

## **Notice of Planning Act Approval**

Take Notice, that on **December 15, 2025**, Council of the Corporation of the Municipality of Chatham-Kent approved Zoning By-law Amendment (**File D-14 C/43/25/C**) for property located at 167 Delaware Avenue, in the Community of Chatham (City).

**Zoning By-law No. 151-2025** was passed by Council to rezone the subject lands to a site-specific Residential Low Density Second-1765 (RL2-1765) Zone, to permit a Fourplex Dwelling as an additional permitted use and to apply the following regulations for this use:

- a) Lot Area Minimum – 2,400 sq. m
- b) Lot Frontage Minimum – 22 m
- c) Front Yard Depth Minimum – 7.62 m
- d) Interior Side Yard Width Minimum – 4.75 m and 2.74 m
- e) Rear Yard Depth Minimum – 7.62 m
- f) Lot Coverage Maximum – 33%
- g) Maximum Density per Lot – Two (2) fourplex dwellings
- h) Maximum Building Height – 8.2 m

### **Reasons for Approval**

The recommendation of Administration was to approve the application for the reasons outlined in the Planning Services Report, dated December 15, 2025. There were two (2) written and three (3) oral submissions received from the public regarding this application. The submissions raised the following concerns:

- Density of the proposed development and associated impacts on the surrounding area.
- Increased traffic on Delaware Avenue.
- Servicing and flooding of the subject property.
- Privacy impact on abutting lands.
- Waste collection issues.
- Affordability of the proposed units.

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](http://www.olt.gov.on.ca).

**Last Date of Appeal: January 5, 2026**

### **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.

**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 16<sup>th</sup> day of December, 2025**