



October 6, 2026

BY EMAIL ONLY

Matt Rapke, RPP, MCIP,
Senior Planner
Municipality of West Grey
402813 Grey Road 4
Durham, ON N0G 1R0

**Subject: Proposed Lot Addition and Minor Variance Application
 Lots 57 & 58, Concession 3
 Geographic Township of Bentinck, Municipality of West Grey**

Dear Mr. Rapke:

Please accept this letter in support of the proposed consent and minor variance applications for a lot addition. The receiving property, municipally known as 302346 Concession 2 SDR, is legally described as Part Lot 57, Concession 3 SDR, Bentinck. The lands to be conveyed and merged are legally described as Part Lots 58 and 59, Concession 3, SDR, as in Part 1 (on the Draft Survey), West of Camp Creek (also known as Kemp's Creek) and are referred to in this letter as the subject lands.

Provided in support of the applications is a draft survey and a severance sketch.

The proposed consent seeks to sever 31 hectares from the subject lands to be conveyed and merged with the adjacent lands located at 302346 Concession 2 SDR to result in a lot with a total size of +/- 61 ha.

The retained parcel resulting from the applications will have an area of 6.2 hectares and will contain the existing dwelling and accessory buildings. Access is provided by an easement over the existing driveway, established through prescriptive rights and registered on title.

Documentation of the easement has been submitted in support of the applications and confirms that the retained parcel has legal access to an open and maintained municipal road. This access arrangement is an existing condition and will not be altered by the proposed consent.

The proposed minor variance will recognize a reduced lot area and frontage.

Background

Previously the property was split by way of a “navigable waterway severance.” Through this process, Camp Creek has been determined to be navigable, which has the effect of creating a natural severance of the property since the Crown retains title to this navigable watercourse by operation of law. This has the effect of recognizing two separately conveyable parcels, since there is an intervening owner between the parcels (the Crown). A survey, and legal title to these lands has been drafted and registered. It is noted, that despite these lands just being surveyed and given a title, the lands would or could have been considered a separate parcel since the *Beds of Navigable Water Act (1911)*.

The navigability of Camp Creek is not contemplated by this letter nor the Consent which has been applied for; the navigability has been determined and confirmed by the appropriate experts and the legal transfer of the parcel has been completed.

Planning Context

The subject lands are designated Rural and Hazard Lands, including Wetlands in the Grey County Official Plan.

The lands are zoned Rural Zone (A2), Natural Environment Zone (NE) and Natural Environment Zone 2 (NE2).

The subject lands are currently used for agriculture.

Planning Policy Considerations

The Planning Act

The division of land is governed by Part VI of the *Planning Act*, with Sections 50 and 53 applying to consent applications. Section 53 establishes the consent process and requires the approval authority to determine that a plan of subdivision is not necessary for the proper and orderly development of the municipality. In making that determination, subsection 53(12) requires the approval authority to have regard to the criteria in subsection 51(24), including the effect of the proposal on matters of provincial interest; whether the consent is premature or in the public interest; conformity with the applicable official plan; the suitability of the land for the proposed purpose; the dimensions and configuration of the resulting parcels; access, servicing and utilities; and the protection of natural resources and areas subject to flooding.

The application is for a lot addition and will not create a new building lot. Based on the existing rural and agricultural use of the lands, the proposed merger with the adjoining property and the retained parcel's established legal access, the resulting parcels are appropriately configured and remain suitable for their intended uses. The proposal does not alter the established development pattern or create additional development potential and maintains conformity with

the applicable planning framework. Accordingly, it is my opinion that the lot addition represents proper and orderly development, is in the public interest, and satisfies the applicable criteria in subsection 51(24) of the *Planning Act*.

The Grey County Official Plan

The subject lands are designated Rural and Hazard Lands. Policy 8.4.3.3 states that “*Consents are permitted for lot addition purposes, or to correct lot boundaries, where the land being added is to be added to an existing use provided the enlarged lot and retained lots are greater than 0.4 hectares each. The above-noted lot density provisions in Table 9 do not apply to lot additions.*”

Since both the proposed enlarged and retained lots meet the minimum size requirements, the proposed Lot Addition is consistent with the Rural Consent policies of the Grey County Official Plan.

The West Grey Comprehensive Zoning By-law

The subject lands are zoned Rural Zone (A2), Natural Environment Zone (NE) and Natural Environment Zone 2 (NE2).

Table 1: Zoning Matrix for Lands after Lot Addition. Section 9.2 applied.

Regulations	Required	Provided
Lot Area, Minimum	20 ha	+/- 61 ha
Lot Frontage, Minimum	122 m	71 m*
Front Yard Minimum	20 m	N/A
Interior Side Yard Minimum	6 m	N/A
Exterior Side Yard, Minimum	18.3 m	N/A
Rear Yard, Minimum	7.5 m	N/A
Lot Coverage	15%	N/A

*denotes existing

Table 2: Zoning Matrix for Retained Lot. Section 9.2 applied.

Regulations	Required	Provided
Lot Area, Minimum	20 ha	6.2 ha
Lot Frontage, Minimum	122 m	0 m*
Front Yard Minimum	20 m	> 18 m*
Interior Side Yard, Minimum	6m	+/- 18 m*
Rear Yard, Minimum	7.5 m	+/- 40 m*
Lot Coverage	15%	< 15%*

*denotes existing

It is noted the buildings on the subject lands are existing and have not been surveyed. It is recommended the minor variance contemplate legalizing their existing location(s).

Requested Relief:

Through this application, two variances are sought. The existing frontage of the subject lands is 0 m, as previously discussed, this an existing condition that the consent will not impact.

Additionally, the retained lot will have an area of 6.2 ha, compared with the minimum lot area of 20 ha required by the Zoning By-law. Although the proposed lot area is below this standard, the reduced size is appropriate in the circumstances because the parcel will continue to accommodate the existing residential use and accessory buildings, with no new use or additional development potential proposed.

The applicable Official Plan policies contemplate rural lots smaller than 20 ha, supporting the conclusion that the requested reduction maintains the broader intent of the planning framework.

Four Tests of a Minor Variance

When a Committee of Adjustment is considering a Minor Variance application, four tests as prescribed in Section 45(1) of the *Planning Act* are evaluated.

1. Is the Variance in keeping with the general intent and purpose of the Official Plan?

The subject lands are designated as Rural and Hazard Lands in the County of Grey Official Plan. The Official Plans permits consents and residential development in the designations subject to the applicable policies. This development proposal is consistent with the policies and keeps with the general intent and purpose of the Official Plan.

2. Is the Variance in keeping with the general intent and purpose of the Zoning By-Law?

The subject lands are zoned Rural Zone (A2), Natural Environment Zone (NE) and Natural Environment Zone 2 (NE2) and application requests variances the Rural Zone (A2) including: decreased minimum lot frontage and lot area. The applications for minor variance and consent serve to recognize existing conditions and residential uses and the proposed reductions are not expected to decrease function or use of the proposed retained lot.

3. Is the Variance desirable for the appropriate development or use of the land, building or structure?

The proposed minor variance will facilitate a consent to delineate the existing uses on the property. The existing agricultural lands on the subject lands will be conveyed to the adjacent parcel; to be held in a larger agricultural land holding and the retained parcel will host the existing residential use. Given that no change in use, or further development is proposed, the minor variance can be considered desirable and appropriate.

4. Is the application minor in nature?

Whether an application is minor should be assessed by its potential impacts, not solely by numerical increases or decreases. The proposed consent and related minor variance will not create additional development potential; instead, they would recognize and delineate the property's existing uses. Accordingly, the application is considered minor in nature.

Conclusions

In conclusion, the proposed lot addition is consistent with the applicable provisions of the *Planning Act*, conforms with the Grey County Official Plan, and complies with the intent of the West Grey Comprehensive Zoning By-law. The proposal will not create new development potential, will maintain the existing rural and agricultural land-use pattern, and will result in appropriately configured parcels with established legal access. Accordingly, it is my professional opinion that the proposed consent and minor variance applications are appropriate, represent good planning, and should be approved.

If you have any questions regarding the above, please contact the undersigned at 519-506-5959, extension 106.

Sincerely,

Cobide Engineering Inc.



Dana Kieffer, M.Sc. (Planning), MCIP, RPP
Senior Development Planner,
Cobide Engineering Inc.

Encl.

cc: Mr. Jayson Long, JH Land Enterprises.