

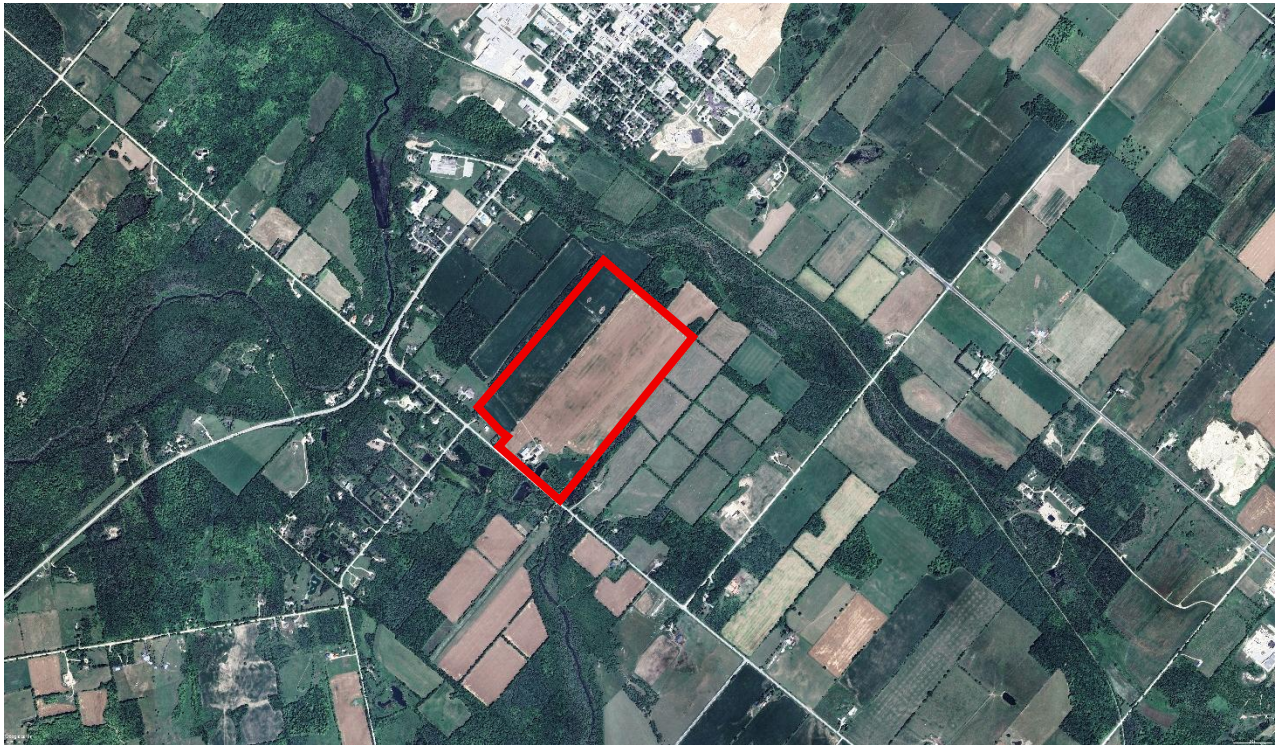
# PLANNING JUSTIFICATION REPORT

## APPLICATION FOR CONSENT TO SEVER & ZONING BY-LAW AMENDMENT

### SUBJECT LANDS:

735111 West Back Line

Municipality of West Grey, County of Grey



**JANUARY 2026**

#### **Subject lands:**

735111 West Back Line

CON 2 SWTSR LOTS 105; AND 106

PT LOT 104 AND RP16R11083 PART 1,

GLENELG, Municipality of West Grey

County of Grey

#### **Prepared for:**

Pallister Farms Livestock Ltd.

File: 25018-1

#### **Prepared by:**



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## 1.0 BACKGROUND AND CONTEXT

### 1.1 Purpose of Report

Cuesta Planning Consultants Inc. (CPC) has been retained by Pallister Farms Livestock Ltd. to coordinate planning applications that would have the effect of creating a lot for a surplus farm dwelling. The subject lands legal description is: Con 2 SWTSR Lots 105; and 106 Pt Lot 104 and RP;16R11083 Part 1 in the Geographic Township of Glenelg, now part of the Municipality of West Grey, in the County of Grey. The parcel presently contains a historic farm dwelling and various associated outbuildings including a barn. Most of the land on the farm parcel is used for agriculture. The existing dwelling is surplus to the needs of the property owner. The retained agricultural parcel will continue to be farmed. This report will examine the merits of the proposed use by evaluating the proposal against the following policies:

- ❖ The Provincial Planning Statement (PPS)
- ❖ The County of Grey Official Plan (Recolour Grey); and
- ❖ The Municipality of West Grey Zoning By-Law 037-2006.

This report and related materials are intended to satisfy the requirements of Sections 34 (10.1) & (10.2) & 53 (2) & (3) of the Planning Act, regarding the submission of a complete application.

### 1.2 Location and Description of Subject Lands

As noted previously, the subject lands are used for agricultural purposes and contain a historic farm residential dwelling and outbuildings. This parcel is approximately 62.8 hectares (115.28 acres) in area and is irregularly shaped. The farm cluster is in the southwest corner of the subject lands, and consists of the residential dwelling, a large, detached shed, a bank barn, a large metal quonset hut and several other smaller accessory storage structures. All buildings are set back from West Back Line and accessed by a single driveway.

The majority of the property consists of Harrison Loam; there are no tile systems but the property naturally drains. The southern portion of the subject lands contain pond features which are regulated by Saugeen Valley Conservation Authority (SVCA). These water features render this portion of the property unsuitable for cultivation and are therefore proposed to be retained with the surplus farmhouse.

See **Figure 1** for the Location of the subject lands.

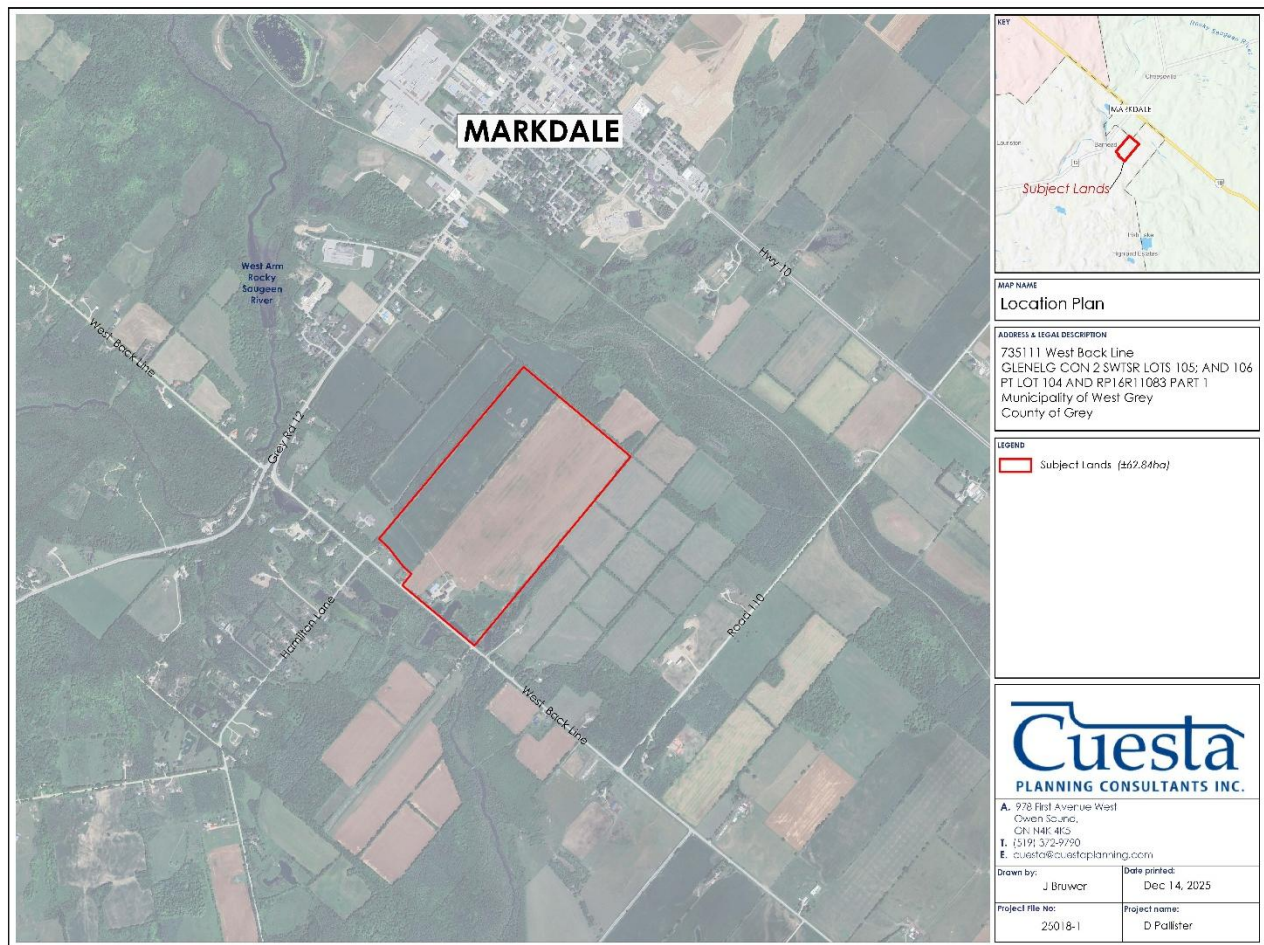


Figure 1: Location Map

With respect to surrounding land uses, the subject lands are in an area of the municipality dominated by agricultural uses. There are large parcels used for agriculture, on all sides of the subject lands and throughout the surrounding area. There are two smaller residential sized parcels with Restricted Rural zoning immediately west of the subject lands.

The uses on adjacent lands are summarized below:

- ❖ **North:** Agricultural land
- ❖ **South:** Agricultural land
- ❖ **East:** Agricultural land
- ❖ **West:** Residential and Agricultural land use

The subject land is outside the Niagara Escarpment Plan Area. The subject lands are approximately 3km South of the Markdale settlement area. **Figure 2** provides further details with respect to the surrounding land uses.

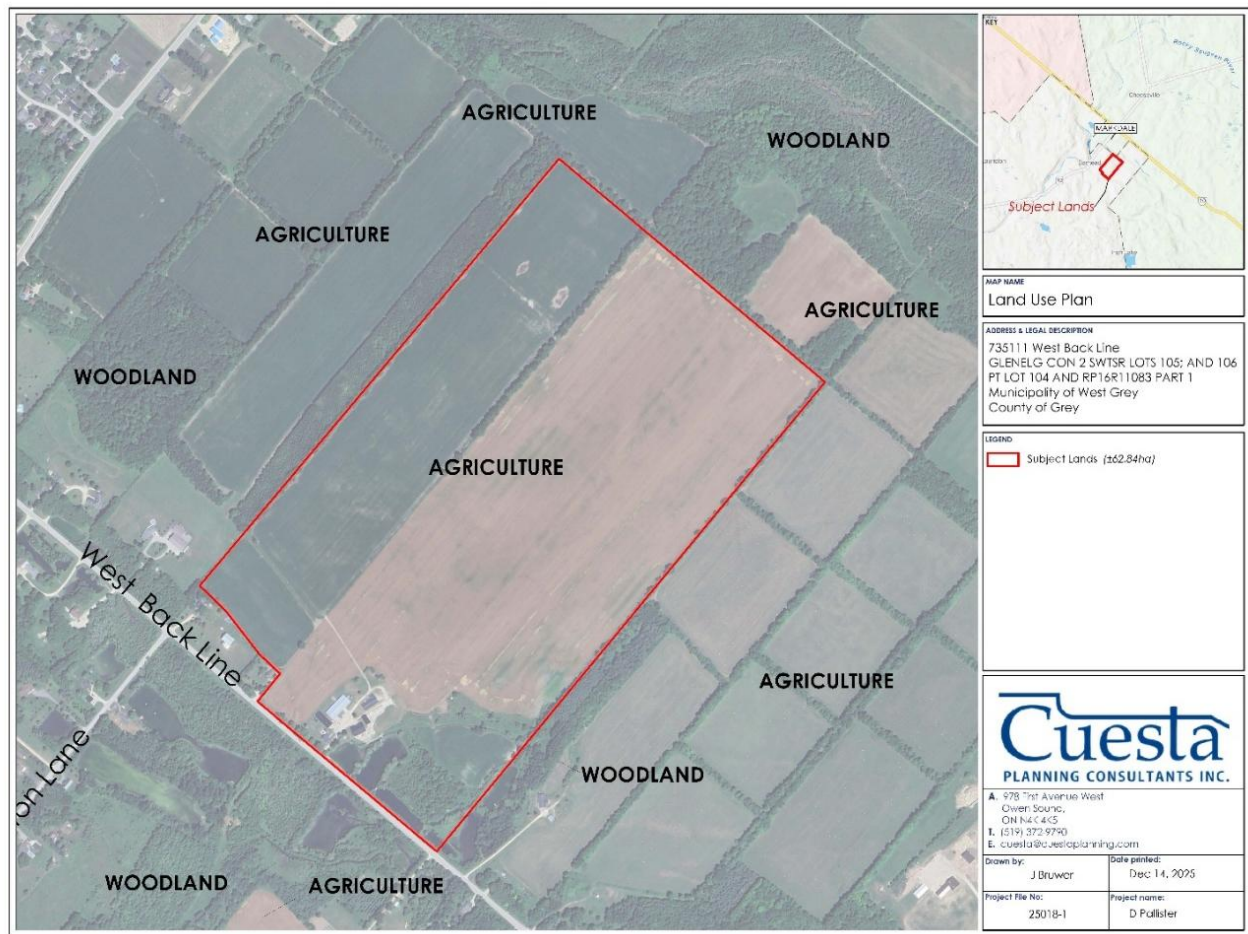


Figure 2: Surrounding Land Use

### 1.3 Background and Description of Proposal

The proposal will involve the creation of a residential lot, from an existing farm parcel, to contain a surplus farm dwelling. The retained lands, approximately 56.23 hectares (139 acres) in area, will continue to be used for farming purposes. The severed lands, approximately 4.56 hectares (11.49 acres), will continue to be used for residential purposes, along with the associated accessory buildings. The residential dwelling is not required by the owner as he resides elsewhere. See **Figure 3** (and **Appendix C**) for the included **Site Plan**.

Surplus farm dwelling severances are permitted by Provincial and County policy. Due to trends in the agricultural industry involving farmland consolidations, many historic family farmhouses are no longer required for farmer habitation. Surplus farm dwelling severances are intended to protect these dwellings from demolition and to maintain options for rural housing.

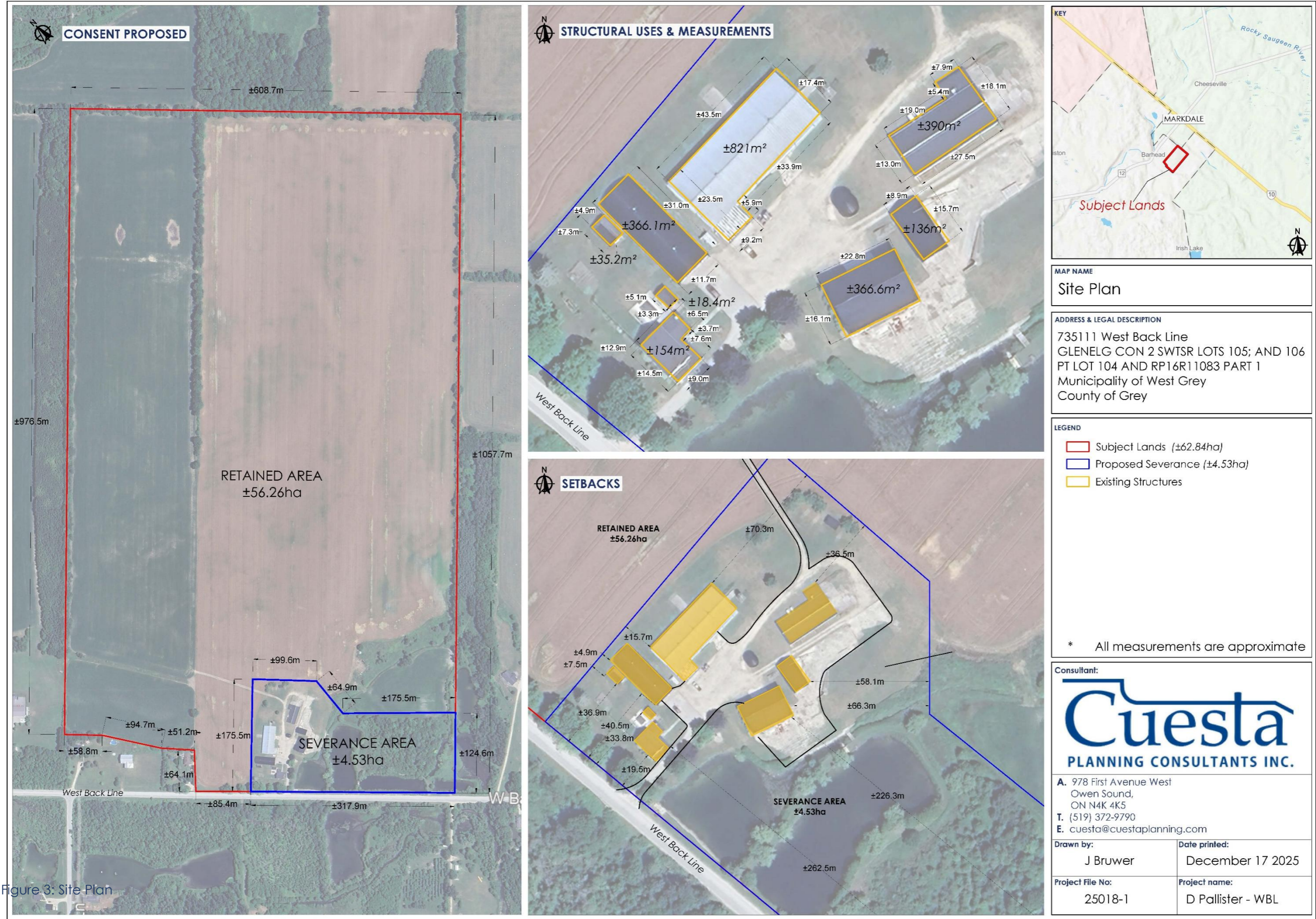


Figure 3: Site Plan

## 1.4 Pre-Submission Consultation and Approvals Required

Cuesta Planning Consultants Inc. conducted pre-submission consultation with the Municipality of West Grey. It was determined that a consent and zoning by-law amendment application would be required to permit a small lot for the farmhouse and to prohibit residential uses on the retained parcel. No other specific areas of County or Municipal interest were identified. This report, site plan and accompanying applications are intended to satisfy the municipal requirements for a "complete application". The following items have been included:

1. Planning Justification Report
2. Consent Zoning By-law Amendment application form and accompanying sketches (**see Appendix A**).
3. Consent application form and accompanying sketches (**see Appendix B**).
4. Site plan (**see Appendix C**)
5. Parcel Ownership Information (**see Appendix "E"**)
6. Payment of application fees (**provided upon submission**)

An analysis of Municipality of West Grey Official Plan has not been included in this report, as the rural areas of the municipality are regulated by the County Official Plan policy. Based on the results of the consultation and a review of the applicable land use policy, the following approvals are required.

*Table 1: Approvals Required*

Application	Approval Authority
<b>Zoning By-law Amendment is required to:</b> <ul style="list-style-type: none"> <li>• Prohibit residential uses on the retained farm parcel.</li> <li>• To seek relief in relation to the minimum required agricultural lot area to permit an approximately 4.56 hectare lot for the surplus dwelling.</li> <li>• To seek relief in relation to the minimum front yard requirements from 20m to 9m for the surplus residential dwelling.</li> <li>• To seek relief in relation to the minimum exterior side yard from 18.3m to 7.6 m for the surplus residential dwelling.</li> <li>• To seek relief in relation to the minimum lot frontage of the retained agricultural lot from the required 122m to 86.6m</li> </ul>	Municipality of West Grey
<b>1. Consent to sever</b> is required to separate the existing residential dwelling and building cluster from the rest of the farm lot, in accordance with provisions provided in the amending bylaw.	Municipality of West Grey

## 2.0 LAND USE POLICY CONSIDERATIONS

As stated under Section 3 of the Planning Act, all decisions by any authority that affects a land use planning matter, shall be consistent with the Provincial Planning Statement (PPS). On October, 2024, the Province of Ontario implemented an updated Provincial Planning Statement. Any decisions made, on or after this date, are to be consistent with the 2024 PPS.

The following analysis will evaluate the proposal against applicable PPS policy. In addition to the Provincial Planning Statement (PPS), the County of Grey Official Plan (Recolor Grey), and the Municipality of West Grey Zoning By-law 37-2006, provide land use policy applicable to the proposal.

### 2.1 Provincial Planning Statement, 2024

Any land use decision must be assessed against the applicable provisions of the PPS. Although the PPS is to be read in its entirety, the following are the most applicable policies that should apply to the consideration of the proposal.

Chapter 4      **"Wise Use and Management of Resources"**

Chapter 5      **"Protecting Public Health and Safety"**

*Table 2: Provincial Planning Statement Evaluation*

<b>4 Wise Use and Management of Resources</b>	
<b>4.1 Natural Heritage</b>	
<b>1.Natural features and areas shall be protected for the long term.</b>	
Policy Evaluation:	A small portion of the eastern part of the subject lands contains pond features regulated by the Saugeen Valley Conservation Authority. They are part of a larger natural drainage system (Bar Head Creek) within the area. The ponds will remain intact as part of the severed surplus dwelling lot and remain unaltered as part of this proposal.
<b>4.3 Agriculture</b>	
<b>1.Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.</b>	

Policy Evaluation:	This application supports the continued agricultural use on the existing property while ensuring the historic farmstead is conserved over the long-term.
<b>4.3.3 Lot Creation and Lot Adjustments</b> <b>1. Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for: c)(in part)one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that: 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance.</b>	
Policy Evaluation:	The proposed lot has been configured to remove as little farmland as possible. The area where the ponds are located are no longer viable for agriculture and are therefore proposed to be included with the farmstead. Proposed zoning will prohibit new dwellings or dwelling units on the retained parcel in keeping with this policy.
<b>4.5 Mineral Aggregate Resources</b> <b>1)Mineral aggregate resources shall be protected for long term use and, where provincial information is available, deposits of mineral aggregate resource shall be identified</b>	
Policy Evaluation:	There is a small portion of identified Aggregate Resource Area identified on the subject property that will remain protected as the proposal is not changing existing land uses on the subject land.
<b>5.Protecting Public Health and Safety</b> <b>5.2 Natural Hazards</b> <b>2. Development shall generally be directed to areas outside b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and</b>	
Policy Evaluation:	There are Saugeen Valley Conservation Authority regulated areas located on the proposed surplus residential lot, which are related to water features on the property associated with Bar Head Creek. New development is generally directed away from natural hazards. As no new development is proposed by this application, it meets the intent of this policy.

**SUMMARY:**

- The proposal represents an efficient use of land. There are few options for retaining historic dwellings. In this instance preservation can be accomplished by means of a surplus farm dwelling severance. The 4.56 hectare lot for the existing residence is consistent with section 4.3.3.1. The consent will allow the owner to sell the farmhouse to a third-party buyer which should result in the long-term preservation of this existing historic residence and accompanying structures.
- The proposal will create a new lot and maintain the setbacks to the natural environment features, situated in the southeastern portion of the property. No change in use will occur because of this application, and therefore no impacts are anticipated on these features.
- The proposed severed lot is locally appropriate. An approximate 4.56 hectare lot is slightly larger than a standard size of a non-farm rural residential lot, as it will contain the building and natural features; and will not remove any farm land.
- No additional infrastructure will be required to serve the existing residential dwelling. A field entrance is required to access the retained parcel, which should have no material impact on municipal interests.
- Provincial policy does not require that Minimum Distance Separation (MDS) Formulae be applied to this surplus farm dwelling severance.
- The residential dwelling will continue to be served by the existing private well and private septic system. The lot boundaries will be created to ensure that there will be no conflict with required distance to the septic system and the adjacent lot lines preserved under Part 7 of the Ontario Building Code.
- Surplus farm dwelling severance are specifically permitted by the PPS subject to several criteria. The severed lot has been designed to remove as little land from agricultural production as possible. The retained lands will be zoned to prohibit future residential development as required under this policy.

The analysis above demonstrates that the proposal complies with the applicable policies of the Provincial Planning Statement. Surplus farm dwelling severances are explicitly permitted in agricultural areas, and to comply with the policy, the lot has been configured to remove as little land as possible while maintaining reasonable access and frontage to both the severed and retained lands. All services required for the existing uses will continue to be used, and no expansion of the existing infrastructure is required with the minor exception of a new field entrance for the retained lands.

## 2.2 County of Grey Official Plan (Recolour Grey)

The subject lands are designated as Agricultural and Hazard Lands, in the Grey County Official Plan (Recolour Grey). A surplus farm dwelling severance is one of the few types of consents permitted in the Agricultural areas.

There are some additional mapped features on the subject lands of County interest. A portion of the proposed 4.56 acre surplus farmhouse lot is designated Hazard Lands which reflects the existing water course and pond features on site and is regulated by the SVCA. As well, a portion of the parcel is mapped as being within an Aggregate Resource Area. There is, however, no aspect of this proposal that will impact or change the existing conditions or resources on the subject lands.

The Grey County Official Plan was updated by means of Official Plan Amendment (OPA) #11, which in part, added various policies, which have been reviewed with respect to this proposal. An evaluation of the applicable policies with regard to the proposal is included in the following table.

*Table 3: County of Grey Official Plan Evaluation (Recolour Grey)*

### **5 CULTIVATE GREY**

#### **5.2 Agricultural Land Use Type**

##### **5.2.5 Agricultural Development Policies**

**2) In the Agricultural land use type, newly created farm lots should generally be 40 hectares (100 acres) in size, in order to reduce the breakup of farmland. New lot creation shall be in accordance with section 5.2.3 of the Plan.**

**3) The minimum lot size within the Agricultural land use type for non-agricultural permitted uses is restricted to the minimum size required, with as little acreage as possible taken out of productive agricultural land.**

##### **5.2.3 Consent Policies**

**Lot creation in the Agricultural land use types 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.**

**2) "The lot proposed for the surplus farmhouse (and accessory buildings if applicable) will be limited in area and shall only be of sufficient size to accommodate the surplus farmhouse to the farming operation, accessory buildings (including any unused livestock facility, if this does not**

make the lot excessively large), a well, and a sewage treatment and disposal system, while ensuring that as little land as possible is removed from the agricultural lands.”

**5.2.3(1)(b) New residential lots are not permitted in the Agricultural land use type. Where a house is deemed surplus to a farm operation as a result of farm consolidation, a lot may be severed provided that:**

**1) The owner of the lands to be severed is a ‘bona fide farmer’, or as a condition of the consent application the lands will be sold to a ‘bona fide farmer’. For the purpose of this policy, the bona fide farmer must have a farm business registration number. A ‘bona fide farmer’ is defined to include a limited company, sole proprietorship, incorporated company, numbered company, partnership and other similar ownership forms.**

**2) The lot proposed for the surplus farmhouse (and accessory buildings if applicable) will be limited in area and shall only be of sufficient size to accommodate the surplus farmhouse to the farming operation, accessory buildings (where including accessory buildings does not make the lot excessively large), a well, and a sewage treatment and disposal system, while ensuring that as little land as possible is removed from the agricultural lands.**

**3) Unless added onto an abutting farm parcel that already contains a dwelling, the remnant farm parcel shall be rezoned to prohibit the future construction of a new residential dwelling of any type.**

**4) The severance of a surplus farmhouse shall comply with Provincial MDS Formulae. For the purposes of this section, only livestock facilities situated on the farm parcel from which the surplus farmhouse is being severed, shall be used in determining Provincial MDS Formulae compliance;**

**5) Given that no new house can be built as a result of the surplus farmhouse being severed from the land holding, the requirements for an environmental impact study, do not apply; however no new surplus farmhouse severances will be permitted in the Aggregate Resource Areas identified on Schedule B to this Plan; and,**

**6) The existing farmhouse is habitable at the time of application.**

**Lot creation in the Agricultural land use type is generally discouraged and may only be permitted for agricultural uses, agricultural-related uses, surplus farmhouse.**

**9) Policies 5.6.2(8) and 5.6.6(2) shall not constrain a surplus farmhouse severance. Non-farm size lot creation (i.e., the surplus farmhouse and accessory buildings if applicable) may be considered under this policy section where an Aggregate Resource Area, Bedrock Resource Area and/or Shale Resource Area has been identified.**

Policy Evaluation:	<ul style="list-style-type: none"> <li>Surplus farm dwelling severances are recognized and permitted agricultural consents under County policy.</li> </ul>
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	<ul style="list-style-type: none"> <li>• The retained farm parcel will be slightly larger than 56 ha, which is of sufficient size to be feasible for agriculture, and consistent with adjacent agricultural land uses.</li> <li>• The severed non-farm parcel has been kept to as small a size as possible, while still providing a logical lot layout of sufficient size for servicing of the existing farmstead to continue.</li> <li>• The retained farm parcel will be rezoned to prohibit any residential uses.</li> <li>• Aggregate Resource Areas (as defined in Schedule B, map 2 of the County of Grey Official Plan) are located on the subject lands. The dwelling is existing and no new dwelling can be introduced on the retained parcel. Therefore, the PPS and County of Grey Official Plan permits surplus farm dwelling consents in these areas.</li> </ul>
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## Natural Grey

### 7.2 Hazard Lands

**Hazard Lands include floodplains, steep or erosion prone slopes, organic or unstable soils, poorly drained areas, and lands along the Georgian Bay shoreline. These lands can be impacted by flooding, erosion, and/or dynamic beach hazards or have poor drainage, or any other physical condition that is severe enough to pose a risk for the occupant, property damage, or social disruption if developed. While these lands are intended to be regulated so as to avoid natural hazards, they also contribute to the natural environment within the County**

Policy Evaluation:	<ul style="list-style-type: none"> <li>• The severed portion will also retain the natural area on the property, and it will remain undisturbed by the proposal.</li> <li>• The hazard lands designation on the property reflects the wooded and water feature areas in the front southeastern portion of the surplus dwelling property. No development or alteration is proposed to subject lands and safe access to both properties has already been established therefore there is no need for additional access locations. The hazard land area will remain undisturbed through this proposal</li> </ul>
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## MOVE GREY

### 8.9.1 Services

**Managing our sewage and human waste is important to our health and the health of our environment. The Provincial Policy Statement includes a number of policy considerations for**

**servicing growth and development. This includes policies that support the use of municipal water and sewer systems and to identify situations when development can be considered using private wells and septic systems. The following are policies regarding servicing:**

**9) In any part of the County to be serviced by individual on-site private systems, new development by way of subdivision or condominium will be subject to a Servicing Options Study in accordance with the MECP's D-5-3 Guideline or any future updates to this Guideline. Local municipalities will need to be satisfied that any new development by way of consent can be adequately serviced by individual on-site private systems if that is the proposed form of servicing.**

**INDIVIDUAL ON-SITE SEWAGE SERVICES means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 350/06, under the Building Code Act, 2006 that are owned, operated, and managed by the owner of the property upon which the system is located.**

**INDIVIDUAL ON-SITE WATER SERVICES means individual, autonomous water supply systems that are owned, operated, and managed by the owner of the property upon which the system is located.**

Policy Evaluation:	<ul style="list-style-type: none"> <li>No change in the individual on-site private water and private sanitary septic services will occur because of this proposal. The proposed lot lines have been designed to ensure that the existing septic system will comply with the applicable minimum required distances under Part 7 of the Ontario Building Code.</li> </ul>
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#### SUMMARY:

The analysis above demonstrates that the proposed surplus farm dwelling severance meets the intent of the applicable Grey County Official Plan policies. The lot has been configured to remove as little agricultural land from production as possible, while providing for a logical lot fabric and shape. Lot lines have also been designed to comply with the minimum required setbacks for the existing residential dwelling septic system under Part 7 of the Ontario Building Code.

This proposal consists of a surplus farm dwelling severance with no additional development or intensification of use. Outside of those identified in the above sections, there are no additional policies need to be assessed in the opinion of this office.

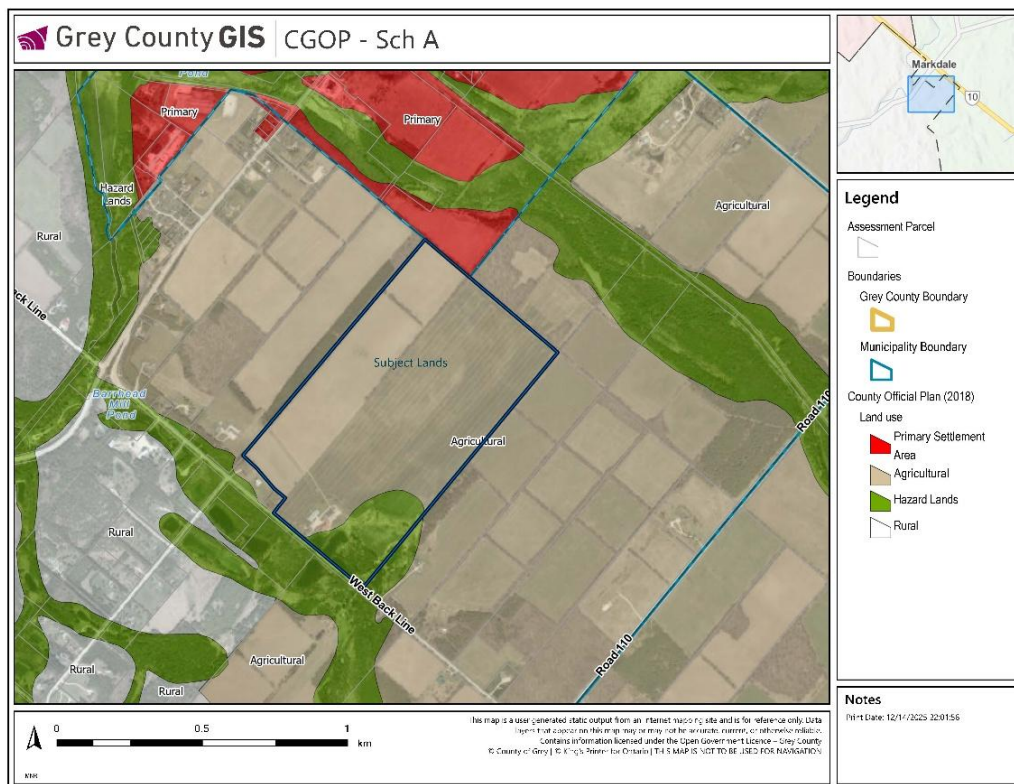


Figure 4: County of Grey Official Plan – Schedule 'A'

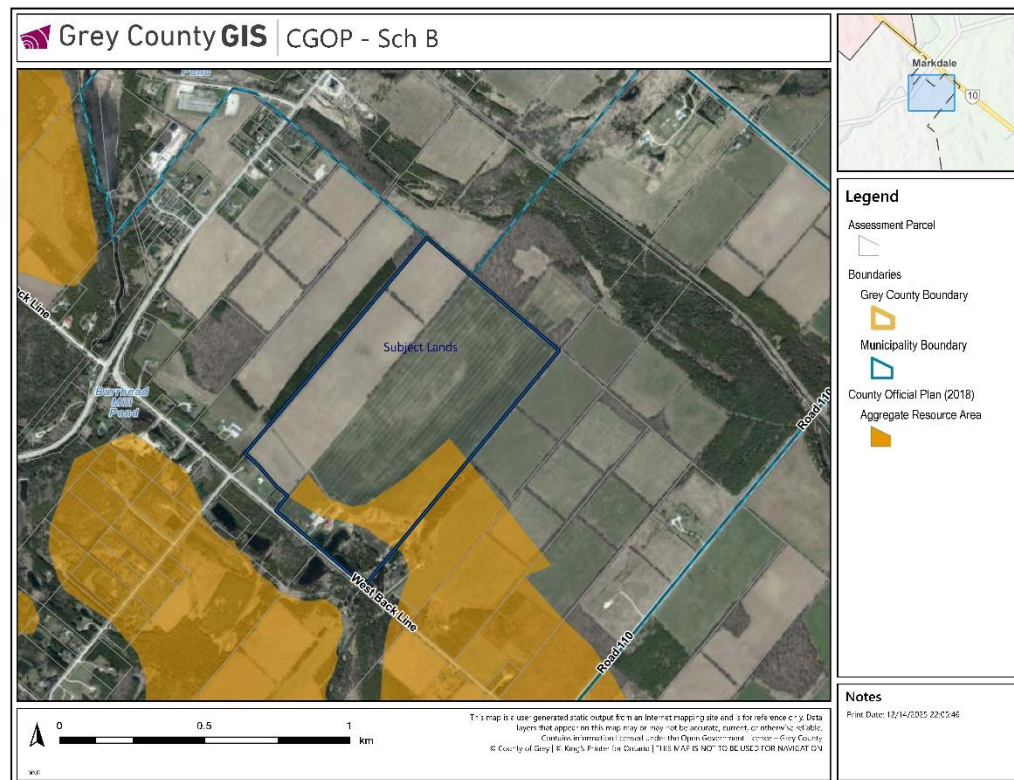


Figure 5: County of Grey Official Plan – Schedule 'B'

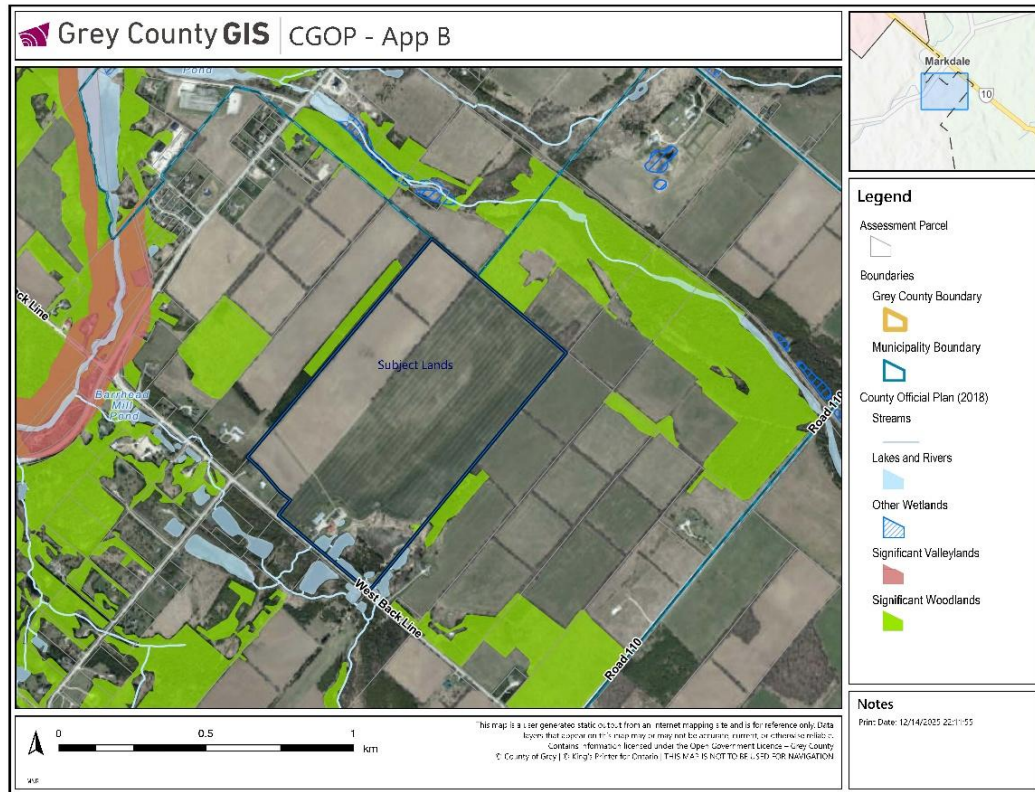


Figure 6: County of Grey Official Plan – Appendix 'B'

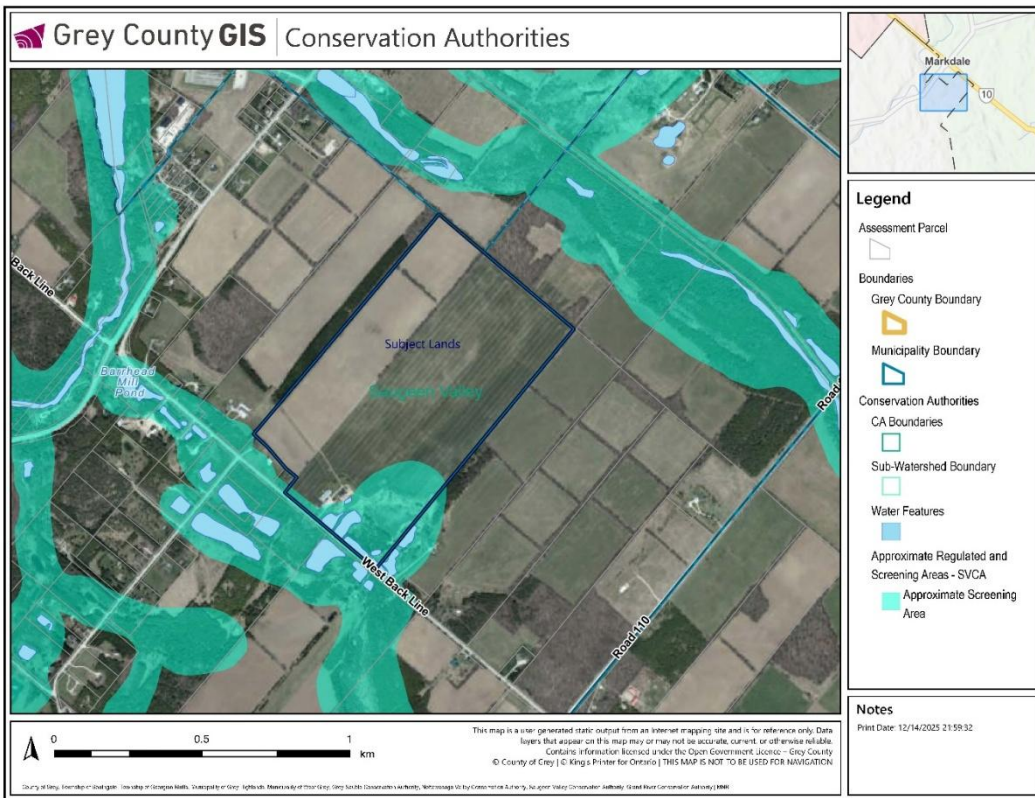


Figure 7: County of Grey Official Plan – Conservation Authorities

## 2.3 The Municipality of West Grey Zoning By-law Number 37-2006

The subject lands are zoned Restricted Rural Zone (A3), Agriculture (A1) and Natural Environment (NE). The 'NE' Natural Environment zone, which reflects the low-lying wooded and ponded areas in the south-west portion of the property. This proposal will not negatively impact or alter any environmental area and will continue to meet all required setbacks.

The zoning by-law amendment will establish a lot area for the surplus farmhouse and, if required, recognize the size of the retained agricultural lot. The retained lands will be rezoned to prohibit residential uses. As noted in Figure 8, approximately 2/3 of the farm parcel is zoned A3, which restricts certain agricultural activities near settlement areas, in this instance Markdale. Both the A1 and A3 zones will need to be modified to restrict new residential use.

An analysis of the applicable West Grey Zoning regulations is reviewed in the table on the following page.

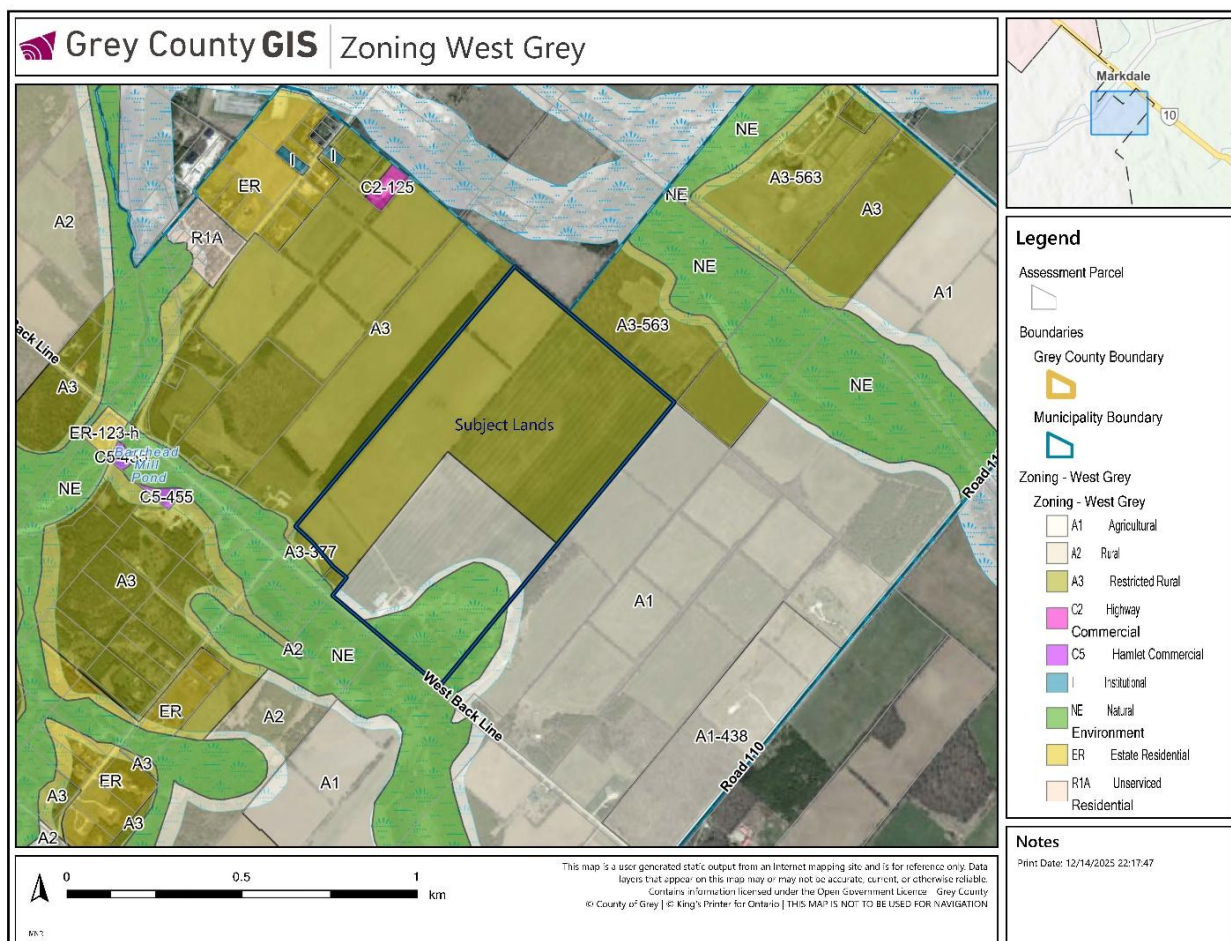


Figure 8: Municipality of West Grey - Zoning

Table 4 outlines the appropriate modifications to the A1 and A3 zones, as proposed in the above analysis.

*Table 4: A1 and A3 Modifications*

<b>Zone Requirements</b>	<b>A1 &amp; A3 Regulations</b>	<b>Severance Area</b>	<b>Retained Area</b>
<b>Lot Area (minimum)</b>	<b>40ha</b>	±4.53ha	±56.26ha
<b>Lot Frontage (minimum)</b>	<b>122m</b>	±317.9m	±85.9m
<b>Required Yards (minimum):</b>			<i>No agricultural structures are proposed on the retained lands at this time. Residential use is prohibited and there is no structures located thereon at present.</i>
<b>Front yard</b>	<b>20m</b>	±19.5m	
<b>Side yard</b>	<b>18.3m</b>	±4.9m	
<b>Rear yard</b>	7.5m – residential 6m – accessory buildings	±36.5m	
<b>Interior side yard</b>	6m	±18.3m	
<b>Building Height</b>	2.5 storeys max.	Existing	

### 3.0 SUMMARY AND CONCLUSIONS

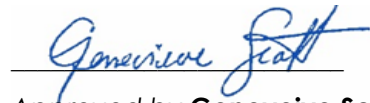
The proposed zoning by-law amendment and consent to sever applications will create a lot for a surplus farm dwelling. As a result of this proposal, the overall use of the subject lands will not change. There are no other natural resources or matters of provincial or local interest that would constrain this proposal.

In consideration of the forgoing analysis, the following is concluded:

1. The proposal is consistent with the Provincial Planning Statement, as surplus farm dwelling severances are permitted provided, they are limited in area to accommodate the farmstead and services and to minimize the loss of productive farmland. The PPS requires the local authority to prohibit residential uses on the retained farm parcel. As no new residential lot is created the provision in relation to cash-in-lieu of parkland should not apply.
2. The proposal meets the intent of the Grey County Official Plan, as a surplus farm dwelling severance is a permitted type of limited development that will not change the use of the subject lands.

3. An amendment to the Municipality of West Grey Zoning By-law Number 37-2006 is required to rezone the retained farm lot to prohibit residential uses. Consent is required to create a lot size and configuration for the surplus farm dwelling, in accordance with the zoning bylaw amendment provisions noted in Table 4.
4. The proposal reflects appropriate rural planning principles.

Respectfully submitted,



Approved by **Genevieve Scott**, MCIP, RPP

Cuesta Planning Consultants Inc.