

To: Mayor and Members of Town of Tillsonburg Council

From: Amy Hartley, Development Planner, Community Planning

Amendment to Site Plan Control By-law 4151 and Site Plan Control Guidelines

REPORT HIGHLIGHTS

- The purpose of this report is to advise Council of a proposal to revise the Town's Site Plan Control By-law, and associated guidelines.
- A draft copy of the revised By-law and guidelines are attached for Council's consideration.

DISCUSSION

BACKGROUND/PROPOSAL:

The Town of Tillsonburg Site Plan Control (SPC) By-law 4151 and associated guidelines were passed November 17, 2017, replacing the former site plan control by-law approved in 2011.

The site plan approval process, as regulated by Section 41 of the Planning Act, provides the municipality with the ability to regulate site-specific concerns regarding development, such as building location, access, servicing, grading, drainage, waste storage facilities, lighting, landscaping and road widenings.

A SPC By-law, and associated guidelines, further assists the municipality to ensure development follows approved municipal standards with respect to grading, servicing, storm water management, access, snow removal and other elements of design that can affect surrounding properties and overall function of the Town. The Official Plan contains policies and objectives that specifically apply to the use of Site Plan Control within the local municipalities.

Since 2017, there have been many legislative changes to the Planning Act respecting SPC. Staff have reviewed the changes and incorporated them into the draft By-law and guidelines. Additionally, over time, staff continually review the SPC process to identify gaps or ways in which the process can be improved for applicant's and staff.

The following provides an overview of the legislative changes and internal changes proposed to the SPC By-law and guidelines.

Legislative Changes

There have been multiple amendments to the Planning Act since the passing of the current site plan by-law.

Forms of Developments

Bill 23 amended Section 41(1.2) of the Planning Act to no longer require SPC for development of residential buildings containing 10 units or less. Additionally, Bill 23 removed exterior design of a development (except for the exterior access of a building containing affordable units) from being subject to SPC, and the placing of portables on any school property is exempt from SPC.

Delegated Authority

In Bill 109, Section 41(4.0.1) was added which required a municipality that has a Site Plan Control By-law, to delegate an officer, employee, or agent of the municipality as the authorized person to approve site plan applications. Council has previously delegated their authority for approval of site plan applications to the Town Clerk and the County Development Planner.

Within the current by-law provisions Council had the ability to oversee and request to make decisions on certain site plan applications or hold a public meeting to review a site plan application. The amended wording of the Planning Act requires Council to delegate this authority to staff and does not provide the opportunity for a public meeting and Council to review applications. The updated by-law proposes that the delegated authority be amended to further include the Town of Tillsonburg Director of Operations, or their designate, as an appointed officer for approval of site plan applications.

Pre-consultation

Legislative changes introduced through Bill 185 permit applicants to consult with the municipality before submitting plans and drawings for approval. While pre-consultation is no longer mandatory, staff strongly suggest conducting a pre-consultation meeting with applicants prior to submission in order to identify high level issues and reduce the number of required submissions and resulting delays and additional costs.

Through the update to the Guidelines, the pre-consultation process has been refined in Section 2.1 to clarify what pre-consultation is, the benefits, and the outcomes of the pre-consultation meeting. The Town holds regular pre-consultation meetings every two weeks where staff have the ability to review and provide comments on preliminary designs and proposals.

Internal Updates

Development Coordinating Committee

A Development Coordinating Committee has been established to function as a decision authority for minor additions or alterations to existing buildings and site plan approvals. The Committee can meet and review a request by an applicant as to whether a proposal requires site plan approval, is a major or minor approval, or if it is exempt or can be red-lined from a previous approval.

The proposed Development Coordinating Committee would consist of the following members:

- County Development Planner, responsible for providing planning services to the Town
- Town Director of Operations and Development
- Town Chief Building Official
- Town Manager of Engineering
- Development Engineering Technologist

The Committee can also meet to discuss disputes or discrepancies identified by the applicant when needed.

Minor/Major and Exempt from Site Plan

As noted, the Committee can review proposals and decide whether a proposal is a major site plan approval, minor approval, amendment, or exempt from SPC.

The difference between a minor and major site plan approval application have been outlined in Sections 2.3 and 2.4 of the Guidelines and the criteria for both applications. Different approximate circulation periods have also been outlined in the guidelines to assist with expected timeframes.

Securities

Performance securities are collected as part of a site plan application to ensure that certain works are installed and maintained as agreed upon by the Town and the applicant. Previously securities were not required for development less than \$5,000, this amount has been increased to \$10,000 to reflect updated costs of development.

Additionally, it is being proposed that the Town will hold a minimum of \$10,000 security until all deficiencies from an inspection have been addressed. This will allow the Town to hold funds in case the deficiencies are not addressed, and the Town is required to undertake the work to remedy the issues.

Minor Amendments

A number of minor text amendments are also proposed to ensure the existing SPC By-law, and associated guidelines, are brought up to date with current standards and regulations.

AGENCY COMMENTS

The proposed draft By-law and Guidelines were circulated to staff and related agencies for comment. Comments received have been incorporated into the drafts attached to this report.

PUBLIC CONSULTATION

As part of the update to the draft By-law and Guidelines, and in keeping with the Strategic Plan Goal of 'enhanced public engagement in planning policies and placemaking', County Planning staff and Town Building and Engineering staff undertook the following public engagement measures during the Site Plan By-law and Guidelines update:

- The proposed amendments and open house invitation was presented at the Tillsonburg Builders Forum on February 26, 2026;
- A newspaper notice was included in the February 24, 2026, issue of the Norfolk & Tillsonburg News;
- A website notice was posted on the Town of Tillsonburg website advertising the Open House event;
- Staff attended the March 10, 2026, Economic Development Advisory Committee (EDAC) meeting to present the proposed amendments;

- An Open House event was held on March 11, 2026, open to the public and email invitations sent out to the Town's development contacts list.

Comments were received during the EDAC meeting and the Open House event and have been incorporated into the drafts attached to this report.

Conclusion

A draft copy of the amended Site Plan Control By-law and Guidelines are attached for Council's consideration.

RECOMMENDATIONS

That the Council of the Town of Tillsonburg approve the proposed updates to the Site Plan Control By-Law and associated schedules and appendices;

That Council of the Town of Tillsonburg repeal existing Site Plan Control By-law No. 4151; and

That By-law 2026-029 being a by-law to approve a Site Plan Control By-law, be referred to the By-law section of the agenda.

SIGNATURES

Authored by: *original signed by* Amy Hartley
Development Planner

Approved for Submission: *original signed by* Eric Gilbert, MCIP, RPP
Manager of Development Planning