



THE CORPORATION OF THE TOWNSHIP OF KING
Report to Council

Monday, June 17, 2024

Corporate Services Department - Clerks Division
Report Number COR-CLK-2024-008
Schomberg Brew Works Inc. - AGCO Application - Request for Approval

RECOMMENDATION(S):

The Director of Corporate Services respectfully submits the following recommendation(s):

1. That Report CLK-COR-2024-008 be received.
2. That the request from Schomberg Brew Works Inc. regarding its application to the Alcohol and Gaming Commission of Ontario (AGCO) for a "By-the-Glass" endorsement to sell and serve their products for consumption at its manufacturing site at 203 Main Street, Unit 1C, be approved.
3. That the Township Clerk be authorized to execute the Municipal Information for Retail Store Authorization.
4. That the Township Clerk send a copy of this resolution to Schomberg Brew Works Inc. for inclusion with their application.

REPORT HIGHLIGHTS:

- Schomberg Brew Works Inc. has obtained essential municipal approvals, including planning, fire and building, and seeks Council's endorsement to support their "By-the-Glass" and "Retail Store" licences as part of their Brewery Manufacturers Licence application with the Alcohol and Gaming Commission of Ontario.
- With all municipal clearances in place, the Township Clerk is supportive of Council's endorsement.

PURPOSE:

Schomberg Brew Works Inc. (the "applicant") seeks to establish a nano-brewery at 203 Main Street, Unit 1C, in the Village of Schomberg. This report outlines their "By-the-Glass" and "Retail Store" endorsement requests and summarizes municipal approvals obtained.

BACKGROUND:

Under the *Liquor Licence Act, 1990*, Ontario wineries and breweries are permitted to sell and serve their wine and beer to patrons in single servings at their manufacturing site. Manufacturers wishing to obtain a "Manufacturer's Limited Liquor Sales Licence - By-the-Glass" licence must include with their application to the Alcohol and Gaming Commission of Ontario (AGCO), a resolution approved by the

local municipal Council supporting the issuance of such licence. As this class of "By the Glass" Manufacturer's Licence is exempt from public advertising requirements, the regulations under the *Liquor Licence Act* instead require that a resolution be passed by the Council of the applicable municipality indicating support for the issuance of the licence.

ANALYSIS:

Schomberg Brew Works Inc. (the 'applicant') is planning to open a nano-brewery at 203 Main Street, Unit 1C, in the Village of Schomberg. As part of process, the applicant requires several items in order to complete their applications with the Alcohol and Gaming Commission of Ontario. The applicant does have a submitted application for a Brewery Manufacturers licence. As part of this, the applicant is also seeking two (2) additional endorsements as part of their business operations, being:

- *Manufacturer's Limited Liquor Sales Licence - "By-the-Glass" Endorsement*
- *Manufacturer's - Retail Store Authorization*

Manufacturer's Limited Liquour Sales Licence - By-the-Glass Endorsement

A "By the Glass" licence will enable the brewery to operate a tasting room to sell and serve their products for consumption onsite, enabling them to promote their products and enhance the visitor experience. As part of this application, Council must pass a resolution in support of the applicant's "Manufacturer's Limited Liquor Sales Licence - Sale by the Glass" application. The resolution will form part of the application that must be submitted to the AGCO.

Manufacturer's Retail Store Authorization

The applicant is requesting the endorsement of a Manufacturer's Retail Store Authorization to permit the retail sale of their manufactured product on location.

Federal Approval

The *Excise Act* and the *Excise Act, 2001* (administered by the Canada Revenue Agency) require that a person obtain a licence under those federal statutes prior to producing or packaging wine, beer and/or spirits in Canada.

The applicant has obtained their Excise Licence, issued by the Canada Revenue Agency (Licence No.: 0054-4-2237), pursuant to section 20 of the Federal Excise Act.

Municipal Approvals

The Clerk's Division has worked closely with the applicant to facilitate the necessary steps and approvals with the appropriate Township departments, prior to bringing this report before Council.

A summary of the applicants approvals are as follows:

Planning

Committee of Adjustment Approval

The Committee of Adjustment (COA) received a minor variance application, File No. A-23-89 at its meeting held on December 13, 2023 by the applicant.

The applicant sought relief to permit a “nano brewery” on the ground floor of the existing mixed use building. The proposed use was not defined in the Zoning By-law. Where the uses of land, buildings or structures permitted in the By-law are defined in general terms, the Committee of Adjustment may permit the use of any land, building or structure for any purpose that, in the opinion of the Committee, conforms with the uses permitted in the By-law and as prescribed by Section 45(2)(b) of the Planning Act.

The application was approved in accordance with the plans submitted with the application, and with associated conditions. The approval decision is attached as **Appendix A**.

Zoning Certificate

The applicant obtained a Zoning Certificate from the Planning Division, attached as Appendix 'B', which confirms that the use would be found to be in conformance with the zoning provisions of the Township of King's Zoning By-law 2017-66.

Building

As part of the Committee of Adjustment conditions, the applicant was required to submit a 'Change of Use' Building Permit. The application was submitted and building inspections were completed successfully. The Building Division granted occupancy as of June 11, 2024.

King Fire & Emergency Services

A fire inspection was conducted on-site, and the facility has passed all required safety standards and regulations. The assessment confirmed that all fire safety measures are in compliance with the relevant codes and guidelines.

Next Steps:

As the applicant has obtained all necessary municipal clearances, the Township Clerk is supportive of Council's endorsement of the application. Upon Council's approval, the applicant can finalize their applications with the AGCO so that they can proceed to open their business.

Economic Development has been engaged with the applicant and will continue to work with them for any potential future Community Improvement Village Vibrancy Grant or other opportunities, as part of the Schomberg Main Street business improvement and revitalization efforts.

FINANCIAL CONSIDERATIONS:

There are no financial considerations as part of this report. The applicant has paid all necessary fees as required for each municipal approval.

ALIGNMENT TO STRATEGIC PLAN:

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of utmost importance to the community and defines the obligations and

commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Townships long-term vision defined in the “Our King” Official Plan. The CSP also aims to ensure that staff initiatives focus on and work towards supporting King’s Vision, Mission and Values.

This report is in alignment with the CSP’s Priority Area(s), and/or associated Objective(s) and/or Key Results(s):



Complete
Communities

Enrich community well-being and make King the ideal place to live, work and play.

This report aligns with the goal of being business and investment friendly and supportive, and to realize the economic, historic, cultural, and social potential of Main Street Schomberg.

CONCLUSION:

It is recommended that Council pass a resolution supporting the Schomberg Brew Works Inc. application for a “Manufacturer’s Limited Liquor Sales Licence - By the Glass” and authorize the Township Clerk to sign the Municipal Information for a Retail Store Authorization. This licence will allow Schomberg Brew Works Inc. to promote their products and provide an enhanced tourist experience to Schomberg Main Street.

ATTACHMENTS:

[Appendix A - A-23-89 - Notice of Decision \(203 Main Street, Unit 1C, Schomberg\)](#)

[Appendix B - Schomberg Brewery Zoning Certificate](#)

Prepared By:

Denny Timm
Township Clerk

Recommended By:

Jennifer Caietta
Director of Corporate Services

Approved for Submission By:

Daniel Kostopoulos
Chief Administrative Officer



King Township
 2585 King Road
 King City, Ontario
 Canada L7B 1A1

Phone: 905.833.5321
 Fax: 905.833.2300
 Website: www.king.ca

NOTICE OF DECISION
Minor Variance Application File No. A-23-89
Section 45 of the Planning Act, R.S.O, 1990, c.P. 13

Address: 203 Main Street - Unit 1C, Schomberg
 Plan 87, Lot 59

Ward: 4

Owner: 2749383 Ontario Inc.

Agent: Schomberg Brew Works c/o Tashko Sarakinov

Zoning: Core Area (Schomberg) Special Policy Area – CAS - SPA

Zoning By-law Requirements:

Permitted uses in the CAS-SPA Zone permits a range of commercial and residential uses such as a restaurant, bakery, retail store, etc. The property is also located in an area where Special Policy Area (SPA) Provisions apply.

The uses permitted in the Special Policy Area will be the same uses permitted by the underlying CAS zone, subject to various policies, including the prohibition of uses that include institutional services, emergency services and the storage and sale of chemical or hazardous substances.

APPLICATION REQUEST:

The applicant is seeking relief to permit a “nano brewery” on the ground floor of the existing mixed-use building.

The proposed use is not defined in the Zoning By-law. Where the uses of land, buildings or structures permitted in the By-law are defined in general terms, the Committee of Adjustment may permit the use of any land, building or structure for any purpose that, in the opinion of the Committee, conforms with the uses permitted in the By-law and as prescribed by Section 45(2)(b) of the Planning Act.

THAT application #A-23-89 **BE APPROVED** on lands described 203 Main Street - Unit 1C, Schomberg, Plan 87, Lot 59, in accordance with the plans submitted with this application and associated conditions.

IMPORTANT:

The approved variances are associated with the subject property address. It is the responsibility of the property owner(s) to ensure all conditions have been fulfilled. If conditions are not fulfilled, the Township may determine that a violation of the zoning by-law has occurred and take further action, as well as apply additional fees/charges.

#	Schedule of Conditions	Department Contact
1	That the use of a nano brewery be in substantial conformity with the submitted floor plans dated November 20 th , 2023 for Unit 1C at 203 Main Street.	Colin Pang, Planning Division cpang@king.ca
2	That a Change of Use building permit must be applied.	Andrew Quattrociocchi, Building Division aquattrociocchi@king.ca
3	That the Business is not to open until occupancy inspection is granted.	Andrew Quattrociocchi, Building Division aquattrociocchi@king.ca

For the following reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.



King Township
 2585 King Road
 King City, Ontario
 Canada L7B 1A1

Phone: 905.833.5321
 Fax: 905.833.2300
 Website: www.king.ca

- 3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- 4. The requested variance(s) is/are minor in nature.

We, the undersigned, in making the decision upon this application have considered whether or not the variance requested was minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and Official Plan will be maintained, or in the case of an enlargement of or a change in a use of property which is lawfully non-conforming under the By-law as to whether or not this application has met the requirements of subsection 45(2), of the *Planning Act*, 1990, as amended.

In addition to the reports and comments that form part of the related agenda, any written or oral submissions considered in the making of this decision are detailed below:

Type of Submission (Objection/Support/Petition etc)	Submission Received from	Date of Submission	Form of Submission (written/deputation at hearing)
N/A	N/A	N/A	N/A

We, the undersigned, concur in the following decision and reasons for the decision of the Committee of Adjustment made on the **13th day of December 2023**.

<i>M. Carafa</i>	<i>D. Coletti</i>	<i>T. Price</i>
_____ Mark Carafa Member	_____ Dino Coletti Member	_____ Terence Price Member
 <i>B. King</i>	 <i>C. Mortelliti</i>	
_____ Brent King Chair	_____ Cleve Mortelliti Vice Chair	


DATE OF HEARING: December 13, 2023

DATE OF NOTICE: December 22, 2023

LAST DAY FOR *APPEAL: January 2, 2024
**Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.*

CERTIFICATION
 I hereby certify that this is a true copy of the decision of the Township of King Committee of Adjustment with respect to the above application.

Dated this 22nd day of December 2023.


 Adriana Bozzo, Secretary-Treasurer
 Committee of Adjustment

APPEAL PROCEDURE AND GENERAL INFORMATION
(The Planning Act, R.S.O. 1990, as amended, Section 45)

To appeal against the decision of the Committee to the Ontario Land Tribunal (OLT) send a letter to the Secretary-Treasurer for the Township of King Committee of Adjustment outlining the reasons for the appeal, along with the A1 Appeal Form. The LPAT appeal fee is \$400 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications.

The LPAT Appeal Fee must be paid by certified cheque or money order and be payable to the "Minister of Finance" or can be paid via credit card (see section 7 of the appeal form). Appeal forms (A1 Appeal Form – Minor Variance) can be obtained at <https://olt.gov.on.ca/>



King Township
2585 King Road
King City, Ontario
Canada L7B 1A1

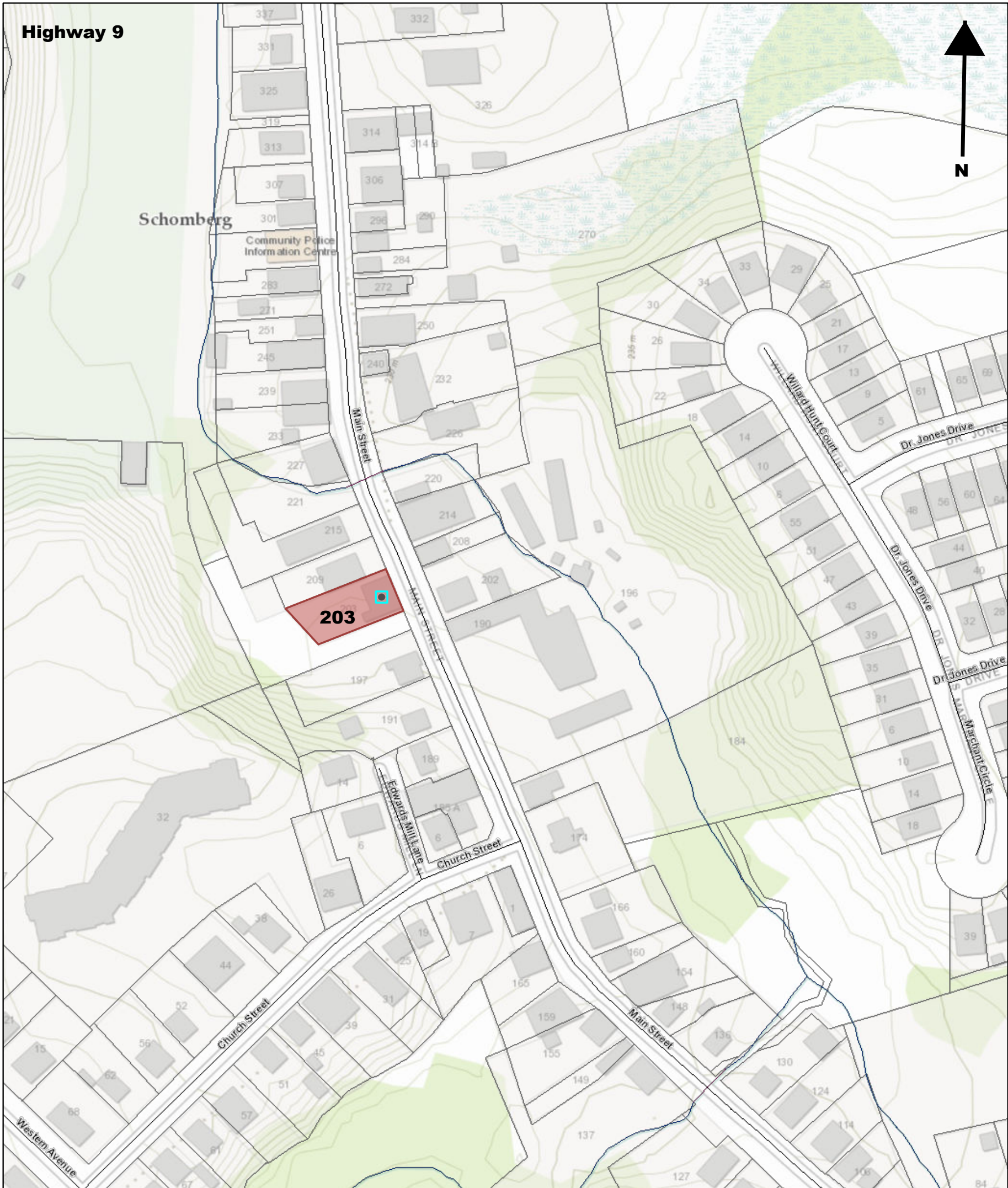
Phone: 905.833.5321
Fax: 905.833.2300
Website: www.king.ca

Please note that there is an Appeal Processing Fee of \$800.00 which is payable to King Township, contact the Secretary Treasurer for payment options.

Only the applicant/owner, the municipality, or certain public bodies may no later than 20 days of the making of the decision appeal to the Ontario Land Tribunal (OLT). When no appeal is lodged within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

For further information, please contact the Secretary-Treasurer, Township of King Committee of Adjustment at cofa@king.ca or 289-800-2664 from 8:30 a.m. to 4:30 p.m.

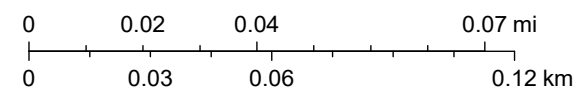
Location Map: 203 Main Street, Schomberg



2023-11-20, 1:48:20 p.m.

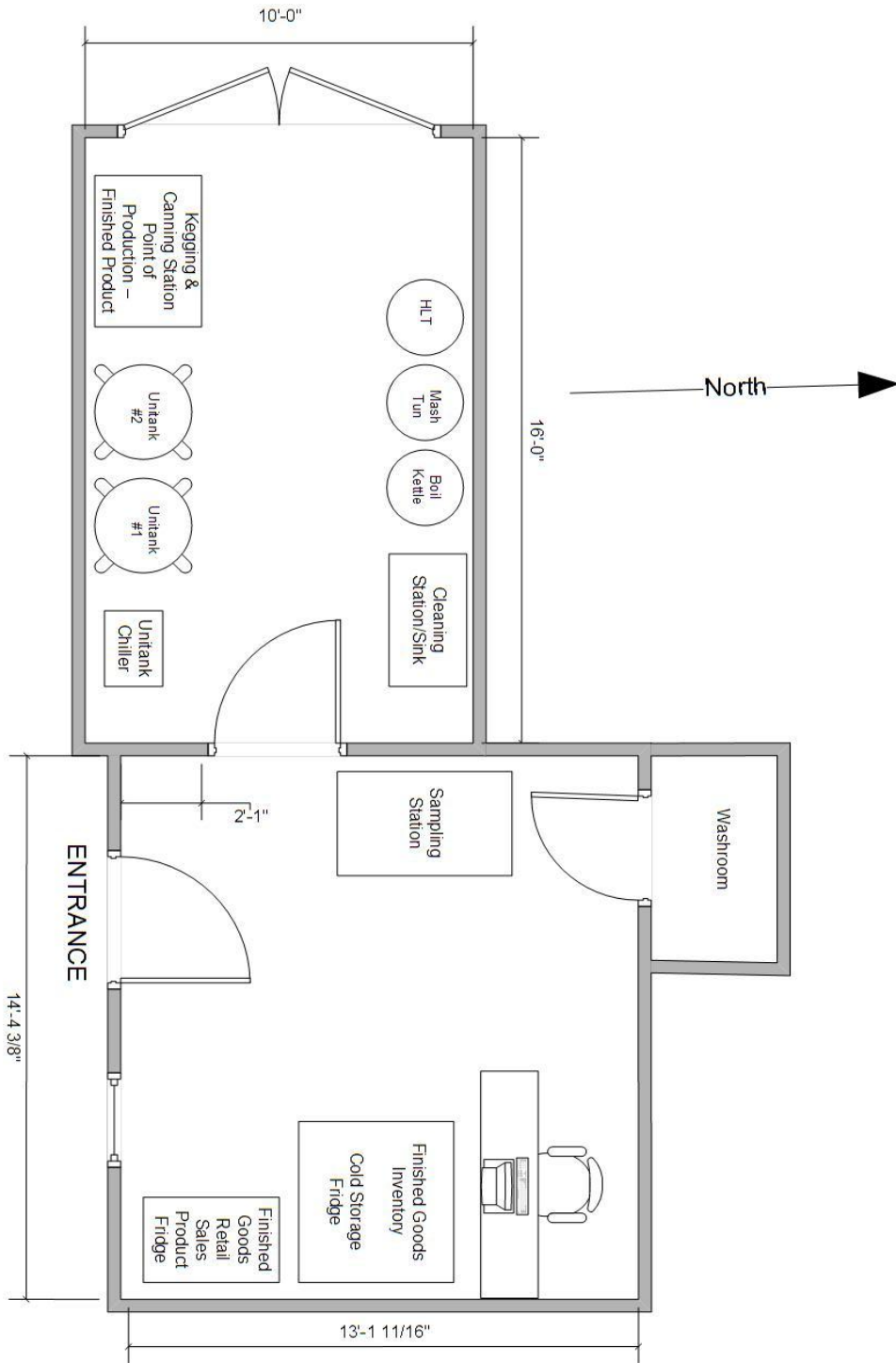
- | | | | |
|---|---|---|---|
| █ Override 1 | — Regional Road | — Accessway | — Watercourse |
| — Freeway | — Interchange-Regional Road | — Laneway | — River - Intermittent |
| — Interchange-Freeway | — Arterial Road | — Proposed Road | — River - Single Line |
| — Provincial Highway | — Urban Road | --- Unopened Road Allowance | — Virtual Segment - River |
| — Interchange-Prov Highway | — Rural Road | █ Waterbody | — Waterbody Segment |
| | — Private Road | █ MPAC | █ Cemetery |

1:2,257

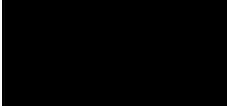


City of Brampton, City of Toronto, County of Simcoe, York Region, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCan

Schomberg Brew Works Inc.
203 Main Street, Unit 1C - Floor Plan

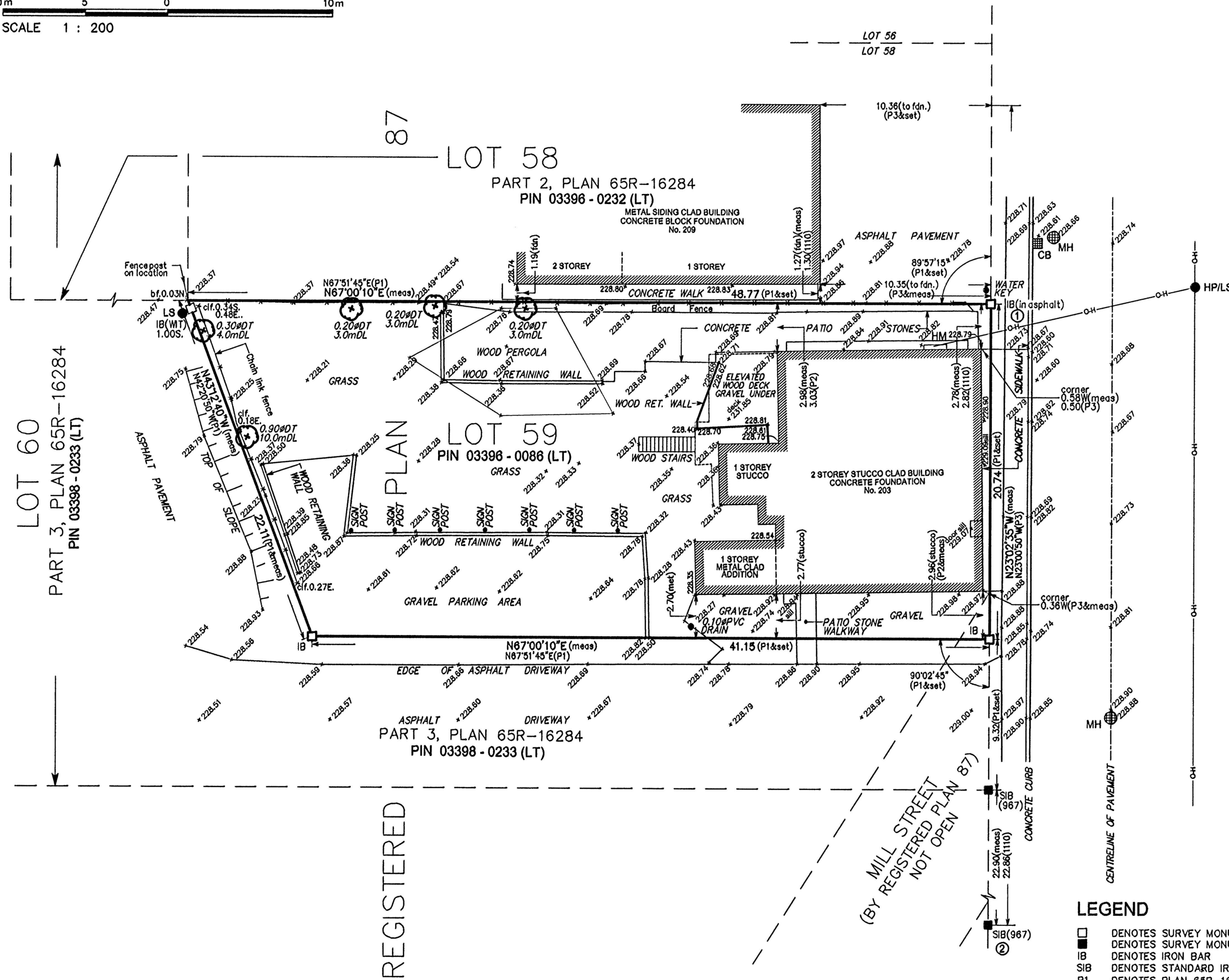


20-Nov-2023



**SURVEYOR'S REAL PROPERTY REPORT AND TOPOGRAPHY OF
LOT 59 AND PART OF MILL STREET (NOT OPEN)
REGISTERED PLAN 87
TOWNSHIP OF KING
REGIONAL MUNICIPALITY OF YORK**

10m 5 0 10m
SCALE 1 : 200



KNOWN AS MAIN STREET
(MAIN STREET BY REGISTERED PLAN 87)
(BY BY-LAW R-670-80-128, INST. No. 261406)
PIN 03398-0001 (LT)

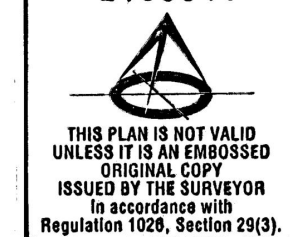
NOTE

ALL BUILDING TIES ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED. PROPERTY LINES ARE UNFENCED UNLESS OTHERWISE NOTED.

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2135941



© COPYRIGHT 2011 DELPH AND JENKINS NORTH LTD., . THE REPRODUCTION, ALTERATION, OR USE OF THIS REPORT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF DELPH AND JENKINS NORTH LTD. IS STRICTLY PROHIBITED.

SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY
SURVEY PREPARED FOR GERRY DOEDENS
DESCRIPTION OF LAND LOT 59 AND PART OF MILL STREET, REGISTERED PLAN 87 (203 MAIN STREET, SCHOMBERG)
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS NONE REGISTERED ON TITLE
ENCROACHMENTS NOTE THE LOCATIONS OF FENCE AROUND THE SUBJECT LANDS
COMPLIANCE WITH MUNICIPAL ZONING BY-LAW NOT CERTIFIED BY THIS REPORT.
ADDITIONAL REMARKS (FURTHER INFORMATION CONTAINED IN THE SURVEY REPORT TO BE READ IN CONJUNCTION WITH THIS PLAN.)

ELEVATIONS SHOWN ARE GEODETIC AND REFERRED TO THE MINISTRY OF TRANSPORTATION BENCHMARK No. 00820108130 HAVING AN ELEVATION OF 232.107m (CGVD28, 1978 ADJUSTMENT). LOCATED ON THE NORTH SIDE OF HIGHWAY 9, 60m EAST OF SIDEROAD 20.

OBSERVED REFERENCE POINTS UTM (NAD 83, CSRS 2010)			
PLAN COORDINATES			
No.	DESCRIPTION	NORTHING	EASTING
1	IB (1110)	4 872 928.078	605 518.085
2	SIB (0U)	4 872 879.358	605 538.809

NOTE:

BEARINGS SHOWN HEREON ARE UTM GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS ① AND ② BY REALTIME CANNET NETWORK OBSERVATIONS AND REFERRED TO THE 6th UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81st WEST LONGITUDE (NAD 83, CSRS 2010)

DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES, AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING THE DISTANCE BY A COMBINED SCALE FACTOR OF 0.9997064.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 2nd. DAY OF NOVEMBER, 2020.

Nov. 4, 2020
DATE

G. K. Jenkins
G. K. JENKINS - ONTARIO LAND SURVEYOR

LEGEND

□	DENOTES SURVEY MONUMENT FOUND
■	DENOTES SURVEY MONUMENT PLANTED
IB	DENOTES IRON BAR
SIB	DENOTES STANDARD IRON BAR
P1	DENOTES PLAN 65R-16284
P3	DENOTES PLAN PLAN 65R-35798
1110	DENOTES R.D. TOMLINSON, O.L.S.
967	DENOTES W. N. WILDMAN, O.L.S.
fdn	DENOTES FOUNDATION
HP/L/S	DENOTES LIGHT STANDARD
CB	DENOTES CATCH BASIN
MH	DENOTES MANHOLE
HM	DENOTES HYDRO METERS AND HYDRO MAST
O-H	DENOTES OVERHEAD HYDRO WIRES
0.9040T 10.0mDL	DENOTES DECIDUOUS TREE AND DRIP LINE

Delph & Jenkins North Ltd.
Ontario Land Surveyors
220 Industrial Parkway S., Unit 6, Aurora, Ontario L4G 3V6
Tel. 905-841-8528 Fax. 905-841-2498

20288 - 1

DRAWN : ml CHECKED : GKJ

ACAD FILE: 20288-1.DWG. DATE: OCTOBER 24, 2020



King Township
2585 King Road
King City, Ontario
Canada L7B 1A1

Phone: 905.833.5321
Fax: 905.833.2300
Website: www.king.ca

ZONING CERTIFICATE ZC2023-0334
Under Township of King By-Law 2017-66
This is NOT a Building Permit or Building Approval

January 10, 2024

Gerry Doedens
34 McGuire Court
Schomberg, ON
L0G 1T0
c/o Tashko Sarakinov, Agent

RE: Zoning Certificate ZC2023-0334
 203 Main Street (Change of Use – Micro/Nano Brewery)

A review has been undertaken of the proposed change of use to a micro/nano brewery.

The purpose of this letter is to provide zoning by-law clearance.

The following documents were submitted and reviewed and found to be in conformance with the zone provisions of the Township of King's By-Law 2017-66:

1. Floor Plan dated November 20, 2023.
2. Plan of Survey dated November 4, 2020, prepared by Delph & Jenkins North Ltd.

This zoning certificate is to be submitted together with your completed application for building permit to the Building Division: bdsubmissions@king.ca.

NOTE: If there are any changes made to the drawings/plans as approved above, you may be required to make a resubmission for a new zoning certificate.

Note: This certificate is valid for six (6) months from the date of issuance.

Regards,

Kelly Earley,
Zoning Examiner
Planning Division
Growth Management Services
Township of King
905-833-4079
kearley@king.ca