

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 6, 2026

CASE NO(S):

OLT-23-001320

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Fred Jamieson
Appellant:	Sifton Properties Limited
Description:	To permit the proposed amendment to the Thames Centre Official Plan
Reference Number:	39-TC-OPA27
Property Address	Municipality-wide
Municipality/UT:	Thames Centre/Middlesex
OLT Case No.:	OLT-23-001320
OLT Lead Case No.:	OLT-23-001320
OLT Case Name:	Jamieson and Sifton Properties Limited v. Municipality of Thames Centre

PROCEEDING COMMENCED UNDER subsection 9(1) of the *Ontario Land Tribunal Act*, 2021, S.O. 2021, c. 4, Sched. 6

Request by:	Municipality and the County
Motion for:	Directions

Heard: Written Submissions

APPEARANCES:

Parties

Counsel/Representative*

Sifton Properties Limited

Andrea Skinner

Fred Jamieson

Stewart Findlater*

Municipality of Thames Centre
and County of Middlesex

Paula Lombardi

DECISION DELIVERED BY SHARON L. DIONNE AND ORDER OF THE TRIBUNAL

[Link To Order](#)

BACKGROUND

[1] On November 23, 2023, the County of Middlesex (“County”) approved Official Plan Amendment No. 27 (“OPA 27”), being an Amendment to the Municipality of Thames Centre Official Plan (“Thames Centre OP”). The purpose and intent of OPA 27 is to update the Thames Centre OP to reflect Provincial legislation and policy, to align with the policies of the County of Middlesex Official Plan (“County’s OP”), and to update policies on various planning matters. OPA 27 applies to the entirety of the lands situated within the boundaries of the Municipality of Thames Centre (“Municipality”).

[2] Appeals of OPA 27 were filed by two interests, namely Fred Jamieson and Sifton Properties Limited (“Sifton”), pursuant to s. 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (“Act”). In summary,

- a. the Fred Jamieson appeal relates to Policy 3.1.5 Additional Residential Units (“ARUs”). The County, the Municipality, and Fred Jamieson have now resolved the issues between them and have entered into Minutes of Settlement; and
- b. the Sifton appeal relates to the overall lack of residential land supply provided for in OPA 27, as well as the appropriateness of the location of residential land supply and forecasted residential growth within the Municipality.

[3] By way of the Tribunal's Order issued on June 11, 2024, Phil Ruggeri was granted Participant status in the appeal of OPA 27. As noted in his Participant Statement (dated April 3, 2025), Mr. Ruggeri's interest in the appeal of OPA No. 27 relates to the potential for an expansion to settlement area(s) and opportunities that may allow for additional lands to be included for development.

[4] Provincial Planning Statement, 2024 ("PPS 2024") came into force and effect on October 20, 2024, after the time of the County's Decision on OPA 27. PPS 2024 replaces the Provincial Policy Statement 2020 ("PPS 2020"). In accordance with s. 3(5) of the Act, a decision of an approval authority, including the Tribunal, in exercising its authority that affects a planning matter, such as the approval of OPA 27 or portions thereof, must be consistent with PPS 2024.

[5] On January 14, 2025, upon the request of the Municipality, and on consent of all Parties, the Tribunal adjourned the appeals *sine die*. At that time, the Parties had advised the Tribunal that they had agreed to a process for the exchange of documentation and materials relating to the undertaking of revised population and employment forecasts for Thames Centre to reflect PPS 2024. Further, the Parties would be contacting the Tribunal to seek a motion date to request that the Tribunal consider bringing those portions of OPA 27 not under appeal into force, along with the settlement of any appeals.

MOTION

[6] The matter before the Tribunal is a Motion, brought jointly by the Municipality and the County, seeking the Tribunal's consideration of the following:

- a. To allow and approve certain modifications to OPA 27, in particular to Policy 3.1.5 – Additional Residential Uses to the Thames Centre OP, which in part resolve the issues raised by Fred Jamieson;

- b. To allow and approve certain modifications to Schedule 'A' – LAND USE PLAN to the Thames Centre OP to re-designate lands municipally known as 3124 Westchester Bourne from the Agricultural designation to the Rural Industrial designation; and,
- c. To approve certain policies of OPA 27 which were under appeal, but for which the appeal(s) do not apply to those policies on a Municipality-wide basis. In other words, to bring into effect those policies that are not seen to be subject of the remaining Sifton appeal, all as detailed in this Decision.

[7] The Motion is not contested by the other Parties.

ANALYSIS AND FINDINGS

[8] The Tribunal confirms that it has received, reviewed and considered the Written Motion Materials filed jointly by the County and Municipality, which include the Affidavit of David Welwood marked as **Exhibit 1**. The Tribunal is satisfied that Mr. Welwood is qualified to give the Tribunal independent expert opinion evidence in land use planning matters.

[9] With respect to the Motion before it, the Tribunal accepts and relies upon the opinion evidence of Mr. Welwood that the policies and modifications recommended for consideration are consistent with PPS 2024, represent good planning and are in the public interest.

[10] The Tribunal does not find that there is any correlation between the issues outlined in Mr. Ruggeri's Participant Statement and the Tribunal's consideration of the approval of the proposed modifications set out in Mr. Welwood's Affidavit.

[11] The Tribunal finds that the recommended policies and land use designation(s) have due regard for the matters of Provincial Interest as set in s. 2 of the Act, are consistent with the PPS 2024, and represent good land use planning.

[12] Having regard to s. 2.1 of the Act, the Tribunal notes that the modifications come to the Tribunal with the full support of the Municipality and County.

ORDER

[13] **THE TRIBUNAL ORDERS THAT** the appeal by Fred Jamieson is allowed in part, and Orders that Amendment No. 27 to the Official Plan for the Municipality of Thames Centre is approved as modified by deleting Policy 3.1.5 (5) in its entirety and replacing it with the following:

“3.1. ADDITIONAL RESIDENTIAL UNITS

...

(5) Demonstration that the Additional Residential Unit is clearly subordinate in scale and function to the primary unit and subject to any maximum floor area as set out in the zoning by-law.”

[14] **AND THE TRIBUNAL ORDERS THAT** Schedule ‘A’ Land Use Plan of Amendment No. 27 to the Official Plan for the Municipality of Thames Centre be approved as modified to designate the lands known municipally as 3124 Westchester Bourne from the Agricultural designation to the Rural Industrial designation.

[15] **AND THE TRIBUNAL ORDERS THAT** all of Sections 1.2, 1.11, 2.19, 3.1.3, 3.2.2, 3.2.4, 4.2, 4.4, 4.5, 4.6, 4.7 and 4.8 of Amendment No. 27 to the Official Plan for the Municipality of Thames Centre be approved.

[16] **AND THE TRIBUNAL ORDERS THAT** Sections 4.1.3 (1) and 4.1.3 (2) of Amendment No. 27 to the Official Plan for the Municipality of Thames Centre be

approved as modified for consistency with PPS 2024 to reflect that expansions to settlement area boundaries may occur outside of a municipal comprehensive review.

[17] **AND FURTHER THAT** the appeal by Sifton Properties Limited remains adjourned *sine die*.

“Sharon L. Dionne”

SHARON L. DIONNE
MEMBER

Ontario Land Tribunal

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