A. Recommendations

THAT the Director of Planning & Development Services receive Staff Report PDS.20.87, entitled “Delegated Site Plan Approval – Thornbury Cidery ADDENDUM 5 Report”;

AND THAT the Director of Planning & Development Services GRANT an amendment to the Conditional Site Plan Approval, as amended, issued under Section 41 of the Planning Act, subject to the following conditions:

1) That all drawings listed in the original Conditional Site Plan Approval, as outlined in Staff Report PDS.19.132, continue to be considered as the ‘Approved Drawings’ for the subject lands;

2) That all conditions of approval listed in the original Conditional Site Plan Approval, as outlined in Staff Report PDS.19.132, as amended by Staff Report PDS.20.17, Staff Report PDS.20.36, Staff Report PDS.20.49, and Staff Report PDS.20.61 remain applicable with the exception of the following:

   a) That Condition 3 be hereby deleted in its entirety and replaced with the following text:

   “3) That a Site Plan Agreement shall be executed by the Applicant and submitted to the Town by November 2, 2020. All required securities and insurance certificates shall be submitted with the executed agreement.

   In order to achieve the above timeline, it is recommended that the applicant submit a final submission addressing all outstanding engineering matters, including but not limited to ensuring that the sanitary sewer system does not convey storm drainage, and any other matter outlined under Condition 2 in advance of the aforementioned date to allow time for sufficient review of the materials and to allow sufficient time for the Town to prepare the agreement.”
If a Site Plan Agreement is not executed by the Applicant by November 2, 2020, all site operations/construction shall cease until the Agreement is executed”.

B. Overview

The purpose of this report is to provide a recommendation to the Director of Planning and Development Services regarding an amendment to the Conditional Site Plan Approval granted for the Thornbury Cidery. Conditional Site Plan Approval was granted by the Director on December 24, 2019, and an amendment was granted on February 5, 2020, in order to extend the timeline outlined in Condition 3 to April 3, 2020. An additional amendment was granted on March 26, 2020, in order to include the addition of approved Municipal Tree Removal and Replacement drawings, as well as amendments to permit further extension to the timeline outlined in Condition 3 in light of the current Provincial State of Emergency. The Conditional Site Plan was further extended on May 7, 2020, to July 3, 2020, due to delays in the preparation of the final engineering submission as a result of the on-going Provincial State of Emergency.

Planning Staff contacted the applicant to remind them of the pending lapse date. As a result, the applicant subsequently requested a further thirty-five (35) day extension to the timeline outlined in Condition 3 to August 7, 2020, due to delays in the preparation of the final engineering submission as a result of the on-going Provincial State of Emergency. Conditional Site Plan was extended to September 3, 2020. Despite the additional time allotted, the applicant has continued to experience delays in the preparation of the final engineering design submission which is required to facilitate the execution of the Site Plan Agreement and ultimately to permit Building Permits to be issued by the Town. As such, the applicant has requested further extension to the Conditional Site Plan Approval until October 15, 2020.

In review of the request, Staff recommend extending the conditional Site Plan Approval to November 2, 2020, in order to allow the applicant’s consultants sufficient time to complete the final engineering design drawings required for site plan approval. It is noted that while a conditional foundation permit may be issued at the discretion of the Chief Building Official following approval of the requested extension, a full building permit and any further site works shall not be permitted until the Site Plan Agreement has been fully executed by the Town.

C. Executive Summary

Application File # P2772

Application Received Date: July 24, 2019

Application Deemed Complete Date: Not Applicable

Official Plan Designation: Downtown Area

Zoning Bylaw Designation: General Employment (M1)

Location: 90 King Street East, Thornbury
The Town granted conditional site plan approval for the development of the lands on December 24, 2019. Among the applicable conditions, the applicant was required to execute a Site Plan Agreement by February 7, 2020. If an agreement is not executed by this date, then all site works must cease until the agreement is signed.

A subsequent amendment to the conditions of Conditional Site Plan Approval was granted on February 5, 2020, in order to extend the timelines outlined in Condition 3 to April 3, 2020.

An additional amendment to the conditions of Conditional Site Plan Approval was granted on March 26, 2020, in order to extend the timelines outlined in Condition 3 to May 8, 2020, as a result of the province-wide State of Emergency currently in place. Amendments were also granted to permit tree removal on municipal lands without the requirement of a permit pursuant to Tree Preservation By-law 2010-68.

An additional extension to the timeline outlined by Condition 3 was granted by the Town on May 7, 2020, to extend conditional site plan approval to July 3, 2020. Planning Staff contacted the applicant regarding the pending lapse date and a subsequent request for a further extension was received by Planning Services on July 2, 2020. In consideration of the request, Staff recommended an additional sixty (60) day extension to the condition approval to September 3, 2020, which was approved by the director.

The applicant has subsequently requested an additional extension to the conditional site plan approval to October 15, 2020. In consideration, Staff recommend that the conditional approval be extended to November 2, 2020, in order to afford the applicant’s consulting engineering additional time to prepare and submit the final engineering design drawings to the Town for review and approval.

D. Background

A detailed analysis of the site plan application and proposed development is provided in Staff Recommendation Report PDS.19.132. This report is intended to provide a recommendation to the Director on the amendments currently requested only.

E. Analysis

Staff support the requested extension to the Conditional Site Plan Approval, subject to the conditions outlined herein.

F. The Blue Mountains Strategic Plan

Goal #1: Create Opportunities for Sustainability
Objective #1 Retain Existing Business
Objective #3 Promote a Diversified Economy
Objective #5 Improved Visibility and Local Identity
G. Environmental Impacts

No adverse environmental impacts are anticipated as a result of this request.

H. Financial Impact

No adverse financial impacts to the Municipality are anticipated as a result of this request.

I. In consultation with

Brian Worsley, Manager of Development Engineering
Tim Murawsky, Chief Building Official
Trevor Houghton, Manager of Community Planning
Nathan Westendorp, Director of Planning and Development Services

J. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Travis Sandberg, Planner I.

K. Attached

Nil.

Respectfully submitted,

Travis Sandberg, Planner I

Reviewed by:

Trevor Houghton, MCIP, RPP
Manager of Community Planning
In accordance with Delegated Authority By-law 2012-46, I hereby grant the requested extension to the conditional site plan approval pursuant to Section 41 of the Planning Act, subject to the conditions outlined in Staff Report PDS.20.87:

[Signature]
Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

For more information, please contact:
Travis Sandberg
planning@thhbluemountains.ca
519-599-3131 extension 283