

File No.: **39-OP-225026**  
Municipality: County of Middlesex  
Subject Lands: All lands within the County of Middlesex.

Date of Decision: July 7, 2023  
Date of Notice: July 7, 2023

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# NOTICE OF DECISION

**With respect to Official Plan Amendment No. 3 to the County of Middlesex Official Plan  
Subsection 17(34) and 26 of the *Planning Act***

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A decision was made on July 7, 2023, to approve, with seventeen (17) modifications, Official Plan Amendment No. 3 to the County of Middlesex Official Plan, as adopted by By-Law 7182.

## **Purpose and Effect of Official Plan Amendment No. 3**

The approval of the County of Middlesex Official Plan Amendment, No. 3 as modified, incorporates new provincial legislation and policies to bring the County of Middlesex Official Plan into consistency with the Provincial Policy Statement (PPS), 2020, the Planning Act and other applicable legislation. It also implements new County policy initiatives and plans such as the cycling strategy, the corporate strategic plan and the economic development strategy and will guide the development and growth of the County over the next 25 years. A copy of the decision is attached.

The seventeen (17) modifications to the Official Plan Amendment No. 3, have been made by the Minister to address matters related to compliance with the Planning Act, and the protection of agricultural operations.

The Official Plan Amendment No. 3, applies to all lands within the County of Middlesex.

## **Decision Final**

Pursuant to subsections 17 (36.5) and (38.1) of the Planning Act, the decision of the Minister of Municipal Affairs and Housing regarding an official plan adopted with section 26 of the Planning Act is final and not subject to appeal. Accordingly, the County of Middlesex Official Plan Amendment No. 3, as approved with modifications by the Minister, came into effect on July 8, 2023.

## **Other Related Applications:**

None

## **Getting Additional Information**

Additional information is available on the County of Middlesex's website: <https://www.middlesexcentre.on.ca/town-hallplans-strategies/official-plan-review> or by contacting the Ministry of Municipal Affairs and Housing at the address noted below:

Ministry of Municipal Affairs and Ministry of Housing  
Municipal Services Office – West

659 Exeter Road, 2nd Floor  
London, ON  
N6E 1L3

Inquiries can be directed to the attention of Dellarue Howard, Planner  
Email: [dellarue.howard@ontario.ca](mailto:dellarue.howard@ontario.ca)  
Tel: 519-619-3227

# DECISION

**With respect to Official Plan Amendment No. 3  
to the Official Plan for the County of Middlesex  
Subsection 17(34) and Section 26 of the *Planning Act***

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I hereby approve, as modified, all of Official Plan Amendment No. 3 to the County of Middlesex Official Plan adopted by By-Law No. 7182, subject to the following modifications, with additions in bold underline and deletions in ~~strikethrough~~:

1. **Part B, Schedule 1 to By-Law No. 7182** is modified as follows:

In policy 2.2.1.3 the following is added after the sentence "The County recognizes Indigenous rights and interests in relation to the Natural Heritage System including a focus on ecological restoration":

**"In partnership with Indigenous communities, the County will develop a protocol and collaborative process for identifying, evaluating, and managing natural heritage resources that may be of interest to Indigenous communities."**

2. **Part B, Schedule 1 to By-Law No. 7182** is modified as follows:

In policy 2.2.3.2 the words "~~significant deposits~~" are deleted where they occur after the word "known" and are replaced with the words "**areas of mineral aggregate resource potential**".

3. **Part B, Schedule 1 to By-Law No. 7182** is modified as follows:

In policy 2.2.5:

a) First paragraph, second sentence, the words "~~conservation, restoration, maintenance and enhancement~~" are deleted:

b) Second paragraph, add the following at the end of the policy:

**"In partnership with Indigenous communities, the County will develop a protocol and collaborative process for identifying, evaluating, and protecting cultural heritage resources that may be of interest to Indigenous communities."**

**Council shall not permit development and site alteration on land adjacent to a protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that**

the heritage attributes of the protected heritage property will be conserved.”

4. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 2.3.2:

- a) First paragraph, the words “~~urban areas, community areas and hamlets in agricultural areas~~” are deleted and the following added as shown:

Urban Areas

- a) Ailsa Craig
- b) Glencoe
- c) Granton
- d) Ilderton
- e) Komoka
- f) Kilworth
- g) Lucan
- h) Mount Brydges
- i) Parkhill
- j) Strathroy

Community Areas

- a) Arva
- b) Delaware
- c) Dorchester
- d) Kerwood
- e) Thorndale
- f) Melbourne
- g) Nairn
- h) Wardsville

Hamlets in Agricultural Areas

- a) Appin
- b) Avon
- c) Adelaide
- d) Ballymonte
- e) Birr
- f) Brinsley
- g) Bryanston
- h) Cairngorm
- i) Carlisle
- j) Clandeboyne
- k) Corbett
- l) Crampton
- m) Denfield

- n) Gladstone
- o) Greenway
- p) Harrietsville
- q) Hungry Hollow
- r) Lieury
- s) Lobo
- t) McGilivary
- u) Melbourne
- v) Melrose
- w) Middlemiss
- x) Mount Caramel
- y) Napier
- z) Nilestown
- aa) Poplar Hill / Coldstream
- bb) Pratt Siding
- cc) Putnam
- dd) Waubuno
- ee) Welburn
- ff) West
- gg) Sylvan

- b) Second paragraph, the word “~~Establishment~~” where it occurs before the words “of a Settlement” is deleted and replaced with the word “Identification”.
- c) Fourth paragraph, the words “or the settlement area boundary” are added at the end of the paragraph.

5. **Part B, Schedule 1 to By-Law No. 7182 is modified as follows:**

In policy 2.3.5:

- a) Fourth paragraph, add the words “noted in Section 2.3.2 Growth Management Hierarchy and” before the words “conceptually identified”.
- b) Fifth paragraph, add the words “the identification of a new Settlement Area or” before the words “the expansion” and delete the word “expansion” where it occurs at the end of the sentence and replace it with the words “the new or expanded Settlement Area boundary”.

6. **Part B, Schedule 1 to By-Law No. 7182 policy 2.3.7.4, is modified as follows:**

“The development of additional residential units shall be encouraged ~~permitted~~ as a means of increasing the diversity and stock of rental and affordable housing, creating opportunities for aging in place, and providing homeowners with additional sources of income.

Additional residential units shall be permitted within Settlement Areas with full municipal water and sewage services as follows: ~~The County supports:~~

- a) The use of ~~two~~ up to three residential units in a single detached dwelling, semi-detached dwelling or rowhouse; ~~or~~
- b) The use of a two residential units in a detached dwelling, semi-detached dwelling, row house, and a residential unit in a building or structure ancillary to a single detached dwelling, semi-detached dwelling or rowhouse.

For additional clarity, the intent of this policy is to allow up to a total of three residential units per lot, which includes the primary dwelling unit, on properties in Settlement Areas with full municipal water and sewage services on eligible properties.

Local municipal official plans and zoning by-laws shall address the following:

- a) the Building Code, Fire Code and all other Provincial, County, and Municipal standards,
- b) the provision of adequate access, including emergency access, ~~and on-site parking,~~
- c) that the additional residential unit(s) be clearly subordinate in scale and function to the primary unit, and
- d) ~~the provision of adequate water and wastewater services and where appropriate shared services between the primary dwelling and the additional residential units are encouraged, and,~~
- e) d) not be permitted within hazard lands as defined and regulated by conservation authorities.

Specific to the creation of additional residential units outside of settlement areas, such uses shall be grouped with the primary dwelling, shall meet Minimum Distance Separation formulae, and shall be prohibited from being severed from the property unless as part of the severance of the primary dwelling unit as a residence surplus to a farming operation.

~~Tiny Homes with a permanent foundation could be considered an additional residential unit under the County Official Plan.~~ Garden suites, granny flats, and mobile tiny homes or trailers are considered temporary uses and evaluated as such.

7. **Part B, Schedule 1 to By-Law No. 7182 is modified as follows:**

In policy 2.3.8.2, fifth paragraph, delete the words "~~significant outwards~~" where they occur before the word "expansion" and also the words "~~through plans of subdivision~~" where they occur before the words "shall require".

8. **Part B, Schedule 1 to By-Law No. 7182 is modified as follows:**

In policy 2.4.2.6 last sentence delete the words "are encouraged" where they occur before the words "to implement" and replace them with the word "will".

9. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 2.4.5.1, second paragraph, add the words "in accordance with MECP Guideline D-5-2" at the end of the sentence.

10. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 3.2.3, first paragraph, add the words "permitted uses in Prime Agricultural Areas" as a new bulleted point.

11. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 3.3.4, third paragraph, add the words "and minor" after the word "infilling" and delete the words "~~in depth or minor extensions~~" where they occur before the words "of existing".

12. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 3.3.7, second paragraph, delete the word "~~should~~" where it occurs before the word "identify" and replace it with the word "shall".

13. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 3.3.8, add the following new policy:

"New or expanding livestock facilities, shall comply with the minimum distance separation formulae. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and not hinder, surrounding agricultural operations."

14. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 4.5.1, first paragraph, add the words "the Planning Act, policy statements issued under section 3 of the Act, the" before the word "provisions".

15. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 4.5.3.1 c) delete the word "significant" where it occurs before the word "mineral".

16. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In policy 4.5.3.4 c) delete the words "~~shall generally not be considered~~" where they occur after the words "farm lots" and replace them with the words "are discouraged".

17. Part B, Schedule 1 to By-Law No. 7182 is modified as follows:

In Section 4.5 Development Applications, add the following new subsection:

**"Policy 4.5.3.8 Studies, Information and other Material**

**Studies, information and other material that may be required to process an application are listed below:**

- a) **Affordable Housing Report/ Rental Conversion Assessment;**
- b) **Aggregate/Mineral Resource Analysis;**
- c) **Agricultural Impact Assessment;**
- d) **Air Quality Study;**
- e) **Archaeological Assessment;**
- f) **Construction Management Plan;**
- g) **Cut and Fill Analysis;**
- h) **Dust Impact Analysis;**
- i) **Development Assessment Report / Environmental Impact Study;**
- j) **Environmental Site Assessment and/or Record of Site Condition;**
- k) **Floodline Delineation Study/ Hydraulics Study;**
- l) **Heritage Impact Assessment (For built Heritage Resources and/or Cultural Heritage Landscapes)**
- m) **Hydrogeological Assessment;**
- n) **Landfill Impact Study;**
- o) **Land Use Compatibility Study;**
- p) **Lighting Plan;**
- q) **Minimum Distance Separation Analysis;**
- r) **Natural Heritage Study;**
- s) **Noise Impact Study;**
- t) **Odour Impact Assessment;**
- u) **Parking Analysis;**
- v) **Pedestrian Route and Sidewalk Analysis;**
- w) **Planning Justification Report;**
- x) **Preliminary Grading Plan;**



- y) Preliminary Stormwater Management Report/Plan and/or update to an existing Stormwater Management Report/Plan;
- z) Market Impact Assessment;
- aa) School Accommodation Issues Assessment;
- bb) Servicing Options Report;
- cc) Slope Stability Study and Report;
- dd) Soils/Geotechnical Study;
- ee) Staging of Development Plan;
- ff) Traffic Calming Options Report;
- gg) Traffic Impact Study;
- hh) Tree Retention Plan;
- ii) Urban Design Report/Brief;
- jj) Vibration Study;

Or any other study deemed to be necessary for the application by the County or local municipality.”

Dated at Toronto this 7<sup>th</sup> day of July, 2023.



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Hannah Evans  
Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs and Housing