

Notice of Decision

Applications: Combined Application (File D-28 HA/28/25/L) for Consent (File B-41/25) and Zoning By-law Amendment (File D-14 HA/34/25/L)

CityView #: PL202500101

Property: Fairview Line
Part of Lot 23, Concession 4, River Thames Survey
Community of Harwich (South Kent)

Roll Number: 3650 140 003 64600

It is hereby certified that the Council of the Municipality of Chatham-Kent at its meeting on September 22, 2025:

Approved

1. Consent application File B-41/25, to sever and convey a portion of land, approximately 0.41 ha (1.01 ac.) in area, shown as Part 1 on the applicant's sketch, in Part of Lot 23, Concession 4, River Thames Survey, in the Community of Harwich, as a lot addition, subject to the following conditions:
 - a) that the Chatham-Kent Zoning By-law be amended to rezone the lot addition lands from Agricultural-1 (A1-1) to Agricultural (A1);
 - b) that the lot addition to be severed, shown as Part 1 on the applicant's sketch, be conveyed to the owner of the abutting parcel (11440 Fairview Line / PIN: 00892-0048) and Section 50(3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent;
 - c) that a one-foot square from the receiving lot (11440 Fairview Line / PIN: 00892-0048) be conveyed to the Municipality free of charge and clear of all encumbrances, and that the transfer confirming ownership of the one-foot square being the Corporation of the Municipality of Chatham-Kent be submitted to the Municipality;
 - d) that the applicant pay \$85 for the registration of the dedication by-law for the one-foot square conveyance pursuant to condition (c);
 - e) that a legible hard copy of the final reference plan be submitted to the Municipality; and,
 - f) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies). It will be necessary to allow up to three (3) working days after all conditions have been fulfilled and documentation filed for the issuance of the Certificate (stamping of deeds).
2. Zoning By-law Amendment application File D-14 HA/34/25/L, and the implementing by-law was adopted.

Council passed By-law No. 116-2025, which noted:

The reasons for the Decision are incorporated in the Planning Services report dated September 22, 2025 which was adopted by Council. There were no written or oral comments received from the public on this application. The last day for appeal of this Decision is **October 13, 2025**.

All conditions relating to the consent must be completed within two years of the date of this Notice of Decision.

Date of Notice of Decision: September 23rd, 2025

When and How to File an Appeal

An appeal to the Ontario Land Tribunal (OLT) in respect of this matter, setting out the objection to the decision and the reasons in support of the objection, must be filed with the Municipal Clerk of the Municipality of Chatham-Kent 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, 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 \$400 can be paid online through OLT's e-file service or by certified cheque/money order to the Minister of Finance, Province of Ontario. For more information on appeal procedure and payment, please visit the OLT website at www.olt.gov.on.ca.

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 the applicant, the Minister, a specified person or any public body may appeal decisions in respect of applications for consent to the Ontario Land Tribunal.

Notice of Planning Act Approval

Take Notice, that on **September 22, 2025**, Council of the Corporation of the Municipality of Chatham-Kent approved Consent Application (File B-41/25) & Zoning By-law Amendment (File D-14 HA/34/25/L) submitted for property located on Fairview Line, in the Community of Harwich (South Kent).

At the meeting, Council approved Consent Application File B-41/25 to sever and convey a portion of land, being approximately 0.41 ha (1.01 ac.) in area, as a lot addition to the abutting parcel at 11440 Fairview Line, in Part of Lot 18, Concession 7, in the Community of Harwich.

Zoning By-law No. 116-2025 was passed by Council to rezone the severed lands from Agricultural-1 (A1-1) to Agricultural (A1) to permit the development of a future single detached dwelling over the lot addition lands and remainder of the receiving parcel.

Reasons for Approval

The reasons for the Decision are incorporated in the Planning Services report dated September 22, 2025 which was adopted by Council. There were no written or oral submissions received with respect to the application prior to the decision of Council.

When and How to File an Appeal

Your appeal, together with the reasons for the appeal and the \$1,100.00 fee as required by the Tribunal, are to be made payable to the Minister of Finance in the form of a certified cheque or money order. An A1 Appeal Form provided by the Tribunal is on its website at <https://olt.gov.on.ca/appeals-process/forms/> and must be filed with the Municipal Clerk 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, 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.

Last Date of Appeal: October 13, 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.

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 23rd Day of September, 2025.