

SECTION 2.0 POLICIES FOR AGRICULTURAL AREAS

Preamble: The Municipality of Middlesex Centre has a tremendous agricultural resource, and a long-standing agricultural heritage that helps to define our community identity. The agricultural land base represents one of our most significant economic and community assets, with the majority of the Municipality considered Prime Agricultural land. It is a key priority of the Municipality that agricultural areas be protected for agricultural and resource uses, and that the agricultural economy be enhanced within the Municipality. The continued viability of agricultural resource areas, the agricultural industry, and agricultural communities will be protected by the Municipality, in part through the avoidance of land use conflicts and the prevention of non-agricultural urban uses outside of the settlement areas.

2.1 GENERAL AGRICULTURAL GOALS

The following goals relate to lands within the Agriculture designation. These include the majority of lands outside of the Municipality's settlement areas.

- a) To preserve agriculture as the primary land use outside of settlement areas within the Municipality.
- 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.
- c) To protect agricultural areas from interference or encroachment from conflicting land uses, or uses which could reduce or negatively impact the future flexibility or efficiency of agricultural operations.
- d) To enhance the viability of farm operations wherever possible to ensure their continued economic strength.
- e) To encourage the retention of existing woodlots within the Municipality, and encourage the establishment of new or expanded woodlots on lands with poor soil capability for agriculture.
- f) To encourage good farm management and stewardship practices, and agricultural practices that consider the health of the natural environment.

2.2 GENERAL AGRICULTURAL POLICIES

- a) Non-agricultural urban uses within agricultural areas are prohibited, unless specifically permitted in other subsections of Section 2.0 of this Plan.
 - b) New estate 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.
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2.3 PERMITTED USES IN AGRICULTURAL AREAS

Agricultural areas are intended to be used predominantly for agriculture and agriculture related uses. This includes all forms of farming, including the principal farm dwelling, related buildings and structures, practices and uses of land.

Other permitted uses in agricultural areas include the following:

- 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.
- Retail sale of farm produce produced on individual properties or communally among neighbouring farms. Such communal operations should not be of a size, scale or nature likely to negatively affect the rural character of the area in question. Size and scale will be further regulated in the Municipality’s zoning by-law.
- Forestry and woodlots.
- Bed and Breakfast Establishments.
- Home Occupations.
- Natural areas and conservation uses.
- Small scale public and private passive recreation areas, subject to site specific zoning.
- Commercial Wind Energy Generation Systems (CWEGS) subject to site specific Zoning By-law Amendment.

Notwithstanding the permitted uses set out in section 2.3 of this Plan, non-farm residences which existed prior to the establishment of the Middlesex Centre on January 1, 1998 may be used, altered, reconstructed, repaired and renovated provided that the reconstruction, repair or renovation, as the case may be, is undertaken in full compliance with all applicable law.

In addition to the above, any lots, which existed lawfully prior to the establishment of Middlesex Centre on January 1, 1998 and which are vacant may be used for the construction of a non-farm residence, if the use is permitted by the Comprehensive Zoning By-law and if the non-farm residence is constructed in full compliance with all applicable law, including Minimum Distance Separation Formula 1.

2.4 AGRICULTURALLY RELATED COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Commercial and industrial uses that are directly related to agriculture, and required 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. Uses that could potentially cause conflicts in settlement areas would include feed mills, livestock assembly yards, and slaughter houses.

Agriculture related tourism or recreational uses may also be permitted, subject to the policies of Section 2.0 of this Plan, and further subject to consideration of issues including the proposed scale of the use; a determination that no negative impacts on nearby agricultural operations will result; and a determination that the use is well removed from potential land use conflicts. Site specific zoning will be required.

When considering the establishment of new agriculturally related commercial, industrial or tourism uses, or the expansion of existing uses of this type, Council will consider the following criteria:

- a) The loss of productive farm land in the accommodating of such uses, shall be discouraged. Uses will be encouraged to locate on lands of lower soil capability or lands proven to be unsuitable for farming due to lot size, shape or topography.
- b) The amount of land devoted to the use shall include only the minimum necessary to support the use and its servicing needs.
- c) The use must not require municipal sewer or water services. The method of servicing shall require approval by the appropriate regulatory bodies. Any industrial use shall be "dry" in nature.
- d) Access shall be available from a public road of reasonable construction and year round maintenance. Development is encouraged on a hard-surface, dust-free road. *Access to Provincial Highways for agriculturally related commercial and industrial development uses will be subject to the review and approval of the Ministry of Transportation (MTO). An entrance permit from the MTO will be required for the change in use of the access. The entrance permit will identify the primary land use (i.e. farmstead) with a specific secondary land use for the agriculturally related commercial or industrial use.*

In addition, the MTO would not support a future severance where a property owner wishes to separate the agriculturally related commercial and industrial use from the property where a new entrance from the highway for the new lot of record would be required.

- e) A site plan agreement shall be entered into with the Municipality. Such an agreement will require particulars relating to, at a minimum, access, traffic, drainage, and grading.
- f) Where a severance of land is necessary to accommodate such a use, the severance policies in Section 10.3 of this Plan will apply.
- g) Compliance with minimum distance separation shall be required where a proposed agriculturally related commercial or industrial use is in proximity to livestock and/or poultry operations. The Municipality may exercise discretion, through the consideration of Minor Variance applications, based on the proposed type of commercial or industrial use, and the extent of its sensitivity to agricultural activities. Input from the appropriate agencies with respect to Minor Variance request will be sought by the Municipality. This Plan recognizes that such agriculturally related commercial or industrial uses may also have negative impacts on adjacent agricultural operations. Minimum distance separation shall also be used to address impact of such uses on sensitive agricultural uses.
- h) Adequate separation distances and buffering shall be required where such uses are proposed adjacent to existing residential or other sensitive uses. Adequate visual buffering or landscaping will be required where such uses may generally impact the agricultural or rural character of the Municipality.

2.5 NON-AGRICULTURAL RELATED USES

Non-agricultural related uses, save and except for those specifically permitted in this Plan, are prohibited within agricultural areas.

Non-agricultural residential development will be limited to those consent-for-severance opportunities identified in Section 10.3 of this Plan. All other proposals for non-agricultural residential development within agricultural areas, including estate residential proposals, will be prohibited.

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.

2.7 MINIMUM DISTANCE SEPARATION

In order to avoid land use conflicts within the Agricultural Areas designation, it is the policy of this Plan that the Minimum Distance Separation Formulae (referred to as MDS I and MDS II) are used to establish appropriate standards for separating new development from existing, new or expanding livestock facilities. These standards also apply to the review of the location or expansion of livestock facilities in proximity to existing or approved development. The Municipality may impose more restrictive setbacks than those established through MDS separation by other means such as the implementing zoning by-law.

The Municipality may also impose appropriate separation distances in its implementing zoning by-law between various settlement area boundaries identified in this Plan or boundaries with abutting urban municipalities.
