



**THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF ADJUSTMENT  
NOTICE OF DECISION**

File No. B8-25, B9-25 and B10-25 Roll No: 010-008-10700  
Owner: TC Lands Inc.  
Location: 8949 Smith Road  
Date of Decision: November 28<sup>th</sup>, 2025  
Purpose: The applicant has submitted three (3) consents that would facilitate the creation of 3 rural-residential lots on the subject lands.

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 reference plan of the severed parcel(s) be prepared by an Ontario Land Surveyor and copies provided to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Registry Office.
- ☐ 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 up-to-date.
- ☐ That the application satisfies any concerns from the NVCA.
- ☐ That all external cost associated with the application be borne by the applicant.
- ☐ That the subject lands be rezoned to accurately reflect the proposal and
- ☐ That the Township Solicitor place a Restrictive Covenant on title as a condition of approval, stating that all potential buyers of the rural residential lots abutting the TC Lands Inc. be made aware that there is a proposed Industrial Subdivision and CPKC Rail line on the abutting lands and that there may be excess noise generated as a result of the potential industrial uses. This is to be completed at the applicant's expense, and at no cost to the Township.
- ☐ That the applicant demonstrates the proposed residential lots can provide adequate access to Smith Road to the satisfaction of the Manager of Public Works.
- ☐ That that the D-Series studies pertaining to the Site Plan application (SP3-23) be accepted and deemed sufficient by the Township Engineering Consultant, and the Site Plan Agreement be registered and executed prior to Consents being finalized.
- ☐ That the Official Plan Amendment be finally approved and the corresponding land-use designations be successfully amended.

**For the following reasons:**

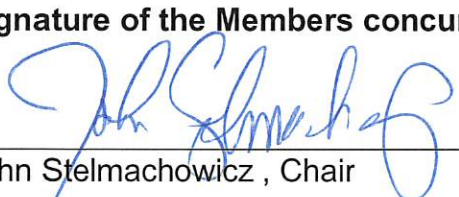
- ☐ In keeping with the Official Plan and Provincial Policy Statement
- ☐ The Committee has considered all public comments received and believes their decision is based on the best evidence available.

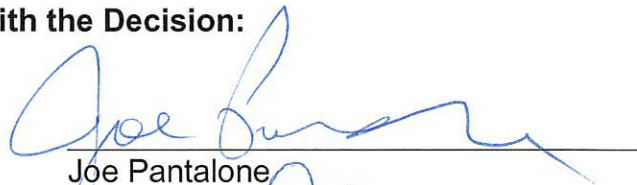
**NOTICE OF DECISION**

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.

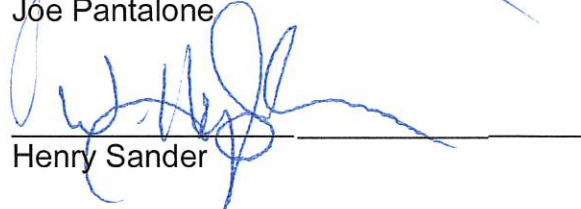
It is a requirement that all conditions imposed be fulfilled prior to the granting of the consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended).


**Signature of the Members concurring with the Decision:**

  
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John Stelmachowicz , Chair

  
\_\_\_\_\_  
Joe Pantalone

\_\_\_\_\_  
Ron Henderson

  
\_\_\_\_\_  
Henry Sander

  
\_\_\_\_\_  
Joan Truax

**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**

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](mailto:plan@essatownship.on.ca)) must receive this Notice within the 20-day period in order to be considered by the OLT. Please note, appeals and payments can also be made through the OLT E-File Service (<https://olt.gov.on.ca/e-file-service>).

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.

<b>Forwarded by mail:</b>	<u>November 28<sup>th</sup>, 2025</u>
<b>Last date for Appeal to O.L.T.:</b>	<u>December 18<sup>th</sup>, 2025</u>
<b>This Notice Dated:</b>	<u>November 28<sup>th</sup>, 2025</u>

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Secretary-Treasurer, Committee of Adjustment