



Subject: Municipal Right-of-Way By-Law - Follow-Up

Report Number: OPD 25-063

Department: Operations and Development Department

Submitted by: Geno Vanhaelewyn, Chief Building Official

Meeting Type: Council Meeting

Meeting Date: Monday, December 8, 2025

RECOMMENDATION

- A. THAT report OPD 25-063 titled “Municipal Right-of-Way By-Law - Follow-Up” be received as information; and
- B. THAT a by-law to regulate the use of the municipal right-of-way in the Town of Tillsonburg be presented to Council for consideration.

BACKGROUND

At the October 14, 2025, Town Council meeting, staff presented an overview of Report OPD 25-049 regarding the introduction of a Municipal Right-of-Way By-law and responded to questions from Council. During the discussion, Council members expressed concerns about the definition and restrictions related to “leisure equipment” and requested clarification on several items, including snow accumulation placement, responsibility for property restitution, regulations on mud tracking, requirements for draining chlorinated pool water, and encroachment permit requirements.

As a result, the following resolution was passed:

Resolution # 2025-372

Moved By: Councillor Parker

Seconded By: Deputy Mayor Beres

THAT report OPD 25-049 titled "Municipal Right-of-Way By-Law" be referred back to staff for concerns raised by Council to be addressed in an update.

DISCUSSION

Following Council’s direction on October 14, 2025, staff reviewed the draft Municipal Right-of-Way By-Law to address the specific concerns raised during deliberations. The intent of the by-law remains to provide a clear, consistent regulatory framework governing the use of municipal right-of-way areas, while ensuring public safety,

protecting municipal assets, and establishing fair and transparent expectations for residents, contractors, and utility providers.

In response to Council's comments, the following revisions and clarifications have been made:

- 1. Section 3(s):** Revised from *“Discharge water directly onto a Municipal Right-of-Way”* to *“Discharge water from a downspout or sump pump directly onto a Municipal Right-of-Way.”*
Reasoning: This change narrows the scope to specifically address downspouts and sump pumps, removing other potential sources of discharge.
- 2. Section 3(t):** Added new clause – *“Discharge pool water directly onto a Roadway or Sidewalk.”*
Reasoning: Staff remain concerned about pool water being discharged directly onto sidewalks and roadways. The term “directly” clarifies that indirect discharge (e.g., onto a lawn before reaching the roadway) is permissible and will reduce sidewalk obstructions caused by hoses.
- 3. Section 3(II):** Revised from *“Fail to remove snow & ice from Sidewalk adjacent to any property zoned Central Commercial (CC)”* to *“Deposit snow or ice onto Roadway or Sidewalk.”*
Reasoning: After additional internal consultation, a restriction is not required for the downtown core. A general provision is recommended to prohibit the deposit of snow onto roadways or sidewalks, as this practice can create hazards for both pedestrians and motorists.
- 4. Sections 3(nn) & (oo):** Removed, along with the definition of *“Leisure Equipment.”*
Reasoning: Removed as recommended.
- 5. Section 3(pp):** Added new clause – *“Operate a Vehicle on a Sidewalk.”*
Reasoning: Updated following the removal of the “Leisure Equipment” definition. The definition of “Vehicle” excludes scooters, skateboards, bicycles, etc.
- 6. Definition for “Downtown Core”:** Removed.
Reasoning: No longer required due to the removal of Sections 3(nn), 3(oo), and the “Leisure Equipment” definition.
- 7. Definition of “Vehicle”** – Updated by removing reference to bicycle and muscular power.
Reasoning: Clarity and to prevent conflict/confusion.
- 8. Section 4 – Exemptions:** Removed clauses (e) and (f), which referenced children under 16 using leisure equipment and washing vehicles or leisure equipment.

Reasoning: These exemptions are no longer applicable following the above revisions.

9. Schedule B – Set Fines: Removed

Reasoning: Set fines are not required to appear within the by-law itself and are approved through a separate process.

Staff are satisfied that the revised draft by-law addresses the concerns previously raised by Council and is suitable for Council’s consideration.

CONSULTATION

Staff consulted with Public Works to review the proposed revisions, particularly those related to snow placement, drainage, and operational considerations. The feedback and recommendations gathered through these consultations informed the updates reflected in this report and the revised draft by-law presented for consideration.

FINANCIAL IMPACT/FUNDING SOURCE

There is no immediate financial impact associated with passing the by-law. Future revenue may be generated as a result of:

- ROW permit application fees
- Enforcement fines for non-compliance

The costs associated with administering and enforcing the by-law will be absorbed within the existing capacity of By-Law operations. It is anticipated that the implementation of this new by-law will expedite investigations and facilitate more timely voluntary compliance.

CORPORATE GOALS

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

OPD 25-063

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

Goal – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

Strategic Direction – N/A

Priority Project – N/A

ATTACHMENTS

Appendix A - Draft Municipal Right-of-Way By-Law