

Southwest New Brunswick Service Commission

Planning Report

To: Planning Review and Adjustment Committee

From: Alex Henderson, MCIP, RPP (NB)
Southwest New Brunswick Service Commission

Date: May 3rd 2018

Property: N/A

Owner: N/A

Applicant: Town of Saint Andrews Administration

Municipal Plan: Commercial

Zoning Bylaw: Central Commercial (CC) zone

Summary: The applicant is seeking zoning bylaw amendments to permit microbreweries in the Central Commercial zone, to add a definition of 'microbrewery' to the Saint Andrews Zoning Bylaw (10-04), and to allow licensed premises in the aforementioned microbreweries.

Planning Comments:

Below are the existing policies in the Municipal Plan that are relevant and in support of the amendments requested.

Municipal Plan:

Economy – Section 2.5.2 (1) – Policies

“Council shall seek to provide an economic climate conducive to investment and the growth of employment opportunities while protecting and enhancing the quality of life in Saint Andrews.”

Economy – Section 2.5.2 (8) – Policies

“Council shall selectively permit light industrial uses in a proposed Business Park or other locations as deemed appropriate.”

Three Amendments Requested:

The applicant's request would require amendments to the Zoning Bylaw. The following three amendments are recommended:

Amendment #1- Amend the Saint Andrews Zoning Bylaw (10-04) by adding to the list of CC Zone Uses Subject to Terms and Conditions (Conditional Uses) in Section 5.2.2 (1) the following:

(xvi) a *microbrewery*;

Amendment #2- Amend the Saint Andrews Zoning Bylaw (10-04) add a definition to the Town of Saint Andrews Zoning Bylaw (10-04) for a microbrewery:

“MICROBREWERY”

Means the small-scale manufacturing of beer, wine, spirits or other alcoholic beverages with a combined total annual production of 500,000 liters or less. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises. This Use does not include outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business. This Use does not generate odour, dust, waste or delivery traffic in excess of that which is characteristic of the Zone in which it is located.

Amendment #3 - Amend the Saint Andrews Zoning Bylaw (10-04) by repealing paragraph (c) in Section 5.2.1 and substituting the following:

**(c) A *licensed premises* as a *secondary use* within a *restaurant* or a *microbrewery*;
and**

Planner's note: By repealing 5.2.1 and substituting it with the above, Council is removing the current prohibition on new licensed premises which involve "lounges" or those that "require a live entertainment license."

Discussion:

The proposed zoning amendment does not require an amendment to the Town of St. Andrews Municipal Plan By-law (10-3). By approving this amendment, Council is supporting new investment and growth opportunities that enhance the quality of life in Saint Andrews. Across North America and New Brunswick, microbreweries have been opening up in downtowns and

other commercial locations. They provide employment, serve to satisfy a growing market niche, and provide a form of tourism where brewery tours take place.

By approving this amendment, Council would also be selectively permitting another light industrial use to occur in the Central Commercial zone. The Microbrewery definition being proposed ensures that any microbrewery development could not develop into a heavy industrial use, as these are prohibited in Saint Andrews under Section 2.5.2 (7) of the Municipal Plan By-law (10-3). The proposed definition also requires that if any microbrewery development were to occur in the Central Commercial (CC) zone it has be compatible with the other uses permitted in the zone. The Central Commercial zone already has permitted conditional uses which could be considered 'light industrial' such as: boat repair and storage facility and building or trades contracting service.

Under this amendment, microbreweries would also be classified as conditional uses subject to the terms and conditions of the Planning Review and Adjustment Committee (PRAC). In permitting the development of conditional uses, the PRAC is to make its decision based on the principles of protecting nearby properties and ensuring the health, safety and welfare of the general public. PRAC involvement ensures that each new proposed microbrewery would require consultation of neighbours in the vicinity of the project. It also means that a proposed development might not be permitted where compliance with the terms and conditions imposed cannot reasonably be expected.

Modern microbreweries are generally mixed use in nature. In addition to the small-scale manufacturing of alcoholic beverages, they also tend to have more traditionally commercial elements such as taprooms, restaurants, and retail. This is reflected in the proposed definition of 'Microbrewery' to go under the Zoning Bylaw. Their business success depends on access and visibility to tourists and residents alike. This is why it is essential for the success of a microbrewery that they are not be located outside of walkable commercial areas. In Saint Andrews, the most appropriate zone to accommodate microbreweries is therefore the Central Commercial (CC) zone.

Recommendation:

Whereas the Council has requested the written view of the Planning Review and Adjustment Committee (PRAC) on the proposed by-law amendments, the PRAC write to Council in support of the amendments to the Zoning Bylaw.



Alex Henderson, MCIP, RPP.
Acting Planning Director