



Township of North Stormont

Agenda

Committee of Adjustment
Wednesday, April 23, 2025 @ 8:30 AM
Council Chambers

Page

1. CALL TO ORDER

- 1.1. BE it resolved that this Public Hearing for Minor Variance Applications/File No.'s A-2025-04 (Seguin) and A-2025-05 (Casselman) be opened at ____ a.m.

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

- 2.1. BE it resolved that the agenda be approved a 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 - 5

March 7, 2025

[Committee of Adjustment - 07 Mar 2025 - Minutes](#)

5. PRESENTATIONS

5.1. **Planning Report - File No. A-2025-04 (Seguin)**

6 - 19

BE it resolved that the Committee of Adjustment receives the planning report for File No. A-2025-04 (Seguin) as presented.

[A-2025-04 \(Seguin\) Application](#)

[A-2025-04 \(Seguin\) Planning Report](#)

5.2. **Planning Report - File No. A-2025-05 (Casselman)**

20 - 34

BE it resolved that the Committee of Adjustment receives the planning report for File No. A-2025-05 (Casselman) as presented.

[A-2025-05 \(Casselman\) Application](#)

[A-2025-05 \(Casselman\) Report](#)

6. QUESTION PERIOD RESERVED FOR MEMBERS OF COUNCIL AND THE PUBLIC

7. DECISION

7.1. **File No. A-2025-04 (Seguin)**

35

THAT the Committee of Adjustment approves the Minor Variance Application/File No. A-2025-04 (Seguin) to permit relief from Section

3.32 of Zoning By-law 08-2014 which states that except as otherwise provided, shipping containers shall not be permitted in any zone, save and except Industrial and Commercial Zones.

AND THAT shipping containers shall be screened to the satisfaction of the Township in all Commercial Zones;

AND THAT the applicant is constructing an accessory structure made partially of shipping containers;

AND THAT the building will be completed with engineered roof trusses and a professionally designed roof system to meet Ontario Building Code standards.

[A-2025-04 \(Seguin\) Draft Decision](#)

7.2. **File No. A-2025-05 (Casselman)**

36

THAT the Committee of Adjustment approves the Minor Variance Application/File No. A-2025-05 (Casselman) and grants permission under Section 45(2) (i) of the *Planning Act* to expand a legal non-conforming residential use within an industrial zone by permitting the construction of an accessory detached garage;

AND THAT the Committee permits relief from the interior side yard setback in an Industrial zone from 7.5m to 1.88m for the construction of a detached garage.

[A-2025-05 \(Casselman\) 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, March 7, 2025
Council Chambers
8:30 AM**

COMMITTEE PRESENT: François Landry, Chair
Alison McDonald, Member
Adrian Bugelli, Member
Luc Genereux, Member
Michael Houston, Member

COMMITTEE ABSENT: Randy Douglas, Member

STAFF PRESENT: Lea Anne Munro, Secretary-Treasurer

OTHERS PRESENT: Megan Benoit, Development Planner, SDG Counties

Applicant, Meghan Miller was present.

1. CALL TO ORDER

COA-11-2025 *Moved by Councillor McDonald, Seconded by Michael Houston
BE it resolved this public hearing regarding Minor Variance Application/File No.
A-2025-03 (Miller) be opened at 8:34 a.m.*
CARRIED

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

COA-12-2025 *Moved by Councillor Bugelli, Seconded by Luc Genereux
BE it resolved that the agenda be approved as presented.*
CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

COA-13-2025 *Moved by Councillor McDonald, Seconded by Luc Genereux
BE it resolved that the following minutes be approved as presented:
January 31, 2025*
CARRIED

5. PRESENTATIONS

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

COA-14-2025 Moved by Luc Genereux, Seconded by Councillor McDonald

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

CARRIED

Ms. Benoit explained the application request and gave an overview of the report to the committee and public present.

6. QUESTION PERIOD RESERVED FOR MEMBERS OF THE PUBLIC

Committee Questions/Concerns

1. Member Houston asked where the stand was proposed to be located, inside the new horseshoe driveway or outside?

Applicant, Ms. Miller, explained that the stand would be located outside the new horseshoe driveway. The concept is that they would enter one side of the horseshoe driveway, park their vehicles, then browse at the stand and then exit the other side of the horseshoe driveway.

2. Member Genereux followed up with the question about the location of the stand and wanted to know if it would be a foundation, could the stand be moved to other areas.

Ms. Benoit stated that no it would be on a graveled area that could be moved, the applicant Ms. Miller confirmed that the shed was similar to the Amish sheds that you see around the area.

3. Chair Landry wondered what would be sold, would it be only flowers or would there be vegetables or fruit be sold?

Applicant, Ms. Miller responded that the priority is flowers, but she had discussed with Finch Recreation to partner with them on having an exchange of vegetables, no selling of vegetables, only flowers. There will be some signage posted, this is currently being worked on, and they may look at putting in a refrigerated cooler for the spring flowers mainly due to weather and the vegetables could be stored at night in this cooler to help preserve.

Councillor McDonald commented that this was a great idea as growing your own food due to costs will be a more sustainable way of life in the future.

7. DECISION

COA-15-2025 *Moved by Councillor Bugelli, Seconded by Michael Houston 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.*
CARRIED

8. ADJOURNMENT

COA-16-2025 *Moved by Councillor McDonald, Seconded by Michael Houston BE it resolved that this public hearing be adjourned at 8:43 a.m.*
CARRIED

François Landry, Chair

Secretary-Treasurer, Lea Anne Munro

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The Corporation of the Township of NORTH STORMONT

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

APPLICATION FOR A MINOR VARIANCE

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, FOR RELIEF AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 08-2014 AS AMENDED.

☒ MINOR VARIANCE – S. 45(1)

☐ PERMISSION – S. 45(2)

APPLICANT INFORMATION

Name of Applicant: Nicolas Séguin

Mailing Address: 16495 sixth rd Moose Creek ON K0C 1W0
(Street Address) (Town) (Province) (Postal Code)

Phone Number: 613-978-2717
(Home) (Work) (Fax)

Email Address: Countrysideadventures@gmail.com

Name of Agent (if applicant is not the registered owner): _____

Mailing Address: _____
(Street Address) (Town) (Province) (Postal Code)

Phone Number: _____
(Home) (Work) (Fax)

Email Address: _____

PROPERTY INFORMATION

Municipal Address: 16495 sixth rd Moose Creek, ON K0C 1W0

Legal Description: Lot 28 Concession 6
Part _____ Plan No. _____

Lot Size: Frontage: 201.86m Depth: 1373.29m Area: 65.15



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: Rural
5. Current Zoning of the Subject Land: Rural - 25
6. What is the nature and extent of relief from the Zoning By-law?
- To permit a shipping container structure
in a rural zone
7. For What Reason (why) is the minor variance requested?
- Shipping container shed
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?
- township road, all year round
9. What is the existing use(s) of the subject land?
- Rural recreational
10. What is the proposed use of the subject land?
- Rural recreational
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?)

Existing home and garage
plus buildings for business (10-15)

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?)

Proposed ~~new~~ shipping container shed
setback 100m from Rd.
sideyard setback 89 c : 107 w
rear yard setback 1,264m
height 14' to roof line + trusses (20-22')

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

March 2017

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

Buildings:

Structures:

House	1979
Countryside	2017-2023



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
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Berwick, ON
K0C 1G0

PLANNING INFORMATION CONTINUED

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

2017

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?

House Private, Countryside holding tanks

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

N/A

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, Nicolas Seguin of the township
Of North Stormont in the District of/ Municipality of/ County of SDG

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 Twp. of North Stormont

In the village of Berwick.

This 25 day of February 2025

Magen Buelens

A Commissioner of oaths, etc.

Nicolas Seguin

Applicants



The Corporation of the Township of NORTH STORMONT

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

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/DECLARED 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: Nicolas Séguin

Address: 16495 sixth rd Moose Creek ON K0C 1W0

SUBJECT: APPLICATION FOR A MINOR VARIANCE

Address of Site: 16495 sixth rd Moose Creek, ON K0C 1W0

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

Name of Applicant: Nicolas Séguin

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 25th day of March, 2025.

Please complete 1 or 2.

1. [Signature]

Signature of Applicant

Nicolas Séguin

Please Print Name

[Signature]

Signature of Witness

Megan Bouders

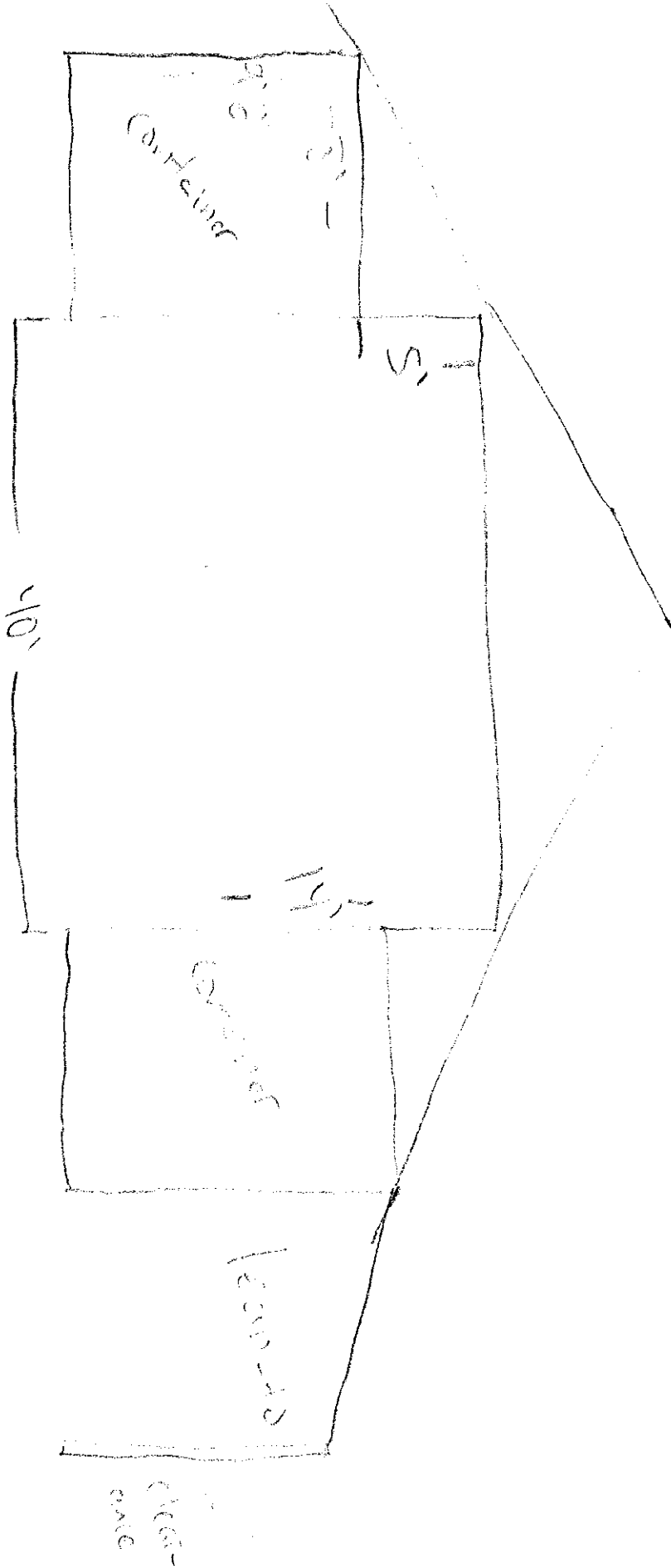
Please Print Name

2. _____
Corporate name (if applicable)

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

(Please print Name and Title)

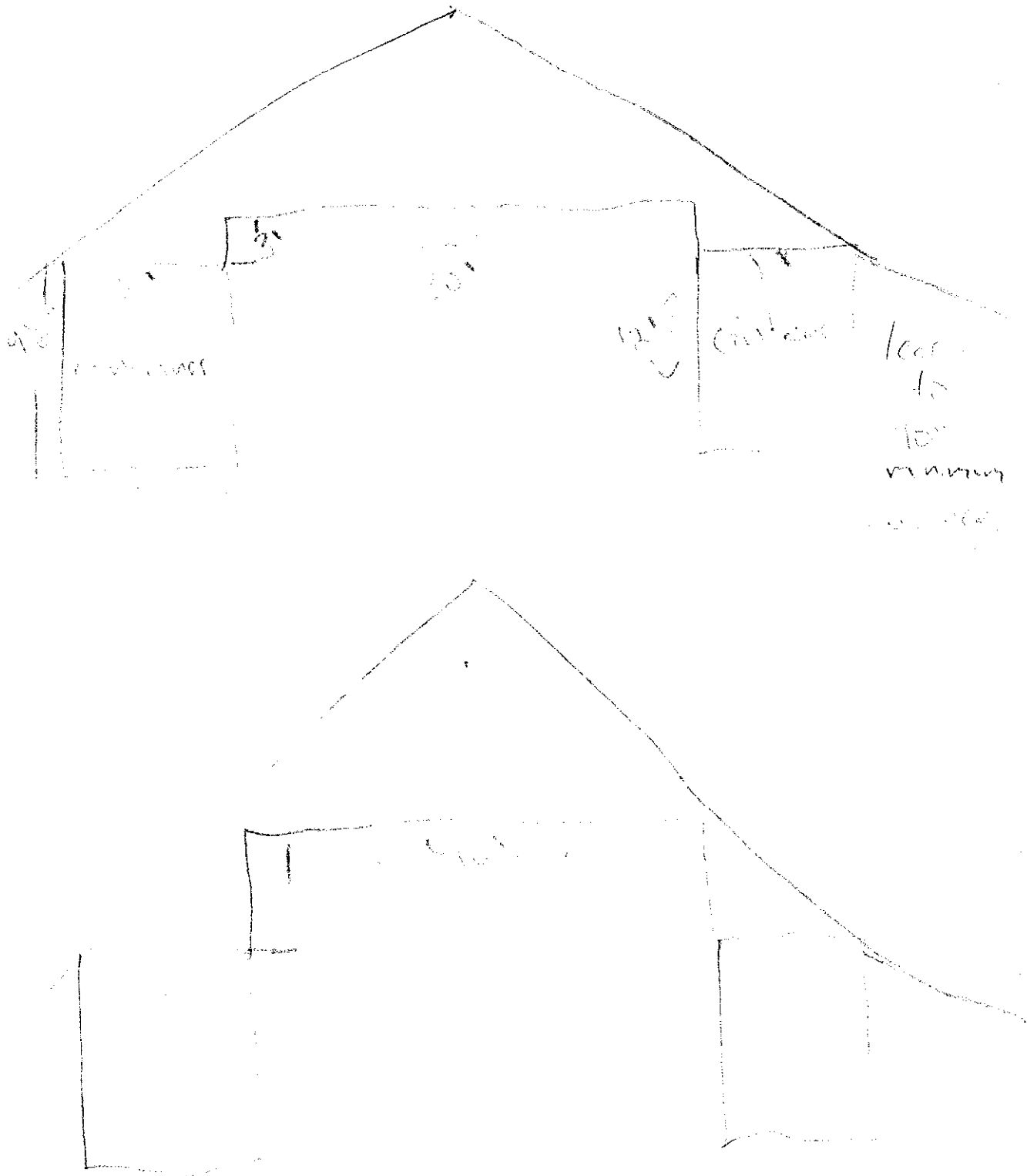
Megan Margaret Ellen Bouders, a Commissioner, etc.,
Province of Ontario, for the Corporation of the United
Counties of Stormont, Dundas and Glengarry.
Expires August 13, 2027.



10' 12'

Sheet

40 foot long shed





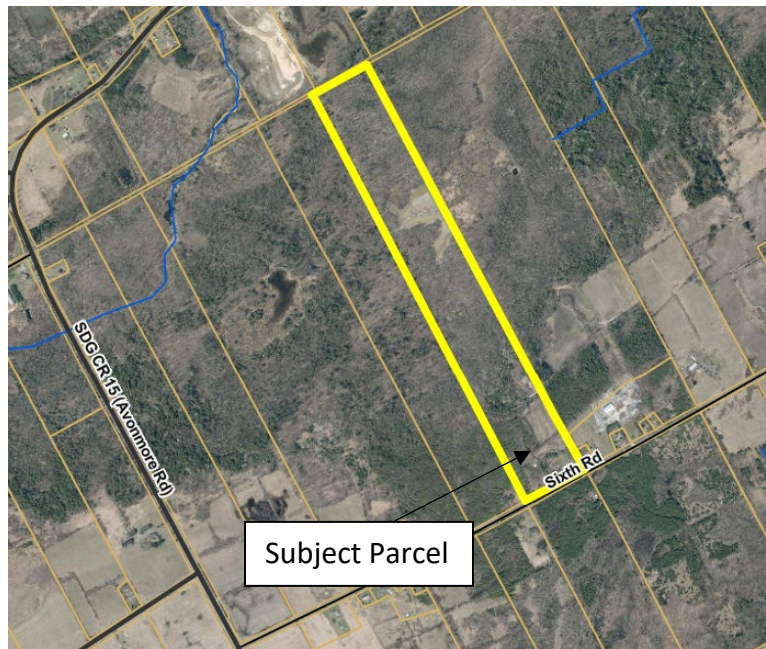
The Township of North Stormont COMMITTEE OF ADJUSTMENT

Prepared for:	Committee of Adjustment
Meeting Date:	April 23 rd , 2025
Subject:	Minor Variance Application A-2025-04 (Seguin)
Owner/Applicant:	Nicolas Seguin
Roll No.:	041101600896000
Property Location:	Part of Lot 28, Concession 6, Geographic Township of Roxborough, Township of North Stormont 16495 Sixth Road, Moose Creek, ON, K0C 1W0

Purpose of the Application

To permit relief from Section 3.32 of Zoning By-law 08-2014 which states that except as otherwise provided, shipping containers shall not be permitted in any zone, save and except Industrial and Commercial Zones. Shipping containers shall be screened to the satisfaction of the Township in all Commercial Zones.

The applicant is constructing an accessory structure made partially of shipping containers. The building will be completed with engineered roof trusses and a professionally designed roof system to meet Ontario Building Code standards.



Effect of the Application

1. Permit two shipping containers on the property as part of an accessory structure.

The proposed reduction would allow the use of two standard-size shipping containers as the base structure for a proposed equipment shed. The proposed equipment shed will support the ongoing operation of a permitted commercial-recreational business located on the subject

property, providing secure and weather-protected storage for equipment necessary to maintain and operate the business.

Background

The subject property is located within the Rural (RU) Zone, special exception RU-25, where the existing use- a commercial-recreational business, Countryside Adventures is already recognized as a permitted use. The site is large, with ample space for accessory structures that support business operations and is set back significantly from surrounding residential uses. The subject property is approximately 65.15 acres, bound between residential uses and Moose Creek Precast to its East, bush lands to the south and west and a sand and gravel pit to the North. The subject lot is located within the former geographic township of Roxborough, now the Township of North Stormont.

The subject property is zoned “Rural, special exception RU-25” in the Township’s Zoning By-law, designated “Rural District” in the United Counties of SDG Official Plan. The property underwent a zoning amendment in 2017 (RU-25), in addition to the permitted uses of the Rural zone, the following uses shall also be permitted: ice skating trails, passive recreation uses, chip wagon, washroom facilities, changing room facilities and rental cabins, all of which was approved to support the local business.

The proposed storage shed will be constructed using two shipping containers as the base walls, spaced apart and connected by engineered trusses and a peaked roof. It will be visually improved with exterior cladding to blend with the rural aesthetic and reduce any industrial appearance, it will also be screened from view by existing natural vegetation.



Image 1: Proposed location of the equipment shed on the subject property.

Image 2: an example of a similar structure as to what is being proposed with this application



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 “Rural District” under the United Counties of SDG Official Plan
- Section 1.8.4. of the OP states that buildings, structures, uses etc., that are normally incidental, accessory, or essential to a permitted use will also be allowed even though they may not be specifically stated or identified in the land use policies of this Plan (e.g. a detached garage or swimming pool accessory to a residential dwelling; an administrative office accessory to a campground or retail business).
- Section 3.4.6. of the OP states that a zoning by-law amendment will be required where any of the following uses are proposed in the Rural District where otherwise permitted:
c. New recreational commercial and non-profit uses, such as golf courses, driving ranges, mini putt operations, campgrounds, outdoor theme parks, sports fields or similar uses. The applicant has previously adhered to this by the filling of their 2017 zoning by-law amendment resulting in the RU-25 zoning.
- The Official Plan supports economic development in rural areas, particularly when it contributes to the local economy and is compatible with the surrounding area. This project achieves both.
- 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 “Rural, special exception RU-25” under the Township’s Zoning By-law.
- Section 3.1. (2) states that all uses, buildings and structures accessory to a permitted principal use or building shall be located on the same lot and in the same zone as the principal use or building.
- Schedule 11- Zone Exceptions: RU-25 states that in addition to the permitted uses of the Rural (RU) zone, the following uses shall also be permitted: ice skating trail, passive recreational uses, chip wagon, washroom facilities, changing room facilities and rental cabins. The proposal to establish an equipment shed partially constructed with shipping containers only further supports the uses previously approved by council for the local business established on site, Countryside Adventures.
- The proposal supports the ongoing use of the property in a manner that is consistent with rural character and function, while adhering to safety and construction standards.
- The proposed use of shipping containers is consistent with rural development goals when done in a manner that is safe, well-designed and visually appropriate.

- Considering the above, staff are of the opinion that the proposal would be in keeping with the general intent and purpose of the special exception zoning currently in effect on the property-Rural, RU-25.

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

- The subject property is designated and zoned for a commercial-recreational use (RU-25). The granting of this request only further supports the local business that has previously received support from the Township in the 2017 zoning by-law amendments.
- The granting of this minor variance will directly support the existing business, Countryside Adventures, by cutting costs for the construction of the shed by using two shipping containers as part of the base of the structure as apposed to traditional materials as well as make efficient use of the space while minimizing environmental impact.
- The visual impact will be mitigated through cladding, landscaping and placement of the equipment shed.
- 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?*

- The variance relates solely to the form of construction (shipping containers) and not the use, height, size or setbacks. This minor variance application is being made in good faith to support the long-term sustainability and functionality of a permitted commercial-recreational business.
- Staff are of the opinion that the proposal is minor in nature, considering the rest of the proposed plan is abiding by the current zoning requirements outlined in the Zoning By-Law 08-2014.

Recommended Conditions

1. None.

Prepared by:

Megan Benoit

Development Planner- SDG Counties

Planning Consultant- Township of North Stormont



The Corporation of the Township of NORTH STORMONT

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

APPLICATION FOR A MINOR VARIANCE

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, FOR RELIEF AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 08-2014 AS AMENDED.

☒ MINOR VARIANCE – S. 45(1)

☐ PERMISSION – S. 45(2)

APPLICANT INFORMATION

Name of Applicant: DOUG & CHRISTINE CASSELLMAN

Mailing Address: 14540 Cnty Rd 9 BERWICK ON K0C1G0
(Street Address) (Town) (Province) (Postal Code)

Phone Number: 613-360-8211
(Home) (Work) (Fax)

Email Address: DOUG.CASSELLMAN@HOTMAIL.COM

Name of Agent (if applicant is not the registered owner): _____

Mailing Address: _____
(Street Address) (Town) (Province) (Postal Code)

Phone Number: _____
(Home) (Work) (Fax)

Email Address: _____

PROPERTY INFORMATION

Municipal Address: 14540 Cnty Rd 9

Legal Description: Lot 7 Concession 5

Part _____ Plan No. _____

Lot Size: Frontage: 190' Depth: 210' Area: .94ac



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 Resource Lands

5. Current Zoning of the Subject Land: RESIDENTIAL

6. What is the nature and extent of relief from the Zoning By-law?

I WOULD LIKE TO BUILD 6' FROM THE PROPERTY
LINE INSTEAD OF 24'.

7. For What Reason (why) is the minor variance requested?

WE WOULD LIKE A MINOR VARIANCE TO KEEP A NEW
GARAGE BUILD CLOSER TO THE PROPERTY 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 MAINTAINED ALL YEAR AROUND

9. What is the existing use(s) of the subject land?

RESIDENTIAL PROPERTY

10. What is the proposed use of the subject land?

RESIDENTIAL PROPERTY

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)?



The Corporation of the Township of NORTH STORMONT

P.O. Box 99
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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?)

DRAWING ATTACHED

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?)

DRAWING ATTACHED

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

AUG 2000

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

Buildings:

Structures:

HOUSE - 1978

SCHOOL HOUSE - 1910



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?

SINCE 1974

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?

PRIVATELY OWNED WELL

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?

PRIVATELY OWNED SEPTIC SYSTEM

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, DOUG/CHRISTINE of the TOWN OF BERWICK
Of SD&G 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 Township of North Stormont.

In the village of Berwick

This 6th day of March 2025

Morgan Barclay

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

☒ 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/DECLARED 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: Doug Casselman

Address: 14540 Cty Rd 9 Berwick

SUBJECT: APPLICATION FOR A MINOR VARIANCE

Address of Site: 14540 Cty Rd 9 Berwick ON, K0C1G0

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

Name of Applicant: Doug & CHRISTINE CASSELMAN

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 6 day of March, 2025.

Please complete 1 or 2.

1. Christine Casselman

Signature of Applicant

Christine Casselman

Doug Casselman

Please Print Name

Megan Boudens

Signature of Witness

Megan Boudens

Please Print Name

2.

Corporate name (if applicable)

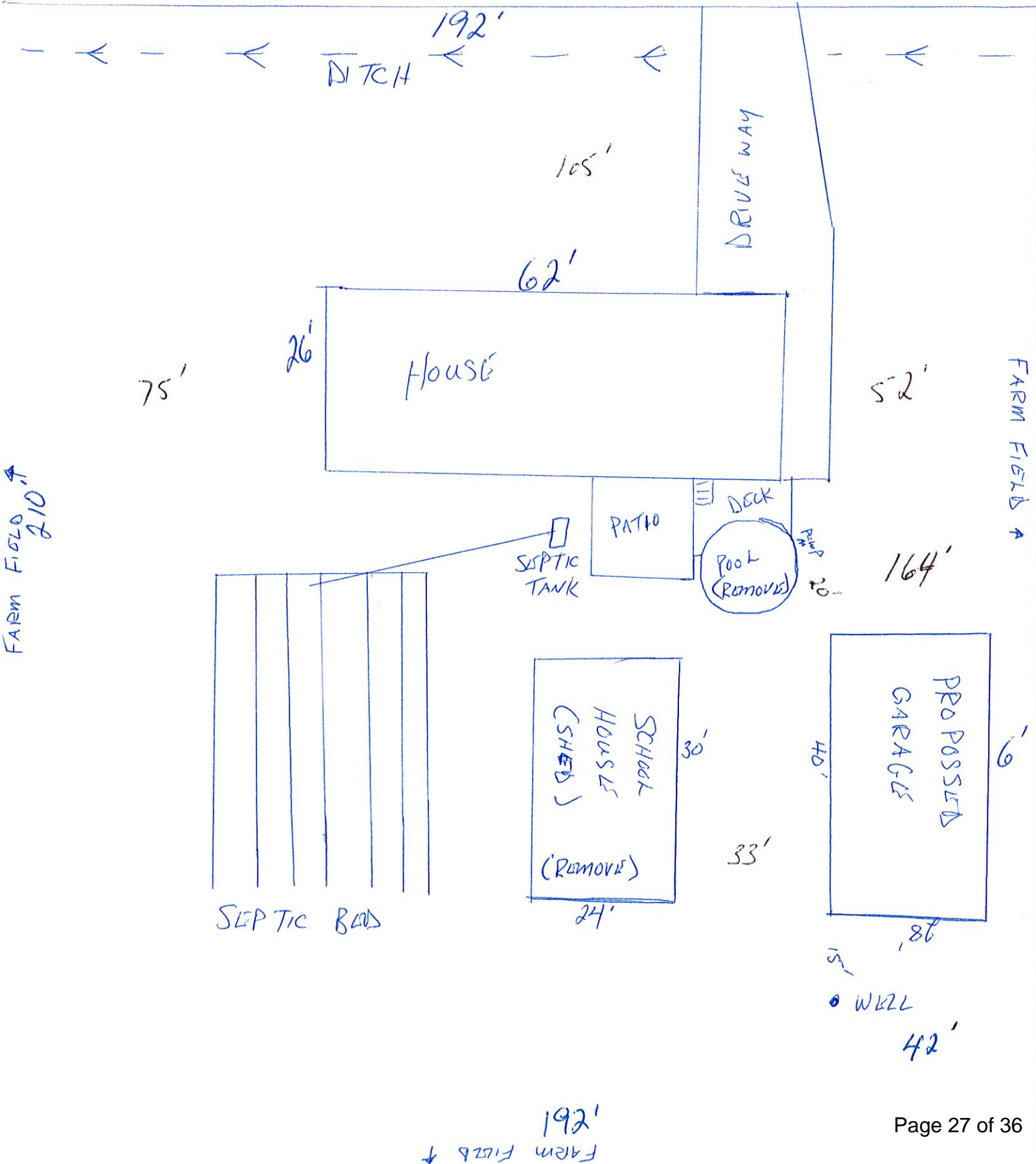
(Authorized Signature) I have the authority to bind the Corporation

(Please print Name and Title)

Megan Margaret Ellen Boudens, a Commissioner, etc.,
Province of Ontario, for the Corporation of the United
Counties of Stormont, Dundas and Glengarry.
Expires August 13, 2027.



COUNTY Rd #9



SCHEDULE						RECEIVED AND DEPOSITED AS
PART	LOT	CONCESSION	OWNER	INST. NO	AREA	PLAN52R-271 April 5 th 1974 (DATE) <i>Andee Bernier</i> REGISTRAR FOR THE REGISTRY DIVISION OF STORMONT N°52
I	7	V	GLENDON W CASSELMAN	16323	0.971 ACRES	

TOWNSHIP of FINCH

LOT 7
CONCESSION VI

OF ROAD ALLOWANCE ESTABLISHED ACCORDING TO SPLIT MEASUREMENT OF FENCED LIMITS

ROAD ALLOWANCE BETWEEN CONCESSIONS V & VI

60'00" 66'00"

64'00" 66'00"

N62°33'00"E 192'10"(MEAS)

SSIB 190'00"(INST. 16323) SIB

N62°33'00"E 800'28"

LOT CORNER
N.W. ANGLE
LOT 7, CON. 5.

220'53"(MEAS)
222'00"(INST. 16323)

LOT 7
CONCESSION V

INST. N° 16329

PART I
INST. N° 16323

222'00" N 29°11'00"W

SSIB 190'00"(INST. 16323) SSIB

N62°45'00"E 191'10"(MEAS)

INST. N° 16329

AS. LINE BETWEEN E1/2 B. W1/2 LOT 7
221'17"(MEAS)
222'00"(INST. 16323)

N 28°45'00"W

ACCEPTED

POST AND WIRE FENCE

ROAD ALLOWANCE BETWEEN LOTS 6 & 7

POST AND WIRE FENCE ACCEPTED AS WEST LIMIT OF LOT 7

COUNTY of STORMONT

"CAUTION. THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF SECTIONS 29, 32 or 33 OF THE PLANNING ACT," (RSO 1970)

REFERENCE PLAN
BEING PART OF
LOT 7
CONCESSION V
TOWNSHIP OF FINCH
COUNTY OF STORMONT
SCALE 1" = 60 FEET
1974

SURVEYOR'S CERTIFICATE

I Hereby Certify That:

1. This survey and plan are correct and in accordance with the Surveys Act and the Registry Act and the regulations made thereunder.

2. The survey was completed on the 29th day of MARCH, 1974.

April 4/74 *Charles H. Donnelly*
DATE CHARLES H. DONNELLY O.L.S.

NOTE: All hanging lines shown on this plan have been verified.

NOTE: Bearings shown hereon are astronomic and are referred to the meridian through the the S.E. angle of Lot 3, Concession VI, Township of Finch. (Long. 75°10'40" West)

LEGEND-

⬠ - DENOTES SIB PLANTED
⬠ - DENOTES IB PLANTED
⬠ - DENOTES SIB FOUND
⬠ - DENOTES IB FOUND
WIT - DENOTES WITNESS POST
--- - DENOTES POST AND WIRE FENCE
n.s. - DENOTES NOT TO SCALE

Property Assessment Notice

CASSELMAN DOUGLAS WALTER
LABELLE-CASSELMAN CHRISTINE
14540 COUNTY RD 9
RR 1 RPO
BERWICK ON
K0C 1G0

(V)

Roll Number

04 11 009 003 36000 0000

Page 1 of 1

40000-C4-01

Municipality

404/301

NORTH STORMONT TOWNSHIP

Location and Property Description

14540 COUNTY RD 9
CON 5 N PT LOT 7
RP52R271 PT PART 1
S/S COUNTY RD 9 IRREG

Frontage 192.16
Depth 210.10
Area 0.94 AC

Please retain this Property Assessment notice. You will not receive another one unless the information changes.

This is ***not*** a tax bill.

Property taxes are calculated by multiplying the assessed value of your property by both the municipality's tax rate and the education tax rate set by the Province.

Estimated value of your property

In accordance with Ontario's Assessment Act, all properties have been reassessed to a common June 30, 1999 valuation date.

The assessed value of your property is: **\$97,000**

This value will be used in calculating your 2001 & 2002 property taxes.

Property Classification

Res/Farm Taxable: Full

Estimated Value

\$97,000

School Support Designation

English-Public

For More Information . . . *(Please see the information insert included with this notice.)*

The Ontario Property Assessment Corporation (OPAC) was created in 1997 to assume responsibility for all property assessment functions in Ontario. To maintain a fair distribution of the municipal tax burdens among all property taxpayers, the assessment of every property in Ontario has been updated to a common June 30, 1999 valuation date (the previous valuation date was June 30, 1996; the next valuation date will be June 30, 2001).

To produce a fair and accurate assessment of your property, OPAC reviews recent sales data and other information for similar properties in the surrounding area. If information on this notice appears to be incorrect or missing, or you have other concerns, please contact the Ontario Property Assessment Corporation at:



toll free

1 866 296-OPAC (6722)



website

www.opac.on.ca



e-mail

ao01@opac.on.ca



fax

613 933-0597



mail

132 2ND ST E BOX 219
CORNWALL ON K6H 5S7
933-7100 1-800-267-7194

Request for Reconsideration

If you are in doubt about your property's valuation, you may ask your local OPAC office for a *Request for Reconsideration*. Your Assessment Office will be pleased to consider any new information that may affect your assessment.

Complaints to the Assessment Review Board (ARB)

You may file a formal complaint with the Assessment Review Board, an independent tribunal of the Province of Ontario. You must use the ARB *Notice of Complaint* form and submit it with the appropriate attachments and fees, to 250 Yonge St., 29th Floor, Toronto ON M5B 2L7 by **March 31, 2001**. You can obtain their form and fee information at Ontario government information centres, your municipal office, from the ARB website (www.arb.gov.on.ca), or by calling their toll free number 1 800 263-3237 or 416 314-6900 (Toronto area).



The Township of North Stormont COMMITTEE OF ADJUSTMENT

Prepared for: Committee of Adjustment
Meeting Date: April 23, 2025
Subject: Minor Variance & Permission Application A-2025-05 (Casselman)
Owner/Applicant: Doug & Christine Casselman
Roll No.: 041100900336000
Property Location: North Part of Lot 7, Concession 5, RP52R-271, Part 1
Geographic Township of Finch, Township of North Stormont,
14540 County Road 9

Purpose of the Application

To request for permission under Section 45(2) of the Planning Act to expand a legal non-conforming residential use within an industrial zone by permitting the construction of an accessory detached garage.

The applicant is also seeking relief from the interior side yard setback in an Industrial zone from 7.5m to 1.88m for the construction of a detached garage.

Effect of the Application

This would permit the owner to construct a detached garage on the south-east side of their property, offsetting the garage to the east of their home closer to the side yard for ease of access from their existing entrance.

Background

The subject property is located within the "Industrial" (M) zone and currently supports a legal non-conforming single detached dwelling, established in 1975. The original use established on the lot was for a schoolhouse in 1910, the schoolhouse still exists on the property today and has solely been used for storage but in recent years has fallen into disrepair, the applicant plans to demolish to schoolhouse once the detached garage has been constructed. The residential use has been maintained continuously and without interruptions since 1975, making it eligible for consideration under Section 45 (2)(a)(ii) of the Planning Act.



Section 45(2) (ii) of the Planning Act states that the Committee of Adjustment:

Where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,

(ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee.

The test for whether Committee should allow the expansion or changes to a legally nonconforming use is not the four tests for a Minor Variance under Section 45(1) of the Planning Act. The Act provides no such specific test or guidance on the grounds that Committee should consider, beyond the general requirement that all planning decisions are consistent with and conform to the Provincial Policy Statement. Other than similarity/compatibility, the Committee should determine if granting approval of the application would be appropriate for the desirable development of the land and if there would be any unacceptable adverse impacts.

The subject property is approximately 0.92 acres located on County Road 9 just west of the village of Berwick and contains an existing residential dwelling, and an old schoolhouse used for storage. All surrounding land uses are of an agricultural nature. The lot is designated "Agricultural Resource Lands" under the SDG County Official Plan (OP), and zoned "Industrial" (M) in the Township of North Stormont comprehensive zoning by-law 08-2014. As per the previous zoning by-law from 1986, the subject parcel was also zoned Industrial. The Township has no record of an industrial use on the property, nor does the current owner or previous owner know of an industrial use ever taking place on the property.

The owner is proposing to construct a detached garage on the south-east portion of the lot, which would function as an accessory structure to the existing residential use. The garage is intended for personal storage and parking purposes.

Due to the existing lot configuration and the position of the current driveway, the proposed location provides the most logical and accessible siting for the garage. However, this placement results in a reduced interior side yard setback, necessitating a minor variance in addition to the requested permission.

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 for a Minor Variance

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

- The subject lands are designated “Agricultural Resource Lands” under the SDG Counties Official Plan.
- Section 8.12.12.1 of the OP states the owner/applicant, in applying for an expansion, enlargement or change of a legal nonconforming use shall demonstrate that all three of the following conditions are met in qualifying a use as a legal non-conforming use:
 1. That the use was legally established prior to the passing of any of the zoning By-laws as set out in Section 8.12.7 of this Plan;
 2. That the use has continued without interruption from the date of its establishment, or in the case of an interruption, that there has been a reasonable attempt to continue the use; and
 3. That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

The applicant was able to establish all of the above three requirements.

- Section 8.12.12.2 Enlargement or Expansion or Change to a Legal Non-Conforming Use, states that It may be desirable to permit the extension, enlargement or change of a non-conforming use to a similar or more compatible use subject to
 - (1) the extension or enlargement does not aggravate the non-conforming situation for neighbouring uses
 - (2) the extension or enlargement is in reasonable proportion to the existing use and to the land on which it is to be located.
- Considering the above, staff are of the opinion that the proposal would be in keeping with the general intent of the purposes of the Official Plan.

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

- The subject lands are zoned “Industrial (M)” under the Township zoning by-law.
- Section 2.173 defines “non-conforming” as an existing use or activity of any land, building or structure that is not an identified permitted use for the Zone in which it is located as of the date of passage of this by-law. The residential use was established in 1975 well in advance of the issuance of the current township comprehensive zoning by-law 08-2014.
- Section 3.1(2) states that all uses, buildings and structures accessory to a permitted principal use or building shall be located on the same lot and in the same zone as the principal use or building.
- While the subject property is zoned industrial, the residential use is legally established and ongoing. The garage is consistent with what would be permitted in an agricultural zone with a residential use.
- The proposed detached garage placement is desired due to the configuration of the lot and the location of the existing entrance off County Road 9. With the detached garage being located on the southeast side of the property and just to the rear of the residence, it allows for the owners to drive along the east side of their residence and

pull into the new detached garage without having to reroute their driveway or add a new driveway from County Road 9.

- Considering the above, staff are of the opinion that the request for the reduced side yard setback of 1.88m in an Industrial zone with a residential legal non-conforming use is in keeping with the intent of the zoning by-law.

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

- The property benefits from a legal non-conforming residential use in an Industrial zone surrounding by lands within the agricultural zone. With the surrounding land uses being agricultural- crop land, there are no direct neighbours with a sensitive land use except for the applicant. Meaning that even with the reduced interior side yard setback of 1.88m there is no implications of encroachment onto the abutting landowners as they are only used seasonally for agricultural purposes. The proposed detached garage will be on the west side of the current mature tree line that separates the applicant's land from the abutting agricultural field.
- The schoolhouse, which was firstly established on the lot in 1910, is currently used for storage for the owners, the residence located on the property has an attached garage (of the east side) that only accommodates one vehicle. The proposed detached garage would allow for an additional enclosed parking area as well as storage as the owner's plan to demolish the schoolhouse in the near future as it is in disrepair.
- The garage enhances the functionality of the existing residential use, aligns with standard residential development patterns, and facilitates safe and practical access.
- 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?*

- The proposed reduction from 7.5m to 1.88m is modest given the context and use. The reduced setback will not result in any undue adverse impact on neighbouring properties or hinder access or maintenance.
- Staff are of the opinion that the proposal is minor in nature, considering the rest of the proposed plan is abiding by the current zoning requirements outlined in the Zoning By-Law 08-2014.

Summary of Tests Regarding a Legal Non-Conforming Use:

1. Is it a legal non-conforming use?
 - Yes, as the residential use was established on the property in 1975.
2. Is it another use for a purpose previously permitted by the Committee?
 - It does not introduce any new or intensified non-conforming use but rather supports the continued enjoyment of the existing legal non-conforming residential use.
3. Has the use continued to the date of the application?

- Yes
4. Is the enlargement or extension beyond the limits of the land owned and used in connection therewith on the day the by-law was passed?
- No, the extension of the use is on the same property and the proposed structure will be within the limits of the subject property.

Conclusion:

The proposed detached garage represents a reasonable and appropriate extension of a legal non-conforming use and satisfies the requirements for both a permission under Section 45(2)(a)(ii) and a minor variance under Section 45(1) of the Planning Act. The requested relief facilitates functional use of the property without compromising the intent of applicable planning policies or causing adverse impacts.

Staff are of the opinion that the Committee approve the combined application, subject to any standard conditions the Committee deems appropriate.

Recommended Conditions

1. That a building permit be obtained for the detached garage.

Prepared by:

Megan Benoit
Development Planner – SDG Counties
Planning Consultant - Township of North Stormont



The Corporation of the Township of North Stormont Committee of Adjustment

57A Cockburn Street
Berwick, ON K0C 1G0

DECISION

Application # A-2025-04 (Seguin)

Date of Hearing: April 23, 2025

Date of Decision: April 23, 2025

Owner/Applicant: Nicolas Seguin

Location: 16495 Sixth Road, Moose Creek, ON, K0C 1W0 (Concession 6, Part Lot 28)

Purpose: To permit relief from Section 3.32 of Zoning By-law 08-2014 which states that except as otherwise provided, shipping containers shall not be permitted in any zone, save and except Industrial and Commercial Zones. Shipping containers shall be screened to the satisfaction of the Township in all Commercial Zones.

The applicant is constructing an accessory structure made partially of shipping containers. The building will be completed with engineered roof trusses and a professionally designed roof system to meet Ontario Building Code standards.

The effect of the decision would:

1. Permit two shipping containers on the property as part of an accessory structure.

The proposed reduction would allow the use of two standard-size shipping containers as the base structure for a proposed equipment shed. The proposed equipment shed will support the ongoing operation of a permitted commercial-recreational business located on the subject property, providing secure and weather-protected storage for equipment necessary to maintain and operate the business.

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 rest of the proposed plan is abiding by the current zoning requirements outlined in Zoning By-Law 08-2014.
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 23rd day of April 2025.

Lea Anne Munro
Secretary-Treasurer, Committee of Adjustment



The Corporation of the Township of North Stormont Committee of Adjustment

57A Cockburn Street
Berwick, ON K0C 1G0

DECISION

Application # A-2025-05 (Casselman)

Date of Hearing: April 23, 2025

Date of Decision: April 23, 2025

Owner/Applicant: Doug & Christine Casselman

Location: 14540 County Road 9, Berwick, ON, K0C 1G0 (Concession 5, North Part of Lot 7, RP52R-271, Part 1)

Purpose: To request for permission under Section 45(2) of the *Planning Act* to expand a legal non-conforming residential use within an industrial zone by permitting the construction of an accessory detached garage.

The applicant is also seeking relief from the interior side yard setback in an Industrial zone from 7.5m to 1.88m for the construction of a detached garage.

The effect of the decision would:

1. This would permit the owner to construct a detached garage on the south-east side of their property, offsetting the garage to the east of their home closer to the side yard for ease of access from their existing entrance.

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 in considering a reduced side yard setback of 1.88m in an Industrial zone with a residential legal non-conforming use is in keeping with the intent of Zoning By-Law 08-2014.**

The permission is granted under Section 45(2) (i) of the *Planning Act*.

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 23rd day of April 2025.

Lea Anne Munro
Secretary-Treasurer, Committee of Adjustment