



Sent Via Email

October 4, 2024

**The Regional Municipality
of Durham**

**Planning and Economic
Development Department**

Planning Division

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Dear ERO Official,

**RE: Region of Durham Staff Response
ERO Posting #019-9065
Consideration of transition of land use planning
matters to facilitate the introduction of a new policy
statement issued under the Planning Act.**

On August 20, 2024, the Ministry of Municipal Affairs and Housing (MMAH) released ERO Posting #019-9065, seeking feedback on planning matters in process that should be addressed through a transition regulation, under the Planning Act. The intent of such a regulation is to facilitate implementation of the Provincial Planning Statement, which comes into effect on October 20, 2024.

The Region has been actively engaged in all consultation opportunities related to the development of the new Provincial Planning Statement, as illustrated in report [2024-INFO-51](#).

In response to ERO Posting #019-9065, there are two planning application types that the Region believes are appropriate for the Minister to include within a transition regulation, they include:

- 1. Secondary Plans and Official Plan Amendments that have received or nearing area municipal Council adoption; and**
- 2. Matters currently before the Ontario Land Tribunal (OLT)**

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, ext. 2551.

Secondary Plans and Official Plan Amendments that have received or nearing area municipal Council adoption

There are a significant amount of adopted Secondary Plans and Official Plan Amendment applications under review within the Region of Durham, representing well over 10,000 residential units.

In the absence of transition provisions, the planning and approval process for these units would be delayed and negatively impact the ability to advance the construction of desperately needed housing units within the Region.

Most recently, the Region issued its decision to approve two Secondary Plans within the Region. The Wilmot Creek Secondary Plan within the Municipality of Clarington is planned to facilitate the construction of 1,100 residential units. The Columbus Secondary Plan within the City of Oshawa is planned to produce over 7,400 residential units. Both matters have been adopted, however, are currently awaiting final approval pending the associated appeal period.

It should be noted that within the Region are there are many other adopted official plan amendments or amendments which are nearing adoption and the approval stage. For example, in the Municipality of Clarington, the Courtice MTSA, and the Bowmanville West and East Secondary plans have been subject to a lengthy planning process and are nearing the adoption stage. These secondary plans represent thousands of units and the retooling of these plans to address the new PPS provisions could adversely affect these plans and lead to a further delay of residential housing units. A full listing and details surrounding these amendments can be provided upon request.

Matters currently before the Ontario Land Tribunal (OLT)

For those matters not related to a municipality's failure to make a decision, there should be consideration given to the months/years of resources expended for applications approved and ultimately appealed to the OLT.

Within the Region of Durham, there are many such appeals related to planning applications within the Region, representing a potential thousands of residential units. One such example is the Brookhill Secondary Plan within the Municipality of Clarington. The Secondary Plan was approved by the Region of Durham in July 2024 and was appealed to the OLT in August 2024. The Plan is anticipated to achieve a population of over 7,400 residents and 2,700 units.

As such, it is recommended that the above noted planning application types be granted consideration through a Minister's transition regulation. Failing to include

these application types in a transition regulation, may result in applications having to be re-submitted for review under the new Provincial Planning Statement, which would consequently impact thousands of planned residential units in Durham Region.

These comments represent those of Regional staff. A copy of this correspondence will be provided to Regional Council for information. Regional staff will follow-up if there are any changes to these comments made by Council.

Thank you for the opportunity to provide feedback on planning matters in process that should be addressed through a transition regulation. If you have any questions, please contact the undersigned or Amanda Bathe, Senior Planner at Amanda.Bathe@durham.ca.

Regards,

Lino Trombino

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Manger of Plan Implementation
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