



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

April 23, 2026

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

Attention: Matt Rapke
Senior Planner

Dear Mr. Rapke

**Re: Planning Justification Report
Application for Consent and Minor Variance
Part Lots 48 and 49, Concession 3, EGR
Geographic Township of Glenelg
Municipality of West Grey
Owner: David and Louisa Hoover**

This Planning Justification Report has been prepared in support of the Consent and Minor Variance applications that have been filed with the Municipality of West Grey pertaining to the lot creation involving the above-noted property.

Please consider the following:

Purpose of Application:

David and Lousia Hoover own a 77.38-hectare farm in the former Township of Glenelg. This property previously existed as two parcels, comprising 37.69 hectares and 39.69 hectares, but have merged into one holding. Both of those parcels continue to be taxed separately and appear as two lots in the County GIS mapping; however, they cannot be conveyed independently, according to the owner's solicitor.

A Consent application to re-establish the previous lots has been filed with the Municipality of West Grey. A Minor Variance application has also been submitted to reduce the 'minimum lot area' requirement of the 'A1' (Agricultural) zone as it applies to both the severed and retained parcels.

The proposed lot re-creation is illustrated on the severance sketch submitted with the Consent application.

Subject Property:

The subject property is located at the northeast corner of the North Line / Concession 2 intersection, approximately two kilometres northeast of Durham.

A house and shed exist on the site and are accessed from North Line. Approximately 46 hectares are actively farmed. The easterly portion of the property is forested and scrubland. A watercourse meanders through the forested lands.

Adjacent Land Uses:

The lands located within the immediate vicinity of the subject property are represented by a mix of farming activities, residential uses, and forested lands, all on lots of various sizes. The Saugeen River flows within approximately 80 metres of the southeast corner of the property.

Municipality of West Grey Zoning By-law:

The subject lands are zoned 'A1' (Rural) and 'NE' (Natural Environment) in the Municipality of West Grey Zoning By-law.

The 'A1' zone requires a minimum lot area of 40 hectares and a minimum lot frontage of 122 metres. The table below evaluates the size of the proposed severed and retained parcels within the context of the 'A1' zone provisions.

Table 1: Zoning Compliance

<i>Provisions</i>	<i>A2 Zone Requirement</i>	<i>Severed Lot</i>	<i>Retained Lot</i>
<i>Minimum Lot Area</i>	40 ha	37.69 ha*	39.69 ha*
<i>Minimum Lot Frontage</i>	122 m	262 m+/-	256 m+/-

* Relief from Zoning By-law is required

The Minor Variance application is requesting the required relief noted above.

Grey County Official Plan:

The subject lands are designated primarily 'Agricultural' on Schedule A of the Grey County Official Plan. The balance of the site falls within the 'Hazard Lands' designation.

Permitted uses on lands designated 'Agricultural' include agriculture, forestry, agricultural-related uses, and on-farm diversified uses.

The following policies are relevant for severances involving farm splits:

5.2.3 Consent Policies

Lot creation in the Agricultural land use type is generally discouraged and may only be permitted for agricultural uses, agricultural-related uses, surplus farmhouse severances, infrastructure, and conservation lots in accordance with section 5.2.3 of this Plan.

- 1) *A consent for one new lot may be permitted provided the original farm parcel is minimum of 40 hectares. The options for consent would be:*
 - a) *One lot severed to create a farm parcel of generally 40 hectares in size, provided both the severed and retained lots are 40 hectares in size and are both intended to be used for agricultural uses. Where a severance is proposed to create a farm lot smaller than 40 hectares, an official plan amendment will not be required, but an Agricultural Report is required by a qualified individual, (which may include an agrologist, agronomist, or a professional agricultural business degree) that addresses the following criteria:*
 - 1) *Agriculture shall be the proposed use of both the severed and retained lots,*
 - 2) *A farm business plan is required, demonstrating the viability of the severed and retained uses for the farm operations proposed,*
 - 3) *Demonstration that both the severed and retained lots will be economically viable and flexible to respond to economic change. The applicant shall provide information necessary to evaluate the viability of the new farming operations on the parcels of land. Information pertaining to the scale and nature of the operation, projected revenue, expenses, financing, soil quality, water quality and quantity, and any other viability criteria relevant to the proposal shall be*

provided to the satisfaction of the County, in consultation with the Province,

- 4) *Demonstration that nearby lots of similar size and farm capability to the proposed lots are not available and suitable for the intended agricultural use,*
- 5) *The suitability of both the severed and retained lots should be assessed based on:*
 - i. *The type and size of agricultural operations common in the area or to the type of agricultural operation proposed, or*
 - ii. *Demonstration that a new viable form of agriculture is suitable for the area and lot sizes proposed,*
- 6) *Demonstration that both the severed and retained lots remain sufficiently large to permit a change; in the agricultural product produced, an adjustment in the scale of operation, or diversification; and,*
- 7) *Both the severed and retained lots shall comply with Provincial MDS Formulae.*

With regard to these policies, it is important to note that figures used in the Official Plan are generally meant to allow for a minor degree of flexibility. As such, the proposed 39.69-hectare lot has been deemed by the County and West Grey Planners to be “close enough” to the 40-hectare requirement, and therefore the size of this parcel is not being questioned. The Planners, however, have advised that the severed parcel – which would comprise 36.69 hectares of land – needs to be reviewed within the context of the above-stated policies that allow for a smaller farm lot. As such, please consider the following:

- Agriculture will be the principal use of this slightly undersized parcel. The future purchaser will have the ability to erect a house and accessory buildings, while maintaining approximately 32 hectares for growing crops;
- The severed parcel will be sold in the future to a family of the Mennonite community. A typical business plan would involve the owners residing on the property, the raising of approximately 30 to 40 head of beef cattle, and cash-cropping the majority of the remaining lands. The wooded area at the rear will remain intact. This arrangement should provide for a viable farming operation. The household income could be supplemented if the landowner operates an on-farm diversified use, which is common for a Mennonite farmer. This additional use would require an amendment to the West Grey Zoning By-law;

- A lot of this size will be flexible to respond to economic change. With at least 32 hectares of tillable land and the ability to erect a livestock facility, there should be countless farming opportunities on this property;
- Of significance in the evaluation of this slightly undersized lot is the actual amount of land that can be actively farmed. Very few 40-hectare farms in West Grey involve the cropping of 40 hectares. Most farms of this size include some hazard land, scrubland, and/or forested land. Whether a farm lot comprises 36.69 hectares of land with 32 hectares of workable land or comprises 40 hectares of land, as encouraged by the Official Plan, and includes a similar amount of farmland, there should be no difference in the viability of the farming operation;
- It should also be noted that most of the lands that were severed from the original Crown-surveyed parcel known as Lot 48, Concession 3 EGR are located within the floodplain of a watercourse and are forested. If this land still formed part of the subject property, it would not assist in making the farming operation any more viable;
- Previous lot creation within the general vicinity of the subject lands has resulted in parcels of various sizes. Figure 1 of this Planning Justification Report shows the size of each lot in the area, along with the amount of land that appears (according to the 2020 aerial photograph) to be used for cash-cropping purposes. As shown, only one of the 20 neighbouring properties actually has more tillable farmland than the proposed severed parcel; and,
- An MDS Report has been prepared demonstrating that sufficient area exists on the severed lot to erect a house outside of the required setback associated with the livestock facility located on the property to the immediate north. The severance can therefore proceed. Another MDS Report will be required when the future landowner applies for a Building Permit to erect a barn. Given the depth of the property and the location of the neighbours' houses, there should be no issue in complying with the setback required for a livestock facility, unless the barn is part of a large, intensive farming operation.

Based on the forgoing, the severed parcel – despite being slightly smaller than the recommended 40-hectare farm size – is not out of character with the neighbouring properties in terms of lot size or the amount of workable land. There should be no concern with regard to the viability or flexibility of this 36.69-hectare farm.

Schedule B identifies an area on the retained parcel as 'Mineral Resource Area'. The creation of non-farm sized lots is generally prohibited on lands having this constraint. Given that both the severed and retained parcels are not considered non-farm lots, this policy does not apply.

Also, a portion of the retained parcel falls within 'Wellhead Protection Zone E' on Appendix A of the Official Plan. This constraint mapping is intended to protect Durham's drinking water supply from certain land uses that might contaminate the water. The use of those particular lands for farming and conservation will not impact on the drinking water supply.

Furthermore, the forested lands at the rear of the severed and retained lots are identified as 'Significant Woodland' on Appendix B of the Official Plan. A portion of this area along the watercourse is also classified as 'Other Wetlands'. Furthermore, a very small area of the retained parcel, in its southeast corner, is considered to be 'Significant Valleyland', due to its proximity to the nearby Saugeen River. The policies of the Official Plan protect these natural heritage features by limiting development and site alteration in these areas and on the adjacent lands. No development or site alteration is proposed in this area, and therefore these features will not be harmed.

Based on the foregoing, it is evident that the proposed severance conforms to the County of Grey Official Plan.

Provincial Planning Statement:

The Provincial Planning Statement (PPS) protects prime agricultural lands by limiting land uses and discouraging the fragmentation of farm parcels. Section 4.3.3 *Lot Creation and Lot Adjustments* states:

1. *Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:*
 - a) *agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;*

This policy has been implemented through the Grey County Official Plan, which has established a minimum lot area of approximately 40 hectares in the 'Agricultural' designated areas, but does allow for a smaller farm lot where justified. This matter has been addressed in a previous section of this Planning Justification Report.

The PPS also protects areas of known sand and gravel deposits as well as natural heritage features including Significant Woodlands and Significant Valleylands. These policies have

also been implemented through the Grey County Official Plan and have been addressed previously in this Report.

Based on the foregoing, the proposed farm split is consistent with the Provincial Planning Statement.

Minor Variance Tests of The Planning Act:

Relief is required from the 'minimum lot area' requirement of the 'A1' zone as it applies to both the severed and retained parcels, as both lots are under 40 hectares in size.

Section 45 of The Planning Act gives the Committee of Adjustment the authority to grant relief from a provision(s) of the Comprehensive Zoning By-law provided such relief passes the following four tests:

1. Does the Minor Variance maintain the intent and purpose of the Official Plan?

Comment: The proposed lot creation conforms with the relevant Grey County Official Plan policies, including those that pertain to farm lots under 40 hectares in size, as explained above.

2. Does the Minor Variance maintain the intent and purpose of the Zoning By-law?

Comment: The 40-hectare minimum lot area standard of the Zoning By-law is designed to reflect the same requirement in the Official Plan for lot creation involving prime agricultural land. Given that the severance has been proven to conform to the Official Plan on this very matter, this lot creation will also maintain the intent and purpose of the Zoning By-law.

3. Is the Minor Variance minor in nature?

Comment: This question is generally re-phrased as "what impact will the variance have on the adjacent lands?" A reduction in the lot area requirement from 40 hectares to 39.69 hectares and 36.69 hectares should not impact on the neighbouring properties because the reduced lot size will not be noticeable and because many of the lots in this area are well below 40 hectares in size.

4. Would the Minor Variance represent an appropriate or desirable use of the land and buildings?

Comment: The proposed relief will allow for this large parcel to be severed into two lots that can serve as separate, viable farms for two families. This is desirable and represents an appropriate use of the subject lands.

Concluding Comments:

The proposed lot creation conforms to the County Official Plan and is consistent with the Provincial Planning Statement. The Consent application should be approved.

The Minor Variance passes the four tests listed in the Planning Act and should also be given favourable consideration.

Sincerely,

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

Ron Davidson, BES, RPP, MCIP

FIGURE 1: FARM PARCEL SIZE

