

August 30, 2024

Dear recipient,

**Subject: ERO posting No. 019-9065; Submission Regarding the Transition of
Land Use Planning Matters; Matters Before the Ontario Land Tribunal**

The Minister of Municipal Affairs and Housing has issued the Provincial Planning Statement as a policy statement under subsection 3(1) of the Planning Act, to take effect on October 20, 2024. The related ERO posting No. 019-9065 indicates that consideration will be given to the transition of land use planning matters through the potential issuance of a transition regulation.

I am writing, on behalf of the County of Middlesex, in response to the recent provincial posting regarding the 2024 Provincial Policy Statement (PPS) and its implications for ongoing land use planning matters. Our municipality currently has several Official Plan Amendments (OPAs) under appeal at the Ontario Land Tribunal (OLT) with procedural orders and hearing dates set over the next 18 months. The relevant OLT Case Numbers are: OLT-23-001073 (Middlesex Centre Official Plan Amendment No. 59), OLT-23-001001 (Lucan Biddulph Official Plan Amendment No. 10), OLT-23-001320 (Thames Centre Official Plan Amendment No. 27), and OLT-24-000069 (Strathroy-Caradoc Official Plan Amendment No., 14).

These OPAs were developed, reviewed, and approved by Local and County Councils, including substantial public engagement, based on the previous 2020 Provincial Policy Statement. This review included a conformity exercise with the County of Middlesex Official Plan, which was recently updated, again consistent with the 2020 Provincial Policy Statement.

The introduction of the 2024 PPS represents a significant shift in policy direction. This new framework appears to directly impact the subject matters of the appealed OPAs including the forecast and allocation of growth. We are concerned that the OLT will now be required to evaluate these OPAs against the 2024 PPS – a policy regime under which they were neither considered nor intended to be assessed originally. This situation introduces a layer of complexity that could result in substantial delays and the inefficient use of resources, both at the municipal level and within the Tribunal.

These delays would not only increase the cost and time investment for all parties involved but could also have the unintended consequence of stalling housing developments, a critical concern in our region.

Given the provincial posting's emphasis on timely and effective land use planning, we suggest the following transition measures be considered:

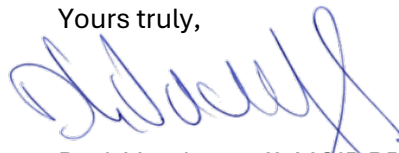
1. **Referral Back to Municipalities:** The appealed OPAs be referred to the respective municipalities for a reassessment and re-approval process that aligns with the 2024 PPS framework.
2. **Approval with Municipal Conditions:** The appealed OPAs be approved as they currently stand but require municipalities to undertake a subsequent exercise to ensure their official plans are consistent with the 2024 PPS.
3. **Approval with Developer Flexibility:** The appealed OPAs be approved in their current form, permitting appellants to submit new OPAs that are developed in accordance with the 2024 PPS.

We believe these suggestions would align with the Provincial government's objectives as outlined in the posting and would help ensure that housing and development initiatives proceed without undue delay while also minimizing the inefficient use of resources.

We would be happy to provide further information or discuss our submission in greater detail at your convenience.

Thank you for your attention to this important matter.

Yours truly,



Durk Vanderwerff, MCIP RPP
Director of Planning and Development