



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Legislation Text

File #: 20-310, Version: 1

REQUEST FOR DECISION

DATE: June 30, 2020

Report No. DEV-20-041

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner and Bill Brown, Director of Development Services

SUBJECT:

Zoning Text Amendment - Beverage Manufacturer Liquor Lounge (Lighthouse Brewing, 836 Devonshire Ave)

RECOMMENDATION:

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3003 [Appendix A] as attached to Staff Report DEV-20-041, which would amend Zoning Bylaw, 1992, No. 2050, by adding text as detailed in the contents of amending Bylaw No. 3003, be given first and second readings; and
2. That Council waive the Public Hearing pursuant to Local Government Act, Section 464(2) for Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 3003 and direct staff to proceed with appropriate public notification and return the bylaw to Council for consideration of third reading and adoption.

RELEVANT POLICY:

Liquor Control and Licensing Act

Local Government Act

Declaration of Climate Emergency

Official Community Plan Bylaw, 2018, No. 2922 [OCP]

Zoning Bylaw, 1992, No. 2050

Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw, No. 2791, 2012

Advisory Planning Commission Bylaw, 2012, No. 2792

Subdivision and Development Control Bylaw, 1997, No. 2175

STRATEGIC RELEVANCE:

This Request for Decision supports the following specific strategic objective:
Boost investment in the local economy and promote the growth and diversity of businesses.

BACKGROUND:

Appendix A: Bylaw No. 3003, Text Amendment Beverage Manufacturer Liquor Lounge

Appendix B: Light Industrial zone text, map, air photo Lighthouse Brewing location

Appendix C: Applicant's Letter and Lounge plans

Appendix D: Applicant's neighbourhood consultation, and supporting emails

Appendix E: Applicant's PowerPoint presentation

Purpose of Application:

The Lighthouse Brewing Company has requested a change to the Light Industrial zone to allow the conversion of their 'Tasting room' to a 'Liquor Lounge' at their existing Brewery. Staff have written an amendment bylaw that could allow a small (60 m²) 'Liquor Lounge', as a permitted use at any Light Industrial location that manufactures beverages.

Evaluation of this application should focus on issues relevant to zoning such as the appropriateness of the proposed uses, parking, how the use relates to adjacent and surrounding sites and whether the proposal is generally appropriate and consistent with the overall direction contained within the Official Community Plan.

Official Community Plan (OCP) Analysis:

As the proposal would continue the manufacturing type of business, with a proposed ancillary liquor lounge, this use would continue to conform to the Industrial designation of the site.

Section 7.2 of the OCP provides policies that support the expansion of business opportunities on lands designated 'Industrial' on the Present Land Use Designations map and 'Business' on the Proposed Land Use Designations map, including:

OBJECTIVE: To encourage the maintenance and viability of the business sector within Esquimalt to provide for local employment and a diversified tax base.

- Policy: Consider innovative proposals that intensify the light industrial uses.
- Policy: Support public and private initiatives that enhance the aesthetics and identity of the Esquimalt Business Park.

Zoning Analysis:

The Lighthouse Brewery has operated at the Devonshire Road location since 1998. The brewery has operated a 'tasting room' since 2017, and a 'picnic area' since 2018. Provincial liquor licensing regulations put strict limits on beverage sizes and amounts that can be served to each patron within these areas [see the applicant's letter]. The new manufacturer liquor lounge would occupy the same space as the Tasting Room, which measures 59 square metres (636 square feet) including the washrooms.

The zoning bylaw has several 'Commercial' zones that allow for 'Licensed Liquor Establishments', and the proposed 'Liquor Lounge' would be very similar to those existing permitted uses; therefore, it has been determined that a change in the zoning is warranted to accommodate the proposed liquor lounge use in this 'Light Industrial' zoned location.

Esquimalt has had breweries in the Light Industrial zoned area for many years though that use is not found in the zoning bylaw. Staff assume that the uses “light manufacturing and processing” or “food preparation” were used to allow the first brewery to open for business. For clarity, staff are proposing to add two new uses to the Light Industrial zone; including 1) Beverage Manufacturing, and 2) Beverage Manufacturing with Liquor Lounge. This would accommodate the existing and future breweries; plus possible future distilleries, cideries, pop, kombucha manufacturing, etcetera. The liquor lounge would have a limited floor space (60 square metres) and it would only be permitted with a beverage manufacturing use.

Parking Analysis:

This change of use of the Tasting Room to a Liquor Lounge would not increase parking requirements beyond the requirements for the picnic area and tasting room seating combined, that have been confirmed to comply with Parking Bylaw 1992, No. 2011.

Comments from the Advisory Planning Commission:

This application was considered at the regular meeting of the Advisory Planning Commission [APC] held on June 16, 2020. The APC members supported this application and recommended the following:

“That a 50 square metre Liquor Lounge be a permitted use for every Beverage Manufacturing operation in Esquimalt be forwarded to Council with a recommendation to approve as a liquor lounge in the Light Industrial Zone will support the Township’s economic activity and local businesses.”

Note: After the APC meeting, it was discovered that the Lighthouse Brewing tasting room is closer to 60 square metres.

Time Line:

March 2, 2020 - Rezoning application received (staff request revisions)

April 30, 2020 - Neighbourhood consultation package mailed

June 16, 2020 - Advisory Planning Commission provides a recommendation

ISSUES:

1. Rationale for Selected Option

The addition of small manufacturer liquor lounges at brewing operations has become a fairly normal development in other jurisdictions in recent years. The addition of this use has the potential to boost investment in the local economy and promote the growth and diversity of businesses in Esquimalt. The Advisory Planning Commission has endorsed the use of a small manufacturer liquor lounge with any current and future beverage manufacturing facility that may operate in Esquimalt’s Light Industrial zone.

As an alternative to adding the manufacturer liquor lounge use to the entire Light Industrial zone the use could be considered for just the 836 (834) Devonshire Road property.

2. Organizational Implications

This Request for Decision has no significant organizational implications.

3. Financial Implications

This Request for Decision has no significant financial implications.

4. Sustainability & Environmental Implications

This Request for Decision has no sustainability & environmental implications. Providing improved services in Esquimalt means residents can spend less time traveling to businesses outside the municipality.

5. Communication & Engagement

Public Notification

As this is a text amendment application to the entire Light Industrial zone, whether it proceeds to a public hearing or Council waives the public hearing, a notice would be placed in two editions of the Victoria News. Since the amendment would apply to more than ten properties, mailing of notices is not required and signage is not required on the property.

Applicant's neighbourhood consultation

In lieu of a neighbourhood meeting, at the direction of the Director of Development Service and with the assistance of staff, on April 30, 2020 a letter was mailed on behalf of the applicant to the owners and residents of properties located within 100 metres of the subject property, providing them with an opportunity to telephone or email the applicant with any comments or concerns; in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791.

The applicant has indicated that they contacted all residents and property owners within 100 metres of the 836 (834) Devonshire Rd. property, providing them with the opportunity to comment by email or phone, in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791 [Appendix D].

ALTERNATIVES:

1. That Council give Bylaw No. 3003 first and second readings and that Council waive the Public Hearing and direct staff to proceed with appropriate public notification, and return the bylaw to Council for consideration of third reading and adoption.
2. That Council give Bylaw No. 3003 first and second readings, and authorize the Corporate Officer to schedule a Public Hearing.
3. That Council proceed with alternative 1 or 2 for the 836 (834) Devonshire Road property only, instead of the entire Light Industrial zone and direct staff to update Bylaw No. 3003.
4. Council postpone consideration of Bylaw No. 3003 pending receipt of additional information.