

Notice of Planning Act Approval

Take Notice, that on **August 11, 2025**, Council of the Corporation of the Municipality of Chatham-Kent approved Zoning By-law Amendment (File D-14 TI/29/25/C) for property located at 1 Dufferin Street South and 4 Mill Street West, in the Community of Tilbury (Roll Nos. 3650 080 001 67800 & 33200).

Zoning By-law No. 98-2025 was passed by Council to add an Apartment Dwelling as an additional permitted use, and to apply the following regulations to an Apartment Dwelling Use:

- i) Front Yard Depth Minimum (abutting Dufferin Street South) - 0.5 m;
- ii) Exterior Side Yard Depth Minimum - 4.2 m;
- iii) Maximum Building Height - 12 m;
- iv) Exempt from Section 4.32, Sight Visibility Triangles; and,
- v) Exempt from Section 4.17(1)(b), Landscaping, Landscaped Open Space.

Reasons for Approval

The recommendation of Administration was to approve the application for the reasons outlined in the Planning Services Report, dated August 11, 2025. One (1) written submission was received by Council in advance of the public meeting and one (1) oral submission was received by Council prior to their consideration of the application at the public meeting. The submission raised concerns related to privacy, traffic and public safety, stormwater management, lighting and other site design characteristics, and construction impacts.

The submissions received, were, on balance, taken into consideration by Council as part of its deliberations and final decision on the matter. In the opinion of Council, the approval is consistent with the Provincial Planning Statement and conforms to the Chatham-Kent Official Plan.

When and How to File an Appeal

An appeal to the Ontario Land Tribunal (OLT) in respect to all or part of this Zoning By-law Amendment can be made by filing a notice of appeal with the Municipal Clerk via the OLT's e-file service at <https://olt.gov.on.ca/e-file-service/> by selecting Chatham-Kent as the Approval Authority. Please note, first-time users of the OLT's e-file service will need to register for a My Ontario Account. If the OLT's e-file service is not working, please file the appeal with the Municipal Clerk at ckclerk@chatham-kent.ca (or at 315 King Street West, Box 640, Chatham, Ontario, N7M 5K8), no later than 4:30 p.m. on or before the last date of appeal, as noted below. Should this date fall on a holiday or weekend, you will have until 4:30 p.m. of the next business day to file your appeal. The appeal fee of \$1,100 can be paid online through OLT's e-file service or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca.

Last Date of Appeal: September 1, 2025

Who Can File an Appeal

Only the applicant, the Minister, a specified person or any public body may appeal a by-law of the Municipality 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 the group on its behalf.

No specified person or public body shall be added as a party to the hearing of the appeal unless, before the by-law is passed, the specified person or public body made oral submissions at a public meeting or written submission to the Council of the Municipality of Chatham-Kent or, in the opinion of the Tribunal, there are reasonable grounds to add the specified person or public body as a party.



Municipality of Chatham-Kent
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When the Decision is Final

The decision of the Municipality of Chatham-Kent is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Additional Information

Additional information about the application is available for public inspection during regular office hours at the Municipality of Chatham-Kent Planning Services office at the address, phone number and email address noted above.

Dated at the Municipality of Chatham-Kent this 12th day of August, 2025