

Via Email

**Our File: 249**

February 25, 2026

Mr. Matt Rapke  
Senior Planner  
Municipality of West Grey  
Municipality of West Grey  
Municipal Office  
402813 Grey Road 4  
Durham, ON  
N0G 1R0

**Re: 122318 Concession 8  
Additional Residential Unit – Zoning By-law Amendment Application  
Municipality of West Grey  
Mr. James Horrigan**

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On behalf of Mr. James Horrigan (the “Owner”), we are pleased to submit this Zoning By-law Amendment application to the Municipality of West Grey regarding the proposal to permit an additional residential unit (“ARU”) in an accessory building on the property at 122318 Concession 8. The subject property has a roll number of 420501000604400 and a lot size of ~404.5m x ~1020m = ~100ac (the “Property”)

The ARU would be located in a building previously utilized as the primary dwelling on the property.

It is our understanding that a new home was constructed on the property in 2019 with the proviso that the existing home on the property would be demolished. At the time, the existing dwelling was occupied by a parent of the Owner. The Owner has not proceeded to demolish the building and with consideration for the current legislation issued by the Province of Ontario, the Owner is seeking permission to retain the previous historic dwelling as an ARU.

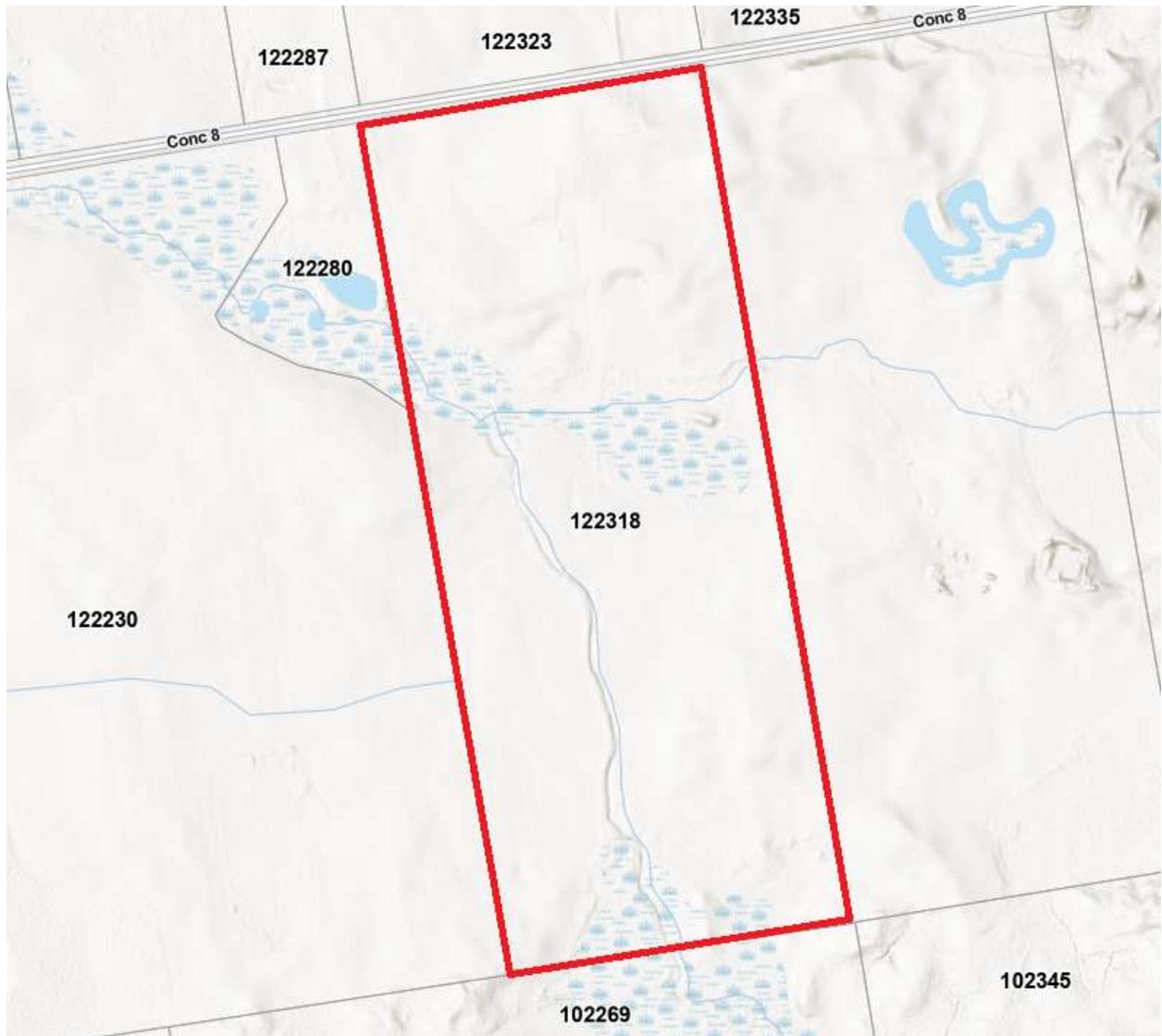


Figure 1: Subject Property. Source: Grey County GIS



Figure 2: Subject Property with Airphoto. Source: Grey County GIS

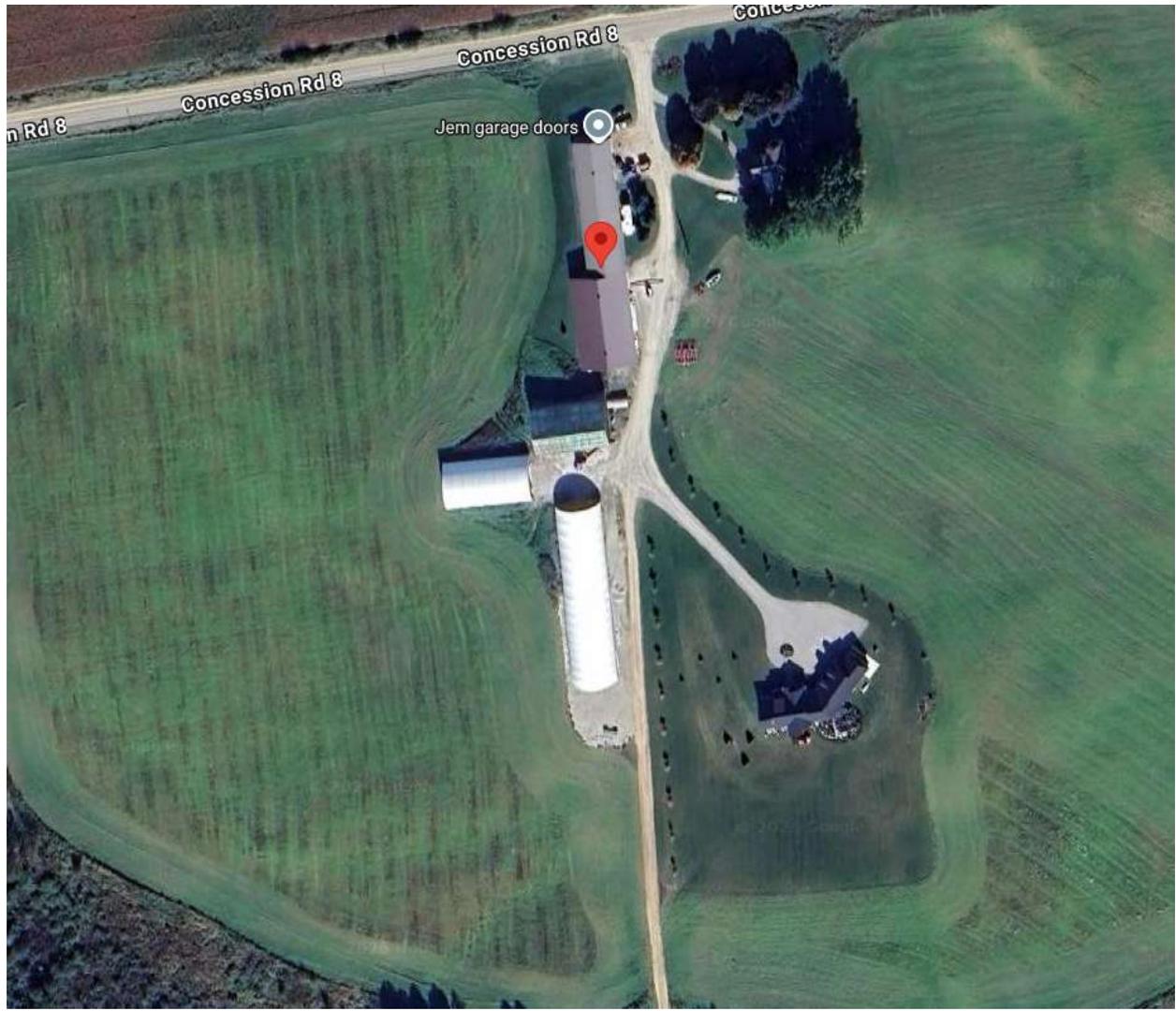


Figure 3: Existing Conditions 2025. Source: Google Maps

## Grey County Official Plan

The Property is designated “Rural”, “Agricultural” and “Hazard Lands” in the Grey County Official Plan.



Figure 4: Grey County Official Plan. Source: Grey County GIS

The area of the Property where the ARU is proposed is designated “Rural Lands”. Section 5.4 of the Official Plan speaks to the policy direction for lands that are designated “Rural Land Use Type”.

*“The predominant land uses within the Rural land use type will be agriculture, aggregate extraction, recreation, and forestry. While this land use type will continue to protect the existing farming operations and maintain the visual appearance of a rural landscape, the Rural areas will permit the consideration of resource based recreational uses and other appropriate rural land uses so long as they do not impact agriculture, forestry, aggregate extraction, or the natural environment.*

*Outside of settlement areas, the Rural land use type offers flexibility for lot creation (both agricultural and non-agricultural), economic development, tourism, residential, and recreation. A wider range of lot sizes and accommodations are provided in the Rural land use type, than in other countryside land use types. While there is greater flexibility in the Rural land use type, farming and resource uses are still to be given priority for protection.”*

Section 5.4.1 provides policy direction on the range of permitted uses.

*“1) The Rural land use type on Schedule A shall permit all uses permitted in Section 5.2.1 of this Plan (the Agricultural land use type).*

*2) In addition to the uses listed in Section 5.2.1, the following additional uses will be permitted in the Rural land use type, subject to the Development Policies in Section 5.4.2. The following uses are not subject to the on-farm diversified use sizing limitations of this Plan, except where identified as ‘small scale’:*

- a) Resource based recreational uses, including recreational dwellings not intended as permanent residences,*
- b) Small scale transport terminals,*
- c) Small scale buildings and yards associated with skilled trades,*
- d) Residential farm cooperatives,*
- e) Agri-miniums,*
- f) Institutional uses including but not limited to cemeteries, places of worship, or schools,*
- g) Recreational or tourist-based rural clusters (e.g. cottages, yurts, or a similar form of development under common ownership on a single property),*
- h) Small scale special event venues.*

*Notwithstanding subsection 5.4.1(2)(c) above, buildings and yards associated with skilled trades are limited to those uses without direct on-site retail or service delivery, where the primary trade being practiced is occurring off-site, and the on site uses include storage, parking of vehicles / equipment, receiving/preparing materials for off-site usage, or office/administration space. Examples of such permitted buildings and yards include contractors’ yards, plumbing, electrical and heating/cooling shops.*

*Notwithstanding the permitted uses listed in 5.4.1(2) above, these uses are not meant to be combined with other commercial or industrial uses permitted via an on-farm diversified use, except where explicitly stated by other sections of this Plan. For example, a residential farm cooperative can be combined with an on farm diversified use, as per 5.4.2(8) of this Plan. However, a building and yard associated with a skilled trade cannot be added to an on-farm diversified use where the total land area of the two uses would exceed the size limitations of an on-farm diversified use. (OPA # 23 Recolour Grey)*

*3) All permitted uses listed under Section 5.4.1(1) and 5.4.1(2) shall satisfy the development criteria policies as outlined in Section 5.4.2.”*

As noted, all uses permitted in Section 5.2.1 of the Official Plan for the Agricultural land use type shall be permitted. Policy 5.2.1 6) states that:

*“Additional residential units are permitted in the main house and in a non agricultural accessory structure, provided the appropriate servicing is available and it is not located within hazard lands. Additional residential units and garden suites are required to be in the farm cluster”*

For reference policy 5.2.1 7) states *“At no point shall the total number of permanent residential units on a farm property exceed three; however housing for temporary farm labour shall not be considered within this unit total. Severances will not be permitted to sever a secondary dwelling, or additional residential unit from a farm property. Surplus farmhouse severances will still be considered where two houses are the result of farm consolidation. Farm consolidation is the acquisition of additional farm parcels to be operated as one farm operation. All severances are required to meet section 5.2.3 of this Plan.”*

The Official Plan provided a definition for FARM CLUSTER which *“means the grouping of farm related buildings and farm dwelling(s) in an arrangement which maximizes the agricultural area and potential of the farm lot.”*

Section 4.2.5 provides policy direction for ARU's as follows:

*“Additional residential units (ARUs) are also known as basement apartments, and accessory apartments. They are structurally permanent self-contained residential units with private kitchen, bathroom, and sleeping facilities within a main residence or structures additional to a dwelling (e.g., above garages).*

*Additional residential units increase the supply and range of affordable rental accommodation while offering homeowners additional income. Further they provide alternative housing options for the elderly, young adults, and populations looking for smaller living quarters; increase the efficiency of the rental housing stock and offer more affordable housing options. Gentle densification as achieved by ARUs also supports reduced GHG emissions per capita from the existing housing stock. To encourage the long-term use of ARU's for affordable housing, the County supports municipalities to develop short-term accommodation by-laws to regulate or limit the use of ARU's as short-term accommodation, to facilitate the correct balance with long-term rental options that meet local housing needs.*

*The Planning Act requires that official plans permit Additional residential units by authorizing:*

- *the use of two residential units in a detached house, semi-detached house or rowhouse; and*
- *The use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse.*

*Variations of the above noted policies may be considered by the County, provided the total additional residential units does not exceed two per property or unless otherwise stated throughout this Plan (i.e. two ARU's may be permitted in a detached house, semi-detached house or rowhouse or two ARU's may be permitted in a structure ancillary to a detached house, semi-detached house, or rowhouse).*

*Municipalities shall develop local policies and zoning regulations that establish appropriate standards, which protect neighbourhood character, public health and safety, and enjoyment of abutting properties without unduly restricting the creation of such dwelling units. Municipalities may choose to establish zoning provisions that further limit the creation of ARUs on private or seasonally maintained public roads.*

*The County is generally permissive of Additional residential units provided development meets zoning provisions outlined by the local municipalities. In settlement areas or the countryside without full municipal services, well water records or designated appropriate authority for sewage systems may be necessary prior to granting a building permit. In the countryside Additional residential units shall be within the farm cluster. An ARU established on Agricultural designated lands shall not be severed through a surplus farmhouse severance application.*

*Additional residential units shall not be permitted in the Hazard Lands land use type, and may be allowed in the flood fringe overlay subject to conservation authority review. Up to one additional residential unit shall be permitted on lands designated Inland Lakes & Shoreline.*

*If a temporary by-law is in place for an approved Garden Suite, only one additional residential unit would be permitted on a property until such time that the garden suite is converted to a permanent dwelling, or the temporary use by law expires or is annulled.*

*Nothing in this section shall be interpreted to prevent the conversion of residential dwellings in settlement areas to rental units that exceed the ARU provisions of this Plan, provided local official plan and zoning by-law policies can be met"*

*The Grey County Official Plan defines Rural Lands as "means lands which are located outside settlement areas and which are outside prime agricultural areas."*

### **Provincial Planning Statement**

A review of the Grey County Official Plan was necessary to determine how the Property would be viewed from the perspective of the Provincial Planning Statement.

The 2024 Provincial Planning Statement ("PPS") came into effect on October 20, 2024, and it provides policy direction on matters of provincial interest related to land use planning and development. Like the preceding 2020 Provincial Policy Statement, the PPS continues to direct municipalities to direct growth and development to settlement areas, and promote a range and mix of "housing options". Housing options

include, but are not limited to, additional residential units. The PPS now clarifies that in prime agricultural areas, where a residential dwelling is permitted, up to two ARUs shall be permitted in addition to farm worker housing, subject to specified criteria and provincial guidance (not yet released). The policies provide the minimum standard for Official Plan policies and Zoning By-Law provisions and, as a result, municipal policies or provisions may exceed PPS requirements to reflect local interests.

There is no mention of ARU's on Rural Lands whereas they are expressly permitted on Prime Agricultural lands. Residential Development is noted as being permitted on lands identified as Rural. The policy direction of the PPS as it relates to Rural Lands is found in Sections 2.5 and 2.6 of the PPS as follows:

*"2.5 Rural Areas in Municipalities*

*1. Healthy, integrated and viable rural areas should be supported by:*

- a) building upon rural character, and leveraging rural amenities and assets;*
- b) promoting regeneration, including the redevelopment of brownfield sites;*
- c) accommodating an appropriate range and mix of housing in rural settlement areas;*
- d) using rural infrastructure and public service facilities efficiently;*
- e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- g) conserving biodiversity and considering the ecological benefits provided by nature; and*
- h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.*

*2. In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*

*3. When directing development in rural settlement areas in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.*

*Growth and development may be directed to rural lands in accordance with policy 2.6, including where a municipality does not have a settlement area.*

*2.6 Rural Lands in Municipalities*

*1. On rural lands located in municipalities, permitted uses are:*

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);*
- c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;*
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) home occupations and home industries;*
- f) cemeteries; and*
- g) other rural land uses.*

*2. Development that can be sustained by rural service levels should be promoted.*

*3. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.*

4. *Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*

5. *New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.”*

While not explicitly noted as it is in Prime Agricultural areas, 2.6 1 c) does note that residential development is permitted. I interpret from the overall direction of the PPS that ARU's in support of residential dwellings on rural lands would be permitted in the same manner as is permitted in settlement areas and on prime agricultural lands. Regardless, residential development is permitted and consistency with the PPS is achieved.

#### Planning Act

On June 6, 2019, the Province passed Bill 108 (*More Homes, More Choice Act*), which directed municipalities to enact Official Plan policies and Zoning provisions to allow for up to two ARUs in a single detached, semi-detached, or row house dwelling and/or within a building or structure ancillary to such dwellings. The associated Ontario Regulation (O. Reg) 299/19 came into force and effect on September 3, 2019, and prescribed requirements and standards for ARUs where they are permitted by zoning (i.e. municipalities could require only one parking space per ARU, parking spaces could be tandem spaces, and could not specify the relationship of the occupant of the ARU and the property owner). Subsequently, Bill 23 (*More Homes Built Faster Act, 2022*) came into effect on November 28, 2022 and in addition to O.Reg 299/19 requirements, also required municipalities to permit up to two ARUs as-of-right on lots served by both a municipal water and a municipal wastewater system and prohibited municipalities from establishing minimum unit sizes for ARUs.

#### MDS

The PPS requires that MDS I setbacks be maintained for new land uses in Rural Lands.

While Publication 853: The Minimum Distance Separation (MDS) Document (the current version of the MDS Formulae and Implementation Guidelines) is not explicit in addressing ARU's, it does provide direction for its application to existing lots and residential building permits. The Ontario Ministry of Agricultural, Food and Agribusiness (OMAFRA) recently provided updated training for practitioners which clarified MDS I does not apply to ARUs attached to- or inside of- a single detached dwelling, but MDS I does apply to a detached ARU, building from this existing direction within the MDS Document.

As noted, the proposed ARU is an existing dwelling which has historically been located on the property. This building has been used for residential purposes until 2024 when the occupant of the building passed away. Municipal records will still have this building identified for residential use. The status of the building has been in limbo since that time as the Owner has considered the options for how to proceed.

The dwelling already exists and is not a new land use on the Property. I am of the opinion that MDS is not applicable given the historic / existing nature of the building.

## Zoning

The Property is zoned “A2”, “A1” and “NE”. The area of the Property where the existing buildings are located is zoned “A2”



Figure 5: Zoning. Source: Grey County GIS

Section 9 of the Municipality of West Grey Zoning By-law Number 37-2006 provides the regulations pertaining to lands that are zoned “A2” which is noted as the “Rural Zone”. Section 9.1 notes the permitted uses as:

- Agricultural uses, buildings and structures
- Agricultural related use
- Bed and Breakfast Establishment (Class 2)
- Equestrian center facilities
- Forestry
- Group home
- Home Occupation
- Home Industry
- A detached dwelling
- Conversion of a single detached residential dwelling accessory to a farm for one additional residential dwelling unit in accordance with Section 6.29

- Wayside Pits
- Wayside Quarries
- Temporary Portable Asphalt Plant in a wayside pit or quarry
- Recreational Trails operated by a Public Agency
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29
- A recreational trailer in accordance with Section 6.39
- Accessory uses, buildings and structures in accordance with Section 6.1

The zoning currently permits a detached dwelling (singular) and does not recognize or permit ARU's as-of-right. To recognize and permit the proposed retention of the existing dwelling as an ARU a zoning by-law amendment is required.

The current zoning has specific regulations pertaining to a residential dwelling, however with an ARU not being permitted the zoning is silent on regulations that would direct that form of development. I interpret that the regulations that have been generated and are considered appropriate for residential dwellings should be the same regulations that would be applicable to an ARU.

Regulation	Dwelling constructed in 2019 Note: A building permit was issued allowing development of this dwelling confirming zoning compliance for all regulations (save for the need for the existing dwelling to be removed or the use changed)	Dwelling proposed to be recognized as an ARU
9.2.1 Lot Area, Minimum = 20ha	~100ac	~100ac
9.2.2 Lot Frontage, Minimum = 122m	404.5m	404.5m
9.2.3 a) Front Yard, Minimum (For Residential Dwellings) = 20m	>20m	>30m
9.2.4 Interior Side Yard, Minimum a) For residential dwellings = 6m	>6m	>6m
9.2.5 Exterior Side Yard, Minimum a) For residential dwellings = 18.3m	N/A	N/A
9.2.6 Rear Yard, Minimum a) For residential dwellings = 7.5m	>7.5m	>7.5m
9.2.7 Lot Coverage, Maximum = 15%	<15%	<15%
9.2.8 Residential Dwellings		
9.2.8.1 Floor Area, Minimum		
• Less than two storey = 83.6m <sup>2</sup>	>83.6m <sup>2</sup>	
• Two or more storey = 102.2m <sup>2</sup>		>102.2m <sup>2</sup>
9.2.8.2 Building Height, Maximum = 2.5 storeys	<2.5 storeys	<2.5 storeys

A zoning by-law amendment is required to permit the retention of the historic dwelling on the property and have it considered an ARU.

**Proposal**

The Owner is advocating for the necessary permissions to allow an ARU on the property. The ARU is proposed to provide a residence for a relative. The Property is currently improved with a single detached dwelling (2019) and multiple agricultural accessory buildings. The Owner is also seeking a building permit to construct a new accessory building in support of the primary dwelling. This accessory building would house an indoor pool.

The Official Plan provides specific policy direction as follows:

<p><i>“Additional residential units are permitted in the main house and in a non agricultural accessory structure, provided the appropriate servicing is available and it is not located within hazard lands. Additional residential units and garden suites are required to be in the farm cluster”</i></p>	<ul style="list-style-type: none"> <li>• The intent of the application is to permit / legalize the existing historic dwelling on site to be recognized as an Additional Residential Unit in addition to the newer principle dwelling.</li> <li>• The building proposed for an ARU has historically been used as a house and has its own septic system, water system and hydro connection.</li> <li>• The dwelling is historic and smaller in nature than the newer dwelling and would be considered “additional”.</li> <li>• At the time of development of the new dwelling (2019) the zoning only permitted a singular dwelling. The occupant of the historic house was also there until 2024.</li> <li>• In 2024, the Province issued the new PPS which explicitly allows for ARU’s on farm properties. When extrapolated the Rural Lands residential permissions should also allow ARU’s.</li> <li>• As such, rather than incur the cost of removing the existing structure, the Owner is seeking the necessary permissions to allow the dwelling to remain. As it is a self contained, fully functioning dwelling unit I am of the opinion that it is appropriate and good planning to allow the dwelling to remain and continue to be utilized.</li> <li>• The Province continues to be in a housing supply shortage with limited new builds occurring due to construction financing and materials costs. Retention of existing housing stock is important and in the public interest.</li> <li>• As the historic dwelling already and its infrastructure (septic, well etc) already exist there would be minimal loss of arable farmland to permit this ARU.</li> </ul>
<p>5.2.1 7) <i>“At no point shall the total number of permanent residential units on a farm property exceed three; however housing for temporary farm labour shall not be considered within this unit total. Severances will not be permitted to sever a</i></p>	<ul style="list-style-type: none"> <li>• The Proposal would conform to this regulation as the total number of permanent residential units on this property would be two.</li> </ul>

<p><i>secondary dwelling, or additional residential unit from a farm property. Surplus farmhouse severances will still be considered where two houses are the result of farm consolidation. Farm consolidation is the acquisition of additional farm parcels to be operated as one farm operation. All severances are required to meet section 5.2.3 of this Plan.”</i></p>	
<p>The Official Plan provided a definition for FARM CLUSTER “<i>means the grouping of farm related buildings and farm dwelling(s) in an arrangement which maximizes the agricultural area and potential of the farm lot.</i>”</p>	<ul style="list-style-type: none"> <li>• It is my understanding that the Municipality of West Grey implements an unwritten rule of 75m maximum separation between the principle dwelling and a detached ARU.</li> <li>• As this is an unwritten goal of the Municipality there is no regulation or policy to amend in this regard.</li> <li>• The existing dwelling is located at the front of the Property and is visible from the roadway. In 2019 the new dwelling was constructed further into the Property. As noted, the intent at that time was to demolish the existing dwelling when the resident no longer required the building.</li> <li>• The distance between the two dwellings exceeds 75m.</li> <li>• As per Figure 6 provided below, the distance is 150m or more.</li> <li>• While this may exceed the preferred distance the Municipality is attempting to implement, this is an existing situation and would seek to preserve and implement the use of an existing house.</li> <li>• The policy notes that agricultural buildings and dwellings are to be within the “Farm Cluster” which is meant to group all buildings and retain usable farmland.</li> <li>• Despite the distance between the new dwelling and the ARU the buildings can be considered “grouped” in such a manner that farmland is maintained. The agricultural buildings and accessory buildings have all been constructed in close proximity to one another.</li> <li>• I am of the opinion the buildings are clustered together and farmland is being maintained. See Figure 7 below.</li> <li>• The Property is farmed in conjunction with the abutting property to the east.</li> <li>• Upon review of current airphotos in relation to the Official Plan designations and zoning limits it appears the area of the Property that is available for cropping is being used for this purpose.</li> </ul>

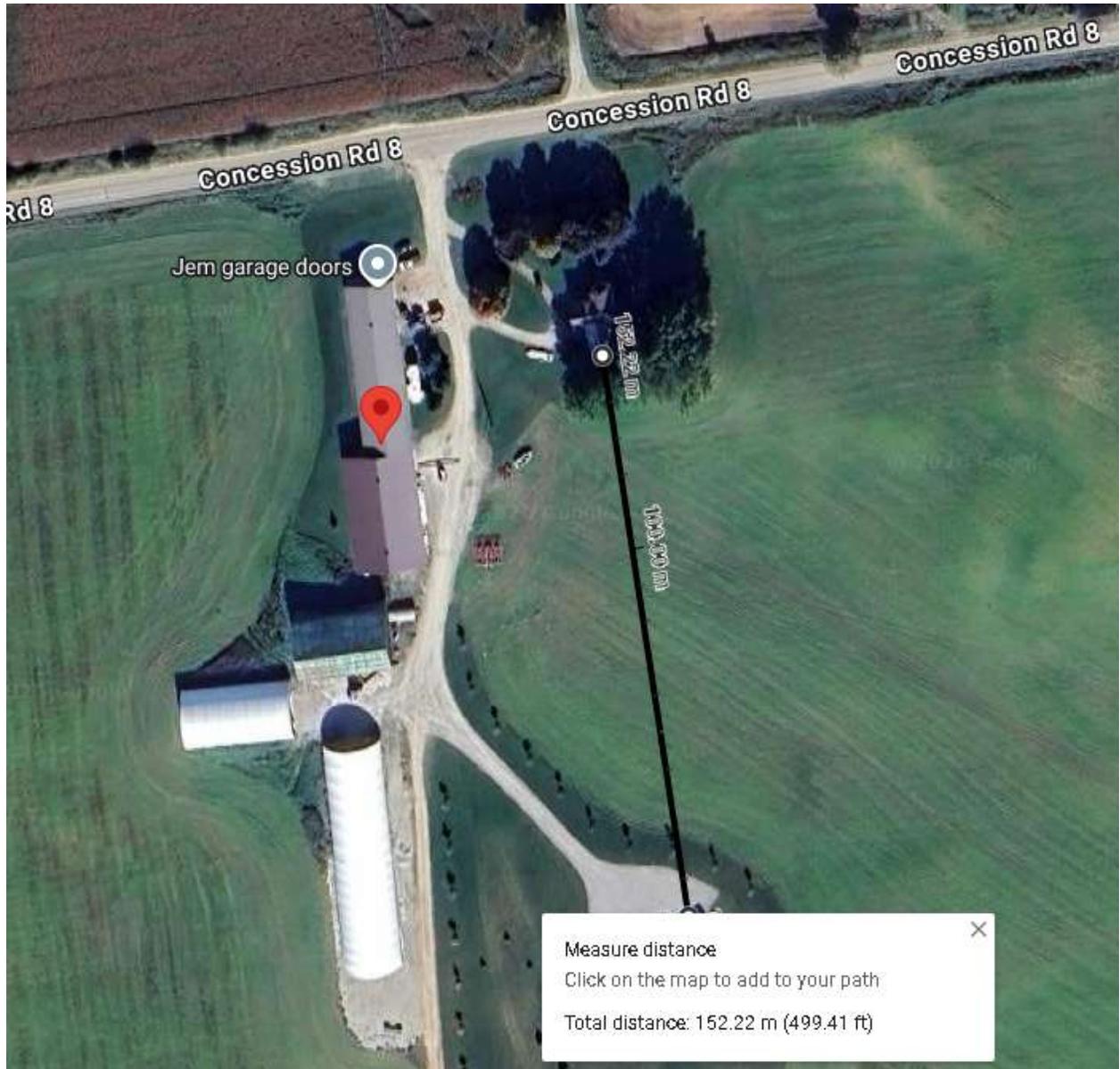


Figure 6: Distance between principle dwelling and ARU. Source: Google Maps

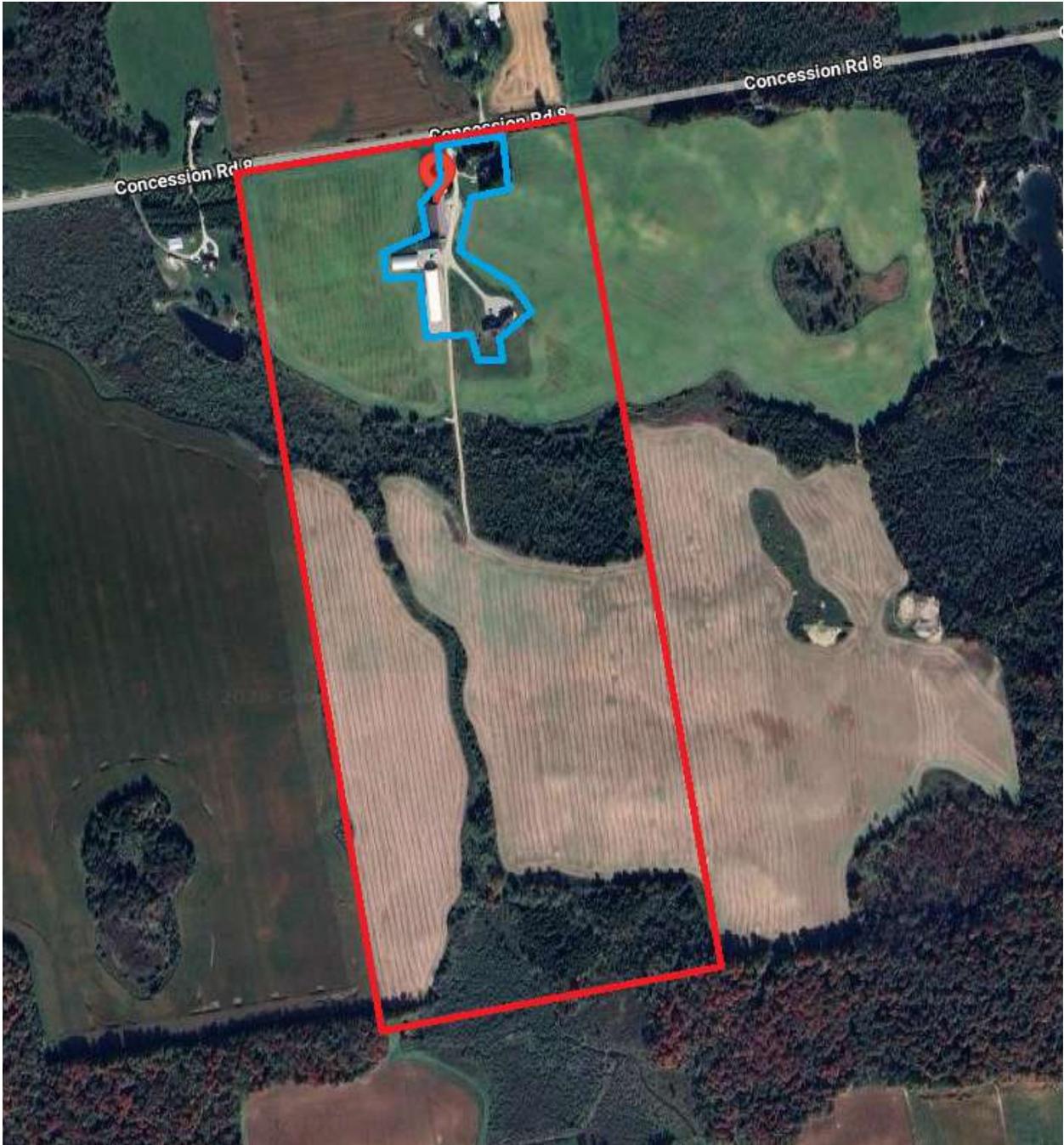


Figure 7: The farm cluster. Source: Google Maps / Patterson

In summary, I am of the opinion that favorable consideration should be given to this application to permit the historic home to remain and act as an ARU on the Property. There is no material benefit to the public by refusing the continued use of this building as an ARU. The approval would recognize an existing situation and allow for additional housing options.

In conclusion, it is my professional opinion that the Zoning By-law Amendment as presented for the Property is appropriate for the following reasons:

1. The proposal has given due consideration to the items noted in Section 2 of the *Planning Act*.
2. The proposal is consistent with the Provincial Planning Statement
3. The proposal conforms to the Grey County Official Plan
4. The proposal results in the provision of housing.
5. The Property is of adequate size to continue the proposed use and can continue on private servicing.
6. The proposed use of the Property is not anticipated to cause adverse impacts on abutting properties.
7. The proposed use of the Property represents good planning.
8. The submissions satisfy the requirements outlined in the pre-consultation process
9. A public consultation process will occur which is intended to ensure active public and agency engagement so that the public interest can be addressed throughout the process.

Yours truly,  
**Patterson Planning Consultants Inc.**

A handwritten signature in black ink that reads "Scott Patterson". The signature is written in a cursive, flowing style.

**Scott J. Patterson, BA, CPT, MCIP, RPP  
Principal**