



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

January 13, 2025

Municipality of West Grey
402813 Grey Road 4
RR 2
Durham, ON
N0G 1R0

Attention: David Smith
Manager of Planning

Dear David:

**Re: Applications for Consent and Zoning By-law Amendment
Lot 3, Concession 12 NDR
Geographic Township of Bentinck
Municipality of West Grey
County of Grey
Address: 521106 Concession 12 NDR
Owner: Boerkamp Dairy Farms Ltd. and Darien Boerkamp**

Further to recent pre-consultation discussions regarding severances on the above-noted property, enclosed please find two completed Consent applications and a completed Zoning By-law Amendment application.

Also included in this submission are the land transfer sheet proving ownership of the property, the articles of incorporation for Boerkamp Dairy Farms Ltd., and a deed from 1947 granting an easement to the Hydro-Electric Power Commission of Ontario.

To assist your office in evaluating this proposal, I wish to provide the following:

Purpose of Applications:

Boerkamp Dairy Farms Ltd. (c/o Nancy and Wilfried Boerkamp) and their son, Darien Boerkamp, together own a 40.6-hectare farm property in the former Township of Bentinck. They propose to sever two non-farm residential lots.

The first severed parcel will comprise 1.05 hectares of land and involve the existing house and three sheds. The second parcel to be severed will comprise 0.8 hectares of vacant land. A 38.75-hectare lot will be retained.

An easement across the retained parcel in favour of lot no. 1 is also being requested to reflect the location of the hydro poles and lines that provide service from the main power line to the existing house.

The lot creation and easement are illustrated on the attached Figure 1.

Subject Property:

The subject lands are located along the south side of Concession 12 NDR, approximately 1.0 kilometres northeast of Elmwood.

Situated on the property are the aforementioned house and three sheds. (The 2020 aerial photograph provided on the County GIS also shows a barn; however, that structure no longer exists.) Approximately 24 hectares of the site are actively cash-cropped. A field entrance exists approximately 70 metres from the northeast corner of the property and will be upgraded to a residential entrance in order to provide vehicular access to the second severed parcel. (A new field entrance for the retained parcel will need to be constructed somewhere else along the municipal road.) Forested areas exist to the immediate west of the dwelling and at the rear of the property. The features of the site described above are shown on Figure 1.

Whereas transmission hydro lines are most commonly located within the municipal road allowance, the hydro line along Concession 12 NDR is actually located on a portion of the subject property and on the farm to the east. An easement was granted in 1947 to allow for the Hydro-Electric Power Commission of Ontario to erect this hydro transmission line 14 metres (46 feet) from the front lot line, parallel to the road. The deed (attached) states that the owner shall ensure that a 5.0 metre (16.5 foot) wide area on either side of the hydro line remains unencumbered. Despite this easement applying to the entire width of the property, the hydro line is actually only located only on the east side of the subject property before it deviates onto the road allowance further west, as illustrated on Figure 1. It should be noted that the new driveways for severed lot 2 and the retained parcel will be constructed within the easement but will not encumber the operation or maintenance of the hydro line.

The private hydro line that carries electricity from this main transmission line to the house on the first severed parcel is located in a cropped field and will remain with the retained lot. As such, the owners are requesting that an easement be granted to ensure that the future owner

of the first severed lot can legally access the hydro line when maintenance is required. The easement is illustrated on Figure 1.

Adjacent Land Uses:

This area of the former Bentinck Township is represented by a mix of agriculture and non-farm residences. Livestock facilities exist on the lands to the north and west.

Grey County Official Plan:

According to Schedule A of the County of Grey Official Plan, the subject lands are designated mostly 'Rural', as shown on Figure 2. Areas within the northwest and south sections of the farm are designated 'Hazard Lands'.

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 encompasses the entire original 40.6-hectare parcel described as Lot 3, Concession 12 NDR, Bentinck Township, as no severances involving this property have previously occurred. As such, consideration can be given to the two requested severances under 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 lots will meet this policy.

Lot creation is not supposed to exceed a frontage-to-depth ratio of 1:3 unless justification is provided. In order to keep as much farmland intact, severed lot no. 1 will have a frontage of only 17 metres, which makes it impossible to comply with this preferred lot configuration. This approach is generally acceptable in situations where the severance involves an existing dwelling.

The County Official Plan also requires new lot creation to comply with the Minimum Distance Separation (MDS) formulae. In this regard, there are two livestock facilities located within 750 metres of the subject property: One on the property to the north, and the other on the abutting lot to the west. An MDS Report has been prepared for both livestock facilities and has demonstrated compliance with the MDS Document. It should be noted that the MDS arc associated with the barn to the west encroaches onto the first severed parcel, as illustrated on the drawing included in the MDS Report; however, since the house already exists, no new perceived conflict will arise as a result of the house being severed and therefore MDS does not

apply. This opinion is shared with the County of Grey Planning Department. Even if MDS did apply, the proposed lot creation would conform under Guideline #41, subsection 2.

Appendix B of the Grey County Official Plan identifies the forested areas on the retained parcel as 'Significant Woodland', as illustrated on Figure 3. Development or site alteration is generally prohibited in a 'Significant Woodland' or within the 120-metre adjacent lands unless no impact on the woodland feature can be demonstrated. In this regard, please consider the following: Severed lot no. 1 is located within 120 metres; however, this parcel has already been developed with buildings, and therefore the woodland will not be impacted by this severance. Severed lot no. 2 is located approximately 180 metres from the closest point of the 'Significant Woodland' boundary and is therefore not a threat to the woodland. With regard to the retained parcel, the owners are cash-croppers and have no desire to erect any buildings or structures on these lands, although a future owner may wish to construct a house and/or farm buildings; and, in this regard, there is ample area on the retained parcel to erect buildings outside of the woodland and its buffer. The construction of a house could only occur on the east side of the property (i.e. outside of the woodland's 120-metre buffer) due to the MDS requirement associated with the livestock facility on the property to the west. As such, the MDS requirement assists in protecting the woodland feature. This matter was discussed with the County's Ecologist during the pre-consultation exercise.

Schedule C of the Official Plan recognizes most of the 'Significant Woodland' area at the south end of the property as 'Natural Heritage System: Linkage', as shown on Figure 4. The creation of new non-farm sized lots (i.e. lots under 20 hectares in size) within this mapped feature is prohibited. This constraint applies to the retain parcel, which comprises 38.75 hectares of land, and therefore the proposed lot creation conforms to this policy.

Based on the foregoing, the severances conform to the Grey County Official Plan.

West Grey Zoning By-law:

The subject lands are zoned predominantly 'A2' (Rural) on Schedule A of the Municipality of West Grey Zoning By-law, as illustrated on Figure 5 of this Planning Justification Report. Lands near the northwest corner and at the south end of the site are zoned 'NE' (Natural Environment).

The 'minimum lot area' and 'minimum lot frontage' requirements of the 'A2' zone are 20 hectares and 122 metres, respectively. The two severed parcels will not comply with these minimum standards, and therefore a Zoning By-law Amendment is necessary.

The following wording is recommended for the new zoning of the two parcels:

(severed lot no. 1)

Notwithstanding their 'A2' zoning, those lands shown as 'A2-x' on Schedule A of this Zoning By-law shall be used in accordance with the 'A2' zone provisions excepting however that:

- i) the minimum lot area shall be 1.0 hectares; and,*
- ii) the minimum lot frontage shall be 17 metres.*

(severed lot no. 2)

Notwithstanding their 'A2' zoning, those lands shown as 'A2-y' on Schedule A of this Zoning By-law shall be used in accordance with the 'A2' zone provisions excepting however that:

- i) the minimum lot area shall be 0.8 hectares; and,*
- ii) the minimum lot frontage shall be 80 metres.*

Shown on Figure 6 is the proposed zoning schedule.

Provincial Planning Statement Conformity:

The Provincial Planning Statement (PPS) allows for limited lot creation in the rural areas where prime agricultural lands are not involved. 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 and natural heritage linkages. 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.

Concluding Comments:

The proposed lot creation conforms to the County Official Plan and is consistent with the Provincial Planning Statement.

The Consent and Zoning By-law Amendment applications can therefore be given favourable consideration.

The requested easement in favour of the first severed parcel should also be granted. By including the hydro line with the retained parcel, approximately 0.5 hectares of additional land can continue to be actively farmed.

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,

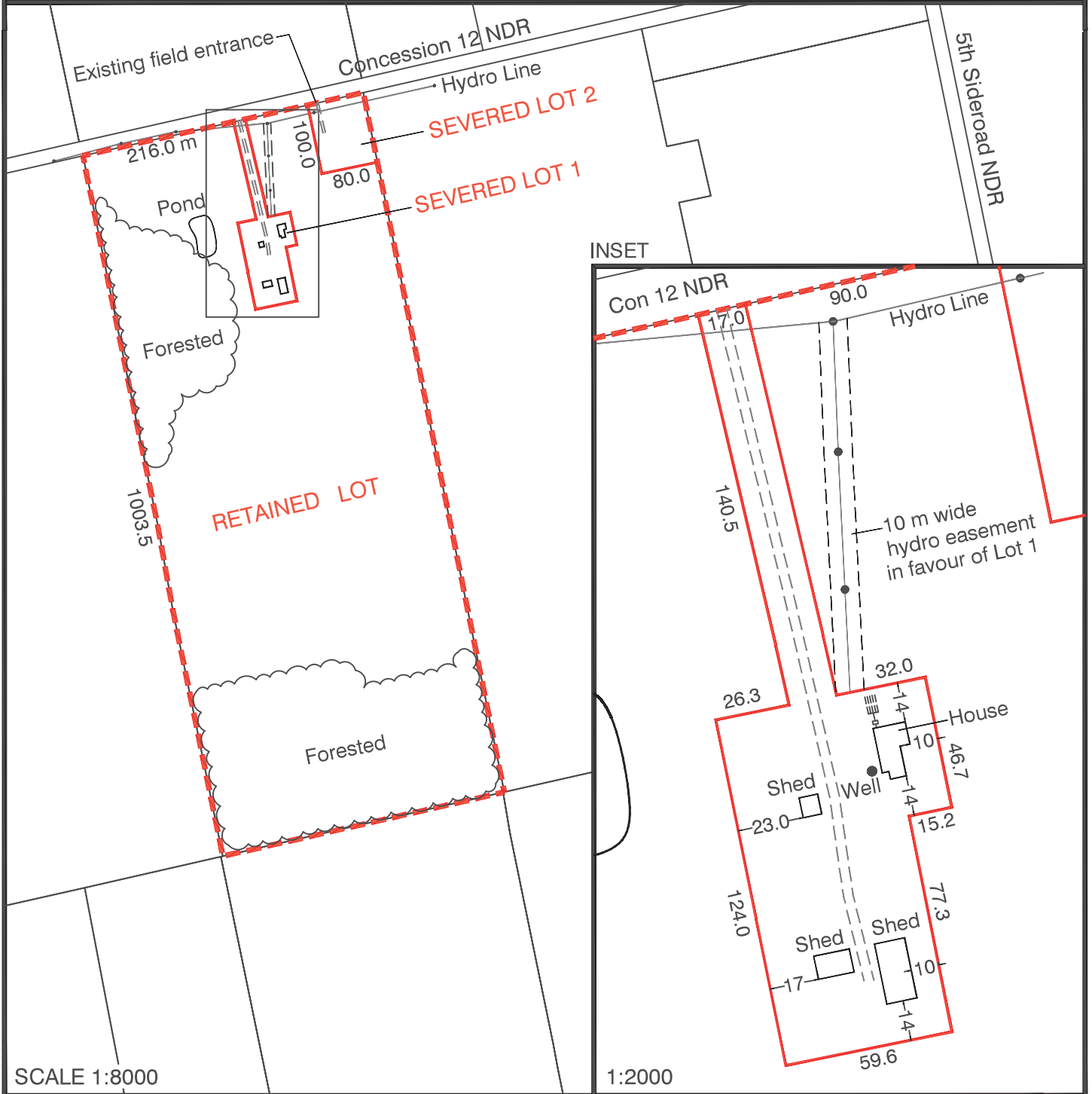
A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

Ron Davidson, BES, RPP, MCIP

c.c. Nancy, Wilfried, and Darien Boerkamp

Figure 1: Proposed Lot Creation

 Subject Property



Proposed Lot Creation
 521106 Concession 12 NDR
 Municipality of West Grey

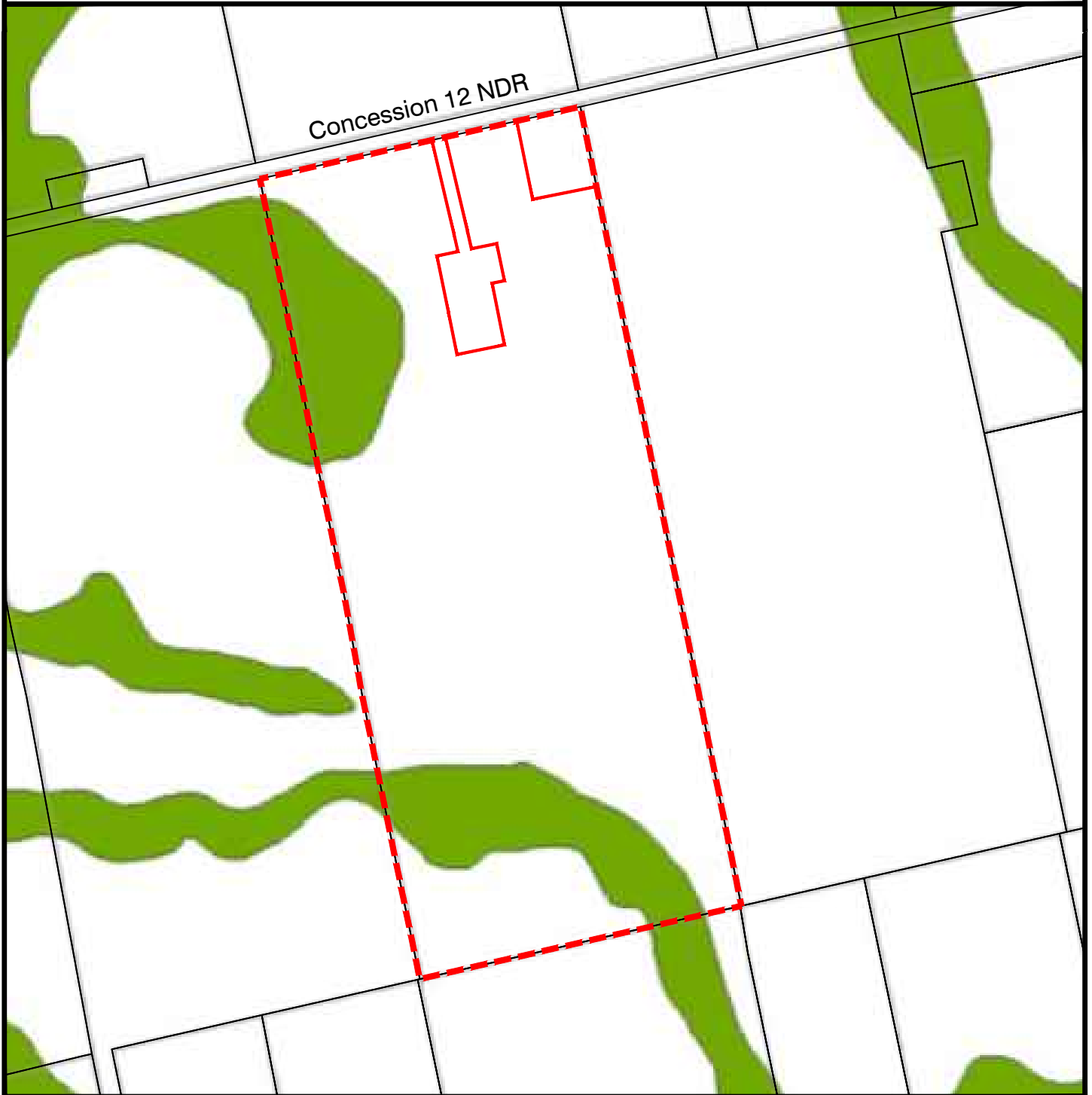
Figure 2: Grey County Official Plan Schedule A



 Subject Property

 Rural

 Hazard Lands





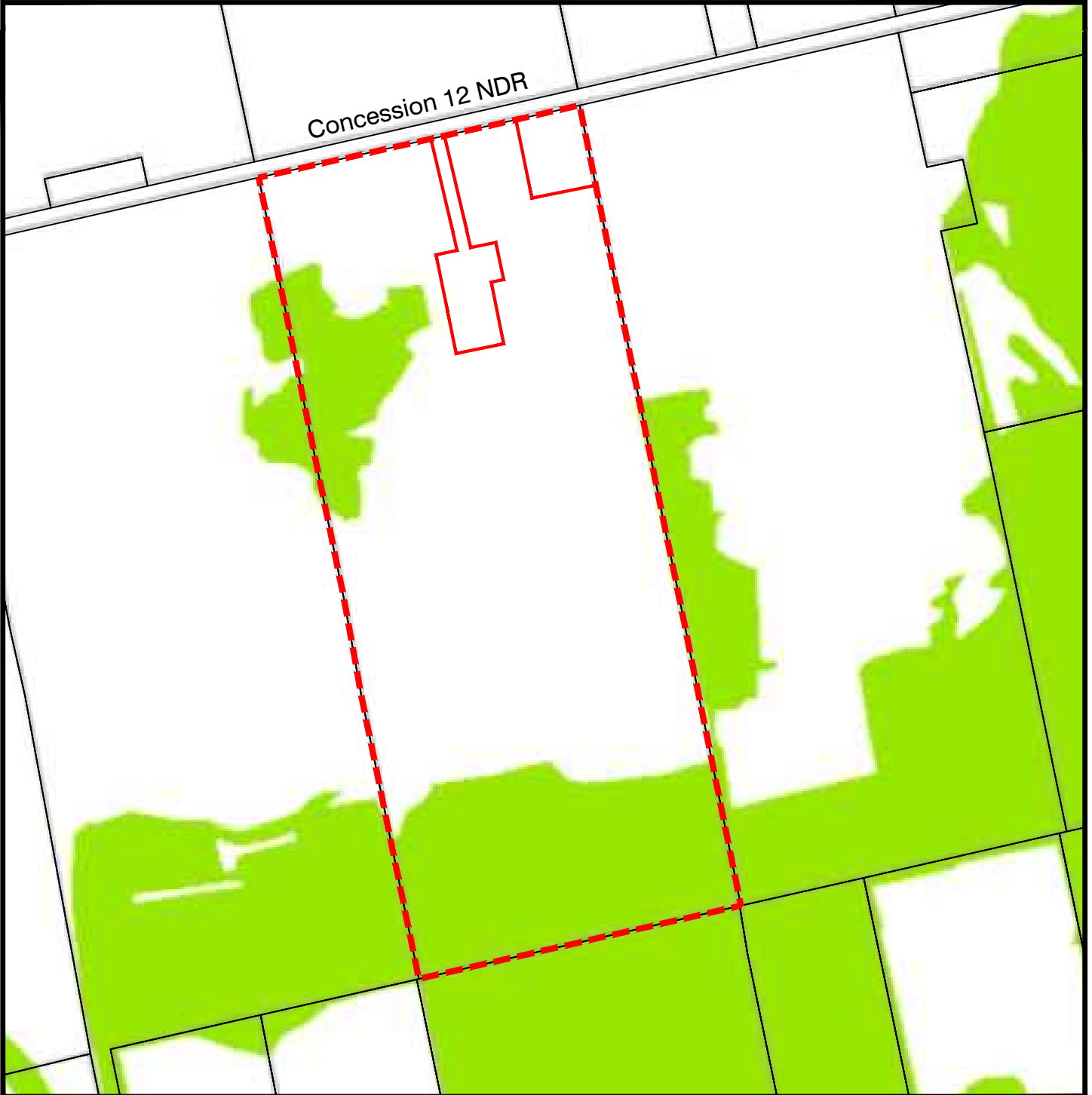
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Figure 3: Grey County Official Plan Appendix B



-  Subject Property
-  Significant Woodlands





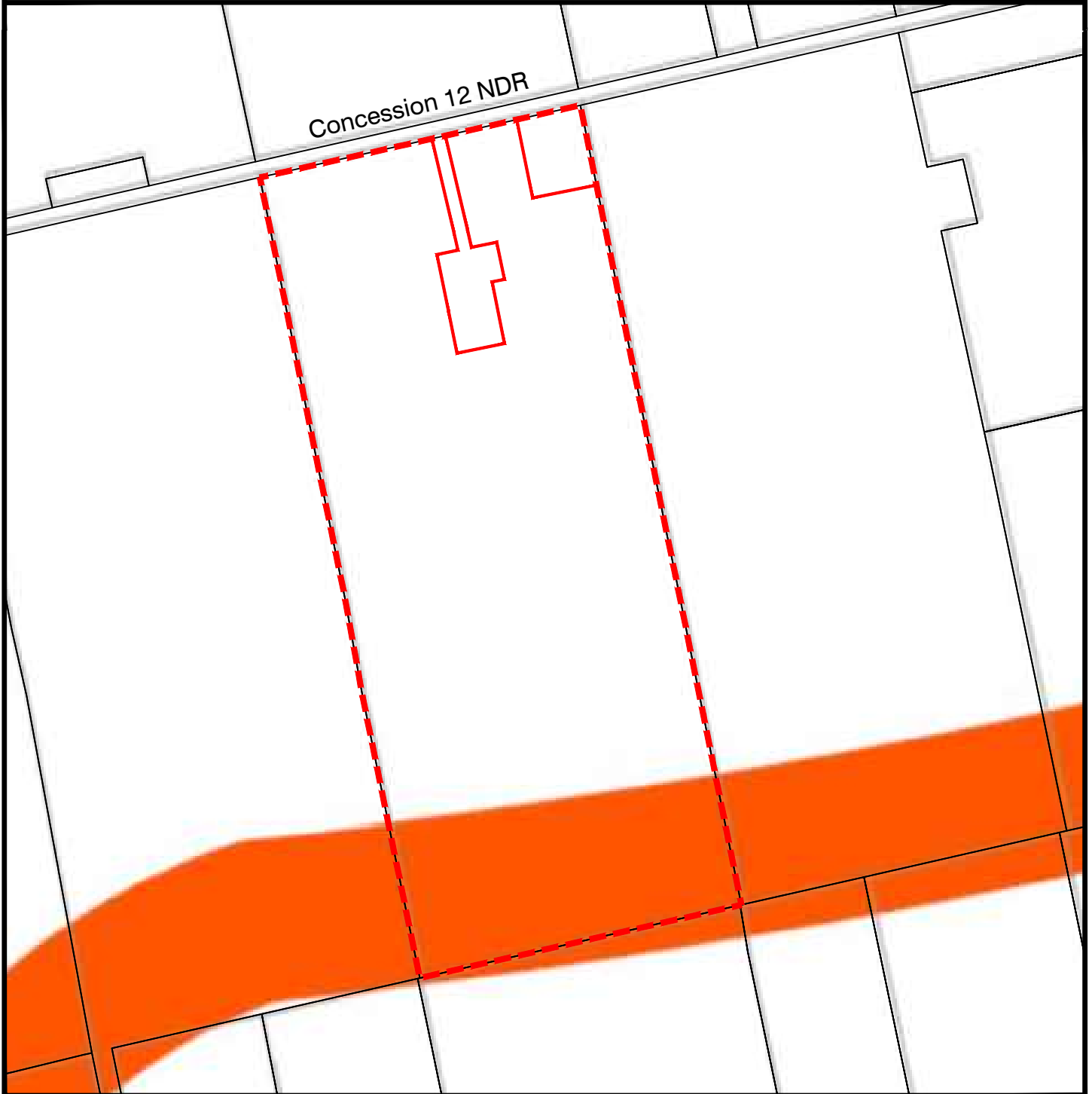
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Figure 4: Grey County Official Plan Schedule C



-  Subject Property
-  Natural Heritage System Linkage

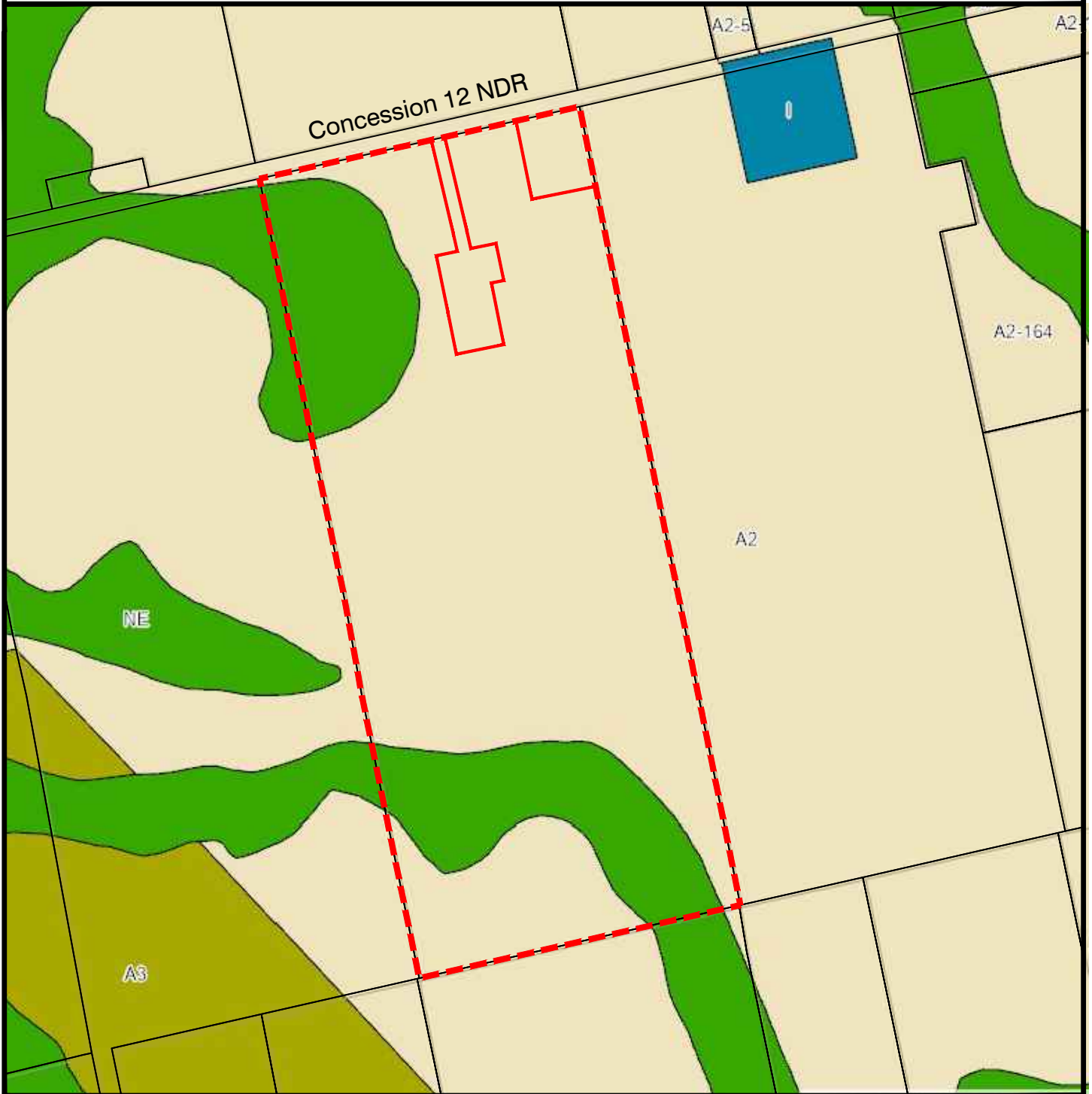


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Figure 5: Municipality of West Grey Zoning By-law Schedule A

 Subject Property

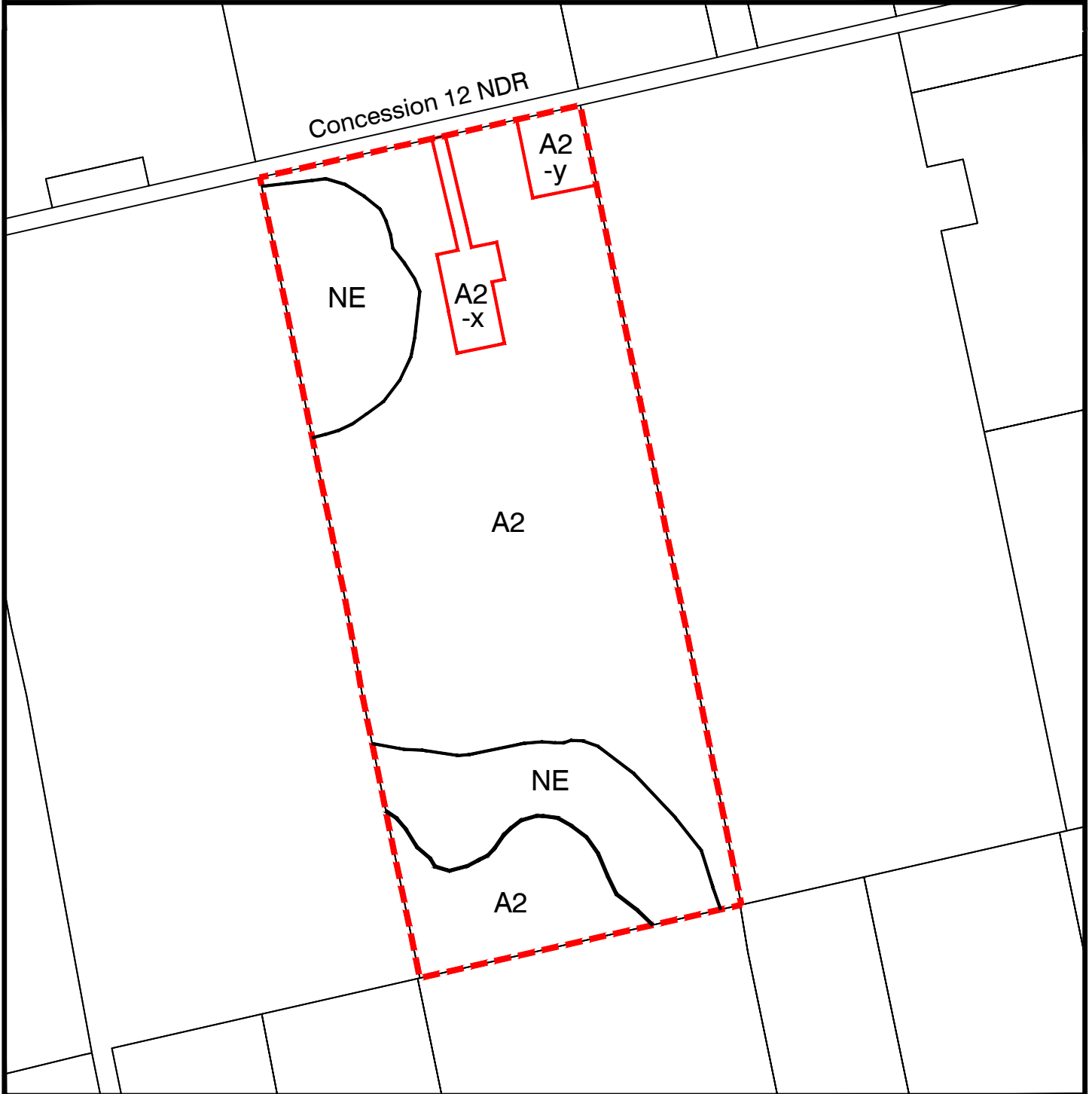


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Figure 6: Proposed Zoning

 Subject Property



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