



21631 HYDE PARK ROAD

PLANNING JUSTIFICATION **REPORT**

Zoning By-law Amendment Application

[siv-ik] PLANNING
/ DESIGN



VERSION 1.0

ISSUED

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1.0 INTRODUCTION

This report has been prepared by Siv-ik Planning & Design Inc. for Hyde Park Equipment Ltd. in support of a Zoning By-law Amendment Application for a portion of the lands municipally known as 21631 Hyde Park Road in the Municipality of Middlesex Centre. This report provides an independent professional analysis and opinion regarding the merits of the proposed Zoning By-law Amendment, and has been prepared, in part to satisfy the Municipality's complete application requirements. The report explains how the proposed Zoning By-law Amendment aligns with the objectives of the Provincial Policy Statement (2020) the Middlesex County Official Plan, the Middlesex Centre Official Plan, represents sound planning and is in the public interest.

The purpose of the proposed Zoning By-law Amendment is to facilitate the development of a *farm equipment sales and service establishment* (approximately 21,377sf of gross floor area) on a portion of the subject property, located at the corner of Hyde Park Road and Medway Road (approximately 3.46ha). From a technical perspective, the Zoning By-law Amendment seeks to rezone the land from the Agricultural (A1) Zone to the Farm Industrial (M3-X) Zone to allow for a limited range of farm related commercial/industrial uses, namely a farm equipment sales and service establishment. Additionally, the rezoning proposes a reduced minimum lot size requirement for the remaining A1 zone to facilitate the severance of the farm equipment sales and service establishment from the agricultural parcel.

Figure 1: Site Overview



The project site is municipally identified as 21631 Hyde Park Road in the Municipality of Middlesex Centre. The proposed Zoning By-law Amendment mainly applies to the portion of the property that is intended to be developed with the new farm equipment sales and service establishment. The farm equipment sales and service establishment is intended to be severed from the balance of the agricultural lands at some future point in the development process. The remnant agricultural lands are largely used for mixed-crop cultivation in addition to a farm dwelling and outbuildings accessed from Hyde Park Road, located centrally on the property. The portion of the lands subject to development, is generally referred to as “the project site” and is located at the intersection of Hyde Park Road and Medway Road, which are both County Roads and identified as Arterial Roads as per Schedule B of the County of Middlesex Official Plan. The project site is located approximately 750m north of the City of London municipal boundary, and 4.5km south of the Town of Ilderton. The project site is approximately 3.46ha (8.56 acres) in size, rectangular in shape, with an approximate frontage of 152m along Medway Road and 191m along Hyde Park Road.

Additional details about the site and the context are summarized in *Table 1* below.

Table 1: Site Statistics

Project Site Attributes	
Site Area	3.46 hectares (8.56 acres)
Frontage	152.2 metres (Medway Road)
Depth	206.0 metres
Existing Use(s)	Agriculture
Servicing	Private On-Site Water and Sanitary Services.
Existing Zoning	Agricultural (A1)
Official Plan (County of Middlesex)	Agricultural Areas
Official Plan (Middlesex Centre)	Agriculture

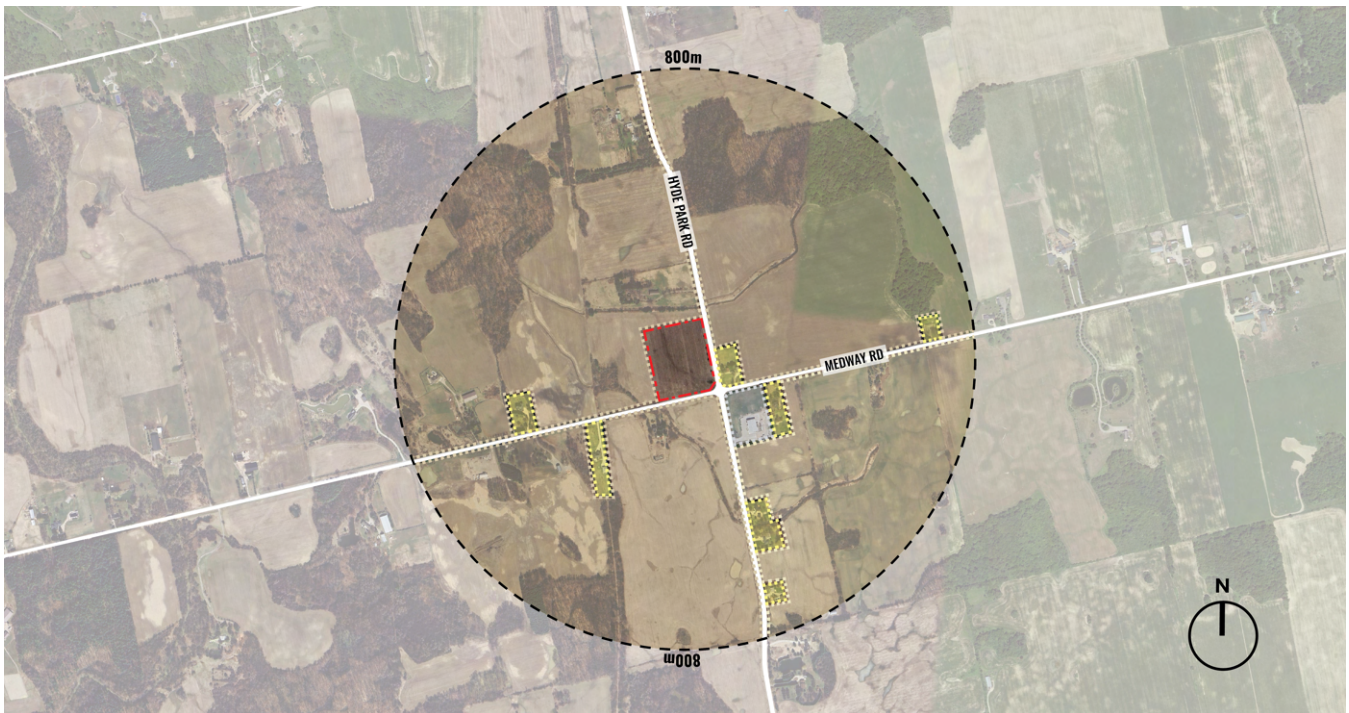
Note: A “Conceptual Site Plan” has been prepared by Siv-ik Planning & Design Inc. and is attached as Appendix ‘A’ to this report for further reference. The existing conditions information has been prepared based on publicly available data from the County of Middlesex.

2.0 SITE CONTEXT

2.1 Surrounding Land Use

The project site is located within a rural context, with land uses consisting mainly of active farmland, farm dwellings, woodlots, and farm industrial operations. The majority of lands surrounding the project site are actively being used for mixed-crop cultivation on large lots, with farm residences being located at varying distances, ranging from 16m to 160m from the road right-of-way. The lands are located 750m north of the City of London municipal boundary and 4.5km south of the Town of Ilderton. An existing farm equipment sales and service establishment (i.e., Huron Tractor) is situated at 21550 Hyde Park Road, at the southeast corner of Hyde Park Road and Medway Road. The facility is of a similar size and configuration to what is ultimately being proposed on the project site. The main building is set back approximately 42m from Hyde Park Road, and consists of a large building, associated surface parking lot, and large areas for the purposes of equipment display and demonstration, with a sizeable area dedicated to open storage located behind the building.

Figure 2: Surrounding Land Use Map (800m)



LEGEND

- Agriculture
- Single-Detached Residential
- Farm Industrial
- Site Boundary

2.2 Site Analysis

The site represents a 3.46 hectare (8.56 acre) portion of a larger (21.6ha) agricultural property with frontage on both Hyde Park Road and Medway Road. Currently, the site is primarily flat and used for mixed-crop cultivation, with minimal vegetation and no existing buildings.

Hyde Park Road and Medway Road are designated as Arterial/County Roads in the Middlesex County Official Plan, operating as rural 2-lane roads with gravel shoulders and no sidewalks. The intersection of these roads is signalized.

Although two small drains cross the larger parcel, they do not intersect with the project site. Portions of the Upper Thames River Conservation Authority (UTRCA) Regulated Area apply to the site, with design considerations made to avoid development in those areas.

Regarding servicing, there is no municipal or sanitary servicing available for the site. However, neighbouring properties with similar needs utilize private water and sanitary systems. Stormwater ditches are present along Hyde Park Road and Medway Road for drainage purposes.

Figure 3: Site Analysis



LEGEND

- ◄► Existing Access
- ◉ Signalized Intersection
- Site Boundary
- ◉ UTRCA Regulated Area
- County Road

3.0 POLICY AND REGULATORY FRAMEWORK

The following section of this report provides an overview of the applicable planning policy & regulatory framework that currently guides land use and development on the subject site. In this case, the key applicable statutory documents include the Provincial Policy Statement (2020), the County of Middlesex Official Plan, the Middlesex Centre Official Plan and the Middlesex Centre Zoning By-law 2005-005. The following policies and regulations inform and guide the professional analysis of the proposal provided in Section 5.0 below.

3.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development. The PPS is issued under Section 3 of the Planning Act. Section 3 of the Planning Act requires that land use planning decisions be consistent with the PPS, ensuring that matters of provincial interest, as identified in Section 2 of the Planning Act, are addressed. The PPS is a broad provincial policy document that is generally implemented through local municipal planning documents.

Due to the site's location within a prime agricultural area, the following policy guidance is important to consider in the context of the Zoning By-law Amendment application for 21631 Hyde Park Road. The site represents an opportunity in that the proposed uses are agriculturally-supportive, that is compatible with and will not hinder surrounding agricultural operations (PPS 2.3.3.1).

The PPS provides that rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

- Section 11.4.1 of the PPS, *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* directs that Healthy, integrated and viable rural areas should be supported by building upon rural character, and leveraging rural amenities and assets 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.
- Section 1.3 provides that planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
- Section 2.3.3 of the PPS, *Permitted Uses* states that agriculture-related uses are a permitted use in prime agricultural areas. Proposed agriculture-related uses shall be compatible with, and shall not hinder the existing surrounding agricultural operations. The introduction of these uses shall be subject to Municipal planning documents, and shall comply with the minimum distance separation formulae (Section 2.3.3.3).

- Section 2.3.4.1 of the PPS, *Lot Creation in Prime Agricultural Areas* states that lot creation in areas comprised of prime agricultural land is generally discouraged unless it meets certain criteria. Section 2.3.4.1.b states that lot creation for the purposes of agriculture-related uses (i.e., farm equipment sales and service establishments) may be permitted, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.

In view of the PPS policies noted above, the proposed Zoning By-law Amendment on the site to Farm Industrial (M3) Zone and subsequent lot creation will support the viability of the local economic base and the function of the agricultural area within Middlesex Centre, and can be supported by the available "rural" servicing options. The use and development of the subject land for a small-scale farm equipment sales and service establishment is consistent with the policies of the PPS.

3.2 County of Middlesex Official Plan

Figure 4 represents the site's positioning relative to Middlesex County's overall land use structure. The purpose of the Middlesex County Official Plan is to provide direction and a regional policy framework for managing growth and land use decisions in the County over a 20-year period. The Plan establishes a broad, upper-tier policy framework that provides guidance to local municipalities in the preparation of their own local Official Plans, Official Plan Amendments and Zoning By-laws. The project site and the surrounding lands are designated Agricultural Areas.

Land Use:

Policies detailing the Agricultural Areas are found within Section 3.3 of the County of Middlesex Official Plan. This area applies to a significant portion of Middlesex Centre. The purpose of this designation is to protect and strengthen the agricultural community as a major economic component of the County.

Section 3.3.3 - Permitted Uses - permits a wide range of uses within Agricultural Areas, including notably agriculture-related and on-farm diversified uses that are further detailed in Section 3.3.5 - Agriculture - Related and On-Farm Diversified Uses. This section explains the range of permitted agriculture-related uses in greater detail, providing that several policies are considered, including; conformity with Minimum Distance Separation Formula, a site-specific Zoning By-law is approved, that the use shall be located and designed to minimize impacts to adjacent uses, and should generally be considered "dry" uses as to not require large volumes of water nor generate significant volumes of effluent. Farm equipment service establishments are specifically acknowledged in Section 3.3.5, furthermore, the local zoning by-law also recognizes farm equipment sales and service as a permitted use within the implementing zone category.

Figure 4: County of Wellington Official Plan Settlement Areas



Lot Creation:

Section 4.5.3.4 - Consents in Agricultural Area - contains policies that apply to lands designated Agricultural Areas. The whole property will be subject to a future Consent application, where the farm equipment sales and service establishment will be severed from the balance of the retained agricultural lands. As per Section 4.5.3.4, Consents for agriculture-related must occur where the proposed uses are located in close proximity to the agricultural operations which it serves. Further, the new lot created shall be limited to a minimum size needs to accommodate the use, in addition to appropriate sewage and water service sizing. The concept plan show in Appendix 'A' has been designed to accommodate the needs of the use (i.e., building size, parking, open storage, and display space), further considerations for the sizing of private on-site servicing have been made, resulting in a proposed lot size of 3.46ha. As the proposed use is categorized as agriculture-related, future lot creation is supportable through Middlesex County Official Plan policies.

3.4 Middlesex Centre Official Plan (OPA 59)

Policies for Agricultural Areas:

The project site and the surrounding lands are contained within the Agriculture land designation in accordance with Schedule A – Land Use Plan. The Municipality of Middlesex Centre’s general land use structure as per Schedule A - Land Use Plan is illustrated in Figure 4. Policies detailing lands designated as Agriculture are found within Section 2.0 of the Middlesex Centre Official Plan. The predominate use of land with Middlesex Centre is agricultural and other related uses. Agricultural lands represent one of the Municipality’s most significant economic and community assets, and the protection and enhancement of these lands has been prioritized by the Municipality. As this proposal seeks to add agricultural-related uses to agricultural lands, several general goals for the designation as it relates to lands and agriculturally-related uses include:

- c) *To protect agricultural areas from interference or encroachment from conflicting land uses, or uses which could reduce or negatively impact the future flexibility or efficiency of agricultural operations, and;*
- d) *To enhance the viability of farm operations wherever possible to ensure their continued economic strength.*
- 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.*

The proposal seeks to add supportive agriculture-related uses in an area that is being actively farmed, in a manner that minimizes interference and encroachment on adjacent land uses, in a way that is similar to the Huron Tractor facility across the street from the project site. The continued viability of the agricultural lands is a major priority of the Municipality and policies within the Official Plan provide guidance on growth within this designation. Section 2.2 of the Official Plan speaks to General Agricultural Policies, of note, non-agricultural urban uses within agricultural areas are prohibited unless specifically permitted within other sections of the Official Plan. This policy relates to more urban uses such as various higher intensities of commercial, residential and industrial land uses and does not apply to the proposal for the project site. Additionally, there are policies contained in subsequent sections of the Official Plan that specifically permit the desired uses in this proposal.

Permitted Uses:

Section 2.3 - Permitted Uses in Agricultural Areas - describes that agricultural areas are to be used predominantly for agriculture, agriculture-related uses, and on-farm diversified uses. Permitted uses include all forms of farming, farm retails, forestry and woodlots, and most notably, agriculturally-related commercial or industrial activities. Agriculture-Related Uses are defined as farm-related commercial and farm-related industrial uses that are directly related to a farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, provide direct products and/or services to farm operations as a primary activity, is are small in scale. A farm equipment sales and service establishment meets this definition, and therefore permitted within the Agriculture land use designation.

Figure 4: Middlesex Centre Land Use Designations



Agriculturally-Related Commercial and Industrial Development:

Section 2.4 of the Official Plan pertains to Agriculture-related commercial and industrial development within the Agriculture Land Use Designation. As previously determined in this report, a farm equipment sales and service establishment falls under the definition of an agriculture-related use, as such, these policies apply. Agriculture-related uses are farm related uses that are compatible with and do not hinder surrounding agricultural operations, and being directly related to agriculture, support and benefit from being in close proximity to these farming operations. Proposals for agriculture-related uses require a zoning by-law amendment to permit the specific uses being sought, and are subject to the Municipality’s Site Plan Manual. The Official Plan lists several key criteria when considering the establishment of new agriculture-related uses, relating to lot size, servicing requirements, access, and compliance with MDS.

The proposed farm equipment sales and service establishment, demonstrated on Appendix ‘A’, has been designed in such a way to minimize the required lot size while meeting the needs of the proposed development. The proposed development is intended to be a dry use that can be supported via on-site private services.

As per MDS Implementation Guideline 35, MDS I setbacks from existing livestock facilities and anaerobic digesters will generally not be needed for land use planning applications which propose agriculture-related uses, and are therefore not applicable to this proposal.

Much of the larger parcel is made up of viable agricultural land. Opportunities to take advantage of lower quality land are not available in this scenario, as such, the proposed location of the farm equipment sales and service

establishment has been determined through other key factors. The proposed location is within proximity to the Huron Tractor facility on the southeast corner of the intersection of Hyde Park Road and Medway Road, creating a cluster of agriculture-related uses, limiting potential future conflicts with agricultural uses and livestock operations. The location takes advantage of its proximity to the intersection of two major roads, and provides site access close to the intersection, minimizing traffic concerns from encroaching further west along Medway Road.

Severance Policies:

Section 10.3 of the Official Plan provides general policies that apply to severance applications. A severance is required to facilitate the new development. The proposed lot size has been determined based on the minimum needs of the proposed farm equipment sales and service establishment, in addition to sizing considerations for private water and sanitary servicing systems as well as storm water management. Section 10.3.2 applies to severances within Agricultural Areas, which are generally prohibited except under specific circumstances, notably severances for agriculture-related uses so long as it is demonstrated that the proposed lot area is the minimum size required to accommodate the use and appropriate servicing requirements. The area zoned Farm Industrial (M3-3) on Huron Tractor lands, located on the southeast corner of the intersection, is much larger in terms of area than what is being sought here (5.9ha). Section 10.3.2.4 states that farm lot sizes shall be sufficiently large to create large and continuous farming blocks, in order to maintain the long term flexibility of the lands in order to adapt to future changes in agricultural. The retained agricultural lands will be approximately 21.6ha (53.5 acres) in size. While smaller than the required minimum lot area for agricultural parcels as per the Zoning By-law, the retained agricultural portion of the lands is of sufficient size to continue its agricultural capabilities while maintaining flexibility.

3.5 Middlesex Centre Zoning By-law 2005-005

The subject site is currently zoned Agricultural (A1) in the Middlesex Centre Zoning By-law 2005-005. The A1 Zone provides for a wide range of agricultural land uses. The A1 zone provides regulations regarding setbacks, heights, and other lot requirements, mainly intended for agricultural uses and farm dwellings. The existing applicable zoning regulations are listed in Table 2. The A1 Zone is generally intended to guide development in the rural areas of the municipality and implement the Agriculture land use designation policies outlined in Section 2.0 of the Middlesex Centre Official Plan. The A1 Zone does not permit farm equipment sales and service establishments.

The surrounding lands, as depicted in Figure 6 below, are predominantly zoned A1, which provide for a range of agricultural and related uses on large lots (minimum 40.0ha). On the opposite side of the intersection is Huron Tractor, a development of similar size, configuration and use to what is being proposed as part of this application. These lands are zoned Special Provision Farm Industrial (M3-3), which allows for a range of agriculture-related industrial and commercial uses, including farm equipment sales and service establishments. There is clear precedent set in the area for the establishment of agriculture-related uses through rezoning.

Figure 5: Middlesex Centre Zoning Mapping (2005-005)

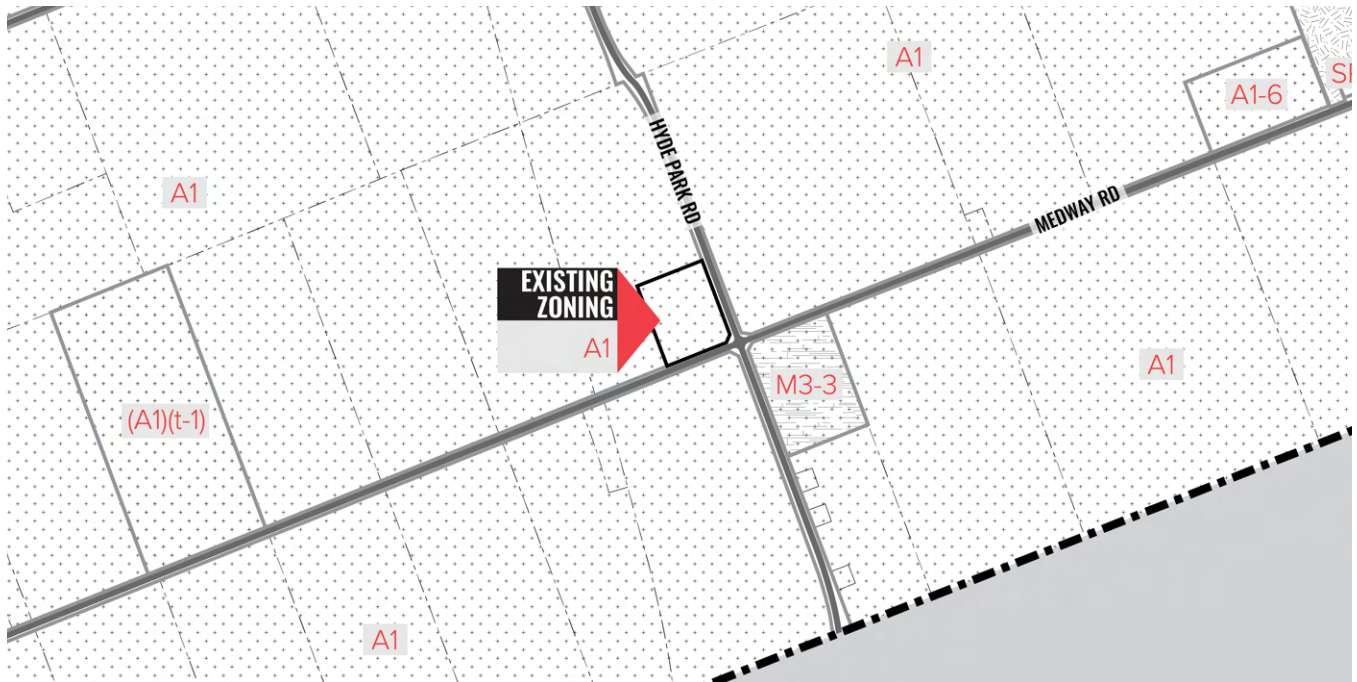


Table 2: Existing A1 Zone Regulations

Regulation	A1 Zone
Permitted Uses	Accessory Use Agricultural Use Bed and Breakfast Establishment Conservation Use Converted Dwelling Dog Kennel Forestry Use Grain Handling Facility, Existing Legally on the Date of the Passing of This By-Law Home Occupation Riding School Single Detached Dwelling Portable Asphalt Plant Wayside Pit
Lot Area (min.)	40.0ha
Lot Frontage (min.)	300.0m
Front Yard Depth (min.)	30.0m
Interior Side Yard (min.)	Dwellings: 3.0m Other Permitted Uses: Equal to one-half building height but not less than 4.5 m (15 ft)
Exterior Side Yard (min.)	15.0m
Rear Yard Depth (min.)	8.0m

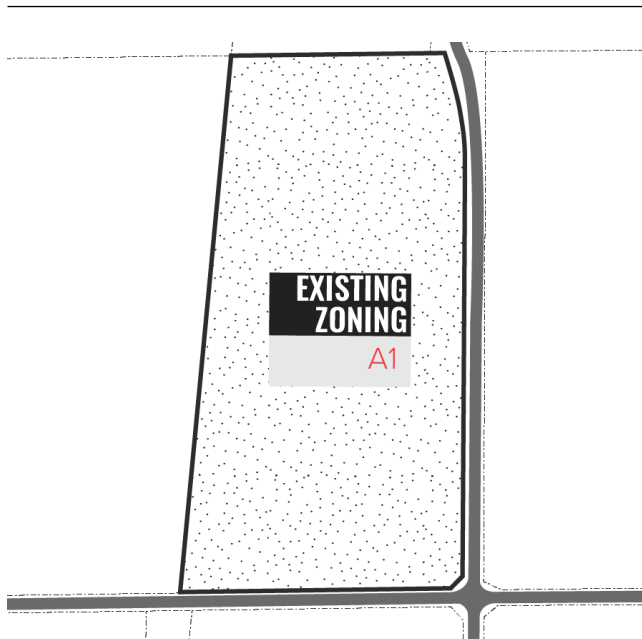
4.0 THE PROPOSAL

4.1 Zoning By-law Amendment

The proposed Zoning By-law Amendment will provide a framework for agriculture-related commercial development in the form of a farm equipment sales and service establishment, a use that is intended to support the broader function and economic vitality of the surrounding rural areas within Middlesex Centre. The conceptual design accommodates a two-storey farm equipment sales and service building (1,986m²/21,379sf GFA) with an associated surface parking area containing 67 parking stalls. The design accommodates both a trucking and customer entrance stemming from a combined driveway access from Medway Road, approximately 85m from the intersection of Hyde Park Road and Medway Road. Areas for the purposes of open storage, equipment displays, stormwater management and septic beds have been included as part of the proposed design. The proposed site specific Farm Industrial (M3-X) Zone includes special limitations on the range of permitted uses to allow the farm equipment sales and service establishment use and limited other low-impact agriculture-related uses and accessory uses. The remainder of the property will rezoned to a site specific Agricultural (A1-X) Zone, in order to allow for a reduced lot area that what is permitted within the base A1 Zone.

The proposed zone is structured to facilitate the developed to facilitate the development of the concept plan prepared by Siv-ik Planning & Design Inc, attached as Appendix 'A' to this report.

EXISTING ZONING



PROPOSED ZONING



Table 3: Proposed Zoning By-law Regulations

By-law Regulation	M3	Proposed M3-X
Permitted Uses	See Section 20.1.1	Notwithstanding Section 20.1.1, only the following uses shall be permitted: <ul style="list-style-type: none"> • Accessory Use • Agricultural Sales Establishment • Farm Equipment Sales and Service Establishment • Market Garden • Office as an Accessory Use • Open Storage as an Accessory Use • Retail Store as an Accessory Use • Tile Drainage Contractor
Lot Area (min.)	3,000m ²	-
Lot Frontage (min.)	25.0m	-
Front Yard Depth (min.)	20.0m	-
Interior Side (min.)	Corner Lot: 20.0m [66 ft] (min.) on the side abutting the road and 6.0m [20 ft] (min.) on the other side	-
Rear Yard Depth (min.)	6.0m	-
Lot Coverage (min.)	35%	-
Height (max.)	12.0m	-
Vehicle Parking (min.)	General Commercial/Industrial: 1 space per 30m ²	-

-: indicates no change proposed to existing M3 regulations

The primary purpose of the proposed Zoning By-law Amendment is to allow for the farm equipment sales and service establishment, which is not a permitted use in the existing A1 Zone. As detailed in Table 3 above, a scoped range of less intensive agriculture-related uses is being proposed. The development concept meets all other lot requirements in the M3 zone category. Further details on the proposed development statistics are found in Table 4 in the following section of this report and on the Zoning Data Table included in Appendix 'A'. The Zoning By-law Amendment application is a precursor to a future Site Plan Control application that will address the detailed/technical aspects of the development including building and site layout, site servicing and lot grading, landscape design, etc.

4.2 Development Concept

The proposed concept plan envisions the development of a farm equipment sales and service establishment (approximately 1,986m² GFA). The proposed building is located central to the site and is supported by a 67-stall surface parking lot, designed to accommodate both standard vehicles as well as tractor trailers, extending from a two-way driveway to Medway Road. Equipment display areas are located along both Hyde Park Road and Medway Road frontages, though they are setback at minimum, approximately 20m from the right-of-way. Landscape buffers have been incorporated along the rear and interior side yards and along road frontages, however their function for signage, display, storage and maneuverability of equipment is required for the proposed use.

The site has been designed in a way to minimize the total lot area required, while meeting the needs of the farm sales and service establishment (i.e., parking, open storage, and equipment display), and on-site servicing requirements such as a stormwater management area (i.e., dry pond) and septic bed.

Access to the site is provided via a full turns access from Medway Road, through a two-way driveway that later splits to direct transport trailer circulation away from standard vehicles. Access and internal circulation have been planned comprehensively across the proposed development. The shared internal network allows for both truck and car traffic to utilize the access point, while also minimizing potential conflicts between motor vehicles and tractor trailers within the site.

The retained agricultural parcel remaining at 21631 Hyde Park Road will be approximately 21.6ha (53.5 acres) in size, which is of a suitable size to maintain the long-term viability and flexibility of agricultural operations on the property.

The key statistics regarding the proposed development concept are summarized in Table 4 below. For detailed evaluation of the development concept, the Preliminary Concept Plan prepared by Siv-ik Planning & Design Inc. is attached as Appendix 'A' to this report should be referred to.

Figure 6: Simplified Conceptual Site/Landscape Plan

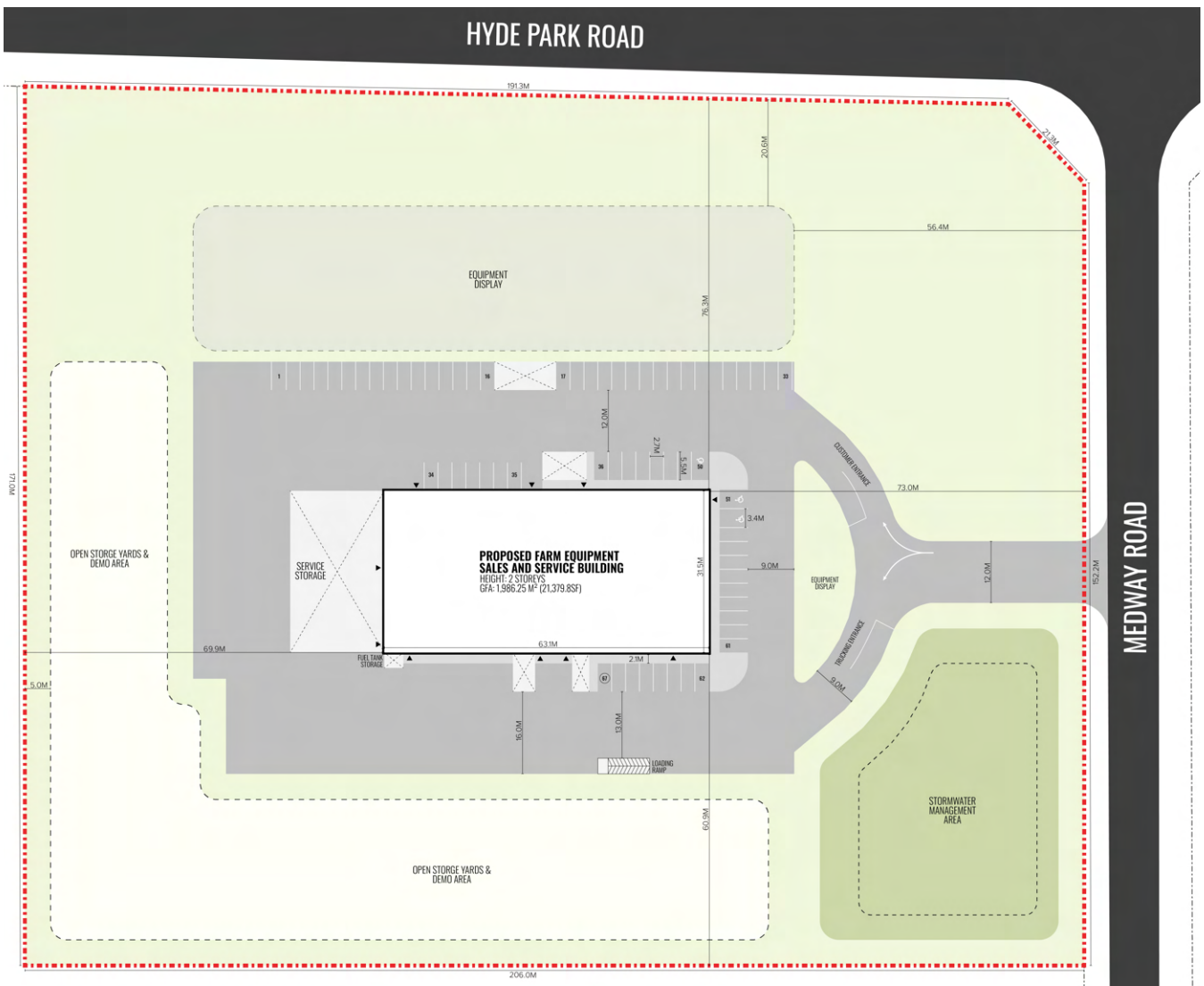


Table 4: Proposed Development Statistics

Concept Plan Data Table		
Use	Farm Equipment Sales and Service Establishment	
Lot Area	Farm Equipment Sales and Service Establishment	3.46ha
	Agricultural Lands	21.6ha
Buildings/Structures	1	
Height	12.0m	
Parking	67 total spaces provided (including 3 accessible stalls)	
Coverage	5.7%	
Setbacks	North (Rear)	69.9m
	East (Exterior)	76.3m
	West (Interior)	60.9m
	South (Front)	73.0m

5.0 PLANNING ANALYSIS

The following analysis examines the impact/implications of the proposed Zoning By-law Amendment with respect to use, intensity, form, and function. As explained in Section 4.0 – Proposal – of this report, the proposed Zoning By-law Amendment is intended to rezone the project site to the Farm Industrial (M3-X) Zone to allow for a farm equipment sales and service establishment (Hype Park Equipment Ltd) at the intersection of Hyde Park Road and Medway Road. The lot for the proposed use will be established through a future consent process. The scope of the analysis will be focused on the technical issues and impacts arising from the change in land use.

It is important to note that any future development as envisioned by the landowner would be subject to the Municipality's Site Plan Control By-law. The Site Plan Control process would provide an opportunity to review the detailed design and servicing plans for the site and also address any other technical considerations deemed relevant by Municipal Planning Authorities.

5.1 Land Use

Section 2.0 of the Middlesex Centre Official Plan describes the intended function and purpose of the "Agriculture" Land Use Designation.

As described in Section 2.0, Agricultural lands represent the predominant use of land within Middlesex Centre and is one of the Municipality's most significant economic and community assets. The continued viability of the agricultural lands is a major priority of the Municipality. Section 2.3 of the Official Plan describes the intention of the uses in the Agriculture designation are to be agriculture, agriculture-related uses, and on-farm diversified uses. Furthermore, agriculture-related uses in this designation shall be farm supportive commercial or industrial uses, which may include produce processing, mills, and farm equipment sales and service. The Farm Industrial (M3) Zone implements the commercial and industrial agriculture-related complements outlined in the Agriculture designation in the Official Plan by providing a framework for service based commercial and industrial uses that support the vitality and continued success of the Municipality's agriculture sector. This section also directs new development to be dry due to lack of availability of municipal services. Dry uses are to not require significant amounts of water in their operation, while not producing similar levels of effluent. The proposed development is considered a dry use, not requiring substantial water usage, and is proposed to utilize private water and sanitary services, similar to the Huron Tractor establishment and other agriculture-related uses nearby the site.

The project site is located at the intersection of Medway Road and Hyde Park Road, both county roads, and is within proximity to the Town of Ilderton and the City of London. Given the site's surrounding agricultural context, there is significant opportunity to provide agriculturally supportive uses that take advantage of the site's strategic access to significant agricultural areas, major transportation routes and settlement areas.

Section 2.4 of the Official Plan states that agriculture-related commercial and industrial development can occur within lands designated as Agriculture. Agriculture-related uses are defined in Section 12.0 – Glossary of Terms – in the Official Plan. They are defined as 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, provide direct products and/or services to farm operations as a primary activity, and are small in scale.

The definition for Farm Equipment Sales and Service Establishment is contained within Section 2.0 – Definitions in the Municipality of Middlesex Centre Zoning By-law 2005-005. The use is defined as the use of land, buildings, or structures, or portions thereof, where farm vehicles and equipment are stored for purposes of sale, lease, or hire and where such vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.

As defined, Farm Equipment Sales and Service Establishments fit within the category of Agriculture-related uses as they are directly related to farm operations, support agricultural operations through the direct sale and servicing of farm vehicles, and benefit from being in close proximity to nearby farm operations. The proposed use provides for a sales establishment of farm vehicles and the facilities to provide any additional required service of the vehicles. An existing farm equipment sales and service establishment, located on the southeast corner of the intersection of Hyde Park Road and Medway Road, received similar permissions through a Zoning By-law Amendment in 2005. There is clear policy direction in the Official Plan that agriculturally supportive uses that aid in the continued vitality and economic success of the Municipality's agricultural areas should be supported and encouraged.

5.2 Lot Configuration

Section 2.4 of the Middlesex Centre Official Plan and Section 4.5.3.4 of the Middlesex County Official Plan states that new lot creation for agriculture-related uses shall be limited to the minimum size necessary to support the use and its servicing needs. Where a severance of land is necessary to accommodate such a use, the severance policies contained within 10.3.2 (Severances within Agricultural Area) of the Official Plan shall apply. A future consent application will be required in order to establish the proposed new lot. Severances within agricultural areas are generally prohibited except under specific circumstances, which include severances for agriculture-related uses. While preliminary design considerations have accounted generally for size and location of private, on-site services, demonstration that the proposed lot area for the new use is of the minimum size required to accommodate the use and appropriate servicing is required prior to be granted the consent for new lot creation.

Notably, the future retained agricultural parcel remaining at 21631 Hyde Park Road will be approximately 21.6ha (53.5 acres) in size, which is of a suitable size to maintain the long-term viability and flexibility of agricultural operations on the property.

5.3 Site Servicing

Section 2.4 and 10.3 of the Official Plan states that new lot creation for the purposes of agriculture-related uses shall be of the minimum size to accommodate the use and its servicing needs. Furthermore, the use must not require municipal sewer or water services, and shall be “dry” in nature, requiring minimal water usage while not producing significant effluent, consistent with rural servicing levels in the area. The proposed use for the project site is not expected to require, nor generate significant servicing requirements, and as such, fits within the criteria of a “dry” use. A servicing strategy and associated plans will be prepared as part of a future Site Plan Control application for the proposal.

There are no existing municipal water systems available to service the site. The project site is expected to be serviced through a private water supply system. Location of the on-site well and sizing of tanks for fire suppression are to be determined through a future detailed design process and revised by the Municipality at the Site Plan Control stage.

No sanitary services exist in the area. Sanitary servicing for the development is proposed to occur through an on-site sewage system, with the proposed septic bed being located within the open area in the southeast corner of the site. Sizing and configuration of the proposed septic system is to be confirmed through the detailed design stages of the project.

Lastly, stormwater management (i.e., quantity control) for the proposed development will be achieved on-site.



6.0 CONCLUSIONS

The proposed M3-X zoning that is being sought for the site effectively implements the policies of the Agriculture designation outlined in Section 2.0 of the Middlesex Centre Official Plan and Section 3.3 of the County of Middlesex Official Plan. The proposed Zoning By-law Amendment will provide for an appropriate zoning framework to guide land use and development at 21631 Hyde Park Road, and that preserves the overall intended function of the lands, seeking to add a desirable and compatible commercial permitted use that aligns with the applicable land use policies in the Official Plan. The site and the intended form of development are subject to Site Plan Control under Section 41 of the Planning Act which will provide an outlet to ensure any/all site development issues such as layout, servicing, landscaping, etc. are addressed and meet municipal standards. Overall, the proposal will enhance the agricultural economic base in this unique portion of Middlesex Centre and will ultimately be serviceable by rural service levels.

In light of the foregoing, the proposed Zoning By-law Amendment represents sound land use planning, is in the public interest and implements the applicable municipal planning framework.

Dan Murphy, MA, BAA

APPENDICES

Site Concept Plan	A
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Draft Zoning By-law	B
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APPENDIX A: SITE CONCEPT PLAN



APPENDIX B: DRAFT ZONING BYLAW

THE CORPORATION OF THE MUNICIPALITY OF MIDDLESEX CENTRE

BY-LAW NUMBER 2024-XXX

BEING A BY-LAW TO AMEND THE MUNICIPALITY OF MIDDLESEX CENTRE COMPREHENSIVE ZONING BY-LAW NUMBER 2005-005 WITH RESPECT TO PART OF LOT 25, CONCESSION 7 (GEOGRAPHIC TOWNSHIP OF LONDON) AND RP33R13380 PART 3

WHEREAS the Council of the Municipality of Middlesex Centre deems it advisable to amend the Municipality of Middlesex Centre Comprehensive Zoning By-law 2005-005;

AND WHEREAS this By-law is in conformity with the Municipality of Middlesex Centre Official Plan;

THEREFORE the Council of the Municipality of Middlesex Centre enacts as follows:

1. That Zoning Map Schedule A, Key Map 61 to the Township of the Middlesex Centre Comprehensive Zoning By-law 2005-005, is hereby amended by changing from the Agricultural (A1) zone to a Farm Industrial (M3-X) zone AND a site-specific Agricultural (A1-X) zone those lands drawn in heavy solid lines and identified on Schedule A, attached hereto and described as being Part of Lot 25, Concession 7 (geographic Township of London) and RP33R13380 Part 3, in the County of Middlesex.
2. That Section 5.3 “Exceptions” be further amended by adding the following new subsection:
 - 5.3.X (a) DEFINED AREA
A1-X as shown on Schedule A, Key Map 61, to this By-law
 - (b) LOT AREA (min.)
20 hectares
3. That Section 20.3 “Exceptions” be further amended by adding the following new subsection:
 - 20.3.X (a) DEFINED AREA
M3-X as shown on Schedule A, Key Map 61, to this By-law
 - (b) PERMITTED USES
Accessory use
Agricultural sales establishment
Farm equipment sales and service establishment
Market garden
Office as an accessory use
Open storage as an accessory use
Retail store as an accessory use
Tile drainage contractor
4. This by-law comes into force and takes effect upon the day of passing in accordance with the provisions of Section 34 of the Planning Act, R.S.O 1990, c.P. 13.

READ a FIRST, SECOND AND THIRD TIME and FINALLY PASSED on this ___ day of ___, 2024.

