



**RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.**

January 30, 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
Applications for Consent and Minor Variance
Part Lot 13, Lot 14, Concession 14 NDR
Geographic Township of Bentinck
Municipality of West Grey
54156 Concession 14 NDR
Owner: Agnes Brindley and Crystal Henderson**

Further to recent pre-consultation discussions regarding the above-noted property, enclosed please find completed Consent and Minor Variance applications.

To assist your office in evaluating the proposal, I offer the following information:

Purpose of Application:

Agnes Brindley and Crystal Henderson own a 61.3-hectare farm property containing a detached dwelling, two sheds, a dilapidated barn, and a storage barn. The owners wish to sever a 5.37-hectare lot containing the existing buildings and retain a farm parcel comprising 55.93 hectares of land.

The proposed lot creation is illustrated on Figure 1 of this Planning Justification Report.

Subject Property:

The subject lands are located along the south side of Concession 14, in the former Township of Bentinck.

Situated on the farm are the aforementioned house, two sheds, and two barns.

The oldest barn had been used to accommodate hogs until the 1980's when this building was deemed obsolete for housing this type of livestock. It was replaced with a new hog barn; however, this new barn recently collapsed due to snow load and will be removed from the site once insurance matters have been resolved. The older barn could possibly be used once again to accommodate a very limited number of livestock, according to the landowners. The intended purchaser of the severed parcel will likely house a few horses and/or a few beef cattle, at most, in this barn.

Approximately 41 hectares of the 61.3-hectare holding are cash-cropped. The severed parcel will include approximately 2.7 hectares of land, which, despite having been tilled in the past, is low-lying and subject to seasonal flooding during the spring snowmelt, and it is therefore not very productive in terms of crop yield. The landowners feel that including this small field with the severed parcel will make better use of these lands, as they can be used for grazing for the few horses or beef cattle that are accommodated in the barn.

Deer Creek flows through the west side of the property.

The balance of the property is forested.

The buildings and features of the property are illustrated on Figure 1 of this Planning Justification Report.

Adjacent Land Uses:

The abutting lands are represented by a mix of agriculture and forestry, with a few non-farm residential lots also existing nearby.

Municipality of West Grey Zoning By-law:

The subject lands are zoned 'A2' (Rural) and 'NE' (Natural Environment) in the Municipality of West Grey Zoning By-law, as illustrated on Figure 2.

The 'A2' zone requires a minimum lot area of 20 hectares and a minimum lot frontage of 122 metres.

Zoning Compliance

Provisions	A2 Zone Requirement	Severed Lot	Retained Lot
Minimum Lot Area	20 ha	5.37 ha*	55.93 ha
Minimum Lot Frontage	122 m	329 m	70 m*

* Relief from Zoning By-law is required

The Minor Variance application is requesting the required relief noted above. In addition, the Minor Variance would also reduce the 'minimum side yard' requirement for accessory buildings (over 14 square metres in size) from 15.2 metres to 11 metres in order to allow for the proposed lot line at the southwest corner of the severed parcel to follow the existing cropping field boundary.

Grey County Official Plan:

According to Schedule A of the County of Grey Official Plan, the subject lands are designated predominantly 'Rural', as shown on Figure 3 of this Planning Justification Report. The 'Hazard Lands' designation applies to the floodplain of the watercourse that traverses the site.

The 'Rural' policies give consideration to limited lot creation provided the total number of parcels from the original 40-hectare Crown-surveyed Township lot does not exceed four, including the retained parcel. In this regard, the subject property comprises the entire original Lot 14, Concession 14 NDR, Bentinck Township and part of the original Lot 13, Concession 14 NDR. The proposed lot would be severed from the original Lot 14, from which no lot has ever been created, and therefore would comply with the 'Rural' density policies.

The Official Plan requires new lots created in the 'Rural' designated areas to comprise at least 0.8 hectares of land, and the proposed lot will meet this minimum requirement.

The County Official Plan also requires new lot creation to comply with the Minimum Distance Separation (MDS) formulae. As such, it is necessary to demonstrate that a house could be erected on the vacant retained parcel in the future in compliance with the MDS requirements. In this regard, there are two barn livestock facilities that must be taken into consideration:

- The first facility is the barn situated on the severed parcel that hasn't been used to accommodate livestock for over forty years. As noted above, this barn was deemed obsolete in the 1980s and was replaced with a new barn which since has been destroyed. The current landowners, however, feel that it could be used by a future

owner to accommodate a few horses and some cattle. For the purpose of demonstrating compliance with the MDS formulae, an assumption has been made in the MDS Report that the existing barn could house five horses and five beef cattle (cow/calf). The MDS Report has demonstrated that there is ample area on the retained parcel to erect a house beyond the required setback.

- The second livestock facility is the barn located on the property to the immediate east. Although this structure has not been used to accommodate livestock for over 20 years, according to the owner, an MDS calculation is still necessary. The MDS Report has proven that a future house on the retained parcel would meet the required setback from this neighbouring barn.

Appendix B of the Grey County Official Plan identifies the forested portion of the site as 'Significant Woodland', as illustrated on Figure 4. The policies of the Official Plan are designed to protect the woodland features from development and site alteration by not allowing for development or site alteration in 'Significant Woodland' or within 120 metres unless it can be demonstrated that the woodland would not be negatively impacted. In this regard, it should be noted that there is ample area to erect a house on the severed lands in the future well beyond the recommended 120 metre buffer.

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) allows for limited lot creation in the rural areas not involving prime agricultural lands. Accordingly, the County Official Plan has provided policies that reflect the Province's position on this matter by allowing for a certain number of lots to be created within the 'Rural' designated areas, as explained above.

The PPS also protects natural heritage features including significant woodland. The proposed lot creation would not undermine any such policies of the PPS.

It is evident that the proposed lot creation is consistent with the PPS.

Minor Variance Tests of The Planning Act:

Relief from three provisions of the 'A2' zone is necessary to facilitate the requested severance, as follows:

1. a reduction in the 'minimum lot area' requirement for the severed parcel from 20 hectares to 5.37 hectares;
2. a reduction in the 'minimum lot frontage' requirement for the retained parcel from 122 metres to 70 metres; and,
3. a reduction in the 'minimum side yard' requirement for the existing accessory building located on the retained parcel from 15.2 metres to 11 metres.

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 all of the relevant Official Plan policies, including the minimum lot area standard, as explained above. The Official Plan does not contain policies pertinent to lot frontage and minimum side yard.

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

Comment: The Comprehensive Zoning By-law has chosen 20 hectares as the lot area standard for the 'A2' zone. A lower number could have been chosen when the By-law was adopted, since the Grey County Official Plan only requires a new lot to comprise 0.8 hectares.

The Zoning By-law also requires a 'minimum lot frontage' of 122 metres, a figure that may be considered arbitrary. The intent of this provision is to ensure that every parcel of land maintains a reasonable amount of frontage along a public road. In this particular instance, a frontage of 70 metres for the large, retained parcel seems reasonable.

It's worth noting that almost every severance that is granted in the 'Rural' designated areas of West Grey requires relief from the lot area and frontage provisions. In order to remove redundancy in the planning approval process, some municipalities in Grey County have removed the 'minimum lot area' and 'minimum lot frontage' provisions from their Zoning By-law, which is something that West Grey may wish to consider when drafting their new Comprehensive Zoning By-law.

The requested reduction in the ‘minimum side yard’ requirement for the accessory building from 15.2 metres to 11 metres also maintains the intent of the Zoning By-law. Requiring a building to be set back a certain distance will ensure that the building does not infringe upon the use and enjoyment of the neighbour’s property. Given that an 11-metre yard is still considered reasonable and that any future building on the retained lot could compensate for this slight side yard reduction on the severed lot, there should be no concern with this variance.

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 reduced lot area and frontage for the severed and retained parcels, respectively, and a reduction in the side yard required for an existing building should not create any negative impact on the abutting properties.

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

Comment: The proposed relief from the ‘A2’ zone provisions will facilitate the severance of a non-farm lot. This is desirable from the landowners’ perspective. The variance represents an appropriate and desirable use of the lands.

Concluding Comments:

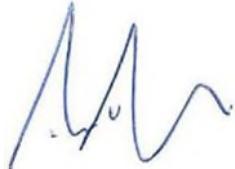
The proposed lot creation conforms to the County Official Plan and is consistent with the Provincial Planning Statement. The Consent application should be approved.

In the same manner, the Minor Variance passes the four tests listed in the Planning Act and should also be given favourable consideration.

I trust you will deem this application package to be complete. Should you require anything further, please contact the undersigned.

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

Sincerely,

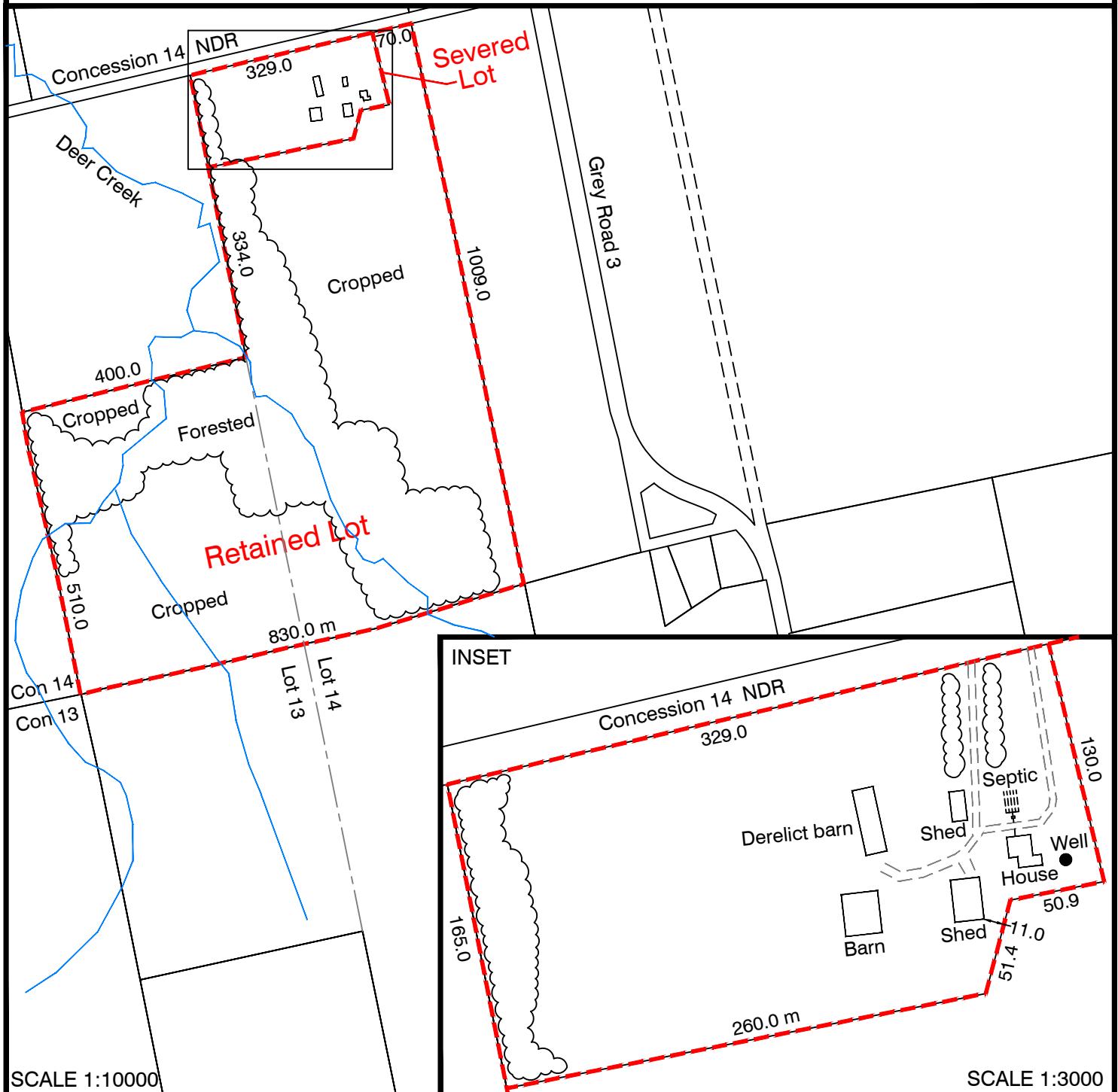
A handwritten signature in blue ink, appearing to read "Ron Davidson".

Ron Davidson, BES, RPP, MCIP

c.c. Agnes Brindley and Crystals Henderson

Figure 1: Proposed Lot Creation

 Subject Lands

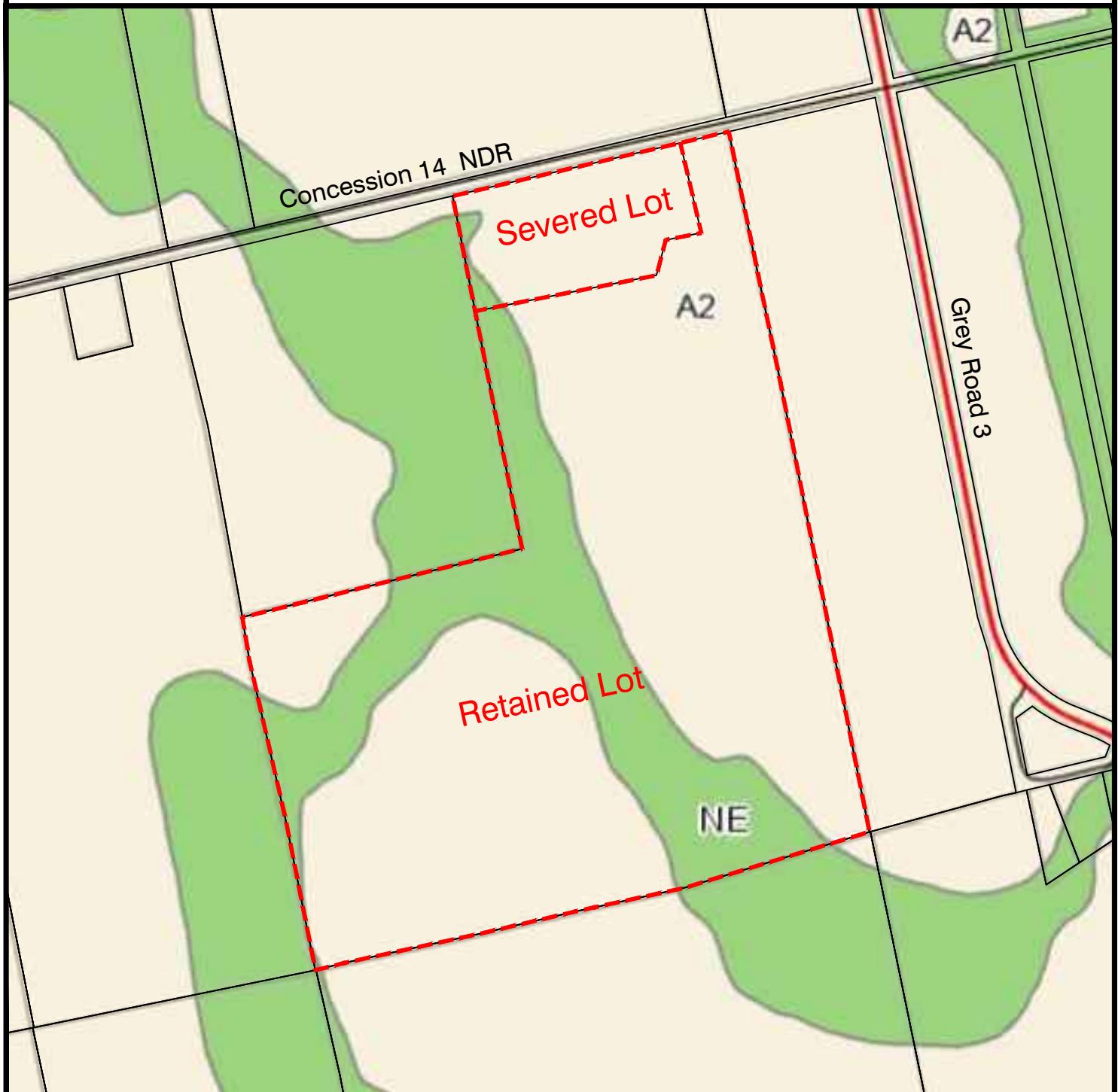


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Figure 2: Municipality of West Grey Zoning By-law Schedule A

 Subject Lands



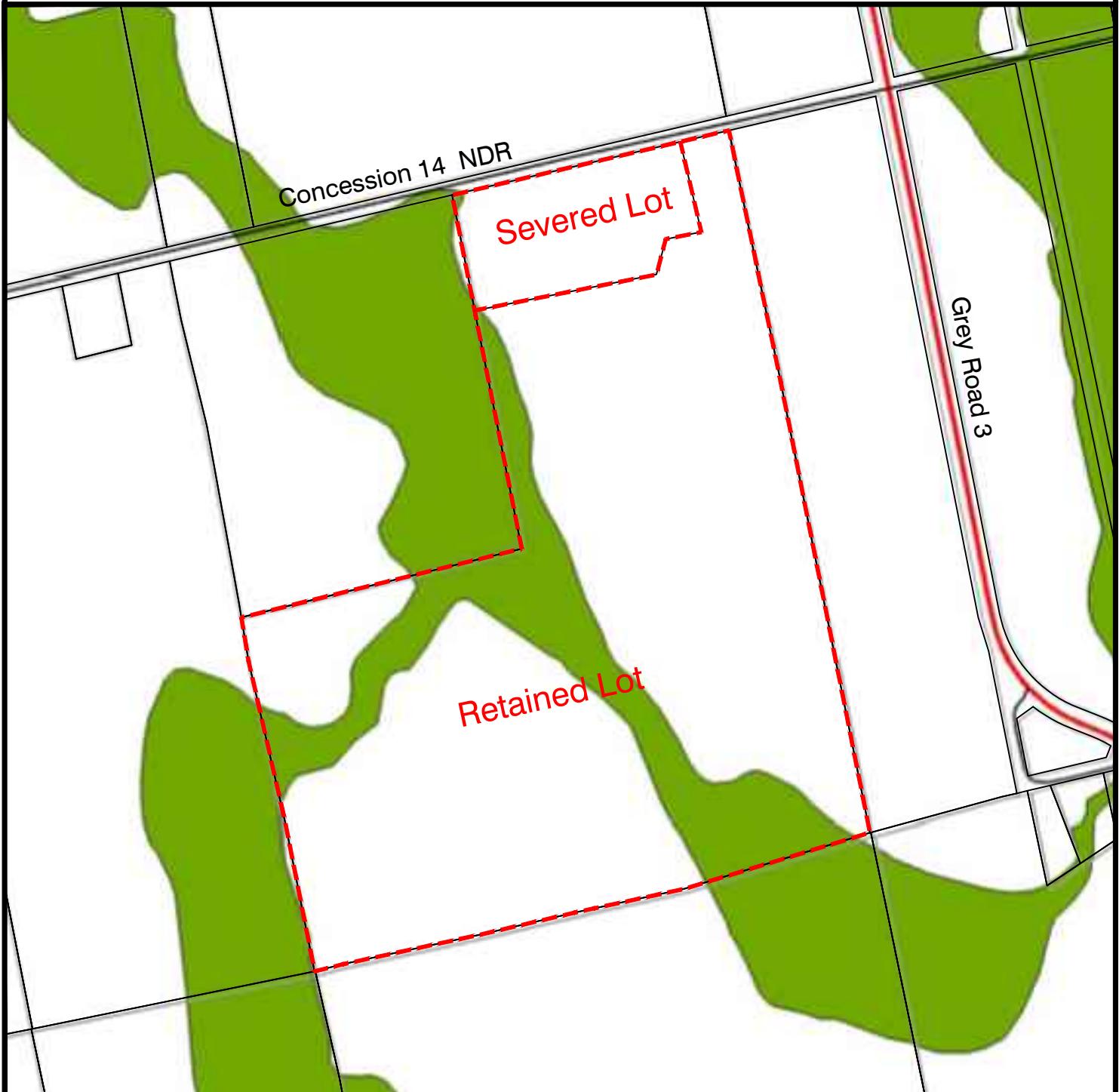
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Figure 3: Grey County Official Plan Schedule A



- Subject Lands
- Rural
- Hazard Lands



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Figure 4: Grey County Official Plan Appendix B



 Subject Lands

 Streams

 Other Wetlands

 Significant Woodlands



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