



Township of North Stormont

Agenda

Committee of Adjustment
Friday, March 7, 2025 @ 8:30 AM
Council Chambers

Page

1. CALL TO ORDER

- 1.1. BE it resolved this public hearing regarding Minor Variance Application/File No. A-2025-03 (Miller) be opened at ____ a.m.

2. ADOPTION OF AGENDA (AMENDMENTS, ADDITIONS OR DELETIONS)

- 2.1. BE it resolved that the agenda be approved as presented.

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

- 4.1. BE it resolved that the following minutes be approved as presented: 3 - 6
January 31, 2025

[Committee of Adjustment - 31 Jan 2025 - Minutes](#)

5. PRESENTATIONS

- 5.1. Minor Variance Application & Planning Report/File No. A-2025-03 (Miller) 7 - 17

BE it resolved that the Committee of Adjustment receives the planning report for File No. A-2025-03 (Miller) as presented.

[A-2025-03 \(Miller\) Application](#)

[A-2025-03 \(Miller\) Planning Report](#)

6. QUESTION PERIOD RESERVED FOR MEMBERS OF THE PUBLIC

7. DECISION

- 7.1. THAT the Committee of Adjustment approves the Minor Variance Application/File No. A-2025-03 (Miller) to permit relief from section 3.1 (4)(b) of Zoning By-Law 08-2014 which states that no accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and exterior side yard setbacks required for the main building but excludes any farm produce outlet having a gross floor area of less than 10 square metres. The proposed farm produce outlet would be 14.8 square metres. 18

[A-2025-03 \(Miller\) Draft Decision](#)

8. ADJOURNMENT

8.1. BE it resolved that this public hearing be adjourned at ____ a.m.



**Township of North Stormont
MINUTES
Committee of Adjustment
Friday, January 31, 2025
Council Chambers
8:30 AM**

COUNCIL PRESENT: François Landry, Chair
Alison McDonald, Member
Luc Genereux, Member
Michael Houston, Member

STAFF PRESENT: Anmol Burmy, Secretary-Treasurer & Junior Planner, Township of North Stormont
Peter Young, Director of Planning and Economic Development, SDG Counties
Lea Anne Munro, Deputy Clerk, Township of North Stormont

APPLICANT PRESENT: Cameron Muir (A-2025-01)
Theo Elshof (A-2025-02)

1. CALL TO ORDER

COA-1-2025 *Moved by Luc Genereux, Seconded by Councillor McDonald
BE it resolved this public hearing regarding Minor Variance Applications/File
No. A-2025-01 (Muir) and A-2025-02 (Elshof) be opened at 8:35 a.m.
CARRIED*

2. ADOPTION OF AGENDA (amendments, additions or deletions)

COA-2-2025 *Moved by Michael Houston, Seconded by Luc Genereux
BE it resolved that the agenda be approved as presented.
CARRIED*

3. DISCLOSURE OF PECUNIARY INTEREST

4. APPOINTMENTS

Appoint a Committee Chair

COA-3-2025 *Moved by Luc Genereux, Seconded by Michael Houston
BE it resolved that the Committee hereby appoints Mayor, François Landry as
the Chair for the Committee of Adjustment.
CARRIED*

Appoint a New Secretary-Treasurer

*RES-4-2025 Moved by Michael Houston, Seconded by Councillor McDonald
BE it resolved that the Committee of Adjustment for Minor Variances appoint
Lea Anne Munro as Secretary-Treasurer to fill this vacant position effective
February.*
CARRIED

5. ADOPTION OF MINUTES OF PREVIOUS MEETING

*COA-5-2025 Moved by Councillor McDonald, Seconded by Michael Houston
BE it resolved that the following minutes be approved as presented:
November 27, 2024*
CARRIED

6. PRESENTATIONS

Minor Variance Application & Planning Report/File No. A-2025-01 (Muir)

*COA-6-2025 Moved by Councillor McDonald, Seconded by Michael Houston
BE it resolved that the Committee of Adjustment receives the planning report
for File No. A-2025-01 (Muir) as presented.*
CARRIED

Minor Variance Application & Planning Report/File No. A-2025-02 (Elshof)

*COA-7-2025 Moved by Councillor McDonald, Seconded by Michael Houston
BE it resolved that the Committee of Adjustment receives the planning report
for File No. A-2025-02 (Elshof) as presented.*
CARRIED

7. QUESTION PERIOD RESERVED FOR MEMBERS OF THE PUBLIC

A-2025-02 (Elshof)

Member McDonald

Q: What is the size of the lot? Was the applicant of the minor variance the one who completed the severance? And would the severance have gone through knowing that there was lagoons and livestock on the property?

A: Peter Young stated the property is approximately 98 acres, that the applicant is not the one who completed the severance, and that the severance would have been denied if all the facts were known at the time the application as submitted.

Alison McDonald made a statement that it doesn't seem in good faith to change the decision after agreeing to the severance especially since the current owner can be okay with the livestock being so close to their home but what is the future owners are not.

Theo Elshof (A-2025-02)

Mr. Elshof stated that the barn will only be for small heifers not cows and that currently there are two lagoons but only one will be used and the north one will be decommissioned. He also stated that access to the barn will only be in the winters, almost everyday but in the summertime, there will be no need to go there. They needed more space as currently their barn does not have space to store these heifers so that is why he thought it would be a good idea to buy this land.

Member McDonald

Q: What would be the well setback?

A: Peter Young confirmed that usually it is 30 metres but decommissioning the north lagoon would make the setback different. Mr. Elshof also stated that currently the well and hydro are shared with the residential property.

Chair Landry

Chair Landry made a statement saying that if the decommissioning of the north lagoon happens it is a better for the situation. He also stated that North Stormont is an agricultural township, and we support the agricultural operations that occur here. Chair Landry also stated that since there were no complaints from the neighbours it makes the situation better. He asked a question about the shared driveway, stating that right now a family member lives there but, in the future, would this fall back on the township for any reason or is there a registered easement for the entrances?

A: Peter Young stated that there is a proper registered easement on the property. Mr. Elshof also stated that they use the farm entrance most of the time to go into the field, so the driveway is not used as much. Mr. Elshof also stated that there would be a maximum of 45 heifers, never more than in the barn.

8. DECISION

COA-8-2025 *Moved by Councillor McDonald, Seconded by Luc Genereux
THAT the Committee of Adjustment approves the Minor Variance
Application/File No, A-2025-01 to permit relief from Section 7.2 (2) of Zoning
By-law No. 08-2014, which states that the properties zoned General
Commercial (CG) need a minimum front yard setback of 7.5 m. The proposed
setback is 6.5 m.*

CARRIED

COA-9-2025 *Moved by Councillor McDonald, Seconded by Luc Genereux
THAT the Committee of Adjustment approves the Minor Variance
Application/File No, A-2025-02 to permit relief from Section 3.22 of Zoning By-
law No. 08-2014, which provides minimum distance separation (MDS II) for*

new or expanding livestock facilities from existing development. The proposed location of the expanding livestock facility on the subject land does not meet the MDS II setbacks required from an existing residential dwelling with the condition that the North Lagoon be decommissioned.

CARRIED

9. ADJOURNMENT

COA-10-2025 *Moved by Luc Genereux, Seconded by Councillor McDonald
BE it resolved that this Public Hearing be adjourned at 9:10 a.m.*

CARRIED

François Landry, Chair

Secretary-Treasurer, Lea Anne Munro



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
15 Union Street
Berwick, ON
K0C 1G0

PLANNING INFORMATION

4. Current Official Plan designation: Agricultural Designation
5. Current Zoning of the Subject Land: Agricultural (AG)
6. What is the nature and extent of relief from the Zoning By-law?
Section 3.1 (4)(b): the farm produce stand is larger than 10m² therefore needs to be 15m from front lot line.
7. For What Reason (why) is the minor variance requested?
The owner would like to have 6m from the front lot line.
8. Is the access to the subject land by a Provincial Highway, by a municipal road that is maintained all year or seasonally, by another public road, by a right of way or by water?
Municipal Road
9. What is the existing use(s) of the subject land?
Agricultural
10. What is the proposed use of the subject land?
Agricultural
11. Is the subject property located within a Well Head Protection Area (WHPA) as indicated within the Source Water Protection Plan (please visit www.yourdrinkingwater.ca for further information)?
No.



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
15 Union Street
Berwick, ON
K0C 1G0

PLANNING INFORMATION CONTINUED

12. Are there any existing buildings or structures on the subject land? Yes No

(If the answer is yes, for each building or structure, what is the type of building or structure, the setback in metres from front lot line, rear lot line and side lot lines, the height of each building or structure and the dimensions or floor area of each building or structure?)

House + shed

13. Are any buildings or structures proposed to be built on the subject land? Yes No

(If the answer is yes, for each building or structure, what is the type of building or structure, the setback in metres from front lot line, rear lot line and side lot lines, the height of each building or structure and the dimensions or floor area of each building or structure?)

A Farm Produce Stand, about 10m x 16m

14. What date was the subject land acquired by the current owner?

2014

15. What date were the existing buildings or structures erected on the subject land?

Buildings:

Structures:



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
15 Union Street
Berwick, ON
K0C 1G0

PLANNING INFORMATION CONTINUED

16. What is the length of time that the existing uses have continued on the subject land?

Always.

17. Is water provided to the subject land by a publically owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or other means?

Private.

18. Is sewage disposal provided to the subject land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system, a privy or other means?

Private

19. Is storm drainage provided by sewers, ditches, swales or other means?

ditches.

20. If known, is the subject land ever been the subject of an application under Section 45 (Minor Variance) of the Act? Yes No

(If the answer is yes, what was the date, the file number and the purpose of the application?)

Date: _____ File No.: _____

Purpose: _____

21. If known, is the subject land the subject of an application under the Planning Act for approval of a plan of subdivision or a consent? Yes No

(If the answer is yes, and if known, what is the file number of the application and the status of the application?)



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
15 Union Street
Berwick, ON
K0C 1G0

SKETCH REQUIREMENTS

A sketch must be attached to this application showing the following (in metric units):

- i) The boundaries and dimensions of the subject land.
- ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. *Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetland, wooded area, wells and septic tanks.*
- iv) The current uses on land that is adjacent to the subject land (neighbouring land uses).
- v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii) The location and nature of any easement affecting the subject land.

SWORN DECLARATION

I/We, Meghan Miller of the township
of North Stormont in the District of/ Municipality of/ County of Stormont

Solemnly declare that all the statements contained in this application and all the supporting documents are true, and I make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, by virtue of the "Canada Evidence Act".

SWORN/DECLARED AT Berwick office

In the Township of North Stormont

This 3rd day of February 2025

[Signature]

A Commissioner of oaths, etc.

[Signature]

Applicants



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
15 Union Street
Berwick, ON
K0C 1G0

N/A x

IF THE OWNER IS NOT THE APPLICANT, THE OWNER MUST COMPLETE THE FOLLOWING:

I/We, _____ of the _____

Of _____ in the District of/ Municipality of/ County of _____

Solemnly declare that _____ is authorized to submit this application and that to my knowledge, all of the statements contained in the application and all the supporting documents are true, and I make this solemn application conscientiously believing it to be true and complete and knowing that it is of the same force and effect as if made under oath, by virtue of the "Canada Evidence Act".

SWORN/DECLARD AT _____)

In the _____)

This _____ day of _____ 20____)

_____) _____

A Commissioner of oaths, etc.

Owners

PLEASE NOTE THAT:

- Unless otherwise requested, all information will be sent to the agent, if any.
- If jointly owned, both owners must apply and sign.
- The fees are payable in cash or by cheque, payable to the TOWNSHIP OF NORTH STORMONT and must be presented with this application.
- If you have any questions, you can call the Planning Department at 613-984-2821 ext. 226.



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
15 Union Street
Berwick, ON
K0C 1G0

UNDERTAKING FOR ONTARIO MUNICIPAL BOARD APPEAL

TO: Township of North Stormont

FROM: Name: Meghan Miller

Address: 14835 1-2rd, FINCH, ON

SUBJECT: APPLICATION FOR A MINOR VARIANCE

Address of Site: ~~1430~~ 14835 concessin 1-2rd, Finch

Where the Committee of Adjustment of the Township of North Stormont substantially supports the application for a Minor Variance,

Name of Applicant: Meghan Miller

Hereby undertakes to pay, in accordance with Section 3 of Schedule A of By-law 01-2015 of the Township of North Stormont, upon receipt of invoice from the Township, any and all legal costs, including all disbursements of the Township, in respect of preparation for and attendance at an Ontario Municipal Board hearing, until the matter is finally resolved by the said Board.

It is hereby acknowledged that "hearing" shall include all attendances before the Board in respect of the said application whether in person, telephone conference call or other means as directed by the Board.

Dated this 3 day of Feb, 2025

Please complete 1 or 2.

1. [Signature]
Signature of Applicant

Meghan Miller
Please Print Name

[Signature]
Signature of Witness

Anmol Burmy
Please Print Name

2. _____
Corporate name (if applicable)

(Authorized Signature) I have the authority to bind the Corporation

(Please print Name and Title)



The Township of North Stormont COMMITTEE OF ADJUSTMENT

Prepared for:	Committee of Adjustment
Meeting Date:	March 7, 2025
Subject:	Minor Variance Application A-2025-03 (Miller)
Owner/Applicant:	Meghan Miller
Roll No.:	041100900105000
Property Location:	Concession 2 W, Part of Lot 11, RP 52R1066 ; PART 1 Geographic Township of Finch, Township of North Stormont



Purpose of the Application

To permit relief from section 3.1 (4)(b) of the Zoning By-Law 08-2014 which states that no accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and exterior side yard setbacks required for the main building but excludes any farm produce outlet having a gross floor area of less than 10 square metres. The proposed farm produce outlet would be 14.8 square metres.

Effect of the Application

1. Reduce the front yard setback from 12 m to 6 m.

The proposed reduction would allow the owner to build a 14.8 m² farm produce outlet on the property.

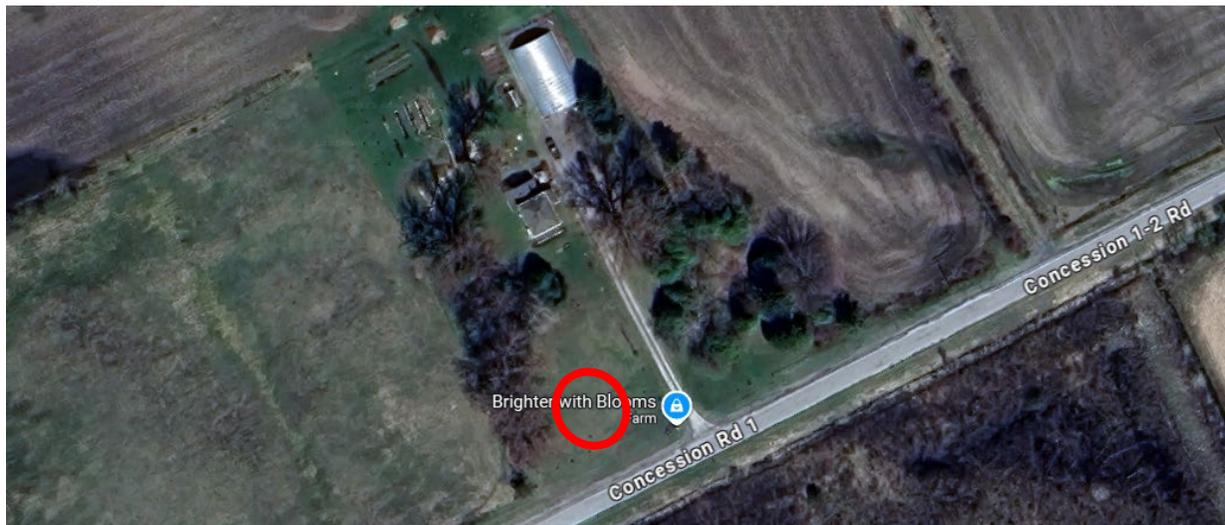
Background

The total area of the subject site is +/- 5.68 acres and is surrounded by other Agricultural properties. Its primary access is on Concession 1-2 Road. According to the Township's Zoning By-law, the subject property is zoned "Agricultural" and is designated as "Agricultural Resource Lands" in the United Counties of SDG Official Plan.

The requested variances are essential due to the fact that the property owner would like to build a small flower shop outlet for their business *Brighter with Blooms* using the Regional Incentive Program (RIP) which the SDG Counties are offering at the moment. Since their proposed building is more than 10 m² the zoning by-law 08-2014 requires their front yard setback to be what is required for the main building, which is this case would be 12 m. The property owner would like to place the flower stand 6 m from their front yard property line due to easy drive-through access for customers and budget constraints. The owners are also acquiring to add a drive through semi-circle driveway on the property which would require a second entrance on Concession 1-2 Road which will be going to council in the February council meeting. Positioning the driveway 6 meters from the property line, rather than the required 12 meters, significantly reduces construction costs for the owners, saving nearly 50% of the total expense.



Subject Property – Entrance



Subject Property – Proposed Location of Farm Produce Stand

Circulation

The proposal was circulated to all adjacent landowners within 60 metres of the subject property, as well as all prescribed agencies and persons described under Section 45 of the Planning Act.

At the time of writing, no comments have been received.

Summary of Four Tests

1. Is the general intent and purpose of the Official Plan (OP) maintained?

- The subject lands are designated “Agricultural Resource Lands” under the United Counties of SDG Official Plan
- Table 5.2 outlines the scope of uses permitted within the Agricultural Resource Lands, which includes agricultural and agricultural-related uses. The proposal is in keeping with the uses intended for the Agricultural Resource Lands and does not conflict with normal agricultural operations.
- Section 5.3.2 outlines what classifies as Agricultural Uses which includes growing crops and on-farm buildings, which would include a farm produce outlet.
- Considering the above, staff are of the opinion that the proposal would be in keeping with the general intent and purpose of the Official Plan.

2. Is the general intent and purpose of the Zoning By-law maintained?

- The subject lands are zoned “Agricultural (AG)” under the Township’s Zoning By-law.
- Section 3.1 (4) states that no accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and exterior side yard setbacks required for the main building but excludes any farm produce outlet having a gross floor area of less than 10 m². The proposed building would be 14.8 m², making the front yard requirement to be 12 m. The proposed building is following all other necessary yard setbacks but due to a financial and practical reasons the owners would like to place the stand 6 m from the property line.
- The proposed lot otherwise meets or exceeds the development standards within the Agricultural (AG) zone.
- Considering the above, staff are of the opinion that the proposal would be in keeping with the general intent of the zoning by-law.

3. Is the variance desirable for the appropriate development of the lands in question?

- The subject property is designated and zoned to allow for agricultural uses. Notwithstanding the noncompliance with the minimum front yard setback, the proposal otherwise appears to meet and/or exceed the minimum standards applicable to this type of development. The variance would allow for a farm produce stand to be placed 6 m rather than 12 m from the front yard property line.
- Considering the above, staff are of the opinion that the proposed variance is desirable for the appropriate development of the lands in question.

4. *Is the variance minor?*

- Staff are of the opinion that the proposal is minor in nature and will have no adverse impact on other properties.

Recommended Conditions

N/A.

Prepared by:

Anmol Burmy

Junior Planner – Township of North Stormont



The Corporation of the Township of North Stormont Committee of Adjustment

57 Cockburn Street
Berwick, ON K0C 1G0

DECISION

Application # A-2025-03 (Miller)

Date of Hearing: March 7, 2025

Date of Decision: March 7, 2025

Owner/Applicant: Meghan Miller

Location: 14835 Concession 1-2 Road, Finch, ON, K0C 1K0 (Concession 2, Part Lot 11, Part 1 on 52R-1066)

Purpose: To permit relief from section 3.1 (4)(b) of the Zoning By-Law 08-2014 which states that no accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and exterior side yard setbacks required for the main building but excludes any farm produce outlet having a gross floor area of less than 10 square metres. The proposed farm produce outlet would be 14.8 square metres.

The effect of the decision would:

1. Reduce the front yard setback from 12 m to 6 m.

The proposed reductions would allow the owner to build a 14.8m² farm produce outlet on the property.

Decision:	Granted.
Reasons for Decision:	The general intent of the Official Plan and Zoning By-law are being maintained; the request is minor in nature considering the setback will not have any adverse impact on other properties.
Conditions:	None.

Signature of Member
François Landry

Signature of Member
Adrian Bugelli

Signature of Member
Alison McDonald

Signature of Member
Luc Généreux

Signature of Member
Michael Houston

Signature of Member
Randy Douglas

Certification :

I, Lea Anne Munro, Secretary-Treasurer of the Committee of Adjustment of the Township of North Stormont certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

Dated at the Township of North Stormont this 7th March **2025**.

Lea Anne Munro
Secretary-Treasurer, Committee of Adjustment