



THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF ADJUSTMENT

NOTICE OF DECISION

File No. **B1-26** Roll No: 432101000810200

Owner: Tom Smith

Location: 8800 and 8866 Smith Road, Essa

Date of Decision: February 27<sup>th</sup>, 2026

Purpose: The applicant has submitted a Consent application for 8800 and 8866 Smith Road which is located east of 6th Line and north of 30th Sideroad. The severance would formally create two separate parcels of land with the severed lot having an area of 0.31 hectares (0.76 acres) and the retained lot having an area of 13.2 hectares (32.6 acres) in size, the majority of which is being actively farmed. The severed lot would have approximately 205 metres (670 feet) of frontage along Smith Road and a depth of approximately 400 metres (1,300 feet). The retained lot would have approximately 340 metres (1,115 feet) of frontage along Smith Road and a depth of approximately 600 metres (1,970 feet).

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*:

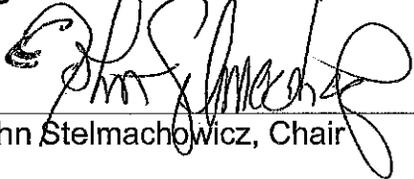
- That a copy of a registered reference plan for the subject land indicating the severed and retained parcels be prepared by an Ontario Land Surveyor and submitted to the Secretary-Treasurer. The plan should be approved by Township Staff prior to depositing it in the Land Registry Office. The new lot 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 the applicant satisfies the comments or conditions from the Nottawasaga Valley Conservation Authority, being that the new lot design avoids hazardous lands hazardous lands adjacent to rivers and streams impacted by flooding hazards and/or erosion hazards.

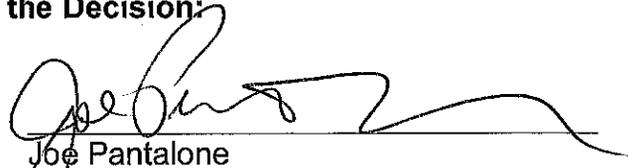
- That Planning Act Sections 50(3) and (5) will continue to apply to the lot to be created (for both parcels).
- That the applicant obtain a zoning by-law amendment to implement the severance and any associated variances from the by-law in accordance with the recommendation of this report.
- That a zoning by-law amendment application be applied for and passed by Council to allow for the rezoning of lands to permit the use, application of applicable zone standards, and satisfactory recognition of Minimum Distance Separation (MDS) requirements.
- That Planning Act Sections 50(3) and (5) will continue to apply to the lot to be created (for both parcels).
- That the Owner shall not undertake any tree removals on the property or severed parcel(s).

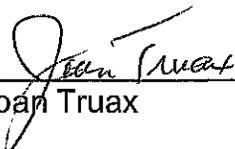
For the following reasons:

- 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

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

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

\_\_\_\_\_  
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**

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.

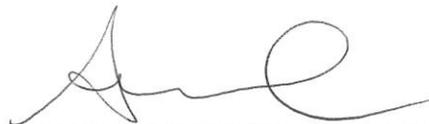
This Notice should be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by a payment of \$400.00 for the first application being appealed. If more than one application is being appealed, the fee for each additional application is \$400.00. Cheques should be made payable 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 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:** February 27<sup>th</sup>, 2026  
**Last date for Appeal to O.L.T.:** March 19<sup>th</sup>, 2026  
**This Notice Dated:** February 27<sup>th</sup>, 2026



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Secretary-Treasurer, Committee of Adjustment