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**Date:** May 4, 2021  
**To:** Mayor and Council  
**Author:** Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services  
**RE:** Main St. East Interim Control By-law  
**Report No.:** PS 2021-025

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## **RECOMMENDED ACTION**

That Council:

Establish a secondary plan study area for the lands outlined in the attached interim control bylaw, Schedule "A", and direct administration to begin preparation of a secondary plan, hereafter referred to as the Main St. E. Secondary Plan Area; and

Approve and adopt the attached interim control by-law, including Schedule "A" affecting only those lands outlined in Schedule "A", and for the time period outlined in the by-law.

## **BACKGROUND**

In February of 2020, a draft of an interim control by-law was prepared for presentation to Council. This by-law would pause the consideration of development applications for a minimum of one year along the Main Street corridor from Heritage Road to Kratz Road. As part of the same report presented to Council in February a recommendation was made to establish an ad hoc committee to review current development policy and concerns related to the impacts of ongoing development pressure in the corridor. The final version of the by-law was prepared and returned to Council in April of 2020 and adopt the following motion:

## Motion 279-2020

That Council directs Administration to prepare a final interim control by law for consideration at a future Regular Meeting, and directs that consideration of such by-law be not later than thirty (30) days after the coronavirus (COVID-19) emergency declaration has been terminated.

Since that time, the work of the Main Street Development Review Committee has undertaken a significant amount of work and review. The committee has reviewed a number of key areas in the Main St. study area and formulated recommendations. A public open house was held April 6, 2021 to present the proposed recommendations to the public and get additional feedback. The committee is now ready to come forward to Council with those recommendations.

### **DISCUSSION**

Once Council has considered the recommendations from the Main St. Committee it is anticipated that those recommendations will be referred to administration for review and comment. Part of the review will consider what planning policy changes may be necessary to implement different aspects of the recommendations. One such tool available to planning is a secondary plan. The Official Plan does not current have policies on secondary planning however the 5 year Official Plan review has added a section on this topic. What is a secondary planning?

“Secondary Planning is a specific tool, which: Helps understand opportunities and address issues related to land use in certain defined geographic areas. It provides specific policies for those areas of the Town where more detailed direction is needed for matters beyond the general framework provided by the Official Plan.”

Review of this area will require some significant time and focus from staff and will greatly benefit from external consultation and expertise in the area of secondary plan preparation. Although not yet approved by Council many of the issues raised as part of the Main St. Committee will be considered in detail for the proposed secondary plan area.

During the initial discussion with the committee, the use of an interim control by-law was another planning tool noted however, staff advised that consideration of the by-law had been paused due to the Covid-19 emergency. With the potential for ongoing development along Main St. the use of an interim control by-law has remained a topic of interest and was discussed again prior to the April meeting.

Due to the significant impact an interim control by-law can have and to make sure that the by-law is focusing control effectively, the Chief Administrative Officer met with the Manager of Planning Services and the Director of Legislative Service to review the intent of the interim control by-law and the extent of its coverage. What resulted was a

more focused area which would center on lands that remain primarily vacant on the north and south side of Main St. E. and include the following:

190 & 224 Main St. E. – the approved but not constructed six-storey apartment buildings to the rear of 200 Main St. E.

140 Main St. E – only the rear portion of the property would be included as a building permit has been issued for the initial phase of development at the front

170 Main St. E – the Kingsville high school property

45 Spruce St. – this is a large underutilized residential property with potential for additional development and abuts 140 Main St. E. to the east.

195 Main St. E – the vacant farmed lands on the south side of the street

Pausing development in this area will provide time for administration to undertake the necessary in-depth study, a requirement of implementing an interim control by-law, to provide a more comprehensive plan of how the Town would like to see the area used. The specific approach for the study would be to undertake a secondary plan for the subject lands.

The CAO expressed concern about the originally drafted interim control by-law including the entire Main Street corridor from Heritage Road to Kratz Road. The CAO's concern is that this large corridor area would be impacted by an interim control by-law which would potentially have negative economic impact to the community. The study area proposed in the interim control by-law is more focused and concentrates a review on an area that is underutilized and has been under ongoing development pressure in recent years.

It is important to note that a Secondary Plan can be undertaken at any time for any given area within the Town without the need to pass an interim control by-law.

If Council adopts the interim control by-law, administration will need to undertake a communication strategy to explain the rationale for the interim control by-law and purpose of the secondary plan study to the affected landowners, with emphasis placed upon continuing to support and encourage appropriate development in Kingsville.

## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.

## **Link to Council 2021-2022 Priorities**

- COVID-19 and the health and safety of the community
- Customer Service: Training, Technology, Staff, Review Standards/Level of service

- Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- Programming Increase: Youth and Seniors
- A development plan for Downtown Kingsville / Main Street
- Financial savings: Schools closings, Migration Hall
- Economic Development: strengthen tourism/hospitality
- COVID - economic recovery
- Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- Committees / Boards: Review and Report
- Policy Update: Procedural Bylaw
- Economic Development: diversify the economy, create local jobs, industrial, Cottam
- Infrastructure (non-Municipal): Union Water expansion & governance
- Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit
- No direct link to Council priorities

## **FINANCIAL CONSIDERATIONS**

There are financial implications related to the implementation of an interim control by-law including the delay or potential loss of development in the affected area and the cost of completing the necessary study work. Council will recall during the 2021 budget that Planning staff had requested funding for the completion of a local comprehensive review. This work was intended to take place over two years with an anticipated budget of \$175,000. After consultation with the County Planner there will be works that the County will be undertaking as part of their own 5 year Official Plan review that will benefit the Town. This in turn will lead to cost savings in the local comprehensive review. Those cost savings should be able to be redirected toward the secondary plan study.

## **CONSULTATIONS**

CAO, Clerk, Director of Finance

*Robert Brown*

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