

## **Notice of Planning Act Approval**

Take Notice, that on **June 24, 2024**, Council of the Corporation of the Municipality of Chatham-Kent approved Zoning By-law Amendment (File D-14 ME/20/24/O) submitted by 1128653 Ontario Limited for property located at 115 Erie Street South, in the Community of Merlin.

**Zoning By-law No. 73-2024** was passed by Council to:

- a) rezone the frontage along Erie Street South, to a depth of approximately 45.7 m (150 ft.), to a site-specific Holding-Residential Low Density First-1722 (H-RL1-1722) zone, to permit low density residential uses, once conditions related to the requirements under the Environmental Protection Act, regarding a change to a more sensitive land use, have been met; and,
- b) rezone the balance of the subject lands to a site-specific General Industrial-1723 (M1-1723) zone, to limit permitted uses to the following:
  - a. Contractor's Yard
  - b. Open Storage, limited to the storage of portable buildings
  - c. Industrial Use, limited to the manufacturing of component parts and assembly of portable buildings;

for which the following regulations apply:

- i) Front Yard Depth Minimum – 75 m; measured from the front lot line along Erie Street South; and
- ii) The open storage of portable buildings is exempt from Section 4.25.2 Open Storage, Surface Treatment.

### **Reasons for Approval**

The recommendation of Administration was to approve the application for the reasons outlined in the Planning Services Report, dated June 24, 2024. There were three (3) submissions received from the public expressing opposition to this application. In summary, the submissions raised concerns related to increased traffic and noise, public safety and by-law enforcement. One (1) submission was made in support of the application. These concerns were taken into consideration by Council in their deliberation on the matter, and in the opinion of Council, the approval is consistent with the Provincial Policy Statement and conforms to the Chatham-Kent Official Plan.

### **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: July 16, 2024**

### **Who Can File an Appeal**

Only a specified person, a public body, or the Minister may appeal a by-law of the Municipality to the Ontario Land Tribunal.

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 them 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 26th day of June, 2024.**