



**PLANNING JUSTIFICATION REPORT REVISED  
13326 FOURTEEN MILE ROAD, MIDDLESEX CENTRE**

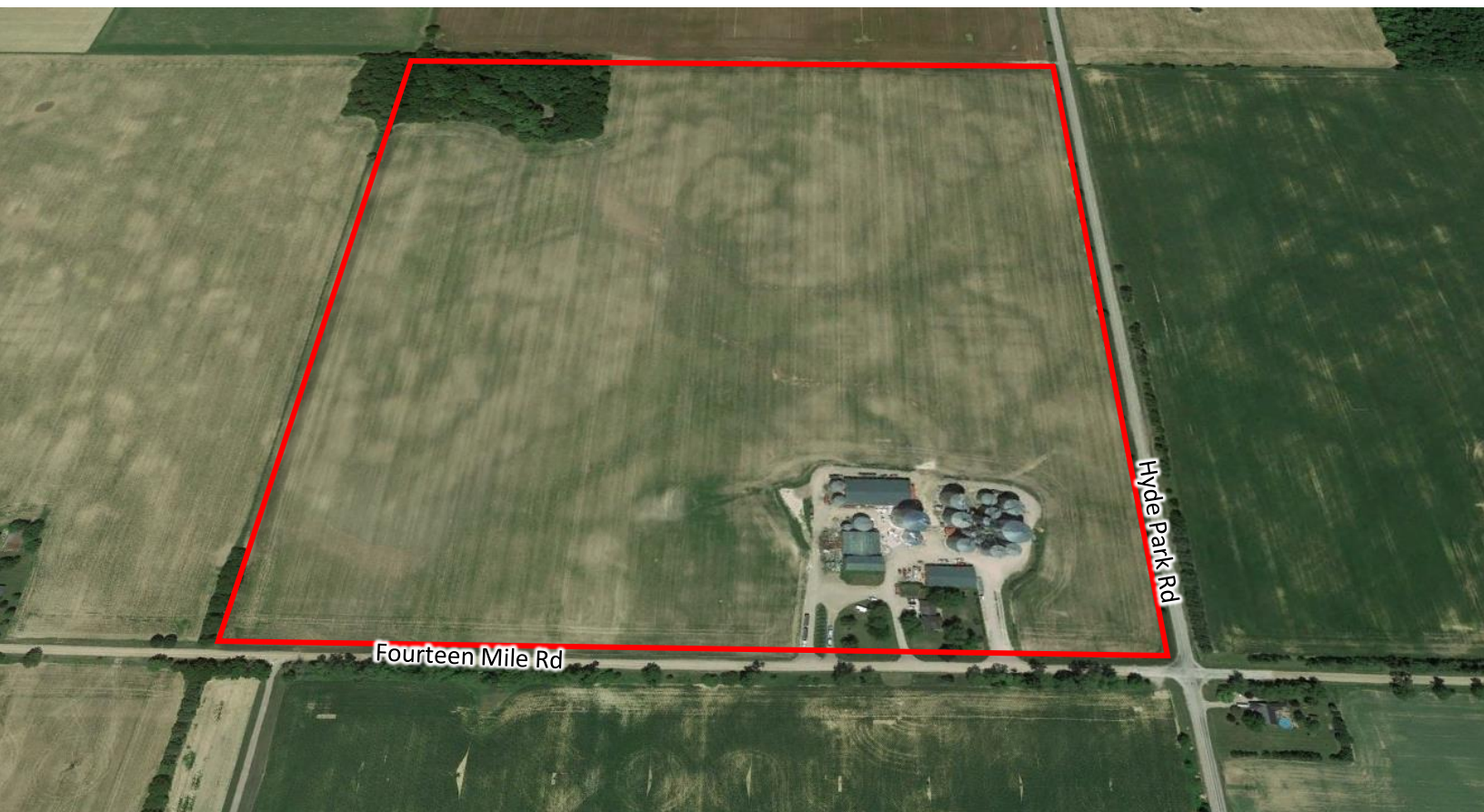
**PROPOSED ZONING BYLAW AMENDMENT  
and  
CONSENT TO SEVER LAND**

Prepared by:  
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Prepared for:  
**JTW Farms Inc.**  
13326 Fourteen Mile Road  
Denfield, Ontario

SBM-21-1318

2 October 2024



**Attn: Marion-Frances Cabral, Planner**  
Municipality of Middlesex Centre  
10227 Ilderton Road, RR2  
Ilderton, ON, N0M 2A0

2 October 2024  
SBM-21-1318

**Dan FitzGerald, Planner**  
Municipality of Middlesex Centre  
10227 Ilderton Road, RR2  
Ilderton, ON, N0M 2A0

**RE: Planning Justification Report – JTW Farms Inc. – 13326 Fourteen Mile Road; Middlesex Centre**

Dear Ms. Cabral & Mr. FitzGerald,

Strik, Baldinelli, Moniz Ltd. has been retained by JTW Farms Inc. to coordinate the preparation and submission of a Zoning By-law Amendment (ZBA) application, a Temporary Use By-Law application, and a Consent for land severance for their landholdings municipally addressed 13326 Fourteen Mile Road (Subject Site), generally located west of Hyde Park Road and north of Fourteen Mile Road. The purpose of the rezoning application is to be submitted concurrent with and satisfy the anticipated condition of approval for the proposed Consent application to sever the existing farm dwelling and grain handling facility/business. The purpose of the temporary use by-law is to allow for the landowner to build a new single detached dwelling on the retained lands, while inhabiting the existing dwelling. Once the new dwelling is habitable, the existing dwelling on the lands to be severed is intended to be converted into offices for the grain handling business.

This report provides a policy review of the proposed application and the applicable relevant provincial and municipal policies. Should you have any questions or require any additional information please contact the undersigned.

Respectfully submitted,

**Strik, Baldinelli, Moniz Ltd.**

Planning • Civil • Structural • Mechanical • Electrical



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Associate, Planning Division Manager



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## 1. Introduction

Strik, Baldinelli, Moniz Ltd. has been retained by JTW Farms Inc. to coordinate the preparation and submission of planning applications to rezone the agricultural lands to facilitate the division of land to create one additional lot (Land Severance) for an existing farm dwelling and grain handling facility that is currently in operation.

This Planning Justification Report presents a land use planning policy review and analysis that provides a basis to support the application to amend the Zoning Bylaw (ZBA) concurrently with the Consent application. The following analysis demonstrates that the proposed zoning application would be in-keeping with the general intent of the Provincial and Municipal land use planning policies, would be suitable for the Subject Site, and would continue to be compatible with neighbouring land uses.

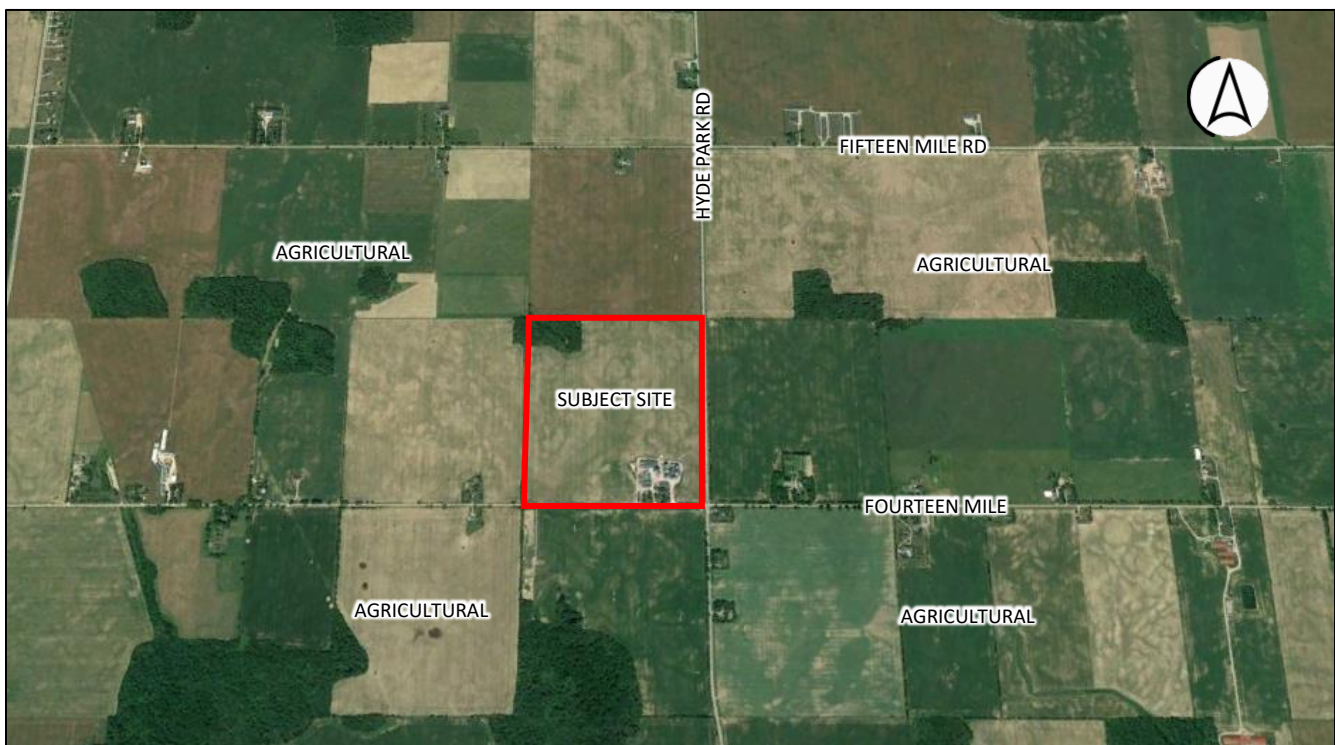


Figure 1. Aerial view of Subject Site.

## 2. Site Description

The subject site is legally described as Concession 14 South, Lot 25 in the Municipality of Middlesex Centre. The affected parcel is located at the northwest intersection of Fourteen Mile Road and Hyde Park Road, municipally addressed at 13326 Fourteen Mile Road, approximately 4.5 km north of Ilderton (**Figure 1**).

The property is presently used for agricultural uses comprised of a farm dwelling, 36 ha of crop production, 2.3 ha of wooded area, and an existing grain handling facility. The facility is comprised of grain elevator, bins and dryers, weigh scale, loading areas for trucks and trailers, and other storage buildings. The existing residence is in close proximity to the grain handling facility and serviced via privately owned well and septic system.





**Figure 2.** Street view of farm dwelling (left) and grain handling facilities (right), looking west on Hyde Park Road (Google Earth)

### 3. Proposal

The proponent is seeking approval to sever the grain handling facility and existing dwelling ( $\pm 3.3$  ha) from the agricultural crop lands, leaving the retained farm to be approximately  $\pm 37.7$  ha. The existing dwelling (to be severed with the grain handling facility) is to be converted to offices for the grain business. Prior to the office conversion, a single detached residential dwelling is to be built upon the retained agricultural parcel. A temporary use by-law is proposed to allow for 2 residential units to be located on one property to allow for the new residence to be built while the existing home is still habited. Once the new dwelling is habitable, the office conversion can be completed along with finalization of the lot creation.

The property is presently zoned Agriculture (A1), which permits a range of agricultural and agricultural-related uses including the existing commercial grain handling facilities. The grain handling facility serves the surrounding farming community, facilitating the farm-to-market process, which is essential to the surrounding agricultural community.

A Zoning Bylaw Amendment would be required for the severed parcel to maintain the existing grain handling facility/business on a 3.3 ha parcel with special provisions. The proposed application would request an amendment from the existing Agriculture A1 Zone to the Farm Industrial M3 Zone to permit the Grain Handling Facility and office as an accessory use.

The remainder of the farmland (land to be retained) would request an amendment from the current A1 Zone to a site specific A1 zone with special provisions to permit a reduced Lot Area.

In summary, the proposed applications seek approval for:

- Temporary Use By-law:
  - To allow for a second single detached dwelling to be built while landowners continue to reside in the existing building. At the time that the new dwelling is habitable, the existing dwelling is to be converted to offices for the grain handling facility.
- Consent to Sever one additional lot for the grain handling business:
  - PARCEL TO BE SEVERED would measure approximately 170 m x 194.3 m and have an area of 3.3 ha (8.16 ac).
  - PARCEL TO BE RETAINED would be approximately 37.7 ha (93.1 ac) in area.
- Zoning By-law Amendment:
  - PARCEL TO BE SEVERED would be rezoned:
    - from Agricultural (A1) Zone to Farm Industrial (M3-\*\*) Zone with Site Specific Provisions
  - PARCEL TO BE RETAINED would be rezoned:
    - from Agricultural (A1) Zone to Agricultural (A1-\*\*) Zone with Site Specific Provisions

#### 4. Zoning Bylaw Amendment

The subject property is presently zoned Agriculture (A1) Zone. The A1 Zone is the conventional zone for agricultural lands in the municipality, which permits the existing office/converted dwelling and grain handling facilities. To permit the proposed land Severance, an amendment to Zoning By-law 2005/005 would be required to differentiate the two parcels. **Figure 3** illustrates the proposed map amendment to Schedule “A”, Map 22 of the Zoning Bylaw.

##### 4.1. Proposed Zoning - Lot to be Severed

The Lot to be Severed, consisting of an existing grain handling facility and existing office/dwelling (to be used as a residence then converted to accessory offices for the grain handling business), would request a Zoning Bylaw Amendment to a Site-Specific Farm Industrial (M3-\*\*) Zone. Table 1 illustrates the required and proposed zoning regulations for the severed parcel with the Farm Industrial M3 zone requirements.

**Table 1.** Farm Industrial (M3) Zone Comparison

Regulation	Required	Proposed	Complies (Y or N)
Minimum Lot Area (m <sup>2</sup> )	3,000	33,035.3	Y
Minimum Lot Frontage (m)	25	194	Y
Minimum Front Yard Setback (m)	15	17.2	Y
Minimum Side Yard Setback (m) Corner Lots	6, 20 abutting road	N/A	N/A

Abutting Agricultural Zone used solely for Residential purposes or an Institutional Zone	15	N/A	N/A
All other cases	6	17	Y
Minimum Rear Yard Setback (m)			
Abutting Agricultural Zone used solely for Residential purposes or an Institutional Zone	12	N/A	N/A
All other cases	6	20	Y
Maximum Lot Coverage (%)	35	14.6	Y
Maximum Height (m)	12	<12	Y
Yards Abutting a Railway Right-of-Way	0	N/A	N/A
Grain Handling Facility Setbacks (m) (Section 20.	150 from all lot lines	Interior (East): 17 Interior (West): 43 Rear: 20 Front: 80	N N N N

#### 4.2. Proposed Zoning - Lot to be Retained

The LOT TO BE RETAINED, consisting of the remaining farmland, would request a Zoning Bylaw Amendment to a Site-Specific Agricultural (A1-\*\*) Zone, with the requested Exceptions. Table 2 compares the proposed and required A1 zoning regulations for the retained parcel.

**Table 2.** Agricultural (A1) Zone Chart

Regulation	Required	Proposed	Complies (Y or N)
Minimum Lot Area (ha)	40	37.7	N
Minimum Lot Frontage (m)	300	350	Y
Minimum Front Yard Setback (m)	15	N/A	N/A
Minimum Side Yard Setback (m)			
Interior Yard:			
Dwellings	3	N/A	N/A
Other Permitted Uses, excluding an accessory use		N/A	N/A

Exterior Yard:	Equal to one-half building height but not less than 4.5		
	15	N/A	N/A
Minimum Rear Yard Setback (m)	8	N/A	N/A

**4.3. Proposed Text Amendments to the Zoning Bylaw**

**5.3.# DEFINED AREA**

A1-XX as shown on Schedule A, Key Map 22

- a) **MINIMUM LOT AREA** 37.0 ha (93.0 ac)
- b) **PERMITTED USE RESTRICTION**

Notwithstanding any other provisions of this By-law, a single detached dwelling shall be setback a minimum 150 m from a Grain Handling Facility.

**5.4.# DEFINED AREA**

A1(t-1) as shown on Schedule A, Key Map 22

- a) **ADDITIONAL USE PERMITTED**

The existing single-detached dwelling is to remain on the subject property for a temporary period, in addition to a new single-detached dwelling and other uses permitted in Section 5.1.1 of this By-law.

Notwithstanding any other provisions of this By-law, a single detached dwelling shall be setback a minimum 150 m from a Grain Handling Facility.

**20.3.# DEFINED AREA**

M3-XX as shown on Schedule A, Key Map 22

- a) **PERMITTED USES**

- Grain Handling Facility
- Office as an accessory use
- Open storage as an accessory use



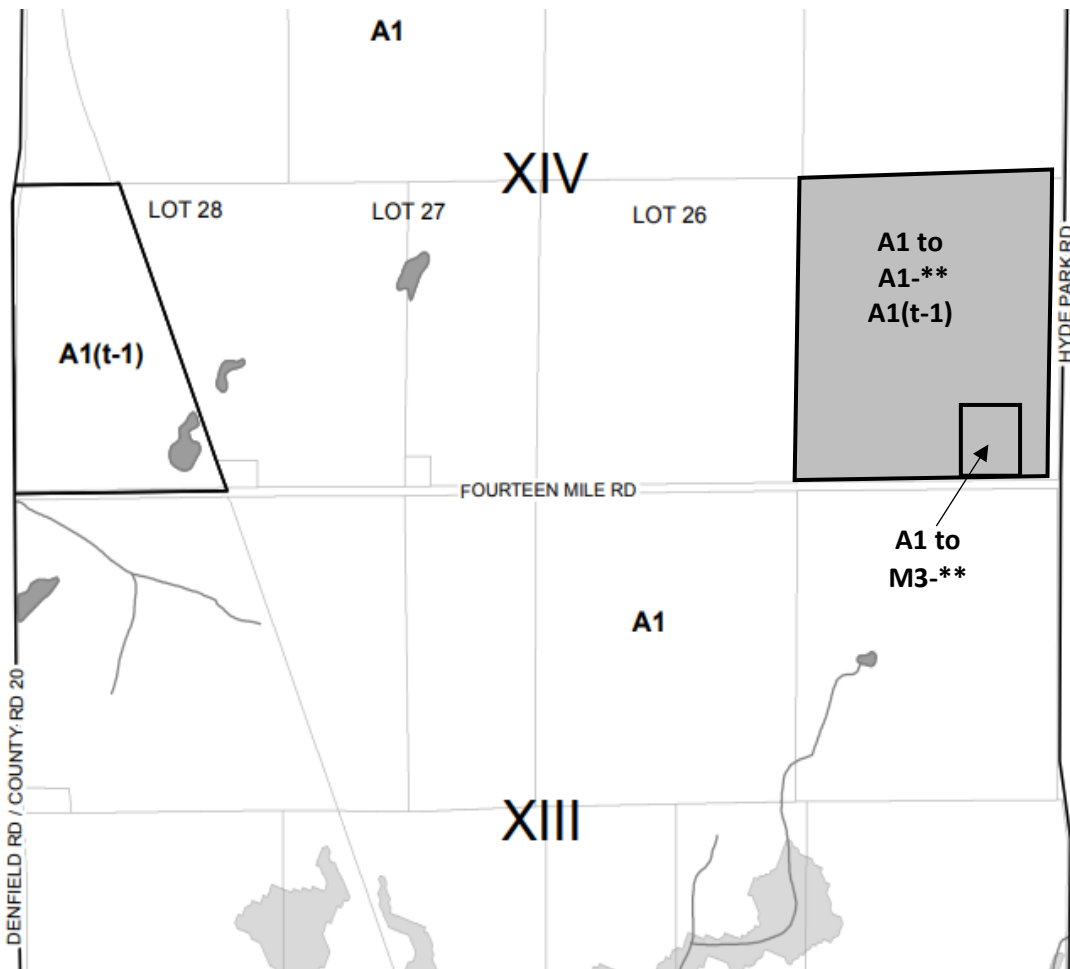
Farm chemical and fertilizer storage and sales as an accessory use  
Any other uses permitted in Section 5.1.1 of this Bylaw.

**b) PERMITTED USE RESTRICTION**

Notwithstanding Section 20.2.2. of this Bylaw, a Grain Handling Facility shall be subject to the following requirements:

- i) Minimum Front Yard Setback 80 m (262.4 ft)
- ii) Minimum Internal Side Yards Setback 17 m (55.7 ft)
- iii) Minimum Rear Yard Setback 20 m (65.6 ft)

**4.4. Proposed Map Amendments to the Zoning Bylaw**



**Figure 3.** Proposed Zoning Bylaw Amendment to change Schedule “A”, (Zoning By-Law Schedule A Map 22).

## 5. Land Use Policy Analysis

### 5.1. Provincial Policy Statement (PPS)

Applications for Rezoning and consent must be consistent with the land use policy framework of the PPS. The 2020 Provincial Policy Statement (PPS) “*provides policy direction on matters of provincial interest related to land use planning*” to ensure efficient, cost-efficient development and the protection of resources. The proposed development is consistent with the PPS and more specifically supports the following policies:

Provincial Planning Statement, 2020 (PPS) Policy	Response
<p>1.6.6 Sewage, Water and Stormwater            1.6.6.1 Planning for sewage and water services shall:            a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:            2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible.</p>	<p>The requested Rezoning and Consent would utilize private services for water and (septic) sewage as municipal services are not available or feasible.</p>
<p>1.6.6.4            Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts....</p>	<p>The requested Rezoning and Consent would utilize private services for water and (septic) sewage for the existing dwelling, which is consistent with this provision. The existing system is in good working condition and would be inspected by a qualified technician in part of meeting the conditions of the granted Consent.</p>
<p>2.1            2.1.1            Natural features and areas shall be protected for the long term.</p>	<p>The requested Rezoning and Consent does not propose any development in the identified “Significant Woodlands” portion of the subject property. The existing natural heritage will be maintained.</p>
<p>2.1.2            The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features.</p>	<p>The requested Rezoning and Consent does not propose any development in the identified “Significant Woodlands” portion of the subject property. The existing natural heritage will be maintained.</p>
<p>2.3 Agriculture            2.3.1            Prime agricultural areas shall be protected for long-term use for agriculture.</p>	<p>The retained parcel would be sufficiently large enough to continue viable farm or farm-related operations over the long term as there is only a minor reduction to the existing croplands.</p>
<p>2.3.2            Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with</p>	<p>The capability to perform a broad range of agricultural activities is being sustained.</p>

Provincial Planning Statement, 2020 (PPS) Policy	Response
guidelines developed by the Province, as amended from time to time....	
<p>2.3.3 Permitted Uses</p> <p>2.3.3.1</p> <p>In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.</p> <p>Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.</p>	<p>The existing grain handling facility is an agriculture-related use that serves the surrounding agricultural farming community.</p>
<p>2.3.3.2</p> <p>In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.</p>	<p>The capability to perform a broad range of agricultural activities is being sustained.</p>
<p>2.3.3.3</p> <p>New land uses in prime agricultural areas, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.</p>	<p>The MDS regulations are not applicable as a result of the proposed applications.</p>
<p>2.3.4. Lot Creation and Lot Adjustments</p> <p>2.3.4.1</p> <p>Lot creation in prime agricultural areas is discouraged and may only be permitted for:</p> <p>a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;</p> <p>b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;</p>	<p>The proposed Rezoning and Consent would result with an agriculture-related use limited in area and maintains the general regulations of the A2 zone and the existing private water and septic system. The retained agricultural lands would continue to be viable for cash crop uses.</p>

It is the opinion of the writer that the proposed Rezoning application of the agricultural lands to facilitate the Consent for land severance of the grain handling facility would be consistent with the intended policies of the Provincial Policy Statement per the review provided above.

On October 20<sup>th</sup>, 2024, the Provincial Planning Statement, 2024 comes into effect and replaces the Provincial Policy Statement, 2020. Overall, policies as outlined above from the 2020 Provincial Policy Statement remain in the Provincial Planning Statement, 2024. Below are the 2024 policies.

Provincial Planning Statement, 2024 (PPS) Policy	Response
<p>3.6 Sewage, Water and Stormwater</p> <p>3.6.1 Planning for sewage and water services shall:</p>	

Provincial Planning Statement, 2024 (PPS) Policy	Response
a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services:	The requested Rezoning and Consent would utilize existing private services for water and (septic) sewage on the severed parcel.
3.6.4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage and individual on-site water services may be used provided that site conditions are suitable for the long-term provisions of such services with no negative impacts.	The requested Rezoning and Consent would utilize private services for water and (septic) sewage for the existing dwelling, which is consistent with this provision. The existing system is in good working condition and would be inspected by a qualified technician in part of meeting the conditions of the granted Consent. New individual on-site sewage and water would be created for the new single detached dwelling on the retained lands, as municipal services are not available or feasible.
4.1 Natural Heritage 4.1.1 Natural features and areas shall be protected for the long term.	The requested Rezoning and Consent does not propose any development in the identified "Significant Woodlands" portion of the subject property. The existing natural heritage will be maintained.
4.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features.	The requested Rezoning and Consent does not propose any development in the identified "Significant Woodlands" portion of the subject property. The existing natural heritage will be maintained.
4.3 Agriculture 4.3.1 General Policies for Agriculture 4.3.1.1 Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.	The retained parcel would be sufficiently large enough to continue viable farm or farm-related operations over the long term as there is only a minor reduction to the existing croplands. The severed lot contains and agriculture-related use which supports the surrounding agricultural land base.
4.3.1.2 As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.	The retained parcel would be sufficiently large enough to continue viable farm or farm-related operations over the long term as there is only a minor reduction to the existing croplands.
4.3.2 Permitted Uses 4.3.2.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder,	The existing grain handling facility is an agriculture-related use that serves the surrounding agricultural farming community.

Provincial Planning Statement, 2024 (PPS) Policy	Response
surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.	
4.3.2.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.	The capability to perform a broad range of agricultural activities is being sustained.
4.3.2.3 New land uses in prime agricultural areas, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	The MDS regulations are not applicable as a result of the proposed applications.
4.3.2.4 A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).	The proposed dwelling on the retained parcel would be permitted as the primary dwelling associated with the continuing farming operations.
4.3.3. Lot Creation and Lot Adjustments 4.3.3.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for: a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations; b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;	The proposed Rezoning and Consent would result with an agriculture-related use limited in area and maintains the general regulations of the A2 zone and the existing private water and septic system. The retained agricultural lands would continue to be viable for cash crop uses.

It is the opinion of the writer that the proposed Rezoning application of the agricultural lands to facilitate the Consent for land severance of the grain handling facility would continue to be consistent with the policies of the Provincial Planning Statement.

## 5.2. Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

To assist the interpretation of relevant agricultural policies contained in the PPS, the Ministry of Agriculture, Food and Rural Affairs released *Publication 851 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2016)* (hereon referred to as the "Guidelines"). These Guidelines are meant to complement the PPS and identify best practices regarding its implementation. This following analysis has used the guiding document to aid in the justification.

<b>Publication 851 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2016)</b>	<b>Response</b>
<p><b>2.2 Agriculture-Related Uses</b> As described in the PPS definition, agriculture-related uses are farm-related commercial and industrial uses. They add 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. These may be located on farms or on separate agriculture-related commercial or industrial properties.</p> <p><b>2.2.1</b> <b>PPS Criteria for Agriculture-Related Uses</b> All of the following criteria must be met to qualify as agriculture-related uses in prime agricultural areas.</p> <ol style="list-style-type: none"> <li>1. Farm-related commercial and farm-related industrial uses.</li> <li>2. Shall be compatible with, and shall not hinder, surrounding agricultural operations. <ul style="list-style-type: none"> <li>- Ensure surrounding agricultural operations are able to pursue their agricultural practices without impairment or inconvenience.</li> <li>- Uses should be appropriate to available rural services (e.g., do not require the level of road access, water and wastewater servicing, utilities, fire protection and other public services typically found in settlement areas.</li> <li>- Maintain the agricultural/rural character of the area (in keeping with the principles of these guidelines and PPS Policy 1.1.4).</li> <li>- Meet all applicable provincial air emission, noise, water and wastewater standards and receive all relevant environmental approvals.</li> <li>- The cumulative impact of multiple uses in prime agricultural areas should be limited and not undermine the agricultural nature of the area.</li> </ul> </li> <li>3. Directly related to farm operations in the area.</li> <li>4. Supports agriculture.</li> <li>5. Provides direct products and/or services to farm operations as a primary activity.</li> <li>6. Benefits from being in close proximity.</li> </ol>	<p>The proposed Rezoning and Consent for the existing grain handling facility is identified as an agriculture-related use and meets these listed criteria. Refer to Section 5.2 of this report.</p>
<p><b>2.5.5 Lot Creation</b> Lots may only be created for agriculture-related uses provided that any new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services (PPS Policy 2.3.4.1 b). The use for the severed lot should be known, as a speculative use does not allow for determining appropriate lot size or compliance with any other PPS policy.</p>	<p>The proposed Rezoning and Consent applications are consistent with PPS policy 2.3.4.1 b (per the previous review) where the new lot would permit an agriculture-related use and the parcel is limited to include minimal required setbacks and maintain the existing private water and septic systems currently in operation.</p>

As per the above review of the Ontario Prime Agricultural Area Guidelines, the proposed rezoning consent applications are consistent with the intended policies and represents good land use planning.



### 5.3. Middlesex County Official Plan (July 7, 2023)

The proposed consent and rezoning applications are subject to the policies of the Middlesex County Official Plan. A review of the relevant land use policy documents indicate that the Middlesex County Official Plan designates the subject site within the “Agricultural Areas”, per Schedule “A” – Land Use.

A portion of the lands (northwest corner) contain “Natural Heritage System”, per Schedule C – Natural Heritage System. This area is to be retained left as is. It is reasonable to expect that the woodlot would not be impacted negatively by the granted land severance and rezoning applications.

The proposed Rezoning and Consent conform to the land use policy framework described in the Middlesex County Official Plan, as described below.

Middlesex County Official Plan Policy	Response
<p>2.2.1 Natural Environment</p> <p>2.2.1.1 Introduction</p> <p>The policy framework for the Natural Environment is based on:</p> <p>b) Protection and sustainment of the Natural Environment by avoiding, minimizing, and mitigating the impact of permitted development;</p> <p>e) Protection of agricultural lands and supporting sustainable agricultural practices;</p> <p>2.2.1.2 General Policies</p> <p>Identify, protect, maintain and encourage rehabilitation of the Natural Environment.</p> <p>New development shall be directed away from the Natural Environment wherever possible in accordance with the Provincial Policy Statement, Conservation Authorities Act, Endangered Species Act, Fisheries Act and other relevant Federal or Provincial Legislation.</p> <p>2.2.1.3 Natural Heritage System</p> <p>The policies of this Plan seek to protect the County’s entire Natural Heritage System and to maintain the ecological processes of this System that may be affected by development.</p>	<p>The natural heritage feature on site is going to be retained and protected. The proposed severance does not propose a change to the existing grain handling operation, which has been operating for over 20 years with no impact on the wooded area.</p> <p>The proposed new residential dwelling will be located over 400m away from the existing woodlot. It is reasonable to expect that no negative impacts to the woodland would result due to the proposed new dwelling.</p>
<p>2.2.2 Agriculture</p> <p>2.2.2.1 Introduction</p> <p>The County is committed to the protection of agriculture as both an industry and a way of life.</p> <p>2.2.2.2 General Policies</p> <p>Agriculture-related and on farm diversified uses shall be compatible with and not hinder, surrounding agricultural operations.</p>	<p>The proposed applications conform with the overall direction as the lands actively farmed or used for continued agricultural purposes will be protected. The request for land severance and rezoning does not deter or discontinue farming activities on the retained lot. The existing grain operation is an agriculture-related use.</p>
<p>2.3.9 Agricultural Area Policies</p> <p>Agriculture is the cornerstone of the County’s economy and culture.</p> <p>The policies of this plan are intended to affirm that agriculture is a predominant activity in the County. Non-</p>	<p>The proposed Rezoning and Consent for the existing grain handling facility is identified as an agriculture-related use and meets all the criteria as listed above. See sections below for accordance with Sections 3.3.5 &amp; 4.5.3.4.</p>

Middlesex County Official Plan Policy	Response
<p>agricultural activities will be closely scrutinized and directed to Settlement Areas unless the activity is agriculturally related and a location in proximity to agriculture is necessary.</p> <p>The primary use of land in the Agricultural Area shall be agriculture, farm-related industrial and commercial uses in accordance with Section 3.3.5 and accessory uses. 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</p> <p>Consents shall be, in accordance with the policies of Section 4.5.3.4</p>	
<p>3.3 Agricultural Areas 3.3.2 General Policies</p> <p>It is the policy of County Council that the Agricultural Area in Middlesex County shall be preserved and strengthened with the goal of sustaining the agricultural industry that is so vital to the Middlesex economy.</p> <p>In the Agricultural Areas, farm parcels shall remain sufficiently large to ensure flexibility and the economic viability of the farm operation. The creation of parcels of land for agriculture of less than 40 hectares shall generally not be permitted.</p> <p>Existing separate and distinct parcels of land of insufficient size to be a viable farm unit will be encouraged to consolidate with abutting farm units. Development of these lots is subject to local official plan policy and zoning by-law regulations.</p> <p>Limited on-form diversified uses may be permitted in the Prime Agricultural Areas subject to the criteria provided in the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. On-farm diversified uses may be subject to site specific zoning regulations and are not removed from the Agricultural Area land use designation.</p>	<p>The proposed Rezoning and Consent applications conform with the overall intent of this policy, as the existing use and farming capability would be preserved for ongoing economic viability.</p> <p>Although the preferred agricultural parcel area is 40 ha, the retained lot is presently used for agricultural purposes and would continue to be large enough (38 ha/ 94 ac) to permit flexible and viable farm operation over the long term.</p> <p>The severed parcel is an appropriate size for continued private (septic) sewage; is provided with an existing private potable water supply and does not interfere or prohibit continued farming activities.</p> <p>The original township lot is not being severed into more than two lots.</p> <p>The MDS regulations are not applicable because there are no feed-lots and livestock within at least 1 km of the subject farm.</p>
<p>3.3.3 Permitted Uses</p> <p>Agricultural Area shall generally permit the following use:</p> <ul style="list-style-type: none"> <li>a) Agricultural uses;</li> <li>b) up to two farm residences provided the second farm residence is a temporary residential unit;</li> <li>c) forestry uses;</li> <li>d) mineral aggregate and petroleum extraction;</li> <li>e) conservation;</li> <li>f) public and private open space and recreation facilities (subject to Provincial Policy Statement 2020 policies for site-specific non-agricultural uses as provided in Section 2.3.6.1 (b) of the Provincial Policy Statement</li> <li>g) home occupation;</li> <li>h) occasional agricultural demonstration events such as a plowing match;</li> </ul>	<p>The existing grain handling facility is identified as an agriculture-related use and meets the criteria of section 3.3.5 (as listed below).</p>

Middlesex County Official Plan Policy	Response
<p>i) retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is located;</p> <p>j) bed and breakfast establishments;</p> <p>k) additional residential units in accordance with Section 2.3.7.4;</p> <p>l) agriculture-related and on-farm diversified uses in accordance with Section 3.3.5; and</p> <p>m) public uses.</p>	
<p>3.3.5 Agriculture-Related and On-Farm Diversified Uses</p> <p>Agriculture-related and on-farm diversified uses directly related to, and supportive of, agricultural operations, including feed mills, grain drying, abattoirs, agricultural research centres, farm equipment repair shops, agri-tourism and veterinary clinics may be permitted providing the following policies are considered:</p> <p>a) the agriculture-related and on-farm diversified uses cannot reasonably be located in a Settlement Area and must be located in proximity to farming activities;</p> <p>b) such uses shall be located to conform with Minimum Distance Separation Formula;</p> <p>c) where local zoning by-laws do not provide as of right zoning for agriculture related and on-farm diversified uses a site specific amendment to the Zoning By-law is approved;</p> <p>d) the agriculture-related and on-farm diversified uses shall not require large volumes of water not generate large volumes of effluent and shall be serviced with appropriate water supply and sewage treatment facilities;</p> <p>e) agriculture-related and on-farm diversified 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;</p> <p>f) the location agriculture-related or on-farm diversified uses must provide for a minimum sight distances from the access points in either direction along a County or local road;</p> <p>g) the site plan policies of local official plan;</p> <p>h) the agriculture-related or on-farm diversified uses shall be in accordance with the Provincial Guidelines on Permitted Uses in Prime Agricultural Areas;</p> <p>i) for on-farm diversified uses, the relationship of the proposed use to the underlying farm operation;</p> <p>k) proposed access to highways under the jurisdiction of the Province of Ontario, or proposed access in proximity of such highways or interchange ramp terminals, shall be subject to the regulations and policies of the Ministry of Transportation.</p>	<p>The existing grain handling facility is identified as an agriculture-related use and meets the required criteria.</p> <ul style="list-style-type: none"> <li>- The grain handling is not appropriate within a Settlement Area and is located in proximity to existing farming activities.</li> <li>- The Minimum Distance Separation requirements would be provided per the proposal.</li> <li>- A Zoning Bylaw Amendment is submitted concurrently.</li> <li>- Large volumes of water nor effluent and is properly serviced.</li> <li>- Use has been existing for over 20 years and proposed residential use will have proper separation distances.</li> <li>- Existing access points continue to be used and proposed new residential access would be located properly.</li> <li>- Local Official Plan policies would be adhered to.</li> </ul>
<p>4.5.3 Consent</p> <p>4.5.3.2 General Policies</p>	<p>The proposed Rezoning and Consent applications conform with the overall intent of this policy, as follows:</p>

Middlesex County Official Plan Policy	Response
<p>The policies of this section shall apply to all consent applications. The severed and retained lots, when proposed to be used for residential, commercial or industrial uses, shall front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed use.</p> <p>The creation of the lot or lots shall not create or substantially worsen traffic, access or servicing problems (failing septic systems). The consent shall only be granted if in conformity with the land use designations and policies of this plan and the local official plan.</p> <p>The severed and retained lots shall be of adequate size for the intended use, having regard for the topography of the land, the siting of proposed buildings and services and points of access.</p> <p>On the granting of a consent, conditions may be imposed on the severed and retained parcels.</p> <p>Compliance with the Minimum Distance Separation Formula shall be maintained.</p>	<ul style="list-style-type: none"> <li>- The retained and severed parcels have frontage access onto Fourteen Mile Road.</li> <li>- Additional traffic is not anticipated as there are no proposed changes to the existing uses.</li> <li>- The severed lot would meet the minimum lot area for residential purposes to continue receiving and private potable water supply and achieve adequate area for private (septic) sewage.</li> <li>- The retained lot would continue to be large enough for viable farm operation over the long term.</li> <li>- The MDS regulations are not applicable because there are no feed lots and livestock within at least 1 km of the subject lands.</li> </ul>
<p>4.5.3.4. Agricultural Area</p> <p>c) Consents for new farm lots are discouraged where the result is the creation of a farm lot less than a typical township lot of about 40 hectares. Consents for the creation of new farm lots shall be considered where both the size of the lands being severed, and the lands being retained are appropriate to:</p> <ol style="list-style-type: none"> <li>1. the type of agriculture being engaged in or proposed to be engaged in; and</li> <li>2. the type of agricultural activity and farm lot size common in the area.</li> </ol> <p>In general, farm lot size shall be sufficiently large to create large contiguous farming blocks and to maintain flexibility to adapt to future changes in agriculture and to avoid the unwarranted fragmentation of farmland. A minimum farm lot size shall be established in the Zoning By-laws of the local municipalities.</p> <p>d) Consents for agriculture-related commercial and industrial uses shall be considered when the commercial or industrial use, due to its nature, must be located in close proximity to the agricultural operations which it serves;</p>	<p>The total size of the parcel at present is 41 ha. The proposed lot to be severed would reduce the land area by approximately 2.79 ha. This severed area is currently not being cultivated for cash crops as the current dwelling and grain facility are located in this space. The remaining crop lands would remain very similar to existing conditions, as such it would be reasonable to expect that the proposed land severance would have no effect on the viability for agriculture or the capability to perform a broad range of agricultural activities on the Retained cropland.</p> <p>The existing grain handling facility located on the lot to be severed has been built and existing for more than 20 years and serves the surrounding community as a central hub for grain collection prior to going to market as an essential service.</p>

As the proposed consent and rezoning applications aim to protect the existing natural heritage system, maintains the viability of agricultural operations on the retained lot, and contains an agricultural related use on the severed parcel, the proposed applications would be in conformity with the intended regulations and policies of the Middlesex County Official Plan.

### 5.4. Middlesex Centre Official Plan (March 2024)

The Official Plan of the Municipality of Middlesex Centre designates the subject site as “Agriculture”, per Schedule ‘A’ – Land Use Plan.

A portion of the lands contain “Significant Woodlands”, per Schedule B – Greenlands System. It is reasonable to expect no negative impacts on the woodland by the granting of the land severance and rezoning applications.

Conformity with the policy framework of the Middlesex Centre Official Plan is described below.

Middlesex Centre Official Plan Policy	Response
<p>2.0 Policies for Agricultural Areas</p> <p>2.1 General Agricultural Goals</p> <p>a) To preserve agriculture as the primary land use outside of settlement areas within the Municipality.</p> <p>b) To recognize the agricultural heritage within the Municipality, and the significant importance of agriculture to not only the rural community, but also to the viability and character of settlement areas within the Municipality, and to the Provincial economy as a whole.</p> <p>c) To protect agricultural areas from conflicting land uses or uses which could negatively impact the future viability of agricultural operations.</p> <p>e) To encourage the retention of existing woodlots within the Municipality.</p>	<p>The proposed Rezoning and Consent for the existing grain handling facility is identified as an agriculture-related use and supports the policies as listed:</p> <ul style="list-style-type: none"> <li>- The existing uses are Agricultural and have been in operation for over 20 years.</li> <li>- Protects the future viability of the agricultural operation.</li> <li>- The agriculture-related use is within proximity to the surrounding associated agricultural community, along with home occupations are permitted uses.</li> <li>- The existing woodland will be retained.</li> </ul>
<p>2.3 Permitted Uses in Agricultural Areas</p> <ul style="list-style-type: none"> <li>- Commercial or industrial activities directly related to agriculture and required in close proximity to associated farming operations, or “value-added” agriculturally related uses as defined in Section 12.0</li> <li>- Forestry and woodlots.</li> <li>- Home Occupations.</li> <li>- Natural areas and conservation uses.</li> <li>- Residence Surplus to a Farming Operation</li> </ul>	<p>The existing grain handling facility is an agriculturally related activity and is required to be located near associated farming operations.</p> <p>The proposed single detached dwelling on the retained Agricultural parcel would be a farm residence.</p> <p>The proposed single detached dwelling through the temporary zoning bylaw would be a residence surplus to a farming operation and would replace the existing dwelling on the lands to be severed.</p>
<p>2.4 Agriculturally Related Commercial and Industrial Development</p> <p>Commercial and industrial uses that are directly related to agriculture, and required to be in close proximity to farming operations, are permitted within the agriculture designation, subject to approval of a site specific zone change application and the requirements of Site Plan Control under Section 10.5 of this Plan. A justification report may also be required by the Municipality at its discretion. Such uses are nevertheless encouraged to locate within 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.</p>	<p>The proposed Rezoning and Consent for the existing grain handling facility is identified as an agriculture-related use. This Planning Justification Report is completed and submitted for review in support of the proposed rezoning and consent applications.</p>

Middlesex Centre Official Plan Policy	Response
<p>2.6 Severance Policies in Agricultural Areas Severances within agricultural areas of the Municipality are prohibited, except in those instances identified in the severance policies contained in Section 10.3 of this Plan.</p>	<p>The proposed Consent for the existing grain handling facility is identified as an agriculture-related use which conforms to section 10.3 (see below).</p>
<p>3.0 Policies for Natural Areas and Natural Hazard Areas 3.1 Natural Area and Natural Hazard Goals e) To promote and encourage the retention of existing woodlots, corridors and linkages within the Municipality. j) To be consistent with the Provincial Policy Statement and the County of Middlesex Official Plan, and the requirements and policies of Conservation Authorities. k) To encourage continued stewardship and conservation of natural heritage areas and water resources.</p>	<p>The existing significant woodlands in the northwest corner of the existing property will be retained and are not to be altered or impacted.</p>
<p>3.4 Greenland Feature Overlay It is the policy of this Plan that development or site alterations within or on lands adjacent to the environmental features, save and except for those uses included in Section 3.5, shall be subject to completion of a Development Assessment Report acceptable to the Municipality. The distances associated with adjacent lands are identified in Figure 1 of this Plan. Development or site alteration within or adjacent to such features will be prohibited unless it can be shown that there will be minimal or no impacts on the form or function of such features.</p>	<p>No development is to occur within 50m of the woodland, thus no Development Assessment Report is required.</p>
<p>10.3 Severance Policies 10.3.2 Severances Within Agricultural Areas 10.3.2.1 Severances within agricultural areas will be prohibited, except under the following specific circumstances: b) Severances for agriculture-related commercial and industrial uses may be considered, subject to additional policies of this Plan in Section 2.3.</p>	<p>The proposed Rezoning and Consent for the existing grain handling facility is identified as an agriculture-related use.</p>
<p>10.3.2.3 The fragmentation of existing farm lots will be strongly discouraged. Severances for new farm lots will not be permitted where a farm lot less than 40 hectares will result.</p>	<p>The total size of the parcel at present is 41 ha. The proposed lot to be severed would reduce the lot area by approximately 2.79 ha. The remaining cultivation area is not proposed to reduce drastically and would continue to be viable for farming.</p>
<p>10.3.2.4 It is the policy of this Plan that farm lot size shall be sufficiently large to create large continuous farming blocks and maintain long term flexibility to adapt to future changes in agriculture, and to avoid the unwarranted fragmentation of farmland.</p>	<p>Generally, where the business and dwelling are located the land is not used for cultivation. Therefore, the proposed land severance would have minimal effect on the viability for agriculture or the capability to perform a broad range of agricultural activities within the farmland.</p>
<p>10.11 Temporary Use By-Laws Council may pass a temporary use by-law to allow a use otherwise prohibited by the Municipality's zoning by-law. A temporary use by-law will define the land or lands to which it applies, and shall prescribe the period of time during which it is in effect, said period to not exceed three years from the day of the passing of the by-law. Council may extend this period by passing further by-laws, each of which shall not be in effect for more than three years.</p>	<p>A temporary use by-law is proposed to allow the construction of a new single detached residential dwelling while the existing residence remains until occupancy of the new dwelling is achieved.</p> <p>All regular zoning requirements will be provided for the proposed dwelling. The temporary use is required to</p>



Middlesex Centre Official Plan Policy	Response
<p>In enacting a temporary use by-law, Council shall have regard for the following as a minimum:</p> <ul style="list-style-type: none"> <li>a) The compatibility of the proposed use with the surrounding land uses;</li> <li>b) The adequacy of any services that may be required for the proposed use;</li> <li>c) Access and parking requirements;</li> <li>d) Traffic impacts;</li> <li>e) The conformity of the proposed use with the policies of this Plan. Temporary use by-laws shall not be passed for the purpose of permitting uses that are not in conformity with this Plan.</li> </ul>	<p>ensure the family can continue to live in the existing dwelling while the new dwelling is under construction.</p>

The proposed Rezoning application and granted Consent for land severance would be in conformity with the intended regulations and policies of the Middlesex County Official Plan and represents good land use planning.

**6. Conclusion**

Based on the planning analysis provided above, the nature of the existing land uses (agriculture and agriculture related use); the sufficiency of the lot sizing (continued viability of agricultural use); and the protection of the natural heritage system, the proposed applications for consent and rezoning are in-keeping with overall provincial and municipal land use policy frameworks and constitutes sound land use planning.

Respectfully submitted,

**Strik, Baldinelli, Moniz Ltd.**

Planning • Civil • Structural • Mechanical • Electrical



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