



For Immediate Release
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MEDIA RELEASE

LPAT Ruling Clears the Way for a New Hospital at the Selected Site

WINDSOR, ON. It is a good day for the future of healthcare in Windsor-Essex. Today, the Local Planning Appeal Tribunal (LPAT) issued a decision that supports Windsor City Council’s August 14, 2018 decision to approve rezoning of the selected site for a new regional hospital and an official plan amendment for the surrounding area.

In his ruling, Tribunal adjudicator Scott Tousaw said, “After full consideration of the record, submissions and cases submitted, the Tribunal finds that Official Plan Amendment (OPA) 120 and the Zoning Bylaw Amendment (ZBA) are consistent with the PPS, the ZBA conforms with the Official Plan, and both instruments have regard for the provincial interests of s. 2 of the Act.”

Highlights from Tribunal Findings. The following are direct quotations from the Tribunal’s decision:

Need:

“The Tribunal finds that the needs analysis required by the PPS is met by the thorough study, robust peer critique and conservative results. The area for residential and employment uses is found to be reasonable especially given its likelihood to under-represent the potential demand. The Tribunal finds no evidence to support Camp’s assertion that the projections and land needs calculations are flawed. Based on the record, the Tribunal cannot reconcile the opinions of Ms. Keesmaat related to the forecasts and land needs with the thoroughly substantiated studies provided by WRH and accepted by the City.”

Location and Design:

“The Tribunal finds that the SP is consistent with the PPS. It comprehensively plans for the City’s growth, as justified by the needs analysis reviewed above, and provides for a mix of uses, densities, modes of transport, and a fiscally responsible approach to the phasing and costs of municipal services, from transit to greenspace to storm water management. The supporting studies respect the notion of optimizing existing infrastructure by allocating anticipated growth to developable parcels of land within the built-up areas of the City, including brownfields. The Tribunal agrees with Ms. Nwaesei that the PPS does not prioritize brownfields redevelopment over greenfields. In this case, both are required to meet the land needs for residential and employment uses in the City over the planning period to 2036.”

Mobility:

“Like many cities, Windsor’s own downtown is not centred in the City. It has grown from its riverside location at the north limit of the City. For the SP area, mobility and accessibility are addressed by the City’s policy commitment to servicing the hospital site with public transit and by its integration with existing and future neighbourhoods, business areas and transportation corridors.”

Infrastructure:

“Through its experience and as evidenced in its planning documents, Windsor understands the importance of flood prevention and management. Extensive areas of the SP area are dually designated as Storm Water Management System and Non-Core Natural Heritage. The Tribunal is satisfied that the SP and ZBA satisfy the consistency and conformity tests and that the City will ensure that the new hospital and other developments with the SP area will not be located on hazardous lands.”

Agriculture:

“The Tribunal agrees with the City and WRH that from a planning perspective, the SP area has not been designated as Agriculture since before 2007 when OPA 60 was approved.

This process of planning for the City’s needs, accommodating growth as demand determines, and regulating development in a phased manner constitutes the very basis of land use planning as envisioned by the PPS. It results in the efficient use of urban land and avoids the premature conversion of agricultural land.””

Consultation:

“For the reasons that follow, the Tribunal is satisfied that the Secondary Plan (SP) and ZBA are consistent with the PPS and that the ZBA conforms with the OP regarding consultation with Aboriginal communities. As argued by the City and WRH, these applications were highly publicized throughout the City. The hospital planning process was extensive and controversial, and by the time planning applications were made, the record suggests that a full understanding of the proposal was widespread.”

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Proper zoning for the new hospital site and a plan for future land use in the surrounding area is required in order to move forward with a comprehensive regional healthcare strategy that includes a new single-site acute care hospital located at County Rd. 42 and the 9th Concession.

With the decision released today, the zoning for the new hospital is effective Sept. 17, 2018 and the Secondary Plan comes into effect tomorrow, Dec. 4.

Windsor Regional Hospital President and CEO David Musyj is pleased the process has concluded and thankful to the Tribunal for its thorough review of the matter.

“Today’s decision confirms the zoning and official plan amendments are supported by solid planning evidence and the selected site at County rd. 42 and the 9th Concession is appropriate for a new regional

hospital,” says Musyj. “We can now move forward and continue planning for the new Windsor-Essex Hospitals System, knowing we have approval to move forward on the selected site.”

David stated further, “We once again invite those who oppose the location to become engaged in the process moving forward, to work with us to ensure a robust Windsor/Essex hospital healthcare system. There will be plenty of opportunity for residents of Windsor/Essex to participate in the process moving forward, as they have throughout”.

The Windsor-Essex Hospitals System is a once-in-a-lifetime, major system reform that will transform hospital services in Windsor-Essex for generations to come. It includes the integration of acute care in a new state-of-the-art acute care hospital that will replace existing outdated and undersized facilities, the integration of tertiary, acute and community based mental health care, a centre of Mental Health Excellence at the HDGH Tayfour Campus and services in the City's core including Urgent Care (Satellite Emergency Department) and Outpatient Mental Health.

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