



## Land Use By-law Application

*Rezoning to Light Industrial at 23 Chemin du Pont du Marais, West Pubnico*

*Associated text amendments to Permit Craft Breweries and Distilleries in the Light Industrial Zone*



*Jared Dalziel, MCIP, LPP*

2019/09/20

# Property Context

The subject property is located at 23 Chemin du Pont du Marais, West Pubnico (PID 90078452).

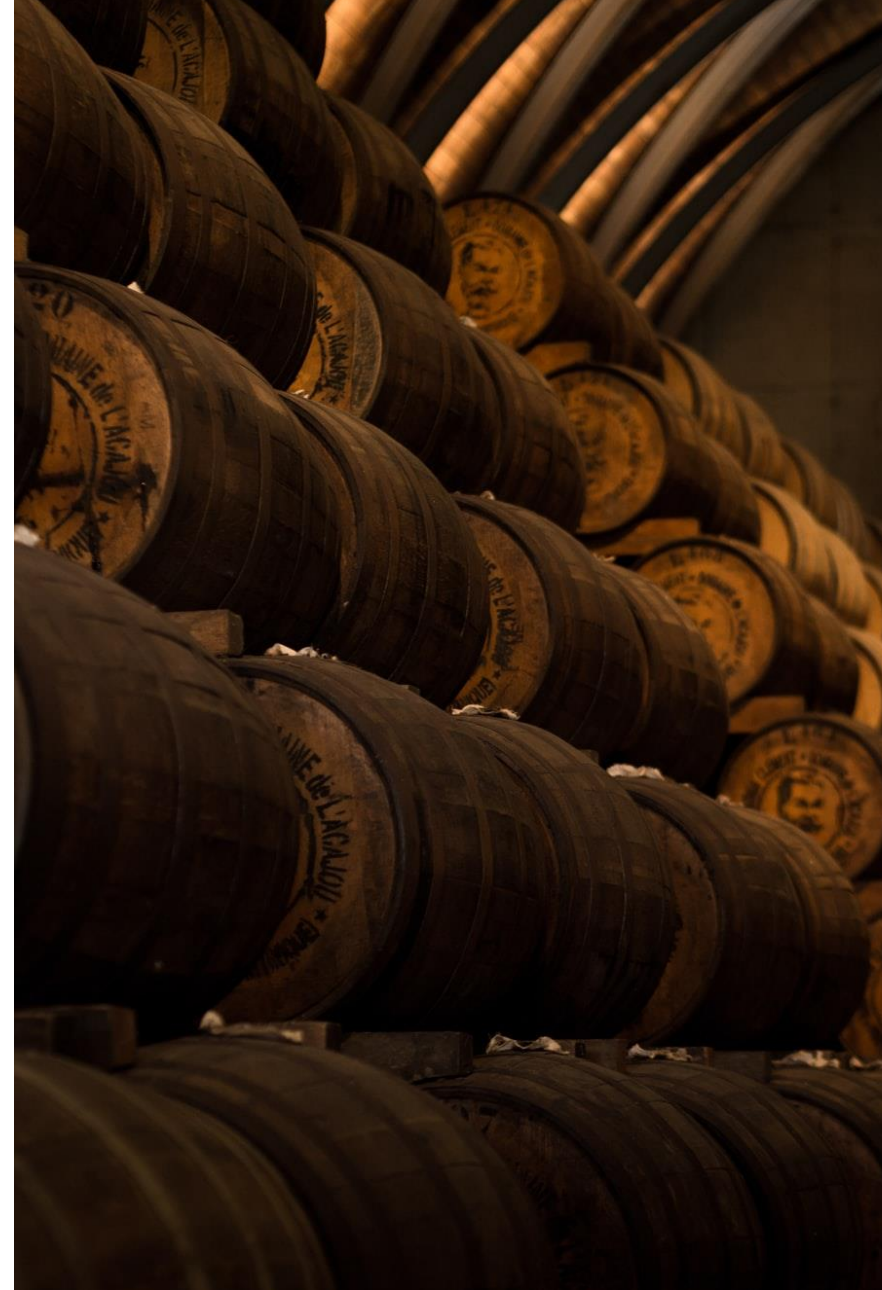
There are four existing buildings on the subject property that the applicant intends to maintain.

Property Size:  $\pm 2.75$  Acres  
Property Frontage:  $\pm 185$  ft



# Application Details

- The applicant originally applied for a rezoning application to Heavy Industrial (HI) Zone.
- In response to this application and the increased demand and popularity of the industry, staff are recommending that amendments Light Industrial Zone would be appropriate alongside new definitions and land use standards to allow for craft breweries and distilleries for the application.
- The applicant estimates that spirits production will be 2,500 L of high proof alcohol per year. This production is blended to create product sold at various alcohol contents.
- The Light Industrial zone, as proposed to be amended and applied to the site, would permit a maximum of 150,000 L of finished product annually, matching provincial craft distillery permit limits.
- A number of other commercial options would also be possible for the site through the Light Industrial (LI) Zone such as retail, event activities or restaurants.

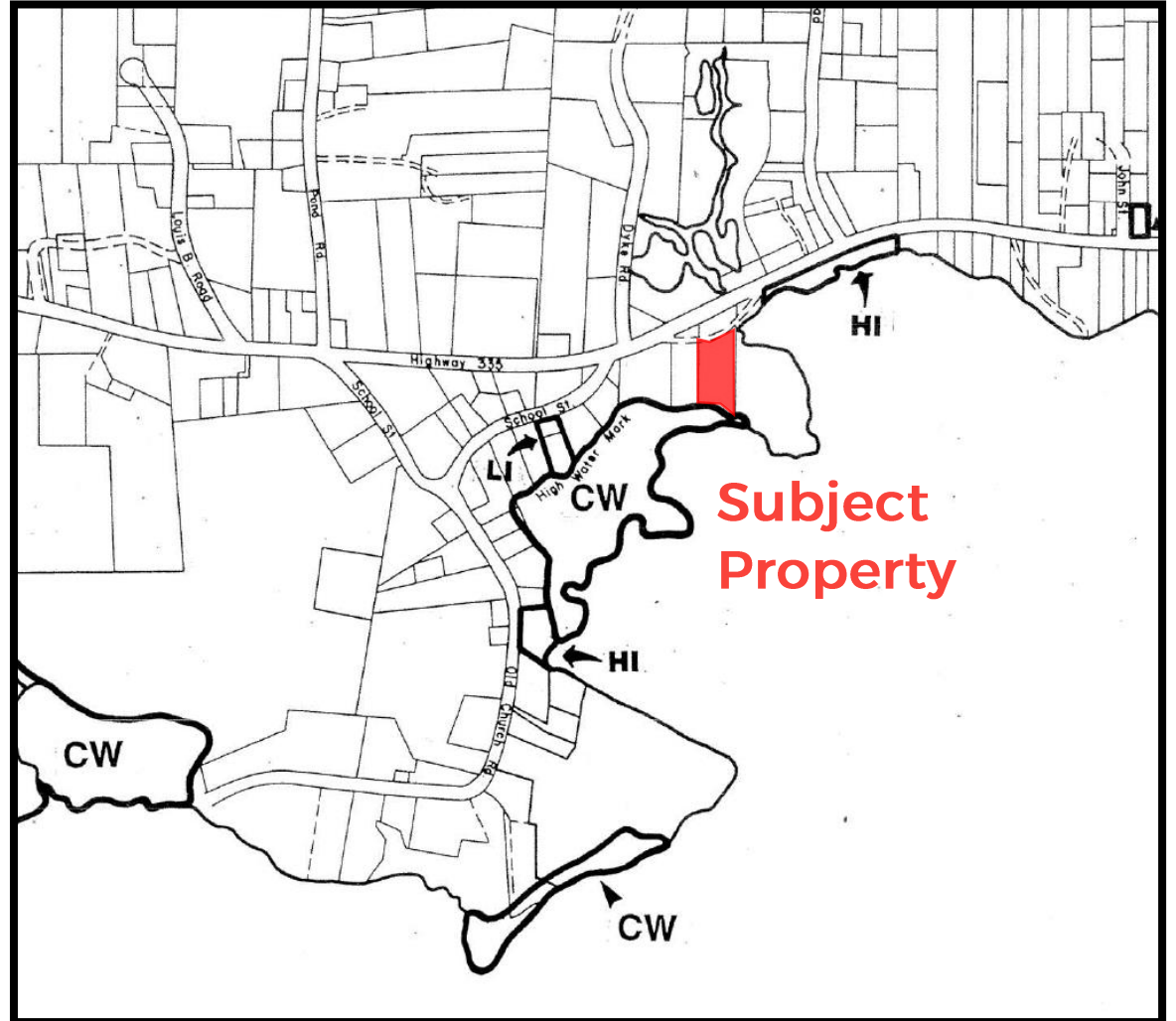


# Property Context

(Municipal Plan)

**Property Zoning:** Mixed Use (MU) Zone and Coastal Wetlands (CW) Zone below the high water mark.

**Zoning Context:** Adjacent properties are zoned Mixed Use and Coastal Wetlands, and there are nearby properties zoned Heavy Industrial (HI) Zone and Light Industrial (LI) Zone.





**EXISTING SITE IMAGE  
NOT TO SCALE**

GENERAL NOTES  
 1. CONTRACTOR MUST VERIFY ALL DRAWINGS WITH ON-SITE CONDITIONS, REPORTING ANY DISCREPANCY TO ARCHITECT BEFORE PROCEEDING WITH WORK.  
 2. DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.  
 3. DRAWINGS ARE NOT TO BE SCALED.  
 4. ALL WORK IS TO COMPLY WITH THE 2015 NATIONAL BUILDING CODE AND ALL APPLICABLE CODES.

INFORMATION SHOWN ON THE SITE IMAGE HAS BEEN TAKEN FROM A COMBINATION OF GOOGLE MAPS AND VIEWPOINT, CA. ALL SITE INFORMATION TO BE CONFIRMED.

05-23-2019 11 ISSUED TO CLIENT

DATE	MARK	ISSUE
Revision Schedule		

SEAL

**PRELIMINARY**

THESE DRAWINGS ARE NOT COMPLETE AND ARE FOR REVIEW PURPOSES ONLY. THEY ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY ARCHITECT.



PROJECT  
 NEW DISTILLERY  
 23 CHEMIN DU PONT DU MARAIS  
 MIDDLE WEST PUBNICO, NS  
 BOW 2M0

DRAWING TITLE  
 EXISTING AERIAL SITE IMAGE

DATE	BY	PROJECT NO.
Author	8" = 1'-0"	1912
Checker	DATE DRAWN	SHEET # OF
APPROVED	APPROVED BY	DATE
	Approver	
PROJECT NUMBER: A-101		

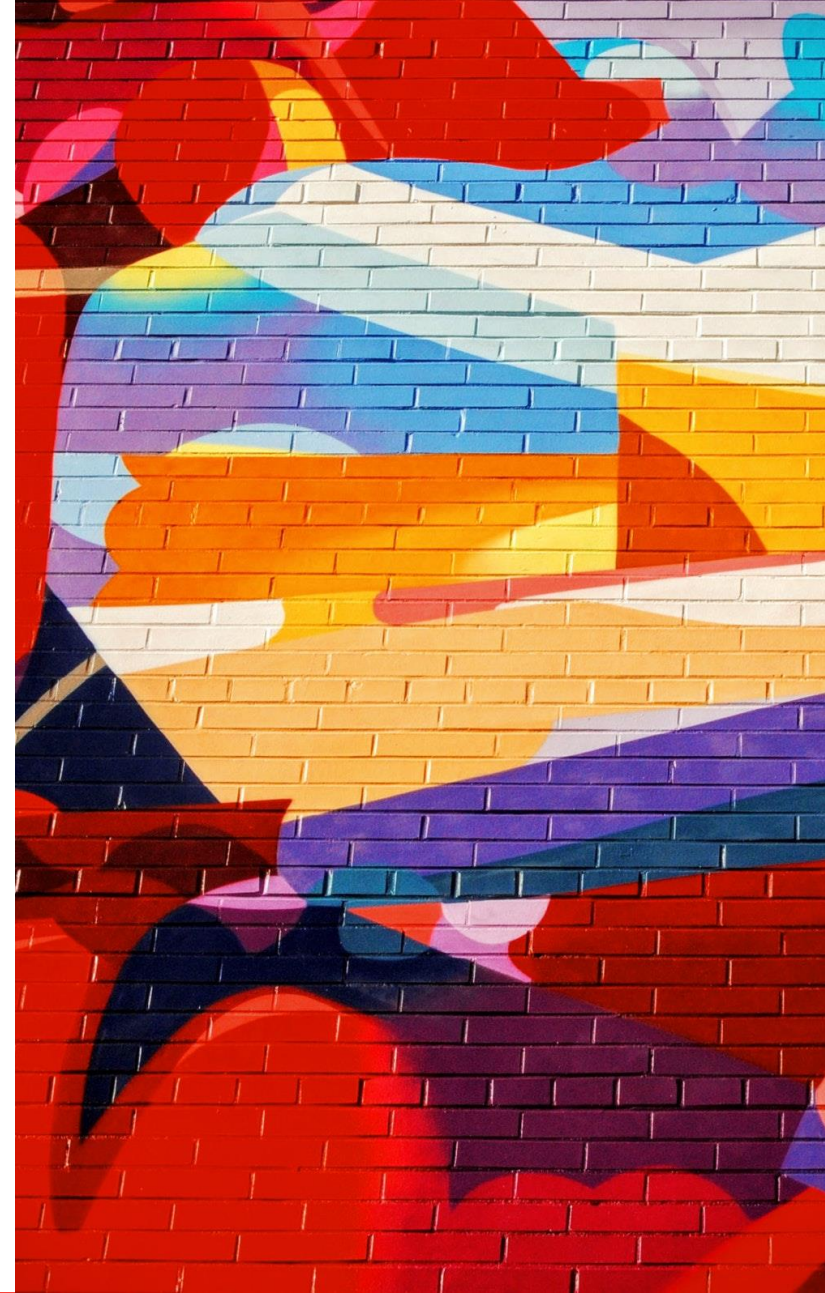
# Policy Considerations

## *Municipal Planning Strategy Policy*

- A detailed table of the evaluative criteria from the enabling MPS policies and corresponding comments from Staff is attached as Appendix B.
- The application is enabled by Policy B-8 of the MPS.
- The Mixed Use (MU) designation of the area is characterized by (and encourages) a mix of industrial, commercial and residential uses, with the nearby W.S. Fisheries Ltd on Route 335, an example of a nearby heavy industrial use.
- Considering the mixed-use context of the area and policy review, staff feel the proposal is appropriate, generally meets the spirit and intent of the MPS, and are recommending approval.

## Discussion

- The applicant would like to convert the existing buildings on the site into a distillery and supporting uses (storage, retail, events).
- Staff feel that craft breweries and distilleries have a similar level of impact to other light industrial uses, and are appropriately considered as such.
- Note that a broad variety of commercial options are permitted through the Light Industrial Zone, allowing for restaurants, lounges, event space, tasting rooms and retail options.



# Discussion: Proposed Craft Alcohol Production Facility Text Amendments



Ironworks Distillery, Lunenburg



Compass Distillers, North End Halifax

# Public Engagement

- An advertisement outlining the application and indicating that it had been received and notifying the public of the public hearing was placed in the September 4<sup>th</sup>, 11<sup>th</sup> and 18<sup>th</sup> editions of the VanGuard, exceeding the requirements of the Municipal Government Act.
- Staff have prepared a sign for the subject property notifying that an application has been received, and given it to the applicant for placement on the subject property.
- The applicant has contacted attempt to contact the two adjacent land owners to the north and south. Staff have not been contacted regarding any concerns for the proposal.

## Appeal Rights

- Assuming the application is approved, an approval notice will be placed in the VanGuard following second reading. Any aggrieved person, the Provincial Director of Planning or Council of an adjoining Municipality may, within 14 days of publication of the approval notice, appeal Council's decision to the *Nova Scotia Utility & Review Board* in accordance with the Municipal Government Act.
- If the application is refused, the applicant has a right of appeal the decision of Council.

# Conclusion

- Staff have reviewed the proposal by James E. d'Entremont Boat Builders Ltd. to amend the LUB permit a craft distillery with ancillary tasting/event room, retail, and storage facilities at 23 Chemin du Pont du Marais, Middle West Pubnico (PID 90078452).
- Staff have also reviewed the associated amendments proposed to the Light Industrial (LI) Zone.
- Both proposals have been evaluated using all applicable policies in the Municipal Planning Strategy, and are generally in conformance with the policies spirit and intent.

## Recommendation

- That Council give second reading and approve amendments to Land Use By-law to rezone 23 Chemin du Pont du Marais (PID 90078452) from Mixed Use (MU) Zone to Light Industrial (LI) Zone to enable a craft distillery.
- That Council give second reading and approve the proposed amendments to the Land Use By-Law as contained in Attachment A of the September 20<sup>th</sup> staff report to permit Craft Alcohol Production Facilities as a light industrial use.

# Alternatives

- Council may choose to refuse the proposed LUB amendments, and in doing so, must provide reasons why the proposed amendments do not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed LUB amendments is appealable to the N.S. Utility & Review Board.

# Thank you

