

To: Mayor and Members of Tillsonburg Council

From: Amy Hartley, Development Planner, Community Planning

Applications for Official Plan Amendment and Zone Change OP 26-14-7 & ZN 7-26-12 – Kermar Holdings Inc.

REPORT HIGHLIGHTS

- The applications for Official Plan amendment and Zone change propose to modify the special policy area applying to the lands and the current 'Special Service Commercial Zone (SC-29)' to permit a retail store accessory to a permitted use as an additional use on the property. The retail store is proposed to be accessory to a café and an indoor recreation establishment for children.
- The 'retail' is proposed to be approximately 250.8 m² (2,700 ft²) and located within an existing multiple unit plaza (Northgate Plaza), which is located at 671 Broadway.
- Planning staff are recommending that the application be supported, as it is generally consistent with the policies of the Provincial Planning Statement and maintains the intent and purpose of the Official Plan with respect to development within Service Commercial Areas.

DISCUSSION

Background

APPLICANT/OWNER:

Kermar Holdings Inc.
8104 Evans Road, Chilliwack, BC V2R 5R8

AGENT:

CJDL Engineering (c/o Stephen Cornwell)
261 Broadway, Tillsonburg, ON N4G 4J1

LOCATION:

The subject lands are described as Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579 in the Town of Tillsonburg. The lands front the west side of Broadway, between North Street West and the municipal boundary with the Township of South-West Oxford and are known municipally as 671 Broadway.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "T-1"

Tillsonburg Land Use Plan

Service Commercial with
Special Policy permitting
medical offices and dollar store

TOWN OF TILLSONBURG ZONING BY-LAW NO. 3295:

Existing Zoning: Special Service Commercial Zone (SC-29)

Requested Zoning: Amended Special Service Commercial Zone (SC-29)

PROPOSAL:

The purpose of the Applications for Official Plan Amendment and Zone Change are to permit a children's clothing and accessory retail store accessory to a permitted use as an additional use on the subject lands.

The subject property is approximately 1.68 ha (4.15 ac) in area. The applicant is proposing to include a 250.8 m² (2,700 ft²) retail component accessory to a permitted use within a multiple unit plaza (Northgate Plaza) which currently has a variety of commercial uses including a drug store, 2 restaurants and a grocery store. The total size of the commercial unit is approximately 501.6 m² (5,400 ft²) in size. The proposed permitted use within the unit is a café and indoor amusement area for children.

In support of the applications, a Commercial Market Review was completed by urban Metrics. This report concluded that a children's retail store within the subject commercial unit would be beneficial to the community with minimal risk to the health of the Central Area of Tillsonburg.

Surrounding land uses include Service Commercial to the north, east and south, 'Future Development' to the northeast, 'Open Space' to the southwest and Residential to the west.

Plate 1 – Location Map and Existing Zoning illustrates the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2 – 2025 Aerial Map, provides an aerial view of the subject lands.

Plate 3 – Applicant's Sketch, provides the dimensions of the subject lands and highlights the location of the existing plaza building.

Application Review

2024 PROVINCIAL PLANNING STATEMENT (PPS):

The 2024 Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the *Planning Act*, where a municipality is exercising its authority affecting a planning matter, such decisions, "shall be consistent with" all policy statements issued under the Act. The following outlines the key PPS policies that have been considered but is not intended to be an exhaustive list.

Section 2.1, Planning for People and Homes, directs that planning authorities should support complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Section 2.3.1, General Policies for Settlement Areas, establishes that settlement areas shall be the focus of growth and development and that land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources and optimise existing and planned infrastructure and public service facilities. This section also directs planning authorities to support general intensification and redevelopment to achieve complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.8.1 Supporting a Modern Economy, outlines that Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs. It also encourages intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.

OFFICIAL PLAN

The subject lands are designated 'Service Commercial', with a special policy area to permit a medical centre, and dollar store according to the Land Use Plan for the Town of Tillsonburg.

Section 8.3.3 establishes that areas designated Service Commercial are intended for a broad range of commercial uses that, for the most part, are not suited to locations within the Central Area because of requirements for site area, access, or exposure, or, due to compatibility conflicts with residential development.

In 2023, County Council adopted Amendment Number 309 which included a site-specific policy for the subject property to allow a medical centre as a permitted use in addition to other uses currently permitted within the broader Service Commercial land use designation. A further amendment was adopted in 2025 which amended the site-specific policy to permit a dollar store as a permitted use.

New uses permitted within the Service Commercial designation include: hotels, motels, hotel/conference facility, automotive sales and services, furniture warehouses, farm implement sales, personal services, convenience commercial uses, video rental establishments, automobile service stations, gas bars, car wash facilities, retail sales of automobile supplies, automated teller machines or kiosks, tourism information outlets or kiosks, recreation and entertainment uses, restaurants and fast food outlets, retail food stores, uses which require large areas for on-site storage of goods or vehicles and other types of commercial uses that offer service to the travelling public, business and industry.

The scale of uses within a Service Commercial designation generally range from 325 m² (3,500 ft²) to 4,645 m² (50,000 ft²). Uses of less than 325 m² (3,500 ft²) are encouraged to locate in the Central Area, consistent with the vision for the Central Area as articulated in the Official Plan.

Section 8.3.2 in the Official Plan states the vision for the Central Area and the strategic approach for how to manage growth of the Central Area in accordance with the desired vision. The Central Area Vision, in Section 8.3.2.1 of the Official Plan, intends that the Central Area of the Town of Tillsonburg to remain as the most functionally diverse area of the Town, and that it will serve as the primary business, cultural, and administrative centre. The Central Area will be a multi-functional core with complementary sub-areas which will increase the functional diversity of uses and activities in the core, which in turn, will increase the number of people living and working in the Central Area over the long term. It is intended that the retail function of the Central Area is to be promoted by continuing to permit a full range of uses in the commercial core, operationalized through the Zoning By-Law, thereby limiting the type, size, and scale of retail uses which are permitted outside the commercial core.

Section 8.3.2.2.1 establishes that the Central Area will be the priority location for shopping area facilities and other uses that serve the primary trade area. New commercial development should, where feasible, be in the Central Area to complement the existing commercial structure of the Central Area.

In accordance with Section 8.3.3.1, new or expanding retail developments outside of the Central Area requiring a planning approval will be subject to planning and market impact studies which show to the satisfaction of the County and the Town of Tillsonburg, that the type and size of proposed facilities are warranted, that no suitable Central Area locations are available for such facilities, and that the planned function of Tillsonburg's Central Area will not be significantly prejudiced or impacted.

TOWN OF TILLSONBURG ZONING BY-LAW

The subject property is currently zoned 'Special Service Commercial Zone (SC-29)', according to the Town of Tillsonburg Zoning By-law. The 'SC-29' zone permits a range of service commercial uses and a medical centre, a day care, a pharmacy and a dollar store. This application proposes to amend the existing provisions to include a retail store accessory to a permitted use.

AGENCY COMMENTS

Town of Tillsonburg Engineering Services, Tillsonburg Fire, Tillsonburg Hydro, and Tillsonburg Chief Building Official indicated no comments or concerns.

PUBLIC CONSULTATION

Notice of the Application was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act on August 24, 2026 and September 14, 2026, respectively. At the time of writing this report, no comments had been received.

Planning Analysis

The application for Official Plan Amendment and Zone Change proposes to permit a children's clothing and accessory retail store being accessory to a permitted use as an additional permitted uses on the subject property on a site-specific basis.

Through Amendments 309 and 343, County Council approved the addition of 'medical centre' and 'dollar store' to the Service Commercial designation that applies to the subject property, and through an amending By-law, Town of Tillsonburg Council approved a medical centre, a day care, a dollar store and a pharmacy as an additional permitted use to the subject property's 'SC' zone.

The policy direction in the Official Plan is to direct professional, retail, and business offices to the Central Area first, and only permit business uses in Service Commercial areas that have demonstrated they are not suited to the Central Area because of their land area, building area, access or exposure requirements, or compatibility requirements.

urban Metrics Commercial Market Review

A Commercial Market Review was completed by urban Metrics in July 2026. It is noted that the proposed retail use is a unique concept and would likely have a draw that extends well beyond the Town. It is noted that the use would require a retail unit that was large enough to accommodate all three parts of the facility and a location that would be easily accessible for a wide geographic area. Additionally, the facility would cater to families with small children and would be convenient to access from the parking area to the front door which is an important locational criterion.

The study noted that while there are a few clothing retailers which carry some children's items, Tillsonburg does not have any clothing retailers which are specifically tailored to children. The proposed use would fill a gap within the retail market and pair it with two complimentary uses that are allowed to exist under existing site permissions. A clothing retail store accessory to the proposed uses on the subject site would not be inconsistent with the level of supply found in other communities and, given the strength of the downtown core, could be added to the subject site without negatively impacting the planned function of the downtown area.

Official Plan

The policy direction in the Official Plan is to direct professional, retail, and business offices to the Central Area as a first priority and only permit such uses in Service Commercial areas where it has been demonstrated that the Central Area is clearly not a viable location in terms of available land or building areas in the Central Area. Where new retail uses are proposed within Service Commercial areas, a retail market impact study is required to demonstrate, to the satisfaction of the County and the Town of Tillsonburg, that the type and size of proposed facilities are warranted, that no suitable Central Area locations are available for such facilities, and that the planned function of Tillsonburg's Central Area will not be significantly prejudiced or impacted. In this regard, a review of the findings of the commercial market review prepared in support of this application is provided above.

The Service Commercial designation permits uses such as hotels/motels, automotive businesses, warehouses, convenience commercial uses, service stations, retail food stores, gas bars and other uses which can be easily accessed by the travelling public. The subject application is requesting amendments to the site-specific policies on the property to permit a children's clothing

and accessory retail store as an additional use accessory to a permitted use within the Service Commercial designation.

The scale of uses within the Service Commercial areas will generally range from 325 m² (3,500 ft²) to 4,645 m² (50,000 ft²). In this case, the proposed children's clothing retail component is proposed to be 250.8 m² (2,700 ft²) in size. Staff are satisfied that the proposed children's clothing retail component fits within the scale permitted for uses in the Service Commercial designation and based on the conclusions of the Commercial Market Review, it is not expected that the use will have negative impacts or detract from the long-term prosperity of the Central Area.

Town of Tillsonburg Zoning By-law

With respect to the proposed zoning amendments to facilitate the development of the subject use, the applicant is proposing to amend the existing 'SC-29' site specific zoning to permit a children's clothing and accessory retail store accessory to a permitted use. The permitted use that the children's clothing and accessory store would be accessory to are a commercial recreation establishment (indoor) and an eating establishment. Additionally, staff are recommending that the floor area for the proposed retail use be limited to the area contemplated within the Commercial Market Review of 250.8 m² (2,700 ft²). If the floor area for the retail use were to expand in the future an additional amendment would be warranted to assess the health and vitality of the Central Area at that time.

With the proposed additional retail store use, the subject lands appear to continue to be compliant with the parking requirements.

Conclusions

In conclusion, a children's clothing and accessory retail store accessory to a permitted use on the subject site would complement the local neighbourhood serving function of the subject plaza, and the combined function of the subject site and 670-680 Broadway across the street. It would provide an additional retail options where a gap in the market has been identified through the Market Review for the residents of Tillsonburg, and particularly those in the north end.

In light of the foregoing, planning staff are of the opinion that the policy tests in the Official Plan for the establishment of new retail uses in service commercial areas have been satisfactorily addressed and recommend that the applications be approved.

RECOMMENDATIONS

1. That the Council of the Town of Tillsonburg advise County Council that the Town supports the application to amend the Oxford County Official Plan (File No. OP 26-14-7) as submitted by Kermar Holdings Inc., for lands located at 671 Broadway, in the Town of Tillsonburg to establish a special development policy to permit a children's clothing and accessory retail store accessory to a permitted use as an additional permitted use on Service Commercial designated lands;
2. And further, that the Council of the Town of Tillsonburg approve in principle the zone change application (File No. ZN 7-26-12) submitted by Kermar Holdings Inc., whereby the lands described as Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579, Town of Tillsonburg, known municipally as 671 Broadway to modify the provisions of the Special Service Commercial Zone (SC-29) to permit a children's clothing and accessory retail store as an accessory use to a commercial indoor recreation establishment and eating establishment.

SIGNATURES

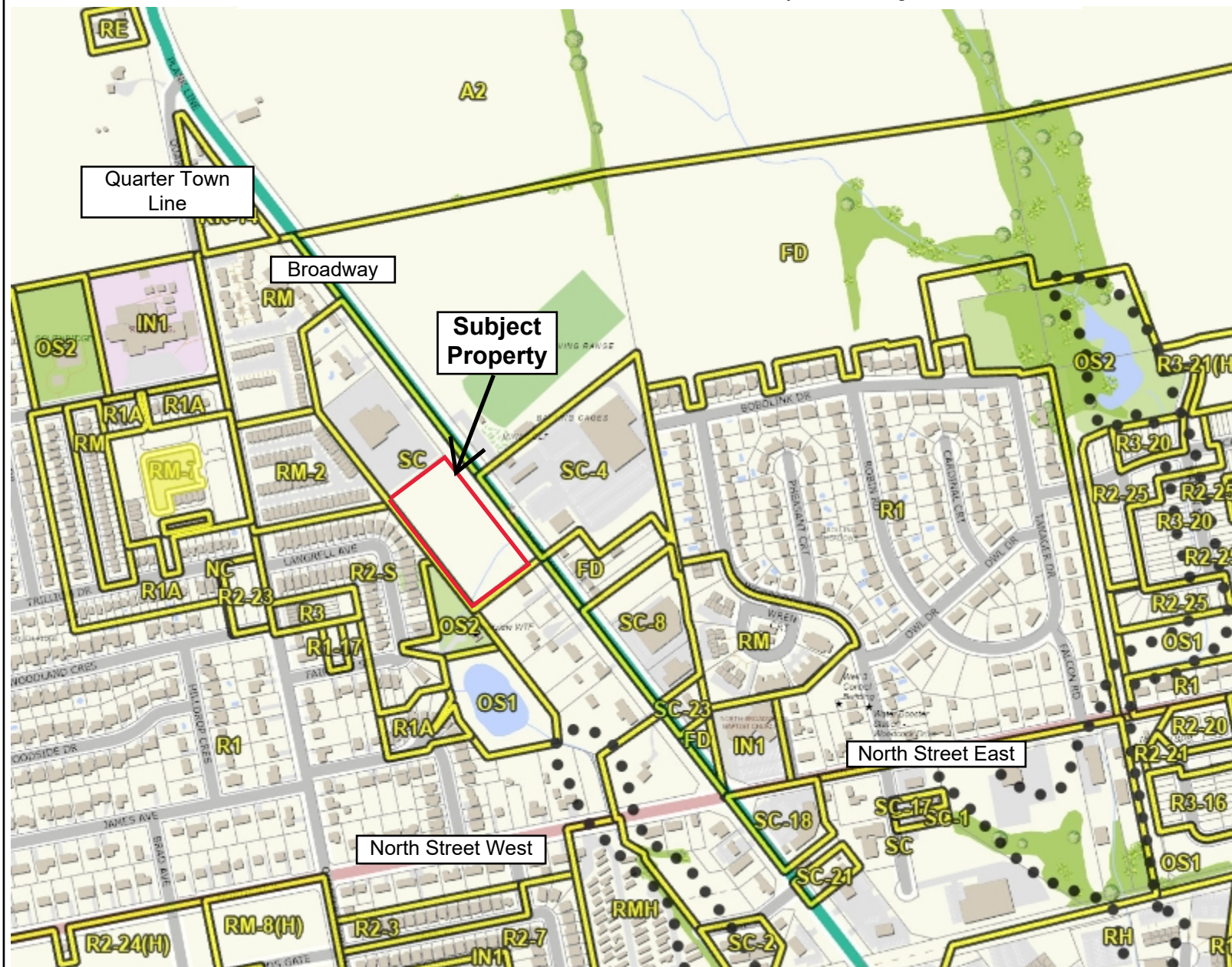
Authored by:

"Original Signed by"

Amy Hartley
Development Planner

Approved for submission: *"Original Signed by"*

Eric Gilbert, RPP, MCIP
Manager of Development Planning



Legend

- Zoning Floodlines**
Regulation Limit
- 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
 - Land Use Zoning (Displays 1:16000 to 1:500)

Notes



0 192 383 Meters

NAD_1983_UTM_Zone_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

July 28, 2023



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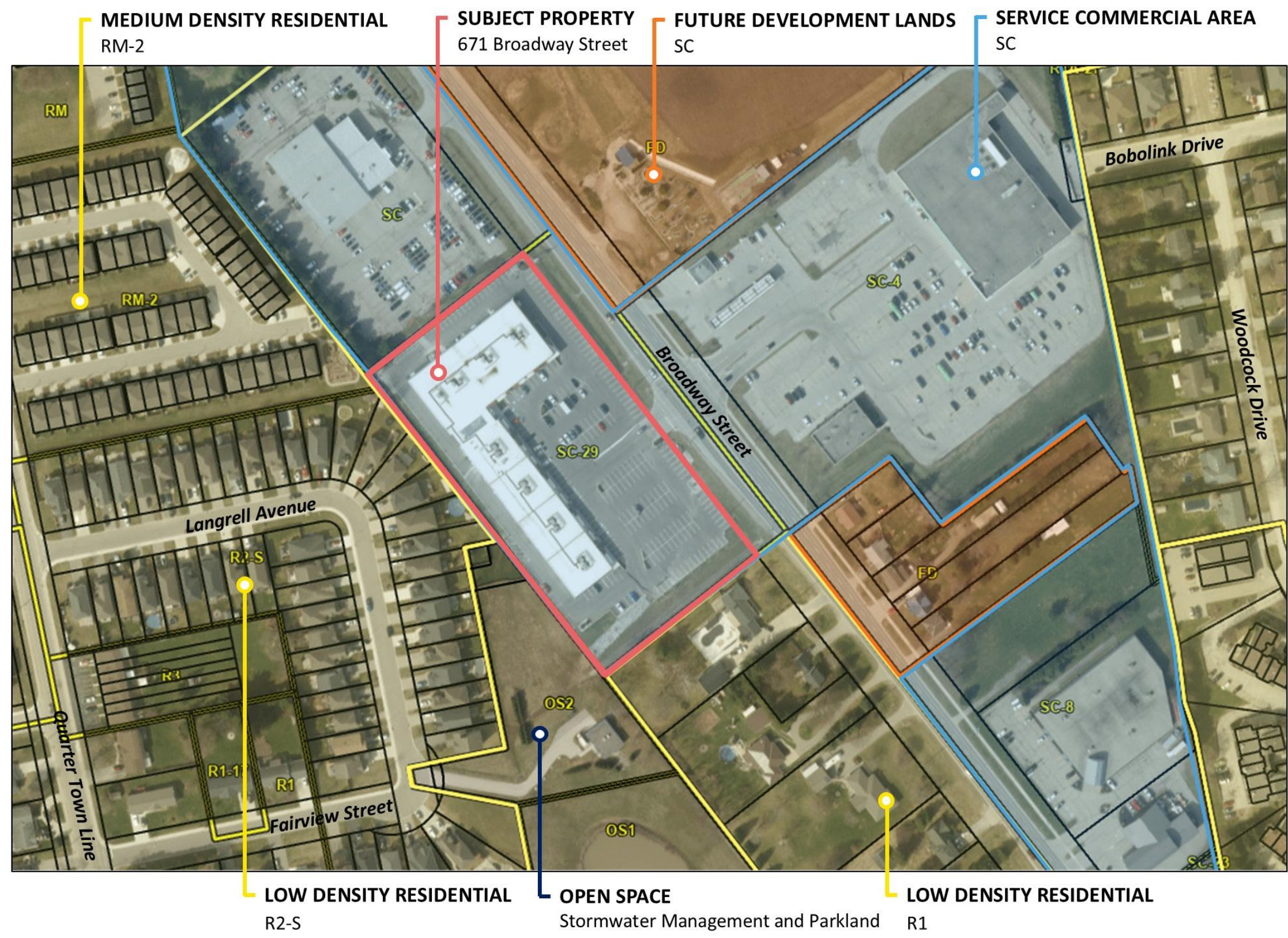


Figure 1: Subject property and Surrounding Land Uses

AMENDMENT NUMBER 370
TO THE COUNTY OF OXFORD OFFICIAL PLAN

The following Plan attached as explanatory text,
Constitutes Amendment Number 370 to the County of Oxford Official Plan.

1.0 PURPOSE OF THE AMENDMENT

The purpose of the amendment is to include a site-specific policy to allow a children's clothing and accessory store as an accessory use to a permitted use on certain lands in the Town of Tillsonburg, in addition to the other uses currently permitted within the Service Commercial designation.

2.0 LOCATION OF LANDS AFFECTED

This amendment applies to land in the Town of Tillsonburg comprising an area approximately 1.68 ha (4.15 ac), which is legally described as Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579 in the Town of Tillsonburg. The lands front onto the west side of Broadway, north of North Street West, and are known municipally as 671 Broadway.

3.0 BASIS FOR THE AMENDMENT

The subject lands are currently designated Service Commercial according to the Land Use Plan for the Town of Tillsonburg, as contained in the County Official Plan. The Official Plan amendment is proposing to further amend the site specific Service Commercial policy area applying to the subject lands to add a retail store as an additional use being accessory to a permitted use.

Council is of the opinion that the proposed children's clothing and accessory retail store is compatible with surrounding residential and commercial land uses in the area and will not detract from the planned function of the Central Area as the predominant location for retail and office uses.

A Commercial Market Review was completed by urban Metrics in July 2026. It is noted that the proposed retail use is a unique concept and would likely have a draw that extends well beyond the Town. It is noted that the use would require a retail unit that was large enough to accommodate all three parts of the facility and a location that would be easily accessible for a wide geographic area. Additionally, the facility would cater to families with small children and would be convenient to access from the parking area to the front door which is an important locational criterion.

The study noted that while there are a few clothing retailers which carry some children's items, Tillsonburg does not have any clothing retailers which are specifically tailored to children. The proposed use would fill a gap within the retail market and pair it with two complimentary uses that are allowed to exist under existing site permissions. A clothing retail store accessory to the proposed uses on the subject site would not be inconsistent with the level of supply found in other communities and, given the strength of the downtown core, could be added to the subject site without negatively impacting the planned function of the downtown area.

In conclusion, a children's clothing and accessory retail store accessory to a permitted use on the subject site would complement the local neighbourhood serving function of the subject plaza, as well as, the combined function of the subject site and 670-680 Broadway across the street. It would provide an additional retail options where a gap in the market has been identified through the Market Review for the residents of Tillsonburg, and particularly those in the north end.

4.0 DETAILS OF THE AMENDMENT

- 4.1 That Section 8.3.3.4 - *Specific Development Policies*, as amended, be further amended by deleting Section 8.3.3.4.8 and replacing it with the following:

“8.3.3.4.8 Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579, Town of Tillsonburg – 671 Broadway

In addition to the uses permitted in Section 8.3.3, on lands legally described as Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579, located on the west side of Broadway north of North Street East, a medical centre, a day care centre, a pharmacy, and a dollar store, and a children’s clothing and accessory retail store accessory to permitted use may also be permitted on those lands identified as being subject to this subsection.”

5.0 IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the relevant implementation policies contained in the Official Plan.

6.0 INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the relevant interpretation policies of the Official Plan.