

Town of Saint Andrews

Planning Report

To: Planning Review and Adjustment Committee (PRAC)

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

Date: August 15th 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 nanobreweries in the Central Commercial zone, to add a definition of 'nanobrewery' to the Saint Andrews Zoning Bylaw (10-04), and to allow licensed premises in the aforementioned nanobreweries.

Planning Comments:

NOTE: This report has been amended from the original version supplied to Council on April 26th 2018. That previous report referred to the original version of the proposed bylaw. The original bylaw referred to 'microbreweries' which had used 500,000 litres of production a year as a standard. The changes in this new report are being recommended by Southwest New Brunswick Service Commission (SNBSC) planning staff in response to the concerns raised at the June 4th 2018 public hearing of objections. Concerns had been raised about the industrial aspects of what could have been permitted under the original amendment. The changes to the original proposed bylaw have been highlighted for the reader.

SNBSC staff recommends that Council again request the written views of the PRAC on the revised proposed by-law amendments in accordance with Section 110 (1) (b) of the Community Planning Act.

Below are the 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 (4) – Policies

“Council shall work to improve the business community in the Town by encouraging new commercial, retail and service businesses to locate in the central commercial area where most shops and services are found.”

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 nanobrewery;

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 nanobrewery:

“NANOBREWERY”

Means the small-scale manufacturing of beer, wine, spirits or other alcoholic beverages. The maximum total floorspace allowed for this Use is 3,500 square feet 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, sound, 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 *nanobrewery*;
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 and nanobreweries 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 permitting a commercial use involving small-scale beverage production - not a large-scale industrial use. The proposed definition requires that if any nanobrewery development were to occur in the Central Commercial (CC) zone it must be limited in its size and compatible with the other uses permitted in the zone. 'Microbreweries,' according to commonly used terms in the industry, are generally small-to-medium sized brewery businesses, whereas 'nanobreweries' are downsized versions of the microbrewery. The only thing close to a legal definition of a nano/microbrewery in New Brunswick is the under 500,000 litre per year production license for small brewers from the Department of Public Safety (see NB examples in Chart 1). At the June 4th 2018 public hearing of objections, several residents and Council were opposed to applying this broad standard for potential future breweries in the Central Commercial zone of the Town of Saint Andrews.

Chart 1: Other New Brunswick Production Standards for 'Microbreweries' in Central Commercial Areas

City	Fredericton	Moncton	Saint John
Standard	800,000 L per year	21,527 sq. feet	500,000 L per year

Under the amendment, nanobreweries 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 nanobrewery 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 and nanobreweries 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 'Nanobrewery' that may be included in the Zoning Bylaw (10-04). The business success of a nanobrewery depends on access and visibility to tourists and residents alike. This is why it is essential for the success of a nanobrewery that they are not located outside of walkable commercial areas where most shops and services are already found. In Saint Andrews, the most appropriate zone to accommodate nanobreweries is therefore the Central Commercial (CC) zone.

Recommendation:

Whereas the Council has requested the written views 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