

**CORPORATION OF THE TOWNSHIP OF EAR FALLS
NOTICE OF DECISION**

Application Number: 01-2026

Date of Decision: May 7, 2026

Notice of Decision: May 20, 2026

Applicant(s):

Kenora District Services Board
20 King Street
Dryden, Ontario
P8N 1B3

Property Description:

42/44 Birch Drive, Lot 10, Plan M-630, Roll # 60-42-000-001-17584-0000

Purpose

The purpose of the application is to sever a strip of land from Lot 10, Plan M-630 with an area of approximately 88.4 m², for the purpose of facilitating a lot addition to the abutting Lot 11.

Pursuant to Section 53 (17) of the Planning Act, R.S.O, 1990, as amended, notice is hereby given as follows:

DECISION:

THAT SEVERANCE APPLICATION 01-2024 TO SEVER LOT 10, PLAN M-630 FOR THE PURPOSE OF FACILITATING A LOT ADDITION IS APPROVED SUBJECT TO SUCH STANDARD CONDITIONS AND OTHER APPLICATION SPECIFIC CONDITIONS AS IDENTIFIED HEREIN.

REASONS FOR APPROVAL:

1. The Committee supports the application.
2. No concerns or objections have been raised through the circulation of the application.

3. The application conforms with the Township's Official Plan and is consistent with the Provincial Planning Statement (2024) and Section 51 (24) of the Planning Act.

Effect on the Decision of Council from Public Comments:

No effect, or

Brief explanation of the effect that any written or oral submission had on the decision:

CONDITIONS:

Applicant(s) is hereby advised that in accordance with Section 53 (41) of the Planning Act, R.S.O., 1990, the following conditions must be fulfilled within two (2) years of the date of this notice.

1. The applicant shall provide the Secretary to the Committee with three copies of a draft reference plan prepared by an Ontario Land Surveyor which identifies the severed lands and allows the Township to review and approve the plan prior to registration;
2. The applicant shall provide the Secretary with a plan of survey or a surveyor's written report which confirms the resultant side yards and road frontage of Lots 10 and 11;
3. The Township shall be provided with a .pdf file and a closed polygon vector file of the Part boundaries shown on the Reference Plan in an Autodesk DWG Windows readable format;
4. The owner shall apply for and obtain a deeming by-law for Lots 10 and 11, Plan M-630 to facilitate the merger of the lot additions;
5. The Secretary shall be provided with a draft transfer and legal description for the proposed lot additions together with a solicitor's undertaking that the mergers shall be submitted for registration within 30 days of the issuance of the Secretary's consent certificate;

6. The severed lot and resultant lot shall be rezoned to address zone compliance issues including deficient side yards and lot frontage; and,
7. The landowner shall be responsible for all costs associated fulfilling the conditions of this consent.

The Applicant(s) is further advised that he/she shall provide evidence to the Township of Ear Falls that each condition as stated herein has been satisfied. If these conditions are not fulfilled within two years, the application will lapse and a new application will be required.

APPEAL:

Section 53 (19) of the Planning Act, R.S.O., 1990 provides in part as follows:
Any person or public body may, not later than 20-days after the giving of notice under subsection 53 (17) 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, Clerk, Ear Falls Township, 2 Willow Crescent, Ear Falls, ON POV ITO, A notice of appeal must set out the reasons for the appeal and must be accompanied by the applicable appeal fee payable to the Minister of Finance.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of-the provisional consent.

Only specified persons and public bodies may appeal decisions in respect of application for consent 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 specified person shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the specified 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 Ontario Land 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 Ontario Land 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.

A handwritten signature in black ink, appearing to read 'S. Jeffries', written over a horizontal line.

Shannon Jeffries,
Acting Treasurer/Deputy Clerk
Township of Ear Falls

**The Corporation of the Township of Ear Falls
2 Willow Crescent
Ear Falls, Ontario
POV ITO
Ph. (807)222-3624**

Committee of Adjustment /Council Resolution

AGENDA ITEM
COA1

Motion No. CC-15-20

**TOWNSHIP OF EAR FALLS
COMMITTEE OF ADJUSTMENT**

Meeting Date: May 7, 2026

Moved by: _____

Seconded by: Kevin Walker

THAT in the matter of Application 2026-01, wherein consent is sought to sever land for the purpose of facilitating a lot addition in such a manner as to sever a strip of land from Lot 10, Plan M-630 having an area of approximately 88.4 m² with a road frontage of approximately 2.29 metres and to allow the severed part to be transferred and merged with the abutting Lot 11, Plan M-630

BE IT RESOLVED THAT said application is hereby "APPROVED" subject to the following conditions:

1. The applicant shall provide the Secretary to the Committee with three copies of a draft reference plan prepared by an Ontario Land Surveyor which identifies the severed lands and allows the Township to review and approve the plan prior to registration;
2. The applicant shall provide the Secretary with a plan of survey or a surveyor's written report which confirms the resultant side yards and road frontage of Lots 10 and 11;
3. The Township shall be provided with a .pdf file and a closed polygon vector file of the Part boundaries shown on the Reference Plan in an Autodesk DWG Windows readable format;
4. The owner shall apply for and obtain a deemed by-law for Lots 10 and 11, Plan M-630 to facilitate the merger of the lot additions;
5. The Secretary shall be provided with a draft transfer and legal description for the proposed lot additions together with a solicitor's undertaking that the mergers shall be submitted for registration within 30 days of the issuance of the Secretary's consent certificate;
6. The severed lot and resultant lot shall be rezoned to address zone compliance issues including deficient side yards and lot frontage; and,
7. The landowner shall be responsible for all costs associated fulfilling the conditions of this consent.

Carried

Member ... Mayor Kevin Walker
Member ... Councillor Kim Baird
Member ... Councillor Ross Wicks
Member ... Councillor Dan Smith

Date May 7 2026