



November 26, 2024

Municipality of North Middlesex  
229 Parkhill Main Street  
Parkhill ON, N0M 2K0

*Adelaide Metcalfe*

*Bluewater*

**Atten: Alan Bushell, Municipal Clerk**

*Central Huron*

Dear Mr. Bushell;

*Huron East*

**Re: Official Plan Amendment OPA-16  
Zoning By-law Amendment Application ZBA-23-2024  
3610 West Corner Drive  
Pat Lot 13, Concession 7 ECR  
Geographic Township of McGillivray  
Municipality of North Middlesex  
County of Middlesex  
File Reference: # 24700**

*Lambton Shores*

*Lucan Biddulph*

*Middlesex Centre*

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS) and as a regulatory authority with respect to Ontario Regulation 41/24. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, the Ausable Bayfield Conservation Authority is providing advisory comments related to policy applicability and to assist with implementation of the Ausable Bayfield / Maitland Valley Source Protection Plans made under the Clean Water Act.

*North Middlesex*

*Perth South*

*South Huron*

*Warwick*

From the information received, it is understood the applicant is seeking an Official Plan Amendment and Zoning By-law Amendment that will facilitate the establishment of an On-Farm Diversified Use (OFDU) on the subject property. The proposal includes off-grid farm vacation suites for short-term on-farm stays, retreats and recreational use(s) that are secondary to the principal agricultural use of the property and are limited in area. The primary agricultural operations on the subject property will continue to operate. The applications also propose to establish a permanent detached Accessory Residential Unit (ARU) that may house on-farm labourers and/or family farm help.

*West Perth*

It is understood that the purpose and effect of the Official Plan Amendment application (File No. OPA 16) is to create a Special Agricultural Policy Area that will permit the specially



defined agri-tourism and on-farm diversified use(s), as well as one (1) permanent detached Additional Residential Unit, in addition to the agricultural uses currently permitted on the subject lands.

It is also understood that the purpose and effect of the Zoning By-law Amendment application (File No. ZBA-23-2024) is to rezone the subject lands from 'General Agricultural (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone' to specially define and add 'On-Farm Diversified Use,' 'Agri-Tourism Use,' and a detached 'Additional Residential Unit' as permitted uses on the subject lands. The ZBA will ensure that the proposed OFDU is limited to 2% of the lot area up to a maximum of 1.0 ha of land, in accordance with the provincial guidelines.

**Conservation Authorities Act:**

**Prohibited Activities, Exemptions and Permits - Ontario Regulation 41/24:**

From the information provided, it has been determined that portions of the property in question have been identified as regulated under the Prohibited Activities, Exemptions and Permits (Ontario Regulation 41/24) regulation. The policies of the Ausable Bayfield Conservation Authority regulate development, including construction, grading or filling, or the alteration of any watercourses on lands located within the regulated area. Written approval from the Conservation Authority may be required in order to undertake any of these activities within the regulated area.

Staff of the ABCA have been in preconsultation with the applicant and has considered the following documentation in our review:

- Planning Justification Report, prepared by Rita Jabbour, Registered Professional Land Use Planner, dated October 2024

**Recommendations:**

From the information received, it is understood that the intent of the Zoning By-law Amendment Application is to rezone the entirety of the property from 'General Agricultural (A1) Zone' to 'General Agricultural Exception 113 (A1-113) Zone'. The ABCA has previously expressed concerns of safe access to the portions of the property north of the watercourse and hazard lands. Any proposed development on the north side of the watercourse is subject to the ABCA's safe access policies and may require some degree of engineering assessment. At this time, staff of the ABCA are unsure whether safe access concerns could be met. To date, the ABCA has not received a development plan which indicates the locations of all three off-grid farm vacation suites. As such, the ABCA has concerns for safe access and for rezoning the entirety of the property.

The Ausable Bayfield Conservation Authority does not oppose the proposed Official Plan Amendment. However, the ABCA recommends that the Zoning By-law Amendment be adjusted to only rezone the south portion of the property following the hazard limit.

Thank you for the opportunity to comment on this application. *Please be advised that the commenting fee of \$225.00 has **not** been paid.*

If you have any questions or require any additional information, please do not hesitate to contact me. The Ausable Bayfield Conservation Authority would appreciate receiving a copy of the Municipality's decision.

Yours Sincerely,  
AUSABLE BAYFIELD CONSERVATION AUTHORITY

Ellen Westelaken  
Water and Planning Technician