



May 17, 2022

**Municipality of Middlesex Centre
10227 Ilderton Road
Ilderton ON N0M 2A0**

Attention: Mayor Aina DeViet and Members of Council

C/O James Hutson, Municipal Clerk via email hutson@middlesexcentre.ca

Re: OPA No.59 – Comprehensive Official Plan Review – Submission by Sifton Properties Limited

I have been retained by Sifton Properties Limited. My Client has been involved in the Comprehensive Official Plan Review since the outset. Sifton has made multiple written and oral submissions at previous Council meetings. My Client has now retained my office as well as Altus Group to review Official Plan Amendment No.59, including the process leading to the most recent version of this amendment.

The purpose of this letter is twofold. First, my client is stating its objection to the most recent amendments to OPA No.59 that were put forward by Council at the April 20, 2022 meeting. These amendments have now been included in the most recent version of OPA No.59 that will be considered at the May 18, 2022 meeting.

Second, my Client has significant process concerns that must be considered and remedied by Council before adopting OPA No.59. The process undertaken is has been neither fair nor in compliance with the requirements of the Provincial Policy Statement 2020.

My client does not support the most recent amendments put forward by Council at the April 20, 2022 meeting. These changes, along with previous changes, are summarized in the attached letter to Council from my Client dated May 17, 2022 and are also discussed in the attached letter from Altus Group dated May 16, 2022. Both documents should be considered as forming part of this submission.

It is clear from the chain of events summarized in the attached letters that the most recent amendments are not supported by the extensive work carried out by the municipality's own consultant, WSP, including the Middlesex Centre Growth Management Strategy Technical Report (February 3, 2022) and the April 13, 2022 memorandum from WSP regarding the Middlesex Centre Official Plan Update Planning Rationale.

In fact, it appears that the Municipality's consultant has changed positions throughout this process based on direction from Council, despite a complete lack of foundation for such changes from a planning perspective. Some, if not all, of these changes appear to be entirely politically motivated. For example, Staff and WSP,

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through Council direction at the March 2022 meeting, redesignated lands in Delaware back to a previous November 2021 version of the Schedule without any supporting planning rationale.

This has resulted in a disjointed and unfair process culminating into proposed land use changes that prejudice my client's interests and cannot be supported from a planning standpoint. WSP has not completed a review of the most recent revisions proposed by Council. We fail to understand how Council could possibly adopt OPA No.59 in its current form without having heard from its own consultant on whether these changes can be supported.

The attached letters also demonstrate to my client that there has been little regard for the submissions made by my Client throughout this process. There has been no technical review of my Client's submissions against the relevant policies. I am advised that my client has offered to meet directly with the Municipality's consultants in order to review its concerns and has been denied this opportunity.

The attached letter from Altus Group also outlines serious deficiencies in the process from a policy standpoint. The Municipality has not followed the prescribed process in the Provincial Policy Statement 2020 for a Comprehensive Review. Failure to follow this prescribed process could invalidate the proposed OPA No.59.

It would be premature for Council to adopt OPA No.59 in its current form without additional review by WSP and without ensuring that the requirements of the Provincial Policy Statement 2020 have been met. These most recent amendments are not minor. These are major changes being proposed in the absence of any planning rationale.

My client is requesting a deferral of this matter to allow additional time for staff and the consultants retained by the municipality to review and comment on the most recent amendments put forward by Council at the April 20, 2022 meeting. The municipality should also take additional time to consider and attempt to resolve the process concerns outlined in the attached letter from Altus Group with respect to the requirements set out in the Provincial Policy Statement 2020.

I trust the foregoing is satisfactory. My Client looks forward to working cooperatively with the municipality in an effort to resolve the concerns expressed in this letter, including the attachments, as well as the previous submissions made by Sifton Properties Limited.

BAROUDI LAW



Analee J.M. Baroudi

Lawyer

Encl.

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May 17, 2022

Municipality of Middlesex Centre
10227 Ilderton Road
Ilderton, Ontario N0M 2A0

Attention: Mayor Aina DeViet and Members of Council

RE: Middlesex Centre: Municipal Comprehensive Review – Official Plan

Dear Mayor DeViet and Members of Council,

Please consider this letter as a summary of comments regarding Middlesex Centre's Official Plan Review and proposed changes impacting lands located at 9803 Glendon Drive, Komoka and 10636 Longwoods Road, Delaware.

Sifton Properties Limited made **three submissions** to Middlesex Centre regarding the Official Plan Review and was included as part of the public record for the following meetings held on November 17, 2021, March 16, 2022 and April 20, 2022.

1. **First submission** was made to Middlesex Centre for the Council meeting held on **November 17, 2021** with respect to lands located at **13161 Ilderton Road, Ilderton** (LONDON CON 10 PT LOT 25 RP 33R19510 PARTS 1 AND 2) with frontage on Ten Mile Road. The request was made for Employment Land Conversion to Residential. The following is a summary of the changes proposed through each Council meeting:

Ilderton			
November 2021	March 2022	April 2022	May 2022
WSP (Consultant for Middlesex Centre) presented the current designation as "Settlement Employment". No lands were proposed for residential growth. See Appendix A with the proposed OP schedules.	WSP (Consultant for Middlesex Centre) provided recommendations for the conversion of Employment Lands to Residential. OP Schedules identify lands as proposed "Settlement Employment", whereas, WSP letter dated April 13, 2022, provides support for conversion. See Appendix B with the proposed OP schedules and WSP letter.	Staff and WSP recommended the conversion of Employment Lands to Residential through Special Policy Area (SPA #29). The OP Schedules were updated to the proposed "Residential" designation with the SPA #29 overlay. Three properties were included as SPA #29 and are the only areas for future residential growth in Ilderton. See Appendix C with the proposed OP schedules.	CAO provided direction for the Final Updates to Complete and Adopt the Official Plan Amendment No. 59 for the Comprehensive Official Plan Review. The OP Schedules remain the same as April 2022 with the final recommendation to convert employment to residential. The final OP schedules identify these lands as "Residential" designation with the SPA #29 overlay. No additional lands beyond SPA #29 is proposed for future residential growth in Ilderton. See Appendix D with the final OP schedules.



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2. **Second submission** was made to Middlesex Centre for the Council meeting held on **March 16, 2022** with respect to lands located at **9803 Glendon Drive, Komoka** (CON 1 PT LOT 3 RP 33R8815 PARTS 1 & 2). The request was made to include in the Settlement Boundary for the Komoka Urban Settlement Area and convert to a residential and mixed-use designation. The following is a summary of the changes proposed through each Council meeting:

Komoka			
November 2021	March 2022	April 2022	May 2022
WSP (Consultant for Middlesex Centre) proposed the designation as "Agricultural" from the current "Rural Commercial" designation. No additional residential lands were proposed. See Appendix E with the proposed OP schedules.	WSP (Consultant for Middlesex Centre) proposed the designation as "Agricultural" from the current "Rural Commercial" designation. Additional lands were allocated to Komoka for residential growth and is located in the north-east of Komoka (Oxbow Drive). See Appendix F with the proposed OP schedules.	Staff and WSP recommend the designation remain the same with the change to "Agricultural" from the current "Rural Commercial" designation. The same residential lands were allocated to Komoka for residential growth and is located in the north-east of Komoka (Oxbow Drive). See Appendix G with the proposed OP schedules.	CAO provided direction for the Final Updates to Complete and Adopt the Official Plan Amendment No. 59 for the Comprehensive Official Plan Review. Through Council direction at the April 20 th meeting, residential allocation changed from the north-east lands (Oxbow Drive) to the south-east lands (south of Glendon Drive) in Komoka. The site as requested went unchanged from the previous version. See Appendix H with the final OP schedules.

3. **Third submission** was made to Middlesex Centre for the Council meeting held on **April 20, 2022** with respect to lands located at **10636 Longwoods Road, Delaware** (CON 2 PT LOTS 5,6 REG COMP PLAN 428 LOT 27). The request was made to include in the Settlement Boundary for the Delaware Community Settlement Area and convert to a residential and mixed-use designation. The following is a summary of the changes proposed through each Council meeting:

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Delaware			
November 2021	March 2022	April 2022	May 2022
WSP (Consultant for Middlesex Centre) the designation currently remains as "Agricultural" and outside of the Settlement Boundary. No additional residential lands were proposed. See Appendix I with the proposed OP schedules.	WSP (Consultant for Middlesex Centre) proposed to convert the existing designation from "Agricultural" to "Residential" with SPA #29 overlay. In addition, these lands were added to the Settlement Boundary for Delaware's Community Settlement Area. (See Appendix J with the proposed OP schedules.	Staff and WSP, through Council direction at the March 2022 meeting, redesignated the lands back to the November 2021 version. The Residential designation, SPA #29 and Settlement Boundary inclusion for this property was removed and redesignated back to "Agricultural" lands. Small areas of residential lands were allocated to Delaware. Appendix K with the proposed OP schedules.	CAO provided direction for the Final Updates to Complete and Adopt the Official Plan Amendment No. 59 for the Comprehensive Official Plan Review. The OP Schedules remain the same as April 2022 with the final recommendation to maintain the "Agricultural" designation. Additional residential lands were reallocated in Delaware (south of Longwoods Road). See Appendix L with the final OP schedules.

Your consideration to this request is appreciated.

Yours truly,
Sifton Properties Limited


Phillip Masschelein
Senior Vice President

Attach. (if any)

Cc: Marion-Frances Cabral
Michael Di Lullo
Durk Vanderwerff



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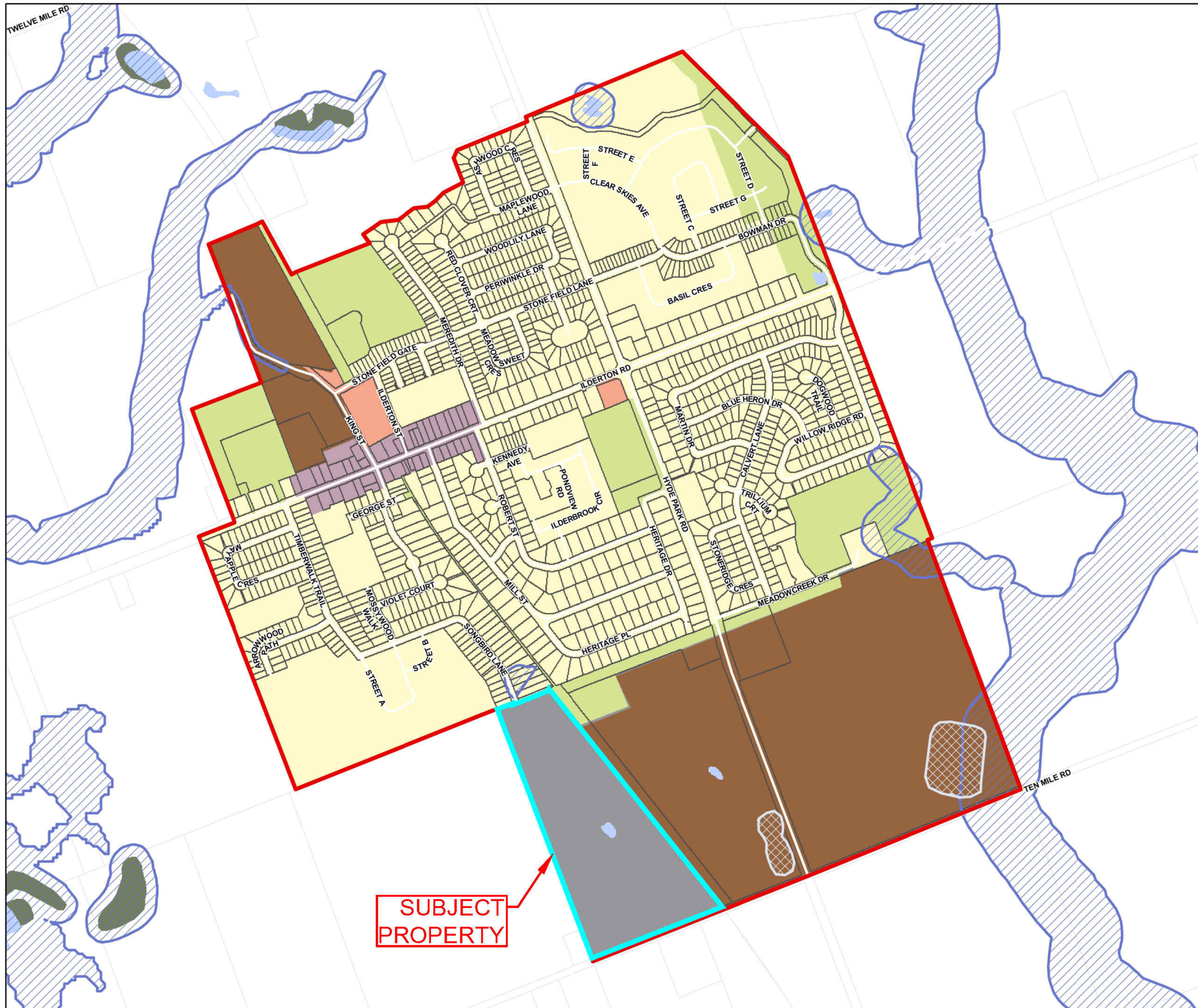
APPENDIX A

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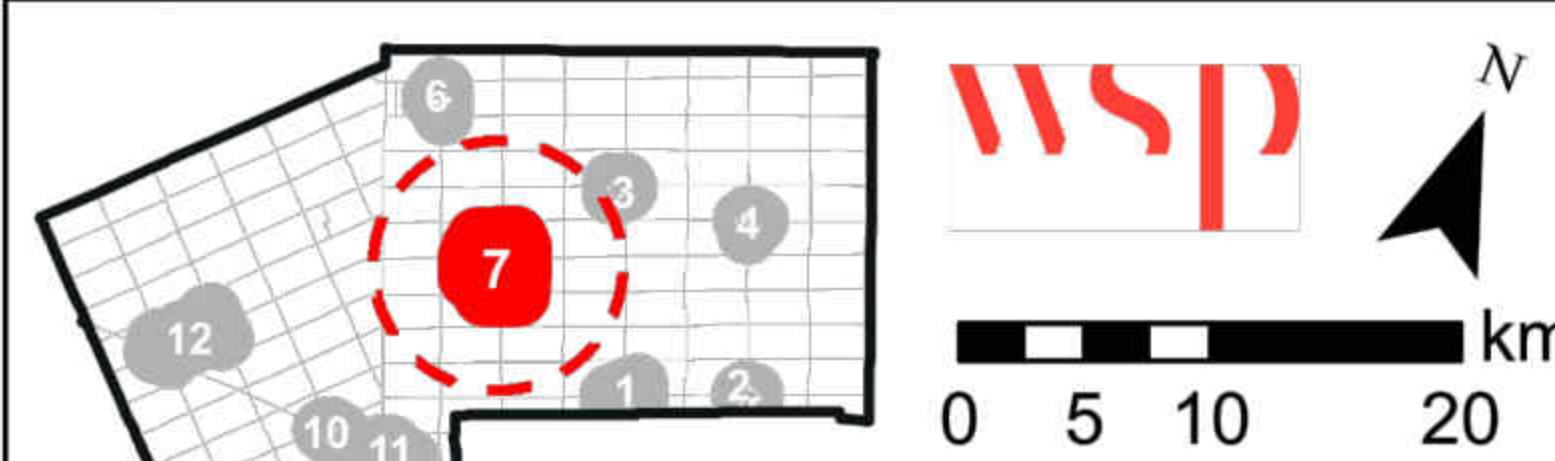
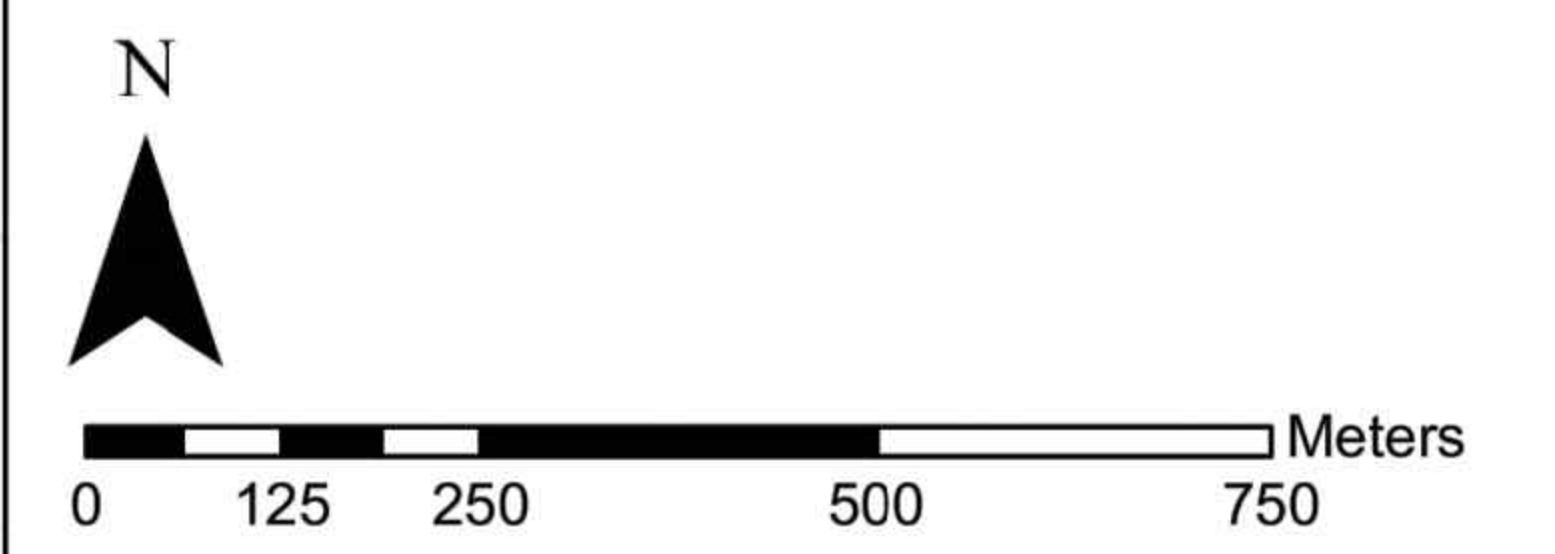
Schedule A-7

Ilderton

Urban Settlement Area

Legend

- Land Use Designations**
- Residential
 - Medium Density Residential
 - Hamlet
 - Settlement Commercial
 - Rural Commercial
 - Village Centre
 - Rural Industrial
 - Settlement Employment
 - Strategic Employment Area
 - Parks and Recreation
 - Natural Heritage Enhancement Area
 - Natural Environment
 - Agricultural
- Other Features**
- Settlement Boundary
 - Middlesex Centre Boundary
 - Hazardous Lands Overlay
 - Conceptual SWM Pond



DRAFT



Date: October 2021



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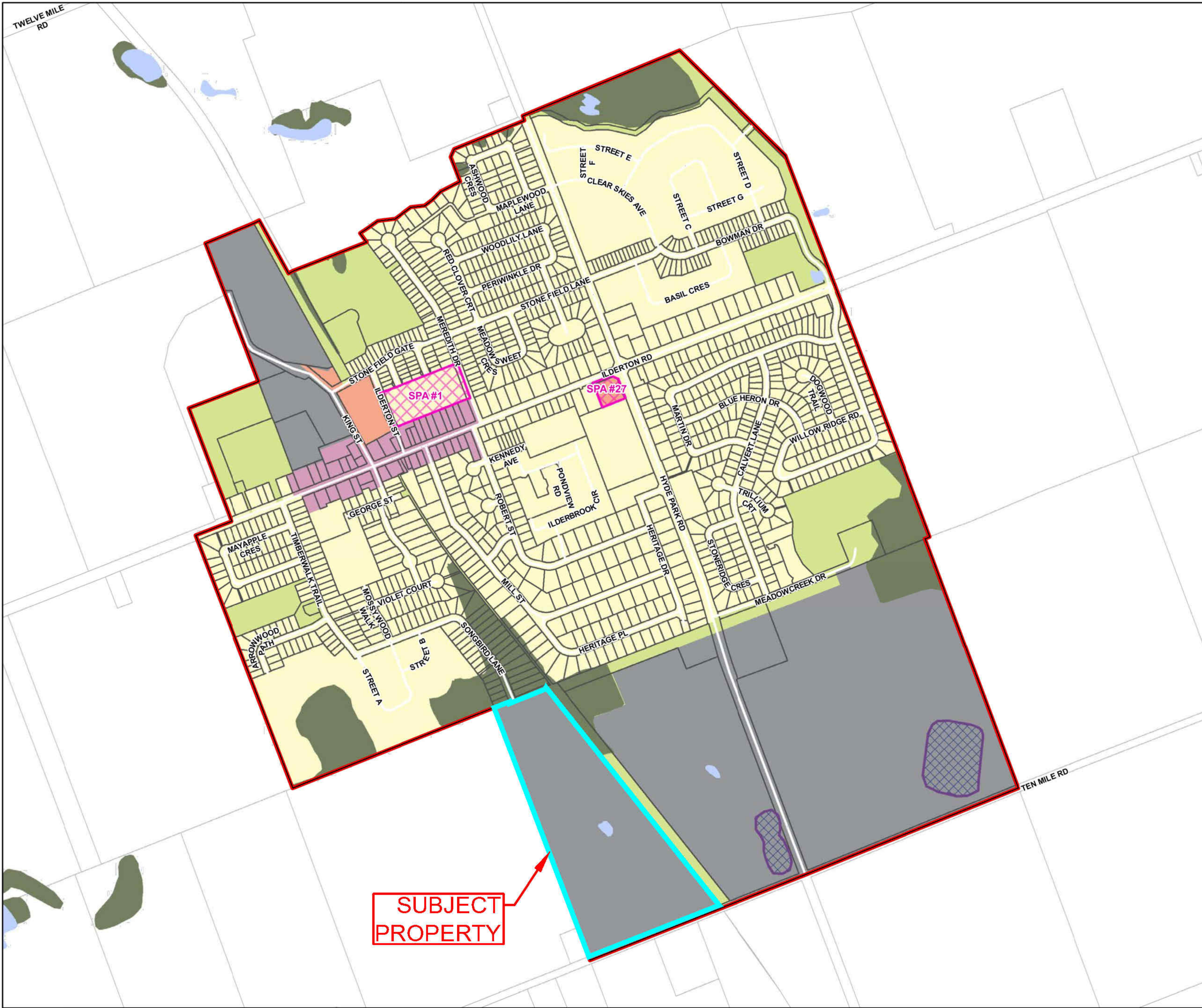
APPENDIX B

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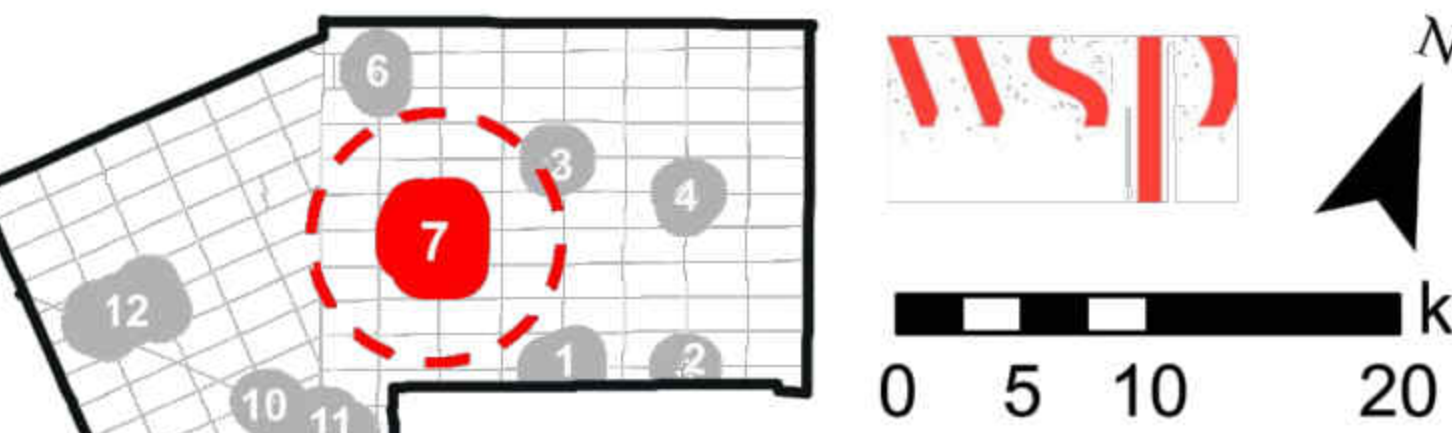
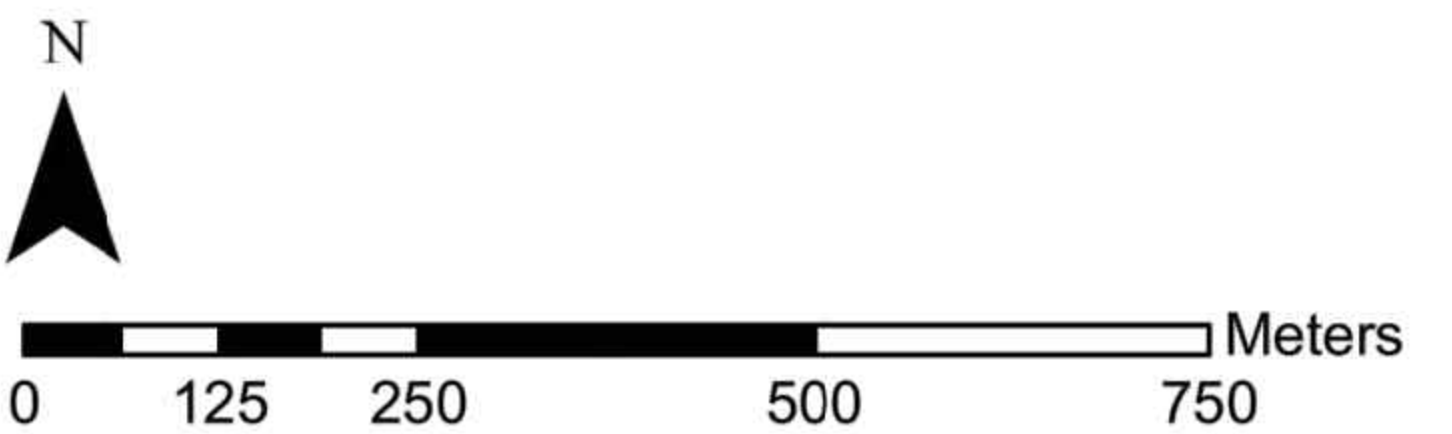
Schedule A-7

Ilderton

Urban Settlement Area

Legend

- Land Use Designations**
- Residential
 - Medium Density Residential
 - Hamlet
 - Settlement Commercial
 - Rural Commercial
 - Village Centre
 - Rural Industrial
 - Institutional
 - Settlement Employment
 - Parks and Recreation
 - Natural Heritage Enhancement Area
 - Natural Environment
 - Agricultural
- Other Designations**
- Settlement Boundary
 - Middlesex Centre Boundary
 - Conceptual SWM Pond
 - Special Policy Areas



SUBJECT
PROPERTY



MEMO

TO: Michael DiLullo, CAO – Municipality of Middlesex Centre
FROM: Matt Alexander, Project Manager, WSP
William Turman, Planner, WSP
SUBJECT: Middlesex Centre Official Plan Update Planning Rationale
DATE: April 13, 2022

This memorandum has been prepared to provide a planning rationale for the proposed Middlesex Centre Official Plan update amendment, and to summarize key changes made to the draft Official Plan update following the release of the previous draft and presentation to Council on November 17, 2021.

These major changes include adjustments to the settlement area growth allocations, policies related to surplus farm dwelling severances, the identification of lands to be added to the Delaware settlement area, and a new special policy area designation intended to ensure the orderly development of Delaware.

This memo also includes a high-level overview of comments received from Council, members of the public, County staff and stakeholders.

The final version of the Official Plan update amendment is consistent with the Provincial Policy Statement, conforms with the current Middlesex County Official Plan, reflects the needs and vision of the community and plans to accommodate the population and employment growth forecasts prepared as part of this review.

SETTLEMENT AREA GROWTH ALLOCATIONS

The draft Growth Management Study was revised by Watson and Associates following direction from Middlesex Centre Council to focus new residential growth towards Delaware, rather than Arva, and to assume that new development in Delaware would be serviced by municipal sewer and water services.

Watson and Associates has provided a more detailed memo (attached), describing the conclusions of the Land Needs Assessment, including a land balance table to

show how the projected population and employment growth for the Municipality is to be accommodated.

Based on the revised Growth Management Study, the population and employment projections in Section 5.1 of the Official Plan have been revised to transfer the land needs deficit from Arva to Delaware. This change in allocation resulted in the elimination of the “Future Development Area” abutting Arva that had been proposed in the previous draft.

Additionally, two properties in the south end of Ilderton are proposed to be converted from Settlement Employment to Residential. This results in an additional residential land supply to be taken up within the Ilderton Settlement Area, while producing an additional employment land need.

Based on the Land Needs Assessment prepared by Watson and Associates, approximately 48 gross hectares of additional residential land, and 135 gross hectares of additional employment land are needed in the Delaware settlement area to accommodate the Municipality’s land needs (discussed in more detail below).

THE DELAWARE SETTLEMENT AREA EXPANSION AND SPA #29

Concurrent with the Official Plan Review, the Municipality has also engaged Watson and Associates to prepare an Employment Area Expansion Analysis to recommend a more appropriate and strategic location for employment uses. The Analysis presented three proposed areas that were recommended to achieve the intended outcomes of the study.

The Official Plan Review team reviewed Watson’s analysis and proposes that the Official Plan update implement a variation on proposed employment area 2, on lands directly south of Delaware.

The expansion of settlement areas are required to be consistent with Section 1.1.3.8 of the Provincial Policy Statement. The Growth Management Study and Employment Area Expansion Analysis provide the justification for the expansion in accordance with policy 1.1.3.8(a):

“sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon”.

Watson has assumed that Delaware will intensify following the extension of full municipal services to vacant and underdevelopment properties within the existing settlement area boundary. The residential land needs identified in the previous section are required in addition to intensification.

Middlesex Centre Council has indicated they are committed to expanding municipal sewer and water servicing to the Delaware settlement area. This, along with the Middlesex Centre Master Servicing Plan Class EA (April 2010), addresses policy 1.1.3.8(b):

“the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment.”

The extension of full municipal services, and funding that extension, will require additional planning on the part of the municipality. There is however, significant interest from landowners in Delaware to develop their lands and contribute to servicing costs.

Policy 1.1.3.8(c) addresses expansion into Prime Agricultural Areas:

“in prime agricultural areas:

1. the lands do not comprise specialty crop areas;
2. alternative locations have been evaluated, and
 - i. there are no reasonable alternatives which avoid prime agricultural areas; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;

The Middlesex County Official Plan does not designate or identify any Specialty Crop Areas within Middlesex Centre. The County Official Plan indicates that all lands located outside the settlement areas of Middlesex Centre are “Agricultural Lands” (Policy 2.3.9). The current Official Plan does not specify whether these are Prime Agricultural Lands, but the working copy of the draft update to the County Official Plan indicates that all Agricultural Lands are to be considered Prime Agricultural Lands as defined by the PPS (Section 2.2.2.1). As such, there are no expansion alternatives which avoid Prime Agricultural Areas.

As discussed in more detail below, the proposed Special Policy Area policy for the Delaware Expansion Area will require further study of potential agricultural

impacts. This level of on-the-ground study is not within the scope of the Official Plan Review project and is not feasible to be carried out at this time.

Policy 1.1.3.8 (d) of the PPS requires that:

“the new or expanding settlement area is in compliance with the minimum distance separation formulae”

MDS I setbacks apply where a new or expanded settlement area boundary is proposed in proximity to existing livestock facilities. Under the Provincial MDS Guidelines, Type B land uses are characterized by a higher density of human occupancy, habitation or activity, and require setbacks that are twice that of Type A land uses (generally characterized as land uses located outside of settlement areas).

The scope and timing of the Official Plan Review project does not allow for a detailed review and analysis of livestock facilities and setback calculations. Middlesex County, in its role as approval authority, may choose to withhold approval of this aspect of the proposed Official Plan Amendment until the municipality can demonstrate consistency with policy 1.1.3.8(d) of the PPS.

Policy 1.1.3.8(e) of the PPS requires that:

“impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.”

The Special Policy Area policies proposed to apply to the expansion area require that land use compatibility, including compatibility with adjacent agricultural operations, must be addressed prior to development approval. The expansion area and proposed underlying land use designations represent the gross area to be allocated for the proposed uses. Any required setbacks, buffers, berms, landscaping, fencing or other mitigation measures will be accommodated within the designated area.

SPA #29

A new Special Policy Area overlay is proposed to ensure the orderly development of the lands identified for addition to the Delaware Settlement Area. The intent of SPA #29 is to allow existing land uses to continue, and prevent the premature subdivision or development of land prior to the installation of full municipal sewer and water services in Delaware. The proposed policy states:

Lands identified as SPA #29 on Schedule A, within the Delaware Settlement Area, to the South of the built-up area, may continue to be used for legally existing uses established prior to the adoption of this policy. New development shall occur in accordance with the underlying land use designations and subject to the following:

- a) New lot creation, including consents to sever and plans of subdivision, shall not be permitted until such time as municipal sewer and water services are available.
- b) All new development shall be required to connect to municipal sewer and water services;
- c) An Official Plan Amendment shall be required to remove the SPA #29 designation prior to, or as part of, a development proposal.
- d) New development proposals shall demonstrate conformity with policy 5.2 of this plan (Settlement Expansion Requests) prior to approval.
- e) The Municipality may undertake the preparation of a Secondary Plan(s) to guide land use within this area in accordance with the policies of this plan.
- f) Landowners are encouraged to coordinate phasing of development and cost-sharing for the extension of municipal services.

The proposed policy allows for provisions (c) through (e) to be proponent-driven, or municipally driven. Provision (d) requires new proposals to demonstrate conformity with the proposed Settlement Expansion Request policies of the Official Plan, despite already being located within a settlement area. This is to ensure that development within the expansion area proceeds incrementally, and that site-specific issues such as potential impacts on adjacent agricultural operations are appropriately addressed.

All new development, including within the expansion area, is subject to the land use compatibility policies of the Official Plan.

RESIDENCE SURPLUS TO A FARM SEVERANCES

Policy 10.3.2.1(f) of the Middlesex Centre Official Plan has been significantly revised to address the concerns expressed by Council and other comments. The proposed policy simplifies and clarifies the requirements proponents are required to meet to justify the severance of a surplus farm dwelling in accordance with Section 2.3.4.1(c) of the PPS.

The proposed policy provides a clearer definition of “farm consolidation” and description of what is considered a “surplus” dwelling. These changes are intended to address concerns about land owners severing a farm dwelling when there is no corresponding dwelling located on another farm.

Other changes explicitly state that the proposed lot must be the minimum size required to accommodate the dwelling and required services, and that the lots must comply with the zoning by-law. This is in response to concerns about the creation of oversized residential lots and the potential for septic and well systems to be located on the remnant agricultural lot. The zoning by-law may include regulations related to maximum lot size or maximum dwelling size, lot dimensions and frontage and other provision that would not be appropriate for the Official Plan to detail, and which would need to be regulated through the zoning by-law anyway.

A requirement for the surplus dwelling to have been built prior to January 1, 1999 has been removed. Through discussion with Council, the establishment of a minimum age for the surplus dwelling seemed to be intended to prevent new land owners from severing their property in accordance with the policies of the PPS. This would be contrary to the planning principle that policies and regulations are to apply to the use, and not the user. The date of January 1, 1999 seems to have been chosen arbitrarily and may be difficult to defend.

UPDATED SCHEDULES

Other significant changes to the OP include updates to the Schedules that include the changes to settlement boundaries in Delaware, and multiple minor updates to increase readability and eliminate visual artifacts. A number of site-specific corrections were required to reflect land use changes that have occurred since the previous schedules were created, and newer Special Policy Areas have been identified.

SUMMARY OF PUBLIC COMMENTS

Over the course of the Official Plan review, the municipality received over 65 individual written submissions from property owners, members of the public and individual members of Council. The project team also heard from approximately 25 individuals who spoke at public engagement events.

Site-Specific Settlement Area Expansion Requests

The majority of written comments received were requests for specific properties to be added to settlement areas. Based on the land needs analysis provided by Watson and associates, and following direction from Council to focus growth towards Delaware, it was determined that all settlement areas within the municipality, except for Delaware, have sufficient lands within their boundary to accommodate projected residential and employment growth, and therefore no settlement area expansions, except for Delaware, are required.

In nearly all cases, the requests for inclusion within the settlement area were not accompanied by supporting materials to demonstrate consistency with the Provincial Policy Statement or conformity with the County Official Plan. In many cases the requests did not include a proposed number of dwelling units that would be provided, meaning there was no way of assessing how inclusion of the lands would affect the land balance, or servicing capacity. Some requests for inclusion were supported by detailed development concepts, background studies and planning justification, however Council provided clear direction to focus growth on Delaware instead.

Based on these factors, the vast majority of requests for land to be added to settlement areas are not recommended to be added.

Delaware

Site-specific requests for inclusion in the Delaware settlement area are recommended for approval, subject to the provisions of SPA #29. While these requests may not have included detailed planning rationale for their inclusion, the provisions of SPA #29 will ensure development proceeds in an orderly manner and that all requirements of the PPS are met.

The requests include: a “Rural Industrial” designated property on Longwoods Road, abutting the eastern boundary of the settlement area; a field located directly south of a “Settlement Employment” property and the settlement area boundary; and a vacant

property directly south of an existing residential subdivision, with frontage on Springer Road.

The “Rural Industrial” property is appropriate for inclusion within the settlement area because it directly abuts the settlement area, has frontage on a major road, and will help meet residential land needs over the life of the Official Plan. This property is discussed further in the next section due to the requested employment land conversion.

The property located abutting the “Settlement Employment” property, south of the Settlement Area boundary, has requested inclusion within the settlement area, with a residential designation. The property it abuts is designated “Settlement Employment” and there is an active development application in process for the property. This presents a land use compatibility concern, particularly because of the recommended addition of lands directly to the south for employment uses. This would sandwich the property between employment uses and could result in setback requirements that could make these lands undevelopable. It is recommended that these lands be added to the Settlement Area, with a “Settlement Employment” designation and SPA #29 overlay.

The property located abutting the existing residential subdivision is recommended for inclusion within the settlement area with a “Residential” designation and SPA #29 overlay. The property represents a natural extension of the existing subdivision. The property also abuts lands proposed for employment uses. This presents a potential land use compatibility conflict, however since the lands are currently vacant, with no immediately planned employment uses and direction for a phased approach, these conflicts may be mitigated through the development review process.

Site-Specific Employment Land Conversions

The municipality received four requests for conversion of employment lands within settlement areas to residential, and an additional request to add lands to a settlement area and convert them to residential. The requests are related to properties located in Ilderton and Delaware.

Employment land conversions are required to be consistent with Section 1.3.2.4 of the PPS, 2020 which states:

Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Each of the requests has been reviewed in the context of this policy, the findings of the Land Needs Assessment and the recommendations of the Employment Area Expansion Opportunity Analysis.

Ilderton

In Ilderton, two properties designated Settlement Employment (within the settlement area) have been requested to be converted to residential and mixed-use designations. These conversions would support the findings of Watson and Associate's Employment Area Expansion Opportunity Analysis, which recommended conversion of these lands because they are not strategically located for employment uses. These lands would become surplus with the expansion of the Delaware settlement area and designation of land for employment uses there. The conversion of these lands to residential would reduce the amount of land required for settlement area expansion in Delaware. A vacant property, located between the two conversion proposals, will remain designated Settlement Employment. All development proposed in this area will be subject to the land use compatibility policies of the Official Plan.

Two other properties, located in the north east of the Ilderton settlement area have also requested conversion from employment to residential uses. The first is located outside the settlement area and requested to be added to the settlement area. With the conversion of the properties discussed above, there will be no need to expand the Ilderton settlement area to accommodate residential growth, therefore there is no need to add these lands to the settlement area and convert them to residential. The second property is located within the settlement area, but is currently occupied with existing employment uses. With the conversion of the lands discussed above, there is no need to convert the property in the north of Ilderton.

Delaware

In Delaware there is an employment land conversion request located outside the settlement area, currently designated "Rural Industrial". The property directly abuts the eastern boundary of the settlement area and neighbouring homes. The addition of these lands to the settlement area would represent a logical extension of the settlement area and help reduce the amount of land required to expand into agricultural lands. With the expansion of the settlement area and designation of

employment lands to the south of Ilderton, these lands will no longer be required to meet the Municipality's employment land needs.

General Comments

Aside from site-specific requests to be added to the settlement area, or converted from employment to residential, the comments received from members of the public were very general in nature. The Municipality received comments and questions related to:

- Protection of agricultural lands
- Protection of environmental features
- Accessory Dwelling Units / Granny Flats
- Transportation / Roads / Traffic calming
- Limiting growth
- Taxes (not within the scope of the project)

Residents expressed concern about the loss of agricultural lands and environmental features. The Official Plan update is intended to permit a wider range of residential dwelling types, including higher density housing options, to reduce the amount of land required to accommodate the forecasted growth. Policies related to the protection of environmental features have been updated to be consistent with the Provincial Policy Statement, and the mapping has been updated to reflect the latest information from the Conservation Authorities.

The Official Plan update includes updated and new policies permitting accessory dwelling units, granny flats and tiny homes where appropriate. These policies reflect the direction of the Planning Act and provide direction for the approval of new, more affordable housing types and sources of income for property owners.

Residents expressed concern about traffic volumes and road safety. During public engagement activities residents expressed a desire to walk or bicycle safely in the community. The Official Plan update include updated policies to support the installation of new sidewalk and bike lanes where appropriate.

Other comments were related to issues the Official Plan update is not able to address. Some residents expressed a desire to prevent population growth and new development in the Municipality. Regardless of the policies of the Official Plan,

existing households will continue to grow, people will migrate to where jobs or desirable neighbourhoods exist, and the Municipality has no authority to prevent its population from increasing. Other residents raised concerns with how property taxes would be impacted by the policies of the Official Plan. The Official Plan is not a budget document and it does not bind Council to spend money to achieve the objectives of the Plan. It should be noted however, that new development may be subject to development charges, application fees, and increased property assessment, which can result in higher revenues for the municipality.

County and Council Comments

Comments received by Middlesex County Staff and Middlesex Centre Council members were primarily focused on the subject matter discussed above. The Official Plan Review team received many thoughtful and constructive comments regarding the growth allocations, policies related to surplus farm dwelling severances, additional dwelling units and more.

All comments have been reviewed and considered. Policy suggestions have been incorporated into the Official Plan update where appropriate, and where the policies support, or would not conflict with, the policies of the Provincial Policy Statement or provisions of the Planning Act.

CONCLUSION AND NEXT STEPS

The recommended amendment to update the Municipality of Middlesex Centre Official Plan reflects community values as expressed by members of Council and the general public, is consistent with the Provincial Policy Statement, 2020 and conforms with the Middlesex County Official Plan. The proposed policy changes and mapping updates represent good planning and meet the project objectives.

The recommended amendment will be presented to Council for adoption. If Council wishes to change any portion of the recommended amendment prior to adoption, it may do so in accordance with its procedural by-law.

Once adopted, Municipal staff will be responsible for preparing the submission to Middlesex County for approval.



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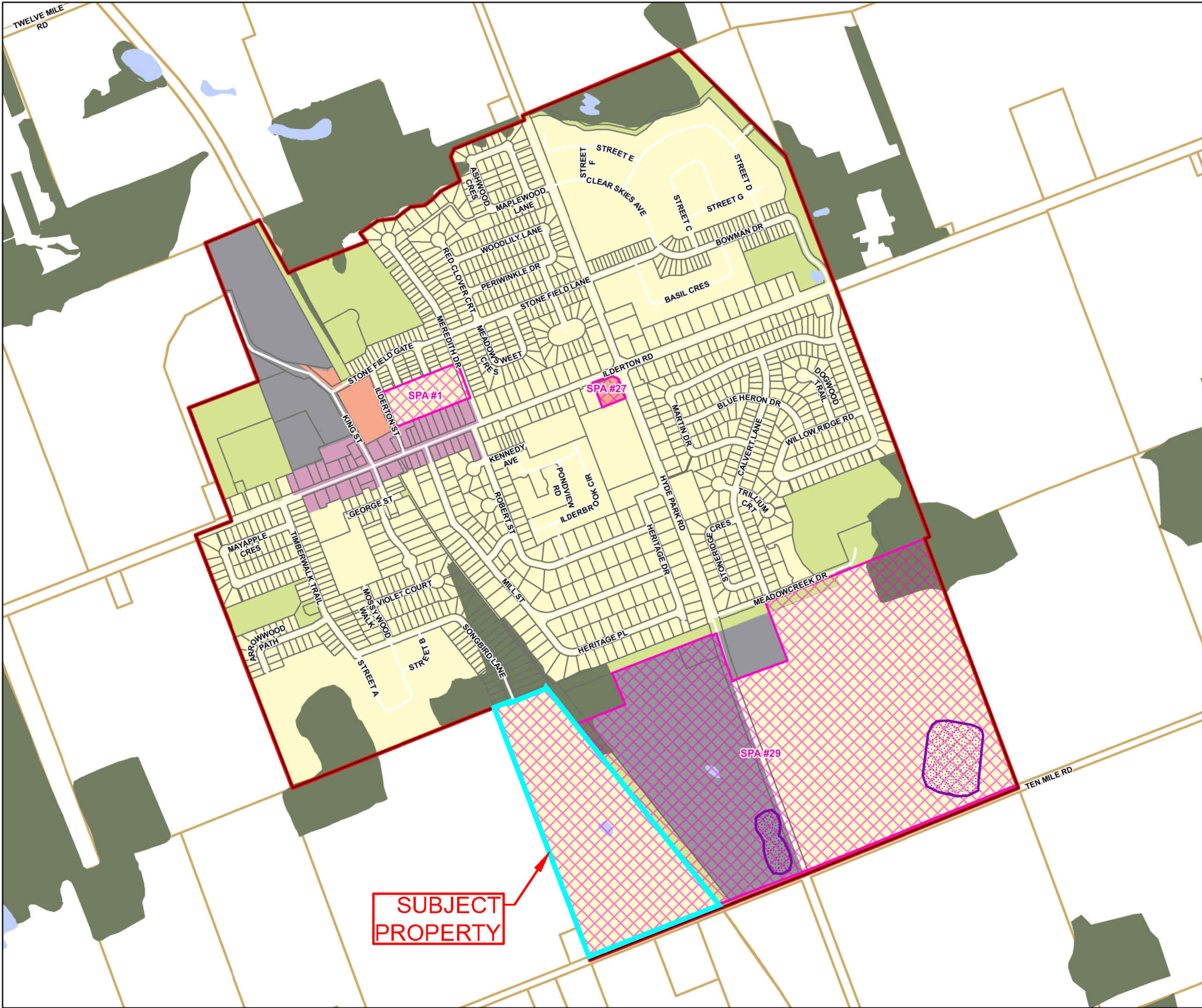
APPENDIX C

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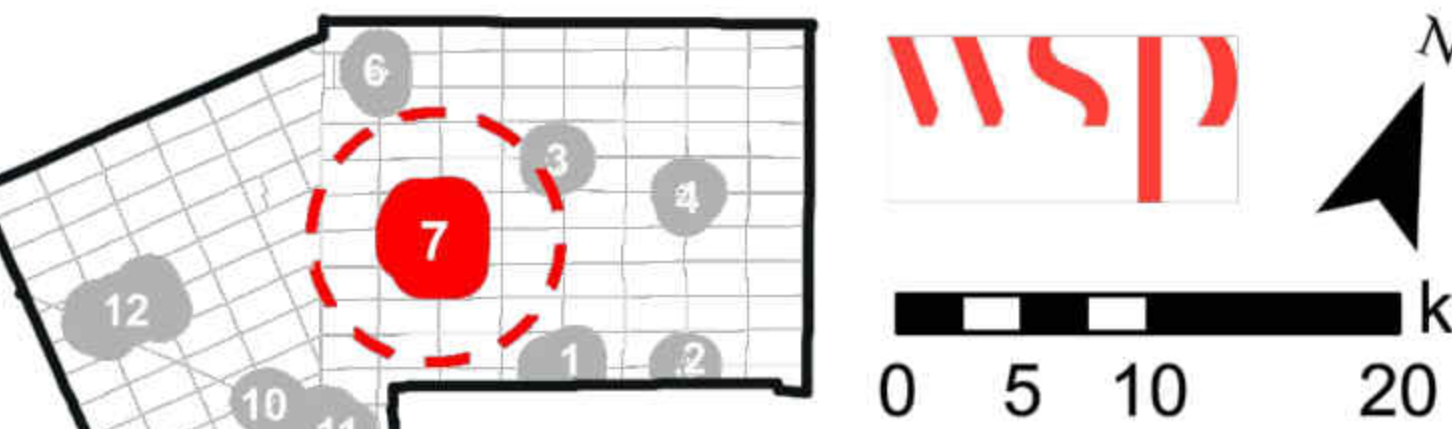
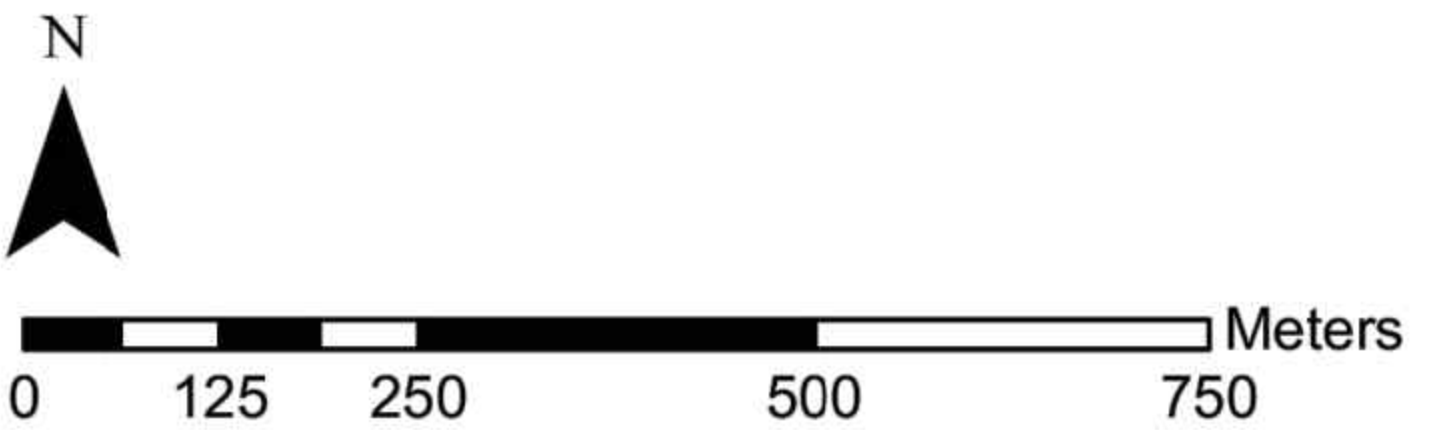
Schedule A-7

Ilderton

Urban Settlement Area

Legend

- Land Use Designations**
- Residential
 - Medium Density Residential
 - Hamlet
 - Settlement Commercial
 - Rural Commercial
 - Village Centre
 - Rural Industrial
 - Institutional
 - Settlement Employment
 - Parks and Recreation
 - Natural Heritage Enhancement Area
 - Natural Environment
 - Agriculture
- Other Designations**
- Settlement Boundary
 - Middlesex Centre Boundary
 - Conceptual SWM Pond
 - Special Policy Areas



DRAFT



Date: April 13, 2022



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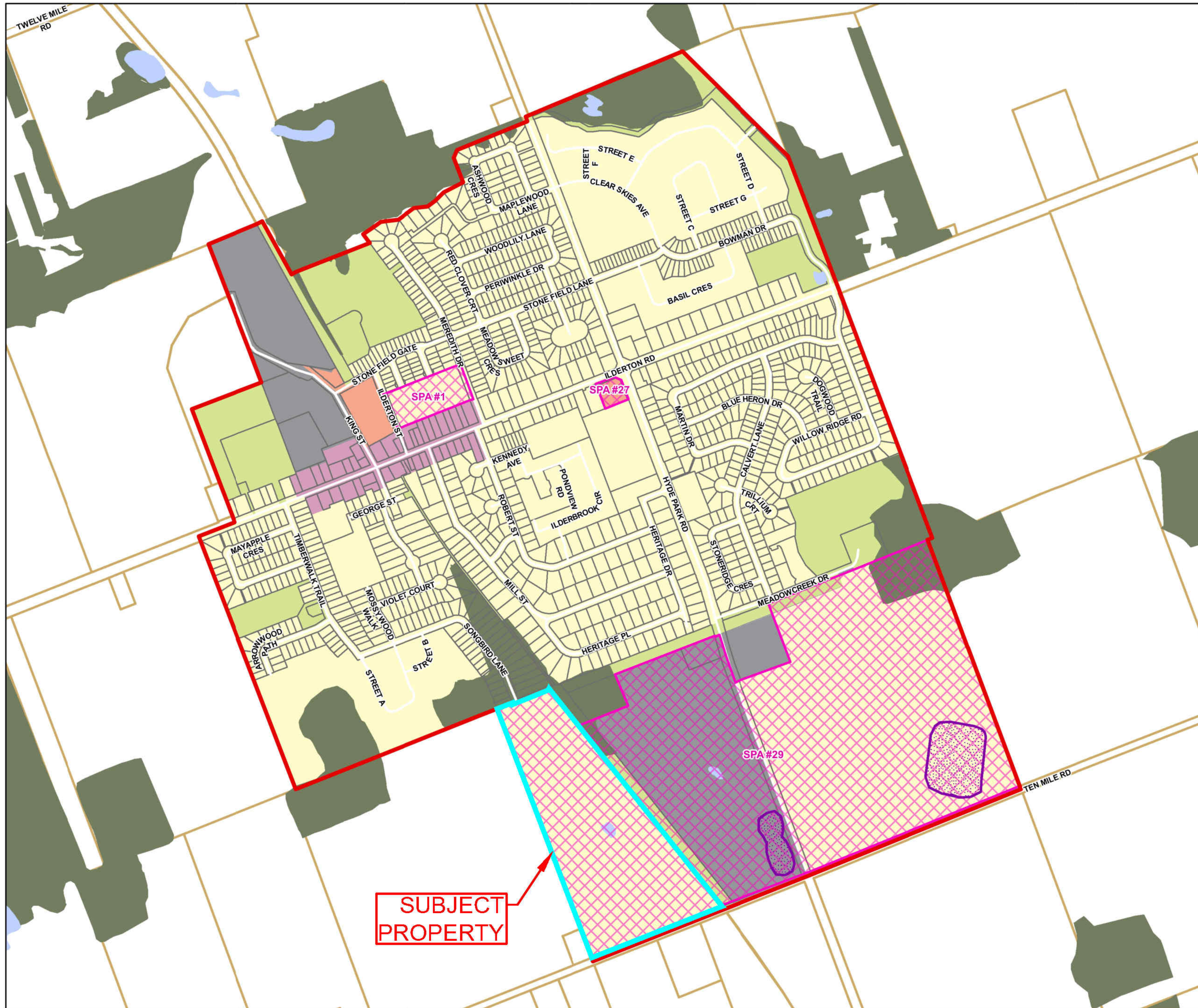
APPENDIX D



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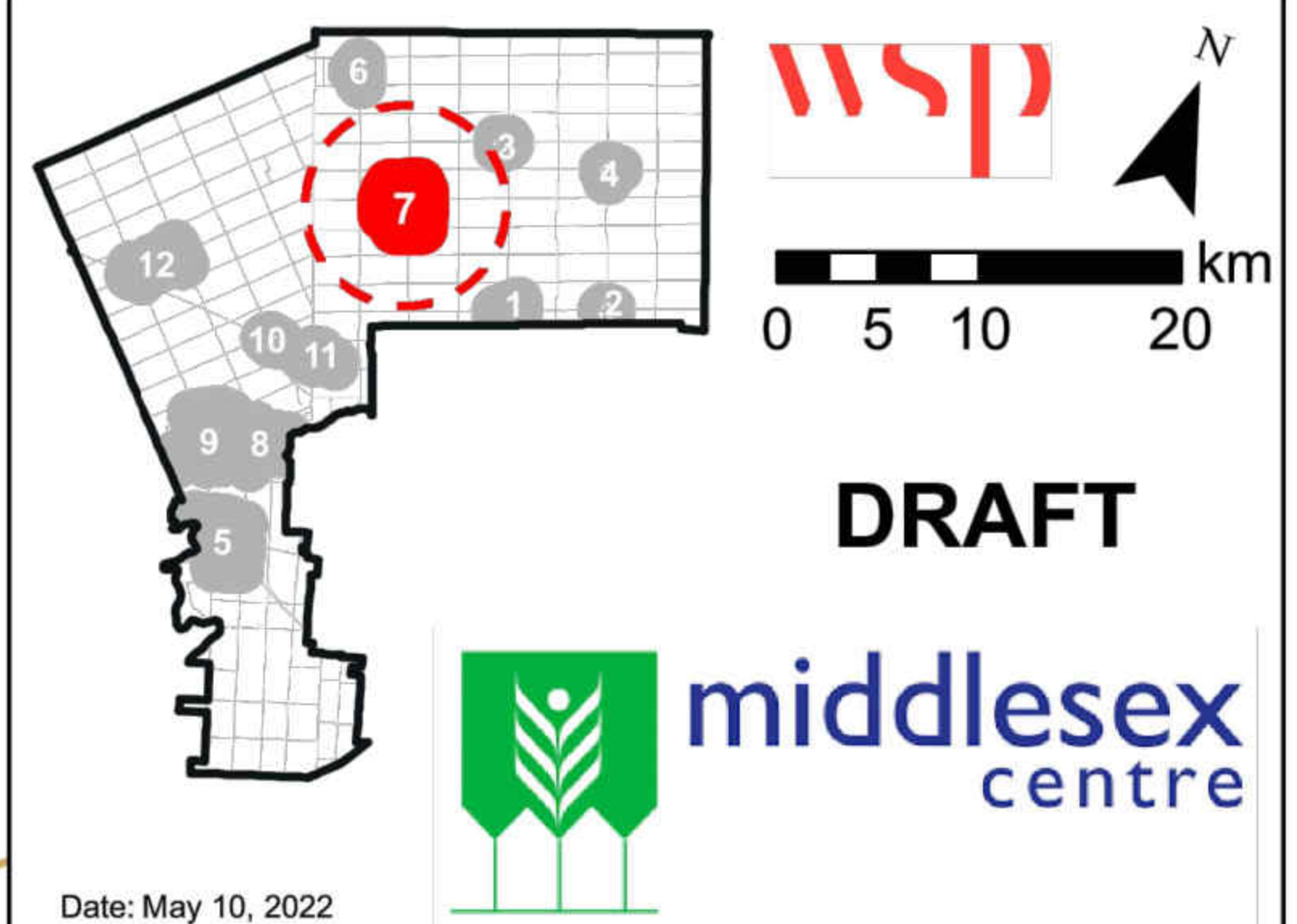
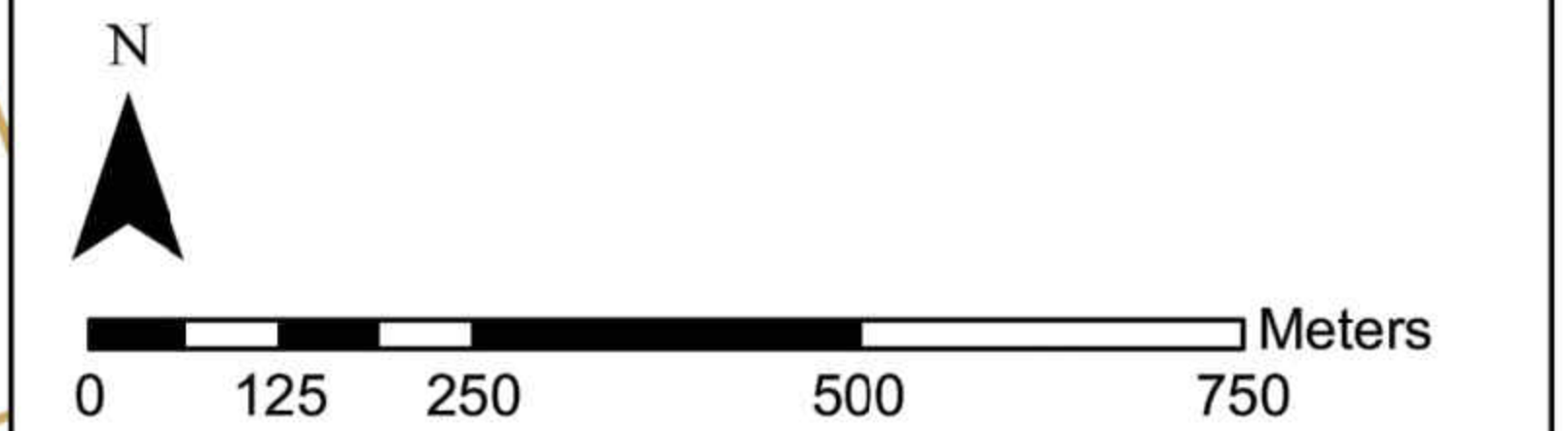
Schedule A-7

Ilderton

Urban Settlement Area

Legend

- Land Use Designations**
- Residential
 - Medium Density Residential
 - Hamlet
 - Settlement Commercial
 - Rural Commercial
 - Village Centre
 - Rural Industrial
 - Institutional
 - Settlement Employment
 - Parks and Recreation
 - Natural Heritage Enhancement Area
 - Natural Environment
 - Agriculture
- Other Designations**
- Settlement Boundary
 - Middlesex Centre Boundary
 - Conceptual SWM Pond
 - Special Policy Areas



Date: May 10, 2022



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APPENDIX E



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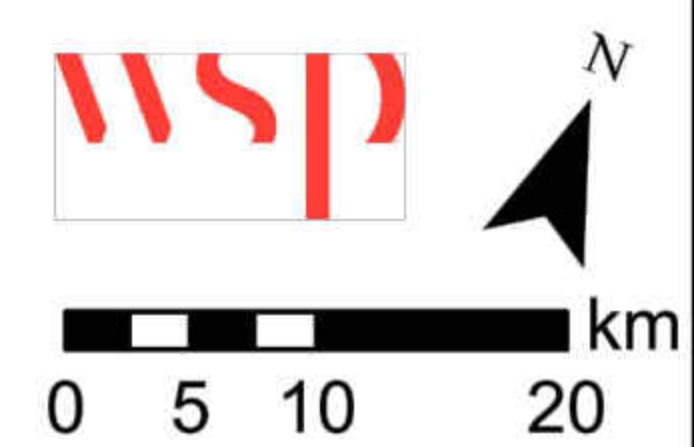
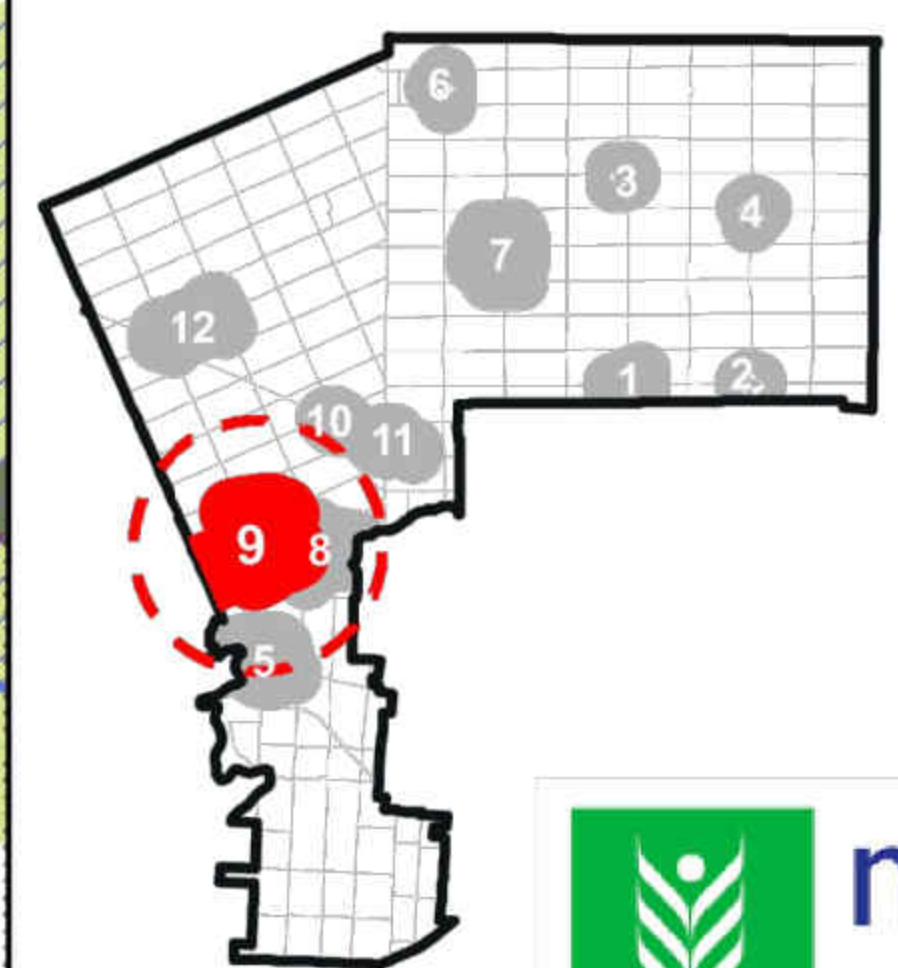
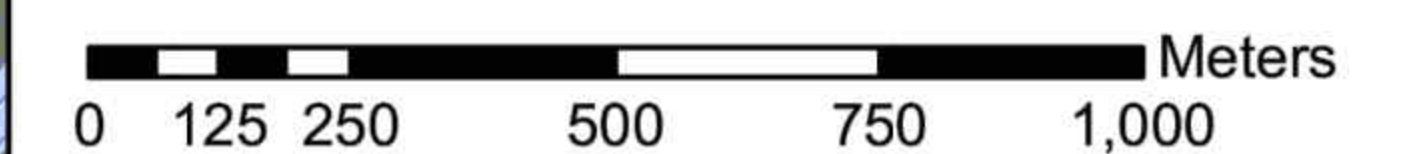


Schedule A-9 Komoka Urban Settlement Area

Legend

Land Use Designations

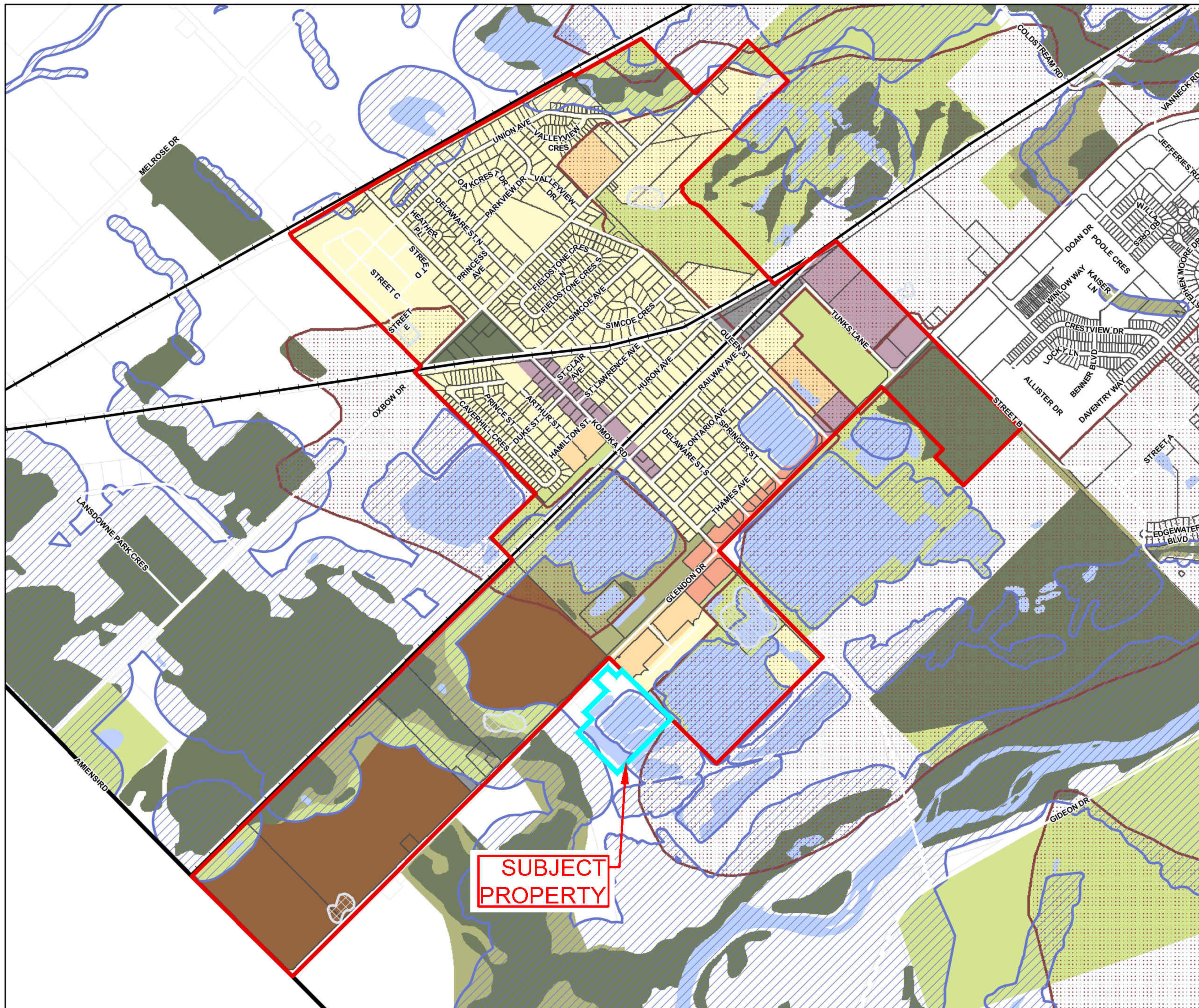
	Residential		Settlement Boundary
	Medium Density Residential		Middlesex Centre Boundary
	Hamlet		Aggregate Overlay
	Settlement Commercial		Hazardous Lands Overlay
	Rural Commercial		Conceptual SWM Pond
	Village Centre		Railway Line
	Rural Industrial		
	Settlement Employment		
	Strategic Employment Area		
	Parks and Recreation		
	Natural Heritage Enhancement Area		
	Natural Environment		
	Agricultural		



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Date: October 2021





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APPENDIX F



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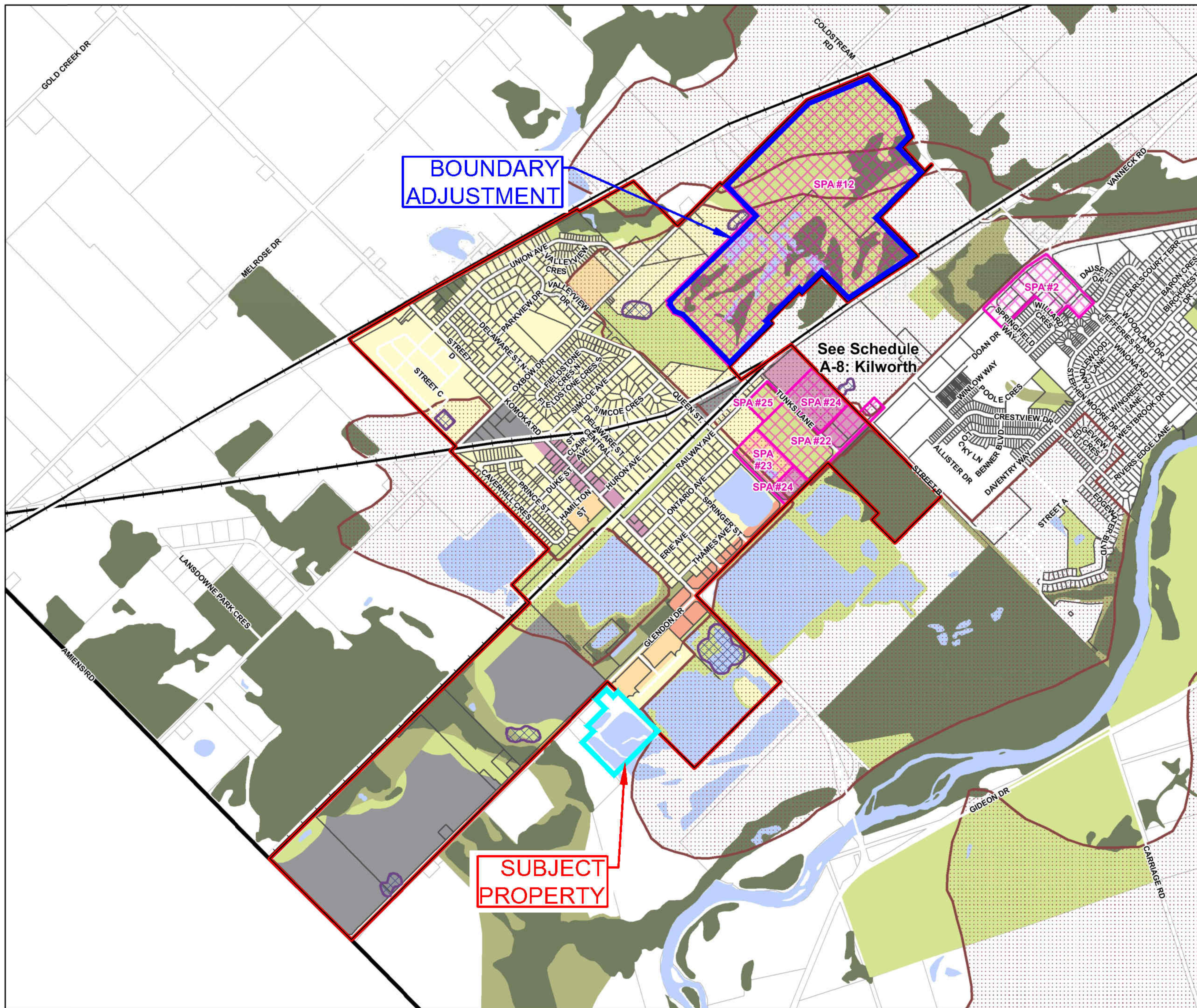
Schedule A-9 Komoka Urban Settlement Area

Legend

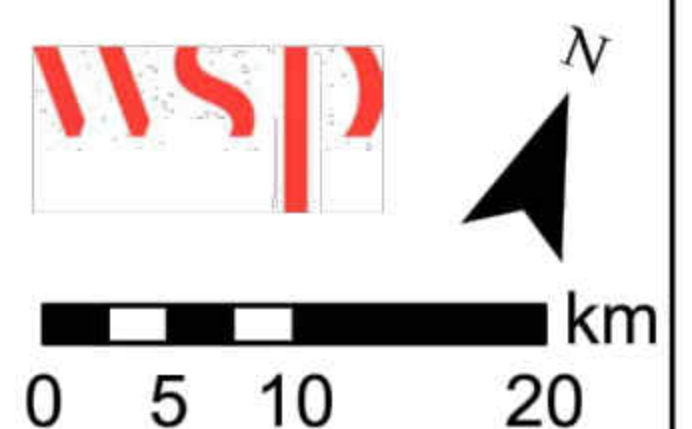
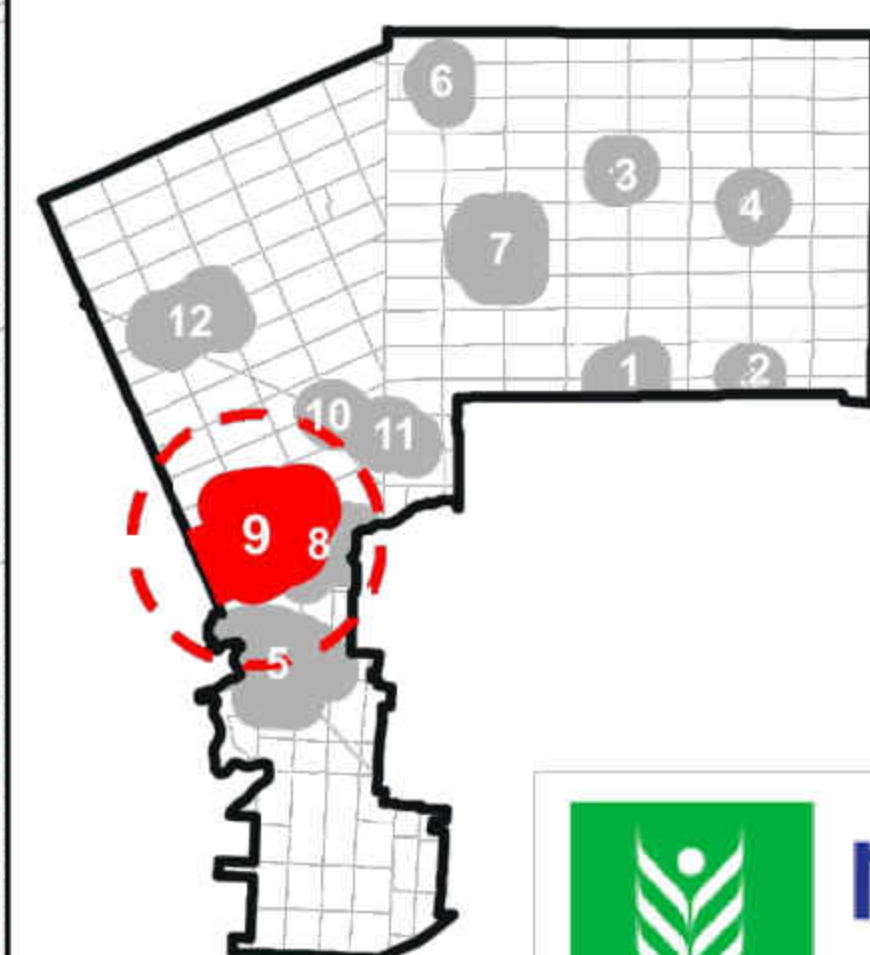
Land Use Designations

- Residential
- Medium Density Residential
- Hamlet
- Settlement Commercial
- Rural Commercial
- Village Centre
- Rural Industrial
- Institutional
- Settlement Employment
- Parks and Recreation
- Natural Heritage Enhancement Area
- Natural Environment
- Agricultural

- Settlement Boundary
- Middlesex Centre Boundary
- Aggregate Overlay
- Conceptual SWM Pond
- Railway Line
- Special Policy Areas



0 125 250 500 750 1,000 1,250 1,500 Meters



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Date: February 2022



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Schedule A-9 Komoka Urban Settlement Area

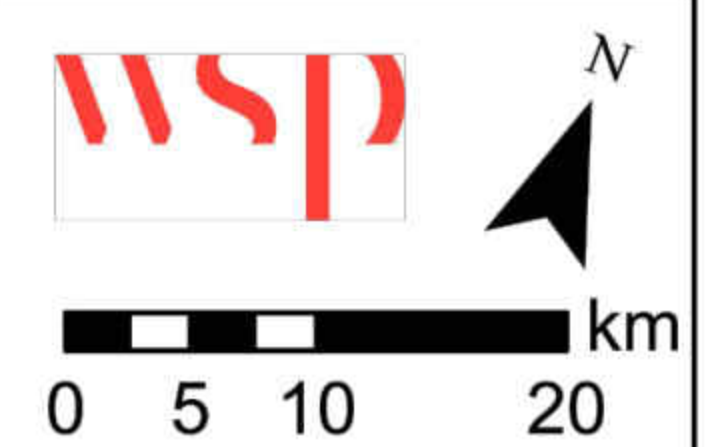
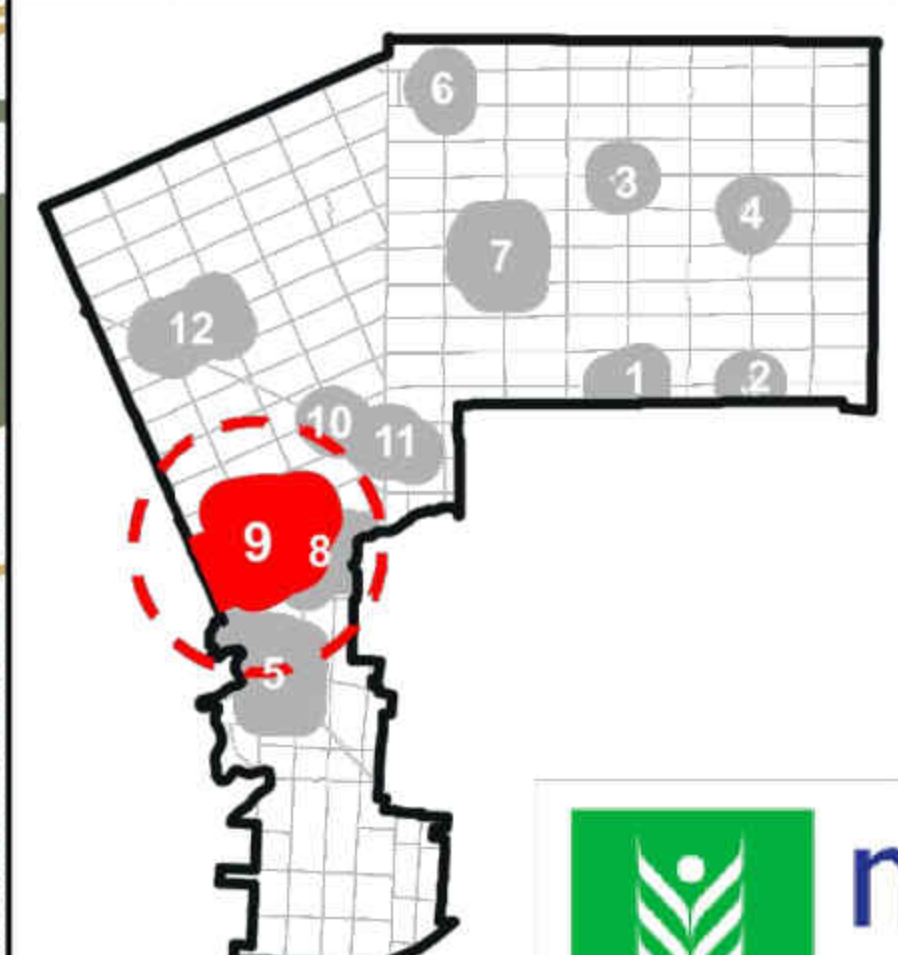
Legend

Land Use Designations

- | | |
|---|--|
|  Residential |  Settlement Boundary |
|  Medium Density Residential |  Middlesex Centre Boundary |
|  Hamlet |  Aggregate Overlay |
|  Settlement Commercial |  Conceptual SWM Pond |
|  Rural Commercial |  Railway Line |
|  Village Centre |  Special Policy Areas |
|  Rural Industrial |  Provincial Park Regulated Area |
|  Institutional | |
|  Settlement Employment | |
|  Parks and Recreation | |
|  Natural Heritage Enhancement Area | |
|  Natural Environment | |
|  Agriculture | |



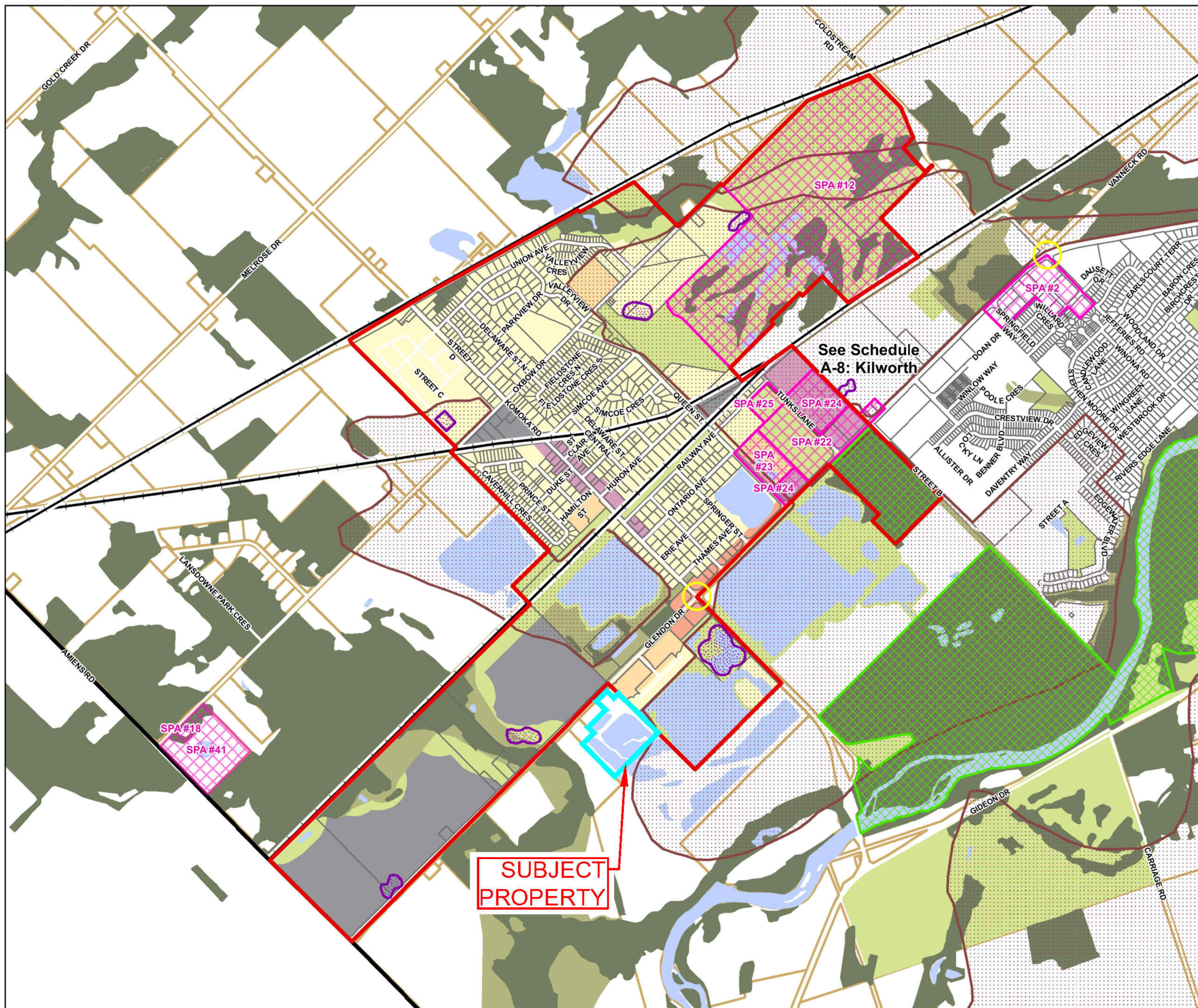
0 125 250 500 750 1,000 1,250 1,500 Meters



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Date: April 13, 2022





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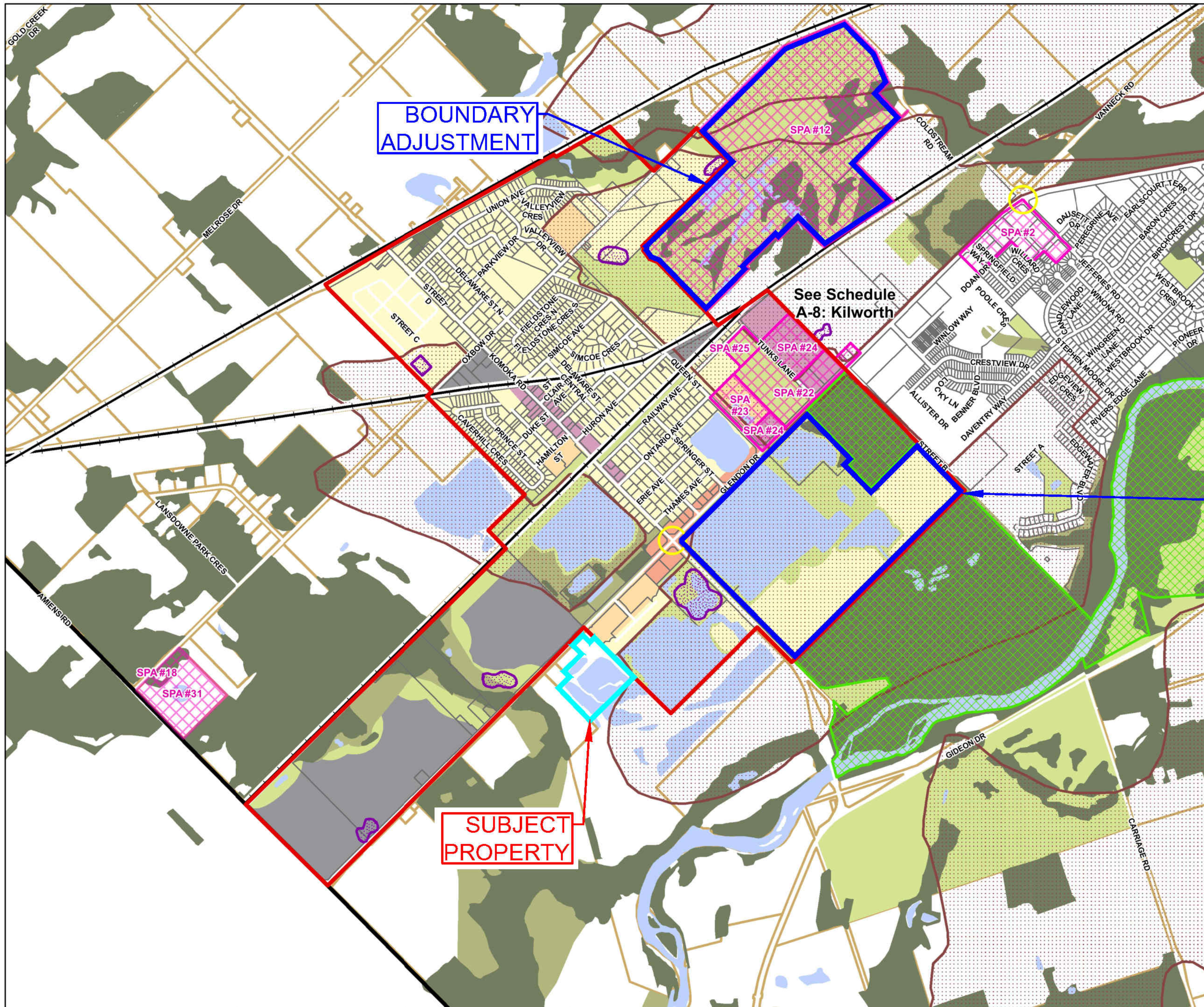
APPENDIX H

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Schedule A-9 Komoka Urban Settlement Area

Legend

Land Use Designations

- Residential
- Medium Density Residential
- Hamlet
- Settlement Commercial
- Rural Commercial
- Village Centre
- Rural Industrial
- Institutional
- Settlement Employment
- Parks and Recreation
- Natural Heritage Enhancement Area
- Natural Environment
- Agriculture

- Community Gateways
- Settlement Boundary
- Middlesex Centre Boundary
- Aggregate Overlay
- Conceptual SWM Pond
- Railway Line
- Special Policy Areas
- Provincial Park Regulated Area

BOUNDARY
ADJUSTMENT
AND CHANGE IN
DESIGNATION

See Schedule
A-8: Kilworth

0 125 250 500 750 1,000 1,250 1,500

Meters

0 5 10 20

km

DRAFT

**middlesex
centre**

Date: May 10, 2022



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APPENDIX I

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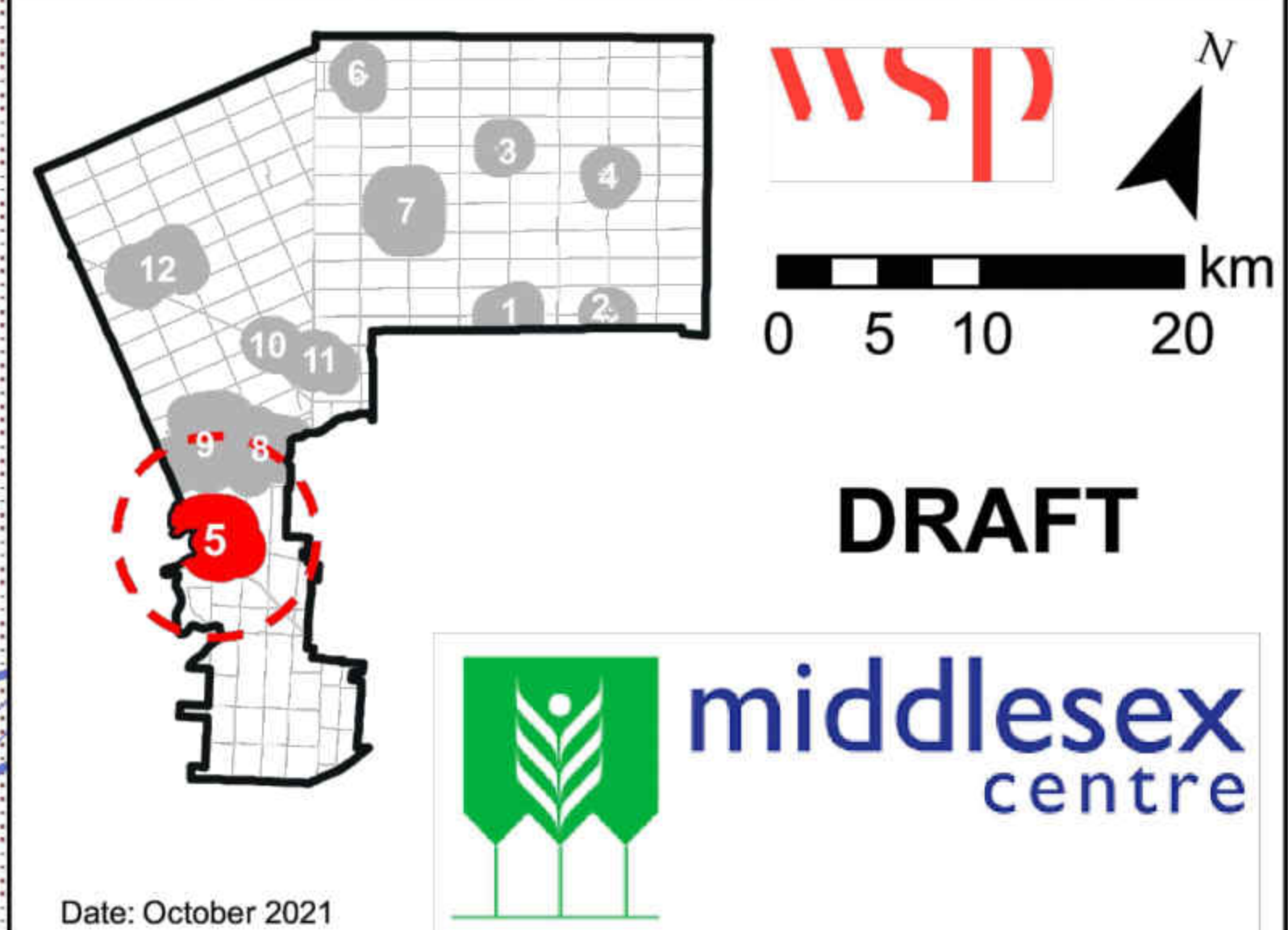
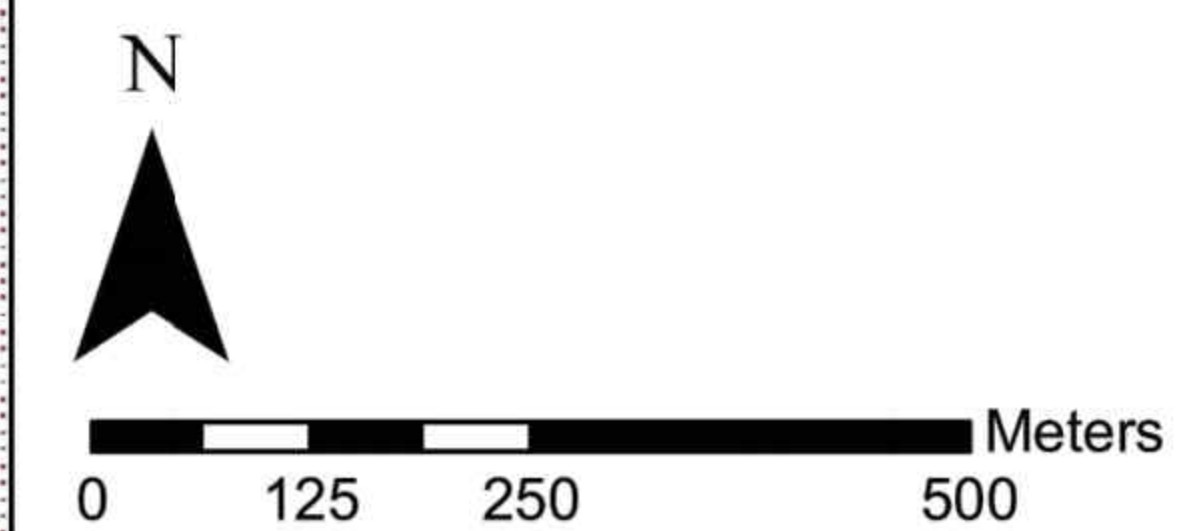
Schedule A-5 Delaware Community Settlement Area

Legend

Land Use Designations

	Residential		Settlement Boundary
	Medium Density Residential		Middlesex Centre Boundary
	Hamlet		Aggregate Overlay
	Settlement Commercial		Hazardous Lands Overlay
	Rural Commercial		Future Expansion Area
	Village Centre		
	Rural Industrial		
	Settlement Employment		
	Strategic Employment Area		
	Parks and Recreation		
	Natural Heritage Enhancement Area		
	Natural Environment		
	Agricultural		

SUBJECT
PROPERTY





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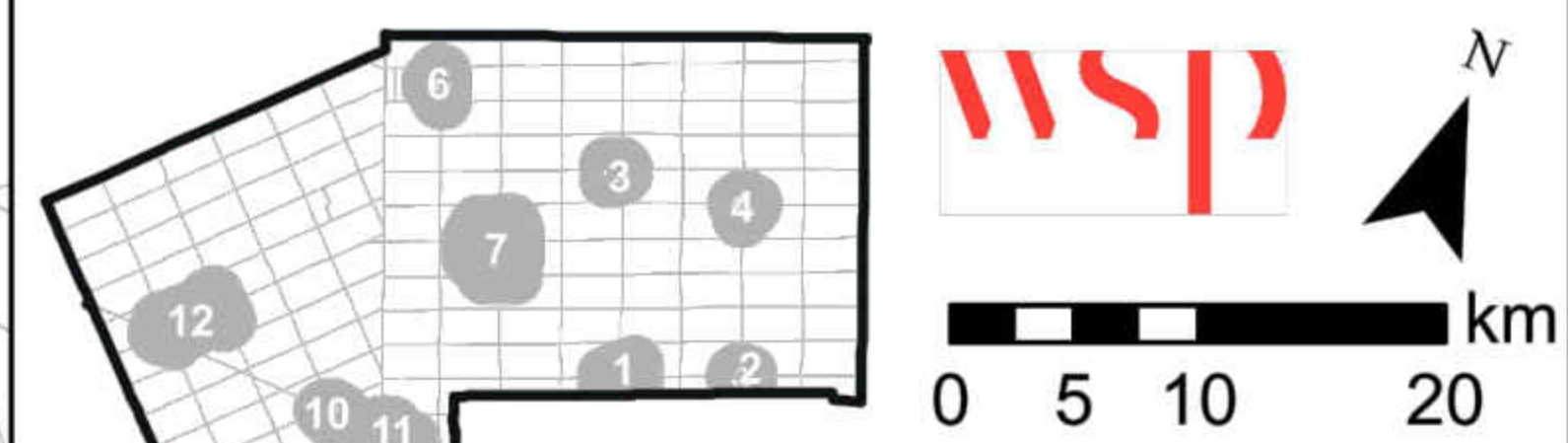
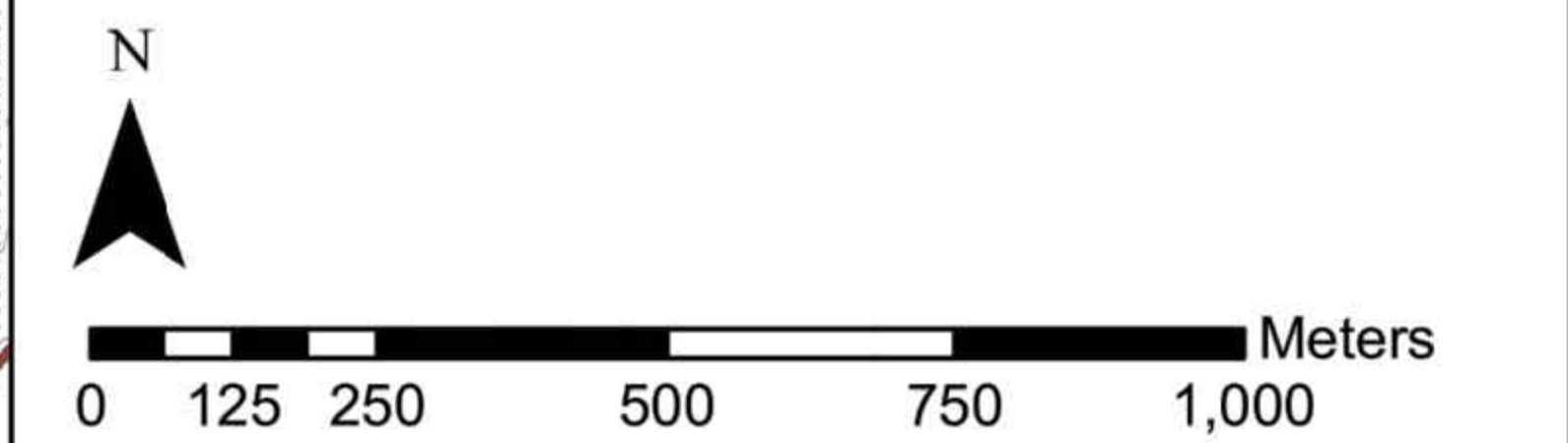
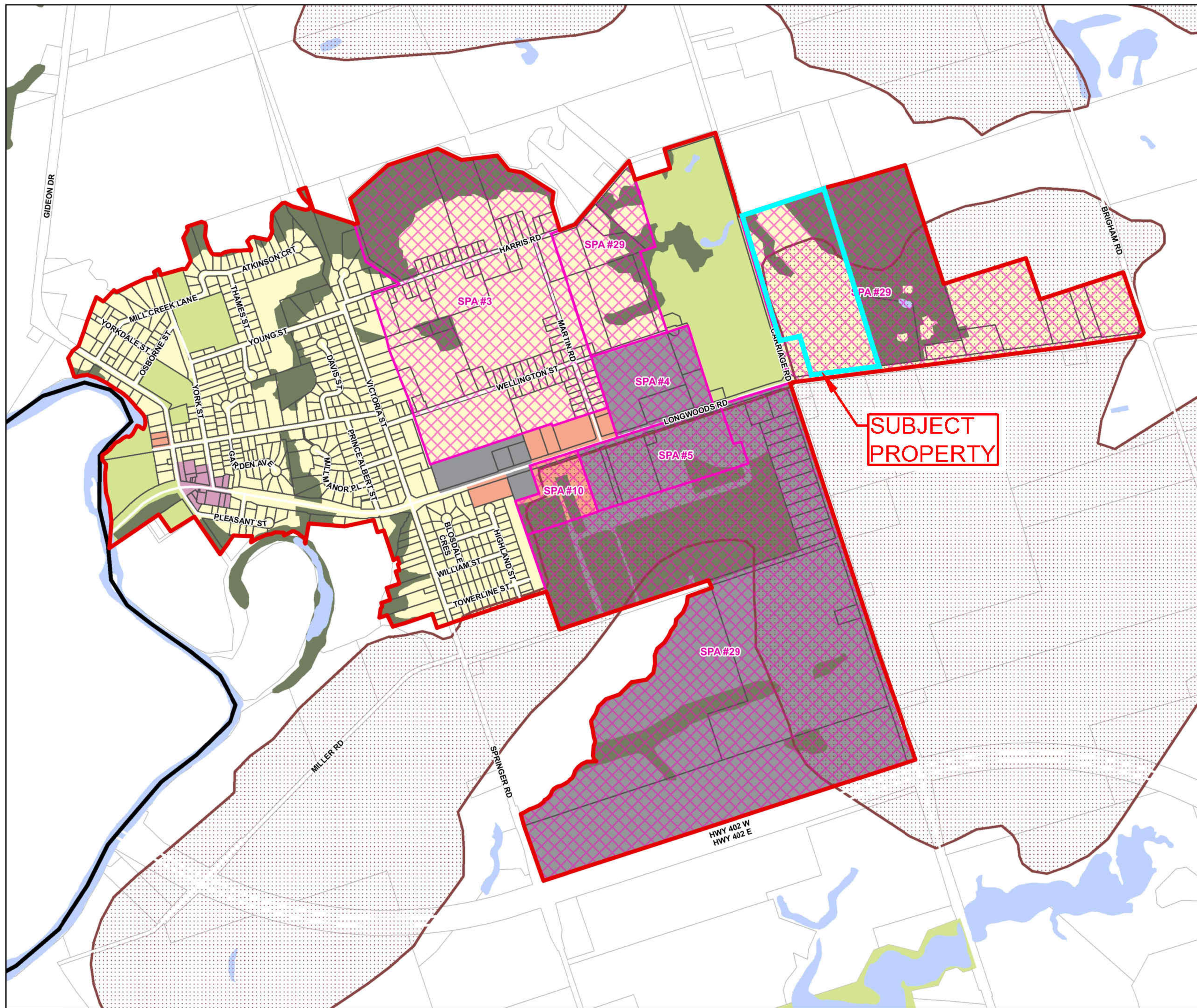
Schedule A-5 Delaware Community Settlement Area

Legend

Land Use Designations

-  Residential
-  Medium Density Residential
-  Hamlet
-  Settlement Commercial
-  Rural Commercial
-  Village Centre
-  Rural Industrial
-  Institutional
-  Settlement Employment
-  Parks and Recreation
-  Natural Heritage Enhancement Area
-  Natural Environment
-  Agricultural

-  Settlement Boundary
-  Middlesex Centre Boundary
-  Aggregate Overlay
-  Special Policy Areas



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Date: February 2022



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APPENDIX K

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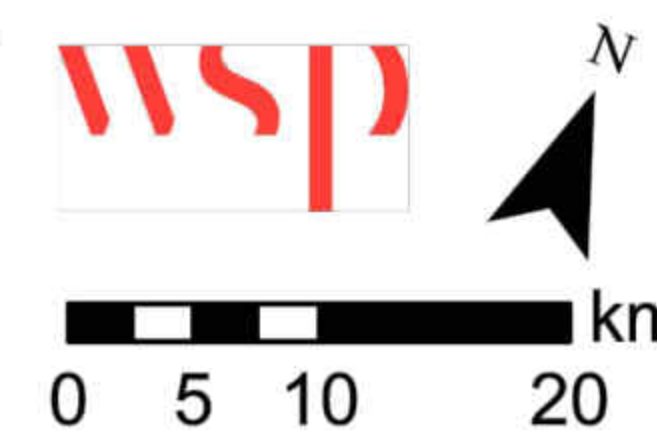
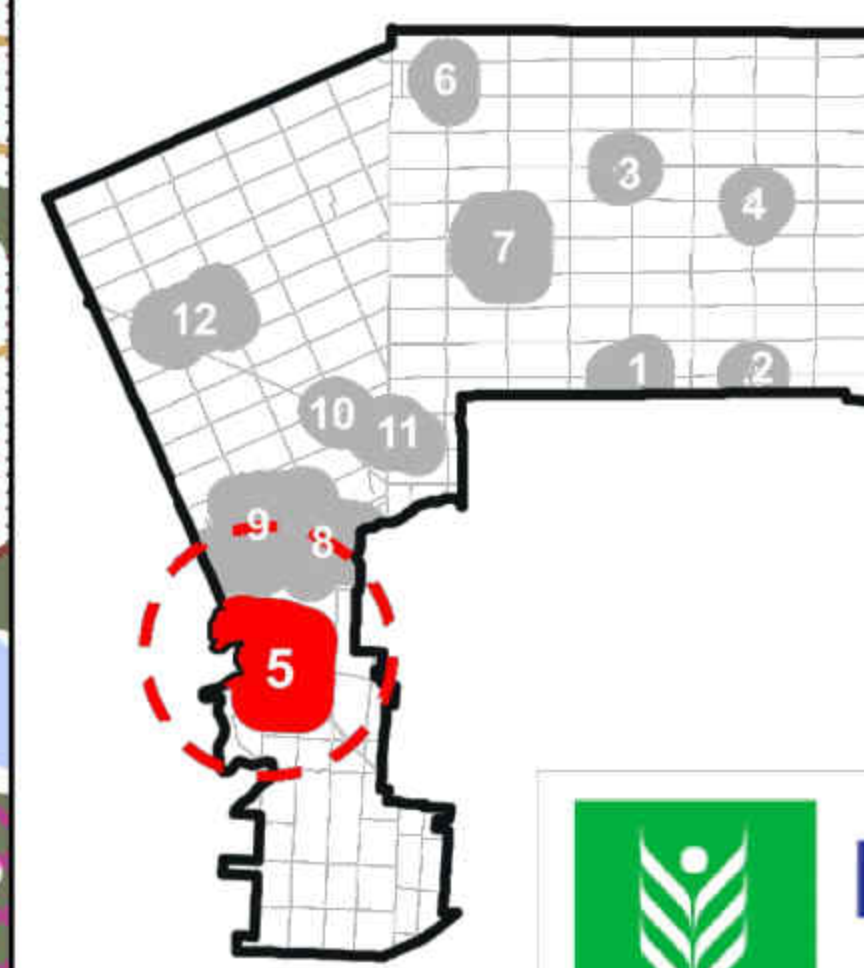
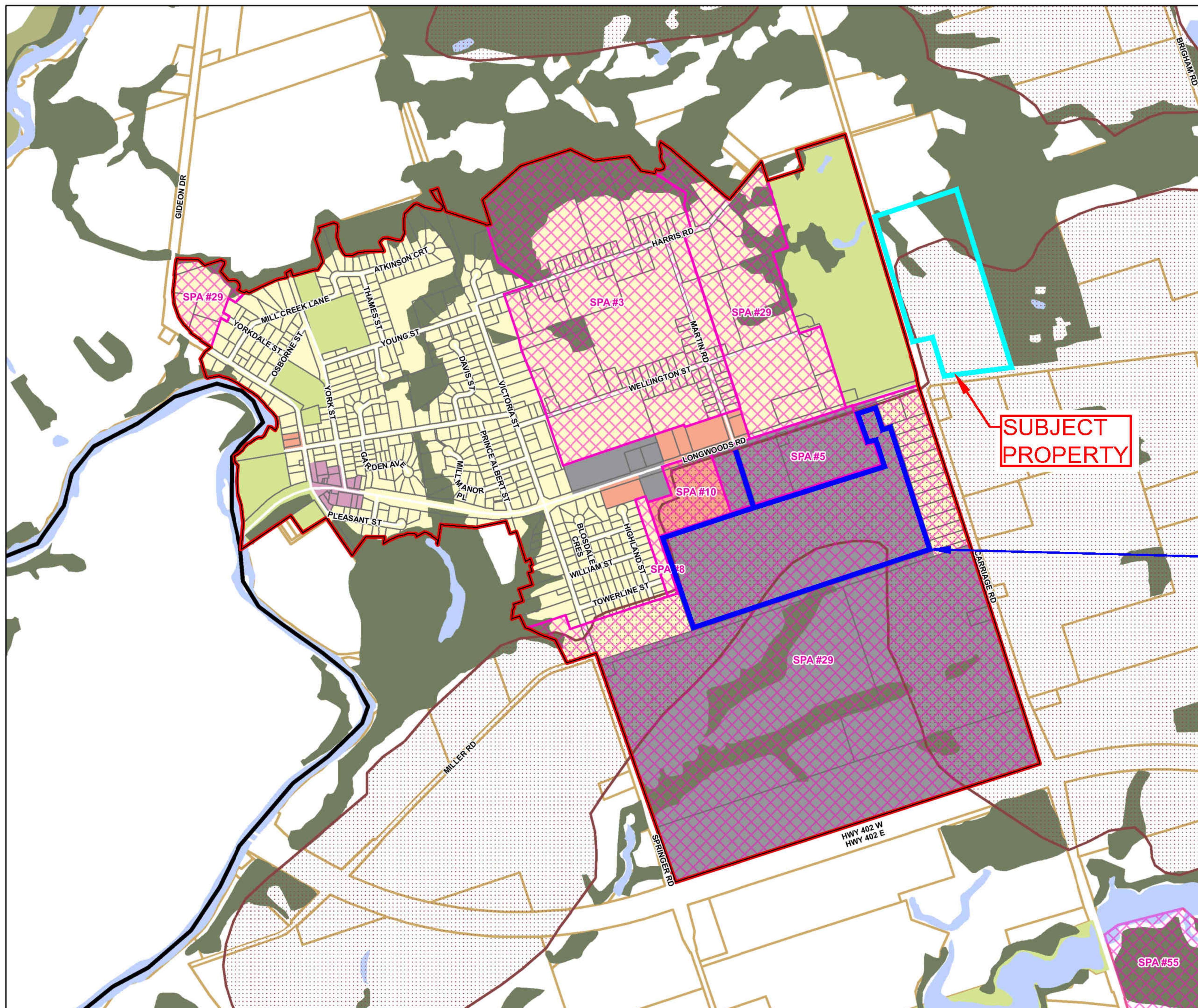


Schedule A-5 Delaware Community Settlement Area

Legend

Land Use Designations

	Residential		Settlement Boundary
	Medium Density Residential		Middlesex Centre Boundary
	Hamlet		Aggregate Overlay
	Settlement Commercial		Special Policy Areas
	Rural Commercial		
	Village Centre		
	Rural Industrial		
	Institutional		
	Settlement Employment		
	Parks and Recreation		
	Natural Heritage Enhancement Area		
	Natural Environment		
	Agriculture		



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Date: April 13, 2022



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APPENDIX L



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Schedule A-5 Delaware Community Settlement Area

Legend

Land Use Designations

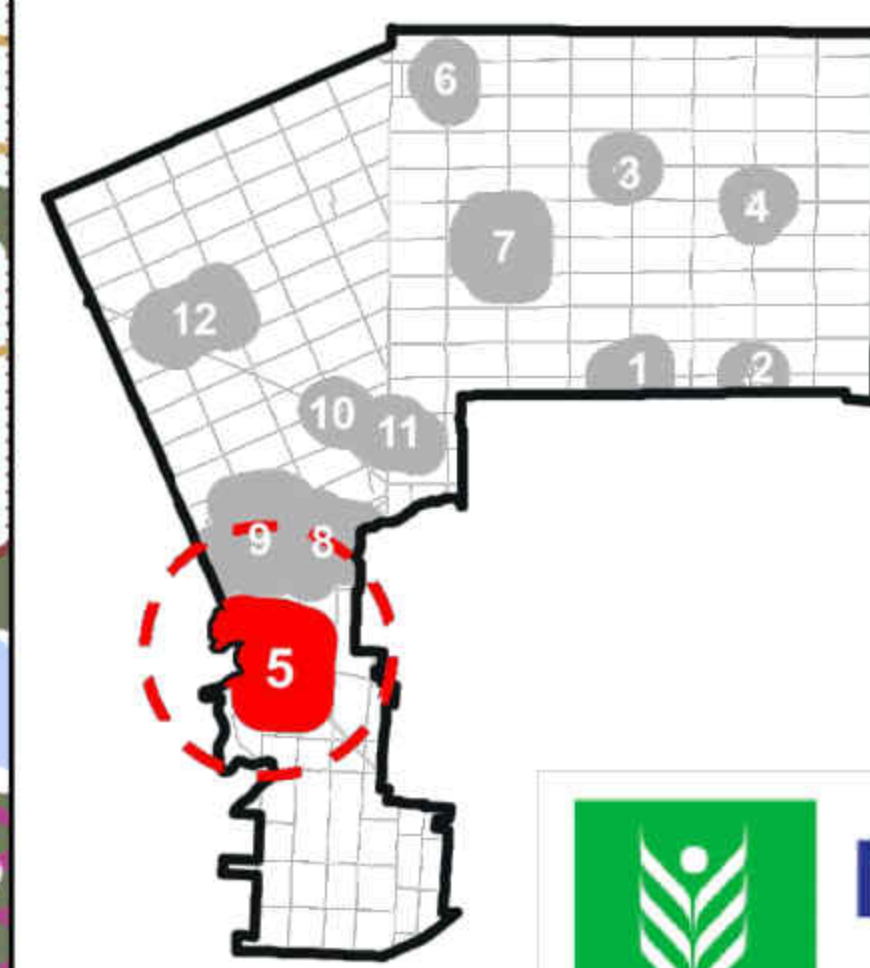
	Residential		Settlement Boundary
	Medium Density Residential		Middlesex Centre Boundary
	Hamlet		Aggregate Overlay
	Settlement Commercial		Special Policy Areas
	Rural Commercial		
	Village Centre		
	Rural Industrial		
	Institutional		
	Settlement Employment		
	Parks and Recreation		
	Natural Heritage Enhancement Area		
	Natural Environment		
	Agriculture		

**SUBJECT
PROPERTY**

**CHANGE IN
DESIGNATION**



0 125 250 500 750 1,000 Meters



0 5 10 20 km

DRAFT



Date: May 10, 2022

May 17, 2022

Memorandum to: Analee Baroudi
Baroudi Law Professional Corporation

From: Jeannette Gillezeau
Altus Group Economic Consulting

Subject: Middlesex Centre Official Plan Review
Our File: P- 6900

On May 12, 2022, the Municipality of Middlesex Centre released proposed land use schedules which were significantly different from earlier drafts. The proposed land use schedules are not consistent with the Provincial Policy Statement and do not reflect the analysis and recommendations of the various technical studies undertaken as part of the Official Plan Review.

Ilderton Conversion and Delaware Expansion

The May 12th land use schedule for Ilderton indicates that 59 hectares of employment land in south Ilderton would be redesignated from Employment Area to Residential Area, consistent with the recommendations of the Municipality of Middlesex Centre Growth Management Strategy Technical Report (February 3, 2022) and the April 13, 2022 memorandum from WSP regarding Middlesex Centre Official Plan Update Planning Rationale.

The May 12th land use schedule for Delaware does not reflect the recommendations of the Municipality of Middlesex Centre Growth Management Strategy Technical Report (February 3, 2022) and the April 13, 2022 memorandum from WSP regarding Middlesex Centre Official Plan Update Planning Rationale.

The Growth Management Strategy Technical Report found:

“... urban residential land needs are not homogeneous across Middlesex Centre. Based on anticipated land demand over the planning horizon and available residential land supply by Settlement Area, a long-term urban residential land need of 107 gross ha has been identified ...More specifically, a need for an additional 59 gross ha of urban residential land has been identified in Ilderton, while a 48 gross ha Settlement Area Expansion has been identified for Delaware to accommodate forecast residential development over the next 25 years.

The specific location options and associated land use planning, servicing and other impacts of an urban boundary expansion in the Community of Delaware are to be

*assessed and evaluatedunder section 1.1.3.8(b) through (e) of the P.P.S, 2020.”
(page iv)*

“The Municipality’s remaining large vacant sites within Employment Areas are located in the Urban Settlement Areas of Ilderton and Komoka-Kilworth. These sites do not offer direct access or exposure to Highway 401 and/or Highway 402 and are generally not situated in locations that represent established or emerging industrial areas. It is recommended that approximately 59 gross ha (146 gross acres) of designated settlement employment lands in South Ilderton are converted to non-employment uses. In general, the designated Employment Area lands in South Ilderton lack the physical attributes (i.e. access, critical mass, location and land use compatibility) to serve as a successful Settlement Employment Area within the Municipality to accommodate industrial-type uses. Given the location of these lands being adjacent to existing residential uses, and the shortfall of residential lands identified in Ilderton over the long-term horizon, a portion of these vacant Employment Area lands would be more appropriately suited for residential purposes.” (page v)

“In accordance with the urban land demand analysis undertaken through this G.M.S., as well as a locations options analysis undertaken as part of the Employment Area Expansion Analysis study, a Settlement Area Boundary Expansion of approximately 135 gross ha (334 gross acres) has been identified in the Community Settlement Area of Delaware to accommodate future Employment Area lands. “(page v)

Policy 1.3.2.4 of the Provincial Policy Statement says:

“Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.”

The Municipality’s consulting team undertook an assessment of the proposed conversion of the Sifton Properties Limited lands in South Ilderton in the context of the conversion policies in the Provincial Policy Statement and localized criteria. On the basis of this analysis, the lands were recommended for conversion. (Growth Management Strategy Technical Report, page 94)

The May 12th land use schedule for Delaware would result in a significantly smaller and fragmented Employment Area for Delaware. A new Residential Area would be inserted between the existing Settlement Commercial Area and Employment Area on the south side of Longworth Road and the new Employment Area expansion, and would provide significantly less than the required 135 gross ha of new Employment Area for Delaware

Policy 1.1.3.8 of the Provincial Policy Statement says:

“A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) Sufficient opportunities to accommodate growth and to satisfy market demand area not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*
- b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;*
- c) In prime agricultural areas:*
 - 1.the lands do not comprise specialty crop areas;*
 - 2.alternative locations have been evaluated, and*
 - i.there are no reasonable alternatives which avoid prime agricultural areas; and*
 - ii.there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*
- d) The new or expanding settlement area is in compliance with the minimum distance separation formulae; and*
- e) Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.”*

The definition of a Comprehensive review in the Provincial Policy Statement says:

- a) For the purposes of policies 1.1.3.8, 1.1.3.9 and 1.3.2.4, an office plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:*
 - 1. Is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;*
 - 2. Utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;*
 - 3. Is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;*
 - 4. Confirms sufficient water quality, quantity and assimilative capacity of receiving water area available to accommodate the proposed development;*
 - 5. Confirms sewage and water services can be provided in accordance with policy 1.6.6”*

The Municipality undertook an extensive location options analysis for a 135 gross ha settlement area boundary expansion in South Delaware for Employment Area which addressed the Provincial Policy Statement policies for settlement area expansion (Middlesex Centre: Employment Area Expansion Opportunity Analysis). No such analysis has been undertaken to examine location options for settlement area expansion for residential uses in Delaware, as is required under the Provincial Policy Statement.

A systematic evaluation of location options for the Residential Area settlement area expansion in Delaware is likely to identify an option that could achieve the objective of providing for a balance of residential and employment development opportunities in Delaware, while also achieving the objective of providing Middlesex Centre with an Employment Area with the physical attributes to successfully compete for economic development (i.e. access and exposure to a 400-series highway, critical mass, land use compatibility).

Rationalization of Settlement Area Boundaries

The Official Plan Review recommendations would rationalize settlement area boundaries for Komoka and Delaware to provide a clear delineation between agricultural uses and non-agricultural uses by bringing into the settlement area boundary adjacent properties currently designated for non-agricultural uses (e.g. golf courses, Rural Industrial Area, etc.).

The May 12th land use schedule for Komoka appears to redesignate to Agriculture lands currently designated Rural Commercial directly adjacent to Komoka settlement area boundary on Glendon Road. The Growth Management Strategy Technical Report did not identify a surplus of commercial land and did not recommend the redesignation of these lands. As these lands are not suitable for agriculture, a more appropriate and consistent approach would be to bring the property into the settlement area boundary.

c.c. Phil Masschelein, Senior Vice President, Sifton Properties Limited