



## 6.0 RURAL AREA POLICIES

### 6.1 INTRODUCTION

This Plan contains four (4) land use designations that relate to the rural area of the Municipality, which are detailed in this Section. The land use designations are as follows:

- Urban Reserve Area Land Use Designation;
- Agricultural Area Land Use Designation;
- Restricted Agricultural Area Land Use Designation; and
- Resource Extraction Area Land Use Designation.

### 6.2 GENERAL POLICIES

The Municipality is committed to agricultural production as both an industry and a way of life. This Plan strives to protect and strengthen the agricultural community. The following policies generally apply to agriculture and the rural area within the Municipality.

- a) Non-agricultural urban uses within the Agricultural Area Land Use Designation are prohibited, unless specifically permitted in Section 6.4 of this Plan.
- b) New non-farm residential lots outside of Settlement Areas are prohibited.
- c) The fragmentation of farm parcels in agricultural areas is strongly discouraged.
- d) The expansion of farm parcels through lot assembly is encouraged wherever possible.
- e) In order to avoid land use conflicts within agricultural areas, it is the policy of this Plan that the Minimum Distance Separation Formulae be used to establish appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. These standards will also apply to circumstances where new residential lots or other non-agricultural land uses are proposed in proximity to existing livestock facilities. The MDS-I and MDS-II calculations of the Province shall apply. For the purpose of the Zoning By-law, other methods may be used to ensure comparable separation standards to the Minimum Distance Separation Formulae for separating incompatible uses. Such other methods may lead to more restrictive setbacks than those established through Minimum Distance Separation Formulae, but will not lead to less restrictive



setback requirements than required through the Minimum Distance Separation Formulae.

- f) The Zoning By-law shall establish separation distances between livestock operations (to be defined within the By-law) and non-agricultural land uses in accordance with Minimum Distance Separation Formulae.
- g) Development in proximity to existing or potential aggregate, mineral or petroleum resource extraction operations shall be subject to the relevant policies of Section 6.6.
- d) Wayside pits and quarries and portable asphalt plants used on public authority contracts will be permitted, without the need for an amendment to this Plan, rezoning or development approval under the *Planning Act* in all areas, except in Settlement Areas, and Hazard Lands and Natural Heritage Features as defined by Section 7.3 of this Plan.

### **6.3 URBAN RESERVE AREA LAND USE DESIGNATION**

The Urban Reserve Area is intended to serve four purposes. First, it protects intensive agricultural uses from locating in proximity to urban uses, thereby averting conflict. Second, it prevents urban uses from locating in proximity to existing intensive rural and agricultural uses, thereby averting disruption to agricultural productivity. Third, it creates a long-term protected corridor of land around the Urban Settlement Areas for possible future urban expansion. Fourth, it provides a land use policy context and area for certain specific, and mutually compatible uses, to locate strategically within the Municipality. The following policies relate to uses permitted in the Urban Reserve Area Land Use Designation.

#### **6.3.1 Permitted Uses**

The following uses shall be permitted on lands designated Urban Reserve Area.

- a) The predominant uses of land shall be those uses existing and permitted on the date of adoption of this Plan, as well as non-intensive agricultural uses, reforestation and public utilities.
- b) Development of an existing vacant lot of record or a new infill lot for residential use shall be permitted, provided the following criteria can be met:
  - i) The residential use meets the policies of Section 6.3.2;



- ii) New residential infill lots specifically meet the criteria established in Section 6.3.2.c;
  - iii) The residential use is compatible with the surrounding area;
  - iv) The proposed residential use meets the Minimum Distance Separation Formulae;
  - v) Direct access to a public road can be provided; and
  - vi) Appropriate servicing can be provided.
- c) Public utilities and other uses, which would limit the type of residential uses to be developed in Urban Reserve Area, shall not be permitted.
  - d) Open Spaces uses shall be permitted, subject to the policies of Section 7.
  - e) Uses accessory to any of the permitted uses in the Urban Reserve Area Land Use Designation are permitted. The accessory uses shall be defined in the Zoning By-law.
  - f) The specific uses permitted shall be established in the Zoning By-law.

### **6.3.2 Policies**

The following policies shall apply to the Urban Reserve Area Land Use Designation.

- a) Beyond the 20-year planning horizon of this Plan, the future use of areas designated Urban Reserve Area will generally be for residential and other urban purposes. Council shall consider these lands as logical areas to extend the Residential Area Land Use Designation onto, when it has been determined that additional lands are required in the Municipality to accommodate future growth and development.
- b) Those areas designated Urban Reserve Area will require an amendment to this Plan prior to development for uses other than those contemplated in Section 6.3.1.
- c) Consents for residential infilling shall only be considered where a residential lot is proposed to be created between two existing non-farm residences which are on separated lots of a similar size, and which are situated on the same side of a road, and which are not more than about 100 metres apart, and where the side lot lines



of the said separated lots are not more than approximately 50 metres apart.

- d) Uses within the Urban Reserve Area shall be required to develop on the basis of full municipal services, including but not necessarily limited to, municipal sewer, water and stormwater services. Notwithstanding this, Council may permit development on partial services (municipal water and private sewage disposal), as an interim measure until it is feasible to extend full municipal services, provided development does not preclude the extension of full municipal services.

## **6.4 AGRICULTURAL AREA LAND USE DESIGNATION**

The majority of land within the Municipality is designated Agricultural Area, reflecting the dominance of agriculture in North Middlesex. The Agricultural Area Land Use Designation is intended to strengthen the agricultural community in the Municipality. The policies are designed to protect agriculture from the intrusion of incompatible uses, such as non-farm related residential dwellings and other uses that are sensitive to contemporary agricultural practices.

### **6.4.1 Permitted Uses**

Uses permitted on lands designated Agricultural Area on Schedule “A” are as follows.

- a) The primary use of land shall be for farming, agriculture and agriculturally-related uses. The farm unit shall generally consist of farmland, the farm residence, farm buildings and structures and any farm woodlots or natural heritage features.
- b) A second farm residence may be permitted, provided the second farm residence is on the same lot and is accessory to the main farm operation. The second farm residence shall be a temporary residential unit and shall be permitted by way of temporary use by-law, in accordance with Section 9.3.3 of this Plan.
- c) Agricultural demonstration events shall be permitted.
- d) Forestry uses shall be permitted.
- e) Natural heritage conservation, protection and enhancement, and open space uses shall be permitted and are subject to the policies of Section 7.



- f) The following secondary uses may also be permitted, provided these uses do not conflict with existing farming operations or with any Natural Heritage Features:
  - i) Accessory residential dwellings, “granny flats” or garden suites, subject to the policies of Section 5.2.3, save and except for that use of existing site services is permitted in lieu of full municipal services;
  - ii) Home occupations, subject to the policies of Section 6.4.2.d;
  - iii) On-farm secondary businesses, subject to the policies of Section 6.4.2.e;
  - iv) Agriculturally-related commercial and industrial operations, subject to the policies of Section 6.4.2.f;
  - v) Public and private open space and recreational uses, subject to the policies of Section 6.4.2.g; and
  - vi) Petroleum exploration and production under the *Oil, Gas and Salt Resources Act*, subject to the policies of Section 6.6.3.
- g) Legally existing uses not referenced in the above list shall be recognized in the Zoning By-law, however, physical expansion, relocation or establishment of new such uses is not contemplated by this Plan.
- h) Non-farm related rural residential development is generally not permitted. The following residential uses shall not be permitted in the Agricultural Area Land Use Designation:
  - i) New estate residential development;
  - ii) New rural residential development that is not a component of the farm unit described in 6.4.1.a;
  - iii) New “themed”, comprehensive or lifestyle communities;
  - iv) New mobile home or trailer parks; and
  - v) New farm retirement or “next of kin” lots.
- i) Uses accessory to any of the permitted uses in the Agricultural Area Land Use Designation are permitted. The accessory uses shall be defined in the Zoning By-law.
- j) The specific uses permitted shall be established in the Zoning By-law.



#### 6.4.2 Policies

The following policies apply to lands designated Agricultural Area.

- a) Consent-for-severances for residential development and non-agricultural uses shall be prohibited in the Agricultural Area Land Use Designation, except for those circumstances outlined in Section 9.6.4.h.
- b) The creation of parcels of land of less than 40 hectares in size for agricultural purposes shall generally not be permitted. Farm operators shall not be prevented from assembling and disassembling agricultural land into viable production units, provided the minimum parcel size is maintained.
- c) In no instance shall an original township lot be divided into more than two parcels of lands. For the purposes of this policy, any township lot that has been severed for the purposes of a school site or church site, a road widening or minor lot line adjustments shall be deemed to be an original township lot.
- d) Home occupations not related to farming shall be permitted within the farm residence, provided the use remains clearly secondary to the farm operation and provided the use is operated by a farm family member. Examples of home occupations include an office, consulting room or studio for a profession, business or a trade; a hairdressing establishment; an antique shop; and a tea room. Home occupations shall be conducted entirely within the farm dwelling. The actual range of home occupations permitted and the standards applying to them shall be set out in the Zoning By-law.
- e) On-farm secondary businesses comprise a gainful occupation conducted in whole or in part in an accessory building (shed or farm building) by a member of the farm family, with support of up to three non-farm family members. In order to ensure that the scale of the business is clearly accessory to the farm use, the gross floor area of the on-farm secondary business shall not exceed the gross floor area of the residential unit. Outside storage associated with the on-farm secondary business shall be limited in scale and be screened from view from surrounding roads. On-farm secondary businesses shall have no negative impact on Natural Heritage Features. The range of on-farm secondary businesses permitted and the standards applying to them shall be set out in the Zoning By-law. On-farm secondary businesses shall be subject to site plan control.
- f) Agriculturally-related commercial and industrial uses that are clearly supportive of and directly related to agricultural operations, such as



feed mills, grain drying, abattoirs, kennels, stables, veterinary clinics, handling and storage facilities, livestock marketing or sales yards, fertilizer plants and farm implement and repair dealers, may be permitted subject to the following criteria:

- i) The proposed use is located on land that is not currently used for agricultural purposes;
- ii) The proposed use cannot locate in an Urban and Community Settlement Area or the Urban Reserve Area Land Use Designation, due to use prohibition or other reasons that make it infeasible, and must be located in close proximity to farming activities;
- iii) The proposed use complies with the Minimum Distance Separation Formulae;
- iv) The proposed use shall neither require large volumes of water nor generate large volumes of effluent and shall be serviced with municipal piped water, where possible, and an appropriate sewage treatment facility;
- v) The proposed use shall be accessed via a County road, subject to the approval of the County of Middlesex;
- vi) The location of the proposed use shall provide for minimum sight distances from the access points in either direction along a County road;
- vii) The proposed use shall be located and designed to minimize potential adverse impacts on adjacent residential and other sensitive uses by buffering measures such as landscaping, berming and building setback and layout;
- viii) The proposed use shall be subject to a Zoning By-law Amendment, in accordance with the policies of Section 9.6.2 of this Plan; and
- ix) The proposed use shall be subject to site plan control, in accordance with the policies of Section 9.6.6 of this Plan.



- g) Large-scale recreational uses, such as golf courses, campgrounds and similar uses, are not anticipated in the Agricultural Area Land Use Designation. Public and private open space and recreational uses may be permitted in the Agricultural Area Land Use Designation subject to the following policies:
  - i) The proposed use is of an appropriate scale that it is clearly secondary to agricultural uses;
  - ii) The proposed use shall be located on land not currently used for agricultural purposes;
  - iii) Lands characterized by rolling topography, forest cover, and rivers and streams, will be given preference for the establishment of outdoor recreation uses;
  - iv) The proposed use shall comply with the Minimum Distance Separation Formulae; and
  - v) The proposed use will be compatible with existing or planned uses in the vicinity.
- h) Certain lands within the Agricultural Area Land Use Designation contain Natural Heritage Features. These features are illustrated on Schedule “C” to this Plan. Any lands including or adjacent to a natural heritage feature shall be subject to further development control, as established in the policies of Section 7.3 of this Plan.
- i) Minimum Distance Separation Formulae shall be used to ensure compatibility between new livestock operations or the expansion of existing livestock operations and surrounding uses.
- j) Prior to establishing a new intensive livestock operation, a Nutrient Management Plan shall be completed in accordance with accepted Ministry of Agriculture and Food standards and the *Nutrient Management Act* and its associated regulations. New intensive livestock operations shall be subject to site plan control in accordance with Section 9.6.6 of this Plan. The Municipality may address nutrient management requirements in the site plan agreement for new intensive livestock operations.
- k) All manure storage areas and feedlots shall be designed and located in a manner that prevents or minimizes the potential contamination of water resource areas. The fencing of farm ponds and watercourses shall be encouraged to prevent direct watering of livestock.



## 6.5 RESTRICTED AGRICULTURAL AREA LAND USE DESIGNATION

Surrounding, or partially surrounding, the Community and Hamlet Settlement Areas are areas designated Restricted Agricultural Area. Within these areas, certain agricultural activities will be prohibited to ensure a reasonable degree of protection to these communities from odour, dust and noise frequently associated with these agricultural activities.

### 6.5.1 Permitted Uses

The following policies related to permitted uses apply to the Restricted Agricultural Area Land Use Designation:

- a) The primary use of land shall be for the production of field and speciality crops, market gardening, bush and vine crops, minor cattle grazing and forestry.
- b) Secondary uses permitted may include home occupations and on-farm secondary businesses and outdoor recreational uses, subject to the policies of Section 6.5.2.
- c) Prohibited uses include confinement or intensive livestock and poultry operations, mushroom farms, grain drying and handling facilities, and livestock sales barns and marketing yards and similar uses.
- d) Certain types of uses may be permitted subject to the following criteria:
  - i) Due to size and/or nature of the use, it cannot appropriately locate within an Urban Settlement or Community Settlement Area;
  - ii) The intended use is not desirable within an Urban Settlement or Community Settlement Area;
  - iii) The use is not permitted in the Urban Reserve Area, Hamlet Settlement Area, Agricultural Area, Restricted Agricultural Area, Resource Extraction Area or Open Space Area land use designations; and
  - iv) The use may locate no closer than 300 metres to a Hamlet Settlement Area.
- e) Uses accessory to any of the permitted uses in the Restricted Agricultural Area Land Use Designation are permitted. The accessory uses shall be defined in the Zoning By-law.



- f) The specific uses permitted shall be established in the Zoning By-law.

### **6.5.2 Policies**

The following policies apply to the Restricted Agricultural Area Land Use Designation:

- a) Uses legally existing on the date of adoption of this Plan that are otherwise prohibited shall be permitted to continue, but shall not be recognized in the Zoning By-law. Expansions and enlargements shall be subject to the approval of the Committee of Adjustment.
- b) All proposed uses in the Restricted Agricultural Area Land Use Designation shall comply with the Minimum Distance Separation Formulae.
- c) An Official Plan Amendment, in accordance with the policies of Section 9.6.1 of this Plan, will be required to expand the boundaries of the Restricted Agricultural Area.
- d) Home occupations shall be permitted within the farm residence, in accordance with Section 6.4.2.d. The actual range of home occupations permitted and the standards applying to them shall be set out in the Zoning By-law.
- e) On-farm secondary businesses are permitted in accordance with Section 6.4.2.e.
- f) Large-scale recreational uses, such as golf courses, campgrounds and similar uses, are not anticipated in the Restricted Agricultural Area Land Use Designation. Public and private open space and recreational uses may be permitted in the Restricted Agricultural Area Land Use Designation in accordance with Section 6.4.2.g.
- g) Certain lands within the Restricted Agricultural Area Land Use Designation contain Natural Heritage Features. These features are illustrated on Schedule "C" to this Plan. Any lands including or adjacent to a natural heritage feature shall be subject to further development control, as established in the policies of Section 7.3 of this Plan.

## **6.6 RESOURCE EXTRACTION AREA LAND USE DESIGNATION**

This Plan does not designate lands for future resource extraction. Existing pits and quarries and aggregate, mineral or petroleum resource extraction operations are designated Resource Extraction Area by this Plan. Areas



with potential for aggregate, mineral and petroleum resource extraction are identified on Schedule “C” to this Plan.

A separate land use designation has not been created for petroleum resource extraction. In addition to the policies of this Plan, the regulations and standards of the *Oil, Gas and Salt Resources Act*, will govern the location of petroleum wells in the Municipality.

#### **6.6.1 Permitted Uses**

The following policies related to permitted land uses apply to lands designated Resource Extraction Area in Schedule “A”.

- a) The primary use of land shall be for the extraction of aggregate, mineral or petroleum resources.
- b) Existing aggregate, mineral or petroleum resource extraction operations shall be permitted to continue without the need for an Official Plan Amendment, Zoning By-law Amendment, development permit or other development approval under the *Planning Act*.
- c) Uses accessory to an aggregate, mineral or petroleum extraction operation such as processing, crushing, washing or stockpiling of aggregate resources extracted from the operation shall also be permitted.
- d) Concrete batching plants and asphalt plants shall be permitted in association with a resource extraction operation.
- e) Secondary uses permitted shall include agriculture, forestry, conservation, public or private outdoor recreation uses and wayside pits.
- f) The actual range of permitted uses shall be established in the Zoning By-law.

#### **6.6.2 Resource Extraction Policies**

The following policies apply to the Resource Extraction Area Land Use Designation.

- a) As many areas of aggregate potential are located in areas containing natural heritage features or important agricultural operations, a new aggregate extraction operation (other than a wayside pit), or expansion of an existing resource extraction operation shall require an Official Plan Amendment. In considering applications to permit new resource extraction operations, the following shall be addressed



to the satisfaction of the Municipality, including any impact mitigation measures:

- i) The proximity of the site to the Resource Areas identified on Schedule "C";
  - ii) The nature and extent of resources to be extracted from the site;
  - iii) The impact on adjacent land uses and residents, including visual impacts;
  - iv) The impact on the natural environment, including any identified Hazard Lands and Natural Heritage features;
  - v) The impact on any cultural heritage sites or features identified and designated by the *Ontario Heritage Act*;
  - vi) The impact on the existing road network;
  - vii) The impact on surface and groundwater resources;
  - viii) The impact on present or future agricultural operations;
  - ix) The capability of the lands for agriculture and other land uses;
  - x) The manner in which the operation will be carried out; and
  - xi) The nature of rehabilitation work that is proposed.
- b) Applications to establish a new resource extraction use shall be subject to site plan control and the requirements of the *Aggregate Resources Act* or the *Oil, Gas and Salt Resources Act*, as appropriate.
- c) Resource extraction sites shall be progressively rehabilitated to a standard that is compatible with the land use designation(s) in place at the time of the application for Official Plan Amendment. The Municipality shall approve an after-use plan for the site and enforce the after-use plan through the development agreement. The after use plan shall propose a use consistent with the existing land use designation(s) on the site. Depending on the nature of the after use plan, an Official Plan Amendment may be required to implement the after-use plan. On lands presently designated Agricultural Area where a resource extraction use is proposed, site rehabilitation will be conducted such that a productive use permitted in the Agricultural Area is restored. The requirement for complete agricultural rehabilitation may not be required if:



- i) There is a substantial quantity of mineral aggregates below the water table warranting extraction; and
  - ii) The depth of planned extraction in a quarry makes restoration to agricultural capability unfeasible.
- e) The extraction of aggregate from a farm property for use on the same farm property shall be permitted subject to the *Aggregate Resources Act*.

### 6.6.3 Petroleum Resource Policies

There is potential in the Municipality for exploration, discovery and production of petroleum deposits. The following additional policies shall apply to petroleum resource extraction.

- a) Petroleum exploration and production under the *Oil, Gas and Salt Resources Act* is a permitted activity within the Agricultural Area Land Use Designation and the Resource Extraction Area Land Use Designation, subject to the other policies of this Plan.
- b) The Municipality supports the proper disposal of oil field brines, in accordance with Provincial requirements.
- c) The Municipality encourages the use of technology, such as directional drilling for the exploration and production of subsurface resources from a well site that is located on lands adjacent to Hazard Lands, Environmentally Significant Features or Natural Heritage Features and/or cultural heritage features.
- d) New wells and associated works are generally prohibited where they may cause any surface or ecological disturbance to identified Hazard Lands, Environmentally Significant Features, or cultural heritage features.
- e) New wells and associated works within Natural Heritage Features will only be permitted where an EIS has identified measures to mitigate negative impacts. Where forest cover is removed it will be replaced at a location specified by the landowner whose forest cover was removed and should the owner not have a suitable location, then the replacement would occur at a location specified by the Municipality.
- f) The Municipality may allow consents that convey an interest in land, but do not create a separate parcel, where a portion of a property is being considered for works that are associated with production of oil or natural gas or that are associated with underground storage of natural gas.



- g) Subject to the approval of the Municipality and the Province or the County, as appropriate, the routing of field or gathering pipelines will be allowed along road rights-of-way where it does not impact road safety and maintenance needs.
- h) When production ceases, well sites and locations of associated works shall be rehabilitated to permit uses set out in the Land Use Designation where the well sites are located. Sites within the Agricultural Area Land Use Designation shall be rehabilitated so as to restore the site so it can be used for agricultural purposes.

#### 6.6.4 Development in Proximity to Aggregate, Mineral & Petroleum Resource Operations

The following policies shall apply to any proposed development application in proximity to an aggregate, mineral or petroleum resource operation.

- a) The Municipality shall consult the Province where new development is proposed adjacent to or in areas of known aggregate, mineral or petroleum resource extraction potential.
- b) Development shall be setback from aggregate resource extractions operations, in accordance with the *Aggregate Resources Act*. The Municipality will not approve development applications that do not comply with the setbacks required by the *Aggregate Resources Act*.
- c) New development shall be setback 75 metres from existing wells and related operations, or the equivalent setback required under the *Oil, Gas and Salt Resources Act*, whichever is greater. Lesser setbacks for development may be considered upon consultation with the Province.
- d) Development on, abutting or adjacent to lands affected by former mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed.
- e) As a condition of approving development, the Municipality will require that improperly abandoned wells that are known or discovered on the lands during development will be properly plugged, capped or otherwise made safe in accordance with Provincial requirements. Building locations should be examined for the presence of possible well sites using established standards and procedures. Areas where wells are located should be avoided when establishing building locations, unless it can be demonstrated that development can safely occur. If sites of former works are



discovered, these locations shall be rehabilitated prior to development proceeding.