

Notice of Planning Act Approval

Take Notice, that on **December 16, 2024**, Council of the Corporation of the Municipality of Chatham-Kent approved Official Plan Amendment No. 83 for property located at 50 Indian Creek Road West, Community of Chatham (South Kent), being Lot 31 & Block H, Plan 455, known as Roll No. 3650 110 011 11900.

At the meeting, Official Plan Amendment No. 83 was adopted by Council by By-law 160-2024, which designated the lands into a new Site Specific Policy Area B.2.3.20, to establish policies that allow consideration for a future expansion of the Municipality's Transportation Network over a portion of the subject lands:

- B.2.3.20 For the lands identified on Schedule "E" series – Land Use as "Site Specific Policy Area B.2.3.20" in Lot 31 and Block H, Plan 644, located at 50 Indian Creek Road West, the following policies apply, in addition to the other policies of this Plan:
- i) No development is permitted within 25 metres of the westerly property boundary, perpendicular to Indian Creek Road West.
 - ii) The lands subject to this policy shall be reviewed under a new Mobility Master Plan, with consideration given to this location for an extension of the Transportation Network.
 - iii) An implementing Zoning By-law shall establish appropriate zone classifications and performance standards for the lands.

Reasons for Approval

The recommendation of Administration was to approve the amendment noted above for the reasons outlined in the Planning Services Report. There were four (4) deputations received prior to Council's decision. There were concerns raised with respect to a separate application concerning the subject property (Zoning By-law Amendment application) and comment on the implementation of an extension of Lacroix Street across the subject lands.

In the opinion of Council, the approval given 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 Official Plan 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: January 8, 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 19th day of December, 2024