

CORPORATION OF THE TOWNSHIP OF EAR FALLS NOTICE OF DECISION

Application Number: MV-02/2026

Date of Decision: Wednesday, May 7, 2026

Applicant(s):

Infrastructure Ontario
1 Dundas Street West
Suite 2000,
Toronto, Ontario
M5G 1Z3

Property Description:

PCL 5212, Lot 20, Plan M-630, at 70 Birch Drive in the Township of Ear Falls

Assessment Roll # 60-42-000-001-17570-0000

Purpose

The purpose of the application is to permit the construction of an unenclosed accessibility ramp in the front yard. In order to construct the ramp, relief is required from Section 4.28 of the Comprehensive Zoning Bylaw.

Pursuant to Section 45 (1) of the Planning Act, R.S.O, 1990, as amended, notice is hereby given as follows:

DECISION:

THAT in the matter of Application MV-02-2026, for lands located at 70 Birch Drive, on lands legally described as Lot 20, Plan M-630 seeking relief from Zoning By-law 1010-02 for the following:

1. **Relief from** Section 4.28 of the Zoning By-Law to deem an unenclosed accessibility ramp as a structure similar to a deck for the purpose of permissible encroachments into the side and front yard.
2. **Relief from** Section 4.28 of the Zoning By-Law to increase the permissible encroachment into the required front yard of an unenclosed accessory ramp from 2.5 metres (8.2 ft) to 6.3 m (20.7 ft).
3. **Relief from** Section 4.28 of the Zoning By-Law to the permit an encroachment into the required interior yard setback resulting in a minimum setback of 0.15 m (0.4 ft) to accommodate an unenclosed accessibility ramp.

BE IT RESOLVED THAT Committee hereby approves Application MV-02-2026 subject to the following conditions:

1. That the accessibility ramp and stair shall be unenclosed and constructed in substantial compliance with the site plan and building plan (Drawing A1-1 prepared by Form Studio Architects, dated February 2026.)

REASONS FOR APPROVAL:

1. The variance fulfills the four tests of a minor variance as per Section 45 (1) of the Planning Act.

APPEAL:

Section 45 (12) of the Planning Act, R.S.O., 1990 provides in part as follows:
Any specified person or public body may, not later than 20-days after the giving of notice under subsection 45 (10) is completed, appeal the decision or any condition imposed by the Council or the Minister or appeal both the decision and any condition to the Ontario Land Tribunal.

LAST DATE OF APPEAL – JUNE 9th, 2026

A notice of appeal must be filed with the Clerk of the Township of Ear Falls and submitted to the address noted below. A notice of appeal must set out the reasons for the appeal and must be accompanied by the requisite appeal fee payable to the Minister of Finance.

Only specified persons, corporations and public bodies may appeal decisions in respect of application for minor variance to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person shall be added as a party to the hearing of the appeal of the decision of the approval authority, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written decisions to the council, or in the Tribunal's opinion, there are reasonable grounds to add the person or public body as a party

A copy of the appeal form is available on the Tribunal website at www.olt.gov.on.ca

Certified to be a true representation of the Decision with respect to the application identified herein.

Dated at the Township of Ear Falls, this 20th day of May, 2026.

Shannon Jeffries,
Acting Treasurer/Deputy Clerk
Township of Ear Falls
2 Willow Crescent
Ear Falls, ON
POV 1T0