

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: June 15, 2020

Subject: Temporary Use Permit (TUP) No. 2003 to accommodate a Distillery at 7500 Donaldson Drive (File: TUP2003)

Recommendation: **THAT Council direct staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a Distillery at 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380 PID 018-155-588.**

Background

The City has received an application from the owners of True North Distilleries for a Temporary Use Permit to relocate its liquor distillery from 1460 Central Avenue to an existing building located at 7500 Donaldson Drive. This property previously contained the bus depot and a warming centre, and has been the subject of a Development Variance Permit related to a Cannabis Retail Store.

The property is 0.233 ha (0.576 ac) in size with a 279 sq. m (3,000 sq. ft) building (see property map in Appendix 1). The distillery would occupy the entire existing building and would operate Monday to Saturday from 11am until 4pm, or in accordance with the Liquor and Cannabis Regulation Branch (LCRB) regulations.

The property is zoned I1 - Light Industrial which permits manufacturing facilities but does not specifically permit *liquor* manufacturing facilities. It is noted that the existing True North distillery on Central Avenue is zoned HC - Highway Commercial and is permitted in the HC zone as a "liquor licensed premise".

The City will be undertaking a comprehensive review of the Official Community Plan and Zoning Bylaw which will address, among many other issues, how and where all liquor-related facilities are managed within the City. In the interim, it is appropriate to accommodate this application as a temporary use until the new policy and zoning framework is established.

Based on its floor area (279 sq. m), this manufacturing facility will require one loading space and 6 parking spaces which are easily accommodated on the site.

The operators must obtain the appropriate relocation permit from the LCRB and must operate in accordance with all federal, provincial, and local (i.e., Building Bylaw) laws and regulations.

If approved, the Temporary Use Permit would be valid for a period of 3 (3) years and is renewable, upon application by the permit holder, for an additional three (3) years.

Proposed Temporary Use and Conditions

The temporary land use proposed to be included in the permit is:

Liquor Manufacturer, as defined by the LCRB, which includes wineries, breweries, and distilleries. The “manufacture” of liquor is defined by the LCRB regulations as including one or more activities related to the brewing, distilling, or fermenting of liquor and includes packaging, blending, and flavouring. This also includes a liquor packaging facility that is contracted by a manufacturer to bottle or otherwise put liquor into containers intended for sale to the public or to licensees.

A winery, brewery, or distillery licence may also:

- have a dedicated sampling area to provide samples to the public
- provide guided tours to patrons and serve them samples on the tour, and
- apply for one on-site retail store at the winery, brewery, or distillery.

The proposed conditions of the temporary developments are:

- a) The facility shall obtain all required permits and comply with all federal, provincial, and local requirements, laws, and regulations.
- b) A minimum of one (1) loading space and six (6) parking spaces will be provided on site.
- c) Any new free standing or illuminated signs proposed will require review and approval by the City.

Public Notification

Under the Local Government Act, Council’s intention to approve a Temporary Use Permit must be advertised in the local newspaper not more than two weeks and not less than three days from the day of decision. This permit will be advertised in the Grand Forks Gazette and the public will be invited to attend a Council meeting to express their views and/or submit comments to the City via mail, email, or phone.

In addition, written notification and information about the proposed Temporary Use Permit will be sent to adjacent property owners notifying them of the proposed temporary use and inviting them to provide feedback. Furthermore, notices will be posted on the City website and Facebook page.

Timing

The following table outlines the tentative timeframe associated with this Temporary Use Permit application.

Temporary Use Permit Application No. 2003 – Tentative Timeframe	
ACTIVITY	TIMING
Regular Council Meeting – Council directs staff to proceed with public notification	June 15, 2020
Written notification sent to adjacent property owners	June 16, 2020
Notice published in the Grand Forks Gazette	June 24, 2020
Deadline for submission of written/verbal comments (which are transmitted to Council)	June 26, 2020
Council hears feedback from the public at its regular meeting	June 29, 2020
Regular Council Meeting – Council considers Temporary Use Permit No. 2003 for approval	June 29, 2020

Benefits or Impacts

General

As this application involves a temporary land use only, the property can be redeveloped at anytime for industrial purposes.

Strategic Impact

Community Engagement

- The Temporary Use Permit will be advertised in the paper and written notification to adjacent property owners will invite their feedback. The proposal will also be posted on the City's website and Facebook page.

Community Livability

- This temporary use is generally compatible with surrounding land uses and will have a minimal impact on the neighbourhood.

Economic Growth

- The temporary use permit will allow for the use of an existing underutilized building.

Fiscal Responsibility

- Other than time to prepare the staff reports and permit, minimal staff resources are required for this project. The new use of the property will result in additional tax revenue for the City.

Policy/Legislation

Local Government Act and the Liquor and Cannabis Control Regulations.

Attachments

Appendix 1 - Property location maps

Recommendation

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Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.