

# Planning Justification Report

## MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT

12577 Fifteen Mile Road, Denfield, Middlesex Centre, Middlesex County, Ontario

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## 1 INTRODUCTION

On behalf of Stanley and Judy Henderson (“Owners”) and Jackie Henderson (“Proponent”), Baker Planning Group is submitting Municipality of Middlesex Centre Official Plan and Zoning By-law Amendment Applications (the “Applications”) for the lands known municipally as 12577 Fifteen Mile Road, Denfield, Ontario (“Site”). The Site is legally known as Concession 14 N, Part lot 31.

The Site is 43.6 hectares in size, with 617 metres of frontage on Fifteen Mile Road and approximately 707 metres of depth. The Site is used for agricultural purposes, consisting mostly of agricultural fields with a cluster of agricultural buildings and a single detached dwelling.

Located approximately 1.3 kilometres to the southwest of the Hamlet of Denfield, the Site is designated as “Agricultural Area” in the County of Middlesex Official Plan, and “Agriculture” in the Middlesex Centre Official Plan. The Site also has a “Floodplain” overlay on account of the watercourse at the southeast of the Site, however, this does not apply to the area of the Site subject to development. In keeping with the Official Plan, the Site is zoned “Agricultural (A1)” in the Middlesex Centre Zoning By-law.

The Owner is proposing to establish an ambulatory mobile veterinarian clinic and second dwelling unit, in addition to the uses existing on the Site (“Proposed Development”). The Proposed Development will consist of two (2) two-storey building 376 m<sup>2</sup> in size and be serviced by a new septic bed and the existing well. The clinic will not house animals or have customers/visitors, but rather serve as an office and storage building to support the proposed use, which involves travelling to other locations to provide veterinarian services as needed. The second dwelling unit will be accommodated in the second storey of the proposed building and will provide a residence for the owner’s family to continue to reside on the property.

As part of the Applications, a site servicing study and Minimum Distance Separation calculations are provided. The Planning Justification Report is being prepared to fulfill the submission requirements set out by Middlesex County and the Municipality of Middlesex Centre. The Report provides a summary of the applicable land use policies and will address the appropriateness of the application and if it constitutes good land use planning.

### 1-1 SUMMARY PLANNING OPINION

It is our professional opinion that the proposed Middlesex Centre Official Plan Amendment and Middlesex Centre Zoning By-law Amendment provide for the efficient and appropriate use of land being an agriculture-related use with an associated dwelling unit. In evaluating the inter-relationship between provincial, county, and local planning policies, it is our opinion that the Applications represent good land use planning, are appropriate and are in the public interest. This opinion is supported by the following:

- The Proposed Development provides for a use and service supportive of agriculture which benefits from being in close proximity to agricultural uses;

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- The Proposed Development is compatible with the surrounding land uses, which are predominantly agricultural, and does not reduce the Site's agricultural potential;
  - The appropriate technical studies have been conducted and are supportive of the Proposed Development, finding it can be adequately serviced through a combination of existing and proposed private servicing, and complying with MDS Guidelines;
  - The Proposed Development is consistent with the PPS, utilizing an appropriate opportunity for residential intensification and being consistent with the criteria for agriculture-related uses;
  - The Proposed Development conforms to the general intent of the County OP and Middlesex Centre OP, including criteria for agriculture-related uses. The proposed Official Plan amendment requests minor modification to policy which permits second dwelling units on agricultural lands; and
  - The Proposed Development complies with the established zoning regulations and permitted uses, except for matters addressed in the proposed amendment including definition clarification and added permissions for the second dwelling unit.

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## 2 SITE OVERVIEW

Found on the southeastern corner of the intersection between Fifteen Mile Road and Mill Lane, the Site is rectangular, composed generally of agricultural fields, with supporting agricultural buildings and a single detached dwelling. The total area of the Site is approximately 43.6 hectares in size and generally flat. The existing dwelling unit is approximately 220 square metres in size (first and second floor).

There is a minor watercourse which passes through the southeast corner of the Site.

The Site is generally surrounded by agricultural uses on all sides, with the Hamlet of Denfield approximately 1.3 kilometres to the east along Fifteen Mile Road.

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## 3 PROPOSAL

### 3-1 PROPOSED DEVELOPMENT

The Proposed Development consists of a new single building, to be constructed to the south of the existing primary dwelling. The new building is proposed to be 376 square metres in size and will include the following components:

- Storage for the existing agricultural operation
- Ambulatory clinic, with offices, storage and parking for the service van
- Secondary suite with a maximum floor area of 120 square metres, being 55% of the size of the main dwelling unit

The proposed use will be supported by the existing well and a new septic bed, proposed to be located in the front yard of the proposed building. The Site has adequate parking for the proposed and existing uses.

### 3-2 PLANNING APPLICATIONS

To implement the Proposed Development, the following planning applications are required:

1. Middlesex Centre Official Plan Amendment
2. Middlesex Centre Zoning By-law Amendment

This section of the report provides the outline and intent of each of the proposed applications, to be further analyzed with regard to the applicable policies throughout the report.

#### **Middlesex Centre Official Plan Amendment**

To permit the Proposed Development of the Site, an Official Plan Amendment to the Middlesex Centre Official Plan is required to permit a second dwelling unit on the existing agricultural lot in a secondary structure, whereas second dwelling units are otherwise permitted only within the primary residential dwelling.

#### **Municipality of Middlesex Centre Zoning By-law Amendment**

To permit the Proposed Development, a Zoning By-law Amendment is required for two purposes:

1. To permit a second dwelling unit on the existing lot in the form of a one-unit apartment dwelling, defined in the Zoning By-law as:

*2.55 (a) APARTMENT DWELLING means a dwelling unit contained within an apartment building, or a dwelling unit contained within a building which may have one or more permitted uses other than residential on the first floor.*

2. To permit an ambulatory mobile veterinarian clinic as an agriculture-related use. This requires a new definition for the Zoning By-law, proposed as:

*AMBULATORY MOBILE VETERINARIAN HOSPITAL means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site.*

3. To permit the second dwelling unit to have a maximum gross floor area of 120 square metres.

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## 4 TECHNICAL STUDIES

This section of the report provides a summary of the supporting technical studies to the Applications and how they affect the Proposed Development. For more detail, refer to the respective attached studies.

### 4-1 SITE SERVICING REPORT

GRIT Engineering was retained by the Owners to complete a Functional Servicing Brief in support of the Applications. The Brief provides a summary of the general servicing strategy, including the requirement for a new septic bed and the use the existing well.



## 5 PLANNING POLICY FRAMEWORK

This section of the Planning Justification Report provides an overview of the relevant planning policies to the Proposed Development and Applications. An analysis of the policies and regulations is provided within each section below.

### 5-1 PLANNING ACT

The *Planning Act, R.S.O. 1990, CHAPTER P.13*, provides provincial legislation that “sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.”

Section 2 of the Planning Act (“the Act”) outlines the matters of provincial interest that the council of a municipality, a planning board and the Local Planning Appeal Tribunal shall have regard to in carrying out their responsibilities under the Act. The following table provides a summary of the provincial interests, along with an analysis as it relates to the Proposed Development and the subject Applications.

**Table 5-1: Summary of Provincial Interest**

Section	Provincial Interest	Analysis
a)	the protection of ecological systems, including natural areas, features and functions	All land involved with the Proposed Development is located outside any natural feature and function and the required buffers.
b)	the protection of the agricultural resources of the Province	The Site is used for agricultural purposes, however, agriculture-related uses are permitted in the PPS. Nevertheless, the Proposed Development occupies a small portion of the land not currently used for agriculture. The Minimum Distance Separation calculations demonstrate that the proposed use will not create further limitations on the construction of livestock facilities on surrounding agricultural properties.
c)	the conservation and management of natural resources and the mineral resource base	The Site is not identified as having mineral or natural resources that would be affected by the Proposed Development.
d)	the conservation of features of significant architectural, cultural, historical,	The Site is not identified as having significant architectural, cultural, historical, archaeological or scientific interest.

Section	Provincial Interest	Analysis
	archaeological or scientific interest	
e)	the supply, efficient use and conservation of energy and water	The Proposed Development can utilize the existing private well on the Site.
f)	the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	<ul style="list-style-type: none"> <li>• Communication services are available to the Site.</li> <li>• Adequate road access is provided, conforming to all relevant standards.</li> <li>• Development on the Site can be adequately serviced by private water and septic.</li> <li>• Development on the Site will be designed such that waste management can be accommodated.</li> </ul>
g)	the minimization of waste	The Owners will explore opportunities to minimize waste through the construction process, should the application be approved.
h)	the orderly development of safe and healthy communities	The Proposed Development will have safe vehicle access to Fifteen Mile Road and does not present any obstacles to the safety and health of the community.
h.1)	the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	The Proposed Development, at a high level, is accessible to individuals of all abilities. Through future planning applications, including any necessary Site Plan Agreements and Building Permit Applications, accessibility will be addressed at a more specific level.
i)	the adequate provision and distribution of educational, health, social, cultural and recreational facilities	The Proposed Development contributes to the community as a livestock care and treatment resource.
j)	the adequate provision of a full range of housing, including affordable housing	The Proposed Development provides for the opportunity to add an additional residential dwelling to diversify the housing options and increase affordability in Middlesex Centre.
k)	the adequate provision of employment opportunities	The proposed ambulatory mobile veterinarian clinic will contribute to employment opportunities.

Section	Provincial Interest	Analysis
l)	the protection of the financial and economic well-being of the Province and its municipalities	The efficient use of land and development of an agriculture-related use on an underutilized portion of the land contributes to the financial and economic well-being of the province and municipality.
m)	the co-ordination of planning activities of public bodies	To be addressed through the circulation of the planning applications to applicable public bodies.
n)	the resolution of planning conflicts involving public and private interests	Planning conflicts involving public and private interests have not been identified.
o)	the protection of public health and safety	<ul style="list-style-type: none"> <li>• The proposed uses will be safely privately serviced.</li> <li>• The Proposed Development will not generate significant traffic, with no visitors/customers visiting the Site.</li> </ul>
p)	the appropriate location of growth and development	<p>The Site is designated and zoned for agricultural uses. As detailed in Section 5-2 of this report, agriculture-related uses are permitted in these areas.</p> <p>The Proposed Development will support an essential service for farming and livestock operations, benefitting from locating in an agricultural area, proximate to probable clientele.</p>
q)	the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	Public transit is not available in the surrounding area. Adding an additional dwelling unit on the Site promotes ride-sharing opportunities.
r)	the promotion of built form that:	The Proposed Development will ultimately affect the character of the Site and area insignificantly, maintaining the existing rural character of the area.
r.i)	is well-designed	
r.ii)	encourages a sense of place	
r.iii)	provides for public spaces that are of high quality, safe,	No public spaces are proposed as part of this development.

Section	Provincial Interest	Analysis
	accessible, attractive and vibrant	
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate	Locating the Proposed Development in the agricultural area, as opposed to an urban settlement, likely will result in shorter vehicle trips, contributing to the mitigation of climate change.

In summary, the Proposed Development and implementing Applications have regard for matters of public interest by supporting the surrounding agricultural uses while effectively implementing an agriculture-related use consistent with provincial policy.

## 5-2 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement, 2020 ("PPS") is a province-wide policy document that sets the foundation for regulating development and the use of land. The PPS is issued under Section 3 of the Planning Act. The PPS "provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment." The document is to be read in its entirety and all relevant policies are to be considered. Municipal official plans are the most important vehicle for implementing the PPS and for achieving comprehensive, integrated and long-term planning.

Section 1.1 of the PPS outlines the general policies for the development of efficient and resilient land use patterns and growth. Specifically, Section 1.1.1 outlines the policies to create sustainable, healthy, liveable and safe communities, including:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

Section 1.1.4 outlines policies to support the importance of rural areas. Section 1.1.4.1 identifies healthy, integrated and viable rural areas should be supported by, including but not limited to:

- a) building upon rural character, and leveraging rural amenities and assets;
- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- e) using rural infrastructure and public service facilities efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; and
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

Section 1.1.5 further details policies for development on rural lands, including permitting uses of residential development, agricultural uses, and agriculture-related uses. Policy 1.1.5.8 provides that new land uses shall comply with the minimum distance separation formulae.

Section 1.4 of the PPS details policies for housing, including that planning authorities are to provide for an appropriate range and mix of housing options. To this end, Policy 1.4.3 (b) directs authorities to permit and facilitate:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

Section 2.3.3.1 of the PPS states that in prime agricultural areas, permitted uses and activities include agricultural uses, agriculture-related uses and on-farm diversified uses. The PPS defines an "agricultural-related use" as:

*"Those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity."*

Agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

Section 1.7 of the PPS provides a detailed list of policies to support long-term economic prosperity in the Province, and includes:

- a) promoting opportunities for economic development and community investment-readiness; and

- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.

#### Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, 2016

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) document Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas ("Guidelines") was written to provide additional guidance for "municipalities, decision-makers, farmers and others (to) interpret the policies in the Provincial Policy Statement, 2020 (PPS) on the uses that are permitted in prime agricultural areas." It specifically addresses the permission in the PPS for agriculture-related uses within prime agricultural areas.

Section 1.3 outlines that the criteria for the uses permitted in *prime agricultural areas* revolve around two key objectives:

1. maintaining the land base for agriculture (PPS Policy 2.3.1)
2. supporting a thriving agricultural industry and rural economy (PPS Vision and PPS Policy 1.1.4).

Section 2.2 of the Guidelines provides a summary of the ways in which agriculture-related uses contribute to the vitality and economic viability of prime agricultural areas because they are directly related to and service farm operations in the area as a primary activity. The Guidelines provide for a detailed set of criteria to evaluate whether a proposed use is considered to be agriculture-related.

The following table provides a summary of the Guidelines' criteria in relation to the proposed ambulatory mobile veterinarian clinic:

**Table 5-2: PPS Criteria for Agriculture-Related Uses**

S. 2.2.1.	Criteria	Analysis
1	Farm-related commercial and farm-related industrial uses	Section 2.2.1.1 provides that "farm-related commercial uses may include uses such as retailing of agriculture-related products (e.g., farm supply co-ops, farmers' markets and retailers of value-added products like wine or cider made from produce grown in the area), livestock assembly yards and farm equipment repair shops if they meet all the criteria for this category of uses." It is our opinion that the Proposed Development is consistent with this definition as it will provide a service essential to the livestock operations such as the examples given.
2	Shall be compatible with	The Proposed Development would not impair or convenience the ability for the surrounding agricultural operations to

S. 2.2.1.	Criteria	Analysis
	and shall not hinder surrounding agricultural operations	<p>pursue their agricultural practices. It is our opinion that the proposed use would not significantly contribute to noise, odour, traffic, or other sources of conflict.</p> <p>The Proposed Development is appropriate for the available rural services, including private water and septic servicing. There is no need for public services that would be exclusively found in a settlement area.</p> <p>The proposed development does not detract from the agricultural character of the area as the land subject to rezoning/development is minor in comparison to the overall property. The proposed structure is setback approximately 120 metres from the public road</p> <p>The cumulative impact of the proposal is limited and will not undermine the agricultural nature of the area or give rise to issues regarding traffic, noise, odour, or safety considerations.</p> <p>The proposed building complies with the required MDS setbacks.</p>
3	Directly related to farm operations in the area	<p>The proposed ambulatory mobile veterinarian clinic will support the treatment and medical care of livestock in the area, directly related and beneficial to the farming operations of the area. Direct proximity is important for efficient access to and from the farms which this operation will service.</p>
4	Supports agriculture	<p>The proposed ambulatory mobile veterinarian clinic will support agriculture by providing livestock care as its primary activity.</p>
5	Provides direct products and/or services to farm operations as a primary activity	<p>The proposed use will directly service area farm operations by providing livestock care as its primary activity.</p>
6	Benefits from being in close proximity to farm operations	<p>Proximity to farming operations responsible for livestock is an important factor to increase efficiency of transportation times. An equivalent ambulatory mobile veterinarian clinic operation in the nearest settlement area would likely result in longer transport time and increased emissions, as well as being less compatible with the predominantly residential character of the settlement areas.</p>

Section 2.5 addresses tools for municipalities to implement the PPS permitted uses policies. Section 2.5.1 outlines that local official plans are the most important tool for implementing the PPS and the Guidelines with respect to agriculture-related uses.

## Planning Analysis

The Proposed Development and implementing Applications are consistent with the PPS and have regard for the applicable policies and guidelines as outlined above.

The Proposed Development provides a service that supports livestock farming operations through the provision of veterinary care, a use which meets the criteria for an agriculture-related use. It also provides for an additional residential unit on the Site, making efficient use of the land and proposed structure.

There are no natural heritage or significant natural features on the Site that would be affected by the Proposed Development. There is no anticipated significant increase in noise or traffic due to the proposed use due to the infrequency of vehicle ingress and egress.

The Proposed Development is compatible with the surrounding agriculture character and does not hinder nor impact area agricultural operations. The agriculture-related use will assist in supporting and sustaining the local agricultural system, particularly livestock operators. As such, it is our opinion that the proposed development is consistent with the PPS and related guidelines.

### 5-3 MINIMUM DISTANCE SEPARATION, 2014

The Minimum Distance Separation (MDS) Document is a land use planning tool developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to prevent land use conflicts and minimize nuisance complaints from odour. The MDS Document consists of a set of guidelines that provide setbacks between sensitive land uses and livestock facilities. As the Site is located adjacent to an agricultural area and the Official Plan Amendment seeks to expand the settlement area, the evaluation of MDS is required by the PPS (Section 1.1.3.8).

Guideline #2 states that minimum distance separation distances between a new sensitive land use and an existing livestock facility shall comply with the MDS I Guidelines. Guideline #8 and #10 provide that MDS I setbacks are necessary for lot creation and/or Official Plan and Zoning By-law Amendments. Guideline #33 and #34 define land uses which are Type A (Less Sensitive) or Type B (More Sensitive).

The uses within Proposed Development fall into the Type B (More Sensitive) category as they are characterized by a higher density of human occupancy, habitation, and activity. With the above noted, the MDS I calculations were carried out and found that the Site to be within the MDS buffer of one odour sources.



#### 5-4 COUNTY OF MIDDLESEX OFFICIAL PLAN, 2006

The purpose of the County of Middlesex Official Plan ("County OP") as stated in Section 1.3, is that it is one tool to be used in working towards a long-term vision for the County. The County OP establishes an upper tier policy framework, providing guidance to local municipalities in preparation of Official Plans and Zoning By-laws.

The Site is designated as "Agricultural Area" on Schedule A of the County OP. Policies for Agricultural Areas are provided in Section 3.3 of the County OP including permitted uses which include agricultural and related uses, and "up to two farm residences provided the second farm residence is a temporary residential unit."

Section 2.3 of the County OP sets out the framework for growth management in the County, with Section 2.3.4 thereof providing policies for economic development which encourage provision of a mix of housing to ensure a sufficient labour force and reduce need for commuting. Section 2.3.7 provides further general policies on housing including supporting intensification in forms such as conversion of detached dwellings to multiple units and permitting apartments in houses, subject to appropriate criteria and conditions.

Section 2.3.9 identifies policies for the Agricultural Area with relation to growth management, and states that, in addition to the policies of Section 3.3.5, agriculture-related uses shall be directed to Settlement Areas except where they are essential to the functioning of agriculture, require a location in close proximity to agriculture, or would cause conflicts in Settlement Areas.

Section 3.3.5 of the County OP addresses farm related commercial and industrial uses in more detail, providing that such developments, including those directly related to veterinary clinics, are permitted provided the following policies are considered:

- a) the commercial or industrial operation cannot reasonably be located in a Settlement Area and must be located in proximity to farming activities;
- b) such uses shall be located to conform with the Minimum Distance Separation Formula;
- c) an amendment to the Zoning By-law is approved;
- d) the commercial or industrial use shall not require large volumes of water nor generate large volumes of effluent and shall be serviced with appropriate water supply and sewage treatment facilities;
- e) commercial and industrial uses shall be located and designed to minimize potential adverse impacts upon adjacent residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout;
- f) the location of commercial and industrial uses must provide for a minimum sight distances from the access points in either direction along a County or local road; and
- g) the site plan policies of the local official plan.

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## Planning Analysis

It is our opinion that the Proposed Development, including the additional dwelling unit and ambulatory mobile veterinarian clinic, conforms to the County OP. The proposed ambulatory mobile veterinarian clinic use is supported among the other possible agriculture-related uses, subject to appropriate conditions addressed in other related policies, such as through Zoning By-law Amendment and Minimum Distance Separation Formulae, as addressed in this report.

The County OP is generally supportive of intensification where it can be appropriately managed, directing local municipalities to provide policies enabling additional apartment dwelling(s). Accordingly, it is our opinion that the Proposed Development conforms with the general intent and vision of the County OP.

### 5-5 OFFICIAL PLAN OF THE MUNICIPALITY OF MIDDLESEX CENTRE, 2018

The Official Plan of the Municipality of Middlesex Centre, 2018 ("OP") is intended "to provide for the orderly growth and development of the Municipality and provide guidance in the management of change" and provides goals and policies to do so (Section 1.2).

The Site is designated "Agriculture" in the Middlesex Centre Official Plan and has a "Floodplain" overlay on account of the watercourse at the southeast of the Site. However, the floodplain does not apply to the area of the Site subject to development.

Section 2.0 of the OP addresses goals and policies for lands in the Agriculture designation. The goals for the designation include protecting these areas from interference or encroachment from conflicting land uses and enhancing the economic viability of farm operations wherever possible.

Policy 2.2(a) provides that non-agricultural urban uses within agricultural areas are prohibited, unless specifically permitted within Section 2.0 of the OP. Section 2.3 specifically identifies the permitted uses, identifying that agriculture and agriculture-related uses are the predominant uses. Section 12.0 of the OP defines *Agriculture-Related Uses* as:

*Agriculture-Related Uses are defined as farm-related commercial and farm related industrial uses that are directly related to a farm operation, and are small in scale.*

Criteria for the approval of a new agriculture-related use are set out in Section 2.4 and must be approved through Zoning By-law Amendment. These criteria are as follows:

**Table 5-3: Criteria for Agriculture-Related Uses (Section 2.4)**

Criteria	Analysis
a) The loss of productive farm land in the accommodating of such uses, shall be discouraged. Uses will be encouraged to locate on lands of lower soil capability or lands proven to be unsuitable for farming due to lot size, shape or topography.	The Proposed Development is situated on a portion of the agricultural land which is not used directly for farming or agricultural activities. The area where it is to be located is currently occupied by manicured lawn, and due to the configuration of existing trees, could not be used for productive agriculture.
b) The amount of land devoted to the use shall include only the minimum necessary to support the use and its servicing needs.	The Proposed Development is minimal in nature, utilizing the existing gravel parking and being small in nature, in comparison to the scale of the Site, with the proposed structure comprising only 0.09% of the Site. The supporting septic bed is designed to be an appropriate size for the scale of the use. Water and vehicle access are provided through existing infrastructure.
c) The use must not require municipal sewer or water services. The method of servicing shall require approval by the appropriate regulatory bodies. Any industrial use shall be "dry" in nature.	The Proposed Development will be privately serviced through existing and proposed infrastructure as noted above.
d) Access shall be available from a public road of reasonable construction and year round maintenance. Development is encouraged on a hard-surface, dust-free road.	Access is accommodated from Fifteen Mile Road, which is gravel, typical of the existing roads in agricultural areas. Substantial traffic is not anticipated as a result of the proposed use.
e) A site plan agreement shall be entered into with the Municipality. Such an agreement will require particulars relating to, at a minimum, access, traffic, drainage, and grading.	To be addressed following approval of the current Applications.
g) Compliance with minimum distance separation shall be required where a proposed agriculturally related commercial or industrial use is in proximity to livestock and/or poultry operations. The Municipality may	As outlined in Section 5-3 of this Report, the proposal complies with the MDS setback.

Criteria	Analysis
<p>exercise discretion, through the consideration of Minor Variance applications, based on the proposed type of commercial or industrial use, and the extent of its sensitivity to agricultural activities. Input from the appropriate agencies with respect to Minor Variance request will be sought by the Municipality. This Plan recognizes that such agriculturally related commercial or industrial uses may also have negative impacts on adjacent agricultural operations. Minimum distance separation shall also be used to address impact of such uses on sensitive agricultural uses.</p>	
<p>h) Adequate separation distances and buffering shall be required where such uses are proposed adjacent to existing residential or other sensitive uses. Adequate visual buffering or landscaping will be required where such uses may generally impact the agricultural or rural character of the Municipality.</p>	<p>There are no residential uses in the area other than the existing detached dwelling and the proposed apartment dwelling. It is our opinion that the uses are compatible and will not lead to unacceptable adverse effects. The Proposed Development will generally be screened from the public road and neighbouring properties due to vegetation.</p>

Section 9.6 of the OP permits the conversion of an existing principal farm dwelling to add a second unit, subject to the requirements of the Zoning By-law. However, second units must be accommodated within the existing building and cannot require an addition to facilitate the conversion.

Section 10.1 provides the minimum criteria for consideration by the Municipality when reviewing an application to amend the OP:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?
- d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?

- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

## Planning Analysis

To facilitate the Proposed Development, an Official Plan Amendment is required to permit the second residential unit on the lands through site-specific permissions expanding upon Section 9.6 of the OP, which permits second units where additions to existing buildings are not required.

### Proposed Official Plan Amendment

*Notwithstanding policies to the contrary, a second dwelling unit is permitted, provided it is accessed from the existing driveway and is located proximate to the primary dwelling unit.*

It is our opinion that the general intent of the OP is upheld through the Proposed Development. Agriculture-related uses are permitted subject to the criteria described above, which is met by the Proposed Development. Since a new structure is required to facilitate the proposed use, adding an additional dwelling unit through this opportunity is an efficient use of land and resources. This approach is consistent with the PPS, where opportunities for residential intensification and additional residential units are supported. Further, the County OP supports a mix of housing to ensure a sufficient labour force and reduce need for commuting.

The Proposed Development does not affect the demand for municipal services, as it will be serviced privately and is not expected to generate significant traffic. The proposed use does not interfere with or encroach upon the existing agricultural uses as the Proposed Development is located on a portion of land not directly used for agriculture. No negative impacts to surrounding land uses, traffic, infrastructure, the character of the area, or the natural environment.

It is our opinion that the Proposed Development conforms to the OP and represents good land use planning.

## **5-5 DRAFT OFFICIAL PLAN OF THE MUNICIPALITY OF MIDDLESEX CENTRE, 2022**

The Municipality of Middlesex Centre adopted a new Official Plan on 2018 ("New OP"). The Site continues to be designated as "Agriculture"; however additional policies have been included that further support the Proposed Development (red denotes new policy text):

- 2.1 g) To promote and encourage a wide range and scale of on-farm diversified uses and **agriculture-related businesses**, in accordance with provincial guidelines, which provide the opportunity for farm operators to earn a supplementary income in a manner that minimizes the use of prime agricultural lands.
- 2.4 **Proposals for Agriculture-Related Uses within the Agriculture designation shall require a zoning by-law amendment to permit the specific use proposed and to establish development standards appropriate for the proposal. Proposals** shall be compatible with surrounding agricultural areas and shall be subject to Site Plan Control under Section 10.5 of this Plan, having regard for the Municipality’s Site Plan Manual and Urban Design Guidelines.
- 2.4 e) **The nature of the use shall be directly related to farm operations in the area and shall provide direct products or services to farm operations as a primary activity (e.g. food processing, grain drying facility, mill, abattoir, etc.).**

**5-7 MUNICIPALITY OF MIDDLESEX CENTRE COMPREHENSIVE ZONING BY-LAW NO. 2005-005**

The Middlesex Centre Zoning By-law zones the Site as “Agricultural (A1)”. The A1 zone permits uses including but not limited to: agriculture, accessory uses, dog kennels, riding schools, and single detached dwellings. For a complete list, see Section 5.1 of the Zoning By-law. Agriculture-related uses are permitted, as identified in the OP, subject to a Zoning By-law Amendment adherent to the criteria of Section 2.4 of the OP.

The A1 zone provides a set of zoning regulations for the Site. The Proposed Development’s compliance with these regulations is outlined in the following table.

**Table 5-4: A1 Zone Regulations**

Regulation (Minimum unless otherwise stated)	A1	Proposed Development	Complies?
Lot Area	40.0 ha	43.6 ha	Yes
Lot Frontage	300.0 m	617.0 m	Yes
Front Yard	6 m	120.5 m	Yes
Side Yard (Dwellings)	3.0 m	198.4 m	Yes
Side Yard (Other Use)	4.5 m	234.7 m	Yes
Rear yard	8.0 m	558.2 m	Yes
Floor Area (Single Detached Dwelling)	90.0 sq.m	> 90 sq.m	Yes

Regulation (Minimum unless otherwise stated)	A1	Proposed Development	Complies?
Maximum Height	12.0 m	<12.0 m	Yes
Maximum Lot Coverage	20%	< 20%	Yes
Maximum Number of Dwelling per Lot	1	2	Yes

To permit the Proposed Development, a Zoning By-law Amendment is required for two purposes:

1. To permit a second dwelling unit on the existing lot in the form of a one-unit apartment dwelling, defined in the Zoning By-law as:

*2.55 (a) APARTMENT DWELLING means a dwelling unit contained within an apartment building, or a dwelling unit contained within a building which may have one or more permitted uses other than residential on the first floor.*

2. To permit an ambulatory mobile veterinarian clinic as an agriculture-related use. This requires a new definition for the Zoning By-law, proposed as:

*AMBULATORY MOBILE VETERINARIAN HOSPITAL means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site.*

3. To permit the second dwelling unit to have a maximum gross floor area of 120 square metres.

The intent of the site-specific provisions for the second dwelling unit GFA is to ensure that the unit is clearly secondary and ancillary to the primary dwelling unit on the Site. The proposed floor area equates to 55% of the floor area of the primary dwelling unit, while providing for a size that is suitable for the family to allow for aging-in-place and the transition of the farm property to the next generation. The second dwelling unit is located proximate to the existing dwelling and shares the existing driveway. In combination with the second dwelling unit being located in the proposed accessory building (farm storage and ambulatory mobile veterinarian hospital), the unit could not be severed from the farm unit.

## 6 SUMMARY

The Owners of the land municipally known as 12577 Fifteen Mile Road, Denfield, Ontario is proposing Applications to permit an agriculture-related use being an ambulatory mobile veterinarian clinic and a second dwelling unit within the same structure. To permit the Proposed Development, the Owner applies for Municipality of Middlesex Centre Official Plan and Zoning By-law Amendment Applications.

It is our professional opinion that the Proposed Development and implementing Applications, in evaluating the inter-relationship between provincial, county, and local planning policies, represent good land use planning, are appropriate, and are in the public interest. This opinion is supported by the following.

The proposed secondary dwelling unit is consistent with the PPS as it improves local housing options in the area and reduces commute times. The ambulatory mobile veterinarian clinic is an appropriate agriculture-related use in accordance with provincial, county and local policy. The use will support the surrounding agricultural operations and benefit from the close proximity. Both proposed uses are compatible with the Site and area, further evidenced by compliance with the MDS Guidelines.

The Proposed Development has regard for matters of provincial interest, representing safe and orderly development, and generally conforming to local planning policies. Further, it is consistent with the PPS, efficiently using land and resources, providing for a mix of housing types, having regard for land use compatibility, and being consistent with policies on agriculture-related uses. The Proposed Development does not impact the existing farming operations on the Site, as it is located on a portion not used for agriculture.

Finally, the Proposed Development generally conforms to the County and local Official Plans, where second dwelling units on farms are contemplated. It is our opinion that the proposed expansion of this permission to support an apartment unit in the same building as the agriculture-related use is logical, efficient, and represents good land use planning.