

**COMMITTEE OF ADJUSTMENT
MINUTES
February 27th, 2026**

Present: John Stelmachowicz, Chair
Joe Pantalone, Member
Joan Truax, Member

Also Present: Owen Curnew, Development Planner
Anmol Burmy, Secretary-Treasurer
Joe Nethery, Planning Consultant

The Chair, John Stelmachowicz, called the meeting to order at 10:00 a.m. and explained the meeting process and the time frame for appeals to those persons present. He advised that all statements and evidence given before the Committee are of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

MINUTES:

The Minutes of November 28th, 2025 were approved by the Committee.

DISCLOSURE OF INTEREST:

No conflict of interest was disclosed.

OTHER BUSINESS

John Stelmachowicz asked to have a moment of silence for the passing of Committee member Ron Henderson.

APPLICATIONS

B1-26	Tom Smith
8800 & 8866 Smith Road	Lot Creation

Present (other than Committee & Staff Members):

Tom Smith (Owner/Applicant)
Peter Smith (Resident of 8800 Smith Road Home)

Joe Nethery, the planning consultant, provided a synopsis, outlining the purpose of the application, all comments received, and the recommendation of the Planning Consultant: APPROVAL of the application with a zoning by-law amendment being conducted and all NVCA concerns met along with four (4) other conditions.

John Stelmachowicz invited the applicant to present.

Applicant provided brief background on the property.

John Stelmachowicz asked if there were any comments from the public. Peter Smith state that

he has lived in Utopia all his life and that he has large legacy in this area.

No additional comments received.

John Stelmachowicz asked about why the rezoning was required and asked the planning consultant to elaborate on the details of it.

Joe Nethery stated that the current zoning is Environmental Protection (EP), and the land is not meant for residential development. Therefore, rezoning to Agricultural would allow for the residential dwelling to be permitted and allow for the township Planner's to apply zoning provisions to the lot.

John Stelmachowicz asked whether, despite the NVCA's recommendation for deferral, the imposed NVCA conditions would still require all issues to be fully addressed before approval is granted.

Joe Nethery noted that the Zoning By-law Amendment would enable the NVCA to remain involved and verify that all of their requested requirements are being addressed and satisfied.

John Stelmachowicz asked if the owners decided to demolish the current home, would another home be allowed to be built in its place after the zoning by-law amendment.

Joe Nethery stated that it would be allowed.

John Stelmachowicz asked if the applicant is aware and in agreeance with the new lot size recommended.

Joe Nethery stated that the applicant is aware and in agreeance.

John Stelmachowicz asked if the requirement that all conditions be met in 2 years needs to be added as a condition on the Notice of Decision.

Owen confirmed that this requirement is already clearly outlined in the Notice of Decision.

Joe Pantalone stated that this is a unique circumstance, intended simply to bring the dwelling into compliance with applicable standards. He emphasized that the NVCA is already actively involved in the process and that this step represents the beginning of the compliance process, not its conclusion.

Joe Pantalone motioned to approve the application.

Joan Truax seconded the motion.

The Committee voted to APPROVE the variance with the conditions recommended by Staff.

A1-26
7682 11th Line

**Essalea Farms Ltd.
Minor Variance**

Present (other than Committee & Staff Members):

Daniel Kloosterman, Owner/Applicant

Anmol Burmy provided a brief synopsis, outlining the purpose of the application, all comments received, and the recommendation of Planning Staff: APPROVAL of the application.

John Stelmachowicz invited the applicant to present.

Applicant provided a brief presentation.

John Stelmachowicz asked if there were any comments from the public. No comments were received.

Joe Pantalone asked whether the proposed new driveway has any effect or is related to the current application.

Owen Curnew clarified that the new driveway is not related to the current application, as it would require a separate R.O.E permit during the building permit phase.

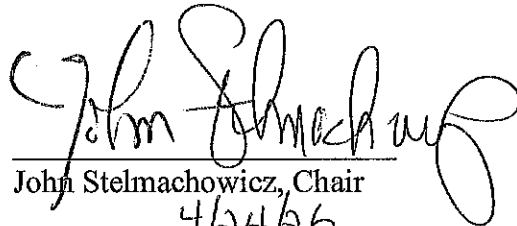
Joe Pantalone motioned to approve the application.

Joan Truax seconded the motion.

OTHER BUSINESS

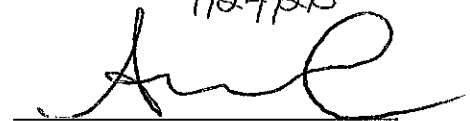
ADJOURNMENT

The Chair, John Stelmachowicz closed the meeting at **10:45** a.m.



John Stelmachowicz, Chair

4/24/26



Anmol Burmy, Secretary-Treasurer

