

WINDSOR-ESSEX COUNTY HEALTH UNIT

TO: Council of The Corporation of the County of Essex (the “**Municipal Council**”)

FROM: Windsor-Essex County Health Unit (“**WECHU**”)

DATE: September 29, 2022

WINDSOR-ESSEX COUNTY HEALTH UNIT HEAD OFFICE RELOCATION PROJECT

WECHU Recommendation:

It is recommended that the Municipal Council adopt the following resolutions:

- a) *The report of WECHU, dated September 29, 2022, and entitled “Windsor-Essex County Health Unit Head Office Relocation Project” BE RECEIVED; and*
- b) *The Board of Health of WECHU BE ADVISED that pursuant to subsection 52(4) of the Health Protection and Promotion Act, R.S.O. 1990, c.H.7 (the “HPPA”), Council of The Corporation of the County of Essex consents to WECHU’s proposal to lease real property located at the University of Windsor for the purposes of relocating the WECHU head office and performing its mandatory functions and duties under the HPPA or any other legislation.*

Key Points:

- In response to a co-location survey and one-on-one interviews, WECHU identified the University of Windsor (the “**University**”) and specifically the Residence West Tower municipally located at 460 Huron Church Road, Windsor, Ontario (the “**Building**”) as prospective partner and location for its head office.
- The project creates unique opportunities for collaborative public health partnerships with respect to academic research initiatives and integration with key University faculties and programs.
- The University will remain owner of the Building and its lands, and will act as landlord.
- The parties’ intention is for WECHU to lease and occupy 7 floors of the Building as a commercial tenant, being approximately 45,000 to 50,000 cumulative square feet of space.

- The lease's term will be for not less than 25 years, with up to three renewal terms of 5 years each.
- The lease will provide WECHU an option for the right of expansion and the right of first offer for the remaining space available within the Building.
- The University will be responsible for all costs incurred for completing all associated design services for the Landlord Works and Tenant Improvements, securing any requisite approvals and building to suit all spaces within the Leased Premises in accordance with the plans and specifications mutually agreed to by WECHU.
- University project costs are currently estimated to be approximately \$20,000,000.00.
- The University's obligations include preparing the space (at its cost) to a "white shell" condition, which involves bringing the Building's infrastructure up to code, construction of the addition to the Building, a new elevator, and a new parking lot.
- WECHU will bear all costs incurred for Tenant Improvements in accordance with WECHU's own budget. Tenant Improvements include flooring, painting, furniture, interior partitions, IT equipment and signage.
- WECHU and the University will enter into a Campus Integration Agreement detailing the rights of WECHU to services located on the University campus including discounts on certain services, Uwin card access, access to teaching and event space, and access to gym facilities located in the Toldo Lancer Centre.
- Modified gross rent estimated range of \$24.00 - \$27.00 per square foot per annum adjusted for any funding received and actual construction costs.

Background:

WECHU's Windsor office is currently located at 1005 Ouellette Avenue. This office has been under lease since 1993, which was subsequently extended and amended in 2016 until December 31st, 2023. This lease has no further rights of renewal.

The objective of this project was to identify a municipal, university, school or hospital partner for the purpose of co-locating WECHU offices and facilities in support of its mission as a provider of public health services to Windsor-Essex. For further details, see "Public Health Considerations for WECHU Relocation" attached hereto as Schedule "A".

Site Selection Process:

WECHU conducted a co-location survey and was able to identify potential co-location partners. Following which, WECHU conducted one-on-one meetings to discuss co-location opportunities as well as physical spaces that may be available.

The University was interested in a potential partnership and provided a proposal to lease out a former residence building which came out of service 5 years ago. Only this proposal was able to meet the space, timing, and feasibility requirements set out by WECHU for the project. For further details, see Schedule “A”.

Work Completed:

Since mid-May 2022, the project team have engaged with the University and Architectura Inc. Architects to complete due diligence on the viability of the proposed space. A Memorandum of Understanding has also been executed with basic terms of the Agreement as described in the Key Points section above. For further details, see Schedule “A”.

Timeline:

The University agreed to a target project completion and first day of operation by no later than June 1st, 2024. The Parties further agree to work cooperatively in good faith to expedite the Project Timeline wherever possible. In the event occupancy cannot be provided to WECHU by January 1st, 2024, the University agrees to make commercially reasonable best efforts to accommodate WECHU in alternative office space on campus subject to an agreement between the Parties on rent and other short term lease provisions.

Requirement for Council Approval:

Sections 52(3) and (4) of the *Health Protection and Promotion Act* (the “**HPPA**”) states that a Board of Health may acquire and hold real property for the purpose of carrying out its functions¹:

“(3) A Board of Health may **acquire and hold real property** for the purpose of carrying out the functions of the board and may sell, exchange, lease, mortgage, or otherwise charge or dispose of real property owned by it.”

“(4) Subsection (3) does not apply unless the board of health **has first obtained the consent of the councils of the majority of the municipalities** within the health unit served by the board of health.”

¹ *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, at s. 52(3) and (4).

In a relatively recent case, the Ontario Superior Court of Justice held that the reference to “*acquire and hold real property*” in s. 52(3) of the HPPA included the entering of long-term leases, therefore triggering the requirement of obtaining the consent of funder municipalities.

Therefore, the current state of the law provides that WECHU is required to obtain consent from the councils of majority of the Municipalities served by WECHU to enter the lease with the University. The councils are the Municipal Council of the City of Windsor, the Municipal Council of the County of Essex, and the Municipal Council of the Township of Pelee. In other words, approval of two of the three Municipal Councils is required to proceed with the lease.

It is important to note that that recent case law has also determined that municipalities are not given “veto” rights over decisions of health boards to lease property pursuant to subsection 52(4) of the HPPA, but only a check to ensure that funds are not being used for an extraneous or improper purpose. WECHU’s board approved this project in May 2022 for the purposes of relocating its head office in partnership with the University of Windsor, and as such, funds utilized for this project by WECHU are being used for proper operational requirements.

The Board of Health is now formally seeking the consent of the Council to lease real property for the purpose of performing its mandatory functions and duties under the Act or any other legislation.

The Board of Health will separately seek the consents from the Municipal Council of the City of Windsor, and the Municipal Council of the Township of Pelee.

This report was prepared by:



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Windsor-Essex County Health Unit

Schedule “A”

Public Health Considerations for WECHU Relocation

WINDSOR-ESSEX COUNTY

HEALTH UNIT

Introduction

The WECHU’s mission is to work with the community to protect, promote, and improve health and well-being for all. This mission, further recognized in the modernized Ontario Public Health Standards (2021), supports the improvement of population health outcomes through the delivery of public health programs and services in our community.

In November of 2021, the Windsor-Essex County Health Unit (WECHU) Board of Health gave direction to reconvene the Project Governance Committee (PGC) of the Board, restarting the process of identifying a new location for the Windsor location of the Health Unit.

The Vision for the “Project” initially established is as follows:



In order to begin the process, four key activities were identified as initial steps:

1. Re-evaluate WECHU Space Needs Assessment.
2. Revisit Priority Area Mapping to identify targeted areas for relocation.
3. Engage the community and key stakeholders through initial Space Needs Survey and consultations.
4. Consult with MUSH (Municipal, University, Schools, and Hospitals) partners to explore potential partnerships for relocation and services.

1. WECHU Space Needs Evaluation

In January of 2022 the WECHU put out a request for proposals (RFP) to update the 2015 Space Needs Assessment completed for the WECHU relocation project. Given the time lapse from the last Space Needs Assessment, the addition of new and expanded services such as the Ontario Seniors Dental Care Program (OSDCP) and the change in work environment to hybrid, it was important to re-evaluate the space needs of the organization.

Architecttura was the successful proponent for the Space Needs Evaluation project. Over the course of several weeks, Architecttura in collaboration with WECHU senior leadership team and management reviewed the space needs requirements department by department.

The total space required for the WECHU's future Windsor location was estimated to be 65,000 square feet.

2. Priority Area Mapping for Relocation of WECHU Offices

The decision regarding the site of WECHU's relocation needs to consider the location of WECHU's priority population and the proximity of potential clients that require on-site services. Identifying ideal locations was conducted by mapping the most marginalized areas, the location of high-risk schools, and dental clients.

Based on analysis completed by the WECHU's Epidemiology and Evaluation Department, four high-priority areas were identified using the ON-Marginalization Index (ON-Marg) and public health data. These four areas were: West Windsor, Downtown Windsor, Walker Road & Wyandotte Street East, and Lauzon Parkway. These areas were considered the most marginalized areas in Windsor-Essex County, after considering factors such as residential instability, material deprivation, dependency, ethnic concentration and areas that contained the most WECHU clients including high-risk facilities and high-risk schools.

For the majority of the WECHU services, staff travel from the Health Unit offices and into the community. However, for services such as dental services, vaccination, and sexual health services, individuals must travel to one of the WECHU's locations. These services, in particular dental, are targeted to those at highest risk of poor health outcomes and that meet the criteria for services as set out by the Ministry of Health.

Placement of the Health Unit with consideration to proximity to high priority locations will allow the Health Unit to be accessible to potential clients, whilst providing a positive presence in high-priority communities.

Data Sources used for Mapping

Several data sources were used to identify areas of interest: the Ontario Marginalization Index, Educational Opportunities Index, low-income senior data, and internal dental client data. These sources

were the best available information to identify the socioeconomic characteristics and locations of the Health Unit's priority population. Each data source is described in detail below.

Ontario Marginalization Index

The Ontario Marginalization Index is an index that shows the variation in marginalization across areas in Ontario². The ON-Marg Index was created by the Centre for Urban Solutions at St. Michael's Hospital and Public Health Ontario using data from the 2016 Canadian Census. It can be used to understand inequalities in measures of health and well-being between groups of people or areas. For this project, these indicators from the ON-Marg Index were used to identify areas that are the most marginalized in Windsor-Essex County (WEC). Such areas can be considered higher priority areas, as they can benefit the most from programs and services offered by WECHU.

The ON-Marg Index provides four indicators that illustrate levels of marginalization across areas in Ontario. The four indicators are: residential instability, material deprivation, dependency, and ethnic concentration. Higher scores on each indicator correspond to areas that are the most marginalized (and vice-versa). ON-Marg scores exist for various levels of census geography with the lowest level available being a dissemination area (DA). Statistics Canada has created DAs across the nation to represent a small area composed of one or more neighbouring dissemination blocks, with a population of 400 to 700 persons. It is the smallest standard geographic area for which all census data is disseminated. There are 661 DAs that account for the entirety of WEC.

Educational Opportunities Index

The Educational Opportunities Index (EOI 2019/20) is a composite index developed by the Ontario Ministry of Education. EOI scores were used to identify high-risk elementary and secondary schools in Windsor-Essex County. EOI scores measure the potential level of educational opportunities available to students at elementary and secondary schools in Ontario. EOI scores are derived from the combination of several socio-economic status (SES) variables that are shown to influence student achievement. The data sources used to calculate EOI scores are the Ontario School Information System (2019-2020), National Household Survey, and 2019 Taxfiler data. High EOI scores indicate students attending that school experience less educational opportunities (vice-versa for lower EOI scores).

Dental Client Information

WECHU clients that utilize on-site oral health services account for a large majority of clients that visit WECHU sites. Data for these clients is captured internally using Dentrix software. Data is from mid-2011 to October 30th, 2018.

Senior in Low-Income (2016 Census, Statistics Canada)

After-tax Low-Income Cut-Off (LICO) was used as a proxy for seniors that meet the eligibility criteria for the Ontario Seniors Dental Care Program (OSDCP).

² Refer to following link for additional details:

<https://www.publichealthontario.ca/en/DataAndAnalytics/Pages/ON-Marg.aspx>

Transit Windsor Bus Routes (2020)

Utilized current map (2020) of Windsor bus routes to ensure location has access to alternative transportation.

Analysis

Proximity to Identified High-Priority Areas

In order to further narrow the list of high-priority areas, differences among areas were highlighted by determining the proximity of high-risk schools and dental client locations to each area. This was done by calculating the proportion of high-risk schools and client locations that fall within various distances (2.5 km, 7.5 km, 10.0 km, 20.0 km, 50.0 km, and 75.0 km) from each area's boundary.

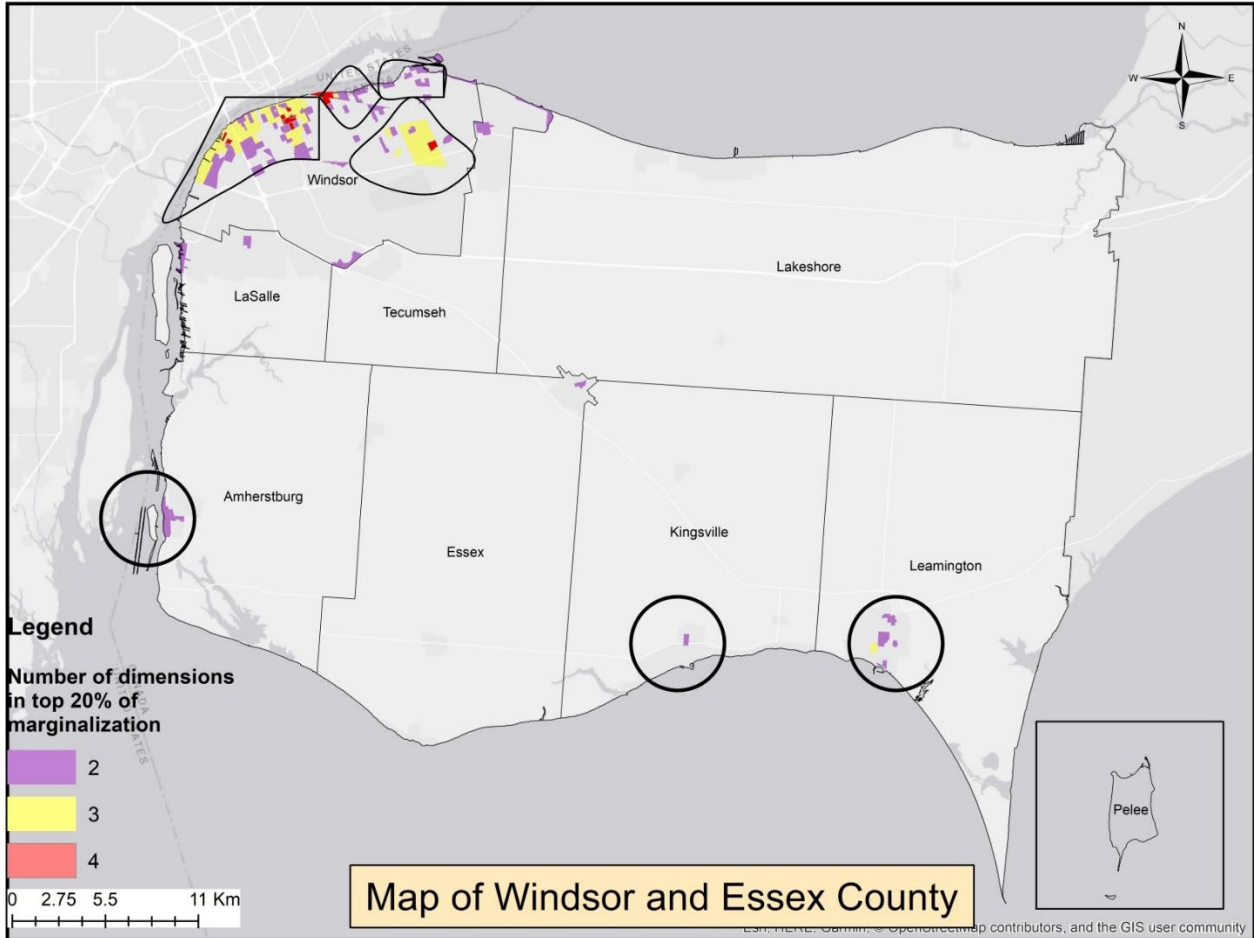
The proportion of client locations encompassed by each area's boundary was calculated using the number of unique client locations within that distance as the numerator and the total number of unique client locations (4,705 locations) as the denominator. Likewise, for the proportion of high-risk schools at each distance from an area's boundary, the numerator was the number of high-risk schools within that distance, while the denominator was the total number of high-risk schools (45 high-risk schools).

Results

There were ten DAs in WEC that met the criterion of most marginalized (top 20%) in every marginalization indicator. These ten DAs were all within the City of Windsor. Some of these ten DAs were adjacent or in close proximity to each other. These ten DAs spread across four distinct general areas in Windsor. These areas are shown in Map 1.

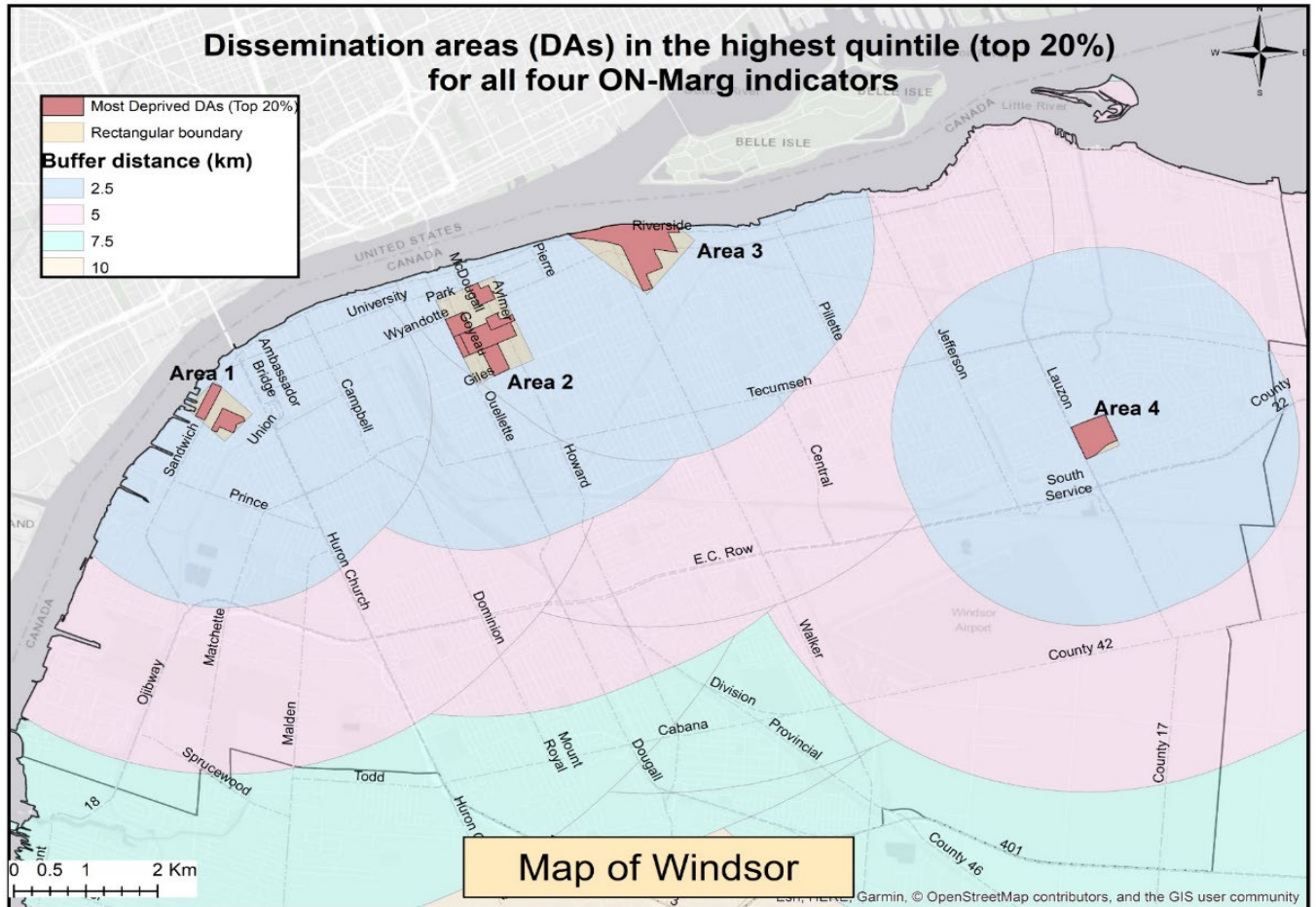
- Area 1: West Windsor (~890 residents)
- Area 2: Downtown Windsor (~2,946 residents)
- Area 3: Walker Road & Wyandotte Street East (~407 residents)
- Area 4: Lauzon Parkway (~557 residents)

Map 1. Map identifying most marginalized areas (top 20%) in two or more marginalization dimensions

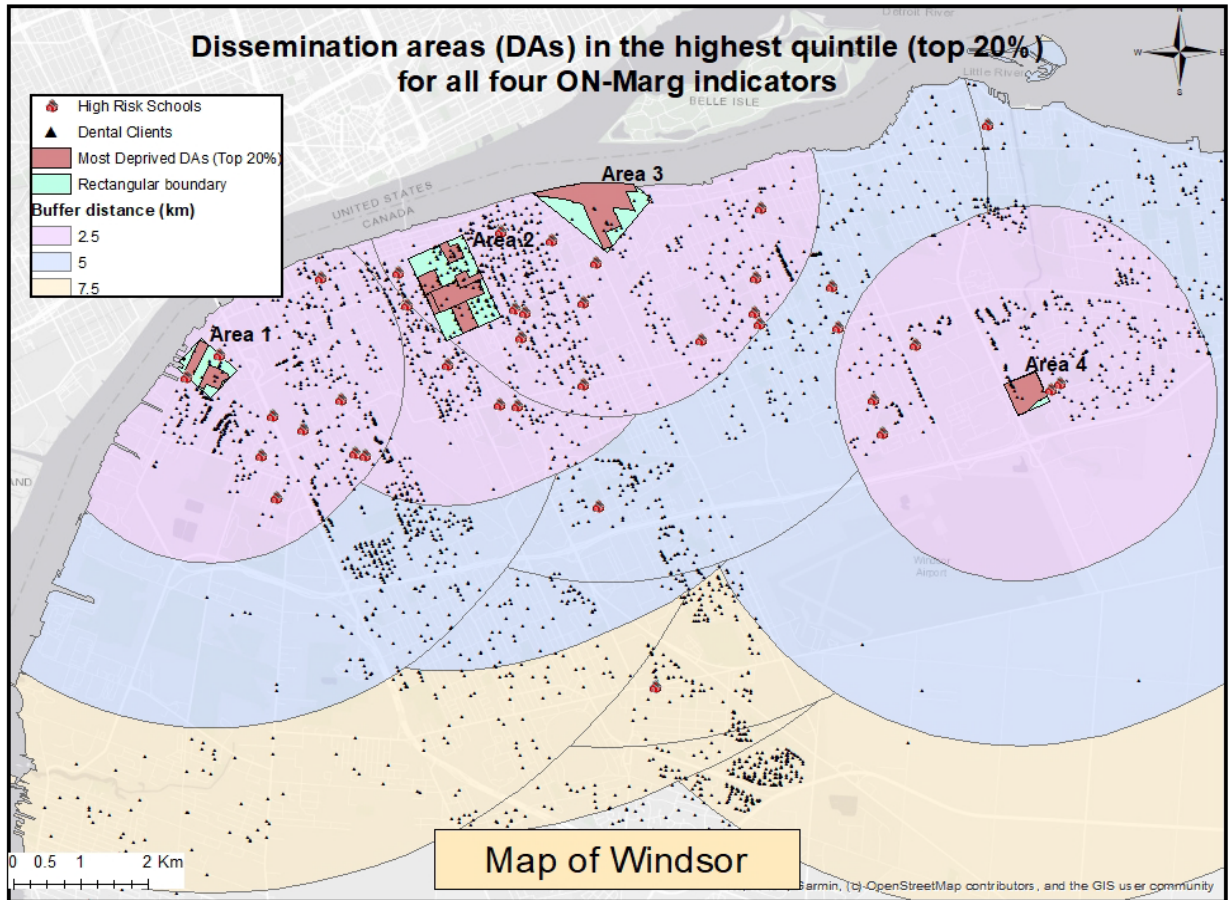


Author: E&E

Map 2. Distances from each identified DA

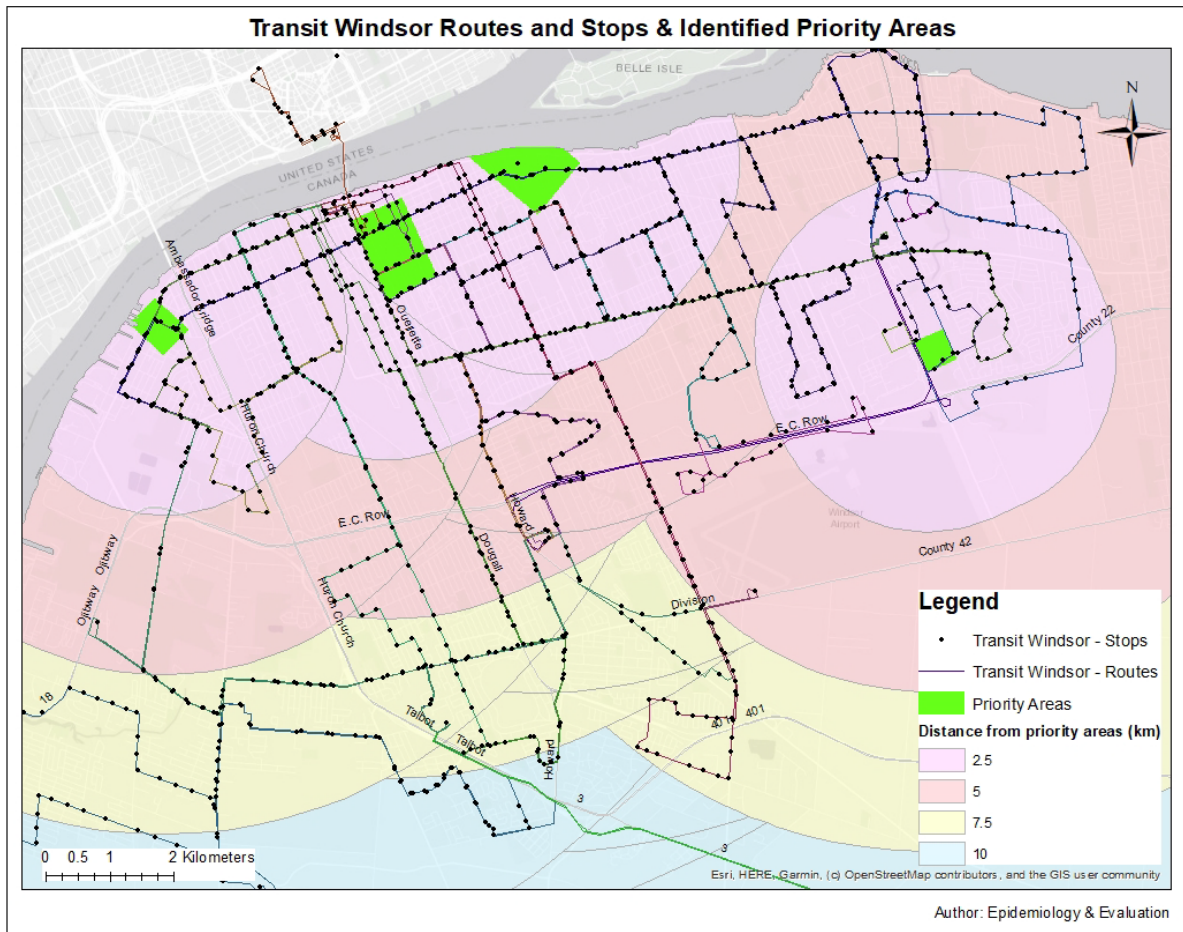


Map 3. Map including high-risk schools and clients of WECHU



Author: E&E

Map 4. Transit Routes and identified priority areas



3. Community and Stakeholder Engagement

Community and Stakeholder Engagements occurred through a Community and Stakeholder Survey and focus group session. The purpose of the consultation was to understand aspects and elements of a new building that are important and priority for the public and WECHU clients.

Key highlights of the engagement included:

- Need for a welcoming and accessible entry
- Need for client parking
- Signage in multiple languages for improved accessibility

4. MUSH Sector Consultation

In March of 2022, following the recruitment of the project manager, the Community Survey, and the Mapping and Space Needs Assessment the WECHU Board of Health Directed administration to engage with MUSH (Municipal, University, School, Hospital) sector partners to investigate potential co-locations as an opportunity for relocation and strategic partnership.

Each MUSH sector partner was engaged by detailing the space needs of 65,000 square feet and the projected move in date of Q1 2024. The space was identified through consultation with the University of Windsor, as it met the total space needs requirement and timeline proposed by the WECHU. Beyond the space, the partnership and relocation to the University of Windsor campus opened the door for a strategic partnership that would include the sharing of resources and expertise, a benefit to public health service delivery, and educational opportunities in Windsor.

The re-location to the University of Windsor Campus met all initial criteria:

- Immediately available space and potential for move in at Q1 of 2024
- Co-location with other partners and services
- 65,000+ square feet available
- On-site parking

In order to further explore the space and ensure that it would meet the WECHU's service needs and not just space needs, the WECHU and the University completed a Test Fit exercise. Architecttura was contracted to complete the exercise, which included mapping out WECHU departments and services onto the existing floor plan of the proposed location.

Discussion

Following the Test Fit exercise, it was determined that the location at the University of Windsor campus would meet all Health Unit service needs including the following:

- **Accessible location.** Located along Huron Church road, the Health Unit will be more easily accessible for clients coming from the City and the County.
- **Transportation Routes.** Close to transportation routes.
- **Dedicated Client Parking.** 30 parking spaces, in a dedicated lot directly in front of the WECHU building for accessible parking for vulnerable clients.
- **Staff parking.** Staff will have access to paid parking spaces similar to current location at 1005 Ouellette Avenue.
- **Space Needs.** Space within the building meets the space needs requirements for the WECHU and enables client facing services to be in one location with a single reception.
- **Delivery/Distribution.** Drop off and pick up zone with separate entrance for deliveries, vaccine distribution etc.

In addition, the partnership and co-location with the University of Windsor allows for:

- Use of other campus facilities and classrooms for public health programs and education.
- Staff access to some University services and facilities.
- Alignments in research and surveillance activities.
- Sharing of expertise and resources.
- Potential for grant opportunities.



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HEALTH UNIT**

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