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Date: April 12, 2021

To: Mayor and Council

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Town Planner

RE: Application for Site Plan Approval by
2418772 Ontario Inc.
76 Main St E
Lot 13 & Pt. Lot 14, Plan 184 & 185
Roll No. 3711 150 000 03500

Report No.: PS 2021-024

RECOMMENDED ACTION

That Council:

Approve site plan application SPA/07/21 for the construction of a new covered patio addition to the front of the existing building at 76 Main St. E., subject to the conditions and requirements outlined in the site plan agreement and authorize the Mayor and Clerk to sign the agreement and register said agreement on title.

BACKGROUND

The subject land is an 847 sq. m (9,118 sq. ft.) (see Appendix A) commercial parcel with an existing converted dwelling, last used as Annabelle's Tea Room & Restaurant. The applicant recently purchased the site and is renovating the interior of the building for a new restaurant. The applicant has submitted a request for site plan approval to construct a new, covered patio area at the front of the building, which extends to the front property line (see Appendix B).

DISCUSSION

1.0 Provincial Policy Statement

The application is consistent with the Provincial Policy Statement.

2.0 Official Plan

The subject property is designated 'Central Commercial' and subject to the policies under Section 3.2.1 of the Official Plan for the Town of Kingsville. The restaurant use is permitted in the central commercial area. The property is listed on the Town's Heritage interest list and as such, the Kingsville Heritage Advisory Committee (KHAC) was consulted on the covered porch design provided by the applicant. Comment from the KHAC is discussed in more detail under Consultations. The application conforms to the policies outlined in the Official Plan.

3.0 Comprehensive Zoning By-Law – Town of Kingsville

The subject property is zoned 'Central Commercial (C2)'. The attached site plan has been reviewed and the proposed new development will be in compliance with all setback regulations of the Town of Kingsville Zoning By-law 1-2014. Parking on the site was and continues to be limited. The applicant will be paving the lot and formalizing a total of 11 on-site spaces. The change from the former use to the current use is recognized as existing in the zoning by-law. However, when new space is added to an existing use in the downtown area additional parking spaces must be provided or a cash-in-lieu of parking contribution made. With the additional seating space to be provided in the proposed new covered porch, the parking requirement increases by 4 spaces. The applicant is asking that this be addressed via the cash-in-lieu provision.

4.0 Site Plan

The existing building on the property was originally built as a dwelling then later converted for commercial use. A single storey addition was added many years ago to provide additional space. The new owner is renovating the interior to for use as a full service restaurant and proposing the addition of a covered porch on the front of the single storey addition. The construction will provide for 50 additional seats and includes an enclosed glass vestibule and accessible access into the building from the parking lot on both sides of the building.

With the building addition, the applicant was required to complete an acceptable storm water review of the property. The Town's Director of Infrastructure and Engineer Services has reviewed and accepted the plan provided.

As identified on the Site Plan in Appendix B, the lot contains 11 parking spaces which the applicant will now be hard surfacing and marking the parking spaces. The customers of the restaurant under previous ownership would find additional park either on the road or in municipal lots. With the proposed covered porch addition providing additional seating, an additional 4 parking spaces are required per the by-law. The applicant wishes to address the additional 4 spaces through cash in lieu, as indicated in the parking plan (see Appendix D).

LINK TO STRATEGIC PLAN

Support growth of the business community.

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

As a result of the proposed front porch addition there will be building permit fees collected and an increase in assessment value at build out.

CONSULTATIONS

In accordance with standard practice for review of site plan approval applications applicable external agencies and internal departments have been circulated. The following comment has been provided.

1) Essex Region Conservation Authority (ERCA)

ERCA has no objection to the proposed development. See full comment in Appendix C.

2) **Town of Kingsville Technical Advisory Committee**

Comments provided by TAC include that the proposed storm water management plan for the site is acceptable, building code requirements will be reviewed during the permit process. Additional parking is required to address the patio addition. All other standard requirements are outlined as part of the site plan agreement.

3) **Heritage Advisory Committee**

The Heritage Committee suggested that the roof on the covered patio addition be lowered so it would not obstruct the view of the roof line on the newer addition. The reasoning for this was the fact that the addition had been done in a style that was sympatric of the existing Mansard style roof of the main building. The committee also questioned the reason for the glass vestibule at the front door of the main entrance and felt that it blocks the access and view of the front door.

Comment: The applicant reviewed the request however due to Ontario Building Code requirements the height of the porch addition must be maintained. The covered patio addition's roof line is flat and has a very minimal impact on the façade of the existing building. The addition also remains open along the front and sides preserving the view of the front of the existing building. The remaining building is not being modified and the owners have already undertaken some significant brick restoration on parts of the structure.

The applicant provided that the front vestibule will be made of clear glass and that the front door in a sense will not be covered. By including this vestibule, they will improve accessibility into the building but also have better control on drafts and temperature changes from the movement in and out of the building, which will now increase as a result of the front patio addition.

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