**THE CORPORATION OF THE CITY OF ST. THOMAS**
**BY-LAW NO. 10 -2026**

A By-law to provide for the operation and rules of procedure of the Site Plan Control Committee.

**WHEREAS** the Council of the Corporation of the City of St. Thomas, pursuant to Section 41 the Planning Act, designated an area or areas of the municipality as areas of Site Plan Control;

**AND WHEREAS** the Council of the Corporation of the City of St. Thomas pursuant to the provisions of The Planning Act, Section 41, delegated its authority for the approval of development within a Site Plan Control Area to an Authorized Person as identified in the Site Plan Control By-law;

**AND WHEREAS** the Council of the Corporation of the City of St. Thomas, through the Site Plan Control By-law, appointed a Site Plan Control Committee to provide technical review and comments/recommendations to the Authorized Person;

**AND WHEREAS** it is expedient for the Council to provide direction for the Operation and the Rules of Procedure for the Site Plan Control Committee for the purpose hereinafter set forth;

**NOW THEREFORE** the Council of the Corporation of the City of St. Thomas enacts as follows:

1. The Site Plan Control Committee (hereinafter the Committee), as delegated under the Site Plan Control By-law, shall operate in accordance with the following rules of procedure.

2. Three members of the Committee shall constitute a quorum.

3. A vacancy in the membership of the Committee, or the absence or inability of a member to act, does not impair the powers of the Committee or the remaining members.

4. The Committee shall appoint a member of the Committee to Chair each Site Plan Control meeting. Each member of the Committee shall take a turn as chair.

5. Administrative services shall be provided through the Planning and Building Services Department.

6. The person holding the title of Planning Programs Coordinator within the Planning and Building Services Department shall be appointed as the administrative assistant to the Committee, attend all meetings and shall be responsible for:

   a) the scheduling of consultation and site plan control meetings;

   b) the processing of site plan applications; and

   c) the keeping and maintaining of all files, minutes and records of all applications and the recommendations, resolutions and reports of the committee to Council and of all other official business of the Committee and Section 254 of The Municipal Act applies to such documents, with necessary modifications.

7. The Committee shall give notice of the time and place of the Site Plan Control meeting, not less than 10 days prior to the date of the meeting, in the following manner:

   a) by personal service, regular or registered mail, or by email to each applicant at the address shown on the application;

   b) by personal service or email to each member of the Committee and to such other persons as the Committee may from time to time direct, together with a copy of each application and all plans, drawings, correspondence and other supporting documentation submitted therewith;

   c) by regular mail to abutting land owners;

   d) posting of the notice, application, drawings and any supporting documentation on the City's website;

   e) posting of the notice on Facebook with a link to the information posted on the City's website;

   f) posting on the Council agenda.

8. Every application for approval of a site plan submitted under Section 41 of The Planning Act shall include:

   a) a completed application form (one digital copy) together with all plans and drawings prepared in accordance with the requirements of Section 41 of the Planning Act and the City of St. Thomas Site Plan Control By-law;

   b) plans and drawings drawn to scale using metric measurements and in digital form (scaled PDF);

   c) the application signed by the owner of the lands which are the subject thereof, or by his agent or solicitor;

   d) a written authorization signed by the owner, where the application is signed by an agent or solicitor, authorizing the agent or solicitor to sign the application on behalf of the owner;

   e) where an applicant is a corporation, the application is to be signed by an officer of the corporation and be affixed with the Corporate seal thereof.

9. Applicants are encouraged to consult with the City in accordance with the City of St, Thomas By-Law No. 30-2015 to ensure completeness of applications.

10. The Committee shall establish a schedule of regular meetings at such time and with such frequency as may be required for the consideration of applications. The Committee may hold such special meetings as may be required for the purposes stated above, and for any other purpose determined by the Committee.

11. No recommendation of the Committee on an application is valid unless a majority of the members of the Committee that reviewed the application concur.

12. Fees for the review and approval of a Site Plan application are set out in the Planning and Building Services Fee By-law.

13. Additional fees may be collected by the City as reimbursement for the City's costs for additional professional assistance, legal, or otherwise incurred during the review of the Site Plan application. Owners and/or Applicants will provide acknowledgment of this reimbursement through a declaration on the application form, which has been provided by the Municipality.

14. Applications for amendments to approved site plan applications shall be made by letter explaining the proposed change, and shall be accompanied by the required fee and such plans as are required to illustrate the proposed change, but any application that changes the development concept as opposed to detail, shall, at the discretion of the Committee, be considered a new application.

15. Site Plan Approval shall expire one (1) year from the date of the issuance of conditional approval unless, prior to the expiration of one (1) year, where an agreement is a condition of approval, the owner has entered into the agreement, paid all fees and provided financial security or where the City's Chief Building Official has issued a building permit for the development described in the Site Plan Approval.

16. The Authorized Person may, upon the receipt of a written request from an owner who has received a conditional site plan approval, grant one (1) extension of a Site Plan Approval for a period of up to one (1) year, provided such request for an extension is received two (2) months prior to the expiry of the original approval.

17. Where an agreement is required as a condition of approval, and said agreement requires the submission of financial securities to ensure the satisfactory completion/maintenance of the works required by the agreement and approved plans and drawings isted therein, the amount of the financial security shall be calculated as follows:

    a) 100% of the estimated cost of site improvements (grading, site servicing, off site services, stormwater management, paving and landscaping; includes all hard and soft landscaping, walkways, retaining walls, and fencing), exclusive of buildings or structures.

18. This By-law shall come into force and take effect upon the final passing thereof.

19. That By-Law No. 100-2022, be and the same is hereby repealed.

Read a first and second time this 2nd day of February, 2026

Read a third time and finally passed this 2nd day of February, 2026

Maria Konefal, City Clerk

Joe Preston, Mayor