment, municipal character, or cultural heritage as a result of the planned commercial uses or proposed residential uses.

As a result of the above and in consideration of all available information, Planning Staff are of the opinion that the requested Official Plan Amendment to remove the commercial lands from the existing commercial land supply by redesignating the lands to “Medium Density Residential” cannot be supported. Planning Staff continue to support the commercial uses planned for the site, and that medium to high density residential uses can be accommodated in other areas of the Kilworth and Komoka urban settlement area.

Additionally, staff find the requested zoning by-law amendment from the ‘Highway Commercial exception 9 (C2-9)’ zone to a site-specific ‘Urban Residential Third Density exception x (UR3-x)’ zone to permit medium density residential uses cannot be supported within the Settlement Commercial designation, and is inconsistent with the planned function for the site.

In light of the opinion provided above, Staff recommend deferring the applications until such time the applicant can provide supplementary information to justify the conversion of the commercial lands to support the applications as requested previously. This may include a commercial land needs study identified by Watson and Associates or similar analysis.



This opinion is provided with the benefit of receiving comments from agencies, the public and council. Should new information arise regarding this proposal prior to or at the meeting, Council is advised to take such information into account when considering the applications.

**Financial Implications:**

None.

**Strategic Plan:**

This matter aligns with following strategic priorities:

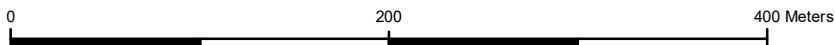
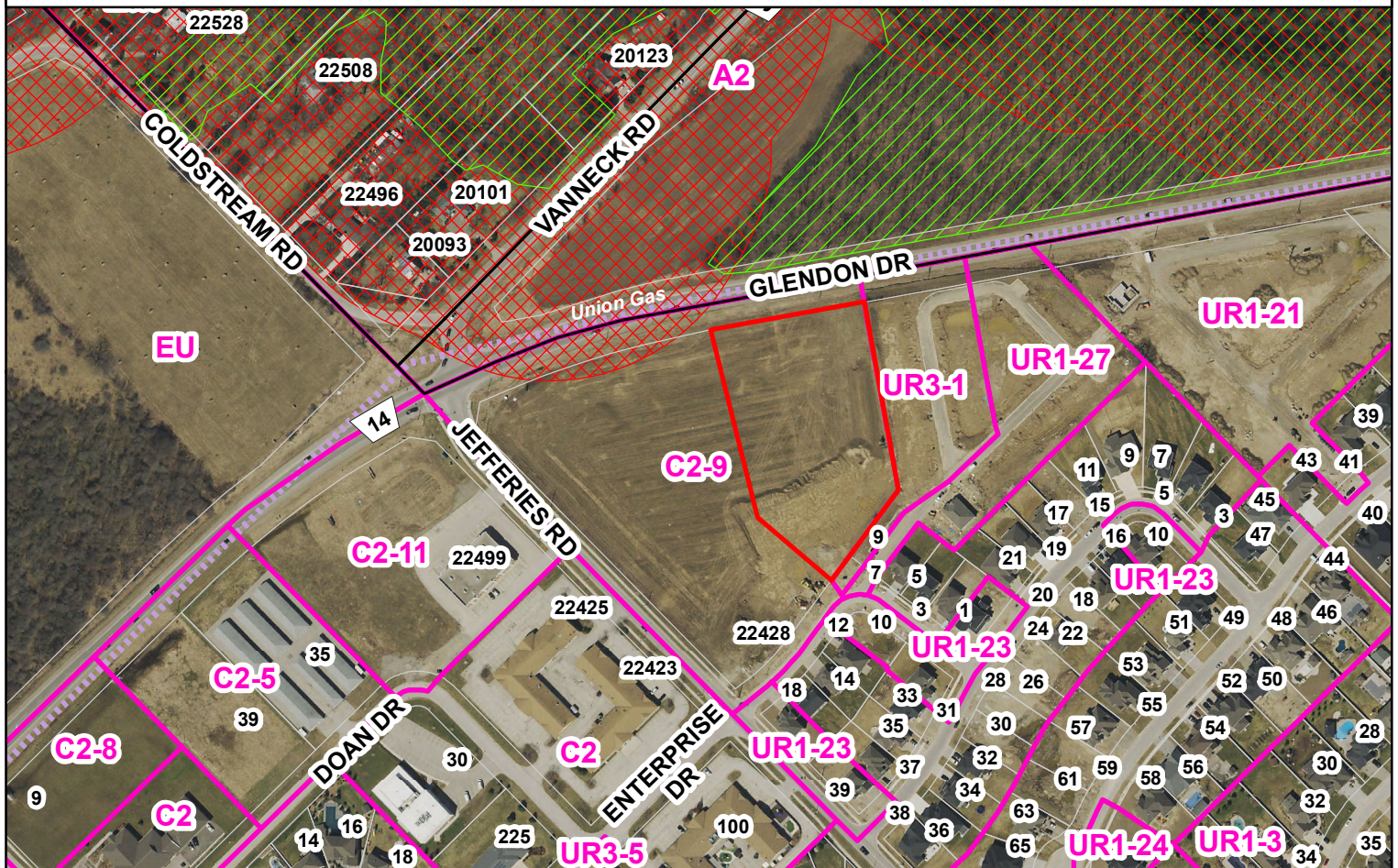
- Vibrant Local Economy
- Balanced Growth

**Attachments:**

Attachment 1 – Location Map

Attachment 2 – Planning Justification Report

Attachment 3 – Proposed Site Plan



## Legend

- Lands to be designated to "Medium Density Residential", and rezoned to "Urban Residential Third Density exception x (UR3-x)"
- Zone Boundary
- Parcels
- Significant Woodland (MNHS 2014)
- CA Regulated Area



# Planning Justification Report

Glendon Drive at Jefferies Road (Block 60 Plan 33M-656)

Municipality of Middlesex Centre, County of Middlesex

Orange Rock Developments Inc.



February, 2020



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

TABLE OF CONTENTS

1.0 INTRODUCTION .....3

2.0 THE SUBJECT LANDS .....3

3.0 SUPPORTING DOCUMENTS .....8

4.0 PROPOSED DEVELOPMENT .....8

5.0 PROPOSED PLANNING ACT APPLICATIONS.....10

6.0 PLANNING DOCUMENT REVIEW AND ANALYSIS .....11

7.0 CONCLUSIONS .....24

## 1.0 INTRODUCTION

Orange Rock Developments Inc. has submitted an application to the Municipality of Middlesex Centre to amend its Official Plan and Zoning By-Law for lands at the southeast corner of Glendon Drive and Jefferies Road. The purpose of the proposed Official Plan Amendment and Zoning By-Law Amendment is to facilitate the residential development of the subject lands for townhomes and multiple unit dwellings (i.e. stacked townhouses or a low-rise apartment building).

The purpose of this Planning Justification Report is to evaluate the proposed Official Plan Amendment and Zoning By-Law within the context of existing land use policies and regulations, including the Provincial Policy Statement, the Middlesex County Official Plan, the Municipality of Middlesex Centre Official Plan and the Municipality of Middlesex Centre Zoning By-law.

## 2.0 THE SUBJECT LANDS

The subject lands have an irregular shape and are located at the southeast corner of Glendon Drive and Jefferies Road, in the community of Kilworth, in the Municipality of Middlesex Centre, in Middlesex County (Figures 1-2). The lands are part of Block 60 in the Komoka-Kilworth Settlement Area. A portion of the lands on the corner of Glendon Drive and Jefferies Road has been recently granted site plan approval for a Home Hardware Building Supply Store. The subject lands have a lot frontage of approximately 9.8m (32.2ft) along Dausett Drive, and an area of approximately 1.089 ha (2.691 ac). The lands are vacant (Figures 3-5). Access to the subject lands is available from Dausett Drive. Full municipal services are available. There are no significant cultural and archaeological features and no man made or natural hazards on the subject lands.

The subject lands are designated “Settlement Areas” (Urban and Community) in the Middlesex County Official Plan and “*Settlement Commercial*” in the Komoka-Kilworth Urban Settlement Area and Secondary Plan in the Municipality of Middlesex Centre Official Plan, and are zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law 2005.



Figure 1 – Subject Lands and Area Context (Location and Boundaries are Approximate)



Figure 2 – Subject Lands Boundary





**Figure 3 –Glendon Drive looking east (Google Streetview)**



**Figure 4 – Subject lands from Glendon Drive looking south at the subject lands (Google Streetview)**



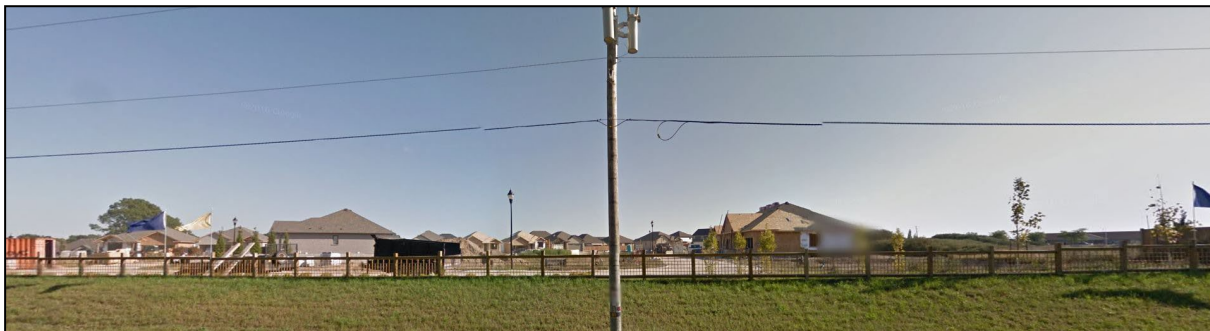
**Figure 5 – Subject Lands (at left), view from Dausett Drive (Google Streetview)**



## 2.1 SURROUNDING LAND USES

The subject lands abut low-density residential uses in the form of townhouses and single detached dwellings to the east (Figure 6); are located across Dausett Drive from low density residential uses in the form of single detached dwellings (Figure 5); and, are located across Jefferies Road from the Kilworth Business Park which consists of a range of commercial, office, commercial recreation, and light industrial uses (Figures 7). The Kilworth Children's Centre (daycare) is located at the southwest corner of Jefferies Road and Dausett Drive/Enterprise Drive, south of the Kilworth Business Park. Lands to the north of the subject lands, on the north side of Glendon Drive, consist of a small cultivated field, wooded lands, rural residential uses, and open space. The predominant land use in the community of Kilworth is single-detached dwellings (Figure 5).

**Figure 6 – Low Density Residential Uses to the East of the Subject Lands (Google Streetview)**



**Figure 7 – Kilworth Business Park, West of the Subject Lands, from Jefferies Road (Google Streetview)**



---

Additional commercial land supply is available in the Komoka-Kilworth Settlement Area as shown on Schedule A-2 Komoka-Kilworth Urban Settlement Area and Secondary Plan. Lands abutting the subject lands on Block 60 are proposed to remain within the “Commercial Settlement” land use designation. These lands are currently under construction and future commercial land use is proposed along Glendon Drive in order to maximize the commercial land area. Lands across from the subject lands on the west side of Jefferies Road are designated commercial as well as lands on the northwest corner of the intersection of Glendon and Jefferies. Land supply is also available further on Glendon Drive at the intersection of Komoka Road and at the newly developed community shopping centre across from the Komoka Wellness Centre. The broader market also provides an abundance of commercial land uses to serve the local population.

The intersection of Glendon Drive and Jefferies Road is a major intersection in the community of Komoka-Kilworth, and is considered a community focal point. An Environmental Assessment (EA) is currently underway to evaluate potential roundabout options to implement at this intersection. Road widening at the northwest corner of the subject lands are expected to be required to implement the roundabout.

Glendon Drive is designated as a *Four Lane Arterial County Road*, under the jurisdiction of the County of Middlesex, while Jefferies Road and Dausett Drive are local roads, under the jurisdiction of the Municipality of Middlesex Centre.

### **3.0 SUPPORTING DOCUMENTS**

#### **3.1 NOISE STUDY**

A Noise Assessment Study was completed by Stantec. The result of the noise assessment concluded that predicted noise levels are above the Ministry of Environment Conservation and Parks (MECP) criteria at the living area of the townhouse dwellings with exposure on Glendon Drive (Units 37, 38 & 39). A 1.82m high noise wall is proposed at the rear of these units to mitigate traffic noise levels from Glendon Drive. The report also recommends noise warning clauses.

#### **3.2 SERVICING BRIEF**

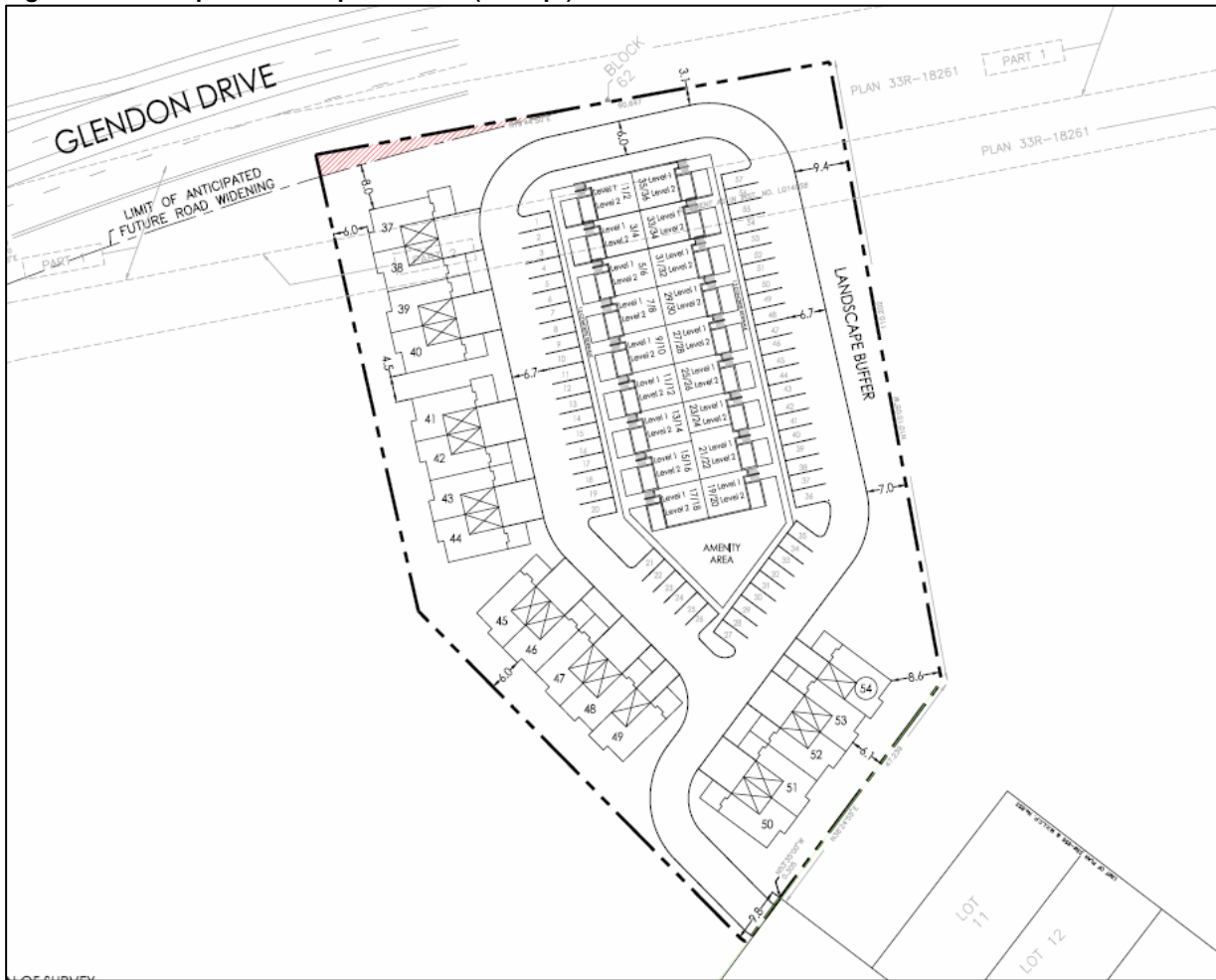
A servicing design brief was completed by Stantec. All proposed units are to be serviced from an existing 525mm storm sewer and a 250mm watermain located on Dausett Drive. The servicing design brief established that there is reserve sanitary sewer capacity.

### **4.0 PROPOSED DEVELOPMENT**

The westerly and southerly portion of the subject lands are proposed to be developed for 18 condominium townhomes. The interior of the lot is proposed to be used for a 4-storey apartment building / stacked townhouses with approximately 36 units, along with sufficient associated parking spaces at grade and a common amenity area centrally located on the proposed development (Figure 8). The proposed development is not anticipated to shadow neighboring properties and the scale of development is compatible with abutting lands (Figure 9).



**Figure 8 – Conceptual Development Plan (excerpt)**



Vehicular access to the proposed development is from Dausett Drive. The private drive aisle provides circulation throughout the development and loops around the entirety of the property. Individual driveway access is provided off the internal drive for the townhouse units with parking spaces provided for the apartment units/stacked units.

Figure 9 – Conceptual Rendering



There is no direct vehicular access proposed from Glendon Drive.

Appropriate setbacks are proposed from Glendon Drive to provide sufficient space for landscaping between Glendon Drive and the proposed residential dwelling units. Proposed setbacks for the townhouse units on the westerly side of the subject lands provide adequate space for landscaping and fencing to effectively buffer the units from the new Home Hardware.

The proposed concept plan is preliminary and will be refined through a future detailed Site Plan Approval application.

## 5.0 PROPOSED PLANNING ACT APPLICATIONS

The proposed residential development is not contemplated in the Kilworth-Komoka “*Settlement Commercial*” land use designation, nor is it permitted in the current “*Highway Commercial (C2-9)*” zone. As such, an Official Plan Amendment (OPA) to change the designation on the subject lands from “*Settlement Commercial*” to “*Medium Density Residential*”; and, a Zoning By-Law Amendment (ZBA) to rezone the lands from a C2-9 zone to a UR3 zone with exceptions, are proposed to facilitate the development.



## 6.0 PLANNING DOCUMENT REVIEW AND ANALYSIS

### 6.1 2014 PROVINCIAL POLICY STATEMENT (PPS)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications, including OPA and ZBA applications, are required to be consistent with these policies.

#### **Section 1.1.1**

*Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

As discussed throughout this report, the proposed development is an efficient and appropriate form of development on the subject lands. It adds to the range and mix of housing types that meet the long-term housing needs for a variety of demographics. The proposed development is a compact and cost-effective form of development that will maximize the use of existing municipal services within the existing built-up area of Kilworth. No extension of municipal services is required.

#### **Section 1.1.3.1**

*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

The subject lands are within the settlement area of Komoka-Kilworth, a designated Settlement Area in the County and Municipal Official Plans.

#### **Section 1.1.3.2**

*Land use patterns within settlement areas shall be based on:*

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;**
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

#### **Section 1.1.3.3**

*Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

The proposed development adds to the medium density housing mix of residential land uses in Kilworth. It makes efficient use of vacant land, infrastructure, and the existing transportation network. The proposed development is appropriate infill and intensification as it proposes the development of a vacant portion of land within an existing built-up area. The subject lands are at an appropriate location for modest intensification. The lands are located adjacent to commercial land uses, and medium and low density residential land uses. The lands have convenient access to an arterial road via Dausett Drive and Jefferies Road. The lands can accommodate the proposed number of dwelling units and parking, while also providing appropriate building setbacks. The proposed development will make use of existing municipal services along Dausett Drive.

#### **Section 1.1.3.4**

*Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding risks to public health and safety.*

The proposed Zoning By-law Amendment provides appropriate development standards to facilitate intensification while avoiding risks to public health and safety. The proposed Zoning By-law provides adequate setbacks from existing residences, as well as separation for both

Glendon Drive and the Home Hardware currently under construction. We note that the Home Hardware development includes enhanced fencing requirements around the outdoor storage yard to protect existing residential development in the area. These enhancements will provide similar protection to the proposed residential uses. The subject lands are also proximate to commercial, institutional and service amenities in the Komoka-Kilworth settlement area, encouraging the use of active transportation as promoted by Official Plan policies.

#### **Section 1.1.3.6**

*New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities.*

The proposed development is within an existing built-up residential area in a designated growth area. The proposed density of 50uph is permitted by the Middlesex Centre Official Plan. The proposed density is a compact form of housing which adds to the mix of the existing residential, commercial and employment uses in the area. As noted later in the report, the proposed density can be achieved with only one minor proposed zone variation (other than the density increase) to address an existing site specific frontage situation. This provides strong evidence that the site is capable of accommodating the proposed increase in density.

#### **Section 1.4.3**

*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

*b. permitting and facilitating:*

- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

The proposed development contributes to a range and mix of housing types to accommodate future growth in the Komoka-Kilworth area, and is consistent with the municipality's intent to encourage appropriate intensification. The proposed development has been designed to offer an appropriate housing on part of Block 60.

### **Section 1.6.6.2**

*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within the settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

The proposed development will make use of full municipal services; there is sufficient reserve capacities to service the proposed development.

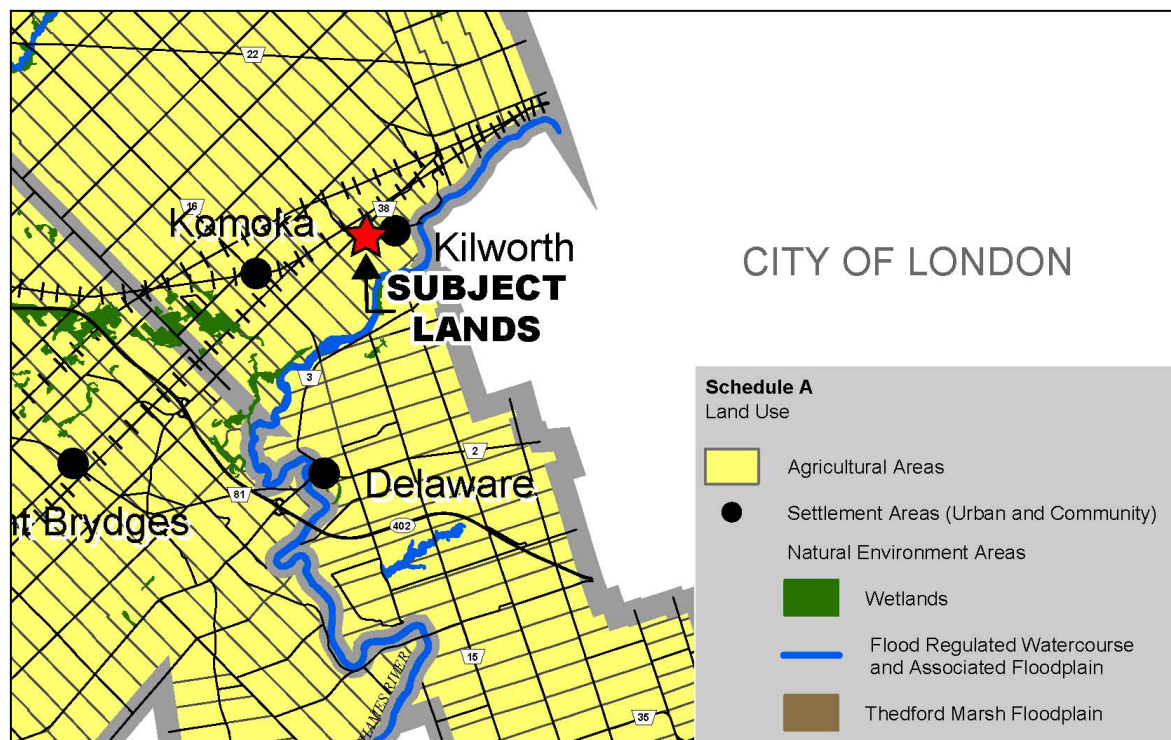
As noted above, the OPA and ZBA to facilitate the proposed development are consistent with the relevant policies of the 2014 Provincial Policy Statement.

## **6.2 MIDDLESEX COUNTY OFFICIAL PLAN**

The Middlesex County Official Plan was adopted by County Council on September 9, 1997. The current Official Plan is a consolidated version, dated August 2006.

The subject lands are designated “Settlement Areas (Urban and Community)” on Schedule A Land Use (Figure 10). Applicable policies are found in **Sections 2.3 Growth Management and 3.2 Settlement Areas**.

**Figure 10 – Middlesex County OP Schedule A (Excerpt), Approximate Location of Subject lands (Red Star)**



Komoka-Kilworth has full municipal services and the range of uses and services which qualifies it as a designated Urban Settlement Area in **Section 2.3.2** Growth Management Hierarchy. The Komoka-Kilworth Urban Area can accommodate population projections allocated to the Township in the County Official Plan on full municipal services, as required by the County Plan.

The County Plan promotes communities that are diverse and have a sense of place with lifestyle choice and economic vitality in **Section 2.3.5** General Policies. The proposed Official Plan and Zoning By-law Amendments to allow residential development to meet demand for residential development on the subject lands strengthens sense of place and promotes economic vitality in a community designated for significant growth in the planning period. The proposed development in the Urban Settlement Area of Komoka-Kilworth conforms to policies in **Section 2.3.5**.

**Section 2.3.7** Housing Policies in the County Plan encourages a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County. The County Plan supports the proposed residential development within the Komoka-Kilworth Settlement Area, where an appropriate level of physical services is available. The County Plan also supports the provision of housing that is accessible to lower and moderate income households and adds to the variety of housing types, housing densities and housing options to meet the needs of the Municipality's share of projected County residents.

**Section 2.3.7.3** Intensification and Redevelopment, encourages residential intensification and redevelopment in areas designated for residential use at locations with the physical potential to accommodate residential intensification and have the physical services to support new households in the area and are physically compatible with the existing built form. The proposed amendments are appropriate as physical services are available and the proposal is compatible with the built form at this location. The proposed zoning regulations support the appropriate level of intensification. The proposed development conforms to the applicable policies in **Section 2.3.7**.

In **Section 2.3.8** Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial and industrial development. As previously stated, Komoka-Kilworth is a designated Urban Settlement Area in the Municipal Official Plan and has concentrations and intensity of different land uses. The Settlement Areas policy supports the proposed development in the Urban Area of Komoka-Kilworth to accommodate a significant portion of the projected growth in Middlesex Centre over the planning period. The proposed development conforms to the applicable policies in **Section 2.3.8**.

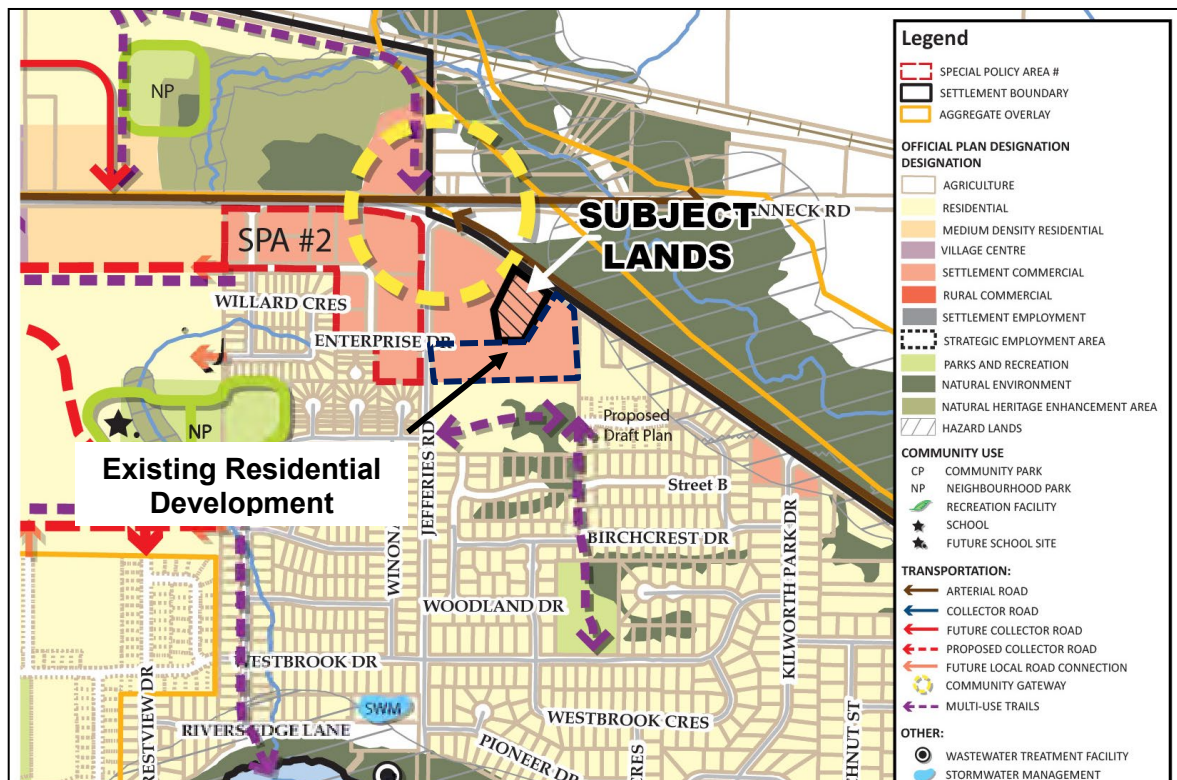
The proposed residential use is a permitted use in Settlement Urban Areas. Permitted uses are stated in **Section 3.2.4.1** Permitted Use Urban Areas. Direction to local Municipalities includes providing a variety of housing types.

The proposed amendment to the Official Plan and Zoning By-law to permit the proposed development is in conformity with the Growth Management and Urban Areas policies in the Middlesex County Official Plan. No Official Plan Amendment is required to the County of Middlesex Official Plan.

### 6.3 MIDDLESEX CENTRE OFFICIAL PLAN

The subject lands are currently within the “Settlement Commercial” land use designation, on Schedule ‘A-2’ - Komoka-Kilworth Secondary Plan to the Middlesex Centre Official Plan (Figure 11). This designation does not contemplate the proposed residential land use. Lands surrounding the subject lands are existing, recently built up low density residential development. Schedule A-2 shows this development as being within the “Settlement Commercial” land use designation. We are advised by municipal staff that this development was approved during the time the Middlesex Centre Official Plan was updated (OPA #28). This may be an appropriate time for the municipality to designate the lands to reflect the existing residential development and the existing residential zoning.

Figure 11 – Middlesex Centre OP Schedule A-2 – Komoka-Kilworth Secondary Plan (Excerpt)





General Residential Policies encourage a wide variety of housing types, sizes and tenures, supports intensification in settlements areas with municipal services, high quality design and affordable housing

#### *5.2.1 General Residential Policy*

*The following policy relates to lands designated Residential within Urban and Community Settlement Areas of the Municipality, as well as to residential development within Hamlets.*

*a) The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents.*

*e) The Municipality shall support opportunities to increase the supply of housing through intensification, while considering issues of municipal service capacity, transportation issues, and potential environmental considerations. Specifically, the Municipality shall require that 15 percent of all development occur by way of intensification.*

*f) Residential development including intensification should reflect a high quality of residential and neighbourhood design, in keeping with the design policies included in Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

*g) The Municipality shall encourage housing accessible to lower and moderate income households. In this regard the County of Middlesex through its Official Plan will require that 20 percent of all housing be affordable.*

The proposal is within the settlement area of Kilworth, a predominantly single detached dwelling community. The proposal adds medium density housing, an affordable housing option, to the housing mix. Full municipal services are available and there are no hazards on the lands. The proposal is a logical extension to an established residential community. The preliminary concept contemplates a development of contemporary designed buildings. Details regarding design and site plan considerations can be refined during site plan approval review. The proposal is generally in conformity with the General Residential policies.

The following goals and policies apply to the Komoka-Kilworth Secondary Plan area. Generally the goals and policies provide direction for the provision of a diversity of housing to provide choices and types of housing that are more affordable than the predominant single detached housing in the area.

#### 5.7.1 Komoka-Kilworth Secondary Plan Goals

- b) To plan for a community of all ages by providing a diversity of housing choice and affordability and providing community and recreational services to match population needs;*
- c) To provide for additional housing and employment and address urban land requirements for these uses in the Municipality through intensification of existing developed areas and compact land use in new development areas*
- f) To provide for an appropriate range and mix of housing types and densities;*
- i) To require full municipal services and direct new development in accordance with the servicing strategy for the area;*

#### 5.7.2 Land Use Plan

- a) Future land use and development proposals, as well as public works and other municipal projects, shall contribute to the establishment of a balanced, mixed use community with a new village centre, a mix of housing types and densities distributed among residential and medium density residential areas, a strategic employment area, community gateways, schools and community facilities, a connected network of multi-use trails and a linked parks and open space system, based on Schedule A-2.*
- c) The pattern of development is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and multi-use trails and Schedule A-2 recognizes the need to plan for these public spaces. Development shall provide landscaping adjacent to the street or sidewalk to promote an attractive landscaped transition between the public and private realm.*

#### 5.7.4 Komoka-Kilworth Residential Area Policies

- a) The types of housing, density of development and targeted housing mix within the Residential and Medium Density Residential designations on Schedule A-2 are as follows:*

Use	Housing Mix Targets	Net Density (units per ha)
Low density residential (e.g. singles, semis)	60%	less than 20
Medium density residential (e.g. townhouses)	40%	20 to 50

*The net density refers to the land area to be used for housing as well as the abutting local streets, but does not include major streets and other residentially associated land uses. Notwithstanding the housing mix targets and net density provisions, multiple dwellings shall be permitted in the Residential designation in accordance with Section 5.2.3.*

The proposed Official Plan and Zoning By-law amendments facilitate development that provides housing choice and housing affordability. The proposed designation adds to the supply of

residential land to provide for a mix of medium density housing types in a developing area. Development will proceed on full municipal services. The proposed amendments facilitate the development of medium density housing to meet the housing mix targets.

Fifty-four (54) dwelling units are proposed in a defined area of 1.089 ha. The proposed net density is 50uph in the defined area which is permitted. The subject lands have the dimensions to accommodate the proposed buildings, parking and driveways, landscape and amenity areas, and appropriate separation from Glendon Drive and abutting residences. The proposal conforms to the Komoka-Kilworth Secondary Plan Goals and policies.

Specific policies for multiple dwellings in **Section 5.2.3** provide location, density and compatibility criteria.

#### *5.2.3 Policies For Multiple Dwellings in Residential Areas*

*Multiple dwellings, including four plexes, town houses and low/medium rise apartments shall be subject to the following policies:*

- a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.*
- b) Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas. For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*
- c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*
- d) The excessive clustering of multiple dwellings shall be avoided, and a general integration and distribution of such uses at appropriate locations within neighbourhoods or settlements is encouraged.*
- e) Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.*
- f) Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

The subject lands are adjacent to an evolving Settlement Commercial Area. Special policies also allow uses permitted in the Settlement Employment designation. Kilworth Park is located within walking distance and services are provided in the Settlement Commercial area such as child care and other personal services. The proposed density is appropriate for the site as previously stated and the proposal has efficient access to Glendon Drive, a major road. The proposed development is clustered adjacent to an existing townhouse development. The scale of these developments is appropriate for the location. The proposal is subject to site plan

approval where details regarding facilities and servicing, access, off-street parking, accessibility for persons with disabilities, lighting, landscaping, and other matters are reviewed. The proposal conforms to policies for multiple dwellings.

The Komoka-Kilworth Secondary Plan servicing policies require full municipal services.

#### *5.7.11 Komoka-Kilworth Servicing Policies*

*b) For the purposes of this section, the term “services” includes: linear sanitary sewage collection system; sanitary treatment facilities, storm water management, water distribution and treatment.*

*c) Full municipal services shall be required for all land use and development proposals that require services within the Komoka-Kilworth Urban Settlement Area and Secondary Plan.*

Full municipal services are available for the proposed development as described in the servicing report prepared in support of this proposal. The proposed amendments to facilitate development conform to the Komoka-Kilworth servicing policies.

Amendments to the Official Plan must satisfy the criteria found in Section 10.1 Amendments to This Official Plan.

#### *10.1 AMENDMENTS TO THIS OFFICIAL PLAN*

*This Official Plan may be amended by the Municipality upon consideration of all relevant issues relating to the public interest. The Municipality shall give consideration to all applications to amend its Official Plan, and shall notify the general public and various agencies and Ministries of the nature of the proposed amendment in accordance with the notice requirements of the Planning Act. Applications to amend this Official Plan shall be considered by the Municipality using the following criteria as a minimum:*

*a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?*

*b) Is there a demonstrated need or justification for the proposed change?*

*c) Is the amendment in keeping with Provincial and County policy?*

*d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?*

*e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?*

*f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?*

Middlesex Centre is a rapidly growing community and the community of Kilworth is one of the designated growth areas in the County and Municipal Official Plans. Among the strategic priorities in the Municipal Strategic Plan is “Diversifying future residential development” with the desired outcome statement “Middlesex Centre is a multi-generational, sustainable community committed to fulfilling the needs of youth, young families, and seniors.” Single-detached housing is the predominant form of housing in the Kilworth community. The proposed amendment relates to the strategic plan priority of providing housing, including housing for young families and seniors. The proposed Official Plan Amendment relates to and conforms to the relevant vision for residential development in the Municipality by adding to the variety of housing and housing price points in the Kilworth community.

There is a need for the proposed form of housing. There appears to be one medium density housing project abutting the lands to the east, and limited additional lands within Kilworth (to the west of Jefferies Road) zoned UR3, which have yet to be constructed. The proposed development adds additional medium density housing to the housing mix.

The proposal is consistent with Provincial Policy and in conformity with the applicable policies in the County of Middlesex Official Plan. Consistency with Provincial Policy and conformity to the County Plan has been demonstrated.

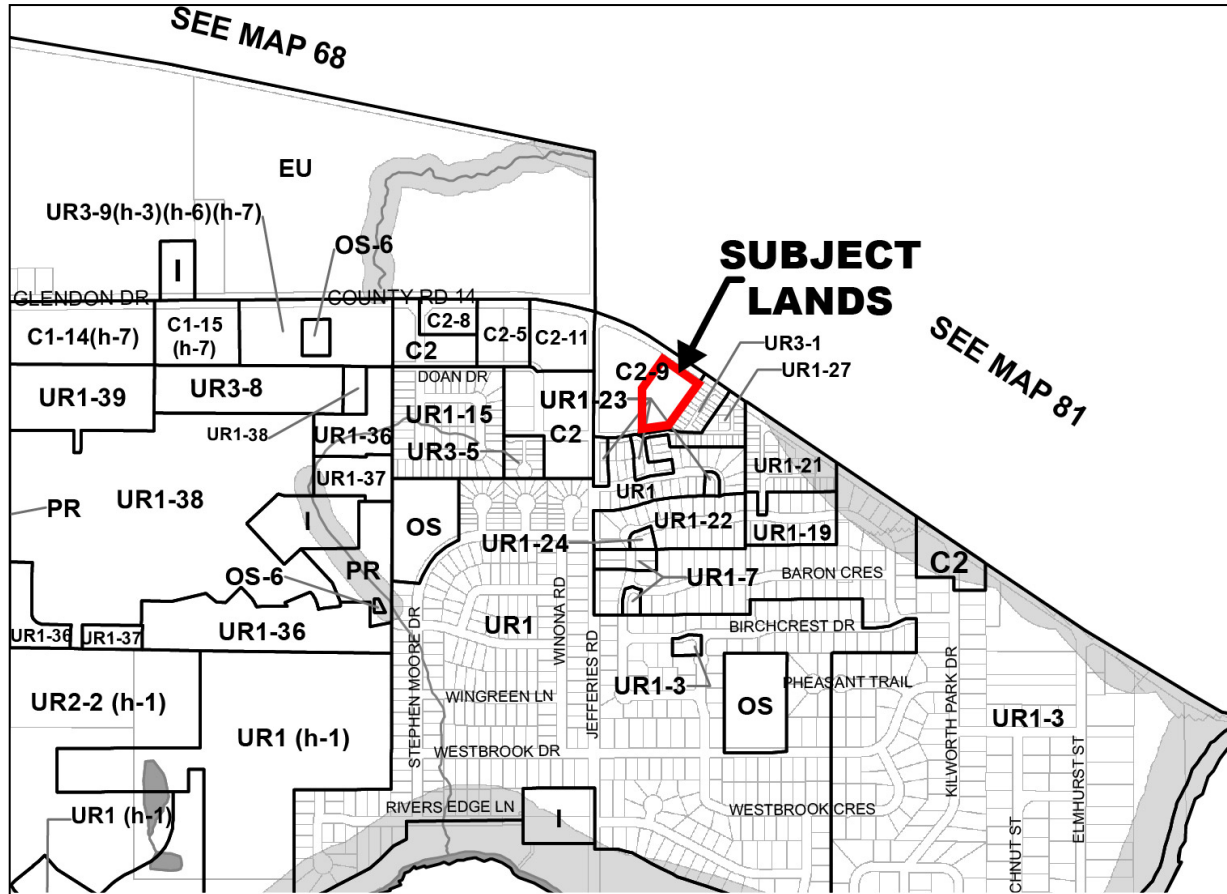
To the best of our knowledge the Kilworth community is adequately served by emergency and other public services. No extensions are required to municipal infrastructure.

The proposed development is not anticipated to have adverse impacts on surrounding land uses and residences. The proposal supports commercial development in the area. There are no cultural or natural heritage features on or adjacent to the subject lands.

#### **6.4 MIDDLESEX CENTRE ZONING BY-LAW**

The subject lands are currently zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law (Figure 12). In order to permit the proposed residential development, a Zoning By-law Amendment is required to rezone the lands to an “*Urban Residential Third Density (UR3)*” zone to implement the proposed Official Plan Amendment.

Figure 12 – Middlesex Centre Zoning By-Law Map (Excerpt)



Permitted uses within the proposed UR3 zone are as follows:

- Accessory use
- Apartment dwelling
- Multiple unit dwelling
- Street townhouse dwelling
- Townhouse dwelling



The proposed ZBA seeks to permit the following provisions and regulations for the subject lands:

Regulations	Required UR3	Proposed
Min. Lot Area	(a) street townhouse: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) (b) apartment dwelling: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter; → Minimum area required based on number of dwelling units = 0.87ha (8,700m <sup>2</sup> )	1.089ha (10,889.0m <sup>2</sup> )
Min. Lot Frontage**	(a) townhouse, apartment or multiple unit dwelling: 30.0 m (98 ft) (b) street townhouse dwelling: 6.0 m (20 ft) for each dwelling unit on a separate lot	**a) 9.8m for entirety of the subject lands (b) N/A
Min. Lot Depth	35.0m	110.2m
*Min. Front Yard Setback (Dausett Dr.)	6.0m	6.1m
Min. Side yard Setback	3.0m	6.0m
Min. Rear Yard Setback (Glendon Dr.)	8.0m	8.0m
Min. Floor Area	(a) street townhouse dwelling, 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) townhouse dwelling per dwelling unit (b) apartment, multiple unit dwelling 40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms	Street TH Dwelling = 65.0m <sup>2</sup> . Apartment Dwelling = 40.0m <sup>2</sup> - 85.0m <sup>2</sup>
Max. Height	20.0m	13.5m
Max. Density**	30 uph	50 uph
Min. Outdoor Amenity	45m <sup>2</sup> /dwelling unit	72m <sup>2</sup> /dwelling unit
Max. Lot Coverage	35%	26%

\*For the purposes of determining which street frontage constitutes the front yard, it is interpreted as Dausett Drive

\*\* Exceptions

By way of this application the lands are proposed to be rezoned to an “*Urban Residential Third Density (UR3-())*” with exceptions.

The exceptions sought for the within the “*Urban Residential Third Density (UR3-())*” zone are as follows:

- Minimum lot frontage of 9.8m for the subject lands, whereas 30.0m is required; and,
- Maximum density of 50uph, whereas a maximum of 30uph is permitted.

### ***Lot Frontage***

The intent of minimum lot frontage is to provide adequate space for access to a public street. The proposed frontage of 9.8m supports the access on Dausett Drive and is sufficient space for servicing the development. Buildings are adequately setback from the front lot line.

### ***Density***

The intent of the maximum permitted density of 30uph, as per the “*Urban Residential Third Density (UR3)*” zone, is to ensure that the intensity of a proposed development can be appropriately accommodated on developable lands (i.e. including parking and amenity space).

The proposed Zoning By-Law Amendment seeks to establish a density of 50uph which includes fifty-four (54) residential units on a land area of 1.089 ha. The proposed development provides adequate rear yards for the townhouse dwellings and a common amenity area for the low-rise apartment /stacked townhouses for amenity space. The lands also provide parking, a garage and driveway, for each townhouse unit, and 57 surface parking spaces for the proposed 36 unit low-rise apartment/stacked townhouse building. This provides a parking rate of approximately 1.6 spaces/ dwelling unit for the apartment building, and 2 spaces/dwelling unit for the proposed townhomes. The proposed density is permitted in the “*Medium Density Residential*” land use designation as noted earlier. The subject lands have sufficient dimensions and area to accommodate the proposed type and density of development.

The proposed Zoning By-Law Amendment to permit a fifty-four (54) unit, residential development conforms to the policies of the proposed land use designation in the Middlesex Centre Official Plan. The proposed density conforms to the general policies in the County Official Plan and is consistent with the Provincial Policy Statement.

## **7.0 CONCLUSIONS**

The proposed Official Plan Amendment and Zoning By-law Amendment satisfy the requirement of Section 10.1 Amendment to the Official Plan in the Middlesex Centre Official Plan. The proposal fits within the vision for housing and fills a need to add to the mix of housing in the Kilworth Community. The proposed amendments are consistent with the relevant policies in the Provincial Policy Statement and conforms to the relevant policies in the Middlesex County Official Plan. Finally, the proposal will not place demands on County and Municipal services. The proposed amendments to facilitate development, represent good land use planning.





**Meeting Date:** August 11, 2021

**Submitted by:** Marion-Frances Cabral, Planner

**Report No:** PLA-71-2021

**Subject:** Applications for Official Plan Amendment (OPA 50) and Zoning By-law Amendment (ZBA-09-2020) for lands on Dausett Drive; Filed by Zelinka Priamo Ltd. (Katelyn Crowley) on behalf of 756949 Ontario Limited

---

**Recommendation:**

THAT Zoning By-law Amendment application (ZBA-09-2020) and Official Plan Amendment application (OPA 50), filed by Zelinka Priamo Ltd. on behalf of 756949 Ontario Limited, to redesignate and rezone the land for medium density residential development be DEFERRED.

**Purpose:**

This report is to provide a recommendation regarding applications for an official plan amendment and zoning by-law amendment on the land located off Dausett Drive east of Jeffries Road in Kilworth. The subject land is located south of Glendon Drive. The subject land is legally described as Plan 33M656 BLK 60, Municipality of Middlesex Centre.

A location map is included as Attachment 1.

**Background:**

The purpose of the official plan amendment application is requesting to re-designate the lands from "Settlement Commercial" to "Medium Density Residential". Additionally, the zoning by-law amendment application is requesting to rezone the subject lands from 'Highway Commercial exception 9 (C2-9)' to a site-specific 'Urban Residential Third Density exception x (UR3-x)' zone.

The irregularly shaped parcel is vacant of buildings and currently contains excess soil. Existing commercial lands containing a building supply outlet and future commercial abut to the west, and existing medium density residential units abut to the east of the subject land. West of Jeffries Drive contains commercial lands in proximity to Glendon Drive. South, south-west, and east of the subject parcel exists a low-density residential community.

The effect of these applications would permit the proposed development townhouses and stacked townhouses on a 1.089 ha (2.691 ac) parcel. The principle design features of the proposed development include the following:

- A single access and driveway will be off Dausett Drive. There will be no vehicular access to Glendon Drive.
- Five (5) townhouse dwellings will back onto the southern perimeter of the property and abut a driveway for an existing residential development to the east.
- Thirteen (13) townhouse dwellings will back onto the western perimeter of the property abutting the existing commercial development. Landscaping and fencing would be provided to buffer units from the commercial lands. The property line is approximately 9.8m from the nearest wall of the building supply store.
- Thirty-six (36) stacked townhouse units (multiple unit dwellings) are located on the north-eastern are of the land and is surrounding by the private road that loops around the development.
- Each townhouse dwelling will contain a single-car driveway and a single-car garage for a total of 2 parking spaces per unit. The driveways will be 'sunken' into the first floor of the home and will not project beyond the front face of the main wall.
- Parking for the stacked townhouses is proposed at a rate of 1.58 spaces per unit. No garages are provided and parking spaces are located immediately in front of the stacked townhouse development and amenity area.
- No visitor parking is proposed.
- No sidewalks are proposed adjacent to the townhouses, but a sidewalk is provided between the parking spaces and entrances to the stacked townhouse units.
- A 1.82 m (5.97 ft) noise wall is proposed at the rear of the units to mitigate traffic noise levels from Glendon Drive.
- All proposed units are to be serviced from an existing storm sewer and watermain located on Dausett Drive.
- The proposed concept plan is preliminary and will be refined through site plan review and condominium applications.

Since the public meeting in June 2020, staff and the applicant reviewed the comments provided by the public and Council. Staff advised the applicant that a land use change such as the one proposed would generally require a comprehensive review or assessment to convert the employment land and that the applications should be reviewed comprehensively as part of the Municipality's Official Plan Review, which was set to commence in July 2020. The applicant was also advised that they have the ability to revise the applicant and proposal to include comments made by the public, staff and Council. At the time of writing this report, staff did not receive a revision to the Official Plan or Zoning By-law amendment applications.

## **Policy Regulation:**

When reviewing these applications the following planning instruments are applicable to guide development within settlement areas. The Provincial Policy Statement provides planning direction for growth and a variety of uses within settlement areas and contains specific policies to ensure development is appropriate. The property is identified as part of the Kilworth 'Settlement Area' in Middlesex County's Official Plan and designated as 'Settlement Commercial' and identified within 'Community Gateway' within Middlesex Centre's Official Plan. The property is zoned 'Highway Commercial exception 9 (C2-9)' by Middlesex Centre's Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the land.

### **Provincial Policy Statement, 2020:**

The Planning Act states that all decisions made by planning authorities "shall be consistent with the policy statements issued" under subsection 3. The Provincial Policy Statement, 2020 (PPS) document is comprised of several policy statements and those that are applicable to the proposed development are noted below.

Section 1.0 – Building Strong Healthy Communities establishes policies that support long-term prosperity, environmental health and social well-being within communities.

Section 1.1 of the PPS identifies that healthy communities are sustained by accommodating an appropriate range and mix of uses, avoiding development patterns that cause environmental concerns, and promoting cost-effective development patterns that optimize the use of planned and future infrastructure.

Section 1.1.2 requires municipalities to accommodate an appropriate range and mix of land uses to meet projected land needs for a time horizon of up to 25 years. Within settlement areas land is to be made available through intensification and redevelopment.

Section 1.1.3 – Settlement Areas establishes that settlement areas can vary in size, population, and diversity and intensity of land uses. The PPS directs growth and development to settlement areas where new development varies in densities and land uses, and there are opportunities for intensification, redevelopment, and the efficient use of land. New development patterns are based on the efficient use of land that minimize negative impacts to the environment, support active transportation and are appropriate for the infrastructure and public service facilities.

Sections 1.1.3.4 and 1.1.3.6 promote intensification, compact development, varying uses and densities where it avoids or mitigates risks to public health and safety and is adjacent to the existing built-up area. Section 1.1.3.5 also allows municipalities to establish a minimum target for intensification within built-up areas subject to local conditions.

Section 1.3 – Employment directs municipalities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses and opportunities for diversification to meet long-term needs. Facilitating investment is generally completed by municipalities by identifying suitable sites for a variety of



employment areas that support communities and that can be supported by current and future infrastructure.

Subsections of 1.3.2 – Employment Areas states that municipalities shall plan for, protect and preserve employment areas for current and future uses, and that necessary infrastructure is provided to support the needs.

Further, at the time of an Official Plan review, municipalities can review employment areas to ensure that the designations are appropriate. Municipalities may permit the conversion of lands within employment areas to non-employment uses, such as residential, through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long-term and that there is a need for the conversion.

Section 1.4 – Housing speaks to the provision of housing within a municipality. The PPS promotes an appropriate range and mix of housing types and densities and directs development of new housing towards areas where there is an appropriate level of infrastructure. Municipalities are to provide opportunities for all forms of housing and intensification to meet the social, health and well-being needs of the current and future community.

Sections 1.6 – Infrastructure and Public Service Facilities directs that infrastructure and be provided in an efficient manner that also prepares for the impacts of a changing climate. Section 1.6.2 directs municipalities to promote green infrastructure to complement existing infrastructure such as permeable surfaces, green roofs, and street trees.

Section 1.6.6 – Sewage, Water and Stormwater directs future growth and development to efficiently use and optimize existing services such as municipal sewage and water services, when available, and promote water conservation and water use efficiency. Servicing and land use considerations shall be integrated at all stages of the planning process. Further, municipal sewage and water services are the preferred form of servicing for settlement areas.

Section 1.6.6.7 promotes planning for stormwater management that is integrated with planning for sewage and water services and ensures that systems are optimized, feasible and financially viable over the long term; minimizes or prevents an increase in negative impacts on the environment and water system; does not increase risks to human health and safety and property damage; maximizes the extend and function of vegetative and pervious surfaces; and promotes stormwater management best practices such as low impact development, water conservation and stormwater attenuation.

### **Middlesex County's Official Plan:**

The County of Middlesex Official Plan (County Plan) identifies the subject land within the Kilworth 'Settlement Area'.

Section 2.3.4 – Growth Management-Economic Development maintains a County goal to support economic activity and opportunities for residents to live and work within the County. The County Plan seeks to ensure there is a sufficient supply of employment land available throughout the County especially in areas where there is access to major arterial roads.

The County Plan also encourages municipalities to provide a balanced mix of housing and employment uses to ensure a sufficient labour force and to reduce the need for commuting.

Section 2.3.8 – Growth Management-Settlement Areas of the County Plan recognizes that Settlement Areas will be the focus for future growth including commercial, industrial and residential uses. These areas are intended to have the highest concentration and a wide range of land uses and full municipal servicing in conjunction with 2.4.5 of the County Plan.

Additionally, section 2.3.7 – Growth Management-Housing Policies encourages a wide variety of housing types, sizes and tenure to meet market requirements and demand for current and future residents. Municipalities are responsible to determine and encourage a range of housing types, densities and options through local official plans that meet current and future needs. This can also include intensification and redevelopment in appropriate locations.

Section 3.2 – Settlement Areas provides additional development policies for lands within Settlement Areas. The County Plan further supports that Settlement Areas are developed in a manner that is phased and compact, and preserves the historic character of Settlement Areas and complements the positive elements of the existing built-form. The County Plan defers to the municipality to provide detailed direction on a variety of areas including addressing land supply and policies for land uses within urban areas including residential and commercial.

With regard to municipal sanitary sewers and water services, Section 2.4.5 – Sanitary Sewers and Water of the County Plan promotes efficient and environmentally responsible development that can be supported by full municipal systems servicing.

### **Middlesex Centre's Official Plan:**

The Middlesex Centre Official Plan (Official Plan) shows the land located within the Komoka-Kilworth Urban Settlement Area and Secondary Plan on Schedule A-2 and designated 'Settlement Commercial'. The land is also within the Community Gateway overlay on Schedule A-2 which provides additional guidance for specific areas within the Komoka-Kilworth area.

Lands designated 'Settlement Commercial' are to provide opportunities for retail, restaurants, recreational uses, personal services and offices within Settlement Areas where they do not undermine the planned function of the established Village Centres of the Municipality. New commercial development within 'Settlement Commercial' areas will be subject to the Municipality's Site Plan Manual and Urban Design Guidelines in order to reflect the traditional character of the settlement area it is in.

The 'Settlement Commercial' designation is not intended to accommodate sensitive land uses, such as residential, or more intense employment areas in order to maintain a sufficient supply of commercial uses that support an appropriate employment base.

Section 5.7.1 – Komoka-Kilworth Secondary Plan Goals establish the need to find a balance between a mix of land uses that serve key functions of a complete and vibrant community. Land uses include housing with different densities, local businesses, employment, institutions and recreation.

Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies applies special policies to the Komoka-Kilworth Settlement Area. This section requires appropriate screening between new commercial development and sensitive land uses, and does not permit the open storage of goods, materials, machinery or equipment.

Section 5.7.8 – Komoka-Kilworth Community Gateway Policies for Komoka-Kilworth are intended to promote a strong visual and signal of entry into the community. As such, these areas are intended to have landmark features such as signage and special landscape treatments that have visual prominence, and be considered when there are proposals for new development. Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies also provides direction for the Community Gateway. New development must adhere to site plan criteria such as having parking to the rear or side of the buildings, appropriate landscaping that provide a sense of entry to the community, and high quality design that contribute to the image of Komoka-Kilworth.

The applicant has requested to amend the Official Plan by redesignating the land from 'Settlement Commercial' to 'Medium Density Residential' on Schedule A-2. The following policies will apply to the land.

Section 10.1 - Amendments to this Official Plan provides direction for municipalities when considering applications to amend the Official Plan. The municipality must consider all relevant issues relating to public interest, and notify the general public and agencies in accordance with the *Planning Act*.

At a minimum, the Municipality shall consider the following criteria:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?

- d) What are the effects of the proposed change on demand for Municipal services, infrastructure and facilities?
- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

The Municipality is also directed to undertake a five year review of the Official Plan to revise the plan as necessary.

Section 5.7.4 – Komoka-Kilworth Residential Area Policies summarized below apply to lands designated 'Medium Density Residential'.

- The 'Medium Density Residential' designation has a housing mix target of 40% which refers to the intended balance between low density and medium density residential development in Komoka-Kilworth. Medium density development is intended to have a net density of 20 to 50 units per hectare.
- Development proposals shall provide for a diverse mix of multi-unit housing forms and choices of accommodate the needs and lifestyles of people at different stages throughout their life; and for the development along Glendon Drive, provide building orientation, façade and landscape treatments that create an attractive streetscape. Back-lotting of units will be strongly discouraged along Glendon Drive. Improvements to Glendon Drive may include upgrades to hard infrastructure (e.g. stormwater system, bike lanes, sidewalks) and may be a required as a condition of development.
- All new development must ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces, and to facilitate the penetration of sunlight to these spaces.
- In addition to compliance with the urban design guidelines, private garages for residential development shall not project into the front yard than the habitable portion of the building or porch on the main floor in order to limit visual and streetscape impacts of garages.
- Entrance features to new residential neighbourhood development shall be encouraged where features are landscape related and require minimal maintenance.

Section 6.3 – Design Policies-Site Plans and Infill Developments provide additional direction to guide infill development to ensure there is compatibility with existing

residences and neighbourhoods. High quality site design and architectural design is encouraged for new medium density residential development. Setbacks, massing, location of parking, architecture and other design elements will be carefully reviewed to ensure new development is in keeping with the character of the neighbourhood.

### **Middlesex Centre Zoning By-law:**

The subject land is currently zoned site-specific 'Highway Commercial exception 9 (C2-9)' and permits all uses within the 'Highway Commercial (C2)' zone, *open storage as an accessory use to a Building Supply Establishment* and a *clinic*. The 'Highway Commercial (C2)' zone permits uses such as, but are not limited to, financial institutions, hotels, offices, restaurants, and retail and convenience stores. Additional site-specific zoning standards apply to the subject land such as maximum lot coverage, minimum front yard setback minimum exterior side yard setback and open storage exceptions.

The requested amendment would rezone the property to a site specific 'Urban Residential Third Density exception x (UR3-x)' zone to reflect the proposed 54-unit medium density development that consists of townhouses and stacked townhouses (multiple unit dwelling).

The proposed site-specific zone would address standards such as permitted uses, setbacks, maximum density, and lot coverage. The standards shown below are based on the proposed site plan (Attachment 3) and in some instances meet the current standards of the 'Urban Residential Third Density' zone such as Minimum Lot Area, Minimum Rear Yard Setback, Minimum Floor Area, Maximum Height, and Minimum Outdoor Amenity Space.

All proposed standards are shown in the table below and may change based on information and comments received from the public, Council, agencies and staff:

	<b>Proposed UR3-x Zone</b>
<b>Permitted Uses</b>	Accessory Use Apartment Dwelling Townhouse Dwelling Street Townhouse Dwelling Multiple Unit Dwelling
<b>Minimum Lot Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter;
<b>Minimum Lot Area</b> – for Street Townhouse Dwelling, Townhouse Dwelling	178.0 m <sup>2</sup> per dwelling unit
<b>Minimum Lot Frontage</b> – for Apartment Dwelling, Multiple Unit Dwelling	9.8 m (32.15 ft)

	<b>Proposed UR3-x Zone</b>
<b>Minimum Lot Frontage</b> – for Street Townhouse Dwelling, Townhouse Dwelling	6.0 m (20 ft) per dwelling unit
<b>Minimum Lot Depth</b> – for Apartment Dwelling, Multiple Unit Dwelling	110.2 m (361.5 ft)
<b>Minimum Lot Depth</b> – for Street Townhouses Dwelling, Townhouse Dwelling	25.0 m (82.0 ft) for each dwelling unit
<b>Minimum Front Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	6.1 m (20.0 ft)
<b>Minimum Front Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	6.8 m (22.31 ft) per dwelling unit from an interior road
<b>Minimum Side Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	10.0 m (32.8 ft)
<b>Minimum Interior Side Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	2.1 m (6.89 ft) on an interior end unit 0.0 m (0.0 ft) on an interior inside unit
<b>Minimum Exterior Side Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	3.1 m (10.17 ft) on an end unit from an interior road, and 6.0 m (19.68 ft) on an exterior end unit
<b>Minimum Rear Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	8.0 m (26 ft) and in accordance with Section 4.16 b) of this By-law regarding minimum setbacks from County Roads
<b>Minimum Rear Yard Setback</b> – for Street Townhouses, Townhouse Dwelling	6.0 m (19.69 ft)
<b>Maximum Lot Coverage</b> – for Apartment Dwelling, Multiple Unit Dwelling	35% for the main building 38% for all buildings including accessory buildings subject to Section 4.1 a) of this By-law.



	<b>Proposed UR3-x Zone</b>
Street Townhouses Townhouse Dwelling	
<b>Minimum Floor Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms
<b>Minimum Floor Area</b> – for Street Townhouse Dwelling, Townhouse Dwelling	65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<b>Maximum Density</b>	50 Units Per Hectare
<b>Maximum Height</b>	13.5 m (44.29 ft)
<b>Minimum Outdoor Amenity</b>	72 m <sup>2</sup> per dwelling unit
<b>Minimum Parking</b> – for Apartment Dwelling, Multiple Unit Dwelling	1.5 spaces per unit
<b>Minimum Parking</b> – for Street Townhouse Dwelling, Townhouse Dwelling	2 spaces per unit
<b>Visitors Parking</b>	0 parking spaces

### **Consultation:**

Notice of the application was posted on the property and circulated to agencies, and property owners in accordance with the *Planning Act* and Ontario Regulation 545/06 ahead of the public meeting in June 2020. Additionally, residents who requested to be notified about decisions related to these applications were notified of this meeting.

### **Public Comments:**

Prior to or at the public meeting in June 2020, staff received the comments from area residents. A summary is provided below:

- There is a mix of residents who prefer the residential development over commercial development, and others who prefer the land remains commercial.
- Provide visitor parking to avoid on-street parking on Dausett Drive or in adjacent residential developments.

- Identify where snow piles will be located
- Recommendation for 2 parking spaces per unit. Not enough parking is provided.
- The entrance is too close to the existing driveway entrance for abutting lands. It may become a hazard especially in the winter. A single access is not enough for this development.
- Provide additional details regarding fencing and landscaping abutting the neighbouring properties.
- Concerns about the height of the stacked townhouses development if the top floor has a private outdoor amenity space. This may reduce privacy for residents in the neighbouring residential development.
- The density for the site is too high.
- The development would have an adverse effect on the farm land within the area and encroach on the sensitive wooded area.
- Concerns with the additional traffic at the Glendon Drive intersection.
- The development is not in keeping with the area.
- Concerns about the lack of sidewalks.
- Confirm if it will be a condominium development.
- Confirm if the units be rentals or sold.
- Confirm if the units will be geared to income housing.

At the time of writing this report, staff received additional comments from area residents that continued to have concerns related to traffic and the intersection on Dausett Drive, on-site parking for visitors, and the number of units proposed on the site.

### **Agency Comments:**

Prior to the public meeting in June 2020, staff received the following comments. No additional comments were received at the time of writing this report.

The Municipality's Chief Building Official reviewed the requested amendments and has no concerns with the development at this time. Additional detailed comments will be provided during review of a detailed site plan.

The Municipality's Public Works and Engineering Department have reviewed the requested amendments and provided the following comments:

- A noise study will be required to review the application due to proximity of the sensitive land uses to Glendon Drive.
- A buffer will be required between the proposed residential use and existing commercial use to the west.
- The entrance to the site is crowded and not ideal given the proposed width (9.8 m/32.1 ft), however, staff can work with the applicant to find an appropriate solution.
- Due to the single entrance to the site, all services should be located outside of the roadway so that if there is future maintenance of the services, emergency services would still be able to access the development.
- The applicant will need to provide a storm water management report and servicing brief.
- Additional detailed comments will be provided during review of the site plan

The Municipality's Director of Emergency Services – Fire Chief reviewed the requested amendments and proposed site plan, and provides the following comments:

- Complex streets must meet the minimum width and turning requirements of the Ontario Building Code for firefighting apparatus
- The applicant should address on-street parking. If on-street parking is allowed additional distances and street widths must be factored in
- The applicant will need to identify the location of the proposed hydrants and how many there are. It is understood that a 250mm water supply will be available.
- Additional detailed comments will be provide during review of the site plan.

The County Engineer reviewed the requested amendments and has no concerns with the proposed uses. However, land dedication for proposed road widening may be necessary as prescribed in the Environmental Assessment for Glendon Drive, and no direct access would be permitted to Glendon Drive. Setbacks for proposed buildings need to comply with County standards as stated within the County Official Plan.

Planning Staff note that the proposed development may require an amendment to an existing site plan on the subject lands for the existing commercial development.

Additionally, staff are concerned with compatibility of the proposed medium density development with the existing commercial lands. The commercial lands planned for and accommodated the existing residential development immediately to the east of the subject land. However, the subject land was intended for smaller-scale, stand alone or multi-unit commercial buildings with uses such as personal service, retail, restaurants or financial institutions. The intention of the existing building supply establishment was to help spur additional commercial development and uses that fulfill the planned function of this site and serve the needs of the community.

Staff is also concerned with the removal of available, 'shovel-ready' commercial lands within Middlesex Centre and Kilworth. The subject land is within the priority gateway area and is optimal for a clustering of commercial uses to support the community. The applicant should provide justification the removal of commercial lands, and present the need for additional residential lands within the municipality in accordance with the Official Plan. Staff also note that the Municipality is currently undertaking a Five Year Review of the Official Plan where land supply for employment and residential uses will be reviewed and revised as appropriate. This review is expected to be completed within the next year.

Staff will additional comments once the public meeting has been held as well as provide more provide detailed comments during the review of the site plan to ensure the development of the site meets the needs of current and future residents of Kilworth.

The Upper Thames River Conservation Authority (UTRCA) has not provided at the time of writing this report.

### **Analysis:**

The applications are before Council for a decision as requested by the applicant. Staff noted above that the applications to convert the commercial lands into residential lands should be reviewed concurrently with the Official Plan review that commenced in July 2020. Such review would include a municipal comprehensive review that would assess the current employment and residential land inventory and determine the land needs for the Municipality over the next planning horizon.

Following the public meeting, the applicant acknowledged staff's position and waited for the analysis of the comprehensive review to be provided by the Municipality's consultants. At the time of writing this report, staff have not received the consultant's analysis or recommendation that would influence any decision related to the applications. Additionally, staff have not received supplementary material from the applicant to support the applications.

As planning staff noted above the primary concern is related to the conversion of employment lands to residential, and removal of employment lands from an area that is identified at a priority intersection in Kilworth. While the lands may not be large and bounded by sensitive residential land uses, the lands were intended to serve the Kilworth and Komoka communities and become a gateway into the area along with commercial lands to the west and north.

Additionally, the removal of designated and zoned commercial lands further reduces the supply of "shovel ready" commercial lands in the area. Schedule A-2: Komoka-Kilworth Urban Settlement Area and Secondary Plan also designates lands south and east of the subject lands as Settlement Commercial. This designation extends south to Peregrine Avenue and east incorporating the existing medium density residential development on Dausett Drive and single detached homes on Peregrine Avenue. These residential developments removed the supply of commercial lands and there is concern that the

requested applications could further reduce the supply and function of the commercial area that was initially identified in the Secondary Plan.

Since no new information was provided, staff are of the opinion that a recommendation is premature at this time, and would seek to defer the applications until more supporting information is provided including the analysis of a comprehensive review. Staff will then be able to evaluate if the removal of commercial lands can be supported and if the proposed rezoning for medium density residential development can be considered appropriate for the subject lands and community. This opinion is provided with the benefit of receiving comments from agencies, the public and council. Should new information arise regarding this proposal prior to or at the meeting, Council is advised to take such information into account when considering the applications.

**Financial Implications:**

None.

**Strategic Plan:**

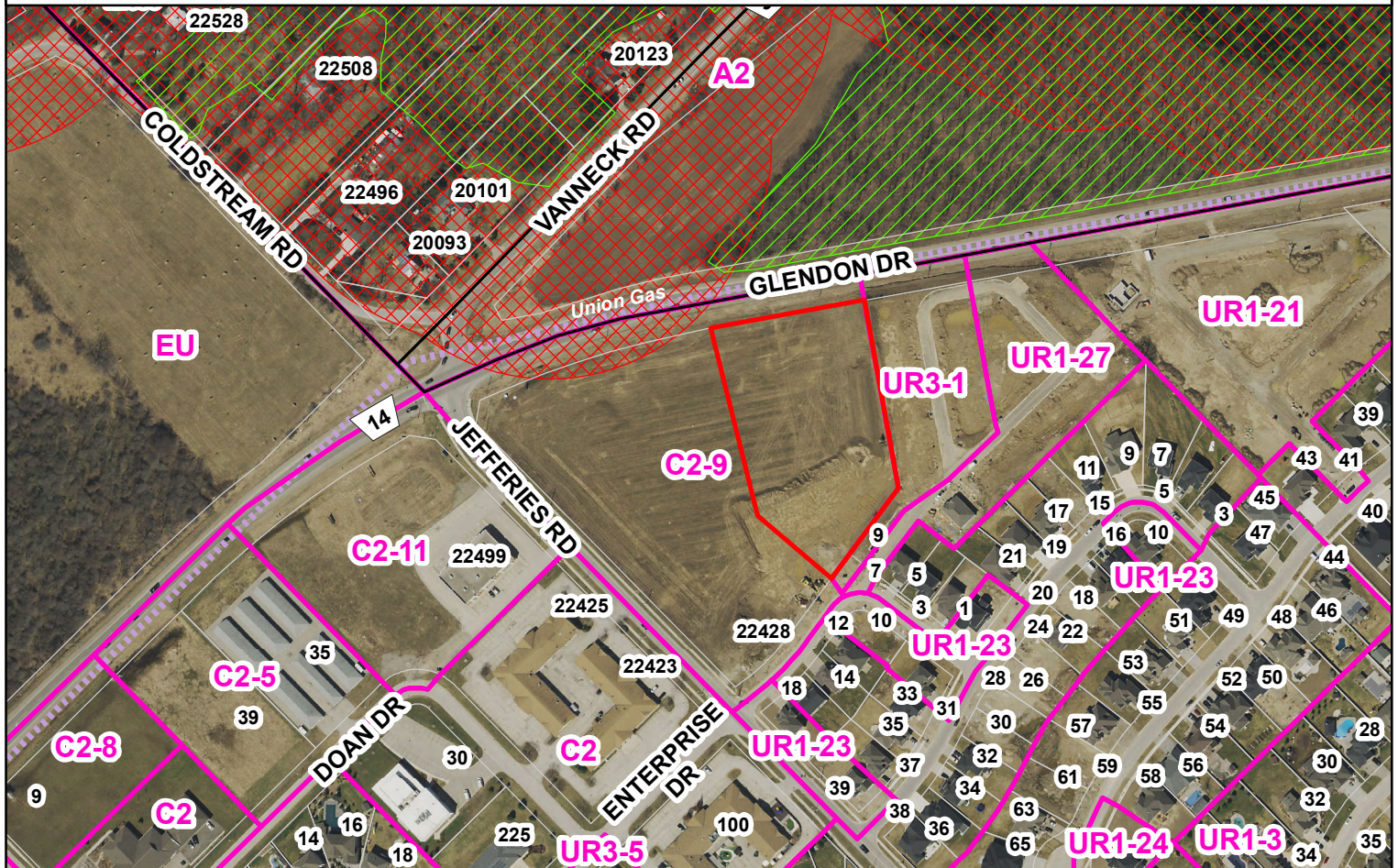
This matter aligns with following strategic priorities:

- Balanced Growth
- Vibrant Local Economy

**Attachments:**

Attachment 1 – Location Map

Attachment 2 – Planning Justification Report



0 200 400 Meters



## Legend

- Lands to be designated to "Medium Density Residential", and rezoned to "Urban Residential Third Density exception x (UR3-x)"
- Zone Boundary
- Parcels
- Significant Woodland (MNHS 2014)
- CA Regulated Area



# Planning Justification Report

Glendon Drive at Jefferies Road (Block 60 Plan 33M-656)

Municipality of Middlesex Centre, County of Middlesex

Orange Rock Developments Inc.



February, 2020



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

TABLE OF CONTENTS

1.0 INTRODUCTION .....3

2.0 THE SUBJECT LANDS .....3

3.0 SUPPORTING DOCUMENTS .....8

4.0 PROPOSED DEVELOPMENT .....8

5.0 PROPOSED PLANNING ACT APPLICATIONS.....10

6.0 PLANNING DOCUMENT REVIEW AND ANALYSIS .....11

7.0 CONCLUSIONS .....24

## 1.0 INTRODUCTION

Orange Rock Developments Inc. has submitted an application to the Municipality of Middlesex Centre to amend its Official Plan and Zoning By-Law for lands at the southeast corner of Glendon Drive and Jefferies Road. The purpose of the proposed Official Plan Amendment and Zoning By-Law Amendment is to facilitate the residential development of the subject lands for townhomes and multiple unit dwellings (i.e. stacked townhouses or a low-rise apartment building).

The purpose of this Planning Justification Report is to evaluate the proposed Official Plan Amendment and Zoning By-Law within the context of existing land use policies and regulations, including the Provincial Policy Statement, the Middlesex County Official Plan, the Municipality of Middlesex Centre Official Plan and the Municipality of Middlesex Centre Zoning By-law.

## 2.0 THE SUBJECT LANDS

The subject lands have an irregular shape and are located at the southeast corner of Glendon Drive and Jefferies Road, in the community of Kilworth, in the Municipality of Middlesex Centre, in Middlesex County (Figures 1-2). The lands are part of Block 60 in the Komoka-Kilworth Settlement Area. A portion of the lands on the corner of Glendon Drive and Jefferies Road has been recently granted site plan approval for a Home Hardware Building Supply Store. The subject lands have a lot frontage of approximately 9.8m (32.2ft) along Dausett Drive, and an area of approximately 1.089 ha (2.691 ac). The lands are vacant (Figures 3-5). Access to the subject lands is available from Dausett Drive. Full municipal services are available. There are no significant cultural and archaeological features and no man made or natural hazards on the subject lands.

The subject lands are designated “Settlement Areas” (Urban and Community) in the Middlesex County Official Plan and “*Settlement Commercial*” in the Komoka-Kilworth Urban Settlement Area and Secondary Plan in the Municipality of Middlesex Centre Official Plan, and are zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law 2005.



Figure 1 – Subject Lands and Area Context (Location and Boundaries are Approximate)



Figure 2 – Subject Lands Boundary





**Figure 3 –Glendon Drive looking east (Google Streetview)**



**Figure 4 – Subject lands from Glendon Drive looking south at the subject lands (Google Streetview)**



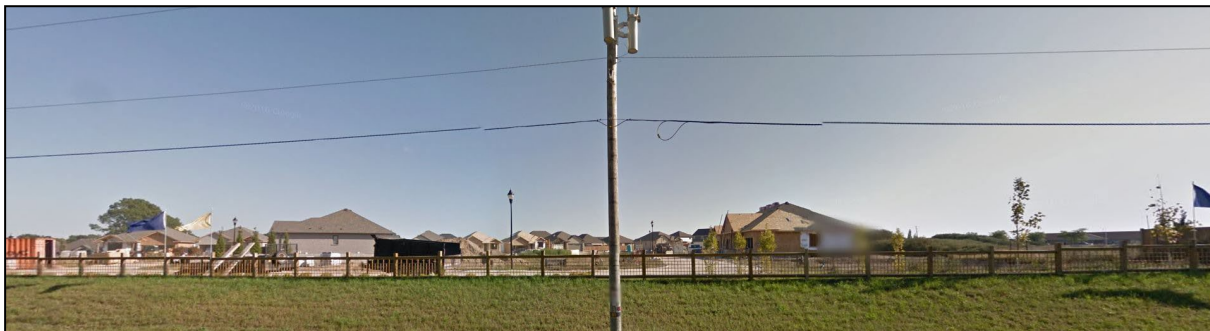
**Figure 5 – Subject Lands (at left), view from Dausett Drive (Google Streetview)**



## 2.1 SURROUNDING LAND USES

The subject lands abut low-density residential uses in the form of townhouses and single detached dwellings to the east (Figure 6); are located across Dausett Drive from low density residential uses in the form of single detached dwellings (Figure 5); and, are located across Jefferies Road from the Kilworth Business Park which consists of a range of commercial, office, commercial recreation, and light industrial uses (Figures 7). The Kilworth Children's Centre (daycare) is located at the southwest corner of Jefferies Road and Dausett Drive/Enterprise Drive, south of the Kilworth Business Park. Lands to the north of the subject lands, on the north side of Glendon Drive, consist of a small cultivated field, wooded lands, rural residential uses, and open space. The predominant land use in the community of Kilworth is single-detached dwellings (Figure 5).

**Figure 6 – Low Density Residential Uses to the East of the Subject Lands (Google Streetview)**





**Figure 7 – Kilworth Business Park, West of the Subject Lands, from Jefferies Road (Google Streetview)**



Additional commercial land supply is available in the Komoka-Kilworth Settlement Area as shown on Schedule A-2 Komoka-Kilworth Urban Settlement Area and Secondary Plan. Lands abutting the subject lands on Block 60 are proposed to remain within the “Commercial Settlement” land use designation. These lands are currently under construction and future commercial land use is proposed along Glendon Drive in order to maximize the commercial land area. Lands across from the subject lands on the west side of Jefferies Road are designated commercial as well as lands on the northwest corner of the intersection of Glendon and Jefferies. Land supply is also available further on Glendon Drive at the intersection of Komoka Road and at the newly developed community shopping centre across from the Komoka Wellness Centre. The broader market also provides an abundance of commercial land uses to serve the local population.

The intersection of Glendon Drive and Jefferies Road is a major intersection in the community of Komoka-Kilworth, and is considered a community focal point. An Environmental Assessment (EA) is currently underway to evaluate potential roundabout options to implement at this intersection. Road widening at the northwest corner of the subject lands are expected to be required to implement the roundabout.

Glendon Drive is designated as a *Four Lane Arterial County Road*, under the jurisdiction of the County of Middlesex, while Jefferies Road and Dausett Drive are local roads, under the jurisdiction of the Municipality of Middlesex Centre.

### **3.0 SUPPORTING DOCUMENTS**

#### **3.1 NOISE STUDY**

A Noise Assessment Study was completed by Stantec. The result of the noise assessment concluded that predicted noise levels are above the Ministry of Environment Conservation and Parks (MECP) criteria at the living area of the townhouse dwellings with exposure on Glendon Drive (Units 37, 38 & 39). A 1.82m high noise wall is proposed at the rear of these units to mitigate traffic noise levels from Glendon Drive. The report also recommends noise warning clauses.

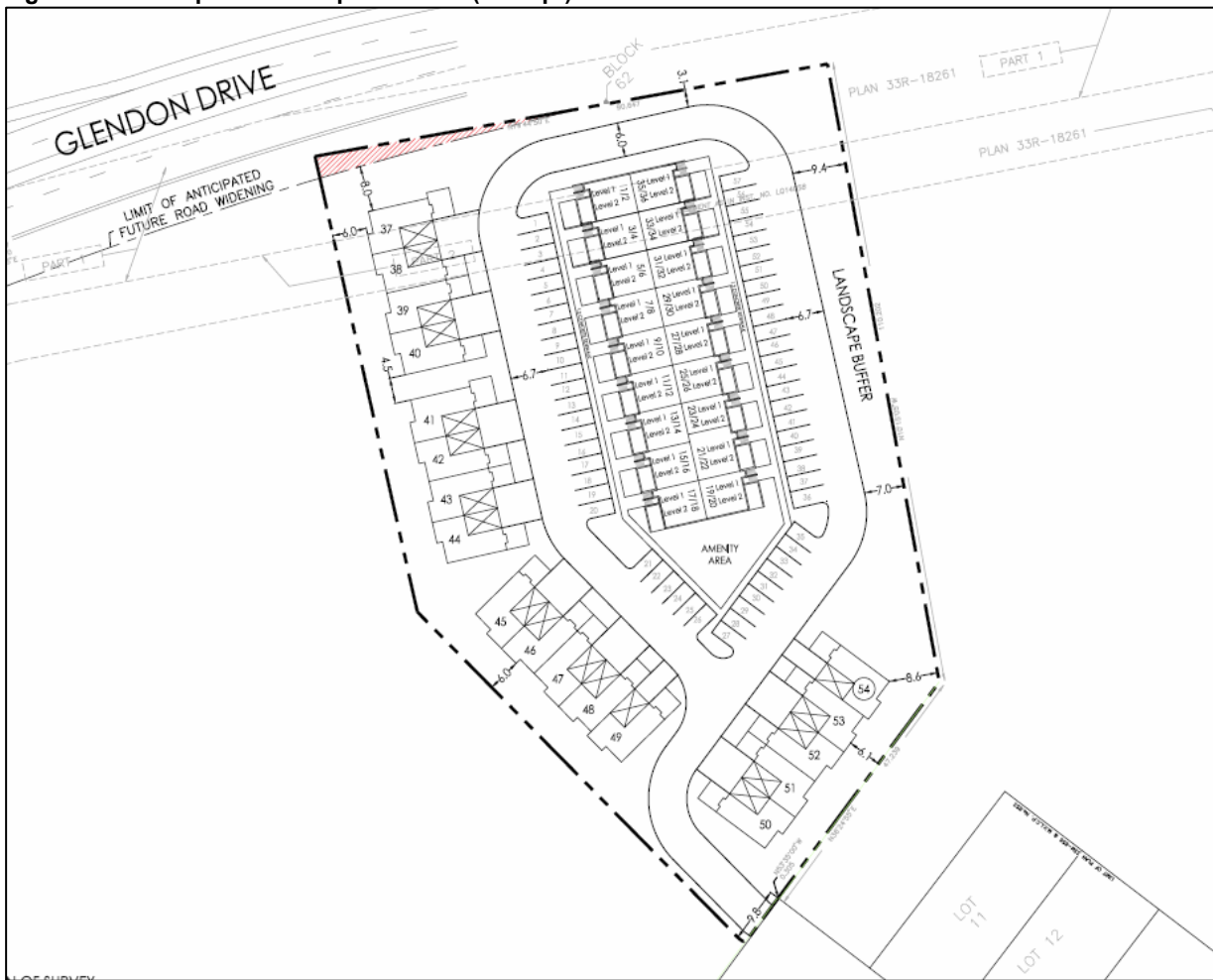
#### **3.2 SERVICING BRIEF**

A servicing design brief was completed by Stantec. All proposed units are to be serviced from an existing 525mm storm sewer and a 250mm watermain located on Dausett Drive. The servicing design brief established that there is reserve sanitary sewer capacity.

### **4.0 PROPOSED DEVELOPMENT**

The westerly and southerly portion of the subject lands are proposed to be developed for 18 condominium townhomes. The interior of the lot is proposed to be used for a 4-storey apartment building / stacked townhouses with approximately 36 units, along with sufficient associated parking spaces at grade and a common amenity area centrally located on the proposed development (Figure 8). The proposed development is not anticipated to shadow neighboring properties and the scale of development is compatible with abutting lands (Figure 9).

**Figure 8 – Conceptual Development Plan (excerpt)**



Vehicular access to the proposed development is from Dausett Drive. The private drive aisle provides circulation throughout the development and loops around the entirety of the property. Individual driveway access is provided off the internal drive for the townhouse units with parking spaces provided for the apartment units/stacked units.

**Figure 9 – Conceptual Rendering**



There is no direct vehicular access proposed from Glendon Drive.

Appropriate setbacks are proposed from Glendon Drive to provide sufficient space for landscaping between Glendon Drive and the proposed residential dwelling units. Proposed setbacks for the townhouse units on the westerly side of the subject lands provide adequate space for landscaping and fencing to effectively buffer the units from the new Home Hardware.

The proposed concept plan is preliminary and will be refined through a future detailed Site Plan Approval application.

## **5.0 PROPOSED PLANNING ACT APPLICATIONS**

The proposed residential development is not contemplated in the Kilworth-Komoka “*Settlement Commercial*” land use designation, nor is it permitted in the current “*Highway Commercial (C2-9)*” zone. As such, an Official Plan Amendment (OPA) to change the designation on the subject lands from “*Settlement Commercial*” to “*Medium Density Residential*”; and, a Zoning By-Law Amendment (ZBA) to rezone the lands from a C2-9 zone to a UR3 zone with exceptions, are proposed to facilitate the development.

## 6.0 PLANNING DOCUMENT REVIEW AND ANALYSIS

### 6.1 2014 PROVINCIAL POLICY STATEMENT (PPS)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications, including OPA and ZBA applications, are required to be consistent with these policies.

#### **Section 1.1.1**

*Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

As discussed throughout this report, the proposed development is an efficient and appropriate form of development on the subject lands. It adds to the range and mix of housing types that meet the long-term housing needs for a variety of demographics. The proposed development is a compact and cost-effective form of development that will maximize the use of existing municipal services within the existing built-up area of Kilworth. No extension of municipal services is required.

#### **Section 1.1.3.1**

*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

The subject lands are within the settlement area of Komoka-Kilworth, a designated Settlement Area in the County and Municipal Official Plans.

#### **Section 1.1.3.2**

*Land use patterns within settlement areas shall be based on:*

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;**
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

#### **Section 1.1.3.3**

*Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

The proposed development adds to the medium density housing mix of residential land uses in Kilworth. It makes efficient use of vacant land, infrastructure, and the existing transportation network. The proposed development is appropriate infill and intensification as it proposes the development of a vacant portion of land within an existing built-up area. The subject lands are at an appropriate location for modest intensification. The lands are located adjacent to commercial land uses, and medium and low density residential land uses. The lands have convenient access to an arterial road via Dausett Drive and Jefferies Road. The lands can accommodate the proposed number of dwelling units and parking, while also providing appropriate building setbacks. The proposed development will make use of existing municipal services along Dausett Drive.

#### **Section 1.1.3.4**

*Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding risks to public health and safety.*

The proposed Zoning By-law Amendment provides appropriate development standards to facilitate intensification while avoiding risks to public health and safety. The proposed Zoning By-law provides adequate setbacks from existing residences, as well as separation for both



Glendon Drive and the Home Hardware currently under construction. We note that the Home Hardware development includes enhanced fencing requirements around the outdoor storage yard to protect existing residential development in the area. These enhancements will provide similar protection to the proposed residential uses. The subject lands are also proximate to commercial, institutional and service amenities in the Komoka-Kilworth settlement area, encouraging the use of active transportation as promoted by Official Plan policies.

#### **Section 1.1.3.6**

*New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities.*

The proposed development is within an existing built-up residential area in a designated growth area. The proposed density of 50uph is permitted by the Middlesex Centre Official Plan. The proposed density is a compact form of housing which adds to the mix of the existing residential, commercial and employment uses in the area. As noted later in the report, the proposed density can be achieved with only one minor proposed zone variation (other than the density increase) to address an existing site specific frontage situation. This provides strong evidence that the site is capable of accommodating the proposed increase in density.

#### **Section 1.4.3**

*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

*b. permitting and facilitating:*

- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

The proposed development contributes to a range and mix of housing types to accommodate future growth in the Komoka-Kilworth area, and is consistent with the municipality's intent to encourage appropriate intensification. The proposed development has been designed to offer an appropriate housing on part of Block 60.

### **Section 1.6.6.2**

*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within the settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

The proposed development will make use of full municipal services; there is sufficient reserve capacities to service the proposed development.

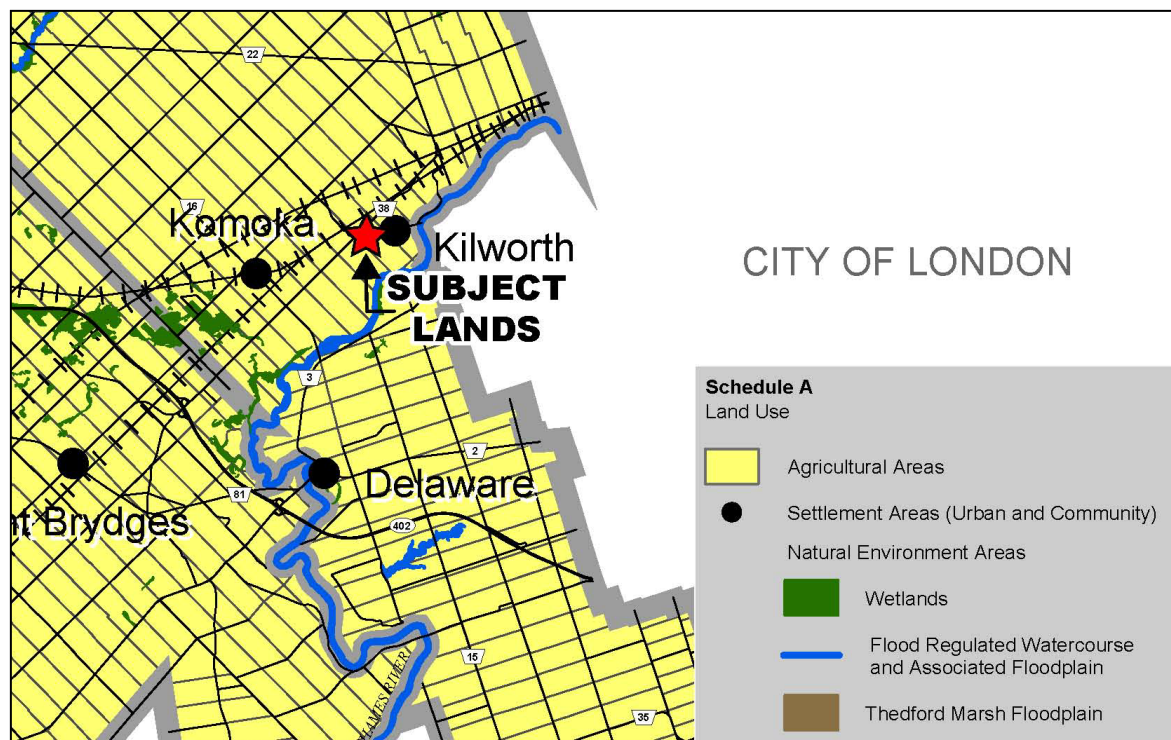
As noted above, the OPA and ZBA to facilitate the proposed development are consistent with the relevant policies of the 2014 Provincial Policy Statement.

## **6.2 MIDDLESEX COUNTY OFFICIAL PLAN**

The Middlesex County Official Plan was adopted by County Council on September 9, 1997. The current Official Plan is a consolidated version, dated August 2006.

The subject lands are designated “Settlement Areas (Urban and Community)” on Schedule A Land Use (Figure 10). Applicable policies are found in **Sections 2.3 Growth Management and 3.2 Settlement Areas**.

**Figure 10 – Middlesex County OP Schedule A (Excerpt), Approximate Location of Subject lands (Red Star)**



Komoka-Kilworth has full municipal services and the range of uses and services which qualifies it as a designated Urban Settlement Area in **Section 2.3.2** Growth Management Hierarchy. The Komoka-Kilworth Urban Area can accommodate population projections allocated to the Township in the County Official Plan on full municipal services, as required by the County Plan.

The County Plan promotes communities that are diverse and have a sense of place with lifestyle choice and economic vitality in **Section 2.3.5** General Policies. The proposed Official Plan and Zoning By-law Amendments to allow residential development to meet demand for residential development on the subject lands strengthens sense of place and promotes economic vitality in a community designated for significant growth in the planning period. The proposed development in the Urban Settlement Area of Komoka-Kilworth conforms to policies in **Section 2.3.5**.

**Section 2.3.7** Housing Policies in the County Plan encourages a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County. The County Plan supports the proposed residential development within the Komoka-Kilworth Settlement Area, where an appropriate level of physical services is available. The County Plan also supports the provision of housing that is accessible to lower and moderate income households and adds to the variety of housing types, housing densities and housing options to meet the needs of the Municipality's share of projected County residents.

**Section 2.3.7.3** Intensification and Redevelopment, encourages residential intensification and redevelopment in areas designated for residential use at locations with the physical potential to accommodate residential intensification and have the physical services to support new households in the area and are physically compatible with the existing built form. The proposed amendments are appropriate as physical services are available and the proposal is compatible with the built form at this location. The proposed zoning regulations support the appropriate level of intensification. The proposed development conforms to the applicable policies in **Section 2.3.7**.

In **Section 2.3.8** Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial and industrial development. As previously stated, Komoka-Kilworth is a designated Urban Settlement Area in the Municipal Official Plan and has concentrations and intensity of different land uses. The Settlement Areas policy supports the proposed development in the Urban Area of Komoka-Kilworth to accommodate a significant portion of the projected growth in Middlesex Centre over the planning period. The proposed development conforms to the applicable policies in **Section 2.3.8**.

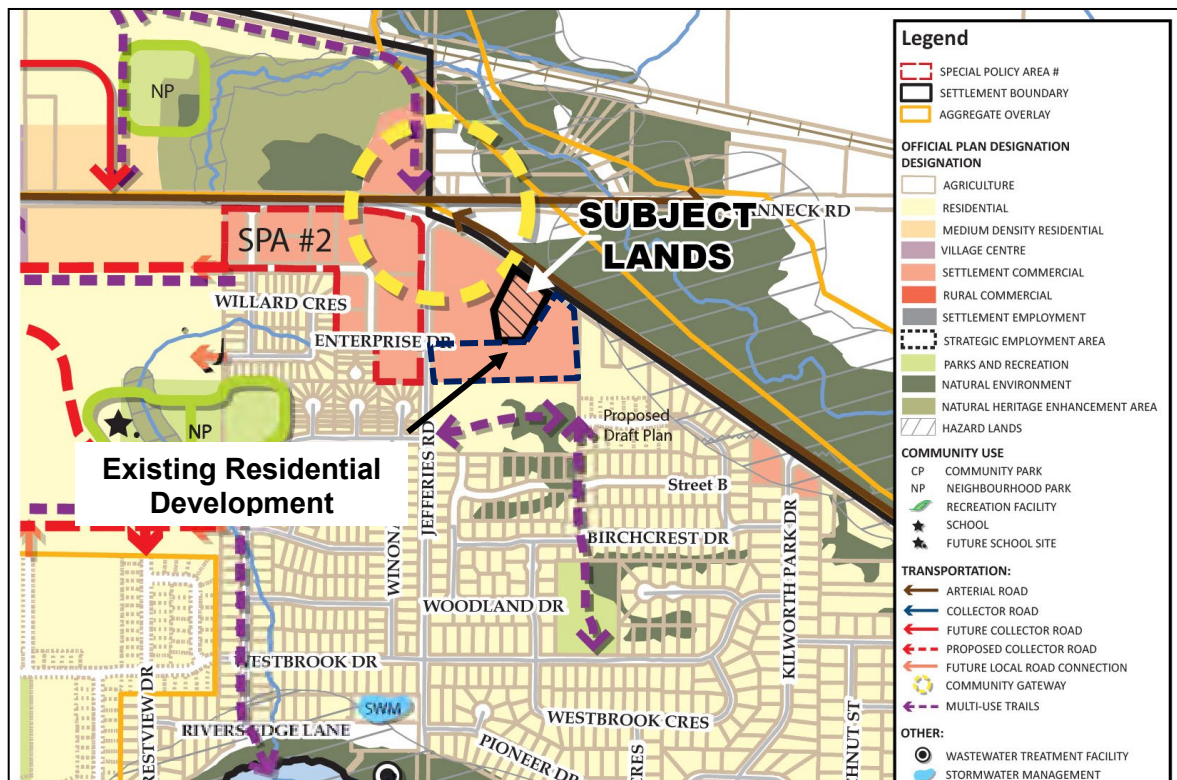
The proposed residential use is a permitted use in Settlement Urban Areas. Permitted uses are stated in **Section 3.2.4.1** Permitted Use Urban Areas. Direction to local Municipalities includes providing a variety of housing types.

The proposed amendment to the Official Plan and Zoning By-law to permit the proposed development is in conformity with the Growth Management and Urban Areas policies in the Middlesex County Official Plan. No Official Plan Amendment is required to the County of Middlesex Official Plan.

### 6.3 MIDDLESEX CENTRE OFFICIAL PLAN

The subject lands are currently within the “Settlement Commercial” land use designation, on Schedule ‘A-2’ - Komoka-Kilworth Secondary Plan to the Middlesex Centre Official Plan (Figure 11). This designation does not contemplate the proposed residential land use. Lands surrounding the subject lands are existing, recently built up low density residential development. Schedule A-2 shows this development as being within the “Settlement Commercial” land use designation. We are advised by municipal staff that this development was approved during the time the Middlesex Centre Official Plan was updated (OPA #28). This may be an appropriate time for the municipality to designate the lands to reflect the existing residential development and the existing residential zoning.

Figure 11 – Middlesex Centre OP Schedule A-2 – Komoka-Kilworth Secondary Plan (Excerpt)



General Residential Policies encourage a wide variety of housing types, sizes and tenures, supports intensification in settlements areas with municipal services, high quality design and affordable housing

#### *5.2.1 General Residential Policy*

*The following policy relates to lands designated Residential within Urban and Community Settlement Areas of the Municipality, as well as to residential development within Hamlets.*

*a) The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents.*

*e) The Municipality shall support opportunities to increase the supply of housing through intensification, while considering issues of municipal service capacity, transportation issues, and potential environmental considerations. Specifically, the Municipality shall require that 15 percent of all development occur by way of intensification.*

*f) Residential development including intensification should reflect a high quality of residential and neighbourhood design, in keeping with the design policies included in Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

*g) The Municipality shall encourage housing accessible to lower and moderate income households. In this regard the County of Middlesex through its Official Plan will require that 20 percent of all housing be affordable.*

The proposal is within the settlement area of Kilworth, a predominantly single detached dwelling community. The proposal adds medium density housing, an affordable housing option, to the housing mix. Full municipal services are available and there are no hazards on the lands. The proposal is a logical extension to an established residential community. The preliminary concept contemplates a development of contemporary designed buildings. Details regarding design and site plan considerations can be refined during site plan approval review. The proposal is generally in conformity with the General Residential policies.

The following goals and policies apply to the Komoka-Kilworth Secondary Plan area. Generally the goals and policies provide direction for the provision of a diversity of housing to provide choices and types of housing that are more affordable than the predominant single detached housing in the area.

#### 5.7.1 Komoka-Kilworth Secondary Plan Goals

- b) To plan for a community of all ages by providing a diversity of housing choice and affordability and providing community and recreational services to match population needs;*
- c) To provide for additional housing and employment and address urban land requirements for these uses in the Municipality through intensification of existing developed areas and compact land use in new development areas*
- f) To provide for an appropriate range and mix of housing types and densities;*
- i) To require full municipal services and direct new development in accordance with the servicing strategy for the area;*

#### 5.7.2 Land Use Plan

- a) Future land use and development proposals, as well as public works and other municipal projects, shall contribute to the establishment of a balanced, mixed use community with a new village centre, a mix of housing types and densities distributed among residential and medium density residential areas, a strategic employment area, community gateways, schools and community facilities, a connected network of multi-use trails and a linked parks and open space system, based on Schedule A-2.*
- c) The pattern of development is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and multi-use trails and Schedule A-2 recognizes the need to plan for these public spaces. Development shall provide landscaping adjacent to the street or sidewalk to promote an attractive landscaped transition between the public and private realm.*

#### 5.7.4 Komoka-Kilworth Residential Area Policies

- a) The types of housing, density of development and targeted housing mix within the Residential and Medium Density Residential designations on Schedule A-2 are as follows:*

Use	Housing Mix Targets	Net Density (units per ha)
Low density residential (e.g. singles, semis)	60%	less than 20
Medium density residential (e.g. townhouses)	40%	20 to 50

*The net density refers to the land area to be used for housing as well as the abutting local streets, but does not include major streets and other residentially associated land uses. Notwithstanding the housing mix targets and net density provisions, multiple dwellings shall be permitted in the Residential designation in accordance with Section 5.2.3.*

The proposed Official Plan and Zoning By-law amendments facilitate development that provides housing choice and housing affordability. The proposed designation adds to the supply of



residential land to provide for a mix of medium density housing types in a developing area. Development will proceed on full municipal services. The proposed amendments facilitate the development of medium density housing to meet the housing mix targets.

Fifty-four (54) dwelling units are proposed in a defined area of 1.089 ha. The proposed net density is 50uph in the defined area which is permitted. The subject lands have the dimensions to accommodate the proposed buildings, parking and driveways, landscape and amenity areas, and appropriate separation from Glendon Drive and abutting residences. The proposal conforms to the Komoka-Kilworth Secondary Plan Goals and policies.

Specific policies for multiple dwellings in **Section 5.2.3** provide location, density and compatibility criteria.

#### **5.2.3 Policies For Multiple Dwellings in Residential Areas**

*Multiple dwellings, including four plexes, town houses and low/medium rise apartments shall be subject to the following policies:*

- a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.*
- b) Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas. For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*
- c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*
- d) The excessive clustering of multiple dwellings shall be avoided, and a general integration and distribution of such uses at appropriate locations within neighbourhoods or settlements is encouraged.*
- e) Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.*
- f) Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

The subject lands are adjacent to an evolving Settlement Commercial Area. Special policies also allow uses permitted in the Settlement Employment designation. Kilworth Park is located within walking distance and services are provided in the Settlement Commercial area such as child care and other personal services. The proposed density is appropriate for the site as previously stated and the proposal has efficient access to Glendon Drive, a major road. The proposed development is clustered adjacent to an existing townhouse development. The scale of these developments is appropriate for the location. The proposal is subject to site plan

approval where details regarding facilities and servicing, access, off-street parking, accessibility for persons with disabilities, lighting, landscaping, and other matters are reviewed. The proposal conforms to policies for multiple dwellings.

The Komoka-Kilworth Secondary Plan servicing policies require full municipal services.

#### *5.7.11 Komoka-Kilworth Servicing Policies*

*b) For the purposes of this section, the term “services” includes: linear sanitary sewage collection system; sanitary treatment facilities, storm water management, water distribution and treatment.*

*c) Full municipal services shall be required for all land use and development proposals that require services within the Komoka-Kilworth Urban Settlement Area and Secondary Plan.*

Full municipal services are available for the proposed development as described in the servicing report prepared in support of this proposal. The proposed amendments to facilitate development conform to the Komoka-Kilworth servicing policies.

Amendments to the Official Plan must satisfy the criteria found in Section 10.1 Amendments to This Official Plan.

#### *10.1 AMENDMENTS TO THIS OFFICIAL PLAN*

*This Official Plan may be amended by the Municipality upon consideration of all relevant issues relating to the public interest. The Municipality shall give consideration to all applications to amend its Official Plan, and shall notify the general public and various agencies and Ministries of the nature of the proposed amendment in accordance with the notice requirements of the Planning Act. Applications to amend this Official Plan shall be considered by the Municipality using the following criteria as a minimum:*

*a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?*

*b) Is there a demonstrated need or justification for the proposed change?*

*c) Is the amendment in keeping with Provincial and County policy?*

*d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?*

*e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?*

*f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?*

Middlesex Centre is a rapidly growing community and the community of Kilworth is one of the designated growth areas in the County and Municipal Official Plans. Among the strategic priorities in the Municipal Strategic Plan is “Diversifying future residential development” with the desired outcome statement “Middlesex Centre is a multi-generational, sustainable community committed to fulfilling the needs of youth, young families, and seniors.” Single-detached housing is the predominant form of housing in the Kilworth community. The proposed amendment relates to the strategic plan priority of providing housing, including housing for young families and seniors. The proposed Official Plan Amendment relates to and conforms to the relevant vision for residential development in the Municipality by adding to the variety of housing and housing price points in the Kilworth community.

There is a need for the proposed form of housing. There appears to be one medium density housing project abutting the lands to the east, and limited additional lands within Kilworth (to the west of Jefferies Road) zoned UR3, which have yet to be constructed. The proposed development adds additional medium density housing to the housing mix.

The proposal is consistent with Provincial Policy and in conformity with the applicable policies in the County of Middlesex Official Plan. Consistency with Provincial Policy and conformity to the County Plan has been demonstrated.

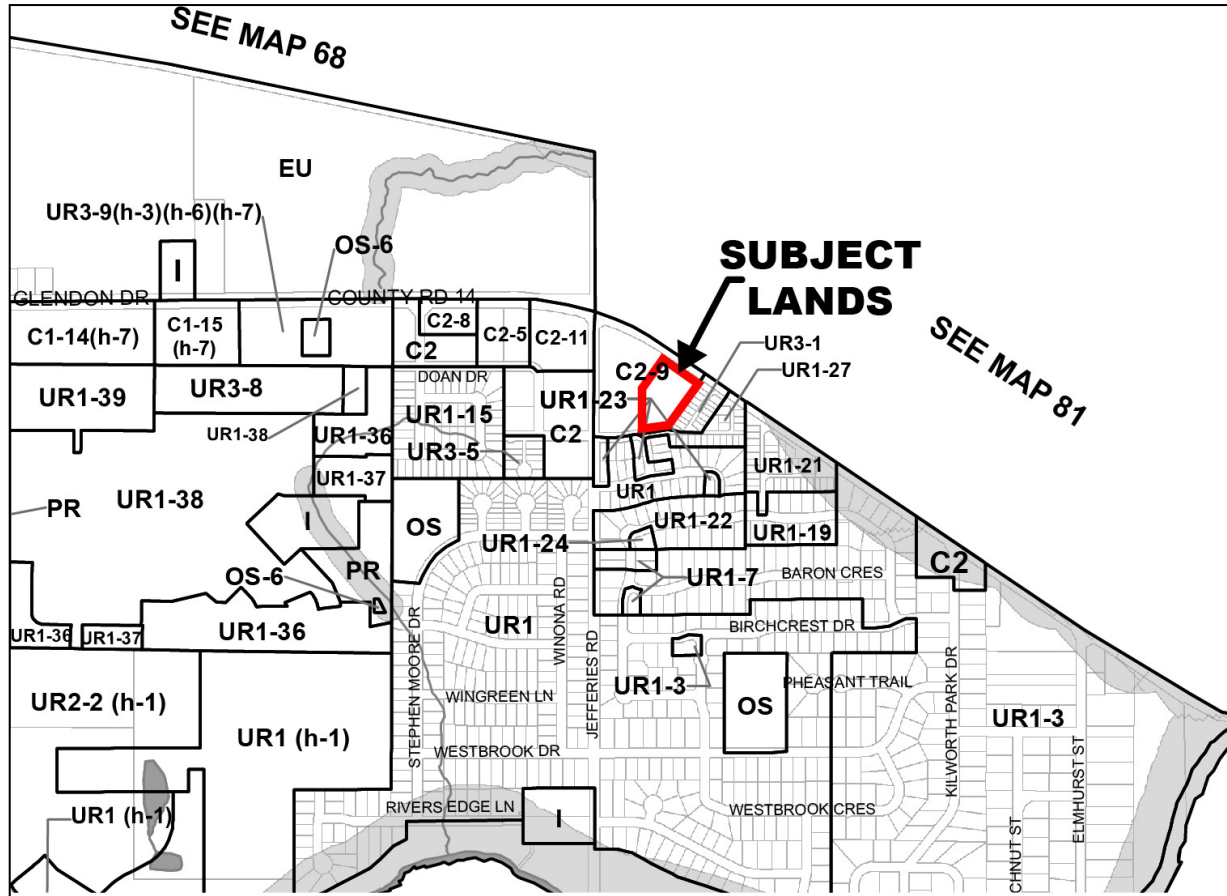
To the best of our knowledge the Kilworth community is adequately served by emergency and other public services. No extensions are required to municipal infrastructure.

The proposed development is not anticipated to have adverse impacts on surrounding land uses and residences. The proposal supports commercial development in the area. There are no cultural or natural heritage features on or adjacent to the subject lands.

#### **6.4 MIDDLESEX CENTRE ZONING BY-LAW**

The subject lands are currently zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law (Figure 12). In order to permit the proposed residential development, a Zoning By-law Amendment is required to rezone the lands to an “*Urban Residential Third Density (UR3)*” zone to implement the proposed Official Plan Amendment.

Figure 12 – Middlesex Centre Zoning By-Law Map (Excerpt)



Permitted uses within the proposed UR3 zone are as follows:

- Accessory use
- Apartment dwelling
- Multiple unit dwelling
- Street townhouse dwelling
- Townhouse dwelling

The proposed ZBA seeks to permit the following provisions and regulations for the subject lands:

Regulations	Required UR3	Proposed
Min. Lot Area	(a) street townhouse: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) (b) apartment dwelling: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter; → Minimum area required based on number of dwelling units = 0.87ha (8,700m <sup>2</sup> )	1.089ha (10,889.0m <sup>2</sup> )
Min. Lot Frontage**	(a) townhouse, apartment or multiple unit dwelling: 30.0 m (98 ft) (b) street townhouse dwelling: 6.0 m (20 ft) for each dwelling unit on a separate lot	**a) 9.8m for entirety of the subject lands (b) N/A
Min. Lot Depth	35.0m	110.2m
*Min. Front Yard Setback (Dausett Dr.)	6.0m	6.1m
Min. Side yard Setback	3.0m	6.0m
Min. Rear Yard Setback (Glendon Dr.)	8.0m	8.0m
Min. Floor Area	(a) street townhouse dwelling, 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) townhouse dwelling per dwelling unit (b) apartment, multiple unit dwelling 40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms	Street TH Dwelling = 65.0m <sup>2</sup> . Apartment Dwelling = 40.0m <sup>2</sup> - 85.0m <sup>2</sup>
Max. Height	20.0m	13.5m
Max. Density**	30 uph	50 uph
Min. Outdoor Amenity	45m <sup>2</sup> /dwelling unit	72m <sup>2</sup> /dwelling unit
Max. Lot Coverage	35%	26%

\*For the purposes of determining which street frontage constitutes the front yard, it is interpreted as Dausett Drive

\*\* Exceptions

By way of this application the lands are proposed to be rezoned to an “*Urban Residential Third Density (UR3-())*” with exceptions.

The exceptions sought for the within the “*Urban Residential Third Density (UR3-())*” zone are as follows:

- Minimum lot frontage of 9.8m for the subject lands, whereas 30.0m is required; and,
- Maximum density of 50uph, whereas a maximum of 30uph is permitted.

### ***Lot Frontage***

The intent of minimum lot frontage is to provide adequate space for access to a public street. The proposed frontage of 9.8m supports the access on Dausett Drive and is sufficient space for servicing the development. Buildings are adequately setback from the front lot line.

### ***Density***

The intent of the maximum permitted density of 30uph, as per the “*Urban Residential Third Density (UR3)*” zone, is to ensure that the intensity of a proposed development can be appropriately accommodated on developable lands (i.e. including parking and amenity space).

The proposed Zoning By-Law Amendment seeks to establish a density of 50uph which includes fifty-four (54) residential units on a land area of 1.089 ha. The proposed development provides adequate rear yards for the townhouse dwellings and a common amenity area for the low-rise apartment /stacked townhouses for amenity space. The lands also provide parking, a garage and driveway, for each townhouse unit, and 57 surface parking spaces for the proposed 36 unit low-rise apartment/stacked townhouse building. This provides a parking rate of approximately 1.6 spaces/ dwelling unit for the apartment building, and 2 spaces/dwelling unit for the proposed townhomes. The proposed density is permitted in the “*Medium Density Residential*” land use designation as noted earlier. The subject lands have sufficient dimensions and area to accommodate the proposed type and density of development.

The proposed Zoning By-Law Amendment to permit a fifty-four (54) unit, residential development conforms to the policies of the proposed land use designation in the Middlesex Centre Official Plan. The proposed density conforms to the general policies in the County Official Plan and is consistent with the Provincial Policy Statement.

## **7.0 CONCLUSIONS**

The proposed Official Plan Amendment and Zoning By-law Amendment satisfy the requirement of Section 10.1 Amendment to the Official Plan in the Middlesex Centre Official Plan. The proposal fits within the vision for housing and fills a need to add to the mix of housing in the Kilworth Community. The proposed amendments are consistent with the relevant policies in the Provincial Policy Statement and conforms to the relevant policies in the Middlesex County Official Plan. Finally, the proposal will not place demands on County and Municipal services. The proposed amendments to facilitate development, represent good land use planning.





**Meeting Date: June 24, 2020**

**Submitted by: Marion-Frances Cabral, Planner**

**Report No: PLA-15-2020**

**Subject: Applications for Official Plan Amendment (OPA 50) and Zoning By-law Amendment (ZBA-09-2020) for lands on Dausett Drive; Filed by Zelinka Priamo Ltd. (Katelyn Crowley) on behalf of 756949 Ontario Limited**

---

**Recommendation:**

**THAT** Zoning By-law Amendment application (ZBA-09-2020) and Official Plan Amendment application (OPA 50), filed by Zelinka Priamo Ltd. on behalf of 756949 Ontario Limited, to redesignate and rezone the land for 54-unit medium density residential development be **RECEIVED FOR INFORMATION**.

**Purpose:**

This report is to provide information regarding applications for an official plan amendment and zoning by-law amendment on the land located off Dausett Drive. The subject land is located east of Jefferies Drive and south of Glendon Drive. The subject land is legally described as Plan 33M656 BLK 60, Municipality of Middlesex Centre.

A location map is included as Attachment 1.

**Background:**

The purpose of the official plan amendment application is requesting to re-designate the lands from "Settlement Commercial" to "Medium Density Residential". Additionally, the zoning by-law amendment application is requesting to rezone the subject lands from 'Highway Commercial exception 9 (C2-9)' to a site-specific 'Urban Residential Third Density exception x (UR3-x)' zone.

The irregularly shaped parcel is vacant of buildings and currently contains excess soil. Existing commercial lands containing a building supply outlet and future commercial abut to the west, and existing medium density residential units abut to the east of the subject land. West of Jefferies Drive contains commercial lands in proximity to Glendon Drive.

South, south-west, and east of the subject parcel exists a low-density residential community.

The effect of these applications would permit the proposed development townhouses and stacked townhouses on a 1.089 ha (2.691 ac) parcel. The principle design features of the proposed development include the following:

- A single access and driveway will be off Dausett Drive. There will be no vehicular access to Glendon Drive.
- Five (5) townhouse dwellings will back onto the southern perimeter of the property and abut a driveway for an existing residential development to the east.
- Thirteen (13) townhouse dwellings will back onto the western perimeter of the property abutting the existing commercial development. Landscaping and fencing would be provided to buffer units from the commercial lands. The property line is approximately 9.8m from the nearest wall of the building supply store.
- Thirty-six (36) stacked townhouse units (multiple unit dwellings) are located on the north-eastern are of the land and is surrounding by the private road that loops around the development.
- Each townhouse dwelling will contain a single-car driveway and a single-car garage for a total of 2 parking spaces per unit. The driveways will be 'sunken' into the first floor of the home and will not project beyond the front face of the main wall.
- Parking for the stacked townhouses is proposed at a rate of 1.58 spaces per unit. No garages are provided and parking spaces are located immediately in front of the stacked townhouse development and amenity area.
- No visitor parking is proposed.
- No sidewalks are proposed adjacent to the townhouses, but a sidewalk is provided between the parking spaces and entrances to the stacked townhouse units.
- A 1.82 m (5.97 ft) noise wall is proposed at the rear of the units to mitigate traffic noise levels from Glendon Drive.
- All proposed units are to be serviced from an existing storm sewer and watermain located on Dausett Drive.
- The proposed concept plan is preliminary and will be refined through site plan review and condominium applications.

### **Policy Regulation:**

When reviewing these applications the following planning instruments are applicable to guide development within settlement areas. The Provincial Policy Statement provides planning direction for growth and a variety of uses within settlement areas and contains specific policies to ensure development is appropriate. The property is identified as part of the Kilworth 'Settlement Area' in Middlesex County's Official Plan and designated as 'Settlement Commercial' and identified within 'Community Gateway' within Middlesex Centre's Official Plan. The property is zoned 'Highway Commercial exception 9 (C2-9)' by Middlesex Centre's Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the land.

## **Provincial Policy Statement, 2020:**

The Planning Act states that all decisions made by planning authorities “shall be consistent with the policy statements issued” under subsection 3. The Provincial Policy Statement, 2020 (PPS) document is comprised of several policy statements and those that are applicable to the proposed development are noted below.

Section 1.0 – Building Strong Healthy Communities establishes policies that support long-term prosperity, environmental health and social well-being within communities.

Section 1.1 of the PPS identifies that healthy communities are sustained by accommodating an appropriate range and mix of uses, avoiding development patterns that cause environmental concerns, and promoting cost-effective development patterns that optimize the use of planned and future infrastructure.

Section 1.1.2 requires municipalities to accommodate an appropriate range and mix of land uses to meet projected land needs for a time horizon of up to 25 years. Within settlement areas land is to be made available through intensification and redevelopment.

Section 1.1.3 – Settlement Areas establishes that settlement areas can vary in size, population, and diversity and intensity of land uses. The PPS directs growth and development to settlement areas where new development varies in densities and land uses, and there are opportunities for intensification, redevelopment, and the efficient use of land. New development patterns are based on the efficient use of land that minimize negative impacts to the environment, support active transportation and are appropriate for the infrastructure and public service facilities.

Sections 1.1.3.4 and 1.1.3.6 promote intensification, compact development, varying uses and densities where it avoids or mitigates risks to public health and safety and is adjacent to the existing built-up area. Section 1.1.3.5 also allows municipalities to establish a minimum target for intensification within built-up areas subject to local conditions.

Section 1.3 – Employment directs municipalities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses and opportunities for diversification to meet long-term needs. Facilitating investment is generally completed by municipalities by identifying suitable sites for a variety of employment areas that support communities and that can be supported by current and future infrastructure.

Subsections of 1.3.2 – Employment Areas states that municipalities shall plan for, protect and preserve employment areas for current and future uses, and that necessary infrastructure is provided to support the needs.

Further, at the time of an Official Plan review, municipalities can review employment areas to ensure that the designations are appropriate. Municipalities may permit the conversion of lands within employment areas to non-employment uses, such as residential, through a comprehensive review, only where it has been demonstrated that the land is not

required for employment purposes over the long-term and that there is a need for the conversion.

Section 1.4 – Housing speaks to the provision of housing within a municipality. The PPS promotes an appropriate range and mix of housing types and densities and directs development of new housing towards areas where there is an appropriate level of infrastructure. Municipalities are to provide opportunities for all forms of housing and intensification to meet the social, health and well-being needs of the current and future community.

Sections 1.6 – Infrastructure and Public Service Facilities directs that infrastructure and be provided in an efficient manner that also prepares for the impacts of a changing climate. Section 1.6.2 directs municipalities to promote green infrastructure to complement existing infrastructure such as permeable surfaces, green roofs, and street trees.

Section 1.6.6 – Sewage, Water and Stormwater directs future growth and development to efficiently use and optimize existing services such as municipal sewage and water services, when available, and promote water conservation and water use efficiency. Servicing and land use considerations shall be integrated at all stages of the planning process. Further, municipal sewage and water services are the preferred form of servicing for settlement areas.

Section 1.6.6.7 promotes planning for stormwater management that is integrated with planning for sewage and water services and ensures that systems are optimized, feasible and financially viable over the long term; minimizes or prevents an increase in negative impacts on the environment and water system; does not increase risks to human health and safety and property damage; maximizes the extend and function of vegetative and pervious surfaces; and promotes stormwater management best practices such as low impact development, water conservation and stormwater attenuation.

#### **Middlesex County's Official Plan:**

The County of Middlesex Official Plan (County Plan) identifies the subject land within the Kilworth 'Settlement Area'.

Section 2.3.4 – Growth Management-Economic Development maintains a County goal to support economic activity and opportunities for residents to live and work within the County. The County Plan seeks to ensure there is a sufficient supply of employment land available throughout the County especially in areas where there is access to major arterial roads.

The County Plan also encourages municipalities to provide a balanced mix of housing and employment uses to ensure a sufficient labour force and to reduce the need for commuting.

Section 2.3.8 – Growth Management-Settlement Areas of the County Plan recognizes that Settlement Areas will be the focus for future growth including commercial, industrial

and residential uses. These areas are intended to have the highest concentration and a wide range of land uses and full municipal servicing in conjunction with 2.4.5 of the County Plan.

Additionally, section 2.3.7 – Growth Management-Housing Policies encourages a wide variety of housing types, sizes and tenure to meet market requirements and demand for current and future residents. Municipalities are responsible to determine and encourage a range of housing types, densities and options through local official plans that meet current and future needs. This can also include intensification and redevelopment in appropriate locations.

Section 3.2 – Settlement Areas provides additional development policies for lands within Settlement Areas. The County Plan further supports that Settlement Areas are developed in a manner that is phased and compact, and preserves the historic character of Settlement Areas and complements the positive elements of the existing built-form. The County Plan defers to the municipality to provide detailed direction on a variety of areas including addressing land supply and policies for land uses within urban areas including residential and commercial.

With regard to municipal sanitary sewers and water services, Section 2.4.5 – Sanitary Sewers and Water of the County Plan promotes efficient and environmentally responsible development that can be supported by full municipal systems servicing.

### **Middlesex Centre's Official Plan:**

The Middlesex Centre Official Plan (Official Plan) shows the land located within the Komoka-Kilworth Urban Settlement Area and Secondary Plan on Schedule A-2 and designated 'Settlement Commercial'. The land is also within the Community Gateway overlay on Schedule A-2 which provides additional guidance for specific areas within the Komoka-Kilworth area.

Lands designated 'Settlement Commercial' are to provide opportunities for retail, restaurants, recreational uses, personal services and offices within Settlement Areas where they do not undermine the planned function of the established Village Centres of the Municipality. New commercial development within 'Settlement Commercial' areas will be subject to the Municipality's Site Plan Manual and Urban Design Guidelines in order to reflect the traditional character of the settlement area it is in.

The 'Settlement Commercial' designation is not intended to accommodate sensitive land uses, such as residential, or more intense employment areas in order to maintain a sufficient supply of commercial uses that support an appropriate employment base.

Section 5.7.1 – Komoka-Kilworth Secondary Plan Goals establish the need to find a balance between a mix of land uses that serve key functions of a complete and vibrant community. Land uses include housing with different densities, local businesses, employment, institutions and recreation.

Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies applies special policies to the Komoka-Kilworth Settlement Area. This section requires appropriate screening between new commercial development and sensitive land uses, and does not permit the open storage of goods, materials, machinery or equipment.

Section 5.7.8 – Komoka-Kilworth Community Gateway Policies for Komoka-Kilworth are intended to promote a strong visual and signal of entry into the community. As such, these areas are intended to have landmark features such as signage and special landscape treatments that have visual prominence, and be considered when there are proposals for new development. Section 5.7.5 – Komoka-Kilworth Settlement Commercial Area Policies also provides direction for the Community Gateway. New development must adhere to site plan criteria such as having parking to the rear or side of the buildings, appropriate landscaping that provide a sense of entry to the community, and high quality design that contribute to the image of Komoka-Kilworth.

The applicant has requested to amend the Official Plan by redesignating the land from 'Settlement Commercial' to 'Medium Density Residential' on Schedule A-2. The following policies will apply to the land.

Section 10.1 - Amendments to this Official Plan provides direction for municipalities when considering applications to amend the Official Plan. The municipality must consider all relevant issues relating to public interest, and notify the general public and agencies in accordance with the *Planning Act*.

At a minimum, the Municipality shall consider the following criteria:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?
- d) What are the effects of the proposed change on demand for Municipal services, infrastructure and facilities?
- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

The Municipality is also directed to undertake a five year review of the Official Plan to revise the plan as necessary.



Section 5.7.4 – Komoka-Kilworth Residential Area Policies summarized below apply to lands designated ‘Medium Density Residential’.

- The ‘Medium Density Residential’ designation has a housing mix target of 40% which refers to the intended balance between low density and medium density residential development in Komoka-Kilworth. Medium density development is intended to have a net density of 20 to 50 units per hectare.
- Development proposals shall provide for a diverse mix of multi-unit housing forms and choices of accommodate the needs and lifestyles of people at different stages throughout their life; and for the development along Glendon Drive, provide building orientation, façade and landscape treatments that create an attractive streetscape. Back-lotting of units will be strongly discouraged along Glendon Drive. Improvements to Glendon Drive may include upgrades to hard infrastructure (e.g. stormwater system, bike lanes, sidewalks) and may be required as a condition of development.
- All new development must ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces, and to facilitate the penetration of sunlight to these spaces.
- In addition to compliance with the urban design guidelines, private garages for residential development shall not project into the front yard than the habitable portion of the building or porch on the main floor in order to limit visual and streetscape impacts of garages.
- Entrance features to new residential neighbourhood development shall be encouraged where features are landscape related and require minimal maintenance.

Section 6.3 – Design Policies-Site Plans and Infill Developments provide additional direction to guide infill development to ensure there is compatibility with existing residences and neighbourhoods. High quality site design and architectural design is encouraged for new medium density residential development. Setbacks, massing, location of parking, architecture and other design elements will be carefully reviewed to ensure new development is in keeping with the character of the neighbourhood.

#### **Middlesex Centre Zoning By-law:**

The subject land is currently zoned site-specific ‘Highway Commercial exception 9 (C2-9)’ and permits all uses within the ‘Highway Commercial (C2)’ zone, *open storage as an accessory use to a Building Supply Establishment* and a *clinic*. The ‘Highway Commercial (C2)’ zone permits uses such as, but are not limited to, financial institutions, hotels, offices, restaurants, and retail and convenience stores. Additional site-specific zoning standards apply to the subject land such as maximum lot coverage, minimum front yard setback minimum exterior side yard setback and open storage exceptions.

The requested amendment would rezone the property to a site specific 'Urban Residential Third Density exception x (UR3-x)' zone to reflect the proposed 54-unit medium density development that consists of townhouses and stacked townhouses (multiple unit dwelling).

The proposed site-specific zone would address standards such as permitted uses, setbacks, maximum density, and lot coverage. The standards shown below are based on the proposed site plan (Attachment 3) and in some instances meet the current standards of the 'Urban Residential Third Density' zone such as Minimum Lot Area, Minimum Rear Yard Setback, Minimum Floor Area, Maximum Height, and Minimum Outdoor Amenity Space.

All proposed standards are shown in the table below and may change based on information and comments received from the public, Council, agencies and staff:

	<b>Proposed UR3-x Zone</b>
<b>Permitted Uses</b>	Accessory Use Apartment Dwelling Townhouse Dwelling Street Townhouse Dwelling Multiple Unit Dwelling
<b>Minimum Lot Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter;
<b>Minimum Lot Area</b> – for Street Townhouse Dwelling, Townhouse Dwelling	178.0 m <sup>2</sup> per dwelling unit
<b>Minimum Lot Frontage</b> – for Apartment Dwelling, Multiple Unit Dwelling	9.8 m (32.15 ft)
<b>Minimum Lot Frontage</b> – for Street Townhouse Dwelling, Townhouse Dwelling	6.0 m (20 ft) per dwelling unit
<b>Minimum Lot Depth</b> – for Apartment Dwelling, Multiple Unit Dwelling	110.2 m (361.5 ft)
<b>Minimum Lot Depth</b> – for Street Townhouses Dwelling, Townhouse Dwelling	25.0 m (82.0 ft) for each dwelling unit
<b>Minimum Front Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	6.1 m (20.0 ft)

	<b>Proposed UR3-x Zone</b>
<b>Minimum Front Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	6.8 m (22.31 ft) per dwelling unit from an interior road
<b>Minimum Side Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	10.0 m (32.8 ft)
<b>Minimum Interior Side Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	2.1 m (6.89 ft) on an interior end unit 0.0 m (0.0 ft) on an interior inside unit
<b>Minimum Exterior Side Yard Setback</b> – for Street Townhouse Dwelling, Townhouse Dwelling	3.1 m (10.17 ft) on an end unit from an interior road, and 6.0 m (19.68 ft) on an exterior end unit
<b>Minimum Rear Yard Setback</b> – for Apartment Dwelling, Multiple Unit Dwelling	8.0 m (26 ft) and in accordance with Section 4.16 b) of this By-law regarding minimum setbacks from County Roads
<b>Minimum Rear Yard Setback</b> – for Street Townhouses, Townhouse Dwelling	6.0 m (19.69 ft)
<b>Maximum Lot Coverage</b> – for Apartment Dwelling, Multiple Unit Dwelling Street Townhouses Townhouse Dwelling	35% for the main building 38% for all buildings including accessory buildings subject to Section 4.1 a) of this By-law.
<b>Minimum Floor Area</b> – for Apartment Dwelling, Multiple Unit Dwelling	40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms
<b>Minimum Floor Area</b> – for Street Townhouse Dwelling, Townhouse Dwelling	65.0 m <sup>2</sup> (700 ft <sup>2</sup> )

	<b>Proposed UR3-x Zone</b>
<b>Maximum Density</b>	50 Units Per Hectare
<b>Maximum Height</b>	13.5 m (44.29 ft)
<b>Minimum Outdoor Amenity</b>	72 m <sup>2</sup> per dwelling unit
<b>Minimum Parking</b> – for Apartment Dwelling, Multiple Unit Dwelling	1.5 spaces per unit
<b>Minimum Parking</b> – for Street Townhouse Dwelling, Townhouse Dwelling	2 spaces per unit
<b>Visitors Parking</b>	0 parking spaces

### **Consultation:**

Notice of the application was posted on the property and circulated to agencies, and property owners in accordance with the *Planning Act* and Ontario Regulation 545/06.

### **Public Comments:**

At the time of writing the subject report planning staff spoke to some neighbours who provide the following comments:

- There is a mix of residents who prefer the residential development over commercial development, and others who prefer the land remains commercial.
- Provide visitor parking to avoid on-street parking on Dausett Drive or in adjacent residential developments.
- Identify where snow piles will be located
- Recommendation for 2 parking spaces per unit. Not enough parking is provided.
- The entrance is too close to the existing driveway entrance for abutting lands. It may become a hazard especially in the winter. A single access is not enough for this development.
- Provide additional details regarding fencing and landscaping abutting the neighbouring properties.
- Concerns about the height of the stacked townhouses development if the top floor has a private outdoor amenity space. This may reduce privacy for residents in the neighbouring residential development.
- The density for the site is too high.

- The development would have an adverse effect on the farm land within the area and encroach on the sensitive wooded area.
- Concerns with the additional traffic at the Glendon Drive intersection.
- The development is not in keeping with the area.
- Concerns about the lack of sidewalks.
- Confirm if it will be a condominium development.
- Confirm if the units be rentals or sold.
- Confirm if the units will be geared to income housing.

### **Agency Comments:**

At the time of writing the subject report the following comments had been received:

The Municipality's Chief Building Official reviewed the requested amendments and has no concerns with the development at this time. Additional detailed comments will be provided during review of a detailed site plan.

The Municipality's Public Works and Engineering Department have reviewed the requested amendments and provided the following comments:

- A noise study will be required to review the application due to proximity of the sensitive land uses to Glendon Drive.
- A buffer will be required between the proposed residential use and existing commercial use to the west.
- The entrance to the site is crowded and not ideal given the proposed width (9.8 m/32.1 ft), however, staff can work with the applicant to find an appropriate solution.
- Due to the single entrance to the site, all services should be located outside of the roadway so that if there is future maintenance of the services, emergency services would still be able to access the development.
- The applicant will need to provide a storm water management report and servicing brief.
- Additional detailed comments will be provided during review of the site plan

The Municipality's Director of Emergency Services – Fire Chief reviewed the requested amendments and proposed site plan, and provides the following comments:

- Complex streets must meet the minimum width and turning requirements of the Ontario Building Code for firefighting apparatus
- The applicant should address on-street parking. If on-street parking is allowed additional distances and street widths must be factored in

- The applicant will need to identify the location of the proposed hydrants and how many there are. It is understood that a 250mm water supply will be available.
- Additional detailed comments will be provided during review of the site plan.

The County Engineer reviewed the requested amendments and has no concerns with the proposed uses. However, land dedication for proposed road widening may be necessary as prescribed in the Environmental Assessment for Glendon Drive, and no direct access would be permitted to Glendon Drive. Setbacks for proposed buildings need to comply with County standards as stated within the County Official Plan.

Planning Staff note that the proposed development may require an amendment to an existing site plan on the subject lands for the existing commercial development.

Additionally, staff are concerned with compatibility of the proposed medium density development with the existing commercial lands. The commercial lands planned for and accommodated the existing residential development immediately to the east of the subject land. However, the subject land was intended for smaller-scale, stand alone or multi-unit commercial buildings with uses such as personal service, retail, restaurants or financial institutions. The intention of the existing building supply establishment was to help spur additional commercial development and uses that fulfill the planned function of this site and serve the needs of the community.

Staff is also concerned with the removal of available, 'shovel-ready' commercial lands within Middlesex Centre and Kilworth. The subject land is within the priority gateway area and is optimal for a clustering of commercial uses to support the community. The applicant should provide justification the removal of commercial lands, and present the need for additional residential lands within the municipality in accordance with the Official Plan. Staff also note that the Municipality is currently undertaking a Five Year Review of the Official Plan where land supply for employment and residential uses will be reviewed and revised as appropriate. This review is expected to be completed within the next year.

Staff will additional comments once the public meeting has been held as well as provide more provide detailed comments during the review of the site plan to ensure the development of the site meets the needs of current and future residents of Kilworth.

The Upper Thames River Conservation Authority (UTRCA) has not provided at the time of writing this report.

### **Next Steps:**

The purpose of this meeting is to present the applications and solicit feedback from members of the public, stakeholders and council. Staff will accept and review comments with the applicant to address outstanding information and concerns. At a separate public meeting in the future, a staff recommendation regarding the zoning by-law and official plan amendment applications will be presented to Council.



**Financial Implications:**

None

**Strategic Plan:**

This matter aligns with following strategic priorities:

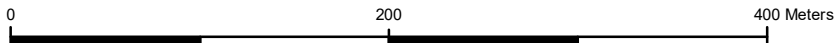
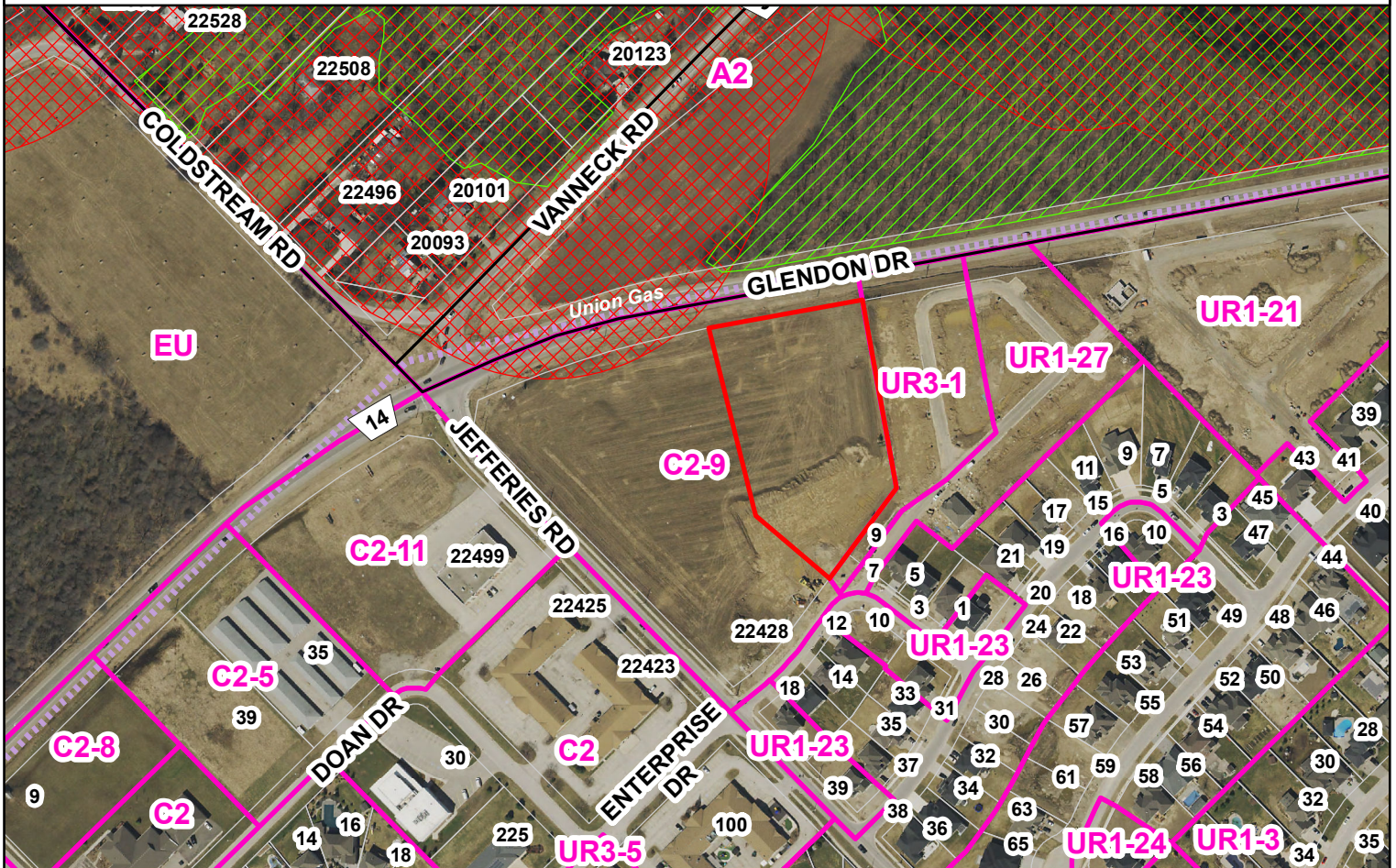
- 1b. Planning & Positioning: Preserving rural heritage.
- 2a. Economic Development: Realizing economic development opportunities.
- 3c. Quality of Life: Meeting the needs of both current and future citizens.

**Attachments:**

Attachment 1 – Location Map

Attachment 2 – Planning Justification Report

Attachment 3 – Proposed Site Plan



## Legend

- Lands to be designated to "Medium Density Residential", and rezoned to "Urban Residential Third Density exception x (UR3-x)"
- Zone Boundary
- Parcels
- Significant Woodland (MNHS 2014)
- CA Regulated Area



# Planning Justification Report

Glendon Drive at Jefferies Road (Block 60 Plan 33M-656)

Municipality of Middlesex Centre, County of Middlesex

Orange Rock Developments Inc.



February, 2020



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

TABLE OF CONTENTS

1.0 INTRODUCTION .....3

2.0 THE SUBJECT LANDS .....3

3.0 SUPPORTING DOCUMENTS .....8

4.0 PROPOSED DEVELOPMENT .....8

5.0 PROPOSED PLANNING ACT APPLICATIONS.....10

6.0 PLANNING DOCUMENT REVIEW AND ANALYSIS .....11

7.0 CONCLUSIONS .....24

## 1.0 INTRODUCTION

Orange Rock Developments Inc. has submitted an application to the Municipality of Middlesex Centre to amend its Official Plan and Zoning By-Law for lands at the southeast corner of Glendon Drive and Jefferies Road. The purpose of the proposed Official Plan Amendment and Zoning By-Law Amendment is to facilitate the residential development of the subject lands for townhomes and multiple unit dwellings (i.e. stacked townhouses or a low-rise apartment building).

The purpose of this Planning Justification Report is to evaluate the proposed Official Plan Amendment and Zoning By-Law within the context of existing land use policies and regulations, including the Provincial Policy Statement, the Middlesex County Official Plan, the Municipality of Middlesex Centre Official Plan and the Municipality of Middlesex Centre Zoning By-law.

## 2.0 THE SUBJECT LANDS

The subject lands have an irregular shape and are located at the southeast corner of Glendon Drive and Jefferies Road, in the community of Kilworth, in the Municipality of Middlesex Centre, in Middlesex County (Figures 1-2). The lands are part of Block 60 in the Komoka-Kilworth Settlement Area. A portion of the lands on the corner of Glendon Drive and Jefferies Road has been recently granted site plan approval for a Home Hardware Building Supply Store. The subject lands have a lot frontage of approximately 9.8m (32.2ft) along Dausett Drive, and an area of approximately 1.089 ha (2.691 ac). The lands are vacant (Figures 3-5). Access to the subject lands is available from Dausett Drive. Full municipal services are available. There are no significant cultural and archaeological features and no man made or natural hazards on the subject lands.

The subject lands are designated “Settlement Areas” (Urban and Community) in the Middlesex County Official Plan and “*Settlement Commercial*” in the Komoka-Kilworth Urban Settlement Area and Secondary Plan in the Municipality of Middlesex Centre Official Plan, and are zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law 2005.



Figure 1 – Subject Lands and Area Context (Location and Boundaries are Approximate)



Figure 2 – Subject Lands Boundary





**Figure 3 –Glendon Drive looking east (Google Streetview)**



**Figure 4 – Subject lands from Glendon Drive looking south at the subject lands (Google Streetview)**



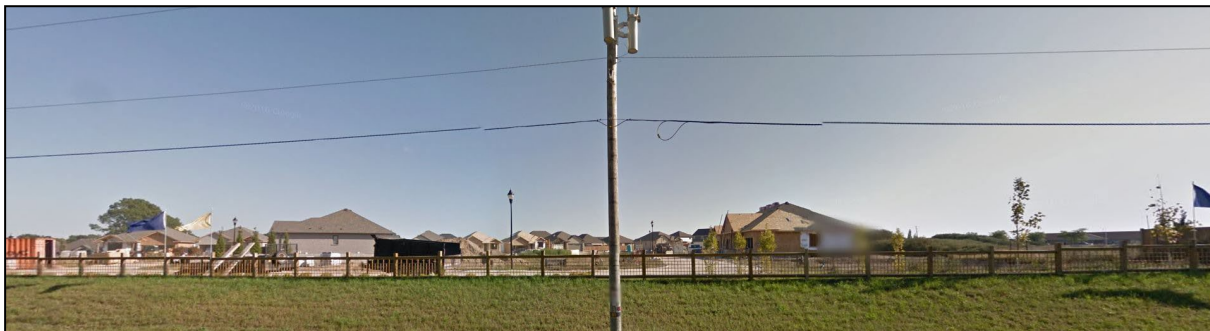
**Figure 5 – Subject Lands (at left), view from Dausett Drive (Google Streetview)**



## 2.1 SURROUNDING LAND USES

The subject lands abut low-density residential uses in the form of townhouses and single detached dwellings to the east (Figure 6); are located across Dausett Drive from low density residential uses in the form of single detached dwellings (Figure 5); and, are located across Jefferies Road from the Kilworth Business Park which consists of a range of commercial, office, commercial recreation, and light industrial uses (Figures 7). The Kilworth Children's Centre (daycare) is located at the southwest corner of Jefferies Road and Dausett Drive/Enterprise Drive, south of the Kilworth Business Park. Lands to the north of the subject lands, on the north side of Glendon Drive, consist of a small cultivated field, wooded lands, rural residential uses, and open space. The predominant land use in the community of Kilworth is single-detached dwellings (Figure 5).

**Figure 6 – Low Density Residential Uses to the East of the Subject Lands (Google Streetview)**



**Figure 7 – Kilworth Business Park, West of the Subject Lands, from Jefferies Road (Google Streetview)**



Additional commercial land supply is available in the Komoka-Kilworth Settlement Area as shown on Schedule A-2 Komoka-Kilworth Urban Settlement Area and Secondary Plan. Lands abutting the subject lands on Block 60 are proposed to remain within the “Commercial Settlement” land use designation. These lands are currently under construction and future commercial land use is proposed along Glendon Drive in order to maximize the commercial land area. Lands across from the subject lands on the west side of Jefferies Road are designated commercial as well as lands on the northwest corner of the intersection of Glendon and Jefferies. Land supply is also available further on Glendon Drive at the intersection of Komoka Road and at the newly developed community shopping centre across from the Komoka Wellness Centre. The broader market also provides an abundance of commercial land uses to serve the local population.

The intersection of Glendon Drive and Jefferies Road is a major intersection in the community of Komoka-Kilworth, and is considered a community focal point. An Environmental Assessment (EA) is currently underway to evaluate potential roundabout options to implement at this intersection. Road widening at the northwest corner of the subject lands are expected to be required to implement the roundabout.

Glendon Drive is designated as a *Four Lane Arterial County Road*, under the jurisdiction of the County of Middlesex, while Jefferies Road and Dausett Drive are local roads, under the jurisdiction of the Municipality of Middlesex Centre.

### **3.0 SUPPORTING DOCUMENTS**

#### **3.1 NOISE STUDY**

A Noise Assessment Study was completed by Stantec. The result of the noise assessment concluded that predicted noise levels are above the Ministry of Environment Conservation and Parks (MECP) criteria at the living area of the townhouse dwellings with exposure on Glendon Drive (Units 37, 38 & 39). A 1.82m high noise wall is proposed at the rear of these units to mitigate traffic noise levels from Glendon Drive. The report also recommends noise warning clauses.

#### **3.2 SERVICING BRIEF**

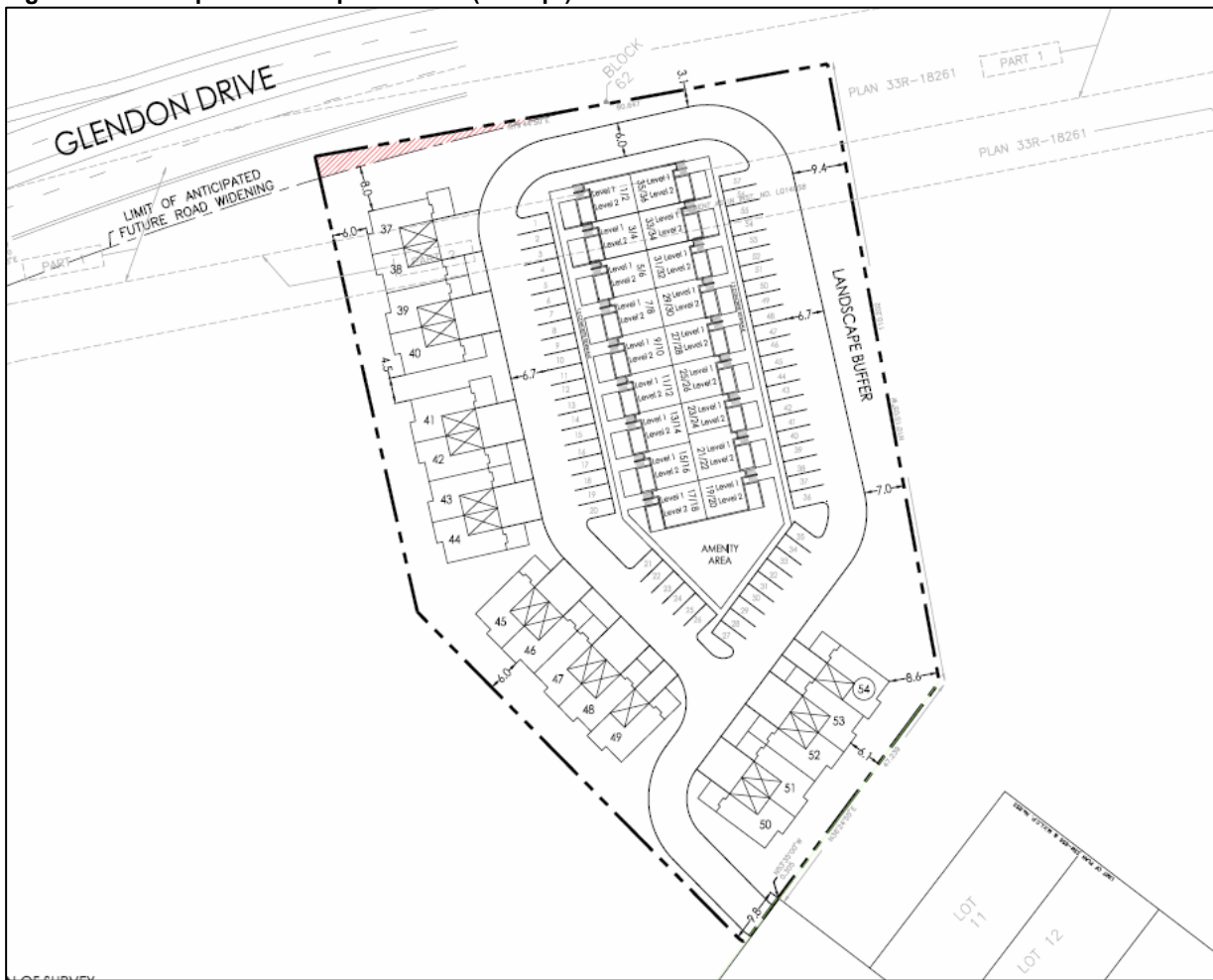
A servicing design brief was completed by Stantec. All proposed units are to be serviced from an existing 525mm storm sewer and a 250mm watermain located on Dausett Drive. The servicing design brief established that there is reserve sanitary sewer capacity.

### **4.0 PROPOSED DEVELOPMENT**

The westerly and southerly portion of the subject lands are proposed to be developed for 18 condominium townhomes. The interior of the lot is proposed to be used for a 4-storey apartment building / stacked townhouses with approximately 36 units, along with sufficient associated parking spaces at grade and a common amenity area centrally located on the proposed development (Figure 8). The proposed development is not anticipated to shadow neighboring properties and the scale of development is compatible with abutting lands (Figure 9).



**Figure 8 – Conceptual Development Plan (excerpt)**



Vehicular access to the proposed development is from Dausett Drive. The private drive aisle provides circulation throughout the development and loops around the entirety of the property. Individual driveway access is provided off the internal drive for the townhouse units with parking spaces provided for the apartment units/stacked units.

**Figure 9 – Conceptual Rendering**



There is no direct vehicular access proposed from Glendon Drive.

Appropriate setbacks are proposed from Glendon Drive to provide sufficient space for landscaping between Glendon Drive and the proposed residential dwelling units. Proposed setbacks for the townhouse units on the westerly side of the subject lands provide adequate space for landscaping and fencing to effectively buffer the units from the new Home Hardware.

The proposed concept plan is preliminary and will be refined through a future detailed Site Plan Approval application.

## **5.0 PROPOSED PLANNING ACT APPLICATIONS**

The proposed residential development is not contemplated in the Kilworth-Komoka “*Settlement Commercial*” land use designation, nor is it permitted in the current “*Highway Commercial (C2-9)*” zone. As such, an Official Plan Amendment (OPA) to change the designation on the subject lands from “*Settlement Commercial*” to “*Medium Density Residential*”; and, a Zoning By-Law Amendment (ZBA) to rezone the lands from a C2-9 zone to a UR3 zone with exceptions, are proposed to facilitate the development.



## 6.0 PLANNING DOCUMENT REVIEW AND ANALYSIS

### 6.1 2014 PROVINCIAL POLICY STATEMENT (PPS)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications, including OPA and ZBA applications, are required to be consistent with these policies.

#### **Section 1.1.1**

*Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

As discussed throughout this report, the proposed development is an efficient and appropriate form of development on the subject lands. It adds to the range and mix of housing types that meet the long-term housing needs for a variety of demographics. The proposed development is a compact and cost-effective form of development that will maximize the use of existing municipal services within the existing built-up area of Kilworth. No extension of municipal services is required.

#### **Section 1.1.3.1**

*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

The subject lands are within the settlement area of Komoka-Kilworth, a designated Settlement Area in the County and Municipal Official Plans.

#### **Section 1.1.3.2**

*Land use patterns within settlement areas shall be based on:*

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;**
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

#### **Section 1.1.3.3**

*Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

The proposed development adds to the medium density housing mix of residential land uses in Kilworth. It makes efficient use of vacant land, infrastructure, and the existing transportation network. The proposed development is appropriate infill and intensification as it proposes the development of a vacant portion of land within an existing built-up area. The subject lands are at an appropriate location for modest intensification. The lands are located adjacent to commercial land uses, and medium and low density residential land uses. The lands have convenient access to an arterial road via Dausett Drive and Jefferies Road. The lands can accommodate the proposed number of dwelling units and parking, while also providing appropriate building setbacks. The proposed development will make use of existing municipal services along Dausett Drive.

#### **Section 1.1.3.4**

*Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding risks to public health and safety.*

The proposed Zoning By-law Amendment provides appropriate development standards to facilitate intensification while avoiding risks to public health and safety. The proposed Zoning By-law provides adequate setbacks from existing residences, as well as separation for both

Glendon Drive and the Home Hardware currently under construction. We note that the Home Hardware development includes enhanced fencing requirements around the outdoor storage yard to protect existing residential development in the area. These enhancements will provide similar protection to the proposed residential uses. The subject lands are also proximate to commercial, institutional and service amenities in the Komoka-Kilworth settlement area, encouraging the use of active transportation as promoted by Official Plan policies.

#### **Section 1.1.3.6**

*New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities.*

The proposed development is within an existing built-up residential area in a designated growth area. The proposed density of 50uph is permitted by the Middlesex Centre Official Plan. The proposed density is a compact form of housing which adds to the mix of the existing residential, commercial and employment uses in the area. As noted later in the report, the proposed density can be achieved with only one minor proposed zone variation (other than the density increase) to address an existing site specific frontage situation. This provides strong evidence that the site is capable of accommodating the proposed increase in density.

#### **Section 1.4.3**

*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

*b. permitting and facilitating:*

- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

The proposed development contributes to a range and mix of housing types to accommodate future growth in the Komoka-Kilworth area, and is consistent with the municipality's intent to encourage appropriate intensification. The proposed development has been designed to offer an appropriate housing on part of Block 60.

### **Section 1.6.6.2**

*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within the settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

The proposed development will make use of full municipal services; there is sufficient reserve capacities to service the proposed development.

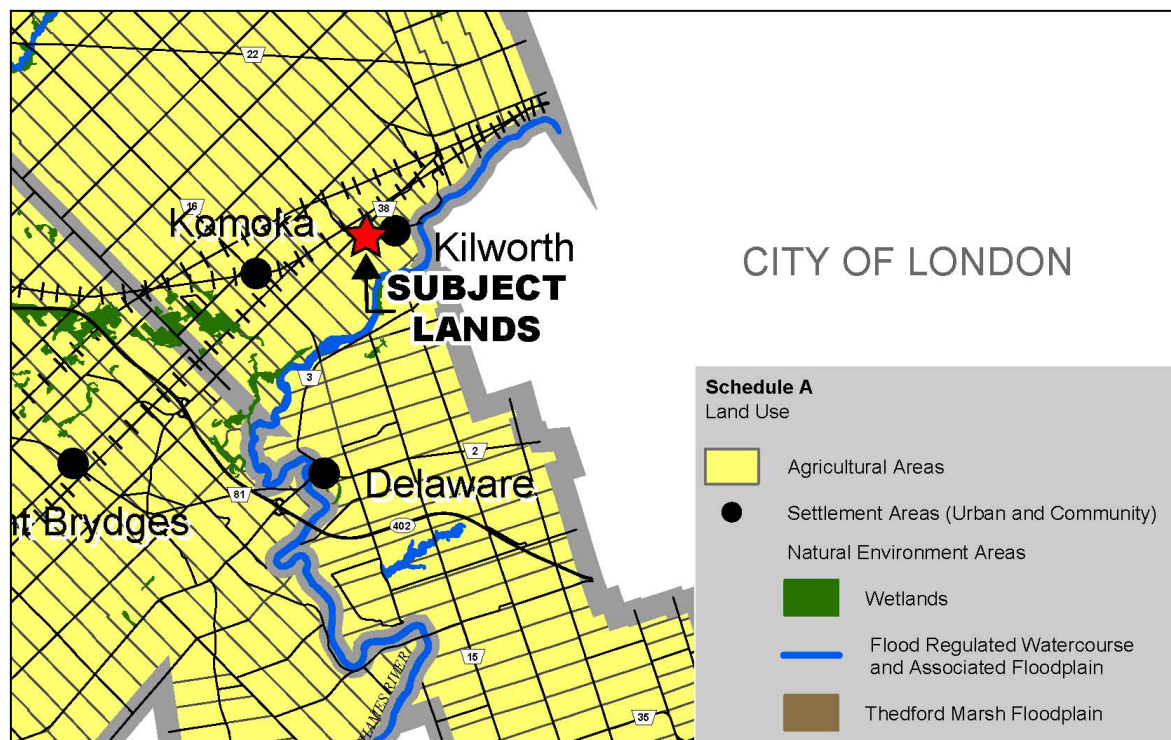
As noted above, the OPA and ZBA to facilitate the proposed development are consistent with the relevant policies of the 2014 Provincial Policy Statement.

## **6.2 MIDDLESEX COUNTY OFFICIAL PLAN**

The Middlesex County Official Plan was adopted by County Council on September 9, 1997. The current Official Plan is a consolidated version, dated August 2006.

The subject lands are designated “Settlement Areas (Urban and Community)” on Schedule A Land Use (Figure 10). Applicable policies are found in **Sections 2.3 Growth Management and 3.2 Settlement Areas**.

**Figure 10 – Middlesex County OP Schedule A (Excerpt), Approximate Location of Subject lands (Red Star)**



Komoka-Kilworth has full municipal services and the range of uses and services which qualifies it as a designated Urban Settlement Area in **Section 2.3.2** Growth Management Hierarchy. The Komoka-Kilworth Urban Area can accommodate population projections allocated to the Township in the County Official Plan on full municipal services, as required by the County Plan.

The County Plan promotes communities that are diverse and have a sense of place with lifestyle choice and economic vitality in **Section 2.3.5** General Policies. The proposed Official Plan and Zoning By-law Amendments to allow residential development to meet demand for residential development on the subject lands strengthens sense of place and promotes economic vitality in a community designated for significant growth in the planning period. The proposed development in the Urban Settlement Area of Komoka-Kilworth conforms to policies in **Section 2.3.5**.

**Section 2.3.7** Housing Policies in the County Plan encourages a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County. The County Plan supports the proposed residential development within the Komoka-Kilworth Settlement Area, where an appropriate level of physical services is available. The County Plan also supports the provision of housing that is accessible to lower and moderate income households and adds to the variety of housing types, housing densities and housing options to meet the needs of the Municipality's share of projected County residents.

**Section 2.3.7.3** Intensification and Redevelopment, encourages residential intensification and redevelopment in areas designated for residential use at locations with the physical potential to accommodate residential intensification and have the physical services to support new households in the area and are physically compatible with the existing built form. The proposed amendments are appropriate as physical services are available and the proposal is compatible with the built form at this location. The proposed zoning regulations support the appropriate level of intensification. The proposed development conforms to the applicable policies in **Section 2.3.7**.

In **Section 2.3.8** Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial and industrial development. As previously stated, Komoka-Kilworth is a designated Urban Settlement Area in the Municipal Official Plan and has concentrations and intensity of different land uses. The Settlement Areas policy supports the proposed development in the Urban Area of Komoka-Kilworth to accommodate a significant portion of the projected growth in Middlesex Centre over the planning period. The proposed development conforms to the applicable policies in **Section 2.3.8**.

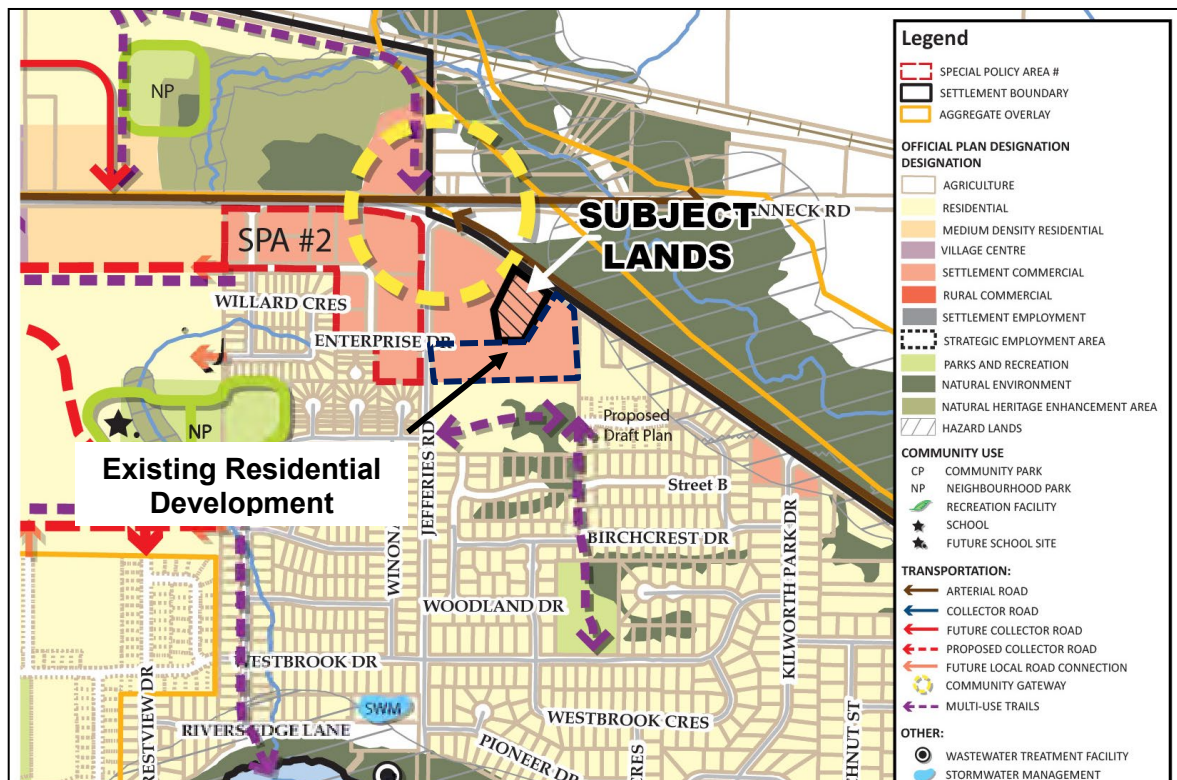
The proposed residential use is a permitted use in Settlement Urban Areas. Permitted uses are stated in **Section 3.2.4.1** Permitted Use Urban Areas. Direction to local Municipalities includes providing a variety of housing types.

The proposed amendment to the Official Plan and Zoning By-law to permit the proposed development is in conformity with the Growth Management and Urban Areas policies in the Middlesex County Official Plan. No Official Plan Amendment is required to the County of Middlesex Official Plan.

### 6.3 MIDDLESEX CENTRE OFFICIAL PLAN

The subject lands are currently within the “Settlement Commercial” land use designation, on Schedule ‘A-2’ - Komoka-Kilworth Secondary Plan to the Middlesex Centre Official Plan (Figure 11). This designation does not contemplate the proposed residential land use. Lands surrounding the subject lands are existing, recently built up low density residential development. Schedule A-2 shows this development as being within the “Settlement Commercial” land use designation. We are advised by municipal staff that this development was approved during the time the Middlesex Centre Official Plan was updated (OPA #28). This may be an appropriate time for the municipality to designate the lands to reflect the existing residential development and the existing residential zoning.

Figure 11 – Middlesex Centre OP Schedule A-2 – Komoka-Kilworth Secondary Plan (Excerpt)





General Residential Policies encourage a wide variety of housing types, sizes and tenures, supports intensification in settlements areas with municipal services, high quality design and affordable housing

#### *5.2.1 General Residential Policy*

*The following policy relates to lands designated Residential within Urban and Community Settlement Areas of the Municipality, as well as to residential development within Hamlets.*

*a) The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents.*

*e) The Municipality shall support opportunities to increase the supply of housing through intensification, while considering issues of municipal service capacity, transportation issues, and potential environmental considerations. Specifically, the Municipality shall require that 15 percent of all development occur by way of intensification.*

*f) Residential development including intensification should reflect a high quality of residential and neighbourhood design, in keeping with the design policies included in Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

*g) The Municipality shall encourage housing accessible to lower and moderate income households. In this regard the County of Middlesex through its Official Plan will require that 20 percent of all housing be affordable.*

The proposal is within the settlement area of Kilworth, a predominantly single detached dwelling community. The proposal adds medium density housing, an affordable housing option, to the housing mix. Full municipal services are available and there are no hazards on the lands. The proposal is a logical extension to an established residential community. The preliminary concept contemplates a development of contemporary designed buildings. Details regarding design and site plan considerations can be refined during site plan approval review. The proposal is generally in conformity with the General Residential policies.

The following goals and policies apply to the Komoka-Kilworth Secondary Plan area. Generally the goals and policies provide direction for the provision of a diversity of housing to provide choices and types of housing that are more affordable than the predominant single detached housing in the area.

#### 5.7.1 Komoka-Kilworth Secondary Plan Goals

- b) To plan for a community of all ages by providing a diversity of housing choice and affordability and providing community and recreational services to match population needs;*
- c) To provide for additional housing and employment and address urban land requirements for these uses in the Municipality through intensification of existing developed areas and compact land use in new development areas*
- f) To provide for an appropriate range and mix of housing types and densities;*
- i) To require full municipal services and direct new development in accordance with the servicing strategy for the area;*

#### 5.7.2 Land Use Plan

- a) Future land use and development proposals, as well as public works and other municipal projects, shall contribute to the establishment of a balanced, mixed use community with a new village centre, a mix of housing types and densities distributed among residential and medium density residential areas, a strategic employment area, community gateways, schools and community facilities, a connected network of multi-use trails and a linked parks and open space system, based on Schedule A-2.*
- c) The pattern of development is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and multi-use trails and Schedule A-2 recognizes the need to plan for these public spaces. Development shall provide landscaping adjacent to the street or sidewalk to promote an attractive landscaped transition between the public and private realm.*

#### 5.7.4 Komoka-Kilworth Residential Area Policies

- a) The types of housing, density of development and targeted housing mix within the Residential and Medium Density Residential designations on Schedule A-2 are as follows:*

Use	Housing Mix Targets	Net Density (units per ha)
Low density residential (e.g. singles, semis)	60%	less than 20
Medium density residential (e.g. townhouses)	40%	20 to 50

*The net density refers to the land area to be used for housing as well as the abutting local streets, but does not include major streets and other residentially associated land uses. Notwithstanding the housing mix targets and net density provisions, multiple dwellings shall be permitted in the Residential designation in accordance with Section 5.2.3.*

The proposed Official Plan and Zoning By-law amendments facilitate development that provides housing choice and housing affordability. The proposed designation adds to the supply of

residential land to provide for a mix of medium density housing types in a developing area. Development will proceed on full municipal services. The proposed amendments facilitate the development of medium density housing to meet the housing mix targets.

Fifty-four (54) dwelling units are proposed in a defined area of 1.089 ha. The proposed net density is 50uph in the defined area which is permitted. The subject lands have the dimensions to accommodate the proposed buildings, parking and driveways, landscape and amenity areas, and appropriate separation from Glendon Drive and abutting residences. The proposal conforms to the Komoka-Kilworth Secondary Plan Goals and policies.

Specific policies for multiple dwellings in **Section 5.2.3** provide location, density and compatibility criteria.

#### *5.2.3 Policies For Multiple Dwellings in Residential Areas*

*Multiple dwellings, including four plexes, town houses and low/medium rise apartments shall be subject to the following policies:*

- a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.*
- b) Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas. For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*
- c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.*
- d) The excessive clustering of multiple dwellings shall be avoided, and a general integration and distribution of such uses at appropriate locations within neighbourhoods or settlements is encouraged.*
- e) Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.*
- f) Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.*

The subject lands are adjacent to an evolving Settlement Commercial Area. Special policies also allow uses permitted in the Settlement Employment designation. Kilworth Park is located within walking distance and services are provided in the Settlement Commercial area such as child care and other personal services. The proposed density is appropriate for the site as previously stated and the proposal has efficient access to Glendon Drive, a major road. The proposed development is clustered adjacent to an existing townhouse development. The scale of these developments is appropriate for the location. The proposal is subject to site plan

approval where details regarding facilities and servicing, access, off-street parking, accessibility for persons with disabilities, lighting, landscaping, and other matters are reviewed. The proposal conforms to policies for multiple dwellings.

The Komoka-Kilworth Secondary Plan servicing policies require full municipal services.

#### *5.7.11 Komoka-Kilworth Servicing Policies*

*b) For the purposes of this section, the term “services” includes: linear sanitary sewage collection system; sanitary treatment facilities, storm water management, water distribution and treatment.*

*c) Full municipal services shall be required for all land use and development proposals that require services within the Komoka-Kilworth Urban Settlement Area and Secondary Plan.*

Full municipal services are available for the proposed development as described in the servicing report prepared in support of this proposal. The proposed amendments to facilitate development conform to the Komoka-Kilworth servicing policies.

Amendments to the Official Plan must satisfy the criteria found in Section 10.1 Amendments to This Official Plan.

#### *10.1 AMENDMENTS TO THIS OFFICIAL PLAN*

*This Official Plan may be amended by the Municipality upon consideration of all relevant issues relating to the public interest. The Municipality shall give consideration to all applications to amend its Official Plan, and shall notify the general public and various agencies and Ministries of the nature of the proposed amendment in accordance with the notice requirements of the Planning Act. Applications to amend this Official Plan shall be considered by the Municipality using the following criteria as a minimum:*

*a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?*

*b) Is there a demonstrated need or justification for the proposed change?*

*c) Is the amendment in keeping with Provincial and County policy?*

*d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?*

*e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?*

*f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?*

Middlesex Centre is a rapidly growing community and the community of Kilworth is one of the designated growth areas in the County and Municipal Official Plans. Among the strategic priorities in the Municipal Strategic Plan is “Diversifying future residential development” with the desired outcome statement “Middlesex Centre is a multi-generational, sustainable community committed to fulfilling the needs of youth, young families, and seniors.” Single-detached housing is the predominant form of housing in the Kilworth community. The proposed amendment relates to the strategic plan priority of providing housing, including housing for young families and seniors. The proposed Official Plan Amendment relates to and conforms to the relevant vision for residential development in the Municipality by adding to the variety of housing and housing price points in the Kilworth community.

There is a need for the proposed form of housing. There appears to be one medium density housing project abutting the lands to the east, and limited additional lands within Kilworth (to the west of Jefferies Road) zoned UR3, which have yet to be constructed. The proposed development adds additional medium density housing to the housing mix.

The proposal is consistent with Provincial Policy and in conformity with the applicable policies in the County of Middlesex Official Plan. Consistency with Provincial Policy and conformity to the County Plan has been demonstrated.

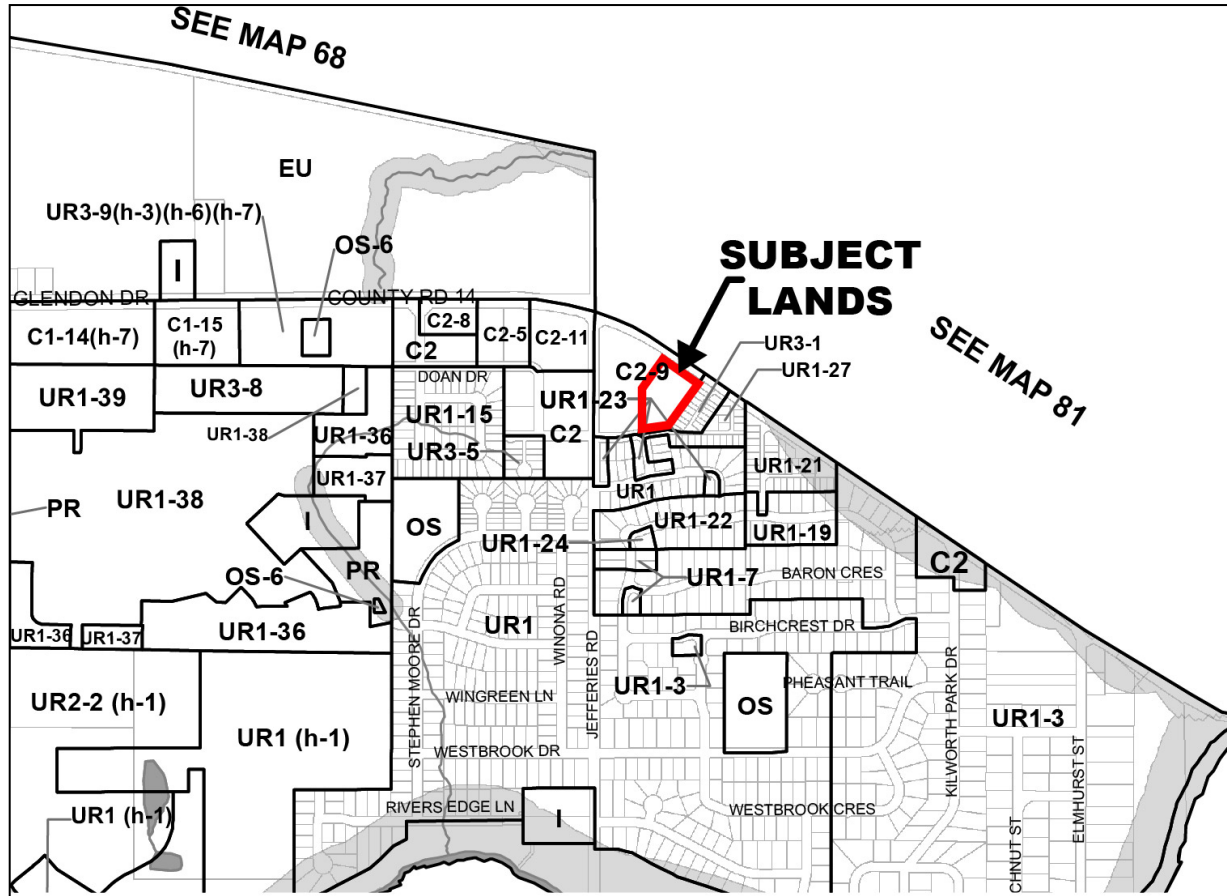
To the best of our knowledge the Kilworth community is adequately served by emergency and other public services. No extensions are required to municipal infrastructure.

The proposed development is not anticipated to have adverse impacts on surrounding land uses and residences. The proposal supports commercial development in the area. There are no cultural or natural heritage features on or adjacent to the subject lands.

#### **6.4 MIDDLESEX CENTRE ZONING BY-LAW**

The subject lands are currently zoned “*Highway Commercial (C2-9)*” in the Middlesex Centre Zoning By-Law (Figure 12). In order to permit the proposed residential development, a Zoning By-law Amendment is required to rezone the lands to an “*Urban Residential Third Density (UR3)*” zone to implement the proposed Official Plan Amendment.

Figure 12 – Middlesex Centre Zoning By-Law Map (Excerpt)



Permitted uses within the proposed UR3 zone are as follows:

- Accessory use
- Apartment dwelling
- Multiple unit dwelling
- Street townhouse dwelling
- Townhouse dwelling



The proposed ZBA seeks to permit the following provisions and regulations for the subject lands:

Regulations	Required UR3	Proposed
Min. Lot Area	(a) street townhouse: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) (b) apartment dwelling: 250.0 m <sup>2</sup> (2,691 ft <sup>2</sup> ) for each of the first four (4) dwelling units and 100.0 m <sup>2</sup> (1,076 ft <sup>2</sup> ) for each additional dwelling thereafter; → Minimum area required based on number of dwelling units = 0.87ha (8,700m <sup>2</sup> )	1.089ha (10,889.0m <sup>2</sup> )
Min. Lot Frontage**	(a) townhouse, apartment or multiple unit dwelling: 30.0 m (98 ft) (b) street townhouse dwelling: 6.0 m (20 ft) for each dwelling unit on a separate lot	**a) 9.8m for entirety of the subject lands (b) N/A
Min. Lot Depth	35.0m	110.2m
*Min. Front Yard Setback (Dausett Dr.)	6.0m	6.1m
Min. Side yard Setback	3.0m	6.0m
Min. Rear Yard Setback (Glendon Dr.)	8.0m	8.0m
Min. Floor Area	(a) street townhouse dwelling, 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) townhouse dwelling per dwelling unit (b) apartment, multiple unit dwelling 40.0 m <sup>2</sup> (431 ft <sup>2</sup> ) per bachelor dwelling unit 55.0 m <sup>2</sup> (592 ft <sup>2</sup> ) per one bedroom dwelling unit 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) per two bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) per three bedroom dwelling unit 85.0 m <sup>2</sup> (915 ft <sup>2</sup> ) plus 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) per each bedroom in excess of three (3) for dwelling units containing more than three (3) bedrooms	Street TH Dwelling = 65.0m <sup>2</sup> . Apartment Dwelling = 40.0m <sup>2</sup> - 85.0m <sup>2</sup>
Max. Height	20.0m	13.5m
Max. Density**	30 uph	50 uph
Min. Outdoor Amenity	45m <sup>2</sup> /dwelling unit	72m <sup>2</sup> /dwelling unit
Max. Lot Coverage	35%	26%

\*For the purposes of determining which street frontage constitutes the front yard, it is interpreted as Dausett Drive

\*\* Exceptions

By way of this application the lands are proposed to be rezoned to an “*Urban Residential Third Density (UR3-())*” with exceptions.

The exceptions sought for the within the “*Urban Residential Third Density (UR3-())*” zone are as follows:

- Minimum lot frontage of 9.8m for the subject lands, whereas 30.0m is required; and,
- Maximum density of 50uph, whereas a maximum of 30uph is permitted.

### *Lot Frontage*

The intent of minimum lot frontage is to provide adequate space for access to a public street. The proposed frontage of 9.8m supports the access on Dausett Drive and is sufficient space for servicing the development. Buildings are adequately setback from the front lot line.

### *Density*

The intent of the maximum permitted density of 30uph, as per the “*Urban Residential Third Density (UR3)*” zone, is to ensure that the intensity of a proposed development can be appropriately accommodated on developable lands (i.e. including parking and amenity space).

The proposed Zoning By-Law Amendment seeks to establish a density of 50uph which includes fifty-four (54) residential units on a land area of 1.089 ha. The proposed development provides adequate rear yards for the townhouse dwellings and a common amenity area for the low-rise apartment /stacked townhouses for amenity space. The lands also provide parking, a garage and driveway, for each townhouse unit, and 57 surface parking spaces for the proposed 36 unit low-rise apartment/stacked townhouse building. This provides a parking rate of approximately 1.6 spaces/ dwelling unit for the apartment building, and 2 spaces/dwelling unit for the proposed townhomes. The proposed density is permitted in the “*Medium Density Residential*” land use designation as noted earlier. The subject lands have sufficient dimensions and area to accommodate the proposed type and density of development.

The proposed Zoning By-Law Amendment to permit a fifty-four (54) unit, residential development conforms to the policies of the proposed land use designation in the Middlesex Centre Official Plan. The proposed density conforms to the general policies in the County Official Plan and is consistent with the Provincial Policy Statement.

## **7.0 CONCLUSIONS**

The proposed Official Plan Amendment and Zoning By-law Amendment satisfy the requirement of Section 10.1 Amendment to the Official Plan in the Middlesex Centre Official Plan. The proposal fits within the vision for housing and fills a need to add to the mix of housing in the Kilworth Community. The proposed amendments are consistent with the relevant policies in the Provincial Policy Statement and conforms to the relevant policies in the Middlesex County Official Plan. Finally, the proposal will not place demands on County and Municipal services. The proposed amendments to facilitate development, represent good land use planning.



## Committee of the Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Durk Vanderwerff, Director of Planning  
**Subject:** Middlesex Centre Official Plan Amendment No. 60; 15277  
Fifteen Mile Road; File No. 39-MC-OPA60

---

### **BACKGROUND:**

Stanley and Judy Henderson have applied to amend the Middlesex Centre Official Plan for a property located at 12577 Fifteen Mile Road. Amendment No. 60 would re-designate the 44 hectare (108 acre) property from an 'Agricultural' designation to an 'Agricultural Special Policy Area #42' designation to permit an additional residential unit within an agricultural building.

The property contains one single detached building, several agricultural buildings, and lands in active agricultural crop production. Amendment No. 60 would permit an additional residential unit within a new agricultural building within the agricultural building cluster and in proximity to the main dwelling.

The property is surrounded by agricultural uses and contains regulated area in the southwest corner away from the building cluster. In addition to Amendment No. 60, locally the proposal has been subject to a zoning by-law amendment that would also allow an ambulatory mobile animal hospital within the subject building, however, there would be no treatment of animals on-site.

County Council is the Provincially delegated Approval Authority for locally adopted official plan amendments. This report summarizes the planning policy context and provides a planning recommendation for Council from the perspective of the Approval Authority. More detailed local planning analysis, as provided to Middlesex Centre Council, is provided within the attached local planning reports. In addition, a location map and a copy of Amendment No. 60 are appended to this report.

### **ANALYSIS:**

The application was submitted to the Municipality on December 4, 2022 and was subject to a public meeting on February 15, 2023, and subsequently adopted by Middlesex Centre Council and submitted to the County as the Approval Authority. The submission was accepted as complete by the County and a further agency / ministry circulation was

not undertaken given the limited extent of the change. The County has not received comment from the public concerning Amendment No. 60.

The Provincial Policy Statement provides direction to support healthy and vibrant communities by providing an appropriate range and mix of uses, including additional residential units to meet current and long-term needs of residents. The County Official Plan policies encourage a wide variety of housing types and styles to meet projected demographic and market requirements of current and future residents, including the provision of alternative forms of housing. The Middlesex Centre Official Plan provides more specific criteria to be considered when evaluating official plan amendments, and the Municipality is satisfied that those criteria have been met by Amendment No. 60. The attached local municipal planning report addresses the land use policy documents in further detail.

I have reviewed Amendment No. 60 against the PPS, the County Official Plan, and the Middlesex Centre Official Plan. I am satisfied that Amendment No. 60 is consistent with the PPS, conforms to the intent and purpose of the County's Official Plan and the Middlesex Centre Official Plan, and represents sound land use planning.

It is noted that the adopted Amendment No. 60 contains a typographic oversight in that it does not specify the Special Policy Area number as #42 within the Details of the Amendment. I am therefore recommending approval of Official Plan Amendment No. 60, with modification to address this matter. The Municipality has been consulted and supports this proposed modification.

#### **FINANCIAL IMPLICATIONS:**

The budget expense related to the Provincially delegated Approval Authority responsibility for local official plans is offset, to an extent, through the collection of application fees.

#### **ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

<b>Strategic Focus</b>	<b>Goals</b>	<b>Objectives</b>
Strengthening Our Economy	Encourage a diverse and robust economic base throughout the county	Support opportunities to create a stronger and sustainable agricultural sector

#### **RECOMMENDATION:**

THAT Amendment No. 60 to the Middlesex Centre Official Plan be approved and that staff be directed to circulate a Notice of Decision as required by the Planning Act, and that the Notice of Decision indicate that no written submissions were received concerning this application.



## MIDDLESEX CENTRE



### LOCATION MAP

Description:  
OFFICIAL PLAN AMENDMENT NO. 60  
MUNICIPALITY OF MIDDLESEX CENTRE

File Number:  
39-MC-OPA60

Prepared by: Planning Department  
The County of Middlesex  
March 17, 2023



### LEGEND




 SUBJECT LANDS

1:10,000

0 250 500

Meters



I, Clerk of the Municipality of Middlesex Centre  
Hereby Certify that this is a true and exact  
copy of the original document  
This 22<sup>ND</sup> day, of FEBRUARY, 2023  
  
CLERK

AMENDMENT NO. 60

TO

THE OFFICIAL PLAN

OF THE

Municipality of Middlesex Centre

**Location:** The subject property is a vacant parcel located on the south side of Fifteen Mile Road and east of Vanneck Road. The subject property is legally described as Concession 14 N Part Lot 31 (geographic Township of London), Municipality of Middlesex Centre.

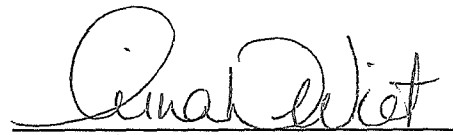
**Date:** Feb 15, 2023

**Approval Authority:** County of Middlesex

AMENDMENT NO. 60

To the Official Plan of the Municipality of Middlesex Centre

The attached, constituting Amendment No. 60 to the Official Plan of the Municipality of Middlesex Centre, as authorized by the provisions of Section 22 of the Planning Act, R.S.O. 1990, c.P.13, was adopted by Council of the Municipality of Middlesex Centre by By-law 2023-021 on the 15<sup>th</sup> day of February, 2023, in accordance with the Planning Act, R.S.O. 1990, c.P.13.



Aina DeViet  
Mayor



James Hutson  
Municipal Clerk

AMENDMENT NO. 60

To the Official Plan of the Municipality of Middlesex Centre

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of the text which constitutes Amendment No. 60

PART C - THE APPENDICES - do not constitute part of this Amendment.

## AMENDMENT NO. 60

### To the Official Plan of the Municipality of Middlesex Centre

#### PART A - THE PREAMBLE

##### 1.0 PURPOSE AND EFFECT

The purpose and effect of the Official Plan Amendment application is to re-designate the subject property from the Agricultural designation to an Agricultural Special Policy Area designation to allow a second dwelling unit in an agricultural building.

##### 2.0 LOCATION

The subject property is a vacant parcel located on the south side of Fifteen Mile Road and east of Vanneck Road. The subject property is legally described as Concession 14 N PT Lot 31 (geographic Township of London), Municipality of Middlesex Centre, and known municipally as 12577 Fifteen Mile Road.

##### 3.0 BASIS OF THE AMENDMENT

Section 16(3) of the Planning Act authorizes Official Plans to contain policies that permit additional residential units and provides the following:

“No Official Plan may contain any policy that has the effect of prohibiting the use of,

- (a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. 2022, c. 21, Sched. 9, s. 4 (1).”

Additional residential units within agricultural areas are not specifically addressed by the Planning Act, however, they are not prohibited and can be considered by municipalities on a case-by-case basis.

Additionally, Section 35.1 requires that council of each local municipality to pass by-laws under section 34 (Zoning by-laws) to give effect to the policies described in subsection 16(3).

The Provincial Policy Statement, 2020 and the County Official Plan require that prime agricultural land are to be preserved for agricultural and agricultural-related uses including a farm residence. The proposal is in keeping with the provincial and regional policy framework for development outside of settlement areas. The proposal is not expected to have any adverse impacts on agricultural activities in the area while allowing for a second unit in an agricultural building in addition to the primary residential use on the property.

The Provincial Policy Statement, 2020 also includes policy regarding ‘Housing’ and the requirement ‘to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area’. Furthermore, Section 1.1.1 of the Provincial Policy Statement speaks to ‘Healthy, liveable and safe communities’ and how they can be sustained. Section 1.1.1b) states that ‘accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for

older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs’.

PART B - THE AMENDMENT

4.0     DETAILS OF THE AMENDMENT

The document known as the Official Plan of the Municipality of Middlesex Centre is hereby amended:

- i.     By amending Section 11.0 of the Official Plan by inserting the following new subsection:

“SPA#\_\_\_\_”

The land identified as Special Policy Area #\_\_\_\_, as shown on Schedule ‘A’ to this Official Plan, shall be subject to the following policy:

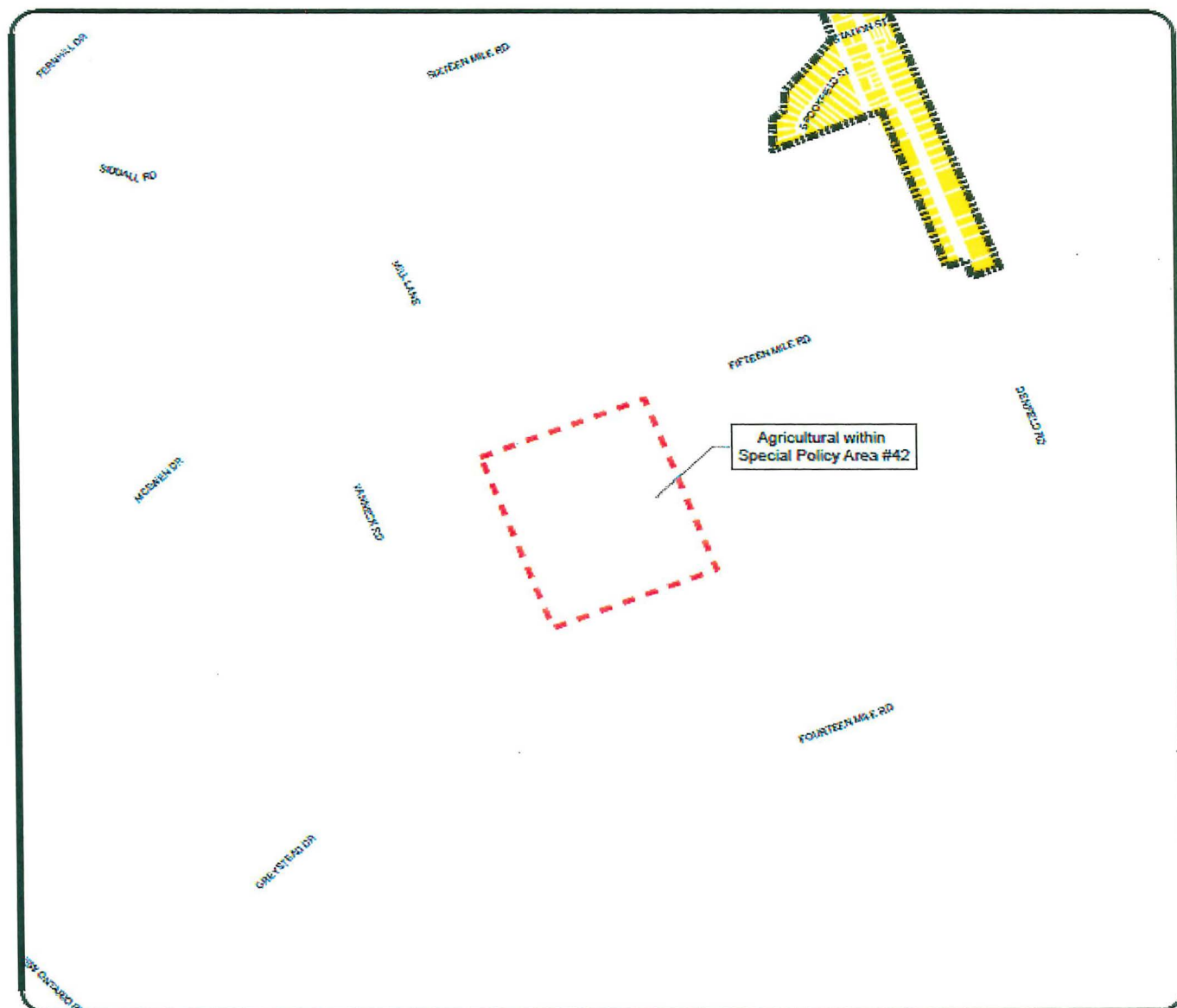
Notwithstanding any other section of the Official Plan, an additional residential unit within an agricultural building may be permitted in addition to the main residential dwelling.”

- ii.    By amending Schedule ‘A’ of the Official Plan the designation on the land described as Concession 14 N Pt Lot 31 (Geographic Township of London), Municipality of Middlesex Centre as shown and defined on Schedule ‘A’ to this amendment, from Agricultural to Special Policy Area #\_\_\_\_.


SCHEDULE A: TO OFFICIAL PLAN AMENDMENT #60

SCHEDULE A: LAND USE PLAN



MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN



LEGEND

 Agricultural within Special Policy Area #xx  Settlement Boundary

Official Plan Designation

 Agriculture  Residential  Parks and Recreation  
 Natural Environment  Medium Density Residential

NOTE: Schedules should be read in conjunction with applicable policies of the Plan and other Schedules

SCALE 1:20,000  
0 170 340 680 1,020 1,360  
Meters







---

**DECISION**  
**With respect to an Official Plan Amendment**  
**Subsection 17(34) of the Planning Act**

---

Amendment No. 60 to the Official Plan for the Municipality of Middlesex Centre is hereby approved, subject to the following modifications to Part "B" – The Amendment:

1. OPA 60 is modified by replacing all instances of "SPA#\_\_\_" with "SPA #42" and replacing all instances of "Special Policy Area # \_\_\_" with "Special Policy Area #42".

As thus modified, this Official Plan Amendment is hereby approved.

Dated at London, Ontario, this \_\_\_\_ day of \_\_\_\_\_, 2023.

---

Durk Vanderwerff  
Director of Planning and Development  
County of Middlesex



**Meeting Date:** February 15, 2023

**Submitted by:** Marion-Frances Cabral, Planner

**Report No:** PLA-13-2023

**Subject:** Applications for Official Plan Amendment (OPA 60) and Zoning By-law Amendment (ZBA-12-2022), filed by Baker Planning Group on behalf of Stanley and Judy Henderson for the lands at 12577 Fifteen Mile Road

---

**Recommendation:**

THAT the Official Plan Amendment No. 60 for the land legally described as Concession 14 N Pt Lot 31, Municipality of Middlesex Centre (former Township of London), be ADOPTED and forwarded to the County of Middlesex for consideration of approval;

AND THAT the Zoning By-law Amendment application, as amended, filed Baker Planning Group on behalf of Stanley and Judy Henderson, to rezone the subject property from the 'Agricultural (A1)' zone to the site-specific 'Agricultural (A1-41)' zone for the property legally described as Concession 14 N Pt Lot 31 (former Township of London), Municipality of Middlesex Centre, be APPROVED.

**Purpose:**

The purpose of this report is to provide Council with a recommendation regarding an Official Plan Amendment and Zoning By-law Amendment

The purpose and effect of the Official Plan Amendment application is to re-designate the subject property from the Agricultural designation to an Agricultural Special Policy Area designation to permit the construction of an additional residential dwelling unit in an agricultural structure which is otherwise not permitted.

The purpose and effect of the Zoning By-law Amendment application is to rezone the property from the Agricultural (A1) Zone, to a site-specific Agricultural Zone (A1-x) to permit a second dwelling unit or apartment dwelling with a maximum gross floor area of 120 m<sup>2</sup> (1,292 ft<sup>2</sup>) within a secondary agricultural building, and to add a new definition for an *ambulatory mobile veterinarian hospital* and permit it on the land. The Zoning By-law amendment would continue to permit agricultural uses permitted in Section 5.1.1 of the Zoning By-law.

A location map is included as Attachment 1 and preliminary site plan included as Attachment 2.

### **Background:**

The subject property has an approximate area of 43.6 hectares (107.7 ac) and is located on the south side of Fifteen Mile Road and east of Vanneck Road. The land is primarily used for agricultural uses consisting mostly of agricultural fields with a cluster of agricultural buildings and a single detached dwelling. The land contains regulated area in the southwest corner but is sufficiently separated from the location of the proposed development.

The applicant proposes to establish an ambulatory mobile veterinarian clinic and second dwelling unit, in addition to the uses existing. The proposed development will consist of two (2) two-storey building 376 m<sup>2</sup> in size and be serviced by a new septic bed and the existing well. The clinic will not house animals or have customers/visitors, but rather serve as an office and storage building to support the proposed use, which involves travelling to other locations to provide veterinarian services as needed. The additional residential unit will be accommodated in the second storey of the proposed building and will provide a residence for the owner's family to continue to reside on the property.

### **Policy Regulation:**

#### Planning Act

Section 16(3) of the Planning Act authorizes Official Plans to contain policies that permit additional residential units and provides the following:

“(3) No official plan may contain any policy that has the effect of prohibiting the use of,

- (a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. 2022, c. 21, Sched. 9, s. 4 (1).”

Additionally, Section 35.1 requires that council of each local municipality to pass by-laws under section 34 (Zoning by-laws) to give effect to the policies described in subsection 16(3).

It is note that the above policies speak to additional residential units on urban residential lands which means lands that have municipal servicing. However, the Planning Act does not prevent or prohibit local municipalities from adopting policies for additional residential units within non-serviced areas.

#### Provincial Policy Statement, 2020:

Section 1.1.1 of the PPS speaks to 'Healthy, liveable and safe communities' and how they can be sustained. Section 1.1.1b) states that 'accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs'.

Section 1.4 of the PPS speaks to 'Housing' and the requirement 'to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area'.

Section 1.6.6 of the PPS outlines the hierarchy for sewage and water services. Generally, the preferred method of servicing is municipal services, however consideration can be given to private and communal services where appropriate, and where supported by appropriate studies.

Section 2.3 of the PPS speaks to prime agricultural areas and the long-term protection of these areas for agricultural use. Permitted uses within prime agricultural areas include: agricultural uses, agricultural-related uses, and on-farm diversified uses. Policy 2.3.6 of the PPS addresses non-agricultural uses in prime agricultural areas. The PPS directs that limited non-residential uses may be permitted within a prime agricultural area subject to evaluation criteria.

#### Middlesex County's Official Plan

The County of Middlesex Official Plan designates the subject property as Agricultural Area. The County Plan recognizes agriculture as the predominant land use and an economic mainstay within the County. The Agricultural policies are intended to protect agricultural lands from the intrusion of land uses that are not compatible with agricultural operations.

Section 3.3.5 acknowledges the importance of farm related commercial and industrial uses in Agricultural Areas. Examples include feed mills, grain drying, abattoirs, and kennels. Farm related commercial and industrial uses should be considered in the Agricultural Area if the operation cannot reasonably be located in a Settlement Area and must be in proximity to farming activities, the use complies with the Minimum Distance

Separation Formula, the use does not require or generate large volumes of water, and the operation is located to minimize potential adverse impacts on adjacent residential or other sensitive land uses. Operations are subject to the site plan policies and zoning by-law of the local municipality, and must provide minimum sight distances along County or local roads.

Section 4.3 of Middlesex County's Official Plan speaks to local Official Plans and indicates that the County Official Plan is not intended to prevent the development of areas designated for non-agricultural development in local Official Plans. The County Plan does not specifically address a proposal such as this. Instead, the County Plan leaves atypical proposals to be addressed within local Plans and through the local Official Plan Amendment process.

Section 2.3.7 of the County of Middlesex Official Plan speaks to housing policies and states that, it is the policy of the County to encourage a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County.

The County of Middlesex's Official Plan in section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS.

County Council adopted Amendment No. 3 to the County official plan on July 19, 2022. The purpose of the Amendment was to update the official plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Policy Statement (PPS), and reflect changing community needs for the next 25-years. While the policies implemented through Amendment No. 3 are not in force and effect until Ministry approval, the updated policies are included in this report for informative purposes indicating the intent of County Council, but are not determinative for the purposes of this planning application.

Adopted Section 2.2.2.1 Agriculture – General Policies identifies agricultural uses as the main industry outside of settlement areas and that agriculture-related uses shall be permitted where they are compatible with and not hinder surrounding agricultural operations. Permitted agriculture-related uses shall be in accordance with the 2016 Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas as released by the Province.

Non-agricultural uses shall be encouraged to locate in settlement areas and shall only be permitted within the Agricultural Area with an amendment to the local Official Plan subject to conditions. Examples of non-agricultural uses include off-season vehicle storages, rural event venues, manufacturers, contractors' yards and landscape businesses.

## Middlesex Centre's Official Plan

As mentioned the subject property is designated 'Agricultural' by Middlesex Centre's Official Plan. The designation of the subject lands permits primarily agricultural uses and residences surplus to a farming operation.

Non-agricultural urban uses within agricultural areas are prohibited, unless permitted in the Official Plan, in order to protect agricultural areas from interference or encroachment from conflicting land uses or uses which could reduce or negatively impact the future flexibility or efficiency of agricultural operations.

Section 2.4 provides policies for agriculturally related commercial and industrial development. These uses are directly related to agriculture, and required in close proximity to farming operations. These uses are generally encouraged to locate within settlement areas except they are essential to the functioning of agriculture or would cause conflicts in settlement area. These types of uses may include feed mills, livestock assembly yards and slaughter houses.

This section also allows for some agriculture related tourism or recreational uses to be permitted if it is determined that no negative impacts on nearby agricultural operations will result, and a determination that the use will not contribute to land use conflicts.

When considering the establishment of new agriculturally related commercial, industrial or tourism uses, or the expansion of existing uses of this type, Council will consider the following criteria:

- a) The loss of productive farm land in the accommodating of such uses, shall be discouraged. Uses will be encouraged to locate on lands of lower soil capability or lands proven to be unsuitable for farming due to lot size, shape or topography.
- b) The amount of land devoted to the use shall include only the minimum necessary to support the use and its servicing needs.
- c) The use must not require municipal sewer or water services. The method of servicing shall require approval by the appropriate regulatory bodies. Any industrial use shall be "dry" in nature.
- d) Access shall be available from a public road of reasonable construction and year round maintenance. Development is encouraged on a hard-surface, dust-free road.

Access to Provincial Highways for agriculturally related commercial and industrial development uses will be subject to the review and approval of the Ministry of Transportation (MTO). An entrance permit from the MTO will be required for the change in use of the access. The entrance permit will identify the primary land use (i.e. farmstead) with a specific secondary land use for the agriculturally related commercial or industrial use.



In addition, the MTO would not support a future severance where a property owner wishes to separate the agriculturally related commercial and industrial use from the property where a new entrance from the highway for the new lot of record would be required.

- e) A site plan agreement shall be entered into with the Municipality. Such an agreement will require particulars relating to, at a minimum, access, traffic, drainage, and grading.
- f) Where a severance of land is necessary to accommodate such a use, the severance policies in Section 10.3 of this Plan will apply.
- g) Compliance with minimum distance separation shall be required where a proposed agriculturally related commercial or industrial use is in proximity to livestock and/or poultry operations. The Municipality may exercise discretion, through the consideration of Minor Variance applications, based on the proposed type of commercial or industrial use, and the extent of its sensitivity to agricultural activities. Input from the appropriate agencies with respect to Minor Variance request will be sought by the Municipality. This Plan recognizes that such agriculturally related commercial or industrial uses may also have negative impacts on adjacent agricultural operations. Minimum distance separation shall also be used to address impact of such uses on sensitive agricultural uses.

Adequate separation distances and buffering shall be required where such uses are proposed adjacent to existing residential or other sensitive uses. Adequate visual buffering or landscaping will be required where such uses may generally impact the agricultural or rural character of the Municipality.

Section 5.2.1 of Middlesex Centre's Official Plan speaks to General Residential Policies, section 5.2.1 a) states, 'The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents'.

Section 9.3 of the Local Official Plan speaks to municipal infrastructure and servicing policies. These policies have a similar hierarchy as the PPS and the County Official Plan. As it relates to this proposal section 9.3.2 a) states, 'the principle means of sewage disposal in agricultural areas of the Municipality is the septic tank and weeping tile system. It is anticipated that such systems will continue to be the principal means of sewage disposal outside of settlements in the foreseeable future, however the consideration of alternative and improved technologies is encouraged.

Section 9.6.1 of Middlesex Centre's Official Plan states it is policy of this Plan that the conversion of an existing principal farm dwelling to add an additional residential unit may be permitted, subject to the requirements within the existing building, and will not require an addition to facilitate the conversion.

Section 9.7 of the Municipality's Official Plan states that 'new garden suites will not be permitted within the Municipality. Garden Suites are temporary housing on a property and above the primary residence.

In Section 10.1 of the Official Plan it is noted that the Plan may be amended upon consideration of all relevant issues relating to the public interest. It is further noted that the Municipality shall give consideration to the following criteria:

- a) Does the proposed amendment relate and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with the Provincial and County policy?
- d) What are the effects of the proposed change on the demand for Municipal services, infrastructure, and facilities?
- e) Can the land affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

Middlesex Centre Council adopted Amendment No. 59 on May 18, 2022. While the policies implemented through Amendment No. 59 are not in force and effect until County approval, the updated policies are included in this report for informative purposes indicating the intent of County Council, but are not determinative for the purposes of this planning application.

OPA No. 59 adds a new section related to Additional Residential Units and provides the following direction:

- a) A maximum of two Additional Residential Units will be permitted on a lot, one within the principal dwelling and one within a detached accessory building or structure. A garden suite shall not be permitted where an existing Additional Dwelling Unit is located within a detached accessory building or structure.
- b) Demonstration of adequate sewer and water servicing capacity;
- c) Demonstration that the Additional Residential Unit is not located within the natural heritage system, floodplain areas, or other hazardous lands.
- d) Demonstration that the proposal complies with the Minimum Distance Separation formulae, where applicable.

- e) Demonstration that the Additional Residential Unit has a floor area of 49% or less of the primary residential unit principal dwelling.
- f) Demonstration that the Additional Residential Unit is in full compliance with the Ontario Building Code and fire code.
- g) Notwithstanding section 9.6.1 e), further limitations on the maximum permissible size of an additional residential unit may be identified in the Municipality's Zoning By-law.
- h) The Zoning By-law will establish provisions for the accommodation of Additional Residential units, including requirements for detached Additional Residential Units.

#### Middlesex Centre's Zoning By-law

The subject property is zoned 'Agricultural (A1)' in Middlesex Centre's Zoning By-law. Section 5.1 of the Zoning By-law outlines permitted uses and zoning standards for the Agricultural (A1) zone. Agricultural uses and a converted dwelling for a maximum of 2 units are currently permitted on the property. Further, the Zoning By-law does not define or permit *ambulatory mobile veterinarian hospitals* as an agricultural or agricultural-related use.

The requested zoning by-law amendment would add and define the following definition for an *Ambulatory Mobile Veterinarian Hospital* and permit it on the subject lands.

**AMBULATORY MOBILE VETERINARIAN HOSPITAL** means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site.

Further, the requested zoning by-law amendment would permit an additional residential unit within the agricultural building with a maximum gross floor area of 120 m<sup>2</sup> (1, 292 ft<sup>2</sup>). The floor area represents 55% of the floor area of the primary dwelling unit.

#### **Consultation:**

Notice of Complete Application and Public Meeting were circulated to agencies, as well as property owners in accordance with the *Planning Act* and Ontario Regulation 545/06 and 543/06.

Staff have not received any comments from the public at the time of writing this report.

## Agency Comments:

At the time of writing this report the following comments had been received:

The Municipality's Chief Building Official has not provided comments regarding the applications.

The Public Works and Engineering Department has not provided comments regarding the applications.

## Analysis:

### Ambulatory Mobile Veterinarian Hospital

The Official Plan does not specifically permit animal hospitals, however, it can be considered as an agriculture-related use as determined by OMAFRA's Permitted Uses Guidelines. Staff are satisfied that the proposed use does not result in the loss of productive farmland, is located within proximity to an existing building cluster, is required to be located within proximity to farming operations due to the nature of the business, does not result in significant demand on services, and is secondary to the primary agricultural use on the property. As it is not a primary agricultural building the building containing the Ambulatory Mobile Veterinarian Hospital may be subject to site plan approval. Moreover, the use is limited in scale and does not disrupt the agricultural operations on the property or surrounding farms.

Staff reviewed the proposed definition and believe that it complements the existing terms and uses in the Zoning By-law for an animal clinic and an animal hospital. Specifically, the proposed definition adequately describes that no animal treatment may occur on-site and the hospital is for the treatment of livestock, and not domestic animals. As such, staff recommend revising the term to "*Ambulatory Mobile Animal Hospital*" and retaining the definition provided by the applicant. To add extra clarity, staff recommend adding a sentence so that the use may not include an Animal Clinic.

Staff recommended the following definition: "**Ambulatory Mobile Animal Hospital** means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site. It may not include an Animal Clinic."

### Additional Residential Unit

The current Middlesex Centre Official Plan does not contain policies that permit additional residential units within agricultural areas, however, the Planning Act does not prohibit municipalities to establish policies that permit additional residential units in agricultural areas. As such, an amendment to the Official Plan is required and the following criteria should be examined:

**a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?**

The proposed amendment supports the Municipality's vision of providing a variety of housing types for current and future residents, as well as using resources wisely in terms of utilizing available private services. Furthermore, Additional Residential Units (ARU) will be part of the Municipality's Official Plan Review as they are permitted by the Planning Act and the Provincial Policy Statement.

The adopted Official Plan proposes additional direction for the creation of an ARU. Proposed policies include a maximum of 2 ARUs on a lot; demonstration of adequate servicing capacity; demonstration that the unit is not located within the natural heritage system, floodplain, or other hazardous areas; demonstration that the proposal complies with the Minimum Distance Separation; that the unit has a floor area of 49% or less of the primary residential unit; and that the zoning by-law will establish provisions for ARUs including those in detached structures.

The applicant has demonstrated that it meets the intent of the Official Plan with the exception of the floor area of the proposed unit.

**b) Is there a demonstrated need or justification for the proposed change?**

The proposal is justified by providing another form of housing to the applicants' family. In general, the intent of additional residential units is to provide supplementary income to the homeowner, provide other forms of housing, as well as assisting family members when it comes to housing requirements for aging relatives.

**c) Is the amendment in keeping with the Provincial and County policy?**

The proposal conforms to the Provincial Policy Statement and the current County Official Plan as the proposal is contributing to a variety of housing types, accommodated by private services, which is a supported form of servicing under the PPS when full municipal services are not available.

The County of Middlesex is undertaking a review of its Official Plan and proposes new policy to permit additional residential units across the County. Furthermore, additional residential units are supported by the Planning Act and the Provincial Policy Statement where additional residential units are permitted by municipalities across Ontario.

The proposed additional residential use will be contained within an agricultural building and does not appear to remove active agricultural land from production.

**d) What are the effects of the proposed change on the demand for Municipal services, infrastructure, and facilities?**

The subject property is proposed to be serviced by private services and there is no intended increase on the demand of Municipal services.

**e) Can the land affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?**

The applicant has indicated that a new septic bed and existing well will be used for the additional residential unit and the Ambulatory Mobile Animal Hospital. An appropriately sized and functioning septic system to support the additional residential unit will need to be reviewed prior to the issuance of a building permit to establish the structure permanently for both uses.

**f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?**

It is not anticipated that the additional residential unit will conflict with MDS setback requirements and impact the ability for the agricultural operation to continue. The applicant provided evidence that the proposed unit's location complies with the required MDS setbacks.

The proposed additional residential unit will use the same driveway as the rest of the agricultural operation and principal dwelling unit. It is not expected that the additional unit will result in significant impacts on the local traffic system.

The unit will be located in an agricultural building associated with the mobile animal hospital and is amongst other agricultural buildings and the principal dwelling unit. The building is setback from the roadway and oriented to minimize the appearance of the additional residential unit.



Planning staff reviewed the proposal and do not have concerns with the proposed uses on the subject lands. Nor is there concern with the location of agricultural building or the additional residential unit within an agricultural building as it generally meets the tests for an additional residential unit.

However, staff have concerns with the size of the additional residential unit as it represents 55% of the gross floor area of the principal dwelling. Many jurisdictions impose a maximum floor area (i.e. percentage of main dwelling, square footage) that is generally 40-49% and/or 1,000 ft<sup>2</sup> or less. The maximum is generally applied to avoid second standalone houses, limit the scale and intensity of the use, and to limit the overall size of units where the primary dwellings are significantly larger than the average size. While the unit is located within a separate building, the justification of the size is not based on existing conditions that requires the increased size. Further, if the unit was located in an accessory building it would not meet the standards of the Zoning By-law for accessory structures or uses. As such, staff recommend that an additional residential unit be permitted to a maximum of 49% of the main dwelling or roughly 109 m<sup>2</sup> (1, 173 ft<sup>2</sup>).

Given the above, planning staff determined that the requested Zoning By-law Amendment, as amended, and Official Plan Amendment are consistent with the Provincial Policy Statement, 2020, the County of Middlesex Official Plan, Middlesex Centre's Official Plan, and Middlesex Centre's Zoning By-law.

Staff recommend that the Official Plan Amendment be adopted as proposed and be forwarded to the County of Middlesex for consideration. Additionally, staff recommend that the Zoning By-law Amendment to permit the Ambulatory Mobile Animal Hospital and additional residential unit in an agricultural building with a maximum size of 109 m<sup>2</sup> be approved.

This opinion is provided prior to the public meeting and without the benefit of potentially receiving all comments from agencies or members of the public. Should new information arise regarding this proposal prior to or at the public meeting, Council is advised to take such information into account when considering the applications.

### **Financial Implications:**

None.

### **Strategic Plan:**

This matter aligns with following strategic priorities:

- Balanced Growth

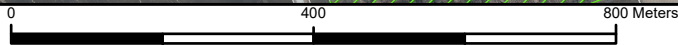
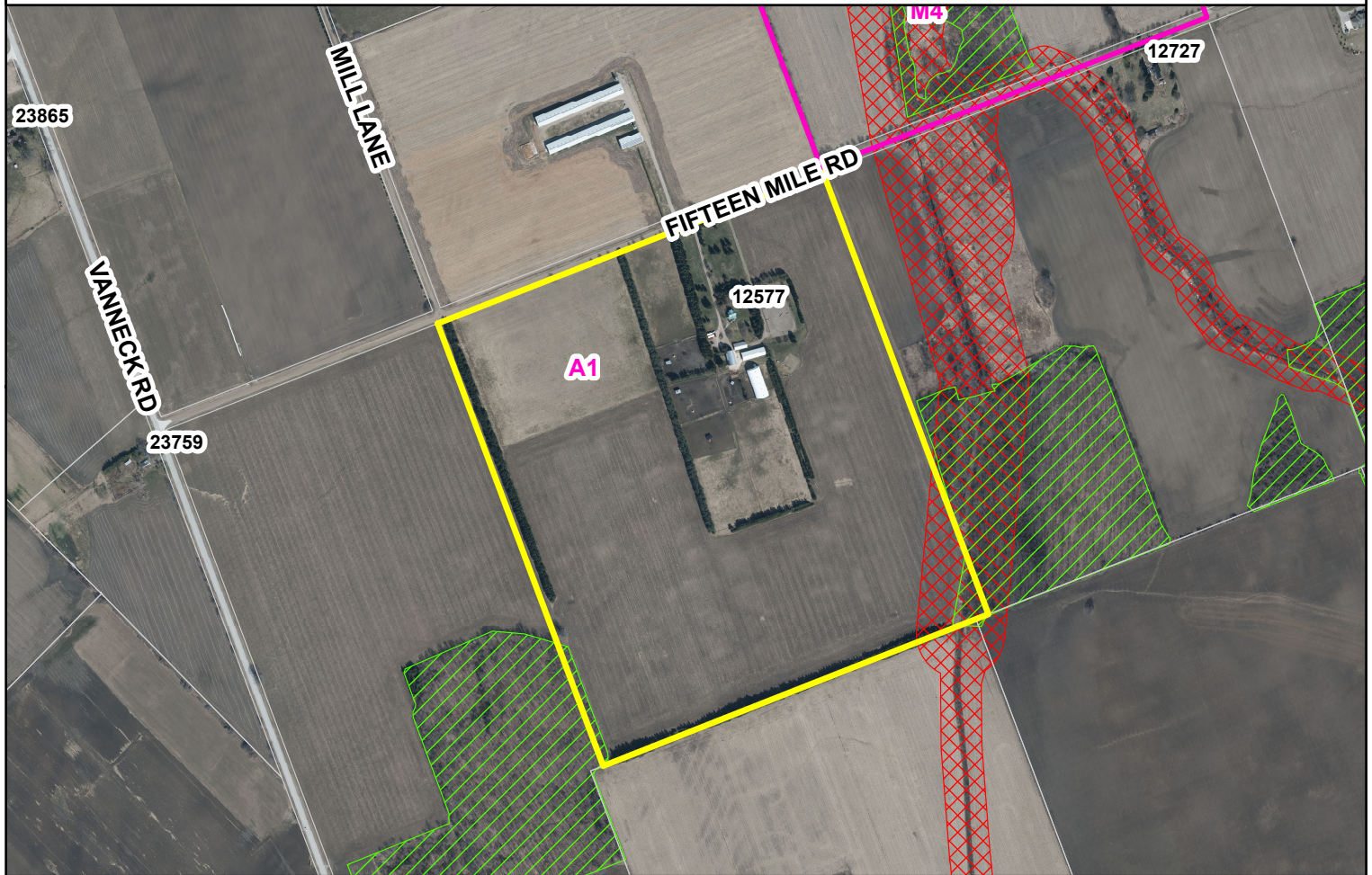
**Attachments:**

Attachment 1 – Location Map


Attachment 2 – Site Plan of property


Attachment 3 – Planning Justification Report

Attachment 4 – Draft Official Plan Amendment No. 60



## Legend

 Lands to be rezoned from "Agricultural (A1)" to a site-specific "Agricultural exception 40 (A1-40)" zone and redesignated from 'Agricultural' to 'Agricultural within Special Policy Area #42'

 Zone Boundary

 Parcels

 CA Regulated Area

 Significant Woodlands



LEGEND

SITE BOUNDARY

PROPERTY LINE (OTHERS)

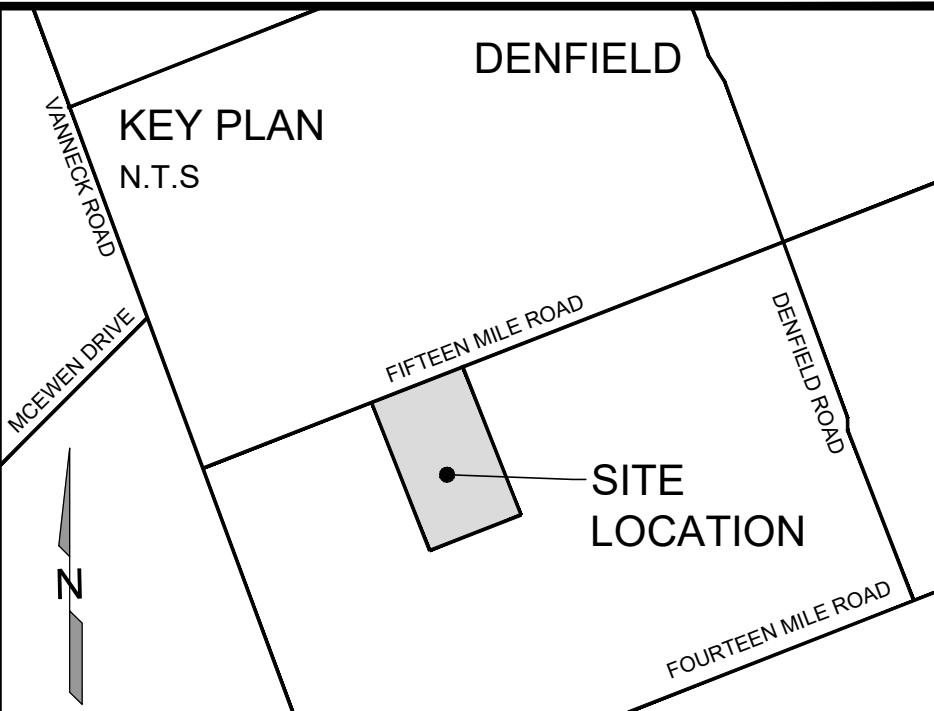
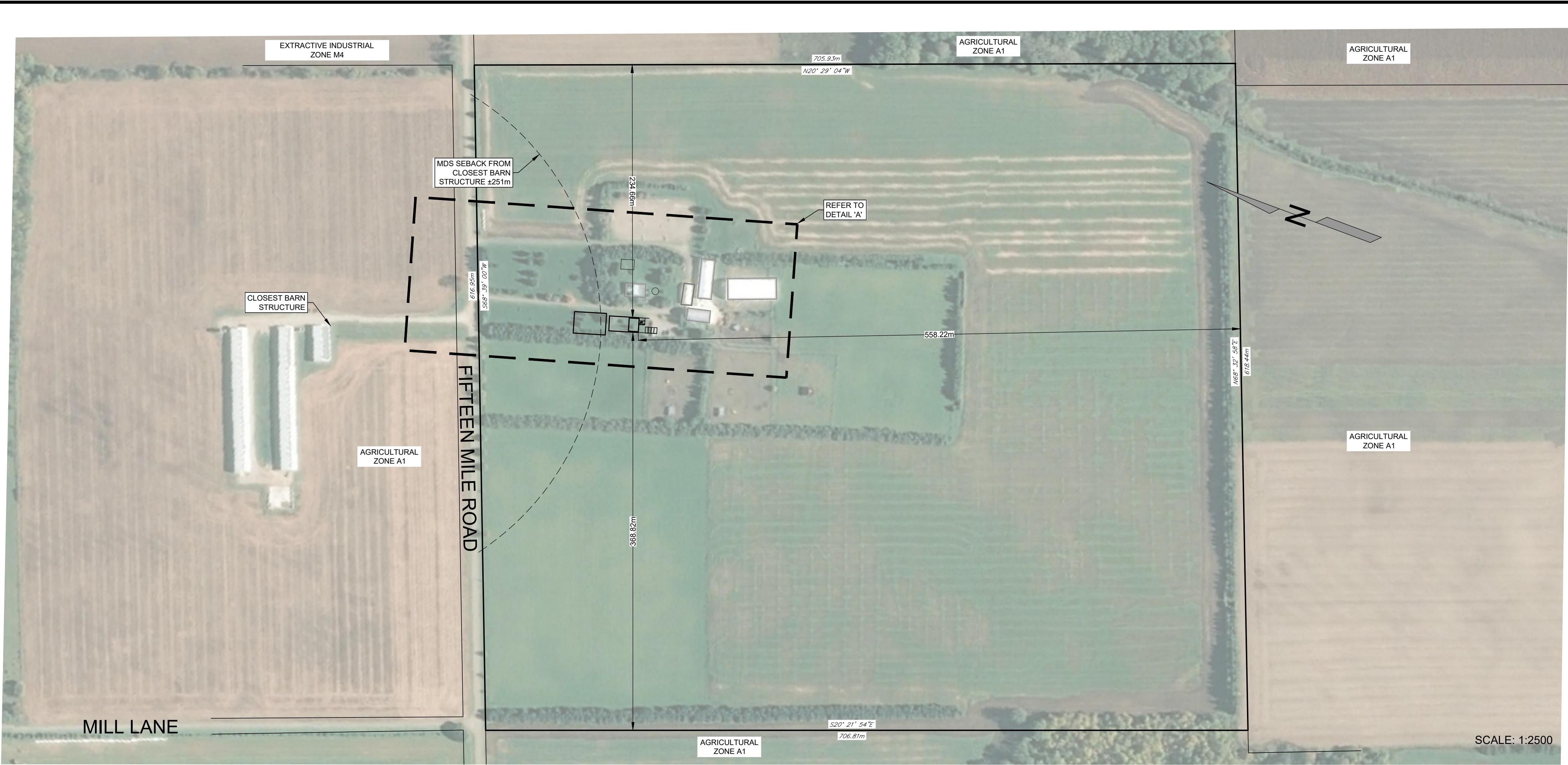
PROPOSED BUILDING

EX. BUILDING

ZONING INFORMATION:			
ZONING TYPE:	AGRICULTURAL ZONE		
ZONE:	A1		
	EXISTING	PROPOSED	REQUIRED BY ZONING BYLAW
LOT AREA	107.8ac	436190.07m <sup>2</sup>	40ha or 0.5ha (MIN.)
LOT FRONTAGE	617m	616.95m	300m or 30m (MIN.)
FRONT YARD DEPTH	136.2m	120.47m	15.0m (MIN.)
REAR YARD DEPTH	429.49m	429.49m	8.0m (MIN.)
INTERIOR SIDE YARD DEPTH	198.38m	198.38m	3.0m (MIN.)
LOT COVERAGE	X.Xm <sup>2</sup>	376.28m <sup>2</sup> (TOTAL) 111.48m <sup>2</sup> (DWELLING AND CLINIC)	20% (MAX.)
LANDSCAPED OPEN SPACE	N/A	N/A	N/A
TOTAL PARKING SPACES	N/A	6 SPACES	1 SPACE PER DWELLING = 2 SPACES 1 SPACE/30m <sup>2</sup> (VET CLINIC) = 111.48/30 = 4 SPACES
TOTAL BARRIER FREE PARKING SPACES	N/A	1 SPACES	1 SPACE PER 1-25 SPACES = 1 SPACE
TOTAL LOADING SPACES	N/A	0 SPACES	0 SPACE <250m <sup>2</sup> = 0 SPACE

% OF NEW PARKING AREA= 0.02%

% OF NEW BUILDING AREA= 0.09%



**CONTRACTOR NOTES:**  
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS TO THE ENGINEER PRIOR TO COMMENCEMENT OF WORK.  
ALL DRAWINGS SHALL REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REUSED WITHOUT THE ENGINEER'S WRITTEN PERMISSION. DRAWING SHOULD NOT BE SCALED FOR DIMENSIONS PURPOSES.  
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED. BEARING AND DISTANCES SHOWN WERE DERIVED FROM REGISTERED PLAN No. 448035.

BENCHMARK (GEODETIC)

ELEVATION:

BENCHMARK (SITE)

ELEVATION:

No.	ISSUED DESCRIPTION	DATE
1	ISSUED FOR REVIEW	2022-09-27
2		
3		
4		
5		

**GRIT**  
ENGINEERING INC.

PRELIMINARY

FIFTEEN MILE RD.  
NEW DEVELOPMENT

PROJECT INFORMATION: 12577 FIFTEEN MILE ROAD, DENFIELD, ON

JACKIE HENDERSON

CLIENT INFORMATION: 12577 FIFTEEN MILE ROAD, DENFIELD, ON

DRAWING NAME:

SITE PLAN

PROJECT No:	GE22-0246-1	DRAWING No:	C200
SCALE:	AS SHOWN	SHEET SET No:	1 OF 1



# Planning Justification Report

## MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT

12577 Fifteen Mile Road, Denfield, Middlesex Centre, Middlesex County, Ontario

---

November 2022

Prepared For:

**Stanley and Judy Henderson**  
12577 15 Mile Road  
Denfield ON  
NoM 1Po

Prepared By:

**Baker Planning Group**  
PO Box 23002 Stratford  
Stratford, ON  
N5A 7V8

1 INTRODUCTION	1
1-1 SUMMARY PLANNING OPINION	1
2 SITE OVERVIEW	3
2-1 SITE DESCRIPTION AND NEIGHBOURHOOD CONTEXT	3
3 PROPOSAL	4
3-1 PROPOSED DEVELOPMENT	4
3-2 PLANNING APPLICATIONS	4
4 TECHNICAL STUDIES	6
4-1 SITE SERVICING REPORT	6
5 PLANNING POLICY FRAMEWORK	7
5-1 PLANNING ACT	7
5-2 PROVINCIAL POLICY STATEMENT, 2020	10
5-3 MINIMUM DISTANCE SEPARATION, 2014	14
5-4 COUNTY OF MIDDLESEX OFFICIAL PLAN, 2006	15
5-5 OFFICIAL PLAN OF THE MUNICIPALITY OF MIDDLESEX CENTRE, 2018	<b>Error!</b>
<b>Bookmark not defined.</b>	
5-6 MUNICIPALITY OF MIDDLESEX CENTRE COMPREHENSIVE ZONING BY-LAW NO. 2005-005	19
6 SUMMARY	21



## 1 INTRODUCTION

On behalf of Stanley and Judy Henderson ("Owners") and Jackie Henderson ("Proponent"), Baker Planning Group is submitting Municipality of Middlesex Centre Official Plan and Zoning By-law Amendment Applications (the "Applications") for the lands known municipally as 12577 Fifteen Mile Road, Denfield, Ontario ("Site"). The Site is legally known as Concession 14 N, Part lot 31.

The Site is 43.6 hectares in size, with 617 metres of frontage on Fifteen Mile Road and approximately 707 metres of depth. The Site is used for agricultural purposes, consisting mostly of agricultural fields with a cluster of agricultural buildings and a single detached dwelling.

Located approximately 1.3 kilometres to the southwest of the Hamlet of Denfield, the Site is designated as "Agricultural Area" in the County of Middlesex Official Plan, and "Agriculture" in the Middlesex Centre Official Plan. The Site also has a "Floodplain" overlay on account of the watercourse at the southeast of the Site, however, this does not apply to the area of the Site subject to development. In keeping with the Official Plan, the Site is zoned "Agricultural (A1)" in the Middlesex Centre Zoning By-law.

The Owner is proposing to establish an ambulatory mobile veterinarian clinic and second dwelling unit, in addition to the uses existing on the Site ("Proposed Development"). The Proposed Development will consist of two (2) two-storey building 376 m<sup>2</sup> in size and be serviced by a new septic bed and the existing well. The clinic will not house animals or have customers/visitors, but rather serve as an office and storage building to support the proposed use, which involves travelling to other locations to provide veterinarian services as needed. The second dwelling unit will be accommodated in the second storey of the proposed building and will provide a residence for the owner's family to continue to reside on the property.

As part of the Applications, a site servicing study and Minimum Distance Separation calculations are provided. The Planning Justification Report is being prepared to fulfill the submission requirements set out by Middlesex County and the Municipality of Middlesex Centre. The Report provides a summary of the applicable land use policies and will address the appropriateness of the application and if it constitutes good land use planning.

### 1-1 SUMMARY PLANNING OPINION

It is our professional opinion that the proposed Middlesex Centre Official Plan Amendment and Middlesex Centre Zoning By-law Amendment provide for the efficient and appropriate use of land being an agriculture-related use with an associated dwelling unit. In evaluating the inter-relationship between provincial, county, and local planning policies, it is our opinion that the Applications represent good land use planning, are appropriate and are in the public interest. This opinion is supported by the following:

- The Proposed Development provides for a use and service supportive of agriculture which benefits from being in close proximity to agricultural uses;

- The Proposed Development is compatible with the surrounding land uses, which are predominantly agricultural, and does not reduce the Site's agricultural potential;
- The appropriate technical studies have been conducted and are supportive of the Proposed Development, finding it can be adequately serviced through a combination of existing and proposed private servicing, and complying with MDS Guidelines;
- The Proposed Development is consistent with the PPS, utilizing an appropriate opportunity for residential intensification and being consistent with the criteria for agriculture-related uses;
- The Proposed Development conforms to the general intent of the County OP and Middlesex Centre OP, including criteria for agriculture-related uses. The proposed Official Plan amendment requests minor modification to policy which permits second dwelling units on agricultural lands; and
- The Proposed Development complies with the established zoning regulations and permitted uses, except for matters addressed in the proposed amendment including definition clarification and added permissions for the second dwelling unit.

## 2 SITE OVERVIEW

Found on the southeastern corner of the intersection between Fifteen Mile Road and Mill Lane, the Site is rectangular, composed generally of agricultural fields, with supporting agricultural buildings and a single detached dwelling. The total area of the Site is approximately 43.6 hectares in size and generally flat. The existing dwelling unit is approximately 220 square metres in size (first and second floor).

There is a minor watercourse which passes through the southeast corner of the Site.

The Site is generally surrounded by agricultural uses on all sides, with the Hamlet of Denfield approximately 1.3 kilometres to the east along Fifteen Mile Road.

## 3 PROPOSAL

### 3-1 PROPOSED DEVELOPMENT

The Proposed Development consists of a new single building, to be constructed to the south of the existing primary dwelling. The new building is proposed to be 376 square metres in size and will include the following components:

- Storage for the existing agricultural operation
- Ambulatory clinic, with offices, storage and parking for the service van
- Secondary suite with a maximum floor area of 120 square metres, being 55% of the size of the main dwelling unit

The proposed use will be supported by the existing well and a new septic bed, proposed to be located in the front yard of the proposed building. The Site has adequate parking for the proposed and existing uses.

### 3-2 PLANNING APPLICATIONS

To implement the Proposed Development, the following planning applications are required:

1. Middlesex Centre Official Plan Amendment
2. Middlesex Centre Zoning By-law Amendment

This section of the report provides the outline and intent of each of the proposed applications, to be further analyzed with regard to the applicable policies throughout the report.

#### **Middlesex Centre Official Plan Amendment**

To permit the Proposed Development of the Site, an Official Plan Amendment to the Middlesex Centre Official Plan is required to permit a second dwelling unit on the existing agricultural lot in a secondary structure, whereas second dwelling units are otherwise permitted only within the primary residential dwelling.

#### **Municipality of Middlesex Centre Zoning By-law Amendment**

To permit the Proposed Development, a Zoning By-law Amendment is required for two purposes:

1. To permit a second dwelling unit on the existing lot in the form of a one-unit apartment dwelling, defined in the Zoning By-law as:

*2.55 (a) APARTMENT DWELLING means a dwelling unit contained within an apartment building, or a dwelling unit contained within a building which may have one or more permitted uses other than residential on the first floor.*

2. To permit an ambulatory mobile veterinarian clinic as an agriculture-related use. This requires a new definition for the Zoning By-law, proposed as:

*AMBULATORY MOBILE VETERINARIAN HOSPITAL means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site.*

3. To permit the second dwelling unit to have a maximum gross floor area of 120 square metres.

---

## 4 TECHNICAL STUDIES

This section of the report provides a summary of the supporting technical studies to the Applications and how they affect the Proposed Development. For more detail, refer to the respective attached studies.

### 4-1 SITE SERVICING REPORT

GRIT Engineering was retained by the Owners to complete a Functional Servicing Brief in support of the Applications. The Brief provides a summary of the general servicing strategy, including the requirement for a new septic bed and the use the existing well.



## 5 PLANNING POLICY FRAMEWORK

This section of the Planning Justification Report provides an overview of the relevant planning policies to the Proposed Development and Applications. An analysis of the policies and regulations is provided within each section below.

### 5-1 PLANNING ACT

The *Planning Act, R.S.O. 1990, CHAPTER P.13*, provides provincial legislation that “sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.”

Section 2 of the Planning Act (“the Act”) outlines the matters of provincial interest that the council of a municipality, a planning board and the Local Planning Appeal Tribunal shall have regard to in carrying out their responsibilities under the Act. The following table provides a summary of the provincial interests, along with an analysis as it relates to the Proposed Development and the subject Applications.

**Table 5-1: Summary of Provincial Interest**

Section	Provincial Interest	Analysis
a)	the protection of ecological systems, including natural areas, features and functions	All land involved with the Proposed Development is located outside any natural feature and function and the required buffers.
b)	the protection of the agricultural resources of the Province	The Site is used for agricultural purposes, however, agriculture-related uses are permitted in the PPS. Nevertheless, the Proposed Development occupies a small portion of the land not currently used for agriculture. The Minimum Distance Separation calculations demonstrate that the proposed use will not create further limitations on the construction of livestock facilities on surrounding agricultural properties.
c)	the conservation and management of natural resources and the mineral resource base	The Site is not identified as having mineral or natural resources that would be affected by the Proposed Development.
d)	the conservation of features of significant architectural, cultural, historical,	The Site is not identified as having significant architectural, cultural, historical, archaeological or scientific interest.

Section	Provincial Interest	Analysis
	archaeological or scientific interest	
e)	the supply, efficient use and conservation of energy and water	The Proposed Development can utilize the existing private well on the Site.
f)	the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	<ul style="list-style-type: none"> <li>• Communication services are available to the Site.</li> <li>• Adequate road access is provided, conforming to all relevant standards.</li> <li>• Development on the Site can be adequately serviced by private water and septic.</li> <li>• Development on the Site will be designed such that waste management can be accommodated.</li> </ul>
g)	the minimization of waste	The Owners will explore opportunities to minimize waste through the construction process, should the application be approved.
h)	the orderly development of safe and healthy communities	The Proposed Development will have safe vehicle access to Fifteen Mile Road and does not present any obstacles to the safety and health of the community.
h.1)	the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	The Proposed Development, at a high level, is accessible to individuals of all abilities. Through future planning applications, including any necessary Site Plan Agreements and Building Permit Applications, accessibility will be addressed at a more specific level.
i)	the adequate provision and distribution of educational, health, social, cultural and recreational facilities	The Proposed Development contributes to the community as a livestock care and treatment resource.
j)	the adequate provision of a full range of housing, including affordable housing	The Proposed Development provides for the opportunity to add an additional residential dwelling to diversify the housing options and increase affordability in Middlesex Centre.
k)	the adequate provision of employment opportunities	The proposed ambulatory mobile veterinarian clinic will contribute to employment opportunities.

Section	Provincial Interest	Analysis
l)	the protection of the financial and economic well-being of the Province and its municipalities	The efficient use of land and development of an agriculture-related use on an underutilized portion of the land contributes to the financial and economic well-being of the province and municipality.
m)	the co-ordination of planning activities of public bodies	To be addressed through the circulation of the planning applications to applicable public bodies.
n)	the resolution of planning conflicts involving public and private interests	Planning conflicts involving public and private interests have not been identified.
o)	the protection of public health and safety	<ul style="list-style-type: none"> <li>• The proposed uses will be safely privately serviced.</li> <li>• The Proposed Development will not generate significant traffic, with no visitors/customers visiting the Site.</li> </ul>
p)	the appropriate location of growth and development	<p>The Site is designated and zoned for agricultural uses. As detailed in Section 5-2 of this report, agriculture-related uses are permitted in these areas.</p> <p>The Proposed Development will support an essential service for farming and livestock operations, benefitting from locating in an agricultural area, proximate to probable clientele.</p>
q)	the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	Public transit is not available in the surrounding area. Adding an additional dwelling unit on the Site promotes ride-sharing opportunities.
r)	the promotion of built form that:	The Proposed Development will ultimately affect the character of the Site and area insignificantly, maintaining the existing rural character of the area.
r.i)	is well-designed	
r.ii)	encourages a sense of place	
r.iii)	provides for public spaces that are of high quality, safe,	No public spaces are proposed as part of this development.

Section	Provincial Interest	Analysis
	accessible, attractive and vibrant	
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate	Locating the Proposed Development in the agricultural area, as opposed to an urban settlement, likely will result in shorter vehicle trips, contributing to the mitigation of climate change.

In summary, the Proposed Development and implementing Applications have regard for matters of public interest by supporting the surrounding agricultural uses while effectively implementing an agriculture-related use consistent with provincial policy.

## 5-2 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement, 2020 ("PPS") is a province-wide policy document that sets the foundation for regulating development and the use of land. The PPS is issued under Section 3 of the Planning Act. The PPS "provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment." The document is to be read in its entirety and all relevant policies are to be considered. Municipal official plans are the most important vehicle for implementing the PPS and for achieving comprehensive, integrated and long-term planning.

Section 1.1 of the PPS outlines the general policies for the development of efficient and resilient land use patterns and growth. Specifically, Section 1.1.1 outlines the policies to create sustainable, healthy, liveable and safe communities, including:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

Section 1.1.4 outlines policies to support the importance of rural areas. Section 1.1.4.1 identifies healthy, integrated and viable rural areas should be supported by, including but not limited to:

- a) building upon rural character, and leveraging rural amenities and assets;
- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- e) using rural infrastructure and public service facilities efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; and
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

Section 1.1.5 further details policies for development on rural lands, including permitting uses of residential development, agricultural uses, and agriculture-related uses. Policy 1.1.5.8 provides that new land uses shall comply with the minimum distance separation formulae.

Section 1.4 of the PPS details policies for housing, including that planning authorities are to provide for an appropriate range and mix of housing options. To this end, Policy 1.4.3 (b) directs authorities to permit and facilitate:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

Section 2.3.3.1 of the PPS states that in prime agricultural areas, permitted uses and activities include agricultural uses, agriculture-related uses and on-farm diversified uses. The PPS defines an “agriculture-related use” as:

*“Those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.”*

Agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

Section 1.7 of the PPS provides a detailed list of policies to support long-term economic prosperity in the Province, and includes:

- a) promoting opportunities for economic development and community investment-readiness; and

- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.

#### Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, 2016

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) document *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas* ("Guidelines") was written to provide additional guidance for "municipalities, decision-makers, farmers and others (to) interpret the policies in the Provincial Policy Statement, 2020 (PPS) on the uses that are permitted in prime agricultural areas." It specifically addresses the permission in the PPS for agriculture-related uses within prime agricultural areas.

Section 1.3 outlines that the criteria for the uses permitted in *prime agricultural areas* revolve around two key objectives:

1. maintaining the land base for agriculture (PPS Policy 2.3.1)
2. supporting a thriving agricultural industry and rural economy (PPS Vision and PPS Policy 1.1.4).

Section 2.2 of the Guidelines provides a summary of the ways in which agriculture-related uses contribute to the vitality and economic viability of prime agricultural areas because they are directly related to and service farm operations in the area as a primary activity. The Guidelines provide for a detailed set of criteria to evaluate whether a proposed use is considered to be agriculture-related.

The following table provides a summary of the Guidelines' criteria in relation to the proposed ambulatory mobile veterinarian clinic:

**Table 5-2: PPS Criteria for Agriculture-Related Uses**

S. 2.2.1.	Criteria	Analysis
1	Farm-related commercial and farm-related industrial uses	Section 2.2.1.1 provides that "farm-related commercial uses may include uses such as retailing of agriculture-related products (e.g., farm supply co-ops, farmers' markets and retailers of value-added products like wine or cider made from produce grown in the area), livestock assembly yards and farm equipment repair shops if they meet all the criteria for this category of uses." It is our opinion that the Proposed Development is consistent with this definition as it will provide a service essential to the livestock operations such as the examples given.
2	Shall be compatible with	The Proposed Development would not impair or convenience the ability for the surrounding agricultural operations to



S. 2.2.1.	Criteria	Analysis
	and shall not hinder surrounding agricultural operations	<p>pursue their agricultural practices. It is our opinion that the proposed use would not significantly contribute to noise, odour, traffic, or other sources of conflict.</p> <p>The Proposed Development is appropriate for the available rural services, including private water and septic servicing. There is no need for public services that would be exclusively found in a settlement area.</p> <p>The proposed development does not detract from the agricultural character of the area as the land subject to rezoning/development is minor in comparison to the overall property. The proposed structure is setback approximately 120 metres from the public road</p> <p>The cumulative impact of the proposal is limited and will not undermine the agricultural nature of the area or give rise to issues regarding traffic, noise, odour, or safety considerations.</p> <p>The proposed building complies with the required MDS setbacks.</p>
3	Directly related to farm operations in the area	<p>The proposed ambulatory mobile veterinarian clinic will support the treatment and medical care of livestock in the area, directly related and beneficial to the farming operations of the area. Direct proximity is important for efficient access to and from the farms which this operation will service.</p>
4	Supports agriculture	The proposed ambulatory mobile veterinarian clinic will support agriculture by providing livestock care as its primary activity.
5	Provides direct products and/or services to farm operations as a primary activity	The proposed use will directly service area farm operations by providing livestock care as its primary activity.
6	Benefits from being in close proximity to farm operations	Proximity to farming operations responsible for livestock is an important factor to increase efficiency of transportation times. An equivalent ambulatory mobile veterinarian clinic operation in the nearest settlement area would likely result in longer transport time and increased emissions, as well as being less compatible with the predominantly residential character of the settlement areas.

Section 2.5 addresses tools for municipalities to implement the PPS permitted uses policies. Section 2.5.1 outlines that local official plans are the most important tool for implementing the PPS and the Guidelines with respect to agriculture-related uses.

## Planning Analysis

The Proposed Development and implementing Applications are consistent with the PPS and have regard for the applicable policies and guidelines as outlined above.

The Proposed Development provides a service that supports livestock farming operations through the provision of veterinary care, a use which meets the criteria for an agriculture-related use. It also provides for an additional residential unit on the Site, making efficient use of the land and proposed structure.

There are no natural heritage or significant natural features on the Site that would be affected by the Proposed Development. There is no anticipated significant increase in noise or traffic due to the proposed use due to the infrequency of vehicle ingress and egress.

The Proposed Development is compatible with the surrounding agriculture character and does not hinder nor impact area agricultural operations. The agriculture-related use will assist in supporting and sustaining the local agricultural system, particularly livestock operators. As such, it is our opinion that the proposed development is consistent with the PPS and related guidelines.

### 5-3 MINIMUM DISTANCE SEPARATION, 2014

The Minimum Distance Separation (MDS) Document is a land use planning tool developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to prevent land use conflicts and minimize nuisance complaints from odour. The MDS Document consists of a set of guidelines that provide setbacks between sensitive land uses and livestock facilities. As the Site is located adjacent to an agricultural area and the Official Plan Amendment seeks to expand the settlement area, the evaluation of MDS is required by the PPS (Section 1.1.3.8).

Guideline #2 states that minimum distance separation distances between a new sensitive land use and an existing livestock facility shall comply with the MDS I Guidelines. Guideline #8 and #10 provide that MDS I setbacks are necessary for lot creation and/or Official Plan and Zoning By-law Amendments. Guideline #33 and #34 define land uses which are Type A (Less Sensitive) or Type B (More Sensitive).

The uses within Proposed Development fall into the Type B (More Sensitive) category as they are characterized by a higher density of human occupancy, habitation, and activity. With the above noted, the MDS I calculations were carried out and found that the Site to be within the MDS buffer of one odour sources.

#### 5-4 COUNTY OF MIDDLESEX OFFICIAL PLAN, 2006

The purpose of the County of Middlesex Official Plan ("County OP") as stated in Section 1.3, is that it is one tool to be used in working towards a long-term vision for the County. The County OP establishes an upper tier policy framework, providing guidance to local municipalities in preparation of Official Plans and Zoning By-laws.

The Site is designated as "Agricultural Area" on Schedule A of the County OP. Policies for Agricultural Areas are provided in Section 3.3 of the County OP including permitted uses which include agricultural and related uses, and "up to two farm residences provided the second farm residence is a temporary residential unit."

Section 2.3 of the County OP sets out the framework for growth management in the County, with Section 2.3.4 thereof providing policies for economic development which encourage provision of a mix of housing to ensure a sufficient labour force and reduce need for commuting. Section 2.3.7 provides further general policies on housing including supporting intensification in forms such as conversion of detached dwellings to multiple units and permitting apartments in houses, subject to appropriate criteria and conditions.

Section 2.3.9 identifies policies for the Agricultural Area with relation to growth management, and states that, in addition to the policies of Section 3.3.5, agriculture-related uses shall be directed to Settlement Areas except where they are essential to the functioning of agriculture, require a location in close proximity to agriculture, or would cause conflicts in Settlement Areas.

Section 3.3.5 of the County OP addresses farm related commercial and industrial uses in more detail, providing that such developments, including those directly related to veterinary clinics, are permitted provided the following policies are considered:

- a) the commercial or industrial operation cannot reasonably be located in a Settlement Area and must be located in proximity to farming activities;
- b) such uses shall be located to conform with the Minimum Distance Separation Formula;
- c) an amendment to the Zoning By-law is approved;
- d) the commercial or industrial use shall not require large volumes of water nor generate large volumes of effluent and shall be serviced with appropriate water supply and sewage treatment facilities;
- e) commercial and industrial uses shall be located and designed to minimize potential adverse impacts upon adjacent residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout;
- f) the location of commercial and industrial uses must provide for a minimum sight distances from the access points in either direction along a County or local road; and
- g) the site plan policies of the local official plan.

## Planning Analysis

It is our opinion that the Proposed Development, including the additional dwelling unit and ambulatory mobile veterinarian clinic, conforms to the County OP. The proposed ambulatory mobile veterinarian clinic use is supported among the other possible agriculture-related uses, subject to appropriate conditions addressed in other related policies, such as through Zoning By-law Amendment and Minimum Distance Separation Formulae, as addressed in this report.

The County OP is generally supportive of intensification where it can be appropriately managed, directing local municipalities to provide policies enabling additional apartment dwelling(s). Accordingly, it is our opinion that the Proposed Development conforms with the general intent and vision of the County OP.

### 5-5 OFFICIAL PLAN OF THE MUNICIPALITY OF MIDDLESEX CENTRE, 2018

The Official Plan of the Municipality of Middlesex Centre, 2018 ("OP") is intended "to provide for the orderly growth and development of the Municipality and provide guidance in the management of change" and provides goals and policies to do so (Section 1.2).

The Site is designated "Agriculture" in the Middlesex Centre Official Plan and has a "Floodplain" overlay on account of the watercourse at the southeast of the Site. However, the floodplain does not apply to the area of the Site subject to development.

Section 2.0 of the OP addresses goals and policies for lands in the Agriculture designation. The goals for the designation include protecting these areas from interference or encroachment from conflicting land uses and enhancing the economic viability of farm operations wherever possible.

Policy 2.2(a) provides that non-agricultural urban uses within agricultural areas are prohibited, unless specifically permitted within Section 2.0 of the OP. Section 2.3 specifically identifies the permitted uses, identifying that agriculture and agriculture-related uses are the predominant uses. Section 12.0 of the OP defines *Agriculture-Related Uses* as:

*Agriculture-Related Uses are defined as farm-related commercial and farm related industrial uses that are directly related to a farm operation, and are small in scale.*

Criteria for the approval of a new agriculture-related use are set out in Section 2.4 and must be approved through Zoning By-law Amendment. These criteria are as follows:

**Table 5-3: Criteria for Agriculture-Related Uses (Section 2.4)**

Criteria	Analysis
a) The loss of productive farm land in the accommodating of such uses, shall be discouraged. Uses will be encouraged to locate on lands of lower soil capability or lands proven to be unsuitable for farming due to lot size, shape or topography.	The Proposed Development is situated on a portion of the agricultural land which is not used directly for farming or agricultural activities. The area where it is to be located is currently occupied by manicured lawn, and due to the configuration of existing trees, could not be used for productive agriculture.
b) The amount of land devoted to the use shall include only the minimum necessary to support the use and its servicing needs.	The Proposed Development is minimal in nature, utilizing the existing gravel parking and being small in nature, in comparison to the scale of the Site, with the proposed structure comprising only 0.09% of the Site. The supporting septic bed is designed to be an appropriate size for the scale of the use. Water and vehicle access are provided through existing infrastructure.
c) The use must not require municipal sewer or water services. The method of servicing shall require approval by the appropriate regulatory bodies. Any industrial use shall be "dry" in nature.	The Proposed Development will be privately serviced through existing and proposed infrastructure as noted above.
d) Access shall be available from a public road of reasonable construction and year round maintenance. Development is encouraged on a hard-surface, dust-free road.	Access is accommodated from Fifteen Mile Road, which is gravel, typical of the existing roads in agricultural areas. Substantial traffic is not anticipated as a result of the proposed use.
e) A site plan agreement shall be entered into with the Municipality. Such an agreement will require particulars relating to, at a minimum, access, traffic, drainage, and grading.	To be addressed following approval of the current Applications.
g) Compliance with minimum distance separation shall be required where a proposed agriculturally related commercial or industrial use is in proximity to livestock and/or poultry operations. The Municipality may	As outlined in Section 5-3 of this Report, the proposal complies with the MDS setback.

Criteria	Analysis
<p>exercise discretion, through the consideration of Minor Variance applications, based on the proposed type of commercial or industrial use, and the extent of its sensitivity to agricultural activities. Input from the appropriate agencies with respect to Minor Variance request will be sought by the Municipality. This Plan recognizes that such agriculturally related commercial or industrial uses may also have negative impacts on adjacent agricultural operations. Minimum distance separation shall also be used to address impact of such uses on sensitive agricultural uses.</p>	
<p>h) Adequate separation distances and buffering shall be required where such uses are proposed adjacent to existing residential or other sensitive uses. Adequate visual buffering or landscaping will be required where such uses may generally impact the agricultural or rural character of the Municipality.</p>	<p>There are no residential uses in the area other than the existing detached dwelling and the proposed apartment dwelling. It is our opinion that the uses are compatible and will not lead to unacceptable adverse effects. The Proposed Development will generally be screened from the public road and neighbouring properties due to vegetation.</p>

Section 9.6 of the OP permits the conversion of an existing principal farm dwelling to add a second unit, subject to the requirements of the Zoning By-law. However, second units must be accommodated within the existing building and cannot require an addition to facilitate the conversion.

Section 10.1 provides the minimum criteria for consideration by the Municipality when reviewing an application to amend the OP:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?
- d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?



- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

## Planning Analysis

To facilitate the Proposed Development, an Official Plan Amendment is required to permit the second residential unit on the lands through site-specific permissions expanding upon Section 9.6 of the OP, which permits second units where additions to existing buildings are not required.

### Proposed Official Plan Amendment

*Notwithstanding policies to the contrary, a second dwelling unit is permitted, provided it is accessed from the existing driveway and is located proximate to the primary dwelling unit.*

It is our opinion that the general intent of the OP is upheld through the Proposed Development. Agriculture-related uses are permitted subject to the criteria described above, which is met by the Proposed Development. Since a new structure is required to facilitate the proposed use, adding an additional dwelling unit through this opportunity is an efficient use of land and resources. This approach is consistent with the PPS, where opportunities for residential intensification and additional residential units are supported. Further, the County OP supports a mix of housing to ensure a sufficient labour force and reduce need for commuting.

The Proposed Development does not affect the demand for municipal services, as it will be serviced privately and is not expected to generate significant traffic. The proposed use does not interfere with or encroach upon the existing agricultural uses as the Proposed Development is located on a portion of land not directly used for agriculture. No negative impacts to surrounding land uses, traffic, infrastructure, the character of the area, or the natural environment.

It is our opinion that the Proposed Development conforms to the OP and represents good land use planning.

## **5-5 DRAFT OFFICIAL PLAN OF THE MUNICIPALITY OF MIDDLESEX CENTRE, 2022**

The Municipality of Middlesex Centre adopted a new Official Plan on 2018 ("New OP"). The Site continues to be designated as "Agriculture"; however additional policies have been included that further support the Proposed Development (red denotes new policy text):

- 2.1 g) To promote and encourage a wide range and scale of on-farm diversified uses and **agriculture-related businesses**, in accordance with provincial guidelines, which provide the opportunity for farm operators to earn a supplementary income in a manner that minimizes the use of prime agricultural lands.
- 2.4 **Proposals for Agriculture-Related Uses within the Agriculture designation shall require a zoning by-law amendment to permit the specific use proposed and to establish development standards appropriate for the proposal. Proposals** shall be compatible with surrounding agricultural areas and shall be subject to Site Plan Control under Section 10.5 of this Plan, having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.
- 2.4 e) **The nature of the use shall be directly related to farm operations in the area and shall provide direct products or services to farm operations as a primary activity (e.g. food processing, grain drying facility, mill, abattoir, etc.).**

## 5-7 MUNICIPALITY OF MIDDLESEX CENTRE COMPREHENSIVE ZONING BY-LAW NO. 2005-005

The Middlesex Centre Zoning By-law zones the Site as "Agricultural (A1)". The A1 zone permits uses including but not limited to: agriculture, accessory uses, dog kennels, riding schools, and single detached dwellings. For a complete list, see Section 5.1 of the Zoning By-law. Agriculture-related uses are permitted, as identified in the OP, subject to a Zoning By-law Amendment adherent to the criteria of Section 2.4 of the OP.

The A1 zone provides a set of zoning regulations for the Site. The Proposed Development's compliance with these regulations is outlined in the following table.

**Table 5-4: A1 Zone Regulations**

Regulation (Minimum unless otherwise stated)	A1	Proposed Development	Complies?
Lot Area	40.0 ha	43.6 ha	Yes
Lot Frontage	300.0 m	617.0 m	Yes
Front Yard	6 m	120.5 m	Yes
Side Yard (Dwellings)	3.0 m	198.4 m	Yes
Side Yard (Other Use)	4.5 m	234.7 m	Yes
Rear yard	8.0 m	558.2 m	Yes
Floor Area (Single Detached Dwelling)	90.0 sq.m	> 90 sq.m	Yes

Regulation (Minimum unless otherwise stated)	A1	Proposed Development	Complies?
Maximum Height	12.0 m	<12.0 m	Yes
Maximum Lot Coverage	20%	< 20%	Yes
Maximum Number of Dwelling per Lot	1	2	Yes

To permit the Proposed Development, a Zoning By-law Amendment is required for two purposes:

1. To permit a second dwelling unit on the existing lot in the form of a one-unit apartment dwelling, defined in the Zoning By-law as:

*2.55 (a) APARTMENT DWELLING means a dwelling unit contained within an apartment building, or a dwelling unit contained within a building which may have one or more permitted uses other than residential on the first floor.*

2. To permit an ambulatory mobile veterinarian clinic as an agriculture-related use. This requires a new definition for the Zoning By-law, proposed as:

*AMBULATORY MOBILE VETERINARIAN HOSPITAL means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site.*

3. To permit the second dwelling unit to have a maximum gross floor area of 120 square metres.

The intent of the site-specific provisions for the second dwelling unit GFA is to ensure that the unit is clearly secondary and ancillary to the primary dwelling unit on the Site. The proposed floor area equates to 55% of the floor area of the primary dwelling unit, while providing for a size that is suitable for the family to allow for aging-in-place and the transition of the farm property to the next generation. The second dwelling unit is located proximate to the existing dwelling and shares the existing driveway. In combination with the second dwelling unit being located in the proposed accessory building (farm storage and ambulatory mobile veterinarian hospital), the unit could not be severed from the farm unit.

## 6 SUMMARY

The Owners of the land municipally known as 12577 Fifteen Mile Road, Denfield, Ontario is proposing Applications to permit an agriculture-related use being an ambulatory mobile veterinarian clinic and a second dwelling unit within the same structure. To permit the Proposed Development, the Owner applies for Municipality of Middlesex Centre Official Plan and Zoning By-law Amendment Applications.

It is our professional opinion that the Proposed Development and implementing Applications, in evaluating the inter-relationship between provincial, county, and local planning policies, represent good land use planning, are appropriate, and are in the public interest. This opinion is supported by the following.

The proposed secondary dwelling unit is consistent with the PPS as it improves local housing options in the area and reduces commute times. The ambulatory mobile veterinarian clinic is an appropriate agriculture-related use in accordance with provincial, county and local policy. The use will support the surrounding agricultural operations and benefit from the close proximity. Both proposed uses are compatible with the Site and area, further evidenced by compliance with the MDS Guidelines.

The Proposed Development has regard for matters of provincial interest, representing safe and orderly development, and generally conforming to local planning policies. Further, it is consistent with the PPS, efficiently using land and resources, providing for a mix of housing types, having regard for land use compatibility, and being consistent with policies on agriculture-related uses. The Proposed Development does not impact the existing farming operations on the Site, as it is located on a portion not used for agriculture.

Finally, the Proposed Development generally conforms to the County and local Official Plans, where second dwelling units on farms are contemplated. It is our opinion that the proposed expansion of this permission to support an apartment unit in the same building as the agriculture-related use is logical, efficient, and represents good land use planning.



**Municipality of Middlesex Centre**  
**By-Law 2023-XXX**

**Being a By-Law to adopt Amendment No. 60 to the Official Plan of Middlesex Centre**

**WHEREAS** the Council of the Municipality of Middlesex Centre deems it advisable to amend the Middlesex Centre Official Plan;

**AND WHEREAS** this amendment is consistent with the Provincial Policy Statement, 2020 and is in conformity with the County of Middlesex Official Plan;

**THEREFORE** the Council of the Municipality of Middlesex Centre, in accordance with the provisions of Section 21 of the *Planning Act*, R.S.O. 1990, c. P. 13, hereby enacts as follows:

1. Amendment No. 60 to the Official Plan of the Municipality of Middlesex Centre consisting of the attached text and map schedule is hereby adopted.
2. The Clerk is hereby authorized to make application to the County of Middlesex for approval of the aforementioned Amendment No. 60 to the Official Plan of the Municipality of Middlesex Centre.
3. The By-Law shall come into force and take effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this \_\_\_\_ day of \_\_\_\_, 2023.

Passed this \_\_\_\_ day of \_\_\_\_, 2023.

\_\_\_\_\_  
Aina DeViet, Mayor

\_\_\_\_\_  
James Hutson, Clerk

**AMENDMENT NO. 60**

**TO**

**THE OFFICIAL PLAN**

**OF THE**

**Municipality of Middlesex Centre**

**Location:** The subject property is a vacant parcel located on the south side of Fifteen Mile Road and east of Vanneck Road. The subject property is legally described as Concession 14 N Part Lot 31 (geographic Township of London), Municipality of Middlesex Centre.

**Date:** \_\_\_\_ \_\_\_\_, 2023

**Approval Authority:** County of Middlesex



AMENDMENT NO. 60

To the Official Plan of the Municipality of Middlesex Centre

The attached, constituting Amendment No. 60 to the Official Plan of the Municipality of Middlesex Centre, as authorized by the provisions of Section 22 of the Planning Act, R.S.O. 1990, c.P.13, was adopted by Council of the Municipality of Middlesex Centre by By-law 2023-\_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2023, in accordance with the Planning Act, R.S.O. 1990, c.P.13.

\_\_\_\_\_  
Aina DeViet  
Mayor

\_\_\_\_\_  
James Hutson  
Clerk

AMENDMENT NO. 60

To the Official Plan of the Municipality of Middlesex Centre

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of the text which constitutes Amendment No. 60

PART C - THE APPENDICES - do not constitute part of this Amendment.

DRAFT

## AMENDMENT NO. 60

### To the Official Plan of the Municipality of Middlesex Centre

#### PART A - THE PREAMBLE

##### 1.0 PURPOSE AND EFFECT

The purpose and effect of the Official Plan Amendment application is to re-designate the subject property from the Agricultural designation to an Agricultural Special Policy Area designation to allow a second dwelling unit in an agricultural building.

##### 2.0 LOCATION

The subject property is a vacant parcel located on the south side of Fifteen Mile Road and east of Vanneck Road. The subject property is legally described as Concession 14 N PT Lot 31 (geographic Township of London), Municipality of Middlesex Centre, and known municipally as 12577 Fifteen Mile Road.

##### 3.0 BASIS OF THE AMENDMENT

Section 16(3) of the Planning Act authorizes Official Plans to contain policies that permit additional residential units and provides the following:

“No Official Plan may contain any policy that has the effect of prohibiting the use of,

- (a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. 2022, c. 21, Sched. 9, s. 4 (1).”

Additional residential units within agricultural areas are not specifically addressed by the Planning Act, however, they are not prohibited and can be considered by municipalities on a case-by-case basis.

Additionally, Section 35.1 requires that council of each local municipality to pass by-laws under section 34 (Zoning by-laws) to give effect to the policies described in subsection 16(3).

The Provincial Policy Statement, 2020 and the County Official Plan require that prime agricultural land are to be preserved for agricultural and agricultural-related uses including a farm residence. The proposal is in keeping with the provincial and regional policy framework for development outside of settlement areas. The proposal is not expected to have any adverse impacts on agricultural activities in the area while allowing for a second unit in an agricultural building in addition to the primary residential use on the property.

The Provincial Policy Statement, 2020 also includes policy regarding ‘Housing’ and the requirement ‘to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area’. Furthermore, Section 1.1.1 of the Provincial Policy Statement speaks to ‘Healthy, liveable and safe communities’ and how they can be sustained. Section 1.1.1b) states that ‘accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for

older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs’.

## PART B - THE AMENDMENT

### 4.0 DETAILS OF THE AMENDMENT

The document known as the Official Plan of the Municipality of Middlesex Centre is hereby amended:

- i. By amending Section 11.0 of the Official Plan by inserting the following new subsection:

“SPA #42”

The land identified as Special Policy Area #42, as shown on Schedule ‘A’ to this Official Plan, shall be subject to the following policy:

Notwithstanding any other section of the Official Plan, an additional residential unit within an agricultural building may be permitted in addition to the main residential dwelling.”

- ii. By amending Schedule ‘A’ of the Official Plan the designation on the land described as Concession 14 N Pt Lot 31 (Geographic Township of London), Municipality of Middlesex Centre as shown and defined on Schedule ‘A’ to this amendment, from Agricultural to Special Policy Area # 42.

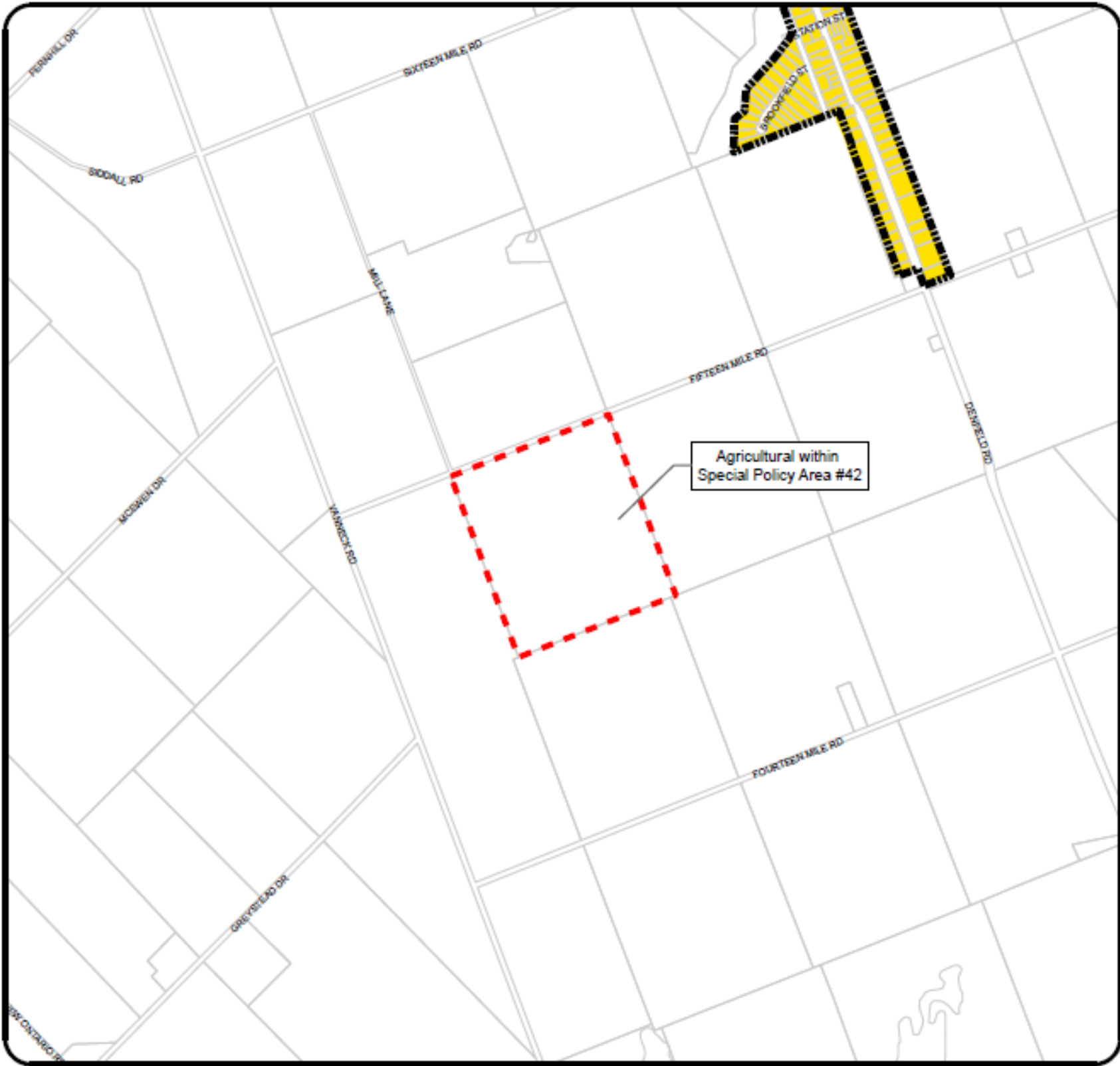
DRAFT

SCHEDULE A: TO OFFICIAL PLAN AMENDMENT #60



SCHEDULE A: LAND USE PLAN

MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN



LEGEND

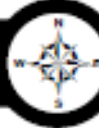
Agricultural within Special Policy Area #xx Settlement Boundary

Official Plan Designation

Agriculture Residential Parks and Recreation  
 Natural Environment Medium Density Residential

NOTE: Schedules should be read in conjunction with applicable policies of the Plan and other Schedules

SCALE 1:20,000  
0 170 340 680 1,020 1,360 Meters







## Committee of the Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Durk Vanderwerff, Director of Planning and Development  
**Subject:** Exemption for a Proposed Plan of Condominium; 48 Carroll Street West; Strathroy-Caradoc, File No. 39T-SC-CDM2301

---

### **BACKGROUND:**

The proposed 48 Carroll Street West plan of condominium would consist of 40 townhouse units to be developed on full municipal services on a 1.69-hectare property in Strathroy. The property is located on the south side of Carroll Street West, between Adelaide Road and Park Street. Vehicular access to the subject lands would be provided by new public road from Carroll Street West. A location map, the proposed plan and the local planning report are appended to this report.

The applicant is requesting that the County exempt this development from the full condominium approval process as set out in Section 51 of the Planning Act. Sections 9(6) and 9(10) of the Condominium Act authorizes the Approval Authority to grant an exemption when the Approval Authority believes it to be appropriate. Essentially, an exemption allows the owner to by-pass the draft plan approval process and proceed to final plan approval where the typical draft plan approval matters can be appropriately addressed by another land use planning process.

County Council is the Provincially delegated Approval Authority for plans of condominium. This report summarizes the planning policy context and provides a planning recommendation for Council from the perspective of the Approval Authority. More detailed local planning analysis, as provided to Middlesex Centre Council, is provided within the attached local planning report.

### **ANALYSIS:**

The County accepted the proposed plan of condominium as complete on February 20, 2023 and it was determined that an agency circulation was not necessary in this case. Council for the Municipality of Strathroy-Caradoc supported the proposal at their March 20, 2023 meeting following a local review process.

The Provincial Policy Statement (PPS) and the County Official Plan encourage new development to occur in settlement areas, like Strathroy, where full municipal services can be provided. The County Official Plan designates Strathroy as an 'Urban Settlement Area'. The lands are located within a Residential Designation of the Strathroy-Caradoc

Official Plan and within a site specific 'High Density Residential (R3-11) Zone' of the Strathroy-Caradoc Comprehensive Zoning By-law.

An exemption from the full condominium approval process is appropriate in cases where there are no outstanding matters respecting the development that impact outside agencies, there would be no benefit from undertaking additional public consultation, and the development is subject to an existing planning approval and agreement. In this case, there are no outstanding matters, the proposal was subject to a local public planning process with a zoning by-law amendment, and the particulars of the development can be addressed by a site-plan agreement. In all, I am satisfied that an exemption is appropriate in this case. However, it is noted that if Council grants the exemption, that the signing of the final plans will not occur until it has been confirmed that an agreement is registered and a clearance is provided by the Municipality.

It is my opinion that this plan of condominium is consistent with the PPS, conforms to the County Official Plan policies that encourage new residential development to locate in settlement areas on full municipal services, and conforms to the policies of the Middlesex Centre Official Plan. It is also my opinion that it is appropriate to exempt this development from the full condominium approval process as set out in Section 51 of the Planning Act.

#### **FINANCIAL IMPLICATIONS:**

The budget expense related to the Provincially delegated Approval Authority responsibility for local official plans is offset, to an extent, through the collection of application fees. The approval of development and the accompanied community growth has indirect long-term financial implications.

#### **ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

<b>Strategic Focus</b>	<b>Goals</b>	<b>Objectives</b>
Strengthening Our Economy	Encourage a diverse and robust economic base throughout the county	<ul style="list-style-type: none"><li>• Create an environment that enables the attraction and retention of businesses, talent, and investments</li><li>• Support the development and prosperity of downtown core areas in Middlesex County</li></ul>

#### **RECOMMENDATION:**

THAT the County of Middlesex exempt plan of condominium File No. 39T-SC-CDM2301 from the full condominium approval process.

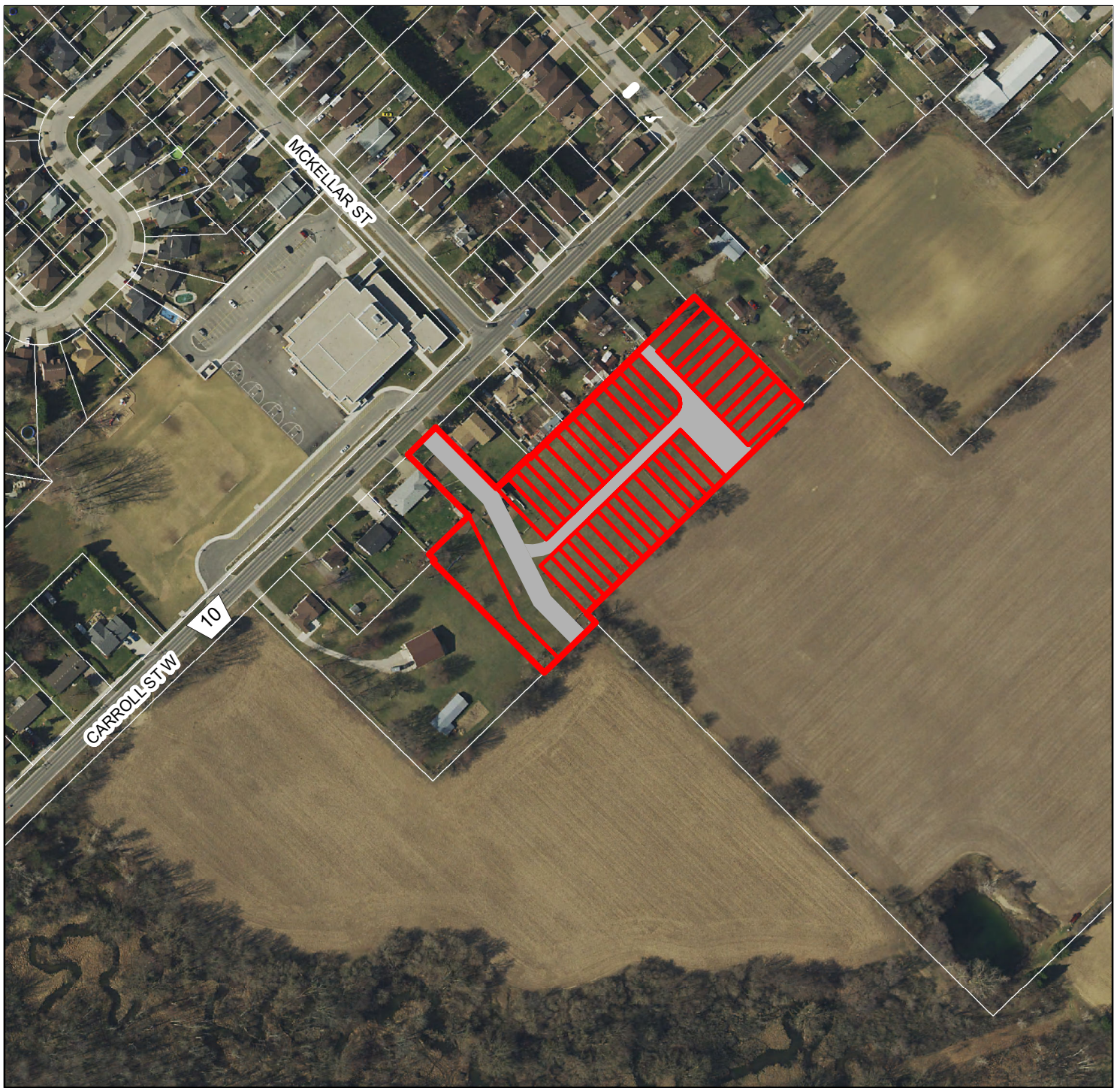
Attachments

*Location Map*

*Plan of Condominium*

*Local Municipal Staff Report*





## LOCATION MAP


Description:  
 PROPOSED PLAN OF CONDOMINIUM  
 KATZ CONDOMINIUMS  
 MUNICIPALITY OF STRATHROY-CARADOC

File Number:  
 39T-SC-CDM2301

Prepared by: Planning Department  
 The County of Middlesex, March 27, 2023.



## LEGEND

 SUBJECT LANDS



1:3,000  
 0 75 150  
 Meters





**Meeting Date:** March 20, 2023  
**Department:** Building, By-law and Planning  
**Report No.:** BBP-2023-29  
**Submitted by:** Tim Williams, Senior Planner  
**Approved by:** Jennifer Huff, Director of Building and Planning  
Fred Tranquilli, Chief Administrative Officer/ Clerk

**SUBJECT:** **Application for Plan of Condominium Exemption for 2799758 Ontario Inc. 48 Carroll Street, Strathroy, Submitted by Casey Kulchychi, Zelinka Priamo Ltd.**

---

**RECOMMENDATION: THAT:** Council passes a resolution in support of the requested exemption from the condominium approval process as set out in 9(6) and 9(10) of the Condominium Act as requested by 2799758 Ontario Inc.;

**AND THAT:** the Clerk forward the resolution to Middlesex County Council for consideration of the exemption request.

## **STRATEGIC PLAN ALIGNMENT:**

This matter is in accord with the following strategic priorities:

*Economic Development:* Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.

*Growth Management:* Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources.

*Customer Service:* The municipality offers seamless, responsive service and an exceptional experience for every customer.

## **PURPOSE:**

The purpose of this report is to provide Council with a recommendation regarding the condominium exemption request for the parcel of the land municipally known as 48 Carroll Street West on which the development of 40 townhouse units are proposed and located at the south side of Carroll Street West between McKellar Street and Oak Avenue in Strathroy.



This parcel is adjacent to a new public road that will be constructed when the condominium will be developed.

A location map is included as attachment below.

## **BACKGROUND:**

Through the provisions of the *Planning Act* and *Condominium Act*, the applicant has requested exemption from the requirement to submit a *Planning Act* application for approval of a draft plan of condominium and proceed directly to final approval of the site plan, where appropriate.

The subject property is an area of approximately 1.27 ha (3.14 ac) with frontage on the new public road that will be conveyed to the municipality which connects to Carroll Street West. The lands will have access to municipal water and sanitary services. The surrounding land uses are varied with a public school to the north, residential to the east and west and land used for crop production to the south. The subject lands are currently vacant and are part of a larger parcel owned by 2799758 Ontario Inc.

To date, a zoning by-law amendment application and a site plan amendment application has also been filed. A public meeting was held on October 5, 2020 relating to the zoning application (ZBA8-2020) and subsequently, Council approved the zoning by-law amendment application on December 7, 2020. The information provided as part of the zoning by-law amendment included details about the condominium. The subject lands are also subject to site plan review (File: SP 03-2021). Site plan application review has now been completed and the agreement is the process of being completed. A second agreement will be required for the Condominium and will need to be completed in the near future. The proposed Draft Plan of Condominium is shown as Attachment 2.

## **Legislation and Policy Regulation:**

Condominium Act, 1998:

The *Condominium Act* contains provisions within Section 9 to authorize the approval authority, the County of Middlesex, to grant an exemption from the full *Planning Act* approval process for a plan of condominium contained in Section 51 of the *Planning Act*, where it is appropriate.

An exemption would be appropriate in circumstances where there would be no benefit from requiring the applicant to undertake further approvals and where there are no onerous conditions that are normally found within a draft approved plan of subdivision agreement. Through this process, detailed site design would be addressed during site plan approval and a development agreement would be executed for the proposed development.

As this application does not require circulation to agencies or stakeholders, the County seeks the advice of the municipality. If the municipality supports the requested exemption through resolution, the request will then be considered by County Council to provide a decision on the exemption request.

It is important to note that the approved zoning by-law application has established the type of dwellings that can be permitted and the unit development standards (i.e. setbacks, coverage, landscaping etc.) for the site. In addition, the site plan approval process has secured the details of the development (i.e. sidewalk widths to servicing configurations) and will entrench these within a site plan agreement. The condominium process is taking that last step of dividing the lot into the units and common element(s) in the plan. A condominium agreement is still also required.

During the public consultation process related to the zone change application, the information provided to the public and agencies including the intention for the townhouse development to be under a condominium ownership and was considered as part of the decision making process. This is why an exemption to the full condominium application process is considered appropriate in this case.

Notably, there are other times where condominium applications do not require site plan approval and do require the full public consultation process, which may be done in co-ordination with a concurrent zone change application.

## **ANALYSIS:**

The request for exemption from *Planning Act* approval for a plan of condominium can be considered appropriate where proposals have previously undergone a complete evaluation, comply with the Zoning By-law and where no further conditions of approval are required by the municipality or any agencies.

Given the history of this file, that it was part of a statutory public meeting process with the ZBA application and since this time the site plan process and has resulted in the reduction in the number of units and the plan has maintained the same general block layout, the criteria of public consultation has been met. The development has been through a rigorous site plan process that refined the plan significantly addressing items such as: setbacks; fire access; drainage; servicing; waste management; and, building elevation design. Municipal staff are currently preparing a condominium agreement to the satisfaction of municipal staff as well as the property owner.

Municipal staff are satisfied that an exemption is appropriate for the development and in the circumstances such as this where there would be no benefit from requiring the applicant to undertake further approvals under the *Planning Act*. Further, this approach will streamline planning approvals between the Municipality and County. Lastly, prior to recommending Condominium exemption by County Council, planning staff will ensure that the condominium agreement has been executed between the applicant and the Municipality.

As a result of the above, it is recommend that Council pass a resolution showing support of the exemption from draft plan of condominium approval for the subject land and that it be forwarded for consideration by Middlesex County Council.

## **FINANCIAL IMPLICATIONS**

None

## **ATTACHMENTS - BELOW**

- Location Map
- Draft Vacant Land Condominium Plan
- Site Plan

## Location Map

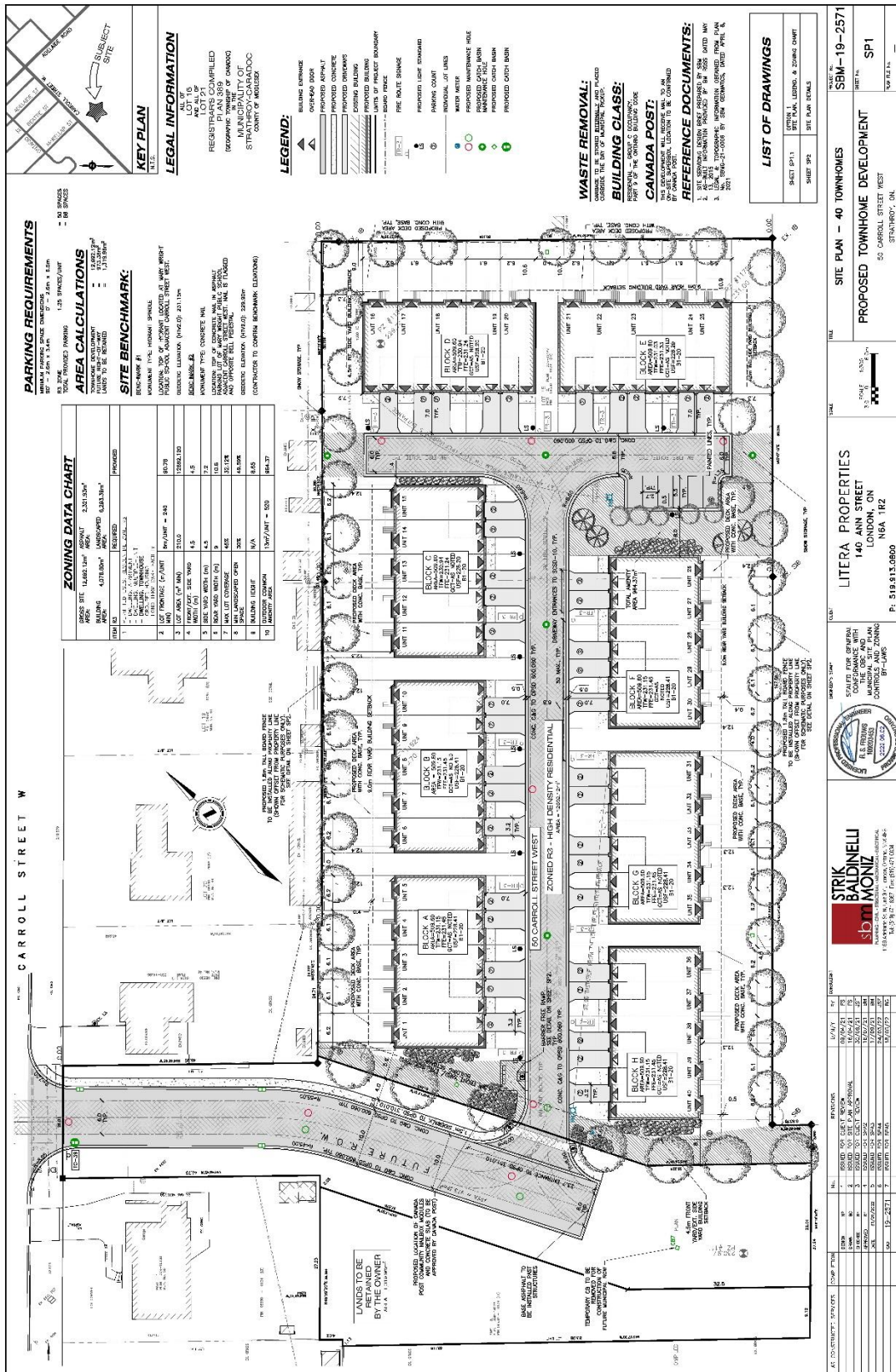


# Draft Vacant Land Condominium Plan

[illegible]



## Site Plan



# General Administration Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155792	1724830 Ontario Inc. o/a Flandscape	March snow service	\$3,955.00
155800	Municipality of Adelaide Metcalfe	ROMA Annual Conference 2023	\$282.05
155802	Allstream Business Inc.	Phones	\$517.40
155812	Brittany Ennis Consulting	Professional Service	\$1,405.00
155812	Brittany Ennis Consulting	Professional Services	\$200.00
155850	Elgin Fire Extinguishers	Inspec fire panel and building	\$1,430.58
155865	Brogan Fire & Safety	Salt for 2023	\$810.03
155871	Hyde Park Plumbing & Heating Ltd.	Replace fixutres	\$1,890.49
155883	Lerners LLP	Professional Fees	\$8,570.96
155900	Minister of Finance - EHT Payable	EHT Annual Reconciliation	\$403.67
155900	Minister of Finance - EHT Payable	EHT Annual Reconciliation	\$123.93
155901	Ministry of Finance	EHT Annual Reconciliation	\$201.91
155902	MLEMS Staff Association	V05 - March 8, 2023	\$1,350.00
155906	Municipal Tax Equity Consultants Inc.	Professional Services	\$10,170.00
155914	Ontario Municipal Admin. Assoc	Membership	\$796.65
155915	Ontario Nurses Association	Union Dues - February 2023	\$2,511.39
155918	Ontario Public Service Employees Union	E22V0523 - Logistics	\$576.43
155918	Ontario Public Service Employees Union	E22V0523	\$14,898.05
155922	Purolator Inc.	Courier	\$52.29
155926	Receiver General	Garnishment	\$708.64
155926	Receiver General	Garnishment	\$189.56
155927	Rebecca Glavin	Employee Expense Claim	\$26.49
155948	Staples Advantage	Supplies	\$243.25
155961	Thomson Reuters Canada	Subscription	\$1,051.05
155968	UNIFOR Local 302	Union Dues - February 2023	\$8,345.59
155975	Waste Connections of Canada Inc.	Recycle and Shredding Service	\$711.74
155980	WSIB	Schedule 2 Firm 855989	\$808.38
155980	WSIB	Schedule 2 Firm 855989	\$233.51
155980	WSIB	Physician Fees Firm 855989	\$15.71
155982	York Development Management Services Inc.	Property Tax	\$46,771.79
156008	Chubb Fire & Security Canada Inc.	Service call	\$664.44
156018	Elgin St. Thomas Community Foundation	In Memory of Duncan McPhail	\$100.00
156025	Classic Fire Life Safety	Sprinkler air leak	\$418.10
156032	Hicks Morley Hamilton Stewart Storie LLP	Professional Fees	\$12,692.16
156032	Hicks Morley Hamilton Stewart Storie LLP	Professional Fees	\$401.15
156038	Mr. Jim Maudsley	Expense Claim	\$658.43
156062	Marisol Roa	Employee Expense Claim	\$41.72
156063	Marigay Wilkins	Expense Claim	\$652.70
156068	Pro-Fit Installations Inc.	Move deck to treasury	\$169.36
156070	Purolator Inc.	Courier	\$15.38
156074	Receiver General	Garnishment	\$623.41
156081	Sheriff of the County of Middlesex	Garnishment	\$951.12
156083	Sharron McMillan	Expense Claim	\$636.66



# General Administration Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156091	Mun. of Strathroy Caradoc	Dispatch Contract	\$81,875.40
156146	The Chef's Hat Catering Company	Evenrt	\$1,352.89
156152	The National Payroll Institute	Membership Renewal	\$293.80
156170	Frampton Mailing Systems	Rental Equipment	\$552.40
156179	Intact Public Entities	Fees	\$12,225.15
156181	Karna Brennan	Event	\$135.00
156187	KPMG LLP	Professional Services	\$5,650.00
156206	Metropolitan Maintenance	Daily service	\$4,655.60
156210	MLEMS Staff Association	V06 - March 22, 2023	\$1,361.00
156213	Ontario Public Service Employees Union	E22V0623 - Logistics	\$570.86
156213	Ontario Public Service Employees Union	E22V0623	\$14,398.28
156222	Receiver General	Garnishment	\$690.00
156234	Staples Advantage	Supplies	\$117.79
156242	TempWise Design and Maintenance	Heat Pump repair Ss	\$3,378.30
156242	TempWise Design and Maintenance	Heat pump repair 1st floor	\$4,741.82
156260	WSIB	Schedule 2 Firm 855989	\$153.89
156269	Abell Pest Control Inc.	Monthly Service	\$129.40
156274	Allstream Business Inc.	Phones	\$555.83
156287	Banner Publications	Subscription	\$99.00
156290	County of Bruce	Membership Fee	\$21,000.00
156299	The Chef's Hat Catering Company	Event	\$869.54
156307	C.U.P.E. Local 2018	Union Dues	\$2,775.00
156308	CUPE Local 101.5	Union Dues	\$3,642.88
156313	DLS Electric	Breaker (line) to fire panel	\$634.50
156340	Jessica Ngai	Employee Expense Claim	\$758.75
156342	Knighthunter	Knighthunter Invoice #75236	\$63.28
156342	Knighthunter	Knighthunter Invoice #75294	\$63.28
156365	Purolator Inc.	Courier	\$10.45
156365	Purolator Inc.	Courier	\$47.00
156370	Receiver General	Garnishment	\$609.35
156370	Receiver General	Garnishment	\$278.63
156376	South Central Ontario Region EDC	Annual Partnership	\$25,000.00
			\$315,965.24

# Information Technology Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155797	Access Information Mgmt	Off Site Tape Storage	\$318.25
155797	Access Information Mgmt	Off site tape storage	\$604.92
155797	Access Information Mgmt	Off site tape stoarge	\$1,174.29
155797	Access Information Mgmt	Off site tape storage	\$272.10
155803	Aidan Luby	Employee Expense Claim	\$57.95
155804	Amazon.com.ca Inc.	Computer supplies	\$57.52
155804	Amazon.com.ca Inc.	Computer Hardware	\$14.53
155804	Amazon.com.ca Inc.	Computer Hardware	\$63.37
155804	Amazon.com.ca Inc.	Computer Hardware	\$349.99
155829	CDW Canada Inc.	Software Renewal	\$9,861.62
155829	CDW Canada Inc.	Software Renewal	\$4,044.49
155829	CDW Canada Inc.	Renewal	\$3,301.97
155829	CDW Canada Inc.	Renewal	\$2,326.59
155829	CDW Canada Inc.	Computer Software	\$285.84
155829	CDW Canada Inc.	Computer Hardware	\$10,021.62
155829	CDW Canada Inc.	Computer Hardware	\$6,598.47
155829	CDW Canada Inc.	Computer Hardware	\$132.49
155829	CDW Canada Inc.	Computer Hardware	\$138.90
155829	CDW Canada Inc.	Computer Hardware	\$186.66
155829	CDW Canada Inc.	Computer Hardware	\$889.05
155829	CDW Canada Inc.	Computer Hardware	\$3,350.44
155829	CDW Canada Inc.	Computer Hardware	\$79.16
155829	CDW Canada Inc.	Computer Hardware	\$79.16
155829	CDW Canada Inc.	Colmputer Hardware	\$79.16
155829	CDW Canada Inc.	Computer Hardware	\$79.16
155829	CDW Canada Inc.	Computer Hardware	\$389.76
155829	CDW Canada Inc.	Computere Hardware	\$1,148.85
155829	CDW Canada Inc.	Computer Hardware	\$507.91
155829	CDW Canada Inc.	Computer Hardware	\$412.33
155829	CDW Canada Inc.	Computer Hardware	\$333.80
155829	CDW Canada Inc.	Computer Hardware	\$70.88
155829	CDW Canada Inc.	Supplies	\$43.12
155872	INTEGRA Data Systems Corp	Computer Hardware	\$5,080.86
155872	INTEGRA Data Systems Corp	Computer Hardware	\$10,168.62
155872	INTEGRA Data Systems Corp	Cyber Security Services	\$6,935.95
155898	Metropolitan Maintenance	Facility Cleaning	\$169.50
155898	Metropolitan Maintenance	Facility cleaning	\$627.15
155923	Purolator Inc.	Courier	\$37.83
155930	Ricoh Canada Inc.	Ricoh meter read	\$6.75
155930	Ricoh Canada Inc.	Ricoh Meter Read	\$1.98
155930	Ricoh Canada Inc.	Ricoh meter read	\$0.02
155930	Ricoh Canada Inc.	Ricoh Meter Read	\$212.63

# Information Technology Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155930	Ricoh Canada Inc.	Ricoh meter read	\$228.04
155930	Ricoh Canada Inc.	Ricoh rental & meter read	\$1,354.48
155930	Ricoh Canada Inc.	Ricoh meter read	\$225.66
155930	Ricoh Canada Inc.	Ricoh meter read	\$162.65
155930	Ricoh Canada Inc.	Ricoh meter read	\$7.35
155930	Ricoh Canada Inc.	Ricoh meter read	\$7.06
155930	Ricoh Canada Inc.	Ricoh meter read	\$10.83
155933	Ryan Thomas	Employee Expense Claim	\$88.80
155945	Spectrum Wireless-London	Cell Phone	\$501.70
155957	Telus Communications	Telus - Connectivity	\$1,102.59
155958	Telus Communications Inc	Telus - Connectivity	\$1,067.85
155993	Amazon.com.ca Inc.	Supplies	\$41.98
155993	Amazon.com.ca Inc.	Computer Hardware	\$15.65
156007	CDW Canada Inc.	Supplies	\$286.35
156007	CDW Canada Inc.	Supplies	\$488.75
156007	CDW Canada Inc.	Computer Hardware	\$338.65
156007	CDW Canada Inc.	Computer Hardware	\$2,061.12
156007	CDW Canada Inc.	Computer Hardware	\$7,918.16
156007	CDW Canada Inc.	Computer Hardware	\$338.65
156007	CDW Canada Inc.	Computer Hardware	\$338.65
156007	CDW Canada Inc.	Computer Hardware	\$5,608.38
156007	CDW Canada Inc.	Computer Hardware	\$53.00
156007	CDW Canada Inc.	Computer Hardware	\$1,319.69
156007	CDW Canada Inc.	Computer Hardware	\$276.69
156007	CDW Canada Inc.	Computer Hardware	\$3,821.21
156007	CDW Canada Inc.	Computer Hardware	\$2,031.90
156007	CDW Canada Inc.	Computer Hardware	\$806.38
156007	CDW Canada Inc.	Computer Hardware	\$1,972.00
156007	CDW Canada Inc.	Computer Software	\$90.39
156024	Execulink Telecom	Internet Services	\$1,010.76
156024	Execulink Telecom	Internet Services	\$1,030.98
156033	Insight Canada Inc.	Maintenance renewal	\$150.86
156034	INTEGRA Data Systems Corp	Computer hardware	\$1,014.90
156034	INTEGRA Data Systems Corp	Computer hardware	\$1,142.40
156034	INTEGRA Data Systems Corp	Computer hardware	\$1,139.64
156072	RAND A Technology/IMAGINiT Technologies	Computer software	\$5,322.30
156085	Spectrum Wireless-London	Cell Phone	\$881.40
156096	Telus	Telus Mobility	\$2,327.40
156097	Telus Communications	Telus Audion/Web Conferencing	\$119.04
156101	THINKDOX Inc.	Computer Software	\$1,307.75
156144	CDW Canada Inc.	Computer Hardware	\$42.07
156144	CDW Canada Inc.	Computer Hardware	\$42.07

# Information Technology Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156144	CDW Canada Inc.	Computer Hardware	\$42.07
156144	CDW Canada Inc.	Computer Hardware	\$42.07
156144	CDW Canada Inc.	Computer Hardware	\$50.00
156144	CDW Canada Inc.	Computer Hardware	\$325.53
156144	CDW Canada Inc.	Supplies	\$124.72
156144	CDW Canada Inc.	Computer Hardware	\$217.22
156144	CDW Canada Inc.	Computer Software	\$28,653.64
156144	CDW Canada Inc.	Smartnet Renewal	\$16,903.98
156218	Purolator Inc.	Courier	\$63.38
156218	Purolator Inc.	Courier	\$175.28
156219	RAND A Technology/IMAGINiT Technologies	Civil 3D	\$3,757.25
156232	Smartcell Communications Inc.	Cell Phone	\$423.74
156232	Smartcell Communications Inc.	Cell Phone	\$135.58
156241	Telus	County - Telus Mobility	\$3,405.52
156275	Amazon.com.ca Inc.	Computer Hardware	\$31.30
156296	CDW Canada Inc.	Computer Hardware	\$637.79
156296	CDW Canada Inc.	Computer Hardware	\$30.32
156296	CDW Canada Inc.	Computer Hardware	\$53.00
156296	CDW Canada Inc.	Smartnet Renewal	\$11,705.70
156296	CDW Canada Inc.	Smartnet Renewal	\$19,067.56
156296	CDW Canada Inc.	Cpmputer Hardware	\$274.87
156296	CDW Canada Inc.	Smartnet Renewal	\$41.99
156296	CDW Canada Inc.	Computer Hardware	\$1,327.21
156296	CDW Canada Inc.	Computer Hardware	\$338.65
156394	Telus	Telus - Business Connect	\$92.00
156395	Telus Communications	Hardware Maintenance	\$320.36
			\$206,852.55

# Library Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155793	Allison Beauchamp	Expense Claim	\$219.77
155818	Brodart Co.	Supplies	\$81.32
155826	Carr McLean	Supplies	\$68.68
155832	Caralee Mitchell	Employee Expense Claim	\$325.67
155839	Carolyn te Bokkel	Employee Expense Claim	\$131.15
155840	CVS Midwest Tape LLC	Videos/DVS	\$274.61
155840	CVS Midwest Tape LLC	eBooks & eAudiobooks	\$3,752.60
155846	Doug Warnock	Employee Expense Claim	\$196.38
155874	Jaime Burnham	Employee Expense Claim	\$72.48
155881	Karen McIntosh	Employee Expense Claim	\$127.37
155882	Liz Adema	Employee Exoense Claim	\$194.94
155885	Library Services Centre	Books	\$90.59
155885	Library Services Centre	Books	\$60.18
155887	Lisa Waterman	Employee Expense Claim	\$21.41
155903	Middlesex Municipal Assoc.	Membership Fee	\$200.00
155913	Office Central	Supplies	\$153.92
155930	Ricoh Canada Inc.	Printer	\$15.66
155941	Shauna Dereniowski	Employee Expense Claim	\$288.72
155942	Shelah Brook	Employee Expense Claim	\$77.09
155947	Sarah Sutherland-Sebo	Expense Claim	\$92.03
155949	Staples Advantage	Supplies	\$50.38
155949	Staples Advantage	Supplies	\$325.04
155969	University of Alberta Library	Interlibrary Loan	\$10.00
155970	Victoria Glithero	Employee Expense Claim	\$86.54
155976	Western I.T. Group	Telephone	\$113.00
155978	Whitehots Inc.	Book Processing	\$4,756.29
155978	Whitehots Inc.	Books	\$628.83
155978	Whitehots Inc.	Books	\$109.01
155978	Whitehots Inc.	Books	\$431.06
155978	Whitehots Inc.	Books	\$45.71
155978	Whitehots Inc.	Books	\$164.06
155978	Whitehots Inc.	Books	\$155.40
155978	Whitehots Inc.	Books	\$41.11
155978	Whitehots Inc.	Books	\$16.26
155978	Whitehots Inc.	Books	\$78.97
155978	Whitehots Inc.	Books	\$78.62
155978	Whitehots Inc.	Books	\$144.53
155978	Whitehots Inc.	Paperbacks	\$432.02
155978	Whitehots Inc.	Books	\$223.57
155978	Whitehots Inc.	Books	\$83.19
155978	Whitehots Inc.	Books	\$240.87

# Library Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155978	Whitehots Inc.	Books	\$55.57
155978	Whitehots Inc.	Books	\$1,239.14
155983	Zoe Reilly-Ansons	Employee Expense Claim	\$105.69
155892	Twp. of Lucan Biddulph	Q1 2023 RENT	\$22,158.18
155899	Municipality of Middlesex Centre	Q1 2023 RENT	\$28,297.23
155907	Municipality of North Middlesex	Q1 2023 RENT	\$29,711.89
155908	Village of Newbury	Q1 2023 RENT	\$1,152.36
155936	Southwest Middlesex	Q1 2023 RENT	\$28,913.76
155952	Mun. of Strathroy Caradoc	Q1 2023 RENT	\$54,707.04
155959	Municipality of Thames Centre	Q1 2023 RENT	\$36,093.66
155989	Andrew Ferrari	Employee Expense Claim	\$52.46
156002	Bibliotheca Canada Inc	Digital collections	\$3,977.07
156007	CDW Canada Inc.	Phone	\$1,300.22
156011	CVS Midwest Tape LLC	Audiobooks	\$76.82
156011	CVS Midwest Tape LLC	DVDs	\$198.21
156014	Donna Fleming	Expense Claim	\$159.05
156016	EBSCO Canada Ltd.	Periodicals	\$537.19
156020	Erin Moxam	Employee expense claim	\$72.62
156024	Execulink Telecom	Internet	\$141.77
156035	Interlibrary Loans	Interlibrary Loan	\$18.00
156050	Laurel Van Dommelen	Employee Expense Claim	\$76.25
156064	Marie Williams-Gagnon	Employee Expense Claim	\$24.17
156065	Office Central	Supplies	\$21.63
156065	Office Central	Supplies	\$97.90
156080	Scholar's Choice	Storytime Supplies	\$73.49
156103	Tara McInnis	Expense Claim	\$182.56
156111	Whitehots Inc.	Paperbacks	\$322.64
156111	Whitehots Inc.	Books	\$143.70
156111	Whitehots Inc.	Books	\$94.21
156111	Whitehots Inc.	Books	\$110.70
156111	Whitehots Inc.	Books	\$997.17
156111	Whitehots Inc.	Books	\$90.68
156111	Whitehots Inc.	Paperbacks	\$25.37
156111	Whitehots Inc.	Books	\$227.89
156111	Whitehots Inc.	Books	\$394.43
156110	Vanessa Rapagna	Employee Expense Claim	\$367.06
156124	Andrew Ferrari	Expense Claim	\$18.30
156138	Brodart Co.	Supplies	\$341.01
156154	Digitech Security Systems	Security Monitoring	\$169.50
156168	Faith (Fehinti) Adebawale	Expense Claim	\$201.91
156168	Faith (Fehinti) Adebawale	Expense Claim	\$378.69



# Library Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156185	Krista Ogg	Expense Claim	\$238.04
156212	Office Central	Supplies	\$44.03
156220	Raven Studio Inc	Quiet Pod project	\$18,328.00
156228	Rusty's Lock & Key Ltd.	Branch Keys	\$219.79
156228	Rusty's Lock & Key Ltd.	Branch Keys	\$293.07
156257	Whitehots Inc.	Early Literacy	\$944.24
156257	Whitehots Inc.	Books	\$857.41
156257	Whitehots Inc.	Books	\$186.84
156257	Whitehots Inc.	Books	\$72.72
156257	Whitehots Inc.	Books	\$247.38
156257	Whitehots Inc.	Books	\$378.12
156257	Whitehots Inc.	Books	\$389.42
156257	Whitehots Inc.	Books	\$383.08
156257	Whitehots Inc.	Books	\$119.37
156268	A1 Security Systems	Secuirty Monitoring	\$169.20
156268	A1 Security Systems	Security Monitoring	\$812.75
156282	Amanda Rintjema	Employee Expense Claim	\$31.92
156309	CVS Midwest Tape LLC	DVD's	\$461.87
156314	Dallas Michaluk	Employee Expense Claim	\$43.31
156346	Library Services Centre	Books	\$35.38
156346	Library Services Centre	Books	\$190.13
156351	Lynn Boaz Watson	Employee Expense Claim	\$74.09
156377	Shelah Brook	Employee Expense Claim	\$22.14
156384	Staples Advantage	Supplies	\$321.88
156384	Staples Advantage	Supplies	\$63.25
156393	TekSavvy Solutions Inc.	Internet	\$84.69
156407	Whitehots Inc.	Books	\$254.81
156407	Whitehots Inc.	Books	\$192.79
156407	Whitehots Inc.	Books	\$583.54
156407	Whitehots Inc.	Books	\$70.95
156407	Whitehots Inc.	Books	\$252.19
156407	Whitehots Inc.	Books	\$75.61
156407	Whitehots Inc.	Books	\$44.78
156407	Whitehots Inc.	Paperbacks	\$270.60
			\$254,743.61

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155794	Abell Pest Control Inc.	Hyde Park Services	\$61.47
155795	Absolute Destruction & Recycling Corp.	Shredding Services	\$192.10
155805	Ambrose Plumbing & Heating Ltd	Waterloo Sevice	\$284.26
155806	APC Auto Parts Canada	Supplies	\$363.41
155807	Alex Regan	Employee Expense Claim	\$15.00
155813	BERRN Consulting Ltd.	Supplies	\$2,174.12
155813	BERRN Consulting Ltd.	Supplies	\$4,319.99
155819	Canadian Linen & Uniform Serv	Adelaide Service	\$196.91
155830	Checkers Cleaning Supply	Supplies	\$2,071.92
155834	Colorworks London North/Westman's Collision	Repairs	\$1,831.80
155835	Country Snow & Lawn	Glencoe Service	\$30.00
155835	Country Snow & Lawn	Glencoe Service	\$446.35
155838	Crestline Coach Ltd.	Parts	\$1,661.33
155838	Crestline Coach Ltd.	Parts	\$936.56
155843	Doug and Marion's Bike Sales & Repairs	Tune Ups	\$228.03
155844	Doug's Snowplowing & Sanding	Trossacks Service	\$613.59
155844	Doug's Snowplowing & Sanding	Horizon Service	\$953.72
155845	Dun-Rite Landscaping Inc.	Strathroy Service	\$705.12
155847	Eastlink	Internet	\$140.07
155851	Elysia Smith	Employee Expense Claim	\$42.58
155855	Execulink Telecom	Internet	\$107.09
155855	Execulink Telecom	Internet	\$108.33
155855	Execulink Telecom	Internet	\$187.31
155860	Ferno Canada Inc	Acetech	\$13,949.85
155860	Ferno Canada Inc	Maintenance/Parts	\$13,155.30
155860	Ferno Canada Inc	Acetech	\$3,726.18
155861	Fountain Water Products Inc.	Supplies	\$107.50
155868	Hicks Morley Hamilton Stewart Storie LLP	Legal Fees	\$4,175.92
155869	HMMS	Medical Supplies	\$1,737.34
155884	LHSC Business Office	Medications	\$6,722.34
155889	Little Beaver Variety	Fuel	\$2,180.45
155912	Odyssey Medical Supplies	Medical Supplies	\$1,412.50
155920	PITNEYWORKS	Postage	\$72.25
155923	Purolator Inc.	Courier	\$10.40
155923	Purolator Inc.	Courier	\$81.81
155925	Quadro Communications Co-Operative Inc.	Internet	\$147.97
155929	Ronald Hawkins	Empl;oyee Expense Claim	\$29.38
155931	Ross' Services	Towing	\$367.14
155931	Ross' Services	Towing	\$244.76
155931	Ross' Services	Towing	\$135.26
155937	Southwest Middlesex Utilities	Utilities -Glencoe Service	\$201.83

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155940	Sally De Meneses	Employee Expense Claim	\$201.71
155950	Staples Advantage	Supplies	\$4.51
155950	Staples Advantage	Supplies	\$79.09
155950	Staples Advantage	Supplies	\$87.46
155953	Stryker Canada ULC	Medical Supplies	\$3,403.01
155953	Stryker Canada ULC	Medical Equipment	\$16,463.03
155953	Stryker Canada ULC	Medical Supplies	\$854.28
155954	Summit Elevator Inc.	Adelaide Service	\$367.25
155956	Talbot Marketing	Uniforms	\$636.19
155960	Thames OK Tire & Auto Service	Service	\$1,461.03
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Service	\$1,140.34
155960	Thames OK Tire & Auto Service	Service	\$343.05
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Service	\$1,522.96
155960	Thames OK Tire & Auto Service	Service	\$1,594.77
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$379.38
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$937.23
155960	Thames OK Tire & Auto Service	Service	\$921.53
155960	Thames OK Tire & Auto Service	Service	\$216.84
155960	Thames OK Tire & Auto Service	Service	\$1,618.52
155960	Thames OK Tire & Auto Service	Service	\$38.31
155960	Thames OK Tire & Auto Service	Service	\$124.24
155960	Thames OK Tire & Auto Service	Service	\$248.48
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$379.38
155960	Thames OK Tire & Auto Service	Service	\$400.57
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Service	\$180.09
155960	Thames OK Tire & Auto Service	Service	\$131.37
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$387.52
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Service	\$495.97
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$353.87
155960	Thames OK Tire & Auto Service	Service	\$1,457.97
155960	Thames OK Tire & Auto Service	Service	\$112.62
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155960	Thames OK Tire & Auto Service	Service	\$1,688.03
155960	Thames OK Tire & Auto Service	Service	\$1,457.97
155960	Thames OK Tire & Auto Service	Parts	\$61.56
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$353.87
155960	Thames OK Tire & Auto Service	Preventative Maintenance	\$333.16
155960	Thames OK Tire & Auto Service	Service	\$847.50
155960	Thames OK Tire & Auto Service	Service	\$1,136.30
155960	Thames OK Tire & Auto Service	Service	\$1,092.80
155960	Thames OK Tire & Auto Service	Service	\$417.16
155966	Trudell Healthcare Solutions Inc	Medical Supplies	\$4,461.92
155967	Uline Canada Corporation	Supplies	\$1,255.14
155801	Allied Medical Instruments Inc.	Medical ISupplies	\$796.65
155801	Allied Medical Instruments Inc.	Medical Supplies	\$223.74
155987	Abell Pest Control Inc.	Komoka Service	\$57.88
155987	Abell Pest Control Inc.	Waterloo Service	\$60.29
155991	Allied Medical Instruments Inc.	Medical Supplies	\$5,046.47
155991	Allied Medical Instruments Inc.	Medical Supplies	\$142.04
156010	Crestline Coach Ltd.	Parts	\$492.23
156010	Crestline Coach Ltd.	Parts	\$198.59
156017	Edwards Door Systems Limited	Waterloo Service	\$907.28
156030	Harco Co. Ltd.	Repairs	\$596.81
156036	Intersurgical Canada	Medical Supplies	\$2,971.90
156047	London Business Forms	C.P. Supplies	\$98.00
156049	London Mechanical Plumbing & Heating	Waterloo Service	\$2,074.09
156058	Medline Canada Corp.	Medical Supplies	\$95.39
156071	Quarrie's Tire & Auto	Service	\$846.94
156073	Ray's Electric Inc.	Trossacks Service	\$180.80
156073	Ray's Electric Inc.	Dorchester Service	\$522.15
156075	Ross' Services	Towing	\$244.76
156075	Ross' Services	Towing	\$367.14
156075	Ross' Services	Towing	\$244.76
156075	Ross' Services	Towing	\$244.76
156088	Staples Advantage	Supplies	\$97.17
156088	Staples Advantage	Supplies	\$1,228.74
156088	Staples Advantage	Supplies	\$331.80
156093	Stryker Canada ULC	Medical Supplies	\$4,271.40
156098	Texmain Cleaners	Alterations	\$16.11
156099	Municipality of Thames Centre	Dorchester Service	\$165.46
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156100	Thames OK Tire & Auto Service	Service	\$1,574.75
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156100	Thames OK Tire & Auto Service	Service	\$1,339.60
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156100	Thames OK Tire & Auto Service	Service	\$543.65
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156100	Thames OK Tire & Auto Service	Service	\$1,605.35
156100	Thames OK Tire & Auto Service	Service	\$921.57
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156100	Thames OK Tire & Auto Service	Service	\$1,133.50
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156100	Thames OK Tire & Auto Service	Service	\$1,380.50
156100	Thames OK Tire & Auto Service	Service	\$1,655.25
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$924.37
156100	Thames OK Tire & Auto Service	Service	\$118.52
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$376.67
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156100	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156109	VITALAIRE	Oxygen	\$55.08
156109	VITALAIRE	Oxygen	\$68.85
156109	VITALAIRE	Oxygen	\$27.54
156109	VITALAIRE	Oxygen	\$122.80
156109	VITALAIRE	Oxygen	\$27.54
156109	VITALAIRE	Oxygen	\$80.36
156109	VITALAIRE	Oxygen	\$96.39
156109	VITALAIRE	Oxygen	\$107.90
156109	VITALAIRE	Oxygen	\$1,123.37
156109	VITALAIRE	Oxygen	\$41.31
156109	VITALAIRE	Oxygen	\$857.80
156109	VITALAIRE	Oxygen	\$164.11
156118	1474169 Ontario Limited	Legal Fees	\$2,118.75
156119	2380560 Ontario Inc.	Adelaide Service	\$2,371.87
156125	Andrea Flaherty	Employee Expense Claim	\$15.00
156125	Andrea Flaherty	Employee Expense Claim	\$15.00
156127	Allied Medical Instruments Inc.	Medical Supplies	\$4,624.28
156127	Allied Medical Instruments Inc.	Medical Supplies	\$453.92
156127	Allied Medical Instruments Inc.	Medical Supplies	\$42.38
156127	Allied Medical Instruments Inc.	Medical Supplies	\$1,672.40
156134	Auto Trim Design of London	Service	\$2,106.32
156140	Canadian Linen & Uniform Serv	Adelaide Service	\$196.91
156140	Canadian Linen & Uniform Serv	Adelaide Service	\$196.91
156145	Checkers Cleaning Supply	Supplies	\$1,025.50
156148	Treasurer, City of London	Hyde Park Services	\$2,298.26

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156148	Treasurer, City of London	Fuel	\$76,468.82
156149	Concept Controls Inc.	Supplies	\$421.49
156150	Country Snow & Lawn	Glencoe Service	\$446.35
156151	Covers Canada	Adelaide Service	\$1,188.76
156159	Dr. Kelsey Watson	Professional Service	\$645.40
156160	Dr. Walter Tavares	Training	\$500.00
156162	EMS Technology Solutions,LLC	Software	\$686.83
156176	HMMS	Refund	\$19,841.25
156188	Larry Miles Electric Ltd.	Parkhill Service	\$797.18
156190	London Business Forms	Supplies	\$194.24
156191	LHSC Business Office	Purchase of Services	\$58,010.77
156191	LHSC Business Office	Purchase of Services	\$64,156.92
156194	London Fire Equipment Ltd.	Supplies	\$870.10
156195	London Hospital Linen Service Inc.	Linen Processing	\$4,051.97
156200	Marianne Love Consulting Services Inc.	Professional Services	\$5,424.00
156201	Michael Bellamy	Employee Expense Claim	\$15.00
156201	Michael Bellamy	Employee Expense Claim	\$15.00
156204	Medline Canada Corp.	Supplies	\$1,985.97
156208	Middlesex Centre - Water/Sewer	Komoka Service	\$107.62
156221	Ray's Electric Inc.	Adelaide Service	\$1,570.70
156221	Ray's Electric Inc.	Trafalgar Service	\$246.34
156223	Rev Grafix	Service	\$282.50
156224	Robert Gordon	Employee Expense Claim	\$15.00
156226	Ross' Services	Towing	\$367.14
156230	Stephanie Hosford	Employee Expense Claim	\$15.00
156238	Stryker Canada ULC	Contract Fees	\$32,108.41
156238	Stryker Canada ULC	Medical Supplies	\$1,559.40
156240	Talbot Marketing	Uniforms	\$3,108.64
156240	Talbot Marketing	Uniforms	\$6,252.89
156244	Thames OK Tire & Auto Service	Service	\$20.22
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$924.37
156244	Thames OK Tire & Auto Service	Service	\$1,449.72
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$924.37
156244	Thames OK Tire & Auto Service	Service	\$323.34
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$124.24
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Service	\$1,339.60
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Service	\$471.55
156244	Thames OK Tire & Auto Service	Service	\$671.05



# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156244	Thames OK Tire & Auto Service	Service	\$288.37
156244	Thames OK Tire & Auto Service	Service	\$209.47
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$124.24
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$333.16
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Service	\$295.47
156244	Thames OK Tire & Auto Service	Service	\$602.18
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Service	\$846.91
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Service	\$764.23
156244	Thames OK Tire & Auto Service	Parts	\$8,445.76
156244	Thames OK Tire & Auto Service	Service	\$1,581.78
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Service	\$99.31
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Service	\$389.60
156244	Thames OK Tire & Auto Service	Service	\$715.01
156244	Thames OK Tire & Auto Service	Service	\$76.72
156244	Thames OK Tire & Auto Service	Service	\$1,688.04
156244	Thames OK Tire & Auto Service	Service	\$438.57
156244	Thames OK Tire & Auto Service	Service	\$350.19
156244	Thames OK Tire & Auto Service	Service	\$2,328.40
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$947.54
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Service	\$1,585.45
156244	Thames OK Tire & Auto Service	Service	\$1,694.59
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156244	Thames OK Tire & Auto Service	Service	\$1,694.77
156244	Thames OK Tire & Auto Service	Service	\$533.05
156244	Thames OK Tire & Auto Service	Service	\$467.31
156244	Thames OK Tire & Auto Service	Service	\$455.63
156248	Uline Canada Corporation	Supplies	\$115.60
156248	Uline Canada Corporation	Supplies	\$2,840.12
156249	United City Cartage Ltd	Services	\$2,024.96

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156250	Verdant	Waterloo Service	\$683.65
156250	Verdant	Dorchester Service	\$881.12
156253	VITALAIRE	Oxygen	\$422.63
156254	Waste Connections of Canada Inc.	Waste Removal	\$1,266.20
156259	Work Authority	Uniforms	\$600.00
156259	Work Authority	Uniforms	\$249.72
156262	WSIB	Schedule 2 Firm 856176	\$28,206.20
156262	WSIB	Physician Fees Firm 856176	\$28,312.61
156262	WSIB	Schedule 2 Firm 856176	\$25,116.83
156262	WSIB	Schedule 2 Firm 856176	\$46,557.18
156262	WSIB	Schedule 2 Firm 856176	\$35,265.62
156265	Zanduco Restaurant Equipment & Supplies Inc.	Supplies	\$1,692.39
156139	Southside Group	MLPS RENT APRIL 2023	\$8,707.58
156173	Gilpin Holdings Inc.	MLPS RENT APRIL2023	\$3,507.77
156177	ESAM Construction Limited	MLPS RENT APRIL 2023	\$9,113.68
156186	Norquay Developments Ltd. aka Southmoor Deve	MLPS Rent April 2023	\$4,656.64
156198	The Corporation of the Township of Lucan Bid	RENT APR/23	\$2,389.00
156214	2425021 Ontario Inc.	RENT APR/23	\$1,888.11
156247	John Brotzel	MLPS Rent April 2023	\$2,066.39
156255	Brucar Enterprises Inc.	Proerpty Tax	\$9,259.00
156255	Brucar Enterprises Inc.	Property Taxes	\$9,221.31
156255	Brucar Enterprises Inc.	MLPS Rent April 2023	\$12,658.67
156269	Abell Pest Control Inc.	Adelaide Service	\$114.76
156269	Abell Pest Control Inc.	Adelaide Service	\$197.75
156273	Allied Medical Instruments Inc.	Medical Supplies	\$5,570.90
156273	Allied Medical Instruments Inc.	Medical Supplies	\$98.88
156276	Ambrose Plumbing & Heating Ltd	Horizon Service	\$358.21
156276	Ambrose Plumbing & Heating Ltd	Horizon Service	\$795.59
156277	Adam Migchels	Employee Expense Claim	\$15.00
156281	London South APC	Supplies	\$363.41
156291	Canadian Linen & Uniform Serv	Adelaide Service	\$203.75
156295	Craig Bothwell	Employee Expense Claim	\$15.00
156298	Checkers Cleaning Supply	Supplies	\$303.92
156298	Checkers Cleaning Supply	Supplies	\$160.45
156298	Checkers Cleaning Supply	Supplies	\$1,241.34
156304	Craftsman's Seal Painting Limited	Adelaide Service	\$1,638.50
156304	Craftsman's Seal Painting Limited	Glencoe Service	\$2,034.00
156305	Crestline Coach Ltd.	Parts	\$703.56
156306	CTOMS Inc.	Medical Supplies	\$834.43
156315	Dr. Shiva Ahanchian	Services	\$758.20
156316	Dr. Sheldon Cheskes	Fees	\$4,802.50

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156318	E. Hewitt Professional Corporation	E. Hewitt Law Firm Invoice	\$13,588.25
156320	Edwards Door Systems Limited	Komoka P.M.	\$542.29
156320	Edwards Door Systems Limited	Trossacks P.M	\$274.48
156320	Edwards Door Systems Limited	Lucan P.M	\$542.29
156320	Edwards Door Systems Limited	Trossacks Service	\$3,325.48
156320	Edwards Door Systems Limited	Parkhill P.M	\$453.02
156320	Edwards Door Systems Limited	Waterloo Service	\$1,260.80
156320	Edwards Door Systems Limited	Strathroy Service	\$755.29
156322	Equipement Medical Rive Nord	Supplies	\$5,469.20
156327	The Flag Shop	Supplies	\$4,292.87
156328	Fountain Water Products Inc.	Supplies	\$107.50
156329	Future Health Services Inc	Contracted Services	\$15,820.00
156330	GDI Services (Canada)	Adelaide Service	\$5,670.07
156338	Intersurgical Canada	Medical Supplies	\$1,084.80
156339	Jerome Davis	Services	\$339.00
156344	London Compressed Air Inc.	Equipment Maintenance	\$177.41
156347	Little Beaver Variety	Fuel	\$2,058.30
156349	London Hospital Linen Service Inc.	Linen Processing	\$3,697.59
156352	Michael Bellamy	Employee Expense Claim	\$15.00
156353	McArthur Medical Sales Inc.	Medical Supplies	\$4,692.08
156357	Mental Health Commission of Canada	Fees	\$150.00
156360	Matthew Screpnek	Employee Expense Claim	\$15.00
156363	PITNEYWORKS	Postage	\$322.36
156366	Purolator Inc.	Courier	\$33.04
156366	Purolator Inc.	Courier	\$240.68
156368	Raven Studio Inc	Supplies	\$2,439.25
156369	Ray's Electric Inc.	Waterloo Service	\$179.28
156371	Ross' Services	Towing	\$244.76
156371	Ross' Services	Towing	\$367.14
156371	Ross' Services	Towing	\$244.76
156371	Ross' Services	Towing	\$244.76
156371	Ross' Services	Towing	\$244.76
156371	Ross' Services	Towing	\$489.52
156371	Ross' Services	Towing	\$240.24
156373	RWAM Insurance Administrators	Group 15724	\$360,556.31
156387	Stryker Canada ULC	Medical Supplies	\$5,424.00
156387	Stryker Canada ULC	Medical Supplies	\$474.60
156392	Talbot Marketing	Uniforms	\$25.43
156394	Telus	Phone	\$68.43
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$950.25
156396	Thames OK Tire & Auto Service	Service	\$813.88

# MLPS Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$124.24
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$924.37
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156396	Thames OK Tire & Auto Service	Service	\$1,410.96
156396	Thames OK Tire & Auto Service	Service	\$541.22
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$949.64
156396	Thames OK Tire & Auto Service	Service	\$535.06
156396	Thames OK Tire & Auto Service	Service	\$249.73
156396	Thames OK Tire & Auto Service	Service	\$368.99
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156396	Thames OK Tire & Auto Service	Service	\$1,608.79
156396	Thames OK Tire & Auto Service	Service	\$990.13
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$924.37
156396	Thames OK Tire & Auto Service	Service	\$1,570.54
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$925.60
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$354.73
156396	Thames OK Tire & Auto Service	Service	\$165.26
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$904.03
156396	Thames OK Tire & Auto Service	Service	\$4,972.00
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$1,693.46
156396	Thames OK Tire & Auto Service	Service	\$253.79
156396	Thames OK Tire & Auto Service	Service	\$124.24
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$920.96
156396	Thames OK Tire & Auto Service	Service	\$781.56
156396	Thames OK Tire & Auto Service	Service	\$1,140.34
156396	Thames OK Tire & Auto Service	Service	\$211.21
156396	Thames OK Tire & Auto Service	Service	\$84.13
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$124.24
156396	Thames OK Tire & Auto Service	Preventative Maintenance	\$920.96
156396	Thames OK Tire & Auto Service	Service	\$59.35
156396	Thames OK Tire & Auto Service	Service	\$45.14
156396	Thames OK Tire & Auto Service	Service	\$290.19
156399	TK Elevator Canada Ltd	Adelaide Maintenance	\$402.61
156405	Waste Management of Canada	Waste Removal	\$1,362.23
156406	Windsor Factory Supply Ltd.	Supplies	\$124.30
			\$1,231,361.70

# Planning Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155837	Canadian Process Serving Inc.	Legal Fees	\$360.89
155946	Stephanie Poirier	Employee Expense Claim	\$62.83
156053	Mark Brown	Employee Expense Claim	\$961.67
156054	Marion Cabral	Employee Expense Claim	\$637.36
156066	Pattons Construction & Sales	Woodland Management	\$389.85
156317	Durk Vanderwerff	Employee Expense Claim	\$1,340.06
156319	Erin Besch	Employee Expense Claim	\$28.92
156382	Stephanie Poirier	Employee Expense Claim	\$122.61
156397	Tim Willaims	Employee Expense Claim	\$357.83
			\$4,262.02

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155798	Ace Country & Garden	Service	\$169.44
155810	Bell Canada	Phones	\$63.24
155811	Bell Canada-Special Billing	Phones	\$183.78
155811	Bell Canada-Special Billing	Phones	\$183.78
155815	Brander Steel Industries (1991) Ltd.	Supplies	\$1,464.75
155815	Brander Steel Industries (1991) Ltd.	Supplies	\$122.06
155822	Cansel Survey Equipment	Service	\$190.79
155822	Cansel Survey Equipment	Service	\$1,265.90
155824	Carquest	Parts	\$22.58
155825	North Middlesex Auto Supply	Parts	\$10.14
155827	Carrier Truck Centre	Parts	\$187.40
155827	Carrier Truck Centre	Parts	\$1,143.30
155828	Chris Cole	Employee Expense Claim	\$260.59
155830	Checkers Cleaning Supply	Supplies	\$686.96
155831	Cintas Canada Ltd.	Supplies	\$98.52
155833	CN Non-Freight	Maintenance	\$5,817.00
155836	Canadian Pacific (Non-Freight)	Maintenance	\$740.00
155836	Canadian Pacific (Non-Freight)	Maintenance	\$2,163.50
155842	Dorchester Home Hardware	Supplies	\$27.00
155848	Easy Way	Supplies	\$110.75
155856	Facca Fasteners	Supplies	\$154.04
155859	Fastenal Canada, Ltd.	Parts	\$113.00
155859	Fastenal Canada, Ltd.	Parts	\$254.48
155863	GFL Environmental Services Inc.	Service	\$3,634.45
155864	GoGPS	Service	\$1,305.13
155865	Brogan Fire & Safety	Supplies	\$706.20
155865	Brogan Fire & Safety	Supplies	\$373.01
155866	Hamisco Industrial Sales Inc.	Supplies	\$536.75
155867	Hardy Service	Parts	\$664.96
155870	Hose Technology Ltd.	Parts	\$699.70
155878	K & E Sand and Gravel	Supplies	\$2,486.00
155886	Lind Lumber Ltd.	Supplies	\$2,418.02
155891	London Tire Sales	Service Call	\$35.00
155893	Marbolt	Parts	\$16.59
155894	McNaughton Family Shopping Centre	Supplies	\$22.59
155895	McRobert Fuel Limited	Fuel	\$1,477.19
155897	Messer Canada Inc	Parts	\$16.57
155897	Messer Canada Inc	Parts	\$16.57
155897	Messer Canada Inc	Parts	\$274.95
155905	Monarch Rebuilding Inc.	Supplies	\$255.70
155916	Ontario Southland Railway Inc.	Maintenance	\$594.18
155917	Ontario One Call	Services	\$224.81



# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155921	Premier Truck Group	Parts	\$337.83
155921	Premier Truck Group	Parts	\$689.43
155921	Premier Truck Group	Parts	\$159.13
155932	Royal Fence Limited	Parts	\$2,306.56
155934	Ryan Elliott's Repair Ltd	Repairs	\$285.84
155935	S&B SERVICES LTD	Parts	\$2,699.95
155936	Southwest Middlesex	Drain Maintenance	\$1,505.38
155951	STRATHROY HHBC	CONTRACTED REPAIRS	\$20.32
155955	Suncor Energy Products Inc	Fuel	\$1,305.08
155955	Suncor Energy Products Inc	Fuel	\$4,983.39
155955	Suncor Energy Products Inc	Fuel	\$6,566.94
155955	Suncor Energy Products Inc	Fuel	\$9,562.70
155955	Suncor Energy Products Inc	Fuel	\$1,693.68
155955	Suncor Energy Products Inc	Fuel	\$5,998.63
155955	Suncor Energy Products Inc	Fuel	\$1,481.42
155955	Suncor Energy Products Inc	Fuel	\$5,392.87
155955	Suncor Energy Products Inc	Fuel	\$7,068.76
155962	Thorndale Ace Hardware	Supplies	\$187.53
155963	Tirecraft, Pro Tire Inc.	Service Call	\$904.23
155963	Tirecraft, Pro Tire Inc.	Service Call	\$192.04
155963	Tirecraft, Pro Tire Inc.	Service Call	\$101.70
155964	Toromont Industries Ltd.	Parts	\$120.10
155964	Toromont Industries Ltd.	Parts	\$299.45
155965	UAP Inc.	Parts	\$108.75
155965	UAP Inc.	Parts	\$456.66
155965	UAP Inc.	Parts	\$1,069.43
155971	Viking Cives Limited	Parts	\$1,301.73
155973	Waddick Fuels	Fuel	\$978.26
155973	Waddick Fuels	Fuel	\$418.98
155973	Waddick Fuels	Fuel	\$1,632.17
155974	Wash Depot Inc.	Service	\$1,089.12
155975	Waste Connections of Canada Inc.	Weekly service	\$835.72
155979	K+S Windsor Salt Ltd.	Salt	\$12,166.10
155979	K+S Windsor Salt Ltd.	Salt	\$6,207.56
155979	K+S Windsor Salt Ltd.	Salt	\$6,065.48
155979	K+S Windsor Salt Ltd.	Salt	\$3,331.93
155979	K+S Windsor Salt Ltd.	Salt	\$2,973.36
155979	K+S Windsor Salt Ltd.	Salt	\$2,828.99
155979	K+S Windsor Salt Ltd.	Salt	\$3,270.46
155979	K+S Windsor Salt Ltd.	Salt	\$2,992.27
155979	K+S Windsor Salt Ltd.	Salt	\$9,401.59
155979	K+S Windsor Salt Ltd.	Salt	\$2,956.26

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155979	K+S Windsor Salt Ltd.	Salt	\$2,938.69
155979	K+S Windsor Salt Ltd.	Salt	\$6,561.40
155979	K+S Windsor Salt Ltd.	Salt	\$2,982.02
155979	K+S Windsor Salt Ltd.	Salt	\$3,043.50
155979	K+S Windsor Salt Ltd.	Salt	\$2,942.63
155979	K+S Windsor Salt Ltd.	Salt	\$3,290.16
155979	K+S Windsor Salt Ltd.	Salt	\$3,450.92
155979	K+S Windsor Salt Ltd.	Salt	\$5,863.17
155979	K+S Windsor Salt Ltd.	Salt	\$9,781.43
155986	A. & M. Truck Parts Limited	Parts	\$66.67
155990	AGO Industries Incorporated	Uniforms	\$1,792.28
155992	Allstream Business Inc.	Phones	\$150.03
155997	Applied Industrial Technologies	Supplies	\$261.02
155997	Applied Industrial Technologies	Supplies	\$101.16
155997	Applied Industrial Technologies	Supplies	\$32.39
155997	Applied Industrial Technologies	Supplies	\$1,592.79
155999	Atwood Resources Inc	Service	\$113.00
156000	Auto Tops & Upholstery	Service	\$203.40
156001	Bearcom Canada Corp	Supplies	\$97.46
156001	Bearcom Canada Corp	Supplies	\$161.60
156003	Cansel Survey Equipment	Service	\$55.08
156003	Cansel Survey Equipment	Service	\$723.20
156004	Carquest	Parts	\$180.69
156005	Carrier Truck Centre	Parts	\$107.60
156006	9104941 Canada Inc	Parts	\$733.74
156009	Cintas Canada Ltd.	Service	\$98.52
156026	Gerry's Truck Centre	Parts	\$135.66
156026	Gerry's Truck Centre	Parts	\$49.92
156026	Gerry's Truck Centre	Parts	\$452.32
156026	Gerry's Truck Centre	Parts	\$23.23
156028	Guild Electric Ltd	Maintenance	\$25,865.70
156029	Brogan Fire & Safety	Supplies	\$440.70
156031	Hardy Service	Service	\$350.30
156031	Hardy Service	Parts	\$18.26
156031	Hardy Service	Parts & Service	\$539.55
156037	Jake's Roofing	Service	\$169.50
156040	K & K Towing	Towing	\$508.50
156046	Larry MacDonald Chev Buick GMC Ltd.	Truck + Plates	\$80,859.50
156046	Larry MacDonald Chev Buick GMC Ltd.	Truck + Plates	\$80,859.50
156052	Maximum Signs	Supplies	\$9,759.61
156055	McNaughton Family Shopping Centre	Supplies	\$158.19
156055	McNaughton Family Shopping Centre	Supplies	\$2,436.18

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156056	McRobert Fuel Limited	Fuel	\$769.04
156059	Michelin North America (Canada) Inc.	Tires	\$1,403.98
156060	Minister of Finance, MTO	License Fees - 2023	\$71,916.00
156061	Mitchell's HBC	Supplies	\$16.14
156067	Premier Truck Group	Parts	\$789.19
156067	Premier Truck Group	Parts	\$106.79
156067	Premier Truck Group	Parts	\$68.97
156067	Premier Truck Group	Parts	\$140.88
156067	Premier Truck Group	Parts	\$310.66
156067	Premier Truck Group	Parts	\$310.66
156069	Pryde Industrial Inc.	Supplies	\$235.38
156076	Roy's Diesel Injection Ser.Ltd	Parts	\$355.52
156077	Royal Fence Limited	Repairs	\$20,088.04
156077	Royal Fence Limited	Parts	\$1,276.90
156079	S&B SERVICES LTD	Parts	\$498.40
156082	Scott Jones	Employee Expense Claim	\$74.42
156084	South End Truck Centre	Parts	\$10.41
156090	Stratford Farm Equipment	Parts	\$1,341.78
156092	Strongco Equipment	Parts	\$659.29
156094	Summit Tree Service	Service	\$5,424.00
156095	Suncor Energy Products Inc	Fuel	\$4,903.14
156095	Suncor Energy Products Inc	Fuel	\$1,019.52
156095	Suncor Energy Products Inc	Fuel	\$3,917.09
156095	Suncor Energy Products Inc	Fuel	\$4,605.37
156102	Tirecraft, Pro Tire Inc.	Service	\$210.18
156102	Tirecraft, Pro Tire Inc.	Service	\$72.89
156102	Tirecraft, Pro Tire Inc.	Service	\$169.50
156102	Tirecraft, Pro Tire Inc.	Service	\$163.85
156104	Toromont Industries Ltd.	Parts	\$5.88
156104	Toromont Industries Ltd.	Parts	\$30.23
156106	UAP Inc.	Parts	\$344.75
156106	UAP Inc.	Parts	\$201.72
156107	Viking Cives Limited	Parts	\$289.55
156107	Viking Cives Limited	Parts	\$1,013.41
156112	K+S Windsor Salt Ltd.	Salt	\$6,066.89
156112	K+S Windsor Salt Ltd.	Salt	\$13,213.44
156112	K+S Windsor Salt Ltd.	Salt	\$6,477.87
156112	K+S Windsor Salt Ltd.	Salt	\$6,081.48
156112	K+S Windsor Salt Ltd.	Salt	\$3,166.44
156112	K+S Windsor Salt Ltd.	Salt	\$6,523.58
156112	K+S Windsor Salt Ltd.	Salt	\$6,610.26
156113	Wayne Myers	Employee Expense Claim	\$354.24

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156120	A. & M. Truck Parts Limited	Parts	\$50.68
156120	A. & M. Truck Parts Limited	Parts	\$3,190.27
156123	Action Car and Truck Accessories	Parts	\$2,426.89
156126	AGM Surveying . Engineering	Professional Fees	\$8,136.00
156131	Dorchester APC	Supplies	\$70.01
156132	APC - Oxford St.	Parts	\$179.25
156135	Bell Canada	Phone	\$171.12
156137	Bluewater Recycling Association - MARS	Service	\$90.40
156137	Bluewater Recycling Association - MARS	Service	\$90.40
156141	Cansel Survey Equipment	Service	\$220.35
156142	Carquest	Parts	\$218.15
156142	Carquest	Parts	\$134.67
156143	Carrier Truck Centre	Parts	\$355.92
156145	Checkers Cleaning Supply	Supplies	\$474.48
156147	Cintas Canada Ltd.	Supplies	\$93.34
156147	Cintas Canada Ltd.	Supplies	\$120.21
156153	Del-Ko Paving & Construction	Asphalt	\$2,760.53
156155	Dillon Consulting	Professional Service	\$20,871.10
156155	Dillon Consulting	Professional Services	\$9,613.70
156158	Dorchester Home Hardware	Supplies	\$79.05
156169	Fastenal Canada, Ltd.	Parts	\$441.71
156171	Gerry's Truck Centre	Parts	\$110.72
156171	Gerry's Truck Centre	Parts	\$272.96
156171	Gerry's Truck Centre	Parts	\$50.32
156172	Gary Falconer Transport	Services	\$5,107.60
156172	Gary Falconer Transport	Services	\$55,073.38
156172	Gary Falconer Transport	Service	\$10,339.50
156172	Gary Falconer Transport	Services	\$4,474.80
156174	Hardy Service	Service	\$1,200.67
156175	High Gear Truck Repair Inc.	Service	\$1,395.78
156175	High Gear Truck Repair Inc.	Service	\$1,828.09
156175	High Gear Truck Repair Inc.	Service	\$2,682.08
156178	Ian Bechard	Employee Expense Claim	\$225.99
156180	Johnson's Sanitation Service	Rental	\$186.45
156189	Laurie's Fasteners	Supplies	\$41.09
156196	Twp. of Lucan Biddulph	Winter Maintenance	\$4,677.48
156199	Marbolt	Parts	\$20.36
156202	McRobert Fuel Limited	Fuel	\$1,191.70
156205	Messer Canada Inc	Supplies	\$118.54
156209	Mitchell's HBC	Supplies	\$18.07
156211	NAPA Glencoe	Parts	\$160.99
156216	Premier Truck Group	Parts	\$4.70

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156216	Premier Truck Group	Parts	\$83.56
156216	Premier Truck Group	Parts	\$31.23
156216	Premier Truck Group	Parts	\$31.23
156216	Premier Truck Group	Parts	\$118.65
156216	Premier Truck Group	Parts	\$275.62
156216	Premier Truck Group	Parts	\$144.35
156216	Premier Truck Group	Parts	\$749.59
156216	Premier Truck Group	Parts	\$49.27
156216	Premier Truck Group	Parts	\$201.56
156216	Premier Truck Group	Parts	\$829.26
156217	Princess Auto	Parts	\$62.14
156217	Princess Auto	Parts	\$592.03
156217	Princess Auto	Parts	\$442.93
156227	Ryan Thompson	Expense Claim	\$35.14
156229	Ryan Elliott's Repair Ltd	Repairs	\$290.98
156229	Ryan Elliott's Repair Ltd	Repairs	\$867.02
156235	Staples Advantage	Supplies	\$90.40
156237	STRATHROY HHBC	Supplies	\$10.16
156239	Suncor Energy Products Inc	Fuel	\$6,697.35
156239	Suncor Energy Products Inc	Fuel	\$4,934.11
156239	Suncor Energy Products Inc	Fuel	\$1,070.45
156239	Suncor Energy Products Inc	Fuel	\$3,701.34
156239	Suncor Energy Products Inc	Fuel	\$7,196.77
156239	Suncor Energy Products Inc	Fuel	\$10,006.76
156245	Toromont Industries Ltd.	Parts	\$104.30
156246	UAP Inc.	Parts	\$88.92
156246	UAP Inc.	Parts	\$131.89
156246	UAP Inc.	Parts	\$116.32
156246	UAP Inc.	Parts	\$303.42
156246	UAP Inc.	Parts	\$162.67
156251	Viking Cives Limited	Parts	\$284.76
156252	Vision Truck Group	Parts	\$823.27
156258	K+S Windsor Salt Ltd.	Salt	\$5,765.85
156258	K+S Windsor Salt Ltd.	Salt	\$9,127.34
156258	K+S Windsor Salt Ltd.	Salt	\$6,127.19
156258	K+S Windsor Salt Ltd.	Salt	\$6,423.50
156258	K+S Windsor Salt Ltd.	Salt	\$3,305.13
156258	K+S Windsor Salt Ltd.	Salt	\$3,240.51
156258	K+S Windsor Salt Ltd.	Salt	\$3,220.82
156258	K+S Windsor Salt Ltd.	Salt	\$6,224.90
156258	K+S Windsor Salt Ltd.	Parts	\$3,040.58
156258	K+S Windsor Salt Ltd.	Salt	\$6,232.79

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156258	K+S Windsor Salt Ltd.	Salt	\$6,299.76
156258	K+S Windsor Salt Ltd.	Salt	\$3,202.68
156258	K+S Windsor Salt Ltd.	Salt	\$3,249.18
156258	K+S Windsor Salt Ltd.	Parts	\$2,904.01
156258	K+S Windsor Salt Ltd.	Salt	\$3,127.03
156258	K+S Windsor Salt Ltd.	Salt	\$6,360.44
156259	Work Authority	Uniforms	\$2,345.46
156267	A. & M. Truck Parts Limited	Parts	\$989.88
156267	A. & M. Truck Parts Limited	Parts	\$546.74
156267	A. & M. Truck Parts Limited	Parts	\$39.49
156270	Ace Country & Garden	Parts	\$440.70
156271	Action Car and Truck Accessories	Parts	\$523.54
156271	Action Car and Truck Accessories	Parts	\$45.97
156271	Action Car and Truck Accessories	Parts	\$1,713.52
156272	AGF Rebar Inc.	Supplies	\$7,135.95
156285	Atwood Resources Inc	Services	\$226.00
156286	Ault Industries Inc.	Parts	\$126.96
156289	Brander Steel Industries (1991) Ltd.	Parts	\$47.46
156292	Carquest	Parts	\$21.35
156293	Carquest Auto Parts	Parts	\$232.24
156294	Carrier Truck Centre	Parts	\$67.87
156294	Carrier Truck Centre	Parts	\$56.22
156297	Cedar Signs	Parts	\$2,184.63
156300	Cintas Canada Ltd.	Supplies	\$108.91
156301	Coldstream Concrete Limited	Parts	\$1,014.06
156302	Copps Building Materials Ltd.	Parts	\$35.58
156311	Damar Security Systems	Services	\$3,500.84
156312	Delta Power Equipment Ltd.	Parts	\$2,393.68
156326	Fastenal Canada, Ltd.	Parts	\$294.35
156326	Fastenal Canada, Ltd.	Parts	\$1,949.66
156326	Fastenal Canada, Ltd.	Parts	\$238.43
156326	Fastenal Canada, Ltd.	Parts	\$532.37
156331	Gerry's Truck Centre	Parts	\$1,682.45
156332	Guild Electric Ltd	Signal Maintenance	\$22,843.23
156333	Brogan Fire & Safety	Supplies	\$236.40
156333	Brogan Fire & Safety	Supplies	\$12.43
156335	Hardy Service	Service	\$299.20
156336	High Gear Truck Repair Inc.	Service	\$52.21
156336	High Gear Truck Repair Inc.	Service	\$1,891.10
156336	High Gear Truck Repair Inc.	Service	\$1,693.81
156336	High Gear Truck Repair Inc.	Service	\$3,302.47
156337	Hose Technology Ltd.	Parts	\$354.21



# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156343	Krown Rust Control Centre	Supplies	\$1,469.90
156350	Twp. of Lucan Biddulph	Saintsbury Line Roadwork	\$40,297.19
156350	Twp. of Lucan Biddulph	Alice St. Roadwork	\$685,034.06
156354	McNaughton Family Shopping Centre	Parts	\$962.45
156354	McNaughton Family Shopping Centre	Supplies	\$572.91
156354	McNaughton Family Shopping Centre	Supplies	\$1,084.66
156355	McRobert Fuel Limited	Fuel	\$1,222.11
156358	Mitchell's HBC	Supplies	\$739.66
156362	Ontario Southland Railway Inc.	Maintenance	\$594.18
156364	Premier Truck Group	Parts	\$157.30
156364	Premier Truck Group	Parts	\$11.36
156364	Premier Truck Group	Parts	\$62.60
156364	Premier Truck Group	Parts	\$110.47
156364	Premier Truck Group	Parts	\$437.03
156364	Premier Truck Group	Parts	\$55.61
156364	Premier Truck Group	Parts	\$66.38
156364	Premier Truck Group	Parts	\$900.95
156372	Ryan Thompson	Employee Expense Claim	\$35.14
156374	S&B SERVICES LTD	Parts	\$3,060.42
156379	Scott Jones	Employee Expense Claim	\$138.69
156381	Southwest Middlesex	Black Morrow Drain Maintenance	\$308.21
156381	Southwest Middlesex	Government Drain	\$32.41
156381	Southwest Middlesex	Gov't 6 Drain Brushing Maint.	\$118.94
156381	Southwest Middlesex	Harnett Drain Maintenance	\$128.18
156381	Southwest Middlesex	Jariett Drain Sink Hole Maint	\$98.81
156386	Strongco Equipment	Parts	\$96.94
156389	Summit Tree Service	Service	\$6,169.80
156390	Suncor Energy Products Inc	Fuel	\$2,192.20
156390	Suncor Energy Products Inc	Fuel	\$4,609.06
156390	Suncor Energy Products Inc	Fuel	\$1,073.74
156390	Suncor Energy Products Inc	Fuel	\$6,326.26
156390	Suncor Energy Products Inc	Fuel	\$4,531.21
156391	SW-Automotive	Parts	\$167.61
156398	Tirecraft, Pro Tire Inc.	Service	\$148.03
156398	Tirecraft, Pro Tire Inc.	Service	\$407.93
156400	Toromont Industries Ltd.	Parts	\$1,943.46
156401	UAP Inc.	Parts	\$78.26
156401	UAP Inc.	Parts	\$173.71
156401	UAP Inc.	Parts	\$2,171.65
156402	Trailer Hitch Center Ltd	Parts	\$45.72
156403	Twenty-Two Auto Body Ltd.	Repair	\$3,732.93
156408	K+S Windsor Salt Ltd.	Salt	\$3,283.86

# Roads Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156408	K+S Windsor Salt Ltd.	Salt	\$6,472.36
156408	K+S Windsor Salt Ltd.	Salt	\$6,499.94
156408	K+S Windsor Salt Ltd.	Salf	\$3,172.11
156408	K+S Windsor Salt Ltd.	Salt	\$2,933.32
			\$1,676,785.80

# Social Services Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155809	Arva's Little School House	Feb/23 Child Care Subsidy	\$3,079.50
155816	London Bridge Childcare Serv.	Feb/23 Child Care Subsidy	\$5,065.12
155817	Bright Beginnings	Feb/23 Child Care Subsidy	\$871.20
155857	Faith Daynursery	Feb/23 Child Care Subsidy	\$2,544.80
155879	Kidzone Day Care	Feb/23 Child Care Subsidy	\$964.40
155880	Kilworth Children's Centre	Feb/23 Child Care Subsidy	\$3,161.03
155888	Little Lambs Christian Daycare	Feb/23 Child Care Subsidy	\$4,653.12
155890	London Children's Connection	Feb/23 Child Care Subsidy	\$3,102.20
155909	Next to Mom Inc.	Feb/23 Child Care Subsidy	\$2,500.00
155910	Nimble Information Strategies Inc	Feb/23 Records Management	\$565.00
155919	Pinetree Preschool Parkhill	Feb/23 Child Care Subsidy	\$970.20
155938	Salvation Army Village Daynurs	Feb/23 Child Care Subsidy	\$2,140.00
155943	Simply Kids	Feb/23 Child Care Subsidy	\$12,354.83
155944	Mt. Brydges Sonshine Day Care	Feb/23 Child Care Subsidy	\$3,625.90
155972	Voyageur Transportation	Feb/23 CT Services	\$20,676.65
155977	Whitehills Childcare Ass'n.	Feb/23 Child Care Subsidy	\$3,469.24
155988	Across Languages Translation Service	Services	\$140.00
155994	Angels Daycares Ontario Ltd.	Feb/23 Child Care Subsidy	\$3,744.14
155995	Angels Daycares Ontario Ltd.	Feb/23 Child Care Subsidy	\$798.60
155996	Angels Daycares Ontario Ltd.	Feb/23 Child Care Subsidy	\$440.00
156012	Denning's	Funeral Costs	\$4,147.43
156013	Deberah Fiddler	Expense Claim	\$576.30
156019	E.L.M. Children's Centre	Feb/23 Child Care Subsidy	\$6,083.61
156039		HPP 2022-2023 049	\$250.00
156041	Kinderville Gainsborough London Inc	Feb/23 Child Care Subsidy	\$1,000.00
156042	Koala T. Care Daycare	Feb/23 Child Care Subsidy	\$3,096.92
156044	Kelly Smith	Expense Claim	\$18.10
156045	La Ribambelle	Feb/23 Child Care Subsidy	\$832.00
156115	YMCA of Southwestern Ontario	Feb/23 Child Care Subsidy	\$26,031.07
156122	Ailsa Craig & District Co-Op	GOG Retro Jan-Mar 2023	\$38.25
156122	Ailsa Craig & District Co-Op	Apr/23 General Operating Grant	\$450.00
156122	Ailsa Craig & District Co-Op	Apr/23 Pay Equity	\$29.38
156122	Ailsa Craig & District Co-Op	Apr/23 Wage Enhancement Grant	\$333.80
156128	Angels Daycares Ontario Ltd.	Mar/23 Rev Rec. Adjustment	\$7,764.80
156128	Angels Daycares Ontario Ltd.	GOG Retro Jan-Mar 2023	\$3,780.00
156128	Angels Daycares Ontario Ltd.	Apr/23 General Operating Grant	\$11,340.00
156128	Angels Daycares Ontario Ltd.	Apr/23 CWELCC Fee Reduction	\$30,642.48
156128	Angels Daycares Ontario Ltd.	Apr/23 Wage Enhancement Grant	\$5,249.13
156129	Angels Daycares Ontario Ltd.	GOG Retro Jan-Mar 2023	\$3,780.00
156129	Angels Daycares Ontario Ltd.	Apr/23 General Operating Grant	\$11,340.00
156129	Angels Daycares Ontario Ltd.	Apr/23 CWELCC Fee Reduction	\$29,237.22
156129	Angels Daycares Ontario Ltd.	Apr/23 Wage Enhancement Grant	\$5,066.38

# Social Services Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156130	Angels Daycares Ontario Ltd.	GOG Retro Feb-Mar 2023	\$12,960.00
156130	Angels Daycares Ontario Ltd.	Apr/23 General Operating Grant	\$6,480.00
156130	Angels Daycares Ontario Ltd.	Apr/23 CWELCC Fee Reduction	\$17,067.26
156130	Angels Daycares Ontario Ltd.	Apr/23 Wage Enhancement Grant	\$3,066.26
156133	Arva's Little School House	GOG Retro Jan-Mar 2023	\$1,305.00
156133	Arva's Little School House	Apr/23 General Operating Grant	\$3,915.00
156133	Arva's Little School House	Apr/23 CWELCC Fee Reduction	\$8,711.66
156133	Arva's Little School House	Apr/23 Wage Enhancement Grant	\$1,554.71
156136	Belvoir Co-op Nursery School	Apr/23 General Operating Grant	\$3,009.50
156136	Belvoir Co-op Nursery School	Apr/23 CWELCC Fee Reduction	\$1,598.64
156136	Belvoir Co-op Nursery School	Apr/23 Wage Enhancement Grant	\$1,697.58
156157	Dorchester Co-Op Nursery Schoo	GOG Retro Jan-Mar 2023	\$150.00
156157	Dorchester Co-Op Nursery Schoo	Apr/23 General Operating Grant	\$450.00
156157	Dorchester Co-Op Nursery Schoo	Apr/23 Wage Enhancement Grant	\$608.88
156161	E.L.M. Children's Centre	GOG Retro Jan-Mar 2023	\$2,340.00
156161	E.L.M. Children's Centre	Apr/23 General Operating Grant	\$15,660.00
156161	E.L.M. Children's Centre	Apr/23 Pay Equity	\$305.95
156161	E.L.M. Children's Centre	Apr/23 CWELCC Fee Reduction	\$25,576.89
156161	E.L.M. Children's Centre	Apr/23 Wage Enhancement Grant	\$8,295.73
156167	EYES Child Care	Apr/23 Wage Enhancement Grant	\$1,162.24
156167	EYES Child Care	Apr/23 CWELCC Fee Reduction	\$25,494.73
156182	Kids Ko Childcare Centre Inc.	GOG Retro Jan-Mar 2023	\$3,915.00
156182	Kids Ko Childcare Centre Inc.	Apr/23 General Operating Grant	\$11,745.00
156182	Kids Ko Childcare Centre Inc.	Apr/23 Wage Enhancement Grant	\$6,095.63
156183	Kilworth Children's Centre	GOG Retro Jan-Mar 2023	\$4,802.00
156183	Kilworth Children's Centre	Apr/23 General Operating Grant	\$13,590.00
156183	Kilworth Children's Centre	Apr/23 Pay Equity	\$1,255.59
156183	Kilworth Children's Centre	Apr/23 CWELCC Fee Reduction	\$23,374.79
156183	Kilworth Children's Centre	Apr/23 Wage Enhancement Grant	\$6,546.32
156184	Koala T. Care Daycare	Apr/23 CWELCC Fee Reduction	\$37,352.28
156184	Koala T. Care Daycare	Apr/23 Wage Enhancement Grant	\$1,371.39
156192	Little Lambs Christian Daycare	GOG Retro Jan-Mar 2023	\$2,916.00
156192	Little Lambs Christian Daycare	Apr/23 General Operating Grant	\$8,748.00
156192	Little Lambs Christian Daycare	Apr/23 CWELCC Fee Reduction	\$16,832.00
156192	Little Lambs Christian Daycare	Apr/23 Wage Enhancement Grant	\$5,150.97
156193	London Children's Connection	GOG Retro Jan-Mar 2023	\$522.45
156193	London Children's Connection	Apr/23 General Operating Grant	\$3,099.15
156193	London Children's Connection	Apr/23 Pay Equity	\$186.04
156193	London Children's Connection	Apr/23 Wage Enhancement Grant	\$2,400.71
156197	Lucan & Dist. Co-op Nursery	Apr/23 General Operating Grant	\$487.50
156197	Lucan & Dist. Co-op Nursery	Apr/23 Wage Enhancement Grant	\$150.17
156215	Pinetree Preschool Parkhill	Apr/23 CWELCC Fee Reduction	\$14,585.38

# Social Services Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156215	Pinetree Preschool Parkhill	Apr/23 Wage Enhancement Grant	\$2,501.58
156231	Simply Kids	GOG Retro Jan-Mar 2023	\$4,442.40
156231	Simply Kids	Apr/23 General Operating Grant	\$12,636.00
156231	Simply Kids	Apr/23 CWELCC Fee Reduction	\$18,988.71
156231	Simply Kids	Apr/23 Wage Enhancement Grant	\$5,831.67
156233	Mt. Brydges Sonshine Day Care	GOG Retro Jan-Mar 2023	\$5,444.25
156233	Mt. Brydges Sonshine Day Care	Apr/23 General Operating Grant	\$16,332.75
156233	Mt. Brydges Sonshine Day Care	Apr/23 CWELCC Fee Reduction	\$36,200.22
156233	Mt. Brydges Sonshine Day Care	Apr/23 Wage Enhancement Grant	\$8,054.42
156256	Whitehills Childcare Ass'n.	Apr/23 General Operating Grant	\$10,286.51
156256	Whitehills Childcare Ass'n.	Apr/23 Pay Equity	\$309.07
156256	Whitehills Childcare Ass'n.	Apr/23 CWELCC Fee Reduction	\$38,326.83
156256	Whitehills Childcare Ass'n.	Apr/23 Wage Enhancement Grant	\$2,111.38
156264	YMCA of Southwestern Ontario	GOG Retro Jan-Mar 2023	\$441.40
156264	YMCA of Southwestern Ontario	Apr/23 General Operating Grant	\$27,403.20
156264	YMCA of Southwestern Ontario	Apr/23 CWELCC Fee Reduction	\$30,690.14
156264	YMCA of Southwestern Ontario	Apr/23 Wage Enhancement Grant	\$16,533.20
156278	Angels Daycares Ontario Ltd.	May 9, 2022 Prof. Learning	\$1,663.00
156278	Angels Daycares Ontario Ltd.	Oct 24, 2022 Prof. Learning	\$3,127.00
156279	Angels Daycares Ontario Ltd.	May 9, 2022 Prof. Learning	\$2,258.00
156279	Angels Daycares Ontario Ltd.	Oct 24, 2022 Prof. Learning	\$4,343.50
156280	Angels Daycares Ontario Ltd.	May 9, 2022 Prof. Learning	\$1,690.00
156280	Angels Daycares Ontario Ltd.	Oct 24, 2022 Prof. Learning	\$4,454.50
156283	Arva's Little School House	May 9, 2022 Prof. Learning	\$1,215.00
156321	E.L.M. Children's Centre	Oct 24, 2022 Prof. Learning	\$6,744.35
156361	Next to Mom Inc.	Oct 24, 2022 Prof. Learning	\$52.87
156378	Simply Kids	Oct 24, 2022 Prof. Learning	\$5,582.39
156380	Mt. Brydges Sonshine Day Care	May 9, 2022 Prof. Learning	\$7,218.11
156380	Mt. Brydges Sonshine Day Care	Oct 24, 2022 Prof. Learning	\$7,522.20
156409	YMCA of Southwestern Ontario	May 9, 2022 Prof. Learning	\$5,781.35
156409	YMCA of Southwestern Ontario	Oct 24, 2022 Prof. Learning	\$7,340.09
156266		HPP 2022-2023 050	\$1,485.00
			\$829,500.29

# Strathmere Lodge Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155794	Abell Pest Control Inc.	EQUIP. MNTCE.	\$330.25
155796	Augustine Caines	STAFF EXPENSE	\$49.76
155799	ACTIVE HEALTH SERVICES LTD.	PURCHASED SERVICES	\$9,020.50
155808	ARJOHUNTLEIGH CANADA INC.	EQUIP. MNTCE.	\$19,700.00
155808	ARJOHUNTLEIGH CANADA INC.	EQUIP. MNTCE.	\$330.01
155814	BOB FINLAY	ENTERTAINMENT	\$250.00
155820	Canadian Tire Associate Store-Strathroy	CONTRACTED REPAIRS	\$71.68
155820	Canadian Tire Associate Store-Strathroy	CONTRACTED REPAIRS	\$137.20
155820	Canadian Tire Associate Store-Strathroy	CONTRACTED REPAIRS	\$81.61
155821	Canada Post - Strathroy	POSTAGE RENEWAL	\$943.55
155823	CARDINAL HEALTH CANADA INC.	EQUIP. REPLAC.	\$1,283.66
155841	Dominion Security Services Ltd	COVID-PURCHASED SERVICES	\$11,715.84
155852	LINDE MECHANICAL INC.	HVAC 2021	\$283.92
155852	LINDE MECHANICAL INC.	CONTRACTED REPAIRS	\$180.80
155853	KRISTI TAYLOR	REFILL PETTY CASH	\$133.10
155854	TAYLOR BOOTH	RENEWAL 2023	\$305.10
155865	Brogan Fire & Safety	CONTRACTED REPAIRS	\$79.10
155873	Inge Stahl	CHAPLAIN FEES	\$1,754.86
155875	DR. J. COPELAND	ON CALL	\$666.93
155876	John Fournier	STAFF EXPENSE	\$40.00
155877	DR. J. PARR	ON CALL	\$102.60
155896	Medical Mart	INCONT. PRODUCTS	\$1,103.76
155896	Medical Mart	PURCHASED SERVICES-COVID	\$3,192.16
155896	Medical Mart	NURSING-DRUGS	\$819.09
155896	Medical Mart	NURSING-DRUGS	\$3,015.58
155896	Medical Mart	INCONT./DRUGS NURSING	\$699.63
155896	Medical Mart	INCONT. PRODUCTS	\$2,766.40
155904	DR. M. MITHOOWANI	ON CALL	\$317.80
155911	Nutritional Management Service	FEB. MEALS	\$73,971.01
155924	VANDEWALLE MEDICINE PROFESSIONAL CORP.	ON CALL	\$307.81
155928	RANDY GREY	ENTERTAINMENT	\$150.00
155939	Schindler Elevator Corp.	EQUIP. MNTCE.	\$2,495.07
155939	Schindler Elevator Corp.	EQUIP. MNTCE.	\$1,316.40
155939	Schindler Elevator Corp.	EQUIP. MNTCE.	\$874.42
155951	STRATHROY HHBC	EQUIP. MNTCE.	\$627.95
155972	Voyageur Transportation	NURSING-HIN SUPPLIES	\$5,572.75
155972	Voyageur Transportation	NURSING-HIN SUPPLIES	\$5,846.60
155972	Voyageur Transportation	NURSING-HIN SUPPLIES	\$8,833.84
155972	Voyageur Transportation	NURSING-HIN SUPPLIES	\$8,222.64
155972	Voyageur Transportation	NURSING HIN SUPPLIES	\$5,725.39
155972	Voyageur Transportation	NURSING-HIN SUPPLIES	\$5,528.33
155972	Voyageur Transportation	NURSING-HIN SUPPLIES	\$6,035.41
155975	Waste Connections of Canada Inc.	GARBAGE COLLECTION	\$4,119.00



# Strathmere Lodge Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155981	Wood Wyant Inc.	HOUSEKEEPING SUPPLIES	\$1,412.91
155992	Allstream Business Inc.	PHONE	\$84.24
155998	ARJOHUNTLEIGH CANADA INC.	EQUIP. REPLAC.	\$1,471.73
156009	Cintas Canada Ltd.	UNIFORMS	\$130.52
156015	DIVERSEY CANADA, INC.	LAUNDRY SUPPLIES	\$1,573.05
156021	Linde Mechanical Inc.	CONTRACTED REPAIRS	\$180.80
156022	GEORGE COUREY	BEDDING REPLACEMENT	\$1,470.49
156023	MARIE CLARKE	RECREATION SUPPLIES	\$129.13
156027	Grand & Toy	STATIONARY SUPPLIES	\$1,043.85
156027	Grand & Toy	STATIONARY SUPPLIES	\$831.37
156027	Grand & Toy	STATIONARY SUPPLIES	\$109.15
156043	KR COMMUNICATIONS LTD.	EQUIP. MNTCE.	\$402.86
156048	LENA HODGINS	STAFF EDUCATOR	\$2,531.20
156051	Marbolt	CONTRACTED REPAIRS	\$29.50
156057	Medical Mart	NURSING-DRUGS	\$1,458.72
156057	Medical Mart	INCONT. PRODUCTS	\$1,142.75
156057	Medical Mart	NURSING-DRUGS	\$397.76
156057	Medical Mart	NURSING-DRUGS	\$138.99
156078	Russell Hendrix	DIETARY EQUIP.	\$171.78
156078	Russell Hendrix	DIETARY RAW FOOD	\$399.46
156089	Stericycle, ULC	PURCHASED SERVICES	\$369.17
156105	Total Landscaping	SNOW REMOVAL	\$6,983.74
156114	Wood Wyant Inc.	HOUSEKEEPING SUPPLIES	\$69.51
156121	Abell Pest Control Inc.	PURCHASED SERVICES	\$330.25
156156	Dominion Security Services Ltd	COVID-PURCHASED SERVICES	\$19,633.19
156163	PAULA THOMAS	ENTERTAINMENT	\$200.00
156164	Linde Mechanical Inc.	PURCHASED SERVICES	\$3,638.59
156165	ESTATE OF ANN KOLKMAN	ACCOMM. REFUND	\$63.73
156166	ESTATE OF RUBY MC INTYRE	ACCOMM. REFUND	\$1,676.66
156203	Medical Mart	NURSING-DRUGS	\$1,043.77
156203	Medical Mart	INCONT. PRODUCTS	\$2,484.46
156203	Medical Mart	INCONT. PRODUCTS	\$1,796.61
156203	Medical Mart	NURSING-DRUGS	\$2.25
156236	Stericycle, ULC	PURCHASED SERVICES	\$623.42
156236	Stericycle, ULC	PURCHASED SERVICES	\$708.17
156261	W.S.I.B.	SCHEDULE 2	\$2,874.61
156261	W.S.I.B.	SCHEDULE 2	\$654.24
156263	Wood Wyant Inc.	HOUSEKEEPING SUPPLIES	\$1,381.53
156263	Wood Wyant Inc.	HOUSEKEEPING SUPPLIES	\$20.13
156263	Wood Wyant Inc.	CONTRACTED REPAIRS	\$799.58
156310	D& B Electric (Strathroy) Ltd.	COVID-EQUIP. MNTCE.	\$1,581.73
156323	WHITTY STALLAERT ENGINEERING INC.	S/L ICIP-HVAC 2021	\$1,101.75
156324	GEORGE COUREY	BEDDING REPLACEMENT	\$841.16

# Strathmere Lodge Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
156324	GEORGE COUREY	BEDDING REPLACEMENT	\$411.32
156325	URGO MEDICAL NORTH AMERICA LLC	NURSING SUPPLIES	\$439.17
156334	Harco Co. Ltd.	IPAC MIN. EQUIP.	\$104,712.58
156341	DR. J. PARR	ON CALL	\$256.51
156345	LENA HODGINS	STAFF EDUCATOR	\$2,531.20
156348	LARRY MCGILL	ENTERTAINMENT	\$300.00
156356	Medical Mart	NURSING SUPPLIES	\$22.59
156356	Medical Mart	INCONT. PRODUCTS	\$2,126.54
156359	DR. M. MITHOOWANI	ON CALL	\$317.80
156367	VANDEWALLE MEDICINE PROFESSIONAL CORP.	ON CALL	\$359.11
156383	DR. SARA PUENTE	ON CALL	\$544.80
156385	STRATHROY HHBC	CONTRACTED REPAIRS	\$57.55
156410	ZSOLT HORVATH	ENTERTAINMENT	\$90.00
			\$365,159.19

# Economic Development Payables

March 3, 2023 - March 30, 2023

Cheque Number	Vendor Name	Invoice Description	Amount
155849	Economic Developers Council of Ontario Inc	Annual Membership	\$952.59
155858	Fanshawe College - Billing & Receivables	Workshop	\$10,000.00
155858	Fanshawe College - Billing & Receivables	Workshop	\$2,000.00
155862	Frameworks Media Inc.	Video	\$4,474.80
155899	Municipality of Middlesex Centre	Q2 Rent 2023	\$1,421.77
155985	4 Imprint Inc.	Promotional Items	\$5,743.79
155985	4 Imprint Inc.	Promotional Items	\$5,541.73
156091	Mun. of Strathroy Caradoc	Advertising	\$430.00
156108	Visit Middlesex	Advertising	\$1,535.67
156207	Municipality of Middlesex Centre	Advertising	\$322.42
156225	Rinkboards Incorporated	Tourism Advertising	\$1,429.45
156243	Municipality of Thames Centre	Advertisement	\$565.00
156284	Astley Gilbert Limited	Advertising	\$367.25
156288	Bell Media Radio GP	Advertising	\$452.00
156288	Bell Media Radio GP	Advertising	\$768.40
156303	CR Creative Co. Ltd	Website Domain Renewal	\$27.12
156350	Twp. of Lucan Biddulph	Advertisement	\$430.00
156375	Sean Columbus	Employee Expense Claim	\$37.82
156388	Studio Locale	Website Maintenance	\$2,028.35
156404	VENDO Media Inc.	Advertising	\$5,066.25
			\$43,594.41



## Committee of the Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Durk Vanderwerff, Director of Planning  
**Subject:** Ontario Land Tribunal Appeal of Proposed Plan of Condominium; File No. 39T-MC-CDM2101; Sweid Holdings Inc.; Middlesex Centre

---

### **BACKGROUND:**

Sweid Holdings Inc. is proposing to develop a residential plan of condominium within Kilworth. Applications were submitted to the County for a plan of condominium and locally for an amendment to the Middlesex Centre Official Plan.

At the February 15<sup>th</sup> 2023 Council meeting for the Municipality of Middlesex Centre, a motion was passed recommending that the County refuse to approve the plan of condominium application as well as refusing to adopt the proposed amendment to the Middlesex Centre Official Plan.

### **ANALYSIS:**

On March 2<sup>nd</sup> 2023 Sweid Holdings Inc. appealed to the Ontario Land Tribunal (OLT) the County's lack of decision to approve the plan of condominium. Sweid Holdings Inc. also appealed the refusal to adopt the proposed amendment to the Middlesex Centre Official Plan. The related planning applications will be consolidated into one Hearing, and the OLT will therefore essentially act in place of County Council. The County Solicitor will represent the County in this matter.

### **FINANCIAL IMPLICATIONS:**

The extent of staff resources (Legal and Planning) to defend the County's decision is not yet known however it is anticipated that this will be accommodated within the approved budget.

### **ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

<b>Strategic Focus</b>	<b>Goals</b>	<b>Objectives</b>
Strengthening Our Economy	Encourage a diverse and robust economic base throughout the county	Create an environment that enables the attraction and retention of businesses, talent, and investments Support the development and prosperity of downtown core areas in Middlesex County

**Ministry for Seniors  
and Accessibility**

Minister

College Park  
777 Bay Street  
5<sup>th</sup> Floor  
Toronto ON M7A 1S5

**Ministère des Services aux  
aînés et de l'Accessibilité**

Ministre

College Park  
777, rue Bay  
5e étage  
Toronto (Ontario) M7A 1S5



March 2023

Dear Mayor, Reeve and Members of Council:

I am writing to invite you to submit a nomination for the 2023 [Ontario Senior of the Year Award](#).

This award gives each municipality the opportunity to honour one of their outstanding local seniors for the contributions they've made to enrich the social, cultural, and civic life of their community.

The deadline for nominations is April 30, 2023.

For more information on how to submit a nomination online, please visit the [Senior of the Year](#) webpage. Once you submit a nomination, a personalized certificate with your nominee's name will be sent to you. I encourage you to present it to your nominee in June in conjunction with Seniors Month.

The Ontario government is always delighted to celebrate Seniors Month with municipalities across the province. Seniors have generously given their time, knowledge and expertise to help build this great province that we all enjoy today. It is important that we take the time to celebrate our older population and their valuable contributions.

If you have any questions about the upcoming 2023 Ontario Senior of the Year Award, please contact Ontario Honours and Awards at [OntarioHonoursAndAwards@ontario.ca](mailto:OntarioHonoursAndAwards@ontario.ca).

Thank you in advance for your support of local seniors and Seniors Month.

Sincerely,

Raymond Cho  
Minister for Seniors and Accessibility



**Ministry for Seniors  
and Accessibility**

Minister

College Park  
777 Bay Street  
5<sup>th</sup> Floor  
Toronto ON M7A 1S5

**Ministère des Services aux  
aînés et de l'Accessibilité**

Ministre

College Park  
777, rue Bay  
5<sup>e</sup> étage  
Toronto (Ontario) M7A 1S5



Mars 2023

Monsieur le Maire/Madame la Mairesse, Préfet/Préfète et Membres du Conseil :

Je vous écris pour vous inviter à soumettre une candidature pour le [Prix de la personne âgée de l'année de l'Ontario](#) de 2023.

Ce prix donne à chaque municipalité l'occasion d'honorer une personne âgée exceptionnelle de sa localité pour les contributions qu'elle a apportées à l'enrichissement de la vie sociale, culturelle et civique de sa communauté.

La date limite de soumission des candidatures est le 30 avril 2023.

Pour obtenir de plus amples renseignements concernant la façon de soumettre une candidature en ligne, veuillez visiter la page Web du [Prix de la personne âgée de l'année de l'Ontario](#). Une fois que vous aurez soumis une candidature, un certificat personnalisé avec le nom de votre candidat(e) vous sera envoyé. Je vous encourage à le présenter à votre candidat(e) en juin dans le cadre du Mois des aînés.

Le gouvernement de l'Ontario est toujours ravi de célébrer le Mois des aînés avec les municipalités de toute la province. Les personnes âgées ont généreusement donné leur temps, leurs connaissances et leur expertise pour faire de cette province le meilleur endroit au pays où vivre et travailler. Il est important que nous prenions le temps de célébrer nos aînés et leurs précieuses contributions.

Si vous avez des questions au sujet du Prix de la personne âgée de l'année de l'Ontario de 2023, veuillez communiquer avec l'Unité de la reconnaissance des bénévoles à l'adresse suivante : [OntarioHonoursAndAwards@ontario.ca](mailto:OntarioHonoursAndAwards@ontario.ca)

Merci d'avance pour votre soutien aux personnes âgées de votre région et au Mois des aînés.

Sincèrement,

A handwritten signature in black ink, reading 'Raymond Cho'.

Raymond Cho  
Ministre des Services aux aînés et de l'Accessibilité

## Municipal Newsletter

March 2023

This is the March 2023 municipal update about the work we do, in partnership with you, to protect municipal drinking water sources in Maitland Valley and Ausable Bayfield source protection areas.

### Contents:

1. Doug Hocking, John Thompson are newest members of committee working to protect drinking water sources
2. Local source protection authorities submit proposed updates to source protection plans to Province
3. Best practices for source water protection
4. Preparing Annual Progress Report for year 2022
5. Preparing video on municipal and other partners who are part of the water team

### 1. Doug Hocking, John Thompson are newest members of committee working to protect drinking water sources

Doug Hocking, John Thompson are newest members of committee working to protect drinking water sources

Our local committee, working to protect municipal drinking water sources, has two new members. Doug Hocking, of Exeter, and John Thompson, of Goderich, are the newest members of the Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee (SPC). They took part in their first SPC meeting on March 1, 2023 in Holmesville.

The SPC creates policies to protect local sources of municipal drinking water from possible threats such as fuel, salt, chemicals, nutrients, pesticides, and hazardous waste in areas near the municipal wells.

## About Us

### Source Protection Committee

- 12 members plus a Chair
- Represents local municipalities, economic sectors and public

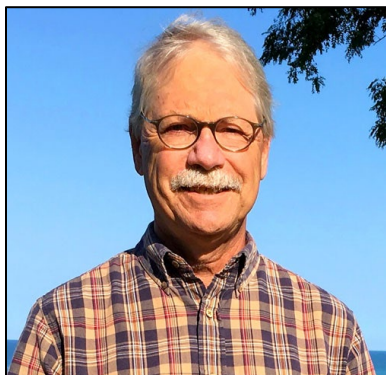
### Source Protection Plans (SPP)

- Developed locally
- Approved by Province in 2015; Amended in 2023
- Policies to protect municipal sources of drinking water
- Area covered – Ausable Bayfield and Maitland Valley source protection areas

**Goal:** To protect region's municipal sources of drinking water – aquifers and lakes – from contamination and overuse

Doug Hocking is a Property Owner representative on the committee and John Thompson is a municipal representative for the North Group of municipalities (Ashfield-Colborne-Wawanosh; Goderich; Huron-Kinloss; and South Bruce).

SPC Chair Matt Pearson welcomed the two new members to the committee. “Both John and Doug have a great deal of interest in, and knowledge of, drinking water source protection,” he said. “With their strong backgrounds in environmental issues they will provide great insight and commitment as we continue to implement source protection planning policies.”



John Thompson was elected Councillor for the Town of Goderich in 2022. He has a lifelong interest in ecological concerns. He has a Master in Environmental Studies degree from York University in 1992 and a PhD in Human Development and Applied Psychology from the University of Toronto. He has been a volunteer in his community including work with environmental organizations. He has worked as a journalist and rural economic development researcher. He has also been a library planner and computer consultant.



Doug Hocking has Bachelor of Science in Agriculture (Honours Program) and Bachelor of Arts degrees from the University of Guelph. He is a long-time resident of Exeter who was raised on a farm in West Perth and who also lived in Listowel. Before retirement, Doug worked in close partnership with local urban and rural landowners for more than 30 years in water quality stewardship at Ausable Bayfield and Maitland Valley conservation authorities. In addition to stewardship work, he also analyzed thousands of surface water and sediment samples from drains, rivers and Lake Huron.

The source protection committee has 12 members plus a Chair and non-voting liaisons. The 2023 committee includes Chair Matt Pearson and the following members: Municipal: Allan Rothwell (East); Paul Heffer (Central); John Thompson (North); Dave Frayne (South West); Philip Keightley (Commerce); Rowland Howe (Industry); Bert Dykstra (Agriculture); Mary Ellen Foran (Agriculture); John Graham (Environment); Jennette Walker (Environment); Doug Hocking (Property Owner); and Alyssa Keller (Public-at-Large).

To find out more visit the Ausable Bayfield Maitland Valley Source Protection Region committee web page (<https://www.sourcewaterinfo.on.ca/the-committee/>) on the local source protection website at <https://www.sourcewaterinfo.on.ca>

## 2. Proposed updates to local source protection plans submitted to Province

The source protection committee has developed updates to the source protection plans to better protect sources of drinking water. These proposed changes are prepared per section 36 of the *Clean Water Act*. They were submitted to the Province in March for Minister's approval.

Thanks to all our local municipalities for their input on the proposed changes and thanks to the public who took part in consultation opportunities.

## 3. Best practices for source water protection

The Province of Ontario is working to help Ontarians to protect water sources and **non-municipal** drinking water systems that are not included in a source protection plan or aren't regulated by the Ontario *Clean Water Act, 2006*.

The Province of Ontario released some of the strategies that can be employed on the source water protection best practices web page (<https://www.ontario.ca/document/best-practices-source-water-protection>) The SPC, in conjunction with Conservation Ontario and with assistance from Huron Perth Public Health, are developing a plan to promote some of these resources on a local basis.

## 4. Preparing Annual Progress Report for year 2022

Last year (2022), our source protection region submitted its Fifth Annual Progress Report for drinking water source protection in the Ausable Bayfield and Maitland Valley areas. This was for the 2021 year and it is available on our local source protection website (<https://www.sourcewaterinfo.on.ca/portfolio/fifth-annual-progress-report-2021/>)

We are now working on completion of the 2022 Annual Progress Report which we will submit to the Province of Ontario shortly. When it is approved, we will post it to our website.

## 5. Preparing video on municipal and other partners who are part of the water team

***Be Part of the Water Team*** will be the newest video in the SPC video series and it will detail the role municipal councils, water operators, public works and environmental managers, and many other partners play in keeping our municipal drinking water safe and clean.

The narrator for this video is Paul Heffer, SPC Municipal Rep. and Township of North Huron Reeve. The Ausable Bayfield Maitland Valley Source Protection Region thanks all the municipal partners, agencies and businesses who are helping us to add another video to our popular source water protection series, which has exceeded 20,000 views.

We will show a draft of the video at the March 29th SPC meeting and we expect to share it publicly in the coming weeks. When it's ready, we will post it to our source protection videos web page (<https://www.sourcewaterinfo.on.ca/news/videos/>) and share it with your municipal staff. Watch for it!

## Next Source Protection Committee meeting

The next meeting of the Ausable Bayfield Maitland Valley Source Protection Committee is Wednesday, March 29, 2023 at 9:30 a.m. at Libro Community Hall, 239 Bill Fleming Drive, Clinton. The next SPC meeting after that is scheduled for Wednesday, May 31, 2023 at 9:30 a.m., location to be determined.



Shown, in March 2023, celebrating the Source Protection Committee completion of draft updates to the Ausable Bayfield and Maitland Valley source protection plans are, from left to right, Chair Matt Pearson; Doug Hocking (Property Owner); Allan Rothwell (Municipal East); Bert Dykstra (Agriculture); John Thompson (Municipal North); Mary Ellen Foran (Agriculture); Philip Keightley (Commerce); Jennette Walker (Environment); and Rowland Howe (Industry). Not in photo are Paul Heffer (Municipal Central); Dave Frayne (Municipal South-West); John Graham (Environment); and Alyssa Keller (Public-at-Large).

**If you have new staff members who need training on drinking water source protection or would like a presentation to your council, please give us a call so we can assist you.**

Ausable Bayfield Maitland Valley Source Protection Region  
c/o Ausable Bayfield Conservation Authority  
71108 Morrison Line, R.R. 3  
Exeter, ON N0M 1S5

Tel 519-235-2610 ext. 247  
Fax 519-235-1963  
Toll-free 1-888-286-2610  
[www.sourcewaterinfo.on.ca](http://www.sourcewaterinfo.on.ca)

This project has received funding support from the Government of Ontario.  
Such support does not indicate endorsement of the contents of this material.



**March 28, 2023**

Cathy Burghardt-Jesson  
Warden, County of Middlesex  
399 Ridout Street North  
London, ON N6A 2P1

**RE: Monthly Board of Health Update – March 2023**

Dear Warden Burghardt-Jesson,

Please find the March 2023 Board of Health meeting update attached to this memo. The attached update includes links to reports reviewed at the March 16, 2023 Board of Health meeting, as well as links to the minutes from the meeting.

Sincerely,



Matt Reid  
Chair, Middlesex-London Board of Health

CC:

Bill Rayburn, Chief Administrative Officer, Middlesex County  
Marci Ivanic, Legislative Services Manager/Clerk, Middlesex County  
Middlesex County Municipal Clerks



## MIDDLESEX-LONDON BOARD OF HEALTH Meeting Update

### BOARD OF HEALTH MEETING – March 16, 2023 at 7 p.m.

*Please note: This document contains draft versions of motions only from this meeting. Significant discussion on many items is not captured here but will be available in the approved minutes that will be published after the meeting of the following month.*

[Complete Agenda Package](#)

Approved: [February 16, 2023 - Board of Health meeting](#)

Received: [March 9, 2023 - Finance and Facilities Committee meeting](#)

Reports	Reports Received and Approved by the Board of Health
<b>Performance Appraisal Committee Meeting Summary</b>  <b>(Verbal Update)</b>	<p>It was moved by <b>M. Smibert, seconded by M. Steele</b>, that the Board of Health:</p> <ol style="list-style-type: none"> <li>1) Receive Report No. 01-23PA, re: 2023 Medical Officer of Health and Chief Executive Officer Performance Appraisals Procedures for information;</li> <li>2) Amend the Appendices to Policy G-050 MOH and CEO Performance Appraisals Procedure to conduct a 360 external partner Performance Appraisal process on a bi-annual basis;</li> <li>3) Amend the Appendices to Policy G-050 MOH and CEO Performance Appraisals Procedure to conduct an internal Performance Appraisal process on an annual basis; and</li> <li>4) Approve the performance appraisal process, supporting documents, and timelines as amended (<a href="#">Appendix A</a>).</li> </ol> <p style="text-align: right;">Carried</p>
<b>City of London Funding to Support Cannabis Programming</b>  <b>(<a href="#">Report No. 17-23</a>)</b>	<p>It was moved by <b>M. McGuire, seconded by M. Smibert</b>, that the Board of Health receive Report No. 17-23, re: “City of London Funding to Support Cannabis Programming” for information.</p> <p style="text-align: right;">Carried</p>
<b>Burden of Health Attributable to Smoking and Alcohol Consumption in Middlesex-London</b>  <b>(<a href="#">Report No. 18-23</a>)</b>	<p>It was moved by <b>M. Smibert, second by M. Steele</b>, that the Board of Health receive Report No. 18-23, re: “Burden of Health Attributable to Smoking and Alcohol Consumption in Middlesex-London” for information.</p> <p style="text-align: right;">Carried</p>
<b>2022 Mpox Outbreak Summary</b>  <b>(<a href="#">Report No. 19-23</a>)</b>	<p>It was moved by <b>A. DeViet, seconded by S. Franke</b>, that the Board of Health receive Report No. 19-23 re: “2022 Mpox Outbreak Summary” for information.</p> <p style="text-align: right;">Carried</p>

<b>Current Public Health Issues</b>  <b>(Verbal Update)</b>	<p>It was moved by <b>S. Franke, seconded by M. Smibert</b>, that the Board of Health receive the verbal report re: “Current Public Health Issues” for information.</p> <p style="text-align: right;">Carried</p>
<b>Medical Officer of Health Activity Report for February</b>  <b>(<a href="#">Report No. 20-23</a>)</b>	<p>It was moved by <b>S. Franke, seconded by M. McGuire</b>, that the Board of Health receive Report No. 20-23 re: “Medical Officer of Health Activity Report for February” for information.</p> <p style="text-align: right;">Carried</p>
<b>Chief Executive Officer Activity Report for February</b>  <b>(<a href="#">Report No. 21-23</a>)</b>	<p>It was moved by <b>S. Franke, seconded by M. McGuire</b>, that the Board of Health receive Report No. 21-23 re: “Chief Executive Officer Activity Report for February” for information.</p> <p style="text-align: right;">Carried</p>
<b>Correspondence for March</b>	<p>It was moved by <b>S. Franke, seconded by A. DeViet</b>, that the Board of Health receive the following items for information:</p> <ul style="list-style-type: none"> <li>a. Public Health Sudbury &amp; Districts re: 2022 COVID-19 Response by the Numbers and Recovery Progress Report</li> <li>b. Public Health Sudbury &amp; Districts re: Community Engagement to Address Food Insecurity</li> <li>c. Health Canada re: response to August 2, 2022 consultation letter on the Tobacco and Vaping Products Act</li> <li>d. March 2023 Middlesex-London Board of Health External Landscape</li> <li>e. Windsor-Essex County Health Unit re: Letter of Support – Physical Literacy for Healthy Active Children</li> <li>f. North Bay Parry Sound District Health Unit re: Food Insecurity in Ontario</li> <li>g. Chief Medical Officer of Health – 2022 Annual Report</li> <li>h. Association of Local Public Health Agencies re: in response to the Chief Medical Officer of Health’s 2022 Annual Report</li> </ul> <p style="text-align: right;">Carried</p> <p>It was moved by <b>M. Smibert, seconded by M. Steele</b>, that the Board of Health endorse the following items:</p> <ul style="list-style-type: none"> <li>i. Public Health Sudbury &amp; Districts re: Provincial Funding for Consumption and Treatment Services</li> <li>j. Association of Local Public Health Agencies re: Boards of Health – Order in Council Appointments</li> <li>k. Association of Local Public Health Agencies re: Pre Budget-Submission</li> </ul> <p style="text-align: right;">Carried</p>

<p><b>Finance and Facilities Committee Meeting Summary</b></p> <p><b>(<a href="#">Report No. 22-23</a>)</b></p>	<p>It was moved by <b>M. Steele, seconded by A. DeViet</b>, <i>that the Board of Health:</i></p> <ol style="list-style-type: none"> <li>1) <i>Receive Report No. 04-23FFC re: “Proposed Revised 2023 Budget” for information; and</i></li> <li>2) <i>Receive Report No. 05-23FFC re: “2022 Vendor and VISA Payments” for information.</i></li> </ol> <p style="text-align: right;">Carried</p>
---	--



## Committee of Whole

---

**Meeting Date:** April 11, 2023  
**Submitted by:** Jessica P. Ngai, Director of Human Resources  
**Subject:** Benefit Renewal for April 2023 to March 2024

---

### **BACKGROUND:**

The County's employee benefit program is provided through RWAM Insurance Administrators. This benefit program covers all full-time employees working at the County with the exception of Middlesex London Paramedics Service employees, and includes extended health, dental, group life and long-term disability.

Our annual benefit year is from April 1 to March 31. At the last benefit renewal, there was a 9.1% increase in our total benefit costs, which was largely due to the increase in LTD costs. For the current benefit year, April 1, 2023 to March 31, 2024, our costs will increase by 1.8%.

### **ANALYSIS:**

Our overall benefit renewal cost for the current benefit year will increase by 1.8%, which equates to an actual dollar increase of \$2,917.20 per month. This total cost change is a result of the following changes in each specific policy area:

- **EHC:** increase of \$2,917.20 per month
- **Dental:** No change
- **Pooled Benefit:**
  - **Life:** no change
  - **AD&D:** no change
  - **Dependent Life:** no change
  - **LTD:** no change

The County moved to an Administrative Services Only (ASO) plan for dental coverage in 2016. This arrangement maintains a reserve that RWAM uses to pay dental claims, and there is a requirement to maintain a reserve that represents 7% of claims. If there is an excess of premium payment over expenses, the County maintains ownership of the excess (under a normal insurance arrangement the insurer keeps any excess as profit). As of December 31, 2022, the ASO plan for our dental coverage has a surplus reserve of \$213,758.87.

The long-term disability benefit is a pooled benefit, meaning the rates are not entirely specific to the risk for the Middlesex County group as it is pooled with the block of business for all the carriers. For this benefit renewal year, the long-term disability benefit costs remain the same at \$5.954 per \$100 of the benefit.

**FINANCIAL IMPLICATIONS:**

The overall cost of our monthly premiums for this benefit year, inclusive of the 8% Ontario Sales Tax, will be \$170,857.65.

**RECOMMENDATION:**

That County Council receive this benefit renewal report for April 2023 to March 2024 for information.

## Media Release

FOR IMMEDIATE RELEASE – April 4, 2023

### **WOWC supports Good Roads' plan to build safer rural roads and address municipal liability**

**Southwestern Ontario** – The Western Ontario Wardens' Caucus (WOWC) joined Good Roads (originally known as the Ontario Good Roads Association) in calling on the Province of Ontario to work collaboratively with municipalities across rural Ontario to make roads safer, as well as improve risk management, community connectivity, and economic development.

Given that the 15 members of the WOWC represent approximately 300 communities across rural Southwestern Ontario, the Caucus recently supported Good Roads' *Plan to Build Safer Rural Roads and Address Municipal Liability*, specifically the request to work in conjunction with the Ontario Ministry of Transportation to design and administer a program to provide municipalities with access to a pool of funding to enhance road safety and to repair and upgrade targeted sections of rural roads deemed unsafe.

Good Roads has also indicated its preparedness to fund pilot projects to demonstrate the benefits of this initiative, noting that Ontario's rural roads are disproportionately dangerous and a source of significant liability for rural municipalities – and that there are cost-effective, cutting-edge roadway safety tools that can be used to prevent injuries and save lives.

"Simply put, rural roads are more dangerous than other roads. In 2019, there were 428 traffic fatalities on municipal roads, of which 205 occurred in rural municipalities. The unfortunate reality is that with only 13.3% of the provincial population, rural Ontario accounted for 48% of traffic fatalities on municipal roads," explains Scott Butler, Executive Director of Good Roads. "Many rural, remote, and northern municipalities are responsible for maintaining extensive road networks on a smaller population/tax base. As a result, these roads tend to be older, in poorer condition, and incorporate basic road safety infrastructure."

With provincial partnership, problematic sections of Ontario's rural, northern, and remote roads can be made less dangerous. Potential interventions include replacing legacy assets (wooden posts with guardrails), installing absent road fixtures (guiderail, signs, lighting, and



road paint), or upgrading to more modern assets with innovative safety functions (guardrails, guiderails, and crash cushions).

“The WOWC understands that there are multiple benefits to a program such as this, notably, that preventing crashes results in a reduction of serious injuries and deaths, which keeps people out of hospitals at a time when the system is straining,” explained WOWC Chair Glen McNeil. “Lawsuits resulting from these accidents are also significant factors in increasing municipal insurance premiums, meaning that efforts to make roads safer are also one of the most meaningful ways that municipalities can improve their risk profile – all while creating employment for labourers working right here in rural Western Ontario.”

Good Roads also highlights funding precedents in other parts of the world, including in the United States, where the High Risk Rural Roads (HRRR) program as part of the Highway Safety Improvement Program (HSIP) aims to “correct or improve a hazardous road location or feature or address a highway safety problem; or be identified on the basis of crash experience, crash potential, crash rate, or other data supported means.”

In Australia and New Zealand, the Remote Roads Upgrade Pilot Program targets “road improvements for regional communities, and addresses significant deficiencies on key regional and rural roads that limit community access, pose safety risks, and impact the economic development of the surrounding area.” No similar program exists in Canada or Ontario.

Good Roads is a municipal association concerned with the quality and design of roads in Ontario, devoted to the cause of better roads since 1894. Its members include most of Ontario’s municipalities and a growing number of First Nations as well as dozens of affiliated corporate members in the transportation and infrastructure sectors.

### **About**

The ***Western Ontario Wardens’ Caucus (WOWC)*** is a not-for-profit organization representing 15 upper and single-tier municipalities in Southwestern Ontario, representing more than 1.5 million residents. The WOWC aims to enhance the prosperity and overall wellbeing of rural and small urban communities across the region. Caucus members work collectively to influence federal and provincial legislation and programs through advocacy, research, analysis, and education. For more information, visit [www.wowc.ca](http://www.wowc.ca).

-30-

### **Media Contact**

Kate Burns Gallagher, Executive Director  
T: 519-495-6059 E: [kate@wowc.ca](mailto:kate@wowc.ca)

# **MIDDLESEX LIBRARY BOARD**

## **MINUTES**

**(TO BE APPROVED)**

Tuesday, March 28, 2023, 10:30 AM  
Middlesex County Building  
399 Ridout Street North, London

Members Present      Warden Burghardt-Jesson  
                                 Councillor McMillan  
                                 Jim Maudsley  
                                 Marigay Wilkins  
                                 Ruth Adams  
                                 Brad Richards

Also Present:           Lindsay Brock, Director of Library Services / CEO  
                         Liz Adema, Public Services Coordinator  
                         Paul Shipway, Acting Legislative Services Manager/Clerk

### **1. CALL TO ORDER**

Chair Maudsley called the meeting to order at 10:32am.

### **2. PROVISION FOR DISCLOSURE OF PECUNIARY INTEREST**

None.

### **3. MINUTES**

3.a      Minutes of the January 25, 2023 Meeting of the Library Board

Moved by Marigay Wilkins

Seconded by Ruth Adams

THAT the Minutes of the January 25, 2023 meeting of the Library Board  
be approved as presented.

Carried

#### **4. VISIONING TOPIC**

##### **4.a Ontario Public Library Guidelines & Accreditation**

Presentation by Lindsay Brock, Director of Library Services / CEO

Moved by Brad Richards

Seconded by Councillor McMillan

THAT the Ontario Public Library Guidelines & Accreditation presentation be received for information.

Carried

##### **4.b Library Board Orientation - Accessibility Training**

Presentation by Lindsay Brock, Director of Library Services / CEO

Moved by Ruth Adams

Seconded by Warden Burghardt-Jesson

THAT the Library Board Orientation - Accessibility Training presentation be received for information.

Carried

#### **5. ACTION ITEMS**

##### **5.a Code of Conduct Policy**

Report from Lindsay Brock, Director of Library Services / CEO

Moved by Marigay Wilkins

Seconded by Councillor McMillan

THAT the Code of Conduct policy be approved, replacing the Rules for Use of the Library policy, and that the Middlesex County Library policy manual be updated.

Carried

##### **5.b Appointment of Library Board Secretary**

Report from Paul Shipway, Acting Legislative Service Manager/Clerk

Moved by Warden Burghardt-Jesson  
Seconded by Brad Richards

THAT Paul Shipway, Acting Legislative Services Manager/Clerk, be appointed Secretary of the Middlesex County Library Board for the 2022-2026 term of Council or until such time as replaced.

Carried

## **6. CORRESPONDENCE AND INFORMATION ITEMS**

- 6.a System Internet 2023-2022
- 6.b System Circulation - 2023-2022
- 6.c Library Activity Report
- 6.d March 2023 Middlesex EarlyON Calendar

Moved by Ruth Adams  
Seconded by Councillor McMillan

THAT Items 6.a. to 6.d. be received for information.

Carried

## **7. INQUIRIES**

Lindsay Brock spoke about library branch tour dates and locations for the spring and fall. Lindsay Brock to send an email to coordinate for Library Board members.

## **8. NEW BUSINESS**

- 8.a Next Meetings

May 23, 2023

September 26, 2023

October 24, 2023

November 21, 2023

December 12, 2023

**9. BY-LAWS**

9.a #31 - A BY-LAW to Confirm the Proceedings of the March 28, 2023 meeting of the Library Board

Moved by Warden Burghardt-Jesson

Seconded by Marigay Wilkins

THAT the by-law be given a first and second reading.

Carried

Moved by Brad Richards

Seconded by Ruth Adams

THAT the by-law be given a third and final reading.

Carried

**10. ADJOURNMENT**

Moved by Councillor McMillan

Seconded by Ruth Adams

THAT the Meeting adjourn at 11:20am.

Carried

---

Paul Shipway, County Clerk

---

Jim Maudsley, Chair

# MIDDLESEX-LONDON PARAMEDIC SERVICES AUTHORITY BOARD

## MINUTES

### (TO BE APPROVED)

Wednesday, April 5, 2023, 10:30 AM  
Virtual Meeting

Members Present      Bill Rayburn  
                                Cathy Burghardt-Jesson  
                                Brian Ropp  
                                Mike McGuire  
                                Susan Stevenson

Also Present            Neal Roberts, Chief  
                                Chris Traini, County Engineer  
                                Adam Bennett, Deputy Chief, Operations  
                                Kelly Dolbear, Logistics Commander, MLPS  
                                Cindy Howard, GM Finance & Community Services, County Treasurer  
                                Paul Shipway, Secretary

#### 1.     **CALL TO ORDER**

Executive Chair Rayburn called the meeting to order at 10:30 am.

#### 2.     **PROVISION FOR DISCLOSURE OF PECUNIARY INTEREST**

None.

#### 3.     **MINUTES**

3.a     Minutes of the January 16, 2023 meeting of the MLEMS Authority Board

Moved by Cathy Burghardt-Jesson

Seconded by Mike McGuire

THAT the Minutes of the January 16, 2023 meeting of the MLEMS Authority Board be approved as presented.

Carried



#### **4. ACTION ITEMS**

##### **4.a System Status Update for 2023**

Report from Adam Bennett, Deputy Chief

Moved by Mike McGuire

Seconded by Susan Stevenson

THAT the System Status Update for 2023 report be received for information.

Carried

##### **4.b Update on Early Adopter Treat & Refer Program**

Verbal Report from Neal Roberts, Chief

Moved by Cathy Burghardt-Jesson

Seconded by Mike McGuire

THAT the Update on Early Adopter Treat & Refer Program Verbal Report be received for information.

Carried

##### **4.c Surplus Vehicle Disposal**

Report from Kelly Dolbear, Commander of Logistics

Moved by Brian Ropp

Seconded by Mike McGuire

THAT the Middlesex-London Paramedic Services Authority Board authorize this report to be presented to Middlesex County Council on April 11, 2023 so that the following vehicles can be declared surplus and sold on GOVDEALS.CA and that funds from the sale of these assets be placed into a capitol reserve account and be used to offset the 2023 ambulance purchases:

Vehicle Number	Vehicle VIN	Mileage (KMS)	Date of Last Reading	Vehicle Make
<b>2014-1076</b>	1GB3G3CG3F1183579	280,175	03/15/2023	Demers
<b>2015-1077</b>	1GB3G3CGXF1186317	250,215	03/15/2023	Demers
<b>2015-1183</b>	1GB3G3CG7F1185660	241,297	03/15/2023	Demers
<b>2015-1184</b>	1GB3G3CG9F1185420	338,107	03/15/2023	Demers
<b>2013-1170</b>	1GB3G3CG7D1142580	292,949	03/15/2023	Crestline
<b>2014-1171</b>	1GB3G3CG8E1155484	335,973	03/15/2023	Crestline
<b>2014-1188</b>	1GB3G3CG1E1155505	336,351	03/15/2023	Crestline
<b>2015-1071</b>	1GB3G3CG9F1109521	304,939	03/15/2023	Crestline
<b>2015-1191</b>	1GB3G3CG8F1111440	273,219	03/15/2023	Crestline
<b>2014-1047</b>	1GB3G3CG4E1154543	324,794	03/15/2023	Crestline

Carried

## 5. CORRESPONDENCE AND INFORMATION ITEMS

5.a Oneida Nation of the Thames Management Consulting Services Agreement

Verbal Report from Bill Rayburn, CAO

Moved by Mike McGuire

Seconded by Susan Stevenson

THAT the Oneida Nation of the Thames Management Consulting Services Agreement verbal report be received for information.

Carried

## 6. CLOSED SESSION

Moved by Susan Stevenson

Seconded by Cathy Burghardt-Jesson

THAT the next portion of the meeting be closed at 11:10am in order to consider a proposed or pending acquisition or disposition of land by the municipality or local board; a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board 239(2)(c)(k)

Carried

6.a MLPS Facilities

Report from Chris Traini, Deputy CAO/County Engineer and Bill Rayburn, CAO

Moved by Cathy Burghardt-Jesson

Seconded by Brian Ropp

THAT the Board resume from its Closed Session at 11:58am.

Carried

6.b Rise and Report from Closed Session

**7. INQUIRIES**

None.

**8. NEW BUSINESS**

None.

**9. BY-LAWS**

9.a #2023-02 - A BY-LAW to Confirm the Proceedings of the April 5, 2023 Meeting of the MLPS Authority Board

Moved by Mike McGuire

Seconded by Brian Ropp

THAT the by-law be given first and second reading.

Carried

Moved by Cathy Burghardt-Jesson

Seconded by Susan Stevenson

THAT the by-law be given third and final reading.

Carried

**10. NEXT MEETINGS**

**11. ADJOURNMENT**

Moved by Mike McGuire

Seconded by Susan Stevenson

THAT the meeting adjourn at 12:00pm.

Carried

---

Paul Shipway, County Clerk

---

Bill Rayburn, Executive Chair

# THE CORPORATION OF THE COUNTY OF MIDDLESEX

## BY-LAW #7226

A BY-LAW to approve and authorize the Warden and the Clerk to execute a Long Term Care Home Service Accountability Agreement between the Corporation of the County of Middlesex and Ontario Health.

### WHEREAS

- A. Council adopted a recommendation on April 11, 2023, to introduce a by-law to:
  - (i) Authorize and approve a Long Term Care Home Service Accountability Agreement between the Corporation of the County of Middlesex and Ontario Health effective April 1, 2023; and
  - (ii) Authorize the Warden and the Clerk to execute the Agreement.
- B. Section 5(3) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;
- C. Section 9 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and
- D. Section 10 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws respecting any service or thing that the municipality considers necessary or desirable for the public;

**NOW THEREFORE** the Council of the Corporation of the County of Middlesex enacts as follows:

- 1. THAT the Long Term Care Home Service Accountability Agreement between the Corporation of the County of Middlesex and Ontario Health, attached hereto as *Schedule "A"*, be approved.
- 2. That the Warden and the County Clerk be hereby authorized to sign and enact the Long Term Care Home Service Accountability Agreement between the Corporation of the County of Middlesex and Ontario Health, attached hereto as *Schedule "A"*.
- 3. That this By-law will come into force and take effect on April 11, 2023.

Passed in Council this 11<sup>th</sup> day of April, 2023.

---

Cathy Burghardt-Jesson, Warden

---

Paul Shipway, County Clerk

**LONG-TERM CARE HOME SERVICE ACCOUNTABILITY AGREEMENT**  
**April 1, 2023 to March 31, 2024**

**SERVICE ACCOUNTABILITY AGREEMENT**

**with**

**The Corporation of the County of Middlesex**

**Effective Date: April 1, 2023**

**Index to Agreement**

ARTICLE 1.0 - DEFINITIONS & INTERPRETATION .....2

ARTICLE 2.0 - TERM AND NATURE OF THIS AGREEMENT .....8

ARTICLE 3.0 - PROVISION OF SERVICES .....8

ARTICLE 4.0 - FUNDING ..... 11

ARTICLE 5.0 - ADJUSTMENT AND RECOVERY OF FUNDING..... 12

ARTICLE 6.0 - PLANNING & INTEGRATION ..... 14

ARTICLE 7.0 - PERFORMANCE ..... 17

ARTICLE 8.0 - REPORTING, ACCOUNTING AND REVIEW..... 18

ARTICLE 9.0 - REPRESENTATIONS, WARRANTIES AND COVENANTS .....21

ARTICLE 10.0 - LIMITATION OF LIABILITY, INDEMNITY & INSURANCE .....22

ARTICLE 11.0 – TERMINATION.....24

ARTICLE 12.0 - NOTICE .....26

ARTICLE 13.0 - INTERPRETATION.....27

ARTICLE 14.0 - ADDITIONAL PROVISIONS .....27

ARTICLE 15.0 - ENTIRE AGREEMENT .....29

**Schedules**

- Schedule A: Description of Home and Services
- Schedule B: Additional Terms and Conditions Applicable to the Funding Model
- Schedule C: Reporting Requirements
- Schedule D: Performance
- Schedule E: Form of Compliance Declaration



**THIS AGREEMENT** effective as of the 1<sup>st</sup> day of April, 2023.

**B E T W E E N :**

**ONTARIO HEALTH** (the “Funder”)

**AND**

**The Corporation of the County of Middlesex** (the “HSP”)

**IN RESPECT OF:**

**Strathmere Lodge** located at

**599 Albert Street, PO Box 5000, Strathroy, ON N7G 3J3**

**Background:**

This service accountability agreement is entered into pursuant to the *Connecting Care Act, 2019* (the “CCA”).

The HSP and the Funder are committed to working together, and with others, to achieve evolving provincial priorities including building a connected and sustainable health care system centred around the needs of patients, their families and their caregivers.

The Funder recognizes municipalities as responsible and accountable governments with respect to matters within their jurisdiction. The Funder acknowledges the unique character of municipal governments that are funded health service providers (each a “**Municipal HSP**”) under the Provincial Long-Term Care Home Service Accountability Agreement template (the “**LSAA**”), and the challenges faced by Municipal HSPs in complying with the terms of the LSAA, given the legal framework under which they operate. The Funder further recognizes and acknowledges that where a Municipal HSP faces a particular challenge in meeting its obligations under the LSAA due to its responsibilities as a municipal government or the legal framework under which it operates, it may be appropriate for the Funder to consult with the Municipal HSP and to use reasonable efforts to resolve the issue in a collaborative way that respects the municipal government while operating under the LSAA as a Municipal HSP.

In this context, the HSP and the Funder agree that the Funder will provide funding to the HSP on the terms and conditions set out in this Agreement to enable the provision of services to the health system by the HSP.

In consideration of their respective agreements set out below, the Funder and the HSP covenant and agree as follows:

**ARTICLE 1.0 - DEFINITIONS & INTERPRETATION**

**1.1 Definitions.** In this Agreement the following terms will have the following meanings.

“**Accountability Agreements**” means each of the accountability agreements, as that term is defined in the Enabling Legislation, in place during a Funding Year, between

Funder and the Ministry of Health, and between the Funder and the Ministry of Long Term Care.

**“Act”** means the Fixing *Long-Term Care Homes Act, 2021* and the regulations made under it, as it and they may be amended from time to time, and includes any successor legislation.

**“Active Offer”** means the clear and proactive offer of service in French to individuals, from the first point of contact, without placing the responsibility of requesting services in French on the individual.

**“Agreement”** means this agreement and includes the Schedules and any instrument amending this agreement or the Schedules.

**“Annual Balanced Budget”** means that, in each calendar year of the term of this Agreement, the total expenses of the HSP in respect of the Services are less than or equal to the total revenue of the HSP in respect of the Services.

**“Applicable Law”** means all federal, provincial or municipal laws, orders, rules, regulations, common law, licence terms or by-laws, and includes terms or conditions of a licence or approval issued under the Act, that are applicable to the HSP, the Services, this Agreement and the parties’ obligations under this Agreement during the term of this Agreement.

**“Applicable Policy”** means any orders, rules, policies, directives or standards of practice or Program Parameters issued or adopted by the Funder, by the Ministry or by other ministries or agencies of the province of Ontario that are applicable to the HSP, the Services, this Agreement and the parties’ obligations under this Agreement during the term of this Agreement. Without limiting the generality of the foregoing, Applicable Policy includes the Design Manual and the Long Term Care Funding and Financial Management Policies and all other manuals, guidelines, policies and other documents listed on the Policy Web Pages as those manuals, guidelines, policies and other documents may be amended from time to time.

**“Approved Funding”** has the meaning ascribed to it in Schedule B.

**“Beds”** means the long term care home beds that are licensed or approved under the Act and identified in Schedule A, as the same may be amended from time to time.

**“Board”** means in respect of an HSP that is:

- (a) a corporation, the board of directors;
- (b) A First Nation, the band council;
- (c) a municipality, the committee of management;
- (d) a board of management established by one or more municipalities or by one or more First Nations’ band councils, the members of the board of management;
- (e) a partnership, the partners; and
- (f) a sole proprietorship, the sole proprietor.

**“BPSAA”** means the *Broader Public Sector Accountability Act, 2010*, and regulations made under it as it and they may be amended from time to time.

**“CCA”** means the *Connecting Care Act, 2019*, and the regulations under it, as it and they may be amended from time to time.

**“CEO”** means the individual accountable to the Board for the provision of the Services in accordance with the terms of this Agreement, which individual may be the executive director or administrator of the HSP, or may hold some other position or title within the HSP.

**“Compliance Declaration”** means a compliance declaration substantially in the form set out in Schedule E.

**“Confidential Information”** means information that is marked or otherwise identified as confidential by the disclosing party at the time the information is provided to the receiving party. Confidential Information does not include information that (a) was known to the receiving party prior to receiving the information from the disclosing party; (b) has become publicly known through no wrongful act of the receiving party; or (c) is required to be disclosed by law, provided that the receiving party provides Notice in a timely manner of such requirement to the disclosing party, consults with the disclosing party on the proposed form and nature of the disclosure, and ensures that any disclosure is made in strict accordance with Applicable Law.

**“Conflict of Interest”** in respect of an HSP, includes any situation or circumstance where: in relation to the performance of its obligations under this Agreement

- (a) the HSP;
- (b) a member of the HSP’s Board; or
- (c) any person employed by the HSP who has the capacity to influence the HSP’s decision,

has other commitments, relationships or financial interests that:

- (a) could or could be seen to interfere with the HSP’s objective, unbiased and impartial exercise of its judgement; or
- (b) could or could be seen to compromise, impair or be incompatible with the effective performance of its obligations under this Agreement.

**“Construction Funding Subsidy”** has the meaning ascribed to it in Schedule B.

**“Controlling Shareholder”** of a corporation means a shareholder who or which holds (or another person who or which holds for the benefit of such shareholder), other than by way of security only, voting securities of such corporation carrying more than 50% of the votes for the election of directors, provided that the votes carried by such securities are sufficient, if exercised, to elect a majority of the board of directors of such corporation.

**“Days”** means calendar days.

**“Design Manual”** means the Ministry design manual or manuals in effect and applicable to the development, upgrade, retrofit, renovation or redevelopment of the Home or Beds subject to this Agreement.

**“Designated”** means designated as a public service agency under the FLSA.

**“Digital Health”** refers to the use of digital and virtual tools, products, technologies, data, and services that enable improved patient experience and population health outcomes, care quality, access, integration, coordination, and system sustainability when they are leveraged by patients, providers and integrated care teams;

**“Director”** has the same meaning ascribed to it in the Act.

**“Effective Date”** means April 1, 2023.

**“Enabling Legislation”** means the CCA.

**“Explanatory Indicator”** means a measure that is connected to and helps to explain performance in a Performance Indicator or a Monitoring Indicator. An Explanatory Indicator may or may not be a measure of the HSP’s performance. No Performance Target is set for an Explanatory Indicator.

**“Factors Beyond the HSP’s Control”** include occurrences that are, in whole or in part, caused by persons, entities or events beyond the HSP’s control. Examples may include, but are not limited to, the following:

- (a) significant costs associated with complying with new or amended Government of Ontario technical standards, guidelines, policies or legislation;
- (b) the availability of health care in the community (hospital care, long-term care, home care, and primary care);
- (c) the availability of health human resources; arbitration decisions that affect HSP employee compensation packages, including wage, benefit and pension compensation, which exceed reasonable HSP planned compensation settlement increases and in certain cases non-monetary arbitration awards that significantly impact upon HSP operational flexibility; and
- (d) catastrophic events, such as natural disasters and infectious disease outbreaks.

**“FIPPA”** means the *Freedom of Information and Protection of Privacy Act*, (Ontario) and the regulations made under it, as it and they may be amended from time to time.

**“FLSA”** means the *French Language Services Act* and the regulations made under it, as it and they may be amended from time to time.

**“Funder”** means Ontario Health.

**“Funding”** means the amounts of money provided by the Funder to the HSP in each Funding Year of this Agreement. Funding includes Approved Funding and Construction Funding Subsidy.

**“Funding Year”** means in the case of the first Funding Year, the period commencing on the January 1 prior to the Effective Date and ending on the following December 31, and in the case of Funding Years subsequent to the first Funding Year, the period commencing on the date that is January 1 following the end of the previous Funding Year and ending on the following December 31.

**“Home”** means the long-term care home at the location set out above, which for clarity includes the buildings where the Beds are located and for greater certainty, includes the

Beds and the common areas and common elements which will be used at least in part, for the Beds, but excludes any other part of the building which will not be used for the Beds being operated pursuant to this Agreement.

**“HSP’s Personnel and Volunteers”** means the Controlling Shareholders (if any), directors, officers, employees, agents, volunteers and other representatives of the HSP. In addition to the foregoing HSP’s Personnel and Volunteers shall include the contractors and subcontractors and their respective shareholders, directors, officers, employees, agents, volunteers or other representatives.

**“Identified”** means identified by the Funder or the Ministry to provide French language services.

**“Indemnified Parties”** means the Funder and its officers, employees, directors, independent contractors, subcontractors, agents, successors and assigns and His Majesty the King in right of Ontario and Her Ministers, appointees and employees, independent contractors, subcontractors, agents and assigns. Indemnified Parties also includes any person participating on behalf of the Funder in a Review.

**“Interest Income”** means interest earned on the Funding.

**“Licence”** means one or more of the licences or the approvals granted to the HSP in respect of the Beds at the Home under Part VII or Part VIII of the Act.

**“Mandate Letter”** has the meaning ascribed to it in the Memorandum of Understanding between the Ministry of Health and the Funder, and includes a letter from the Minister of Long-Term Care to the Funder establishing priorities in accordance with the Premier’s mandate letter to the Minister.

**“Minister”** means such minister of the Crown as may be designated as the responsible minister in relation to this Agreement or in relation to any subject matter under this Agreement, as the case may be, in accordance with the *Executive Council Act*, as amended.

**“Ministry”** means, as the context requires, the Minister or the Ministry of Health or the Minister of Long-Term Care or such other ministry as may be designated in accordance with Applicable Law as the ministry responsible in relation to the relevant matter or the Minister of that ministry, as the context requires.

**“Monitoring Indicator”** means a measure of HSP performance that may be monitored against provincial results or provincial targets, but for which no Performance Target is set.

**“Notice”** means any notice or other communication required to be provided pursuant to this Agreement, the Enabling Legislation or the Act.

**“Ontario Health”** means the corporation without share capital under the name Ontario Health as continued under the CCA.

**“Performance Agreement”** means an agreement between an HSP and its CEO that requires the CEO to perform in a manner that enables the HSP to achieve the terms of

this Agreement.

**“Performance Corridor”** means the acceptable range of results around a Performance Target.

**“Performance Factor”** means any matter that could or will significantly affect a party’s ability to fulfill its obligations under this Agreement, and for certainty, includes any such matter that may be brought to the attention of the Funder, whether by PICB or otherwise.

**“Performance Indicator”** means a measure of HSP performance for which a Performance Target is set; technical specifications of specific Performance Indicators can be found in the 2023-2024 LSAA Indicator Technical Specifications document, as it may be amended or replaced from time to time.

**“Performance Standard”** means the acceptable range of performance for a Performance Indicator or a Service Volume that results when a Performance Corridor is applied to a Performance Target.

**“Performance Target”** means the level of performance expected of the HSP in respect of a Performance Indicator or a Service Volume.

**“person or entity”** includes any individual and any corporation, partnership, firm, joint venture or other single or collective form of organization under which business may be conducted.

**“PICB”** means Performance Improvement and Compliance Branch of the Ministry, or any other branch or organizational unit of the Ministry that may succeed or replace it.

**“Planning Submission”** means the planning document submitted by the HSP to the Funder. The form, content and scheduling of the Planning Submission will be identified by the Funder.

**“Policy Web Pages”** means the web pages available at [www.health.gov.on.ca/lsaapolicies](http://www.health.gov.on.ca/lsaapolicies), and at [www.health.gov.on.ca/erssldpolitique](http://www.health.gov.on.ca/erssldpolitique) or such other URLs or Web pages as the Funder or the Ministry may advise from time to time. Capital policies can be found at [Http://www.health.gov.on.ca/english/providers/program/lrc\\_redev/awardeeoperator.html](http://www.health.gov.on.ca/english/providers/program/lrc_redev/awardeeoperator.html).

**“Program Parameter”** means, in respect of a program, the provincial standards (such as operational, financial or service standards and policies, operating manuals and program eligibility), directives, guidelines and expectations and requirements for that program.

**“RAI MDS Tools”** means the standardized Resident Assessment Instrument – Minimum Data Set (“RAI MDS”) 2.0, the RAI MDS 2.0 User Manual and the RAI MDS Practice Requirements, as the same may be amended from time to time.

**“Reports”** means the reports described in Schedule C as well as any other reports or information required to be provided under the Enabling Legislation, the Act or this Agreement.

**“Resident”** has the meaning ascribed to it under the Act.

**“Review”** means a financial or operational audit, investigation, inspection or other form of review requested or required by the Funder under the terms of the Enabling Legislation or this Agreement, but does not include the annual audit of the HSP’s financial statements.

**“Schedule”** means any one, and **“Schedules”** mean any two or more, as the context requires, of the schedules appended to this Agreement including the following:

**Schedule A:** Description of Home and Services;

**Schedule B:** Additional Terms and Conditions Applicable to the Funding Model;

**Schedule C:** Reporting Requirements;

**Schedule D:** Performance; and

**Schedule E:** Form of Compliance Declaration

**“Services”** means the operation of the Beds and the Home and the accommodation, care, programs, goods and other services that are provided to Residents (i) to meet the requirements of the Act; (ii) to obtain Approved Funding; and (iii) to fulfill all commitments made to obtain a Construction Funding Subsidy.

**“Service Volume”** means a measure of Services for which a Performance Target is set.

- 1.2 Interpretation.** Words in the singular include the plural and vice-versa. Words in one gender include all genders. The words “including” and “includes” are not intended to be limiting and shall mean “including without limitation” or “includes without limitation”, as the case may be. The headings do not form part of this Agreement. They are for convenience of reference only and will not affect the interpretation of this Agreement. Terms used in the Schedules shall have the meanings set out in this Agreement unless separately and specifically defined in a Schedule in which case the definition in the Schedule shall govern for the purposes of that Schedule.

## **ARTICLE 2.0 - TERM AND NATURE OF THIS AGREEMENT**

- 2.1 Term.** The term of this Agreement will commence on the Effective Date and will expire on the earlier of (1) March 31, 2024 or (2) the expiration or termination of all Licences, unless this Agreement is terminated earlier or extended pursuant to its terms.
- 2.2 A Service Accountability Agreement.** This Agreement is a service accountability agreement for the purposes of the Enabling Legislation.
- 2.3 Prior Agreements.** The parties acknowledge and agree that all prior agreements for the Services are terminated.

## **ARTICLE 3.0 - PROVISION OF SERVICES**

### **3.1 Provision of Services.**

- (a) The HSP will provide the Services in accordance with, and otherwise comply with:



- (1) the terms of this Agreement;
  - (2) Applicable Law; and
  - (3) Applicable Policy.
- (b) When providing the Services, the HSP will meet the Performance Standards and conditions identified in Schedule D.
- (c) Unless otherwise provided in this Agreement, the HSP will not reduce, stop, start, expand, cease to provide or transfer the provision of the Services except with Notice to the Funder and if required by Applicable Law or Applicable Policy, the prior written consent of the Funder.
- (d) The HSP will not restrict or refuse the provision of Services to an individual, directly or indirectly, based on the geographic area in which the person resides in Ontario.

### **3.2 Subcontracting for the Provision of Services.**

- (a) The parties acknowledge that, subject to the provisions of the Act and the Enabling Legislation, the HSP may subcontract the provision of some or all of the Services. For the purposes of this Agreement, actions taken or not taken by the subcontractor and Services provided by the subcontractor will be deemed actions taken or not taken by the HSP and Services provided by the HSP.
- (b) When entering into a subcontract the HSP agrees that the terms of the subcontract will enable the HSP to meet its obligations under this Agreement. Without limiting the foregoing, the HSP will include a provision that permits the Funder or its authorized representatives, to audit the subcontractor in respect of the subcontract if the Funder or its authorized representatives determines that such an audit would be necessary to confirm that the HSP has complied with the terms of this Agreement.
- (c) Nothing contained in this Agreement or a subcontract will create a contractual relationship between any subcontractor or its directors, officers, employees, agents, partners, affiliates or volunteers and the Funder.

### **3.3 Conflict of Interest.** The HSP will use the Funding, provide the Services and otherwise fulfil its obligations under this Agreement without an actual, potential or perceived Conflict of Interest. The HSP will disclose to the Funder without delay any situation that a reasonable person would interpret as an actual, potential or perceived Conflict of Interest and comply with any requirements prescribed by the Funder to resolve any Conflict of Interest.

### **3.4 Digital Health.** The HSP shall make best efforts to:

- (a) align with, and participate in, the Funder's digital health planning, with the aim to improve data exchange and security, and use digital health to enable optimized patient experience, population health and wellbeing, and system sustainability;
- (b) assist the Funder to implement the provincial digital health plans by designing and modernizing digital health assets to optimize data sharing, exchange, privacy and security;

- (c) track the HSP's Digital Health performance against the Funder's plans and priorities;
- (d) engage with the Funder to maintain and enhance digital health assets to ensure service resilience, interoperability, security, and comply with any clinical, technical, and information management standards, including those related to data, architecture, technology, privacy and security, set for the HSP by the Funder and/or the Ministry; and
- (e) operate an information security program in alignment with reasonable guidance provided by Ontario Health.

**3.5 Mandate Letter.** The Funder will receive a Mandate Letter or Mandate Letters annually. Each Mandate Letter articulates areas of focus for the Funder, and the Minister's expectation that the Funder and health service providers it funds will collaborate to advance these areas of focus. To assist the HSP in its collaborative efforts with the Funder, the Funder will share each relevant Mandate Letter with the HSP. The Funder may also add local obligations to Schedule D as appropriate to further advance any priorities set out in a Mandate Letter.

### **3.6 French Language Services.**

**3.6.1** The Funder will provide the Ministry "Guide to Requirements and Obligations Relating to French Language Services" to the HSP and the HSP will fulfill its roles, responsibilities and other obligations set out therein.

**3.6.2 If Not Identified or Designated.** If the HSP has not been Designated or Identified, it will:

- (a) develop and implement a plan to address the needs of the local Francophone community, including the provision of information on services available in French;
- (b) work toward applying the principles of Active Offer in the provision of services;
- (c) provide a report to the Funder that outlines how the HSP addresses the needs of its local Francophone community; and,
- (d) collect and submit to the Funder as requested by the Funder from time to time, French language service data.

**3.6.3 If Identified.** If the HSP is Identified, it will:

- (a) work toward applying the principles of Active Offer in the provision of services;
- (b) provide services to the public in French in accordance with its existing French language services capacity;
- (c) develop, and provide to the Funder upon request from time to time, a plan to become Designated by the date agreed to by the HSP and the Funder;

- (d) continuously work towards improving its capacity to provide services in French and toward becoming Designated within the time frame agreed to by the parties;
- (e) provide a report to the Funder that outlines progress in its capacity to provide services in French and toward becoming Designated;
- (f) annually, provide a report to the Funder that outlines how it addresses the needs of its local Francophone community; and,
- (g) collect and submit to the Funder, as requested by the Funder from time to time, French language services data.

**3.6.4 If Designated.** If the HSP is Designated it will:

- (a) apply the principles of Active Offer in the provision of services;
- (b) continue to provide services to the public in French in accordance with the provisions of the FLSA;
- (c) maintain its French language services capacity;
- (d) submit a French language implementation report to the Funder on the date specified by the Funder, and thereafter, on each anniversary of that date, or on such other dates as the Funder may, by Notice, require; and,
- (e) collect and submit to the Funder as requested by the Funder from time to time, French language services data.

## **ARTICLE 4.0 - FUNDING**

**4.1 Funding.** Subject to the terms of this Agreement, and in accordance with the applicable provisions of the applicable Accountability Agreement, the Funder will provide the Funding by depositing the Funding in monthly instalments over the term of this Agreement, into an account designated by the HSP provided that the account resides at a Canadian financial institution and is in the name of the HSP.

**4.2 Conditions of Funding.**

- (a) The HSP will:
  - (1) use the Funding only for the purpose of providing the Services in accordance with Applicable Law, Applicable Policy and the terms of this Agreement;
  - (2) not use the Funding for compensation increases prohibited by Applicable Law;
  - (3) meet all obligations in the Schedules;
  - (4) fulfill all other obligations under this Agreement; and
  - (5) plan for and achieve an Annual Balanced Budget.
- (b) Interest Income will be reported to the Funder and is subject to a year-end reconciliation. The Funder may deduct the amount equal to the Interest Income from any further funding instalments under this or any other agreement with the HSP or the Funder may require the HSP to pay an amount equal to the unused Interest Income to the Ministry of Finance.

**4.3 Limitation on Payment of Funding.** Despite section 4.1, the Funder:

- (a) will not provide any funds to the HSP until this Agreement is fully executed;
- (b) may pro-rate the Funding if this Agreement is signed after the Effective Date;
- (c) will not provide any funds to the HSP until the HSP meets the insurance requirements described in section 10.4;
- (d) will not be required to continue to provide funds,
  - (1) if the Minister or the Director so directs under the terms of the Act;
  - (2) while the Home is under the control of an interim manager pursuant to section 157 of the Act; or
  - (3) in the event the HSP breaches any of its obligations under this Agreement until the breach is remedied to the Funder's satisfaction; and
- (e) upon notice to the HSP, may adjust the amount of funds it provides to the HSP in any Funding Year pursuant to Article 5.

**4.4 Additional Funding.** Unless the Funder has agreed to do so in writing, the Funder is not required to provide additional funds to the HSP for providing services other than the Services or for exceeding the requirements of Schedule D.

**4.5 Appropriation.** Funding under this Agreement is conditional upon an appropriation of moneys by the Legislature of Ontario to the Ministry and funding of the Funder by the Ministry pursuant to the Enabling Legislation. If the Funder does not receive its anticipated funding the Funder will not be obligated to make the payments required by this Agreement.

**4.6 Procurement of Goods and Services.**

- (a) If the HSP is subject to the procurement provisions of the BPSAA, the HSP will abide by all directives and guidelines issued by the Management Board of Cabinet that are applicable to the HSP pursuant to the BPSAA.
- (b) If the HSP is not subject to the procurement provisions of the BPSAA, the HSP will have a procurement policy in place that requires the acquisition of supplies, equipment or services valued at over \$25,000 through a competitive process that ensures the best value for funds expended. If the HSP acquires supplies, equipment or services with the Funding it will do so through a process that is consistent with this policy.

**4.7 Disposition.** Subject to Applicable Law and Applicable Policy, the HSP will not, without the Funder's prior written consent, sell, lease or otherwise dispose of any assets purchased with Funding, the cost of which exceeded \$25,000 at the time of purchase.

## **ARTICLE 5.0 - ADJUSTMENT AND RECOVERY OF FUNDING**

**5.1 Adjustment of Funding.**

- (a) The Funder may adjust the Funding in any of the following circumstances:

- (1) in the event of changes to Applicable Law or Applicable Policy that affect Funding;
  - (2) on a change to the Services;
  - (3) if required by either the Director or the Minister under the Act;
  - (4) in the event that a breach of this Agreement is not remedied to the satisfaction of the Funder; and
  - (5) as otherwise permitted by this Agreement.
- (b) Funding recoveries or adjustments required pursuant to section 5.1(a) may be accomplished through the adjustment of Funding, requiring the repayment of Funding, through the adjustment of the amount of any future funding installments, or through both. Approved Funding already expended properly in accordance with this Agreement will not be subject to adjustment. The Funder will, at its sole discretion, and without liability or penalty, determine whether the Funding has been expended properly in accordance with this Agreement.
- (c) In determining the amount of a funding adjustment under section 5.1 (a) (4) or (5), the Funder shall take into account the following principles:
  - (1) Resident care must not be compromised through a funding adjustment arising from a breach of this Agreement;
  - (2) the HSP should not gain from a breach of this Agreement;
  - (3) if the breach reduces the value of the Services, the funding adjustment should be at least equal to the reduction in value; and
  - (4) the funding adjustment should be sufficient to encourage subsequent compliance with this Agreement,

and such other principles as may be articulated in Applicable Law or Applicable Policy from time to time.

**5.2 Provision for the Recovery of Funding.** The HSP will make reasonable and prudent provision for the recovery by the Funder of any Funding for which the conditions of Funding set out in section 4.2(a) are not met and will hold this Funding in an interest bearing account until such time as reconciliation and settlement has occurred with the Funder.

**5.3 Settlement and Recovery of Funding for Prior Years.**

- (a) The HSP acknowledges that settlement and recovery of Funding can occur up to 7 years after the provision of Funding.
- (b) Recognizing the transition of responsibilities from the Ministry to the Funder, the HSP agrees that if the parties are directed in writing to do so by the Ministry, the Funder will settle and recover funding provided by the Ministry to the HSP prior to the transition of the funding for the Services to the Funder, provided that such settlement and recovery occurs within 7 years of the provision of the funding by the Ministry. All such settlements and recoveries will be subject to the terms applicable to the original provision of funding.

**5.4 Debt Due.**

- (a) If the Funder requires the re-payment by the HSP of any Funding, the amount required will be deemed to be a debt owing to the Crown by the HSP. The Funder may adjust future funding instalments to recover the amounts owed or may, at its discretion, direct the HSP to pay the amount owing to the Crown and the HSP shall comply immediately with any such direction.
- (b) All amounts repayable to the Crown will be paid by cheque payable to the "Ontario Minister of Finance" and mailed or delivered to the Funder at the address provided in section 12.1.

**5.5 Interest Rate.** The Funder may charge the HSP interest on any amount owing by the HSP at the then current interest rate charged by the Province of Ontario on accounts receivable.

## **ARTICLE 6.0 - PLANNING & INTEGRATION**

### **6.1 Planning for Future Years.**

- (a) **Advance Notice.** The Funder will give at least 60 Days' Notice to the HSP of the date by which a Planning Submission, approved by the HSP's governing body, must be submitted to the Funder.
- (b) **Multi-Year Planning.** The Planning Submission will be in a form acceptable to the Funder and may be required to incorporate
  - (1) prudent multi-year financial forecasts;
  - (2) plans for the achievement of Performance Targets; and
  - (3) realistic risk management strategies.

If the Funder has provided multi-year planning targets for the HSP, the Planning Submission will reflect the planning targets.

- (c) **Multi-year Planning Targets.** The parties acknowledge that the HSP is not eligible to receive multi-year planning targets under the terms of Schedule B in effect as of the Effective Date. In the event that Schedule B is amended over the term of this Agreement and the Funder is able to provide the HSP with multi-year planning targets, the HSP acknowledges that these targets:
  - (1) are targets only;
  - (2) are provided solely for the purposes of planning;
  - (3) are subject to confirmation; and
  - (4) may be changed at the discretion of the Funder.

The HSP will proactively manage the risks associated with multi-year planning and the potential changes to the planning targets.

The Funder agrees that it will communicate any material changes to the planning targets as soon as reasonably possible.

- (d) **Service Accountability Agreements.** Subject to advice from the Director about the HSP's history of compliance under the Act and provided that the HSP has fulfilled its obligations under this Agreement, the parties expect that they will enter into a new service accountability agreement at the end of the Term. The Funder will give the HSP at least 6 months' Notice if the Funder does not intend to enter into negotiations for a subsequent service accountability agreement because the HSP has not fulfilled its obligations under this Agreement. The HSP acknowledges that if the Funder and the HSP enter into negotiations for a subsequent service accountability agreement, subsequent funding may be interrupted if the next service accountability agreement is not executed on or before the expiration date of this Agreement.

## 6.2 Community Engagement & Integration Activities.

- (a) **Community Engagement.** The HSP will engage the community of diverse persons and entities in the area where it provides health services when setting priorities for the delivery of health services and when developing plans for submission to the Funder including but not limited to the HSP's Planning Submission and integration proposals. As part of its community engagement activities, the HSPs will have in place and utilize effective mechanisms for engaging families, caregivers, clients, residents, patients and other individuals who use the services of the HSP, to help inform the HSP plans.
- (b) **Integration.** The HSP will, separately and in conjunction with the Funder, other health service providers, if applicable, and integrated care delivery systems, if applicable, identify opportunities to integrate the services of the health system to provide appropriate, coordinated, effective and efficient services.
- (c) **Reporting.** The HSP will report on its community engagement and integration activities, using any templates provided by the Funder, as requested by the Funder and in any event, in its year-end report to the Funder.

## 6.3 Planning and Integration Activity Pre-proposals.

- (a) **General.** A pre-proposal process has been developed to (A) reduce the costs incurred by an HSP when proposing operational or service changes; (B) assist the HSP to carry out its statutory obligations; and (C) enable an effective and efficient response by the Funder. Subject to specific direction from the Funder, this pre-proposal process will be used in the following instances:
- (1) the HSP is considering an integration, or an integration of services, as defined in the Enabling Legislation between the HSP and another person or entity;
  - (2) the HSP is proposing to reduce, stop, start, expand or transfer the location of services, which for certainty includes: the transfer of Services from the HSP to another person or entity anywhere; and the relocation or transfer of services from one of the HSP's sites to another of the HSP's sites anywhere;
  - (3) to identify opportunities to integrate the services of the health system, other than those identified in (A) or (B) above; or
  - (4) if requested by the Funder.



- (b) **Funder Evaluation of the Pre-proposal.** Use of the pre-proposal process is not formal Notice of a proposed integration under the Enabling Legislation. Funder consent to develop the project concept outlined in a pre-proposal does not constitute approval to proceed with the project. Nor does the Funder consent to develop a project concept presume the issuance of a favourable decision, should such a decision be required by the Enabling Legislation. Following the Funder's review and evaluation, the HSP may be invited to submit a detailed proposal and a business plan for further analysis. Guidelines for the development of a detailed proposal and business case will be provided by the Funder.
- (c) Where an HSP integrates its services with those of another person and the integration relates to services funded in whole or in part by the Funder, the HSP will follow the provisions of the Enabling Legislation. Without limiting the foregoing, a transfer of services from the HSP to another person or entity is an example of an integration to which the Enabling Legislation may apply.

**6.4 Proposing Integration Activities in the Planning Submission.** No integration activity described in section 6.3 may be proposed in a Planning Submission unless the Funder has consented, in writing, to its inclusion pursuant to the process set out in section 6.3.

#### **6.5 Termination of Designation of Convalescent Care Beds.**

- (a) Notwithstanding section 6.3, the provisions in this section 6.5 apply to the termination of a designation of convalescent care Beds.
- (b) The HSP may terminate the designation of one or more convalescent care Beds and revert them back to long-stay Beds at any time provided the HSP gives the Ministry and the Funder at least 6 months' prior Notice. Such Notice shall include:
  - (1) a detailed transition plan, satisfactory to the Funder acting reasonably, setting out the dates, after the end of the 6-month Notice period, on which the HSP plans to terminate the designation of each convalescent care Bed and to revert same to a long-stay Bed; and,
  - (2) a detailed explanation of the factors considered in the selection of those dates.

The designation of a convalescent care Bed will terminate and the Bed will revert to a long-stay Bed on the date, after the 6-month Notice period, on which the Resident who is occupying that convalescent care Bed at the end of the 6-month Notice period has been discharged from that Bed, unless otherwise agreed by the Funder and the HSP.

- (c) The Funder may terminate the designation of the convalescent care Beds at any time by giving at least 6 months' prior Notice to the HSP. Upon receipt of any such Notice, the HSP shall, within the timeframe set out in the Notice, provide the Funder with:
  - (1) a detailed transition plan, satisfactory to the Funder acting reasonably, setting out the dates, after the end of the 6-month Notice period, on which the HSP plans to terminate the designation of each convalescent care Bed and, if required by the Notice, to revert same to a long-stay Bed; and,

- (2) a detailed explanation of the factors considered in the selection of those dates.

The designation of a convalescent care Bed will terminate, and if applicable revert to a long-stay Bed on the date, after the 6-month Notice period, on which the Resident who is occupying that convalescent care Bed at the end of the Notice period has been discharged from that Bed, unless otherwise agreed by the Funder and the HSP.

## **ARTICLE 7.0 - PERFORMANCE**

**7.1 Performance.** The parties will strive to achieve on-going performance improvement. They will address performance improvement in a proactive, collaborative and responsive manner.

**7.2 Performance Factors.**

- (a) Each party will notify the other party of the existence of a Performance Factor, as soon as reasonably possible after the party becomes aware of the Performance Factor. The Notice will:
  - (1) describe the Performance Factor and its actual or anticipated impact;
  - (2) include a description of any action the party is undertaking, or plans to undertake, to remedy or mitigate the Performance Factor;
  - (3) indicate whether the party is requesting a meeting to discuss the Performance Factor; and
  - (4) address any other issue or matter the party wishes to raise with the other party.
- (b) The recipient party will provide a written acknowledgment of receipt of the Notice within 7 Days of the date on which the Notice was received ("Date of the Notice").
- (c) Where a meeting has been requested under section 7.2(a), the parties agree to meet and discuss the Performance Factors within 14 Days of the Date of the Notice, in accordance with the provisions of section 7.3. PICB may be included in any such meeting at the request of either party.

**7.3 Performance Meetings.** During a meeting on performance, the parties will:

- (a) discuss the causes of a Performance Factor;
- (b) discuss the impact of a Performance Factor on the health system and the risk resulting from non-performance; and
- (c) determine the steps to be taken to remedy or mitigate the impact of the Performance Factor (the "Performance Improvement Process").

**7.4 The Performance Improvement Process.**

- (a) The Performance Improvement Process will focus on the risks of non-performance and problem-solving. It may include one or more of the following actions:
  - (1) a requirement that the HSP develop and implement an improvement

- plan that is acceptable to the Funder;
- (2) the conduct of a Review;
- (3) an amendment of the HSP's obligations; and
- (4) an in-year, or year end, adjustment to the Funding,

among other possible means of responding to the Performance Factor or improving performance.

- (b) Any performance improvement process begun under a prior service accountability agreement that was not completed under the prior agreement will continue under this Agreement. Any performance improvement required by a Funder under a prior service accountability agreement will be deemed to be a requirement of this Agreement until fulfilled or waived by the Funder.

**7.5 Factors Beyond the HSP's Control.** Despite the foregoing, if the Funder, acting reasonably, determines that the Performance Factor is, in whole or in part, a Factor Beyond the HSP's Control:

- (a) the Funder will collaborate with the HSP to develop and implement a mutually agreed upon joint response plan which may include an amendment of the HSP's obligations under this Agreement;
- (b) the Funder will not require the HSP to prepare an Improvement Plan; and
- (c) the failure to meet an obligation under this Agreement will not be considered a breach of this Agreement to the extent that failure is caused by a Factor Beyond the HSP's Control.

## **ARTICLE 8.0 - REPORTING, ACCOUNTING AND REVIEW**

### **8.1 Reporting.**

- (a) **Generally.** The Funder's ability to enable the health system to provide appropriate, co-ordinated, effective and efficient health services, is heavily dependent on the timely collection and analysis of accurate information. The HSP acknowledges that the timely provision of accurate information related to the HSP, its Residents and its performance of its obligations under this Agreement, is under the HSP's control.
- (b) **Specific Obligations.** The HSP:
  - (1) will provide to the Funder, or to such other entity as the Funder may direct, in the form and within the time specified by the Funder, the Reports other than personal health information as defined in the Enabling Legislation, that the Funder requires for the purposes of exercising its powers and duties under this Agreement or the Enabling Legislation or for the purposes that are prescribed under any Applicable Law;
  - (2) will comply with the applicable reporting standards and requirements in both Chapter 9 of the Ontario Healthcare Reporting Standards and the RAI MDS Tools;
  - (3) will fulfil the specific reporting requirements set out in Schedule C;
  - (4) will ensure that every Report is complete, accurate, signed on behalf

of the HSP by an authorized signing officer where required and provided in a timely manner and in a form satisfactory to the Funder; and

- (5) agrees that every Report submitted to the Funder by or on behalf of the HSP, will be deemed to have been authorized by the HSP for submission.

For certainty, nothing in this section 8.1 or in this Agreement restricts or otherwise limits the Funder's right to access or to require access to personal health information as defined in the Enabling Legislation, in accordance with Applicable Law for purposes of carrying out the Funder's statutory objects to achieve the purposes of the Enabling Legislation.

- (c) **RAI MDS.** Without limiting the foregoing, the HSP
  - (1) will conduct quarterly assessments of Residents, and all other assessments of Residents required by the RAI MDS Tools, using the RAI MDS Tools;
  - (2) will ensure that the RAI MDS Tools are used correctly to produce an accurate assessment of the HSP's Residents ("RAI MDS Data");
  - (3) will submit the RAI MDS Data to the Canadian Institute for Health Information ("CIHI") in an electronic format at least quarterly in accordance with the submission guidelines set out by CIHI; and
  - (4) acknowledges that if used incorrectly, the RAI MDS Tools can increase Funding beyond that to which the HSP would otherwise be entitled. The HSP will therefore have systems in place to regularly monitor, evaluate and where necessary correct the quality and accuracy of the RAI MDS Data.
- (d) **Quality Improvement Plan.** The HSP will submit a Quality Improvement Plan to Ontario Health that is aligned with this Agreement and supports health system priorities.
- (e) **CEO Changes.** The HSP will immediately notify the Funder if it becomes aware that the HSP's CEO will depart the organization.
- (f) **French Language Services.** If the HSP is required to provide services to the public in French under the provisions of the *FLSA*, the HSP will be required to submit a French language services report to the Funder. If the HSP is not required to provide services to the public in French under the provisions of the *FLSA*, it will be required to provide a report to the Funder that outlines how the HSP addresses the needs of its local Francophone community.
- (g) **Declaration of Compliance.** On or before March 1 of each Funding Year, the Board will issue a Compliance Declaration declaring that the HSP has complied with the terms of this Agreement. The form of the declaration is set out in Schedule E and may be amended by the Funder from time to time through the term of this Agreement.
- (h) **Financial Reductions.** Notwithstanding any other provision of this Agreement, and at the discretion of the Funder, the HSP may be subject to a financial reduction if any of the Reports are received after the due date, are incomplete, or are inaccurate where the errors or delay were not as a result of Funder actions or inaction or the actions or inactions of persons acting on behalf of the Funder. If assessed, the financial reduction will be as follows:

- (1) if received within 7 Days after the due date, incomplete or inaccurate, the financial penalty will be the greater of (1) a reduction of 0.02 percent (0.02%) of the Funding; or (2) two hundred and fifty dollars (\$250.00); and
- (2) for every full or partial week of non-compliance thereafter, the rate will be one half of the initial reduction.

## **8.2 Reviews.**

- (a) During the term of this Agreement and for 7 years after the term of this Agreement, the HSP agrees that the Funder or its authorized representatives may conduct a Review of the HSP to confirm the HSP's fulfillment of its obligations under this Agreement. For these purposes the Funder or its authorized representatives may, upon 24 hours' Notice to the HSP and during normal business hours enter the HSP's premises to:
  - (1) inspect and copy any financial records, invoices and other finance-related documents, other than personal health information as defined in the Enabling Legislation, in the possession or under the control of the HSP which relate to the Funding or otherwise to the Services; and
  - (2) inspect and copy non-financial records, other than personal health information as defined in the Enabling Legislation, in the possession or under the control of the HSP which relate to the Funding, the Services or otherwise to the performance of the HSP under this Agreement.
- (b) The cost of any Review will be borne by the HSP if the Review (1) was made necessary because the HSP did not comply with a requirement under the Act or this Agreement; or (2) indicates that the HSP has not fulfilled its obligations under this Agreement, including its obligations under Applicable Law and Applicable Policy.
- (c) To assist in respect of the rights set out in (a) above the HSP shall disclose any information requested by the Funder or its authorized representatives, and shall do so in a form requested by the Funder or its authorized representatives.
- (d) The HSP may not commence a proceeding for damages or otherwise against any person with respect to any act done or omitted to be done, any conclusion reached or report submitted that is done in good faith in respect of a Review.

## **8.3 Document Retention and Record Maintenance.** The HSP will

- (a) retain all records (as that term is defined in FIPPA) related to the HSP's performance of its obligations under this Agreement for 7 years after the termination or expiration of the term of this Agreement. The HSP's obligations under this section will survive any termination or expiry of this Agreement;
- (b) keep all financial records, invoices and other finance-related documents relating to the Funding or otherwise to the Services in a manner consistent with either generally accepted accounting principles or international financial reporting standards as advised by the HSP's auditor; and
- (c) keep all non-financial documents and records relating to the Funding or otherwise to the Services in a manner consistent with all Applicable Law.

#### **8.4 Disclosure of Information.**

- (a) **FIPPA.** The HSP acknowledges that the Funder is bound by FIPPA and that any information provided to the Funder in connection with this Agreement may be subject to disclosure in accordance with FIPPA.
- (b) **Confidential Information.** The parties will treat Confidential Information as confidential and will not disclose Confidential Information except with the consent of the disclosing party or as permitted or required under FIPPA, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Protection Act, 2004*, the Act, court order, subpoena or other Applicable Law. Notwithstanding the foregoing, the Funder may disclose information that it collects under this Agreement in accordance with the Enabling Legislation.

**8.5. Transparency.** The HSP will post a copy of this Agreement and each Compliance Declaration submitted to the Funder during the term of this Agreement in a conspicuous and easily accessible public place at the Home and on its public website if the HSP operates a public website.

**8.6 Auditor General.** For greater certainty the Funder's rights under this article are in addition to any rights provided to the Auditor General under the *Auditor General Act* (Ontario).

- (a)

### **ARTICLE 9.0 - REPRESENTATIONS, WARRANTIES AND COVENANTS**

**9.1 General.** The HSP represents, warrants and covenants that:

- (a) it is, and will continue for the term of this Agreement to be, a validly existing legal entity with full power to fulfill its obligations under this Agreement;
- (b) it has the experience and expertise necessary to carry out the Services;
- (c) it holds all permits, licences, consents, intellectual property rights and authorities necessary to perform its obligations under this Agreement;
- (d) all information that the HSP provided to the Funder in its Planning Submission or otherwise in support of its application for funding was true and complete at the time the HSP provided it, and will, subject to the provision of Notice otherwise, continue to be true and complete for the term of this Agreement;
- (e) it has not and will not for the term of this Agreement, enter into a non-arm's transaction that is prohibited by the Act; and
- (f) it does, and will continue for the term of this Agreement to, operate in compliance with all Applicable Law and Applicable Policy.

**9.2 Execution of Agreement.** The HSP represents and warrants that:

- (a) it has the full power and authority to enter into this Agreement; and
- (b) it has taken all necessary actions to authorize the execution of this Agreement.

### **9.3 Governance.**

- (a) The HSP represents, warrants and covenants that it has established, and will maintain for the period during which this Agreement is in effect, policies and procedures:
  - (1) that set out one or more codes of conduct for, and that identify, the ethical responsibilities for all persons at all levels of the HSP's organization;
  - (2) to ensure the ongoing effective functioning of the HSP;
  - (3) for effective and appropriate decision-making;
  - (4) for effective and prudent risk-management, including the identification and management of potential, actual and perceived conflicts of interest;
  - (5) for the prudent and effective management of the Funding;
  - (6) to monitor and ensure the accurate and timely fulfillment of the HSP's obligations under this Agreement and compliance with the Act and the Enabling Legislation;
  - (7) to enable the preparation, approval and delivery of all Reports;
  - (8) to address complaints about the provision of Services, the management or governance of the HSP; and
  - (9) to deal with such other matters as the HSP considers necessary to ensure that the HSP carries out its obligations under this Agreement.
- (b) The HSP represents and warrants that it:
  - (1) has, or will have within 60 Days of the execution of this Agreement, a Performance Agreement with its CEO;
  - (2) will take all reasonable care to ensure that its CEO complies with the Performance Agreement; and
  - (3) will enforce the HSP's rights under the Performance Agreement.

### **9.4 Funding, Services and Reporting.** The HSP represents, warrants and covenants that:

- (a) the Funding is, and will continue to be, used only to provide the Services in accordance with the terms of this Agreement;
- (b) the Services are and will continue to be provided:
  - (1) by persons with the expertise, professional qualifications, licensing and skills necessary to complete their respective tasks; and
  - (2) in compliance with Applicable Law and Applicable Policy; and
- (c) every Report is and will continue to be, accurate and in full compliance with the provisions of this Agreement, including any particular requirements applicable to the Report, and any material change to a Report will be communicated to the Funder immediately.

### **9.5 Supporting Documentation.** Upon request, the HSP will provide the Funder with proof of the matters referred to in this Article.

## **ARTICLE 10.0 - LIMITATION OF LIABILITY, INDEMNITY & INSURANCE**



- 10.1 Limitation of Liability.** The Indemnified Parties will not be liable to the HSP or any of the HSP's Personnel and Volunteers for costs, losses, claims, liabilities and damages howsoever caused arising out of or in any way related to the Services or otherwise in connection with this Agreement, unless caused by the negligence or wilful act of any of the Indemnified Parties.
- 10.2 Same.** For greater certainty and without limiting section 10.1, the Funder is not liable for how the HSP and the HSP's Personnel and Volunteers carry out the Services and is therefore not responsible to the HSP for such Services. Moreover, the Funder is not contracting with or employing any HSP's Personnel and Volunteers to carry out the terms of this Agreement. As such, it is not liable for contracting with, employing or terminating a contract with or the employment of any HSP's Personnel and Volunteers required to carry out this Agreement, nor for the withholding, collection or payment of any taxes, premiums, contributions or any other remittances due to government for the HSP's Personnel and Volunteers required by the HSP to carry out this Agreement.
- 10.3 Indemnification.** The HSP hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant costs), causes of action, actions, claims, demands, lawsuits or other proceedings (collectively, the "Claims"), by whomever made, sustained, brought or prosecuted, including for third party bodily injury (including death), personal injury and property damage, in any way based upon, occasioned by or attributable to anything done or omitted to be done by the HSP or the HSP's Personnel and Volunteers in the course of the performance of the HSP's obligations under, or otherwise in connection with, this Agreement, unless caused by the negligence or wilful misconduct of any Indemnified Parties.
- 10.4 Insurance.**
- (a) **Generally.** The HSP shall protect itself from and against all Claims that might arise from anything done or omitted to be done by the HSP and the HSP's Personnel and Volunteers under this Agreement and more specifically all Claims that might arise from anything done or omitted to be done under this Agreement where bodily injury (including personal injury), death or property damage, including loss of use of property is caused.
  - (b) **Required Insurance.** The HSP will put into effect and maintain, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person in the business of the HSP would maintain including, but not limited to, the following at its own expense.
    - (1) **Commercial General Liability Insurance.** Commercial General Liability Insurance, for third party bodily injury, personal injury and property damage to an inclusive limit of not less than 2 million dollars per occurrence and not less than 2 million dollars products and completed operations aggregate. The policy will include the following clauses:
      - A. The Indemnified Parties as additional insureds,
      - B. Contractual Liability,

- C. Cross-Liability,
  - D. Products and Completed Operations Liability,
  - E. Employers Liability and Voluntary Compensation unless the HSP complies with the Section below entitled “Proof of WSIA Coverage”,
  - F. Tenants Legal Liability (for premises/building leases only),
  - G. Non-Owned automobile coverage with blanket contractual coverage for hired automobiles, and
  - H. A 30 Day written notice of cancellation, termination or material change.
- (2) **Proof of WSIA Coverage.** Unless the HSP puts into effect and maintains Employers Liability and Voluntary Compensation as set out above, the HSP will provide the Funder with a valid *Workplace Safety and Insurance Act, 1997* (“WSIA”) Clearance Certificate and any renewal replacements, and will pay all amounts required to be paid to maintain a valid WSIA Clearance Certificate throughout the term of this Agreement.
- (3) All Risk Property Insurance on property of every description, for the term, providing coverage to a limit of not less than the full replacement cost, including earthquake and flood. All reasonable deductibles and self-insured retentions are the responsibility of the HSP.
- (4) Comprehensive Crime insurance, Disappearance, Destruction and Dishonest coverage.
- (5) Errors and Omissions Liability Insurance insuring liability for errors and omissions in the provision of any professional services as part of the Services or failure to perform any such professional services, in the amount of not less than two million dollars per claim and in the annual aggregate.
- (c) **Certificates of Insurance.** The HSP will provide the Funder with proof of the insurance required by this Agreement in the form of a valid certificate of insurance that references this Agreement and confirms the required coverage, on or before the commencement of this Agreement, and renewal replacements on or before the expiry of any such insurance. Upon the request of the Funder, a copy of each insurance policy shall be made available to it. The HSP shall ensure that each of its subcontractors obtains all the necessary and appropriate insurance that a prudent person in the business of the subcontractor would maintain and that the Indemnified Parties are named as additional insureds with respect to any liability arising in the course of performance of the subcontractor's obligations under the subcontract.

## **ARTICLE 11.0 – TERMINATION**

### **11.1 Termination by the Funder.**

- (a) **Immediate Termination.** The Funder may terminate this Agreement immediately upon giving Notice to the HSP if:

- (1) the HSP is unable to provide or has discontinued the Services in whole or in part or the HSP ceases to carry on business;
  - (2) the HSP makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or is petitioned into bankruptcy, or files for the appointment of a receiver;
  - (3) the Funder is directed, pursuant to the Act, to terminate this Agreement by the Minister or the Director;
  - (4) the Home has been closed in accordance with the Act; or
  - (5) as provided for in section 4.5, the Funder does not receive the necessary funding from the Ministry.
- (b) **Termination in the Event of Financial Difficulties.** If the HSP makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or is petitioned into bankruptcy, or files for the appointment of a receiver the Funder will consult with the Director before determining whether this Agreement will be terminated. If the Funder terminates this Agreement because a person has exercised a security interest as contemplated by section 107 of the Act, the Funder would expect to enter into a service accountability agreement with the person exercising the security interest or the receiver or other agent acting on behalf of that person where the person has obtained the Director's approval under section 110 of the Act and has met all other relevant requirements of Applicable Law.
- (c) **Opportunity to Remedy Material Breach.** If an HSP breaches any material provision of this Agreement, including, but not limited to, the reporting requirements in Article 8 and the representations and warranties in Article 10 and the breach has not been satisfactorily resolved under Article 7, the Funder will give the HSP Notice of the particulars of the breach and of the period of time within which the HSP is required to remedy the breach. The Notice will advise the HSP that the Funder may terminate this Agreement:
- (1) at the end of the Notice period provided for in the Notice if the HSP fails to remedy the breach within the time specified in the Notice; or
  - (2) prior to the end of the Notice period provided for in the Notice if it becomes apparent to the Funder that the HSP cannot completely remedy the breach within that time or such further period of time as the Funder considers reasonable, or the HSP is not proceeding to remedy the breach in a way that is satisfactory to the Funder; and
- the Funder may then terminate this Agreement in accordance with the Notice.

## 11.2 Termination of Services by the HSP.

- (a) Except as provided in section 11.2(b) and (c) below, the HSP may terminate this Agreement at any time, for any reason, upon giving the Funder at least six months' Notice.
- (b) Where the HSP intends to cease providing the Services and close the Home, the HSP will provide Notice to the Funder at the same time the HSP is required to provide Notice to the Director under the Act. The HSP will ensure that the closure plan required by the Act is acceptable to the Funder.

- (c) Where the HSP intends to cease providing the Services as a result of an intended sale or transfer of a Licence in whole or in part, the HSP will comply with section 6.3 of this Agreement.

### **11.3 Consequences of Termination.**

- (a) If this Agreement is terminated pursuant to this Article, the Funder may:
- (1) cancel all further Funding instalments;
  - (2) demand the repayment of any Funding remaining in the possession or under the control of the HSP;
  - (3) determine the HSP's reasonable costs to wind down the Services; and
  - (4) permit the HSP to offset the costs determined pursuant to section (3), against the amount owing pursuant to section (2).
- (b) Despite (a), if the cost determined pursuant to section 11.3(a) (3) exceeds the Funding remaining in the possession or under the control of the HSP the Funder will not provide additional monies to the HSP to wind down the Services.

**11.4 Effective Date.** Termination under this Article will take effect as set out in the Notice.

**11.5 Corrective Action.** Despite its right to terminate this Agreement pursuant to this Article, the Funder may choose not to terminate this Agreement and may take whatever corrective action it considers necessary and appropriate, including suspending Funding for such period as the Funder determines, to ensure the successful completion of the Services in accordance with the terms of this Agreement.

## **ARTICLE 12.0 - NOTICE**

**12.1 Notice.** A Notice will be in writing; delivered personally, by pre-paid courier, by any form of mail where evidence of receipt is provided by the post office or by facsimile with confirmation of receipt, or by email where no delivery failure notification has been received. For certainty, delivery failure notification includes an automated 'out of office' notification. A Notice will be addressed to the other party as provided below or as either party will later designate to the other in writing:

To the Funder:

Ontario Health West  
356 Oxford St W, London, ON N6H 1T3

Attention: Chief Regional Officer

Email: [OH-West-Reports@ontariohealth.ca](mailto:OH-West-Reports@ontariohealth.ca)

To the HSP:

Strathmere Lodge  
599 Albert Street,, PO Box 5000  
Strathroy, ON N7G 3J3

Attention: County Clerk

Email: [mivanic@middlesex.ca](mailto:mivanic@middlesex.ca)

**12.2 Notices Effective From.** A Notice will be deemed to have been duly given 1 business day after delivery if Notice is delivered personally, by pre-paid courier or by mail. A

Notice that is delivered by facsimile with confirmation of receipt or by email where no delivery failure notification has been received will be deemed to have been duly given 1 business day after the facsimile or email was sent.

### **ARTICLE 13.0 - INTERPRETATION**

- 13.1 Interpretation.** In the event of a conflict or inconsistency in any provision of this Agreement, the main body of this Agreement will prevail over the Schedules.
- 13.2 Jurisdiction.** Where this Agreement requires compliance with the Act, the Director will determine compliance and advise the Funder. Where the Act requires compliance with this Agreement, the Funder will determine compliance and advise the Director.
- 13.3 Determinations by the Director.** All determinations required by the Director under this Agreement are subject to an HSP's rights of review and appeal under the Act.
- 13.4 The Act.** For greater clarity, nothing in this Agreement supplants or otherwise excuses the HSP from the fulfillment of any requirements of the Act. The HSP's obligations in respect of the Enabling Legislation and this Agreement are separate and distinct from the HSP's obligations under the Act.

### **ARTICLE 14.0 - ADDITIONAL PROVISIONS**

- 14.1 Currency.** All payment to be made by the Funder or the HSP under this Agreement shall be made in the lawful currency of Canada.
- 14.2 Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of this Agreement will not affect the validity or enforceability of any other provision of this Agreement and any invalid or unenforceable provision will be deemed to be severed.
- 14.3 Terms and Conditions on Any Consent.** Any consent or approval that the Funder may grant under this Agreement is subject to such terms and conditions as the Funder may reasonably require.
- 14.4 Waiver.** A party may only rely on a waiver of the party's failure to comply with any term of this Agreement if the other party has provided a written and signed Notice of waiver. Any waiver must refer to a specific failure to comply and will not have the effect of waiving any subsequent failures to comply.
- 14.5 Parties Independent.** The parties are and will at all times remain independent of each other and are not and will not represent themselves to be the agent, joint venturer, partner or employee of the other. No representations will be made or acts taken by either party which could establish or imply any apparent relationship of agency, joint venture, partnership or employment and neither party will be bound in any manner whatsoever by any agreements, warranties or representations made by the other party to any other person or entity, nor with respect to any other action of the other party.

- 14.6 Funder is an Agent of the Crown.** The parties acknowledge that the Funder is an agent of the Crown and may only act as an agent of the Crown in accordance with the provisions of the Enabling Legislation. Notwithstanding anything else in this Agreement, any express or implied reference to the Funder providing an indemnity or any other form of indebtedness or contingent liability that would directly or indirectly increase the indebtedness or contingent liabilities of the Funder or of Ontario, whether at the time of execution of this Agreement or at any time during the term of this Agreement, will be void and of no legal effect.
- 14.7 Express Rights and Remedies Not Limited.** The express rights and remedies of the Funder are in addition to and will not limit any other rights and remedies available to the Funder at law or in equity. For further certainty, the Funder has not waived any provision of any applicable statute, including the Act and the Enabling Legislation, nor the right to exercise its rights under these statutes at any time.
- 14.8 No Assignment.** The HSP will not assign this Agreement or the Funding in whole or in part, directly or indirectly, without the prior written consent of the Funder which consent shall not be unreasonably withheld. No assignment or subcontract shall relieve the HSP from its obligations under this Agreement or impose any liability upon the Funder to any assignee or subcontractor. The Funder may assign this Agreement or any of its rights and obligations under this Agreement to any one or more agencies or ministries of His Majesty the King in right of Ontario and as otherwise directed by the Ministry.
- 14.9 Governing Law.** This Agreement and the rights, obligations and relations of the parties hereto will be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein. Any litigation arising in connection with this Agreement will be conducted in Ontario unless the parties agree in writing otherwise.
- 14.10 Survival.** The provisions in Articles 1.0, 5.0, 8.0, 10.5, 11.0, 13.0, 14.0 and 15.0 and sections 2.3, 4.6, 9.4, 19.5 and 11.3 will continue in full force and effect for a period of seven years from the date of expiry or termination of this Agreement.
- 14.11 Further Assurances.** The parties agree to do or cause to be done all acts or things necessary to implement and carry into effect this Agreement to its full extent.
- 14.12 Amendment of Agreement.** This Agreement may only be amended by a written agreement duly executed by the parties.
- 14.13 Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.
- 14.14 Insignia and Logo.** Neither party may use any insignia or logo of the other party without the prior written permission of the other party. For purposes of this section 14.14, the insignia or logo of the Funder includes the insignia and logo of His Majesty the King in right of Ontario.

## ARTICLE 15.0 - ENTIRE AGREEMENT

**15.1 Entire Agreement.** This Agreement together with the appended Schedules constitutes the entire Agreement between the parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

The parties have executed this Agreement on the dates set out below.

### ONTARIO HEALTH

By:

\_\_\_\_\_  
Susan deRyk, Chief Regional Officer,  
Ontario Health Central & West  
Regions

\_\_\_\_\_  
Date

And by:

\_\_\_\_\_  
Mark Brintnell, Vice President,  
Performance, Accountability and  
Funding Allocation

\_\_\_\_\_  
Date

### The Corporation of the County of Middlesex

By:

\_\_\_\_\_  
Marci Ivanic, County Clerk

\_\_\_\_\_  
Date

I have authority to bind the HSP

And by:

\_\_\_\_\_  
Brent Kerwin, Administrator

\_\_\_\_\_  
Date

I have authority to bind the HSP



## 2023-24 Description of Home and Services

**LTCH Name: Strathmere Lodge**

### .1 General Information

Name of Licensee: (as referred to on your Long-Term Care Home Licence)	The Corporation of the County of Middlesex		
Name of Home: (as referred to on your Long-Term Care Home Licence)	Strathmere Lodge		
LTCH Master Number (e.g. NH9898)	HF4645		
Address	599 Albert Street		
City	Strathroy	Postal Code	N7G 3J3
Accreditation organization	n/a		
Date of Last Accreditation (Award Date – e.g. May 31, 2020)	n/a		Year(s) Awarded (e.g. 3 years)
			n/a
French Language Services (FLS)	Identified (Y/N)	N	Designated Y/N
			N
Culturally Designated Home	Self Identified (Y/N)	N	Specific Community Served (i.e ethnic, linguistic or religious)
			n/a

## 2023-24 Description of Home and Services

**LTCH Name:**Strathmere Lodge

### A.2 Licensed or Approved Beds & Classification / Bed Type

1. Licence Type	Total # of Beds					Licence Expiry Date (e.g. May 31, 2025)	Comments/Additional Information
	A	B	C	Upgraded D	New		
Licence ("Regular" or Municipal Approval)					X		
<b>TOTAL BEDS (1)</b>	160						
Please include information specific to the following types of licences on a separate line below. Temporary Licence, Temporary Emergency Licence, or Short-Term Authorization							<b>Note:</b> Each individual licence should be on a separate row. Please add additional rows as required.
2. Licence Type	Total # of Beds		Licence Expiry Date (e.g., May 31, 2025)		Comments/Additional Information		
Temporary							
Temporary Emergency							
Short-Term Authorization							
<b>TOTAL BEDS (2)</b>	160						
<b>TOTAL # OF ALL LICENSED BEDS (1) + (2)</b>	[Add total # of all licensed beds captured under (1) and (2) above]						

## 2023-24 Description of Home and Services

**LTCH Name: Strathmere Lodge**

Usage Type	Total # of Beds	Expiry Date (e.g., May 31, 2025)	Comments/Additional Information <u>Please specify number of beds designated as Behavioural Support Unit (BSU) Beds, Other Designated Specialized Unit Beds and Beds held as Isolation **</u>
Long Stay Beds <u>(not including beds below)</u>	159		
Convalescent Care Beds			
Respite Beds	1		
ELDCAP Beds			
Interim Beds			
Veterans' Priority Access beds			
Beds in Abeyance (BIA)			
Designated Specialized Unit beds			
Other beds *			
<b>Total # of all Bed Types (3)</b>	160		

\*Other beds available under a Temporary Emergency Licence or Short-Term Authorization

\*\* Include beds set aside in accordance with Emergency Plans (O. Reg 246/22 s. 268)

### A.3 Structural Information

**Type of Room** (this refers to structural layout rather than what is charged in accommodations or current occupancy).

## 2023-24 Description of Home and Services

**LTCH Name: Strathmere Lodge**

Room Type	Rooms	Multiplier	Number of beds
Number of rooms with 1 bed	100	x 1	100
Number of rooms with 2 beds	30	x 2	60
Number of rooms with 3 beds		x 3	
Number of rooms with 4 beds		x 4	
<b>Total Number of Rooms</b>	<b>130</b>	<b>Total Number of Beds*</b>	<b>160</b>

**\*Ensure the "Total Number of Beds" above matches "Total # of all Bed Types (3)" from Table A.2**

Original Construction Date (Year)

2006

Redevelopment: Please list year and details (unit/resident home area, design standards, # beds, reason for redevelopment. If active, please provide stage of redevelopment and forecasted year of completion.)

- 1)
- 2)
- 3)
- 4)

### Number of Units/Resident Home Areas and Beds

Unit/Resident Home Area	Number of Beds
<b>Bear Creek</b>	<b>32</b>
<b>Sydenham Meadows</b>	<b>32</b>
<b>Hickory Woods</b>	<b>32</b>
<b>Arbour Glen</b>	<b>32</b>
<b>Parkview Place</b>	<b>32</b>
<b>Total Number of Beds (Ensure total matches "Total # of all Bed Types (3)" from Table A.2)</b>	<b>160</b>

### Other Reporting

#### Accommodation Breakdown\*

Accommodation Type	Basic	Semi-Private	Private
<b>Total Beds</b>	<b>60</b>	<b>100</b>	<b>160</b>

\*For accommodation definition see *Fixing Long-Term Care Act, 2021*  
<https://www.ontario.ca/laws/regulation/220246#BK4>

## **Schedule B**

### **Additional Terms and Conditions Applicable to the Funding Model**

**1.0 Background.** Ontario Health provides subsidy funding to long-term care home health service providers pursuant to a funding model set by MOH and MLTC. The current model provides estimated per diem funding that is subsequently reconciled. The current funding model is under review and may change during the Term (as defined below). As a result, and for ease of amendment during the Term, this Agreement incorporates certain terms and conditions that relate to the funding model in this Schedule B.

**2.0 Additional Definitions.** Any terms not otherwise defined in this Schedule have the same meaning attributed to them in the main body of this Agreement. The following terms have the following meanings:

**“Allowable Subsidy”** refers to Allowable Subsidy as defined in s. 1 of Reg. 200/21 under Connecting Care Act, 2019.

**“Construction Funding Subsidy” or “CFS”** means the funding that the MOH and MLTC agreed to provide, or to ensure the provision of, to the HSP, in an agreement for the construction, development, redevelopment, retrofitting or upgrading of beds (a **“Development Agreement”**).

**“CFS Commitments”** means

- (a) commitments of the HSP related to a Development Agreement, identified in Schedule A of the service agreement in respect of the Home in effect between the HSP and the funder and
- (b) commitments of the HSP identified in a Development Agreement in respect of beds that were developed or redeveloped and opened for occupancy (including, without limitation, any commitments set out in the HSP's Application as defined in the Development Agreement, and any conditions agreed to in the Development Agreement in respect of any permitted variances from standard design standards.)

**“Envelope”** is a portion of the Estimated Provincial Subsidy that is designated for a specific use. There are four Envelopes in the Estimated Provincial Subsidy as follows:

- (a) the “Nursing and Personal Care” Envelope;
- (b) the “Program and Support Services” Envelope;
- (c) the “Raw Food” Envelope; and
- (d) the “Other Accommodation” Envelope.

**“Estimated Provincial Subsidy”** means the estimated provincial subsidy to be provided by Ontario Health to an HSP calculated in accordance with Applicable Law and Applicable Policy.

**“Reconciliation Report”** refers to the Reconciliation Report as referenced in s. 1 of Reg 200/21 under Connecting Care Act, 2019.

**“Term”** means the term of this Agreement.

### **3.0 Provision of Funding.**

3.1 In each Funding Year, Ontario Health shall advise the HSP of the amount of its Estimated Provincial Subsidy. The amount of the Estimated Provincial Subsidy shall be calculated on both a monthly basis and an annual basis and will be allocated among the Envelopes and other funding streams applicable to the HSP, including the CFS.

3.2 The Estimated Provincial Subsidy shall be provided to the HSP on a monthly basis in accordance with the monthly calculation described in 3.1 and otherwise in accordance with this Agreement. Payments will be made to the HSP on or about the twenty-second (22<sup>nd</sup>) day of each month of the Term.

3.3 CFS will be provided as part of the Estimated Provincial Subsidy and in accordance with the terms of the Development Agreement and Applicable Policy. This obligation survives any expiry or termination of this Agreement.

### **4.0 Use of Funding.**

4.1 Unless otherwise provided in this Schedule B, the HSP shall use all Funding allocated for a particular Envelope only for the use or uses set out in the Applicable Policy.

4.5 In the event that a financial reduction is determined by Ontario Health, the financial reduction will be applied against the portion of the Estimated Provincial Subsidy in the "Other Accommodation" Envelope.

### **5.0 Construction Funding Subsidies.**

5.1 Subject to 5.2 and 5.3 the HSP is required to continue to fulfill all CFS Commitments, and the CFS Commitments are hereby incorporated into and deemed part of the Agreement.

5.2 The HSP is not required to continue to fulfill CFS Commitments that the MOH and MLTC has acknowledged in writing: (i) have been satisfactorily fulfilled; or (ii) are no longer required to be fulfilled; and the HSP is able to provide Ontario Health with a copy of such written acknowledgment.

5.3 Where this Agreement establishes or requires a service requirement that surpasses the service commitment set out in the CFS Commitments, the HSP is required to comply with the service requirements in this Agreement.

5.4 MOH and MLTC are responsible for monitoring the HSP's on-going compliance with the CFS Commitments. Notwithstanding the foregoing, the HSP agrees to certify its compliance with the CFS Commitments when requested to do so by Ontario Health.

### **6.0 Reconciliation.**

6.1 The HSP shall complete the Reconciliation Reports and submit them to MOH and

MLTC in accordance with Schedule C. The Reconciliation Reports shall be in such form and containing such information as required by Applicable Law and Applicable Policy or as otherwise required by Ontario Health pursuant this Agreement.

6.2 The Estimated Provincial Subsidy provided by Ontario Health under section 3.0 of this Schedule shall be reconciled by Ontario Health in accordance with Applicable Law and Applicable Policy to produce the Allowable Subsidy.



## Schedule C – Reporting Requirements

<b>1. In-Year Revenue/Occupancy Report</b>	
<b>Reporting Period</b>	<b>Estimated Due Dates<sup>1</sup></b>
2023 – Jan 1, 2023 to Sept 30, 2023	By October 15, 2023
<b>2. Long-Term Care Home Annual Report</b>	
<b>Reporting Period</b>	<b>Estimated Due Dates<sup>1</sup></b>
2023 – Jan 1, 2023 to Dec 31, 2023	By September 30, 2024
<b>3. French Language Services Report</b>	
<b>Fiscal Year</b>	<b>Due Dates</b>
2023-24 – Apr 1, 2023 to March 31, 2024	April 29, 2024
<b>4. OHRS/MIS Trial Balance Submission</b>	
<b>2023-2024</b>	<b>Due Dates (Must pass 3c Edits)</b>
Q2 – Apr 1, 2023 to Sept 30, 2023 (Fiscal Year)	October 29, 2023
Q2 – Jan 1, 2023 to June 30, 2023 (Calendar Year)	
Q3 – Apr 1, 2023 to Dec 31, 2023 (Fiscal Year)	January 28, 2024 – Optional Submission
Q3 – Jan 1, 2023 to Sept 30, 2023 (Calendar Year)	
Q4 – Apr 1, 2023 to March 31, 2024 (Fiscal Year)	May 31, 2024
Q4 – Jan 1, 2023 to Dec 31, 2023 (Calendar Year)	
<b>5. Compliance Declaration</b>	
<b>Funding Year</b>	<b>Due Dates</b>
January 1, 2023 – December 31, 2023	March 1, 2024
<b>6. Continuing Care Reporting System (CCRS)/RAI MDS</b>	
<b>Reporting Period</b>	<b>Estimated Final Due Dates<sup>1</sup></b>
2023-2024 Q1	August 31, 2023
2023-2024 Q2	November 30, 2023
2023-2024 Q3	February 28, 2024
2023-2024 Q4	May 31, 2024
<b>7. Long-Term Care Staffing Data Collection (“Staffing Survey”)</b>	
<b>Reporting Period</b>	<b>Estimated Due Dates<sup>1</sup></b>
April 1, 2022 to June 30, 2022 – Q1	September 12, 2022
July 1, 2022 to September 30, 2022 – Q2	January 27, 2023
October 1, 2022 to December 31, 2022 – Q3	To be determined
January 1, 2023 to March 31, 2023 – Q4	To be determined
<b>8. Quality Improvement Plan (submitted to Ontario Health)</b>	
<b>Planning Period</b>	<b>Due Dates</b>
April 1, 2023 – March 31, 2024	April 1, 2023

<sup>1</sup> These are estimated dates provided by the MOH and MLTC and are subject to change. If the due date falls on a weekend, reporting will be due the following business day.

## Schedule D – Performance

### 1.0 Performance Indicators

The HSP's delivery of the Services will be measured by the following Indicators, Targets and where applicable Performance Standards. In the following table:

*n/a* means 'not-applicable', that there is no defined Performance Standard for the indicator for the applicable year.

*tbd* means a Target, and a Performance Standard, if applicable, will be determined during the applicable year.

INDICATOR CATEGORY	INDICATOR P=Performance Indicator E=Explanatory Indicator M=Monitoring Indicator	2023-2024	
		Performance	
		Target	Standard
<b>Organizational Health and Financial Indicators</b>	Debt Service Coverage Ratio (P)	n/a	n/a
	Total Margin (P)	n/a	n/a
<b>Coordination and Access Indicators</b>	Percent Resident Days – Long Stay (E)	n/a	n/a
	Wait Time from Home and Community Care Support Services (HCCSS) Determination of Eligibility to LTC Home Response (M)	n/a	n/a
	Long-Term Care Home Refusal Rate (E)	n/a	n/a
<b>Quality and Resident Safety Indicators</b>	Percentage of Residents Who Fell in the Last 30 days (M)	n/a	n/a
	Percentage of Residents Whose Pressure Ulcer Worsened (M)	n/a	n/a
	Percentage of Residents on Antipsychotics Without a Diagnosis of Psychosis (M)	n/a	n/a
	Percentage of Residents in Daily Physical Restraints (M)	n/a	n/a

## 2.0 Local Obligations

This schedule sets out provincial goals identified by Ontario Health (OH) and the Local Obligations associated with each of the goals. The provincial goals apply to all HSPs and HSPs must select the most appropriate obligation(s) under each goal for implementation. HSPs must provide a report on the progress of their implementation(s) as per direction provided by OH regional teams.

### **Goal: Improve Access and Flow by Reducing Alternate Level of Care (ALC)**

#### Local Obligations related to goal:

- Participate in and align with regional plans to support admission diversion, maximize capacity, and support patients transition to community.

### **Goal: Advance Indigenous Health Strategies and Outcomes**

#### Local Obligations related to goal:

- Develop and/or advance First Nations, Inuit, Métis and Urban Indigenous (FNIMUI) FNIMUI Health Workplan:
  - a. Partner with your OH team to work through a process of establishing a First Nations, Inuit, Métis and Urban Indigenous Health Workplan, which aligns with provincial guidance, and includes a plan for Indigenous cultural awareness (improving understanding of Indigenous history, perspectives, cultures, and traditions) and cultural safety (improving understanding of anti-racist practice and identifying individual and systemic biases that contribute to racism across the health care system). Ontario Health will provide guidance material to support this process.
  - b. Or, if a First Nations, Inuit, Métis and Urban Indigenous Health Workplan (or similar) already exists, demonstrate advancement to implementation of the plan.
- Demonstrate progress (and document in reporting template) on outcomes, access and/or executive training:
  - a. Improvement in outcomes regarding First Nations, Inuit, Métis and Urban Indigenous health (note for 23/24 this will give HSPs the opportunity to demonstrate any improvement based on the data currently available to them. In future years, standardized indicators will be developed.)
  - b. Progress in increasing culturally safe access to healthcare services, programs to foster Indigenous engagement, and relationship building to improve Indigenous health (note for 23/24 this will give HSPs the opportunity to demonstrate any improvement based on initiatives they have targeted in their First Nations, Inuit, Métis and Urban Indigenous Health Workplan. In future years, standardized indicators will be developed.)
  - c. Demonstrate that executive level staff have completed Indigenous Cultural Safety Training

## **Goal: Advance Equity, Inclusion, Diversity, and Anti-Racism Strategies to**

### **Improve Health Outcomes**

#### Local Obligations related to goal:

- Develop and/or advance an organizational health equity plan
  - develop an equity plan that aligns with OH equity, inclusion, diversity and anti-racism framework, and existing provincial priorities, where applicable (i.e., French language health services plan; Accessibility for Ontarians with Disabilities Act; the provincial Black Health Plan; High Priority Community Strategy; etc.). Please note that HSPs will be provided with guidance materials to help develop their equity plan and complete a reporting template to submit to the region.
  - Or, if an equity plan already exists, demonstrate advancement to implementation of the plan, by completing the equity reporting template and submitting to the region.
- Increase understanding and awareness of health equity through education/continuous learning
  - Continue capacity-building through knowledge transfer, education, and training about health equity within the Region, HSPs will demonstrate that a minimum, executive level staff have completed relevant equity, inclusion, diversity, and anti-racism education (recommended education options to be provided).

## Schedule E – Form of Compliance Declaration

### DECLARATION OF COMPLIANCE

Issued pursuant to the Long-Term Care Home Service Accountability Agreement

**To:** The Board of Directors of Ontario Health Attn: Board Chair.

**From:** The Board of Directors (the “Board”) of the [insert name of License Holder] (the “HSP”)

**For:** [insert name of Home] (the “Home”)

**Date:** [insert date]

**Re:** January 1, 2023– December 31, 2023 (the “Applicable Period”)

---

The Board has authorized me, by resolution dated [insert date], to declare to you as follows:

After making inquiries of the [insert name and position of person responsible for managing the Home on a day to day basis, e.g. the Chief Executive Office or the Executive Director] and other appropriate officers of the Health Service Provider (the “HSP”) and subject to any exceptions identified on Appendix 1 to this Declaration of Compliance, to the best of the Board’s knowledge and belief, the HSP has fulfilled, its obligations under the long-term care home service accountability agreement (the “Agreement”) in effect during the Applicable Period.

Without limiting the generality of the foregoing, the HSP confirms that:

- (i) it has complied with the provisions of the *Connecting Care Act, 2019* and with any compensation restraint legislation which applies to the HSP; and
- (ii) every Report submitted by the HSP is accurate in all respects and in full compliance with the terms of the Agreement.

Unless otherwise defined in this declaration, capitalized terms have the same meaning as set out in the Agreement between the Ontario Health and the HSP effective April 1, 2023.

[insert name of individual authorized by the Board to make the Declaration on the Board's behalf],  
[insert title]

## **Schedule E – Form of Compliance Declaration Cont'd.**

### **Appendix 1 - Exceptions**

[Please identify each obligation under the LSAA that the HSP did not meet during the Applicable Period, together with an explanation as to why the obligation was not met and an estimated date by which the HSP expects to be in compliance.]

# THE CORPORATION OF THE COUNTY OF MIDDLESEX

## BY-LAW #7227

A BY-LAW to provide for remuneration and expenses, including convention expenses, payable to Members of Council.

### WHEREAS:

- A. Section 283 of the *Municipal Act, 2001*, S.O. 2001, c.25, (the "*Municipal Act, 2001*"), as amended, provides that the council of a municipality may pay remuneration and expenses to members of Council and members of any local board of the municipality;
- B. Section 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;
- C. Council deems it expedient to pass a By-law to provide for the remuneration and expenses of Members of Council and Council's appointees to Boards and Committees;

**NOW THEREFORE** the Council of the Corporation of the County of Middlesex enacts as follows:

1. That the annual remuneration for Members of Council for 2023 shall be:  

Warden:	\$83,883.69
Councillor:	\$28,028.84
2. That the annual remuneration for Members of Council covers attendance at:
  - a) County Council Meetings;
  - b) County Council Orientation Sessions;
  - c) County Council Budget Meetings; and
  - d) County Council Education, Training and Visioning Sessions
3. That compensation adjustments for Members of Council will be equal to the non-union wage increase effective January 1 of each year commencing January 1, 2024.
4. That the travelling allowance for attendance at meetings shall be the travelling allowance rates as approved by Council from time to time.
5. Council remuneration will be reviewed prior to the beginning of the next term of Council.
6. That delegates to conventions shall receive expenses as outlined on *Schedule A*.
7. Third Party Appointments  
Prior to any member of County Council accepting a third party appointment to a Board, Committee, or other bodies that requires compensation from the County of Middlesex; the nominee shall obtain approval from County Council for the appointment. Appointments outlined in *Schedule B*.
8. That Members of Council or other persons appointed by Council to serve as members of Boards, Committees or other bodies, including but not limited to the following, shall receive per diem and travelling allowance for attending meetings:



THE CORPORATION OF THE COUNTY OF MIDDLESEX

BY LAW #7227 Page 2

- a) Middlesex County Library Board;
  - b) Middlesex-London Board of Health;
  - c) County/City Liaison Committee;
  - d) Western Fair Board;
  - e) University of Western Ontario;
  - f) Middlesex County Budget Committee;
  - g) Middlesex-London Paramedic Services Authority Board;
  - h) Middlesex Accessibility Advisory Committee;
  - i) Planning Advisory Committee; and
  - j) such other bodies to which Council from time to time appoints representatives.
9. That the per diem, for meetings not included in Section 2 of this by-law, shall be \$171.76, subject to the provisions of Section 10 of this by-law.
10. That the following calculations for per diems be adopted:
- a) less than 30 minutes - up to 25% of the per diem.
  - b) 30 minutes to 1 ½ hours - 50% of the per diem.
  - c) More than 1 ½ hours - 100% of the per diem.
11. That the Clerk shall be delegated authority to update this by-law pursuant to Section 3 and Section 7 of this by-law.

PASSED IN COUNCIL this 11<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
Cathy Burghardt-Jesson, Warden

\_\_\_\_\_  
Paul Shipway, County Clerk

**SCHEDULE "A"**  
**TO BY-LAW #7227**  
**COUNTY OF MIDDLESEX**  
**POLICIES RE: ATTENDANCE AT CONVENTIONS**

Expenses payable to Delegates at Conventions.

1.     Registration  
The registration fee for two (2) authorized conventions per year.
2.     Accommodations / Parking  
Accommodation costs for convention dates including one night prior, and the cost of parking, with the submission of appropriate receipts.
3.     Meals  
The cost of meals to a maximum of \$75.00 per day with the submission of appropriate receipts. Expenses without receipts will be paid as a non-accountable expense to the \$75.00 maximum and will be taxable.
4.     Per diem  
The approved per diem shall be paid for each ½ day attendance at the convention.
5.     Travel
  - a) One per diem for travel before and after conventions over 300 kilometres, round trip.
  - b) Mileage at the County's approved rate.
  - c) Airfare or train expense with receipts.
6.     The maximum convention expenditure per member of Council per year will be \$5,000.00, exclusive of registration costs.
7.     Section 6 of *Schedule A* of this by-law does not apply to:
  - a) The Warden (expenditure within the approved budget).
  - b) Registration and expenses for the Warden's partner.
  - c) A Member of Council who is a member of the Board of Directors of a municipal association.
    - i. The maximum related to attendance at Board meetings and conventions shall be \$8,000.00, exclusive of registration expenses, on the condition that the nomination to the Board was supported by a resolution from Council *Schedule C*.

## SCHEDULE “B” TO BY-LAW #7227

The following Councillors are Third Party Appointments to Boards, Committees or Standing Committees for the year 2023:

Councillor Brennan	Planning Advisory Committee, Middlesex Accessibility Advisory Committee, Western Fair District
Warden Burghardt-Jesson	Middlesex County Library Board, Middlesex Accessibility Advisory Committee, Planning Advisory Committee, Middlesex-London Paramedic Services Authority Board, County/City Liaison Committee, Intergovernmental Relations Committee, Western Fair District, Budget Committee
Councillor Clarke	Intergovernmental Relations Committee, University of Western Ontario, Budget Committee
Councillor DeViet	County/City Liaison Committee, Intergovernmental Relations Committee, Middlesex-London Board of Health, Budget Committee
Councillor Grantham	County/City Liaison Committee, London-Middlesex Community Housing
Councillor Mayhew	Middlesex Accessibility Advisory Committee, Planning Advisory Committee
Councillor McMillan	Middlesex County Library Board, Planning Advisory Committee
Councillor McGuire	Middlesex-London Paramedic Services Authority Board, Middlesex-London Board of Health
Councillor Ropp	Middlesex-London Paramedic Services Authority Board, Western Fair District, Budget Committee
Councillor Smibert	Intergovernmental Relations Committee, Middlesex-London Board of Health, Middlesex London Food Policy Council

And all others whom obtain approval from County Council for the appointment

**SCHEDULE “C”  
TO BY-LAW #7227  
COUNTY OF MIDDLESEX  
“BOARD OF DIRECTORS  
OF A MUNICIPAL ASSOCIATION”**

The following Councillors are member of a Board of Directors of a Municipal Association for the year 2023:

Councillor DeViet	Association of Municipalities of Ontario
Councillor Burghardt-Jesson	Southwestern Integrated Fibre Technology (SWIFT)
Councillor Burghardt-Jesson	South Central Ontario Region (SCOR)
Councillor McMillan	South Central Ontario Region (SCOR)

**THE CORPORATION OF THE COUNTY OF MIDDLESEX**  
**BY-LAW #7228**

A BY-LAW to confirm proceedings of the Council of The Corporation of the County of Middlesex – April 11, 2023.

**WHEREAS:**

- A. It is deemed expedient that the proceedings of the Council of The Corporation of the County of Middlesex at the April 11, 2023, Session be confirmed and adopted by By-law;
- B. Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the “Act”), provides that a municipal power shall be exercised by by-law;
- C. Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;
- D. Section 10 of the Act provides that a municipality may pass by-laws respecting any service or thing that the municipality considers necessary or desirable for the public;

**NOW THEREFORE** the Council of The Corporation of the County of Middlesex enacts as follows:

- 1. That the action of the Council of The Corporation of the County of Middlesex in respect of all recommendations in reports of committees, all motions and resolutions and all other action passed and taken by the Council of The Corporation of the April 11, 2023, Session of Council, are hereby adopted and confirmed, as if the same were expressly included in this By-law.
- 2. That the Warden and proper officials of The Corporation of the County of Middlesex are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the County of Middlesex during the said April 11, 2023, Session referred to in Section 1 of this By-law.
- 3. That the Warden and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of The Corporation of the County of Middlesex to all documents referred to in said Section 1.

PASSED IN COUNCIL this 11<sup>TH</sup> day of April, 2023.

\_\_\_\_\_  
Cathy Burghardt-Jesson, Warden

\_\_\_\_\_  
Paul Shipway, County Clerk

*save the date*

MIDDLESEX LONDON PARAMEDIC SERVICE  
SERVICE AWARDS AND GALA NIGHT

WEDNESDAY MAY 24<sup>TH</sup> 2023  
BELLAMERE WINERY & EVENT CENTRE

FORMAL INVITATION TO FOLLOW

05.19.23  
*Save the Date*

Middlesex-London Paramedic Service  
Cardiac Arrest Survivor Day Celebration

FORMAL INVITATION TO FOLLOW