

# Daniel Martin TUP Feb 22, 2021

## Mayor Gary Anderson

Super. Okay, we're going to move down to staff reports 7.1 temporary use permit application TUP 2021 dash 0017 for 620 Laura Road, that's Rob Purdy and Christine Hardie and that's over to you, Daniel Martin, Manager of Planning and Development. We're a little ahead of schedule but I see you're here. That's great. Thank you.

## Daniel Martin

I am here. Thank you, Mayor and Council. So as the mayor said we're discussing today a temporary use permit application for 620 Laura Road. And for those councillors or members of the public who are curious we've changed our permit numbering system as of 2021 to better mesh with our electronic payment options so they're now this eight digit number where the first four of the year and the next four digits are total total permit numbers for all permits for the year. So we haven't had 17 to up applications this year but this would have been the 17th permit application we received in 2021.

So this application is for a cidery to take place at 620 Laura road, which is at the intersection of Laura and Westside Road. When the applicant bought the property there was a one-acre apple orchard located at the intersection of Laura Road and Westside road and the applicant subsequently planted about an additional one acre of apple trees for the cidery.

So, the overall site plan has the existing orchard and the new orchard and a cidery which they converted an existing farm outbuilding into the proposed cidery. The property is zoned rural residential to add a feature of the zoning that allows for agricultural use so it already allows for the processing, or the growth, the harvesting of crops, the processing and sale of the products that are produced on that lot. So one of the first things in this application that you can determine what what was necessary to for the temporary use permit. So in our agriculture zone we would already permit somebody to grow apples to process the apples into apple juice or apple cider and to sell that cider on the property.

So what we ended up determining was the temporary use permit is really needed for to meet the proposed cidery definition which allows for additional apples from off site to be added to the mix of the cidery and potentially some of the retail functions, or the picnic functions potentially start to exceed that agriculture use. And so in the temporary use permit that's before you, staff have put in conditions that allow for what the applicant has proposed with some, some additions but but having some sort of cap on the limit so putting the maximum size the retail space, a maximum size of the exterior

patio space. And to put parking requirements to match those that we require for cottage or artisan industry, and we would propose a definition for cidery.

So our Land Use Bylaw doesn't have a cidery definition but it does have a winery definition. And so this would mimic the winery definition except before for cider and I've highlighted there the at least 50% of the cider production because I'll discuss that later. And we thought about other considerations what else might we want to have conditions on and so these aren't included in the permit but could be if they are are issues of concern so one is that the liquor manufacturing condition or license has conditions already to limit the hours of operation from 9am to 11pm.

And if concerns are raised a temporary use permit could further restrict the hours that it's open. A liquor license could, somebody could apply for a special event area endorsement. So hold special events as part of their cidery operations and a temporary use permit could include conditions about that.

Finally, also associated with the cidery you can apply for a lounge endorsement, which essentially like more like a restaurant. The TUP doesn't include this and as currently drafted the TUP would not permit the operation of the lounge endorsement. I should say too as part of this cidery business the applicant, which the report says the applicant is applying for the temporary use permit to sort of start the business and get it operational but then intends to apply for a rezoning should the business be successful, so some of these conditions and you know expansion options I think would be considered at that time as well once this business is established. And then finally, the applicant would prefer a following amendment to the proposed TUP so they would prefer the cidery definition to limit the production to require just 25% of the cider come from fruit grown on the same lot and so that's to match requirements from the liquor distribution, the liquor manufacturing license that they have allows them that only 25% of the fruit needs to be produced on that lot, but staff instead recommend a definition that would match our winery definition and match requirements for properties that operate in the agricultural land reserve. And so, finally, with all that said staff recommend that notice be given for the temporary use permit to be considered by Council at its meeting of March 22, 2021 and to authorize staff to give notice to neighbouring properties.

I'm happy to answer any questions.