

**AMENDMENT No. 75 TO THE  
OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT**

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. -2023

A BY-LAW TO ADOPT AMENDMENT NO. 75 TO THE OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT

(Municipality of Chatham-Kent)

The Council of the Corporation of the Municipality of Chatham-Kent, in accordance with the provisions of Section 21 of the Planning Act, hereby enacts as follows:

1. Amendment No. 75 to the Official Plan for the Community of Chatham-Kent consisting of the explanatory text, is hereby approved.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

Read a First, Second and Third Time and Finally Passed This 24th day of April, 2023.

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Mayor – Darrin Canniff

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Clerk – Judy Smith

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STATEMENT OF COMPONENTS

PART “A” - PREAMBLE does not constitute part of this amendment.

PART “B” - THE AMENDMENT consisting of the following text constitutes an amendment to the Official Plan for the Municipality of Chatham-Kent, namely Amendment No. 75 to the Official Plan for the Municipality of Chatham-Kent.

PART “C” - APPENDICES does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

PART “A” - PREAMBLE

1. Purpose

The Official Plan Amendment is to conform to Provincial legislation and change certain regulations to encourage all types of housing. The amendments will bring Chatham-Kent’s Official Plan into conformity with certain amendments made to the Planning Act by the More Homes Built Faster Act, 2022. It will also fulfil a number of recommendations to facilitate the construction of all types of housing, including affordable housing, by enabling the gentle densification of existing neighbourhoods and developments and encouraging construction of accessory dwellings commonly referred to as ‘basement suites’, ‘secondary suites’ or ‘garden suites’.

2. Location

The text changes made through Amendment 75 apply to all land within the municipal boundaries of the Municipality of Chatham-Kent.

3. Basis

Through the Ontario 2022-2023 Housing Supply Action Plan, the Government of Ontario set a goal of building 1.5 million new homes between 2021-2031. In support of this Plan, the Government of Ontario enacted the More Homes Built Faster Act, 2022. To conform with certain amendments to the Planning Act made through of Schedule 9 of the More Homes Built Faster Act, 2022, this amendment to the Official Plan will update and enhance Chatham-Kent’s policies for additional residential units.

PART “B” - THE AMENDMENT

All of this part of the document, entitled “Part B - The Amendment”, consisting of the following text constitute Amendment No. 75 to the Chatham-Kent Official Plan.

Item 1:

**1.1** Deleting Section 2.3.4.2.4(a) in its entirety and replacing it with the following:

- a) Small-scale intensification by modifying an existing dwelling to include additional residential units;

**1.2** Adding the following provision in Section 2.3.4.2.5 after provision (f):

- g) Proposals shall comply with the Zoning By-law, or the By-law must be amended or a minor variance granted.

**1.3** Deleting Section 2.3.4.2.18 in its entirety and replacing it with the following:

2.3.4.2.18 Additional residential units are defined as a separate and complete dwelling units that are contained within the structure of a single detached dwelling, semi-detached dwelling, or townhouse dwelling; or as a separate and complete dwelling unit contained within a building or structure ancillary to a single detached dwelling, semi-detached dwelling or townhouse dwelling. Where permitted by the policies of this Plan, the following applies to the development of additional residential units:

- (a) In the Residential Area designation and Secondary Urban Centres the following is permitted: Up to three residential units in a single detached dwelling, semi-detached dwelling or townhouse dwelling, if no building or structure ancillary to the aforementioned dwelling types contains any residential units; or, up to two residential units in a single detached dwelling, semi-detached dwelling or townhouse dwelling and a maximum of one residential unit in a building or structure ancillary to the aforementioned dwelling types; subject to the following conditions:

- i) Additional residential units will be permitted where municipal water and sanitary sewer services are available;
- ii) The Zoning By-law shall establish the zones within which additional residential units may be permitted and shall include provisions to regulate those uses;
- iii) The additional dwelling units can be appropriately serviced in accordance with the policies of this Plan;

- iv) The additional residential units are incidental to the main permitted residential use and shall not change the general characteristics of the main residential structure; and,
  - v) The additional residential units will comply with the Ontario Building Code, the Fire Code and all other relevant municipal and provincial standards.
- (b) In the Suburban Residential designation, Hamlets, Rural Settlement Areas, and Recreational Residential designation the following is permitted: Up to two residential units in a single detached dwelling, semi-detached dwelling or townhouse dwelling, if no building or structure ancillary to the aforementioned dwelling types contains any residential units; or, where a single detached dwelling, semi-detached dwelling or townhouse dwelling contain no more than one residential unit, one residential unit in a building or structure ancillary to the aforementioned dwelling types; subject to the following conditions:
- i) Additional residential units will be permitted where municipal water is available;
  - ii) The Zoning By-law shall establish the zones within which additional residential units may be permitted and shall include provisions to regulate those uses;
  - iii) The additional residential units can be appropriately serviced in accordance with the policies of this Plan;
  - iv) The additional residential units are incidental to the main permitted residential use and shall not change the general characteristics of the main residential structure; and,
  - v) The additional residential units will comply with the Ontario Building Code, the Fire Code and all other relevant municipal and provincial standards.
- (c) in the Agricultural Area designation up to two residential units in a single detached dwelling, subject to the following conditions:
- i) An additional residential unit can be appropriately serviced in accordance with the policies of this Plan;
  - ii) Additional residential units are not permitted in buildings or structures ancillary to the main dwelling;
  - iii) Where a dwelling contains two residential units, other special housing forms including a garden suite or mobile home are

permitted on the lot, where permitted by the Zoning By-law;

- iv) The Zoning By-law shall establish the zones within which additional residential units may be permitted and shall include provisions to regulate those uses;
- v) An additional residential unit is incidental to the main permitted residential use and shall not change the general characteristics of the main residential structure; and,
- vi) An additional residential unit will comply with the Ontario Building Code, the Fire Code and all other relevant municipal and provincial standards.

**1.4** Deleting Section B.2.3.10 in its entirety and replacing it with the following:

B.2.3.10 Residential intensification, including additional residential units, shall be permitted in low-density residential areas in accordance with the policies of Sections 2.3.4.2.4, 2.3.4.2.5 and 2.3.4.2.18.

**PART “C” - APPENDICES**

The following appendices do not constitute part of Amendment No. 75 to the Chatham-Kent Official Plan but are included for information supporting the amendment.

**APPENDIX 1** – March 20, 2023, Planning Report (attached).