

A meeting of the Planning Advisory Committee was held in Town Council Chambers on Tuesday, November 6, 2018 at 7:00pm.

Present: Councillor John Bain (Acting Chair)
Councillor Richard Nowe
Councillor Colleen O'Neill
Kristen Martell
John Biebesheimer

Staff: Dylan Heide, CAO
Garth Sturtevant, Planner
Kelly Redden, Recording Secretary

Regrets: Deputy Mayor Karl Nauss
Councillor Penny Carver
Doug Langley

Gallery: Patrick Jardine, Developer
2 members of the public

Minutes

A motion by Mr. Biebesheimer, seconded by Councillor Nowe, **“THAT the minutes of the September 5, 2017 meeting be approved as presented.”** Motion carried.

New Business

Saltbox Brewing – Request for Amendment to Development Agreement

Garth Sturtevant, Town Planner, presented the staff report which was prepared in response to a request received from Mahone Bay Brewing Company Ltd. for two amendments to their existing Development Agreement for 363 Main Street. The Developer has requested the ability to extend their operating hours to 8:00am - 1:00am on twelve calendar days per year and to expand their brewing area into the accessory structure on the property.

Planning staff have suggested that the current requests be consolidated with relevant provisions from the existing Development Agreement. If approved by Council, the new Development Agreement would replace the two existing Agreements in place for the property. Both existing and amended Agreements would be discharged at the time the new Development Agreement comes into effect. A draft Development Agreement was included in the package provided to the committee.

The creation of a new Development Agreement allows for additional provisions to be added. The draft agreement includes new provisions to permit the construction of additional accessory structures, in compliance with the Land Use By-law, these structures may only be used for storage or office purposes that are accessory to the

light industrial and commercial uses operating on the site. Additional provisions limit the overall lot coverage for the entire lot to a maximum of 20%. In addition to lot coverage, the Draft Agreement also includes a relaxation of regulations relating to the maximum permitted height of accessory structures; the maximum height has been increased to 21', the height of the accessory structure currently on the property. The Draft Agreement also requires that the Developer increase their on-site parking spaces from 16 to 22, these spaces must be denoted through a combination of concrete curbs for spaces along Clearway Street and other methods of the Developers choosing for the remaining spaces. The revised calculation for the required level of parking has been included as a table within the draft Development Agreement.

Planning staff believe that the impact to the community of the developer extending their opening hours on 12 calendar days per year will not be significant. A provision has been added to ensure as little additional noise as possible; the developer will ensure that all windows and doors remain closed after the regular closing time of 10:00pm. For each of the 12 days that the business will remain open from 8:00am to 1:00am, the Developer is required to acquire a Temporary Development Permit; this will allow staff to track the number of days the business opens beyond their regularly permitted hours.

The Draft Agreement also includes a provision allowing for brewing in the accessory structure, as long as the equipment is completely housed within this accessory structure.

A motion by Mr. Biebesheimer, seconded by Ms. Martell, **“THAT the Mahone Bay Planning Advisory Committee recommend that Town Council enter into a new Amended Development Agreement with the Developer to replace the Existing Development Agreement currently in effect for PID:60375797. The new Amended Development Agreement includes provisions from the Existing Development Agreement as well as; a revised site plan and calculation for on-site parking, provisions to allow brewing in the existing accessory structure and permission to operate outside the Hours of Operation for twelve Special Event dates per year through application for a Temporary Development Permit.”**

Motion carried.

The meeting adjourned upon motion at 8:10pm.

Councillor John Bain, Acting Chair

Kelly Redden, Recording Secretary