

JUL 23 2018

COR/2018/02251

Ms. Tracy L. Hewitt
Town Clerk/Manager
Town of Cormack
280 Veterans Drive
Cormack, NL ABA 2R4

Dear Ms. Hewitt:

CORMACK
Development Regulations Amendment No. 2, 2018

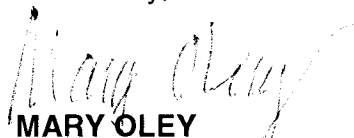
I am pleased to inform you that the **Town of Cormack Development Regulations Amendment No. 2, 2018**, as adopted by Council on the **25th day of June, 2018**, has now been registered.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The Amendments come into effect on the date that this notice appears in the Gazette. The notice must also appear in a local newspaper.

The Newfoundland and Labrador Gazette is published every Friday. **Notices must be submitted a week in advance.** Council can submit the notice by email (queensprinter@gov.nl.ca), by fax (729-1900) or by mail (Queen's Printer, P.O. Box 8700, St. John's, and NL, A1B 4J6).

Council's registered copy of the Amendments is enclosed. As they it is a legal document, it should be reserved in a safe place.

Yours truly,



MARY OLEY
Director of Local Governance and Land Use Planning

cc: Mary Bishop, FCIP

**TOWN OF CORMACK
DEVELOPMENT REGULATIONS
AMENDMENT NO. 2, 2018**

**Text Amendment to accommodate a microbrewery,
Rural Mixed Use Zone**

**Prepared by:
Mary Bishop, FCIP
June 1, 2018**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF CORMACK
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2018**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Cormack adopts Development Regulations Amendment No. 2, 2018.

Adopted by the Town Council of Cormack on the 25 day of June, 2018.

Signed and sealed this 25 day of June, 2018.

Mayor: Melvin Rideout
Melvin Rideout Sr.

Clerk: Tracey Hewitt
Tracey Hewitt

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 2, 2018 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

Mary Bishop
Mary Bishop, FCIP



Development Regulations/Amendment	
REGISTERED	
Number	<u>1195-2018-004</u>
Date	<u>July 20, 2018</u>
Signature	<u>Mary Bishop</u>

TOWN OF CORMACK DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2018

INTRODUCTION

The Town of Cormack reviewed and revised its Municipal Plan and Development Regulations in 2007. The Town is now considering a request to amend the Development Regulations and this report has been prepared to explain the proposed change, and to serve as a basis for consideration by the general public before it is adopted by Council and submitted to the Minister of Municipal Affairs for registration as required under the *Urban and Rural Planning Act, 2000*.

BACKGROUND

The Town of Cormack has received an application to establish a microbrewery in the town. The applicant, Crooked Feeder Brewing Co. is seeking approval to open the microbrewery in a leased building located at 349 Veterans Drive where they anticipate producing 600 hectoliters per year at peak production. They plan to commence with a pilot brewing project in the former Cormack Woodworks planer building, where fine-tuning the production systems and delivery logistics will occur. Initial production will be to supply local taprooms, and small distribution via growler sales and deliveries. Within 2 years of commencing operation, they intend to expand to full production capacity with the potential for an onsite taproom/store.

Subject Property

The company proposes that its corporate office and main brewing facility will be located at the former Cormack Woodworks mill site at 349 Veterans Dr. where the location is adjacent to a small cattle farm. The mill property is comprised of 3 large buildings, with the original main manufacturing building slated to house the brewery/cellaring facility. The main building is 1680 ft² in area and is connected to a well on the property that currently services the house of the lease holder. The building is also connected to an existing septic system. A stainless steel wash station is to be added for cleaning equipment and fermenters.

Initially the company plans to sell their products in locations within the Humber Valley, Corner Brook region with a particular focus on “Growler” (1 to 2 litre refillable glass containers), available for purchase on-site at the Cormack brewing location or through web delivery orders. As demand and production increases the intent is to expand into a canning line.

The Microbrewery development has been registered under the provincial Environmental Assessment Act, reviewed and released from further environmental assessment¹.

Municipal Plan Policy

The site proposed for the microbrewery is designated Agriculture in the Cormack Municipal Plan where the following section of policy 6.7 is relevant to the proposed microbrewery:

6.7 Agriculture Designation

The Agriculture designation accommodates agricultural and forestry uses together with uses that complement these primary uses and/or are essential to the primary uses. Other uses can be allowed as permitted or discretionary uses provided that they do not negatively affect the agricultural use and potential of this designation. All uses in this designation are subject to the approval of the Agrifoods Division of the Department of the Natural Resources.

Development Regulations

In the Cormack Development Regulations, the site is zoned Rural Mixed Use. With the exception of General Industry, none of the Permitted or Discretionary uses listed satisfactorily address the nature of the proposed microbrewery use.

Microbreweries

Small-scale breweries are becoming common in many communities throughout Newfoundland and Labrador and elsewhere. In urban centres, they are often located in downtown districts where the brewing process is associated with a pub and/or restaurant. They may offer retail sales of brew products, spaces for private functions such as brew tastings and special events. In rural areas, wineries often include agricultural production of berries used in the making of wines, processing and bottling of wines, retail sales, and facilities for special events, tastings, and tours. Other uses that may also be associated with a winery include restaurants and tourist accommodations.

The production and sale of alcoholic beverages is regulated under the *NL Liquor Control Act* which defines microbrewery as a small capacity brewery that produces less than 5,000 hectolitres of beer per year.

At the municipal level, applications for microbreweries in Newfoundland and Labrador have typically been dealt with by considering each of the component

¹ EA File # 2.3121.0011, Reg. # 1907. Minister's decision dated September 5, 2017.

uses associated with them, with brewing considered an industrial use, serving of beverages categorized as a lounge use, food service as a restaurant or “catering” use and so on. This approach is cumbersome for both the municipality and the applicant and can add to the time required to process an application.

Having considered the application, Cormack Council has determined that the proposal is an acceptable re-use of an existing building and that there will be no impacts on adjoining properties or uses in the area. They wish to amend the Development Regulations to enable consideration of small-scale microbreweries, wineries and distilleries as a specific use that encompasses the range of activities that are typically associated with them.

PUBLIC CONSULTATION

The Forestry and Agrifoods Agency, Department of Fisheries and Land Resources is being consulted. Approval from this agency is required in accordance with the Town’s Development Regulations.

A notice of the proposed amendment was published in the Western Star requesting public comments on the proposal. No submissions were received in response to the notice.

AMENDMENT

The Cormack Development Regulations shall be amended as follows:

1. Adding the following definition for Breweries, wineries and distilleries to Schedule A Definitions:

***Breweries, Wineries and Distilleries** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off site shall only be manufactured 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 may have a private non-sale hospitality area where products manufactured within the premises are provided to private groups for tasting and sampling.*

2. Adding Breweries, Wineries and Distilleries (with production less than 5,000 hectolitres per year) as a Discretionary use to the Rural Mixed Use

Zone Table in Schedule C, and adding the following Condition as Condition 45:

45. Breweries, Wineries and Distilleries

Breweries, wineries and distilleries may be permitted subject to the following conditions:

- 1) That parking areas are identified that are adequate to accommodate initial and anticipated traffic volumes associated with all uses that are part of the operation.
- 2) That all waste generated be properly stored and disposed of in a manner that does not create an environmental or health hazard or nuisance to surrounding properties.
- 3) That all provincial requirements for the production and sale of alcoholic beverages under the Liquor Control Act are met.