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**Date:** January 8, 2020

**To:** Mayor and Council

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**RE:** Official Plan 5 Year Review

**Report No.:** PS 2019-002

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## **AIM**

To provide the Mayor and Council with an overview of the proposed updates and changes (Appendix A and A-1) to the Town of Kingsville Official Plan as part of the mandatory 5 year review process.

## **BACKGROUND**

In 2017 the project was tendered and awarded to WSP. The initial steps began in late fall to outline the process for review of the current Town of Kingsville Official Plan. At the onset of the project much of the review process involved the inclusion of several updates resulting from legislation changes at that time. As the project continued there was additional legislation changes along with Council initiated reviews in the area of greenhouse policy and affordable housing.

As part of the Official Plan review process there is considerable consultation with internal and external agencies and stakeholders along with several open houses. At the initial stage of the review most of the key areas for change and update are noted and the necessary edits occur. The review propose will also identify areas that require more attention over the ongoing life of the Official Plan and fall outside of the scope of the review process. The purpose of the review for these larger items is to outline what they are and what the anticipated timeframe could be for a more detailed site-specific assessment. Examples of these specific issues may include:

- i. implementation of items in the ERCA discussion paper (Appendix B);
- ii. regional storm water management;
- iii. future flood prone area development restrictions;
- iv. future Main St. development guidelines;

- v. harbour area and waterfront development;
- vi. settlement area boundary expansion
- vii. secondary planning areas

Summary of Changes and/or updates include:

#### Growth Management Policies

- Over the new plan period to 2031:
  - Existing residential land designations continue to be sufficient;
  - No additional employment land designations are required within the new Official Plan.

#### Community Structure / Settlement Hierarchy

- Primary and Secondary Settlement Areas identified, where majority of growth will be directed.
- Urban Reserve Areas designated to protect for future urban growth, beyond the plan period.

#### Residential Intensification

- Direct minimum 15% through intensification.
- Urban design policies to ensure compatibility. (to address notice of motion)

#### Secondary Plan Areas

- Lands are subject to additional policies requiring further study, before they can be developed.

#### Affordable Housing & Special Needs Housing (policy adopted by Council)

- Implement the County's 20% affordable housing target.
- Greater emphasis and specific policies regarding improved access to special needs housing.

#### Economic Development

- New policies to encourage manufacturing, agri-business and tourism activities.
- Identification of the Cottam Downtown Community Improvement Plan, and future Ruthven and Kingsville CIPs, to facilitate private investment.

#### Built and Cultural Heritage Resources

- Updating the designation listing and interest listings for heritage buildings.
- Emphasis on ensuring Indigenous community interests are considered in conserving heritage and archaeological resources.

## Natural Heritage

- Emphasis on promoting strategies and programs which seek to protect and enhance natural heritage features.

## Parks and Open Space

- Revised policy sets out parkland dedication and/or cash-in-lieu options.
- Increased active parkland target to 2.1 hectares of active parkland per 1,000 residents.

## Agricultural Area Policies

- Updated policies permitting agriculture-related uses, and on-farm diversified uses.
- New policy for greenhouse development (yet to be adopted)
- Updated policy for Licensed Cannabis Production Facilities including reference to the Cannabis Act.

## Source Protection Plan

- New policies and mapping addressing drinking water threats and restricting certain uses within vulnerable areas.

## Active Transportation Policies

- New policies supporting opportunities for improving and expanding the bicycle and pedestrian network.
- New Schedule to identify the existing and proposed networks.

## Energy Conservation

- Explicit consideration and planning for the impacts of climate change.
- New policies supporting energy conservation and green infrastructure in development proposals.

## Implementation and Interpretation

- New sections:
- 'Interim Control By-laws';
- 'Secondary Plans'; and,
- 'Landowner Coordination and Cost-Sharing'

Staff have met with the County planner to get initial feedback on the review process to date and the changes being proposed. Initial comment was positive with one outstanding item being consultation with local First Nations. The County has provided contact information and we will be forwarding the draft documents for review.

Staff have met with the Essex Region Conservation Authority as part of the review on several issues. ERCA has provided detailed feedback through completion of a Natural

Heritage Systems discussion paper prepared as part of the review process. Recent discussion in the last few weeks centered around ongoing concerns with development along Heritage Road as well as consideration of more comprehensive attention around regional storm water management. Both of these items, on their own, are beyond the scope of the review process and would require a separate review and consultation process. Both topics will be noted in the final Official Plan for future consideration similar to other items outlined in the ERCA discussion paper.

One ongoing item that has been under review by ERCA, the County and the Ministry of Natural Resources and Forestry is the mapping of Provincially Significant Wetlands (PSW) in Essex County. Most of the wetlands in Kingsville are located in the southwest quadrant of the Town around Mill Creek and Cedar Creek. Along the creeks there are long standing PSW areas however more recent mapping updates completed by MNRF have expanded existing areas or identified new areas. While the impact is generally minimal in Kingsville, as the areas mapped are already highlighted as natural heritage features, ERCA's concern is how the new areas were determined. In 2017 ERCA forwarded correspondence to MNRF expressing concern that no field work had been completed to confirm, based on MNRF's own evaluation criteria, if the areas they had identified were truly PSWs. ERCA did complete field work on one such area mapped by MNRF and concluded that it was not a PSW, again based on MNRF's own criteria for determining if an area is a PSW. This correspondence was never acknowledged by MNRF. As such the County planner in consultation with ERCA and the other Essex planners, has send a letter to MNFR seeking feedback on this issue.

Lastly, the Official Plan has identified, both in the text and the mapping, areas of potential future growth as Urban Reserve. The exact final form which this takes will be dependent on both County and Provincial feedback as it does seek to provide information on the most likely areas of expansion in the future.

## **DISCUSSION**

As part of the last open house held on November 20, 2019 the consultant prepared a presentation that outlined and summarized the changes to the Official Plan. (Appendix C) The one item included in the summary that has not yet been discussed in detail is the addition of residential intensification policies. This addition was the result of both concern expressed during the public consultation phases and a motion of Council. The motion directed administration to include additions to the residential policies, specific to the area of Prince Albert Street North, to limit new development to single detached dwellings only.

Inclusion of this type of prohibition was given a considerable amount of attention and different approaches reviewed. What resulted was the completion of **Section 2.11 Residential Intensification**. The existing Official Plan does not currently contain any such policies on intensification. This section adds considerable language to the Plan that will assist staff in better assessing proposed development for intensification across the entire Town while remaining consistent with both Provincial Policy and the County Official Plan.

An Official Plan is a long-term document, typically with a 20-year time horizon before replacement becomes a consideration. The review process gives the Town the opportunity to update language, make required changes re: new legislation and potentially adapt to changing trends. The draft document being presented to Council brings the policy update-

to-date but also recognizes that more detailed work will be necessary in specific areas as the Town grows.

## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

The review process has remained on budget to-date however with the additional consultations on the Greenhouse Policy and Affordable Housing additional time and resources have been required by the consultant to make the additions. It is anticipated that there will be some minor overage, \$5,000 to \$10,000, once the review is fully complete and will be included in the 2020 Planning budget.

## **CONSULTATIONS**

The draft document has been posted on the Town website since late October. The November 20, 2019 open house was well attended by the public. Notice of the open house and the January 13, 2020 meeting were posted in all three local papers and on the website since the last week of October.

Public feedback to-date has included the following:

- More detail on the type of housing permitted in given areas
- Prohibition on greenhouse development
- Prohibition on high density development
- Comprehensive vision and supporting guidelines for development along Main St.
- Need for added criteria for heritage preservation and impact
- Reinforcement of the importance of the harbour area
- Consideration of adding new residential lands outside the settlement area
- Need for better internet access
- More employment opportunity diversity

There was not a significant number of written comments specific to the Official Plan review process however the comment that was received is attached as Appendix D.

Administration Consultation

Town Staff, County Planner, MMAH

## RECOMMENDATION

It is recommended that Council:

Receive the report outlining the details on the conclusion of the 5-year Official Plan review process and presentation by the consultant, WSP, for information purposes, and

Direct administration and the consultant, WSP, to complete the final Official Plan document for final adoption by Council, subject to:

completion of consultation with First Nations representatives;

inclusion of requested changes, if any, presented at the January 13, 2020 public meeting of Council.

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*Peggy Van Mierlo-West*

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