

**Date:** April 17, 2023

**To:** Committee of the Whole

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**RE:** Kingsville Main Street Strategy – Update and Next Steps

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## INFORMATION REPORT

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### BACKGROUND

In February 2020, in response to issues facing Main Street, Council directed Administration to review current policy and create a Committee of Council comprised of stakeholders to provide recommendations for Main Street.

The Main Street Policy Development Review Committee was established to:

- **Review:** what policies are currently in place and how they help or hinder, create or fragment;
- **Explore:** through the facilitation of an open, broad discussion on the vision for Main St.;
- **Focus:** on what is the initial study structure to yield the best overall result for development along Main St.;
- **Create:** an interconnected policy or policies that provide the Town and its residents with a conveyable vision of the future.

The Committee organized itself into four sub-committees and each sub-committee presented their own comments, ideas, and recommendations at a Special Council Meeting on June 21, 2021.

1. **Traffic** – to review and provide recommendations to the committee on how to best address traffic concerns, such as safety, volume, routing and active transportation. The sub-committee brought forward concerns and suggestions related to traffic congestion, traffic and pedestrian safety, and active transportation.
2. **Heritage** – to review “designated heritage properties” and “properties of interest” on Main Street and surrounding area. The sub-committee brought forward concerns and suggestions related to protecting properties in the core, enhancing heritage elements in the core through by-law controls (e.g. building height, setbacks,

cladding, signage), parking, and heritage-themed design standards for residential and commercial development.

3. **Urban Design** – to review the current mix of architectural design, scale and placement of buildings along Main St. The sub-committee presented ideas related to gateways, greenspace, public art, wayfinding, and commercial and residential building design standards.
4. **Zoning Landscape and Signage** – to review of the current bylaws and zoning regulations. The sub-committee presented ideas and concerns regarding the development of a greenspace bylaw, property standards and signage by-laws, enforcement and compliance of existing bylaws and regulations, and secondary planning.

In June 2021, Council referred the ideas and concerns to Administration.

In November 2021, Administration proposed a Framework for a Main Street Strategy which included short and longer-term planning, design and policy initiatives.

In March 2022, Administration presented a report related to development of a Secondary Plan and corresponding Interim Control By-law for multiple properties on Main Street. The properties affected by the Interim Control By-law include the high school property and some surrounding nearby properties. The purpose of the Interim Control By-law was to put a pause on development on selected properties to allow sufficient time for a review of development policy affecting these areas.

The proposed Secondary Plan policies include limiting density and building height, access to Main Street for new developments, and require mixed use development and provision of east-west traffic routes through the high school lands. These proposed policies were deferred to a future Committee of the Whole meeting of Council. The ICBL was extended for a one-year period to May 2023.

On February 1, 2023, Council set its short-term priorities for 2023, which included development of an:

1. Attainable Housing Plan,
2. Completing a Facilities Assessment Review, and
3. Providing an update on the Main Street Development Plan.

These three priorities are linked in many ways.

## **DISCUSSION**

Administration has implemented a number of projects that include actions to further the ideas and recommendations of the committee related to Main Street. These initiatives are described specifically in relation to committee ideas and recommendations presented to Council in June 2021, as described in the table below:

<b>TRAFFIC SUB-COMMITTEE</b>	
<b>Committee Recommendation / Idea</b>	<b>Actions taken / Administration Response</b>
Retiming of street lights to allow for better traffic flow	The Town completed traffic data collection and the subsequent retiming of traffic signals on Main Street to achieve better coordination and flow. Changes have positively impacted traffic flow.
Limit new access points to Main Street	The Town will limit any new access points along Main Street and ensure alternate access to reduce traffic on Main Street. However, this will require new developments to connect through existing neighbourhoods which can result in opposition from existing neighbourhoods.
Standardize crosswalks to ensure all are lighted	The Town monitors crosswalk design and operation and recommends additional crosswalks and upgrades crosswalk design as needed.
On street parking – no recommendations at this time	<p>In the downtown area there is significant number of off street parking spaces.</p> <ul style="list-style-type: none"> <li>• 326 designated off-street parking spaces in municipal parking lots within one block of Main Street.</li> <li>• 118 off-street parking spaces in private parking lots accessible off Main Street, or within one block of Main Street (Capri Plaza, Super 7 Plaza, Dominos Plaza).</li> <li>• 91 on-street parking spaces.</li> </ul> <p>Though there are no ‘standards’ related to on-street vs. off-street parking. However on-street parking makes up less than 20% of overall parking in the Main Street area. Removal may, in part, provide solutions to traffic flow, bike lanes, sidewalk life, and other goals of the Main Street Strategy.</p>
Municipal parking lots - better signs including size, location, position	In early 2022, streetlight banners were installed on all light standards in municipal parking lots to better identify them. Additionally, an interactive map of the Town’s municipal parking lots is available on the

	town's website. Municipal lots are highlighted in town programs and events materials.
Accelerate work plans for extension of Heritage Road to Road 2 as well as all Road 2 improvements	<p>West Side Collector concept was endorsed by Council in March 2021. West Side Collector will provide a link from County Road 20 West to Road 2 to by-pass Kingsville 'Main Street'. Studies are currently underway and construction is expected in 2024.</p> <p>Road 2 improvements (Union Avenue to Division Street) including multi-use trail initiated in 2021. To be completed in 2023.</p>
Introduce community safety zones	Administration does not recommend introduction of a Community Safety Zone for Main Street. A Community Safety Zone is anticipated on Jasperson as part of the development of the new school.
Standardize crosswalks	As noted above
Poor driving - education and enforcement	Kingsville OPP and the Police Services Board have been advised of concerns. OPP places portable radar devices throughout town to highlight excessive speed and enforces the <i>Highway Traffic Act</i> .
Reduce vehicular access/egress points for pedestrian safety	As noted above
Improved road markings especially for turning lanes	<p>New west-bound right turn lane at corner of Jasperson and Main to be constructed in 2024 in keeping with CTMP recommendations.</p> <p>Road markings are reviewed in conjunction with road resurfacing projects and are designed in accordance with Ontario Traffic Manual Book 11.</p> <p>The Town has increased the line painting budget with the intent to remark all symbols, parking spaces, crosswalks, and road markings on an annual basis.</p>
Fund and carry out a full baseline traffic study in conjunction with the Transportation Master Plan	Comprehensive Transportation Master Plan (CTMP) finalized and approved in Summer 2022. CTMP addresses six major themes:

	<ol style="list-style-type: none"> <li>1. Create a multi-modal transportation system that provides options for all users;</li> <li>2. Improve traffic flow and increase efficiency for people travelling to key destinations;</li> <li>3. Accommodate and consider future growth and development when making decisions for the transportation network;</li> <li>4. Improve connectivity to other communities, between transportation and key land uses, and for active transportation users;</li> <li>5. Promote sustainability within the Town's transportation system; and</li> <li>6. Introduce measures to help calm traffic and improve roadway safety.</li> </ol> <p>Traffic Impact Studies are also required as part of subdivision and other development applications and are reviewed.</p> <p>Increasing mixed use/compact housing and density in Main Street Corridor as discussed below will encourage walking and other means of travel to downtown/ commercial centres and ease traffic on Main Street.</p>
Develop multi-use pathway	<p>Comprehensive Transportation Master Plan promotes a 'Complete Streets' approach and recommends enhancing the walking and cycling network to accommodate future growth, adoption of a proposed active transportation network, and continued coordination with the County of Essex to implement CWATS.</p> <p>Administration supports opportunities to enhance Active Transportation (eg bike lanes) in Kingsville. As discussed below, adding active transportation facilities on Main Street will require removal of on-street parking lane(s). On-street parking currently makes up ~15% of all parking within a block of the Main Street Core. Off-street options can make up for any loss of on-street parking. Many other municipalities without as much off-street parking as Kingsville have removed parking lanes for active transportation and</p>

	<p>have reported increases in economic development, tourism, and decreases in traffic congestion.</p> <p>Though some distance off Main Street, there may be options to consider paving the Greenway within the urban area and providing dedicated active transportation facilities connecting the Greenway to Main Street.</p>
Introduce bike racks in municipal parking lots	New bike racks installed throughout Main Street Study Area, including Carnegie Arts and Tourism Centre, Kingsville Library. Additional bike racks will be considered in keeping with demand.
Improve road markings for cyclists	<p>Improved road markings noted above.</p> <p>By Council resolution, the 2022 Urban Road Program included an increase of edge line to one metre from Water Street to Palmer Drive, recognizing that this increase does not meet minimum requirements as a bike lane.</p>

<b>HERITAGE SUB-COMMITTEE</b>	
<b>Committee Recommendation / Idea</b>	<b>Actions taken / Administration Response</b>
<p>The Town of Kingsville should protect more of the key historic buildings on and near Main Street with designation under the Ontario Heritage Act:</p> <ul style="list-style-type: none"> <li>• Conklin Building (1-11 Main St. East)</li> <li>• Fox Block (13 Main St. East)</li> <li>• David Block (15 Main St. East)</li> <li>• David Store (19 Main St. East)</li> <li>• Union Block (29, 31 and 33 Main St. West)</li> <li>• DeJean Block (24 Main St. West)Jasperson Block (14 Division St. South)</li> </ul>	<p>In 2022, the Kingsville Heritage Committee prioritized reviews of Main Street properties that may be good candidates for designation and initiated review of heritage features. Committee drafted a letter to be sent to eight undesignated properties to determine level of interest. No responses were received from the property owners.</p> <p>New Heritage Committee have asked their researcher to create a 'short list' of undesignated properties, including Main Street properties for consideration for designation. The Heritage Committee 2023-2024 Work Plan will include determining landowner interest and consideration of designations based on preliminary findings of the researcher.</p> <p>Though not recommended by Administration, Council could direct the Committee to</p>

	<p>undertake research and write reports to Council recommending designation of listed historic buildings even if landowners are non-responsive or object to designation. Objections to designation are heard by the Ontario Land Tribunal which may add legal costs or staff time.</p>
<p>Designated properties on Main Street should be protected with controls on development on abutting lots</p>	<p>There are already ten designated properties in the area of Main Street.</p> <p>The Official Plan currently allows development and site alteration on adjacent lands where it can be demonstrated that the heritage attributes of the protected property will not be impacted. Mitigating measures and/or alternative development approaches may be required. All planning applications for abutting lots are presented to the Heritage Committee for comment. Any comments received from the Committee are included in reports to Council.</p> <p>Administration does not recommend changes to the Official Plan to further control development on abutting lots.</p>
<p>The Town of Kingsville should encourage property owners to repurpose heritage buildings on Main Street</p>	<p>This is consistent with the Town's Official Plan policies which encourages the preservation, rehabilitation and reuse of heritage resources; and ensures all cultural heritage resources, including archaeological resources, built heritage resources and cultural heritage landscapes are managed in a manner which perpetuates their functional use while maintaining their heritage value, integrity and benefit to the community.</p>
<p>To enhance Main Street's heritage feel, the Town of Kingsville should implement bylaw controls such as limiting building heights, encouraging the placement of new buildings at the sidewalk to create a street wall, and prohibiting the installation of internally lit signs.</p>	<p>Administration is recommending policies to restrict building height and setbacks, as well as signage.</p>

<p>The Town of Kingsville should implement programs beyond designation to preserve historic façades, and discouraging the cladding of brick façades.</p>	<p>The Town's Official Plan encourages beautification efforts and façade improvements and the conservation and preservation of built cultural heritage.</p> <p>The Town could create Community Improvement Plans to incent desired actions and outcomes related to design, architectural details or features, preserving historic facades, materials, and other controls, however this would likely require significant investment from the Town and is not necessarily recommended at this time.</p>
<p>Implement a bylaw that regulates the type and size of signs allowed on buildings.</p>	<p>The Town currently requires a signage plan as part of Site Plan Agreements for new construction. However, there are no controls around existing signage. A Signage By-law could focus on colour, size, design and location and enable fair and consistent enforcement and compliance.</p>
<p>To enhance the downtown core's heritage feel, the Town of Kingsville should use only Victorian or Edwardian-inspired fixtures on public rights of way and install crosswalks that mimic the brick produced in Kingsville during these eras.</p>	<p>Current lighting fixtures in the Main Street are inspired by early 20<sup>th</sup> century design and reflective of these eras. Additionally, brick crosswalks have been installed on major crosswalks. Other crosswalks may be considered or proposed for brick during future capital improvements.</p>

<b>URBAN DESIGN SUB-COMMITTEE</b>	
<b>Committee Recommendation / Idea</b>	<b>Actions taken / Administration Response</b>
<p>Design principles should include a sense of Identity, Compatibility, Connectivity, Sustainability, Legacy, and Creativity.</p>	<p>Administration agrees.</p>
<p>Encourage low-rise, compatible development. Single or mixed uses</p>	<p>The Official Plan requires that a high standard of urban design and amenity be provided in all new residential, commercial, and industrial development though Bill 23 limits the Town's ability to manage exterior design and other matters through site plan control and zoning.</p>
<p>Building Placement - orientation, foster active pedestrian environments</p>	
<p>Height and Massing - reinforce pedestrian scale, emphasize entrances/open spaces</p>	



Entranceways - building orientation, accessibility, vehicle access to rear, flush garage entrances	Administration is recommending policies to restrict building height and setbacks, as well as signage.
Materials - higher standards of design, detail and materials	
Encourage low-rise, compatible development. Single or mixed uses	Administration is recommending policies to restrict building height and setbacks, as well as signage.
Maximum height of 6m from Greenhill Lane to Jasperson	
Maximum height of 10m in all other areas of Main St./Co.Rd. 20	
Restrict 'Big Box' - consider adjacent buildings, complementarity	Although not recommended by Administration at this time, Council could place restrictions on the size of retail spaces through zoning regulations on floor areas. Council cannot regulate who rents commercial space (eg. national retailer vs. local business). Large format retail stores can be designed to be more sensitive to an urban context. Commercial plaza style development may be appropriate at either end of the Main Street Corridor.
Façade - building 'transparency' (windows), vertical elements, building footprint, weather protection (awnings, coverage, etc.), colours and materials	Changes to Bill 23 limit the Municipality's ability to address exterior design and other matters through site plan control and zoning.  The Town could create Community Improvement Plans to incent desired actions and outcomes related to design, architectural details or features, materials, and other controls, however this would likely require significant investment from the Town and is not necessarily recommended at this time.
Compatibility with adjacent buildings	Administration is recommending policies to restrict building height and setbacks, as well as signage.
Building Placement - orientation, foster active pedestrian environments	
Surface Area Parking - locations shielded, lighting, proper signage	Administration is recommending policies to restrict building height and setbacks, as well as signage.
Service loading and storage - not visible from roadway if possible	

Gateway arches identifying entrances to town at Main St. & Heritage, and Main Street & Kratz.	Administration does not recommend the design and installation of gateway arches at this time. Entrance signage currently exists and reflects the Town branding.
Provide greenspace within the core for public gatherings, social interactions.	Applications for development within the Main Street Corridor provide park and open space and/or contribute parkland dedication funds that are used to support municipal parks, open space and recreational facilities.  Future development of school properties, once available and if acquired by the Town, can consider appropriate locations and scale of greenspace as part of their planning.
Protect/Provide trees, species selection, shade/screening, consider growing characteristics	The Town's Urban street tree replacement program ensures that trees within the Main Street Corridor are appropriate for region and growing conditions and provide shade and other benefits to the Main Street experience.

<b>ZONING, LANDSCAPE/STREETScape AND SIGNAGE SUB-COMMITTEE</b>	
<b>Committee Recommendation / Idea</b>	<b>Actions taken / Administration Response</b>
Evaluate properties to ensure they are following the zoning bylaws and regulations.	The Town evaluates all properties and development applications to ensure they are consistent with Official Plan Policies and the Comprehensive Zoning By-Law.
Develop a greenspace bylaw to designate greenspaces.	Parks, Open Space and Parkland Dedication policies exist within the Official Plan and are consistent with Planning Act and Provincial Policy Statements, as well as the Town's Parks, Recreation, Arts and Culture Master Plan. No new greenspace by-law is required. Comprehensive Zoning By-law will be amended in 2023 to align parks, open spaces, conservation areas, and natural heritage designations with proper zoning.
All houses or buildings face the front door to the street that their address is on.	Administration is making recommendations related to orientation and access.
Develop a property standard by law.	The Town has a Property Standards by-law (By-law 25-2009).

Develop a signage by-law for new developments and existing properties.	The Town currently requires a signage plan as part of Site Plan Agreements for new construction. However, there are no controls around existing signage.  Administration is making recommendations related to a Signage By-law.
Develop signage by-law to support no billboard or advertising for consisting of business clarification (to be used as a standard for the Town of Kingsville as a whole and not just Main Street).	This could be incorporated into a Signage By-law.

## A. MAIN STREET PLANNING POLICY AREAS

Administration proposes the creation of three Policy Areas, with differing priorities and policies for each.

As described below, low rise means up to 11m (three storeys), mid-rise means up to 22 m (six stories) and high rise means more than 22m (over six stories). The draft policies do not support high-rise development (i.e. development over 22 m or six stories) within the Main Street corridor.

### 1. Area One

Area One is bounded by Prince Albert Street in the west, Spruce Street to the east, Beech Street to the north, and Pearl Street to the south – anecdotally “From Church to Church to Church to Church”.

This policy area will be a low-rise residential and mid-rise mixed use commercial area. Cultural heritage resources will be preserved and adaptive re-use solutions encouraged. Attainable housing shall comprise a mix and range of types, lot size, unit sizes, functions, and tenures to provide opportunity for all household types including larger families, seniors and residents with special needs. Promote a contextual design approach that considers the adjacent and surrounding development and fosters pedestrian scaled/oriented streetscapes.

#### Building Height

- All new buildings fronting onto Main Street and Division Road will have a maximum building height of 11 metres.
- New buildings beyond 11m will be permitted and constructed to a maximum of 16.5 metres (in keeping with current C2 zoning) as long as those portions of the

building above 11m are set back a minimum of 2 metres from the front building façade to maintain pedestrian scale at the street.

- Building height articulation, such as parapets, is encouraged for commercial buildings along Main Street to reinforce architectural or cultural heritage details.
- In the Downtown Core Policy Area, the minimum building height for new buildings shall be 7.5 metres (2 storeys)
- The floor-to-floor building height of the ground level of new mixed-use and commercial buildings should be a minimum of 4.5 metres. This will facilitate current retail or adapted future uses at grade and will ensure that the ground floor has a continuous mixed-use “main street” character. Upper floor levels should be a minimum of 3 metres to facilitate residential use.

### Orientation and Placement

- Orient and place buildings at the street edge to maintain and enhance a main-street type of built form while providing a walkable pedestrian space along Main Street.
- Where a continuous streetwall exists, development shall generally be sited to maintain and enhance the streetwall.
- Development shall generally place buildings at the front and exterior side lot lines. Development shall not include any side yard setbacks, except to provide access as may be required for fire access, pedestrian access, or service access.
- Notwithstanding the foregoing, buildings may be set back in order to expose a view of cultural heritage resources or to create an urban plaza or street life amenity space.
- New buildings shall complement the horizontal and vertical alignment of façade elements of the adjacent buildings.
- All at-grade entrances must be designed to face and be accessed from the main street. Entrances should be prominent and defined through architectural features, materials, and signage;
- New buildings must be designed so that service areas are located at the rear of the building

## 2. Area Two

Area Two surrounds the Downtown Core and extends west to the new west side collector and east to Kratz; and extends a block north and south from the Downtown Core and includes both the Kingsville District High School and the Kingsville Public sites, both of which are slated for redevelopment.

This policy area will be a mixed use residential area with low-rise to mid-rise street-related buildings. Cultural heritage resources will be preserved. Housing shall comprise a mix and range of types, lot size, unit sizes, functions, and tenures to provide opportunity for all household types including larger families, seniors and residents with special needs. Official Plan policies should encourage appropriate

flexibility, innovation and creativity, and diversity in design intrinsic to evolving communities.

### Building Height

- In the Neighbourhood Policy Area, the minimum building height for new buildings shall be 7.5 metres (2 storeys).
- The floor-to-floor building height of the ground level of new buildings should be a minimum of 4.5 metres. This will facilitate retail current or adapted future uses at grade and will ensure that the ground floor has a continuous mixed-use “main street” character. Upper floor levels should be a minimum of 3 metres to facilitate residential use.
- Low to medium-rise residential development fronting onto Main Street will have a maximum building height of 11 metres (3 storeys) as currently allowed for in the Official Plan and Comprehensive Zoning By-law.
- New Medium-rise residential/mixed use buildings beyond 11 meters (3 storeys) will be permitted and must transition from the height of building fronting Main Street with a minimum 45-degree angular plane, starting from the existing height of building on Main Street to a maximum of 22 metres (6 storeys) to maintain pedestrian scale at the street.
- New development must be sympathetic to the existing heritage character and must develop in a way that does not detract, hide from view, or impose in a negative way, on existing heritage contributing resources.

### Orientation and Setback

- In the Neighbourhood Policy Area, development shall generally orient and place buildings in alignment with abutting homes, which is a minimum of 5.5 m as per current zoning except where existing residential building or heritage building forecourts, gardens, or other public access exists, or in new locations where public access or new open spaces have been identified.
- All at-grade entrances must be designed to face and be accessed from the main street. Entrances should be prominent and defined through architectural features, materials, and signage;
- New buildings must be designed so that service areas are located at the rear of the building;
- All building frontages must be oriented toward public streets and other public spaces, in order to clearly define the public realm, create a consistent street wall, and to create an attractive street environment for pedestrians.
- Where low density residential and medium density residential uses are permitted, such development shall enhance the public realm by providing landscaping space in the front setback that supports public street trees and/or sustainable tree planting to promote an attractive streetscape,

### 3. Area Three

The Main Street Corridor is flanked to the east with existing highway commercial and to the west with a developing Highway Commercial zone. It is proposed that development in Area Three includes Low- to Mid-rise highway commercial. Mid-rise to high-rise mixed use residential buildings will also be directed to this area to protect the built form character of the core and neighbourhood policy areas.

#### Building Height

- In Area Three, the maximum building height for new buildings shall be 22 metres (6 storeys).

#### Orientation and Setback

- A variety of service and convenience commercial uses are existing and permitted in Commercial Hubs.
- Building standards and setbacks shall be in accordance with the zoning by-law.
- New buildings must be designed so that service areas are located at the rear of the building;

## B. STREETScape

Though Bill 23 limits what can be enforced on private lands, the Municipality has an opportunity to influence what takes place on public lands and public rights of ways through design and engineering of its urban street profiles, road and servicing upgrades, and development standards.

This includes design of streetscape, including potential for bike lanes and widened sidewalks, on-street and off-street parking, street furnishings and elements, and urban street trees.

#### Bike Lanes

The Committee identified the need for active transportation within Main Street corridor, but was silent on recommending how that might be achieved. The Committee also identified on-street parking, but similarly, did not make any recommendations.

In Kingsville, there are over 535 public and private parking spaces including only 91 on Main/Division within the corridor, yet there are no active transportation options along Main Street and Division Street or elsewhere within the Main Street corridor.

The subsidization of the car and lack of options for alternatives only increases dependency on cars and increases traffic congestion. Though cyclists are allowed to be on roadways, cycling with small children on 'hybrid' bike lanes, or on primary

arteries that do not have cycling facilities, forces them onto sidewalks, which creates conflict with pedestrians, or they simply drive further compounding the traffic issue.

Installing bike lanes and/or widening sidewalks in a Main Street area almost always requires the removal of parking spaces along the street. Such proposals often trigger loud opposition from local businesses who fear that they will lose customers if street parking is not available. In fact, research shows the opposite. Pilot studies in other communities in Ontario and elsewhere have shown that residents will take advantage of facilities if they exist, and further, that removing parking for either bike lanes or widened sidewalks benefits local businesses year round. In fact, car drivers have been shown to be the least frequent visitors and lowest spenders when compared to walkers and cyclists. At the same time, bike lanes and/or widened sidewalks enhance 'sidewalk life', and increase opportunities for civic beautification and public art, urban shade trees and other amenities in the town core and supports sports and cultural tourism and community values. Designed as part of an overall plan, bike lanes along with amenity spaces can provide a sense of cohesion and continuity across the Main Street's three policy areas and ties Main Street together.

### Parks and Amenity Spaces

Currently, there are no parks within the Main Street Corridor, though there are several parks and paths that abut the corridor. New development within the corridor should be encouraged to include parks and open spaces, amenity spaces, or other public spaces. Linking alleyways (currently private) should also be explored as potential amenity spaces. Larger developments should be encouraged to provide a single larger spaces for gathering, or a series of smaller, urban spaces to animate Main Street. Development of the High School and/or Elementary School lands could include parkland and civic spaces/urban squares (which Kingsville currently does not have).

## **C. SIGNS AND DESIGN**

The Town currently regulates two types of signs, Portable Signs (By-law 91-2015) and Election Signs (By-law 76-2018), but does not have a by-law regulating the use of permanent signs. The Town requires a signage plan as part of Site Plan Agreements for new construction only, which is difficult to enforce and does not apply to situations in which a Site Plan is not required.

If direction from Council or COTW is given, Administration will need to investigate the merits of a more general sign by-law. Community consultation would need to occur. It should be noted that attempts to prohibit all billboard and third party signs have been struck down by the courts as an unreasonable interference with freedom of expression.

Possible reasons to consider having a sign by-law that regulates permanent signs are:

- Preserve and enhance the Town's unique character
- Prevent aesthetic blight

- Minimize distractions to motorists
- Protect the public from unsafe signs
- Encourage compatibility of signs with their surroundings

Any limits that are imposed on the content or form of the sign must be reasonable. The courts will consider the following when determining whether the sign by-law is reasonable:

- Is the objective of the by-law pressing and substantial?
- Is the by-law rationally connected to the objective?
- Does the by-law minimally impair the right to freedom of expression?
- Is there proportionality between the by-law's objective and effects?

Administration would have to review whether restrictions such as an approved colour pallet, font, size, design and location on buildings and limiting third party advertising would be considered reasonable limits. A sign by-law could focus only on properties on Main Street or extend to a larger area.

## **FINANCIAL CONSIDERATIONS**

Many of the suggestions from the Main Street Development Committee would require financial support for implementation, with respect to costs for infrastructure construction, engineering, consulting, and staff time.

## **ENVIRONMENTAL CONSIDERATIONS**

The Main Street Strategy includes consideration for complete streets and active transportation, sustainability and resilience, green spaces, energy efficiencies, and heritage conservation.

## **CONSULTATIONS**

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