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**Date:** February 25, 2020

**To:** Mayor and Council

**Author:** Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services

**RE:** Main Street Development Policy Review and Interim Control By-law

**Report No.:** PS 2020-015

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## **AIM**

To provide the Mayor and Council with an outline of the current policies regulating land use on Main Street between Heritage Road and Kratz Road hereafter referred to as the 'study area.' Present a draft Terms of Reference for the development of a Main Street Development Policy Review Committee. Present a draft version of an Interim Control By-law limiting development within the Main Street study area.

## **BACKGROUND**

Development within the Main Street East and West study area has been very strong over the last several years. This has consisted of new commercial development, residential intensification, commercial redevelopment and residential conversions. Many of the projects that have been undertaken have required some form of approval under the Planning Act including zoning, site plan approval or severance. As a result, of the ongoing development pressure occurring within the study area, the Town has experienced a variety of impacts including:

- i. increased traffic;
- ii. potential land use conflict;
- iii. negative feedback from the public as to the type, scale and character of development;
- iv. a perceived lack of public input, and
- v. a lack of cohesive vision for the study area as a whole.

To this end, a Notice of Motion was approved by Council to undertake a number of steps to:

- i) review what is currently in place in terms of policy for the area;
- ii) draft a terms of reference to establish an ad hoc committee of stakeholders to review current policy and provide recommendations for updates and changes, and
- iii) draft an interim control by-law to pause development within the study area while the review is being undertaken.

## **DISCUSSION**

### **Current Policy Framework**

The study area is made up of lands within four Official Plan designations; Central Commercial within the downtown core, Residential to the west and east of the core ending with Highway Commercial to the west and a mix of Highway Commercial, Residential and a small amount of Agriculture to the east.

There are several general policies, which apply to all areas of Kingsville. Each of the specific designations have an outline of goals and policies. Both the general and specific items are outlined in Appendix A.

The zoning of the area is very similar to the Official Plan including, residential, commercial, agriculture and a small amount of institutional. There is a variety of site-specific zones within the study area. Actual uses include highway and service commercial, downtown commercial, single detached dwellings, mixed use commercial residential, residential conversions to small scale commercial, churches, and small apartment complexes.

Specific policy in the Kingsville Zoning By-law include the R1.1, R3.1, EG, C2 and C4 zones, the details of which are included in Appendix B.

### **Terms of Reference – Main St. Development Policy Review Committee**

In earlier 2019 an ad hoc committee was established for the review of the current Official Plan and Zoning By-law policies applicable to greenhouse development. A ten member committee was created and over a six month period developed a framework of new and revised policy.

A similar approach is being proposed in the case of Main St. development policy. A committee of approximately 15 to 20 people is suggested consisting of stakeholders from the BIA, economic development, tourism, council, heritage committee, and residents. In addition to the stakeholders noted in the notice of motion it is recommended that at least one representative from the local development industry and local real estate be included. This would follow the same perimeters as that of the greenhouse policy committee which include a greenhouse industry representative and the OGVG. A terms of reference has been prepared and is included as Appendix C.

## Interim Control By-law

An interim control bylaw (ICBL) is a tool available to Ontario municipalities as part of the Planning Act. An ICBL places a temporary 'freeze' on the development of certain lands while a municipality is studying or reviewing its land use policies. The by-law is not subject to public notice however does require that the Town provide a notice of passing. The by-law is also not subject to appeal. However, if Council chooses to extend the by-law for an additional year the extension is subject to appeal to LPAT.

In the case of Main Street the passing of an ICBL is a consideration because of the ongoing development pressure occurring and the concern that there is a lack of guiding policy specific to the study area. The notice of motion from Council highlighted the need to pause rezoning applications within the study area.

The ICBL would need to be structured in such a manner that it prevents any further requests for zoning changes within the study area until the proposed committee work is completed and potential new policy adopted. What the ICBL is not intended to do is prevent currently permitted uses from continuing under the existing regulations or stopping new development which has already been approved through a public process or is in the process of being assessed.

## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

Although there is no direct or immediate financial implications to the Town, new development along Main Street would be paused for a minimum of one year. There are also potential costs associated with additional works that may be necessary as a result of the committee review process which was not part of the 2020 budget deliberations.

## **CONSULTATIONS**

CAO and Managers

## RECOMMENDATION

It is recommended that Council:

Receive the report on the Main Street Development Policy Review and Interim Control By-law for information purposes;

Approve the terms of reference for the establishment of a Main Street Development Review Committee, and

Direct Administration to prepare a final interim control by-law for consideration at a future Regular meeting.

*Robert Brown*

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*Peggy Van Mierlo-West*

Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer