



SENIORS FOR SOCIAL ACTION (ONTARIO)

INFORMATION AND ADVOCACY BULLETIN

November 11, 2024

For almost a year now Seniors for Social Action Ontario has been trying to obtain information related to how Orchard Villa in Pickering got a 30-year license and bed expansion from the Ontario government in spite of its deplorable record outlined in the Canadian military report and inspection reports going back years.

SSAO has used Freedom of Information requests to attempt to obtain the following records:

Documents, e-mails, and other communications between your predecessor, Mr. Calandra's Office, including his political staff and Southbridge principals and/or Yorkville Asset Management principals between October 15, 2022 and April 30, 2023 regarding Southbridge's plans for an expanded and redeveloped facility at the Orchard Villa site on Valley Farm Road in Pickering

Documents related to the criteria and process used to determine whether or not the license and bed expansion should be approved by your Ministry and who approved it.

Documents, e-mails and other communications related to the role your Ministry played in seeking a Minister's Zoning Order (MZO) for the City of Pickering in furtherance of Southbridge's plan to build a 15-storey long-term care facility in that City.

Timeframe: October 15, 2022 - April 30, 2023

The Information and Privacy Commission issued an Order for the Ministry to provide a final decision on what it would or would not release by October 15, 2024. The Ministry ignored that Order until two days after the story (below) appeared in Durham News, and after SSAO wrote to the RCMP requesting an investigation of the circumstances surrounding this contract. SSAO also wrote to the Minister of Long-Term Care asking why that Ministry was ignoring an Information & Privacy Commission Order.

The Ministry has since added two more reasons for not releasing the entire 650 pages of this file - law enforcement and relations with other governments. This decision is, once again, under appeal by SSAO.

On October 29, 2024 SSAO went public with this story.

https://www.durhamregion.com/news/potential-coverup-seniors-question-why-province-is-tight-lipped-over-expansion-plans-for-orchard-villa/article_a28d016c-cb9c-5029-9d78-c6824a563db7.html

‘Potential coverup’: Seniors question why province is tight-lipped over expansion plans for Orchard Villa in Pickering

Province granted MZO for new 15-storey building on site

Seniors for Social Action Ontario wants to know why the Ontario government has ignored an order by the Information and Privacy Commissioner of Ontario.

Kristen Callis, Pickering News Advertiser October 29, 2024

More than 70 people died at the Orchard Villa long-term-care residence in Pickering during the COVID-19 pandemic.

Now the province wants to expand the facility, but an organization, dedicated to the rights of senior citizens, is urging the province to release documents surrounding the planned expansion.

Patricia Spindel, chair of Seniors for Social Action Ontario, says the Ministry of Long-Term Care has ignored an order by the Information and Privacy Commissioner of Ontario to answer her request for documents on Orchard Villa, where [78 people died](#). She has been trying to get the information for almost a year.

“That deadline passed with the ministry utterly ignoring the whole thing,” Spindel said.

She said that all she has seen are seven pages out of apparently 200.

The request for the documents came not long after the minister of municipal affairs and housing approved Orchard Villa long-term-care homeowner Southbridge Care Homes’ request for a minister’s zoning order (MZO) to construct a new 15-storey building on the property.

At the same time, Southbridge also received a licence extension to operate Orchard Villa for 30 more years, a move that drew a large protest.

Since the community and council opposed these expansions, Spindel accuses the province of “essentially acting as an agent for Southbridge at that point.”

Specifically, she asked for emails regarding plans for Southbridge to expand Orchard Villa, documents related to the process and criteria relating to the request for a 30-year license extension and communications regarding the role the ministry played in Southbridge's MZO request.

"The Ministry is currently in the process of complying with the directive from the Information and Privacy Commissioner to issue a decision regarding the file," a ministry spokesperson said in an emailed statement. "A decision will be forthcoming shortly."

According to the report from the privacy commissioner, the ministry failed to issue a decision within the prescribed time frame, found it to be in a "deemed refusal situation" and ordered the ministry to issue a decision by Oct. 15, a date that came and went.

Spindel reflected on the deaths at the residence during the pandemic, the Durham Region medical officer of health and commissioner Dr. Robert Kyle issuing an order that Lakeridge Health [oversee Orchard Villa for 90 days](#) and the [Canadian military being called in](#) to take over the home.

"On the same site, they're going to build a 15-storey long-term-care facility," she said.

Southbridge could not be reached for comment.

Now, the group has moved onto next steps, starting with a request to the Office of the Auditor General of Ontario to investigate.

Spindel said that in regards to the ministry, "completely ignoring this request speaks of a potential coverup to us."

"There's something terribly wrong here," she said. "Why would you withhold information from the public that's footing the bill?"

She said this situation "has pretty serious implications for the whole health system."

"The government can funnel billions of dollars to the private sector and not be accountable to any of it to the public," Spindel said.

She said the government continues to provide lucrative contracts to private companies to build long-term-care spaces, but that's not the best option for people as they age.

"For four years now, Seniors for Social Action Ontario has been telling the Ontario government that they cannot build their way out of the long-term-care crisis, that they need to start funding the non-profit community-based assisted living alternatives to prevent people from being hospitalized, to prevent people from being institutionalized and to build up in-home support where people don't have to be institutionalized," she said.