



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

July 10, 2026

Municipality of West Grey
402813 Grey Road 4
RR 2
Durham, ON
N0G 1R0

Attention: Matt Rapke
Senior Planner

Dear Mr. Rapke

**Re: Application for Consent and Minor Variance
Part Lot 42, Concession 3 WGR
Geographic Township of Bentinck
Municipality of West Grey
382663 18th Sideroad WGR
Owner: Gary and Henrietta Kingshott**

Further to recent pre-consultation discussions involving your office and the County of Grey Planning Department, enclosed please find completed applications for Consent and Minor Variance.

In support of the submitted applications and to assist your office in its evaluation of the proposal, I am providing the following information:

The Proposal:

Maureen and Calvin Rydall own a 0.48-hectare residential lot located in the former Township of Bentinck. Situated on the property is their family residence and a workshop.

Gary and Henrietta Kingshott own the abutting 34.86-hectare farm to the west, upon which their house, barn, and sheds are located.

These two families are proposing a lot line adjustment along their mutual property boundary that would result in approximately 0.21 hectares of land being conveyed from the Kingshotts to the Rydalls, as illustrated on Figure 1 of this Planning Justification

Report. This conveyance will resolve an encroachment issue involving the Rydall's driveway that has been partially constructed on their neighbour's property and a fence that was intended to follow the property boundary but ended up approximately 2.0 metres onto the Kingshott's property.

Adding this land to the small, residential lot would also provide an opportunity for the Rydalls to construct another shop. Mr. Rydall is hoping to erect a 192 square metre building to be used primarily for the restoration and storage of his own automobiles. (This is not a business.) The new building would also include a rec room (or "man cave") for Mr. Rydall. The configuration and location of this shop is illustrated on Figure 2.

Approvals Required:

The lot line adjustment requires the approval of a Consent application by the West Grey Committee of Adjustment.

Given that the benefiting lot was originally established through a formal severance process, the Committee of Adjustment will also need to approve a Cancellation of Consent Certificate in order for the severed parcel to merge on title with that benefiting lot.

Approval of a Minor Variance application by the Committee is also necessary for two reasons:

1. To reduce the minimum lot area requirement of the 'A1' (Agricultural) zone from 40 hectares to 34.65 hectares, as required to facilitate this lot line adjustment; and,
2. To increase the maximum floor area provision for an accessory building on an 'A1' zoned lot comprising less than 0.8 hectares from 92.9 square metres to 192 square metres.

Subject Lands:

The Kingshott property is located northwest of Durham, along the north side of 18th Concession WGR, in the former Township of Bentinck. The west side of the farm fronts along Baseline. This 34.86-hectare property is occupied by the aforementioned house, barn, and sheds. Also situated on the site is a riding ring and horse track. A large portion of the property is cash cropped. A few areas of the property are forested, as

shown on Figures 1 and 2. The 0.21-hectare area to be severed along the easterly boundary is partially forested, with trees sparsely scattered across the remainder of this proposed severed parcel. During the site visit, the author of this Planning Justification Report observed a great number of large stones within this particular area of the property.

It should be noted that the new shop will be located toward the north end of the severed parcel, within an area where the trees are sparse. Ten trees will be removed in order to facilitate this construction.

With regard to the Rydall property, this 0.48-hectare lot is located at the “Y” intersection of Concession 2 WGR and 18th Sideroad WGR, along the west side. Situated on this parcel is a house and workshop. Approximately 50% of this lot is tree covered. The topography drops moderately along the southerly and westerly boundaries.

Grey County Official Plan:

Schedule A of the Grey County Official Plan designates the entire Rydall property and most of the Kingshott farm as ‘Agricultural’. The northwest corner of the farm lot is designated ‘Hazard Land’.

The intent of the ‘Agricultural’ designation is generally to prohibit non-farm lot creation, with some exceptions, and to keep lots as large as possible to promote viable farming operations. The Official Plan has established a minimum lot area policy of 40 hectares for farm parcels that are designated ‘Agricultural’.

It is worth noting that the creation of the Rydall’s residential lot would not be permitted today under the current Official Plan policies.

The consent policies allow for lot line adjustments for legal or technical reasons, with the Official Plan providing the following definition:

LEGAL OR TECHNICAL REASONS means severance for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

During the pre-consultation discussions, the Planning staff at West Grey and Grey County confirmed that this proposal could be viewed as a minor boundary adjustment, provided the size of the severed parcel is kept to a minimum. The two landowners had

originally hoped to sever a larger amount of land; however, the severed parcel was reduced to a 20-metre wide strip in order to gain staff support. As demonstrated on Figure 2 of this Planning Justification Report, the amount of land being added to the residential lot is sufficient to alleviate the existing encroachment issues and provide sufficient area to erect the desired workshop.

It should also be noted that the 0.21 hectares of land being removed from the Kingshott farm are not used for agricultural purposes and, as previously mentioned, are very stoney in nature and extensively tree covered.

As well, the construction of the new workshop would not be possible without this amount of land being added to the Rydall parcel, given the location of the septic system and the slopes along the southerly and easterly sides of the property. It is important to keep in mind that the existing residential lot is generally considered to be small by today's standards, as new lots in the countryside (where permitted) are required to be 0.8 hectares in size or greater, although smaller lots are sometimes possible under the "surplus farmhouse" consent policies.

Schedule B of the Grey County Official Plan applies the 'Aggregate Resource Area' constraint to the easterly portion of the Kingshott farm, including the severed parcel, as well as the entire Rydall lot. Non-farm lot creation (i.e. parcels under 20 hectares) is generally prohibited on such lands because it could impede possible future aggregate extraction in this area. The conveyance of a 20-metre wide parcel from the farm to the residential lot, however, would not undermine the intent of this policy because a new lot is not being created and any licensed pit that would conceivably be proposed on the Kingshott farm would need to be set back a considerable distance from the Rydall's house and the other dwellings located on the two neighbouring lots to the north. Whether this 20-metre wide parcel is added to the Rydall lot or remains with the farm, the setback between the extraction area boundary and neighbouring houses would not change.

Appendix B identifies the forested lands located on the west side of the Kingshott farm as 'Significant Woodland'. Development and site alteration is only permitted on such lands or within 120 metres if no negative impact will occur. The area to be severed is approximately 600 metres from this natural heritage feature and so no impact on that particular forested area is anticipated. The wooded areas located to the east of the Rydall property, along the opposite sides of 18th Sideroad WGR and Concession 2 WGR, are also shown as 'Significant Woodland'. Whereas the new workshop will be located approximately 80 metres from the closest boundary of the 'Significant

Woodland' area, the lands in between are substantially disturbed and include a constructed municipal road, and therefore there would not be an ecological connection between these neighbouring woodlands and the lands on which the workshop will be erected. As such, the woodland feature should not be negatively impacted by the lot line adjustment or the new building. During the pre-consultation discussions, the County Ecologist advised that they have no concern with the lot line adjustment or the new building, as proposed, but did suggest that the Rydalls be encouraged to plant a few trees somewhere on their property to replace the ten trees that are being removed. In this regard, the Rydalls are proposing to plant several trees along the new mutual property boundary.

Based on the foregoing, the proposal to convey a small amount of land from the farm parcel to the abutting residential lot conforms to the Grey County Official Plan.

The Official Plan does not contain policies dealing with the size of accessory buildings.

Municipality of West Grey Zoning By-law:

The Kingshott property is zoned primarily 'A1' (Agriculture) on Schedule A of the West Grey Zoning By-law, with a large swath of 'NE' (Natural Environment) zoning near the northwest corner.

The minimum lot area and frontage requirements of the 'A1' zone are 40 hectares and 122 metres, respectively. The Kingshott property currently comprises 34.85 hectares with over 230 metres of frontage along Baseline. The lot area does not comply with the aforementioned lot area standard but is legally recognized under Section 6.33 of the Zoning By-law which deals with existing lots of record. Because this lot is being further reduced in size, however, a Minor Variance is necessary.

The Rydall property does not comply with either the lot area or frontage provisions, but it is also recognized as a legal lot under Section 6.33. This lot is being increased in size through this lot line adjustment, and therefore it does not require relief from the Zoning By-law.

Minor Variance Evaluation:

Section 45(1) of the Planning Act lists four tests that a Minor Variance must pass in order to be approved. In this regard, please consider the following:

1. *Does the variance maintain the intent and purpose of the County of Grey Official Plan?*

The proposed decrease in the minimum lot area requirement of the 'A1' zone is minimal. The requirement is 40 hectares, whereas the existing lot comprises 34.85 hectares and is being reduced to 34.65 hectares. It has already been demonstrated earlier in this Report that the reduction is maintaining the intent and purpose of the Official Plan.

The Official Plan does not provide policies pertaining to the size of accessory buildings, other than for on-farm diversified use structures.

2. *Does the variance maintain the intent and purpose of the Comprehensive Zoning By-law?*

The 'A1' zone's minimum lot area requirement of 40 hectares is intended to implement the 'Agricultural' designation policies of the County Official Plan by keeping prime agricultural lots large and economically viable. The existing farm parcel comprises 34.86 hectares of land and will be reduced only marginally as a result of the lot line adjustment, and no actual farm land will be lost. As such, the reduced lot area should not undermine the intent and purpose of the Zoning By-law.

The purpose of limiting the size of an accessory building to 92.7 square metres is to ensure that the principal building (i.e. detached dwelling in this instance) remains the dominant structure on the property. There should be no concerns in this regard. The Rydall's home will be approximately 1.8 times larger than the proposed shop and will clearly remain the prominent building on the site. It should also be noted that this zoning provision applies only to lots under 0.8 hectares in size. If the Rydall property was increased by another 0.11 hectares, this variance would not be required. Furthermore, this provision applies to each individual building, which means that the owners could, alternatively, erect a series of buildings each having a floor area of up to 92.7 square metres, with their collective floor areas greatly exceeding the floor area of the 192 square metre building being proposed at this time. The proposal to erect just one large structure, would be more appropriate and significantly less costly to build. Moreover, it should be noted that the proposed building and the existing shop together will comply with the maximum lot coverage of 10% that applies to accessory buildings in any zone. Based on the foregoing, the requested variance clearly maintains the intent and

purpose of the Zoning By-law.

3. *Is the variance minor in nature?*

This test has traditionally been interpreted as meaning “what impact will the variance have on the neighbours?”

The adjacent property owners could not possibly be impacted as a result of the farm property being reduced in size by 0.21 hectares.

With regard to potential impact of the proposed building on the neighbours, the workshop will be 100% visually screened from all neighbouring properties by the existing, mature trees except for the Kingshott parcel. The Kingshotts, however, will not be impacted because: (1) their residence is situated approximately 250 metres from the area where the workshop is being erected; (2) several trees exist in this general area, and additional trees will be planted along the new mutual property boundary; and, (3) the new building is only one storey in height and will not be an imposing structure.

The variances are minor in nature.

4. *Is the variance requested desirable for the appropriate and orderly development and use of the lands and buildings?*

The variances will rectify two existing encroachments and also allow the Rydalls to construct a new building that is more functional than a small structure and clearly appropriate for their expanding lot.

It is evident that the proposed variance conforms to Section 45(1) of The Planning Act.

Provincial Planning Statement:

The Provincial Planning Statement (PPS) generally prohibits the creation of new residential lot in prime agricultural areas but does give consideration to lot line adjustments for legal or technician reasons. The terminology used in the PPS for such lot line adjustments is identical to wording provided in the County Official Plan, which has been examined earlier in this Planning Justification Report. The proposed lot line adjustment is consistent with this policy.

The PPS does not regulate the size of accessory buildings.

The lot line adjustment and associated variances are consistent with the PPS.

Closing Comments:

The submitted applications conform to the Grey County Official Plan and are consistent with the Provincial Planning Statement. Therefore, favourable consideration can be given to the approval of these applications.

Should you require any additional information, please contact the undersigned.

On a final note, please contact me to discuss a possible public meeting date before actually scheduling the meeting in order to ensure my availability.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized, cursive script.

Ron Davidson, BES, RPP, MCIP

c.c. Maureen and Kyle Rydall

 Subject Lands

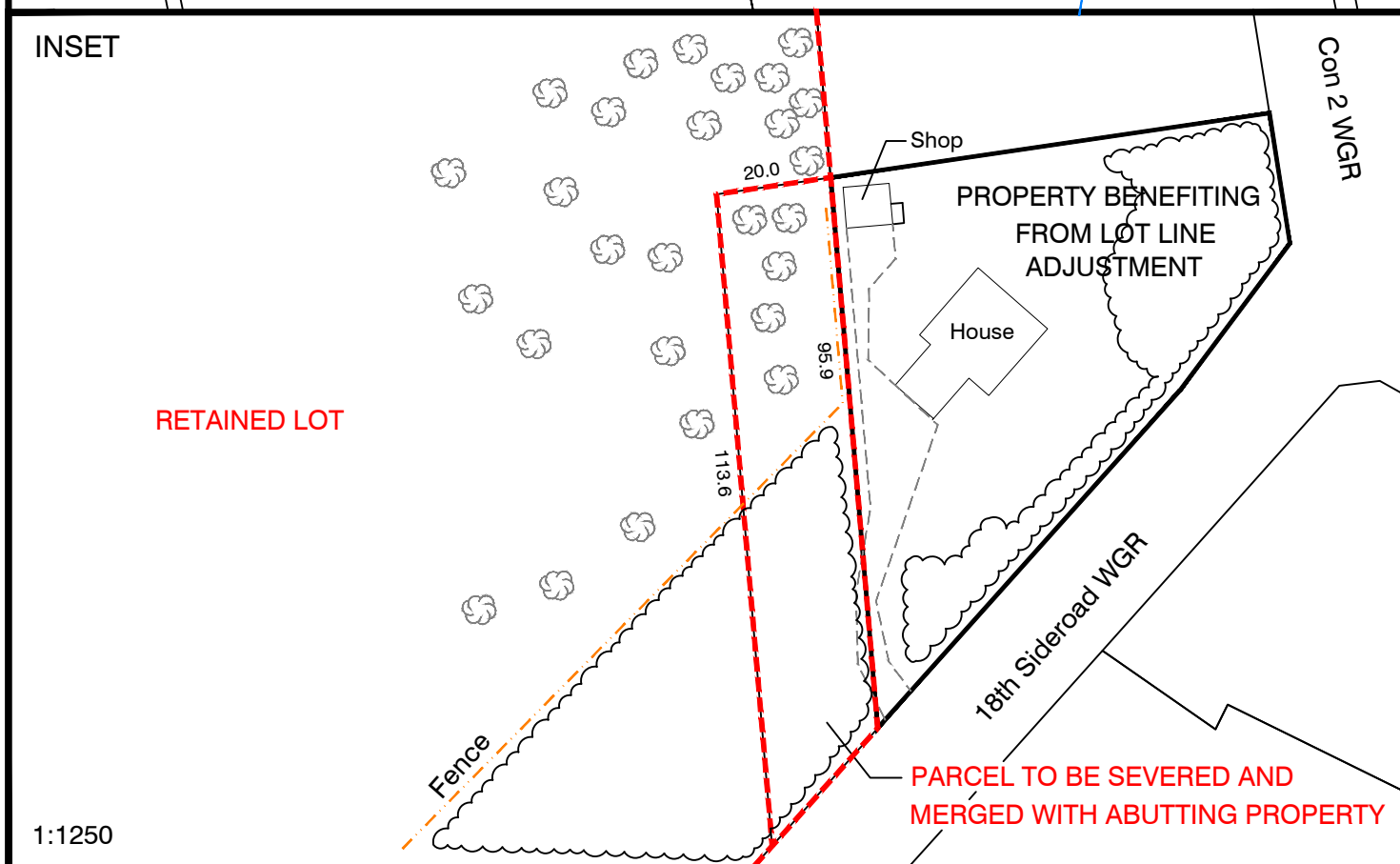
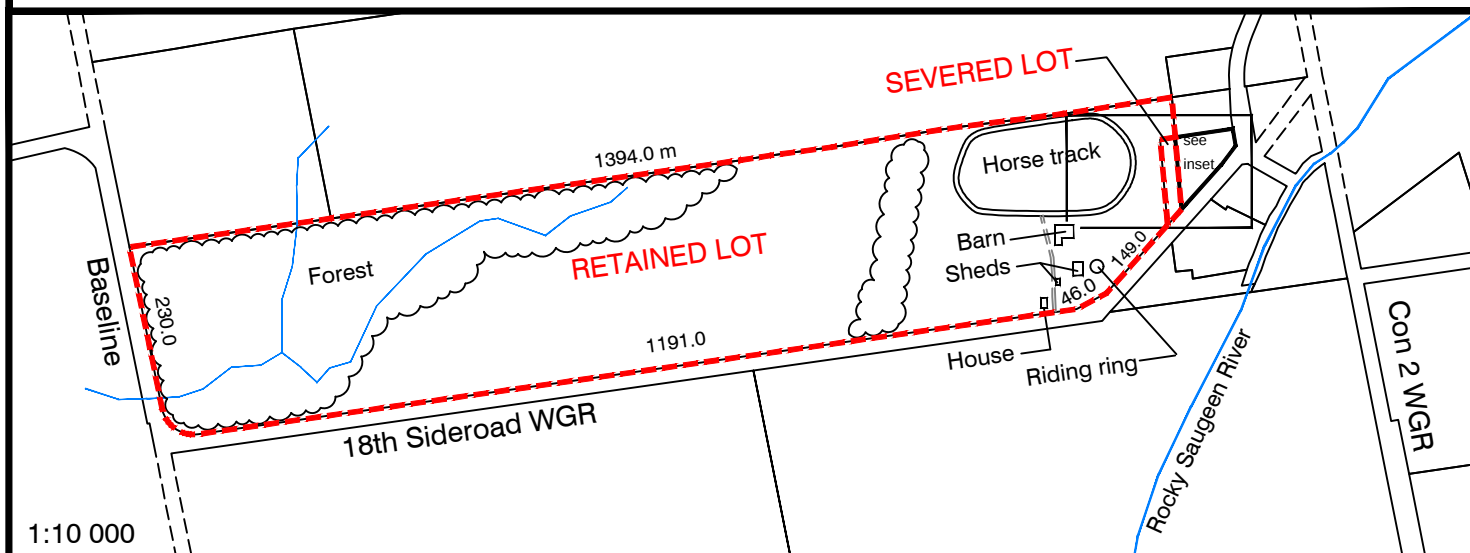


Figure 2: Location of Proposed Shop

 Subject Lands

