



**Municipality of Middlesex Centre
By-Law 2020-010**

Being a By-Law to adopt Amendment No. 48 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, 2014 and is in conformity with the County of Middlesex Official Plan;

THEREFORE 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. 48 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. 48 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 19th day of February 2020.

Aina DeViet, Mayor

Ann Wright, Clerk

AMENDMENT NO. 48

TO

THE OFFICIAL PLAN

OF THE

Municipality of Middlesex Centre

Location: The subject property is located on the east side of Egremont Drive. The property is municipally known as 4766 Egremont Drive and legally described as The land is legally described as Part of Lots 1, Concession 10, RP 33R5542 PART 1 (geographic Township of Lobo), Municipality of Middlesex Centre.

Date: February 19, 2020

Approval Authority: County of Middlesex

AMENDMENT NO. 48

To the Official Plan of the Municipality of Middlesex Centre

The attached, constituting Amendment No. 48 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 2020-_____ on the-_____ day of_____, 2020, in accordance with the Planning Act, R.S.O. 1990, c.P.13.

Aina DeViet
Mayor

Ann Wright
Clerk

AMENDMENT NO. 48

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. 48

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

AMENDMENT NO. 48

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, in addition to the existing use permitted in an Agricultural designation, for outside storage of trailers and sales accessory to the permitted trailer sales establishment at 4736 Egremont Drive. The Amendment would re-designate a 0.8 ha (2.0 ac) portion of 4766 Egremont Drive. As enlarged, Action Trailers operation would include a land area of approximately 1.86 ha (4.6 ac). Action Trailers has outgrown the current location's 1.05 ha (2.6 ac) land area and has expanded their operation while remaining in the community. Action Trailers has a lease with the owner of the subject lands.

2.0 LOCATION

The subject property is located on the east side of Egremont Drive. The property is municipally known as 4766 Egremont Drive and legally described as Part of Lots 1, Concession 10, RP 33R5542 PART 1 (geographic Township of Lobo), Municipality of Middlesex Centre.

The surrounding land uses are predominately agricultural in nature with some rural commercial uses along Egremont Drive.

3.0 BASIS OF THE AMENDMENT

The Planning Act requires all decisions made under the Act "be consistent with" the Provincial Policy Statement, 2014 (PPS). Under the PPS, prime agricultural areas are defined as areas where prime agricultural lands predominate. Even though Action Trailer's operation is a non-farm use, it is situated in a prime agricultural area. In such area, 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 subject to criteria.

The subject proposal satisfies such criteria as the lands were not previously used for a specially crop area and area not in close proximity to a livestock operation, thus alleviating the requirement for Minimum Distance Separation (MDS) compliance. The subject proposal would permit the expansion of a growing business that has operated as a permitted use for over 15 years, satisfying that there is an identified need for additional lands to be designated and that expansion at alternative locations is not feasible.

According to the County Official Plan, the subject lands are within the Agricultural Area designation. Permitted uses within this designation include agricultural as well as farm-related commercial and industrial uses. Notwithstanding, the County Plan is not intended to prevent the continuation, expansion or enlargement of non-farm uses which do not conform to the Agricultural Areas designation. The County Plan goes further to allow local municipalities to rezone to allow the continuation, expansion or enlargement of legally existing uses provided such uses have no adverse effect on surrounding land uses including MDS compliance and subject to any conditions contained in a local official plan. The foregoing matters have been addressed or are capable of being addressed through the site plan approval process.

The Middlesex Centre Official Plan provides a framework for proposed amendments thereto. The subject proposal complies with the policies of the Middlesex Centre Official Plan in that it is consistent with the PPS and in conformity with the County Official Plan. In addition, the subject proposal is justifiable in that the re-designation would facilitate the expansion of a growing local business.

According to the Middlesex Centre Zoning By-law, the lands at 4766 Egremont Drive are zoned Agricultural (A1) and the lands at 4736 Egremont are zoned Highway Commercial (C2). The applicants have advised that the lands within the Special Policy Area will be the subject of a rezoning application and are proposed to be re-zoned from Agricultural (A1) to Agricultural (A1-#) in order to permit the expansion of the Action Trailers.

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 35”

The land identified as Agricultural / Special Policy Area #35, as shown on Schedule ‘A’ to this Official Plan, shall be subject to the following policy:

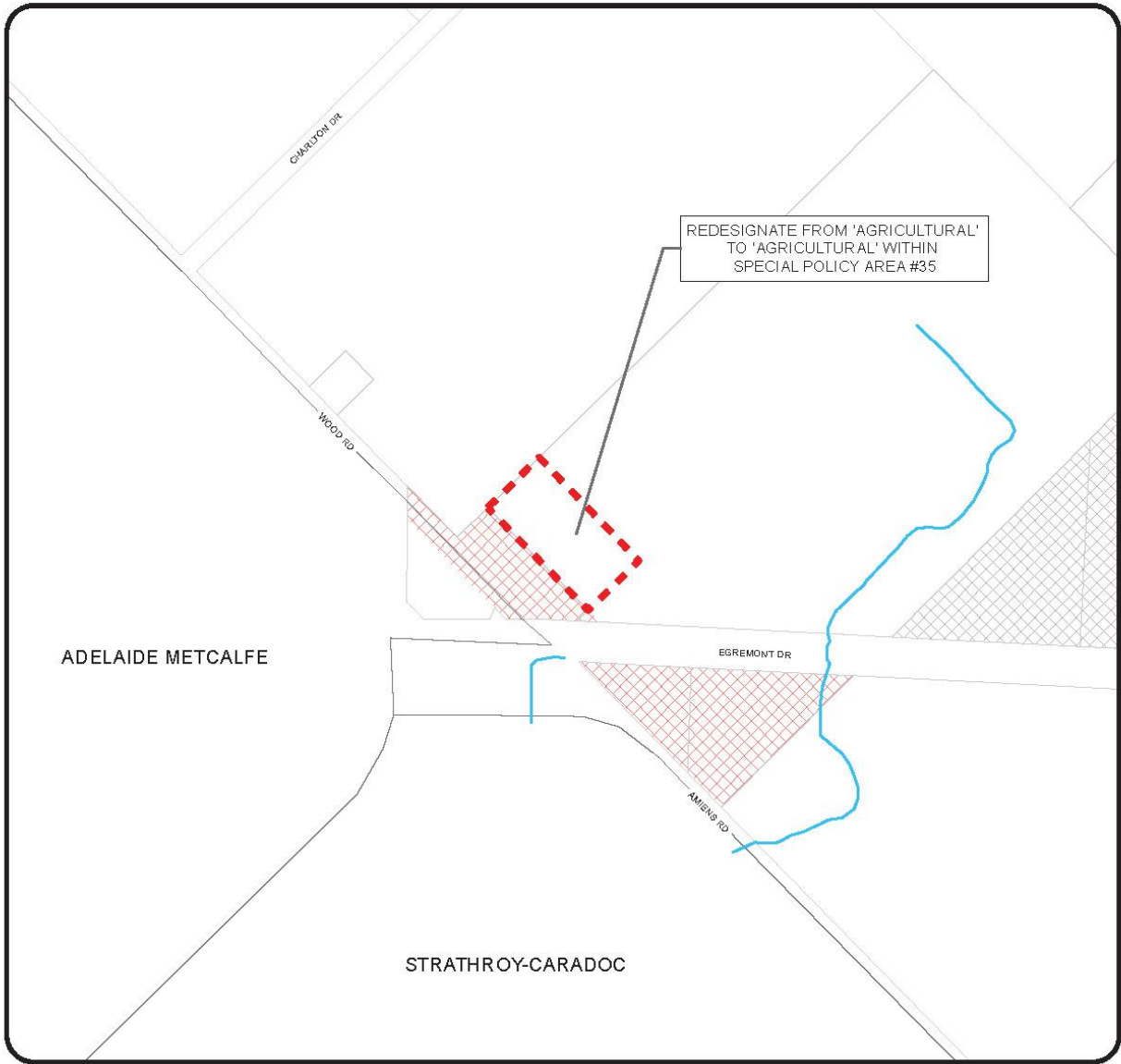
Notwithstanding any other section of the Official Plan, trailer sales and outside storage may be permitted with no accessory buildings or structures in addition to the permitted uses within the Agricultural designation on the property municipally known as 4766 Egremont Drive and legally described as The land is legally described as Part of Lots 1, Concession 10, RP 33R5542 PART 1 (geographic Township of Lobo), Municipality of Middlesex Centre.”

- ii. By amending Schedule ‘A’ of the Official Plan by changing the designation of the land described as Part of Lots 1, Concession 10, RP 33R5542 PART 1 (Geographic Township of Lobo), Municipality of Middlesex Centre as shown and defined on Schedule ‘A’ attached to this amendment, from Agricultural to Agricultural/Special Policy Area #35.

SCHEDULE A: TO OFFICIAL PLAN AMENDMENT #48

SCHEDULE A: LAND USE PLAN

MUNICIPALITY OF MIDDLESEX CENTRE OFFICIAL PLAN



LEGEND

Special Policy Area

Official Plan Designation

Rural Commercial Rural Industrial

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



