



THE CORPORATION OF THE TOWNSHIP OF ESSA COMMITTEE OF ADJUSTMENT

NOTICE OF DECISION

File No. **B5-26** Roll No: 432101000810700

Owner: TC Lands Inc.

Location: 8949 Smith Road, Essa

Date of Decision: September 25th, 2026

Purpose: The applicant has submitted a Consent application with the intention of severing a new parcel off the existing property known municipally as 12 Fraser Street, being a 1560m² parcel. The retained parcel would have a new lot area of 873m², whereas the severed parcel would have a lot area of 700.3m

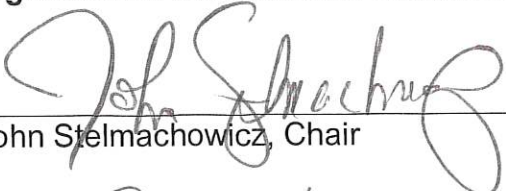
Upon application for consent for the lands described in the above noted file, the decision of the Committee of Adjustment for the Township of Essa is that **PROVISIONAL CONSENT BE GRANTED** subject to the following *Conditions of Approval*:

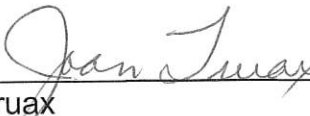
- ☐ That a copy of a registered reference plan for the subject land indicating the severed and retained parcels be prepared by an Ontario Land Surveyor and submitted to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Registry Office. The new lot line to be drawn by the surveyor is to generally conform to the figure (including dimensions and size) included in the conclusion of this report.
- ☐ That the applicant provides to the Secretary-Treasurer of the Committee of Adjustment copies of transfer documentation associated with the lands.
- ☐ That all municipal taxes be paid and up to date.
- ☐ That all external fees associated with the application be borne by the applicant.
- ☐ That all legal matters pertaining to the registration of the easement are to be handled by the Township Solicitor.
- ☐ That the existing easement be deleted from title.

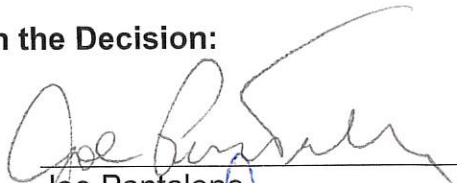
For the following reasons:

- ☒ The general intent and purpose of the By-law and Official Plan is being maintained.
- ☒ the Committee has considered all public comments received and believes their decision is based on the best evidence available.

Signature of the Members concurring with the Decision:



John Stelmachowicz, Chair

Joan Truax

Joe Pantalone

Henry Sanders

PLEASE NOTE:

THIS NOTICE OF DECISION DOES NOT OFFICIALLY SEVER A LOT.

- A CONSENT CERTIFICATE IS REQUIRED BEFORE A LOT CAN BE SEVERED.
- ALL CONDITIONS MUST BE SATISFIED BEFORE THE ISSUANCE OF THE CONSENT CERTIFICATE.
- LOTS SHOULD NOT BE SOLD BEFORE THE ISSUANCE OF A CONSENT CERTIFICATE. THE TOWNSHIP TAKES NO RESPONSIBILITY FOR LOST SALES, FEES INCURRED, NOR ANY OTHER COSTS/MONETARY LOSSES RESULTING FROM THE FAILURE TO FULFILL THE CONDITIONS LISTED ON THIS NOTICE OF DECISION.

IN READING THIS, THE APPLICANT AND/OR AGENT ACKNOWLEDGES THE ABOVE.

NOTICE

Pursuant to Subsection 41 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended), all conditions imposed must be fulfilled within two (2) years from the date of the sending of the Notice of Decision or the application is deemed refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of the consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended).

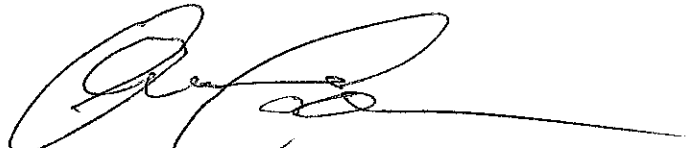
The applicant, the Minister, a specified person or any public body, may appeal the decision and/or any conditions imposed to the Ontario Land Tribunal (OLT). In order to appeal, you must file a Notice of Appeal setting out written reasons for the appeal and, if applicable, specifying which conditions are being appealed, within twenty (20) days of the making of the decision.

This Notice should be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by a payment of \$400.00 for the first application being appealed. If more than one application is being appealed, the fee for each additional application is \$400.00. Cheques should be made payable to the Minister of Finance; all Township administrative fees related to the appeal can be found in the Township's Fee & Charges By-law. Please note the Secretary-Treasurer (plan@essatownship.on.ca) must receive this Notice within the 20-day period in order to be considered by the OLT and appeals and payments can be made through the OLT E-Service Portal.

Send to: Township of Essa Committee of Adjustment
Attention: Secretary-Treasurer
5786 County Road #21
Utopia, Ontario L0M 1T0

Note: Under the Planning Act, the applicant, the Minister, and specified person or public body may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. If the last date for filing an appeal falls on a Saturday, Sunday or Statutory Holiday, appeals will be accepted on the next working day.

Forwarded by mail:	<u>September 25th, 2026</u>
Last date for Appeal to O.L.T.:	<u>October 15th, 2026</u>
This Notice Dated:	<u>September 25th, 2026</u>


Secretary-Treasurer, Committee of Adjustment