



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

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October 24, 2024

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  
Part Lot 36, Concession 3  
Geographic Township of Normanby  
Municipality of West Grey  
County of Grey  
Address: 142564 Road 35  
Owner: Murray and Rosalyn Lembke**

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

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

**Proposal:**

Murray and Rosalyn Lembke own a 40.78-hectare property within the former Township of Normanby and propose to split this holding into two lots of approximately equal size.

Situated on the east side of the subject property are two detached dwellings, accessory buildings, and a small telecommunications building leased to Wightman Telecom. A licensed gravel pit is located on the west side of the site, along with two storage buildings. The Lembkes are no longer able to operate the gravel pit due to health reasons, and therefore they

wish to dispose of the west half of the property containing the pit and other lands. Clark Brothers Contracting Ltd., an area aggregate producer, has signed an Offer to Purchase Agreement with the Lembkes to acquire the severed parcel.

The severed parcel and retained parcel will comprise approximately 20.1 hectares and 20.68 hectares, respectively.

The proposed lot creation is illustrated on the attached Figure 1.

No changes to either property are proposed.

Please be advised that the subject property has five separate addresses, one for each of the two houses, the gravel pit, the telecommunications building, and the storage buildings along Baseline. None of these numbers, however, reflect the address that appears on the County GIS mapping, which is 142584 Road 35. The proper mailing address is 142564 Road 35; however, the current GIS mapping program only allows the property to be searched by 142584 Road 35. The County GIS Department is aware of this discrepancy.

### **Approvals Required:**

Severing the land requires approval of a Consent application by the West Grey Committee of Adjustment and adoption of a Zoning By-law Amendment by the West Grey Council. The details regarding the Zoning By-law Amendment are provided below.

### **Subject Property:**

The subject lands are located along the south side of Road 35, about 13 kilometres northwest of Mount Forest.

With regard to the severed parcel, the area licensed for aggregate extraction comprises approximately 7.1 hectares. Two accesses to the pit are provided along Road 35. Situated to the southwest of the pit are two buildings that are used for storage, which are accessed from an entrance/driveway along Baseline. Hay is grown on approximately 12 hectares of the severed parcel.

Two houses and storage buildings are located on the retained parcel. A small telecommunications building leased by Wightman Communications also exists on the site. Three road accesses are provided along Road 35. Approximately eight hectares of the

retained lot are planted in hay. Two ponds and a large forested area cover the balance of the retained parcel.

All features of the property are illustrated on Figure 1.

Please note that the County GIS mapping incorrectly identifies a lot as having been previously severed in the northeast corner of the property, and the associated text provided on the County website identifies the owner as Wightman Telecom. This lot does not exist. It is an easement in favour of Wightman Telecom. Also, the easement is actually located 27 metres west of where the lot is shown, as confirmed by the reference plan.

### **Adjacent Land Uses:**

The Silent Valley Cottage and RV Resort is located to the immediate north of the subject lands, along the opposite side of Road 35. A gravel extraction operation exists to the northwest. The remaining lands in the area appear to be used predominantly for agricultural purposes, although a few non-farm residential parcels have been established nearby including a lot that was severed from the southwest corner of the original farm.

### **West Grey Zoning By-law:**

The approximate area of the existing pit is zoned 'M4' on Schedule A of the West Grey Zoning By-law, as shown on Figure 2; however, the zone boundaries are not accurate and do not reflect the boundaries of the area that is licensed for extraction under the Aggregate Resources Act. West Grey Planning staff have requested that a Zoning By-law Amendment application be submitted for the purpose of correcting this mapping error.

The two ponds are zoned 'NE' (Natural Environment).

The remaining lands located east of the pit are zoned 'A2-318' (Rural Exception), whereas the lands to the west of the pit are zoned 'A2' (Rural).

The existing zoning, as depicted on Schedule A of the West Grey Zoning By-law, is illustrated on Figure 2 of this Planning Justification Report.

The 'A2-318' zone was applied to the site several years ago to allow for a second dwelling. The provision for this site-specific zone reads as follows:

*Notwithstanding Subsection 9.1 of By-law No. 37-2006 as amended, on those lands zoned 'A2-318' an existing second detached dwelling and/or a mobile home shall be permitted in addition to those uses normally permitted in the 'A2' zone.*

During pre-consultation discussions, West Grey Planning staff advised that the 'A2-318' zoning of the severed parcel should be replaced with the 'A2' zone, since the 'A2-318' zoning is intended to apply to the two existing dwellings on the retained parcel.

Staff further requested that the text associated with the 'A2-318' zone be changed so that it no longer permits a "second dwelling and/or a mobile" home but rather just a "second dwelling" since a mobile home does not exist on the site.

The 'minimum lot area' and 'minimum lot frontage' requirements of the 'A2' zone are 20 hectares and 122 metres, respectively. The severed and retained parcels will comply with these minimum standards.

The proposed changes to Schedule A of the West Grey Zoning By-law are shown on Figure 3.

The following new wording is recommended for 'A2-318' zone provision:

*Notwithstanding Subsection 9.1 of By-law No. 37-2006 as amended, on those lands zoned 'A2-318' an existing second detached dwelling shall be permitted in addition to those uses normally permitted in the 'A2' zone.*

### **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 4. The 'Hazard Lands' designation applies to the two ponds located on the proposed retained parcel.

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 forms part of an original 40.78-hectare parcel described as Lot 36, Concession 3, Normanby Township, and to date, one severance has occurred. As such, consideration can be given to the proposed severance 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.

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 within 750 metres of the subject property, and an MDS Report has been prepared for these facilities. The Report demonstrates that the severed parcel will greatly exceed the required MDS setbacks. The existing aggregate operation is labelled as 'Mineral Resource Extraction Area' on Schedule B of the Grey County Official Plan, as shown on Figure 5. This designation has been applied to all lands within the County that are licensed for aggregate extraction under the Aggregate Resources Act. Please note that 'Mineral Resource Extraction Area' boundaries follow the precise boundaries of the lands that are licensed for extraction under the Aggregate Resources Act, unlike the 'M4' zone boundaries which are incorrect, as explained above. The balance of the subject property is shown as 'Aggregate Resource Area', a designation that applies to lands recognized by the County as having a primary source of sand and gravel. The creation of non-farm sized lots (i.e. lots under 20 hectares in size) is not permitted within 300 metres of a 'Mineral Resource Extraction Area' in order to limit land use compatibility problems between aggregate operations and new land uses. In a similar manner, the creation of non-farm sized lots is also not permitted on lands designated 'Aggregate Resources Act' to avoid hindering a possible future aggregate extraction operation on the subject lands. Given that the severed and retained parcels will both be farm sized lots, the proposed lot creation conforms with these policies.

Appendix B of the Grey County Official Plan identifies the forested areas on the retained parcel as 'Significant Woodland', as illustrated on Figure 6. Development and site alteration within a woodland or within 120 metres is generally not permitted unless it can be demonstrated that the woodland feature or its function would not be negatively impacted. On this note, no development is proposed on the retained parcel, and any future development that may occur on the severed parcel (e.g. a detached dwelling) can easily comply with the recommended 120-metre setback.

Based on the foregoing, the proposed lot creation conforms with the County of Grey Official Plan.

### **Provincial Policy Statement Conformity:**

The Provincial Policy 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 existing pits and quarries, areas of possible future aggregate extraction, existing farming operations, and natural heritage features including significant woodlands. These

policies have been implemented through mapping and text in the Grey County Official Plan and have been thoroughly addressed above.

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

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

I would respectfully ask that both applications be placed on the same Council agenda, if possible.

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.

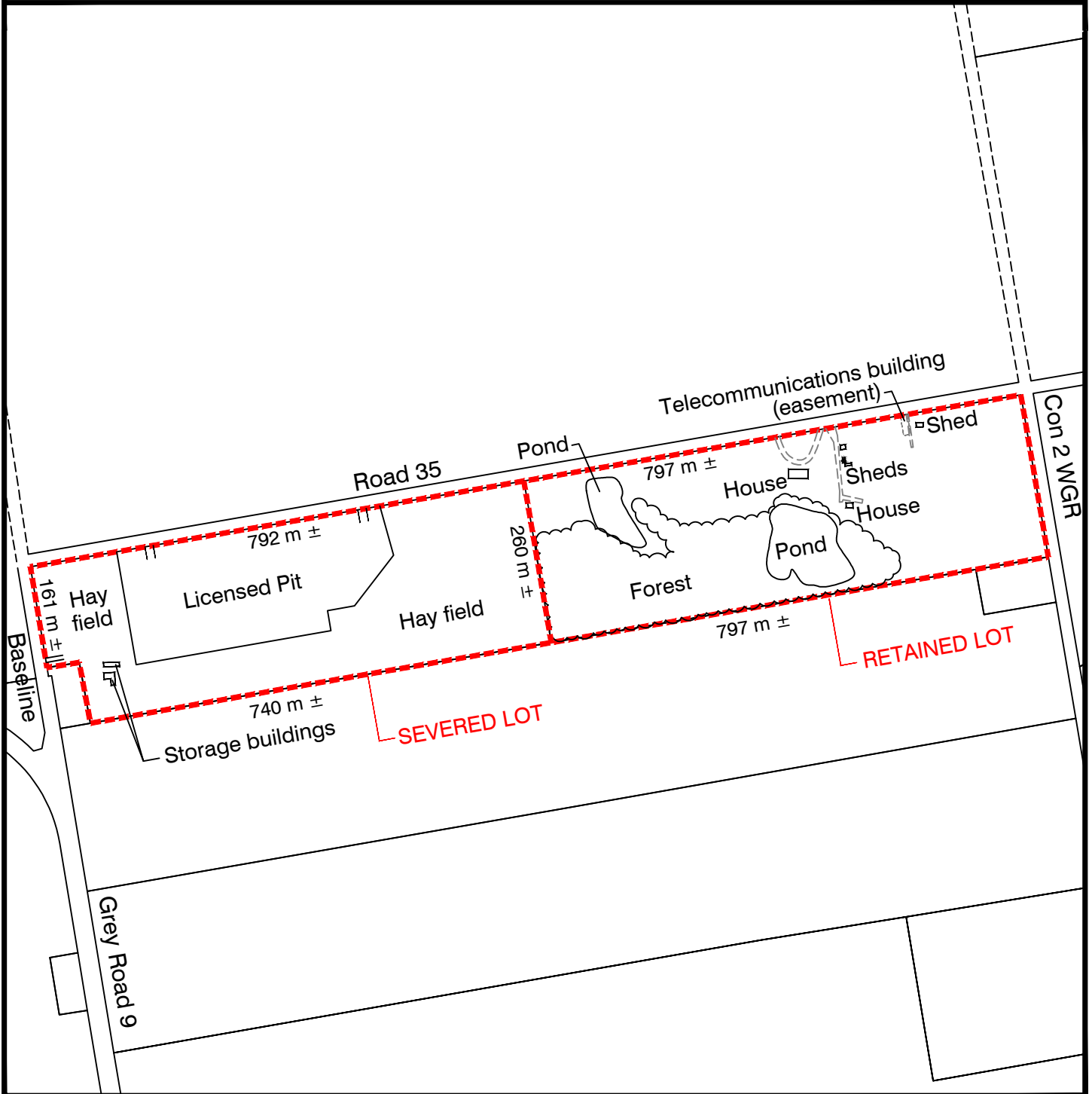
Ron Davidson, BES, RPP, MCIP

c.c. Murray and Rosalyn Lembke c/o Debra Lembke  
Steve Clarke, Clark Brothers Contacting Ltd.

Figure 1: Proposed Lot Creation



 Subject property




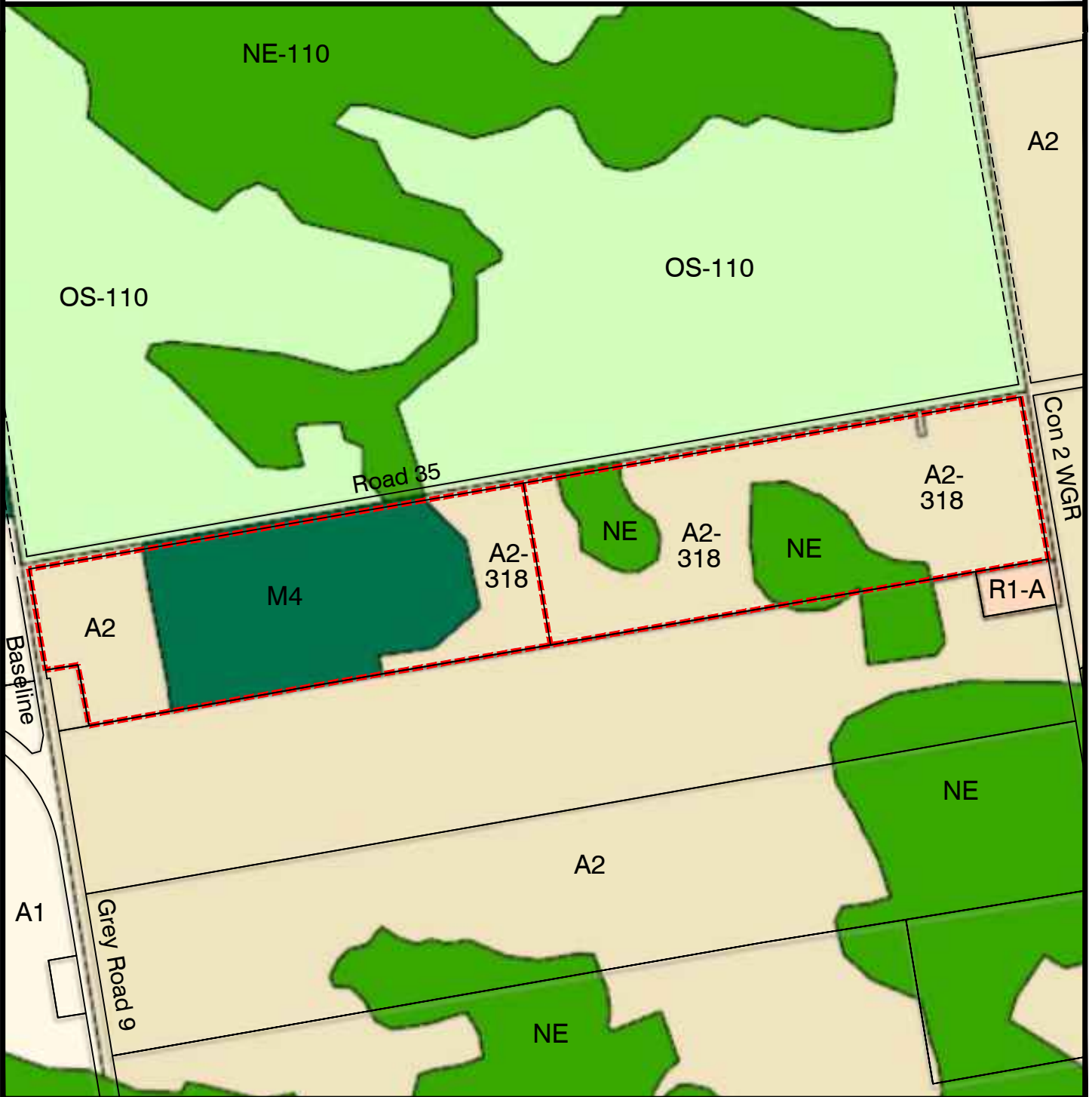
Proposed Lot Creation  
142564 Road 35  
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OWEN SOUND, ONTARIO  
SCALE 1:9000

Figure 2: Municipality of West Grey Zoning By-law



 Subject property




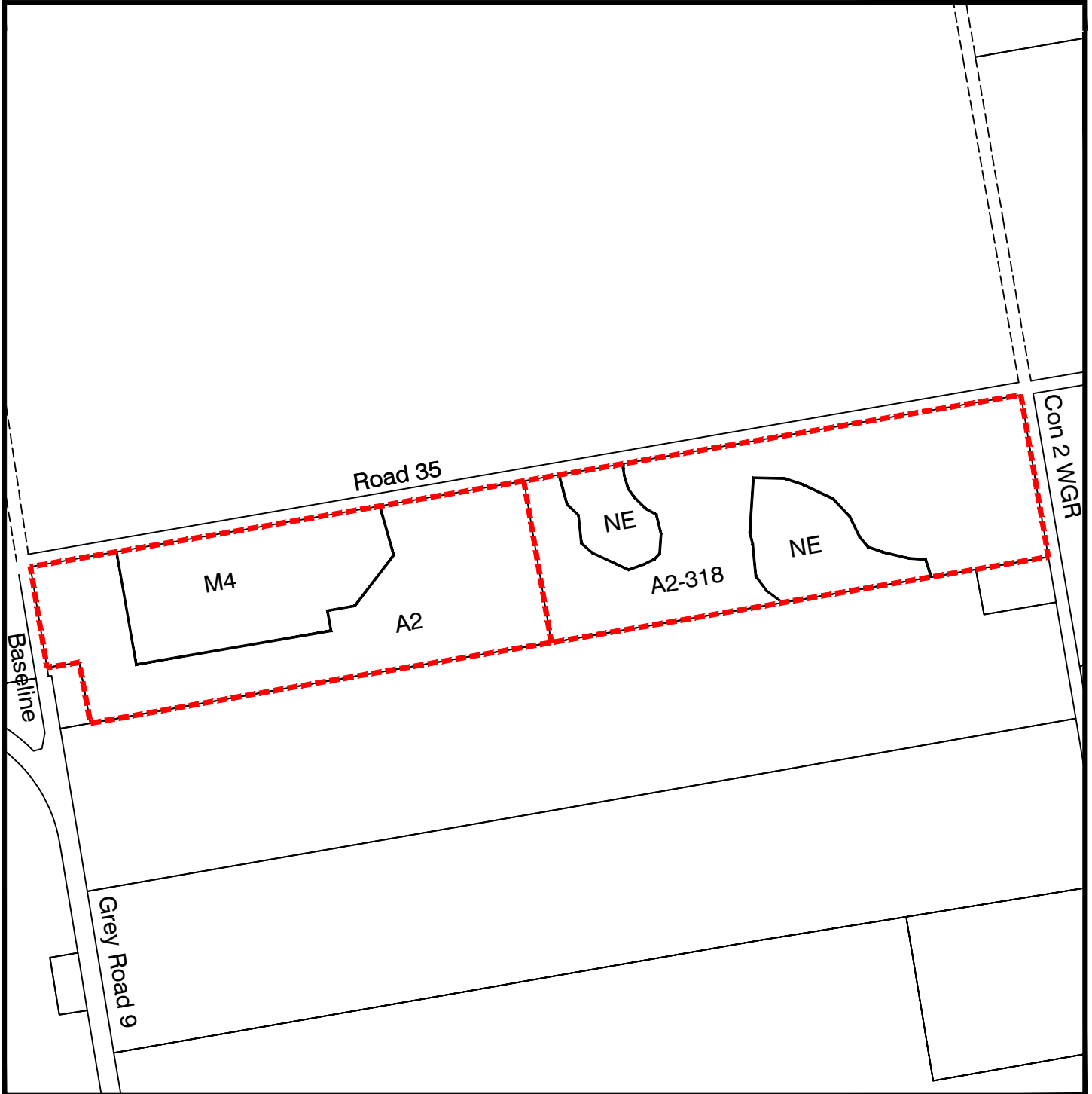
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Figure 3: Proposed Zoning

 Subject property



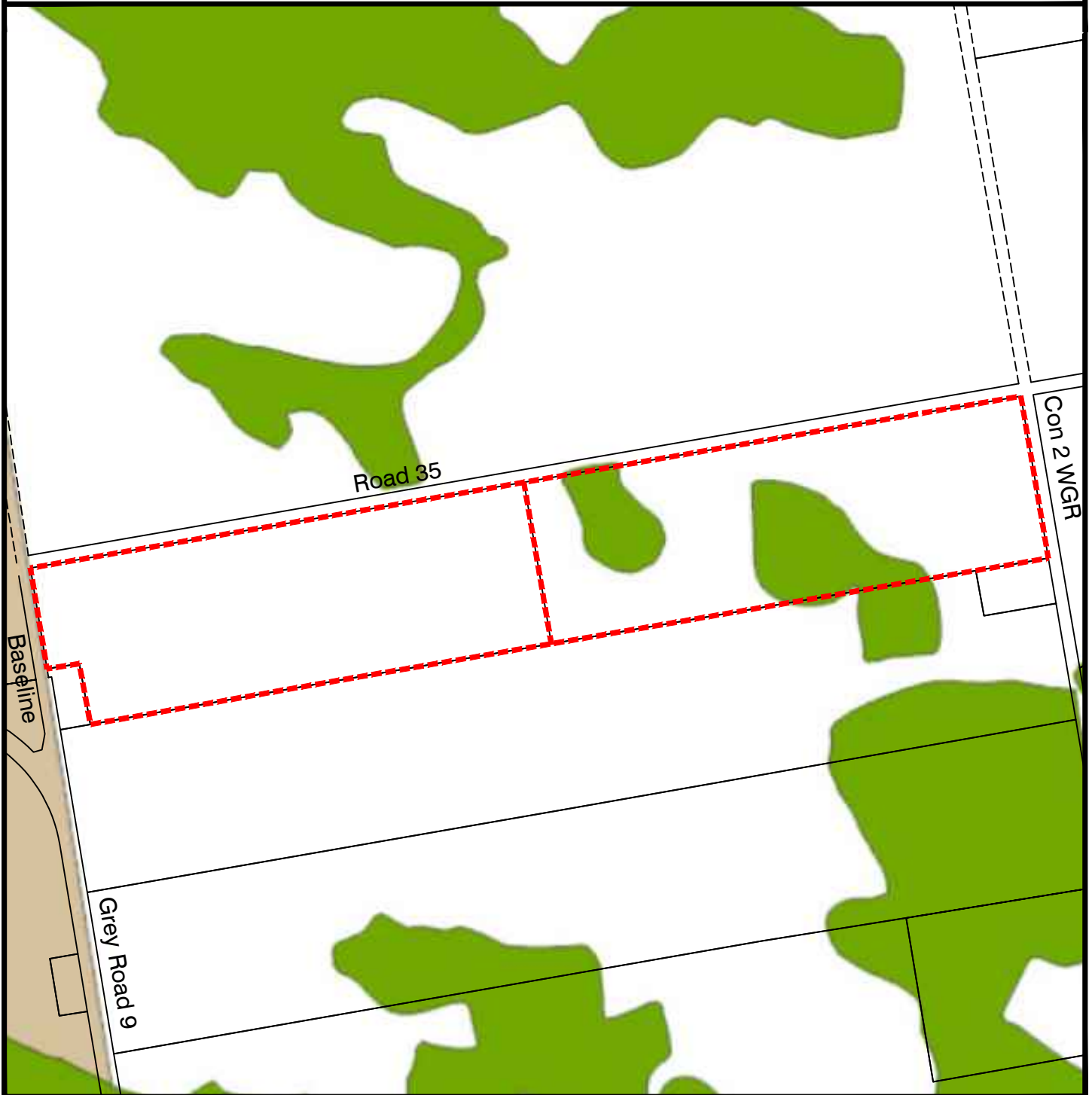
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Figure 4: Grey County Official Plan Schedule A



- |   |                  |   |              |
|---|------------------|---|--------------|
|  | Subject property |  | Rural        |
|  | Agricultural     |  | Hazard Lands |



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Figure 5: Grey County Official Plan Schedule B



Subject property



Mineral Resource Extraction Area



Aggregate Resource Area




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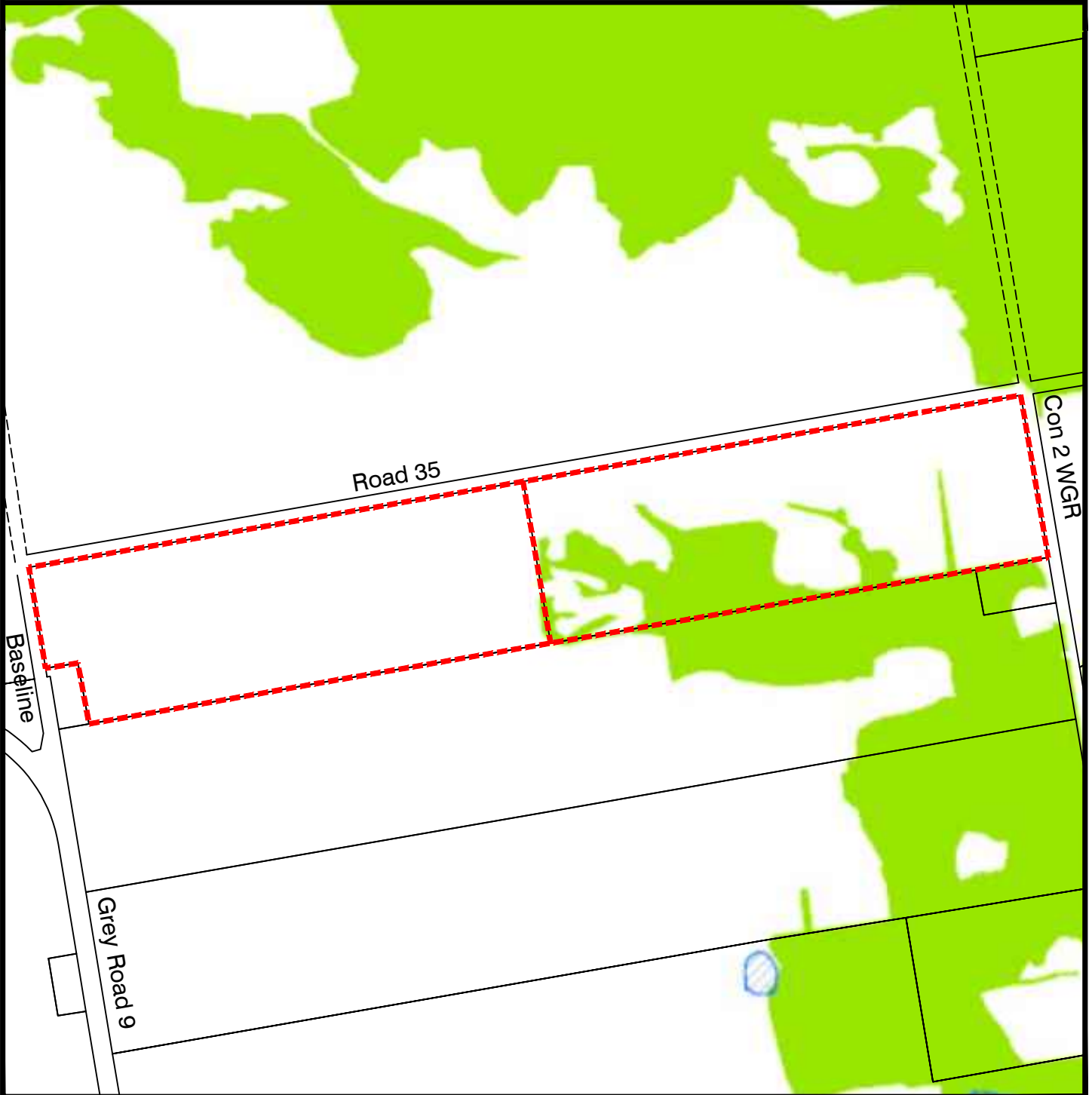
Figure 6: Grey County Official Plan Appendix B



 Subject property

 Significant Woodlands

 Other Wetlands



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