

File No.: 30-OP-251168
Municipality: City of Kitchener
Subject Lands: 485 Huron Road, City of Kitchener

Date of Decision: October 27, 2025
Date of Notice: October 28, 2025
Last Date to Appeal: November 17, 2025

NOTICE OF DECISION

With respect to an Official Plan Amendment
Subsection 17(34) and 22 of the *Planning Act*

A decision was made on the date noted above to approve the City of Kitchener Official Plan Amendment 42, as adopted by By-law 2024-019.

Purpose and Effect of the Official Plan Amendment

The purpose of Official Plan Amendment 42 (OPA 42) initiated by Activa Holdings Incorporated is to amend Policy 15.D.12.41 c) in the Official Plan to permit a warehouse use on the property. The subject lands are municipally known as 485 Huron Road.

A copy of the decision is attached.

When and How to File an Appeal

Any appeal to the Ontario Land Tribunal must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of Pooneh Derakhshan, at the address shown below and it must,

- 1) set out the specific part of the proposed official plan amendment to which the appeal applies;
- 2) set out the reasons for the request for the appeal; and
- 3) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act*, 2021 in the amount of:
 - \$400.00 for a private citizen, a registered charity or a non-profit ratepayers association; or,
 - \$1,100.00 for a corporation,

payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only a specified person, public body (both of whom are required to have made oral submissions at a public meeting or written submissions to the council), the registered owner of the lands to which the official plan amendment applies, and the person who made the request for the official plan amendment, may appeal the decision of the Minister of Municipal Affairs and Housing to the Ontario Land Tribunal.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council, or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

When Decision is Final

The decision of the Minister of Municipal Affairs and Housing regarding Official Plan Amendment 42 is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Other Related Applications

None.

Getting Additional Information

Additional information is available by contacting the Ministry of Municipal Affairs and Housing:

Ministry of Municipal Affairs and Housing
Municipal Services Office – West
659 Exeter Road, 2nd Floor
London ON, N6E 1L3

Submit notice of appeal to the attention of Pooneh Derakhshan, Senior Planner. Inquiries can be directed to the same.

Email: pooneh.derakhshan@ontario.ca

Phone: (226) 926-3767

Appeal Rights under the Environmental Bill of Rights

The Environmental Bill of Rights, 1993 provides a separate ability to seek leave to appeal decisions on official plan amendment applications that are posted to the Environmental Registry of Ontario (ERO). This appeal must be commenced within 15 days of the notice of decision being posted on the ERO. For more information about this appeal method, refer to the Environmental Bill of Rights, 1993, or <https://www.ontario.ca/page/environmental-bill-rights>.

The notice for this application is available to view on the ERO at <https://ero.ontario.ca/index.php/notice/025-0256>