



Committee of the Whole

Meeting Date: March 12, 2024
Submitted by: Durk Vanderwerff, Director of Planning and Development
Subject: Ontario Land Tribunal Decision; 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 and Zoning By-law.

At the February 15th 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 amendments to the local planning documents.

On March 2nd 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 proposed amendments to the local planning documents. The planning applications were consolidated into one OLT Hearing and the County Solicitor represented the County and the Municipality in this matter.

ANALYSIS:

The OLT held a settlement hearing on February 20, 2024 and approved a revised development that would consist of 45 residential units (15 single detached and 30 townhouse). It is noted that the proposed plan was adjusted, and additional studies were undertaken through the appeal process which led to a proposal that met the planning policy tests.


The OLT approved the amendment to the Middlesex Centre Official Plan, the amendment to the Middlesex Centre Zoning By-law, and issued draft plan approval of the Plan of Condominium subject to conditions. The OLT further ordered that the County shall have the authority to administer the final approval of the Plan of Condominium.

FINANCIAL IMPLICATIONS:

The staff resources (Legal and Planning) to defend the County’s position related to this file will be accommodated within the approved budget. It is noted that the volume of active appeals may cumulatively strain resources.

ALIGNMENT WITH STRATEGIC FOCUS:

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

Strategic Focus	Goals	Objectives
Strengthening Our Economy 	Encourage a diverse and robust economic base throughout the county	<ul style="list-style-type: none">• 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