



**Municipality of Middlesex Centre
BY-LAW 2023-061**

Being a By-Law of the Corporation of the Municipality of Middlesex Centre to adopt Amendment No. 62 to the Official Plan of Middlesex Centre

WHEREAS the Council of the Municipality of Middlesex Centre deems it advisable to amend the Middlesex Centre Official Plan;

AND WHEREAS this amendment is consistent with the Provincial Policy Statement, 2020 and is in conformity with the County of Middlesex Official Plan;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Middlesex Centre, in accordance with the provisions of Section 21 of the *Planning Act*, R.S.O. 1990, c. P. 13, hereby enacts as follows:

1. Amendment No. 62 to the Official Plan of the Municipality of Middlesex Centre consisting of the attached text and map schedule is hereby adopted.
2. The Clerk is hereby authorized to make application to the County of Middlesex for approval of the aforementioned Amendment No. 62 to the Official Plan of the Municipality of Middlesex Centre.
3. The By-Law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 17th day of May, 2023.

Aina DeViet, Mayor

James Hutson, Municipal Clerk

AMENDMENT NO. 62

TO

THE OFFICIAL PLAN

OF THE

Municipality of Middlesex Centre

Location: The subject property is located on the south side of Gideon Drive (County Road 3) and east of Brigham Road. The subject property is municipally known as 708 and 714 Gideon Drive, and legally described as Concession Gore Pt Lot A Reg Comp Plan 429 Lot 36 RP 34R540 Part 2 (geographic Township of Delaware), Municipality of Middlesex Centre.

Date: May 17, 2023

Approval Authority: County of Middlesex

AMENDMENT NO. 62

To the Official Plan of the Municipality of Middlesex Centre

The attached, constituting Amendment No. 62 to the Official Plan of the Municipality of Middlesex Centre, as authorized by the provisions of Section 22 of the Planning Act, R.S.O. 1990, c.P.13, was adopted by Council of the Municipality of Middlesex Centre by By-law 2023-061 on the 17th day of May 2023, in accordance with the Planning Act, R.S.O. 1990, c.P.13.

Aina DeViet
Mayor

James Hutson
Municipal Clerk

AMENDMENT NO. 62

To the Official Plan of the Municipality of Middlesex Centre

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of the text which constitutes Amendment No. 62

PART C - THE APPENDICES - do not constitute part of this Amendment.

AMENDMENT NO. 62

To the Official Plan of the Municipality of Middlesex Centre

PART A - THE PREAMBLE

1.0 PURPOSE AND EFFECT

The purpose and effect of the Official Plan Amendment application is to re-designate the subject property from the Agricultural designation to an Agricultural Special Policy Area designation to allow the development of a recreational facility, sports fields and medical clinic.

2.0 LOCATION

The subject property is a vacant parcel located on the south side of Gideon Drive (County Road 3) and east of Brigham Road. The subject property is legally described as Concession Gore Pt Lot A Reg Comp Plan 429 Lot 36 RP 34R540 Part 2 (geographic Township of Delaware), Municipality of Middlesex Centre, and known municipally as 708 and 714 Gideon Drive.

3.0 BASIS OF THE AMENDMENT

The Planning Act requires all decisions made under the Act “be consistent with” the Provincial Policy Statement, 2020 (PPS). Under the PPS, prime agricultural areas are defined as areas where prime agricultural lands predominate. In such areas, permitted uses and activities according to the PPS include: agricultural uses, agriculture-related uses and on-farm diversified uses. Notwithstanding, the PPS provides policy direction to planning authorities to permit non-residential uses in prime agricultural areas provided the following are demonstrated:

1. The land does not comprise a specialty crop area
2. The proposed use complies with the minimum distance separation formulae
3. There is an identified need within the planning horizon provided for in policy 1.1.2 of the PPS for additional land to accommodate the propose use; and
4. Alternative locations have been evaluated and there is no reasonable alternative locations with avoid prime agricultural areas; and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

The proposed development satisfies the criteria of the PPS as the lands do not comprise a specialty crop area, and are not within proximity to a livestock operation, thus alleviating the requirement for Minimum Distance Separation (MDS) compliance. Alternative locations within the settlement area were evaluated, however, they were limited in size and without direct access to an arterial road. Further, the lands have previously been used for recreational uses and zoned ‘Parks and Recreation (PR)’ within the Comprehensive Zoning By-law, and the proposed development would not result in the loss of active agricultural land. Further, the proposed development requires a larger amount of land that is typically not found within settlement areas in the Municipality.

According to the County Official Plan and Middlesex Centre Official Plan, the subject lands are within the Agricultural Area designation. Permitted uses within this designation include agricultural as well as some non-agriculture related uses including public and private open space and recreation facilities. The County Official Plan provides direction to permit the continuation, expansion or enlargement of uses that do not conform to the designation of the Official Plan and that municipalities may continue to permit the use if it does not have adverse effect on current surrounding lands, have regard for the MDS formula and be subject to any conditions in a local official plan. Further, economic development is a key component of the County’s goals and objectives. The County Official Plan supports the retention of institutional and commercial facilities that support communities and add economic vitality.

PART B - THE AMENDMENT

4.0 DETAILS OF THE AMENDMENT

The document known as the Official Plan of the Municipality of Middlesex Centre is hereby amended:

- i. By amending Section 11.0 of the Official Plan by inserting the following new subsection:

“SPA #43”

The land identified as Special Policy Area #43, as shown on Schedule ‘A’ to this Official Plan, shall be subject to the following policy:

Notwithstanding any other section of the Official Plan, recreational uses (including buildings and use of the land) and a medical clinic may be permitted in addition to uses permitted within the Agriculture designation.

Severance of the land shall be prohibited which separates the medical clinic from the recreational use”

- ii. By amending Schedule ‘A’ of the Official Plan the designation on the land described as Concession Gore Pt Lot A Reg Comp Plan 429 Lot 36 RP 34R540 Part 2 (geographic Township of Delaware), Municipality of Middlesex Centre as shown and defined on Schedule ‘A’ to this amendment, from Agricultural to Special Policy Area # 43.

SCHEDULE A: TO OFFICIAL PLAN AMENDMENT #60



SCHEDULE A: LAND USE PLAN

MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN



LEGEND

- Special Policy Area #43
- Settlement Boundary
- Municipal Boundary

Official Plan Designation

- Agriculture
- Residential
- Natural Environment

NOTE: Schedules should be read in conjunction with applicable policies of the Plan and other Schedules

