



2021 Division Road North
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Date: March 30, 2021

To: Mayor and Council

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Manager, Planning Services

RE: Application for Site Plan Approval by
Amico Properties Inc.
1768 Division Rd. N.
Part of Lot 1, Concession 1 ED, Part 6, RP 12R 28404

Report No.: PS 2021-023

AIM

To provide the Mayor and Council with details regarding a request for site plan approval on property located on the east side of Division Rd N south of Road 2 E.

BACKGROUND

The subject land is a 3,920 sq. m (42,196 sq. ft.) vacant commercial lot recently created under severance application B/09/2021. A site plan approval application has been submitted for the development of a second lot within the overall development of the larger surrounding property. A new 300 sq. m (2,691 sq. ft.) drive thru/dine-in restaurant is proposed with associated parking and a twin drive-thru lane. Detailed plans are included as Appendix A.

DISCUSSION

1.0 Provincial Policy Statement

There are no issues of Provincial significance raised by this application.

2.0 Official Plan

The subject property is designated 'Highway Commercial' and subject to the policies under Section 3.2.3 of the Official Plan for the Town of Kingsville. The proposed use is permitted in the highway commercial area. The property has been

assessed under the Site Suitability criteria of Section 2.8 and conforms or will conform through the site plan process. The development of this property as a whole helps in moving toward the decentralization of commercial use which has partially lead to some of the traffic volume issues along Main St. E.

3.0 Comprehensive Zoning By-Law – Town of Kingsville

The subject property is zoned 'Rural Commercial, (C6-7)'. 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. Other items of interest include 12 required stacking spaces in the drive-thru, a total of 39 parking spaces plus two barrier free and a sizable setback from both Division Rd N and the existing open drain. The by-law also notes a requirement that if an outdoor intercom (order board) is within 60 m of a residential use such as that on the Chartwell property that a noise study must be completed. The order board in this location will be located within the 60 m setback. The applicant has provided a noise impact assessment which is attached as Appendix B. The report concludes that the daytime, evening and nighttime noise exclusionary limits defined in the MECP NPC-300 are met for all sources assessed. The report does recommend the use of an automatic volume control on the drive-thru speaker system so that the speaker volume can be adjusted based on the outdoor ambient noise levels. This will be incorporated into the site plan agreement as a requirement. Landscaped area for the property is 32.7% including the proposed patio area.

4.0 Site Plan

Site plan approval in this case will only apply to the proposed drive thru/eat in restaurant. Additional Council approval will be required as the remaining lots within the development build out.

The current proposal by the prospective purchaser of the subject lot is a 300 sq. m (2,691 sq. ft.) building with a twin drive-thru lane, outdoor patio area and associated parking and garbage enclosure. The site is fully serviced with Town water and sanitary sewer. Storm water is managed on the site within the parking area.

Because the overall site is intended to function as a single development each lot will require interconnection for access purposes. Both the Dairy Queen site and subject site are connected via the parking areas. The main entrance to the site will be limited to the existing shared entrance between the Chartwell property and the subject lands. The proposed internal service road will also provide a shared access from Road 2 E. The access point in the southwest corner of the lot has been limited to an out only as to limit any entrance at this point minimizing impact to traffic enter from Division Street North.

A photometric plan was provided for the site and IES will review the type of lighting proposed. As with all site plan approval lighting must be full cut-off and dark sky compliant.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

Direct financial considerations of the development will include development charges, building permit fees and an increase in assessment value at build out. Indirect considerations are the creation of a new business in the Town along with new employment opportunities.

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, All other standard requirements are outlined as part of the site plan agreement.

RECOMMENDATION

That Council:

Approve site plan application SPA/05/2021 for a 300 sq. m (2,691 sq. ft.) drive-thru/dine-in restaurant on lands located on the east side of Division Street North (1768 Division St, N., 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.

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