

## **Notice of Refusal**

Take notice that Council of the Corporation of the Municipality of Chatham-Kent held a Public Meeting on **December 15, 2025** and **March 23, 2026** to consider Zoning By-law Amendment application **File D-14 C/47/25/R**, concerning property located at 135 Semenyn Avenue, in Lot 31, Plan 555, in the Community of Chatham (City).

On **March 23, 2026**, Council **refused** Zoning By-law Amendment application **File D-14 C/47/25/R**, which proposed to rezone the lands known as 135 Semenyn Avenue, in Lot 31, Plan 555, to site-specific Residential Low Density Second-1764 (RL2-1764) Zone, to:

- i. permit a Multiple Dwelling, with not more than six (6) dwelling units, within an existing building; and,
- ii. permit tandem parking.

### **Reasons for Refusal**

The recommendation of Administration was to approve the application for the reasons outlined in the Planning Services Reports, dated December 15, 2025 and March 23, 2026.

At the December 15, 2025 meeting there were five (5) written submissions and three (3) oral submissions received, all stating objection to the application. At the March 23, 2026 meeting there were five (5) written submissions and three (3) oral submissions received - with all but one, which was a written deputation by the applicant, stating objection to the application.

A summary of the concerns received from deputations from both meetings include:

- The potential for displacement of current tenants resulting from the proposal.
- Concerns that tandem parking would result in operational challenges for accessing vehicles, including in emergency situations.
- The increase in total residential units from four (4) to six (6) introduces more vehicles and traffic to the area, which could contribute to increased congestion on surrounding roadways.
- This type of intensification is incompatible with the existing built characteristics of the area.
- Negatively impact home values in the area if precedent is set.

All submissions received, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter. The decision of Council to refuse this application is based on the following factors:

- The community has a need for 3-bedroom unit rental housing. The removal of existing three-bedroom units is contrary to this need and would further reduce the availability of this housing option.
- The proposed parking configuration raises concerns. The layout may create challenges for vehicle access, circulation, and overall functionality, which may negatively affect residents and the neighbourhood.
- Potential tenant displacement is contrary to Municipal objectives regarding housing stability.

### **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](mailto: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.

Application No. D-14 C/47/25/R  
CityView No. PL202500180  
135 Semenyn Avenue, Community of Chatham (City)

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: April 14, 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 25<sup>th</sup> Day of March 2026.**