

PLANNING JUSTIFICATION REPORT

PROPOSED ZONING BY-LAW AMENDMENT & CONSENT TO SEVER



AUGUST 2026

Subject lands:

085770 Southgate Road 08
Concession 4 Lot 21
Geographic Township of Proton
Township of Southgate
County of Grey

Prepared for:

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1.0 BACKGROUND AND CONTEXT

1.1 Purpose of Report

Cuesta Planning Consultants Inc. (CPC) has been retained by the landowners to coordinate applications for a zoning by-law amendment and a consent to sever that would have the effect of creating a new 20.6- hectare (ha) farm lot from lands legally described as Concession 4 Lot 21, geographic Township of Proton, Township of Southgate (Figure 1).

This report will examine the merits of the proposed severance by evaluating the proposal against the policies of the 2024 Provincial Planning Statement (PPS), the County of Grey Official Plan (CGOP), and the Township of Southgate Official Plan. The Township of Southgate Zoning Bylaw 10-2002 will require modification to facilitate the proposal. This report, the accompanying applications and supporting materials, are intended to satisfy the requirements of Section 34 (10.1) & (10.2) and Section 53 (2 & 3) of the Planning Act, RSO 1990 regarding the submission of a complete application.

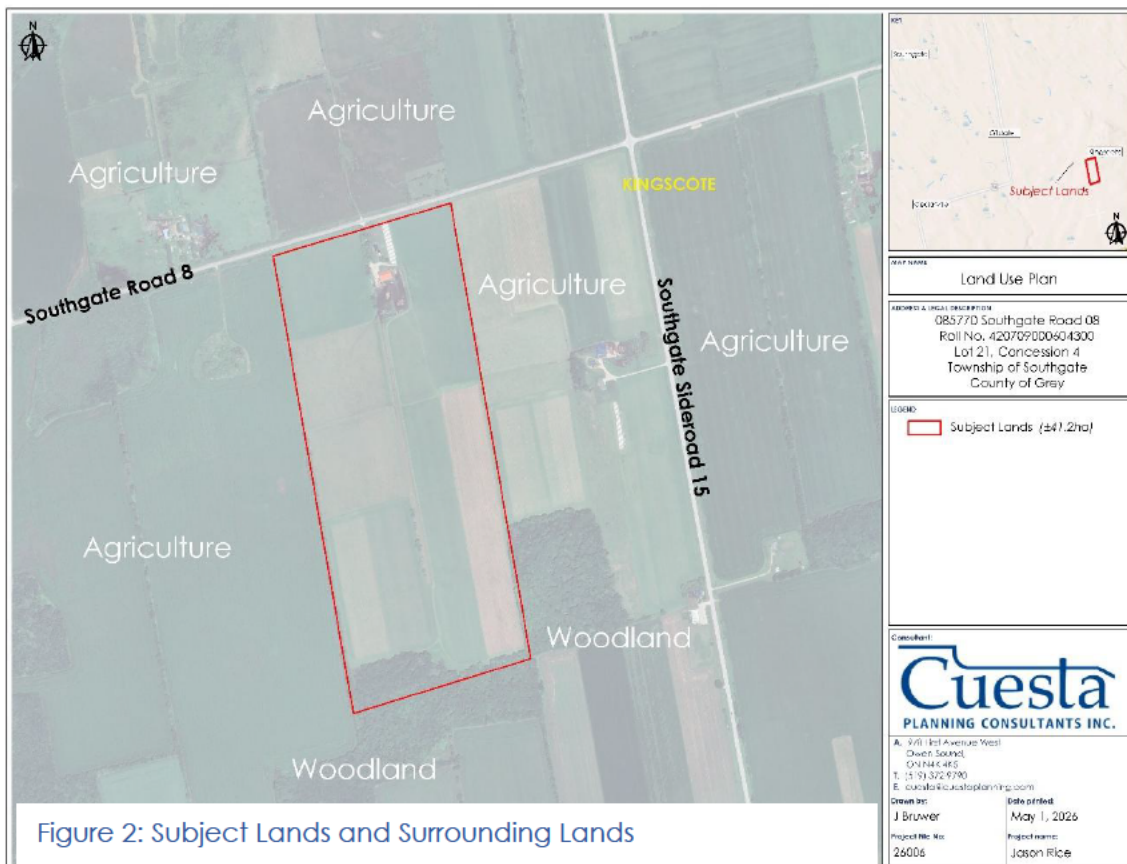
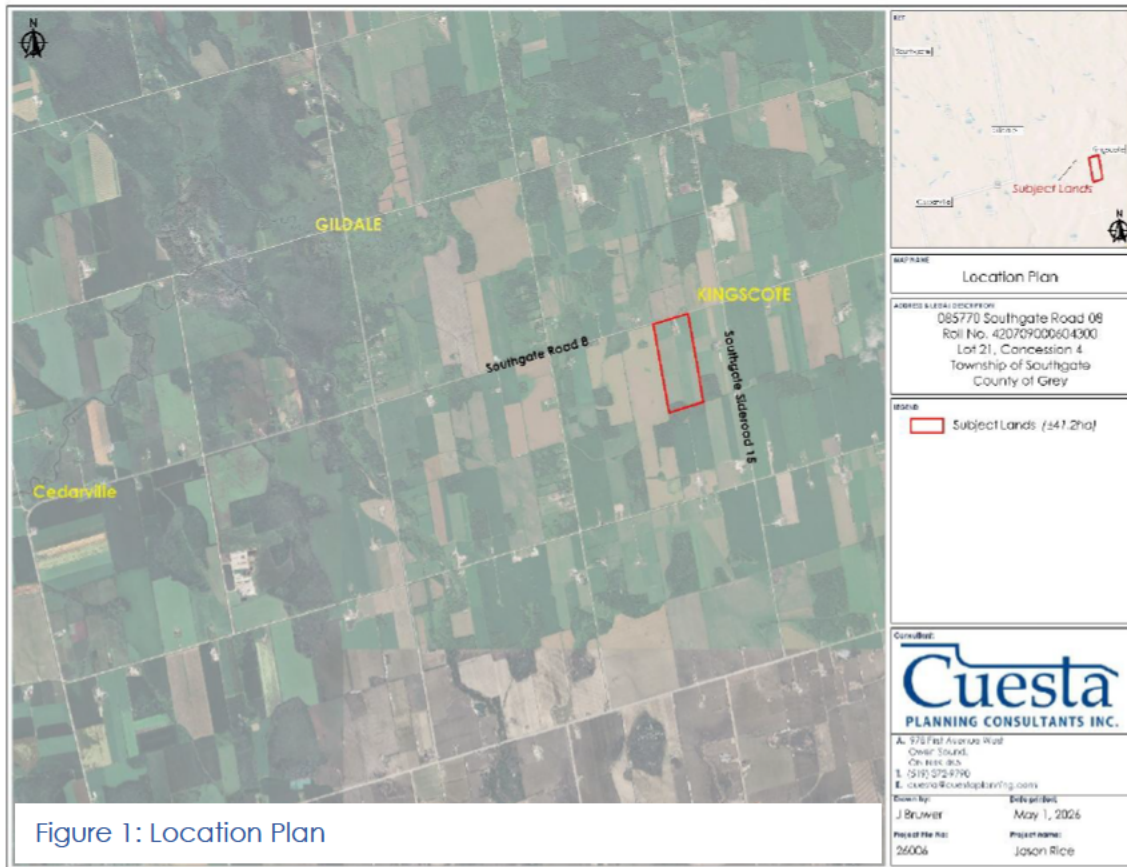
1.2 Location and Description of Subject Lands *(Figures 1 & 2)*

The subject lands are approximately 41.20 hectares (101.82 acres) in area and rectangular in shape, coinciding with the original Township lot fabric. The principal use of the subject lands is agricultural. There are several fields on the subject lands separated by treed windbreaks. The farm cluster in the northeast of the subject land consists of a residential dwelling, barn, and storage shed.

A small portion of the land is used for grazing, although most of the land is used for crop production. There is a small, wooded area in the southwest section of the subject lands. The topography of the subject lands is mainly flat with a consistent gentle grade to the south.

The surrounding area consists of agricultural land separated by treed hedgerows and smaller woodland areas (Figure 2). There is a farm cluster immediately east along Southgate Rd. 08 as well on the north side of Southgate Rd. 08. The wooded areas on the subject lands are part of a larger woodland cluster that extends to the southwest and southeast.

The nearest settlement area, Cedarville, is located approximately seven (7) kilometres to the west.



1.3 Background and Description of Proposal (Figure 3)

The proposal involves the creation of a 20 + ha farm lot severed from an existing farm. The subject lands are 41.20 hectares (101.82 acres) in area. In accordance with the site plan prepared by CPC, a severed lot approximately 20.6 hectares in area will be created and a retained lot of a similar size. No change in land use and no new buildings or structures is proposed as part of this proposal.

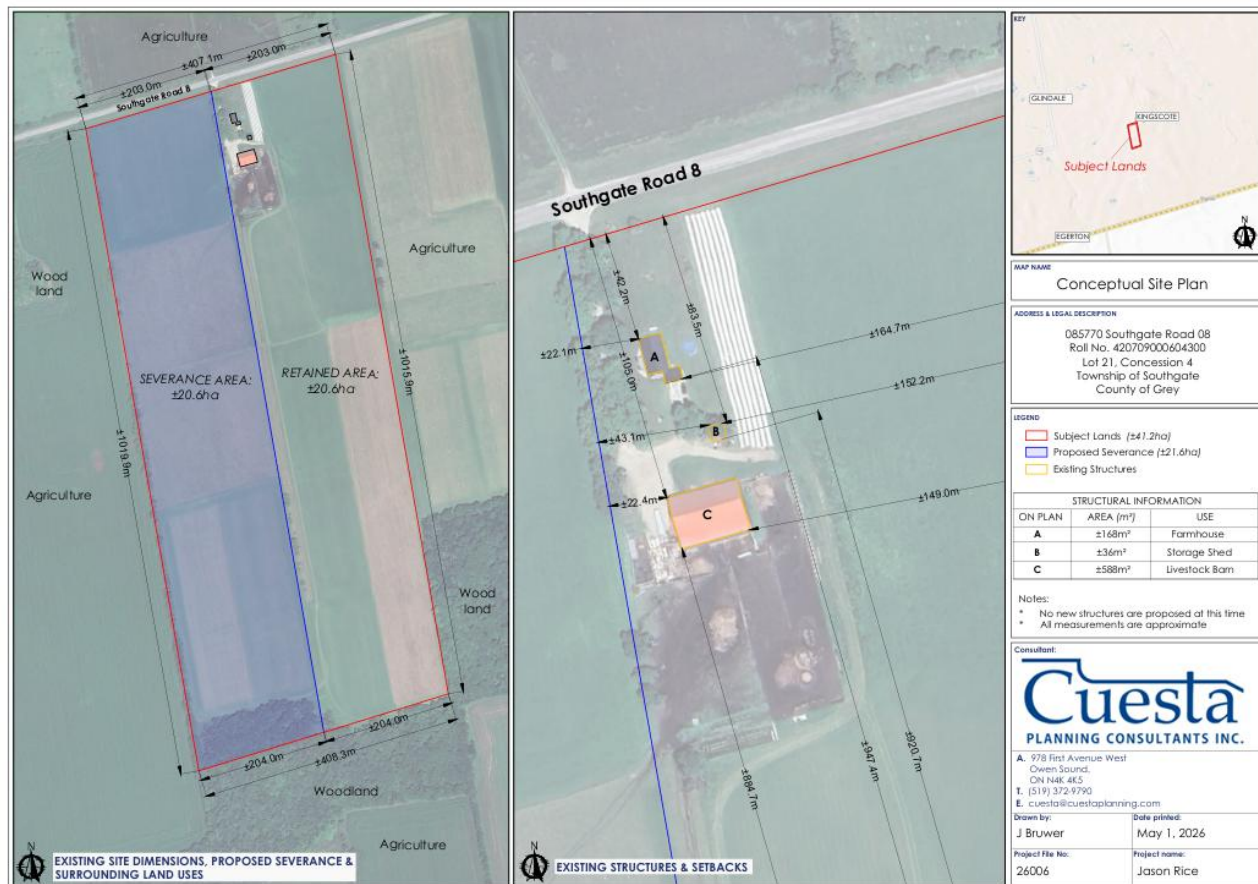


Figure 3: Site Plan (see also Appendix 1)

1.4 Pre-Submission Consultation

CPC consulted with the County of Grey and Township of Southgate staff in preparation for the submission of this application. County staff noted general hesitation regarding the creation of a farm lot less than 40 ha. in an agriculturally designated area. Forty (40) ha farms are more common.

However, the creation of smaller farm parcels can be considered under Section 5.2.3.1) a) of the County of Grey Official Plan provided an Agricultural Report is prepared to address the 7 criteria included in Section 5.2.3.1.

In addition to an Agricultural Report, it was suggested that the required zoning by-law amendment also specify that no residential use would be permitted on the severed lot.

Safe access to the proposed lot is possible from Southgate Road 8 via a future farm entrance based on discussions held between the applicant and relevant Township staff. The farm entrance would be utilized for access to the field for crop installation, harvest and maintenance.

This submission includes the following documentation based on the pre-submission consultation with staff:

- Planning Justification Report
- Owners' Authorization
- Completed Applications for a Zoning By-law amendment & Consent to Sever
- Site Plan (**Appendix 1**)
- Agricultural Report (**Appendix 2**)

The consultation process also determined that only the following approvals would be required.

Table 1: Approvals Required

Application	Approval Authority
<u>Zoning By-law Amendment</u> A by-law amendment for an exemption to minimum lot area in the A1 Zone and to prohibit residential use on the severed lot.	Township of Southgate
<u>Consent to Sever</u> A consent to sever application will be required to create the 20.6 ha. agricultural lot.	

2.0 LAND USE POLICY CONSIDERATIONS

The following analysis of the applicable land use policies considers how the proposal will meet the goals and intent of the relevant land use policy and remain compatible with surrounding land uses. Considering provincial, county and local policies, it will be determined how the proposal represents appropriate rural land use planning.

In addition to the Provincial Planning Statement, the County of Grey Official Plan (CGOP), and the Township of Southgate Official Plan (TSOP) will be assessed with respect to land-use policy pertaining to the proposal. The Township of Southgate Zoning By-law No. 19-2002 will also be evaluated as a land use document applicable to the proposal.

2.1 Provincial Planning Statement (PPS)

As stated under Section 3 of the Planning Act, all decisions by any authority that affect a planning matter shall be consistent with the Provincial Planning Statement (PPS). Any decisions made on or after October 20, 2024 are to be consistent with the 2024 PPS.

Although the PPS is to be read in its entirety, policy 4.3.3.1 (a) is deemed to be the most applicable to the consideration of the proposed severance, which states the following:

“Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for 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.”

PPS Compliance:

The subject lands are in an agricultural area as defined in the PPS and as identified by County of Grey in its official plan. The proposal will result in the creation of two farm parcels, each approximately 20.6 hectares in area. Although, 40-hectare farm parcels are a more common farm lot size in this area of Ontario, the PPS does not specify a required minimum size to be recognized as agricultural.

Smaller farm lots may be appropriate depending on the type of agriculture common in certain areas. In this instance, the associated Agricultural Report (Appendix 2) has confirmed the long-term viability of the two 20-hectare lots resulting from this proposal. Farming trends show larger farming operations acquiring 20 ha agricultural parcels as part of their overall holdings.

The severed lot, which represents 20 hectares of high-yielding, vacant cropland; will be purchased by a local large-scale operator. The retained lot will remain part of the overall Rice family agricultural holdings.

Despite the prevalence of 40ha lots in the Township, smaller farms in the local area have not altered the fact that agriculture remains the dominant land use activity. No changes in land use or loss of agricultural land will occur as a result of this proposal which could impact agricultural resources. The proposal is consistent with the Provincial Planning Statement.

2.2 County of Grey Official Plan (CGOP) (Figure 4)

The subject lands are designated as Agricultural and Hazard Lands under Schedule 'A' of the County of Grey Official Plan. The CGOP describes agricultural lands as large pockets of prime quality farmland, where agricultural land uses such as livestock, cash crop, and local food farming are the predominant uses.

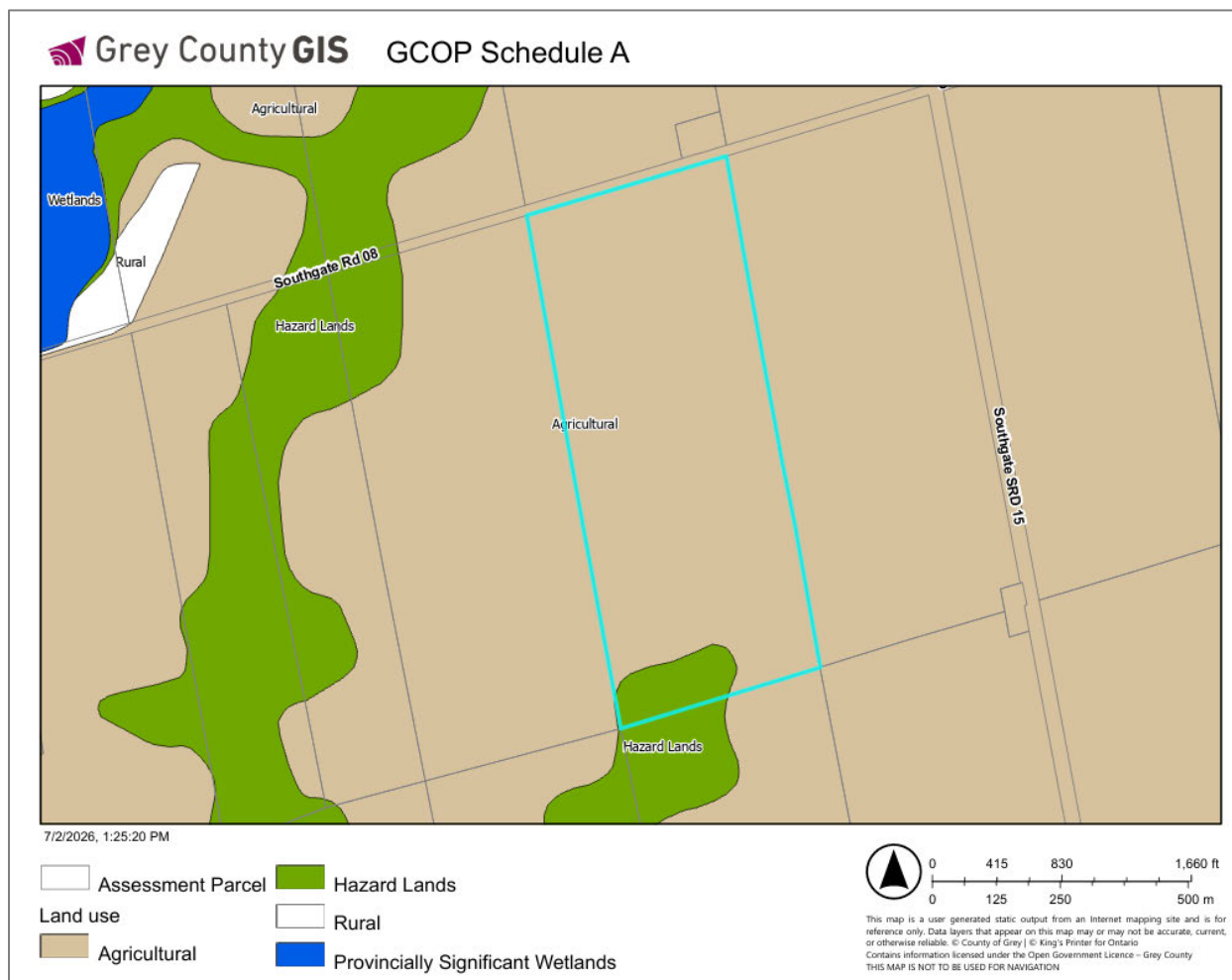


Figure 4: County of Grey Official Plan - Schedule

The County objectives in this land use designation are to prevent the fragmentation of active agricultural land, to reduce complaints and limitations on agricultural uses imposed by non-farm uses, and to protect and enhance the long-term viability of the agricultural sector. The hazard lands shown at the very southern portion of the property are part of a larger system of woodlands in this geographic area.

This proposal will involve a farm severance only and no impact is anticipated on the hazard lands. Compliance of the proposal with the relevant policies of the CGOP is analyzed in the following table.

Table 2: County of Grey Official Plan Evaluation

5.2 Agricultural Land Use Type

5.2.2 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.

<i>Policy Compliance:</i>	The proposed severed and retained farm lot sizes are 20.6ha, which is below the required minimum 40-hectare area noted under the official plan. An analysis of the referenced Section 5.2.3 is included below in this report which facilitates different lot sizes based on the provisions of Sections 5.2.3 1 a) being met.
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5.2.3 Consent Policies

1) A consent for one new lot may be permitted provided the original farm parcel is a 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 ha, an official plan amendment will not be required, but an Agricultural Report is required by a qualified individual, that addresses the following:

- 1) The severed and retained lot;
- 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 disability 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 no 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 operation proposed o

ii) Demonstration that the 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.

<i>Policy Compliance:</i>	Please refer to Appendix 2: Agricultural Report to determine compliance with the provisions of Section 5.2.3 1) a) Consent Policies.
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9.12 Lot Creation

1) Where division of land is considered, the approval authority must have regard to the policies of this Plan, the matters set out in the Planning Act, R.S.O. 1990, as amended and the following circumstances:

a) The land division is permitted by the appropriate land use policies of Section 3 to 8;

<i>Policy Compliance:</i>	An analysis of the applicable provisions of Section 5.2 is included in the Appendix 2 to this Planning Justification Report.
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b) The land division is to promote development in an orderly and contiguous manner, and should not conflict with the established development pattern of the area;

<i>Policy Compliance:</i>	The proposal will result in two farm parcels, 20.6 ha. (50 acres) in area and rectangular in shape, which reflects the existing agricultural land use lot pattern of the surrounding area.
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c) The proposed use is compatible with existing and future permitted land uses on adjacent lands;

Policy Compliance:	No change in use on the severed or retained lots is proposed. The farm operation is anticipated to continue as is on both lots as it currently exists regardless of ownership.
d) The servicing requirements of Section 8.9 must be met;	
Policy Compliance:	Servicing provisions would not apply to this proposal. No new buildings or structures are anticipated on the retained or severed lots because of this proposal. The severed lands will be zoned to prohibit residential development.
e) <i>Direct access from a Provincial Highway or a County Road may be restricted as outlined in Section 8.3. Where possible, residential lots must not be approved where access from a road would create a traffic hazard because of limited sight lines, curves, or grades;</i>	
Policy Compliance:	Both the proposed and severed lots will be accessed from Southgate Rd. 08, which is a year-round maintained local public road. There are no immediate traffic hazards identified with respect to a required farm entrance for the severed lot. This section of Southgate Rd. 8 is straight and relatively flat in both directions. There is no significant vegetation that would obstruct sight lines for a farm entrance.
f) <i>Evidence that soil and drainage conditions are suitable to permit the proper siting of buildings, that a sufficient and potable water supply exists, and that conditions are suitable for sewage system construction;</i>	
Policy Compliance:	The proposal involves a farm lot severance where no buildings are proposed, therefore a potable water supply and private septic system are not factors.
g) <i>The size of any parcel of land created must be appropriate for the proposed use, and in no case, will any parcel be created which does not conform to the minimum provisions of the zoning by-law.</i>	
Policy Compliance:	As noted above in this report, both the severed and retained lots will be 20.6 ha (50 acres) in size, which is a viable farm lot size in a number of areas of the Grey-Bruce region and other areas of the province. The

	Agricultural Report (Appendix 2), which is to be read in conjunction with this report, analyzes the feasibility of farm lots of this size in this location.
<i>h) The proposed lots comply with Provincial Minimum Distance Separation Formulae except for lots created within settlement areas.</i>	
Policy Compliance:	Minimum Distance Separation (MDS) formulae guidelines are provided by the Ministry of Agriculture, Food and Agribusiness (OMAFRA). Implementation Guideline #8 requires a MDS I calculation for new lots with agricultural uses. However, the proposal is exempt from this requirement, as the severed lot will be prohibitively zoned to restrict any form of residential use and the retained lot will contain the farmstead.

County of Grey Official Plan Summary:

The above analysis demonstrates that the proposed severed lot will conform to the applicable policies of the County of Grey Official Plan (CGOP) save and except for the traditional 40 ha lot size requirement. Each farm lot to be created will be 20.6 ha (50 acres).

Although the CGOP identifies that ideally, parcels are a minimum of 40ha in size, it does not preclude the creation of smaller farm parcels provided the lot creation is supported by the preparation of an Agricultural Report. Appendix 2 fulfills that requirement and includes an in-depth analysis of how these agricultural lots will continue to be viable farm lots over the long-term. No new buildings or structures and no change in land use is proposed.

No new farm building or farm dwelling will be permitted on the severed lands; which is ensured through a zoning by-law amendment to prohibitively zone the severed lot so that it will remain solely agriculturally productive moving forward.

This proposal would meet the intent of the county objective regarding preventing the fragmentation of farmland as no change from strictly agrarian use is proposed. As outlined in the Agricultural Report, the proposed severed and retained farm lots are each large enough to serve as viable separate farms.

2.3 Township of Southgate Official Plan 2006

Table 3: Township of Southgate Official Plan Evaluation

5.4.1 Agricultural Land Use Type

5.4.1.1 Development Policies

1) Permitted uses in the Agricultural designation are: all types, sizes and intensities of agricultural uses, and normal farm practices, including accessory uses, as per Table 1; agricultural-related uses as per Table 1; on-farm diversified uses as per Table 1; marihuana/cannabis production in accordance with any Federal laws as per subsection 5.4.1.2 (5); forestry; conservation uses; institutional uses on existing lots servicing those segments of the population whose primary means of transportation is via horse and buggy and active transportation, wayside pits and quarries; and, portable asphalt or concrete plants used for a specific public use contract..

<i>Policy Compliance:</i>	The proposed severed and retained farm lot sizes are 20.6 ha which does not offend the above policy which permits "all types of sizes and intensity of agricultural uses".
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5.4.1.2 Development Policies (in part)

1) The Township's Zoning By-law will generally permit, as-of-right, those agricultural uses and agricultural-related uses listed in Table 1 within the zone(s) that are applied to the countryside, except a marijuana/cannabis production facility.

<i>Policy Compliance:</i>	Both the severed and retained lots will continue as agricultural uses. The severed lot will be sold as a cash crop opportunity, which due to it containing 18.6ha (46 acres) of workable land, will be appealing for a cash crop farmer to utilize as part of a larger operation. The soil and drainage on the site are excellent and will continue to allow good crop yields into the future.
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2) Agricultural uses are not limited in size by this Official Plan

<i>Policy Compliance:</i>	The proposal will result in two farm parcels, 20.6 ha. (50 acres) in area which would comply with the above noted policy. The Agricultural Report provides an in-depth analysis of the feasibility of farm sized lots below the 40-hectare threshold.
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5.4.1.3 Consent Policies

1) Lot creation in the Agricultural designation is generally discouraged.	
Policy Compliance:	The primary intent of this policy is to discourage non-agricultural uses in agricultural areas such as residential development. The subject application proposes a restrictive zoning on the new agricultural lot to prohibit new residential uses which implements this policy goal.
2) <i>The creation of a farm parcel may be considered provided both the severed and retained parcels are 40 ha in size or greater.</i>	
Policy Compliance:	The proposal does not meet the lot size provisions of this policy although this limitation conflicts with the intent of policies 5.4.1.1 1) and 5.4.1.2 2) of this plan. It was confirmed during pre-submission consultation that the Agricultural Report, required under the CGOP, demonstrating that the resulting 20 ha farm lots are of sufficient size would also satisfy Township Official Plan policy requirements.
7) <i>All lot creation shall conform to consent policies contained in 7.2</i>	
Policy Compliance:	<i>The following outlines policies for lots as it pertains to severances:</i>
7.2.1 Plans of Subdivision and Severances	
<i>a) The proposed land division complies with the policies pertaining to the subject property's land use designation and all other relevant policies of this Official Plan. Consideration of an Official Plan Amendment may be given as required to facilitate the lot creation, where such an Amendment represents appropriate land use planning.</i>	
Policy Compliance:	The Official Plan does not limit the size of agricultural uses, as mentioned above. Both the severed and retained lots will be below the size threshold identified in the Official Plan but are still seen as viable lot sizes for local agricultural uses as confirmed in the Agricultural Report.
<i>b) The proposed land division complies with the applicable provisions of the Comprehensive Zoning By-law. Consideration of a Zoning By-law Amendment or Minor Variance may be given as required to facilitate the lot creation, where such an Amendment or Minor Variance represents appropriate land use planning.</i>	
Policy Compliance:	Southgate Zoning by-law 19-2002 will be amended to facilitate the consent including the residential prohibition. The proposed farm lots

	support the agricultural objectives of the Agricultural designation.
<i>c) The proposed land division results in lots having frontage on a public road that is, or will be, opened and maintained year-round and is of a standard of construction acceptable to the Township, County or Province, where applicable.</i>	
Policy Compliance:	Both the severed and retained lots currently have access onto Southgate Rd. 08 an open and maintained municipal road.
<i>d) Safe and suitable vehicular access is available which meets Municipal, County or Provincial transportation objectives, standards and policies for safety and access. Access may also be restricted and/or prohibited along the Provincial Highway or County Roads if required to ensure safe traffic movement.</i>	
Policy Compliance:	The retained parcel has an entrance which will continue to act as the main entrance to the property. The severed lot can safely accommodate a field entrance that can be utilized for equipment access to the farmland. Because the proposed lot will be re-zoned to prohibit residential development, a field access is appropriate.
<i>e) It has been established that the site's size, configuration and soil/drainage conditions are suitable for all parcels involved to permit the proper location of a building, driveway and other associated features. safe traffic movement.</i>	
Policy Compliance:	The proposal is intending to maintain the agricultural use of the severed lot and retained lots. The drainage and soil types on the property provide very good crop yields, and with the 18.6ha of the 20.6ha being workable, the parcel is being sold as an agricultural lot and prohibitively zoned to permit only agrarian use.
<i>f) The division of land represents orderly and efficient use of land, and its approval would not hinder future development of the retained lands.</i>	
Policy Compliance:	The proposed consent represents efficient use of productive agricultural land. The severance is allowing for an additional 18.6ha productive agricultural land to be purchased and utilized by a local farmer to continue crop production. The productivity of the land is recognized,

and the consent will not have an effect on its continuation as cropland. The consent will create an opportunity for a cash crop operation to enlarge its holding and provide for a more economically efficient operation. The retained land may, at some time, be merged with the adjacent family farm to the east, but in the interim, it will be managed as part of the Rice family farming operation.

2.4 Township of Southgate Zoning By-law 19 - 2002 (Figure 5)

The subject land is zoned part 'A1' Agricultural Zone and part 'EP' Environmental Protection under the Township of Southgate Zoning By-law 2025-12. f.

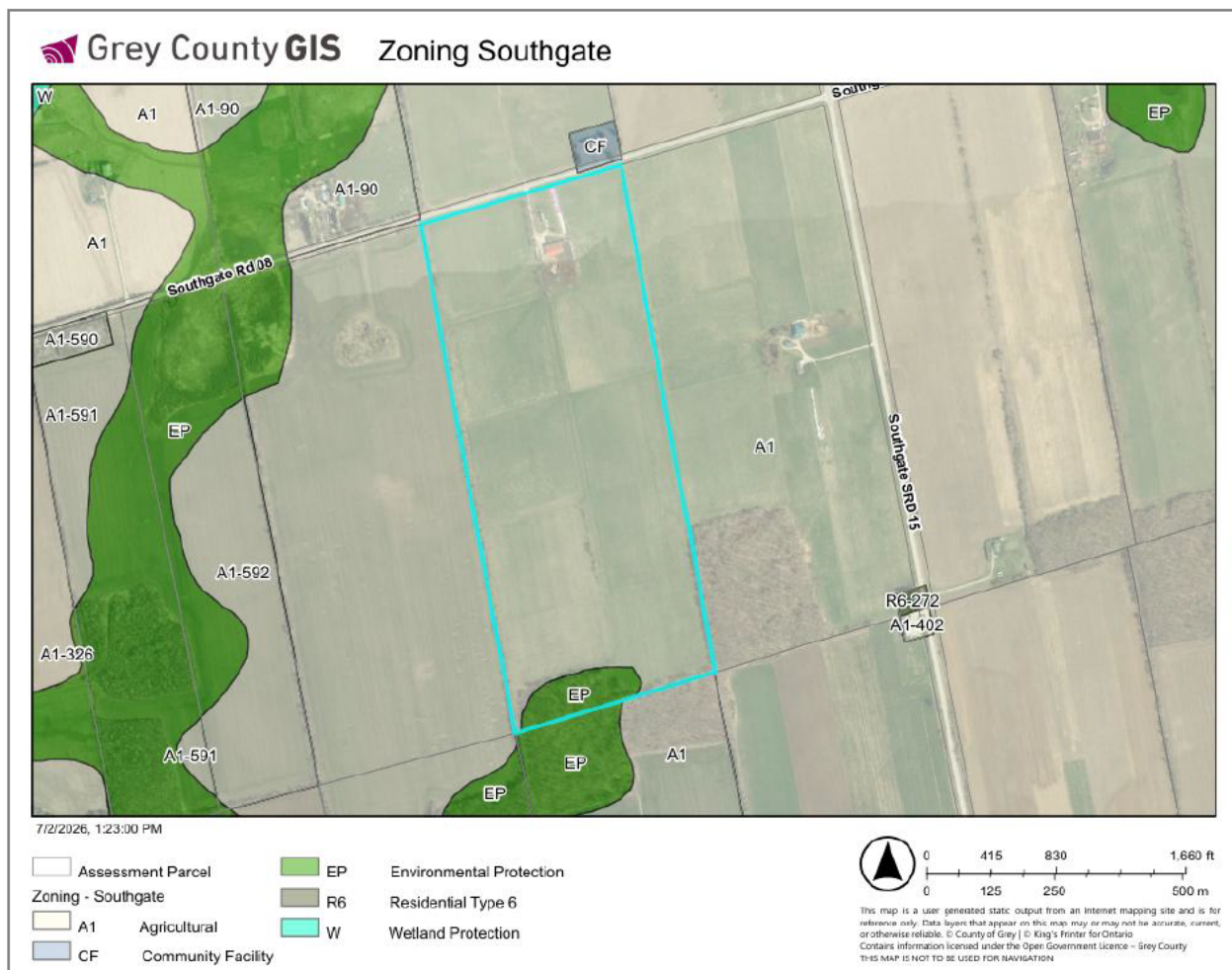


Figure 5: Township of Southgate ZBA Excerpt

The zoning by-law prescribes a minimum lot area of 40 hectares in the 'A1' Agricultural Zone, which is the original crown survey lot size in this area of the municipality. The zoning by-law also prescribes a minimum lot frontage of 200 m. Both the proposed severed and retained lots adhere hereto. Relief will only be required for the lot area. The severed lot will be prohibitively zoned to restrict future residential development

Provision 3.2(c) requires that no lot shall be severed to create a non-complying condition with respect to a minimum yard or lot coverage provisions. As such, a zoning analysis was completed on the existing farm cluster with respect to the proposed severed lot area and lot line location. (Figure 4). No new contravention would be created. Provision 7.8(e) prohibits construction in the Environmental Protection (EP) Zone. This provision does however note that land in the Environmental Protection (EP) Zone may be counted towards lot area, lot frontage, required yards, and lot coverage, as required for development on the same lot not in the Environmental Protection (EP) Zone.

Table 4: Township of Southgate Zoning By-law 19-2002 – Agricultural (A1) Zone Provisions

PROVISIONS	PROVISIONS	PROPOSED (Retained Lot)	PROPOSED (Severed Lot)
Minimum Lot Area	40 ha	±20.6 ha	±20.6 ha
Minimum Lot Frontage	200 m	± 203.0 m	± 203.0 m
Maximum Lot Coverage	7%	>7%	>7%
Minimum Front Yard	20 m	42.2m	n/a
Minimum Interior Side Yard	15 m	± 22.4m (barn) ± 22.1m (house)	n/a
Minimum Exterior Side Yard	-	n/a	n/a
Minimum Rear Yard Setback	15 m	n/a	n/a
Maximum Building Height	None	n/a	n/a
Minimum Floor Area	None	n/a	n/a

3.0 SUMMARY AND CONCLUSIONS

The proposed consent to sever application will result in the addition of one new farm lot in the area. No new land uses, buildings, or structures will occur because of this proposal which supports the goal of preserving agricultural land and the agricultural economy. The resulting retained 20.6 ha. farm lot will continue to be farmed as it is currently, and the newly created lot will provide an opportunity for cash crop operation to obtain a productive property to add to an existing operation.

Based on the foregoing report, the following is concluded:

- 1) This proposal is consistent with the Provincial Planning Statement, as the proposed severed lands and retained lands will each be sufficiently large enough to support independent farm operations on prime agricultural land;
- 2) This proposal conforms to the County of Grey Official Plan, outside of the prescribed minimum lot area guideline for a farm lot for the severed lands and the retained land. The Official Plan provides an opportunity to reduce the minimum farm size by preparing an Agricultural Report that demonstrates the viability of smaller farms. Based on the Agricultural Report, prepared for this application, the proposal results in no adverse effects on any other county interest;
- 3) This proposal will not create a non-compliance condition for any existing building or structure on the retained lands and achieves the minimum prescribed lot frontage provisions of the Township of Southgate Zoning By-law 19-2002, although a lot reduction is required; and,
- 4) The proposal represents appropriate rural agricultural planning principles.

Respectfully submitted,



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Approved by Don Scott

Cuesta Planning Consultants Inc

