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**ATTENDING**

- Mayor Jeff Cantwell
- Deputy Mayor Jodi MacKay
- Councillor Wendy Elliott
- Councillor Wendy Donovan
- Councillor Carl Oldham
- Councillor Oonagh Proudfoot
- Councillor Mercedes Brian
- Chief Administrative Officer Erin Beaudin, and
- Recording Secretary Jean-Luc Prevost

**ALSO ATTENDING**

- Town Planner, Jeremy Banks,
- Director Planning & Development Devin Lake,
- Director Financial Services, Mike MacLean
- Director Public Works, Kevin Kerr
- Coordinator, Admin Services, Vanessa Pearson and
- Interested members of the public

**CALL TO ORDER**

Chair, Mayor Cantwell, called the Special Town Council Meeting to order at 6:30 pm.

**Agenda Item**

**1. Approval of Agenda**

**Discussion and Decisions**

**01-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE AGENDA BE APPROVED AS CIRCULATED**

**CARRIED**

**2. Public Input /  
Question Period**

The comments, questions and concerns expressed by the public concerning the proposed amendments to the MPS and LUB can be heard in full [here](#).

**George Lohnes:**

Referred to his written 3-page correspondence to Council with questions and highlighted:  
The November 29, 2017 Staff report to PAC at Page 6 states: The brewery proposes to be brewing beer that would be sold in the restaurant as well as the retail space and would be subordinate to the restaurant/retail use. Also, LUB section 4.18.1(i) states that the accessory use/building “shall not be larger than the main building in volume. So, the brewery portion of the building must be smaller than the restaurant/retail space.” Was the inclusion of “The brewery proposes to be brewing beer that would be sold in the restaurant as well as the retail space and would be subordinate to the

**Agenda Item**

**Discussion and Decisions**

restaurant/retail use” based on verbal or written submissions from the Church Brewing Company? (Further questions included in written correspondence to be addressed)

**Steve Haysom:**

Advised that there is a lot of misinformation being circulated about the Church Brewing Company’s business and urged members of the public to talk directly to him if they have concerns/questions. He asked the public to review the company’s presentation and the information from Garrison and Propeller breweries. Advised that CBC recognizes that any construction impacts neighbours and they are working to move the work forward quickly to reduce inconvenience as much as possible and they will continue to monitor suppliers/contractors.

**02-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE SPECIAL TOWN COUNCIL ADJOURN FOR 5 MINUTES at 6:39 PM**

**CARRIED**

**03-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE SPECIAL TOWN COUNCIL MEETING RECONVENE AT 6:45 PM**

**CARRIED**

**Public Input cont.**

**Andrew Bartle:**

Brew master with CBC. Advised that there is a lot of misinformation being circulated. CBC is not a factory, we are a micro-brewery and have the same capacity/permission as Paddy’s. We cannot reach 15000 hectolitres in the current space occupied, our goal is 5 - 7000. He advised that he moved to Wolfville to participate in this project and committed to the project and the Town.

**Stephen Drahos:**

Here to speak on amendment to accessory use. No problem with church being renovated, patio, restaurant, retail store, music venue, brewing beer so long as sold on site.

- True or False; The Town of Wolfville has always been aware of the Church Brewery’s intent to produce beer for both on-site and off-site sales?
- The Church Brewery Company has been provided with the development permit implicit on this understanding?

These are words taken from CBC presentation given to Council in January. Speaks volumes of why they seem to be building and continue building. Can draw your own conclusions.

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**Agenda Item**

**Discussion and Decisions**

**Karen MacWilliam:**

We are here tonight because mistakes were made by the Town of Wolfville. Staff made mistakes deciding it was as of right, mistake to issue development permit without detailed plan, they have responded late, cancelled meetings, failure to answer questions and comply with legislation. Tonight is about rezoning the area from C1 to C3. You don't fix mistakes by compounding them. You have already made up your minds. Will be writing to the Municipal Affairs Minister detailing all the mistakes.

**Glen Howe:**

Intends to ask questions and if cut off the Mayor will be violating the law:

- Is it possible that 329 Main will ever produce the 1.5 Million Litres that is authorized by the development permit?
- Why is this amendment called a "clarification" (referring to a staff report)?
- Where is the power of a Development Officer to deny a permit or enforce anything else that she thinks?
- (To Mayor) Do you recall telling me at the December 12<sup>th</sup> PAC meeting in answer to the question about private meetings that there are no secret meetings going on?
- (To Mayor) You have a personal relationship with CBC and will you recuse yourself from this vote?
- For the record I have been cut off and you are breaking the law by not letting me continue with questions.

**Ian Palmeter:**

This is a great project for Wolfville, can't we just limit what they're doing a little bit, limit the hectolitres amount? We are all for the principle just too big a project for the lot size.

**Terry Drahos:**

To clarify, Paddy's does have a license to brew that much beer but do not have an off-site sales license. Feels that Council have given CBC a lot of time alone. We have requested info regarding meetings with CBC but not been given info. Given superficial answers – bylaws are not enforced. A car was parked yesterday in front of my driveway for 5 hours – no way to enforce this need to talk to us and come up with real solutions. Nobody took her up on the invitation to meet at her house.

**Glen Howe:**

I have questions about CBC's powerpoint presentation – can we go to

**Agenda Item**

**Discussion and Decisions**

annual production forecast slide?

The Mayor confirmed that this was a First Reading and the Public Hearing will be the time to go into details about any powerpoint slides etc. The public hearing will be an opportunity to go into this detail.

**3. Motions/ Recommendation from Committee of the Whole, January 8, 2019**

**a. RFD 083-2018  
Craft Beverage  
Amendments**

Director of Planning and Development, Devin Lake, started by presenting Council with the option to table the issue pending more information regarding the proposed amendments.

It was clarified that more information was going to come forward before the upcoming Public Hearing which will likely take place in early March and that no decision would be made at the First Reading of an amendment.

Devin then reiterated what the amendments were which are being proposed to the Municipal Planning Strategy and Land Use By-Law as they pertain to Accessory Use in the Craft Beverage industry.

**04-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL GIVE FIRST READING TO THE AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO ENABLE OFF-SITE SALES FOR ACCESSORY USES AS OUTLINED IN ATTACHMENT 1, AND THAT A PUBLIC HEARING BE HELD ON THE AMENDMENTS BEFORE A DECISION IS MADE BY COUNCIL.**

**CARRIED**

Councillor Proudfoot asked if there was any information on the mention of regulating the amount of beer sold off-site, and if Director Lake had a suggestion of a percentage that staff would recommend? Devin responded that there was no industry standard, and that this would require exploration.

Councillor Elliott mentioned that a planner she knows suggested that Planners often have a 25% rule for accessory uses. There was then a conversation about how one would measure volumes, sales, etc, to figure out what the 25% would be and if enforceable at all.

**Agenda Item**

**Discussion and Decisions**

Chief Administrative Officer, Erin Beaudin, requested that Council submit to her any additional information requests which Council feel's is needed before the Public Hearing. Items added to this list were; the reports which PAC requested in December, specific information about truck traffic, and a way to exclude brewing events from the definition of contract brewing.

Councillor Elliott stated that she did not vote as she was hoping the motion would be amended to include a number.

Councillor Donovan stated that it is difficult to deal with off-site sales as it is the other things that are the issue, such as not having an understanding quantity/volume of sales etc.

Mayor Cantwell confirmed that the meeting is about off-site sales only.

Deputy Mayor Mackay confirmed she is prepared to move forward with this amendment to off-site sales.

**4. Correspondence**

The following correspondence was received by Council and attached as an item in the Agenda Package:

- a. Email from Carol-Joy Kaill: Zoning
- b. Email from Detlef Heiss: Church Brewery
- c. Email from David Ingham: Brewery Concerns
- d. Email from Chris and Avril Killacky: Church Brewery Zoning Issue
- e. Email from Lee-Ann Cudmore: Post Office and Church Brewing
- f. Email from Terry Drahos: I have tried to be conciliatory
- g. Email from John Christopher and Martha Valiquette: Church Accessory Use Brewing
- h. Facebook message from Shean Higgins: Church Brewery
- i. Email from Dick Groot: Church Brewery

**5. Public Input /  
Question Period**

**Terry Drahos:**

Referenced various Councillors comments and advised they should not speak for her neighbourhood, that measuring is easy, and confirmed that: many things that are problematic to measure: smell, etc. It is wrong to compartmentalize issues as she had advised at the March 20<sup>th</sup> zoning meeting when she wanted to talk about whole thing but councillors didn't.

**Karen MacWilliam:**

Will speak to Accessory use issue. Judicial review gave clarity so doesn't understand why Town is still looking to clarify the situation.

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**Agenda Item**

**Discussion and Decisions**

How will Town impartially measure noise, odour, lights etc., and who will enforce the rules? Wants resident only parking on Seaview as gesture of good faith. Wants to work with the Town – please listen to us.

**Glen Howe:**

We never said we don't want restaurant or retail; we don't want a factory brewery.

Did you look at the CBC power point presentation? Was anyone concerned with anything they put in there (the presentation)? Is it okay to have a slight odour in my backyard 5 days a week? Any concerns about trucks, traffic etc.? The LUB states that Town must ensure any development does not cause conflict with adjacent uses/lands – if we allow off site sales this will cause conflict and affect his ability to enjoy his home/land. If I smell brewery 5 days per week is that okay with you (council)?

**Stephen Drahos:**

Confused at what has been passed tonight. Believe that Council passed a law that allows accessory use in a commercial district which would permit unlimited offsite sales so long as less than total square footage of whole area or, if cumulative land use impact has to be minimum or less.

Does this mean that if I complain enough, the accessory use can be taken away? Do we measure complaints of parking, smell, etc? I'd like to know the process, and when is the accessory use taken away?

**David Daniels:**

Few questions for the record

- Why was the provision about studies from the Development Officer removed?
- What is the definition of subordinate? Very important to make this definition clear for the future.
- Can the Town limit the capacity of the amount of beer that is brewed from the 15,000 hectolitres? Can the town limit that?
- What will the status be of CBC's development permit if the amendments are passed? Will the proponent have to apply for a new permit, or will the new rules automatically apply?

**George Lohnes:**

After listening to the debate, I am very disappointed. Have put 3-page memo to Council and trying to understand whether mistakes have been made or not.

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**Agenda Item**

**Discussion and Decisions**

- Should anything in the last 12 to 15 months have triggered a development agreement? This should be dealt with before the Public Hearing.
- There needs to be clarification as to whether or not staff / Council knew there would be off-site sales when deeming this “as of right”.
- Beer brewed for restaurant and retail space was in the staff reports March 20<sup>th</sup>, 2018 – no mention of offsite sales – what council had before them at that time?
- Has there been any consideration from the Design review Committee?

**Shawn Miles:**

Co-founder of Annapolis Cider Co. We went through same process in same zone and Town and 3 years ago opened our doors, selling offsite from the beginning. Looked at bylaws when started and nothing came up of concern. Now our business is also involved in this matter. Thank you, it is not easy for all sides. Believe in Wolfville and great future ahead of it – thank you to all. If anyone has questions for him, he is happy to respond.

**George Lohnes:**

There are some who would suggest that Council pulled the rug out from under PAC – instead of waiting for additional info as they requested – council took the matter directly into their own hands. Understand that the role of PAC is advisory only. However, concerned with how that was handled. More detailed info may have been available by now had PAC completed their process. Architectural guidelines – as the Church is within architectural zone – had there been consideration by Design Review Committee? Wastewater issue question – refers to opinion of Director Public Works in the Staff Report.

**Kevin Woodford – previous resident of Seaview**

Very confusing process overall – thank you for being so patient and tolerant – there is a big wedge between people – has confidence in Wolfville as Community and as a governance body. Believes in everyone here and asks the Public to take a deep breath, wait for the detailed information to come back.

Following the Public Input/Question Period, Councillor Proudfoot advised that it is her understanding that members of the public receive two minutes cap per person to talk during public input and question period time to make sure that those who want to speak get a



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**Agenda Item**

**Discussion and Decisions**

chance to talk. The Mayor confirmed that this was the case.

**6. Adjournment of  
Special Town Council  
Meeting**

**05-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE  
SPECIAL TOWN COUNCIL MEETING BE ADJOURNED AT 8:16 PM.**

**CARRIED**

**Approved by Council Motion ##-02-19, February 19, 2019**

**As recorded by Jean-Luc Prevost, Administrative Assistant, Office of the CAO.**