



Town Council Meeting

March 19, 2019

6:30 p.m.

Council Chambers, Town Hall

359 Main Street

Agenda

Call to Order

- 1. Approval of Agenda**
- 2. Approval of Minutes**
 - a. Town Council Meeting, February 19, 2019
- 3. Comments from the Mayor**
- 4. Motions/Recommendations from Public Hearing, March 18, 2019**
 - a. RFD 010-2019: Public Hearing Supplemental Report
- 5. Public Input / Question Period**

Procedure: A thirty-minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute time period provided if there is time within the thirty-minute Public Input / Question timeframe.
- 6. Motions/Recommendations from Committee of the Whole, March 5, 2019:**
 - a. RFD 012-2019: Fiscal 2019/20 Budget and Operations Plan
 - b. RFD 014-2019: Pre-Approval 2019 Spring Debenture



c. RFD 009-2019: 10 Harbourside

7. New Business

- a. KPPT Letter
- b. Fiscal 2018/19 Operating Reserve Transfer – update (verbal)

8. Correspondence:

- a. Email from Jane Warren: 35 km/h sign.
- b. Letter from Town of Shelburne: HST share to Municipal Units

9. Public Input / Question Period:

Procedure: A thirty-minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute time period provided if there is time remaining within the thirty-minute Public Input/Question Period timeframe.

10. Regular Meeting Adjourned



APPROVAL OF AGENDA

Moved

Seconded

That the agenda be approved as circulated and/or amended.

APPROVAL OF MINUTES

a. TOWN COUNCIL MEETING, FEBRUARY 19, 2018

Moved

Seconded

That the minutes of the Town Council Meeting of February 19, 2018 be approved as circulated and/or amended.

MOTIONS FROM PUBLIC HEARING, MARCH 18, 2019

a. RFD 010-2019 MPS/LUB Amendments

Moved

Seconded

That Council give Second Reading to amendments to the Municipal Planning Strategy and Land Use By-law, to enable off-site sales for Accessory Uses, as outlined in Attachment 1.

MOTIONS FROM COMMITTEE OF THE WHOLE, MARCH 5TH, 2019

a. RFD 012-2019: Budget and Ops Plan

Moved

Seconded

That Council approve the 2019/20 Town Operations Plan and related Operating Budget, Ten Year Capital Investment Plan, and the Water Utility Three Year Operating and Capital Budget, including the following details:

- Town Operating Budget with revenue & expenditures in the amount of \$10,690,100;
 - Residential Tax Rate of \$1.465 per hundred dollars of assessment applied to taxable residential and resource assessments;
 - Commercial Tax Rate of \$3.575 per hundred dollars of assessment applied to taxable commercial assessments;
 - Taxes to be billed by way of Interim Tax Bill (issued in April, due June 3, 2019) and Final Tax Bill (issued in August, due the September 30, 2019);
 - Interest on overdue amounts to be charged at a rate of 1.25% per month;



- Town Capital Budget with Year 1 totaling \$4,150,000, including capital reserve funding of \$1,638,425, operating reserve funding of \$100,000, gas tax reserve funding of \$316,900, long term debt funding of \$1,573,425, other/external grant/contribution funding of \$40,000, and \$481,250 from the Town's Water Utility for its share of street infrastructure.
- Water Utility Operating Budget with revenues of \$1,166,100, operating expenditures of \$946,500, and non-operating expenditures of \$243,600.
- Water Utility Capital Budget totaling \$533,300, including Depreciation Reserve Funding of \$63,300, Capital from Revenue Funding of \$70,000, and Capital from Accumulated Surplus of \$400,000.
- Fire Protection Area Rate (pursuant to Section 80 of the Municipal Government Act) of \$0.06 per hundred dollars of assessment
- Business Development Area rate (pursuant to Section 56 of the Municipal Government Act) of \$0.29 per hundred dollars of commercial assessment
- Sewer fees
 - Sewer usage rate of \$3.59 per 1,000 gallons of water used by customer;
 - Flat Rate fee of \$69.50 per quarter;
 - Minimum quarterly charge for any metered customer \$17.00;
 - Sewer connection fee of \$3,500, if only sewer hook up
 - Sewer connection fee of \$1,000 if hook up combined with water
- Low Income Property Tax Exemption
 - Income threshold to qualify a maximum of \$27,413;
 - Maximum exemption of \$650.
- Grants to Organizations under General Government/Community Development (not part of Community Partnership Policy)
 - Acadia Scholar Bursaries \$10,500
 - Wolfville Historical Society \$5,000
 - Acadia University
 - MOU main grant allotment \$35,000
 - MOU Events hosting contribution \$10,000

b. RFD 014-2019: Pre-Approval Debenture

Moved
Seconded



That Council approve the attached resolution for pre-approval of participation in the Spring Debenture Issue, with the following **maximum** parameters:

Street Infrastructure,

Including sidewalks, underground sanitary, storm systems	\$724,400	15-20 years
Sidewalk – Blomidon Terrace	\$100,000	15 years
Water Utility – Distribution lines	<u>\$151,700</u>	20 years
TOTAL BORROWING	<u>\$976,100</u>	

Maximum average interest rate set at 5.5%

c. RFD 009-2019: 10 Harbourside

Moved

Seconded

That Council approve the draft Development Agreement for PID 55278899 as outlined in RFD 009-2019

Moved

Seconded

That Council discharge the Development Agreement for PID 55278899 dated November 29, 1979

ADJOURNMENT

Moved

Seconded

That the In-Camera and regular meetings be adjourned

ATTENDING

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

ALSO ATTENDING

- Director Planning & Development Devin Lake,
- Director of Parks & Recreation, Kelton Thomasson,
- Director of Finance, Mike MacLean,
- Manager of Economic Development, Marianne Gates,
- Administrative Services Coordinator, Vanessa Pearson,
- Community Planner Jeremy Banks, and
- Interested members of the public

CALL TO ORDER

Chair, Mayor Cantwell, called the [Town Council Meeting](#) to order at 6:32 pm

Agenda Item

Discussion and Decisions

- | | | |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1. Approval of Agenda | 18-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE AGENDA BE APPROVED AS CIRCULATED | CARRIED |
| 2. Approval of Minutes | | |
| a. October 16, 2018 | 19-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA MINUTES OF THE TOWN COUNCIL MEETING OF OCTOBER 16, 2018 BE APPROVED AS CIRCULATED | CARRIED |
| b. January 15, 2019 | 20-05-119 IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA MINUTES OF THE SPECIAL TOWN COUNCIL MEETING OF JANUARY 15, 2019 BE APPROVED AS CIRCULATED | CARRIED |
| c. January 22, 2019 | 21-05-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE TOWN COUNCIL MEETING OF JANUARY 22, 2019 BE APPROVED AS CIRCULATED | CARRIED |

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- | Agenda Item | Discussion and Decisions |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| d. January 22, 2019 | 22-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA MINUTES OF THE TOWN COUNCIL MEETING OF JANUARY 22, 2019 BE APPROVED AS CIRCULATED
<p style="text-align: right;">CARRIED</p> |
| e. February 4, 2019 | 23-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING OF FEBRUARY 4, 2019 BE APPROVED AS CIRCULATED
<p style="text-align: right;">CARRIED</p> |
| 3. Comments from the Mayor | Mayor Cantwell made note of the following: <ul style="list-style-type: none">• The Town of Wolfville has a proclamation for the month of February in observance of Black History Month.• The Town of Wolfville is currently accepting resumes for two 16-week Summer Student roles with our Parks Department, of which job descriptions are available on our site.• Saturday Feb 23rd is our Winter Warmer at Clock Park. Check out the Grey Hounds and Orchids. Details available on our Facebook Page.• The Town would like everyone to stop by Wolfville.ca and fill out a quick Survey to help us make improvements to our website.• E-Billing is also available for residents to pay their taxes and water bills, and you can sign up on our website. |
| 4. Public Input / Question Period | There were no questions. |
| 5. Motions/ Recommendations from <u>Committee of the Whole</u>, February 5, 2019 | |
| a. RFD 007-2019
Art Site Map | 24-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE PUBLIC ART SITE PLAN AS OUTLINED IN ATTACHMENT 3
<p style="text-align: right;">CARRIED</p> |
| b. RFD 006-2019
Art Plan | 25-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL DIRECT STAFF TO CREATE A LONG-TERM ART STRATEGY FOR THE TOWN, LED BY THE ART IN PUBLIC SPACES COMMITTEE AND INFORMED BY COMMUNITY CONSULTATION
<p style="text-align: right;">CARRIED</p> |
| c. RFD 008-2019
102 Main Street | 26-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE PROPOSED SUBSTANTIAL ALTERATIONS TO THE PORCH AT 102 MAIN STREET AS OUTLINED IN ATTACHMENT 2
<p style="text-align: right;">CARRIED</p> |

Agenda Item	Discussion and Decisions
d. RFD 081-2018 Gaspereau Ave DA	<p>27-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE DRAFT DEVELOPMENT AGREEMENT FOR PID 55274591</p> <p style="text-align: right;">CARRIED</p>
e. RFD 002-2019 King REMO Emergency Evacuation Plan	<p>28-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE KINGS REMO EMERGENCY EVACUATION PLAN DATED DECEMBER 2018</p> <p style="text-align: right;">CARRIED</p>
f. RFD 005-2019 Culinary Tourism Centre	<p>29-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE GRANTING THE CULINARY TOURISM CENTRE (CTC) \$10,000 TO ASSIST WITH THE DEVELOPMENT OF A BUSINESS PLAN AND CORRESPONDING VISUAL CONCEPT FOR THE PROJECT. THE WORK IS TO BE COMPLETED BY NO LATER THAN MARCH 2020</p> <p style="text-align: right;">CARRIED</p>
g. RFD 004-2019 Valley REN	<p>30-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL PROVIDE CONFIRMATION TO THE VALLEY REGIONAL ENTERPRISE NETWORK OF WOLVILLE'S INTENTION TO WITHDRAW FROM THE VALLEY REN EFFECTIVE APRIL 1, 2019</p> <p style="text-align: right;">CARRIED</p>
6. New Business	
a. RFD 081-2018 Accessibility Plan	<p>In 2017, the provincial government passed the Accessibility Act which encompassed not only provincial areas of responsibility, but also municipal. Municipalities have until 2030 to become accessible as required under the legislation.</p> <p>Over the last nine months the Town has formed an Accessibility Advisory Committee (AAC) and been selected to do a pilot program in partnership with the Nova Scotia Accessibility Directorate to develop the provinces first municipal accessibility plan.</p> <p>31-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE ATTACHED DRAFT ACCESSIBILITY PLAN, WITH THE FOLLOWING CHANGES AND/OR CONDITIONS:</p> <ul style="list-style-type: none">• THE BULLET ON PAGE 10 OF THE DRAFT PLAN "CLEAR SIDEWALK SNOW TO THE STANDARD (TIMELINE) THAT MEETS OR EXCEEDS THE STANDARD FOR THE ADJACENT STREET (THE ROAD NEXT TO THE SIDEWALK)" BE CHANGED TO:

Agenda Item

Discussion and Decisions

- **TOWN STAFF TO REVIEW AND BRING FORWARD TO COUNCIL RECOMMENDATIONS (WITH RELATED CAPITAL AND OPERATING COSTS) TO IMPROVE THE STANDARD TIMELINES FOR SNOW REMOVAL ON SIDEWALKS**

- **THE BULLET ON PAGE 19 “ENSURE SNOW IS CLEARED AT TRANSIT STOPS” BE CHANGED TO:**
 - **TOWN STAFF TO WORK WITH KINGS TRANSIT STAFF TO REVIEW SNOW REMOVAL AT TRANSIT STOPS AND STEPS (INCLUDING COSTS) REQUIRED TO IMPROVE SNOW REMOVAL TIMELINES**

- **THE TOWN’S MANAGEMENT TEAM WILL WORK WITH STAFF TO REVIEW THE PLAN, IDENTIFY POTENTIAL LIMITATIONS AND COSTS ASSOCIATED WITH IMPLEMENTATION OF ACTION ITEMS, AND PROVIDE A REPORT OF THESE FINDINGS TO THE ACCESSIBILITY ADVISORY COMMITTEE TO CONSIDER PLAN AMENDMENTS WHERE NEEDED.**

CARRIED

**b. RFD 011-2019
Annual Appointment
of Financial Auditor**

Annually Council appoints an external auditor to conduct the required audit of the financial records and financial statements of the Town of Wolfville. In fiscal 2014/15, PricewaterhouseCoopers (PwC) was successful in their response to the Town’s Request for Proposal – Audit Services. The firm has now conducted the audit of the 2014/15, 2015/16, 2016/17, and 2017/18 fiscal years.

32-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPOINT PRICEWATERHOUSECOOPERS (PwC) AS THE TOWN’S AUDITOR FOR THE FISCAL YEAR ENDING MARCH 31, 2019

CARRIED

**c. Info Report
Operations Plan**

A draft version of the 2019-2023 Operations Plan has been provided for discussion and input by Council. A final version will be presented at the March COW meeting as part of the budget package.

Notable changes from previous years are:

- the Year to Date accomplishments have been pulled out and will be a separate document.

Agenda Item

Discussion and Decisions

- A new group of KPI's will be developed aimed at the Alcohol Working Group, MPS Review, Town and Gown Committee, and other projects undertaken by the Town to more directly measure the Town's success.
- Budget Highlights will be available after the budget is finalized (Includes tax info for residents).
- Acadia Town and Gown priority list was included and has additional items which were recently added; cross walk safety implementations, as well as a desire to do some work with the WBDC and Acadia to forge stronger relationships via collaborative projects.
- The Alcohol work group has been delayed in meeting due to weather and an updated plan is not possible until after the next meeting in March.
- Walkability and Parking management initiative are left vague until management can get more details for council.
- Director of Parks and Recreation, Kelton Thomason, is working on a 4 year plan for Parks as well as Recreation to highlight priorities, to be added to the Operations Plan.

Chief Administrative Officer, Erin Beaudin also asked Council if there were any requests for items which Council would like to see added to the Operations Plan.

Items which were mentioned were:

- Continuing work on Inter-Municipal Service Agreements
- Regional Sharing
- University Avenue/Main Street crosswalk; potential for school zone around Acadia
- Nuisance bylaw

7. Correspondence

The following correspondence was received by Council and attached as a regular agenda item:

- John Andrew: Invite to Coldest Night of the Year Walk
- Jane Warren: Missing 35 km/h Road Sign

**8. Public Input /
Question Period**

Corey Bayer asked if Council had ever considered changing the overall speed limit in Town to 40km/hour.

Alex Leblanc asked that the Town call a public meeting on Cannabis and its regulations to discuss issues not being addressed by the Provincial or Federal Government.

Agenda Item

Discussion and Decisions

9. Adjournment of Meeting

33-02-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE REGULAR TOWN COUNCIL MEETING ADJOURN AT 7:56 PM.

CARRIED

Approved by Council Motion ##-03-19, March 19, 2018

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

DRAFT



SUMMARY

Plan Amendments: Craft Beverage Industry – Accessory Use and Off-Site Sales (Public Hearing Supplemental Report)

The purpose of this report is to provide additional information related to proposed amendments to the Town's Municipal Planning Strategy and Land Use By-law (included below and as Attachment 1 to the First Reading Report included) related to the Craft Beverage industry and off-site sales for Accessory Uses.

Additional information in this report exclusively covers questions that have been posed on the amendments to-date. The Town's Public Statement on this file is also included to address issues of process leading up to the issuance of the Development Permit for 329 Main Street (the Church Brewing Company).

Council gave [first reading](#) to the amendments (included below and as Attachment 1 to the First Reading Report included) at a Special Council meeting on February 4, 2019:

That Council give First Reading to 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.

It is important to note that this report is supplemental to the previous attached reports completed as part of this plan amendment process. Background, the original amendments presented to the Planning Advisory Committee, process and other considerations can be found in these reports, which also explain the rationale for moving forward with the amendments being considered at the Public Hearing.

The Public Hearing is an opportunity for the public to address Council on the amendments being considered. A decision will be made at a subsequent meeting of Council.

Staff Recommendation / Draft Motion

None required. See previous reports attached.

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



1) CAO Comments

See previous reports.

2) Proposed Amendments

Municipal Planning Strategy

1. Amend the Municipal Planning Strategy, in Part 9.2, the preamble for the Central Commercial area, to add the following:

“To help enhance and strengthen the downtown central commercial district, craft beverage uses of a certain size, that are approved as an accessory use to a permitted use or uses, will be facilitated by permitting off-site sales of product produced on-site.”

2. Amend the Municipal Planning Strategy, in Part 9.2.3 Central Commercial, to add the following bullet point:
 - Craft beverage uses (brewery, winery, distillery, or cidery) of a certain size accessory to a permitted use (or uses) where off-site sales of the beverage are permitted.

Land Use By-law

1. Amend the Land Use By-law (Part 25) definition of “Accessory Use” by deleting the existing definition and replacing it with the following:

Accessory Use means the use of land or a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot. E.g., coffee roasting is an accessory use to the permitted retail sale of coffee beans.

2. Amend the Land Use By-law (Part 12) to include the following at the end of Part 12.1:

“If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use, the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities.”

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Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

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3) Supplemental Information and Discussion

The following questions have been posed at various meetings or received in writing, as part of this process. Questions related to the lead up to the issuance of the Development Permit for 329 Main Street (Church Brewing Company) have been addressed in the Town's [Public Statement](#) (Attachment 1 to this Supplemental Report).

QUESTION	RESPONSE
Architectural Guidelines Questions	
<i>Do the Town's Architectural Guidelines apply to 329 Main? Why or why not? If they do, has the Design Review Committee been engaged? Why or why not?</i>	<p>The addition to the building was reviewed against the architectural guidelines as part of the development permit application as required by part 12.6.3.2 of the Land Use By-law. This is typical for permitted uses in the C-1 zone that do not require a development agreement.</p> <p>Use of the Design Review Committee has been established for proposals being considered by Council through a Development Agreement and has not been used for as-of-right, permitted development.</p>
Development Agreement Questions	
<i>Was there anything in the submitted designs that would trigger a DA? Have staff turned their minds to this over the past year?</i>	<p>No.</p> <p>The Development Permit that was issued has also gone through a judicial review in the Supreme Court of NS and the decision of the Development Officer was upheld. In other words, the triggers for a DA have already been reviewed in the courts and a Development Agreement was not required.</p>
<i>Has anything else associated with this property since March 20th indicated that a DA would have been necessary? We told Council we would go back to them if so.</i>	<p>No. See previous response.</p>
<i>Have staff done inspections to ensure that the Sunday School foundation remained intact and that the total floor area did not increase by more than 25%?</i>	<p>The foundation for the addition is within the same footprint as the original Sunday School, with the exception of the addition (permitted if under 25%).</p> <p>The original foundation had structural issues and was required to be removed and replaced to ensure safety/structural integrity.</p>

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

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	A location certificate by a qualified person (Land Surveyor) has confirmed the building location and floor areas are in compliance with the plans as supplied with the permit application and the Land Use By-law.
Water and Wastewater Questions	
<i>Did the Director of PW give an opinion in writing that we can accommodate water and wastewater treatment? Has this been made public?</i>	Yes. This documentation was disclosed as part of a Freedom of Information request in 2018.
<i>Did the Director of PW have information from CBC in writing or orally? Has this been made public?</i>	In writing. This documentation was disclosed as part of a Freedom of Information request in 2018.
<i>What factors lead to the recent staff statement that we are confident we can handle wastewater and will monitor and enter into a surcharge agreement if required?</i>	The original industry information regarding wastewater provided by the Church Brewery was reviewed by staff, including the plant operators. Based on flows to the plant, staff determined the treatment facility can handle the proposed effluent from the development. As part of our review we noted the industry information indicated some parameters may be outside acceptable concentration levels set by the Town sewer discharge and connection bylaw. If this is the case the bylaw does allow the Municipality to enter into a surcharge agreement with the property owner.
<i>Why didn't staff comment on water on Feb 4, 2019?</i>	Water supply has not been seen as a significant concern.
<i>Do we currently have any surcharge agreements under the Bylaw? What factors do we consider in this?</i>	No, there are no surcharge agreements currently in place.
<i>Do we have the authority to impose a surcharge?</i>	Yes, the Town's Sewer Discharge and Connection Bylaw enables the Town to require a surcharge agreement.

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



<i>Did we consider the CBCL report in our decision?</i>	Yes, the CBCL report was considered.
<i>How much surplus water is available? How much surplus treatment capacity is available?</i>	<p>The CBCL report indicated the aquifer is capable of handling an additional 100,000 imp gal per day or 165,932,285 litres per year. The withdrawal permit issued by DOE limits the volume of water the Town may withdraw. Thirty-day average use was on the order of 85%, and consistently below the permitted rate. As need dictates and as suggested in the CBCL report we will apply for new approvals as required.</p> <p>Long term the Town will consider new well field development to provide redundancy for aging infrastructure and/or increase total capacity of the water system.</p> <p>At the time of the CBCL report the plant was considered to be operating near capacity but able to handle the projected incremental growth. To improve the facility capacity in the short-term operational issues such as reducing I&I, replacing the aeration lines in cell 2 and desludging both cells are being addressed. The expansion planned for next year is being designed to accommodate increased flows based on projected growth over the next twenty years.</p>
Amendment/Impact Questions	
<i>Why was the provision about studies from the DO removed from Feb 4th staff report?</i>	Council provided direction to move forward with a portion of the amendments and this clause was not included. It will be discussed as part of the package going back to PAC for consideration and inclusion in the final MPS and LUB documents.
<i>What is the definition of subordinate? Why don't we include this?</i>	No definition of subordinate has been proposed to-date. The "customary meaning" would apply, as stated in the preamble to Part 25 Definitions, of the Town's Land Use By-law. The meaning of "subordinate" is discussed on Page 3 of the Staff Report dated February 4, 2019.
<i>How does the subordinate requirement achieve compatibility?</i>	An accessory use by its nature should be subordinate in both size and land use impacts to a permitted use or uses in the Town's Land Use By-law. Many uses are permitted in the Town's C-

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

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	<p>1 zone and varying forms of ‘accessory use’ (that are incidental and subordinate) exist. Permitted as-of-right uses are assumed to be compatible when they are established in a Land Use By-law but are often subject to mitigation where, for example, a commercial use abuts residential or is located in an architectural control area.</p>
<p><i>What is the definition of ‘certain size’?</i></p>	<p>“Certain Size” is the language used in the proposed Municipal Planning Strategy amendments. “Certain size” of an accessory use is defined in relation to the floor area of the main use(s) that are permitted in the C-1 zone. The Accessory Use must be subordinate to the size of the main use(s) and this will vary widely depending on the building/site. The accessory use must be smaller in floor area than the main use(s).</p>
<p><i>Have we removed the buffering requirements we had proposed?</i></p>	<p>No. These will be considered by the Planning Advisory Committee and included in the final version of the MPS and LUB for Council’s consideration. Buffering requirements were applied to the Development Permit issued at 329 Main Street and upheld through judicial review in the Supreme Court of NS.</p>
<p><i>Can we limit the capacity of the amount of beer that is brewed from the 15,000 HL?</i></p>	<p>The Development Permit issued at 329 Main Street allows up to 15,000 HL as per the classifications established by the NSLC for microbreweries.</p> <p>The Church Brewing Company has stated publicly that it does not have the intention nor the physical space to brew this amount of beer. Other experienced brewers in the Province have also confirmed that it is highly unlikely, given market constraints, they would approach anywhere near the 15,000 HL volume.</p>
<p><i>What happens to the DP if amendments are passed? Does CBC have to reapply or will the new rules automatically apply?</i></p>	<p>If amendments are passed CBC would not have to reapply for a new Development Permit. The original permit would apply but allow off-site sales. The original permit would remain valid, but the amendments to the MPS and LUB would allow off-site sales.</p>

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Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



<i>Do we have any concerns with the CBC presentation?</i>	The CBC Power Point presentation has been received by the Town as information. Developers regularly provide information to the Town in relation to their developments.
<i>What are the concerns with trucks/traffic?</i>	Concerns with trucks and traffic are outlined in the correspondence included. The First Reading report provides comment on this concern, along with other land use impacts.
<i>Why is this amendment called a clarification?</i>	The amendments provide clarification for the existing (Annapolis Cider Company) and proposed (Church Brewing Company) craft beverage operators pertaining to Council's intent around off-site sales.
<i>Where is the power of a DO to deny a permit or enforce anything she thinks?</i>	<p>The powers of the Development Officer are set out in Part 8 of the Municipal Government Act (MGA) and the Land Use By-law. Section 2.1 of the LUB states the DO is to administer the LUB and to issue development permits.</p> <p>Any contravention of the provisions of the Land Use Bylaw may be enforced through the Town Bylaw Enforcement Policy or Sections 266 and 267 of the MGA.</p>
<i>How do we measure cumulative land use impact? How is this defined? If we get enough complaints can the accessory use be taken away?</i>	<p>If during operation there was an indication that the Accessory Use was becoming the principal or primary use, a factual assessment (measurement) would have to be carried out, based on actual operations of the uses on the site, and a decision rendered by the Development Officer to determine if a use is no longer "subordinate" from a land use perspective.</p> <p>If enforcement action was required, Council or legal involvement may be required depending on outcomes of the assessment.</p> <p>While complaints are a factor in drawing attention to possible violations, a large number of complaints does not mean that the accessory use would be "taken away".</p>

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Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



<p><i>How will we impartially measure noise, odour, lights, etc and who will enforce the rules?</i></p>	<p>The First Reading report (attached) provides information on these issues.</p>
<p><i>What is the public interest in this project in this location?</i></p>	<p>Not sure of the meaning of this question. The developer applied for a development permit and the Development Officer (DO) determined that it met the requirements of the Land Use By-law and accordingly issued the permit. This decision was upheld in the Supreme Court of NS. "Public interest" is not a factor to be considered by the DO in issuing development permits.</p>
<p><i>What is contract brewing? Does the DP allow for contract brewing?</i></p>	<p>Contract brewing can be defined as "an arrangement where a company brews and packages beer on equipment it does not own", and involves the use of a brewery's excess capacity/equipment to brew beer for other brands that they do not own. This issue was raised at the Planning Advisory Committee and continued on to the motion passed by Committee of the Whole.</p> <p>Contract Brewing was not contemplated during the issuance of the DP and the DP is silent on contract brewing.</p> <p>Contract Brewing is not permitted through the NSLC at this time.</p> <p>Collaboration Brewing is permitted by the NSLC (2 or more brewers getting together to produce a product with all names on the product).</p> <p>The proposed LUB amendments would prevent an applicant from obtaining a permit from the NSLC for either collaboration or contract brewing. An applicant would need permission from the Municipal Unit and that permission would not be possible if the proposed amendments are in place.</p>
<p><i>Why are the words "exclusively devoted" being removed from the definition without a maximum capacity being stated? Why can't we amend the definition of accessory use instead?</i></p>	<p>A limitation on off-site sales was considered by Council during deliberations at First Reading but has not been pursued.</p>

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



	The definition of Accessory Use is indeed being amended.
<i>What research was done on “economic betterment”? At what size of a brewery is this achieved?</i>	Not sure of the meaning of this question. The Town does not conduct research into “economic betterment” in development applications.
<i>Which properties in the C1 zone will be able to take advantage of the proposed changes?</i>	All C-1 zoned properties.
<i>Why are we not putting provisions around the appropriate size of buildings/parts of buildings?</i>	We are in that an Accessory Use must be subordinate in size to the main permitted use(s).
<i>What are the impacts of the definition of accessory use applying to all zones in Town? What are the implications of removing exclusively devoted from this definition?</i>	<p>The amended definition would apply to all zones, as the current definition does now; however, Accessory Uses vary depending on the nature and permitted uses within a particular zone.</p> <p>The definition and applicability for the craft beverage industry would primarily apply to the C-1 commercial zone and the C-3 zone. An Accessory Use could be permitted to any of the uses listed as permitted if it were to be customarily incidental and subordinate.</p> <p>Home Occupations are “permitted uses” in all residential zones except R-1 and are not “accessory uses” for the purpose of the LUB so the “accessory use” definition would not apply in these cases.</p> <p>It is very difficult to speculate on all of the potential accessory uses for each of the permitted uses listed in these zones.</p> <p>It should be noted that Development Agreements that have been previously approved by the Town permit forms of Accessory Use (e.g. L’Arche, Paddys).</p> <p>For context, the Town’s Land Use mix is as follows: Residential 46% Commercial 3% Institutional 3% University 9%</p>

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



	<p>Parks and Open Space 5%</p> <p>Agriculture 24%</p> <p>Transportation 10%</p>
<i>Is the proposed amendment on contract brewing legal? Has our solicitor provided feedback?</i>	The Town has had legal counsel review and advise on the proposed amendments.
<i>How will the town monitor if contract brewing is occurring?</i>	Through the same means as with other by-laws – complains, observation, requests for information.
<i>What happens if the owners purchase an interest in the “accessory” brewery with respect to contract brewing?</i>	Unsure. There are probably many ownership/partnership/joint venture arrangements that may or may not constitute contract brewing.
<i>What is the intention behind the amendments pertaining to contract brewing?</i>	The possibility of contract brewing has been raised as a concern by members of the public, and based on that concern Council has directed that amendments include provisions restricting contract brewing. The intent is to reduce the risk that the volume of beer produced at a site could be significantly increased through contract brewing or collaboration brewing.
<i>Do we have authority in our noise bylaw to require mitigation and at the owners expense?</i>	Yes. Mitigation has been required (through compliance) in the past for mechanical noise that exceeded the decibel levels in the Noise By-law.
<i>Do we have a written agreement with CBC for visual and noise reduction barriers?</i>	The Development Permit required visual screening and noise reduction will be ensured through the Town’s noise by-law.
<i>Do we have written assurances on dust mitigation measures?</i>	<p>No.</p> <p>The Church Brewing Company has stated their intention around dust mitigation. Varying opinions have been provided on this issue and is also addressed in the First Reading report attached. If dust becomes a problem, the Town can look at by-law options to deal with that.</p>
<i>With more research can we be more definitive about potential odour impacts?</i>	See First Reading Report where the odour concern is addressed.

REQUEST FOR DECISION 010-2019

Plan Amendments: Public Hearing Craft Beverage Amendments

Date: 2019-03-04

Department: Planning & Development



<i>How will the street reconstruction project on Seaview mitigate parking and traffic issues?</i>	This is subject to final design and consultation. Draft designs have limited on-street parking and narrowed the street in the residential section.
<i>How do we know if brewery truck traffic, once added to the truck traffic from the main use, reaches a tipping point and makes the accessory use incompatible?</i>	A factual assessment, based on actual operations, would be carried out. See above response to “cumulative impacts question”.
<i>What are the details of the large grain storage container? How is it filled? Does dust result? Can it attract pests?</i>	See the Church Brewing information provided.

4) Attachments

- 1) Town of Wolfville Public Statement
- 2) First Reading Report and Attachments
- 3) Other Correspondence



February 11, 2019

**Public Statement – Town of Wolfville
Amendments to planning documents regarding craft beverages and off-site sales**

There have been a number of questions and comments from members of the public about the Church Brewing Company's intentions regarding selling some of the beer it produces off-site, the communications between the Town and the Company, and how off-site sales factored into the Town's dealings with the Company and the decision to issue the Development Permit 329 Main Street dated May 30, 2018.

The assessment of applications for Development Permits and the decisions on whether to grant Development Permits are made by the Town's Development Officer. In this case, the Development Officer made the decision that the proposed development at 329 Main Street met the requirements of the Town's Land Use By-Law and therefore granted the Development Permit. The decision to grant the Development Permit and the validity of it were upheld by the Nova Scotia Supreme Court in the Court Decision dated September 5, 2018, but the Court also stated that based on the current wording of the Town's Land Use By-Law, off-site sales of beer were not permitted.

In making the decision to grant the Development Permit, the Development Officer did not have any information regarding the issue of off-site sales and off-site sales was not an issue that factored into the decision to issue the permit. The maximum volume permitted was set at 15,000 hectolitres per year because that is the maximum volume for a microbrewery according to Nova Scotia Liquor Commission policy.

The amendments to the planning documents currently before Town Council deal with whether the Municipal Planning Strategy and Land Use By-Law should be amended to allow off-site sales of product from developments that are approved for craft beverage uses and other uses as an accessory use in the C-1 zone. The Town will continue to try to answer questions and provide information that is relevant to the proposed amendments but will not be answering any further questions about the lead up to the issuance of the Development Permit for 329 Main Street.

Correspondence received by TC, CAO, Staff since Jan 31st 5pm report went live:

Correspondence from	Date Received	Document name
Matthew/Steve Haysom	March 4, 2019	CBC TOW Public Hearing Speaking Notes March 4 2019
Craft Brewers Assoc. NS	March 3, 2019	From Kirk Cox /Emily Tipton
Teresa Drahos	March 3, 2019	Town meetings March 4, 5 and future
David Daniels	March 3, 2019	The Church Brewery
Dick Groot	March 2, 2019	Church Brewery, reaction to Staff answers
Kyle Andrus	February 28, 2019	Collaboration Brewing
Matthew/Steve Haysom	February 25, 2019	Volume Restrictions for Craft Beverage Off-Site Sales
Craig Flinn	February 21, 2019	Issues with brewery in Wolfville
David Daniels	February 13, 2019	329 Main Street: Public Statement
Stephen Drahos	February 11, 2019	Re: Public Statement – TOW – 2 emails
Teresa Drahos	February 11, 2019	Public Statement – TOW – email to JL
Dick Groot	February 11, 2019	Church Brewery
George Lohnes	February 4, 2019	Questions for Mayor & Council respecting First Reading
Dick Groot	February 4, 2019	First Reading
Stephen Drahos	February 4, 2019	February 4 th meeting; proposed accessory use definition
Jeff Hollett	February 4, 2019	Church Brewery
David Daniels	February 4, 2019	329 Main Street: February 4 Special Council Meeting
David Daniels	February 1, 2019	Post Office
David Daniels	February 1, 2019	Material in Post Office
Stephen Drahos	February 1, 2019	How many bylaw violations can you see in this picture? Re Legal Fees letter
Teresa Drahos	February 1, 2019	In reference to the upcoming February 4 th meeting

Vanessa Pearson

From: Matt Haysom <matt.haysom@churchbrewing.ca>
Sent: March 4, 2019 10:36 AM
To: Town Council; Erin Beaudin
Cc: Devin Lake; Steve Haysom
Subject: Public Hearing March 4 2019
Attachments: CBC TOW Public Hearing Speaking Notes March 4 2019.pdf

Dear Council,

Please find attached our speaking notes for today's public hearing.

We wanted to get you these in advance in case we did not have the opportunity to speak at tonight's hearing.

Our plan is to speak toward the end as we wanted to give others the opportunity to speak first.

Sincerely,

Matt & Steve Haysom



MATT HAYSOM

OWNER / FOUNDER

☎ 902.542.2337

☎ 782.232.2337

CHURCHBREWING.CA

329 MAIN ST, WOLFVILLE, NS, B4P 1C4



Virus-free. www.avg.com



The Church Brewing Company Ltd
329 Main Street
Wolfville , Nova Scotia
B4P 1C8
matt.haysom@churchbrewing.ca
steve.haysom@churchbrewing.ca

March 4, 2019

By scanned email

The Town of Wolfville
Town Hall
Attention: Town Council, Erin Beaudin
325 Main Street
Wolfville, Nova Scotia
B4P 1A1

Re: Speaking Notes - Town of Wolfville Public Hearing, March 4, 2019

Good evening Mayor, Deputy Mayor, Council, Participants, and the General Public.

First, we would like to recognize that the restoration, renovation and conversion of the former Saint Andrew's Church, and the construction of the Microbrewery has created local disruptions over the past year. We are very sympathetic and are moving quickly to complete this project and minimize these impacts as much as possible. Construction and development projects, that help our towns grow, do create impacts, some of which are unavoidable. We also recognize that construction activities have been occurring here for quite some time, well before the Church Brewing Company's project, and must be very frustrating for some of the neighbors and residents.

Currently we employ over 75 people. The restaurant has been open for just over 1-month and has already proven to be making a positive social and economic benefit for the Town of Wolfville and the greater area. The Church is making a significant contribution to help build a vibrant local economy.

We note that many who are objecting to the brewery project have no objections to the restaurant and associated retail space. In fact, many appear in favour of a 'Brewpub'. The current congestion associated with servicing the restaurant, while brewery construction continues, will be significantly reduced once the brewery is completed. The completion of the brewery and the ability for the CBC to continue forward with our integrated business plan will continue to positively impact the Town.

Purpose of the Hearing & The Nova Scotia Supreme Court Ruling

The Purpose of this Hearing is not to discuss if a Microbrewery should be permitted to operate on the property owned by the Church Brewing Company on 329 Main Street.

Both the Church Brewing Company's Development Permit from the Town of Wolfville, and the Supreme Court Judicial Ruling, confirms that a Microbrewery producing up to 15,000 hectolitres is a permitted use in the TOW C-1 Zone. The CBC continues to construct, in good faith, the Microbrewery as per the Town's Development Permit.

The Definition of a Microbrewery

The Brewers Association defines a Microbrewery as, "*A brewery that produces less than 15,000 barrels (17,600 hectoliters) of beer per year with 75 percent or more of its beer sold off-site.*"

The Nova Scotia Liquor Commission (NSLC) defines a craft brewery as, "*a manufacturer of beer, where the primary business function is to sell packaged product to the NSLC and thence to the general public through retail liquor stores, or for export, and which manufactures more than 2000 hectolitres but less than 15,000 hectolitres of beer per year.*"

By definition, microbreweries have access to an external market (off-site sales).

By definition, a brewpub is a pub that brews its own beer for sale on the premises.

These definitions have existed for years and are readily available to the public, our regulators and lawmakers, our Land Use By-Law experts, our Planners and Development Officers.

While a Brewpub is also an accepted use in Wolfville's C-1 Zone, we **did not** request a Development Permit for a Brewpub. The Town of Wolfville issued a Development Permit for a Microbrewery to the CBC.

The idea of 'accessory use' is elegant and applicable for many businesses; bakeries, coffee roasters, craft industries, etc. It is being used in cities, towns and counties across the Province. This idea prevents the building of industrial businesses in commercial zones.

Facts About the Church Brewing Company Microbrewery

We have no intention of negatively affecting anyone's quality of life, including that of the neighbours, our employees, or our patrons. Significant trucks, noise, and odour, would not allow the Church, restaurant and patio to have an enjoyable atmosphere.

We want to limit noise, odours and vehicle traffic:

- This is clearly not a 24/7 operation and we will not be brewing beer every day.
- We have purchased a chiller that is advertised as being the quietest on the market.
- We have engaged 4 engineering firms in order to meet the Town's noise bylaws.
- There will be minimal odour (and to many that odour is not unpleasant).
- We will be removing our spent grain and delivering to local farms to feed their livestock.
- Chemicals are contained on-site as per all regulations and are subject to inspections.

Restricting Off-Site Sales

Are there any cases of off-site sales being restricted in NS? It seems hardly likely. Why would Wolfville be the odd one out?

- To our knowledge, there are no breweries in Nova Scotia, ranging in size from 500 to 15,000 hectolitres, that face a restriction on their off-site sales.
- The majority of breweries sell 75+% of their beer off-site.
- Why would the Town contemplate the CBC not being able to distribute off-site?
- Very few breweries, or those in the craft beverage industry, would choose to locate in Wolfville if off-site sales are restricted.
- To restrict off-site sales for those in the craft beverage industry in Wolfville would be to effectively put these businesses at a disadvantage.
- The CBC's restaurant is allowed to bring in kegs from other breweries and cideries (including Annapolis, Maritime Express, and Schoolhouse) for sale in our restaurant, thereby promoting and putting those producers on the map. It would not make sense for any craft beverage business based in Wolfville to not be able to do the same.
- The Church Brewing Company has an integrated business plan in which the microbrewery, the restaurant and the retail outlet support each other and help each other by adjusting to market variations and demand. The microbrewery would not be viable if off-site sales were to be restricted, and this in turn would put the restaurant at risk.
- Does Council understand the difficulties that would be imposed on the Church if off-site sales are restricted?
- The only reason for any party to object to the Church Brewing Company to be able to produce beer for off-site sales, or attempt to restrict the volumes of off-site sales, is in the hope that this will stress the business to the point at which it fails.

Part of Wolfville's Strategic Plan is, *"To advance Wolfville as a premier destination in Atlantic Canada for culinary craft beverage and wine experiences"*.

- The Church is already a most attractive destination. The food is excellent. The atmosphere friendly. The music is just getting started. The building has been beautifully renovated and restored. The landscaping promises to be quite lovely when it matures. Most towns would feel fortunate indeed.
- The Church is already making a significant contribution to help a vibrant local economy. We are community conscious and are contributing in many ways; helping local non-profit agencies, exploring avenues of collaboration with Acadia University.
- The Town of Wolfville's, December 12, 2018, Report to the Planning Advisory Committee (PPM and PAC) MPS Amendments – Craft Beverage Industry, states that *"there are now 32 microbreweries in Nova Scotia and more than 40 craft beer listings available in NSLC stores."* It would therefore seem unnecessary and indeed unduly punitive not to allow Wolfville's Craft Beverage Industry listings with NSLC.

A decision to permit off-site sales is very important.

- It impacts other Wolfville businesses currently distributing craft beverages off-site.
- It sends a very clear message to the craft beverage industry as a whole.
- It promotes Wolfville as a place where small business is embraced.

To not allow, or to restrict, off-site sales, would cause our business to fail.

Contract Brewing & Collaboration

Currently contract brewing is not permitted in Nova Scotia. Should Nova Scotia decide to permit contract brewing, the Town of Wolfville could address this issue at that time. To review and make a decision on the issue of contract brewing in advance of Provincial regulation, without the facts associated with any potential future approval, would be premature.

Regarding collaborations - they are a significant and positive part of the craft beverage industry, including here in Nova Scotia. Collaborations not only build relationships they are an important tool in helping educate; reduce costs; improve brewing processes and efficiencies; improve quality and help to reduce overall environmental impacts. Acadia University is currently collaborating with Salt Box Brewing from Mahone Bay. Benjamin Bridge has been collaborating with North Brewing in Halifax. What a shame it would be to not allow this emerging industry to collaborate with our peers, educational institutions, partners, and other community members.

I would urge Council to ask themselves what benefit it would be to not allow collaborations.

The Town of Wolfville has an opportunity to support, encourage and promote this town as not only a great place to live, but as one where business is welcome and has the potential to not just survive but to thrive. Small business and entrepreneurs rely on clear rules, regulations and guidelines, that lack political interference. Anything less will not encourage investment in our communities, towns and cities.

We respectfully request that the Town of Wolfville immediately proceed with the Municipal Planning Strategy Amendment process and an amendment to the Land Use By-law to permit off-site sales of product produced on-site and to allow for collaboration brewing within the Town of Wolfville.

Thank you for your time.

Sincerely Yours,
THE CHURCH BREWING COMPANY LTD.

“Steve J Haysom”
Steve J. Haysom
President and CEO

“Matther W Haysom”
Matthew W. Haysom
Chief Operating Officer

cc: Devin Lake

Vanessa Pearson

Subject: FW: Correspondence From Craft Brewers Association of Nova Scotia
Attachments: Wolfville - MPS Bylaw copy.pdf; ATT00001.htm

From: Kirk Cox

Date: March 3, 2019 at 9:34:44 PM AST

To: jcantwell@wolfville.ca, Erin Beaudin <ebeaudin@wolfville.ca>

Subject: Correspondence From Craft Brewers Association of Nova Scotia

Please find attached letter regarding proposed MPS/by law amendments.

Best.

Kirk

--

Kirk B. Cox
Executive Director
Craft Brewers Association of Nova Scotia



CRAFT BREWERS
ASSOCIATION OF NOVA SCOTIA

Mr. Jeff Cantwell, Mayor
Town of Wolfville
359 Main Street
Wolfville, N.S.
B4P 1A1

Dear Mayor,

The Craft Brewers Association of Nova Scotia (CBANS) has been watching with interest the deliberations of Council in recent weeks concerning the Town's proposed amendments to the Municipal Planning Strategy and Land Use By Law related to the "craft beverage industry".

CBANS would like to take this opportunity to commend the hard work of both council and staff throughout this difficult process. Your evaluation and analysis of the issues before you have not been easy, but you have been professional and your work has been substantial. We have also been pleased to provide the Town with resources and advice throughout this process including our most recent economic impact study to provide industry context to your deliberations.

CBANS supports the proposed amendments that would allow the craft beverage industry to sell products produced at their facility for the purposes of off site sales such as the Nova Scotia Liquor Corporation. Every craft beer operation in Nova Scotia has the right to sell off site as a condition of its permit with the NSLC. The proposed amendment is consistent with rights afforded to all of the other 50 breweries across the province in other municipal jurisdictions.

Our members operate in municipalities of all sizes, and several operate in commercial downtown zones. You will find that craft breweries located in the downtown districts in other towns support the objectives of a strong and vibrant downtown core. Craft breweries are responsible operations that attract tourists and commit to local communities by supporting local initiatives financially and through other partnerships.

There are approximately fifty craft breweries in Nova Scotia and the industry adds \$15 million to Nova Scotia's GDP each year and \$12 million in household income. Over 400 people work in the industry directly and over 14% of all tourists to Nova Scotia visited a craft brewery this past year.

The Valley region is a leading region of growth for our industry. There are great, local breweries making world class craft beer from Meander River to Digby using ingredients from local companies like Horton Ridge Malt and Grains and local fruit and berry growers. Your region is the first region we chose to do a "hyper local" pilot project with NSLC to bring local valley beer to all local NSLC stores that do not normally see Valley craft beer. This project is a testament to the maturity and growth of your local craft beverage industry.

Given the cluster of industry leaders in your area, you should be proud to have a local brewery like The Church Brewing Company on the shelves of the NSLC and licensees across the province. Their exposure throughout the region will serve as an ambassador for the Town will bring more people to Wolfville.

We would, however, like to clarify the concept of collaboration brewing in the context of the Nova Scotia craft beer industry. Your proposed amendments would prohibit contract brewing and collaboration brewing in the craft beverage industry. While contract brewing is prohibited by the Nova Scotia government for all craft breweries, there is no evidence to suggest that collaboration brewing contributes to incremental production output for a brewery.

Collaboration brewing and contract brewing are completely different concepts. That is why our provincial regulator, the NSLC, considers these two activities separately in its policies. While contract brewing is not allowed, collaboration brewing is permitted and as an industry it is encouraged.

Nova Scotia's craft beer industry is based on its collaborative support, trading ideas and best practices, and working together to develop world class recipes and brews. Breweries collaborating on beer and ideas is the essence of our industry, just as municipalities collaborate on best practices for by laws and policies through AMANS or the NSFM.

On a practical level, collaborations between breweries happen on a batch by batch basis and have absolutely no incremental impact on annual brewing production. This is completely different from having a contract brewing operation. Contract brewing could make breweries bigger, collaboration brewing makes breweries better.

CBANS thanks the staff and Council for the considerable time you have invested in this issue and we look forward to the Town of Wolfville being an important part of the growth of the craft beverage industry in the Valley and Nova Scotia.

Yours truly,

A handwritten signature in black ink, appearing to read 'Emily Tipton', with a stylized flourish at the end.

Emily Tipton
President

Vanessa Pearson

From: Teresa Drahos
Sent: March 3, 2019 10:13 AM
To: Town Council
Cc: Erin Beaudin
Subject: Town meetings March 4, 5, and future

Dear Mayor and Council,

I will no longer be attending town meetings whether on the topic of rewriting the town's by laws to facilitate The Church Brewing Company or another topic. Over the past year, it has become blatantly obvious to me and most of the town's taxpayers and residents, that the process of public participation is a shame. It is a waste of not only my time but the public's time.

Sincerely,
Terry Drahos
Main Street, Wolfville

Vanessa Pearson

From: David Daniels
Sent: March 3, 2019 12:24 AM
To: Town Council
Cc: Erin Beaudin
Subject: THE CHURCH BREWERY
Attachments: TCB Part III 1 final.pdf

Dear Council Members:

Please include the attached questions and comments on the March 4, 2019 public hearing.

Thank you,

David A. Daniels

PUBLIC HEARING: MARCH 4TH MONDAY 6:30 P.M. AT THE IRVING CENTRE

**THE BREWERY
WHAT WENT WRONG IN THE PLANNING PROCESS**

David A. Daniels
February 27, 2019¹

This is what should have happened.

The owners of The Church Brewery (TCB) approach the Town's planning department.

"We'd like to renovate the old church and open a restaurant. We'd also like to build a brewery behind the church. Our business model is to sell the beer we produce at the brewery at the restaurant and the retail shop. Also, we intend to sell the beer we produce off-site, including to the NSLC."

The planners would then respond: "That's great. However, a brewery is not a permitted use in the C-1 zone. You have two options: you could request that the Town amend its Municipal Planning Strategy (MPS)/Land Use Bylaw (LUB) to permit breweries in the C-1 zone, or you might be allowed to have the brewery as an "*accessory use*."

"If you choose to go the '*accessory use*' route, you'll have to make sure the brewery meets certain criteria. Importantly, the brewery must be '*subordinate*' to the restaurant and retail uses. And the brewery must be '*exclusively devoted to*' the main uses."

The developers would ask: "What does '*subordinate*' and '*exclusively devoted to*' mean?"

The planners would respond: "'*Subordinate*' means the size of the brewery must be smaller than the combined size of the restaurant and retail shop and the cumulative impacts of the brewery must be less than the cumulative impacts of the restaurant and retail shop. As to '*exclusively devoted to*' that means the beer you produce cannot be sold off-site."

The developers reply would be: "The subordinate requirements won't be an issue. However, we need to be able to sell beer off-site."

¹ This was written prior to obtaining a copy of the March 4, 2019 Public Hearing Agenda package.

“Well,” the planners would say, “in that case you’ll need to ask the Town to amend its MPS and LUB to remove the ‘*exclusively devoted to*’ requirement from the definition of ‘*accessory use*’.”

The scenario described above or one similar to it did not occur. Instead, the planning review process has been marred by misstatements, lack of information and questionable and possibly compromised decision-making.

In May 2017, one of the TCB owners informed the Town’s director of planning via email that TCB hoped to produce 2 million (M) litres (L) of beer at its brewery in its first year of production. That equates to about 16,000 bottles of beer everyday of the year.

As a first step in developing the project, TCB requested that the Town to rezone two parcels of land from residential to Commercial -1. This rezoning was needed so that TCB could “*construct an addition to the [existing church] building*.” The “addition” is the brewery. The staff report, dated November 7, 2017, states at page 6: “*The Applicants have communicated to Staff that changes are critical to the business planning and success of their project.*”

At the time the rezoning was being considered, did the staff know that the proposed brewery was, as to size and capacity, much larger than what was needed to provide beer exclusively to the restaurant and retail shop? Did the planners ever say to the owners: “you do know that you are limited to selling beer at your restaurant and retail shop? We don’t quite understand why you’ll need the extra C-1 land since the brewery will only need to produce perhaps 250,000 L.”

In its November 29, 2017 report, the planning staff stated: “[t]he 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”?

TCB owners stated in a submission to the Town, dated January 15, 2019, revised January 30, 2019, that their business plan always included the sale of beer off-site and that “*[t]he Town of Wolfville has always been aware of our intent to produce beer for both on-site and off-site sales.*” How did the owners make the Town aware of its intent?

If the staff knew that the owners intended to produce 2 M L or if they knew that the owners intended to sell the beer they produced off-site, how could they make the

statement that appears in the November 29th report? After the TCB owners read the staff's November 29th report, did they inform the staff that the report contained inaccurate information?

The staff also stated in its reports from late 2017 and early 2018, without condition, that the proposed TCB restaurant, retail shop and micro brewery would be permitted in the C-1 zone.

The staff should not have made this unconditional statement concerning what uses are or are not permitted in the C-1 district. The decision whether particular uses are permitted in the C-1 district is ultimately made by the Town's Development Officer (DO) when an application is made for a development permit (DP), not by the town planners.

At the time the staff made this statement did staff have detailed information about the size and capacity of the brewery? If the staff knew or could have easily concluded that the beer produced at the brewery would be sold off-site, why did it state that the brewery would be a permitted use in light of the "*exclusively devoted to*" limitation in the definition of "*accessory use*"?

The Town's DO issued a DP on May 30, 2018. The DP included the following conditions:

"5. The microbrewery is considered accessory under the Land Use Bylaw and expansion of the accessory use beyond that of the main restaurant and retail use is not permitted.

6. The volume of beer produced in the microbrewery shall not exceed 15,000 hectolitres per year. The property owner is required to provide an annual volume report to the Development Officer to confirm compliance."

According to TCB's presentation to the Town: "*The Church Brewing Company has been provided with the Development Permit implicit on [the Town understanding that TCB intended to produce beer for both on-site and off-site sales].*"

In a public statement, dated February 11, 2019, the Town stated that the Town's DO "*did not have any information regarding the issue of off-site sales . . .*" prior to her issuing DP. That means that, contrary to TCB's claim, the DP was not issued implicitly on the understanding that TCB would be selling beer off-site.

Building permits were issued on May 31, 2018 and August 14, 2018. The permits allowed a brewery to be constructed that appears to far exceed the size and capacity needed to provide beer to the restaurant and retail shop.

After the issuances of the building permits the owners began construction of the brewery. At this time the exterior of the brewery building appears to be nearly complete.

On or about June 12, 2018 nearby landowners challenged in the Supreme Court the issuance of the DP as unreasonable. On September 5, 2018, the Supreme Court concluded that the decision by the DO was reasonable as long as the 5th condition set out in the DP limited the sale of beer to the restaurant and retail shop.

To recap. According to TCB owners, its business plan always included that sale of the beer it produced at the proposed brewery off-site and the Town had always been aware that TCB intended to sell the beer off-site. As early as November 2017, the planning staff made statements that the proposed brewery was permitted in the C-1 zone. On the other hand, the Town's LUB required that any accessory use had to be exclusively devoted to the main uses on the site. Consistent with the LUB, the Town's DO issued a DP which forbade the sale of beer off-site. Finally, after the building permits were issued, the owners moved forward with the construction of a brewery that appears in size and capacity to far exceed what is needed to provide beer to the restaurant and retail shop.

On October 16, 2018 Council met *in camera* to discuss litigation or potential litigation concerning TCB. After the *in camera* meeting, Council directed staff to address the court decision regarding accessory use and implications to existing and future craft operations.

From that point in time to the present, the Town has seemingly moved inexorably forward with amending its MPS and LUB to allow for off-site sales of products produced by accessory uses. This change will apply to TCB as well as to all permitted accessory uses throughout the Town.

If the proposed amendments are not adopted, then TCB would be limited to producing only the amount of beer needed for sale at the restaurant and its retail shop. There would be no off-site sales permitted.

The following question needs to be asked and answered: to what extent have planning decisions after the October 16th, 2018 *in camera* meeting been made, either wholly or in part, to avoid TCB suing the Town? To state the question another way: are planning decisions being made by the Town based on good planning practice and principles or are they being made, even in part, to limit the Town's exposure to litigation?

The Town has been asked whether the TCB owners have ever indicated that they will consider litigation if the MPS and LUB are not amended to allow off-site sales. The Town's response was: "*The Town is not prepared to comment on whether it has been threatened with litigation by the owners of 329 Main St.*" The Town has not explained

why it is not prepared to answer this question.

- As part of the justification to move forward with the proposed amendments staff stated in its November 16, 2018 report: *“There has been some ambiguity with the definition of ‘accessory use’ mostly with respect to the term ‘exclusively devoted’ and how it relates to sale of product off-site.”*

Where is the ambiguity? The definition does not say “mainly” devoted to. The Court in its decision (p. 12; ll. 6-12) states: *“On its face the definition [of accessory use] is clear on its face, using a grammatical or commonsense definition [accessory use] means that the microbrewery could produce beer exclusively for the restaurant and retail store on the land.”*

- The Town’s Planning Advisory Committee was tasked, as required by the Municipal Government Act, to make a recommendation to Council concerning the proposed amendments to the MPS and LUB. The PAC determined that it needed more information about potential impacts if the amendments were approved before it could make an informed recommendation.

The staff decided that the proposed amendments could move forward without the PAC recommendation. As partial justification for its decision, staff claimed, incorrectly, that *“[t]here appeared to be consensus on certain issues at PAC that can move forward (e.g. off-site sales, contract brewing).”*

- The Town has been asked repeatedly: what’s the rush? Why not address any needed amendments as part of the rewriting of the MPS and LUB, a multi-year process that is nearing completion? The Town has never provided a satisfactory answer.
- The requirement that the accessory uses must be exclusively devoted to the main uses indirectly limits the size and capacity of the accessory uses. With the proposed removal of that limitation, albeit an indirect one, what will take its place?
- Although it was suggested that staff provide a definition of the term “subordinate” as it appears in the definition of “accessory use”, staff has not done so. (The meaning of “exclusively devoted to” is not ambiguous, but “subordinate” is.)
- The staff has proposed that a use is “subordinate” when its size is less than the combined size of the main uses and when its impacts are less than the combined impacts of the main uses. The second half of the proposed meaning makes little

sense. What if the impacts are totally different and cannot be compared? What if the combined impacts on traffic due to the restaurant and retail shop are more than the traffic impacts of the brewery, but the combined impacts of the main and accessory uses seriously harm the residential neighbourhood?

If over time the adverse impacts attributable to the accessory use exceed the impacts resulting from the main uses, will the Town order the owners to limit the accessory use?

- The staff in its report dated February 4, 2019 discusses potential concerns with the proposed amendments. For most of the concerns discussed, the staff repeatedly states: *“Varying perspectives have been provided in the attached correspondence on this issue.”*

The staff should review the correspondence and provide their professional opinion as to the merits of the *“varying perspective”*. If they do not have the expertise to opine on the claims made in the correspondence, then they should advise Council that outside expertise may be needed.

- Production of beer consumes large amounts of potable water? Is this a sustainable use of the Town’s limited resource?
- The staff claims in its February 4th report, without explanation or support, that the Town will be able to handle the wastewater produced by the brewery. The report states: *“. . . a surcharge agreement may be necessary depending upon on the outcome.”* What will happen if the Town and TCB are unable to reach an agreement?
- The owners stated in their presentation: *“Minimal Odours. Only on brew days and just a few hours per day.”* What does “minimal odours” mean? On the issue of odours, staff states: *“It does not appear this has been a major issue for other operators in the province . . .”* Is staff able to provide more information than what “appears” to be the case?
- Has staff been able to find any brewery in Nova Scotia or Canada that is comparable in size, capacity and location to the TCB brewery?

The staff has failed to address in a meaningful way a fundamental planning issue raised by the proposed amendments that would allow TCB to sell beer off-site. Is the size and capacity of the TCB brewery, no longer limited by the requirement of being exclusively devoted to the main use, appropriate at the TCB site? Or to use language that appears in a Supreme Court’s decision, the Town must decide whether the brewery with off-site sales *“will foster harmony of land uses within the Town.”* (Pp. 10-11 Ll. 20-2.) These are questions the Town has not addressed, and appears unwilling to do so.

Vanessa Pearson

From: richard groot <
Sent: March 2, 2019 5:50 AM
To: Town Council
Subject: Church Brewery , reaction to Staff answers
Attachments: comments on town staff reaction..docx

Dear Mayor and Councillors,

Dick Groot

ltstudio@me.com

1 Main Street, Wolfville, NS B4P 1C4
Canada
1-902-670 3218

www.eyeopener2013.com

I received the documentation of the reaction by staff to the commentaries delivered in Public Meetings and correspondence related to the Church Brewery proposals. I find it encouraging that this document was produced and is made accessible. I do not have the time to go into detailed reactions to the staff responses and will limit my comments to the following;

- 1- Many, if not most reactions by staff are not quantified with the exception of the water availability issue. That part contains data and plans that are valuable for the public as context to understand what staff has to say and to have a sense of comfort with recommendations that ultimately go to Council to help it make well considered decisions.
- 2- On page 8 Staff responds to the question about the public interest of the project by asking what the question means. That surprised me. Everything Council initiates or does is by definition in the public interest and public trust. They were elected with that precise mandate. As a consequence, staff also works in the public interest. The public interest is reflected in almost every By-Law of the Town. In the case of the Church Brewery project concern for an important aspect of the public interest, namely the “unencumbered, quiet enjoyment of private property by rate payers” was missing. A last minute inclusion of an unquantified impact statement of the Church Brewery on the community, more specifically on the households in the immediate area of the brewery did not help. For example, there was nothing of an impact statement on real estate values. If – as a result of proper research - it were found that these values would fall, then these property owners are carrying part of the costs of the development and should be reimbursed. Often such public interests are in conflict with one another. The resolution of such conflicts demands quantitative research (by staff), to be presented to Council so that Council can make balanced, evidence-based decisions. Unfortunately it appears that Wolfville Town staff hasn't been trained to have a clear understanding of its tasks to this extent.

Sincerely, Dick Groot.

Vanessa Pearson

Subject: FW: Collaboration Brewing
Attachments: Letter to Wolfville Town Council (Feb 28, 2019).pdf

From: Kyle Andrus <>
Sent: February-28-19 11:12 PM
To: Jeff Cantwell <JCantwell@wolfville.ca>; Jodi MacKay <JMacKay@wolfville.ca>; Mercedes Brian <MBrian@wolfville.ca>; Carl Oldham <COldham@wolfville.ca>; Wendy Elliott <WElliott@wolfville.ca>; Wendy Donovan <WDonovan@wolfville.ca>; Oonagh Proudfoot <OProudfoot@wolfville.ca>; Erin Beaudin <EBeaudin@wolfville.ca>; Devin Lake <DLake@wolfville.ca>
Subject: Collaboration Brewing

Good evening Mayor Cantwell, Town Council, CAO Beaudin, and Director Lake:

Please find attached a letter regarding collaboration brewing in the agenda for the Mar 4 public hearing. I assume this won't make it into any agendas as they have already been released, but I would appreciate a reply and some clarification. My hope is not to tie up time at the public hearing regarding this if not needed.

I'm asking that Council and staff reconsider the language around collaboration brewing in the Request for Decision as I believe it is unnecessary to limit The Church Brewing Company in this way, and takes away some of the very fabric of the craft brewing industry. Note I am not requesting any changes to the contract brewing language, as I believe it should not be allowed in Wolfville or in Nova Scotia.

I'm unclear what the procedure is here as the agenda is already released and the vote is so soon after the hearing, but I would ask that you consider this letter and amend the language accordingly to allow collaboration brewing to exist unencumbered. I can provide some contacts to seek further information if you'd like. They would include Jean-Benoit Deslauriers of Benjamin Bridge and Jeremy Taylor of 2 Crows Brewing.

Thanks for your time,

Kyle D. Andrus, CPA

Good evening Mayor Cantwell, Town Council, CAO Beaudin, and Director Lake:

My name is Kyle Andrus. I live with my family in Bedford, and am one of three hosts of the 902 BrewCast. We've been following the development at 329 Main Street rather closely, and wrote a letter to this council that was included in the package for the February 4 meeting (which we attended).

I'm writing to you tonight to seek some clarification regarding the language surrounding collaboration brewing in the agenda that has been released for the March 4 public hearing (which we also plan to be in attendance for).

On pages 9 and 11 of the agenda (pages 8 and 10 respectively of the Request for Decision) there is some language around collaboration that I haven't seen brought up until this point. I want to make clear that collaboration brewing is not the same thing as contract brewing.

Contract brewing, as defined in the above noted document, is "*an arrangement where a company brews and packages beer on equipment it does not own*", essentially paying someone to brew and package a beer for you using their excess capacity. Collaboration on the other hand, as defined by Oxford, is "*the action of working with someone to produce something*".

One of the hallmarks of craft brewing in Nova Scotia (and around the world) is collaboration. Helping one another avoid pitfalls when opening, lending your neighbour a bag of grain or other ingredient, or sharing knowledge. The last piece, sharing knowledge, is integral to the brewing industry. There are few, if any, proprietary items in the brewing industry and most brewers are quick to offer tips and tricks, or even recipes to other brewers (or customers).

In Nova Scotia in recent memory, there have been countless collaborations between Nova Scotian breweries, Canadian breweries, American breweries, European breweries, and homebrewers. Nova Scotian breweries have also collaborated with restaurants, wineries, cideries, coffee roasters, podcasts, and more. We have seen breweries collaborate on organic beers, strange beer ingredients, and even a collaboration to help one brewery stay stocked with beer for a busy tourist season when they may have otherwise run dry.

The above noted Request for Decision reads, "*The proposed LUB amendments would prevent an applicant from obtaining a permit from the NSLC for either collaboration or contract brewing. An applicant would need permission from the Municipal Unit and that permission would not be possible if the proposed amendments are in place.*" There is no such permit for collaboration brewing. It is produced in a facility, and that producer is responsible for the appropriate excise and remittances to the respective regulatory bodies. Often the host brewery sees the financial gains while the visitor receives adjacent benefits such as promotion (and maybe a free lunch). It effectively is no different than if that producer made it on their own, they have just elected to produce it with another party for joint benefit; be that promotion, fundraising, or otherwise.

The document further states, "*The intent is to reduce the risk that the volume of beer produced at a site could be significantly increased through contract brewing or collaboration brewing.*" Breweries do collaboration brews to share knowledge, further the industry, and to be with friends. They do not do collaboration brews to fill tanks. Breweries do not want to produce more beer than they will be able to sell in a reasonable period, whether that is through on-site or off-site sales.

Is this language around collaboration brewing intentional? Or has it been mistakenly grouped in with contract brewing? My hope is that it is the latter as collaboration brews do not arise from excess capacity, but rather a way to work together for one reason or another.

I believe that the amendment to the LUB as it stands ("*If a development permit is issued for a property that permits a craft beverage use... the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities.*") does not prohibit collaboration brewing as collaboration brews are still produced by and for the owner of the equipment and facilities, just in conjunction with another party. However, the language could be more clear if the intent is to only block contract brewing.

I would ask that council reconsider the language around collaboration brewing in the Request for Decision and reserve that for contract brewing, which is already not allowed in Nova Scotia and which I believe is detrimental to the industry.

Thank you,

Kyle D. Andrus, CPA



The Church Brewing Company Ltd
329 Main Street
Wolfville, Nova Scotia
B4P 1C8
matt.haysom@churchbrewing.ca
steve.haysom@churchbrewing.ca

February 25, 2019

By scanned email

The Town of Wolfville
Town Hall
Attention: Erin Beaudin
325 Main Street
Wolfville, Nova Scotia
B4P 1A1

Re: Volume Restrictions for Craft Beverage Off-Site Sales

Dear Ms. Beaudin:

The Church Brewing Company ("CBC") would like to respectfully address our concerns arising from the the Special Town Council Meeting ("Meeting"), at the Town of Wolfville ("TOW") Council Chambers. on February 4, 2019.

The purpose of this Meeting was to address the proposed Plan Amendments: Craft Beverage Industry. Specifically a Motion for the TOW Council to consider the recommendation of the Committee of the Whole from January 8, 2019, to proceed with amendments to the Municipal Planning Strategy and Land Use By-law that include:

- a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage Industry;
- an amendment to the definition of Accessory Use to allow off-site sales; and
- an amendment to the Land Use By-law to restrict "contract brewing".

The CBC supports an amendment to the definition of Accessory Use to allow off-site sales and for a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage Industry.

The CBC would like to comment upon the TOW Planning & Development Departments document, "*REQUEST FOR DECISION 010-2019, Plan Amendments: 1st Reading Craft Beverage Amendments, 2019-02-04.*" Specifically, within this document, Point 3 reads the following:

"3) Alternatives

1) Amend Part 12.1 of the Land Use By-law to limit Volume of off-site sales, as defined by Council: If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use:

a) the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities;

b) the volume of the craft beverage produced on the property that is sold at a location other than the property must be no greater than XX% of the total volume produced.

However the CBC was During this discussion to potentially review volume restrictions."

The CBC disagrees with amending the Land Use By-law to limit the volumes of produced craft beverages that can be sold off-site.

- To our knowledge, there are no breweries in Nova Scotia, ranging in size from 500 to 15,000 hectolitres, that face a restriction on their off-site sales.
- To limit off-site sales for those in the craft beverage industry in Wolfville would be to effectively put these businesses at a competitive disadvantage.
- Allowing off-site sales is completely aligned with Wolfville's Strategic Plan: "*To advance Wolfville as a premier destination Atlantic Canada for culinary craft beverage and wine experiences*".
- Off-site sales through the NSLC, other retail and export markets, and kegs, promotes Wolfville and the greater Valley area. The wine and cider industries are two perfect examples, both are currently distributing off-site.
- The Town of Wolfville's, December 12, 2018, Report to the Planning Advisory Committee (PPM and PAC) MPS Amendments – Craft Beverage Industry, states that "*there are now 32 microbreweries in Nova Scotia and more than 40 craft beer listings available in NSLC stores.*" It would therefore seem unnecessary and indeed unduly punitive not to allow Wolfville's Craft Beverage Industry listings with NSLC.
- Limiting the volume that can be sold off-site would require that the remaining produced volume would have to be purchased by customers from within the restaurant and/or retail space, increasing (not reducing) traffic and congestion.
- The consumer should be the factor that drives both on-site and off-site sales. Demand for produced craft beverages will vary from season-to-season and year-to-year.

A decision to permit off-site sales is very important. Not only does this impact other Wolfville businesses currently distributing craft beverages off-site, it sends a very clear message to the craft beverage industry as a whole. The Town of Wolfville has an opportunity to support, encourage and promote this Town as not only a great place to live, but as one where business are welcome and have the potential to not just survive but to thrive. Small business and entrepreneurs rely on clear rules, regulations and guidelines, that lack political interference. Anything less will not encourage investment in our communities, towns and cities.

It seems somewhat ironic that the CBC's restaurant is allowed to bring in kegs from other breweries and cideries (including Annapolis and Maritime Express) for sale in our restaurant, thereby promoting and putting those producers on the map, but may not be allowed to market the Church Brewing Company's products beyond a certain percentage.

The CBC's business plan is integrated. There is a restaurant and retail space both of which will be provided by beer produced by the CBC Brewery. The success of this business relies on all three components and the ability for us to provide beer sales both on-site and off-site. Typically restaurants do well in the summer months, especially during the tourist season, and are more challenged during the winter months, particularly early in the new year. If the restaurant and retail are not performing as well as in the winter months, then the business will be more reliant of off-site sales. It is the consumer who will determine where our beer is sold. In fact, selling beer directly from our restaurant and retail space is far more profitable than selling distributing it off-site. That said, off-site sales are critical, not only do they help create consumer awareness and demand, they help provide necessary revenue when the restaurant and retail components of the business might not be performing.

The Brewers Association defines a Microbrewery as, "*A brewery that produces less than 15,000 barrels (17,600 hectoliters) of beer per year with 75 percent or more of its beer sold off-site. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer through carry-outs and/or on-site tap-room or restaurant sales.*"

The Nova Scotia Liquor Commission (NSLC) defines a Microbrewery as a, "*craft brewery*" means a manufacturer of beer, where the primary business function is to sell packaged product to the NSLC and thence to the general public through retail liquor stores, or for export, and which manufactures more than 2000 hectolitres but less than 15,000 hectolitres of beer per year. Craft breweries may, subject to approval from the Alcohol and Gaming Division, have an adjacent licensed premise that shall be totally segregated from their manufacturing facility and operated under the terms and conditions of the liquor license issued for the licensed premise, and may have an ownership interest in up to four additional licensed premises."

Both the CBC's Development Permit from the TOW, and Supreme Court Judicial Ruling, confirms that a Microbrewery producing up to 15,000 hectolitres is permitted use in the TOW C-1 Zone.

Any proposal or amendment to limit the volume of off-site sales would be an error in law.

The Town of Wolfville, including the Planning and Development Department, has always been aware, and supportive, of our business plan to sell our produced beverages off-site.

To not allow, or to restrict, off-site sales, would cause our business to fail.


The CBC is committed continue construction as per our Development Permit in order to complete this project so that construction disruptions can end as soon as possible. We continue to expend huge amounts of capital, are using many local trades and continue to hire and employ a significant number of people from the Wolfville and greater area.

The restaurant has been open for just over 1-month and has already proven to be making a significant positive social and economic benefit for the Town of Wolfville and the greater area. The completion of the brewery and the ability for the CBC to continue froward with our integrated business plan will continue to positively impact the Town.

We would like to respectfully request that the TOW to immediately proceed with the Municipal Planning Strategy Amendment process and an amendment to the current definition of "Accessory Use" to allow off-site sales with no associated volume restrictions.

Sincerely Yours,

THE CHURCH BREWING COMPANY LTD.



Steve J. Haysom
President and CEO



Matthew W. Haysom
Chief Operating Officer

cc: Devin Lake, TOW / Kevin A. MacDonald, CDR

Vanessa Pearson

From: Craig Flinn < >
Sent: February 21, 2019 4:15 PM
To: Town Council
Subject: issues with brewery in Wolfville

Good day to all counsellors,

I am a home owner in Wolfville with a residence on Locust Avenue. I am writing today to put in my two cents worth on The Church Brewery issue. I missed the public meetings due to my responsibilities in Halifax.

Being a part of the hospitality industry and a well-known advocate for local businesses and food products in Nova Scotia, I can 100% see the huge benefits to the downtown core with this business and its offerings. The building is beautifully restored, modernized, and will add a wonderful new experience of food, drink, and hospitality to Wolfville.

I do, however, take some issue with a couple of things regarding the licensing that has occurred. Changing the zoning to accommodate a revision to the business model of this operation was most certainly the wrong thing to do. In fact, one could argue that the Town Council had most definitely been "played" by a clever business owner who knew that they could revise their plans after construction had begun and sway the council to change the bylaws to suit their needs. But this large scale operation will have a huge impact on the look, feel, smell, and sounds of this neighbourhood and its residents. I take no issue with the production of foods and products, and indeed beer, for sale on site by the brewer and restaurant, but a full-scale brewery should have been placed in an industrial zone. If The Church Brewing Company wanted unlimited sale up to 1.5 million litres, it should have located its facility within the industrial zone where issues of smell, noise, etc. are not a problem.

It appears that nothing will stop this now, so knowing this I state my point of view simply for the record. I will support this business as I do all local businesses and craft operations, and I hope it adds greatly to my property value, and does not negatively impact it. But I feel this has been poorly handled by the Town and you have showed concern only for the Brewery here and not the residents. Please keep in mind that Wolfville will see no financial impact from the sales of beer sold in NSLC stores in Halifax. The impact was going to come from the operation, restaurant, and the use of the building. So, this was all for nothing.

With respect,

Craig Flinn

Executive Chef/President

Chives Canadian Bistro

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2 Doors Down Bar & Bites

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2DDBB: (902) 474-4380

Mobile: (902) 476-3393

www.chives.ca

www.go2doorsdown.com

www.go2doorsdown.com/barbites

Vanessa Pearson

From: David Daniels < ;>
Sent: February 13, 2019 9:09 PM
To: Town Council
Cc: Erin Beaudin
Subject: 329 Main Street: Public Statement

Dear Council Members:

Please accept the following questions and comments on the Town's Public Statement, dated February 11, 2019.

Was this Statement authorized by Council?

I was unable to locate any Town policy which dealt with "public statements". Is there such a policy?

The Statement states in its first paragraph that there has been a "number of questions and comments" concerning off-site sales of beer to be produced at the brewery. I have asked a number of questions on this topic as have others. While I appreciate receiving an answer to one of my questions, the DO's knowledge concerning the TCB owners' intentions regarding off-site sales, there were other questions that the Town has not answered.

The Statement states in the third paragraph that "*[i]n making the decision to grant the Development Permit . . . off-site sales was not an issue that factored into the decision to issue the permit.*" The DP itself includes a condition that "*[t]he microbrewery is considered accessory under the Land Use Bylaw and expansion of the this (sic) accessory use beyond that of the main restaurant and retail use is not permitted.*" It is unclear how "off-site sales was not an issue" when DP itself either implicitly or explicitly sets as a condition that off-site sales are not permitted.

In the fourth paragraph, the Statement states in the first sentence: "*The amendments to the planning documents currently before Town Council deal with whether the [MPS] and [LUB] should be amended to allow off-site sales of product from developments that are approved for craft beverage uses and other uses as an accessory use in the C-1 zone.*"

In fact, the proposed amendment to the definition of "accessory use" has the potential to impact much more than just what happens in the C-1 district. The following are sections from the Town's LUB which concern accessory uses.

PART 4 GENERAL REQUIREMENTS FOR ALL ZONES

4.1 Permitted and Prohibited Uses

No Person shall hereafter use any land, or erect, alter, or use any building or structure unless a development permit has been issued, and no development permit shall be issued unless all provisions of this By-law are satisfied. For the purposes of this By-law, if a use is not listed as a permitted use in a zone, or if it is not accessory to a permitted use within the zone, it shall be deemed to be a prohibited use in that zone, except where the use is a nonconforming use under Section 238 of the Municipal Government Act.

4.18 Accessory Buildings and Uses

4.18.1 Accessory uses and accessory buildings and structures shall be permitted in any zone within the town of Wolfville but shall not: (a) be used for human habitation except where a dwelling is a permitted accessory use; (b) be located within the front yard or the flankage yard of a lot; (c) have a side

yard less than that required for the main building. (d) be built closer to the rear lot line than 2 metres and an accessory building less than 16 square metres in building area may have a minimum rear or side yard of 1.0 metre; (e) be built closer than 4.5 metres to the rear streetline of a through lot; (f) be considered an accessory building if it is attached to the main building; (g) be considered an accessory building if located completely underground; (h) be greater than 8 metres in height; (i) be larger than the main building in volume. 4.18.2 Where this By-law provides that any land may be used or a building or structure may be erected or used for a purpose, the purpose includes any use accessory thereof. (My emphasis.)

Accessory uses according to the LUB are possible in all zones in the Town.

I have stated previously that the "exclusively devoted to" clause indirectly limits the size of the permitted accessory uses. By eliminating that clause you are removing that limiting factor. The subordinate clause also limits size, but in different ways.

To my knowledge, the planning staff has not provided any analysis of the possible impacts that the proposed change to the definition of "accessory use" may have to other zoning districts in the Town.

Finally, the Statement ends by stating that the Town *"will not be answering any further questions about the lead up to the issuance of the Development Permit for 329 Main Street."*

Does that mean that the Town will not answer any questions that deal with any issue that pre-dates the issuance of the DP, or just matters that are related to the actions of the DO? For example, I recall Stephen Drahos asking at the Special Council meeting whether the claim by the TCB owners that the Town was always aware of their intent to sell beer off-site. Since "always aware" refers to a time before the DP was issued, is the Town refusing to answer this question?

Respectfully,

David A. Daniels

Vanessa Pearson

From: Stephen J. Drahos <[redacted]> on behalf of Stephen Drahos
Sent: February 11, 2019 5:00 PM
To: Erin Beaudin
Cc: Town Council
Subject: Re: Public Statement – Town of Wolfville

Erin,

With all due respect - not really.

As someone wrote me today:

Steve, this is more ridiculous than I thought it might become. Did the development officer not think: what are they going to do with all this beer?

And furthermore, there appears to be a disconnect between the Town's talking points and statements made by TCB (hence my questions).

Something's not right here.

Stephen

On Feb 11, 2019, at 4:52 PM, Erin Beaudin <EBeaudin@wolfville.ca> wrote:

Dear Stephen,

This statement does provide answers to both of the questions you asked.

Erin

Sent from my iPhone

On Feb 11, 2019, at 4:30 PM, Stephen Drahos <[\[redacted\]](mailto:[redacted])> wrote:

Erin,

Does this Memo mean that you are not answering my 2 questions from last Monday night?

FYI, most people have gotten past the brewery. But don't think that the people in Town are so stupid that they can't see what is happening here with this Memo!

Meanwhile, let me know about my questions.

Stephen

Begin forwarded message:

From: Jean-Luc Prevost >
Subject: Public Statement – Town of Wolfville
Date: February 11, 2019 at 2:28:30 PM AST
To: Jean-Luc Prevost

Please see attached.

<image001.jpg>

Jean-Luc Prevost
Administrative Assistant, Office of the CAO
p 902-542-9678 | f 902-542-4789 | e jprevost@wolfville.ca
359 Main Street., Wolfville, NS B4P 1A1
wolfville.ca

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<2019-02-11_Public Statement_Town of Wolfville.pdf>

<image001.jpg>

Vanessa Pearson

From: richard groot <
Sent: February 11, 2019 9:28 AM
To: Town Council
Subject: Church Brewery

Dear Mayor and Councillors,

In earlier correspondence on the subject of the Church Brewery, I stated that Council has been elected in a democratic election and thereby it was given the trust of the electorate to protect and promote the public interest. The Mayor interprets this as pushing economic development at any cost. This one-dimensional interpretation contains the danger of ignoring other aspects of the public interest, the most important of which is *to protect the peaceful enjoyment of private property by ratepayers.*

More than a year ago, two men drove into town with bags of money and decided to build a restaurant annex brewery at the site of the old United Church. They approached the Mayor and planning staff who understandably enthusiastically welcomed these entrepreneurs. They were likely told that they should make application for development and building permits, which they set out to do. So far so good, who would not welcome a good restaurant and repurposing of the old church? They obtained a development permit, which stipulated a maximum brewing output of 1.5 million liters of beer, subject to the constraint of the brewery being ancillary to the restaurant. This of course was impossible because there was no way their allotted production capacity could be interpreted as ancillary to the restaurant since restaurants don't consume that amount of beer. The developers successfully lobbied the Town to get rid of this restriction and allow them to have unlimited distribution to the external market. They were successful because the Town started a process of eliminating the restriction. The process required a plan devised by the staff and a series of public consultations. We recently could read the documentation and we had an opportunity to comment in a public meeting. A first reading of the by law changes has been completed with a public meeting when Council passed a motion to give unlimited supply to the external market for any enterprise like the CB. This, in my view, will create a Wolfville that is not the town we had in mind when we started the design of the new MPS. It is a shortsighted decision based on hope and a prayer, and the implications have not been studied in any depth and reported.

It is becoming apparent the Mayor has made up his mind that this will be good to the town and no amount of public input will change his mind. I am not sure there is unanimity in Council on this. Public presentations have been made, good ideas have been offered to Council, but it does not even result in a conversation on the subject. People write to add their voices to the meetings, and they get a polite confirmation of receipt from the Mayor and there it stops. Hence, the extensive public input in this project has been ignored and not been taken seriously. Why have public meetings if that turns into a bit of an embarrassing farce and a total waste of time for the public and the staff? Indeed, why have by laws if they can be broken so frivolously?

A rather illuminating aspect of the process is the following. In the next to last meeting, staff was asked if they had carried out an impact study of this proposed brewery. We did not really get a straight answer to that question as if it were an afterthought. Yet it is at the core of *protecting the peaceful enjoyment of private property by ratepayers*. We found some reference in the planning document about such things as water use and contamination, noise, and odour. They were soothing statements: not to worry, we have enough water, the treatment plant could handle the contamination, odour was not a problem, and so on. But on what authority did they make these statements? Where is the research, where are the data, what are the facts? For example, I would have expected information about the projected life of the aquifer on which we are dependent for potable water. What would be the impact of this increase on the demand and how much would it shorten the projected useful life of the acquifer? The public deserves to know. The developer has stated that there would only be odour 1 time a week or so. What are we to do? Wear gas masks or leave our houses for the day? I lived close to a brewery for 10 years and believe me they stink and not only on certain days. *This is an example where ratepayers will be denied the quiet enjoyment of their property*. Furthermore, what about the impact on real estate values? If these drop, then the respective owners will pay a very high price for the Town's enthusiastic embrace of these developers, who at their arrival had not yet paid a nickel in tax. Will they be recompensed? If not, the Town has been derelict in the protection of the public interest, which is the most important task with which we have entrusted Council.

Almost no one objects to a good restaurant in a nicely re-purposed church. Neither does anyone object to a pub brewery that primarily serves the pub/restaurant. There are economic and cultural benefits to this enterprise and very little physical impact at that scale. Economically speaking, the fight is therefore on the margin of an industrial extension of the restaurant/pub-sized brewery for an unknown marginal increase in the Town's tax benefit at a large marginal increase in the cost to the ratepayers. *The question to Council: Is that marginal impact on town tax income worth denying ratepayers the peaceful enjoyment of their properties?*

In my view, and with respect, Council blatantly ignored the public interest and is making a mockery of the public input. Direction and control of staff was ineffective, especially with respect to the public impact of the brewery. They were driven by a blind ambition for economic development without seriously evaluating the marginal impact of pub brewery to microbrewery on the public interest. Thus, Council has failed in its prime responsibility to the electorate. It will be a blot on its legacy.

Sincerely,

Dick Groot.

Dick Groot

*210 Main Street, Wolfville, NS B4P 1C4
Canada
1-902-670 3218*

www.eyepener2013.com

Vanessa Pearson

From: Dick Groot
Sent: February 4, 2019 11:56 AM
To: Town Council
Subject: First reading

Dear Mayor and Council

Health issue will not allow me to attend to night's meeting.

Some observations on the documentation for the change in the definition of the term accessory use. In myview there is no need to change it as proposed. But I recommend to ad: Off site sales can be allowed at no more than 15% of production capacity.

That is objective, measurable and enforcable.

The issues of impact of the brewery are soothing statements. But they have no depth for decision making. On what authority are they made, what are the authoritative references. They are unsubstantiated opinions that council should reject. It should insist on better and qualified recommendations. This is very poor and almost off hand staff work as if the public interest is not worth their serious attention.

I hope it will be a positive and constructive meeting and that you, Council, will listen and take seriously to what the public who put rheir trust in you have to say.

Dick Groot

Sent from my iPhone

Vanessa Pearson

From: George Lohnes
Sent: February 4, 2019 3:46 PM
To: Town Council
Cc: Erin Beaudin
Subject: Questions for Mayor and Council respecting First Reading MPS & LUB amendments 329 Main Street
Attachments: 329 Main Street Questions February 4, 2019.docx

Dear Mayor Cantwell and Councilors,

I have attached a 3 page memo outlining questions I have for the First Reading MPS & LUB amendments concerning 329 Main Street, scheduled for Feb 4, 2019.

I request that Council, in the exercise of appropriate due diligence, take under consideration these questions prior to voting on First Reading of the proposed MPS & LUB amendments, and therefore table debate and consideration of such motions until the information requested in my submission is made available in writing to Council and the Public.

Yours Respectfully,

George Lohnes
at
Wolville NS

CC: Erin Beaudin

**Questions submitted to Mayor and Councillors for February 4, 2019 Council meeting re First Reading
of MPS & LUB amendments affecting 329 Main Street Wolfville NS**

Architectural Guidelines questions:

- As the Staff report to PAC dated November 29, 2017 states 329 Main Street is on the edge of the *Downtown Architectural Control Area*, do the Town's Architectural Guidelines apply to the existing structure and new addition to 329 Main Street?
- If not, why not?
- If the Architectural Guidelines do apply, has the Town's Design Review Committee been engaged as per Town Policy Number 610-001 and in particular Section 1.2.
- If not, why not?

Development Agreement Questions:

- In the Staff Report to PAC dated January 31, 2018 Staff state "Staff have been given no indication that a Development Agreement will be triggered for the proposed use. Staff's understanding is that the Applicant intends to proceed with an as-of-right use. If a DA turns out to be required as designs are developed, that process will be carried out and relevant provisions brought forward to be considered by Council."
- Has Staff reviewed the basis for this statement since January 31, 2018 up to and including February 4, 2019?
- If not, why not?
- The letter from Chrystal Fuller dated July 5, 2017 to Steve Haysom included in the Church Brewing Company's presentation for the February 4, 2019 Council meeting states a Development Agreement would not be required to rebuild the Sunday School portion of the Church provided the foundation remains and the total floor area does not increase by more than 25% of the exiting building.
- What if any inspections have been carried out by Staff to determine whether the Sunday School foundation has remained and that the floor area has not increased by greater than 25% of the then existing building?

As of Right Questions:

- 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 restaurant/retail use” based on verbal or written submissions from the Church Brewing Company?
- Since the November 29, 2017 Staff Report, and in particular prior to the Second Reading of the MPS and LUB amendments at the March 20, 2018 Council meeting, has Staff received any indication, whether verbal or in writing, from the owners of 329 Main Street or their representatives that beer would be brewed for sale at offsite locations, such as the Nova Scotia Liquor Corporation, in addition to the restaurant and retail space as noted in the November 29, 2017 Staff Report to PAC?
- If such information was received by Staff, was it disclosed to the Public prior to the March 20, 2018 Council meeting?
- If not, why not?
- Has such information been received by Staff since March 20, 2018?
- If it has, has it been made available to the Public?
- If not, why not?

Water & Waste Water:

- The letter from Chrystal Fuller, (Director of Community Development as she then was), to Steve Haysom dated July 5, 2017 and included in the Church Brewing Company’s presentation for the February 4, 2019 Council meeting states: “Based on the information provided, the Director of Engineering (sic – I assume she meant the Director of Public Works who serves as well in the role of Town Engineer) confirms that the Town can accommodate the required need for water and wastewater treatment.”
- Was the Director of Public Work’s opinion in writing or expressed orally?
- Has such opinion been made available to the Public?
- If not, why not?
- Was the information provided to the Director of Public Works by the Church Brewing Company in writing or expressed orally?
- Has any such submissions by the Church Brewing Company been made available to the Public?
- If not, why not?
- The Staff Report for the February 4, 2019 Council meeting states “Staff are confident with the ability of the Town to handle the overall wastewater usage. The makeup of the wastewater will be monitored, and a surcharge agreement may be necessary depending on the outcome.”
- What factors were taken into consideration by Staff to arrive at that opinion?
- Why did Staff not express an opinion regarding water usage itself apart from the management of wastewater?
- Are there currently any surcharge agreements in place pursuant to the Town’s Sewer Discharge and Connection Bylaw??
- What are the factors taken into account in such surcharge agreements?

- What if any consideration was taken into account regarding the CBCL report to the Town in the fall of 2016 respecting water usage and wastewater treatment capacity?
- How much “surplus” water is available through the Town of Wolfville Water Utility for usage within the Town?
- How much “surplus” treatment capacity is available in the Town’s sewage and wastewater treatment facility?

I request that Council, in the exercise of appropriate due diligence, take under consideration these questions prior to voting on First Reading of the proposed MPS & LUB amendments, and therefore table debate and consideration of such motions until the information requested in my submission is made available in writing to Council and the Public.

All of which is Respectfully Submitted,

George Lohnes
581 Main Street
Wolfville, NS

STEPHEN J. DRAHOS

ATTORNEY AT LAW (US)

February 4, 2019

Erin Beaudin
Town of Wolfville
CAO
359 Main St.
Wolfville, NS B4P 1A1

Re: February 4th meeting; proposed accessory use definition

Dear Ms. Beaudin,

Given the time constraints at the February 4th meeting, I thought it best to share my thoughts/ observations being proposed by the Staff Report of the Planning Department by this letter.

First of all, I would like to acknowledge that this issue is complex and the objectives and rules being proposed are difficult to absorb by the public and, I daresay, by the Town Councillors themselves (including myself). It is no wonder there is so much confusion. Perhaps my interpretation of these proposals is erroneous too so, in advance, forgive me.

1. The Town is proposing unlimited offsite sales for businesses with an accessory use which Judge Warner's ruling clearly prohibits under its current definition. Has legal counsel provided an opinion to the Town that this rule change will withstand judicial scrutiny if challenged as favouring The Church Brewery ("TCB") in spite of his ruling? The Town has already spent \$13,000 in legal fees defending Karen and Glenn's suit and given the repeated references cited throughout the Staff's Report to TCB, one could infer the Town is attempting to circumvent the Judge's ruling for the benefit of TCB.

2. The "exclusively" language has been removed from the accessory use definition ("Option 1"). As such, unlimited offsite sale are allowed for accessory use businesses. To determine if a use is no longer "subordinate", a factual assessment would have to be carried out, based on the actual operations of the uses on the site, and a decision rendered by the Development Officer. The guiding principles to determine "subordinate use" would be (i) size (is it less than the principal use?), and (ii) land use impact (noise, traffic, parking, etc.).

A couple of points/questions:

a. Since this determination is made after operations commence, what is the process to revoke the accessory use? Who initiates it? When is it initiated (by the number of complaints, Town Council?). One would think this determination would be made *prior* to the commencement of the project akin to a development permit application. On the flip side, it does not give developers certainty in proceeding with a project then to be denied after the fact.

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☎ 902.704.0057	902.704.0057 ☎

b. While size is an objective standard (one can measure), the land use impact standard is subjective. Any subjective interpretation is fraught with problems creating friction and strife. Indeed, an enactment of these subjective standards would create an uncertain business environment in Wolfville.

c. While contract brewing is prohibited under these proposed rules, Staff admits the legal ramifications of such a ban is "unclear". As such, there is a distinct possibility TCB may have the ability to ramp-up production if this provision is struck down.

d. TCB violates by-laws of the Town on a daily basis. Staff contends the existing by-laws can handle any possible violations but does not connect the number or nature of complaints to a revocation of this accessory use. What exactly is this process?

3. A far better solution would entail a percentage limitation on sales or volume with respect to an acceptable accessory use ("Option 2"). It has an ascertainable standard which can be measured and is objective. The Development Officer has clear guidelines. There is clarification from the beginning what the expectations are on both sides. Should the contract brewing restriction be challenged and struck down, the Town and its residents are still protected by this limitation, be it 5% or whatever is accepted as reasonable. It allows current (Annapolis Cider) and future merchants to showcase their products at farm markets, Devour, or otherwise. Unfortunately, Staff devoted only one paragraph to this option making it appear that either this option is not desirable (but not explaining why) or that Option 1 has been predetermined.

As a final observation, I was disappointed that the Staff relied on a Power Point presentation provided by TCB to ascertain the possible land use impact of their project.

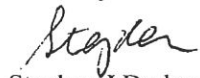
Two observations:

(i) to be blunt, these findings and "promises" are meaningless and unenforceable; and

(ii) our neighbourhood is extremely disappointed we do not have the same access to Town officials to present our side of the story in terms of continuing current by-law violations, concerns, and the like.

In closing, thank you for your time and consideration of my comments and suggestions.

Sincerely,



Stephen J Drahos

Vanessa Pearson

From: jhollett@
Sent: February 4, 2019 8:13 AM
To: Town Council
Subject: Church Brewery

Dear Council,

I am a Wolfville resident living on Kent avenue and I am writing to express my concern as it relates to the new Church Brewery proposal.

I do not support the Town's intention to change the zoning bylaws allowing businesses with accessory uses to have the ability to pursue unlimited offsite sales.

A brewery with a capacity to manufacture 1.5 million litres of beer is not appropriate in downtown Wolfville. I have little concern relating to the development of a restaurant and a craft brewery designed to support the restaurant, but in its current form the industrial scale of the brewery will detract from the character of Wolfville's downtown and set a precedent for development which would not be welcomed by many citizens of the community.

Sincerely,
Jeff Hollett

Vanessa Pearson

From: David Daniels
Sent: February 4, 2019 12:24 AM
To: Town Council
Cc: Erin Beaudin
Subject: 329 Main Street: February 4 Special Council Meeting
Attachments: Feb 4 report - comments and Qs 1a.pdf

Dear Council Members:

I have attached a first draft of comments and questions I have in regards to the staff report produced for the February 4, 2019 Council meeting. I say "first draft" because I would have preferred to spend much more time thinking about and refining my ideas. But as you are aware, there was not a great deal of time between the release of the report and the meeting. I have read the staff report but did not have the time to read all the submissions.

The report states that "[a]t First Reading, direction can be provided to Staff from Council on what additional information should be brought back before the Public Hearing. An additional supplemental report can be provided in advance of the public hearing for this purpose, if required."

For various reasons I found the staff report inadequate. I raise a number of questions and concerns which should be addressed prior to the adoption of the proposed amendments to the MPS/LUB.

Please excuse any typos or word mistakes in the version I am sending you.

Respectfully,

David A. Daniels

COMMENTS AND QUESTIONS: REPORT FEBRUARY 4, 2019

I will evaluate the Town's proposed amendments to the MPS and LUB using three standards or principles.

I. **Compatibility.** Planning documents should ensure that different uses of land that take place near one another are compatible.

This principle is evident in sections 3.4.3 and 5.4.1.19 of the most recent draft of the new MPS.

"Compatible development is defined as development which, although not necessarily the same as or similar to existing nearby built form, must coexist without causing undue adverse impacts on surrounding properties or the overall neighbourhood. There are two aspects of compatibility: 1) built form, being the physical development of a space, and 2) its impact, being the effects of that development on its surrounding environment. Council wishes to ensure Wolfville's neighbourhoods remain healthy, vibrant, safe and people oriented places to live."

"It shall be the policy of Council . . . 19. To encourage intensive commercial development to locate in established commercial areas and to minimize potential land use conflicts by carefully regulating commercial land uses that abut residential areas."

When the owners of land zoned commercial in the Timberlea area of HRM wanted to construct a brewery, which was not permitted under the existing LUB, HRM planning staff produced a report which recommended amendments to MPS and LUB which would allow breweries in its C-2 district. The report states, in part:

Land Use Regulations:

New regulations would permit Micro-Breweries and Micro-Distilleries in most C-2 zoned properties in the T/L/B Plan Area. Upon a detailed review of the request and the existing land use fabric, it was determined that permitting Micro-Alcohol Production Facilities as-of-right, while incorporating land use provisions and standards into the C-2 Zone, would ensure that these uses operate in a manner compatible with surrounding land uses. (My underlining.)

II. **Economic Betterment.** The Town of Wolfville relies too heavily on residential taxation to support municipal services. The Town needs to build up its

commercial base. The planning documents should encourage commercial development where appropriate.

This principle appears in the Town's most recent Strategic Plan 2017 – 2021, in a section entitled: "*Leveraging Our Economic Opportunities*":

To advance Wolfville as a premier destination in Atlantic Canada for culinary, craft beverage and wine experiences.

To create a business ready environment for future expansion and attraction opportunities.

To foster the success of our existing business community.

III. **Implementation.** Whatever changes to its planning documents the Town adopts should be easily implemented. That means that a person who wishes to move into Town or start a business in Town should be able to understand the planning documents and know without too much difficulty what he or she is able to do in Town in terms of development. It also means that Town staff is able ensure compliance with the planning documents without a great deal of difficulty.

The staff proposes the following amendments to the existing MPS and LUB:

Municipal Planning Strategy

1. Amend the Municipal Planning Strategy, in Part 9.2, the preamble for the Central Commercial area, to add the following:

*"To help enhance and strengthen the downtown central commercial district, craft beverage uses of a **certain size**, that are approved as an accessory use to a permitted use or uses, will be facilitated by permitting off-site sales of product produced on-site."*

2. Amend the Municipal Planning Strategy, in Part 9.2.3 Central Commercial, to add the following bullet point:

- Craft beverage uses (brewery, winery, distillery, or cidery) **of a certain size** accessory to a permitted use (or uses) where off-site sales of the beverage are permitted.

(My emphasis.)

Land Use Bylaws

Amend the Land Use By-law (Part 25) definition of "Accessory Use" by deleting the existing definition and replacing it with the following:

Accessory Use means the use of land or a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot. E.g., coffee roasting is an accessory use to the permitted retail sale of coffee beans.

2. Amend the Land Use By-law (Part 12) to include the following at the end of Part 12.1:

"If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use, the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities."

An obvious first question is: what is the meaning of a "certain size"? The "certain size" of a brewery as an accessory use is controlled in the LUB by (1) set back requirements, (2) the definition of "accessory use" and (3) the limit on beer production to 1.5 Million (M) litres (L).

(1) To my knowledge staff has not analyzed whether the existing setback requirements are appropriate for accessory breweries.

Did the staff remove the buffering requirements it had earlier proposed? See February Staff Report, pp. 29-30. If so, why were they removed?

(2) The size of any accessory use, according to the staff, will be limited by the requirement that the accessory brewery must be "subordinate" to the primary use(s).

The key aspects to an accessory use that remain in the definition are that it be 1) "customarily incidental" meaning that it should reasonably be associated with the principal use or uses; and 2) that it be "subordinate" meaning in size and cumulative land use impacts of the accessory use compared to the principal use or uses (noise, parking, etc). These measures limit the size and scale of any operation and should ensure the Accessory Use does not become the Principal or Primary Use on the site. In the case of a Brewery attached to a Restaurant and Retail space, this means that the brewery portion must be smaller in floor area but could also be tested for impacts (traffic

generation, parking demands, foot traffic, noise, etc) if during operation there was an indication that the Accessory Use was becoming the principal or primary use. To determine if a use is no longer "subordinate," a factual assessment would have to be carried out, based on actual operations of the uses on the site, and a decision rendered by the Development Officer. [My underlining.]

According to staff the term "subordinate" in the definition of "accessory use" will limit the "size and scale" of the operation, and "ensure the Accessory Use does not become Principle or Primary Use on the site." The size and scale will be limited because being "subordinate" requires that the floor area occupied by the accessory use must be smaller than the floor area of the primary use(s). Also, the accessory use remains "subordinate" as long as its impacts are less than the impacts of the primary use(s).

The staff does not explain how the "subordinate" requirement ensures or assists in achieving compatibility. If an accessory use remains subordinate to the main use, does it follow that the accessory use will be compatible to different surrounding land uses? This is a connection which needs to be made unless the staff feels that meeting the "subordinate" requirement is goal by itself.

According to staff all we can be assured of is that the accessory use will be smaller in size (the footprint) than the primary use. Does it follow that if the accessory use is smaller in size than the primary use, the accessory use is necessarily compatible with surrounding uses? There is nothing in the staff report that would support an answer if the affirmative to this question.

Using as an example the building being constructed to house the brewery at TCB, an accessory use that is smaller in size than the main uses does not ensure compatible land uses.

Later in its report, staff states:

In the case of the Church Brewing Company, the impacts are directly related to the overall volume of beer produced and the brewery component must remain subordinate in size and cumulative land use impact to the main uses on the site.

What does the staff mean by "cumulative land use impact"? Is staff claiming that as long as total adverse impacts of the brewery are less than the impacts of the restaurant and retail store the size and production capacity of the brewery is acceptable? How do you compare and add up different sorts of impacts? Does the staff mean to say that as long as traffic impacts from the restaurant are greater than those resulting from the brewery, then there is no problem. The neighbours may be more concerned about the cumulative impacts of both uses, rather than measuring impacts against one another. For those people living in

the vicinity of the C-1 zone, the issue of compatibility may be less about which use is primary and which is accessory and more about the cumulative impacts or particular impacts associated with a use, whether it's classified as "main" or "accessory".

Issues of implementation are raised by the definition of "subordinate". First, the term is not defined in the LUB. Commentary in staff reports may be helpful when interpreting the LUB, but they may not be conclusive. Why did staff decide not to provide a definition of "subordinate"?

Does staff expect the DO to carry out a "factual assessment" when questions arise as to whether the "subordinate" use is becoming the primary use? Where will the facts come from? Who will be pay for the collection of facts and their assessment? And what enforcement mechanism will be used?

The staff proposes to delete the current language in the LUB that requires accessory uses to be "exclusively devoted to" the main uses.

Why is staff making this proposal?

Based on direction from Council at Committee of the Whole, Staff are proposing an amendment to remove "exclusively devoted" from the definition of accessory use. This will provide current and future operators (Annapolis Cider Co. and Church Brewing Co.) with clarity regarding off-site sales.

The staff could have achieved the same "clarity" by amending the definition of "accessory use" to include the statement that "off-site sales were prohibited". (Is the meaning of "exclusively devoted to" that unclear?)

What purposes does the inclusion of the "exclusively devoted to" language in the definition of "accessory use" serve? I can think of two possible purposes. There may be others. First, by including the "exclusively devoted to" language, the size of the accessory use is indirectly and effectively limited. If you are limited to selling on-site what you produce on-site, then it makes little sense to produce more goods than can be sold on-site. Hence the size of the manufacturing facility is in turn limited. Second, by not allowing what is produced on-site to be sold off-site, the need to transport what is produced on-site to other locations is eliminated.

In the case of an accessory use brewery, the "certain size" will also be limited/specified by the capacity cap of 1.5 M L.

The staff report does not contain any information or analysis of what size breweries will lead to "economic betterment". Would 500,000 litres result in economic betterment, while lessening issues of compatibility?

The 1.5 M L figure comes from the NSLC's definition of microbrewery. But to my knowledge, the decision by NSLC to use the 1.5 M L figure had nothing to do with land planning issues. At least in the public documents that I have reviewed, the staff chose the 1.5 figure in the proposed amendments prior to making any attempt to understand the possible impacts on neighbouring properties of allowing a facility to produce 1.5 M L before .

Putting to one side how the proposed changes to the planning documents will affect TCB, what are the broader implications of the changes?

As part of planning (for the future), the staff should have tried to figure out how the proposed changes to the MPS/LUB might impact future development. At the very least, the staff should have provided information about which properties in the C-1 zone would be able to take advantage of the proposed changes.

The staff report does not include any information about the appropriate size of buildings or parts of buildings that would be appropriate for particular locations.

For example, could the staff have included in the amendments some of the criteria used for approval of Town development agreements?

(b) to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods through:

- i. the type and intensity of use; and*
- ii. the height, mass or architectural design of proposed buildings; and*
- iii. hours of operation of the use; and iv. outdoor lighting; and noise, vibration or odour; and*
- iv. vehicle and pedestrian traffic; and*
- v. alteration of land levels and/or drainage patterns; and deprivation of natural light*

Perhaps these and other similar criteria are not being included in the proposed amendments because the TCB brewery is already under construction. Have the proposed amendments been drafted to ensure that TCB will be allowed to do

what it intended to do from the outset, but which was not permitted under the existing MPS and LUB?

(This raises the question: how did the Town's building officials approve plans to construct a building that clearly was too large for the approved purpose. The plans were approved after the Development Officer issued a permit which prohibited off site sales. If the BO was not sure of the meaning of the meaning of the development permit issued by the DO, he could have walked down the hall and asked the DO whether off-site sales were allowed.)

The change to the definition of "accessory use" will apply to the entire Town, to all its zones. Has any thought been given to the ramifications of the change? What are the implications of removing the "exclusively devoted to" from the definition of "accessory use"? One essential aspect of planning should be to figure out, as best you can, how proposed changes will affect future development in the Town. Council is approving changes which have the potential to impact the entire development throughout the Town without a clue about what those changes, for good or bad, might be.

The second proposed amendment to the LUB would prevent contract brewing.

"If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use, the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities."

This amendment would prohibit the use of a brewery from producing beer "by or for anyone other than the owner of the equipment and facilities." Would the actual production process change because beer was being produced for another brewery label?

Has the Town Solicitor provided an opinion as to the legality of this amendment?

What would prevent the owners of a major brewery from purchasing an interest (all or partial) in the "accessory brewery" and thus becoming an "owner of the equipment and facilities." Won't happen? TCB owners have no intention of selling? Is it planning, let alone good planning, not to think about possible eventualities?

How will the Town monitor whether contract brewing is occurring?

What is the intended purpose of this amendment? Is it too limit production? If so, are there other ways to achieve that goal, such as placing a lower cap on the amount a brewery could produce?

Resident and Stakeholder Concerns

This section of the report begins with the following:

When considering the impacts of an accessory use, it is important to consider whether those impacts will be more or less than the cumulative impacts of the principal use. It is important to keep in mind that the Development Permit allowing the brewery at 329 Main Street (Church Brewing Co.) and at Annapolis Cider Co. have already been granted – the issue is what effect, if any, permitting off-site sales will have on these impacts.

When viewing potential impacts, the concern is not whether the impacts associated with the accessory use are more or less than the impacts of the main use. In terms of compatibility, the issue is the cumulative impacts of both primary and accessory uses, and the impacts which are particular to the accessory use.

- Volume of beer produced

The staff appears to take the position that there is no need to plan for the brewery producing up to its limit, 1.5 M L., since it may never achieve this goal. Is it appropriate for the Town to make planning decisions based upon the outcome of market forces. If you approve a residential development that will permit the construction of a hundred homes, do you need to plan only for the impacts of 50 homes being constructed, because you believe the real estate market for the foreseeable future will be weak.

The staff also state in the report:

The Church Brewing Company has also provided their projected volumes which were estimated in the 5,000 HL range after 4-5 years (see attached “Church Brewing Company Community Presentation, January 2019”).

Are planning decision now being made on a horizon of five years?

- Noise

The report states in part:

Any operator in the Town must be compliant with the Noise By-law and mitigation will be required to ensure compliance.

The Town's Noise Bylaw does not contain any provision which authorizes a Police Officer or the Town Enforcement Officer to require mitigation. Where is the authority which allows the Town to require mitigation and requires the operator to pay for the mitigation?

The report also states:

Both visual and noise reduction barriers are planned at the Church Brewing Co. site.

Does the Town have an enforceable agreement with TCB to ensure that these reduction barriers are put in place?

- Dust

Under this subject the staff states in the report:

The Church Brewing Company have included information (see attached "Church Brewing Company Community Presentation, January 2019") to Staff that indicates they will mitigate this issue.

Does the Town have any written assurances that these dust mitigation measures will be installed?

- Odours/Smells

It does not appear this has been a major issue for other operators in the province, including those concentrated in the North End of Halifax.

If this does become an issue, or if Council desires, other jurisdictions have adopted Odour By-laws. Staff would need additional time to bring back how this could work in Wolfville, particularly given the seasonal agricultural aromas in the region.

There should be some certainty to the issue, if possible. The Town should not be planning based upon "appearances." Does staff believe that with more research they can determine with more certainty whether odours may be an issue? If so, then staff should be instructed to do the research/investigation and draft bylaws which provide for enforcement and solutions.

- Parking

On the issue of parking the report states, in part:

The reconstruction of Seaview Avenue will help to mitigate parking issues the area has experienced over the last number of years.

How will the reconstruction mitigate parking issues?

- Wastewater

Under “wastewater”, the report states:

Staff are confident with the ability of the Town to handle the overall wastewater usage. The makeup of the wastewater will be monitored, and a surcharge agreement may be necessary depending on the outcome.

The public should be provided with the basis of the staff’s confidence. If a surcharge is required, does the Town have authority to impose a surcharge? If a “surcharge agreement” becomes necessary, what assurances are there that TCB will enter into any “agreement”? Isn’t the better practice to have in place a mechanism whereby the Town can impose the surcharge, including the cost of having the wastewater tested by an independent company.

- Traffic (Trucking)

The report provides little information about potential adverse impacts resulting from truck traffic on Seaview Ave. The report refers to information provided by TCB regarding the amount and type truck traffic. However, that information ends with year 3 and 500,000 litres.

The permit issued to TCB allows from 1.5 M L. The planners should provide information about truck traffic which will occur if the 1.5 M cap is reached.

The report states:

The management of truck traffic (loading and unloading) in the Town is an ongoing issue, particularly on Front Street, Main Street and other streets in the Core Area (Elm, Harbourside). Enforcement efforts will continue to focus on safety and efficient traffic flows.

The reconstruction of Seaview Avenue will help to mitigate issues with truck traffic at the Church Brewing Co.

While enforcement efforts addressing safety and efficient traffic flows are important, they do not address completely the potential adverse impacts of truck traffic on Seaview.

Again, the staff needs to explain why it believes reconstruction of Seaview Ave. will help mitigate truck traffic.

The issue of the cumulative impact of truck traffic as a result of the restaurant and brewery may be significant. The brewery will add to the truck traffic. Whether the impacts of truck traffic needed for the restaurant and retail is more or less than the impacts resulting from truck traffic needed for the brewery, are not the issue. The question which needs to be addressed is whether brewery truck traffic added to the truck traffic generated by the restaurant and retail shop reach a tipping point and make the accessory use incompatible with a residential neighbourhood.

- Storage

The report states:

Off-site storage seems to be a regular occurrence for breweries located in more urban locations. This is done currently by the Annapolis Cider Company.

The large grain storage container at the southwest corner of the brewery building is near the two or three residential properties. The staff provides no information about the potential adverse impacts which might result from the location of this storage container. How is it to be filled? Will dust result? (The report's section on "Dust" makes reference to material provided by TCB. If that reference is to the TCB document contained in the meeting's agenda package I could find no reference to handling dust.) Is there the danger of pest infestation as a result of the grain storage facility.

1) CAO Comments

The CAO supports the recommendation of Staff. If Council requires additional information, it can be included in the Public hearing package.

If the CAO is providing a recommendation then she should be required to state the reasons why she supports the Staff's recommendation

The following proposed amendment to the LUB appears in earlier staff reports. It appears to have been removed in the latest version of the proposed amendments.

11.3 Additional information, studies, reports

The Development Officer may request additional information, studies or reports to better understand how and if the impact(s) of a potential permitted land use may be mitigated.

Why was it removed? The answer to this question should include an explanation as to why at one time it was viewed as needed and what has changed that no longer requires its inclusion.

Vanessa Pearson

From: David Daniels >
Sent: February 1, 2019 3:25 PM
To: Town Council
Cc: Erin Beaudin
Subject: Post Office

Hello:

In case you were not able to figure it out: "okay" should replace "ago".

David

Vanessa Pearson

From: David Daniels >
Sent: February 1, 2019 3:15 PM
To: Town Council
Cc: Erin Beaudin
Subject: Material in Post Office

Council Members:

I have just returned from the Wolfville Post Office. I was informed by Tammy, who I believe is one of the supervisors, that her supervisor said it was ago for me to place the The Church Brewery material back on the lobby table.

David A. Daniels

Vanessa Pearson

From: Stephen J. Drahos > on behalf of Stephen Drahos
Sent: February 1, 2019 2:42 PM
To: Town Council; Erin Beaudin
Subject: How many bylaw violations can you see in this picture?
Attachments: Let.Cantwell.AccessoryUse copy.pdf; LetBeaudin.UARB.BCBylaws copy.pdf

Good afternoon all,

I look forward to attending the Town Council meeting on February 4th. I'm just wondering why my 2 letters were omitted? See attached letters. Perhaps I overlooked them? (BTW, Erin did respond with the 13K figure for the legal fees).

Meanwhile, back on Seaview, we are experiencing a normal day with the The Church Brewery project.

I count the following violations:

1. Tenants of the Manse (owned by The Church Brewery) park illegally overnight in spite of the winter snow ban.
2. Improper parking on the wrong side of the street
3. Delivery truck unloading in the street (+1 hour)
4. Same delivery truck has been idling this entire time

And to think the existing restaurant is an "as of right" establishment; what will occur when the brewery commences operation?

Finally, I noted the TCB Power Point presentation and references in their "Guiding Principles" regarding "Rules & Regulations - obey all of the rules & regulations"

I'm gobsmacked by this statement and the rich irony. Perhaps it's best to say no more ...

Stephen Drahos
311 Main



STEPHEN J. DRAHOS

*Added to
package
Feb 4 - 9am*

ATTORNEY AT LAW (US)

January 27, 2019

Erin Beaudin
Town of Wolfville
CAO
359 Main St.
Wolfville, NS B4P 1A1

Re: Legal fees on The Church Brewery Litigation and related matters

Dear Ms. Beaudin,

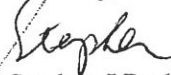
Since Mr. Cantwell never responded to my request dated January 11th regarding the total amount of legal fees expended by the Town of Wolfville defending the lawsuit filed by Karen and Glenn, please provide to me this figure prior to the February 4th Town Council meeting. In advance, thank you.

On a related matter, I wanted to bring to your attention the following:

1. I read with interest last week's UARB decision in Cape Breton (attached) and I trust our Planning Dept is adhering to the principles enunciated within our LUB in proposing amended rules for "accessory use" and their affect on the adjoining neighbourhoods, especially in regards to noise as delineated more fully within this decision. I took advantage of Church Brewery's "open door" policy by reaching out to them directly concerning noise generated by the instalment of their new exterior exhaust fan by writing a letter dated January 20, 2019 to Mr. Steve Haysom. Unfortunately, I received no response. There is absolutely no buffer zone between the Church Brewery and our residential house. Furthermore, I maintain skeptical of the enforcement mechanism(s) on this and other issues the Town insists are viable as I pointed out to Don Urquhart, Esq. and yourself at our meeting on October 11, 2018.

2. On a more positive note, I have attached the City of Vancouver's solution in amending their LUB for micro-breweries. They take a different tack. Instead of allowing them in the commercial core of the town adjacent to residential areas, the City of Vancouver (with the full support, I might add, of the industry!) instead places them in the light industrial and similarly situated zoning areas. And as a way to enable them to "showcase their products", the City allows lounges and restaurants as an accessory use. I have attached this amendment for the benefit of your Planning Dept. and I look forward to their comments/observations.

Sincerely,



Stephen J Drahos

77-16Zoning.ChurchBrewery.LetBeaudin.UARB/BCBylaws.pages

CANADA OFFICE	UNITED STATES OFFICE
311 MAIN STREET	255 HOWARD STREET NE, SUITE A
WOLFVILLE, NOVA SCOTIA B4P 1C7	ATLANTA, GEORGIA 30317
(902.670.5966	404.729.6020 (
f 902.704.0057	902.704.0057 f

DRAHOS@MINDSPRING.COM

STEPHEN J. DRAHOS

ATTORNEY AT LAW (US)

Part of original package

January 11, 2019

Jeff Cantwell
Town of Wolfville
359 Main St
Wolfville, NS B4P 1A1

Re: Proposed changes to “accessory use” definition

Dear Sir,

Attached is a copy of the court’s decision regarding 329 Main St. I encourage you and all the Town Counsellors to read it and become familiar with the legal reasoning of Judge Warner, especially the highlighted areas on Page 15 and Page 19.

In summary, Judge Warner upheld the issuance of the development permit but interpreted the definition of “accessory use” to preclude off-site sales to avoid (in his words) the establishment of an “industrial park” in the Town’s C-1 zone.

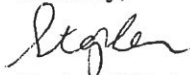
The Town, Karen and Glenn and the Church Brewery have all spent a lot of time and money to have a neutral third party adjudicate this matter and the reasoning behind it. While we all understand the Town’s “economic” arguments, I find it disturbing that in the spirit of full disclosure and fairness the Town does not publicize Judge Warner’s findings and legal rationale behind it. For example, why not have a link on your web page? Why not have your folks make a presentation to explain his ruling and how we got into this mess? Power Point presentation? The general public simply does not understand it at all.

It’s not “fear-mongering” but rather the law. You have an obligation, as an elected official, to tone down the rhetoric and present the facts, the law, and the legal reasoning behind the existing (and valid) definition of accessory use before we can all move forward to address it rationally.

And by the way, how much did the Town spend on legal fees on this lawsuit? I would request this figure on or before the next Town Council meeting on January 22nd.

In advance, thank you.

Sincerely,



Stephen J Drahos

77-16.Zoning.ChurchBrewery.Let.Cantwell.AccessoryUse.pages

CANADA OFFICE	UNITED STATES OFFICE
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☎ 902.670.5966	404.729.6020 ☎
☎ 902.704.0057	902.704.0057 ☎
DRAHOS@MINDSPRING.COM	

Vanessa Pearson

From: Teresa Drahos
Sent: February 1, 2019 2:08 PM
To: Town Council
Cc: Erin Beaudin; Devin Lake
Subject: In reference to the upcoming February 4th meeting

Hi Friends and Neighbours.

Before Monday's meeting I wanted to give you an insight into the points I will be making. I have read almost all of the planning departments proposals but stopped a bit more than halfway through because I was so frustrated. At the last meeting I took the time to introduce myself to Mr. Hassem (sp?). I was very cordial and said we should sit down and try to come to some kind of consensus. I also waited until the end of the meeting (4 hours) to propose this to the town and whole community. Let me say I was the only person there that had any conciliatory tone. I asked that we all come together to find common ground.

Since that meeting the town has taken the time to meet with the developer and has not made any contact with the residents of Seaview. It is clear from the planning departments document that they are pushing heavily for option 1 and giving the developer everything they want and making no concessions to the neighbours. They talk about parking, noise, smell, lights but give no concrete solutions, only placations. As the development stands today without the brewery, just as a restaurant, they break the parking and noise bylaw everyday without consequence or changing behaviour. I don't know about how you would record, document, or enforce smell but when I walked out my backdoor this morning I was hit with the overwhelming smell of onions cooking. I accept that it is a restaurant and have no complaint but am pointing this out as problems the future might bring.

Overall I am very disappointed in the town. There is no regard for the citizens on Seaview and their concerns, we are simply swept under the rug and written of as whiny old people. I am personally hurt by the fact that the town council, mayor, planning department, and CAO have taken none of our concerns seriously in the proposal. I invited you to sit down in my home and talk this through and instead you sat down with the developers and left us out of the conversation, what a slap in the face. This speaks to a larger problem between the town and its citizens, you pretend to care what we have to say but you don't act on it. Don't think this is just my view, I have heard it repeatedly from many long time residents.

On Monday you will hear me use my 2 minutes to speak on some version of this email. If you really want to talk about how to work together I am happy to hear from you. If you are only going to brush me off again save the energy, I got it, you don't care.

The constant construction has been terrible but what really hurts is the town completely ignoring the neighbours.
Sincerely,
Terry Drahos

REQUEST FOR DECISION 010-2019

Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



SUMMARY

Plan Amendments: Craft Beverage Industry (1st Reading Supplemental Report)

The purpose of this report is for Council to consider the recommendation of the Committee of the Whole from January 8, 2019:

MOTION: That Council proceed to 1st Reading with amendments to the Municipal Planning Strategy and Land Use By-law that include:

- *a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage industry;*
- *an amendment to the definition of Accessory Use to allow off-site sales; and*
- *an amendment to the Land Use By-law to restrict “contract brewing”.*

This report provides proposed wording and explanations of the amendments as well as further information on the craft beverage industry and some specific concerns raised by residents and other stakeholders. A substantial amount of correspondence has been received by Council on this issue. Correspondence directly to Council has been provided, along with other pieces of information Staff have collected.

It is important to note that this report is supplemental to the previous reports completed as part of this plan amendment process (attached) – background, the original amendments presented to the PAC, and other considerations can be found in these reports, which also explain the rationale for moving forward with the amendments.

At First Reading, direction can be provided to Staff from Council on what additional information should be brought back before the Public Hearing. An additional supplemental report can be provided in advance of the public hearing for this purpose, if required.

Staff Recommendation

Staff continue to recommend proceeding with a portion of the amendment package presented to the PAC, focusing on accessory use and off-site sales, as outlined in Attachment 1. This approach will clarify off-site sales for the Church Brewing Company and Annapolis Cider Company while allowing the PAC to further consider the remainder of the amendment package.

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Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



Draft Motion

That Council give First Reading to 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.

1) CAO Comments

The CAO supports the recommendation of Staff. If Council requires additional information, it can be included in the Public hearing package.

2) Supplemental Information and Discussion

Draft language for the proposed amendments is provided in Attachment 1. Included below is context for the amendments and explanation on some concerns that have been raised. Background and other considerations are included in two other reports previously reviewed by the PAC and Council.

Municipal Planning Strategy – Amendment Context

Staff are proposing 2 text amendments be made to Part 9 of the Municipal Planning Strategy (MPS).

1. In Part 9.2, the preamble for the Central Commercial area, the following is proposed:
“To help enhance and strengthen the downtown central commercial district, craft beverage uses of a certain size, that are approved as an accessory use to a permitted use or uses, will be facilitated by permitting off-site sales of product produced on-site.”
2. In Part 9.2.3, Central Commercial (permitted uses), the following bullet would be added:
 - Craft beverage uses (brewery, winery, distillery, or cidery) of a certain size accessory to a permitted use (or uses) where off-site sales of the beverage are permitted.

Based on direction provided at Committee of the Whole, text amendments to the MPS are required to ensure Council’s intent is clear and that the MPS and Land Use By-law are consistent. The Municipal Planning Strategy should clearly enable what is being regulated in the Land Use By-law. The policy change will be applied to the existing MPS and carry forward to the final draft of new MPS (Spring 2019).

This amendment would clearly permit craft beverage uses accessory to a permitted use or uses in the C-1 zone. The accessory use would have to be subordinate in both size (floor area) and cumulative land use impacts (traffic generation, parking demands, foot traffic, noise, etc) to the principal use(s).

Land Use By-law/Zoning – Amendment Context

Based on direction from Council at Committee of the Whole, Staff are proposing an amendment to remove “exclusively devoted” from the definition of accessory use. This will provide current and future operators (Annapolis Cider Co. and Church Brewing Co.) with clarity regarding off-site sales. The proposed definition is as follows:

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Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



Accessory Use means the use of land or a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot. E.g., coffee roasting is an accessory use to the permitted retail sale of coffee beans.

The existing definition is as follows:

Accessory Use means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to the main use of land or building and located on the same lot.

(Note: an alternative approach is included in the “Alternatives” section of this report)

In other jurisdictions, the definition of “Accessory Use” is varied on including/not including “exclusively devoted.” *The Complete Illustrated Book of Development Definitions (4th Edition)* provides the following definition to consider: “A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.” This book also goes on to outline that:

- What constitutes an accessory use changes over time;
- That it is advisable to limit the physical size to prevent the Accessory Use from becoming the principal use; and
- Land Use Impacts from an accessory use should be considered against the land use impacts of the principal use or uses to ensure the accessory use does not become the principal use.

The key aspects to an accessory use that remain in the definition are that it be 1) “customarily incidental” meaning that it should reasonably be associated with the principal use or uses; and 2) that it be “subordinate” meaning in size and cumulative land use impacts of the accessory use compared to the principal use or uses (noise, parking, etc). These measures limit the size and scale of any operation and should ensure the Accessory Use does not become the Principal or Primary Use on the site. In the case of a Brewery attached to a Restaurant and Retail space, this means that the brewery portion must be smaller in floor area but could also be tested for impacts (traffic generation, parking demands, foot traffic, noise, etc) if during operation there was an indication that the Accessory Use was becoming the principal or primary use. To determine if a use is no longer “subordinate,” a factual assessment would have to be carried out, based on actual operations of the uses on the site, and a decision rendered by the Development Officer.

Concern has been raised around this change “opening the C-1 zone to be an industrial park.” It should be made clear that this is not the intent of the amendments being proposed. An accessory use by its nature should be subordinate and would have to be smaller in floor area and land use impacts.

The uses currently permitted in the C-1 zone are included below. An Accessory Use could be permitted to any of these uses if it were to be customarily incidental and subordinate. As an example, a Grocery Store (Retail Store) could be the primary use with varying accessory uses (meat processing, wholesaling, bakery, etc). Small businesses are doing many things to stay relevant including online sales, forms of wholesaling, limited manufacturing, and off-site sales. It is the role of the Town to ensure policy and regulation are relevant to the realities of the current economic climate.

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Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



Existing C-1 Permitted Uses:

- art galleries
- automobile rental establishments
- automobile service stations
- bakeries
- banks and other financial institutions
- commercial schools
- craft workshops
- daycare facilities
- dwellings units above the ground floor or located on the ground floor more than 15 metres from the streetline.
- hotels
- institutional uses
- laundromats
- marina and wharves
- medical clinics
- office buildings and office uses
- outdoor markets
- public parking lots and parking structures or parking lots accessory to a main use
- personal service shops
- photography studios
- places of entertainment, recreation and assembly, within wholly enclosed buildings
- plumbing, heating and electrical services (or similar trades)
- private clubs
- repair shops
- retail stores
- restaurants
- taxi stands and bus terminals
- theatres
- veterinary clinics

Contract Brewing

Contract Brewing is the use of a breweries excess capacity/equipment to brew beer for other brands that they do not own. This issue was raised at the Planning Advisory Committee and continued on to the motion passed by Committee of the Whole. Staff and legal have reviewed the legislation of contract brewing in Nova Scotia and it is unclear. As a result, it is recommended that an amendment be made to the Land Use By-law to prohibit contract brewing. The following is proposed to be included in Part 12.1 of the Land Use By-law:

“If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use, the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities.”

Resident and Stakeholder Concerns

Various concerns have been raised (many specific to the development at 329 Main Street) and Staff have endeavored to provide information on these concerns in the table below. Staff and Council have received a large volume of correspondence on the issue and what could be included is attached for context. There are varying opinions on craft beverage impacts in the correspondence.

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Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



When considering the impacts of an accessory use, it is important to consider whether those impacts will be more or less than the cumulative impacts of the principal use. It is important to keep in mind that the Development Permit allowing the brewery at 329 Main Street (Church Brewing Co.) and at Annapolis Cider Co. have already been granted – the issue is what effect, if any, permitting off-site sales will have on these impacts.

Resident or Stakeholder Concerns	Comment
Volume of Product Produced	<p>Many of the concerns are built on an assumption that a very large volume of beer will be produced – up to 15,000 hectolitres (HL). This is the maximum volume established by the Province for a microbrewery (beyond this is considered commercial/industrial) and used in the Church Brewery Development Permit.</p> <p>The attached correspondence includes perspectives from various brewery operators, residents and other stakeholders on this issue. The Church Brewing Company has also provided their projected volumes which were estimated in the 5,000 HL range after 4-5 years (see attached “Church Brewing Company Community Presentation, January 2019”).</p> <p>In Staff’s conversations with experienced operators in the craft beverage industry (e.g. Propeller, Garrison, etc), many are skeptical the Church Brewing Co. would ever get anywhere near the 15,000 HL volume given the market demand required to get to that level. As an example, Propeller is one of the largest craft breweries in Nova Scotia and is at 11,000 HL after being in business for over 20 years.</p> <p>The overall volume of beer produced will dictate the level of impact from the other concerns listed here. It is not clear at what volume the brewery use would no longer be subordinate to the main use. It is difficult to be definitive that a retail store and large restaurant will not generate more land use impacts than a brewery – particularly in the early years – and speaks to the need to monitor impacts as beer volumes increase.</p>
Noise (including refrigeration)	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>The Town’s Noise By-law sets limitations on decibel levels that are allowable during certain times of the day/night. Any operator in the Town must be compliant with the Noise By-law and mitigation will be required to ensure compliance.</p>

REQUEST FOR DECISION 010-2019

Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



	<p>The Town will ensure the site is compliant with the Noise By-law, consistent with other businesses operating in the C-1 zone. Both visual and noise reduction barriers are planned at the Church Brewing Co. site.</p>
Dust	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>The Church Brewing Company have included information (see attached “Church Brewing Company Community Presentation, January 2019”) to Staff that indicates they will mitigate this issue.</p>
Odours/Smells	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>It does not appear this has been a major issue for other operators in the province, including those concentrated in the North End of Halifax.</p> <p>If this does become an issue, or if Council desires, other jurisdictions have adopted Odour By-laws. Staff would need additional time to bring back how this could work in Wolfville, particularly given the seasonal agricultural aromas in the region.</p>
Parking	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>The Town does not have a parking requirement for permitted uses in the C-1 Commercial zone of the town. This has been a policy of the Town since the adoption of the 2008 Municipal Planning Strategy.</p> <p>Staff have completed a 3rd year of parking utilization counts in the Town. The outcomes were similar to that the previous year with an average parking utilization rate of ~70%. Parking Management is included in the Town’s 2019/2020 operations plan and the Skate Park is proposed to be relocated to accommodate additional parking in the East End Gateway area.</p> <p>The reconstruction of Seaview Avenue will help to mitigate parking issues the area has experienced over the last number of years.</p>

REQUEST FOR DECISION 010-2019

Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



	<p>The Town’s Compliance Officer and Commissionaires have been proactively monitoring parking and loading on Seaview Avenue and have been expeditiously responding to parking concerns on Seaview during construction.</p>
Wastewater	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>Staff are confident with the ability of the Town to handle the overall wastewater usage. The makeup of the wastewater will be monitored, and a surcharge agreement may be necessary depending on the outcome.</p>
Traffic (Trucking)	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>It is not clear the exact volume of truck traffic that will frequent the Church Brewing Company and what percentage of the traffic will be for the brewery, restaurant or retail. Estimates have been provided by the Church Brewing Company (see attached “Church Brewing Company Community Presentation, January 2019”).</p> <p>The management of truck traffic (loading and unloading) in the Town is an ongoing issue, particularly on Front Street, Main Street and other streets in the Core Area (Elm, Harbourside). Enforcement efforts will continue to focus on safety and efficient traffic flows.</p> <p>The reconstruction of Seaview Avenue will help to mitigate issues with truck traffic at the Church Brewing Co.</p>
Storage	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>Off-site storage seems to be a regular occurrence for breweries located in more urban locations. This is done currently by the Annapolis Cider Company.</p>
Lighting	<p>Varying perspectives have been provided in the attached correspondence on this issue.</p> <p>The Town’s Land Use By-law (Section 4.17) requires that “any outdoor lighting associated with a development shall minimize the impact on properties in the surrounding area...”.</p> <p>The Church Brewing Co. has indicated in that attached documents (see attached “Church Brewing Company</p>

REQUEST FOR DECISION 010-2019

Plan Amendments: 1st Reading Craft Beverage Amendments

Date: 2019-02-04

Department: Planning & Development



	Community Presentation, January 2019”) that they will not be working 24/7 and will comply with our Land Use By-law.
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In summary, a lot of information has been provided on potential land use impacts associated with the craft beverage industry. Staff have endeavored to fact check and cross reference some of the correspondence that has been received by Council (see attached). Staff have also spoken with Staff in HRM who have permitted on the peninsula the breweries we see there today (permitted as per the microbrewery regulations of the NSLC). Given that HRM has over 20 Land Use By-laws, more suburban locations (e.g. Timberlea) have gone through Land Use By-law amendments to deal with stand-alone operations (not accessory uses).

In the case of the Church Brewing Company, the impacts are directly related to the overall volume of beer produced and the brewery component must remain subordinate in size and cumulative land use impact to the main uses on the site.

3) Alternatives

- 1) Amend Part 12.1 of the Land Use By-law to limit Volume of off-site sales, as defined by Council: If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use:
 - a) the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities;
 - b) the volume of the craft beverage produced on the property that is sold at a location other than the property must be no greater than XX% of the total volume produced.
- 2) Other approaches as directed by Council, including those outlined in Attachment 2 (Committee of the Whole Report)

4) References and Attachments

1. Proposed MPS and LUB amendments for 1st Reading
2. Committee of the Whole Report
3. Planning Advisory Committee Report
4. Correspondence

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ATTACHMENT 1 – PROPOSED AMENDMENTS – 1st READING

Municipal Planning Strategy

1. Amend the Municipal Planning Strategy, in Part 9.2, the preamble for the Central Commercial area, to add the following:

“To help enhance and strengthen the downtown central commercial district, craft beverage uses of a certain size, that are approved as an accessory use to a permitted use or uses, will be facilitated by permitting off-site sales of product produced on-site.”

2. Amend the Municipal Planning Strategy, in Part 9.2.3 Central Commercial, to add the following bullet point:
 - Craft beverage uses (brewery, winery, distillery, or cidery) of a certain size accessory to a permitted use (or uses) where off-site sales of the beverage are permitted.

Land Use By-law

1. Amend the Land Use By-law (Part 25) definition of “Accessory Use” by deleting the existing definition and replacing it with the following:

Accessory Use means the use of land or a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot. E.g., coffee roasting is an accessory use to the permitted retail sale of coffee beans.

2. Amend the Land Use By-law (Part 12) to include the following at the end of Part 12.1:

“If a development permit is issued for a property that permits a craft beverage use (brewery, winery, distillery, cidery) as an accessory use, the equipment and facilities on the property used for the production of the craft beverage may not be used to produce craft beverages by or for anyone other than the owner of the equipment and facilities.”



ATTACHMENT 2 – RFD 083-2018 (January 8th, 2019 Committee of the Whole)

SUMMARY

Plan Amendments: Craft Beverage Industry in Wolfville

The purpose of this report is to consider the recommendation of the Planning Advisory Committee (PAC) from December 12, 2018. Given the outcome of the PAC meeting, Staff have provided a revised approach to move a part of the issue forward while continuing the discussion at the PAC on better accommodating new craft beverage operators and achieving Council's strategic priorities.

These amendments were initiated when Council directed Staff to “Amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to establish clear parameters for the craft beverage industry in the Town” (Option 2 from RFD-075-2018). This was after considering options (including enforcement) related to a recent court decision that places limitations on off-site sales for accessory uses. The Annapolis Cider Company and the Church Brewing Company have both been approved as accessory uses to restaurant and/or retail uses.

The first step in the process to amend the Municipal Planning Strategy and Land Use By-law is a Public Participation meeting (PPM) in front of the Planning Advisory Committee (PAC). This meeting was held in advance of the regularly scheduled meeting of the PAC (December 12, 2018). The Planning Advisory Committee were asked to consider amendments that would:

- Provide a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage industry
- Amend the definition of Accessory Use to allow off-site sales
- Introduce a framework to consider new applications, including definitions
- Improve the buffering provisions between commercial and residential uses
- Provide the Development Officer the ability to request additional information on potential nuisance (smells, etc) from existing or proposed operators

Given the concerns raised at the Public Participation meeting, the PAC did not reach a recommendation on the amendment package presented by Staff, nor was much of it discussed in any detail. The PAC passed a motion requesting more exact information on impacts of brewery activities. PAC Motion (Dec 12, 2018):

MOTION: THAT THE PLANNING ADVISORY COMMITTEE RECOMMEND THAT COUNCIL REQUEST MORE INFORMATION FROM STAFF RELATED TO TRAFFIC, ODOUR AND NOISE MANAGEMENT, SUB-CONTRACTING OF EQUIPMENT ON PREMISES AND IMPLICATIONS TO WATER AND SEWER

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USAGE AT THE LEVEL OF PRODUCTION WITHIN THE NSLC'S DEFINITION OF A MICRO-BREWERY AND NANO-BREWERY.

CARRIED

MOTION: THAT THE PLANNING ADVISORY COMMITTEE PROVIDES A POSITIVE RECOMMENDATION TO COUNCIL REGARDING THE AMENDMENTS ATTACHED TO THE DECEMBER 12, 2018 PAC STAFF REPORT RELATED TO THE OPERATION OF THE CRAFT BEVERAGE INDUSTRY IN THE TOWN

POSTPONED

RECOMMENDED STAFF APPROACH:

Staff are recommending that Council proceed to 1st Reading with a portion of the amendments and send the remainder back to the PAC for more discussion and inclusion in the final draft of the forthcoming final draft of the new Municipal Planning Strategy and Land Use By-law:

- 1) Move forward to 1st Reading and a Public Hearing:
 - a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage industry;
 - an amendment to the definition of Accessory Use to allow off-site sales; and
 - limitations on "contract brewing".

- 2) Send back to PAC for discussion and inclusion in the final MPS and LUB documents:
 - introducing a framework to consider new applications, including definitions;
 - improving the buffering provisions in the Land Use By-law;
 - providing the Development Officer the ability to request additional information on potential nuisance from existing or proposed operators; and
 - other matters raised by the PAC or Council.

DRAFT MOTION:

That Council proceed to 1st Reading with amendments to the Municipal Planning Strategy and Land Use By-law that include:

- ***a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage industry;***
- ***an amendment to the definition of Accessory Use to allow off-site sales; and***
- ***an amendment to the Land Use By-law to restrict "contract brewing".***

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CAO COMMENTS

No Comments Required.

1) LEGISLATIVE AUTHORITY

See attached PAC Staff Report.

2) STAFF RECOMMENDATION

See Summary section above.

3) REFERENCES AND ATTACHMENTS

- PAC Staff Report: Craft Beverage Amendments, dated 2018-12-12

4) DISCUSSION

Proposed Approach from Staff moving forward

From Staff's perspective there was confusion at the PPM/PAC meeting on what was being considered. Much of the content in the amendment package and questions posed by Staff were not discussed. The focus was largely on addressing resident concerns in the 329 Main Street vicinity.

When Staff were requested by Council to bring Options on the 329 Main Street judicial review decision, the reason for doing so was to deal with the off-site sales limitation placed on Accessory Uses. The proposed approach 1) simplifies the amendment package to focus on off-site sales, 2) provides clarity for the existing operators (Church Brewing Co. and Annapolis Cider Co.) and 3) separates areas where there seemed to be consensus from the members of the PAC, including "contract brewing" from areas where discussion is warranted. The amendments proposed to go back to PAC can be packaged with the final draft of the MPS. Until the new MPS comes into force, any new craft beverage use could be permitted accessory and subordinate to a permitted use or uses in the C-1 zone (status quo), with off-site sales permitted.

Existing Craft Beverage Businesses

Although multiple craft beverage businesses operate in the Town (e.g. Paddys, Bad Apple), the Annapolis Cider Company and Church Brewing Company are primarily implicated where Development Permits have been approved for the brewing component of each "accessory" to the main use of a restaurant and/or retail.

The terms of these development permits (e.g. the 15,000 HL maximum volume in the Church Brewing Development Permit) cannot be altered at this stage. This said, it is not clear whether the Church Brewery will ever achieve a volume of 15,000HL nor is it clear whether the land use impacts (e.g. parking, traffic, noise, etc) of the accessory use would ever not be "subordinate" to a large restaurant

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and retail space on the site. If the assumption is that the brewery will suddenly and consistently be making a maximum volume of beer then should it also be assumed the restaurant and retail will operate at an equal maximum capacity?

Although there was a clear desire from neighbouring residents to alter allowable volumes, this is not a possibility at this stage.

Additional Information for the PAC

To aid in PAC and Council decision making, Staff can endeavor to bring back additional information on potential land use impacts from brewery uses and also continue the discussion on the other aspects of the amendments:

- Should the C-2 zone be considered? Summer Street or Lots along Main Street through DA or Rezoning?
- Should Micro Brewing or Distilling be permitted by DA in the C-1 zone?
- Wine related uses are not well defined nor understood – should we better enable them?.

Staff see value in further discussing these aspects, separate from dealing with the outcome of Judge Warner's decision regarding Accessory Use. These discussions would inform the framework for allowing new craft beverage uses and be included in the final MPS and LUB.

Public Participation Meeting and PAC

An audio recording of the PPM and PAC meeting can be found [here](#).

At a Public Participation Meeting preceding the regularly scheduled PAC meeting, feedback from the community focused on the process around 329 Main Street and the potential impacts on residents living near a brewery use such as increased traffic, increased noise, odour, and impacts of high-volume water use. Other residents spoke to the increased employment opportunities, heritage restoration potential, and other benefits new developments and change bring to the Town.

After the PPM concluded, much of the Planning Advisory Committee discussion focused on the Church Brewing Company (329 Main Street) and resident concerns with this business (e.g. volume, noise, smells, traffic, etc). There seemed to be consensus on allowing off-site sales and the idea of “contract brewing” where if a brewery was not meeting their own production capacity, breweries often sub-contract their equipment to other breweries to make use of their space and equipment.

Considering these comments (and more – see recording), the Planning Advisory Committee could not come to agreement on the proposed amendments without having more information (see PAC motion above).

The Big Picture

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Multiple brewery activities have existed within the town for many years. Council's Strategic Plan, which intentionally describes Wolfville as a "spirited" community, describes goals to support Wolfville as a premier destination in Atlantic Canada for... craft beverage and wine experiences, to create a business ready environment for future expansion and attraction opportunities, and to foster the success of our existing business community.

Staff feel it critical to clarify if Council would like to permit existing business activities to continue off-site sales.

For more information on this issue and the process to date, see the attached PAC Staff Report

5) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

See PAC Staff Report.

6) COMMUNICATION REQUIREMENTS

See attached PAC Staff Report.

Final wording and legal review of any amendments that move forward to first reading would be finalized in advance of the public hearing.

7) OPTIONS

1. **Proposed Approach:** clearly permit craft beverage uses as accessory to a permitted use or uses, with off-site sales, with amendments to the MPS and LUB, and to refer further discussion on future-brewery uses, including impacts, to the Planning Advisory Committee.

MOTION: That Council proceed to 1st Reading with amendments to the Municipal Planning Strategy and Land Use By-law that include:

- *a clear policy statement in the Municipal Planning Strategy related to the Craft Beverage industry;*
- *an amendment to the definition of Accessory Use to allow off-site sales; and*
- *an amendment to the Land Use By-law to restrict "contract brewing".*

2. **Original PAC Recommendation:** To clearly permit craft beverage uses as accessory with off-site sales to a volume of 15,000 hectoliters or as primary use if less than 2,000 hectoliters or by Development Agreement, with amendments to MPS and LUB as attached to the December 12, 2018 PAC Report.

MOTION: That Council directs Staff to enable craft beverage uses, with amendments to the Municipal Planning Strategy and Land Use By-Law, as attached to the December 12, 2018 PAC Staff Report.

3. **PAC recommendation:** to return to PAC with more information

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MOTION: That council request more information from staff be provided to PAC related to traffic, odour and noise management, sub-contracting of equipment on premises and implications to water and sewer usage at the level of production within the NSLC's definition of a micro-brewery and nano-brewery.

4. A variation or alteration of any of the above

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ATTACHMENT 3 – PAC Report (December 12, 2018)

REPORT TO PLANNING ADVISORY COMMITTEE (PPM and PAC)

MPS Amendments – Craft Beverage Industry

Date: 2018-12-12

Department: Planning & Development



APPLICANT	Initiated by Council – November of 2018
PROPOSAL	To amend the Municipal Planning Strategy and Land Use By-law to provide clear parameters to the craft beverage industry (existing and future operators)
LOCATION	Various (all lands zoned Central Commercial and Industrial/Commercial)
LOT SIZE	N/A
DESIGNATION	Central Commercial (CC)
ZONE	Central Commercial (C-1), Industrial Commercial (C-3)
SURROUNDING USES	Varied – amendments would apply to various commercial properties
NEIGHBOUR NOTIFICATION	Public notice and direct mailing to property owners, email notifications, website and social media

1) Issue and Overview

Council has directed Staff to “Amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to establish clear parameters for the craft beverage industry in the Town” (Option 2 from RFD-075-2018). This was after considering options (including enforcement) related to a recent court decision that places limitations on off-site sales for accessory uses (see RFD-075 attached for additional background).

While working on providing clear parameters to the Craft Beverage industry, Council and Staff are conscious of balancing concerns pertaining to these types of land uses in different parts of the Town. This report provides a framework to begin the Plan Amendment process at the Public Participation meeting and includes key considerations and a recommended approach from Staff.

The draft amendments contained in this report (see Attachment 1) form the basis for feedback at the Public Participation Meeting in advance of the amendments being considered by the Planning Advisory Committee. A recommendation will be provided to Council on the amendments before a finalized

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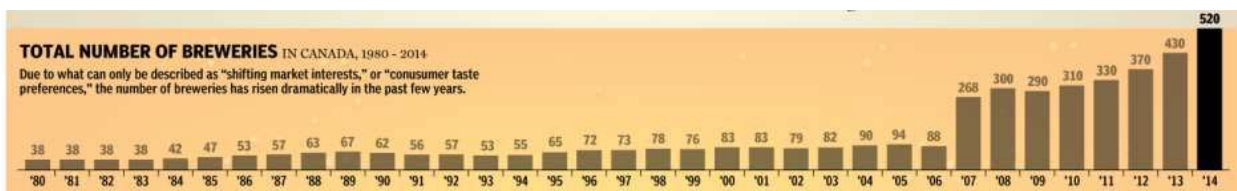


approach is considered at a Public Hearing and a decision is made by Council. This process will take a number of months.

2) Background

The wine, craft brewing, distilling and related business activities are an emerging industry in Canada. Nova Scotia has seen rapid growth in both stand-alone operations as well as combined restaurant and brewery (or distilling or winery) activities of varying scales.

The speed of industry growth has led to many municipalities struggling with how to enable or regulate combined restaurant, retail and craft beverage uses as these activities can manifest in a variety of ways which may be considered through different lenses: vibrancy, walkability and street-level activity, economic growth and jobs, ideas around industrial uses and accessory uses, neighbourhood compatibility and others.



The Town (and surrounding area) is known as a destination for culinary and beverage experiences and has prospective, existing and growing businesses with varying craft beverage operations contributing to the regional economy. Given that operators in the Town are now facing unclear parameters, and given Council's strategic plan (see attachments), this is an issue that is being clarified by Council through this plan amendment process.

Although the MPS is currently undergoing a comprehensive review, the timelines for the review are such that Council has directed Staff to explore these amendments outside of the overall plan review process. Staff expects that any policy changes resulting from this process can be incorporated into the new MPS and LUB once adopted, in addition to being implemented into the existing documents during the interim.

This Municipal Planning Strategy and Land Use By-law amendment process comes at the direction of Council through motions at the October and November meetings of Council, as follows:

October 16, 2018 Council Motion:

IT WAS REGULARLY MOVED AND SECONDED

THAT COUNCIL DIRECT STAFF TO PREPARE A REPORT OUTLINING OPTIONS TO ADDRESS THE OUTCOME OF THE 329 MAIN STREET CHURCH BREWERY COURT DECISION REGARDING ACCESSORY USE AND IMPLICATIONS TO EXISTING AND FUTURE CRAFT BEVERAGE OPERATORS IN THE TOWN.

CARRIED

November 22, 2018 Council Motion:

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**IT WAS REGULARLY MOVED AND SECONDED
THAT COUNCIL DIRECT STAFF TO DELAY ENFORCEMENT AND MOVE FORWARD WITH OPTION 2 AS
OUTLINED IN THE ACCESSORY USES OPTIONS RFD-075**

CARRIED

For additional background a link to RFD-075 referenced in the above motion is provided in the 'attachments/reference' portion of this report.

3) Staff Recommendation

Staff recommend that the Planning Advisory Committee consider the information in this report and the feedback during the Public Participation meeting when making a recommendation to Council (including any suggested revisions) on the amendments to the Municipal Planning Strategy and Land Use By-law outlined in Attachment 1 of this report.

Draft Motion: That the Planning Advisory Committee provides a positive recommendation to Council regarding the amendments attached to the December 12, 2018 PAC Staff Report related to the operation of the craft beverage industry in the Town (+ **suggested revisions, if any**).

4) Key Considerations and Discussion

Details on Staff Recommendation

The proposed approach from Staff (see Attachment 1 for draft amendments):

1) Provides clear policy intent in the Municipal Planning Strategy.

- Staff is suggesting that craft beverage uses should be permitted when of a limited size or accessory to a main use or uses in the C-1 zone. In the C-3 zone larger stand-alone operations are proposed to be considered by Development Agreement only.

2) Amends the definition of 'Accessory Use' to allow off-site sales.

- The amended definition (see Attachment 1) would remove the 'exclusively devoted' terminology in the existing definition and allow prospective and future operators to have clarity on selling kegs to licensed establishments, at farm markets, to the NSLC, etc.
- Provides equal footing to operators in the Town and those with only a partial operation in Town (e.g. Bad Apple Brewing) and also avoids enforcement difficulties where product is moved from a location in Town to a warehouse out of Town (tracking where that product goes and jurisdictional authority issues).

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- An overall volume limitation (up to 15,000 hectolitres), a size requirement (e.g. it must be smaller in floor area), and market realities would limit overall output for accessory uses.
 - PAC and Council should consider whether brewing (or other activities like distilling) accessory to a large restaurant and retail would cause more land use impacts than the primary use. In other words, will it be subordinate? In Staff's view the accessory portion will typically be subordinate on factors of parking, traffic, and noise (typical issues of concern). A willingness to monitor and improve the Town's approach to compliance and management of these issues is as important as any regulation or policy approach.
 - If a business in Town gets to a higher volume - how exactly will the business operate? (e.g. would they have a distribution warehouse outside of Town like Annapolis Cider has now?).
 - It is also important to consider the other uses that are permitted as-of-right in the C-1 zone currently (automobile rentals, automobile service stations, repair shops, plumbing, heating and electrical services (or similar trades), grocery stores, etc) and how these uses are comparable to what we are considering and how they contribute to the type of downtown we are looking to achieve. By listing uses as permitted and not allowing other uses, we are deciding what can take place in our downtown area and ultimately the overall vibrancy and long-term sustainability.
 - Many other jurisdictions do not limit off-site sales for "accessory uses".
- 3) Introduces a framework to consider new applications, including definitions.**
- Permit (as-of-right) microbreweries or micro distilleries in the C-1 zone, only accessory to permitted use(s)
 - Permit (as-of-right) stand-alone Nanobreweries and Wine related uses in the C-1 zone
 - Permit (as-of-right) microbreweries, distilleries, wineries accessory to a C-1 permitted use in the C-3 zone
 - Allow consideration by Development Agreement for Industrial / Commercial scale brewing or distilling in the C-3 zone
 - Introduce definitions to clearly define the above proposed uses
- 4) Replaces the buffering provisions in the Land Use By-law with additional requirements**
- Most applicable when uses are adjacent to residential areas
- 5) Enables the Development Officer to request additional information, studies or reports on potential nuisance**
- This would be for permitted development (as-of-right) and applications that come through a Development Agreement have this ability through existing requirements.
-

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Other existing regulations would continue as well (e.g. architectural controls, triggers for a DA when applying for a lounge or buildings of a certain size, etc).

Municipal Planning Strategy Amendments

When Council is considering amendments to its Municipal Planning Strategy, a wide range of issues should be considered before a decision is made. In this process the Town is creating new policy and looking forward. The Town has been conducting a comprehensive review of its Municipal Planning Strategy, Land Use By-law and Design Guidelines for a number of years and the Craft Beverage Industry (subject to detailed regulations) has been included in discussions, particularly since the current Council adopted a Strategic Plan that states under *Leveraging our Economic Opportunities*: “To advance Wolfville as a premier destination in Atlantic Canada for culinary, craft beverage and wine experiences.” A summary of Council’s current Strategic Plan is attached.

Part 213 of the *Municipal Government Act* outlines the purpose of a municipal planning strategy: “to provide statements of policy to guide the development and management of the municipality and, to further this purpose, to establish:

- *policies which address problems and opportunities concerning the development of land and the effects of the development;*
- *policies to provide a framework for the environmental, social and economic development within a municipality;*
- *policies that are reasonably consistent with the intent of statements of provincial interest; and*
- *specify programs and actions necessary for implementing the municipal planning.*



Staff are recommending that Council state their intent for these types of uses clearly in the Municipal Planning Strategy.

Commercial Land Use Policy in Wolfville – Now and in the Future

Existing policies of the Town’s Municipal Planning Strategy outline intent from the Central Commercial (CC) Designated Area and include:

5.1 OBJECTIVES

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It shall be the intention of Council:

5.1.20 to enhance and strengthen the downtown central commercial district of Wolfville as the focal point of commercial and community activity

PART 9 COMMERCIAL DEVELOPMENT AND LAND USE

Background

... A mixture of land uses in the commercial core of the community allows people to live within walking distance of work and obtain basic services and necessities without requiring private transportation. An area that contains a variety of land uses can also be more vibrant and filled with people and activity....

...The Town of Wolfville has a reputation for demonstrating leadership and innovation at the municipal level.....

...Creating a unique “sense of place” around the downtown shopping district was suggested as one means of increasing downtown pedestrian traffic and encouraging “life on the street”. Specific recommendations about sustainability focused on making the downtown a walkable experience; bringing housing downtown, increasing density in the downtown and developing environmental and conservation standards aimed at improving quality of life and making the downtown area a more desirable place to live and work....

9.2 CENTRAL COMMERCIAL

... council recognizes the traditions of this area and encourages complementary commercial and residential activity. Council intends to allow a wide range of commercial and community services while respecting the pedestrian streetscape...

... commercial policies are intended to facilitate a wide range of commercial activity and services and maintain and enhance mixed uses in the downtown....

The Future MPS has not been adopted as formal policy at this time but given we are getting close to finishing it should be acknowledged given the substantial amount of consultation and thinking that have gone into shaping the Draft 2 documents (see reference section for a link to the documents). The new planning documents provide a framework for a ‘Core Area’ composed of the commercial core and the adjacent neighbourhood. The vision and policy excerpts from Draft 2 of the MPS are included here:

Core Area Vision:

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Wolfville's core area is **alive, inviting and connected**. It is a place for everyone – with streets full of busy shops, cafes, **entertainment and thriving business**. It is a hub for both **commerce and creativity**. It is connected to the broader community through a series of **trails, walkways** and parks. It provides **gathering spaces** and an overall **sense of identity** for the Town.

5.4 CORE COMMERCIAL DESIGNATION

... The core commercial area policies set out in this plan are intended to facilitate a wide range of commercial and mixed use activity in order to maintain and enhance the vibrancy of what is the heart of Wolfville.....

... Commercial development is important to the Town for long-term fiscal health and the role that business plays in providing services and amenities that add significantly to the quality of life enjoyed by residents. The Town has differentiated itself on its diverse offering of small-scale retail, dining, professional services and cultural offerings for residents and visitors alike. The Town continues to be a destination of choice for tourists coming to the region and is at the centre of the burgeoning local wine and culinary industry. The Town's commercial core also hosts large scale events such as Devour! and the Deep Roots Music Festival, contributing to the multi-use nature of the area.

The overall strategic direction, other sections, and specific policies outlined in Draft 2 of the MPS should be reviewed and are relevant to making amendment decisions moving forward. A link to the Draft 2 Planning documents is included in the reference portion of this report (see Part 2 and Part 5 of the MPS document).

Mitigating Negative Impacts

The proposed approach attempts to accommodate change while addressing concerns by limiting the size of operations in the C-1 zone, introducing additional buffering requirements, and considering industrial sized operations only in the C-3 zone by Development Agreement.

Policy 18.6.1 of the MPS

Not only our existing planning documents should be considered when making MPS amendments; however, it is important to reference Policy 18.6.1 of the existing MPS. This policy outlines various considerations to consider when making Land Use decisions (typical for Development Agreements and Land Use By-law amendments), some of which are included here. The full policy is included in the appendices for reference.

Industrial Use and Volume

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The province defines different classifications of Craft Beverage establishments. A “Commercial” or Industrial Brewing operation is defined as exceeding a certain volume. Staff have used the provincial definitions to inform the industrial definition proposed:

Brewery – Commercial means a brewery or cidery engaged in the production of more than 15,000 hectolitres per year of beer or other related beverages where the primary business function is to sell packaged product to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export.

This type of operation is not proposed to be enabled on Main Street or anywhere in the C-1 zone. Staff have used the industry classifications established by the Province to inform the proposed definitions (see Attachment 1). It should also be noted that an Industrial scaled brewery is not permitted to include any type of associated licensed premise (e.g. restaurant or tasting room, etc).

The Craft Beverage Industry

The craft beverage industry has been very popular in the last number of years yet sales at the NSLC continue to be dominated by major brands (96% of beer sold). It is competitive for a craft brewery to even get 1 SKU (one of their products on the shelf) at the NSLC or at one of the 4 private liquor stores in the province. Many craft beverage operators do the majority of their sales at their on-site retail locations and supplement with a variety of off-site sales (markets, events, keg sales, NSLC, private liquor stores, etc).

In Wolfville, the Annapolis Cider Company currently make the majority (95%) of their sales through their on-site retail location (have ~100,000 people through their door/year) and only 5% currently is sold through the NSLC. These numbers are a static look at their business and with ongoing renovations this mix may change as they move forward.

The Church Brewing Company does not have a definitive volume/year at this point (it will largely be dictated by market demand) but are installing capacity to grow over time.

When looking at other brewing operations in the province (Boxing Rock, Garrison, Propeller, 2 Crows, Good Robot, North Brewing, Tattamagouche Brewing, 9 Locks, SchoolHouse, Wayfarers, Sea Level, etc) there is a range in volume from 500 hectolitres in 2017 from Seal Level, ~2000-8000 hectolitres from North Brewing, 2 Crows and similar operations. Propeller and Garrison seem to be the only ones near the 15,000 hectolitre cap. Propellor sold 10,000 hectolitres in 2016 which equals 1,950,000 pint glasses or 3,440,000 bottles of beer. They have been in operation since 1997 and have two locations in Halifax/Dartmouth.

When considering the amendments it may be helpful to consider the overall volume equivalents: 1 hectolitre = 195 pint glasses or 344 bottles of beer/cider; 15,000 hectolitres = 2,925,000 pint glasses, 5,160,000 bottles.

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The NSLC reported in 2017: *NS craft beer sales grew by 25.5% to \$7.6 million. The craft beer industry comprises four percent of all beer sold. There are now 32 microbreweries in Nova Scotia and more than 40 craft beer listings available at NSLC stores.*

Jurisdictional Scan

Staff have researched and spoken with Staff in various jurisdictions on this issue. Many in Nova Scotia (outside of HRM) do not have the craft beverage, wine and other related economic opportunities that Wolfville and area have. Some planning Staff said they have some older regulations but would like to update them (not a pressing issue). Other small communities often look to Wolfville on how to deal with this type of emerging issue. The Town should not just adopt an approach from elsewhere but we should use experience dealing with these uses to understand how to best handle the issue in the Wolfville context.

As examples, the experience in HRM and Windsor (most familiar to Staff) are provided here while more information from other jurisdictions (outside of NS as well) are provided in the attachments to this report.

Halifax Regional Municipality's Centreplan – addresses micro-breweries as if they are a niche restaurant or hospitality style use, permitting them in many commercial areas on “pedestrian oriented commercial streets” within the peninsula aside from established residential neighborhoods (see Attachment 3 for a detailed overview of the HRM approach).

Town of Windsor LUB amendments – The Town has seen new businesses in the downtown in recent years and includes the SchoolHouse Brewery. The Town also has 2 micro distilleries opening. Their Council are currently permitting Micro Breweries and Distilleries (as defined in this document) as a permitted as of right use and amending their existing, dated regulations around industrial scale brewing in their commercial/industrial areas. Their approach is more permissive than what is proposed in this document but one that is more consistent with their current economic and political realities combined with their existing built form and opportunities around this.

Limitations to amending the existing planning documents

The Town currently does not use “Site Plan Approval” as a means to consider development proposals in the Town. Through the ongoing plan review, a move away from Development Agreements to Site Plan approval has been endorsed from the PAC and Council to-date; however, further details are forthcoming. These amendments use the existing development application tools (“as-of-right” and “Development Agreement”) to address the Craft Beverage issue. Limitations to this approach can be addressed once the final (new) Municipal Planning Strategy and Land Use By-law are adopted and these amendments are integrated.

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Sustainability and Contemporary Planning Approaches

Mixed and co-locating of uses is emerging again as a contemporary planning approach which can counteract some of the negative impacts from suburbanization and intense separation of uses (e.g. increased car trips and associated GHG emissions). There has increasingly been a suburban mindset (e.g. large parking areas) applied to downtown areas, particularly since the 1950's and many places are now looking to away from this approach.

The beverage industry has traditionally had large, top down corporations supplying most of the market and we are seeing a shift (although very slight in terms of market share) to a more participatory model of market share where consumer preferences are pushing for more local, sustainable product. The Craft Beverage industry has added value in many downtown and main street locations. The [One Nova Scotia report](#) speaks to the need for us to think differently about the way things have been done in the Province.

5) Plan Amendment Process

The process for amending the Municipal Planning Strategy and Land Use By-Law involves:

- 1) Public Participation Meeting at PAC (with mail notification, newspaper ads)
- 2) Consideration by the Planning Advisory Committee and a Recommendation by the Committee to Council
- 3) Initial Consideration by Council at Committee of the Whole
- 4) 1st Reading of the Amendments and intent to hold a Public Hearing
- 5) Public Hearing at Council (with mail notification, newspaper ads)
- 6) Second reading and decision by Council
- 7) Provincial Review

This process is mandated through the *Municipal Government Act*. A graphic of the process is also provided in the attachments.

The first step is a Public Participation Meeting (PPM) in front of PAC to receive input on the amendment options, pursuant to the Town's Public Participation Program Policy and requirements of the *Municipal Government Act*, including notification and advertising. After this Public Participation meeting, the issue will be considered by PAC and a recommendation provided to Council.

Council will consider the recommendation from the PAC and make any revisions or direct Staff to do additional work on the topic if warranted. The adoption of amendments to the MPS requires first reading by Council, a Public Hearing, and a final decision by Council at second reading. There is no appeal mechanism for policy adopted in the MPS with corresponding Land Use amendments.

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6) Attachments and Reference

ATTACHMENTS

- 1) Draft MPS and LUB Amendments
- 2) Policy 18.6.1
- 3) Jurisdictional Scan
- 4) Council Strategic Plan
- 5) Excerpt from Financial Post “Rise of Craft Beer”
- 6) Decision Making Considerations (from ongoing Plan Review process)
- 7) Municipal Planning Strategy Amendment Process

REFERENCE

- 1) Draft 2 of the ongoing comprehensive plan review – found [here](#).
- 2) RFD 075-2018 (relevant background) – found [here](#) (starts on page 133)

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ATTACHMENT 1

Craft Beverage Amendments

DRAFT Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) Amendments

(for discussion and feedback at the Public Participation Meeting)

Note:

Current MPS and LUB can be found [here](#). Draft 2 of the ongoing MPS and LUB Review can be found [here](#).

Municipal Planning Strategy Draft Amendments

1. In Part 9.2.3 Central Commercial add the following bullet point:
 - *Craft beverage uses of a certain size as stand-alone operations or accessory to a permitted use (or uses) where off-site sales are permitted.*
2. In Part 9.4.3 Industrial Commercial add the following bullet point:
 - *Craft beverage uses of a certain size as stand-alone operations or accessory to a permitted use (or uses) where off-site sales are permitted.*
3. In Part 9.4.6 Industrial Commercial add the following to consideration by Development Agreement:
 - *New, stand-alone craft beverage production uses, including Commercial Brewing and Distilling as defined in the Land Use By-law.*

Land Use By-law Draft Amendments

1. In **Part 12 Central Commercial (C-1) Zone**, add to the list under “12.1 Permitted Developments” the new bullet points shown below:
 - **Microbrewery** accessory to a permitted main use
 - **Microdistillery** accessory to a permitted main use
 - **Nanobrewery**
 - **Winery**
2. In Part 14 Industrial/Commercial (C-3) Zone, add to the list under “14.1 Permitted Developments”
 - **Microbrewery** accessory to a permitted C-1 zone main use or uses
 - **Microdistillery** accessory to a permitted C-1 zone main use or uses
3. In **Part 14 Industrial/Commercial (C-3) Zone**, add to the list under “14.3 Developments Permitted by Development Agreement” the new bullet points shown below:

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- **Brewery – Commercial**
- **Distillery – Commercial**
- **Microbrewery**
- **Microdistillery**
- **Winery**

4. In **Part 25 Definitions** delete the definition of “Accessory Use” and replace with the following:

Accessory Use means the use of land or a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot. i.e., coffee roasting is an accessory use to the permitted retail sale of coffee beans.

5. In **Part 25 Definitions** add the following definitions:

Brewery – Commercial means a brewery or cidery engaged in the production of more than 15,000 hectolitres per year of beer or other related beverages where the primary business function is to sell packaged product to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export.

Distillery - Commercial means a distillery in the production of more than 75,000 litres per year of liquor and spirits, other than wine or beer, where the product is blended or bottled for sale to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export.

Microbrewery means a craft brewery or cidery engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, cider or other related beverages.

Microdistillery means a craft distillery engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than wine or beer.

Nanobrewery means a craft brewery or cidery engaged in the production and packaging of less than 2,000 hectolitres per year of specialty or craft beer, ale, cider or other related beverages.

Winery means an establishment engaged in the production of wine and includes facilities on the same lot where wine may be blended, mixed, stored, packaged and sold. (*Note: 2000 hectolitre volume cap if permitted in C-1?*).

6. In **Part 11 General Requirements for All Commercial Zones**, delete 11.1 Abutting Yard Requirements and replace with the following:

11.1 Abutting Yard Requirements / Landscape Buffer

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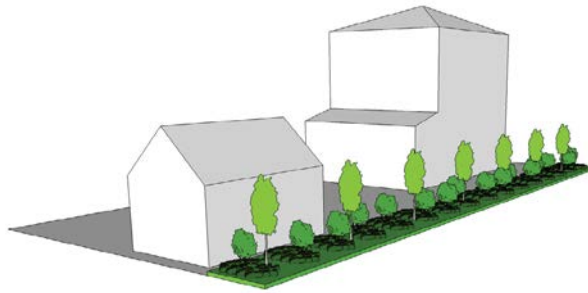
Date: 2019-02-04

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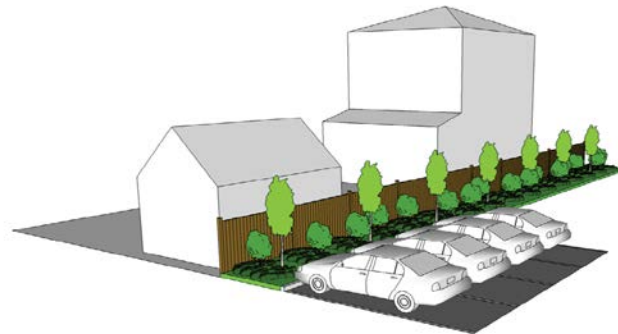
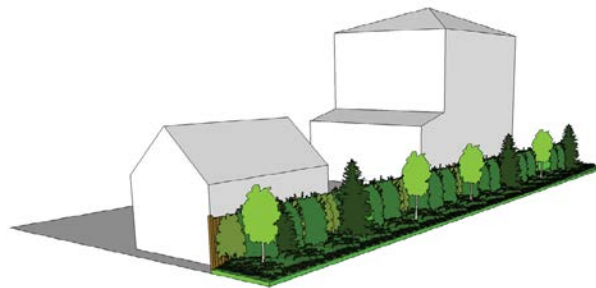


Where a yard in a Commercial zone abuts a yard in any Residential, Institutional, Park or Recreation zone a landscaped buffer is required. The minimum yard requirement for the abutting yard shall be 3 metres and shall include one or more of the following:

- (a) at least one shrub (at least 1.0 metre high) for every 2.0 linear metres of buffer and one tree (minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer;



- (b) evergreen shrubs (at least 1.0 metre high) that form an opaque and continuous visual barrier or an opaque wood fence or masonry wall at least 1.8 metres high.



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No parking space, driveway or travel lane shall be permitted in the 3 metre landscape buffer. This requirement may be reduced to 1.5 metres provided that landscape screening as described in 11.1(b) provides a visual barrier along the lot line.

7. In **Part 11 General Requirements for All Commercial Zones**, add the following:

11.3 Additional information, studies, reports

The Development Officer may request additional information, studies or reports to better understand how and if the impact(s) of a potential permitted land use may be mitigated.

ATTACHMENT 2

18.6 CRITERIA FOR DEVELOPMENT AGREEMENTS AND CRITERIA FOR LAND USE BY-LAW AMENDMENTS

It shall be the policy of Council:

18.6.1 to consider the following in addition to all other criteria set out in the various policies of this Municipal Planning Strategy, when considering proposals for development agreements and Land Use By-law amendments:

- (a) to ensure that the proposal conforms to the intent of the Municipal Planning Strategy and to all other applicable Town By-laws and regulations, except where the application for a development agreement modifies the requirements of the Land Use By-law or the Subdivision By-law.*
- (b) to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods through:*
 - i. the type and intensity of use; and*
 - ii. the height, mass or architectural design of proposed buildings; and*
 - iii. hours of operation of the use; and*
 - iv. outdoor lighting; and*
 - v. noise, vibration or odour; and*
 - vi. vehicle and pedestrian traffic; and*
 - vii. alteration of land levels and/or drainage patterns; and*
 - viii. deprivation of natural light*
- (c) to ensure that the capacity of local services is adequate to accommodate the proposed development and such services will include, but not be limited to the following:*
 - i. sanitary and storm sewer systems; and*
 - ii. water systems; and*
 - iii. schools; and*
 - iv. recreation and community facilities; and*
 - v. fire and police protection; and*
 - vi. street and walkway networks; and*
 - vii. solid waste collection and disposal systems*

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- (d) to ensure that the proposal is not premature or inappropriate by reason of the financial ability of the Town to absorb capital and/or maintenance costs related to the development.*
- (e) to ensure that the proposal does not cause environmental damage or damage to adjacent properties through:
 - i. pollution of soils, water or air; and*
 - ii. erosion or sedimentation; and*
 - iii. interference with natural drainage systems and watercourses; and*
 - iv. flooding**
- (f) to ensure that the proposal protects and preserves matters of public interest such as, but not limited to:
 - i. historically significant buildings;*
 - ii. public access to shorelines, parks and public and community facilities;*
 - iii. important and significant cultural features, natural land features and vegetation.**
- (g) to ensure that the proposed site and building design provides the following:
 - i. useable active transportation networks that contribute to existing active transportation links throughout the community; and*
 - ii. functional vehicle circulation and parking and loading facilities designed to avoid congestion on or near the property and to allow vehicles to move safely within and while entering and exiting the property; and*
 - iii. facilities for the safe movement of pedestrians and cyclists; and*
 - iv. adequate landscaping features such as trees, shrubs, hedges, fences, flower beds, and lawns to successfully integrate the new development into the surrounding area; and*
 - v. screening of utilitarian elements, such as but not limited to; mechanical and electrical equipment, and garbage storage bins; and*
 - vi. safe access for emergency vehicles; and*
 - vii. adequate separation from, and consideration of, public and private utility corridors to ensure their continued safe and functional operation; and*
 - viii. architectural features, including but not limited to, mass, scale, roof style, trim elements, exterior cladding materials, and the shape, size and relationship of doors and windows; that are visually compatible with surrounding buildings in the case of a new building or with the existing building in the case of an addition; and**

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- ix. useable outdoor amenity space for use of residents in a residential development; and*
 - x. accessible facilities for the storage and collection of solid waste materials; and*
 - xi. appropriate consideration for energy conservation; and*
 - xii. appropriate consideration of and response to site conditions, including but not limited to; slopes, soil and geological conditions, vegetation, watercourses, wet lands, and drainage.*
- (h) where Council determines, on the advice of a licensed professional, that there is a significant risk of environmental damage from any proposed development which does not require an assessment under the Environmental Assessment Act, environmental studies shall be carried out at the expense of the developer for the purpose of determining the nature and extent of any environmental impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage.*

ATTACHMENT 3 - Jurisdictional Scan

Wolfville is the latest community to struggle with the implications of brewery uses and how to regulate them. Across Canada municipalities have found a variety of methods to regulate brewery uses in down town areas, yet consistently enabled breweries in some capacity. The most detailed regulations are from communities who have been struggling with this issue the longest, which emerged earliest and most rapidly on the westcoast of Canada. The following are a survey of community approaches to this issue from Nova Scotia and from small and medium communities from BC's westcoast, as well as Winnipeg and Halifax Regional Municipality.

Nova Scotia

Halifax Regional Municipality – Centre Plan

The Centre Plan recognizes brewing uses as outlined in the definitions section of the Land Use By-Law

(136) Micro-Brewery means a craft brewery primarily engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, or other malt beverages. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room, where beverages produced at the facility can be sampled.

(137) Micro-Distillery means a craft distillery primarily engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than wine and beer. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room, where beverages produced at the facility can be sampled.

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Permitted Areas

CEN-2 CEN-1 COR HR-2 HR-1 and Pedestrian-Oriented Commercial Streets

Pedestrian-Oriented Commercial Streets

Preamble from MPS 4.4 Pedestrian-Oriented Commercial Streets

Pedestrian-oriented commercial streets are characterized by a concentration of ground level retail and service street walls in close placement to the sidewalk with narrow shop fronts, high levels of glazing. This environment is to be supported and encouraged.

The quality of the public realm is key to an enjoyable and safe pedestrian experience. This can be achieved by setting buildings back far enough from the street to create opportunities for landscaping and active uses, but close enough to create a feeling of continuity and enclosure. The ground floor uses and

appearance of the building façade are also fundamental to the experience. While pedway networks may provide pedestrian weather protection, pedways can reduce pedestrian activity at the street level, and do not support the objectives of this Plan.

41 Along a streetline that abuts a pedestrian-oriented commercial street identified on Schedule 6, only the following uses may be located on the ground floor of a building:

- (a) retail uses;
- (b) restaurants;
- (c) drinking establishments;
- (d) financial institutions;
- (e) medical clinics;
- (f) personal services;
- (g) cinemas;
- (h) fitness centres;
- (i) grocery stores;
- (j) local commercial uses;
- (k) hotels;

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- (l) micro-breweries or micro-distilleries;
- (m) cultural uses;
- (n) university or college; and
- (o) pedestrian entrances and lobbies for any other use permitted in the zone.

Landscaping

General Landscaped Buffer Requirements

144 (1) A landscaped buffer, where required in Table 6, must be provided when a development lot abuts a different zone. A buffer of the type indicated in Table 6 (“L1” or “L2”) must be provided along each lot line that separates the development lot from a different zone.

Table 6: Landscape buffer requirement

		Abutting zone			
		COR	HR-2, HR-1	ER-3, ER-2, ER-1, MH	P, RPK
Zone of development lot	D	L1	L1	L2	L1
	CEN-2	L1	L1	L2	L1
	CEN-1	L1	L1	L2	L1
	COR			L2	L1
	HR-2			L1	
	HR-1			L1	

- (2) No structures or parking areas are permitted within any required landscaped buffer.

What are the levels of landscaping?

L1 General Landscaped Buffer

145 (1) Any L1 landscaped buffer must contain:

- (a) at least one shrub (at least 1.0 metre high) for every 2.0 linear metres of buffer;
- (b) at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer; or

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(c) a combination of trees and shrubs, if the minimum requirements of either 145(1)(a) or 145(1)(b) are met.

(2) Trees and shrubs in an L1 landscaped buffer may be grouped.

(3) At least 50% of the L1 buffer ground area must be covered with salt-tolerant groundcover plants.

L2 Screen Landscaped Buffer

146 (1) Any L2 landscaped buffer must contain:

(a) evergreen shrubs (at least 1.0 metre high) that form an opaque and continuous visual barrier; and

(b) at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer.

(2) Where an L2 landscaped buffer abuts an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone, an opaque wood fence or masonry wall at least 1.8 metres high must also be provided.

(3) Trees in an L2 landscaped buffer may be grouped.

(4) An L2 buffer's remaining ground area must be covered with salt-tolerant groundcover plants.

Parking Requirements

Micro-breweries are not listed as a distinct use in the parking requirements (Table 7 draft LUB).

Generally they are moving away from having any parking requirements.

- If it is considered a Local Commercial Use then – no parking required
- If it is a Drinking Establishment then –1 space for every 35 sq. m GFA in the Higher-Order Residential – 2 (HR-2), and Higher-Order Residential – 1 (HR-1)(areas - in the Centre 1, Centre 2, and Corridor no required parking
- If it's a Restaurant then ditto as Drinking Establishments
- If it is an Industrial Use then parking requirements are Not Applicable.

Other NS Small Towns

Town of Antigonish

Antigonish allows microbreweries as accessory use, or a primary use in Commercial Light Industrial Zone. Breweries as an accessory use are permitted in the C-1, downtown commercial zoning. There is no clear definition of a microbrewery yet these uses are noted in Part 14 of the Land Use By-Law which states:

Part 14 – C-1 Permitted Uses

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“... -licensed liquor establishments
- microbrewery accessory to a licensed liquor establishment...”

Town of Bridgewater

Bridgewater allows *wineries and micro-breweries* in most of their commercial and industrial zones as of right. Larger breweries are permitted in the Industrial zones by Development Agreement. Beverage rooms, a unique liquor licensing category not permitted in Wolfville which does not have a limit on number of beverages, are permitted by Development Agreement as well as lounges. A Microbrewery in Bridgewater is defined as: “...*a small-scale brewery which typically produces limited quantity of specialty beers, and may sell beverages and food made on site to the public.*”

Town of Truro

Truro permits breweries in the Industrial zones. Microbrewery is not permitted as of right in any zone. In speaking to their Staff they would like to update their regulations. As an accessory use it is permitted in accordance with the Land Use By-Law which requires them to be “... *the use or uses which take place on the same site as the principal use, and of a nature customarily and clearly secondary and incidental to the principal use.*” Truro permits beverage rooms, lounges, and cabarets as of right.

British Columbia

Communities of Sechelt and Gibsons, on BC’s Sunshine Coast

[link](#)

Micro-Breweries are permitted within the “Downtown Centre” zoning, in a similar fashion to restaurants, yet limited. Gibsons limited maximum area dedicated to Brewing to no more than 50% of the building area, and Sechelt limited the area to 110 sq m, both intending to reflect existing neighborhood scale and limit industrial concerns. The local business interests (Chamber and BID) supported the inclusion of Micro-Breweries in the Downtown core. Staff recognized Micro-Breweries’ ability to connect with Council’s strategic goals and plans which include:

- a vibrant, local and sustainable economy that provide a full range of goods, services and opportunities (Strategic Plan)
- the creation of a diverse and thriving local economy that provides meaningful employment and a positive business environment as well as support for the arts and culture opportunities (Sustainability Action Plan).
- a vibrant commercial Downtown with pedestrian orientation and support under the economic objectives for entrepreneurship, innovation, self-employment and small-to-medium sized business expansion (Vision Plan)
- aims to develop a vibrant and welcoming seaside downtown, and is the primary location for the community’s tourist commercial, retail, office, cultural, and civic uses and supports mixed-use developments (Official Community Plan [MPS])
- Support from Chamber of Commerce, Business Improvement Association.

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Ucluelet (incl. Vancouver Island case study)

[Link](#)

Within Ucluelet, a staff report examined the inclusion of brewery activities within a pub use for a specific parcel as part of an applicant's request to amend the community plan and permit such a use. A review of established Vancouver Island brew-pubs and micro-breweries was conducted which included contacting staff at the municipalities of Powell River, Courtney, Cumberland, and Nanaimo. The results found the "resounding feedback [was] positive with no complaints based on noise, smell, waste materials or loading". For the specific site under consideration, no loading areas were included in the proposal yet the applicant committed to ensuring loading and unloading activities were limited to early mornings or as consistent with existing loading and unloading activities.

Planning staff recognized that the Microbrewery use was consistent with the intent of their Official Community Plan, emphasizing Policy 2 of the Village Square Policies which states "Tourist accommodation (e.g. boutique hotels) and supporting uses are encouraged (e.g. eating and drinking establishments) to locate in the Village Square designation." The microbrewery activities were limited to 6,000 hectolitres to limit the industrial use, and Staff recognized that larger volumes would be permitted within industrial zones only.

Winnipeg

[Link](#)

Winnipeg permits micro-breweries within small-scale commercial and mixed-use districts such as the Downtown area. Winnipeg defines them as: a "micro-brewery, distillery or winery" is an accessory use that can only be developed in conjunction with a restaurant or drinking establishment (bar) use, and recognizes that off-site sales are permitted. Winnipeg also defines "craft-brewery, distillery or winery" as a principal use where brewing is the primary function of the use and a smaller-scale commercial component may be developed with the brewery, such as a tasting room or gift shop, this use is limited and not included in Downtown Areas. The rationale used is to "recognize and support the role that commercial businesses play in local employment" (Complete Communities, Section 06-3)

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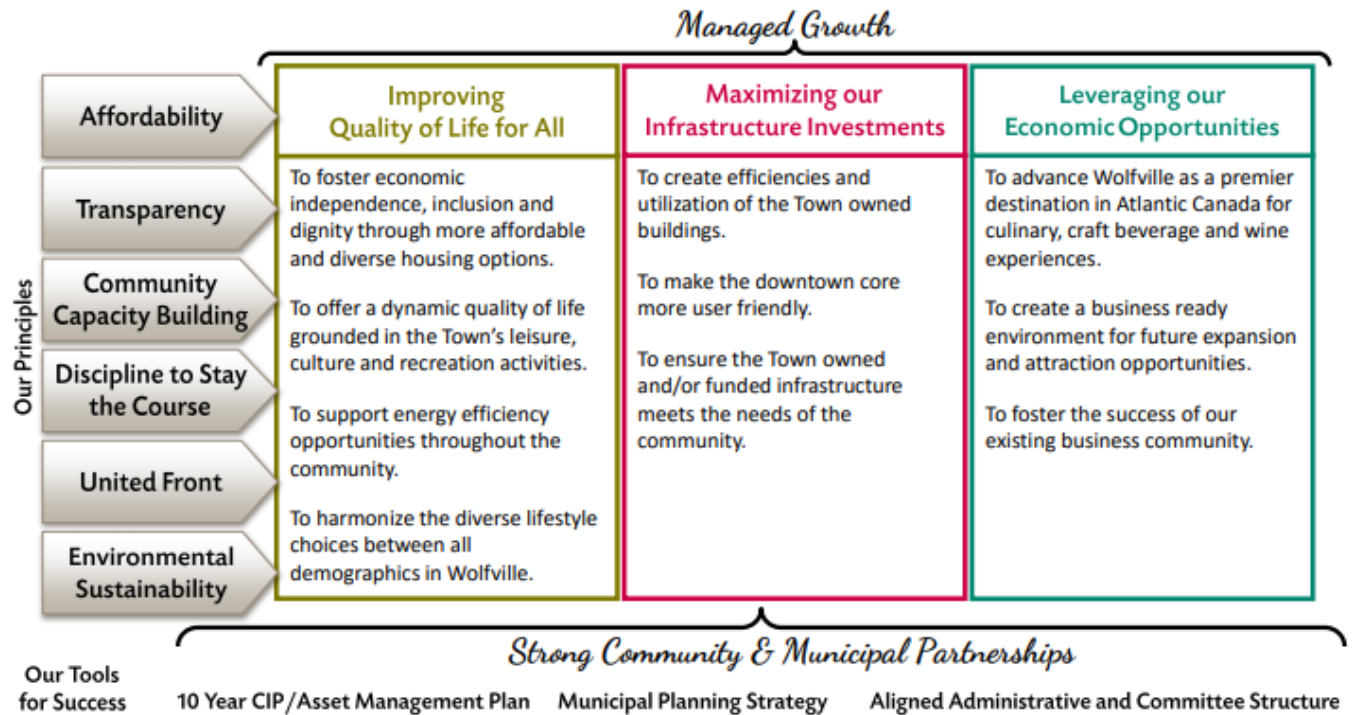


ATTACHMENT 4 - Town of Wolfville Strategic Plan, 2017 – 2021 (summary)



Our Vision: We are a *spirited* community where *all can feel part of* and celebrate our *green* town.

Our Mission: We provide leadership and collaborative governance in the allocation of public resources for the greater good of the Wolfville community



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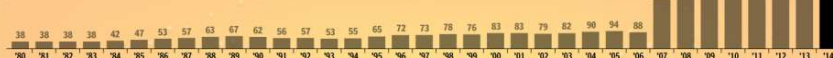
ATTACHMENT 5 – Rise of Craft Beer

THE RISE OF CRAFT BEER

The term 'craft beer' has always been under scrutiny. Micro and macro breweries alike can produce what they call craft beer. Craft brewers should ideally use high-quality malted grains and hops, use adjuncts that add body, flavour and aroma such as spices, fruit, unmalting wheat, or Belgian candy sugar, and brew in batches smaller than 75 hectolitres. But these are just guidelines, not strict rules. As we have no clear definition of 'craft,' the graphics below are based on volume of beer produced. What is clear, however, is that interest in small, local brewers is as high as it's ever been.

TOTAL NUMBER OF BREWERIES IN CANADA, 1980 - 2014

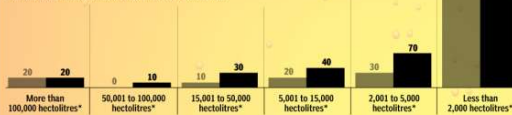
Due to what can only be described as "shifting market interests," or "consumer taste preferences," the number of breweries has risen dramatically in the past few years.



BREWERIES BY PRODUCTION LEVEL: NUMBER OF LICENSED BREWERIES, BY HOW MUCH BEER THEY PRODUCE IN A YEAR IN CANADA, IN HECTOLITRES*

2009 2014

Traditionally, major international brewing companies such as Anheuser-Busch InBev (AB InBev) and SABMiller have either acquired or merged with large brewers that represent a large group of domestically owned and operated brands. In recent years, however, many small-scale, independently owned breweries have entered the industry.

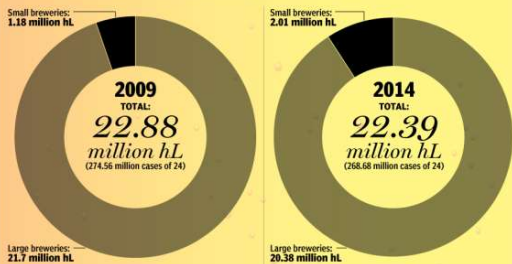


*A hectolitre equals two bags of draft beer or 12 cases of 24

VOLUME OF PACKAGED BEER PRODUCED IN CANADA, 2009 VS. 2014

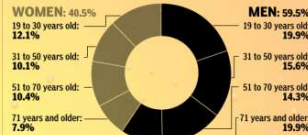
BEER PRODUCED BY SMALL BREWERIES** BEER PRODUCED BY LARGE BREWERIES**

Breweries have suffered from declining per capita alcohol consumption and escalating competition from substitute products over the past several years. Due to changing taste preferences, consumers have shifted away from the traditional light and premium beer brands that currently represent the vast majority of sales for the industry's largest brewers. Consumers are increasingly electing to buy less beer in exchange for higher-quality brands or, in some cases, reducing purchases of alcohol altogether.



WHO DRINKS BEER?

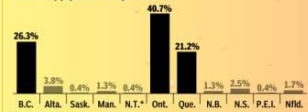
MAJOR MARKET SEGMENTATION, CANADA, 2015



WHERE ARE CANADIAN BEERS MADE?

BUSINESS LOCATIONS, CANADA, 2015

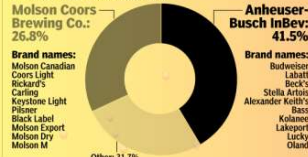
Due to the high transportation costs of shipping a heavy product such as beer, breweries are commonly located near the major markets they serve most. As a result, industry establishments are overwhelmingly concentrated in provinces with densely populated metropolitan areas.



THE CANADIAN MACRO-BREWERIES

MARKET SHARE, CANADA, 2015

The two major Canadian beer sellers are the result of years of mergers and acquisitions. Both are expected to continue experiencing declines in revenue due to declining consumer sentiment and reduced demand for their flagship brands, according to a 2015 report by IBISWorld.



KEY STATISTICS

Though breweries overall have suffered from declining alcohol consumption, consumers are increasingly electing to buy less beer in favour of higher-quality brands. Here are some key Canadian statistics:



TYPES OF CRAFT BEER IN CANADA

The examples selected are all winners of the 2015 Canadian Brewing Awards. These are taken from just a few of the beer styles brewed by Canadian companies.

BLONDE LAGERS	AMBER LAGERS	DARK LAGERS	CRAFT ALES	CRAFT PILSNER	CRAFT PORTERS	CRAFT STOUT BEERS	CRAFT SPECIALTY BEERS
Light and bright sparkling with the smoothness of pale malts and complemented by hops	Rich in colour and refreshing in character with just a hint of caramel	Roasted flavours of these beers are complemented by hints of caramel or chocolate	Mild and full bodied with a rich head and a wide range of distinct flavours, aromas and colours	Mild and smooth combined with a crisp, clean hop character. Possibly grassy, floral or spicy hop aromas and taste	Rich and unorthodox, this is a heavier brew than most with a just a hint of sweetness and a rich, malty character	Rich malty flavour with roasty, nutty or caramel flavours. Drier in character than porters and low to moderate bitterness	Any beer that doesn't fit in the other categories. Bold, bold, experimental, or just plain weird. Often with new flavours added
Examples: N.B.: Pale Ale - Moosehead Breweries Ltd. B.C.: Station House Blonde Ale - Station Lake Brewing Co. Ont.: Northern Lager - Sleeping Giant Brewing Co.	Examples: Ont.: Old Flame Red - Old Flame Brewing Co. B.C.: Los Muertos Cerveza Negra - Bad Tattos Brewery B.C.: Whistler Brewing Big Sky Uncommon Lager - Northern Brewing Ltd. Ont.: Waterloo Dark - Brick Brewing Co.	Examples: B.C.: Hermann's Dark Lager - Vancouver Island Brewery B.C.: Creeley Tiede Dunkel - Moon Under Water Brewery Ont.: Waterloo Dark - Brick Brewing Co.	Examples: P.I.: Caban Iron Bridge Brew - Prince Edward Island Brewing Co. Ont.: King Pilsner - Provincial Beverages of Canada B.C.: Lager - Canoe Brewing N.B.: La Kedgewick - Brasseries de Petit-Sault	Examples: Ont.: Charcoal Porter - Innocent Brewing Co. Alta.: Old Man Winter - Rabbit Creek Brewery B.C.: Porter - Gladstone Brewing	Examples: B.C.: Seven Samuels Milk Stout - Rossland Beer Co. B.C.: Sasquatch Stout - Old Yak Brewing B.C.: Milk Stout - Black Bridge Brewery	Examples: B.C.: Sovereign Super Saison - Four Winds Brewing Co. B.C.: Dead Frog Nutty Uncle Peanut Butter Stout - Dead Frog Brewing Co. N.S.: Bulwark Gold Traditional Craft Cider - Mavin Estate Wines	

Excerpt from Financial Post, originally published September 1, 2015 retrieved on Dec 3, 2018 from <https://business.financialpost.com/news/retail-marketing/the-rise-of-craft-beer-in-canada-an-infographic>



ATTACHMENT 6

Decision Making Considerations



- Consultation and feedback
- Strategic Priorities, Other Town Reports
- Advice from Professionals and Best Practice
- Take us toward what you want?
- Keeping with Values of Community?
- Compliant with MGA requirements?
- Practical? Doable? Measurable?
- Broader region impacts?
- Best for all and not a few?

KEEP IN MIND:

- We must advocate for some voices and present a balanced perspective.
- No silver bullets. Land use is only one tool.
- Polarized views on some issues. No consensus.
- NIMBYism.

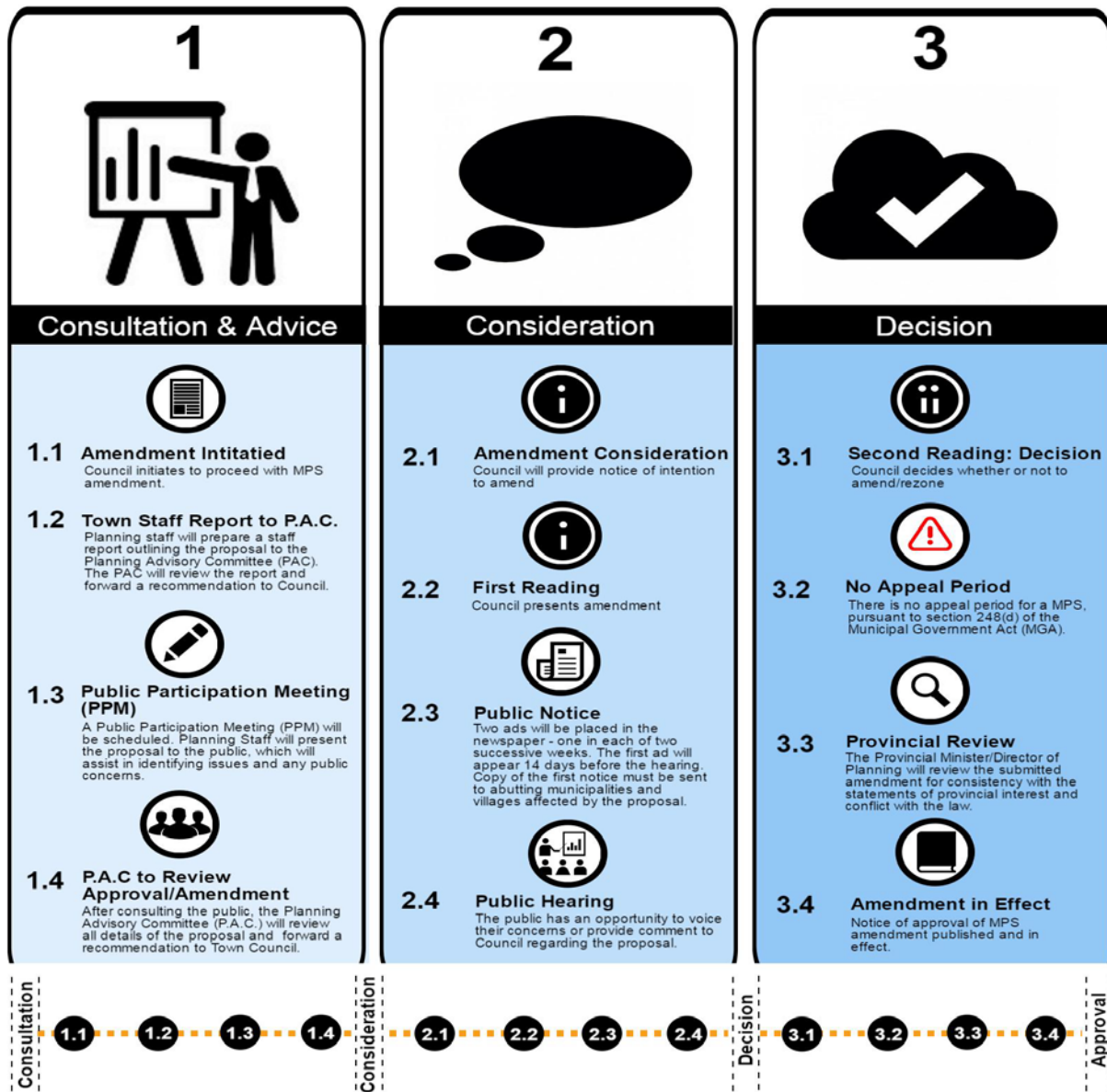
#growingtogether

Taken from ongoing MPS review material:

https://www.wolfville.ca/component/com_docman/Itemid,264/alias,2126-mps-draft-2-report-final-25-07-2018/category_slug,planning/view/download/



ATTACHMENT 7 – Municipal Planning Strategy Amendment Process



Vanessa Pearson

From: Detlef Heiss <[redacted]@ca>
Sent: January 30, 2019 11:14 AM
To: Town Council
Subject: Church Brewery

As a resident and taxpayer in Wolfville, I am strongly opposed to any amendment to the zoning, planning permission or the issued development permit to allow a industrial brewing and off-premise sales at the Church Brewery site. I will be following the voting of the council members closely and will allow their record to govern my choices next election day.

Cheers!

Det

Vanessa Pearson

From: Dick Groot
Sent: January 29, 2019 1:22 PM
To: Town Council
Subject: Church brewery

Dear Council members. Terry Drahos' email is factual and clear. In issuing the permit signed by Marcia Elliott the Town did not connect "ancillary use" with the volume maximum permitted, which was far in excess of the amount for ancillary use. This is a blunder of far reaching proportions that will cost the tax payer big time whichever way you progress. The development continues unabated, there never was an order to stop.

Furthermore Council has failed in its primary task for which it was elected namely "to protect the public interest" There was no due diligence on the part of staff or council to protect the public interest by seriously studying the impact of this factory on the local environment, real estate values etc.

Where in all this blundering is the accountability? Who is responsible for this flawed process? I believe in the interest of transparency the public should be told.

I also believe that to amend the definition of "ancillary use" would lead to more and more development problems in future.

Sincerely,
Dick Groot

Vanessa Pearson

From: david ingham ·
Sent: January 28, 2019 9:18 PM
To: Town Council
Subject: Brewery concerns.

To whom it may concern,

As residents of this town for 23 + yrs we would like to voice our concerns and dissatisfaction regarding the proposed Church pub and its apparently large scale Commercial Brewery that could be (OR ALREADY IS BEING) constructed on Main St in the town of Wolfville.

We were in favour of the initial plans we heard about for a small pub/ restaurant and a microbrewery on sight to supply this establishment with craft beer when we first heard about this project in the fall of 2018.

When we were recently informed by other residents of Wolfville about the size and scale of the restaurant/pub and commercial brewery we were rather shocked that a project of this size could be approved for this area of Wolfville??

We were also disappointed that more communication was not undertaken by the town of Wolfville to inform its residents for what was going to be planned for this commercial area of town which borders on a very nice neighbourhood and residential area of Wolfville.

We know that we and other residents of Wolfville have some concerns about this project.

Our main concerns are in regards to the water consumption that such a large scale brewery will use and the waste management of that same contaminated water that will be discharged from the brewery not to mention the smell and noise for the residential neighbourhood and businesses that are in close proximity to the Church Pub and Microbrewery as well as the lack of parking that an establishment of this size will require!

No one , absolutely no one who lives in Wolfville can argue that this town already has a shortage of adequate parking for its businesses, residents and the students that attend Acadia University.

Many of my friends and family that visit us in Wolfville have often commentated that the parking situation in this town is "akin to downtown Halifax parking " Which is always challenging at best.

We currently live about 0.5 km from the location of The Church pub but I still have concerns about the smell and the traffic noise such an enterprise may bring if it is allowed to proceed as the owners plan.

We are unsure if hazardous chemicals are needing to be transported back and forth to a large scale brewery like this but if they are that would certainly be a concern for residents nearby

We are not familiar with the zoning for this location in the town of Wolfville (maybe the owners of the Church Pub are totally permitted to construct exactly what they have planned ??) but the fact that other residents of the town are quite outraged over the discovery that this is going to be a very large scale production brewery makes us question whether the zoning is appropriate for such a large scale operation??

We would be very very disappointed to find out the zoning is going to be changed for the downtown commercial / residential area by the town (or the town planning committee) after the fact to accommodate The Church Pub!

Our understanding was they (Church Pub) were given a permit to construct a smaller pub /restaurant and micro brewery and then decided to just go ahead with a much larger scale operation in an area of Wolfville where such a commercial operation is not permitted by the zoning rules to transport their micro-brewed beer to another location off site ??

Now if we have been given the wrong information or we have our facts mixed up and the Owners of The Church Pub have the proper permits and are well within their rights to do what they are planning to do then we will apologize for sending off this letter of concern and you don't have to respond to it.

However, from what we are hearing from other town residents and we have been residents and business owners and concerned citizens of Wolfville for over 2 decades...there is a lot of confusion as to what is allowed to happen at this location and I would like the town council and the town planning committee to take our concerns and the concerns other residents of this town have with this project seriously.

We will thank you in advance for considering the points we have brought up in this letter and reiterate that development of the original St Andrews United Church site is a great idea and a pub/ restaurant and microbrewery is a good idea but a large scale brewery for this site , may not be in the best interests for the neighbouring businesses and residential properties in close proximity.

Sincerely,

Dr David & Jennifer Ingham

Sent from my iPhone

Vanessa Pearson

From: Lee-Ann Cudmore <
Sent: January 28, 2019 2:17 PM
To: Town Council
Subject: Fw: Wolfville Post Office and Church Brewing
Attachments: SKMBT_C22419012721090.pdf

Good morning,

As a citizen of this community and a business owner in Wolfville and also in the counties of Kings, Hants and Annapolis I am expressing my concern for business in the town of Wolfville. In the last month we have seen multiple long term businesses close their doors in our town. The Church Brewing group have an opportunity to provide and are providing employment for over 60 individuals, and have and will continue to make our town a place that celebrates the arts, culture, and community. They will add to the prosperity of our community and the entire Annapolis Valley.

I am disgusted by the public attack that this business is under. Please know that The Church Brewing Company has my full support. They have conducted themselves in a way that is not only professional but graceful under public scrutiny. It is my request of you, that you do whatever is necessary to help this business move forward in our community.

Please find attached a document that was on display at the Wolfville Post Office.

The Post Office is a Federal Government building, which should not be used as a site for propaganda or maliciousness against a business or citizens of this community. It is a completely inappropriate space for this type of dialogue. This item has been removed from display after my complaint.

Please do whatever is necessary to mitigate this public witch-hunt on a business and citizens of our community.

Thank you,

Lee-Ann

Lee-Ann Cudmore
Ocean Crisp Apple Company
High Point Orchards
NS Apple Sales
Centreville Orchards

call/text: 902-231-1111
office:

THE CHURCH BREWERY: PART II

David A. Daniels
January 24, 2019

At the January 8th Committee of the Whole (COW) meeting, Council voted to move forward with a first reading of amendments to the Town's Municipal Planning Strategy (MPS) and Land Use Bylaws (LUB). The amendments include language which would remove the requirement that accessory uses must be "exclusively devoted to" the main uses on a property. Indirectly, the "exclusively devoted to" clause limits the size and capacity of accessory uses. The amendments would remove those limits and have the effect of allowing The Church Brewery (TCB) to produce beer on-site and sell it off-site.

On January 17th, the Town sent an email which included answers to questions posed by residents during the January 8th COW meeting. (The email does not indicate to whom it was distributed.) Here are four of the questions with the Town's answers followed by my comments

Q: Did Council, the Mayor or, Staff indicate that prior to today, they (329 Main)

were allowed to sell off site?

A: As far as we know, none of any Councillors, the Mayor, or present or former staff, have stated to 329 Main that it is allowed to sell off-site. . . .

Staff in three of its reports from late 2017 and early 2018 stated without qualification that the proposed TCB restaurant, retail shop and brewery were permitted in the C-1 zone. The owners of TCB could infer from these statements that their plans for the brewery would be approved.

And what were their plans? In a May 30, 2017 email TCB owners informed the Town that they were considering production of 2 million (M) litres (L) of beer in the brewery's first year. It would have taken little effort on the part of Town staff to discover that 2 M L of beer could not all be sold on site. (I was told by two Paddy's employees that its Wolfville brewery which supplies the beer only to its Wolfville and Kentville establishments produces less than 150,000 L annually.)

Q: Have the Owners of 329 Main ever indicated that

they will consider litigation if the MPS and LUB are not changed as currently recommended?

A: The Town is not prepared to comment on whether it has been threatened with litigation by the owners of 329 Main St.

The Town does not explain why it is not prepared to comment.

Q: Why is staff recommending to Council to move forward with a first reading on a motion and make changes to the MPS and LUB regarding these topics?

A: The background and explanation of the recommendations regarding amendments to the MPS and LUB are contained in the staff reports that have addressed the issue.

The staff report, dated Jan. 8th, provides two reasons why the amendments should move forward prior to obtaining a recommendation from the Planning Advisory Committee (PAC): that "[t]here was confusion at PAC on the nature of the amendments and how they would impact already approved businesses" and

"[t]here appeared to be consensus on certain issues at PAC that can move forward (e.g. off-site sales, contract brewing)".

The staff does not explain why the better course would not be to unconfuse the PAC members (which includes four council members) at its next meeting. As to what "appeared" to be a consensus, PAC takes action by way of adopted motions. Decisions should not be based on a perception that a consensus was reached.

Q: Will any of the information/reports pertaining to potential adverse impacts (waste water, odour, noise, traffic, etc) requested from the PAC be available for the community by the next Public Hearing? The public needs knowledge of the implications it's being asked to give input on.

A: Yes.

It will be helpful for Town residents to have this information prior to a public hearing. But this information is being collected by staff and provided to the public much too late in the planning process.

At the outset of the planning process, staff should have acquired sufficient knowledge of TCB's plans in order to evaluate potential beneficial and adverse impacts. The staff should then have taken steps to ensure that the new brewery would operate in a manner compatible with the nearby residential uses.

Regarding beneficial impacts, some council members have stated that the TCB project is consistent with the Town's Strategic Plan of "leveraging the Town's economic opportunities." However, neither the planners nor Council have asked whether a brewery capable of producing 1.5 ML is needed to attain the goals set out in the Strategic Plan. Would a brewery that produced 500,000 litres or less provide economic opportunities while at the same time meet the strategic goals of "managed growth" that will "improv[e] the quality of life for all"?

"The supplying of reasons for what one is proposing or opposing is a mark of

respect for others and a commitment to endeavoring to be public actors, not merely private individuals" p. 144. Nadia Urbinati, The Tyranny of the Moderns, (2015).

There remain many unanswered questions. Were TCB owners aware of the "exclusively devoted to" clause in the definition of "accessory use"? Why did staff repeatedly state, without qualification, that the project was "permitted"? Has the staff made mistakes which place the Town in legal jeopardy? Why is Council moving forward with the amendments prior to obtaining PAC's recommendation? Why isn't the review of the proposed amendments being made part of the Town's multi-year project to rewrite the MPS/LUB that is close to completion? In short, what's the rush?

Until these and other questions are satisfactorily addressed, the goal of citizen engagement in the planning process, and the vital benefits resulting from that engagement, will not be fully realized.

THE NEXT COUNCIL MEETING ON THE TCB PROJECT IS SCHEDULED FOR MONDAY, FEBRUARY 4TH AT 6:30 PM AT A LOCATION TBA.

Town
Hall

Vanessa Pearson

From: Christopher Killacky < >
Sent: January 28, 2019 12:07 PM
To: Town Council
Subject: Church Brewery Zoning issue.

As Wolfville residents we would like to keep to the original zoning regulation and do not want an amendment that allows off sale of beers or other products that are not sold directly through an onsite retail shop. Accessory use should mean what it says and we should abide by the judgement of the Court and not attempt to circumvent this to enable one business to become an industrial factory next to a residential area. We recommend a brew pub and not a microbrewery licence.

Chris & Avril Killacky
Writing as local Wolfville Tax paying residents of 15 yrs.

Jan. 25, 2019.

FROM : 902 BREWCAST.

Dear Mayor Cantwell and members of Wolfville Town Council:

We are writing to you today to express our support for the Church Brewing Company ("TCBC") located at 329 Main Street, and to request that council pass the proposed craft brewery amendments regarding off-site sales for breweries in the commercial zone.

We are 902 BrewCast, an east coast-focused beer podcast hosted by three Nova Scotian beer enthusiasts. We travel to producers, bars, festivals, and other events to record interviews with brewers, owners, staff, and experts and bring those stories to our listeners. To date, we have released 89 episodes, and those episodes have been listened to over eighty-six thousand times. Fifty of those episodes were with beverage alcohol producers, including Sean Myles of Annapolis Cider Company in Wolfville, as well as other successful businesses in the Annapolis Valley such as Lunn's Mill Beer Co. in Lawrencetown, Annapolis Brewing Co. in Annapolis Royal, and Horton Ridge Malt & Grain Co. in Hortonville.

We are writing to you not only to express support for TCBC, but also to refute some of the misinformation that has been provided to council by residents and competitors regarding this development. We would also like to clarify that we have no involvement with TCBC, and do not stand to gain in any way from its success except for the opportunity to record an interview with them in the future. We would write the same letter to any city or town council in the Atlantic provinces if we felt that the progression of the industry was being held back by red tape and misinformation. These off-site sales are integral to a brewery's success. We understand this includes sales of kegs/package product to licensees, other breweries, private stores, and the NSLC. These are the channels through which the majority of consumers discover new products and producers.

The first item we'd like to address is the notion that having a brewery open on the main street of your town will not bring people to your town, as brought up by Mr. Howe at the Committee of the Whole meeting on January 8, 2019. This is patently false. As a podcast, we have travelled over 8,000 kilometres (not including the 20+ episodes recorded in our "home-base" of Halifax) to bring the stories of breweries to our listeners, many of whom then go and visit these towns and breweries themselves. These are towns that they may not have visited (or heard of) had there not been a brewery there. In fact, the Nova Scotia Department of Tourism has an entire section of their website dedicated to helping travellers find local food and drink including the Good Cheer Trail, which directs travellers to beverage alcohol producers in the region, including breweries, wineries, cideries, and distilleries in Wolfville and the rest of the Annapolis Valley. The Craft Brewers Association of Nova Scotia ("CBANS") commissioned an economic impact study for the Nova Scotia craft beer industry and found that in 2016, NS craft beer contributed \$7.86MM in direct gross domestic product, and another \$7.36MM in multiplier effects. This is real money being spent in towns across the province as a result of the craft beer industry.

We also understand that council has reached out to breweries of all shapes and sizes to clarify some of the claims asserted by _____, but we wanted to clarify a few points for the record for those who have read the correspondence packages for council meetings.

Firstly, Nova Scotia does not need more breweries to get to Ontario per capita levels. Nova Scotia already has the most breweries per capita in Canada (although sometimes New Brunswick sneaks ahead). This is not an indication of saturation, but rather a success story of small town Nova Scotian entrepreneurs. This number will fluctuate as breweries open and close, that's how the world works, but the answer is not to cease opening breweries; it is to open them strategically to service areas that are presently underserved. We firmly believe that every town can support a local, independent brewery.

Secondly, pointing to Tatamagouche as a place that has issues is (to be blunt) not smart. Tatamagouche Brewing is the poster child for a successful microbrewery in Nova Scotia, and has completely revitalized a small town that frankly was in need of revitalization. Since the opening of the brewery, the town has seen an influx of small businesses such as a butcher shop, a cafe, and a coffee roastery. It has also seen an influx of tourism dollars. Tatamagouche Brewing has won medals at national and regional brewing competitions and has literally put the town on the beer map. We haven't checked with them on their truck traffic, but what we can say is that Tatamagouche Brewing would see more truck/forklift traffic to and from the brewery than the average brewery as they don't have a grain silo. This issue is less likely to impact TCBC as we understand they will have a grain silo, which requires infrequent, semi-annual fills.

Thirdly, we would urge council to tour other breweries and speak to other residents. There is only one brewery in Nova Scotia that operates 24/7 and it is the Oland's plant. It produces over 700,000 hectolitres of beer per year (over 45x the maximum for a microbrewery) and is still in the middle of a very busy and prosperous residential area of Halifax. The majority of Nova Scotia's 50+ breweries operate in commercial zones and are conscious of the sounds and smells that come from their breweries. Beer is a social product and is meant to be shared among friends and as such, breweries are meant to be in areas where people can easily get to them. Breweries are where people can meet friends, tell stories, and have fun, and should not be relegated to industrial parks.

Fourth, the paragraph for point number eight is nothing more than fear mongering. A brewery is not an industrial site, period. To compare it to a gas station is libel. Making beer takes four ingredients: water, malt/grist, hops, and yeast. There is nothing industrial about this process. Yes, there are some chemicals in cleaning, but no different than would be used in similar businesses such as food processing or dairy. One resident mentioned ammonia, however ammonia has not been used in cooling for decades. Most breweries with a cooling system now use a closed system of food-grade propylene glycol (often used in food, cosmetics, and pharmaceuticals), which does not enter any waste stream. It is curious that _____ asserts TCBC would be a "big industrial site" but would not consider his own brewery to be so.

Lastly, it is laughable that _____ would offer these suggestions and others and consider them to be "verifiable and unbiased" when they are neither. The fact is, the business plan of TCBC is no one's business except the owners and their lending institutions. The town granted a development permit, and this was upheld by a judge in the Nova Scotia Supreme Court. It is up to the NSLC to grant a manufacturers permit, a hospitality permit, and retail permit, and up to Alcohol and Gaming to issue licenses for the restaurant. It is not the job of council, residents, or competitors to assess the viability of (or dictate how to operate) a private business.

We commend this council on the work they have done thus far and urge them to continue to corroborate information and become more informed in relation to this industry and this development. Speaking to Brian Titus or John Allen are good starts, but we respectfully suggest speaking to breweries that are in smaller towns and/or producing the amounts that this brewery is likely to produce in their first few years (i.e. are comparable to TCBC). Some examples would be Jeremy White of Big Spruce Brewing in Nyanza, Matt Kenny and Christiane Jost of Tatamagouche Brewing in Tatamagouche, and Jeremy Taylor of 2 Crows Brewing in Halifax. These are breweries that have opened in the last six years and have full NSLC distribution. We'd also recommend speaking to Randy Lawrence at Sea Level Brewing in Port Williams and Emily Tipton of Boxing Rock and CBANS.

The brewing industry is a tough road, and it has taken Garrison and Propeller over 20 years to get to their capacities of 10-11,000 hL annually. We have no doubt that TCBC will be a successful business, but recognize that they are unlikely to reach 15,000 hL of beer any time soon, and will likely never be able to do so in the current space. It appears they have just opted for a larger brewhouse and vessels initially to avoid having to purchase a new one in the near future when they run into capacity constraints, something that plagues many breweries. In fact, the larger the brewhouse, the less frequent a brewery has to brew, which is a concern for neighbours.

Thank you for your time and consideration.

Sincerely,



902 BrewCast
902brewcast@gmail.com
[@902brewcast](#)

Vanessa Pearson

From: John Christopher <
Sent: January 24, 2019 1:59 PM
To: Jodi MacKay; Wendy Donovan; Oonagh Proudfoot; Vanessa Pearson
Cc: Jeff Cantwell; Town Council; Erin Beaudin; Devin Lake
Subject: Letter re Church Accessory Use Brewing
Attachments: letter_jrc-mmV_24Jan2019.pdf

Dear Members of the Planning Advisory Committee, and all:

With respect, the attached letter is sent to express our concern about the potential scale of the accessory use brewery component of the Church Brewery Company's development.

If one of the recipients of this email could please ensure that a copy of the letter is also forwarded to the Committee's five Members-at-Large, that would be appreciated.

Thank you for all your work.

Sincerely,

John Christopher and Martha Valiquette

Wolfville, NS

John Christopher and Martha Valiquette

Wolfville, NS B4P 2H4

Tel:

Email:

24 January 2019

Via Email

Town of Wolfville Planning Advisory Committee

Dear Committee Members:

We are writing to express our concern about the scale of the Church Brewery Company development project.

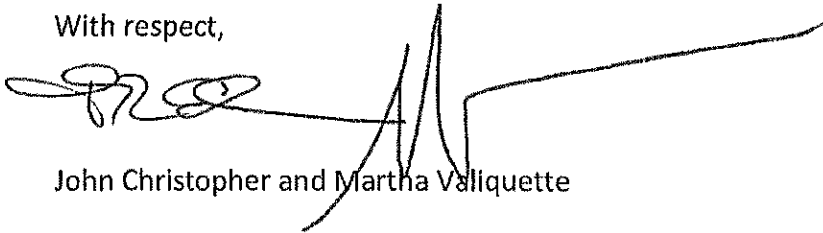
Like many others in the Town, we certainly welcome the development of the former United Church property. We strongly feel it is important that the Town of Wolfville and its residents welcome and encourage positive economic development, and that we support entrepreneurs who want to be part of that.

We are deeply concerned, however, about the Town's retroactive amendments to zoning regulations, and we are specifically troubled about the way these are being considered for the accessory use brewery component of the Church Brewing Company development. It is our understanding that under our Town's land-use bylaws, the 329 Main Street location is zoned C-1 Commercial. That is clearly not *industrial* zoning (as the NS Supreme Court recently ruled).

There will naturally be many competing voices on a development project such as this. In our view, however, that merely highlights the need for a comprehensive and open-minded public consultation, so that the required communications can be afforded, and so that good and fair decisions can be made.

In closing, we feel it is important to add our voice to this community dialogue. We are concerned about the implications of a large accessory use brewery at the 329 Main Street location. We are aware of the Special Town Council meeting scheduled for Monday February 4th, and we will remain hopeful that the next few months will bring with them careful, honest and respectful deliberations, leading to good and fair decisions for our Town.

With respect,



John Christopher and Martha Valiquette

Cc: Town of Wolfville Mayor and Council
Erin Beaudin, Chief Administrative Officer
Devin Lake, Director of Planning and Development

Vanessa Pearson

From: Teresa Drahos
Sent: January 22, 2019 2:40 PM
To: Town Council
Cc: Erin Beaudin; Devin Lake
Subject: I have tried to be conciliatory

Dear Mayor and Town Council,

At the end of January 8th meeting I suggested to the neighbours, developers, and council that we needed to work on solutions. I even went so far to invite you all to my house, I have heard nothing and this has been by far the most intrusive week yet. As I write this my entire street is lined both side with construction vehicle and a delivery truck sits idling in the middle of the street. My house has been vibrating and humming for the past 30 to 40 minutes.

I don't understand why no one cares at all about the people who have lived here for the past 10, 20, 30 years. It seems that if you have a lot of money, employ a few people you can do what you want under the guise of "economic development". By Laws be damned they don't apply to 329 Main Street. There has been zero effort by the developers to accommodate the neighbourhood, zero efforts to minimize the inconvenience, They do not ask their contractors to park elsewhere, ever. The by law officers has spoken to them repeatedly about parking but they claim they have no control of the contractors. I find that to be untrue and lazy. If you are paying someone for work, you have control.

As I type the first truck left and new truck has started vibrating. The town employees and council created this mess and you need to start working on some solutions that appease the people who voted you into office and have been paying their property taxes for decades.

Since nobody seems to be able to think outside the box or neighbourly here a few simple suggestions:

1. The Developers need to insist that their contractors and sub contractors park off site after they have unloaded their tools.
2. If the street is clear delivery trucks should pull over to their side of the street so as not to block the road.
3. Deliver trucks should never be allowed to idle
4. If there is going to be a big construction day with heavy machinery, give the neighbours notice so that they might make arrangement to work elsewhere.
5. Sound and light by laws should be obeyed always. Send them a copy and ask them to read them.

The above is the least you can do and you should have done it 8 months ago.

Vanessa Pearson

Subject: FW: Re: FB conversation Monday January 21st 2019

Facebook conversation between Sean Higgins and Erin Beaudin:

To whom it may concern, My name is Sean Higgins. I am the owner, brewer and executive officer at Tidehouse Brewing Company Ltd located in Halifax. I also sit on the board of directors with CBANS (craft brewers association of NS) and have been an active member in the beer scene for many years. Regarding the concerns voiced over the opening of Church Brewing Company: Much of the information that has been provided to your council regarding the potential production volumes at Church is not only misleading, but an outright lie. It took Garrison 20+ years to get to that volume. Church will be lucky to do even 1/8 of that volume in their first 5 years of operations. Regarding noise/smell... I encourage you to take a look at 2crows brewing here in Halifax as an example of how easily a larger brewery operation can co-exist in a neighborhood. Not only not disrupting the flow and shape of a neighborhood, but adding to the culture within it. If you look around the province, each and every small brewery operation that has opened to date has contributed a significant amount of tourism dollars to the local economy. Tatamagouche was a ghost town until Hanz Jost opened up tata-brewing and the off-shoots in business and culture for the community is immeasurable. There was an economic impact study drawn up by ACOA, CBANS and the NSLC. I suggest you have some of your people take a look at some of the numbers in that study. Don't let the uninformed few, and the direct competition of said business dictate how you zone your town. The overwhelming majority of the breweries in this province exist on commercially zoned land. If they happen to be in mixed use or industrial, it's usually a matter of cheaper square footage and not because they were forced to open there. Again, much of the information you've been given is false and should discredit those who brought it to the table entirely. best. Sean Higgins sean@tidehouse.ca

MON 2:51 PM

Town of Wolfville

Thank you for your message. Are you comfortable if this is shared with our Council / becomes public?
(You are talking with Erin Beaudin, the CAO here right now)



Absolutely. Feel free to share. To clarify, that guess if being lucky to produce 1/8 of the volume proposed by the graphic being shared, is strictly speculation.

Town of Wolfville

Thanks!



Vanessa Pearson

Coordinator Administrative Services, Office of the CAO

p 902-698-8070 | f 902-542-4789 | e vpearson@wolfville.ca

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**NS CRAFT BEER MARKET AND IMPACT STUDY – 2017
(MARKET AND CONSUMER OVERVIEW, GROWTH
SCENARIOS TO 2026, ECONOMIC IMPACT ANALYSES
PROGRESS REPORT)**

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1 INTRODUCTION

1.1 (JUNE 26, 2017) NS CRAFT BEER MARKET AND IMPACT STUDY – 2017 (MARKET ASSESSMENT AND CONSUMER RESEARCH PROGRESS REPORT)

The “NS Craft Beer Market and Impact Study – 2017 (Market Assessment and Consumer Research Progress Report)”, sent by e-mail on June 26, 2017, described the:

- long-term trends in;
 - the sale and consumption of alcoholic beverages across Canada;
 - beer sales across Canada; and
 - beer sales in Nova Scotia, as well as the pricing structure for commercial beer, NS Craft Beer, Other Craft Beer and Imported Beer in NS;
- results of the Omnibus Survey of beer drinkers; and
- detailed results of the two focus groups.

The bottom line is that the demand for beer in general is falling across Canada. However, the demand for craft beer and imported beer within the beer product group is rising. The rising demand for craft and imported beer is not great enough to overcome the overall decline in the demand for beer. All other alcoholic beverage products (wine, spirits, ready to drink products) show demands that are rising or, at worst, flat.

The opportunities for growth in the craft beer segment are found in the niches and nuances of the shifts in tastes and shifts between various alcoholic beverages.

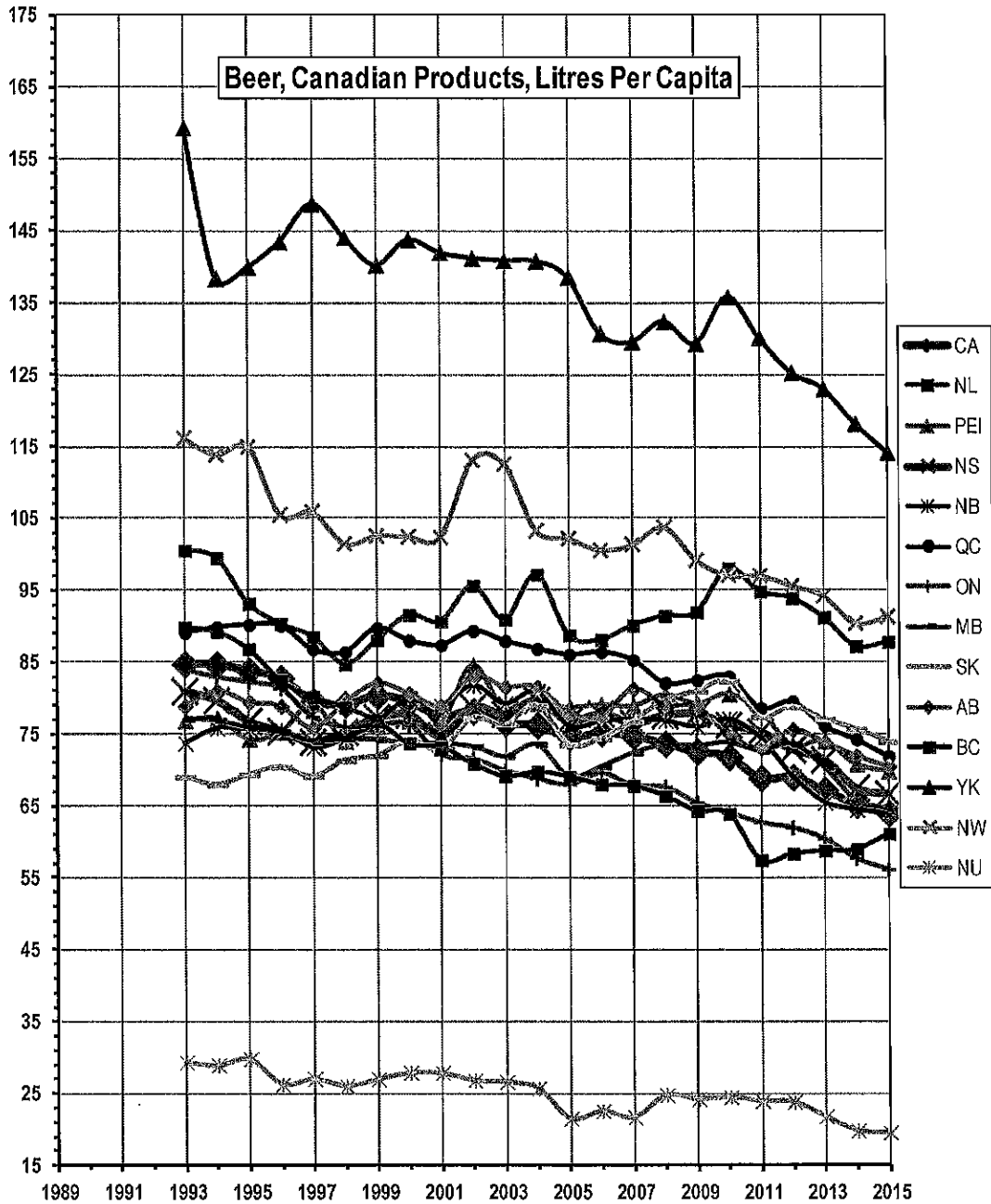
1.2 (JULY 31, 2017) NS CRAFT BEER MARKET AND IMPACT STUDY – 2017 (MARKET AND CONSUMER OVERVIEW, GROWTH SCENARIOS TO 2026, ECONOMIC IMPACT ANALYSES PROGRESS REPORT)

This report, the “NS Craft Beer Market and Impact Study – 2017 (Market and Consumer Overview, Growth Scenarios to 2026 and Economic Impact Analyses Progress Report)” provides in:

- Section 2: Market Overview, a summary of key findings with respect to the Canadian beer market;
- Section 3: Consumer Overview, a summary of key findings from the Omnibus Survey of drinking age adults in NS and highlights and conclusions from the focus groups;
- Section 4: SWOTT Analysis, a detailed description of the strengths, weaknesses, opportunities, threats and trends of relevance to the NS craft beer industry;
- Section 5: Plausible Scenarios for 2026 Target, descriptions of plausible growth paths for the NS craft beer industry out to 2026;
- Section 6: Input-Output Economic Impact Analysis, the results of the economic impacts of the NS craft beer industry as it is today and as it could be in 2026.

2.1.2 (CANADIAN BEER) LITRES CONSUMED PER CAPITA 15+

The figure below focuses on the history of per capita consumption of Canadian beer products (of which the vast majority is considered commercial beer) across Canada. The Y-axis scales on this figure and the one above are the same. Comparing the two figures shows that the rate of decline in the consumption of beer produced in Canada, of which the vast majority is considered commercial beer, is greater than that of the rate of the decline of all beers consumed by individuals.

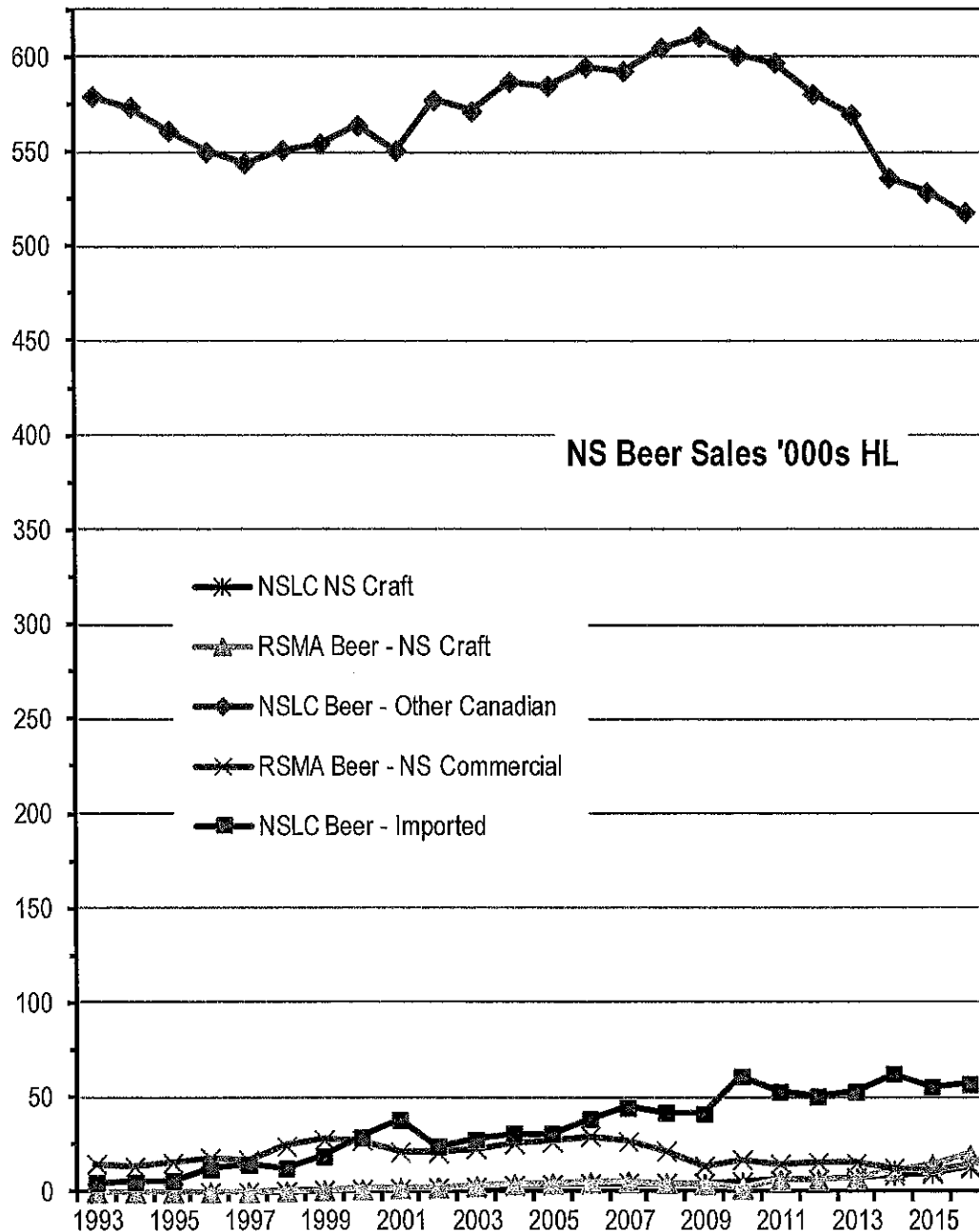


2.2 NOVA SCOTIA BEER SALES VOLUME BY TYPE OF BEER (1993 – 2016)

The figure below shows that the vast majority of beer sales in NS, by volume, are represented by commercial (mass-produced) beer sold either by the Nova Scotia Liquor Corporation (NSLC) or directly to licensees (RSMA beer).

NSLC sales of commercial beer reached a peak in 2009 and declined to well below 1993 levels by 2016 despite an 11.3% increase in the drinking age population since 1993. There were also declines in the direct sale of commercial beer to licensees (RSMA beer)

Only Nova Scotia craft beer, Nova Scotia RSMA craft beer and imported beer have shown growth in sales volumes.



- their preference for their current brand (5%);
 - their lack of knowledge about NS Craft beer (4%);
 - the lack of availability in their particular liquor store (2%);
 - perceived quality issues (2%);
 - their lack of awareness (2%); and
 - perceived expense (1%).
- Thus, opportunities to grow penetration will come from encouraging not only beer purchasers overall who do not purchase NS Craft beer but as well some non-beer purchasers of NS Craft beer by addressing the issues around taste/flavour, lack of awareness or exposure to NS Craft beer, perceived poor quality and expensive prices.

Another opportunity to grow sales of NS Craft beer will come from encouraging “infrequent” purchasers of NS Craft beer to purchase more frequently.

- The frequent Craft beer purchaser (i.e. they tend to purchase at least once a month or more) is similar to the frequent beer purchaser with a couple of notable differences. First, frequent beer purchasers tend to be male, between the ages of 19 and 34 years, and to be living in higher income households. Adults with less than a high school education are least likely to be frequent purchasers of beer.
- Frequent Nova Scotia Craft beer purchasers tend to be both male and female and are significantly more likely to have graduated with a post-secondary education. And as with their beer purchasing counterparts, they are significantly more likely to be younger adults between the ages of 19 and 34 years and to be from households with higher incomes (\$75,000+). Adults living in Cape Breton are significantly less likely to purchase NS Craft beer.
- Thus growth opportunities for NS Craft beer appear to exist also in targeting the 35-54 year age group, and communities or households where incomes tend to be higher, \$75,000 or more. Moreover, there may be opportunities to grow NS Craft beer sales in Cape Breton where sales appear to be underdeveloped.

The Omnibus study also highlighted an opportunity to grow sales of NS Craft beer by encouraging NS Craft beer drinkers to increase their consumption by making NS craft a ‘more regular’ choice.

- Beer purchasers drink more beer (164.3 bottles or glasses in the past 12 months) than Craft beer drinkers (62.4 bottles or glasses in the past 12 months).
- Respondents who indicated they drink 100 to 199, 200 to 499 or 500+ glasses or bottles of beer per year show that a larger proportion of beer purchasers (36%) drink beer more regularly than either NS Craft beer (21%) or Other Craft beer (9%) drinkers.
- And some purchasers of beer, NS Craft beer or Other Craft beer indicated they had not consumed any within the past year: 14%, 19% and 29% respectively. This suggests that some tried the products and did not return to it for possibly the above noted reasons. And as we learned in the Focus Groups, some consumers purchase beer and craft beer for guests, but do not consume it themselves.
- Thus, opportunities to expand sales among current infrequent NS craft beer purchasers exist if industry can change behaviours (going from summertime only to include other occasions) and can develop a way to appeal to by addressing their flavour/taste concerns

can only be added to the body of knowledge on this topic. This type of research is intended to provide a first step in determining knowledge, awareness, attitudes and opinions about services, concepts or products.

Detailed findings were provided in an earlier progress report.

3.2.2 KEY CONCLUSIONS AND IMPLICATIONS

3.2.2.1 BEER DRINKING HABITS

- Younger men and women appear to be different in their approach to drinking beer compared to older beer consumers. In the younger age group, the males spoke more about drinking to “get a buzz on”, while women spoke more about drinking beer to be “sociable” and “safe”.
 - Similarly, most younger beer drinkers choose a lighter beer because it is easy to drink which allows them either a) to drink more (in the case of some men) or b) to feel safe (as in the case for some women).
 - Drinking ‘lighter beer’ means “fewer ingredients, more like water”, a lighter taste profile and lighter in colour, not necessarily lower in alcohol, and therefore is easier to drink than “darker” beers, “stouts” and “Craft beer”.
- Younger beer purchasers are drinking beer as their alcoholic beverage of choice and ‘switch’ it up with rum and coke or spirits when they want to “get a base on” or for select occasions (a house party vs. getting together at a bar).
- Older beer purchasers typically choose to drink ‘a lighter beer’ to quench thirst after exercise or sporting activity, unless they want to “treat” themselves to a special beer such as a Craft beer, or an imported beer such as Stella Artois.
- For the participants in the groups, craft beer tended to be an occasional purchase rather than a frequent purchase for the majority of younger and older men and women because while all of the participants indicated they had purchased Craft beer within the past six months, only 2 participants in each group indicated they purchase Craft beer on any kind of a regular basis.
 - Younger men and women are introduced to Craft beer by friends who are passionate advocates, or have been introduced to it at bars or restaurants on tap.
 - Many in the older group of participants had tried Craft beer, but again only a couple indicated they purchased it regularly. Like their younger counterparts, they are introduced to Craft beer by friends who are advocates, or at a bar/restaurant on tap. Several have visited a local brewery, and while most in the older group did not drink Craft beer regularly, some keep it on hand for friends, or for that special moment when they wanted to savour the taste of “a” (i.e. one) beer.

3.2.2.2 SELECTION PROCESS

- A person’s choice of beer and level of experimentation appear to be functions of lifestyle and socio-economic factors such as the combination of household income, education and exposure to cultural factors such as travel. Moreover, their choice of a specific brand of beer appears to be influenced by the location of its consumption (home vs. a bar) and the occasion of consumption (at a party vs. home alone or with friends). And the

be at a bar (on tap, or on special), at a restaurant, and through ‘influencers’ or ‘opinion leaders’ or venues and events that encourage sampling.

3.2.2.3 PERCEPTIONS OF BEER QUALITY

- Consumers have difficulty differentiating between good quality and poor quality beer which leaves the playing field open for a brand to make a unique – possibly premium - quality claim that is backed up and supported by a relevant (meaningful) story. For most beer consumers, it comes down to personal taste, which in turn, is a function of experience and knowledge about beer.
 - Participants had difficulty in distinguishing or at least articulating what makes a good quality versus a bad quality beer. Rather, good quality beer, to them, is simply beer that suits “my personal taste preference”. Most participants seemed to say that quality is really a matter of taste. Cues that suggest better quality tend to be references to the way a beer is produced such as “cold-filtered” and “small-batch”, that is, cues that suggest the care (ingredients, process and passion) that goes into making the beer.
 - Ultimately there are few cues that consumers look to that help indicate whether or not a beer is a quality beer. Most agreed that quality in beer comes down to personal taste because the flavours of beer are so varied. The few exceptions are beers that are:
 - flat, that is, they have lost their effervescence,
 - “skunky”, that is, they have an off-putting taste and smell; and
 - the cheapest, because they are believed to be made with cheaper ingredients

3.2.2.4 BEER SEGMENTATION

- It is a beer’s origin and style that cement consumers’ perceptions about beer and its taste.
 - A beer’s origin (Local – Domestic, Local - Craft, Canadian, Imported, Craft) followed by its style (e.g. “IPA”, “wheat”, “light” vs. “dark”) appear to be the dominant ways that consumers segment the beer category. Thus retail liquor stores and brewers may have an opportunity to help consumers select beer beyond the segmenting of beer sections by Origin (Domestic, Imported, Local) and Type (Craft) and based more on styles of beer (ales, lagers, stouts, porters and possibly styles that relate to texture, weight and mouth-feel such as “light” or “dark”). Ultimately, it is taste that attracts consumers to, or repels them from a particular beer brand. As noted above, a beer’s “drinkability” (taste, texture, weight, mouth-feel) is very important to consumers.
 - Younger consumers, particularly those who travel and who are more frequent purchasers of beer were more familiar with a wide range of beers from around the world, and were able to discuss and segment beer variously by:
 - their origin;
 - their style (ale, lager, stout, wheat);
 - their weight (light vs. heavy);
 - their taste profiles (hoppy vs. bitter); and
 - type (Craft vs. commercial).
- The most widely known brands of imported beer, based on experience among participants in both groups, were Heineken, Corona, Coors and Stella Artois

- Most were well aware that the local Craft beer industry was experiencing a boom and several said there were 30 or more Craft breweries in Nova Scotia
- Very few participants were familiar with or had experience with non-Nova Scotia Craft beer, which may be a reflection of their limited exposure through advertising or on shelves at liquor stores. As a result, most participants could not say whether or not Nova Scotia Craft beer was any more distinctive and unique compared to other regional Craft beers.

3.2.2.6 CONCLUSION REGARDING FOCUS GROUP FINDINGS

As the market continues to heat up, introducing a symbol that reinforces Craft beer's small size, authenticity and independence will help consumers to:

- choose Craft beer rather than a quasi-Craft beer produced by some of the larger commercial beer companies trading on the flavour and quirky personalities of Craft beer; and
- choose 'local' Nova Scotia Craft beer

Such a symbol in and of itself will not 'brand' Nova Scotia Craft beer per se. Rather industry also has an opportunity to create products that address some of the reasons why consumers do not choose Craft beer, or tend to choose it infrequently by tapping into some of the trends like:

- lighter beers both in terms of alcohol by volume and weight;
- sour beers;
- unique flavours (e.g. chili beers); and
- styles that are not well developed in Nova Scotia (e.g. Cask Aged, Pilsners).

Finally, industry has an opportunity to distinguish its brand either by emphasizing an attribute that is uniquely Nova Scotian, or by creating a Tidal Bay-style of beer (as with Nova Scotia wines) that has the potential to differentiate Nova Scotia Craft beer.

support authenticity (genuine-ness, things that are true, unadulterated) and a buy-local movement both of which are inherent in locally produced Nova Scotia craft beer:

- These attributes, in turn, provide a unique point of distinction for the category, which to some extent shields local producers from non-local competitors.
- As a category, Nova Scotia craft beer is unified and homogeneous at this stage of development making many of the products interchangeable, yet offering consumers variety and selection. This makes it easier to promote products as a ‘category’.
- The ongoing ‘foodie’ trend continues to support the rise in appeal and consumption of craft beer because of their desire for “good food” and their impact on how foods (and by extension, beverages) are being produced.
- The concentration of many brewers within a relatively small geographic area provides industry with the agility to come together relatively easily, to make decisions quickly, and to foster camaraderie.
- New entrants continue to bolster industry overall, providing additional diversity and variety, and creating a sense of ongoing momentum.
- Nova Scotia’s historical roots and early British settlers provided a natural association with ‘British’ style beer.
- With the emergence of several relatively large craft breweries as well as a variety of smaller microbreweries, Nova Scotia craft beer has achieved a critical mass as an industry that not only garners credibility and respectability but has become highly desirable by governments as economic generators and job creators.

4.2 WEAKNESSES

- Without craft beer standards or quality guidelines and an industry symbol that conveys these, virtually anyone can call a local craft beer a Nova Scotia craft beer which leaves industry vulnerable to operations that flaunt the spirit of making “good” authentic craft beer and which could potentially damage the industry’s reputation.
- The lack of quality assurance programs among brewers is a liability because without a quality assurance department or in-house system that monitors quality on a consistent basis leads to customer churn or worse, product recalls both of which erode consumer confidence over the longer-term.
- A lack of clarity and awareness of the Nova Scotia craft beer brand’s promise beyond its “local-ness” leaves the industry vulnerable to encroachment by other craft beers from outside the province that are seen as substitutes – interchangeable - for local craft beer:
 - The corollary to this is that homogeneity among NS craft beer players means little differentiation, particularly so in price vis-à-vis other imported craft beers, and imported beers.
 - The variety of craft beer styles is at once a strength and weakness. People don’t stick to one brand or style and therefore brewers must continue to develop new varieties in addition to maintaining their main offerings.
- Tiny margins and little room to raise prices means little funds are available for

- While not representative of the population at large, most focus groups participants indicated they purchased Nova Scotia craft beer (and other craft beer) as a ‘treat’, not their regular or go-to beer. “I will have a Propeller to switch things up...”.
- Nova Scotia’s population is ageing and the age segment that is attracted to craft beer most is smaller than in other regions of the country, which limits its potential on the one hand, but suggests the need to broaden craft beers appeal to an older segment on the other hand.
- Nova Scotia’s small market size relative to other provincial markets with large population centers means that local growth is limited and that exporting will need to be seriously considered as a way to grow the industry in future.
- Cash flow can be an issue for many craft brewers, both large and small, making industry all the more reliant on favourable mark-ups, limits or reductions in taxation (excise taxes for example) and finding ways to:
 - grow to scale;
 - operate efficiently; and
 - create premium products that offer true value.
- Industry’s largest buyer (and regulator) holds a position on the NS craft beer industry’s association Board making it awkward, if not impossible, for the NSLC setting up a conflict of interest and limiting the latter’s ability to provide objective input on industry’s future direction and evolution.

4.3 OPPORTUNITIES

- For CBANS to take an even stronger leadership role in charting a course for industry growth.
- For CBANS to perform more back-office services for small producers while they establish footings and solid foundation.
- Export including a) producing locally and shipping nationally b) producing ex. Nova Scotia and returning profits to local Nova Scotia companies, and c) attracting tourists who are attracted to Nova Scotia craft beer by virtue of its distinctiveness and ‘unique experiences’.
- Rally industry around creating a unique and distinctive product(s) - a signature craft beer or style which has the potential to help develop a distinctive and appealing reputation and brand for Nova Scotia craft beer. It could be the craft beer equivalent of Tidal Bay for the Nova Scotia Farm wine industry:
 - As part of its brand strategy development initiatives, to consider the creation of instituting Nova Scotia craft beer laws or standards, in a similar fashion as German beer laws are applied.
- Explore the option of expanding the quality of local craft beer with a premium category that can command premium prices to compete against premium imported beers.
- Use Nova Scotia craft beer as a tourism driver by creating a signature industry experience – for example, create an “eat, drink and get married” experience associated

- Industry growth is creating competition for employees, brewmasters and shelf space at retail.
- A growing lack of brand loyalty as new entrants launch and craft beer is viewed as interchangeable. This provides opportunities to step up business knowledge and professionalism to develop competitive strategies that will sustain and grow companies. Another result of expansion is the possible threat of “beer fatigue” with highly flavoured beers.
- As the number of craft brewers grows in the global market overall – and it’s expected to grow 19.5% per year in US dollar terms (about 14.4% after inflation and relative appreciation of the US dollar) between 2015 and 2025, the demand for grains such as barley, wheat, yeast, sugar and hops will increase substantially as well. Brewers may be faced with less bargaining power and higher prices.

4.5 TRENDS AND THE FUTURE

- Increased local competition will mean for some companies, exporting will have to be seriously considered in order to grow.
- Several new entrants are expected to open in the near term and then industry may expect to see some closures among the weaker brewers. Some believe there could be a chain reaction of closures of craft brewers if market demand for craft beer drops. At present health of the craft brewing industry depends on growing demand.
- Some companies are projecting growth of 12% to 15% per year for the next five years.
 - This implies a 75% to 100% growth in five years. If all craft brewers did this the share of the Nova Scotia beer market would grow to between 9.2% and 10.5% by 2021.
 - We believe that Section 5: Plausible Scenarios For 2026 Target and Section 6: Input-Output Economic Impact Analyses present a more plausible industry wide long-term projection of NS craft beer’s share of the NS beer market of 11.1% to 13.0% by 2026 (NS craft beer held 5.16% of the NS beer market in 2016.).
- The decision by the NSLC to lower the RSMA has provided industry with additional flexibility to investment money back into growing their businesses. Three or four years ago access to investment capital was an issue but is less so now that the industry is growing.
- The growth of the Nova Scotia craft beer industry is due to its ability to ride the wave of the growing attraction of craft beer not only throughout North America but around the globe. Craft beer is expected to grow at double digit rates over the next ten years because of expansion in Asia, the Middle East and Africa.
- According to TAPS (an industry online magazine devoted to craft beer²) some of the trends from the USA suggest that new products will continue to push the outer edges of ‘unusual’ flavours, witness the popularity of chili beers this past year – “the best begin

² Top 5 Beer Trends for 2017. Taps Magazine, October 2016. <https://www.tapsmagazine.com/top-5-beer-trends-for-2017>

5 PLAUSIBLE SCENARIOS FOR 2026 TARGET

We projected two growth scenarios that could plausibly unfold for the Nova Scotia craft beer market based on an examination of craft beer market growth in the United States, in various Canadian markets, and in Nova Scotia. As well, the projections took into consideration share of market potential and per capita consumption of beer overall derived from population and total beer sales projected to 2026.

Under both of these scenarios, Nova Scotia's drinking age population will peak in 2022 at about 764,396 and then begin to slowly decline (-0.28%/year), which will contribute to the overall trend of declining consumption of beer overall. But demand for craft beer will ultimately continue to rise over the next decade as consumers shift toward lower alcohol (ABV) beverages and flavoured beers. (Please refer to Appendix 1: Excerpts from Grand View Research... for a brief summary of global craft beer trends.)

In Nova Scotia, total beer sales slipped from 676,495 HI in 2006 to 635,402 in 2016, a compound annual growth rate (CAGR) of -0.62% over the past ten years. NS craft beer sales on the other hand, nearly quadrupled, growing from 9,246 HI (2006) to 32,937 in 2016, a CAGR of 13.5%.

Nova Scotia Beer Market, 1996 - 2026						
Nova Scotia Market	1996	2001	2006	2011	2016	2026
Total Beer Sales(HI)	580,172	616,977	676,495	683,985	635,402	629,896
Total NS Craft Beer Sales in NS (HI)	-	4,405	9,246	12,529	32,937	Scenario 1: 62,939 HI (10.0% mkt share)
						Scenario 2: 74,016 HI (11.1% mkt share)
Rest of Canada Craft Beer Sales in NS (HI) (1996 - 2011 est)	-	480	1,007	1,364	3,587	Scenario 1: 6,854 HI (1.1% mkt share)
						Scenario 2: 8,060 HI (1.3% mkt share)
Imported Sales (HI)	11,970	38,144	38,695	52,988	57,140	71,847 HI (11.4% mkt share)
"Commercial" Beer Sales (HI)	568,202	573,948	627,547	617,104	541,738	Scenario 1: 488,256 HI (77.5% mkt share)
						Scenario 2: 475,973 HI (75.6% mkt share)
Population 19+	679,564	693,587	717,878	737,559	748,768	756,149
Litres per pop 19+	85.37	88.95	94.24	92.74	84.86	83.30

In 2016, the craft beer segment of the total beer market in Nova Scotia held a 5.75% share of market (5.16% NS craft beer, 0.56% RoC craft beer), while craft beer in the USA had grown to a 12.3% share of market.³ By 2026, total beer market sales in Nova Scotia are projected to decline marginally to 629,896 HI (CAGR -0.9%). The drinking age population (population 19+) is projected to grow to 756,149 (+ 1.0%) by 2026 from 748,768 in 2016 with the corresponding per capita sales of total beer tapering off from 84.86L (2016) to 83.3L per population 19+ by 2026.

³ <https://www.brewersassociation.org/statistics/national-beer-sales-production-data/>

Moreover, it is not unreasonable to expect Nova Scotia craft beer to continue to account for the vast majority (about 90%) of craft beer sales in NS until 2026 with the balance (about 10%) accounted for by craft beer from the rest of Canada.

The implications for craft brewers is clear: that while growth is very much expected to continue well into the future, growth will come at the expense of attracting and converting consumers from other forms of alcohol consumption, more so, than attracting new young adults of drinking age entering the market. This will mean that to grow, craft beer sales will come from stealing share from both domestic and imported beer segments, exporting outside NS and to some extent from attracting and converting wine drinkers to craft beer.

Gross Impact of Nova Scotia Craft Brewers in 2016 (5.3% Market Share) (\$ millions, 2016\$)										\$ 17.87 million Gross Sales		
Region	GDP @ Market Prices			Household Income*			Taxes			Jobs		
	Direct GDP	Indirect+ Induced GDP	Total GDP	Direct Household Income	Indirect+ Induced Household Income	Total Household Income	Income Taxes	Consumption + Property Related Taxes	Local Property & Other Taxes	Direct Jobs**	Indirect+ Induced Jobs	Total Jobs
Canada	\$7.86	\$12.61	\$20.48	\$7.86	\$6.10	\$13.97	\$3.43	\$1.68	\$0.60	330	156	486
Federal Government							\$ 2.14	\$ 0.63				
Nova Scotia	\$ 7.86	\$ 7.36	\$ 15.22	\$ 7.86	\$ 3.47	\$ 11.33	\$ 0.99	\$ 0.84	\$ 0.43	330	94	424
Rest of Atlantic Canada	\$ -	\$ 0.71	\$ 0.71	\$ -	\$ 0.33	\$ 0.33	\$ 0.04	\$ 0.04	\$ 0.01	-	9	9
Ontario + Quebec	\$ -	\$ 3.55	\$ 3.55	\$ -	\$ 1.83	\$ 1.83	\$ 0.21	\$ 0.13	\$ 0.13	-	41	41
West and Territories	\$ -	\$ 0.99	\$ 0.99	\$ -	\$ 0.47	\$ 0.47	\$ 0.05	\$ 0.04	\$ 0.02	-	11	11
* Includes Wages & Salaries and Mixed Income / Income from Unincorporated Enterprises							** Includes self-employed					
Source: Productivity Solutions Inc.												

The GDP also includes payments of \$0.99 million in NS income taxes, \$0.84 million in NS consumption taxes and \$0.43 million in local property taxes.

Inter-provincial trade results in the rest of Atlantic Canada and Central/Western/Northern Canada earning \$5.25million in GDP / household income and 61 jobs.

6.1.1 RETAIL SALES MARK-UP ALLOCATION (RSMA)

In 2016 the RSMA remittance was charged at \$0.50 per litre sold direct by NS craft brewers and NS craft brewers remitted \$993,544, which left them with about \$446,779 in before tax and depreciation operating surplus (about \$11,169 per micro-brewery),

On April 1, 2017 the RSMA rate was changed to 5% of the agreed upon wholesale value of direct sales. If the 2017 rate were charged in 2016 NS craft brewers would have remitted \$415,776, increasing their before depreciation and tax operating surplus to about \$1,024,547 (about \$25,614 per micro-brewery).

6.2 I-O RESULTS: 2026 MICRO-BREWERY AND BREWPUB OPERATIONS

The following sections describe the impacts associated with two growth scenarios for craft beer consumption in NS. We do not attempt to project the structure of the industry in terms of the number of micro-breweries and brewpubs. Our research shows that the structure of the industry varies widely across North America. Therefore, our analysis assumes that the structure of the industry in 2026 will be dictated by the entrepreneurship of current and emerging craft brewers and changes in technology and most important the potential introduction of 'disruptor' technologies⁵.

⁵ For example, the SmartBrew® system has recently been introduced in Canada and the United States. It eliminates the front end of the beer making process by producing the wort off-site at a centralized location. The wort can be custom made to an individual brewer's specifications. As such, cider and beer brewed via the SmartBrew system is not a full mash operation and brewers using this system are ineligible for membership in the Craft Brewers' Association of Nova Scotia. The system uses fresh wort, produced under the guidance of brew masters and shipped to SmartBrew system brewers. The fermentation system uses about half the space, costs about half as much and uses about one quarter of the water compared to full mash systems. No extracts are used.

Gross Impact of Nova Scotia Craft Brewers Capital Expansion 2017-26 (10.0% Market Share) (\$ millions, 2016\$)										\$ 6.96 million Gross Sales		
Region	GDP @ Market Prices			Household Income*			Taxes			Jobs		
	Direct GDP	Indirect + Induced GDP	Total GDP	Direct Household Income	Indirect + Induced Household Income	Total Household Income	Income Taxes	Consumption + Property Related Taxes	Local Property & Other Taxes	Direct Jobs**	Indirect + Induced Jobs	Total Jobs
Canada	\$2.20	\$4.39	\$6.58	\$2.20	\$2.18	\$4.37	\$1.10	\$0.54	\$0.19	52	54	105
Federal Government							\$ 0.69	\$ 0.20				
Nova Scotia	\$ 2.20	\$ 2.48	\$4.67	\$ 2.20	\$ 1.21	\$ 3.40	\$ 0.30	\$ 0.26	\$ 0.13	52	32	84
Rest of Atlantic Canada	\$ -	\$ 0.25	\$0.25	\$ -	\$ 0.12	\$ 0.12	\$ 0.01	\$ 0.02	\$ 0.00	-	3	3
Ontario + Quebec	\$ -	\$ 1.32	\$1.32	\$ -	\$ 0.69	\$ 0.69	\$ 0.08	\$ 0.05	\$ 0.05	-	15	15
West and Territories	\$ -	\$ 0.34	\$0.34	\$ -	\$ 0.16	\$ 0.16	\$ 0.02	\$ 0.01	\$ 0.01	-	3	3

* Includes Wages & Salaries and Mixed Income / Income from Unincorporated Enterprises
 ** Includes self-employed
 Source: Productivity Solutions Inc.

The GDP also includes payments of \$0.30 million in income taxes, \$0.26 million in consumption taxes and \$0.13 million in local property taxes.

Inter-provincial trade results in the rest of Atlantic Canada and Central/Western/Northern Canada earning:

- \$1.91 million in GDP; and
- 21 jobs.

6.2.1.2 ECONOMIC IMPACT OF ANNUAL OPERATING EXPENDITURES (10.0% MARKET SHARE, 2026, 2016\$)

The following table summarizes the annual economic impacts of the NS craft beer industry assuming it achieves a 10.0% share of the NS beer market in 2026.

Gross Impact of Nova Scotia Craft Brewers in 2026 (10.0% Market Share) (\$ millions, 2016\$)										\$ 33.73 million Gross Sales		
Region	GDP @ Market Prices			Household Income*			Taxes			Jobs		
	Direct GDP	Indirect + Induced GDP	Total GDP	Direct Household Income	Indirect + Induced Household Income	Total Household Income	Income Taxes	Consumption + Property Related Taxes	Local Property & Other Taxes	Direct Jobs**	Indirect + Induced Jobs	Total Jobs
Canada	\$14.84	\$23.81	\$38.65	\$14.84	\$11.52	\$26.36	\$6.47	\$3.18	\$1.13	565	294	859
Federal Government							\$ 4.05	\$ 1.19				
Nova Scotia	\$ 14.84	\$ 13.89	\$28.74	\$ 14.84	\$ 6.55	\$ 21.39	\$ 1.87	\$ 1.59	\$ 0.82	565	178	743
Rest of Atlantic Canada	\$ -	\$ 1.33	\$ 1.33	\$ -	\$ 0.62	\$ 0.62	\$ 0.07	\$ 0.08	\$ 0.02	-	18	18
Ontario + Quebec	\$ -	\$ 6.70	\$ 6.70	\$ -	\$ 3.46	\$ 3.46	\$ 0.39	\$ 0.25	\$ 0.25	-	77	77
West and Territories	\$ -	\$ 1.88	\$ 1.88	\$ -	\$ 0.90	\$ 0.90	\$ 0.09	\$ 0.07	\$ 0.04	-	21	21

* Includes Wages & Salaries and Mixed Income / Income from Unincorporated Enterprises
 ** Includes self-employed
 Source: Productivity Solutions Inc.

Gross sales (NS and export) will be about \$33.73 million (2016\$)

The annual operations of craft brewers in NS in 2026 will result in \$14.84 million in direct Gross Domestic Product (GDP) in NS and multiplier effects add another \$13.89 million.

The GDP impacts will be accompanied by 565 direct jobs and 178 jobs due to multiplier effects.

6.2.1.2.1 RETAIL SALES MARK-UP ALLOCATION (RSMA)

On April 1, 2017 the RSMA rate was changed to 5% of the agreed upon wholesale value of

The following table shows the one-time impact of adding capital to increase the output of NS craft beer.

Gross Impact of Nova Scotia Craft Brewers Capital Expansion 2017-26 (11.8% Market Share) (\$ millions, 2016\$)										\$ 10.14 million Gross Sales		
Region	GDP @ Market Prices			Household Income*			Taxes			Jobs		
	Direct GDP	Indirect + Induced GDP	Total GDP	Direct Household Income	Indirect + Induced Household Income	Total Household Income	Income Taxes	Consumption + Property Related Taxes	Local Property & Other Taxes	Direct Jobs**	Indirect + Induced Jobs	Total Jobs
Canada	\$3.20	\$6.39	\$9.59	\$3.20	\$3.17	\$6.37	\$1.60	\$0.78	\$0.28	75	78	153
Federal Government							\$ 1.00	\$ 0.29				
Nova Scotia	\$ 3.20	\$ 3.61	\$6.81	\$ 3.20	\$ 1.76	\$ 4.95	\$ 0.44	\$ 0.38	\$ 0.19	75	47	122
Rest of Atlantic Canada	\$ -	\$ 0.36	\$0.36	\$ -	\$ 0.17	\$ 0.17	\$ 0.02	\$ 0.02	\$ 0.01	-	5	5
Ontario + Quebec	\$ -	\$ 1.93	\$1.93	\$ -	\$ 1.01	\$ 1.01	\$ 0.11	\$ 0.07	\$ 0.07	-	22	22
West and Territories	\$ -	\$ 0.49	\$0.49	\$ -	\$ 0.24	\$ 0.24	\$ 0.02	\$ 0.02	\$ 0.01	-	5	5

* Includes Wages & Salaries and Mixed Income / Income from Unincorporated Enterprises
 ** Includes self-employed
 Source: Productivity Solutions Inc.

The capital expansion of craft brewing capacity from 2016 to 2026 will result in \$3.20 million (2016\$) in direct and first round indirect Gross Domestic Product (GDP) in NS and multiplier effects add another \$3.61 million.

The GDP impacts are accompanied by 75 direct jobs and 47 jobs due to multiplier effects.

The GDP also includes payments of \$0.44 million in income taxes, \$0.38 million in consumption taxes and \$0.19 million in local property taxes.

Inter-provincial trade results in the rest of Atlantic Canada and Central/Western/Northern Canada earning:

- \$2.78 million in GDP; and
- 31 jobs.

6.2.2.2 ECONOMIC IMPACT OF ANNUAL OPERATING EXPENDITURES (11.8% MARKET SHARE, 2026, 2016\$)

The following table summarizes the annual economic impacts of the NS craft beer industry assuming it achieves an 11.8% share of the NS beer market in 2026.

Gross Impact of Nova Scotia Craft Brewers in 2026 (11.8% Market Share) (\$ millions, 2016\$)										\$ 39.56 million Gross Sales		
Region	GDP @ Market Prices			Household Income*			Taxes			Jobs		
	Direct GDP	Indirect + Induced GDP	Total GDP	Direct Household Income	Indirect + Induced Household Income	Total Household Income	Income Taxes	Consumption + Property Related Taxes	Local Property & Other Taxes	Direct Jobs**	Indirect + Induced Jobs	Total Jobs
Canada	\$17.41	\$27.93	\$45.34	\$17.41	\$13.52	\$30.93	\$7.59	\$3.73	\$1.32	673	345	1,018
Federal Government							\$ 4.75	\$ 1.39				
Nova Scotia	\$ 17.41	\$ 16.30	\$33.71	\$ 17.41	\$ 7.68	\$ 25.09	\$ 2.19	\$ 1.87	\$ 0.96	673	209	882
Rest of Atlantic Canada	\$ -	\$ 1.56	\$ 1.56	\$ -	\$ 0.73	\$ 0.73	\$ 0.09	\$ 0.09	\$ 0.02	-	21	21
Ontario + Quebec	\$ -	\$ 7.87	\$ 7.87	\$ -	\$ 4.05	\$ 4.05	\$ 0.46	\$ 0.29	\$ 0.30	-	90	90
West and Territories	\$ -	\$ 2.20	\$ 2.20	\$ -	\$ 1.05	\$ 1.05	\$ 0.10	\$ 0.08	\$ 0.05	-	25	25

* Includes Wages & Salaries and Mixed Income / Income from Unincorporated Enterprises
 ** Includes self-employed
 Source: Productivity Solutions Inc.

Gross sales (NS and export) will be about \$39.56 million (2016\$)

APPENDIX 1: EXCERPTS FROM GRAND VIEW RESEARCH'S FEBRUARY 2017 CRAFT BEER MARKET REPORT

EXCERPT FROM: CRAFT BEER MARKET ANALYSIS BY DISTRIBUTION (ON-TRADE, OFF-TRADE), BY REGION (NORTH AMERICA, EUROPE, ASIA PACIFIC, CENTRAL & SOUTH AMERICA, MIDDLE EAST & AFRICA), BY COUNTRY (U.S., GERMANY, AUSTRALIA, JAPAN) AND SEGMENT FORECASTS, 2014 - 2025⁸

“INDUSTRY INSIGHTS

The global craft beer market size was valued at USD 85.02 billion in 2015 and is expected to witness significant growth over the forecast period owing to the increasing penetration of the product in countries including South Africa, Australia, New Zealand, and Brazil. The rising consumer preference for flavored and low ABV beer is expected to be the key aspects of the market growth.

The growing awareness among the consumers with respect to the wide range of flavors and styles of the craft beer coupled with low alcohol by volume (ABV) percentage is expected to drive demand over the forecast period. Furthermore, the growing number of craft beer enthusiasts in the U.S., Germany, Belgium, UK and Japan is expected to have a positive impact on the market.

The U.S. market experienced sluggish growth post-introduction period of the product, owing to the consumer preference for mainstream beer over craft beer. However, advancement in the brewing process and the use of premium quality raw materials has improved the overall characteristics of the product, which has intrigued the attention of the consumers.

The global number of craft brewers is increasing rapidly on account of the growing demand for the product. The microbreweries count in Europe increased over 740 breweries from 2014 to 2015; this increase can be attributed to the growing consumption of the product in the region, even though the overall beer consumption is decreasing in most countries of the region.

IPA, amber lager, and amber ale are the most preferred beer among the different styles of craft beer. These styles are mostly consumed through different hospitality distribution channels in developed countries. This can be attributed to the high price of craft beer in bars, restaurants, etc. coupled with high consumer spending capacity.

The government in countries including Australia, New Zealand, Belgium, Mexico, China, and UK are promoting the production of craft beer and incorporation of new breweries on account of the positive contribution of the industry towards economic development and employment generation.

⁸ <http://www.grandviewresearch.com/industry-analysis/craft-beer-market>

Excerpt From: Craft Beer Market Worth \$502.9 Billion By 2025 | Growth Rate: 19.9% per year 2015-25⁹

“The global craft beer market is expected to reach USD 502.9 billion by 2025, according to a new report by Grand View Research, Inc. The market is expected to witness substantial growth over the projection period on account of the rising demand for low alcohol by volume (ABV) and flavored beer.

The government in countries including Australia, New Zealand, Belgium, Mexico, China, and the UK are promoting the production of craft beer and incorporation of new breweries on account of the positive contribution of the industry towards economic development and employment generation coupled with the willingness of the consumer to pay extra for better tasting brews.

Australia, Belgium, Germany, U.S. and New Zealand are the major craft beer producing countries with over 65% of the overall production in terms of value as well as volume. Belgian is the most preferred beer among the major craft beer consuming countries owing to the premium quality, clean taste and rich flavor & aroma of the brews.

Furthermore, the number of brewers in the global market is growing significantly on account of the rising demand for the product. As a result, the demand for grains such as barley, wheat, yeast, sugar, and hops is increasing substantially. However, the alternative applications of the raw materials are expected to lower the bargaining power of the brewers.

The demand for the pale ale, IPA, and amber ale is growing as these three craft products are widely preferred by the consumers owing to the balanced composition of the raw materials in the product including malt, hops, water, and yeast....”

⁹ www.grandviewresearch.com/press-release/global-craft-beer-market. Extracted Jul 30 2017

Vanessa Pearson

From: CJ K <[REDACTED]>
Sent: January 21, 2019 10:33 AM
To: Town Council
Subject: Zoning

Good day,

When we purchase a home in Wolfville we take the zoning by-laws to be meaningful. When they are changed such as putting a brewery in a place that will effect a residential area, it undermines that confidence. I have never heard of a brewery without odor!

Making rules and exceptions after the fact makes council appear unreliable.

I do realize being a volunteer like they all are can be a thankless job at times and I for one greatly appreciate those who step forward.

At the same time I do expect them to follow their own guidelines and policies.

Carol-Joy Kaill

Owner at : Locust Street in Wolfville

Vanessa Pearson

From: Jean-Luc Prevost
Sent: January 17, 2019 9:06 AM
To: Devin Lake; Jeremy Banks; Jodi MacKay; Oonagh Proudfoot; Wendy Donovan;

Cantwell; Erin Beaudin; Vanessa Pearson
Cc: Town Council
Subject: Brewery Wastewater 101
Attachments: 2019-01-16_David Daniels_Brewery Wastewater 101.pdf

Hello PAC + Council,

Here is the document from David Daniels that was brought to last night's PAC meeting which he asked to have circulated.

Best regards,



Jean-Luc Prevost
Administrative Assistant, Office of the CAO
p 902-542-9678 | f 902-542-4789 | e jprevost@wolfville.ca
359 Main Street, Wolfville, NS B4P 1A1
wolfville.ca

DISCLAIMER: This email (and any attachments) is confidential, may be privileged, and is only for the use of the intended recipient. Other use is prohibited. If you have received this email in error, please notify us and delete this message. Thank you.

Received from
David Daniels
1/16/2019

BREWERY WASTEWATER 101

INTRODUCTION

Overheard last night from a mythical brewer "What's the big deal about brewery wastewater anyway? We only use water, barley and hops to make our beer so how bad can the wastewater really be?"

"Well, I guess we do have CIP water from time to time. We do generate a lot of sugar from the barley. And I guess our yeast creates alcohol. But I still don't understand what the problem is with my wastewater."

There was a time when breweries – and most factories in general – could just dump their wastewater in the local river. I think we can all agree that thankfully we are beyond that stage now. The Clean Water Act is a very good law. In the case of breweries, untreated wastewater in the river causes nutrient pollution, leading to large algae blooms in the rivers and depleting the water of oxygen the fish need to breath.

So hopefully now we can agree that fish deserve clean water to live in- and we all deserve clean water to recreate in. So just keep in mind the Clean Water Act of 1972 is the root source for most of the regulations we have to deal with respect to wastewater discharges.

Generally speaking, brewery wastewater has a few common characteristics:

- • High in sugar
- • High in alcohol
- • Potentially high in solids
- • High temperature
- • Low pH

* The terms 'high' and 'low' are relative to regular domestic wastewater that most municipal treatment plants were designed to treat.

Together, the sugar and the alcohol create high BOD: biochemical oxygen demand. I won't bore you with a lot of detail about what BOD is, but think of it as food, or nutrients. These nutrients need to be consumed by bacteria in a wastewater treatment plant before discharge to your local body of water. High BOD wastewater creates more work in the wastewater treatment plant. The primary way this extra work shows up is in the electric bill. Wastewater is treated aerobically in most municipal treatment plants. Large blowers are used to aerate the water, providing oxygen to the bacteria to consume all of those nutrients. More nutrients = more aeration = more money.

Solids are also a problem at a wastewater plant, they don't magically disappear. Solids usually wind up as sludge in a wastewater plant, which need to be disposed of. Sometimes they're fed to an anaerobic digester then dried and sold, or their landfilled, or dried in the sun. Solids are a real problem at a wastewater treatment plant.

Brewery wastewater can also be corrosive, both to your equipment and to the City owned pipes and pumps downstream. There are 2 issues going on here, high or low pH wastewater as well as hydrogen sulfide gas. Brewery wastewater is naturally acidic, usually tending to stabilize at pH 4.5 or so. However,

BREWERY WASTEWATER 101

WHAT WILL IT LOOK LIKE?

What does a brewery wastewater system typically look like? For starters your brewery wastewater system should be separate from your sanitary (toilets, sinks) and kitchen wastewater.

At a bare minimum, you start with floor drains that lead to drain pipes under your slab.

Stainless steel floor drains are the very best. I know you don't want to hear that; too expensive I know. But I consider floor drains a permanent part of your infrastructure. Cast Iron drains do work, but only for about 10 years; they slowly corrode away in to nothing. Replacing them requires a new drain, concrete work, and a new floor coating. And of course, labor to install. Now you can see why \$700 on a stainless drain compared to \$300 for cast iron is a much better deal. To save money you might consider having stainless drains made by a local welding shop. Top-of-the-line stainless steel floor drains are available off the shelf from Kagetec.

A great idea mentioned to me is you could have a local sheet metal fabricator make trench drains from stainless sheet on his brake; weld caps on the end and give it an outlet pipe, then drop the whole thing in place in one piece. Google 'trench drain grates' for a wide variety of options for covers. Make sure the outlet pipe is sized to slip inside your drain pipe. How cool is that!

You can also form a large drain in concrete. Have a fairly steep slope leading to a small stainless drain, or direct to the pipe.

A drain I really do not like is a prefab trench drain. These are very common in breweries, and they look great when they're new. However, these types of drains have a history of breaking, especially in traffic areas, but also due to corrosion. You can read more on drains on this blog post.

After the drains, the water heads to pipes under the slab. Stainless steel is always best for wastewater piping under your slab, again, it'll be there forever. However, no one wants to pay for stainless in an application they'll never see. I have had good results with ABS in gravity situations. 4" minimum diameter. Sometimes you're lucky and just head straight to sewer from your drains. If you need to pretreat you will need a wastewater tank. Since the drains flow by gravity, your first tank will be underground. This can be a small lift station, or a whole automated pH adjustment system can be in that tank. As your brewery grows you can add above ground tanks. I have done these many times for many breweries, contact me for more information.

Very important: Sanitary wastewater (toilets, sinks) should flow directly to the sewer, your kitchen (if applicable) will probably need a grease trap and then straight to sewer. The brewery system might also flow directly to the sewer, but make sure it's in a separate pipe as it leaves your brewery. Once outside the building the sanitary and process pipes can combine before they reach the sewer, or they can enter the sewer at separate outfalls. The reason for this is if you wind up having to do some sort of pretreatment before sending the brewery wastewater to the sewer, even years down the road, you will be very happy to have separate pipes so you don't have to pretreat turd water; or dig up your slab to separate the pipes.

BREWERY WASTEWATER 101

pH CONTROL

As part of the Clean Water Act, the EPA sets pH discharge limits as part of the National Pollutant Discharge Elimination System (NPDES) permit. (between 5.0 and 11.0). The State's Department of Environmental Quality must follow this permit.

Often States will make limits a little more strict than the Federal limit. By the same logic, local limits may be stricter than State limits. Getting a change to your local pH discharge limits is possible but hopefully the limits you receive from your municipality are generous to begin with.

How to go about measuring the pH of your wastewater? At it's most basic, simply grab a sample of your wastewater and test the pH. Record the results in a log sheet (date, time, sample location, sample method, test result, comments, initials) and before too long you have a record of your wastewater pH- you could even graph it. But the reality is this isn't a fun task and is often a low priority. This can be automated...

If you grab a sample of wastewater and the pH is within limits, that doesn't mean it's always within limits. It would be good to grab your samples at different periods of production. In general, brewery wastewater is acidic, around pH 4.5. However, there will be spikes both low and high due to cleaning processes, varying from about pH 2 to 12.

When it comes to pH adjustment, this is where you will literally start pouring money down the drain in the form of chemicals used to adjust the pH of the wastewater. Ideally you could hold your high pH CIP wastewater and add it to your low pH wastewater, but this usually isn't very practical.

Manual pH adjustment is possible. Grab a sample of wastewater and stick a pH strip in there. If the pH is within limits turn a pump on and send it to sewer, maybe through a flow meter. If the pH is not in range, add some chemical to your wastewater tank and mix. Test the pH again. If it's in range, send it to sewer. Remember to record all of these results on your log sheet. The reality of this is it's very labor intensive and not precise, but it can be done safely, and it does work and with proper planning you can easily upgrade to automated later. You could also forgo the pump and just overflow from this tank to sewer. Lucky you if this is an option, do it for as long as you can get away with it.

The best way to add chemicals to the wastewater is automatically. This requires a pump, tank, pH meter and electrode, 1 or 2 dosing pumps, maybe a flow meter, and controls keep track of it all. Figure at least \$10k - \$15k for this automation equipment, plus design, shipping, tax, and installation. I regularly design these systems for breweries around the world. Controls are the big issue, I use an off-the-shelf controller that functions similar to a PLC. In addition to the logic and control from the programmable functions, the controller is a pH meter, an auto-dialer and data logger, allows remote access (I can access from my office), automatically emails reports, and receives 4-20 mA and digital input signals- all for about \$3300. A screaming deal given that it can do all of that.

The biggest maintenance issue with a system like this is the pH electrode; it requires calibration, verification, and replacement every 6 months or so. As alluded to earlier, you can start with a manual

BREWERY WASTEWATER 101

SIDE STREAMING

Only a small portion of BOD can be filtered or removed from brewery wastewater. Options are to not put it down the drain in the first place, treat it, or have someone else treat it for you. Let's talk about not putting it down the drain in the first place- we'll call it side streaming.

Side streaming is collecting high strength, concentrated wastes at the source and setting it aside for disposal. Primary sources of this high strength wastewater are trub and spent yeast. Smaller sources would be fermenter bottoms, returned beer in kegs, fermenter blow off, and beer in hoses or pipes at the beginning or end of a packaging run. In the brewhouse they would be lauter tun rinsings, hop back rinsings, and any kettle residues. Collect it all, put it in a tank (outdoors, in back, it'll stink), and spread it on pastures as fertilizer- or even feed it to animals. You could have 1 big tank, or you could find used chemical totes (IBC's); doesn't need to be fancy. It can go on the fields as is, solids and high temperature are OK. If feeding it to animals, make sure you are indemnified against any misuse of this product by the hauler/farmer; spent yeast can cause bloat and drunkenness. Generally, the fertilizer content of this material is lower than the cost of hauling, so you may have to pay for hauling. Concerns with land application are runoff to surface water and over application of nitrogen. I feel like I'm stating the obvious here, but do not go to the field and open a valve and dump it all in one place. Drive/move as it's being spread so it is being applied thinly, and only apply to the same piece of ground 2x per year...

Of course, spent grain should be your first side stream. You might even decide to add your trub and spent yeast in here? Spent grain does have value as feed, at a minimum you can give it away in exchange for the farmer promptly hauling it away. Maybe you can get some free beef out of the deal? Larger breweries should be able to sell their spent grain. The value of spent grain increases as moisture content decreases; 80% moisture is a great target. Read more about spent grain here, it's a good read.

After side streaming, the remaining portion of your wastewater can be referred to as process wastewater. This will be cleaning and CIP water in your cellar and brew house as well as any packaging line wastewater, boiler and cooling tower blow down, and general wash down waters. Sanitary wastewater (toilets, sinks) should not be included in this waste stream and should be piped directly to the sanitary sewer or facility.

One technique I have not tried is to add CIP water to your side stream. What this accomplishes is you don't get pH spikes in your process wastewater. The side stream material is concentrated and acidic and will neutralize the caustic CIP waters. Salinity will increase with this method, which may be of concern in places like California.

You could opt to treat the wastewater on site at your brewery. If the town you are in is tiny, the treatment plant is at capacity, or if there is no municipal treatment plant you may be forced to treat. But ask yourself, what business are you in? Making beer or treating wastewater? Treating wastewater is expensive business. Aerobic treatment methods feature the cheapest capital costs but have higher operating costs. Remember those blowers I talked about earlier? Anaerobic treatment options have higher capital costs but lower operating costs. Either method will require significant time, money, and space. You can also run into the problem of having to brew to feed your wastewater system- tail wags

BREWERY WASTEWATER 101

SOLIDS & TEMPERATURE CONTROL

As mentioned earlier, solids in the wastewater can be an issue. Solids are fairly easy to address because they can be removed mechanically.

For the most part, solids in brewery wastewater is composed of small grain particles and yeast. But bigger things will make their way down the drain, such as wrenches, TC fittings, pallet chunks, shrink wrap, etc.

A good starting place is quality screens in the floor drains- with employees trained to dump the screenings in the trash (not down the drain, duh). Usually the screens that come with the drains are inadequate, you should have some custom stainless-steel screen fabricated locally using perforated stainless steel sheet or screen. Screens that are easy to remove, easy to clean, and easy to reinstall are important; otherwise the screen will magically disappear. Good screens like this are most important in the brewhouse and packaging areas. Less important in the cellar and warehouse spaces. An even better idea is to not put the solids in the drain in the first place, side stream them.

Solids will actually grow in your wastewater tank. Wild yeast and bacteria find a warm sugary wastewater tank an ideal place to grow. In time these critters will form a thick, stinky sludge at the bottom of your tank. For this reason, it is important to drain or pump off the bottom of your tank. By draining/pumping off the bottom of your tank you get rid of these solids slowly, so they aren't able to form a thick sludge. This thick sludge can get to a toothpaste-like consistency. Not what you want; it stinks, and it takes up space in your tank.

I've encountered several breweries who have a settling tank designed in to their wastewater system. I don't like this idea, for the above reasons. Solids you put down the drain will settle, but then they'll grow and in no time (~1 month) the settling tank is full, and wastewater is skimming across the top and out the pipe.

It's a good idea to have a septic tank pump truck come suck out your tank at least once a year. They will remove all water and solids in your tank and give you an opportunity to inspect your tank and equipment and do any maintenance. Don't use their hoses! Hopefully this makes sense. Get your own, 2" for light duty applications and 3" for the big jobs. The best wastewater hose on the planet in my opinion is Goodyear Green Hornet. It's burly, lightweight, and works great for both suction and discharge applications. Make sure you have a water hose available when sucking out the tank, this makes the job easier, better, and faster.

Sometimes a municipality will apply temperature restrictions. As mentioned above, the most cost-effective method to lower the temperature of your wastewater is by storing the water until it cools or adding cold water to your system. There is such a thing as a wastewater cooling tower, but this is a game you don't want to play.

BREWERY WASTEWATER 101

DEFINITIONS & SOME MATH

BOD, COD, TDS, TSS| What does it all mean? Here are some metrics and explanations... Just so we're clear.

To set things straight, some definitions:

BOD = Biochemical oxygen demand

COD = Chemical oxygen demand

BOD is generally 60% of COD for brewery wastewater

TSS = Total suspended solids

TDS = Total dissolved solids

Pounds of (BOD/COD/TSS) per day =

$$(8.34 * (\text{BOD/COD/TSS in mg/L}) * \text{gallons}) / 1,000,000$$

Example: 10,000 gallons of 5,000 BOD wastewater equals

$$(8.34 * 5,000 * 10,000) / 1,000,000$$

$$= 417 \text{ pounds of BOD}$$

Is your brewery metric? Even easier (of course)

kg of (BOD/COD/TSS) per day =

$$((\text{BOD/COD/TSS in mg/L}) * \text{m}^3 \text{ of wastewater}) / 1,000$$

Example: 40 m³ of 5,000 BOD wastewater equals

$$(5,000 * 40) / 1,000$$

$$= 200 \text{ kg of BOD per day}$$

BREWERY WASTEWATER 101

WASTEWATER PER BARREL

The figures below were calculated by yours truly from many actual craft breweries in the US with data from 2004 through 2007. The formula is simple, total wastewater produced divided by barrels brewed based on monthly data.

The figures below are an annual average of the monthly averages. Notice it is barrels brewed, not barrels sold, or barrels packaged. Also note it is total wastewater produced (side stream plus low strength). 1 barrel (bbl) = 31 gallons.

*All of these figures are for production breweries without restaurants in site.

**Twice I have worked with small brewers who were getting 1 bbl ww/bbl of beer brewed!

Basic Guidelines

- • Very dialed in, well managed brewery: 2 bbls ww/bbl of beer brewed
- • Moderately well managed brewery: 3 bbls ww/bbl
- • Brewers with no water constraints but have been in production for several years: 4 bbls ww/bbl
- • Startup breweries doing their first few batches: 5 bbls ww/bbl of beer brewed or more

If you are planning a brewery, how can you know how much wastewater you will produce? With this information you can come up with a pretty good estimate. Let's assume you will produce 1,000 barrels in your first year. Assume your first 6 months will be at 5 bbls ww/bbl and your second 6 months will be at 4.5 bbls ww/bbl:

$500 * 5 * 31 = 77,500$ gallons, plus

$500 * 4.5 * 31 = 69,750$ gallons; for a total of 147,250 gallons of total wastewater in that first year. You can further do the math to calculate gallons per month or day.

If you are already running your brewery, you probably have the data to calculate your wastewater per barrel figure. How you compare to the above figures is good to know, but more important is simply to know where you are. Growth plans in your future? Now you can accurately forecast your future wastewater quantities.

This same methodology works in all sorts of applications. Caustic usage per bbl, KWH usage per bbl, therms/bbl, people/bbl, man hours/bbl, incoming water/bbl. The list goes on. At Deschutes I would track energy usage figures each month and we would track company wide performance based on these numbers- among many other factors of course. These numbers are especially handy at budget time, and you can get very accurate figures as you get better at it. You can see the effects of seasons on your energy usage. You can see the results of various process improvements on appropriate usage figures. This is a project that is very worth doing.

BREWERY WASTEWATER 101

SOME ADVICE

Thanks for reading. I think you will agree, there is no other source of such practical information out there. And there is a lot more to it. Stay tuned, I will continue to add information to this page as time goes on.

- Make sure you have a hot & cold water wash down hose located near your wastewater tanks as well as near your spent grain area. If you are in a cold climate, hot water is especially important as well as compressed air. At the end of your washing work run compressed air through the water hose to prevent freezing.

- When being billed sewer charges, make sure you are not billed for water that ends up in your product. Most cities have a system in place to not bill sewer charges for irrigation water. What you are asking for is to not bill sewer charges for beer that will be packaged and shipped out of your sewer district- or for wastewater you side streamed and will land apply (or water in spent grain, evaporation...).

Please contact me with further questions, leave feedback, or to add your own advice.

Vanessa Pearson

Subject: FW: The Church Brewing Company Operations
Attachments: CBC Brewery Operations - TOW Council & Community Presentation Jan 2019.pdf

From: Matt Haysom <...>
Sent: Tuesday, January 15, 2019 2:41 PM
To: Erin Beaudin <EBeaudin@wolfville.ca>; Steve Haysom <...>
Subject: The Church Brewing Company Operations

Hello Erin,
Please find attached a presentation we prepared for Staff and Council. It outlines our brewery plans and presents fact-based information about our operations. Please circulate this to Staff and Council as soon as possible and as you see fit.

Best Regards,
Matt Haysom



MATT HAYSOM

OWNER / FOUNDER

902.542.2337

782.232.2337

CHURCHBREWING.CA

329 MAIN ST, WOLFVILLE, NS, B4P 1C4



Virus-free. www.avg.com

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The Church Brewing Company Brewery Operations
Community Presentation
January 2019



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Our Guiding Principles.....

- Health & Safety - our first and foremost priorities
- The Environment - commitment to reduce our environmental footprint
- Positive Social & Economic Difference - in all of the communities where we operate
- Quality - bring to the customer the highest-quality products & best possible experience
- Equality & diversity - treat all people equally and embrace diversity. We will not tolerate discrimination or harassment
- Experimentation & Innovation - we will never stop learning, testing, trying something new that improves what we do
- Rules & Regulations - obey all of the rules & regulations & pledge to help make positive changes when needed
- Do Unto Others - Create long-lasting partnerships & relationships
- Work-Life Balance - family, friends, communities.....
- We Will Give Back - 'Brew Good Do Good' - communities, charities, those in need
- Sustainability - together we will build and grow a company that will last for generations

We recognize that we may often fail but we pledge to learn from our mistakes & be better



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Our Team*

- **Andrew Bartle - Brewmaster**
 - Creemore Springs / Batch (Molson-Coors), Beau's, Amsterdam, Northwinds
- **Marissa Begin - Marketing Manager**
 - Northern Maverick, Indie Ale House, Side Launch, Flying Monkey, Railway City
- **Erin Haysom - Community Relations & Planning**
 - BSc. Acadia University, Alberta Treasury Branch (sales and wealth management team lead)
- **Matt W. Haysom - Owner (COO)**
 - Cenovus, Encana - Geologist with 15 + years of process engineering, design & implementation
- **Steve J. Haysom - Owner (President & CEO)**
 - Seven Generations Energy - Geologist and Former Founder & SVP - TSX:VII

*in alphabetical order.



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Our Team.....

- **Matt MacInnis - Chief Financial Officer**
 - CFO Boxing Rock, Pharmasave Owner/Operator
- **Bruce McGaw - Outside Sales Associate, Bar & Retail Coordinator**
 - Upstreet Brewing Company (PEI), Quidi Vidi Brewing Company (management positions)
- **Brendan Nichol - Restaurant Manager**
 - Market Manager, Sunterra Market (Calgary), General Manager Julios Barrio
- **Kenny Pinch - Maintenance Foreman**
 - Heavy Equipment Operator, Calgary Stampede/Grand Prix Wrestler
- **Vince Scigliano - Head Chef**
 - Sous Chef Lockett's, Executive Chef Lion & Bright, Sysco Foods, Clearwater



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Our Brewmaster - Andrew Bartle

- Brewmaster with 11-years of experience.
- Education:
 - Diploma in Brewmaster and Brewery Operations Management, Niagara College.
 - Certificate in Brewing from the Institute of Brewing and Distilling, London, England.
 - Master Brewers Association Member.
 - Certified Beer Judge.
- Directly involved in the construction of 2 breweries (this is his 3rd).
- Has won 30+ awards regionally and nationally.
- Consulted for numerous breweries in the development and improvement of brewing efficiencies.
- Directly involved in helping developing brewery best-practices across Canada:
 - Unified Quality Assurance and Quality Control programs.
 - Safe workplace and Best Brewing practices.
- National, United States and International exposure:
 - Helped in numerous product development projects for the industry.
 - Has collaborated with brewers in Canada, the United States, Denmark, England, etc.



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Our Vision - Building the Business

- Integrated operations: Restaurant, Retail & Microbrewery
- We currently employ 65 people (we estimate 70-80 by the end of 2019).
- Our People:
 - Those who will honour our Guiding Principles
 - We will hire locally and Provincially and Nationally
- Involving our business partners in the process:
 - Other breweries, wineries, distillers and cider houses
 - The NSLC, partners, vendors and suppliers
- Involving our community:
 - We will be giving back to the community
 - We will be actively engaging the community as we grow our business
 - The CBC will be volunteering in the community as a team



The Production Forecast

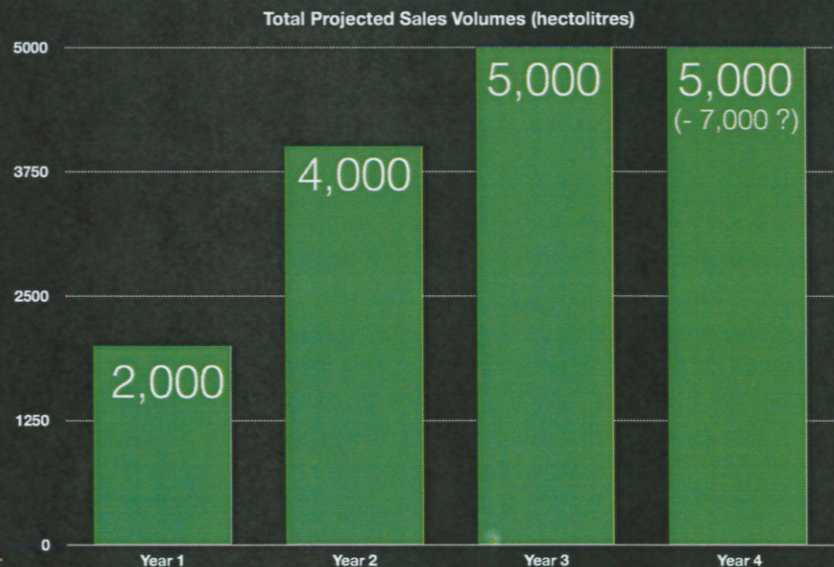
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With our current fermentation space our maximum production capacity is 5,000 - 7,000 hectolitres.

Defining a Microbrewery:

- Any brewery that produces less than 15,000 hectolitres per year.
- 15,000 hectolitres is the recognized volume Canada-wide (including Nova Scotia and the NSLC).
- The United States uses 15,000 barrels (17,600 hectolitres) to define a microbrewery.

Note: Brewery 'rule of thumb', for every square foot of space 1 barrel of beer (1.17 hectolitres) can be produced.



*Management best estimates. Variable and subject to change based upon market availability and demand.



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Microbrewery versus Brewpub

BREWERS ASSOCIATION DEFINITIONS*:

MICROBREWERY

A brewery that produces less than 15,000 barrels (17,600 hectolitres) of beer per year with 75 percent or more of its beer sold off-site. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer through carry-outs and/or on-site tap-room or restaurant sales.

BREW PUB

A restaurant-brewery that sells 25 percent or more of its beer on site. The beer is brewed primarily for sale in the restaurant and bar. The beer is often dispensed directly from the brewery's storage tanks. Where allowed by law, brewpubs often sell beer "to go" and / or distribute to off site accounts. Note: BA re-categorizes a company as a microbrewery if its off-site (distributed) beer sales exceed 75 percent.

*<https://www.brewersassociation.org/statistics/market-segments/>



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Brewing & Trucking Forecast

Annual Production Forecast With Estimated Brewing Days & Tucking Volumes			
	YEAR 1 2,000 hectolitres	YEAR 2 4,000 hectolitres	YEAR 3 5,000 hectolitres
Number of Brew Days (1 brew = 8 hours)	1 Day per Week (8 hours)	2 Days per Week (16 hours)	2.7 Days per week
Number of Trucks Per Week	2 -3 cube vans 1 40ft truck 1 14ft trailer (spent grain)	3-4 cube vans 1 40 ft truck 1 14 ft trailer (spent grain)	3-4 cube vans 1 40 ft truck 1 14 ft trailer (spent grain)
Other Trucks	1 50 ft Malt (every 9 months) 1 20ft truck CO2 (every 6-8 wks)	1 50 ft Malt (every 4.5 months) 1 20ft truck CO2 (every 3-4 weeks)	1 50 ft Malt (every 3 months) 1 20ft truck CO2 (every 3 weeks)

*Management best estimates. Variable and subject to change based upon market availability, demand and logistics.



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Noise Reduction, Chemical Use & Odours

- The chiller that we have purchased is advertised as having the lowest noise/decibels on the market.
- We have engaged 4 engineering firms in order to meet the Town of Wolfville's noise bylaws.
- Chemicals will be contained on-site within chemical containment bins as per all Provincial Regulations and are subject to inspections.
- Spent grain will be removed from site and delivered to local farmers to feed their livestock,
- Minimal odour. Only on brew days and just for a few hours per day.



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Town Approval for Water Use & Disposal

- Prior to purchasing the church, during our due diligence we provided the The Town of Wolfville with the following:
 - A. Our potential freshwater and wastewater requirements.
 - B. Our wastewater effluent details including, wastewater chemistries, biological oxygen demand (BOD) and chemical oxygen demand (COD).
- The Town of Wolfville provided a letter to the Church Brewing Company on July 5, 2017 confirming that they could supply both our freshwater and wastewater (disposal) needs, as per the Town's Director of Engineering.
- A copy of this letter has been provided at the end of the document.



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Water Use, Disposal & Technology

- We are committed to reducing our overall cumulative environmental footprint - this includes freshwater use and wastewater disposal.
- Added technologies should help us to reduce our beer to wastewater ratio.

Centrifuge

- Solids are efficiently removed.
- Less particulates and solids are being delivered into the Town's wastewater system.
- The centrifuge allows our turn-around time to be improved (quicker).
- No filter is needed.

CIP System

- Clean-in-place (CIP) is a method of cleaning the interior surfaces of pipes, vessels, process equipment, without disassembly.
- We can also use this system to reduce chemical waste by re-using solutions .
- The system will help us with the safe handling of chemicals while increasing efficiencies.



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Lighting & Parking

- The brewery will not have a nightshift as it is not a 24/7 operation.
- The size of the brewhouse allows for the staff to have a work-life balance.
- We will only be using general security lighting at night that meets the Town of Wolfville Bylaws.
- Once operational, our corporate policy prohibits staff parking on Main Street and Seaview Avenue.



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Integrated Business Strategy

- The Church Brewing Company's business plan has always been integrated:
 - Restaurant (located inside of a restored former Church)
 - Retail Space
 - Brewery that provides craft beer for the Restaurant, Retail and distribution off-site (i.e. to the NSLC and to other establishments via keg sales).
- The integrated approach was critical as it helps to mitigate our business risk. Different components of the business will perform differently throughout the year and from year-to-year.
- Building a sustainable and financially balanced business will help to insure longevity and reduce the risk of the business not being successful.
- The goal of most, if not all, microbreweries is to distribute via both on-site and off-site sales.
- The Town of Wolfville has always been aware of our intent to produce beer for both on-site and off-site sales. The Church Brewing Company has been provided with the Development Permit implicit on this understanding.



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Potential Changes to the Town of Wolfville's Land Use Bylaws

- A microbrewery is a permitted use in the Central Commercial (C-1) Zone as per the Land Use Bylaws of the Town of Wolfville.
- The Church Brewing Company has been granted a Development Permit by the Town of Wolfville to produce not more than 15,000 hectolitres per year (the definition of a microbrewery).
- The Nova Scotia Supreme Court Judicial Ruling confirmed that the Development Officer and the Town of Wolfville were within their rights to issue the Development Permit.
- The Judicial Ruling also supported that a microbrewery is a permitted use in the C-1 zone, with production capacity not exceeding 15,000 hectolitres.
- The upcoming Town of Wolfville Public Hearing is only to review a logical amendment to the Town's Land Use Bylaw, amending the definition of "Accessory Use" to allow for off-site sales (of produced craft beverages, including beer, cider, wine, spirits, etc.).



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Disclaimer

The information and forecasts provided within this document are based upon management best estimates. Projections and forecasts are variable, are subject to change without notice, and are based upon such variables as; market and consumer demand, market conditions, and the ability to secure supplies and materials.

Conditions that are often not in our control include but are not limited to; the cost of malt, hops, yeast, fuel, products and produce, cans, bottles, chemicals and foreign exchange, etc.

Products that are supplied for our business may be subject to third party provider and partner interruptions.

New rules, regulations, legislations have to potential at any time to effect/impact our business operations and decisions.



Steve Haysom
The Church Brewing Company
5950 Inglewood Drive
Halifax, N.S. B3H 1B1

July 5, 2017

Dear Steve,

It is great to hear you are continuing with due diligence on the Church property in advance of completing the potential purchase.

As a follow-up to the email, the Town of Wolfville confirms the following:

1. Development Agreement (DA): A DA would not be required to rebuild the Sunday School portion of the Church provided the foundation remains and the total floor area does not increase by more than 25% of the existing building. The rebuild would have to have a public facade like the existing building with respect to architectural style, height, roof shape, etc. as per 12.6.3 of the Land Use By-law.

The 25% refers to the building floor area which is defined as "the aggregate area of all dwelling or commercial floor areas or other floor areas within the building." So, you could add on to the footprint provided that the overall increase in floor area does not exceed 25%.

2. License/tax: There are no Commercial/business license requirements from the Town of Wolfville for the brewery and at the current time there are no commercial and/or property tax exemptions.
3. Water: Based on the information provided, the Director of Engineering confirms that the Town can accommodate the required need for water and wastewater treatment.

Please let me know if you require additional information.

Sincerely,

A handwritten signature in blue ink that reads 'Chrystal Fuller'.

Chrystal Fuller, MCIP, LPP
Director of Community Development



thank you

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Vanessa Pearson

Subject: FW: Questions regarding Brewery Operations

----- Original message -----

From: Brian Titus ·
Date: 2019-01-13 4:06 PM (GMT-04:00)
To: Wendy Donovan <WDonovan@wolfville.ca>
Subject: RE: Questions regarding Brewery Operations

Hello Wendy,

Thank you for the email & detailed background on this project. I was given a heads-up by Chris Friday at the annual CBANS all-members meeting & received an email later that day from Andrew Bartle as well. Sounds like emotions are running high on this with plenty of both support & concern. I've addressed my response to you directly as I'm reluctant to get drawn into a private issue & both of the above individuals are fellow brewery operators & professionals. **That said, my responses should be seen as general & unbiased.**

Briefly, Garrison has been in operation since '97, opening the same summer as Propeller Brewery. Both of us started with 17hl brewhouses & various-sized tankage. Our original location was a north-end commercial space (3700sf). After 9 years we'd reached capacity (2500hl) & moved to the Immigration Annex in the Seaport (5700sf). After 8 more years we'd reached capacity again (7500hl) & outgrown the functionality of our space. In 2014 we launched our new main 35hl brewery & plant (14,000sf) & now brew roughly 95% of our annual production there (10,500hl). We continue to brew trial batches, collaboration brews, etc. in the old plant as well as operate a busy taproom, retail store & head office. It should be noted that Propeller has followed virtually the same trajectory & produce roughly the same volumes.

The craft brewing industry today however is quite different & there are plenty of paths & business models being followed by the 60+ provincial brewers in a multitude of urban, rural, commercial & residential settings. NS has nearly the highest # of craft brewers per capita (NB recently edged us out) but only 8%+ of the beer market. For reference, Maine has 139 craft brewers with a population of 1.3 million. Failures have been quite rare in the recent past (1 last year) & can usually be tied to a number of issues. I've ceased to say where the saturation point may be but it's clear that access to market (NSLC shelves, bars/restaurants, farmers markets, brewery stores, etc.) will increasingly become the chokepoint.

I've made a number of **general** comments in green to the questions below & prefer not to wade further into this specific project (I hope you understand). That said, I would be happy to offer you a tour of our two brewing operations in the Halifax Seaport district. Tatamagouche would absolutely be worth a visit as well. Nine Locks (in Dartmouth) may also be worth visiting as they have set-up more recently & are operating a busy production brewery & retail store in a footprint possibly similar to that proposed by Church.

Cheers,



BRIAN TITUS
PRESIDENT
902-453-5343 / 830-5343
1149 MARGINAL RD. HALIFAX, NS. B3H 4P1
BTITUS@GARRISONBREWING.COM



2015 Atlantic Canadian Brewery Of The Year

From: Wendy Donovan <WDonovan@wolffville.ca>
Sent: Saturday, January 12, 2019 10:22 AM
To:
Cc: 'WDonovan@wolffville.ca'>
Subject: Questions regarding Brewery Operations

Dear Brian;

I am an elected official/councillor for the Town of Wolfville and was provided your name and contact information by [redacted], in relation to discussions we are having in Wolfville regarding the Church Brewery. I expect, or would not be surprised, if you have been contacted by others including Town Planning Staff, or other residents of the Town, perhaps even the Church Brewery owners. Therefore if you have already provided input to these questions and understand they will be shared with Council I would not ask you to do so again for me. However, on the chance that I am the first to seek out your expertise I will ask. For information a week or so ago I asked the Church Brewery owners to provide this information to us although have not received that to date. I did receive a lengthy reply from [redacted] in the context of which he provided your name.

Background:

The Church Brewery is located in the former St Andrews Church at 329 Main. This property is a corner lot facing Main but with vehicular access via Seaview Avenue, which is a short narrow street (approximately 15-16 feet wide) with a narrow sidewalk on the east side, currently parking is allowed for a 3 hour period during the day and seems to be predominantly used by residents of the Micro Boutique suites on Main, or by visitors and service personal for the area home owners. The Church property is abutted on its south, west and east sides by older (circa 1890-1920) homes with generally small lots. The church proper will be used as a restaurant with approximately 180 seats. The brew pub is located in a new building behind the restaurant in an area that was the Sunday School wing. I estimate the floor area of that portion of the building to be in the order of 6,000-8,000 square feet although that is just an eyeball guess (note the entire property including church and green space is 22,000 sf. The brewery was identified as an "as of right development" with stipulation for no off-site sales. A court ruling confirmed that. The proprietors wish to have off site sales and Council is now in the process of considering a change to our planning policy for the commercial area to accommodate this. This change would apply to all properties in the commercial zone. **We understand that the capacity planned is 1.5 15,000 hectolitres.** GBC: Microbreweries can apply for a Retail Store Permit for take-away beer sales, merch., etc. I believe all current operations have this (& I can't imagine being viable in the current market without it). All cideries, wineries & distilleries have this as well (including of course Annapolis & Paddy's). 15,000hl is the NS microbrewery limit & both Propeller & Garrison are at roughly 2/3 that volume. Regardless of brewing equipment size there are many other constraints to consider: fermentation & cellar capacity, packaging capability, storage for materials & finished goods. With a production footprint of 4000sf (as indicated by the owners) they would be challenged to achieve even 1/2 of the 15,000hl cap. Any footprint can of course be supplemented by off-site storage, distribution, processing or even a secondary production facility.

I would be remiss if I didn't note that from many respects this is a good fit with our Town. We are most appreciative of the restoration and new use of a heritage building. It will most certainly add to our brand and increase are already palpable buzz. It provides an amazing venue for music and other community gathering experiences. It will certainly increase our commercial taxes, something every elected official understands is important. **My concern is to manage the impacts** and to do that **we need to understand what those impacts might be.** Impacts are always relative to the area and this area is a highly valued residential neighbourhood of owner occupied homes, including children and older residents. Finally, as you may have experienced if you have visited Wolfville during the summer and fall we do have a bit of an issue (likely an understatement) with traffic on Main at our 4-way stop which is a block to the west of this site. It is not unusual in the summer for vehicular traffic to be stopped up to a half a km or more to the west of this stop. When this happens we also experience cars looking for a short cut from this and turning south on Seaview and finding their only way through Town is to go the wrong way down a very narrow one-way street to get to Gaspereau Avenue. GBC:

You are right to be excited, proud and focussed on understanding & mitigating the risks. There are however MANY great examples of successfully integrated craft alcohol producers throughout NS, Atlantic Canada, Maine, etc. to look at & all will have dealt with these issues on some level.

Questions I have/am asking:

1. Given the space available for brewing and the projected quantity what type (size) and how frequently would it be anticipated that **various transport vehicles** would be coming onto the brewery from the adjacent access street (Seaview)? I have been told everything from several or more times a day to several times a month. I have heard variations of grain being brought in from quarterly to biannually. We have heard that the Tatabrew in Tatamagouche has had to bring in fork lift trucks to move product to a storage area. What should residents anticipate? GBC: Very hard to say. Beyond volumes produced it will depend on what is packed for off-site sale, kegs vs packaged, warehouse/storage space, etc. Efforts can be made to arrange in-town trucks & vans (smaller) vs highway trucks (larger) but they likely can't be eliminated. Certain days (Mondays & Fridays?) & months (May-Sep) will be heavier, but conversely others will be lighter. The grain silo greatly reduces bagged malt shipments & 2-3 trips a year is reasonable. I'd anticipate several large trucks a week & several truck & van trips daily (including their own delivery & sales vehicles).
2. **Odour** – we have heard that there is a 200M “smell zone” when brewing. Is that the case and given the projected size and quantity how often would an operation like this be brewing? GBC: That's fair however odour is not constant. The mashing-in process (1-2 hours) can give a slightly sweet, grainy odour while the boiling process (1-2 hours) will give a slightly stronger “beer” & hop odour. Beyond that, most of the brewing process is enclosed & would not create an external odour. Exceptional circumstances such as disposing of old yeast or spoiled beer may have a short-term external odour. The largest issue would be spent grain storage as wet grain in the sun for a couple days will absolutely start to smell. This can be mitigated through prompt pick-ups, covering or even external tanks. Difficult to guess at brew days given all the variables (sales, # of brands, brews/day, etc.) but 2-3 brew days (typically not on weekends) would be standard.
3. **Lighting** – night time operation and that their brewery operates 24/7 and uses floodlights for health and safety. Further notes that they have removal and delivery traffic from 5 AM and that they also have a night shift. Is this something we should anticipate? GBC: Beer is indeed a living product & there is always something happening in the tanks (fermentation, conditioning, chilling, carbonating, etc.). However, from a quality of life & manpower standpoint, most craft producers confine their operations to the weekdays, roughly 7am-7pm. Weekend duties often include keg cleaning/filling, checking brew gravities/temperatures & paperwork. Most commercial (& many residential) buildings have perimeter lighting for security reasons but the extent & intensity could absolutely be managed to reduce their effect if desired.
4. **Noise** – Again from there is noise from large refrigeration units that is heard externally, similar to large units on an arena for example. Is this your experience and how often and when would this noise occur? GBC: Glycol Chillers, fridge condensers/compressors, etc. are a part of breweries & wineries. There can also be quiet times & cycling times. That said, new equipment that is properly maintained, sized & placed should be largely unnoticeable to the surrounding properties.
5. **“Dust” emissions** – this would be from the silo and I gather the process of turning grain into the product needed for the brewing process. How often does this happen and is it possible to identify a “dust zone”? For example, has noted that at times when this process happens they must move cars or they will be covered in “dust” (I understand this is not dust but not sure what to call it). GBC: Any external grain dust would likely occur during the 2-3 times the silo is filled annually (roughly 2 hours each time) & would only affect the immediate silo area.

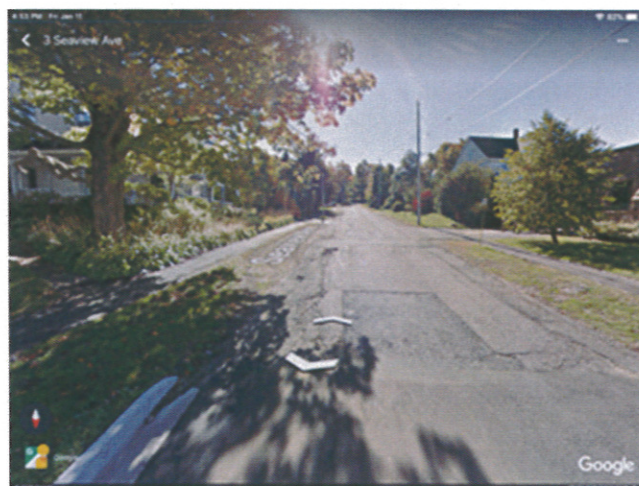
Malt travels from silo into the brewery via a closed auger/transfer system & the malt is milled inside the brewery.

6. **Wastewater** – We understand that craft breweries use considerable water in the process the majority of which goes into the treatment plant. We are a town of 4,500 permanent residents and another 4,000 students. Our two septic beds provide for this population as well as for the Lightfoot and Wolfville Winery that is literally just outside the Town's border. We also have development plans for up to 2,000 or more residents on our west end over the next 10 or so years, as well as infill. Do you have any idea of the impact the projected brewery at the proposed quantity will have on our existing waste water capacity? GBC: Really couldn't say, again, too many variables. In general though, craft breweries generate wastewater at a ratio of 6-10 times their beer production. Provided chemicals/cleaners are chosen wisely & used efficiently, wastewater discharge is typically high in organics (BOD's, COD's & Total Suspended Solids), Nitrogen & Ph. Brewery (& winery, cidery, etc.) wastewater is not hazardous, it simply puts additional load on treatment infrastructure & efforts should be made to minimize it at source. These could include Ph balancing, solids separation/screening & separate removal of high-strength inputs (excess yeast, waste beer, etc.)

7. **Contamination of site and potential danger** – some information I have received suggests that when a brewery leaves (either by failure or change of site use) the site needs to be decontaminated similar to gas stations, garages etc. Is this the case? As well we have heard that many breweries fail – your experience? Finally I was sent an article regarding a craft brewery in the Netherlands where a nearby fire (not related to the brewery) almost caused the evacuation of the town for fear the ammonia containers in the winery might explode. What type of chemicals would we anticipate in an operation such as this? GBC: I am not aware of site contamination issues related to departing breweries unless perhaps settling ponds or similar infrastructure were use. All product is fully contained in tanks/vessels & wastewater is discharged into the drains. Assuming the floor & drainage systems are properly installed (must be to code & inspected) there is little likelihood of a major post-brewery clean-up. Compressed gases would include CO₂, Nitrogen & compressed air (none possessing any exceptional danger). Chemicals include concentrated acids, caustics, sanitizers & lubricants. All are commonly found in manufacturing & food/beverage applications. They come self-contained & the rules for safely handling & storing these are quite specific & subject to provincial inspection.

There may be other questions and issues of which we should be aware and we would all welcome understanding what those issues are.

You are probably familiar with the site but just in case not I am including a couple of photos.



Brian thank you for any information you might feel able and comfortable to provide.

With Sincere Appreciation



Wendy Donovan

Councillor

Town of Wolfville

p (902) 542-0298 | c (902) 698-6342 | e WDonovan@wolfville.ca

e <https://wendydonovanwolfvillecouncil.com/blog>

Subject: FW: Craft Beverage Industry in Wolfville

Begin forwarded message:

From: John Allen <
Date: January 12, 2019 at 11:12:27 AM AST
To: Devin Lake <DLake@wolfville.ca>
Subject: Re: Craft Beverage Industry in Wolfville

Hi Devin, comments are as follows:

1. Given the sheer number of breweries operating in Nova Scotia now, I would think that Church, operating from Wolfville and not the more populous Halifax region, might reasonably expect to reach 4 - 5,000 hectolitres in 3 to 4 years. Every brewery that is given a microbrewery permit is permitted to brew up to 15,000 hectolitres and receive the markup benefits offered by the NSLC to small craft brewers. Propeller is now in its 22 year, is the largest craft producer in the province, and this past year reached 11,000 hectolitres. Given the level of competition I would not assume Propeller would ever hit 15,000 hectolitres. I would suggest that Church ordered an oversized brewhouse due to inexperience with the industry. had high expectations about the production volumes they wanted to achieve. I would suggest, based on sales data I have seen from the NSLC, that they would not be doing 1500 hectolitres after several years in business. New brews are not guaranteed listings by the NSLC, the shelves are crowded with local offerings, and competition is fierce.

2. Many breweries have to find off-site storage for packaging materials, ingredients etc. Cleaning chemicals are indeed potentially hazardous, however, they are totally consistent with all food processing chemicals and are easily stored and handled safely. I believe the comments about 40 foot trucks three times a week are grossly overstated. Pallets of cans are bulky, though extremely lightweight and obviously not hazardous. They could require a delivery truck. Half height pallets can be safely moved in cube vans. I don't regard the tone of the brewery quoted below as reasonable at all.

3. Wastewater. Craft breweries are not efficient in terms of water use. Expect in the range of 10 litres of water to 1 litre of beer. Care can be taken to reduce this, reuse water for washing etc. PH can be adjusted prior to wastewater being released into system. The numbers stated below are assuming a sizeable volume of production. The statement that the water will be "high strength contaminated waste" is alarmist and inaccurate. How are there thousands and thousands of breweries operating in cities, towns and rural areas in North America if this is an accurate statement.

"Contamination and failure" Pure alarmism. For one, the proposed site is being described as a "big industrial site" which can't be sold. Is it a big industrial site? That wasn't my impression. The former Maritime Beer Company, which operated for years as Sleeman Maritime and then briefly as The Downeast Beer Factory, is located directly across the road from Propeller's Dartmouth location. It was a busy operation and produced far more beer than Propeller operating as Sleemans. It now houses an industrial training facility, a restaurant and small brewing operation (Upstreet Brewing) and also a trampoline park for children.

Other Impacts. The tone in the observation below seems extremely alarmist and unreasonable. I see no reasonable possibility of the brewery needing to operate at night or even take deliveries at night. Propeller does neither at 11,000 hectolitres. Floodlight pollution etc just seems alarmist. Refrigeration

units can indeed be noisy. Modern ones are not as loud as older units. I would assume a five ton unit would suffice Church for a few years, if not all they would ever need. All restaurants generally have refrigeration units behind their buildings or on their roofs. I assume Paddy's Pub on Main Street have refrigeration though maybe a smaller unit that Church would need. Expect similar problems to these units. Smells are produced while making beer. But breweries exist in urban areas everywhere, Olands, Propeller, Garrison, Granite, North, Unfiltered, Good Robot, Tide House are all brewing in Halifax. Brightwood, Nine Locks, Spindrift, Propeller (again), Upstreet, are all brewing in Dartmouth. The brewing smells are created while boiling primarily. I'd expect Church, if they stick with a 30 Barrel brewhouse, to brew approximately once per week, for a couple of hours at a time.

In closing, and speaking as a craft brewer and business operating in Nova Scotia, I am not automatically in favour of more competition. However, the economic benefits of all the new breweries in Nova Scotia cannot be denied. It is up to the county and town of Wolfville to decide if church should operate as a packaging brewery, but I hope the decision is not overly impacted by clearly biased arguments coming from a local competitor.

Regards,

John Allen

On Jan 11, 2019, at 4:41 PM, Devin Lake <DLake@wolfville.ca> wrote:

Hi John,

Thanks for the conversation today about the craft brewing industry and your experience in relation to what the Town of Wolfville is considering. I wanted to follow-up so I had your thoughts in writing about concerns raised by another local brewer – I have included some verbatim comments that were sent to our Council in *italics* below. Essentially, I am doing some fact checking so we can have an informed public discussion. If you are able to provide comment, from your perspective, on the following it would be appreciated:

1. **Realistic Brewing Volume** – The Church Brewing Company has been given development rights to brew up-to 15000 HL, consistent with the “Microbrewery” definition of the NSLC. Do you think it is realistic that they would ever get to this volume?

We have been told by another brewer: *“It’s good to have more micro-breweries, we need 75 more in NS to get to ON per capita level so yes to Church Brewery on one level and this would probably be a good thing for .” and “The Church Brewery needs size and volume to make itself highly profitable, this is about profit no matter how emotionally the language couches this. Otherwise why build so big - it’s really about \$\$\$.”*

2. **On Storage Capacity**, we would be interested in the growing pains you faced with this. We have been told:

“Church Brewery has no storage space for cans, boxes, equipment, acids and other quite dangerous chemicals used in the process

: they will need about the same size as their present footprint again in storage. Where is that located? What is the plan for that and how is this transported (4 or 5 times daily) to the brewery if it isn't adjacent. See the problems Tatabrew have in the Main St in Tatamagouche where they have had to licence fork lift trucks to go on the public road and paths. We are talking 40ft tailored trucks three time / week at least. Where is the DITR plan for this ? The Town needs to as specifics about storage volumes and check the facts against what is being said.”

3. **Wastewater and Site Contamination** - your experience with these issues would be appreciated. We have heard:

“It is untrue that it's a 1:1 water waste. There will be 5-9 Million Litres of high strength contaminated waste water to deal with - where is the industrial assessment and environmental / carbon footprint of this ?”

“It is common for craft breweries to create five to ten times more wastewater than the beer they package and sell. The impact of this on a wastewater treatment plant can be equivalent to 10,000 – 20,000 people. For most small towns, the municipal plant is not designed to handle that much load. Municipalities are faced with the difficult decision of supporting growth in a local business or imposing fines to cover the cost of treating this high strength wastewater. <https://esemaq.com/wastewater/treating-craft-brewery-wastewater/> and many more..”

“Contamination & failure: The Council will need an exit strategy if Church fails and leaves a big industrial site which is contaminated to clear up that can't be sold - what is the Town's Contingency Plan here - & who pays, remember the gas station clean up. In the Uk in the 80's many small breweries failed. They left a mess.”

4. **Other impacts – refrigeration, smells, lighting, etc:** Your experience with these issues would be appreciated. We have heard – *“As it is you are looking at flood-lit 24 /7 day and night operation, significant truck movements, large plumes of smelling beer with a 200m smell zone, I like it but 24/7 !, and an environmental footprint that needs careful thought.”*

“Such an operation needs large refrigeration units externally, much worse than those on the tops of the university which caused residents problems, where is the noise plan and projection. By-laws need to be ratified before the installation. There will be night time operation as a brewery operates 24/7, there will be delivery and removal traffic from 5am and there will be night shift work with outside floodlighting for H & S reasons. Light pollution - where is the plan for this as it will happen? Where we are people on the deck and at the Port complain about the noise, so do people on the Dyke opposite the brewery.”

5. **Any other more general thoughts** on the industry would be appreciated. There is a lot of varying opinions swirling and some experienced words from yourself and others would be appreciated.

If there is anyway you could provide something by end of day Tuesday, it would be very helpful for a meeting I have that evening. If you want to discuss in more detail or get more context, I can be reached at 902-599-3210.

Thanks for your time,

<image001.jpg>

Devin Lake LPP, MCIP

Director of Planning + Development

p 902- 542-3232 | f 902- 542-5066 | e dlake@wolfville.ca

200 Dykeland Street, Wolfville, NS B4P 1A1

wolfville.ca

STEPHEN J. DRAHOS

ATTORNEY AT LAW (US)

January 11, 2019

Jeff Cantwell
Town of Wolfville
359 Main St
Wolfville, NS B4P 1A1

Re: Proposed changes to “accessory use” definition

Dear Sir,

Attached is a copy of the court’s decision regarding 329 Main St. I encourage you and all the Town Counsellors to read it and become familiar with the legal reasoning of Judge Warner, especially the highlighted areas on Page 15 and Page 19.

In summary, Judge Warner upheld the issuance of the development permit but interpreted the definition of “accessory use” to preclude off-site sales to avoid (in his words) the establishment of an “industrial park” in the Town’s C-1 zone.

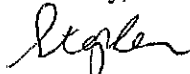
The Town, Karen and Glenn and the Church Brewery have all spent a lot of time and money to have a neutral third party adjudicate this matter and the reasoning behind it. While we all understand the Town’s “economic” arguments, I find it disturbing that in the spirit of full disclosure and fairness the Town does not publicize Judge Warner’s findings and legal rationale behind it. For example, why not have a link on your web page? Why not have your folks make a presentation to explain his ruling and how we got into this mess? Power Point presentation? The general public simply does not understand it at all.

It’s not “fear-mongering” but rather the law. You have an obligation, as an elected official, to tone down the rhetoric and present the facts, the law, and the legal reasoning behind the existing (and valid) definition of accessory use before we can all move forward to address it rationally.

And by the way, how much did the Town spend on legal fees on this lawsuit? I would request this figure on or before the next Town Council meeting on January 22nd.

In advance, thank you.

Sincerely,



Stephen J Drahos

77-16.Zoning.ChurchBrewery.Let.Cantwell.AccessoryUse.pages

CANADA OFFICE	UNITED STATES OFFICE
311 MAIN STREET	255 HOWARD STREET NE, SUITE A
WOLFVILLE, NOVA SCOTIA B4P 1C7	ATLANTA, GEORGIA 30317
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† 902.704.0057	902.704.0057 †
DRAHOS@MINDSPRING.COM	

CANADA

PROVINCE OF NOVA SCOTIA

2018

Ken No. 477268

SUPREME COURT OF NOVA SCOTIA

BETWEEN:

KAREN MACWILLIAM and GLENN HOWE

APPLICANTS

- and -

TOWN OF WOLFVILLE and THE CHURCH BREWING COMPANY LTD.

RESPONDENTS

DECISION BY THE COURT

HEARD BEFORE: The Honourable Justice Gregory M. Warner

PLACE HEARD: Kentville, Nova Scotia

DATE HEARD: Wednesday, September 5, 2018

COUNSEL: Mr. Dennis J. James, Q.C.
Ms. Kristen Stallard, Article Clerk
For the Applicants

Mr. Donald A. Urquhart
For the Respondent, Town of Wolfville

Mr. Kevin MacDonald
For the Respondent,
The Church Brewing Company Ltd.

Recorded by:
The Supreme Court of Nova Scotia
240 King Street
Windsor, NS B0N 2T0

1 (COURT OPENS AT 10:45 A.M.)

2 --- THE COURT - DECISION:

3 This proceeding is a judicial review of the
4 decision of the development officer of the Town of Wolfville to
5 issue a development permit to the Church Brewing Company Ltd.
6 for a development in the C1 zone of the Town of Wolfville that
7 permits restaurants and retail stores as defined in the bylaw.

8 The permit itself, at page 19 of Exhibit 1A, and
9 the checklist review is very brief but the Court has the benefit
10 of the entire record of the Town of Wolfville in respect of this
11 project, which included immediately before the application for
12 the development permit and the granting of it changes,
13 amendments to the land-use bylaw and, I think, the MPS of the
14 Town of Wolfville, which involved public participation
15 processes, decisions of the council of the Town of Wolfville and
16 confirmation by the Government of Nova Scotia in accordance with
17 the **Municipal Government Act**.

18 The role of the Court on a judicial review of a
19 decision of an administrative body is infused by the nature of
20 the administrative decision made. Tribunal decisions after full
21 hearings are treated somewhat differently than administrative

1 decisions made pursuant to statutory authority, such as the
2 decision of a development officer pursuant to Section 246 of the
3 **Municipal Government Act.**

4 The obligation of this Court -- the standard of
5 review of the administrator's decision, it is not contested, is
6 reasonableness. As Justice Bastarache/LeBel said at paragraph
7 47 in **Dunsmuir**:

8 "A Court conducting a review for
9 reasonableness inquires into the qualities
10 that made the decision reasonable, referring
11 both to the process of articulating the
12 reasons and to the outcomes. In judicial
13 review reasonableness is concerned mostly
14 with the existence of justification,
15 transparency and intelligibility within the
16 decision-making process, but it is also
17 concerned with whether the decision falls
18 within a range of possible acceptable
19 outcomes which are defensible in respect of
20 the facts and the law. Deference requires
21 respect for the legislative choices to leave

1 some matters in the hands of the
2 administrative decision-makers for the
3 processes and determinations that draw on
4 particular expertise and experiences and for
5 different roles of the Courts and
6 administrative bodies within the Canadian
7 constitutional system."

8 According to the Supreme Court of Canada in **The**
9 **City of Edmonton v. Edmonton East Capilano Shopping Centres**,
10 2016, SCC 47, at paragraph 22, the starting point is a
11 presumption that the decision is reasonable, the presumption is
12 rebuttable. The appropriate standard of review for a decision
13 to issues a municipal development permit has been the subject
14 matter of a prior decision of one of my colleagues in **Weilgart**
15 **v. Halifax**, 2008, NSSC 130. I take some guidance from paragraph
16 72 of that decision.

17 Reasonableness was adopted as the standard of
18 review by Justice Moir, another of my colleagues, again in 2008
19 in **Peterson v. The Town of Kentville**. In order to determine
20 whether the decision was a reasonable one, not necessarily one
21 that I would have made, which is not the test, the Court has to

1 take into consideration the facts which are before the Court,
2 which are contained in the record, that is the context and the
3 law. In this particular case, the law is the land-use bylaw of
4 the Town of Wolfville.

5 A modification of the **Dunsmuir** test was expressed
6 by the Supreme Court of Canada in **Patricia McLean v. The British**
7 **Columbia Securities Commission** in a decision of the Supreme
8 Court of Canada in 2013, and at paragraph 38 in that decision
9 the Court was faced with a situation of a choice between two
10 interpretations. Oftentimes there are more than one reasonable
11 decision. Sometimes, however, the circumstances to which the
12 law applies the factual context, the matrix to which the law is
13 applied, leaves you with a choice between two interpretations,
14 one of which is reasonable, one of which is not reasonable. In
15 the **McLean** decision, at paragraph 38, the Supreme Court of
16 Canada said:

17 "It will not always be the case that a
18 particular provision permits multiple
19 reasonable interpretations. Where the
20 ordinary tools of statutory interpretation
21 lead to a single reasonable interpretation

1 and the administrative decision-maker adopts
2 a different interpretation, its
3 interpretation will necessarily be
4 unreasonable. No degree of deference will
5 justify its acceptance. In those cases the
6 'range of reasonable outcomes'..."

7 Quoting from another Supreme Court of Canada
8 decision called **Cossa** (Sp?).

9 "...will necessarily be limited to a single
10 reasonable interpretation and the
11 administrative decision-maker must adopt
12 it."

13 The factual matrix in this case is that the
14 Applicant applied for a development permit to develop the church
15 property in Wolfville, to make renovations to it, went through a
16 bylaw amendment process, a rezoning process, which was approved,
17 and then applied for a development permit. As in most cases,
18 the issuance of a development permit is fairly straightforward.

19 The law does not provide for a public hearing,
20 does not provide for public consultation, it takes the
21 development officer as being expert in their field, that is

1 expert in the interpretation of the planning documents with
2 which they work, in this particular case the land-use bylaw.

3 The simple procedure required of the development
4 officer is to interpret the bylaw and apply the factual matrix
5 before her to the interpretation of the bylaw and either issue
6 the permit or not issue the permit. She is required to issue
7 the permit if it complies with the bylaw.

8 So, there are two processes that this Court has
9 to go through in order to determine whether the development
10 officer's decision was reasonable. The first step I'm going to
11 take -- and I'm not sure if it matters which step I take first
12 -- is to apply the principles of statutory interpretation to the
13 bylaw itself. Ruth Sullivan, in the seminal text, "Sullivan on
14 the Construction of Statutes", 6th edition, LexisNexis,
15 September 2014, has been a guide to me and to our Court of
16 Appeal often in the analysis of the meaning of statutory
17 provisions. She writes, beginning at page 8:

18 "The first dimension emphasizes the textual
19 meaning. The second dimension endorsed by
20 the modern principle of legislative intent,
21 all texts, indeed all utterances, are made

1 for a reason. Authors have to communicate
2 their thoughts, and they may further want
3 their readers to adopt different views or
4 adjust their conduct as a result. The third
5 dimension of interpretation refers to the
6 modern principle which is compliance with
7 established legal norms. The modern
8 principle states that the words of a
9 legislative text must be read in their
10 ordinary sense harmoniously with the scheme
11 and objects of the act and the intention of
12 the Legislature. In an easy case the
13 textual meaning, the legislative intent and
14 the relevant statutory norms all support a
15 single interpretation. In hard cases these
16 dimensions are vague and sometimes point in
17 different directions. The modern principle
18 requires the Court to ask three questions;
19 what is the meaning of the legal text, what
20 did the Legislature..."

21 Or, in this case, the Town of Wolfville.

1 "...intend, what purposes did it hope to
2 attain?"

3 And third question which deals with the legal
4 norms is:

5 "What are the consequences of the proposed
6 interpretation?"

7 Ms. Sullivan goes on to talk about the evolution
8 of the four approaches to statutory interpretation before, at
9 paragraph 20.20, coming to a starting point that:

10 "If the ordinary meaning of a text seems
11 clear, if its meaning appears to be plain,
12 then the Court is justified in attaching
13 significant weight to this apparent
14 meaning."

15 As I say, that's the first dimension, the textual
16 dimension. The modern principle recognizes that sometimes words
17 in their absolute sense have no meaning, because meaning only
18 has sense when it is put in context. So, I'm going to start
19 first with the textual meaning of the land-use bylaw.

20 The land-use bylaw of the Town of Wolfville
21 divides the lands into zones and it organizes the permitted

1 activities within zones in a manner that will foster harmony of
2 land uses within the Town. The subject land for which this
3 judicial review is before the Court is located within a zone
4 called the central commercial C1 zone, Part 12 of the bylaw.
5 12.1 lists the permitted developments within that zone.

6 It does -- it permits, among other uses, retail
7 stores, which are defined later in the bylaw, I note, as having
8 a square footage of less than 230 square metres, restaurants.
9 It does not permit microbreweries or breweries specifically of
10 any size. The proposal -- the context in which the Court has to
11 interpret Part 12 of the bylaw is that while retail stores and
12 restaurants as proposed by the Applicant were permitted uses,
13 breweries or brew pubs were not, yet the developer/Applicant
14 wished to have a small brewery on the site. I say "small"
15 because I'm trying to avoid the definition of "nano", "micro" or
16 "commercial" at this point for the purposes of my analysis.

17 The Applicant applied for and, as a result of
18 exchanges with the development officer, asked for a brewery as
19 an ancillary use -- accessory use. An "accessory use" is
20 defined in the bylaw. An "accessory use" is defined, in Part
21 25, as:

1 "A use subordinate and naturally,
2 customarily and normally incidental to and
3 exclusively devoted to the main use of the
4 land or building and located on the same
5 lot."

6 On its face, that definition is clear. To the
7 extent that the development permit authorized an accessory
8 microbrewery producing product not to exceed 1,500 (sic)
9 hectolitres per year and to have a square footage of 5,059
10 square feet where the main use of restaurant and retail had
11 8,237 square feet, on its face, using a grammatical or
12 commonsense definition, means that the microbrewery could
13 produce beer exclusively for the restaurant and retail store on
14 the land.

15 So, part one of the statutory interpretation
16 process is, what is the meaning of the legal text? And in my
17 view, for whatever potential application that the Church Brewing
18 Company might have sought, it received a permit authorizing a
19 restaurant and retail store, both listed permitted uses within
20 the C1 zone. And, by the way, the C1 zone says the uses defined
21 in it are exclusive. The wording of 12.1 reads:

1 "No development permit shall be issued for
2 any use in the central commercial zone
3 except one or more of the following uses..."

4 In other words, it's an exclusive listing which
5 did not include a microbrewery. It appears the development
6 officer defaulted to the Nova Scotia Liquor Corporation's
7 definitions of the sizes of breweries, and they apparently have
8 three sizes of breweries depending on the volume of beer
9 produced, the smallest then, the nano-brewery, for which I guess
10 it's 2,000 hectolitres per year.

11 For their permit and application purposes, the
12 second mid category is the microbrewery, which permits 15,000
13 hectolitres per year, a volume relevant to the Nova Scotia
14 Liquor Commission permit process, and anything above that is
15 considered to be a commercial brewery and subject to other
16 licensing requirements of the Nova Scotia Liquor Commission.

17 And while for planning purposes it's not
18 necessary, it clearly is convenient and efficient to consider
19 the categories of breweries for which permits are issued by the
20 Nova Scotia Liquor Commission in the context of describing, if
21 you're a development officer, what a microbrewery is. And a

1 microbrewery is a brewery which, according to the definitions of
2 the Nova Scotia Liquor Corporation regulations, among other
3 things, can produce up to 15,000 hectolitres per year and is
4 permitted to have a store on site where it produces it.

5 The Nova Scotia Liquor Corporation definition of
6 a "nano", "micro" or "commercial brewery" does not assist in the
7 interpretation of whether a use in the Town of Wolfville land-
8 use bylaw in the C1 zone as an accessory use should -- or is
9 permitted. I'm not sure I've said that articulately. The
10 building permit -- the development permit did not authorize a
11 brewery, did not authorize a nano-brewery and did not authorize
12 -- but did authorize a microbrewery, but it did so with limits,
13 and one of the limits was the volume of beer that could be
14 produced, and the other limit was that it had to be exclusively
15 devoted to the main use.

16 They were not -- the Court cannot read out from
17 the definition of an "accessory use" the words "and exclusively
18 devoted to the main use of land or building and located on the
19 same lot". The second legislative interpretation question is,
20 what did the Town of Wolfville intend, what purposes did it hope
21 to achieve? There is no evidence in the records before the

1 Court of any establishment in the C1 zone that manufacturers
2 products that, regardless of size, are permitted to carry on in
3 the C1 zone.

4 As a matter of fact, even retail operations that
5 exceed 230 square metres are required to be in what's called the
6 industrial commercial zone, in other words they're required to
7 be in a zone in which warehouses, building supply and equipment
8 depots, industrial uses exist, service industries and taxi
9 stands. That reflects the intent of the Town of Wolfville and
10 suggests where they were permitting large retail operations to
11 be and commercial and industrial activity of a larger size. As
12 the MPS indicates, the Town of Wolfville was seeking to promote
13 a compact central business district of boutiques and effectively
14 a tourist centre.

15 By definition that does not mean large commercial
16 operations which are assigned to a different zone. In my mind
17 it's clear that the intent of the land-use bylaw was not to
18 permit an operation in which the restaurant and retail area was
19 8,237 square feet to have a manufacturing operation that could
20 produce far more product than what was likely to be saleable
21 through the restaurant and retail space on the site.

1 In my view whether one takes the modern principle
2 of looking at the text and interpreting it harmoniously with the
3 scheme of the land-use bylaw or one looks simply at the plain
4 meaning of the term "accessory use", one comes to the same
5 result. Whether the volume of beer that can be produced and
6 sold in a restaurant and retail store is greater than the amount
7 of a nano-brewery as defined by the Nova Scotia Liquor
8 Commission, it certainly is unlikely, based on the record before
9 the Court, to exceed the amount of a microbrewery.

10 That doesn't change the fact that the brewery
11 use, however defined, is and must be interpreted under the bylaw
12 as being accessory to, subordinate to and exclusively devoted to
13 the use, the main uses -- in this case there are two -- on the
14 same land. In my view that's the only reasonable interpretation
15 of the bylaw. In my view it's not ambiguous, it's clear.

16 In that context, granting a development permit to
17 allow for the production of brew -- of beer, presumably craft
18 beer, for use in the main uses on the same lot is clearly a
19 defensible and reasonable interpretation of the bylaw. The
20 alternative interpretation of the bylaw proposed by the
21 Respondent developer is that there is no -- that the limit on

1 the production of beer of 15,000 hectolitres is not restricted
2 to being subordinate to and exclusively for the two main uses on
3 the building -- or on the land.

4 In my view that is an unreasonable interpretation
5 and would be an unreasonable interpretation, and that's without
6 considering the argument put to the Court by the Appellant, by
7 Mr. James, that the 15,000 hectolitres is the equivalent of
8 12,000 volume, 341 millilitre bottles of beer per day, which in
9 the context of the record I've heard would clearly make, as a
10 matter of commonsense, the microbrewery the main activity.

11 In my view that use would be entirely
12 inconsistent with the ordinary or purposive interpretation of
13 the land-use bylaw of the Town of Wolfville as it presently
14 exists. So, the end result is my interpretation -- and, I
15 guess, I'm applying the claim as being the only reasonable
16 interpretation of the bylaw -- is that an accessory microbrewery
17 must be subordinate, naturally, customarily and normally
18 incidental to and exclusively devoted to the main use of the
19 land or building and located on the same lot.

20 Based on that definition the fact that a
21 microbrewery can sell up to 25,000 hectolitres of beer a year is

1 secondary. If it can do it through the restaurant and retail
2 store on the land, that's the limit to which it can sell. If it
3 can't do it through the restaurant and land, then there's
4 nothing in the development permit that authorizes it to sell
5 that production elsewhere.

6 It is not a brewery first, it's an accessory
7 brewery, and, quite candidly, it doesn't matter whether it's a
8 nano-brewery, a microbrewery or commercial brewery, except in
9 this case there was a limit on the -- the development officer
10 borrowed from the Liquor Commission an already pre-made limit
11 for the mid level of brewery. So, based on that interpretation
12 of the bylaw, which in my view is the only reasonable one, the
13 development permit is reasonable.

14 Based on the alternative interpretation that Mr.
15 MacDonald was advancing, the building development officer's --
16 the development officer's decision would, in my view, have been
17 entirely unreasonable by a long shot, by any definition of
18 reasonableness, because effectively it would have been, as Mr.
19 James was politely suggesting, a brewery with a sideline in
20 terms of volumes.

21 Obviously, the Court hopes that whoever does a

1 business enterprise is successful -- and I hope they are -- but
2 within the parameters of what the land-use bylaw of the Town of
3 Wolfville wanted in its downtown C1 zone, which were small
4 enterprises that would make it a tourist and other destination,
5 not the equivalent of an industrial park.

6 I hope someone else isn't invited to try to say
7 that the bylaw definition is different than mine, but if they
8 are that's fine, and that's the risks, I guess, that people take
9 when they do these enterprises. The decision of the Court is
10 based upon the record before the Court, Exhibits 1 and 2, and
11 upon -- which includes the bylaw, includes the communications
12 made in respect of the project, not just for the development
13 permit but those which predate it when there was exchanges with
14 regards to the other planning considerations that needed to be
15 dealt with. That's the Court's decision.

16

17 --- Partial transcript ends at 3:13 p.m.

18

19

20

21

CERTIFICATE OF COURT TRANSCRIBER

I, Gwenyth Smith-Dockrill, Court Transcriber, hereby certify that I have transcribed the foregoing and that it is a true and accurate transcript of the evidence given in this matter, **KAREN MACWILLIAM and GLENN HOWE** (Applicants) v. **TOWN OF WOLFVILLE and THE CHURCH BREWING COMPANY LTD.** (Respondents), taken by way of electronic recording, on Wednesday, September 5, 2018.

G. Smith-Dockrill

Gwenyth Smith-Dockrill

Court Transcriber (Reg. No. 2006-45)

Halifax, Nova Scotia

Monday, September 17, 2018

From: Sam Corbeil
Sent: January 11, 2019 4:08 PM
To: Town Council
Cc:
Subject: Brewing Project
Attachments: To Whom it May Concern.docx

Hi,
My name is Sam Corbeil, Andrew Bartle of the proposed Church Brewery project recently reached out to me and asked me to send you a letter regarding some issues he's recently come across. Please find an attached letter outlining some perspective on these issues.
I thank you for your time and if you wish to ask any follow up questions please feel free to contact me at this address. Always willing to help.
Cheers,

Sam Corbeil
Brewmaster, Co-Founder
Sawdust City Brewing Co.

This email, including any attachments, is for the sole use of the intended recipient and may contain confidential information. If you are not the intended recipient, please immediately notify us by reply email or by telephone, delete this email and destroy any copies. Thank you.

To Whom it May Concern,

Please allow me to introduce myself, my name is Sam Corbeil, Co-Founder and Brewmaster at the Sawdust City Brewing Co in Gravenhurst, ON. I wanted to send you a letter and reach out to you in support of Andrew Bartle and the project he is currently involved with, The Church Brewery.

Having known Andrew for the better part of a decade and having worked with him in many different capacities over the years, I've come to respect him as not only a brewer but also a person. He's not only helped build out and open a brewpub in a neighbouring community but he's also worked for a number of other large and small breweries across the province. He's a very knowledgeable and extremely professional brewer. He's shown me the letters he's received and asked me to comment on some of the points that have risen regarding the Church Brewery and how it will affect your township.

I feel the best way for me to comment on the issues he's shown me is to explain to you our operation and how it is very similar to what the Church Brewery is proposing. First let me give you some background on myself and our brewery. We are also in a small town in rural Ontario. Located in Gravenhurst a small town of 10,000 people, we are approximately 2hrs north of Toronto. Our brewery is situated directly on the main street of the downtown area. We are entering our fifth year at this location and have steadily become a gathering place and hub of our small community. Our building is a re-purposed Canadian Tire building. Although the building is about 13,000sq ft, our brewery, cellar and packaging hall take up approximately 4000sq ft. We have a 25hl four vessel brewhouse and currently brew about 7,500hl per year. We employ a staff of 8 people on the brew team with our overall staff (office, retail, bar and sales force) topping out at around 50 people in the height of the summer season. As such, I feel our establishment is very similar in size and scope to the proposed Church Brewery.

Based on the numbers Andrew has shared with me about the projected size of the Church Brewery, I feel I can comment, with real life experience on what kind of production he will be seeing over the coming years.

For Sawdust City, we brew approximately 2-3 times per week during the slow season (November to April) and 4-5 times per week during the peak seasons (May – October). Our hours of operation (in the production area) never exceed 7a to 6pm and typically are closer to 8a to 5pm. And we never produce on weekends. We do have a "saloon" and "retail" component to our business and they are open later than the production brewery. The retail operates from 9-11pm and the saloon operates from 11a-11pm. With a large, well lit parking lot, we do our best to mitigate any light pollution by staying strictly to the 11pm curfew on our outdoor lights. As a downtown business we work closely with all the local businesses to maintain a healthy working relationship.

Much like the Church Brewery we elected for a larger (in relative terms, 25-35hl brewhouses are large for craft breweries) brewhouse as we did not want to be tethered to our brewing equipment. Having worked at many breweries over the years I found that working on a smaller system only means that you have to brew more and that leaves less time for work life balance. I got into brewing because I love beer, not because I want to spend my life in a brewhouse. With our current brewhouse and the schedule we have, we can meet our demands and everyone gets to go home at a reasonable hour and enjoy their free time. Yes, it is a larger capital expense at the beginning but I feel it was definitely worth it for my piece of mind.

We also chose this size of brewhouse so that if we do one day need to expand our capacity, we can easily do so by just adding more people and a second shift. But we are building slowly towards that and it still maybe years away. Growth takes years, not weeks or months. As I mentioned we are currently brewing 7,500hl per year and it's taken us 5 years to get to that level.

Much like Church Brewery, we also require outside storage for our cans. We typically truck them over once a week in a 14' truck. This has not proven to be an inconvenience to anyone, let alone any other businesses in town. We do not have forklifts or other motorized lifts on the streets at any time.

As for other deliveries, we also have a silo (like Church Brewery) and our grain delivery only comes once every 5 to 6 months. We try to have this delivered during early morning business hours so as not to disturb any of the local businesses or residents. The remaining ingredients we either pick up ourselves or have delivered. If we do have them delivered it's typically just once a month. It certainly isn't continuous traffic and in 5 years, we have yet to receive a single complaint from any of our neighbours.

Fortunately for us, we do have enough space to house our refrigeration unit inside our building, but we do have condensers on the roof. Again, we haven't received any complaints. Also, right next to our facility is a curling rink, which also has a large refrigeration unit (a great deal larger than our unit) and it IS located outside of their building. It does create some noise, but not to the extent that anyone complains. I imagine your town has a rink of some kind, does it cause any noise disruptions in town? Based on Andrew's numbers, I imagine their unit would be the same size as ours and from what he's told me, they've already taken steps to mitigate any noise, if any, that would be caused by the unit.

One component mentioned in the letter that is strictly monitored in our region is our wastewater. Over the past two years we've worked very closely with our local District to maintain very low levels of BOD's and COD's. We take great pride in the work we've done to mitigate excess solids in our waste water. As breweries move forward, many have chosen to work closely with their local townships to reach acceptable levels of treatment. With three breweries in our close local area, all of us have come together to create a good working relationship with the district. I'm sure the same can be established in your town. For more information on this, please see the attached video –

<https://vimeo.com/243145115>

As for contamination and failure, there is zero need for any remediation when a brewery leaves a sight. Comparing a brewery to a gas station makes no sense at all. Gas stations bury their tanks and deal with a product that can harm the earth. That is not true for breweries. All tanks and equipment are removeable and there is nothing that could ever seep into the soil or contaminate any of the ground below the brewery. If a business fails, all tanks and equipment would be removed and sold for whatever can be recovered. There is nothing that could be left behind that would damage the soil.

I'm not going to say that it has always been easy for us being directly on the main street of a small town, but we've worked very closely with the town and have become an integral part of our community. When we first opened, we heard some possible concerns from the community members regarding noise, smells and excess traffic. We took them all very seriously and did everything in our power to alleviate their concerns. And due to the, in the 5 years since we've opened, we have only received one smell complaint (which we dealt with internally), no noise complaints and nothing about excess traffic. In fact, we've worked with the town to increase traffic and bring festivals to the downtown area, which

also bring in tourist dollars. Our Funkfest, which we worked closely with the town, was awarded the top culinary tourism event award last year. Please see the attached article –

<https://ontarioculinary.com/congratulations-winners-of-the-2018-ontario-tourism-awards-of-excellence/>

As can be evidenced by our success, breweries working hand in hand with their local communities can help bring in tourist dollars and bring success to their towns.

I hope what I've showed you in this letter that breweries aren't something that communities should be scared of, there are something communities should embrace. Personally, based on everything I know about Andrew (both professionally and personally) and his plans for the Church Brewery, I believe that together with his team, they will bring an exciting and viable business to your community. Many of the issues brought forth in the letter are simply overstated. I'm not writing this to say anyone is lying or incorrect, I'm just hoping to continue to help craft breweries grow in small communities across the country.

Yours Truly,

Sam Corbeil

Co-Founder & Brewmaster

Sawdust City Brewing Co.,

Gravenhurst, ON

Vanessa Pearson

From: richard groot <richard.groot@wolfville.ca>
Sent: January 9, 2019 9:52 PM
To: Jeff Cantwell
Cc: Town Council; Terry Drahos
Subject: Re: Facts from a brewer about the Church Brewery's proposed project

Follow Up Flag: Follow up
Flag Status: Completed

Dear Jeff, thanks for your note. You may be quite right that much information has been circulated about the pub/brewery. But I cant understand that it took until the Tuesday meeting for a councillor to insist to staff that further reporting must be forthcoming about the impact of the brewery on the environment around it and to pay attention to risks that its operation may contain. These are the elements of due diligence to protect the public interest that have been missing from the discussion in the last 12 or so months.No staff reports on these issues have come out. The focus has been on economic development at any cost. Problem is that these costs are carried by your taxpayers. The Seaview home owners have been asking for this kind of research and even have asked a judicial opinion on the development. Nevertheless a Development Permit was issued with volume limitations of 1.5 million liters.

I have the greatest respect for anyone who wants to be a councillor of Wolfville. If they do their homework they are probably working for \$5 an hour. So I don't expect them to go out and visit breweries and research the environmental issues. But there is a well paid staff and they should have been smart enough to make sure that Council would have the best possible information to make a well considered decision. That clearly has not happened for reasons I can't speculate on.But one wonders on whose side they are.

We now have a well considered and authoritative view from the owner and brewmaster of Wayfarer. That should have been prepared by staff 9 months ago. Instead they went forward with the rose colored glasses on their noses influenced by the pie-in- the sky promises of the developers. Did anybody ask them what qualifications they have to run a brewery? and i repeat my question:when it became clear to staff that the developer was aiming at a large production facility did anyone insist that it was not permitted but that they could build that facility in the industrial area? So where do we go from here? I think we should take a time out and get the town side of the management of this project on a much stronger basis, get the environmental and other impact reports on the table and then proceed. I am not against a lovely restaurant in a restored church with a small brew pub attached. But I would never agree to the proposed facility without the due diligence that is essential to protect the public interest.

Respectfully, Dick Groot.

On Jan 9, 2019, at 19:30, Jeff Cantwell <JCantwell@wolfville.ca> wrote:

Dear Dick,

This will acknowledge receipt of your letter of today's date respecting the proposed pub/brewery on Main St.

I believe there is much information which has been circulated both digitally and by hand or word of mouth which can be affirmed and can be challenged. We are in the throes of gathering data to deal with the many questions and comments currently circulating Wolfville.

Respectfully,

Jeff Cantwell
Mayor
Town of Wolfville

On Jan 9, 2019, at 4:39 PM, Dick Groot < wrote:

After the public meeting yesterday concerning the Church Brewery I became convinced that the town has been seriously delinquent in doing its due diligence to protect the public interest with respect to this project. Basic research in the impacts on the community of this ill conceived project were not done. It is clear that the staff including the CAO are totally out of their depth dealing with this. I am deeply disturbed by the manner in which questions were left unanswered indicating that the depth of knowledge at senior levels about what is going on in this large complex project is totally inadequate. The research that Terry Drahos has done with one visit to Wayfarer should have been done a year ago by staff. The 20 mins presentation by Church Brewery was a propaganda snowjob and too many people fell for it.

I urge you to put this project on hold until all the facts about impacts are on the table.

Sincerely, Dick Groot

Sent from my iPhone

Begin forwarded message:

From: Elisabeth Kusters

Date: January 9, 2019 at 14:20:08 AST

To: Wendy Elliott <welliott@bellaliant.net>, "mbrian@wolfville.ca" <mbrian@wolfville.ca>, "jcantwell@wolfville.ca" <jcantwell@wolfville.ca>, "COldham@wolfville.ca" <COldham@wolfville.ca>, "wdonovan@wolfville.ca" <wdonovan@wolfville.ca>

Cc: dick groot < >, Terry Drahos < >

Subject: Fwd: Facts from a brewer about the Church Brewery's proposed project

See below - inconvenient facts!

We lived close to a large brewery (Grolsch) in the Netherlands. Once upon a time there was a big fire in town, close to the brewery. The tanks with toxic NH3 gas (ammonia), a necessary ingredient for brewing, got so hot that there was concern they would overheat explode. The whole city was ready to be evacuated.

That brewery was not located in a residential area and the fire wasn't their fault.

The Church Brewery needs a full blown environmental assessment for this and other risks - wastewater just being one of them.

Cease the operations immediately

Sent from my iPhone

Begin forwarded message:

From: Teresa Drahos < **Subject:** Facts from a brewer about the Church Brewery's proposed project

Hello Neighbours and Friends,

While we are all in support of the church being renovated as a restaurant, music venue, and a lovely

place to hang out the proposed brewery behind is a different kettle of fish. We need to separate emotion and what we perceive as fun from the reality of what a brewery truly means. After yesterday's town meeting I went for a tour of Wayfarer in Port Williams and talked with Chris Kallacky and their brew master Det. It was an eye opening experience. I have also requested a tour of Garrison brewery in Halifax which brews roughly the same capacity Church Brewery proposes.

Please feel free to share this information widely. Below is the information provided by

Thanks you for your time,

Terry

From: Jeff Hennessy <>
Sent: January 9, 2019 12:46 PM
To: Jeff Cantwell; Jodi MacKay; Mercedes Brian; Carl Oldham; Wendy Elliott; Wendy Donovan; Oonagh Proudfoot; Town Council; Devin Lake
Cc: June
Subject: COW Meeting

Dear Mayor Cantwell and Town Council Members:

Firstly, I want to thank you for your work. I have now attended several public meetings relating to the MPS amendment and the Church Brewing Company issue, and it is very clear to me that your jobs are not easy. I commend you for trying to see past the emotions and personal positions (and occasional attacks on character) in your work towards effective legislation for the town.

I am concerned however that your recent recommendation to Council from the Committee of the Whole is adding further confusion to this process. Councilor Donovan stated a number of things in her comments that I absolutely agree with and should provide clarity in your work going forward. Primarily she stated that there is no debate around the suitability of a microbrewery at 329 Main Street in the C1 zone and, as Director Lake stated, the Development Permit issued to the CBC cannot now be amended after the fact. The volume limits for a microbrewery are set by provincial legislation and these are not open for debate at the municipal level. The issue of industrial vs. commercial applications is also determined by statute. A microbrewery is considered a craft brewery operation (allowed in the C1 zone) and anything above the 15000 HL amount is considered commercial/industrial. The fact that Garrison Brewery is located in an Industrial Zone of Halifax and the CBC in a Commercial zone of Wolfville is immaterial to the debate. As you know, my wife Erin and I own a Dental Clinic located in one of Wolfville's Industrial areas. This does not make our clinic Industrial, but Alliance Dental commercial just because of where they are located: they are the same business type. I think there needs to be clarity around this.

I am glad that you all agree that the MPS should be amended to allow for "offsite sales," as this not only affects the CBC but potentially many other businesses, craftspeople, and artists in this town. I am confused though as to why the question of "contract brewing" has been allowed to pollute this debate. It did not take me very long to determine that contract brewing is actually not allowed in Nova Scotia under Provincial regulations. Considering this issue at the municipal level only confuses the debate, and I think is an example of what Councilor Donovan has referred to as "cherry picking" of issues. And indeed, were Provincial legislation to change to allow Breweries to engage in this business practice, it is likely that any conflicting municipal statute would face a court challenge for being out of line with provincial regulations.

My main concern with this is the message you are sending to potential investors and existing businesses like ours in this town. Many of us, including the Church Brewing Company, pride ourselves on our positive contributions to this town and we play by the rules. I invite you to read the identity statements posted both inside the Church and inside my wife's dental clinic for examples of the highest corporate ethics and values. We are now receiving the message that, despite all this, we are not immune to Political interference in response to isolated concerns of small groups of citizens. From what I have been able to observe and research, the MPS amendment under consideration *was* quite simple: offsite sales. Your option 2 motion from the COW directly addressed this. I would encourage you as a council to end the confusing and extraneous

debates around contract brewing, industrial use, and QOL considerations, all of which are covered by existing municipal and provincial legislation, and resolve the offsite sales issue as quickly as possible.

I look forward to the first reading and public hearing sessions where I hope there will be some clarity coming from council and staff around the central issue.

Good luck with it.

Jeff

--
Jeffrey J. Hennessy, Ph.D.
Dean of Arts
Professor of Music
Acadia University
Wolfville, NS, Canada, B4P 2R6

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From: Karissa Fraser
Sent: January 7, 2019 10:22 PM
To: Town Council
Cc:
Subject: Church Brewery

Hello,

My name is Karissa Fraser and I am the owner of YogaLife, located on Main Street in Wolfville. I am, unfortunately, unable to attend tomorrow's council meeting, but wanted to voice my support of the development of The Church Brewery.

My husband and I moved to Wolfville almost 7 years ago now, and, while we loved the town then, we recognize the enormous changes that have occurred in those few years, and love it even more now. The reputation Wolfville is building for being a destination to visit, extends far beyond our province, and it is places like The Church Brewery that have helped put us on the map. When looking for a space to start my business, I knew the downtown was where I wanted to be, but I was even more excited when I saw space on the East end of Main Street. That section of town has really changed in a short period of time, the foot traffic is increasing, and people are looking for something more than just Pub Fare food without hopping in a car and driving to Lightfoot.

I know there is a lot of discussion about traffic, but frankly, traffic is already a nightmare once the tourist season starts. I highly doubt that the people going to one restaurant will even register when looking at the cars that come through for the wine bus, the markets, apple picking, etc. I think that having a destination like the Church will even help the businesses on this end of town, as we know, the more people walking by, the more business we get. One would assume that I, with my business being a yoga studio, would be extremely cautious regarding sound and extra noise, however, I think that a busy patio in the summer, people coming and going on the sidewalk, simply adds to the vibrancy of the town, which is something business owners and patrons want to be a part of.

I, for one, am extremely excited about The Church Brewery, and hope that they are allowed to carryout their business in its full capacity, and to what they envisioned when beginning this development, including full production, and offsite sales.

Sincerely,

Karissa Fraser

THE CHURCH BREWERY --- ISSUES AND QUESTIONS

David A. Daniels
January 6, 2019

Wolfville's review process of The Church Brewery (TCB) project has been marred by planning missteps, flawed arguments and significant unanswered questions.

The initial plans for TCB included a restaurant, retail shop and brewery. The Town's Land Use Bylaws (LUB) does not permit a brewery in the C-1 zone where TCB is located.

The brewery might be permitted in the C-1 zone if it was determined to be an "accessory use" to the restaurant/retail shop. However, an accessory use, according to the LUB, must be "exclusively devoted to" the main uses.

By May 2017 Town planning staff were aware that the TCB owners were thinking about producing 2 million (M) litres (L) of beer in the brewery's first year of production. Yet in subsequent reports staff states that "[t]he 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." That would mean that the equivalent of slightly over 16,000 bottles of beer would have to be sold at the restaurant/retail space each and every day of the year.

At the time planning staff learned of TCB's plans, it should have made inquiries about the size of the proposed brewery and whether the brewery was intended to be "exclusively devoted to" the restaurant and retail shop. Staff should have been asking questions about the propriety of placing what amounts to a light industrial use in the Town's downtown core, off a residential street in a residential neighbourhood. Instead staff states in three reports from late 2017 and early 2018 that the proposed restaurant, retail shop and brewery were permitted in the C-1 zone.

In May 2018, the Town's Development Officer (DO) issued TCB a development permit that allows the brewery as an "accessory use". The permit contained two conditions: (1) that beer production would be limited to 1.5 M

L annually, and (2) "the accessory use beyond that of the main restaurant and retail use is not permitted." In other words, TCB would not be allowed to sell beer off-site. The second condition, based upon the "exclusively devoted to" clause, indirectly places a limit on the size of the brewery since it would make no sense to have a brewery capable of producing more beer than could be sold on-site.

After the issuance of the development permit, TCB owners began to construct a brewery that appears capable of producing a quantity of beer that far exceeds the amount that could be sold on-site.

The Town is now considering amendments to its Municipal Planning Strategy (MPS) and LUB applicable to the C-1 zone that would remove the requirement that accessory uses must be "exclusively devoted to" main uses and would place a cap of 1.5 M L for breweries in the C-1 zone. In other words, the proposed amendments will eliminate the second condition imposed on TCB by the DO.

Several Council members, including Mayor Cantwell, have expressed the view that the economic benefits that will flow from the TCB project justify removing the on-site sale limitation. The Mayor has referenced the jobs to be created by the entire project and money already spent on the church's renovation. But no one has questioned the right to operate the restaurant and retail shop. The issue is the size/capacity of the brewery.

The economic argument ignores one of the reasons municipalities have zoning: to reduce conflicts between different types of land uses. The Town's draft of the new MPS states at s. 5.4.1: *"It shall be the policy of Council . . . 19. To encourage intensive commercial development to locate in established commercial areas and to minimize potential land use conflicts by carefully regulating commercial land uses that abut residential areas."*

Council members who favour the elimination of the *"exclusively devoted to"* clause are taking a position without having the benefit of any detailed information concerning potential adverse impacts

(such as odours, truck traffic, road infrastructure, parking, noise and treatment of wastewater) the proposed TCB brewery may have on the nearby neighbourhood and Town. Fortunately, on December 12th, the Planning Advisory Committee (PAC) recommended to Council that this information be obtained. Unfortunately, staff in its Request for Decision, dated January 8, 2019, is suggesting that Council move forward with the LUB amendment that would redefine "Accessory Use" to allow off-site sales prior to obtaining the information requested by the PAC.

Why are the MPS/LUB amendments being considered at this time? Why not wait and consider them in the course of the Town's approval of new MPS and LUB that are nearing completion? In other words, what is the rush? Issues of enforcement and the recent court decision that ruled the DO's permitting decision is reasonable do not justify the urgency.

Why is staff using the 1.5 M L figure in the proposed MPS/LUB amendments? That figure comes from the NSLC's classification of breweries. However, how NSLC classifies breweries

has nothing to do with land use planning. Why hasn't staff researched how the physical size of the brewery and production capacity relate to potential impacts, and then figure out what size would be appropriate for the downtown commercial core?

Finally, if the Town does not amend the MPS/LUB to allow for off-site sales of beer, will it be subject to a legal challenge by TCB? If the answer is "yes" or "maybe", then in what ways, if any, has the potential legal challenge influenced the TCB review process?

From: David Daniels
Sent: January 6, 2019 3:34 PM
To: Town Council
Cc: Erin Beaudin
Subject: 329 Main Street: The Church Brewery

January 6, 2019

Dear Council Members:

I was surprised to read in the January 8th COW agenda package that planning staff is suggesting to Council that it to move forward on portions of the proposed amendments to the MPS/LUB concerning craft beer production. In particular, staff is suggesting that the amendment which would redefine "Accessory Use" to allow off-site sales should proceed.

I was surprised, first, because the staff's request is based upon, among other observations, that "[t]here appeared to be consensus on certain issues at PAC that can move forward (e.g. off-site sales, contract brewing). I did not attend the meeting but listened to the recording of the meeting at my desk, and did not hear any consensus had been reached regarding off-site sales. (Is it now the policy of Council to act on "appearances"?)

Second, I question whether the Council has the authority to take action on planning documents, which include the MPS and LUB, without first obtaining a recommendation from the PAC. There is no question that you may take action that is contrary to the recommendation. But you are now being requested by staff to act without first obtaining the PAC recommendation.

The MGA allows municipalities to create PACs.

Planning advisory committee

200 (1) A municipality may, by policy, establish a planning advisory committee and may establish different planning advisory committees for different parts of the municipality.

(2) Two or more municipalities may, by policy, establish a joint planning advisory committee.

(3) A planning advisory committee or joint planning advisory committee shall include members of the public and may include a representative appointed by a village commission.

(4) The purpose of a planning advisory committee or a joint planning advisory committee is to advise respecting the preparation or amendment of planning documents and respecting planning matters generally.

(5) The duties assigned, pursuant to this Part, to a planning advisory committee or a joint planning advisory committee shall only be carried out by the committee.

(6) The council shall appoint members of a planning advisory committee or a joint planning advisory committee by resolution. 1998, c. 18, s. 200; 2014, c. 21, s. 3.

The Town has taken advantage of the powers granted it, and created a PAC and established a policy which includes the following:

5.2 Mandate and Responsibilities:

5.2.1 The Committee has the following responsibilities:

- a. Upon request of Council, provide recommendations on planning and heritage issues.*
- b. To consider the four pillars of sustainability as espoused in the Municipal Planning Strategy in all recommendations and advice provided by the Committee.*
- c. To act as, and carry out the purposes of a Planning Advisory Committee as prescribed under the Municipal Government Act.*
- d. To act as, and carry out the duties of, the Heritage Advisory Committee as prescribed in Heritage Property Act.*
- e. To follow the Town's Public Participation Program.*

The Town has requested that PAC make a recommendation regarding proposed amendments to the Town's MPS and LUB. The only recommendation the PAC has offered Council at this time is the following:

MOTION: THAT THE PLANNING ADVISORY COMMITTEE RECOMMEND THAT COUNCIL REQUEST MORE INFORMATION FROM STAFF RELATED TO TRAFFIC, ODOUR AND NOISE MANAGEMENT, SUBCONTRACTING OF EQUIPMENT ON PREMISES AND IMPLICATIONS TO WATER AND SEWER USAGE AT THE LEVEL OF PRODUCTION WITHIN THE NSLC'S DEFINITION OF A MICRO-BREWERY AND NANO-BREWERY.

The recommendation does not say that the portion of the proposed MPS and LUB amendments dealing with "off-site sales" should move forward.

In sum, it appears that the staff is requesting Council bypass the requirements set out in the MGA and its own policy.

Respectfully,

David A. Daniels

From: Drew Redden
Sent: January 2, 2019 2:40 PM
To: Jeff Cantwell; Town Council; Devin Lake
Subject: The Church Brewing Company

Mayor Cantwell,

In 2008 I graduated from Horton High School and left Wolfville to continue my studies at Wilfrid Laurier University in Waterloo, Ontario. The plan in 2008 was to complete my degree and return to Nova Scotia to start my career. Fast forward ten and a half years, I am still in Ontario enjoying a successful career, but returning to Nova Scotia remains the goal and Wolfville continues to be "home".

I regularly make it back to Wolfville and as the years go on, the desire to return home permanently becomes greater and greater. Over the past few years, something has changed in Wolfville. There is a buzz in the town that is unlike any other community across the Province. This buzz is something I have been proud to show off to my Ontario friends, family and colleagues. Whether it is through sharing a bottle of Annapolis Cider from my cider club subscription at a pot luck in Toronto or showing off photos of the new trails to cycling enthusiasts in Ontario, Wolfville has become a town people are more and more interested in.

This past Christmas I had the opportunity to go inside the St. Andrews United Church. Of all the new developments and projects in town, this one has me the most excited and one that I believe will take Wolfville to the next level. I grew up in this church, and to walk through those same doors last week that I walked through every Sunday of my childhood and see the care, craftsmanship and preservation the new owners have undertaken, once again has me so excited for Wolfville.

These are the types of projects and businesses that are so important for a community like Wolfville. My story is not a unique one. In Ontario when I run into East Coasters in both my business and personal life, a topic of conversation almost always lands at their plan to get "back home". A business like The Church Brewing Company will only bolster Wolfville's credentials as a relocation destination for those of us whose careers have taken us to Ontario, Alberta and beyond.

I strongly urge you and all of council to support The Church Brewing Company as their grow their business and you grow our community.

Yours truly,

Drew

Drew Redden

From:
Sent: December 17, 2018 12:56 PM
To: Jeff Cantwell; Town Council
Subject: The Church Brewery Project - Please support this

Dear Jeff Cantwell,

I am writing to express my support for The Church Brewery development, currently underway on Main Street in Wolfville, NS and the necessary bylaw changes to facilitate this project.

I felt compelled to write this letter after reading the recent CBC coverage on this project. This news coverage has made me concerned that our town council is not receiving enough feedback from the community to accurately understand the large amount of local support that exists for this project.

My husband and I chose to move to Nova Scotia eight years ago to raise our family. We have been delighted to see the entrepreneurial spirit that is driving the development of the wine, cider and microbrew industry and the slow food movement in the Annapolis Valley. The Church Brewery is one such project that fits with this movement and has the potential to have a long-lasting, positive economic impact for our town. It will create new employment opportunities, generate tax revenue, and help to increase tourism appeal for Wolfville.

We chose to live in Wolfville on Main Street so that we were within a reasonable walking distance to local amenities downtown. We understand that The Church Brewery plans to scale up production, at some point in the future, and that this may increase truck traffic on Main Street. We recognize that choosing to own a house on Main Street exposes us to traffic noise. We feel this is a reasonable trade-off we are willing to make and understand that traffic noise equates to a thriving, vibrant community, which we feel lucky to be a part of.

Rural towns all over Nova Scotia are being challenged to reinvent themselves or face population decline. Many of the historic, brick and mortar buildings in our province require significant financial investment to once again become productive assets. Construction noise is never pleasant, but it is a necessary, short-term nuisance for a longer-term benefit to the whole community. The Church Brewery project is a good fit for Wolfville. It preserves and makes productive use of a beautiful historic stone structure that was decommissioned over four years ago.

I was heartened to hear your support for this project. However, support from the town council and the community at large is required for its success. Otherwise we run the real risk of sending the message that Wolfville is not open for business.

I encourage the town to support this project and modernize the current bylaws. Please share my email with the full Wolfville Town Council.

Sincerely,

Kristin Harris

From: Jeff Hennessy
Sent: December 13, 2018 1:51 PM
To: Jeff Cantwell; Jodi MacKay; Mercedes Brian; Carl Oldham; Wendy Elliott; Wendy Donovan; Oonagh Proudfoot; Town Council
Subject: MPS Amendment debate

Dear Mayor and Council:

As you may have noticed, I have been in the gallery for the past two public meetings relating to amendments to the current Municipal Planning Strategy. Specifically, I have been there to support the efforts of the Church Brewing Company to build a microbrewery at 329 Main Street. I will admit to having a bias in this debate. I like this project. I like that they have decided to pour millions of dollars into our local economy. I like that they are employing over 60 local people. I like that they are using local laborers in their renovation. I like that they are conscious of the visual impact and historical legacy of that Church in their design and construction. I like that they are planning to use local products whenever possible. I like that they are committed to establishing a thriving music venue that will include local musicians. And I like these people. I like that they live in our town, their kids attend Wolfville School, and they volunteer in our community. I like that they are committed to this town and its future. So I believe my bias is well-founded. I also appreciate that the detractors of this project have their own bias – specifically the residents who decided to buy property adjacent to this commercial zone. They are entitled to their position and I respect their concerns.

As a Council though, I believe your job is not to determine which of these two biases you sympathize with more. The reality is that the Church Brewing Company entered into an agreement with the Town of Wolfville to build a microbrewery and restaurant at 329 Main Street. They have a license and have proceeded with that substantial investment in good faith. I understand there is some unintended confusion in the MPS regarding the permission of “off-site sales,” which affects not only the Church but the Annapolis Cider Company. Indeed, I heard from one of your counsellors at the public session that the PAC and Council would surely agree to amend the MPS to allow this for obvious reasons. I am appalled then that this question has become complicated by a debate over whether or not the MPS should allow for a microbrewery in the C1 zone at all. From everything I have read, this *is* allowable and *was* allowable when the Church Brewing Co. received their license to proceed. To consider changing the rules now after all that has been accomplished is, in my opinion, irresponsible. I implore you not to hinder the development of socially and economically conscious entrepreneurship in this town any further. Your appeal for further information regarding traffic, noise etc. is inappropriate since, as I read the LUB, the C1 zone permits bus stops, taxi stands, public parking lots, grocery stores, and car rental facilities among its many possible uses that would not be subject to the same scrutiny. I believe this debate has unfairly targeted one business in response to resident concerns, and I implore you to move past this and get on with the business of legislating for the good of the Town as a whole, and with respect to your own by-laws and strategic plan. If the question of “off-site sales” is easy to resolve, then please deal with this and not allow this debate to be further complicated by individual biases and interests.

Yours respectfully,

Jeffrey J. Hennessy, Ph.D.

From: June Pardy
Sent: December 12, 2018 9:14 PM
To: Jeff Cantwell; Jodi MacKay; Mercedes Brian; Carl Oldham; Wendy Elliott; Wendy Donovan; Oonagh Proudfoot; Town Council
Subject: OPEN FOR BUSINESS

Mayor and Council,

As an owner of a Wolfville business, I am very concerned about the possible precedent being re-set in the area of Business Development in Wolfville. I am writing in support of The Town of Wolfville's decision to approve the development of the Church site into The Church Brewing Co. and to take the steps now that support that agreement and allow these owners to focus on opening their doors. From my understanding, the owners and developers of this property have worked closely with the Town and its resources and followed the rule of law and development in every step, investing significant time and money in good faith with the Town and its representatives. There has been objection to their plans during the process but in the end, the Town approved their development plan and the owners have adhered to every guideline required by the Town.

Instead of focusing on training their 65 employees to serve their customers and their sold out event on New Year's Eve, these owners are being asked to attend more meeting and "defend" their business. We have arrived at a place where Council needs to send a very clear message. The group of citizens who oppose the Church development may want to tie up the time of Council in discussing it further, but they should not be allowed to obstruct an approved business development agreement. No matter the arguments, their willingness to engage legal representation or the enthusiasm for a fight, their input was heard long ago and the Council approved the plan in motion for this business on this property.

The rule of law and the Town's development agreements with businesses have to be meaningful. For current and future businesses of the Town of Wolfville, the process must be respected and defended by all Councillors once an approval is given. If we are to continue to be "**the place, people and perspectives that MAKE business flourish**", this is the time to celebrate their vision and commitment.

Yours respectfully,

June Pardy
Beleaf Salon and Spa
Wolfville NS

From:
Sent: December 11, 2018 4:09 PM
To:
Subject: former United Church property

Hello Mr Prevost,
Would you please forward this message to members of the PAC that are not also members of the town council. Thank you.

To: Wolfville Town Council

From: Patricia Williams

I understand town council is planning to re-zone the former United Church property from commercial to industrial. There has been little public discussion, though rumours abound. The town council has not kept residents informed; the appearance is one of back room deals, even if this is not the case.

Re-zoning from institutional (church) to commercial to industrial is quite a change. It will profoundly change the nature of our town, never mind the immediate neighbourhood. The process you, as a body, have opted to use is undemocratic. Such a monumental change should be referred to the residents of the entire town in a plebiscite. The process of decision making needs to be open, based on information available to all (it could be included with utility bills) before any decisions are made. That way we would have information, not rumours.

A second concern is the amount of water an industrial factory would use. Can our town water source support this? Are you sacrificing the needs of the residents of the town for an industrial enterprise? You were elected to represent the residents of the town, yet your actions apparently disregard the residents in favour of an industrial entity. This, too, needs to be disclosed if there is to be informed discussion.

Taxes are a third concern. While businesses are an important segment of the town's tax base, residential property is crucial. The residents of an industrialised area will surely have their property assessments significantly lowered. This will reduce the tax paid to the town by residents on at least two streets, probably more. Was this part of the decision making process? I simply do not know.

I urge you to halt the rumoured re-zoning. An industrial-sized brewery does not belong in a residential neighbourhood.



Virus-free. www.avast.com

December 10, 2018

Via E-Mail

Town of Wolfville
Planning Advisory Committee

Dear Committee Members:

Re: MPS Amendments – Craft Beverage Industry

This letter is our formal written submission in respect to Public Participation respecting the above topic. We live adjacent to the Church Brewing Company development at 329 Main Street and 4 Seaview. While I will speak to some of the larger issues in person, here are our suggestions regarding allowing craft beverage production in the C-1 zone.

1) Only “nano-breweries” (as defined by the NSLC) be permitted in C-1. This is consistent with existing operations in Wolfville and is consistent with what we believe were the expectations of this committee and Council regarding breweries on Main Street. A nano-brewery as per the NSLC may brew up to 2,000 hecto-litres, which is 200,000 litres of beer. For reference, we are told that Paddy’s makes about 100,000 litres per year. The Annapolis Cider Company makes about 80,000. We support operations of this size in the Town of Wolfville, as long as there is no impact upon the quiet enjoyment of residents who live adjacent and that a robust consultation process occur prior to development.

This committee’s prior recommendation to Council has led to the issuance of a development permit that authorizes 15,000 hectolitres, or more than 4.5 million bottles of beer annually. The word “micro-brewery is misleading – there’s nothing micro about it. In doing research with the NSLC, 15,000 hectolitres would make the operation at 329 Main Street the largest independent brewery in Atlantic Canada. That’s a beer factory, next to residential zoning.

Anything larger than 2,000 hectolitres per year of production should require industrial zoning.

2) That the definition of “accessory use” should allow businesses in the C-1 zone to sell their product offsite, provided that the products in question are actually completely produced onsite. This WOULD NOT and SHOULD NOT include beer brewed on behalf of other parties or bottling/canning operations on contract for others.

3) Parking issues must be considered when issuing development permits for this type of occupancy. In the case of 329 Main Street, Seaview Avenue must be designated for resident parking only. We have been told previously that there is no precedent for this, however there’s no precedent for a commercial brewery next to residential occupancy either. As the owners of 4 Seaview, the developers would get the same number of permits (we suggest 3 per household) as the rest of us.

- 4) With respect to buffering, noise, odours, heavy truck traffic, vibration, and safety must all be considered when permitting a craft beverage operation. If a craft beverage operation is permitted, enforcement should be ongoing and vigilant, not complaint driven as is currently the case.
- 5) Commercial truck traffic cannot occur on residential streets. Incoming and outgoing restaurant supplies, food, hops, malt, barley, bottles, cans and finished product for this scale of operation would see a level of commercial truck traffic that would be a danger to pedestrians and cause premature degradation of roadways and disruption to pedestrian and vehicular traffic. A plan for shipping and receiving which focuses on risk management, acceptable to the Town, should be a requirement prior to the issuance of development permits.
- 6) Because of the community impacts, any development within the craft beverage sector should be subject to a Development Agreement, and numerous opportunities for public input should be provided as part of the process. The proponents should be required to participate actively with potentially impacted residents and businesses and demonstrate as part of their development proposal how they have devised a plan to mitigate any concerns illuminated.

We were the applicants who initiated the Judicial Review that has led to this situation being created. We conclude by quoting from the decision of Mr. Justice Warner regarding this matter:

"As a matter of fact, even retail operations that exceed 230 square metres are required to be in what's called the industrial commercial zone, in other words they're required to be in a zone in which warehouses, building supply and equipment depots, industrial uses exist, service industries and taxi stands. That reflects the intent of the Town of Wolfville and suggests where they were permitting large retail operations to be and commercial and industrial activity of a larger size. As the MPS indicates, the Town of Wolfville was seeking to promote a compact central business district of boutiques and effectively a tourist centre.

By definition that does not mean large commercial operations which are assigned to a different zone. In my mind it's clear that the intent of the land-use bylaw was not to permit an operation in which the restaurant and retail area was 8,237 square feet to have a manufacturing operation that could produce far more product than what was likely to be saleable through the restaurant and retail space on the site.

Obviously, the Court hopes that whoever does a business enterprise is successful – and I hope they are – but within the parameters of what the land-use bylaw of the Town of Wolfville wanted in its downtown C1 zone, which were small enterprises that would make it a tourist and other destination, not the equivalent of an industrial park."

Yours truly,



Karen MacWilliam & Glenn Howe

c.c.: Devin Lake
Erin Beaudin
Town of Wolfville Mayor and Council
Town Clerk

From: Teresa Drahos

Date: December 2, 2018 at 12:21:33 PM AST

To: Erin Beaudin <EBeaudin@wolfville.ca>, Jeff Cantwell <JCantwell@wolfville.ca>, Wendy Donovan <WDonovan@wolfville.ca>, Wendy Elliott <WElliott@wolfville.ca>, Mercedes Brian <MBrian@wolfville.ca>, Oonagh Proudfoot <OProudfoot@wolfville.ca>, Carl Oldham <carlpoldham@gmail.com>, Jodi MacKay <JMackay@wolfville.ca>

Subject: Fwd: 329 Main Street

WTF. How come neither Stephen nor I receive any notifications of any meetings. We have been requesting the town to rectify this communication error since last March. At this point it seems omitting us is on purpose. In fact I sent an email about this on November 25th, I will send it again in email to follow.

Terry and Stephen Drahos
Residence at 311 Main Street

From:
Sent: November 25, 2018 12:44 PM
To: Town Council; Erin Beaudin; Devin Lake
Cc:
Subject: Re: In reference to council meeting March 19, 2018, 329 Main

Dear Town Council and Neighbours,

It has come to our attention through Facebook that there was a town council meeting concerning the property at 329 Main Street and the definition of an appropriate size of brewing in a C1 Zoning. As the closest property owner to 329 Main I want to make it perfectly clear and for the record that I am COMPLETELY apposed to any brewing facility larger than what exists at Paddy's Pub (which by the way is not adjacent to residential zoning). When this matter was brought to court the judged ruled that Main Street Wolfville has no place for manufacturing and distribution. That they could brew 1.5 million litres pre year (or 12,000 bottles a day) as defined by the NS Liquor commission as a "Micro Brewery" but once they distributed it elsewhere it was manufacturing. Therefore **all beer** must be sold on premises.

When I spoke with the Liquor Commission about their designation/definition of a "micro brewery" the woman in charge referred to it in conversation as a factory facility. She also stated that the approval of the license to brew beer was contingent on the municipality providing proof of proper zoning for this size of a facility. It is clear that the liquor commission thinks a facility designated at a "micro brewery", large enough to brew 1.5 litres per year is a factory and should be located in an industrial zoning not C1.

Over the years Stephen and I have come to council meetings when the issues involved our property. Never once has council taken our concerns into their rulings or done anything to address the issues. We have voiced our concerns about appropriate due process, parking, construction, access to our driveway, utilities being cut off without notice, the inability to exit onto Main Street safely, enforcement of bylaws.

Stephen and I are out of town and will be as much as possible because it has become a nightmare living at 311 Main Street which has had uninterrupted construction adjacent to it for the past 3 years. Because we are not present at meetings please take this email and the attached email which references the zoning meeting that started this development as our position to be included in all council meetings concerning 329 Main Street and zoning changes concerning brewing alcohol.

Respectfully,
Terry Drahos
311 Main Street
Wolfville, NS

PS you should send notice of council meetings about adjacent properties via email.

On Mar 21, 2018, at 7:54 AM, Teresa Drahos wrote:

Dear Town Council,

I want to reiterate several points from last nights council meeting regarding the zoning of the Seaview/Main Street property.

Lets get the timeline straight

1. Originally there was a church zoned institutional and a house (the manse) zoned residential. The house had a side yard instead of a back yard. The church had a small driveway access to the back. The property/zoning line ran between.
2. Somewhere along the way the church zoning was changed from institutional to commercial.
- 3 . The church and manse were sold to Mike MacArthur or his company.
4. MacArthur acquired a building permit from the Town of Wolfville to carve out and remove the side yard of the residential Manse property to create a large parking lot. Somewhere near the same time he divided the carved areas as separate parcels.
5. MacArthur's building permit was never completed and the property remained a construction site. **We pointed this out to the town and the response was the Town could do nothing.**
6. The property was again sold to the current owner.
7. While the current owner has not submitted a formal plan if you read through the 100s of email pages between the town planning department and the new owners it is clearly spelled what they intend to put there, which is a brewery to manufacture 2 million litres of beer annually.
8. In order to make that much beer they need a loading dock for the trucks to deliver the materials and ship the beer.
9. By rezoning the parcels you gave them their loading dock area.

Some things we found suspicious

1. This process is being done backwards -The town should have required the new owner to submit a plan for their usage **before** they did a rezoning.
2. In striking contrast to the other zoning matters on the agenda the owners of 329 Main were not present at the zoning meeting. They didn't need to be, because the town's planning department was there to represent the owner's interest. More fundamentally by not being present, they were not available to answer any questions about this project.
3. The plans were modified on **Monday (the day before the meeting)** to supposedly create a buffer. How would we know if there is any kind of buffer no one had time to look at anything and no plans have been submitted.
4. If you walk over and look at the site it is clear they are carving out the largest parking lot they can get to accommodate loading docks and trucks.

In conclusion: This is stupid, the whole process is being done "half ass backwards". There should be plans for the property before you rezone and those plans need to coincide with the proposed reconfiguration of Seaview Ave. Then you consider the rezoning. Someone is pulling a fast one on the Town Council.

You are rezoning without plans and you approved it.

Terry and Stephen Drahos

PS This morning they are actively working on the construction of their loading dock and truck parking without plans or a buffer.

FROM : DAVID DANIELS

November 19, 2018

Dear Council Members:

As you are aware, I have had questions and concerns about how the Town processed and approved the proposed project at 329 Main Street. I watched live the portion of your November 6th COW meeting via Facebook dealing with 329 Main Street and subsequently listened to the recording of that portion of the meeting. You have already received my comments on the Staff Summary presented at that meeting.

I have set out below some further comments and questions.

If what I've written is hard to follow, I apologize in advance.

The Planning Staff's Report to the PAC, dated November 29, 2017, has a section entitled "*As of right development in the C-1 zone.*" The Report provides two possible explanations as to why the proposed brewery at The Church Brewery (TCB) is permitted on the site that is zoned C-1: first, that the brewery is an "accessory use" and second, that the brewery is a "craft workshop". The planning staff later settled on the justification that the brewery is an accessory use.

The Report quotes the LUB definition of an "accessory use".

"Accessory Use means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to the main use of land or building and located on the same lot."

The Report then 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."

There is no mention of selling beer off-site.

In an earlier email from Steve Haysom, one of the owners of TCB, and others (redacted) to Marianne Gates and Chrystal Fuller, dated May 30, 2017, Mr. Haysom makes clear that the owners intend to produce 2,000,000 litres of beer at the brewery in its first year of production.

Two million litres of beer is equal to 5,865,102 341 ml. bottles of beer. Did the owners and Town staff believe that the equivalent of over 16,000 bottles of beer a day would be sold at the restaurant/retail space?

For the November 6, 2018 COW meeting, the staff provided a Summary that includes the following statements:

A recent court decision has highlighted possible inconsistencies in the Town's Land Use By-Law.

There has been some ambiguity with the definition of "accessory use" mostly with respect to the term "exclusively devoted" and how it relates to sale of product off-site. This court decision has provided Staff with direction; however, it has also raised concern regarding regulating these types of uses going forward, most notably where off-site sales are already established. Staff were not of the opinion that selling product "on tap" (kegs) at other locations, farm markets and local events was a concern provided that the main sales were done in the tasting rooms, restaurants and retail spaces on the premises where these "accessory uses" are located. (My emphasize.)

I've asked, but received no response to my question: what "possible inconsistencies" is the staff referring to?

What "ambiguity" is there in the words "exclusively devoted to"? What is the basis of the staff's belief that it would not be contrary to the LUB's definition of "accessory use" if beer is sold at other locations "provided that the main sales" occurred at the site of the restaurant and retail shop. (Note that staff makes no reference to sale of beer at the NSLC stores.) The LUB does not say a use is an "accessory use" as long as the use "mainly" occurs at the site. It says the use is "exclusively devoted to the main use".

What would have happened had the owners of TCB approached the Town with the following proposal? We would like to turn the church into a large high-end restaurant. We will have a large outdoor section with beautiful landscaping in the front for summer time dining; they'll be a fire pit.

And in the back of the church, we plan to knock down the present building and construct an industrial-sized brewery at which we hope to manufacture, to start with, two million litres of beer. They'll be a tasting room and retail shop to sell the beer. However, the beer we'll be manufacturing at the brewery will also be sold off-site. Our hope is that one day our beer will be sold at NSLC stores.

The issues that the staff now indicates arose with the court decision should have been evident when the size of the brewery (initially in terms of production capacity) first became known to the Town, that is, no later than the end of May,

2017. The staff apparently did not ask obvious questions nor seek out information that would be relevant to processing the TCB proposal. Of the two million litres of beer you propose to manufacturer, how much do you believe will be consumed on-site or sold at the retail space? Do you intend to sell beer off-site? How much beer is produced at the brewery located at Paddy's? How will the TCB compare in size and capacity to Wayfarer's brewery located in Pt. Williams?

The task set out in Option 2, approved by Council at its November 6th COW meeting, should have been carried out much earlier in the planning process. And certainly well before the TCB owners began to expend funds for the construction of the brewery.

*Option 2
Amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to establish clear parameters for the craft beverage industry in the Town.*

Option 2 references "the craft beverage industry" without mentioning the TCB project. However, most of the Council members' questions and comments at the November 6th COW meeting concerned the pros and cons of permitting the proposed brewery portion of TCB. The following exchange between Councillor Donovan and Mayor Cantwell makes clear what the Council was voting for when it approved Option 2.

Councillor Donovan: I thought Option 2 meant we were going into an MPS amendment that would allow this to be as of right. (The "this" from the context of the discussion is brewery portion of TCB brewery that would be permitted to sell its beer off-site.)

Mayor Cantwell: Yes, that is the intent.

In the discussion at the November 6th COW meeting, the proponents of Option 2 mentioned the creation of jobs and the increase in needed commercial assessment and that the decision has to be viewed in light of what will benefit the entire Town.

Missing from the discussion was any detailed information regarding potential truck traffic, size and frequency, both bringing raw ingredients to the brewery and leaving with beer; whether there would be any odors or noise originating from the brewery; and potential impact of the treatment of wastewater (with yeast) leaving the brewery.

With the adoption of Option 2, the Town is now proposing to amend the MPS and LUB to allow TCB to sell the beer it produces at its brewery off-site; that is, to allow a use that is not permitted under the present MPS and LUB.

The objection may be raised that Council, by its approval of Option 2, has not committed to allow the proposed brewery portion of TCB. Option 2 tasks the staff with providing "*clear parameters for the craft beverage industry in the Town.*" TCB's brewery may or may not meet the parameters once they are adopted. However, the discussion at the November 6th COW, and in particular, Mayor Cantwell's response to the question posed by Councillor Donovan would indicate the actual purpose of the yet to be drafted amendments is to permit the proposed brewery.

At the October 16 Council meeting TCB was discussed *in camera* based on s. 22(2)(f) of the MGA. That subsection allows councils to hold meeting *in camera* to discuss litigation or potential litigation.

To what extent is Council decision making being influenced by the Town's exposure to litigation? And since the Town may claim it cannot answer this question, another related question is: do Town residents have the right to know all the reasons behind decisions made by Council?

I'd rather not have to criticize the work of staff. My interest is to try to understand the planning process and how it might be improved. As it concerns this particular project, understanding what happened should, in part, guide decisions moving forward. You, of course, may conclude that nothing went wrong.

Respectfully,

/s/

David A. Daniels

From:
Sent: November 5, 2018 10:40 AM
To: Town Council
Cc:
Subject: RFD: Accessory Uses
Attachments: MPS and LUB amend comments on Staff report Nov 6 1a.pdf; MPS and LUB amend comments on Staff report Nov 6 1a.docx

Dear Council Members:

Please accept the following preliminary questions and comments regarding the above referenced matter.

These questions and comments appear in the text of the of the November 6, 2018 COW agenda package, pp. 144 - 148.

I will make my comments and questions in CAP and in RED to distinguish them from portions of the agenda which is in CAPS.

Respectfully,

David A. Daniels

DRAFT

SUMMARY

Accessory Uses - Off-site Sales

A recent court decision has highlighted possible inconsistencies in the Town's Land Use By-Law. WHAT ARE THE "INCONSISTENCIES" REFERRED TO? In doing so the Court indicated that it would not have found the issuing of a development permit "reasonable" if the property was used to make a product intended for off-site sales. Indirectly, the Court placed limitations on off-site sales for accessory uses. THE COURT DID NOT PLACE LIMITATIONS ON OFF-SITE SALES, THE PERMIT ISSUED BY THE D.O. PLACED LIMITS ON SUCH SALES. THAT LIMITATION IS CONSISTENT WITH THE TOWN'S LUB PROVISION ON "ACCESSORY USES". THE TOWN'S LUB STATES THAT AN ACCESSORY USE MEANS: ". . . a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to the main use of land or building and located on the same lot." HOW DO THE WORDS "EXCLUSIVELY DEVOTED TO THE MAIN USE" CREATE UNCERTAINTY.

This decision has potential implications for any business with an accessory use. Such businesses may not be permitted to sell their wares produced by that accessory use off-site, i.e. farm markets, local events, etc. This court decision has inadvertently created uncertainty for businesses in Town. Council has asked Staff to provide options to address these concerns.

HERE IS ANOTHER WAY TO LOOK AT THE ISSUE. IT'S NOT THE "COURT DECISION . . . [THAT HAS] CREATED UNCERTAINTY". RATHER TWO BUSINESSES IN TOWN IS PRESENTLY ACTING AND IT APPEARS THE OTHER PLANNING TO ACT IN WAYS THAT ARE CONTRARY TO THE ORDINARY MEANING OF THE WORDS "EXCLUSIVELY DEVOTED TO."

I DO NOT KNOW THE CIRCUMSTANCES SURROUNDING THE APPROVAL OF THE DEVELOPMENT PERMIT FOR THE CIDERY. IN THE CASE OF THE CHURCH BREWERY, THE TOWN STAFF, WITH A LITTLE RESEARCH OR A SIMPLE QUESTION, COULD HAVE DETERMINED WHAT THE INTENT OF THE CHURCH BREWERY WAS.

THE INITIAL EMAILS INDICATE THAT THE OWNERS INTENDED TO PRODUCE, TO START WITH, 2,000,000 LITERS. AN INQUIRY TO PADDY'S COULD HAVE ESTABLISHED THAT THE BREWERY IN ITS WOLFFVILLE RESTAURANT PRODUCED LESS THAN 150, 000 LITRES PER YEAR WHICH SUPPLIED THE ESTABLISHMENT IN WOLFFVILLE AND KENTVILLE, AND ALSO THE SALE OF GROWLERS. (I WAS TOLD THIS BY A MANAGER OF THE WOLFFVILLE RESTAURANT.)

DID THE PLANNING STAFF BELIEVE THAT 2,000,000 LITERS (OR 1.5 MIL. AS APPROVED) WOULD ALL BE SOLD AT THE RETAIL SHOP AND RESTAURANT?

WHY DID THE PLANNING STAFF REPEATEDLY STATE IN ITS REPORTS THAT THE BREWERY PORTION OF THE PROJECT WAS "AS OF RIGHT"? ISN'T THAT THE DECISION OF THE TOWN'S DEVELOPMENT OFFICER WHICH HAD NOT YET BEEN MADE?

October 16, 2018 Council Motion:

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL DIRECT STAFF TO PREPARE A REPORT OUTLINING OPTIONS TO ADDRESS THE OUTCOME OF THE 329 MAIN STREET CHURCH BREWERY COURT DECISION REGARDING ACCESSORY USE AND IMPLICATIONS TO EXISTING AND FUTURE CRAFT BEVERAGE OPERATORS IN THE TOWN.

CARRIED

THIS MOTION WAS CARRIED AFTER AN IN CAMERA SESSION WHICH DEALT WITH LITIGATION OR POTENTIAL LITIGATION DEALING WITH 329 MAIN STREET.

ARE THE ACTIONS NOW PROPOSED CONCERNING ACCESSORY USES BASED FEAR OF POTENTIAL LITIGATION?

DRAFT MOTION:

1. THAT COUNCIL DIRECTS STAFF TO PROCEED WITH ONE OF THE OPTIONS OUTLINED IN THIS REPORT.
2. (IF OPTION 1 IS NOT PURSUED) THAT COUNCIL DIRECTS STAFF TO DELAY ENFORCEMENT OF OFF-SITE SALES OF ACCESSORY USES WHILE COUNCIL CONSIDERS AMENDMENT OPTIONS.

MGA S. 243 STATES IN PART: *Development officer 243 (1) A council shall appoint a development officer to administer its land-use by-law and subdivision by-law.*

DOES COUNCIL HAVE AUTHORITY TO DIRECT THE DEVELOPMENT OFFICER ON HOW TO ADMINISTER THE TOWN'S LUB? IF SO, WHAT IS THAT AUTHORITY?

1) CAO COMMENTS

Staff have not provided a recommendation for Council. The intention of this RFD is to provide Council with detailed information to allow Council to determine which policy option is preferred.

2) LEGISLATIVE AUTHORITY

The Municipal Government Act (MGA) enables municipalities to create and amend a Municipal Planning Strategy and Land Use Bylaw.

3) DISCUSSION

A permit was issued for an as-of-right development to establish a restaurant/retail space with an accessory microbrewery at 329 Main Street. The use of the property for the microbrewery was approved by the Development Officer as an "accessory use".

"Accessory Use means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to the main use of land or building and located on the same lot."

The decision of the Development Officer to issue this permit was challenged by the neighbouring property owners. THIS REPORT SHOULD INCLUDE WHAT THE ACTUAL PERMIT STATED. I RECALL THE PERMIT INCLUDED AT LEAST TWO CONDITIONS; THAT THE BREWERY WAS PERMITTED TO PRODUCE UP TO 1.5 MILLIION LITRES PER YEAR, AND THAT WHAT WAS PRODUCED AT THE BREWERY COULD ONLY BE USED ON SITE; THAT IS, IT COULD BE SOLD AND CONSUMED AT THE RESTAURANT AND SOLD AT THE RETAIL SHOP. The neighbouring property owners who challenged the decision to issue the development permit cited a belief that the brewery was an industrial use which is not permitted in the C-1 zone. This was taken to judicial review of the Supreme Court of Nova Scotia where the Judge upheld the decision of the Development Officer to issue the permit. However, the Judge indicated that had the intention of the owner been to sell the product produced on the property through the Nova Scotia Liquor Commission (NSLC) the decision to grant a development permit would not have been reasonable. According to the Court, the accessory use must be "exclusively devoted" to the main use, which means that any beer brewed on the premises could not be sold off site (e.g. NSLC, farmers markets, local events, keg sales at other licensed establishments, etc).

Decision by the Court, September 5, 2018:

"...Based on that definition the fact that a microbrewery can sell up to 15,000(sic) hectolitres of beer a year is secondary. If it can do it through the restaurant and retail store on the land, that's the limit to which it can sell. If it can't do it through the restaurant and land, then there's nothing in the development permit that authorizes it to sell that production elsewhere."

This decision not only impacts the Church Brewery (329 Main Street), but any other business in the Town that are producing product or distributing as an accessory use.

Currently there are three businesses that are either operating or under construction as accessory microbreweries/cideries:

- The Church Brewing Company – proposed 200 seat restaurant and retail sales - in the construction phase.
- Annapolis Cider Company – tasting room/retail sales, currently selling product at the NSLC, Farmers Markets, Local Events.
- Bad Apple Brewing – tasting room/retail sales – small brewing component sold on-site, main products sold are brewed in another location outside of Town.

Paddy's Brewpub also has a small microbrewery as part of their operation; however, this use was approved by development agreement and is therefore a permitted use and not directly affected by the court ruling. Bad Apple Brewing is also not affected at this time because their cider/beer that is served on tap at their 3 Elm Ave location is brewed in another location outside of Town. They do have a small brewing component at their tasting room, but anything brewed there is served on the premises which meets the current definition.

There has been some ambiguity with the definition of "accessory use" mostly with respect to the term "exclusively devoted" and how it relates to sale of product off-site. This court decision has provided Staff with direction; however, it has also raised concern regarding regulating these types of uses going forward, most notably where off-site sales are already established. Staff were not of the opinion that selling product "on tap" (kegs) at other locations, farm markets and local events was a concern provided that the main sales were done in the tasting rooms, restaurants and retail spaces on the premises where these "accessory uses" are located. IT IS UNCLEAR HOW STAFF COULD HOLD THE OPINION THAT SELLING BEER AT LOCATIONS OTHER THAN AT 329 MAIN STREET WOULD NOT BE CONTRARY TO THE WORDS "EXCLUSIVELY DEVOTED TO" IN THE DEFINITION OF "ACCESSORY USE"?

This restriction of off-site sales also raises questions with regard to enforcement. For instance, if kegs are sold from the retail space and that same product is taken and sold "on tap" in another business, is that considered off-site sales? This situation would be difficult, if not impossible, to enforce. DO THE OWNERS OF THE CHURCH BREWERY INTEND TO SELL KEGS? WHAT KINDS OF PERMITS ARE ISSUED BY THE NSLC? IF A PERMIT IS REQUIRED TO SELL KEGS OR ANY OTHER PRODUCT OFF-SITE, THEN WOULD THAT BE A WAY TO ENFORCE THE PROHIBITION? NOT ALL REGULATIONS OR LAWS

ARE EASY TO ENFORCE, BUT THAT DOES THAT MEAN REGULATIONS OR LAWS SHOULD NOT BE PUT IN PLACE?

Also, this restriction has inadvertently created unclear conditions for these types of businesses. WHAT IS "UNCLEAR" ABOUT THE WORDS "EXCLUSIVELY DEVOTED TO"? DID THE OWNERS ASK THE D.O. TO EXPLAIN THE MEANING OF THE TERMS? Is it fair that a business that brews outside of Town can bring product in and serve and sell in their retail/tasting room spaces or at a local event but the microbrewery or cidery that brews in Town is not permitted to sell product at other locations? For example, there was a beverage tasting event held during Mud Creek Days showcasing local product, under this restriction, the Annapolis Cider Company and the Church Brewery would not be permitted to participate in this event. DO THE BUSINESSES THAT BREW OUTSIDE TOWN HAVE PERMITS THAT LIMIT THEIR SALES BY AN "EXCLUSIVELY DEVOTED" CLAUSE?

Council has indicated that they would like to consider options on this issue and Staff offer the following:

1. Option 1

Status Quo – no change to "accessory use" definition. This would require that the Development Officer enforce the bylaw as written and restrict businesses to sale of their products to the main use/s. Specifically, enforcement action would be taken on the Annapolis Cider Company and The Church Brewery.

2. Option 2

Amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to establish clear parameters for the craft beverage industry in the Town.

THIS COURSE SHOULD HAVE BEEN TAKEN FROM THE TIME THE CIDERY APPLIED FOR ITS PERMIT; AND CERTAINLY AT THE TIME WHEN THE CHURCH BREWERY PROPOSED ITS PLANS.

Given that the Municipal Planning Strategy is used in the judges decision (see excerpt below), if amendments are pursued by Council, it is recommended that to ensure clarity, both the MPS and LUB be amended. "...As the MPS indicates, the Town of Wolfville was seeking to promote a compact business district of Boutiques and effectively a tourist centre..."

The Town has been doing a comprehensive review of its Planning Documents (MPS and LUB). Establishing clear parameters for the craft beverage industry is a part of this work, particularly given Council's Strategic Plan (e.g. "To advance Wolfville as a premier destination in Atlantic Canada for culinary, craft beverage and wine experiences"). If amendments are chosen to be pursued by Council, decisions on this aspect of the plan review could be made in the short-term and would be integrated into the final documents once completed.

3. Option 3

Consider site-specific zoning (property specific Land Use By-law amendments) for each business premise.

IF OPTIONS 2 OR 3 ARE ADOPTED, IS THE INTENT TO PERMIT THE CIDERY TO CONTINUE AND THE CHURCH BREWERY TO BE PERMITTED TO SELL CIDRE AND BEER OFF-SITE?

Other options may be proposed by Council and could be explored by Staff, if desired. Should Council proceed with option 2 or 3, Staff would like clarification if enforcement action should be delayed (see draft motion on page 1) during the time that Council is considering these options.

Option 1 Process

Staff would enforce off-site sales of the Church Brewing Company and Annapolis Cider Company.

Option 2 or 3 Process

If Council chooses to proceed with amendments to the MPS/LUB or site-specific zoning (options 2 or 3), the next steps, as per requirements of the MGA, would include:

1. Public Participation Meeting: This would be a meeting at the Planning Advisory Committee where more information would be presented on potential amendments – proposed wording, etc and feedback would be garnered from the public. The PAC would be required to make a recommendation on to Council at this meeting (or a subsequent meeting).
2. Initial Consideration (Committee of the Whole): Council would consider the recommendation of the Planning Advisory Committee / amendments.
3. First Reading (Council)
4. Public Hearing (Council): Additional opportunity for public input in front of Council.
5. Second Reading (Council): This is where a decision by Council would be made.

4) REFERENCES TO COUNCIL STRATEGIC PLAN, POLICY, AND TOWN REPORTS

If amendments are pursued by Council, a strategic plan and policy review would be included for PAC and Council to consider at the Public Participation meeting.

From:
Sent: October 31, 2018 12:59 PM
To: Town Council
Subject: Church Brewery

Hello All,

This morning there was an anti Church Brewery flyer taped to our store door. The flyer urged people to contact town council to stop the "factory". I'm embarrassed that people who are investing this much in our town are being actively campaigned against. I'm 100% supportive of the Church Brewery and their huge investment in our town. I believe the brewery will be a destination and I am excited about supporting them.

Cheers,
Jen Jones
We're Outside

Sent from Outlook

From: Teresa Drahos
Sent: October 17, 2018 9:58 AM
To: Jeff Cantwell
Cc: Town Council; Erin Beaudin
Subject: Re: Continuing abuse

Thank you for your prompt response. If your intent is for every attempt to be made to mitigate the inconvenience of the neighbors let me give you a few suggestions.

1. They are never to begin before 7 am know matter what the excuse.
2. Contractors are to park their vehicles either tucked into the construction site or behind the skateboard park.
3. No one is ever to park illegally on the street. If they do they will be ticketed just like all other people.
4. If services are to be interrupted the neighborhood should have at least 24 hour notice. This includes the street being closed.

None of the points made above are unreasonable and all of them have happened on a regular basis since construction started.

Terry

Sent from my iPhone

On Oct 17, 2018, at 7:27 AM, Jeff Cantwell wrote:

Terry,

This will acknowledge receipt of your letter with respect to the inconvenience on Seaview Ave. Tuesday and over the last many months.

Every attempt has been made to mitigate the impact of the significant development which has taken place on the east end of the commercial district of Main St. but there are "growing pains" being experienced with our successes.

I will look into the communication issue as it was our intent to make certain each affected customer or household was to be notified as this was a planned interruption.

Sincerely,

Jeff Cantwell
Mayor
Town of Wolfville

On Oct 16, 2018, at 7:05 PM, Teresa Drahos wrote:

To the Town of Wolfville,

As you know the unwanted and continuing construction at the corner of Main and Seaview has been an inconvenience, I would not wish this on my enemies. This week alone brought construction starting at 6:30 am and a notice that our water would be shut off all day on Monday.

Today (Tuesday) was over the top. **Without any notification** our water was shut off most of the day and we did not have access to drive in or out of our property. The least you could do is tell us.

I am astounded at the complete disregard the Town of Wolfville and the developers have for my household and the rest of our little neighbourhood. It blows my mind that you would treat your fellow citizens this way.

Terry Drahos

Karen MacWilliam & Glenn Howe
6 Seaview Avenue
WOLFVILLE, NS B4P 2G2

September 15, 2018

Mayor Jeff Cantwell
Town Councillors
The Town of Wolfville

Dear Mayor Cantwell and Council:

Re: 329 Main Street and 4 Seaview Avenue

We are writing because it appears that construction related to a commercial purpose has been undertaken and continues at the rear of 4 Seaview Avenue, portions of which are zoned R1-A. I am attaching the site plan that was the subject of the re-zoning, my e-mail exchange with Devin Lake and Marcia Elliott of the Planning Department, and photographs, taken September 15.

On June 4, 2018, I expressed my concerns regarding potential non-conformity with existing zoning. On June 8, 2018, Mr. Lake advised that portions of the property zoned R1-A where the construction has occurred would be "*reinstated and landscaped after work has been completed.*" As you can see from the photographs, the construction undertaken is not temporary excavation, but is intended to be permanent, for the purposes of the developer's accessory use microbrewery. We were unable to get more detailed photographs without trespassing, however, what has been built on site appears to be contrary to current zoning.

As you are well aware, the development of this site has been the subject of legal action, specifically a judicial review of the Development Permit issued by the Town of Wolfville. Mr. Justice Warner has already ruled that the Land Use By-Law is not consistent with the developer's intended use of the site and made specific orders regarding the use of the facilities to be constructed on site. We expect the Town to enforce the court's order and will be writing separately regarding that matter.

Tenants have resumed occupancy of the residence at 4 Seaview, and there is no safe alternate exit from the residence. While it appears that a small landing area has been built adjacent to the rear door, we are concerned that the safety of residents is seriously compromised, and question whether a multi-tenanted building is permitted to be inhabited with only one entrance/exit. The construction on site is perilously close to the foundation of the residence, and we are concerned that the safety of residents may be compromised.

Construction activities have continued throughout the summer, often starting between 6:15 a.m. and 6:30 a.m. Construction has occurred 7 days per week, and started at 6:40 a.m. on Saturday, September 15. We were awoken to loud construction noise on a weekend morning, one of the few times we are able to enjoy some extra sleep after a work week.

At this point in time, we renew our concerns that:

- 1) Construction intended for a commercial purpose has been undertaken on property zoned R1-A, contrary to the Land Use By-Law;
- 2) The property owners of 4 Seaview Avenue are jeopardizing the safety of tenants at the residence because of ongoing construction and lack of safe egress from the building during an emergency.
- 3) Construction which generates substantial noise is active outside of permitted hours.

We ask that the Town of Wolfville take appropriate steps to investigate and remediate these items, and that the Town verify and confirm that the property owners are in compliance with the Land Use By-Law and other statutory obligations.

Yours truly,

A handwritten signature in black ink, appearing to read "Karen MacWilliam & Glenn Howe". The signature is fluid and cursive, with the first name "Karen" being the most prominent.

Karen MacWilliam & Glenn Howe

c.c.: Devin Lake, Director of Planning, Town of Wolfville
Erin Beaudin, CAO, Town of Wolfville
Dennis James, Patterson Law

Karen MacWilliam

From: Karen MacWilliam <
Sent: Friday, June 8, 2018 9:06 AM
To: 'Devin Lake'
Cc: 'Marcia Elliott'; ; 'Patricia
Townsend'; ; 'David Daniels'; 'George Townsend'
Subject: RE: 329 Main Street
Attachments: 4 Seaview Excavation.JPG

Hello Devin,

Here is a photo of the rear of 4 Seaview and you will note that much of the back yard is missing. I find it rather difficult to reconcile this image with your description of "a bit beyond where the actual wall, footing, etc will go..."

Karen MacWilliam
902-542-2877

From: Devin Lake [<mailto:DLake@wolfville.ca>]
Sent: Wednesday, June 6, 2018 9:27 AM
To: Karen MacWilliam
Cc: Marcia Elliott
Subject: RE: 329 Main Street

Hi Karen – it is typical when doing footings/foundation or retaining walls for excavation to go a bit beyond where the actual wall, footing, etc will go. Once the concrete is poured it will be backfilled and any digging/disturbance on the R1-A portion (as approved by Council) will be reinstated and landscaped after the work is completed.



Devin Lake LPP, MCIP
Director of Planning + Development
p 902- 542-3232 | f 902- 542-5066 | e dlake@wolfville.ca
200 Dykeland Street, Wolfville, NS B4P 1A1
wolfville.ca

From: Karen MacWilliam <
Sent: June-04-18 7:38 PM
To: Devin Lake <DLake@wolfville.ca>
Cc: Marcia Elliott <MElliott@wolfville.ca>
Subject: 329 Main Street

Hello Devin,

It appears that a significant portion of the back yard of 4 Seaview has been excavated in conjunction with the development at 329 Main Street. At the Public Participation meeting where the re-zoning map was distributed and at the Council meeting where the re-zoning of portions of 329 Main Street occurred, I understood that 4 Seaview was to

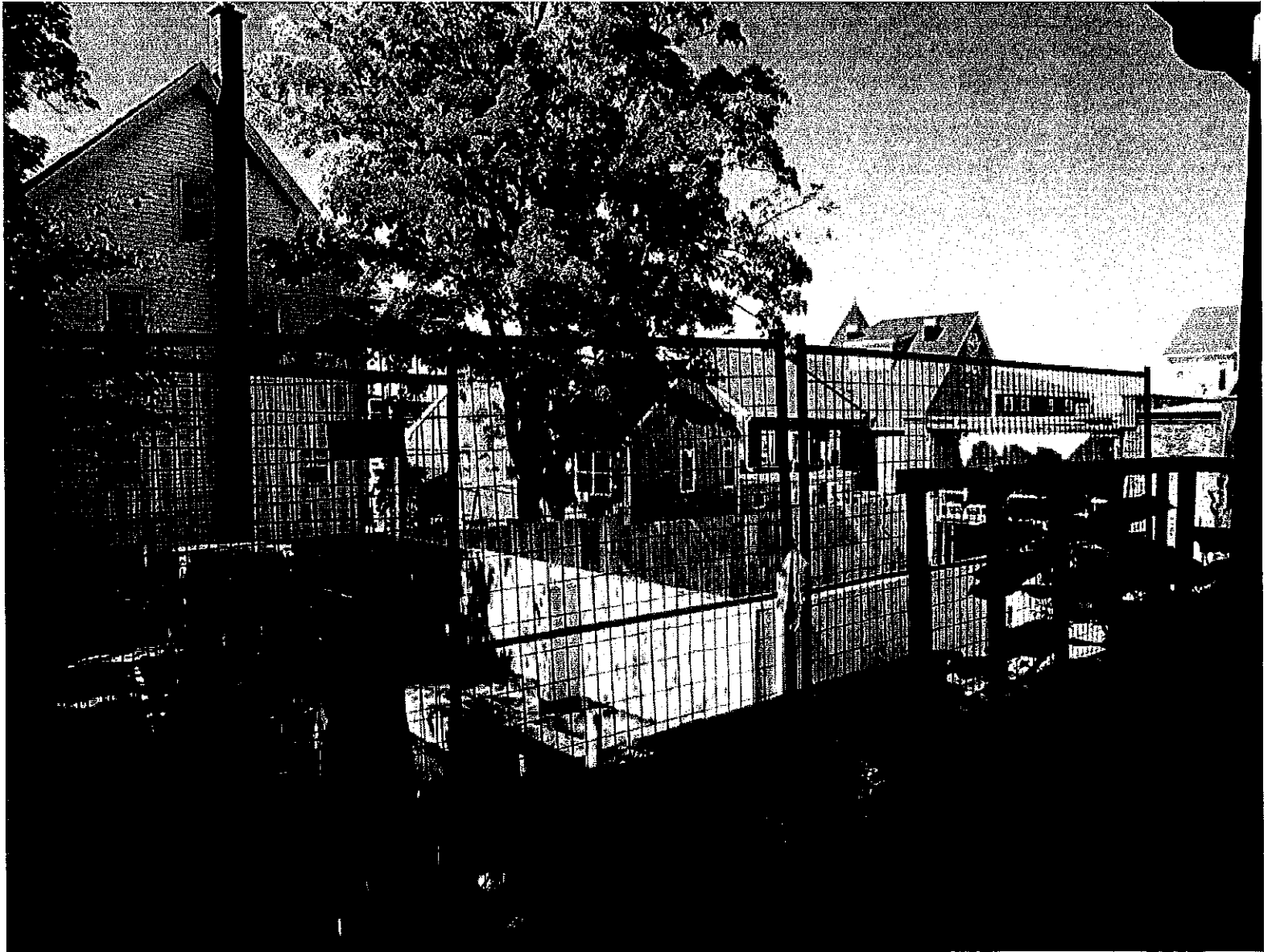
remain zoned as R1-A. Since the excavation at 4 Seaview now appears to be part of the re-development of 329 Main Street, could you please explain why this is permitted?

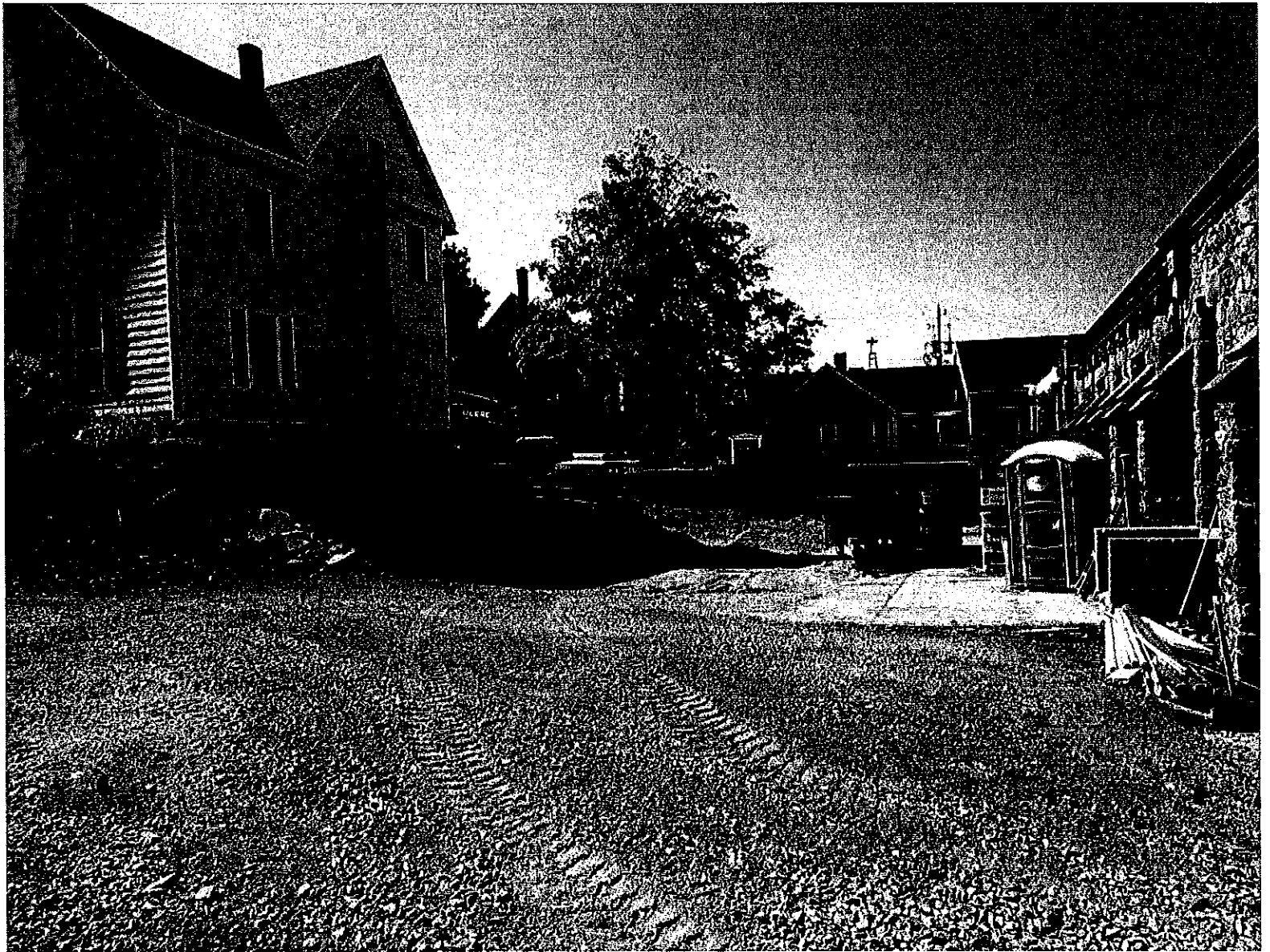
Thank you,

Karen MacWilliam
902-542-2877









Jean-Luc Prevost

From: Teresa Drahos <
Sent: August 10, 2018 8:06 PM
To: Town Council; Erin Beaudin
Subject: The parking double standard of Wolfville

There seems to be 2 sets of rules for parking in and around the construction at Main and Seaview. Throughout the week the construction crew has used saw horse barricades and cones to block off parking on both Seaview and Main Street for their own use. When questioned by police officers they claim it is for safety reasons but it is not. I have observed large dump trucks use the space for convenient parking for up to 4 hours. I have also seen the company block off space on Main street so their work trucks can be closer which has displaced the L'Arche Van down near the duck pond. I have pictures of a Town of Wolfville truck parked on the wrong side of the street under a no parking sign. There have been pick up trucks parked on both sides of the street, blocking the whole street, blocking driveways, and scattered in all kinds of configurations. But, the only ticket that was issued was to someone who lives on Seaview.

Through 2 zoning processes all of the people on Seaview have brought this to the councils attention but you turn a blind eye, you bury your head in the sand, all for someone who lives somewhere else with a big pocketbook. It is clear that the town council and the town employees don't give a damn about the town's residence. The house holds that pay your salaries.

I understand that they have a big construction going on with a big budget but it does not seem right that they are able to expand their construction area to encompass all of Seaview Avenue and portions of Main Street.

Each and everyone of you needs to get your head out of the sand and spend fifteen minutes on Seaview Avenue next week between 7 am and 5 pm. Then go home to your peaceful back yard and think about what it is like to live on this street. You are all welcome to sit on my porch and feel what it is to live here.

Let me add that the argument that this is temporary is false. For 3 out of the last 4 years there has been a major construction site adjacent to my house. The industrial brewery that you seem to think is commercial will have trucks in and out Seaview Ave. distributing beer from the loading dock they are building. That is permanent.

Don't for a minute think this is just me. I have had neighbours at my back door everyday this week irate over what is going on.

Get your head out of the sand,
Terry Drahos

PS to add insult to injury I was awakened this morning at 6:30 am by a town employees whipper snipping in front of my house.

REQUEST FOR DECISION 012-2019

Title: 2019/20 Operations Plan and Budget

Date: 2019-03-05

Department: Office of CAO & Finance



SUMMARY

2019/20 Operations Plan & Budget Approval

Annually the Town is required to approve a *balanced* budget for the upcoming fiscal year. The Town of Wolfville has established the practice of budget approval by the regular March Council Meeting. This has allowed the organization to start each new fiscal year with direction and spending authority in place before the operational year begins on April 1st.

The process itself occurs year-round, with Council and staff interacting with the public in various formats. The formal process, in accordance with Standard Operating Procedure, started with Council at the November Committee of the Whole (COW) meeting. At that point in time an early draft of the 10-Year Capital Investment Plan (CIP) was reviewed/discussed, and preliminary assumptions were set by COW for staff to build into the first draft of the operating budget.

From January to this meeting there has been one Special COW and one regular COW meeting where two versions of the budget were reviewed, discussed, debated and direction provided to staff for changes. Council direction from February COW was to bring a balanced budget (V3) to March meeting, reflecting an average tax increase to residential customers of 1.76% for just over 86% of taxpayers. Both the residential and commercial tax rates see a ½ cent increase.

The final draft before COW on March 5th is the result of hours of discussion with members of Council and represents the plan for 2019/20 along with budget projections for 2020/21, 2021/22, & 2022/23. ***The draft Operational Plan for 2019-2023 has also been included. This document provides text details of budget initiatives and projects for the upcoming 4 years. The two documents work together as a complete budget package.***

DRAFT MOTION:

That Council approve the 2019/20 Town Operations Plan and related Operating Budget, Ten Year Capital Investment Plan, and the Water Utility Three Year Operating and Capital Budget, including the following details:

- Town Operating Budget with revenue & expenditures in the amount of \$10,690,100;
 - Residential Tax Rate of \$1.465 per hundred dollars of assessment applied to taxable residential and resource assessments;
 - Commercial Tax Rate of \$3.575 per hundred dollars of assessment applied to taxable commercial assessments;
 - Taxes to be billed by way of Interim Tax Bill (issued in April, due June 3, 2019) and Final Tax Bill (issued in August, due the September 30, 2019);
 - Interest on overdue amounts to be charged at a rate of 1.25% per month;

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- Town Capital Budget with Year 1 totaling \$4,150,000, including capital reserve funding of \$1,638,425, operating reserve funding of \$100,000, gas tax reserve funding of \$316,900, long term debt funding of \$1,573,425, other/external grant/contribution funding of \$40,000, and \$481,250 from the Town's Water Utility for its share of street infrastructure.
- Water Utility Operating Budget with revenues of \$1,166,100, operating expenditures of \$946,500, and non-operating expenditures of \$243,600.
- Water Utility Capital Budget totaling \$533,300, including Depreciation Reserve Funding of \$63,300, Capital from Revenue Funding of \$70,000, and Capital from Accumulated Surplus of \$400,000.
- Fire Protection Area Rate (pursuant to Section 80 of the Municipal Government Act) of \$0.06 per hundred dollars of assessment
- Business Development Area rate (pursuant to Section 56 of the Municipal Government Act) of \$0.29 per hundred dollars of commercial assessment
- Sewer fees
 - Sewer usage rate of \$3.59 per 1,000 gallons of water used by customer;
 - Flat Rate fee of \$69.50 per quarter;
 - Minimum quarterly charge for any metered customer \$17.00;
 - Sewer connection fee of \$3,500, if only sewer hook up
 - Sewer connection fee of \$1,000 if hook up combined with water
- Low Income Property Tax Exemption
 - Income threshold to qualify a maximum of \$27,413;
 - Maximum exemption of \$650.
- Grants to Organizations under General Government/Community Development (not part of Community Partnership Policy)

○ Acadia Scholar Bursaries	\$10,500
○ Wolfville Historical Society	\$5,000
○ Acadia University	
- MOU main grant allotment	\$35,000
- MOU Events hosting contribution	\$10,000

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1) CAO COMMENTS

The CAO supports the recommendations of staff.

Staff hosted a budget open house on February 26th. Ten people were in attendance throughout the evening, including two Councillors. The main themes/questions of the evening included:

- A request that Council defer any decision related to the RCMP space until further community consultation can be held. It was expressed that the impact of this relocation could have more negative consequences than previous reports indicate and that many in the community feel that this decision was made last year and aren't even aware it is being considered by Council again;
- That the sidewalk between Blomidon Inn and Orchard Ave be considered for repair;
- That the Town consider ways to recover additional costs for service delivery related to Acadia University and the provision of services outside the boundaries of the Town;

Suggestions for how the Town can improve advertising the Open House in the future were also provided.

Staff also met with members of the WBDC on February 20th and reviewed their priorities in the context of the 4-year Operations Plan and Operating budget. Many of the recommendations of the WBDC have been accommodated and further discussions will continue with regards to parking and other betterment initiatives for the commercial area.

Since the Operations Plan was reviewed at the February Council meeting, sections around crosswalk safety, regional initiatives including IMSA governance and revenue sharing, and recreation have been included. Please note that further detail on walkability will be provided prior to final Council approval in March. After the March COW meeting, the section highlighting how tax dollars are spent and key changes from previous years will be updated.

2) LEGISLATIVE AUTHORITY

Municipal Government Act.

3) STAFF RECOMMENDATION

Staff recommend approval of the 2019/20 Operations Plan & Budget V3 (attached)

4) REFERENCES AND ATTACHMENTS

1. November COW agenda
2. January 18, 2019 Special COW agenda

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3. February 5, 2019 COW agenda
4. Town Policy 140-015 Municipal Fees
5. NSUARB Order – Water Rates and Regulations effective January 1, 2019

5) DISCUSSION

This year's budget process has involved fewer difficult decisions than the past few years. The shortfall noted in V1 of the draft budget was the smallest in recent memory. Even with the relatively small shortfall to deal with, there have been a number of important issues where Council provided direction to staff for V2 and V3 of the draft budget. These include:

- Use of Operating Reserves for specific operating expenditures (refer to February COW Info Report and presentation)
- More aggressive annual increases to capital budget funding, now set to increase by 2.5%, 2.5%, 3% and then 5% per year
- Direction to renovate RCMP space for Town Staff requirements. Note this direction is still pending final decision by Council and could be switched back to the original project of renovating the Public Works/Community Development building
- Addition of ½ cent to residential and commercial tax rates

It is always important that Council feels they have achieved an equitable balance of the services desired with the inherent limitations of property tax burden to the community.

As with the past couple of years, the final document is an Operations Plan & Budget, providing Council and the community textual information on goals for the upcoming year (2019/20), as well as intended projects/initiatives for the following three years (2020/21 to 2022/23). And keeping with the practice started two years ago, the budget portion of the 2019 Plan includes a 4 year Budget Projection Summary. Years 2-4 of this summary are not meant to be balanced, but rather show the shortfall that is likely pending future budget decisions that will be needed to balance each of the three future years.

There were limited operating fund changes from V2 (reviewed at February COW) and V3 representing the recommended budget to go forward to Council. The changes include (Note for the purposes of this summary, items that increase the deficit are in brackets, and those that reduce the deficit are positive numbers:

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Shortfall V2		(22,000)
<u>Revenues Changes</u>		
Taxes and grants in lieu of taxes		
Residential taxes	21,900	
Commercial taxes	1,800	
HST Offset Grant	400	
Fire Protection Area Rate	<u>28,000</u>	52,100
<u>Expenses</u>		
Seasonal/Term Wages	(5,000)	
Employee Benefits Seasonal wag	(600)	
Operational Equip & Supplies	(40,000)	
Contracted Services	(76,700)	
Grants to Organizations	(50,000)	
Tax Exemptions	(3,000)	
Partner Contributions	<u>24,900</u>	(150,400)
<u>Capital Program & Reserves</u>		
Transfer to Capital Reserves	(29,300)	
Transfer from Operating Reserves	<u>149,600</u>	120,300
Current V3 Budget - Balanced		<u>-</u>

The changes above involve:

- Residential and Commercial taxes increased related to ½ cent addition to the property tax rates
- `HST Offset Grant adjusted as final change to balance budget, i.e. need a \$400 change to balance after all other changes were incorporated
- Fire Protection Area Rate taxes increased to reflect amount now required by virtue of the NSUARB approved rates. The Fire Protection amount is paid by the Town to the Water Utility to cover the cost of providing a fire hydrant system. The Town recovers this cost by way of an area rate billed to all residential and commercial assessments (taxable and exempt). V2 of the budget reflected the older rate before new Water Rate Study was completed
- Seasonal wages and benefits increased to provide additional resources to the Parks Dept for seasonal staff. This change was largely in response to one of the requests from the WBDC for increased attention to open space/parking lots in the downtown area. The additional resources also address added pressures on the Parks crew to manage/maintain a growing area of infrastructure.
- Added Operational Equipment & Supplies for
 - Public Works to fund crosswalk safety initiatives

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- Parks added dollars to fund wayfinding improvements
- Economic Development added back V2 cut related to downtown amenities
- Contracted Services increased for
 - Office of the CAO added \$25,000 as a general allowance to cover unexpected/unidentified initiatives, to be managed thru CAO office
 - Fire Department increased costs related to Hydrant fee paid to Water Utility \$27,700
 - Parks Dept. addition of \$4,000 to cover costs of electrical outlets on base of decorative light posts in downtown, part of improving capacity for decorations during festival and events
 - Planning Dept addition to fund use of external resources to assist in Fire Inspection program
- Partner Contributions included both increases and decreases
 - Addition of \$15,000 expense to cover inter-municipal initiatives around joint services
 - Reduction related to removal of contribution to Valley REN based on Council decision to pull out of the organization
 - Reduction of \$16,900 for Education contribution. Preliminary student enrolment data was received a couple of weeks ago and the allocation of education dollars between the municipal units in this area changed from last years figures. The number of students resident in Wolfville increased slightly, however the # of students resident in Kings County rose at a higher percentage, leaving Wolfville's share down from original budget estimate
- Capital & Reserves included changes related to
 - Transfer to Capital Reserves increased \$29,300 driven by two other changes in the budget
 - The decrease in education contribution was added to capital funding
 - A portion of the savings related to leaving the REN were added to capital funding. Total REN savings is \$23,000 with \$12,400 of this added to capital funding and the balance allocated to Economic Development and Parks Dept.
 - The amount to be transferred from Operating Reserves to fund expenditures increased substantially. For the most part these changes relate to expenditure changes noted above, including
 - \$25,000 to cover cost of CAO Office general allowance for new initiatives thru the year
 - \$15,000 in Public Works (Traffic Services) for crosswalk safety initiatives
 - \$29,600 added to Parks Dept to cover costs for
 - \$20,000 Wayfinding/walkability initiatives
 - \$4,000 outlets at base of decorative lights
 - \$5,600 general addition to Parks budget including summer staff

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- \$20,000 in Planning budget for short term use of external resource to augment Fire Inspection program for the upcoming year
- \$10,000 correction of error noted during V2 presentation related to acquisition of banners and event tent
- \$50,000 to cover EV Charging Station joint project with Acadia University approved by Council earlier in the year, the amount of which will not be expended in 2018/19

The Operations Plan provides many details on what staff expects to complete over the next year, as well as goals for the succeeding three years. In terms of budget dollars it is important to recall the following for 2019/20:

- Approximately 86% of residential accounts will see an average increase of 1.76%. The average CPI change for 2018 was 2.2%.
- Enhanced Mill & Pave Program for Main Street included at a cost of \$60,000, will be in its 3rd and final year in 2019/20. The four year budget projections include additional street maintenance dollars in Years 2 & 3 at an amount of \$100,000 each year. This relates to the need for continued mill/pave resurfacing in the two years the 10 Year CIP does not have any major street infrastructure replacement projects. This will be funded by way of **Operating Reserves**.
- WBDC funding remains at \$100,000 to be funded by way of an area rate levy. The single rate will drop slightly to \$0.29/'00 of assessment.
- Sewer rate increase required to cover operational costs and contribution to capital program (both reserves and debt repayments).
- Summer recreation programming continues to be contracted from Acadia University.
- The MPS Review Project has been extended thru to 2019/20 year with additional resources being funded by way of **Operating Reserves**. It is expected the MPS Project will be completed in 2019/20.
- Capital budget funding increased 2.5% consistent with long term funding goal of the 10 Year CIP.
- The Capital Budget shows major building additions now in Year 9 for Town Hall, Library, and Fire Hall. Although not in the near future, the magnitude of these projects will require attention in the coming years to narrow down the details and funding sources.

A new item this year in the budget motion, is the inclusion of the Fire Protection Area Rate as part of the motion. For over a decade, this item has been dealt with later in the year, typically in July. With the new rates approved by the NSUARB, the Fire Protection Rate has been established for three years (fiscal 2018/19, 2019/20 and 2020/21). Previously the rate was tied to the year financial results of the Water

REQUEST FOR DECISION 012-2019

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Department: Office of CAO & Finance



Utility using a prescribed formula. For the next two fiscal years this will not be the case, so that the rate can be set along with the other budget matters.

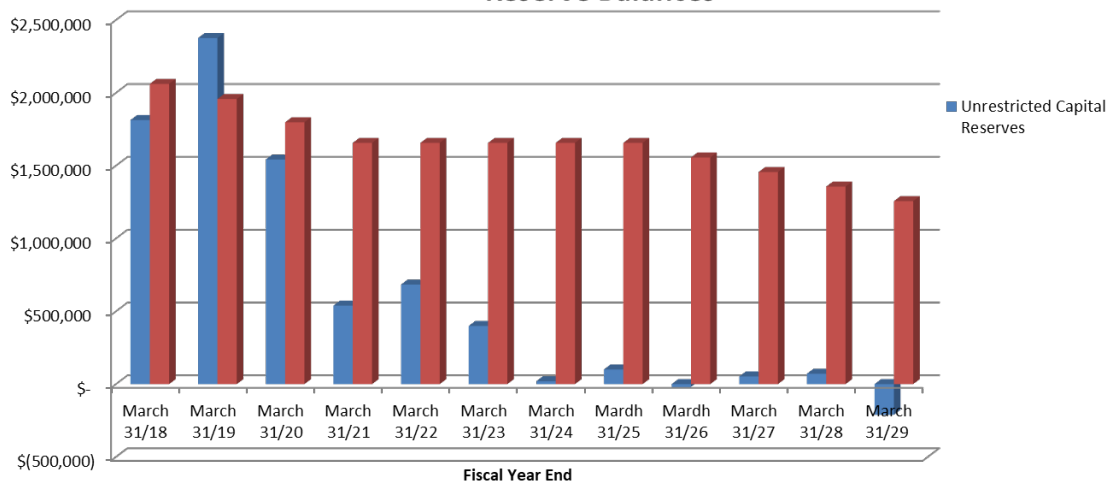
Equally important to remember are the items not included in the draft budget at this stage:

- No allowance yet for Landmark East request. This item is still being reviewed with Council. The funding source will be Operating Reserves, but budget recognition of this is pending resolution of the availability/process for community access facilities
- Final budget estimates for Valley Waste Resource Management and Kings Transit will not be available until early in the new fiscal year. Budget impact yet to be determined.

Key Points to Consider/Highlight

- This comment from last year still applies. Town continues to rely on use of Operating Reserves. This can be a risk over the long term as annual operating budgets should develop the ability to absorb some new/unexpected costs in order to adapt to changing conditions. Additionally, as has been noted in each of the last few budget years, the Town still needs to rely on the Operating Reserve funds to supplement the 10 Year CIP requirements.
- The data related to Capital and Operating Reserves has been updated to include final draft CIP and newly created 4 year operating budget projections. It now shows that Operating Reserve Balance drops to the minimum benchmark required by Year 8 and this does not include possible use of those reserves for large one time grant requests.
- Annual increase to capital funding is assumed to be 2.5% per year for the next two years, and going to 3% and then 5% thru the end of the 10 Year CIP. If this goal is not met, notwithstanding any new grants obtained, then the funding shortfall for the 10 Year CIP will grow significantly.

**Town of Wolfville
2019/20 Draft CIP Budget - Mgt Working Copy - V3
Reserve Balances**



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- Although the capital funding appears sufficient for the ten years covered by the CIP, it should be noted that the debt and reserve trends show that by year 11 significant shortfalls will be encountered. So, although the long term funding scenarios continue to improve each year (shortfall used to be in Year 5 or 6), more work is needed in coming years.
- This is the third year utilizing the multi-year budget projections. Analysis and key assumptions for this area of the Plan will be reviewed at the March COW meeting. Work continues on this section as of the writing of this report

Water Utility Budgets

The Utility operating budget is linked to the assumptions built into the Water Rate Study carried out in 2018/19, with a number of changes made for projects which should take place in the coming year. Refer to the February budget presentation/discussion for further details.

Summary – Budget

A similar theme continues from the past few years. ***The proposed budget includes some estimates and assumptions that have risk associated with them.*** It will be important to monitor financial results as the new fiscal year progresses to ensure the Town can meet the overall objective of a break-even operation.

In the short term, fiscal 2019/20, the budget works. ***In the longer term, an ability to reduce annual reliance on Operating Reserves should be developed.***

The 10 Year CIP is manageable in the next few years, but the Town should work to address the shortfall that is likely after Year 10, based on current assumptions.

Further review and discussion will occur at the March 5th COW meeting.

6) FINANCIAL IMPLICATIONS

Not applicable as this RFD embodies the points to be raised.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

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Ultimately the annual Operations Plan and Budget represents all aspects of Council's Strategic Plan to the extent of balancing Strategic Goals that do not always move in the same direction. The approved plan is this year's best effort at striking the right balance involving all goals under current circumstances.

8) COMMUNICATION REQUIREMENTS

Nothing provided at this time.

9) ALTERNATIVES

- Not approve current draft budget, with direction to staff of what changes would be required.
 - This is not recommended. Best practice is to have an approved budget prior to start of the fiscal year. Delays do not typically result in easier decisions, they simply get delayed. No one budget can satisfy all service levels desired and/or public request for services and still meet the goal of minimizing tax increases.

Wolfville Operations Plan

2019-2023

April 1, 2019



A cultivated experience for the mind, body, and soil

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Message from the Chief Administrative Officer

I am proud of the accomplishments that have been achieved over the past 5 years I have worked with The Town of Wolfville and look forward to the many initiatives and projects in the coming year under the leadership of our Council. I want to take a moment to thank all Town Staff for their dedication, innovation and hard work over the past 5 years, despite major organizational change, staff continue to work towards improving quality of life for all in Wolfville, maximizing our infrastructure investments and leveraging our economic opportunities, without them, none of this would be possible.

This 2019-23 Operational Plan has been prepared to (1) ensure that key projects and activities of the Town properly align with Council's recently developed Strategic Plan; (2) that priority projects and activities are appropriately resourced and reflected in the Annual Budget(s); and (3) that appropriate longer-term planning is undertaken to provide a realistic work plan for the upcoming Council term. The 2019-23 Operational Plan will build on the successes and initiatives of previous years will ensure continued accountability and transparency related to operational activities.

Strategic partnerships continue to be a necessity for the Town's continuing success. We value our partnerships with Acadia University, our surrounding municipalities, and the many signature events, organizations and stakeholders in Wolfville that make our Town vibrant and strong.

A Partnership Agreement with Acadia University and the Acadia Students' Union was officially signed in the fall of 2018 and a workplan has now been developed for 2019/20 that includes finalizing and beginning to implement a Reduction in Alcohol Harms Strategy and developing a Student Code of Conduct. An important aspect of the Partnership Agreement is to promote 'Community Harmony'.

The Town will finalize the draft of the Municipal Planning Strategy and Land Use Bylaw (MPS&LUB) for adoption by Council in 2019/20. The amended MPS&LUB will include a focus on the Core Area – commercial and neighbourhood area as the heart of the Town with improved neighbourhood policies that focus on housing choice and affordability. Environmental Sustainability policies within the MPS&LUB will reflect recent data collection and aspirations for a more sustainable and resilient community.

For the newly-formed Parks and Recreation Department, 2019/20 will be a year of assessing what the Town's recreation needs and values are, through community engagement. The Department will continue to promote the Town's traditional events with the addition of new programs. A focus on walkability in the Core Area will continue to identify and highlight key destinations, accessibility and improvements needed.

Wolfville was the first Town in Nova Scotia to develop an Accessibility Plan in early 2019, working in consultation with the Province. During 2019/20, Town staff will begin the process of plan implementation and provide feedback to the Accessibility Advisory Committee to consider possible

amendments to the Plan. It is expected the Plan will be a living document with annual review and revisions/improvements.

From an infrastructure perspective and amongst many other initiatives planned in the Town, investment will begin in the East End Gateway area to ensure a welcoming 'face' to all who enter the Town from the East.

Council and Staff of the Town look forward to delivering on this plan to ensure that the priorities for our residents and businesses are addressed.

Erin Beaudin

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Council Direction

In January 2017, Town Council created a Strategic Plan for the Town to reflect their priorities and to guide the activities of the Town for the duration of their tenure. The Operations Plan, Operating Budget and Capital Budget reflect the strategic direction provided in Council's Strategic Plan. The following is a summary of Town's vision statement, mission statement, guiding principles and strategic priorities.

Vision Statement

What Wolfville looks like years from now:

We are a **spirited** community where **all can feel part of**
and celebrate our **green town**.

Mission Statement

What Town Council and Town Staff do to help realize the vision for the Town:

We provide leadership and collaborative governance in the allocation of public resources for the greater good of the Wolfville community.

Guiding Principles

How Town Council and Town Staff conduct governance and operations for the Town of Wolfville.

Affordability	Our decisions will be made within the parameters of our financial capacity.
Transparency	Our decisions, along with discussions, reports and debates that have informed them, will be openly shared with the public (where possible)
Community Capacity Building	We recognize that we cannot achieve success alone. We value the opportunity to help others build capacity within our community to lead and deliver initiatives that strive to achieve the vision we have set for the Town.
Discipline to Stay the Course	We will focus our efforts on achieving the plan we have established and will weigh new opportunities against our plan to ensure they meet our goals.
United Front	Once decisions are made by Council, members of Council and staff will rally behind the decisions to ensure they are implemented successfully.
Environmental Sustainability	Decisions will be applied through the principles of environmental sustainability.

Strategic Direction

During the Strategic Planning process, Council provided direction on where the Town should be focusing its efforts, beyond or in addition, to the core work we are responsible for. Each year, the Operations Plan will be updated to ensure that our projects and initiatives are aligned to help achieve success in each of strategic direction areas. The following chart depicts what Town Council and Town Staff will specifically work towards from 2019-2023.

1. Improving Quality of Life for All	2. Maximizing Our Infrastructure Investments	3. Leveraging Our Economic Opportunities
<ol style="list-style-type: none">1. To foster economic independence, inclusion and dignity through more affordable and diverse housing options.2. To offer a dynamic quality of life grounded in the Town's leisure, culture and recreation activities.3. To support energy efficiency opportunities throughout the community.4. To harmonize the diverse lifestyle choices between all demographics in Wolfville.	<ol style="list-style-type: none">1. To create efficiencies and utilization of the Town owned buildings.2. To make the downtown core more user friendly.3. To ensure the Town owned and/or funded infrastructure meets the needs of the community.	<ol style="list-style-type: none">1. To advance Wolfville as a premier destination in Atlantic Canada for culinary, craft beverage and wine experiences.2. To create a business ready environment for future expansion and attraction opportunities.3. To foster the success of our existing business community.

Operations Plan

Where Rubber Hits the Road

To demonstrate the Town's commitment to their Strategic Priorities, and to ensure accountability on how success in each of these areas has been achieved, the Operations Plan is organized primarily by Strategic Direction and not by Department. The policy direction established by Council, the collective work of staff from all four municipal departments, and guidance and support from the Town's various Committees, collaboratively operationalize the direction provided by Council in their Strategic Plan.

2019/20 Operating Budget Highlights

Residential

The 2019/20 residential tax rate has increased by ½ cent, as directed by Council in February 2019 to limit the increase in the average property to less than the Cost of Living Adjustment (COLA) of 2.2%. The average tax bill increase for 86% of properties, including the addition of ½ cent on the tax rate, is 1.76% and generates \$88,400 in increased revenue. This is more than the revenue generated in 2018/19 of \$14,000 when COLA (change in the Consumer Price Index for previous calendar year) was 0.9%.

In terms of total residential tax revenue increases (which includes new construction/renovations), the 2019/20 budget has a \$269,600 increase (compared to \$116,400 in 2018/19, and \$157,900 in 2017/18)



The Provincial Capped Assessment Program (CAP) for 2019 was set at 2.9% by Property Valuation Services Corporation (PVSC). Of the Town's residential assessment accounts only 36% qualify for CAP on the 2019 Assessment Roll.

Assessment Accounts

- 86% of residential assessments had a 2.9%, or smaller, increase in taxable assessment
- 9% of residential assessments had no change in taxable assessment
- 15% of residential assessments had lower taxable assessments than the previous year

Commercial

For 2019/20 a ½ cent was also added to the commercial tax rate, increasing the rate from 3.57 to 3.575. The Business Development Area Rate, which is currently a collection on behalf of the Wolfville Business Development Corporation (WBDC) was decreased from the 2018/19 rate of \$0.31 to \$0.29 per \$100 of assessment for 2019/20. The Business Development Area Rate is levied on all commercial properties in addition to their commercial taxes.

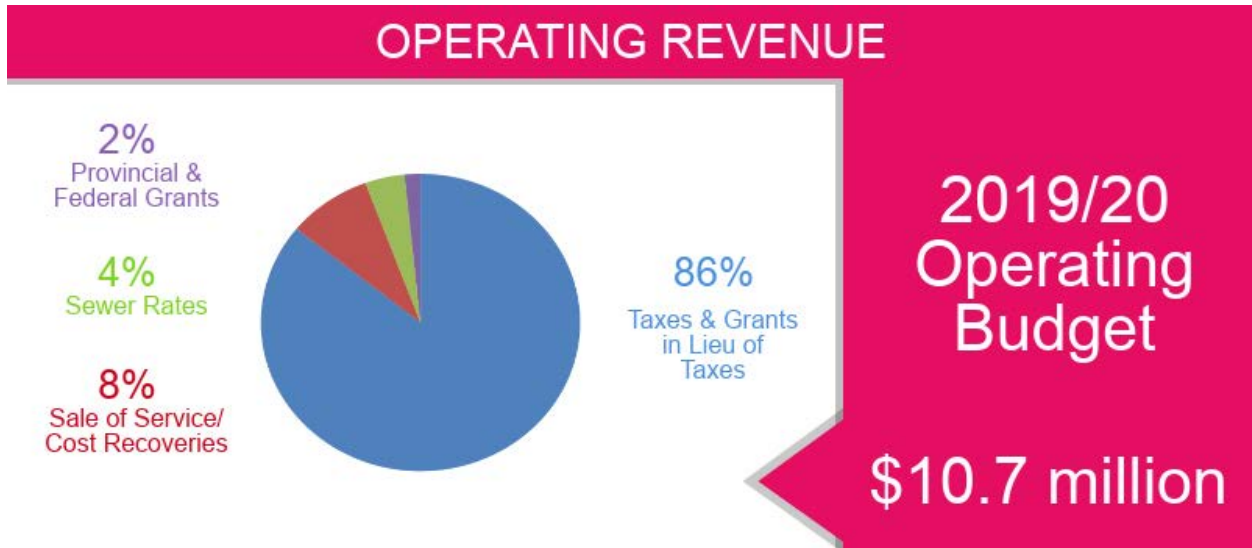


Assessment Accounts

- 20 commercial accounts had their assessments increase by more than 10% (tax bills increased by more than 12%)
- 21 commercial accounts had an average tax bill increase of 6.7%, with largest increase of 9.9% and smallest increase of 3.2%
- 39 accounts had an average tax bill increase of 1.45%, with the largest increase of 2.7% and the smallest being no increase
- 20 commercial accounts had a tax bill decrease, with the average decrease being 3.28%
- 2 accounts were additions to the Assessment Roll, i.e. they had no assessed value in 2018

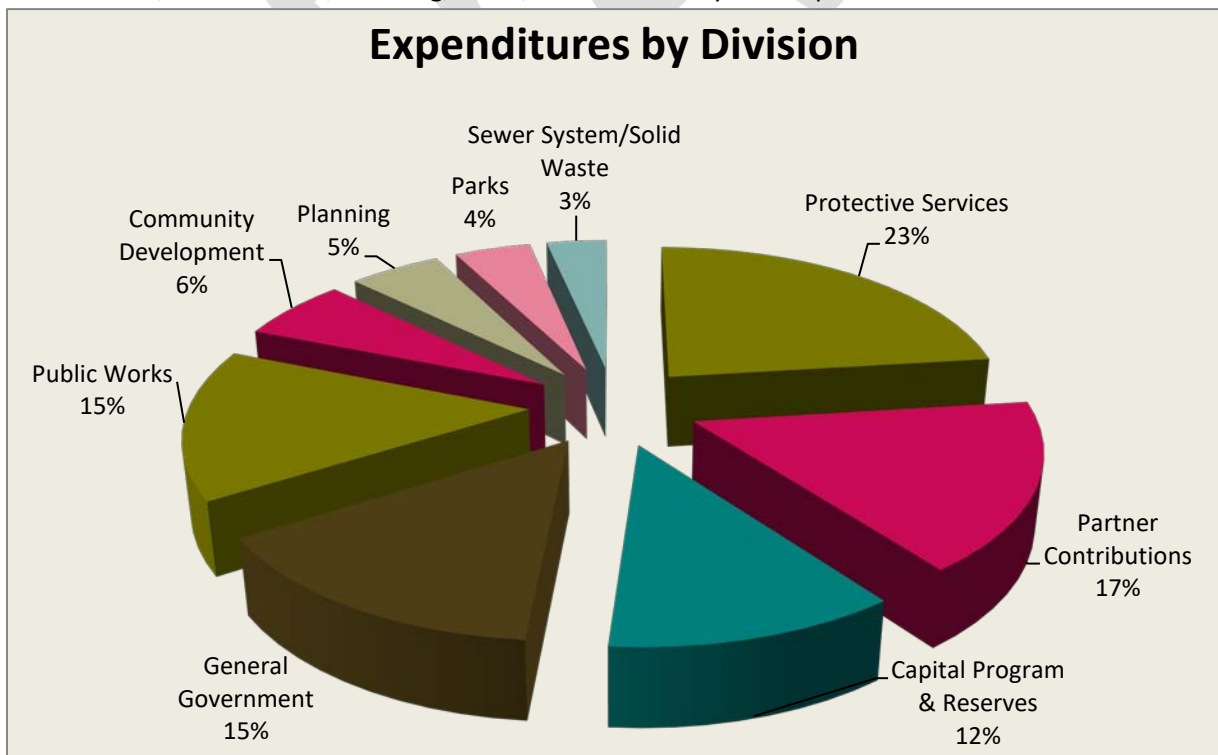
Revenues

The Town of Wolfville's Operating Budget for 2019/20 is \$10.7 million; 86% of revenue is generated by taxes and grants-in-lieu of taxes, 8% by sales of service/cost recoveries, 4% by the sewer rate and 2% by grants from the Provincial and Federal governments.

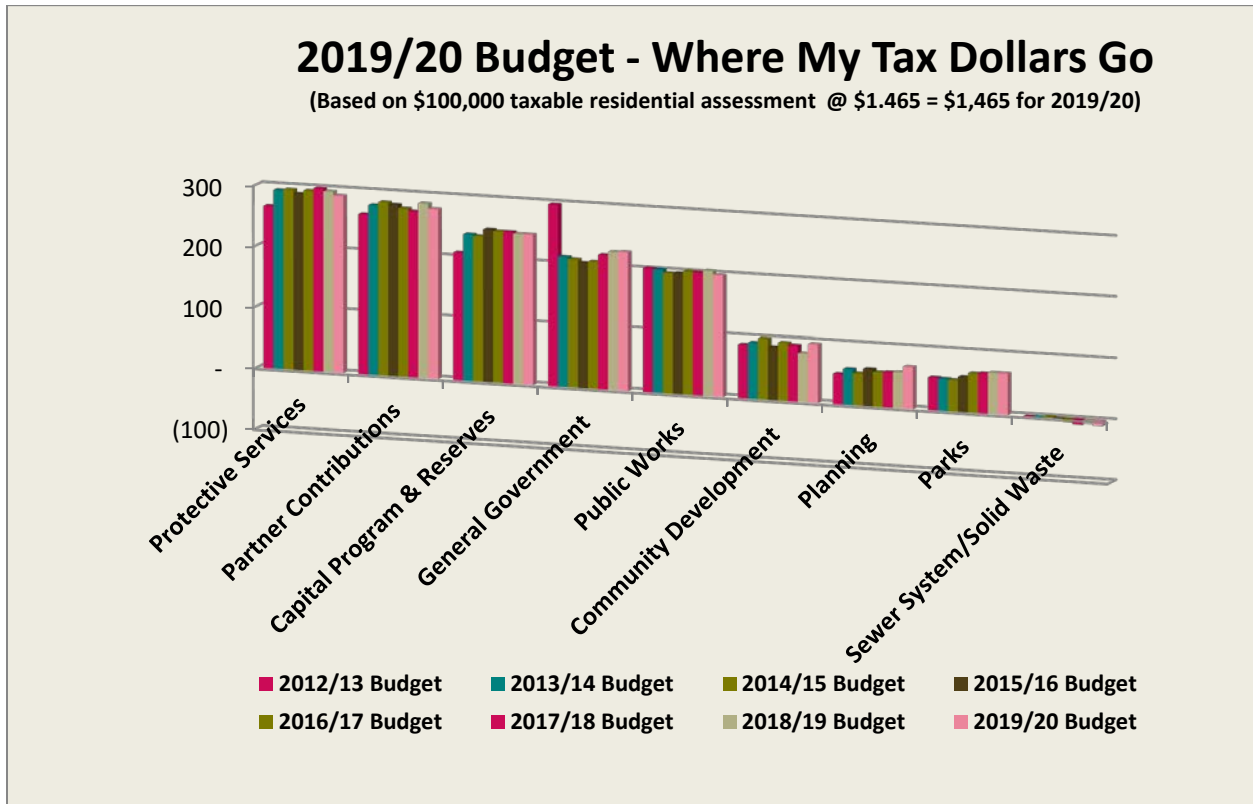


Expenditures

The Town's expenditures, by division/department, include Capital Projects, Provincial and Regional Services (i.e. Education, Valley Waste, Kings Transit), Protective Services, Sewer & Solid Waste, General Government, Public Works, Planning, Parks, and Community Development



So Where Do Your Tax Dollars Go? – Historical Look



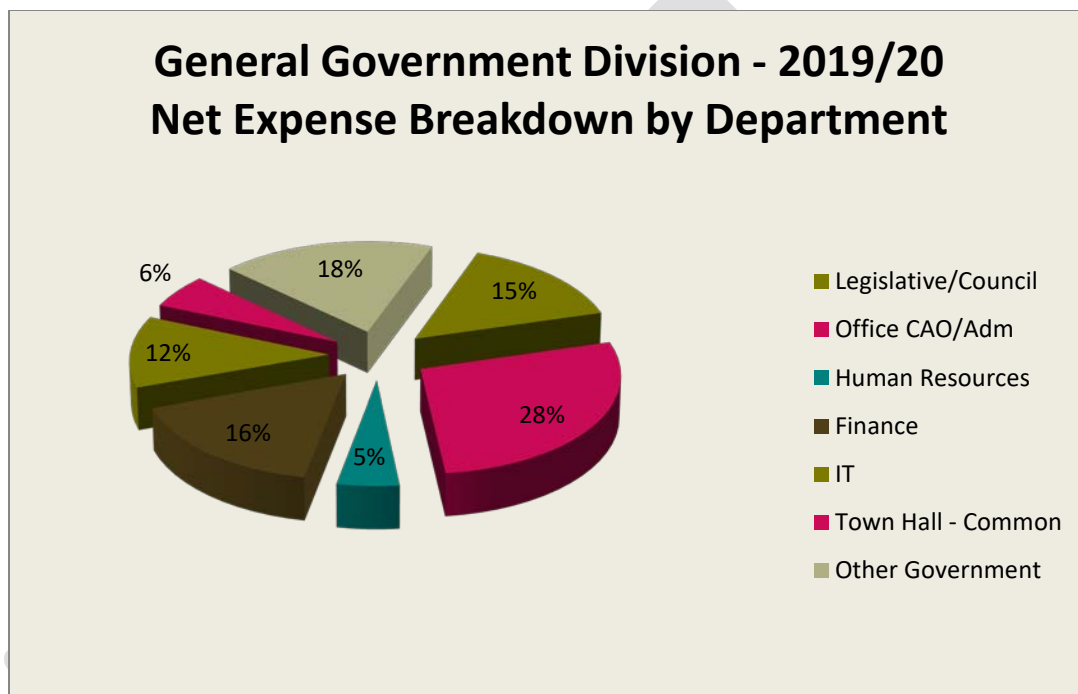
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Budget Highlights by Department

The following is a breakdown of the budget by department and significant changes have been noted.

General Government (Council/Legislative)

- There were two main changes to the budget moving into 2019/20.
 - \$20,000 increase in council stipends to offset CRA rule changes which removed the non-taxable treatment on 1/3 of stipend amount
 - Professional Development budget reduced from the one time increase in 2018/19 which included allowance for all members of Council to attend National FCM Conference in Halifax.

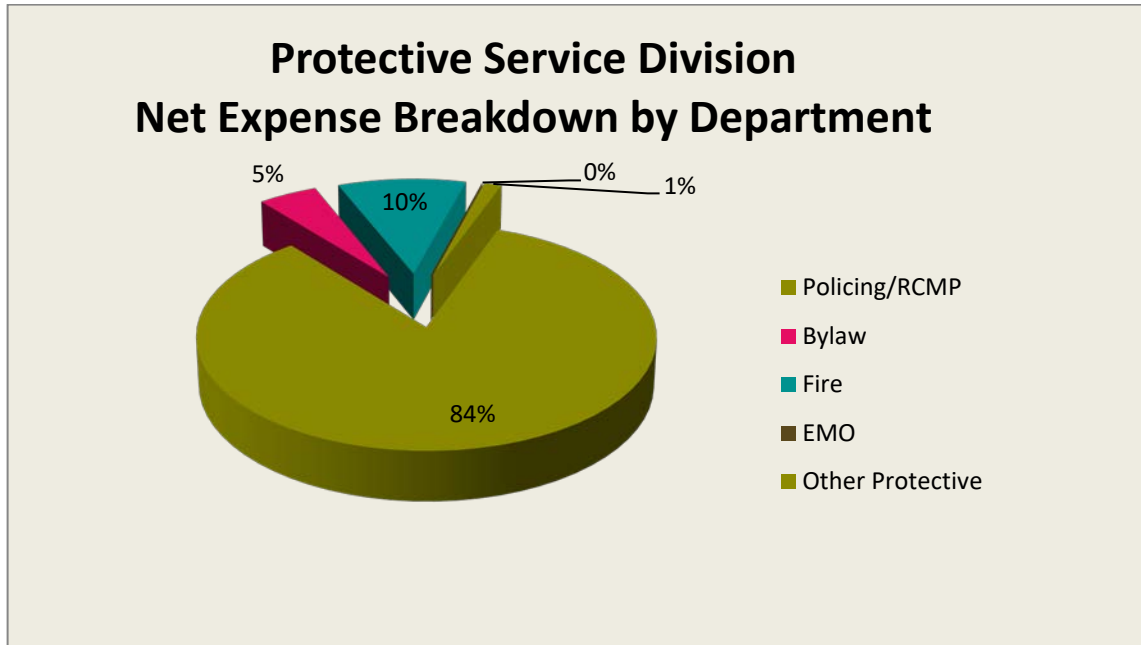


General Government (Excluding Council)

- As part of a corporate reorganization, which included the addition of a Director of Parks & Recreation, the General Government division had a \$27,000 reduction in salary & benefits. This reduction reflects change from a Director of Corporate Services position to an Administrative Services Coordinator position.
- Council added a \$25,000 budget amount to Contracted Services in the Office of the CAO to allow for ability to respond to unanticipated opportunities/initiatives
- Grants to Organizations increased by \$50,000 to cover partnership with Acadia University in acquisition of an EV Charging Station. Dollar amount matches maximum approved by Council, with actual costs expected to come in less than that amount. The Town's portion is being funded thru use of Operating Reserves.
- Budget for liability insurance premiums has been increased by \$11,000.

Protective Services

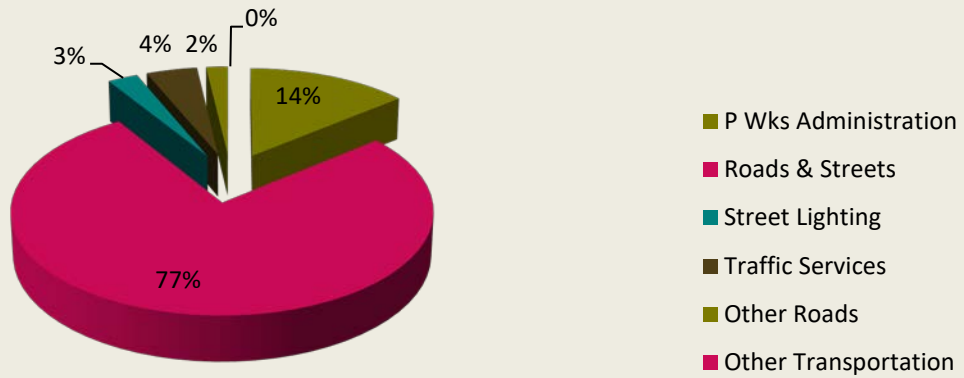
- RCMP contract service cost budgeted for an increase of 3%, or \$36,000;
- The Protective Service Division now reflects both \$80,000 cost recovery (revenue) for Regional Emergency Measures Organization (REMO) as well as the full cost breakdown for staff and supplies. Wolfville is responsible for maintaining the financial records for REMO.



Public Works

- Budget maintains dollars for street sweeping and better maintenance of bike lanes;
- The Town enters the third year of an additional \$60,000 in contracted services for mill/pave of western sections of Main street. This is the 3rd year of a three-year plan to improve pavement conditions from curb to curb at the west end of Main Street. This is being funded through the Town's Operating Reserve Fund.
- The current four-year budget projections now also include additional Mill/Pave allowance for Year 2 & 3 to ensure street/sidewalk surface maintenance is adequate. This is being funded through the Town's Operating Reserve Fund and helps fill a two-year gap where no major street infrastructure replacement is planned.
- Budgeted dollars for repairs & maintenance of the Dykeland Street facility have been increased to address needed security improvements

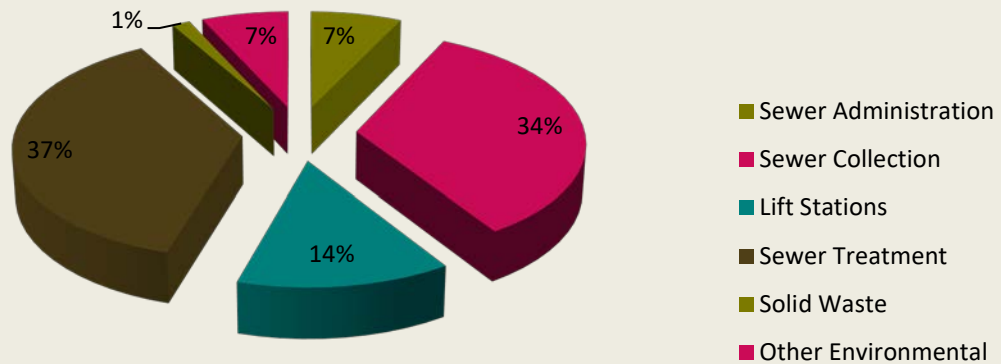
Public Works Division Net Expense Breakdown by Department



Sewer Operation

- As with past few years, increased revenue is required to fund operating costs as well as long term debt related to sanitary sewer upgrades.

Sewer and Solid Waste Division Net Expense Breakdown by Department

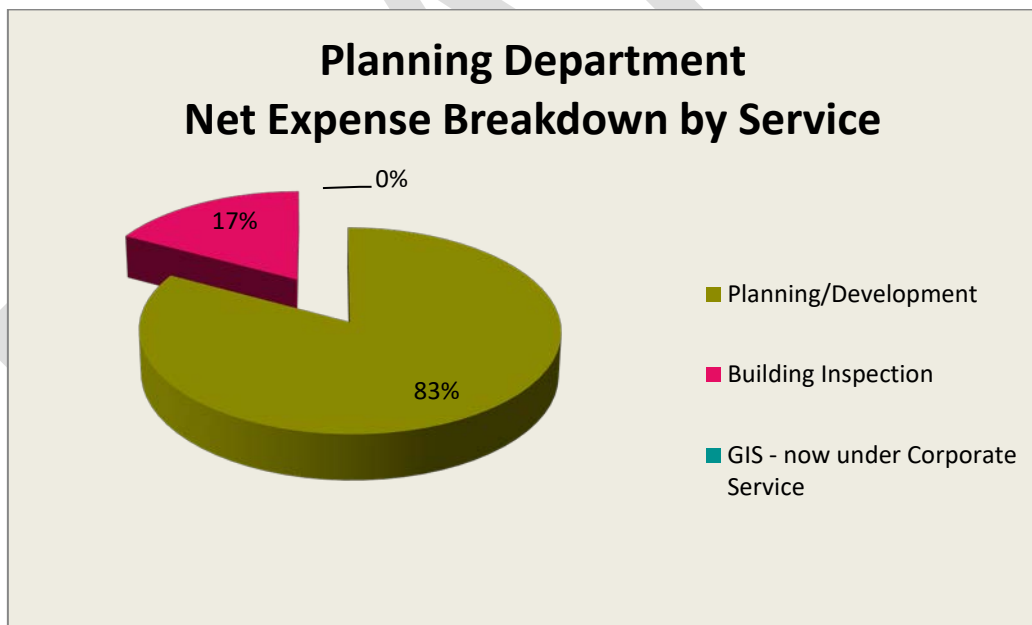


Parks

- The new Collective Agreement included adjustments to wage rate for the labourer classification, largely comprised of permanent seasonal parks staff. These adjustments are in addition to cost of living increases received by all Town staff, bringing the overall wage increase in Parks to 6%-7%.
- The budget also added \$5,000 for additional summer/seasonal staff weeks (non union) to assist in the growing number of parks/open space/parking lots maintained by the Parks crews.
- Overall, \$41,600 of the Parks budget will be funded through the Town's Operating Reserve Fund for improved Park lighting, wayfinding, and electrical outlets for seasonal additions to the Town's decorative street lights.

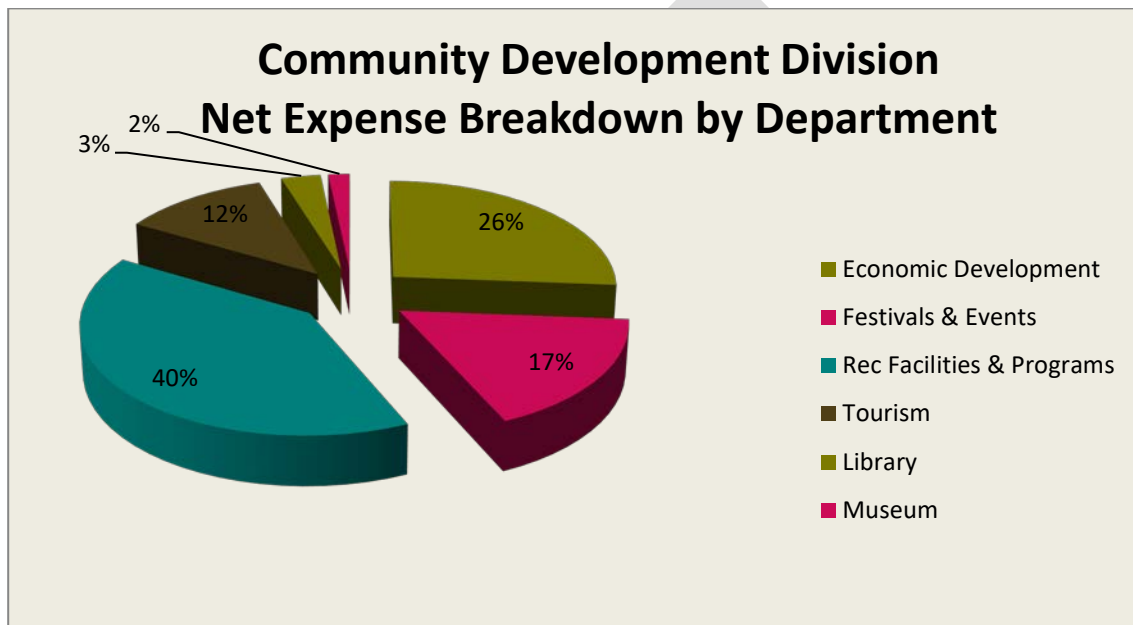
Planning

- Wages have increased due to changes in the pay bands for two existing positions;
- Seasonal wages for a Term employee have been included for 2019/20 and 2020/21 to cover the costs of a two-year term position for a Climate Change & Energy Coordinator. The Town has successfully obtained federal and provincial grant funding to help offset the majority of the related wage costs and program costs (estimated to be \$30,000 in 2019/20);



Community Development

- Single biggest change is the addition of a Director of Parks & Recreation. This part of the corporate reorganization implemented in 2018/19 will assist the Town in addressing the growing demands on both parks & open space, but also community programming (including festival and events);
- Fiscal 2018/19 included \$30,000 towards the one time Wolfville 125 celebrations. The majority of the increased budget allowance added in 2018/19 have been retained in 2019/20. This reflects the growing prominence and importance of Festival & Events in the Wolfville calendar;
- Maintained the grant to the Wolfville Historical Society at \$10,000 (\$5,000 of which is outside of the Grants to Organization Policy)-

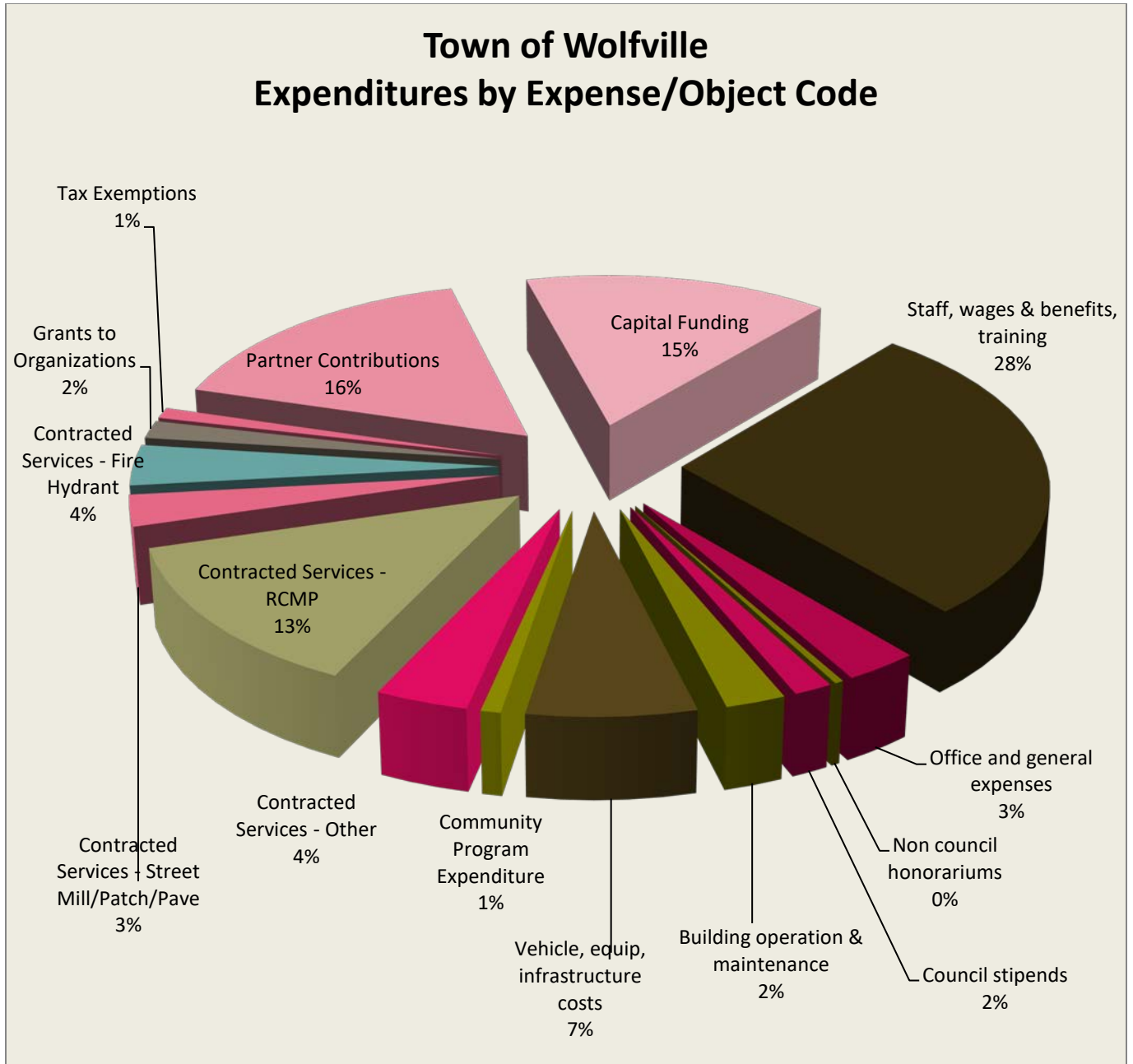


Partnership Contributions

- Valley Waste and Kings Transit budget's have not yet been finalized. Additional review and input from the Inter-Municipal partners have started and final budgets are not expected until possibly May. ***IF the increases required by those Inter-Municipal Service Agreement organizations (IMSA's) is significant, Town Council may have to increase the tax rate further, cut Town departmental spending or make further use of Operating Reserve funds.***
- \$10,800 has been maintained for Kings Regional partnerships to support the second year of the Regional Emergency Management initiative. An additional \$15,000 has been added to assist in ongoing regional efforts to improve the operational efficiencies of the IMSA's, most notably Valley Waste and Kings Transit.

Expenditures by Expense (Object) Code

Traditionally government expenditures are shown and explained by department – i.e. the previous section. The graph below shows the Town’s total expenditures similar to a business, by object code – i.e. salaries, equipment, etc. This provides the reader with a different view of how the Town’s annual dollars are spent.



2019/20 Operating Initiatives

The following section provides an overview of the proposed operational projects and priorities for the next four years that are intended to assist Council in achieving the strategic objectives that they have set for the Town. The following section also provides more detail on several key operational highlights for the 2019/20 Fiscal Year.

STRATEGIC DIRECTION #1 – IMPROVING QUALITY OF LIFE FOR ALL

- 1.1. Foster economic independence, inclusion and dignity through more affordable and diverse housing options.
- 1.2. Offer a dynamic quality of life grounded in the Town's leisure, culture and recreation opportunities.
- 1.3. Support energy efficiency opportunities throughout the community.
- 1.4. Harmonize the diverse lifestyle choices between all demographics in Wolfville.

Partnership Agreement with Acadia University and the Acadia Students' Union (ASU)

In the fall of 2018, the Town signed an MOU with Acadia and the ASU to collaborate on areas of priority and mutual interest.

In 2019/20, the key initiatives to be undertaken include:

Communications

- Develop an integrated communications plan;
- Rejuvenate the Council/ASU pairings;
- Host the first annual community forum;

Academic Opportunities

- Promote the opportunity for community members to attend lectures;
- Foster relations between staff and the Department of Community Development;
- Develop list of subject matter experts at Acadia

Strategic Planning

- The CAO will serve on the Acadia Strategic Plan Working Committee;
- Key Performance Indicators to measure the success of the MOU will be developed.

Community Harmony

- Finalize and begin implementing the Alcohol Strategy;
- Acadia will develop a Code of Conduct to include the regulation of off-campus behavior;
- Explore the joint community liaison position;

- Adopt a Nuisance Party Bylaw;
- Continue work on the Rental Licensing Program

Communications

The Town will review its existing draft communications plan to (1) ensure that an accessibility lens is applied to all deliverables, (2) to ensure communications mechanisms are meeting the needs of our users, (3) to determine where best communications can be jointly leveraged with Acadia University, (4) to determine how best to undertake effective public information campaigns and (5) to plan for more proactive, and positive, messaging around Town initiatives and successes.

The Town will also undertake a revamp of our existing website to incorporate user feedback that was obtained in the winter of 2019. This revamp will make information available in a more timely, consistent and user-friendly manner.

Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB)

This initiative has carried over from 2018/19. The Town of Wolfville will finalize a draft of the Municipal Planning Strategy and Land Use Bylaw for adoption by Council in 2019/20. A completed draft of both documents will be brought to the Planning Advisory Committee (PAC) once completed. The Director of Planning and Development continues to lead this initiative.

Some of the main issues that will be addressed in the MPS/LUB include:

- A strategic decision-making framework for land use decisions and linkages to other strategic documents (e.g. asset management).
- Identified Priorities, Actions and Measurement.
- Improved plan implementation and monitoring – more of a living document.
- A better understanding of our baseline data by integrating the most recent information available.
- A focus on the Core Area – commercial and neighbourhood area as the heart of the Town.
- Improved neighbourhood policies with a focus on housing choice, affordability, residential conversions, and the Residential Rental Business By-law.
- Improved University policies linked to the ongoing partnership agreement with Acadia.
- Recognition of Regional Statements of Interest and compliance with the Provincial Statements.
- Improved Economic Development linkages including process improvements, small-scale commercial opportunities, identifying development opportunity sites and an area to apply Bill 177.
- Improved Parks and Open Space Policies.
- Transportation and Infrastructure policy that is linked to improved asset management and fiscal sustainability.
- Refreshed Environmental Sustainability policies to reflect recent data collection (e.g. flood risk) and aspirations for a more sustainable and resilient community.

Addressing Housing Issues with Landlords

In the fall of 2017, Council passed a motion directing staff to examine options on how the municipality can better regulate and hold landlords accountable for undesirable impacts their rental housing may have within the Town. Staff have examined this issue in conjunction with tools in the MPS, have

considered options for a licensing program and have reviewed enforcement opportunities through municipal bylaws and policies.

As a result, the Town will consider the adoption of a *Nuisance Party Bylaw* to better manage and enforce large gatherings and parties that have undesirable impacts on the local community. Further, the Town will work towards developing a *Residential Rental Licensing Program* to register and better regulate all rental properties within the Town of Wolfville.

Comprehensive Alcohol Strategy

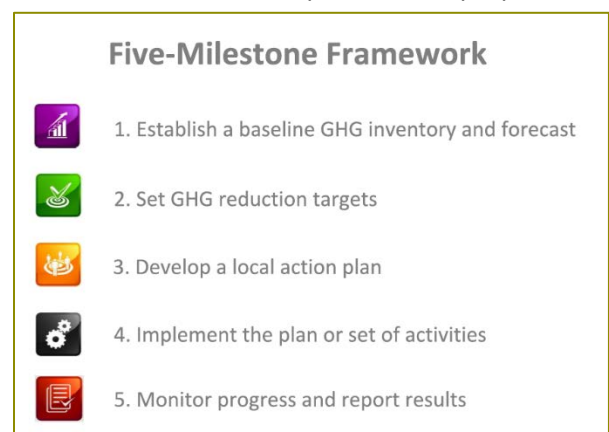
Stakeholders from the Town of Wolfville, local business community, Acadia University, Acadia Students' Union, RCMP and the Nova Scotia Health Authority have come together to develop and implement a comprehensive alcohol strategy for the Town. This strategy is aimed at reducing the harms of alcohol to individuals, to others and to the community. This project will serve to:

- provide strategic educational campaigns on alcohol harms reduction and high-risk drinking impacts;
- develop and implement creative initiatives to address and mitigate the negative consequences and impacts in the community due to the over-consumption of alcohol;
- ensure municipal policies fairly balance mitigating the negative impacts of the over-consumption of alcohol against the promotion of craft beverages and wines as a key economic driver for the Town;
- ensure cohesion between all key stakeholders in addressing high-risk drinking and alcohol harms reduction.

Community Energy Planning

The Town obtained grant funding in late 2018 to augment its focus on environmental initiatives/projects. Funding has been secured towards a term staff position and a series of community-focused climate and energy projects collectively referred to as "Wolfville Inspire". The proposed initiatives will require the Town to commit to expenditures in 2019/20 and 2020/21.

This staff person and project contribute to the Town of Wolfville's further participation in the Partners for Climate Protection (PCP) program. Anticipated deliverables from this work include an updated inventory of GHG emissions (Milestone 1 of PCP program, see graphic right), the development of greenhouse gas reduction targets (Milestone 2), the development of a local action plan (Milestone 3) as well as the implementation and monitoring of actions taken (Milestone 4 & 5).



Ban on Single-Use Plastic Bags

In 2018 Council passed a motion to "develop an awareness strategy and bylaw banning plastic shopping bags, in collaboration with stake holders such as valley waste, (2) continue to work with local, regional

and federal partners on plastic-reduction education and awareness campaigns and (3) continue to work with local, regional and federal partners on system approach to reduce or end the use of film plastics and (4) encourage the province to establish an extended producer responsibility program”.

In 2019/20, the general approach will be to work with local, regional, and federal partners, including the province, to define how regulating plastics can be effectively implemented in Wolfville in a manner that compliments regional and provincial efforts while benefiting all stakeholders. With support and involvement from local, regional, and provincial efforts, Wolfville’s regulation of plastics will exert an influence in the federal and provincial context that is “above our weight” and will seek to move forward provincial and federal regulations on plastics, while also increasing economic growth.

Recreation

The newly-formed Department of Parks and Recreation will be undertaking the following recreation initiatives in 2019/20:

- reviewing and making any necessary changes to the Mudley Fund;
- in partnership with the Acadia Community Development program, explore the idea of a walkable school bus program and a summer environmental education program; assess the March break and summer day camp offering at Acadia;
- conduct a community engagement exercise to help better define the Town’s recreational needs and values;
- continue to promote the Town’s traditional events along with the introduction of a “Try it in Wolfville” program.
- evaluate and make improvements to the current process for volunteer recognition and development;
- review the existing staffing model and service delivery expectations related to recreation

Active Transportation

Active transportation has become an important mode of transportation in Wolfville as it promotes healthy, active and sustainable lifestyles. Wolfville is positioned well to capitalize on the benefits of active transportation given the Town’s small geographical size; abundance of trails and green space; the fact that the majority of the population lives within 1 km of the downtown core; and the fact that 51% of residents work within Wolfville. Residents are already taking advantage of our existing active transportation amenities as 24% of employees walk to work and 4% cycle, which is well above the provincial and national averages.

Walkability

This initiative will comprehensively focus on walkability in the Core Area, along with improved signage and wayfinding on the Millennium Trail and in Reservoir Park. In conjunction with the Active Transportation Plan, this initiative will focus on making the Core Area more walkable by identifying and highlighting key destinations (with both permanent and temporary signage efforts), quantifying pedestrian patterns, ensuring an accessibility lens is applied to all improvements, making improvements to how sidewalk repairs are addressed, ensuring sufficient lighting is available on pathways,

incorporating CEPTED principles in parking lots and on trail connections, improved parking lot signage, reviewing public art opportunities, piloting placemaking initiatives, introducing some temporary traffic-claiming measures for review and consideration, reviewing the purpose and role of existing kiosks, and leveraging the Cittaslow brand. A commitment to making walking safe, enjoyable, and interesting.

Crosswalks

Additional funds have been provided in the 2019/20 Operating Budget to continue to enhance crosswalk safety within the Town. Working with the Traffic Authority, the Town will pilot innovative and practical changes to our existing crosswalk system in strategic locations with the goal of enhancing visibility, awareness and safety. The Town will also proactively undertake educational awareness initiatives to improve local knowledge of crosswalk safety.

Parks Planning

Wolfville currently has an abundance of parks, with 92.30 acres of town-owned land (excluding the Wolfville Watershed Nature Preserve) and 86.2 acres of non-town owned land. Under the proposed revisions to the MPS, Wolfville will not be accepting additional land for parks except for those properties already identified in the Greenspace Network. For all other developments, cash-in-lieu will be accepted and added to the open space reserve to develop and improve current parks within Town.

In 2016, staff completed a parks and open spaces inventory, which will help to establish a framework for the future vision of each park. It is expected over the next ten years that all parks will have received a comprehensive review with further planning or development completed or scheduled. In 2019/20, the Town will develop a ten-year Capital Improvement Plan for all Parks, trails and green spaces. The parks initiatives that staff have identified for additional planning and/or development over the next four years are:

- developing a park and trail plans for the West End Park;
- finishing the implementation of the parks plan for Evangeline Park;
- developing the East End Gateway:
 - relocate the Skateboard Park;
 - begin work on trailhead and landing area on north side of Main Street;
 - finalize the development plan for the VIC;
 - conduct an assessment of Willow Park in terms of function and form
- finalizing the new lease for Seymour Gordon Quiet Park (this will serve to enable more extensive parks planning and/or development in the future);
- finalizing the lease for the Post Office Lawn, which will enable the completion of the landscaping and development associated with the Mona Parsons Project;
- reconfirming Council's desire for a splash pad in Wolfville and determining an appropriate site;
- creating a 10-Year capital investment plan for Parks;
- reviewing the staffing model and expectations of Parks crew in terms of delivery of service.

Wayfinding

The Town will complete the remaining work required on the Wayfinding Initiative, which is primarily related to Parks, Trails and Open Spaces.

Placemaking

Staff will identify opportunities for neighbourhood placemaking initiatives and strive to execute at least one in the 2019/2020 fiscal year.

Pilot Projects and Innovation

Staff will look for opportunities to pilot and test initiatives (low cost, quick implementation, temporary, participatory, educational) that may lead to better outcomes when designing more permanent capital projects.

Regional Emergency Management Organization

The Towns of Berwick, Kentville and Wolfville, along with the Municipality of the County of Kings, have partnered to create a Regional Emergency Management Organization to plan for, and respond to, emergency situations that may occur within Kings County. This has replaced the need for each municipality to have separate plans, which has eliminated duplication and maximized collaborative resources.

2019/20 will be the second year of this pilot initiative and the priorities will include:

- Evaluation of REMO Model
- Community Outreach
 - Continued development of the Kings REMO Community Outreach program to further Emergency Preparedness Awareness across Kings County
- Emergency Plans
 - Annual Review of the Kings REMO Regional EM Plan
 - Development of the Supporting Emergency Plans to the Kings Regional Emergency Management Plan (REMP) for specific Hazards:
 - Flood Plan
 - Hurricane
 - Winter Storm/Blizzard
 - Wildland Fires
 - Power Outages
 - In cooperation with the NS Department of Health & Wellness, develop a Kings REMO Heat Advisory & Response System (HARS) for Kings County as per the Motion from the January 21st Regional EM Advisory Committee meeting
- Memorandum of Understanding Development
 - Kings REMO – Kings County Amateur Radio Group (Communications Support)
 - Kings REMO – Kings Transit Authority (Emergency Transportation Support)
- Training & Exercises
 - Training
 - Incident Command System Staff Training (200 – 300 level)
 - Exercises
 - Flood Discussion-Based Exercise (April 2019)
 - Operational-level Exercise for ECC Staff (Fall 2019)
 - Disaster Exercise – Community Involvement (Spring 2020)

STRATEGIC DIRECTION #2 – MAXIMIZING OUR INFRASTRUCTURE INVESTMENTS

- 2.1. Create efficiencies and utilization of Town owned buildings.
- 2.2. Make the downtown core more user friendly.
- 2.3. Ensure Town owned and/or funded infrastructure meets the needs of the community.

Partnership Agreement with Acadia University and the Acadia Students' Union (ASU)

In the fall of 2018, the Town signed an MOU with Acadia and the ASU to collaborate on areas of priority and mutual interest.

In 2019/20, the key initiatives to be undertaken include:

Facilities/Infrastructure

- Partner on the development of an EV Charging Station;
- Complete the Acadia Athletics Complex Business Plan;
- Review Facilities Agreements between the two institutions;
- Examine the potential relocation of the skateboard park to Tower Field as part of a broader site development initiative;
- Define role, if any, for Acadia in the Town's Library Project;
- Examine the future growth and development of the Acadia Farm;
- Review the Day Camps arrangement to ensure that it is working for both partners

Accessibility Legislation

Nova Scotia's *Accessibility Act* was proclaimed in September 2017. Under this legislation, Municipalities will have one year from the date that they are prescribed "public bodies" under the Act to establish an Accessibility Committee and develop an Accessibility Plan. In the spring of 2018, the Town was selected as a pilot community for the development of a municipal Accessibility Plan. An Advisory Committee was formed and the plan was developed and approved by Council in the winter of 2019. In 2019/20, the key priorities from this plan will be to:

- conduct an inventory of the built environment (internal);
- review and implement changes to the manner in which the Town communicates with its residents, including the use of plain language and improvements to the Town's website

Parking Management

Addressing parking concerns within the Town remains a key priority in 2019/20. Staff will work in conjunction with key stakeholders such as the WBDC toward:

- draft changes to the MPS/LUB regarding parking requirements in the downtown and cash in lieu requirements;
- identification of future additional parking lot options to meet the needs of the downtown area (MPS);

- determination on the sufficiency of existing handicapped parking spots that are available (this will be accomplished through the built form analysis work through the implementation of the Accessibility Plan)
- determination on the sufficiency of parking length maximums at Town owned and leased lots (ie: Little Lane, Linden, overnight);
- opportunities for partnership (i.e. Acadia and the WBDC);
- increase parking supply to meet increasing East End demand through the relocation of the Skateboard Park;
- Explore overnight parking options;
- Explore other opportunities to improve parking management as identified through Council, staff and partners such as the WBDC.

The following parking-related priorities will be tied into the Town’s Walkability initiatives:

- recommendations on how to better connect parking lots to the business community;
- recommendations on how to link Active Transportation initiatives to parking opportunities;
- recommendations on how to utilize CEPTED guidelines (Crime Prevention Through Environmental Design) for public parking lots;
- communication initiatives, including signage, that will be required;

Address Parking Lot Leases –Wade’s, Acadia Lots and NSPI

The Town currently has a lease for the Wade’s Parking Lot in front of Shopper’s Drug Mart, which specifies public use of the parking lot and outlines maintenance responsibilities. The lease is now four years old and requires a few amendments should the relationship continue. The Town also has existing leases with Acadia University that need to be renewed and has a potential interest in acquiring additional NSPI land for parking in the East End.

The Town will decide as to whether these lots are integral to our parking management plan and if so, what should be required in the lease(s) on a go-forward basis. This is a carry-forward initiative from 2018/19.

Regional Recreation Needs Assessment

The four municipalities in Kings County wish to better understand the recreation needs of residents within Kings County. This study was initiated in 2018/19 and will build on the work completed in 2015-16 by the Facilities Assessment and Gap Analysis completed by the Town of Wolfville. It will serve to inform the Town of Kentville and its potential regional partners (including the Town of Wolfville) on any future Regional Wellness Centre and other capital recreational projects within Kings County.

The Regional Recreation Needs Assessment will include the following:

- determination of the unmet recreation facility needs of the population within Kings County by season;
- identification of gaps within the current recreation delivery system by season;

- detailed demographic trends for the area that include marginalized sectors of the local population;
- identification of factors/trends that are likely to impact the nature of the local population and their recreation needs in the foreseeable future.

It is anticipated that the study will be completed in the spring of 2019 and this will inform the next steps of all partnering municipalities.

Acadia Athletic Complex Business Plan

In partnership with Acadia University, the Town is in the process of completing a business plan for the existing Acadia Athletic Complex. Facility revenues, user-pay models, cost-reduction strategies, community access and potential municipal contributions will all be examined as part of this Business Plan. It is expected that this plan will be completed by the spring of 2019.

Main Street Milling and Paving

An additional \$60,000 has been included in the Public Works operating budget for the third year to increase the amount of street that is milled and paved in 2019/20, with an emphasis on Main Street. This amount represents approximately 300 m per year with the plan to continue on an annual basis for at least the next two years. The plan will be re-evaluated each year in conjunction with the capital budget however the focus for year one will be:

Huron
 Minas View (Cape View-end)
 Iona Road
 Fowler Street
 Skyway Drive (Fundy-Basin)
 Hillside (Prospect-Bay)
 Riverview Avenue
 Main (Kent to Chestnut)
 Main (Chestnut to Wickwire)

The actual sections to be completed will be evaluated in the spring based on the Pavement Condition Index and operational requirements (underground infrastructure, repairs to be completed prior to milling and paving, etc.).

In Years 2-3 of the Operations Plan, Grandview, Westwood, Beckwith, Hillside and continuing work on Main are in the current plan.

Sidewalks

The Town will allocate \$24,000 annually to repair and maintain our existing sidewalk network. In 2019/20, in addition to concrete repairs in the core area the following sidewalks will be repaired:

Main (Victoria to Orchard)
 Acadia (Linden to Gaspereau)
 Acadia (Highland to Wolfville School)

Maximizing Town Space – Library Needs Assessment and Options for Town Buildings

Town Council has provided direction to develop an enhanced library and Town Hall facility at the current location of the existing library. In 2019/20, the Library Working Group will present a feasibility study to Council highlighting options for the site, financial considerations, and the identification of the critical path forward.

Traffic

Information gathering, similar to what is being undertaken for parking, will be undertaken for vehicle traffic patterns in key locations. Level of service targets will be identified and walkability initiatives will be pursued.

Asset Management

An internal working group will be developed to continue the work on Asset Management. The goal of this working group is to ensure that asset management data will assist in the development of a longer-term capital improvement plan and that it is informing strategic capital planning decisions.

Risk Management

The Town will utilize external consultants to conduct a risk assessment for the Town and provide proactive recommendations to reduce identified areas of potential exposure.

STRATEGIC DIRECTION #3 – LEVERAGING OUR ECONOMIC OPPORTUNITIES

- 3.1. Advance Wolfville as a premier destination in Atlantic Canada for culinary, craft beverage and wine experiences.
- 3.2. Create a business ready environment for future expansion and attraction opportunities.
- 3.3. Foster the success of our existing business community.

Partnership Agreement with Acadia University and the Acadia Students' Union (ASU)

In the fall of 2018, the Town signed an MOU with Acadia and the ASU to collaborate on areas of priority and mutual interest.

In 2019/20, the key initiatives to be undertaken include:

Economic Development

- Define the Town's role in Destination Acadia;
- Develop and support one major event in Wolfville;
- Pursue opportunities to partner with the Acadia Entrepreneurship Centre;
- Support the development of the proposed Culinary Tourism Centre
- Explore ways to leverage opportunities for students within the WBDC membership

Economic Development

Pending the decision of the Town on participation in the Regional Enterprise Network, the Town will focus on the following initiatives in 2019/20:

- fostering a more formalized relationship with the Acadia Entrepreneurship Centre;
- drafting of a Bylaw to enable tools provided for in Bill 177;
- continuation of relationship development with the local business community;
- continuation of support for the Town's signature events;
- working with Parks and Recreation to leverage the economic development opportunities provided by the VIC;
- conducting economic impact analyses of key events (in partnership with the WBDC).

Visitor Information Centre (VIC)

In 2019/2020 the Town will continue to operate the VIC from mid-May until the end of October. This will allow the VIC to be open for Devour! and to serve visitors coming in to our region to enjoy the harvest season, our signature events and our wine, craft beverages and culinary experiences.

Construction on a new VIC is anticipated to being in 2020.

OTHER OPERATIONAL INITIATIVES

There will be an increased effort to partner with other municipalities in Kings County (and throughout the Annapolis Valley) to ensure efficient governance structures are in place for our existing (and in the future, potentially new) inter-municipal services. Additionally, the Town of Wolfville will explore opportunities for joint revenue sharing with surrounding municipalities and will continue to support regional priorities as identified.

Operations Plan Years 2, 3 & 4

The following is a summary of projects and initiatives currently slated for years 2, 3 and 4, by Strategic Direction. As the Operations Plan is intended to be a living document, projects are subject to move, be added, or be eliminated in future years based on human and financial resources and the priorities of Council. Additionally, as more details are known on anticipated future projects, these will be updated in the Operations Plan.

Improving Quality of Life		
2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
<ul style="list-style-type: none"> in partnership with Kings Transit, create improvements to local Bus Shelters; Develop a plan for the Burial Ground; Continue the development of the East End Gateway including the completion of the North Side Parking Lot and landing area, the completion of the VIC and Willow Avenue east sidewalk, and trail development connecting the Harvest Moon Trail to the Millennium Trail; Initiative parks planning for Seymour Gordon Quiet Park; Develop parks programming under the “Try it in Wolfville” campaign; Develop parks plan for Woodman’s Grove; Examine opportunities for enhanced usage of the Wolfville Nature Trust space; Implement the parks plan for the West End Park and Trail system; Examine the need and viability of the dedicated dog park in Wolfville; Respond to Council’s direction regarding the Splash Pad; Develop a Water Conservation Plan Offer environmental-based summer education programs/camps for youth Introduce a “Wolfville Passport” to encourage outdoor recreation 	<ul style="list-style-type: none"> explore long-term functionality of Olsen’s Park; implementation of burial ground project; continued development of Seymour Gordon Quiet Park; continued development of West End Park and Trail; development and management of Wolfville Nature Trust resource; revisit and update the <i>Parks and Open Space Master Plan of 2012</i>; Respond to Woodman’s Grove Year 2 needs assessment, with specific interest in the development of the marshland area northern side Establish key performance indicators for recreation within the Town; Continue to develop and promote the Mudley Fund. 	<ul style="list-style-type: none"> respond to recommendations from the updated Parks and Open Spaces Master Plan of 2022

Maximizing Our Infrastructure		
2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
<ul style="list-style-type: none"> Track Sanitary Flushing Implement I&I Recommendations Maximizing Use of the Asphalt Recycler Continue the Town-Wide Milling and Paving Program – enhanced level of funding for 2020/21. Streets to be included: Grandview (Beckwith-Skyway), Beckwith (Wickwire to end), Beckwith (Chestnut to Grandview), Beckwith (Grandview to Wickwire), Hillside (Bay to Fairfield), Hillside (Fairfield to Pleasant), Main (Wickwire to Earncliffe), Main (Earncliffe to Westwood), Main (Westwood to University). Continue the Town-Wide Sidewalk maintenance Program – Main (Earncliffe to Westwood), Main (Perkins Way to Highland), Pleasant (Riverview to Gaspereau), Skyway (Fundy to Basin), Acadia (Wolfville School to Gaspereau) 	<ul style="list-style-type: none"> Track Sanitary Flushing Implement I&I Recommendations Maximizing Use of the Asphalt Recycler Continue the Town-wide Milling and Paving Program – enhanced level of funding for 2021/22. Streets to be included: Westwood (Park St – end), Main (University to Highland). Continue the Town-Wide Sidewalk maintenance Program – Main (Stirling to Hillcrest), Main (Whidden to west end), Pleasant (Evangeline to Highland), Hillside (Prospect to Bay) 	<ul style="list-style-type: none"> Track Sanitary Flushing Implement I&I Recommendations Maximizing Use of the Asphalt Recycler Continue the Town-wide Milling and Paving Program. Streets to be included: Main (Laura Moore to Maple). Continue the Town-Wide Sidewalk maintenance Program – streets to be determined following evaluation. A discussion and decision on the Traffic Lights at the four-way stop will be revisited.

Leveraging Our Economic Opportunities		
2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
<ul style="list-style-type: none"> Develop an Economic Development Strategy for the Town of Wolfville (pending outcome of REN decision, will carry over from 2019/20) In partnership with Destination Acadia, develop an Event Attraction Strategy Continue BRE Visits Complete an Evaluation of the WBDC Funding Agreement 	<ul style="list-style-type: none"> Continue BRE visits 	<ul style="list-style-type: none"> Continue BRE visits

Contract and Lease Review

Staff have been reviewing all contract, lease and agreement files on record and have developed a four-year plan for addressing expired or soon-to-expire documents. There are many contracts that automatically renew after the initial time frame and have been renewing for several years. The plan identifies those contracts to ensure a review is completed prior to the next renew date.

In 2019/20, staff will review the following:

- **Sewer Contract with Kings County** – The Town will open discussions with the County of Kings to revisit the existing Sewer Contract from 1979 to refine cost sharing and address future expansion opportunities.
- **Elm Ave Parking Lot Lease with Acadia University** – The Town will re-negotiate the lease for the Elm Avenue Parking Lot with Acadia,
- **Tower Field Lease** – The Town will re-negotiate the lease for Tower Field
- **Regional Organizations** – The Town will request that the Kings Standing Committee of Mayors review agreements, along with funding formulas, for Valley Waste, Kings Transit, VCFN and Kings Point to Point.
- **NSCC MOU** – The Town will re-negotiate the MOU with NSCC
- **Bell Aliant MASH Entity Centrex Business & Unified Communications** – The Town will re-negotiate the contract with Bell Aliant
- **Raymond Field/Walking Track MOU** – The Town will re-negotiate the MOI with Acadia
- **Rotary Field Lease** - The Town will re-negotiate the lease for Rotary Field

2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
<ul style="list-style-type: none"> • Strategic Partnership Agreement Review • WBDC • Bell Aliant Mobility Lease • Stile Park Lease • Fire Services Agreement • SPCA Animal Control • Pitney Bowes Inserter 	<ul style="list-style-type: none"> • Bell Cell Tower Lease • SPCA Constable Contract • Pitney Bowers overall contract 	<ul style="list-style-type: none"> • SEIEU Collective Agreement

Request for Proposals (RFP's) & Tenders

The Town also intends to issue a number of operational Requests for Proposals and Tenders during the 2019/2020 Fiscal Year:

- **Legal:** The Town will procure for general, planning and human resource management legal services.
- **Insurance:** The Town will conduct an RFP for insurance.
- **Photocopiers:** The Town will conduct an RFP for its photocopier systems.
- **Asphalt:** The Town annually procures for its asphalt requirements. Once again, this tender will be done in conjunction with Acadia University.
- **Line Marking:** The Town annually procures for line marking services. This will be done early in 2019 to facilitate having the line painting completed in the spring.
- **Sewer Flushing:** The Town annually procures for sewer flushing services.
- **Snow Removal (Front Street Parking Lot and Toye Lane):** The Town will be procuring for snow removal from the Front Street Parking Lot and, pending the review of the Snow and Ice Removal Policy by Council, for Toye Lane.
- **Audit:** The Town will conduct an RFP for audit services.

2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
<ul style="list-style-type: none"> • Asphalt • Line Marking • Sewer Flushing • Snow Removal (Front Street Parking Lot and Toye Lane) 	<ul style="list-style-type: none"> • Asphalt • Line Marking • Sewer Flushing • Snow Removal (Front Street Parking Lot and Toye Lane) • Postage Machine • Insert/Folder Equipment 	<ul style="list-style-type: none"> • Asphalt • Line Marking • Sewer Flushing • Snow Removal (Front Street Parking Lot and Toye Lane) • Postage Machine

Non-Routine Projects

In addition to the many projects and initiatives listed in the Operational Plan, there are several projects that will be undertaken that are related to Council or Human Resource Management that are not annual or routine in nature.

The 2019/20 fiscal year will include:

- **E-Voting:** Council will consider whether or not to permit e-voting for the 2020 municipal election.
- **Staff Salary and Benefits Review:** An internal review of staff benefits and salaries will take place and any recommended changes brought to Council for consideration.

Future non-routine projects include:

2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
<ul style="list-style-type: none"> • Election • Council Remuneration • Citizens Satisfaction Survey (spring) • Orientation Preparation 	<ul style="list-style-type: none"> • Strategic Planning • Union Negotiations • Boundary Review 	<ul style="list-style-type: none"> • Citizens Satisfaction Survey

Operational Deliverables – Day to Day Deliverables for the Town

In addition to the various strategic priorities that are established by Town Council, the Town plays an important administrative function in meeting its requirements as established by the *Municipal Government Act*. On a day-to-day basis, the Town provides, and will continue to provide, the following core services:

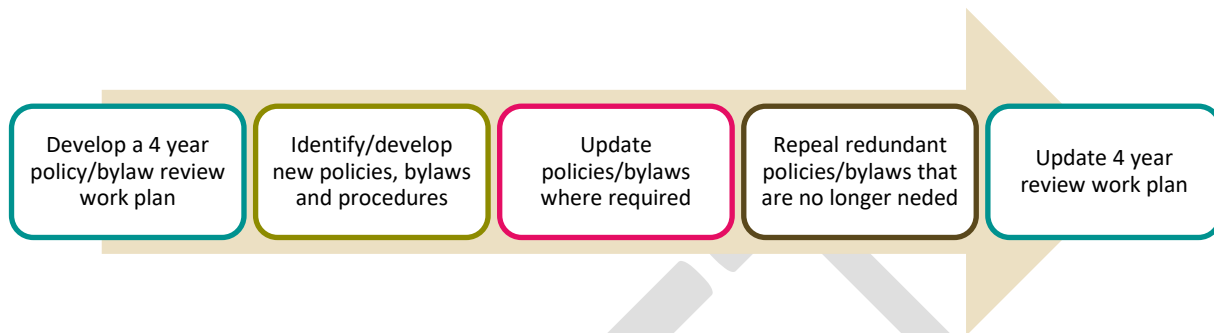
- Administration of approximately 1,620 (1,575 in 2018/19) residential/resource and 107 (110 in 2018/19) commercial tax accounts;
- Administration of approximately 1,540 water and sewer accounts;
- Regular financial, environmental, recreation and building/development reporting to the Province and Federal agencies;
- Administration of Grants to Organizations. In 2018/19 the Town provided \$104,900 in support of various events, facilities and community groups, and it will continue to do so in 2019/20;
- Operation of the Town's Water Utility and the Town's Sewer System;
- Administration of the Town's approximate 219 existing Development Agreements;
- Processing of new Development Agreement applications. The Town has processed an average of four (4) Development Agreements annually for the past ten years;
- Processing of Development Permit applications. The Town has processed an average of 74 Development Permit applications annually for the past ten years;
- Processing of Subdivision applications including lot boundary changes and consolidations. The Town has approved an average of 5.4 new lots annually for the past ten years;
- Working with applicants on inspections and approvals for building and occupancy permits. The Town has issued an average of 53 Building Permits annually for the past ten years;
- Maintain the Municipal Heritage Registry. There are approximately 35 registered heritage properties in Wolfville;
- Enforcement and administration of the Town's 41 Bylaws;
- Enforcement and administration of the Town's 60 Policies and 25 Human Resource Management Policies;
- Oversight of the Wolfville Fire Department;
- Provision of support for Town Council. Council meets 11 times annually for Council meetings and 11 times annually for Committee of the Whole meetings and on an as-needed basis for Special Meetings;
- Provision of support for the Committees of Council. The nine existing committees total approximately 46 regular meetings annually;
- Provision of support for Public Information Meetings, Public Hearings, Public Participation Meetings and other public consultations. On average these meetings occur 15-20 times per year;
- Administration of the *Freedom of Information and Protection of Privacy (FOIPOP) Act*. The Town administers approximately 5 FOIPOP requests annually;
- Provision of policing services via the RCMP;
- 209 enforcement/compliance files opened and 205 closed over the year;

- Visitor Information Centre interacted with 14,626 visitors over the year;
- Maintenance of 33.20 km of Town roads and 24.9 km of Town sidewalks;
- Maintenance of 12.30 km of Town trails (excluding Ridge Stiles and Watershed Trails) and 92.30 acres of designated parks and recreation space;
- Support for the Town's signature events;
- The hosting of Canada Day, Mud Creek Days, Winter Warmer, Volunteer Appreciation Night, Night of Lights and the New Years Eve Brunch;
- Administration of the Strategic Partnership Program and the Community Partnership Program.

DRAFT

Bylaw & Policy Priorities

Policy and bylaw development is a key role of Town Council and provides the Town with the tools it requires to run the Town effectively. The Town is constantly reviewing its policies and bylaws to ensure they remain relevant and best serve the needs of our residents and business community. Our review process is depicted below:



2019/20 Policy and Bylaw Priorities

The following depicts the policies and bylaws that will be created and/or reviewed in 2019/20; which is year one of the four-year plan.

	BYLAWS	POLICIES
NEW	<ul style="list-style-type: none"> Continue to develop a Residential Rental Business Bylaw to ensure that issues related to rooming houses can be adequately addressed. Create a Bylaw to enable Bill 177 to incent business development in key areas within Wolfville. Develop the Party Registration Bylaw 	<ul style="list-style-type: none"> Develop a Fire Protection Rate Policy Create a Council Code of Conduct Policy Develop a Use of Alcohol in Municipal Spaces Policy
REVISED	<ul style="list-style-type: none"> Complete Phase 2 of the Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw review. Include a Review of the Sidewalk Café Bylaw and the Swimming Pool Bylaw as part of the review. Make minor revisions and gazette the Property Minimum Standards Bylaw Review the Taxi Bylaw (if time permits - may be moved to 2020/21) 	<ul style="list-style-type: none"> Review the Snow and Ice Clearing Policy to provide clarify on standards related to non-municipal roads Review the Low Income Property Tax Exemption Policy Review HR Employee Conduct Policies and consolidate, including interim staff appointments and smoke free buildings and vehicles policies. Review the Disposal of Surplus Equipment Policy

Future Policy and Bylaw Priorities

The following section outlines the by-laws and policies that are slated for review in years 2, 3 and 4 of the Operating Plan.

In addition to the policies identified below, staff consistently reviews all policies on a four-year rotation to determine if they are current and note any revisions or repeals that may be required. If changes are required, then the policy will be added to a future year on the Operational Plan. If there are no changes, the policy is placed back in the rotation for review consideration in another four years.

2020/21 Fiscal Year Year 2	2021/22 Fiscal Year Year 3	2022/23 Fiscal Year Year 4
Bylaw Work Plan		
<ul style="list-style-type: none"> • Civic Numbering Bylaw • Breaking Soil Bylaw • Boundaries Bylaw • Vending Bylaw • Skateboard Bylaw 	<ul style="list-style-type: none"> • Streets Bylaw • Subdivision Bylaw • Sewer Bylaw • Development Cost Charges Bylaw 	<ul style="list-style-type: none"> • Cat Bylaw • CAO Bylaw
Policy Work Plan		
<ul style="list-style-type: none"> • Urban Forest Management Policy • Street Naming Policy • Council Remuneration Policy • Council Board and Commission Remuneration Policy • Deputy Mayor Policy • HR – Staff & Employment Policies • Procurement Policy 	<ul style="list-style-type: none"> • Bylaw Enforcement Policy • Open Spaces Fund Policy • Investment Policy • Administration of Medical and Health Care Provisions • Child Abuse Reporting Procedure • Council Professional Dev. Policy • Source Water Protection Advisory Committee • Committees Policy 	<ul style="list-style-type: none"> • Develop a Renting Recreational Spaces Policy. • HR Performance Management and Professional Development Policies • Accessibility Advisory Committee • Municipal Fees Policy • Flag Flying Policy

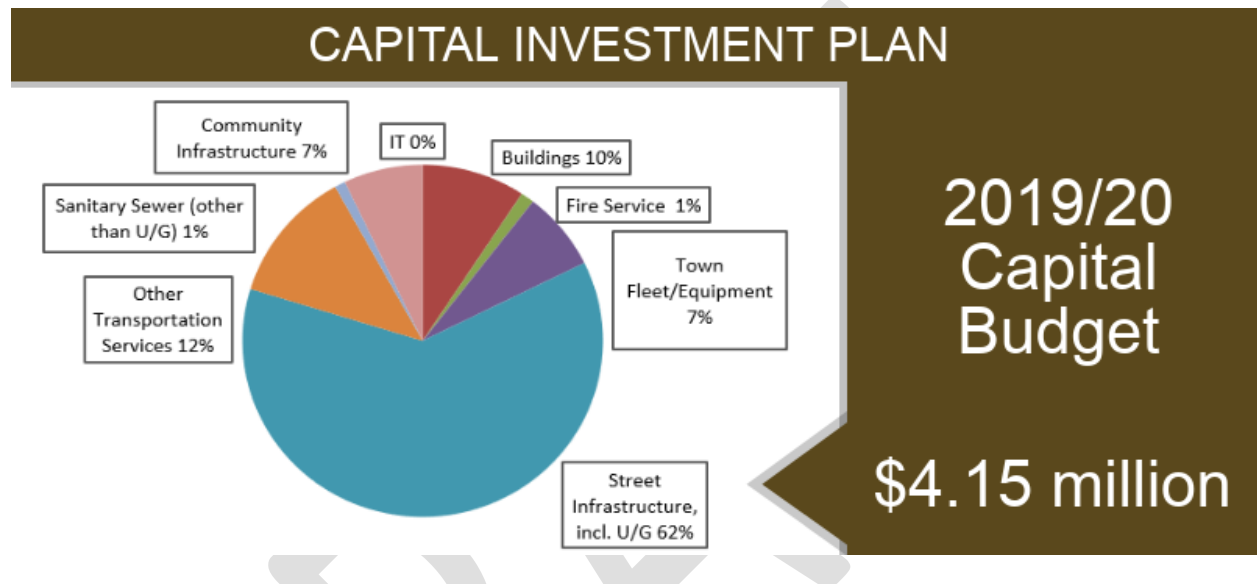
Committees of Council

Council currently has nine Committees of Council, including Committee of the Whole. Each Committee serves in an advisory capacity to Council and has established priorities for the 2019/20 year to support the implementation of the Operations Plan

COMMITTEES OF COUNCIL		
<p>AUDIT</p> <p>Review and provide input into the Low Income Tax Property Tax Exemption Policy.</p>	<p>ACCESSIBILITY</p> <p>Provide guidance on the implementation of the Accessibility Plan.</p>	<p>ART IN PUBLIC SPACES</p> <p>Identify one small scale community art project to implement.</p>
<p>DESIGN REVIEW</p> <p>To inform the planning process by providing peer review of development applications that require interpretation of the Town's architectural guidelines.</p>	<p>ENVIRONMENTAL SUSTAINABILITY</p> <p>Provide leadership and expertise on key projects in the Operational Plan, including the proposed ban on plastic bags.</p> <p>Begin to work through the development of a Community Energy Plan</p>	<p>PLANNING ADVISORY</p> <p>Oversee Phase 2 of the Municipal Planning Strategy Review</p>
<p>RCMP ADVISORY BOARD</p> <p>Develop and enforce further community policies in regard to:</p> <ul style="list-style-type: none"> Traffic Crosswalk/Pedestrian Safety RCMP Visibility at key weekend events Relationship with youth Noise Prevention Crime Reduction 	<p>SOURCE WATER PROTECTION</p> <p>Review the recommendations of the 2008 Source Water Protection Plan to determine what is still relevant and develop a revised implementation plan.</p>	<p>TOWN & GOWN</p> <p>Serve as stewards of the Acadia and Town Partnership Agreement.</p>

10-Year Capital Investment Plan

The Town prepares a 10-Year Capital Investment Plan (CIP) each fiscal year, although Council only approves the projects in Year 1 for the Capital Budget. The 10-Year CIP assists with planning and funding of the capital program. Projects scheduled past year 1 are subject to change due to financial and human resources/opportunities and the priorities of Council. Details of the projects for years 1 through 4 are provided on the following pages.



2019/20 Capital Projects include:

1. Public Works Fleet Replacement
2. Seaview Avenue
3. Westwood (Main to Irving Centre)
4. Accessibility and renovations incl. solar panels to Public Works building
5. Decorative Lights on Elm Avenue
6. Gaspereau - Willow
7. Fire equipment upgrades
8. Shoreline Protection
9. Flood Risk Mitigation
10. Storm Water Management Plan

11. Sewer Treatment Plant Expansion Design
12. East End Gateway – Harvest Moon Trailhead & other upgrades continued
13. East End Gateway – Willow Park and new Visitors Information Centre
14. Relocate Skatepark
15. Evangeline Park
16. Mona Parsons – pathway amenities
17. West End Parkland and Trail
18. Renovate RCMP Detachment space for use by Town Hall staff

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2019/2020 Capital Investment Plan (Year 1)

1.	Project Name: Public Works Fleet Replacement	Project Description Each year the Town replaces equipment as required, to ensure the fleet inventory is maintained in a cost-effective manner and sufficient to provide the services mandated											
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020								
	Public Works	<ul style="list-style-type: none"> Vehicle Replacement Schedule 	\$300,000		Dates	Q1		Q2		Q3		Q4	
	Department (Secondary)					A	M	J	J	A	S	O	N
N/A													
2.	Project Name: Seaview Avenue	Project Description The purpose of the project is to rehabilitate 185 m of Seaview Avenue, including replacing underground infrastructure.											
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020								
	Public Works	<ul style="list-style-type: none"> Pavement Condition Survey Asset Management Plan – age of underground pipes 	\$715,000		Dates	Q1		Q2		Q3		Q4	
	Department (Secondary)					A	M	J	J	A	S	O	N
N/A													
3.	Project Name: Westwood Avenue (Main to Irving Centre)	Project Description The purpose of the project is to rehabilitate 350 m of street from Main Street to the K.C. Irving Centre, including underground infrastructure.											
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020								
	Public Works	<ul style="list-style-type: none"> Downtown Development Plan (2014) Pavement Condition Index Asset Management Plan 	\$1,260,000		Dates	Q1		Q2		Q3		Q4	
	Department (Secondary)					A	M	J	J	A	S	O	N
N/A													
4.	Project Name: Public Works/Planning & Dev Building	Project Description Upgrades to improve accessibility and fire safety and installation of solar panels for energy efficiency long term											
	Department (Primary)	Related Plans	Budget	Priority	Timeline FT 2019/2020								
	Public Works	<ul style="list-style-type: none"> Condition Assessment of Town Buildings 	\$335,000		Dates	Q1		Q2		Q3		Q4	
	Department (Secondary)					A	M	J	J	A	S	O	N

5.	Project Name: Decorative Lights – Elm Avenue	Project Description The purpose of the project is to install decorative lights on Elm Avenue to continue the aesthetics of the downtown.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Public Works	<ul style="list-style-type: none"> Downtown Development Plan (2014) 	\$75,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
6.	Project Name: Gaspereau – Willow to civic 94	Project Description The purpose of the project is to rehabilitate 180m of street from Gaspereau – Willow to Civic 94, including underground infrastructure.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FT 2019/2020											
	Public Works		\$600,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
7.	Project Name: Fire equipment upgrades	Project Description The purpose of the project is to provide upgrades to fire equipment including SCBA Apparatus														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Fire	<ul style="list-style-type: none"> 	\$50,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
8.	Project Name: Shoreline Protection	Project Description The purpose of this project is to supply and install shoreline protection along approximately 130 metres of shoreline in Waterfront Park to protect the park and park infrastructure from erosion														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Public Works	<ul style="list-style-type: none"> Waterfront Upgrades – Wharf Inspection Report (2016) Operational Reports 	\$350,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
Planning																

9.	Project Name: Flood Risk Mitigation	Project Description The purpose of the project is to identify and implement flood risk mitigation initiatives.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Public Works	•	\$50,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
Planning																
10.	Project Name: Storm Water Management Plan	Project Description The purpose of the project is to complete a Storm Water Management Plan for the Town.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Public Works	•	\$30,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
Planning																
11.	Project Name: Sewer Treatment Plant Expansion Design	Project Description The purpose of this project is to design the expansion of the Sewer Treatment Plant to build capacity for future growth in the Town.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Public Works	•	\$40,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
12.	Project Name: East End Gateway – Trail Head & other upgrades	Project Description The East End Gateway will announce and articulate the arrival into Wolfville’s Downtown. The Gateway will involve the design and construction of a number of elements that create a sense of arrival, provide community space, and support Wolfville as a tourist destination. In 2019/20 the projects include completion of the Harvest Moon Trail Head and other upgrades to be determined.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Parks & Recreation	• Downtown Development Plan (2014)	\$125,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
Public Works																

13.	Project Name: East End Gateway – New VIC & Willow Park upgrades, design	Project Description The East End Gateway will announce and articulate the arrival into Wolfville’s Downtown. The Gateway will involve the design and construction of a number of elements that create a sense of arrival, provide community space, and support Wolfville as a tourist destination. In 2019/20 the projects include final design for new Visitor Information Centre.															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020												
	Parks & Recreation	• Downtown Development Plan (2014)	\$50,000		Dates	Q1			Q2			Q3			Q4		
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
Public Works																	
14.	Project Name: Relocate Skateboard Park	Project Description The purpose of the project is to relocate the skateboard park to Tower Park.															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020												
	Parks & Recreation	•	\$75,000		Dates	Q1			Q2			Q3			Q4		
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
Planning																	
15.	Project Name: Evangeline Park	Project Description The purpose of the project is to create and implement a park plan to increase the useable area of Evangeline Park and install new equipment/ infrastructure. A natural play structure, including climbing wall, slide and log/boulder play areas will be installed, as well as a picnic tables, benches and new fencing															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020												
	Parks & Recreation	•	\$15,000		Dates	Q1			Q2			Q3			Q4		
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
Planning																	
16.	Project Name: Mona Parsons Pathway amenities	Project Description The purpose of the project is to complete pathways.															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020												
	Public Works	•	\$20,000		Dates	Q1			Q2			Q3			Q4		
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
Planning																	

17.	Project Name: West End Parkland and Trail	Project Description The purpose of this project is to develop a neighbourhood park and trails in the west end.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Parks & Recreation	•	\$10,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
18.	Project Name: Reno of RCMP Detachment	Project Description The purpose of the project is to renovate the current RCMP space to accommodate Town staff. Further discussion/direction from Council required before project would proceed. Budget allows for estimated dollars to complete, if final approval received from Council.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2019/2020											
	Public Works	•	\$50,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F

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10-Year Capital Investment Plan Years 2, 3 & 4

Fiscal Year 2020/21 Year 2	Fiscal Year 2021/2022 Year 3	Fiscal Year 2022/2023 Year 4
IT Server Upgrades	Public Works Fleet Replacement	Public Works Fleet Replacement
Public Works Fleet Replacement	Decorative Lights (Locust to Willow)	Highland – Prospect to Bay
Flood Risk Mitigation	Future Park Improvements	Pleasant – Sherwood to Huron
Sewer Treatment Plant Expansion	Fire Equipment upgrades	Generator replacement – Town Hall
New Visitor Info Centre & Willow Park upgrades	Engineering Design Work	Nature Preserve Dam
West End Parkland & Trail		Future Park Improvements
Other East End Gateway upgrades		Fire Equipment Upgrades
Fire Equipment upgrades		Engineering Design Work

2020/21 Capital Investment Plan (Year 2)

1.	Project Name: IT Infrastructure Upgrades	Project Description The Town's IT servers are on a replacement schedule of every six years.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Finance & Corporate Services	•	\$15,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
2.	Project Name: Public Works Fleet Replacement	Project Description Each year the Town replaces equipment as required, to ensure the fleet inventory is maintained in a cost-effective manner and sufficient to provide the services mandated.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	• Vehicle Replacement Schedule	\$374,900		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
3.	Project Name: Flood Risk Mitigation	Project Description The purpose of the project is to identify and implement flood risk mitigation initiatives														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	•	\$50,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
Planning																
4.	Project Name: Sewer Treatment Plant	Project Description The purpose of this project is to construct the expansion of the Sewer Treatment Plant in accordance with the design from 2019/20 to build capacity for future growth in the Town														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	•	\$3,070,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																

5.	Project Name: New Visitor Information Centre and Willow Park Upgrades	Project Description The East End Gateway will announce and articulate the arrival into Wolfville's Downtown. The purpose of this project is to continue the work started in the previous fiscal year to provide upgrades to Willow Park and to replace the Visitor Information Centre.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	•	\$450,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
6.	Project Name: West End Parkland and Trail	Project Description The purpose of this project is to develop a neighbourhood park and trails in the west end.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	•	\$100,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
7.	Project Name: East End Gateway Upgrades	Project Description The East End Gateway will announce and articulate the arrival into Wolfville's Downtown. The purpose of this project is to provide further upgrades to the East End Gateway														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	•	\$275,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
8.	Project Name: Fire equipment upgrades	Project Description The purpose of the project is to provide upgrades to fire equipment including SCBA Apparatus														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2020/21											
	Public Works	•	\$50,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																

2021/22 Capital Investment Plan (Year 3)

1.	Project Name: Public Works Fleet Replacement	Project Description Each year the Town replaces equipment as required, to ensure the fleet inventory is maintained in a cost-effective manner and sufficient to provide the level of services mandated														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2021/22											
	Public Works	<ul style="list-style-type: none"> Vehicle Replacement Schedule 	\$57,400		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
2.	Project Name: Decorative Lights (Locust to Willow)	Project Description The purpose of this project is install decorative lights on Main Street from Locust to the start of the East End Gateway to tie the East End into the downtown.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2021/22											
	Public Works	<ul style="list-style-type: none"> Imagine the Downtown (2014) East End Gateway Master Plan (2018) 	\$200,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																
3.	Project Name: Future Parks Improvements	Project Description The purpose of this project is a placeholder for future parkland improvements that will be identified at a later date.														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2021/22											
	Parks & Recreation	<ul style="list-style-type: none"> Parks & Open Space Master Plan (2012) 	\$100,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
Public Works																
4.	Project Name: Fire equipment upgrades	Project Description The purpose of the project is to provide upgrades to fire equipment including SCBA Apparatus														
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2021/22											
	Public Works	<ul style="list-style-type: none"> 	\$50,000		Dates	Q1		Q2		Q3		Q4				
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F
N/A																

5.	Project Name: Engineering Design Work	Project Description The purpose of the project is to plan for Engineering design work a year in advance of implementation															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2021/22												
	Public Works	•	\$77,400		Dates	Q1		Q2		Q3		Q4					
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
	N/A																

[2022/23 Capital Investment Plan \(Year 4\)](#)

1.	Project Name: Public Works Fleet Replacement	Project Description Each year the Town replaces equipment as required, to ensure the fleet inventory is maintained in a cost-effective manner and sufficient to provide the level of services mandated															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23												
	Public Works	• Vehicle Replacement Schedule	\$409,400		Dates	Q1		Q2		Q3		Q4					
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
	N/A																

2.	Project Name: Highland – Prospect to Bay	Project Description The purpose of the project is to rehabilitate 250m of street, including underground infrastructure															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23												
	Public Works	• Pavement Condition Survey (2015)	\$900,000		Dates	Q1		Q2		Q3		Q4					
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M
	N/A																

3.	Project Name: Pleasant – Sherwood to Huron	Project Description The purpose of the project is to rehabilitate 180 m of street, including all underground infrastructure.															
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23												
	Public Works	• Pavement Condition Survey (2015)	\$648,000		Dates	Q1		Q2		Q3		Q4					
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M

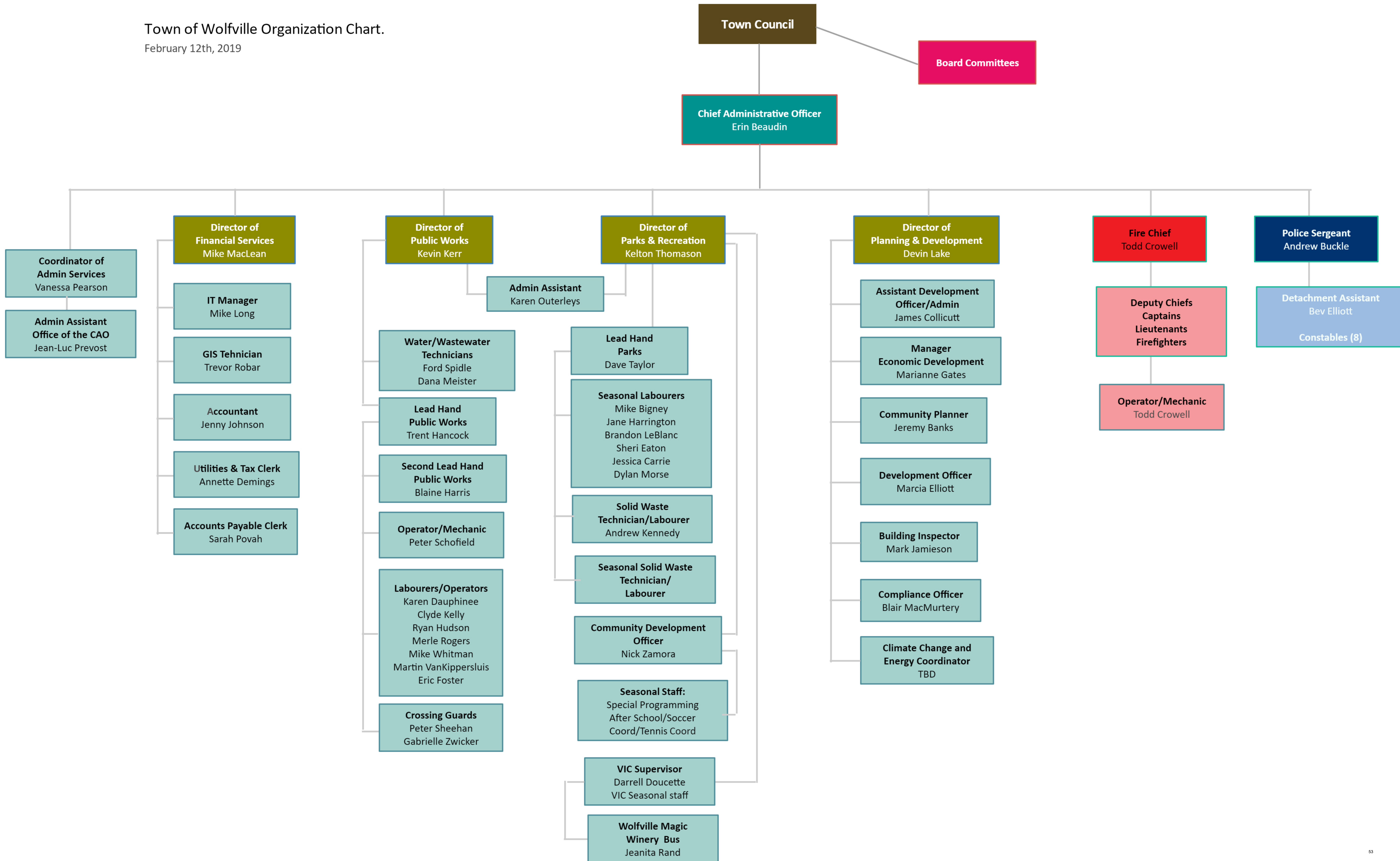
	N/A																					
4.	Project Name: Generator Replacement	Project Description The purpose of this project is upgrade the current generator at the Town Hall. Last upgraded in 2006.																				
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23																	
	Public Works	•	\$60,000		Dates	Q1		Q2		Q3		Q4										
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M					
N/A																						
5.	Project Name: Nature Preserve – Dam Upgrade	Project Description The purpose of this project is to begin the process for decommissioning the two dams at the Nature Preserve property.																				
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23																	
	Public Works	•	\$500,000		Dates	Q1		Q2		Q3		Q4										
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M					
Planning																						
6.	Project Name: Future Parks Improvements	Project Description The purpose of this project is a placeholder for future parkland improvements that will be identified at a later date.																				
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23																	
	Parks & Recreation	• Parks & Open Space Master Plan (2012)	\$50,000		Dates	Q1		Q2		Q3		Q4										
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M					
Public Works																						
7.	Project Name: Fire equipment upgrades	Project Description The purpose of the project is to provide upgrades to fire equipment including SCBA Apparatus																				
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23																	
	Public Works	•	\$50,000		Dates	Q1		Q2		Q3		Q4										
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M					
N/A																						
8.	Project Name: Engineering Design Work	Project Description The purpose of the project is to plan for Engineering design work a year in advance of implementation																				
	Department (Primary)	Related Plans	Budget	Priority	Timeline FY 2022/23																	
	Public Works	•	\$77,400		Dates	Q1		Q2		Q3		Q4										
	Department (Secondary)					A	M	J	J	A	S	O	N	D	J	F	M					
N/A																						

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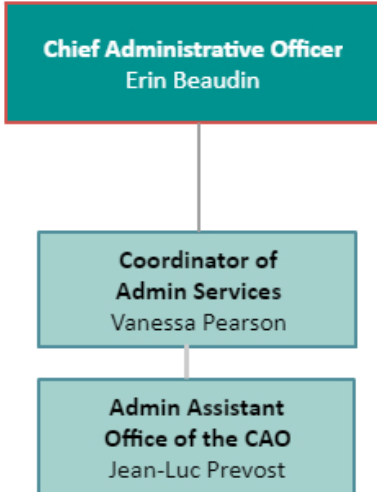
Town of Wolfville Organization Chart.

February 12th, 2019



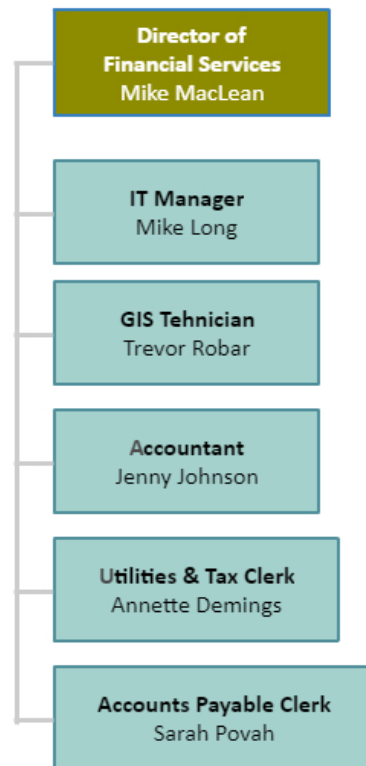
Office of the CAO

February 12, 2019



Finance / Corporate Services.

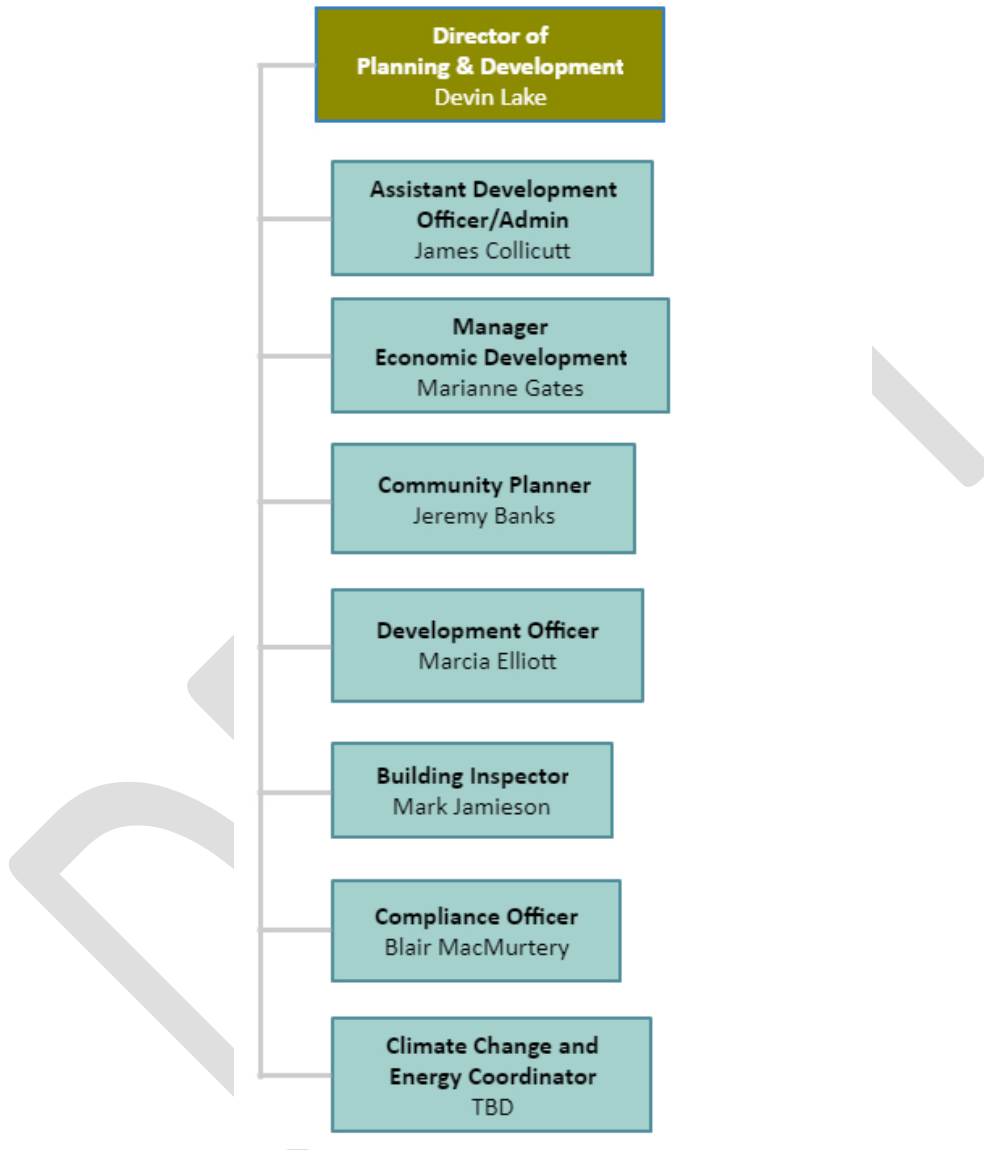
February 12, 2019



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Planning and Development

February 12, 2019



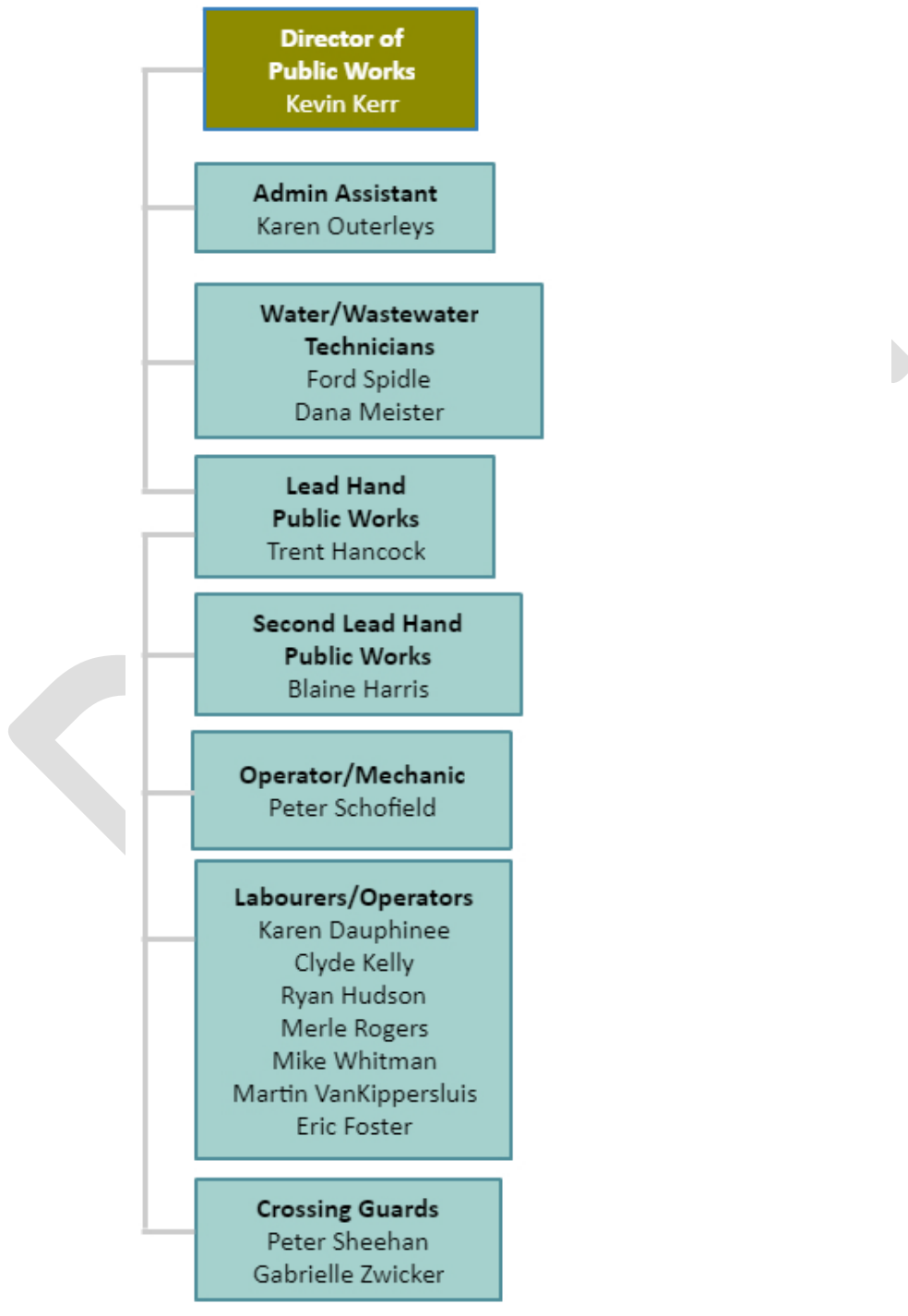
Parks and Recreation

February 12, 2019



Public Works

February 12, 2019



Town of Wolfville
2019/20 Operating Budget - DRAFT V3
All Divisions

Changed - V1 to V2
 Changed - V2 to V3

	2019/20	2018/19		2017/18	
	Budget	Forecast/Actual	Budget	Actual	Budget
REVENUES					
Taxes and grants in lieu of taxes	\$ 9,177,400	\$ 8,805,800	\$ 8,814,500	\$ 8,744,290	\$ 8,598,500
Sale of service/cost recoveries	912,500	892,900	801,300	828,646	800,200
Sewer Rates	430,000	402,300	411,000	390,868	403,000
Provincial, Federal & other grants	170,200	98,400	91,700	127,092	95,400
	10,690,100	10,199,400	10,118,500	10,090,896	9,897,100
EXPENSES					
Salary and wages	2,082,300	1,857,900	1,913,700	1,700,249	1,796,800
Employee Benefits	401,500	398,100	376,800	386,064	340,600
Seasonal/Term Wages	369,000	369,800	340,200	334,232	304,000
Employee Benefits Seasonal wag	58,600	9,000	56,200	-	53,200
Meetings, Meals and Travel	25,300	26,100	21,100	16,673	24,300
Professional Development	83,500	73,500	88,600	63,955	78,600
Membership Dues & Fees	20,700	18,700	20,500	14,410	20,600
Advertising	36,900	31,900	37,400	26,586	28,900
Telecommunications	43,000	42,100	41,600	41,738	58,100
Office Expense	78,800	64,400	69,000	63,480	67,900
Legal	50,200	78,400	55,200	71,334	50,200
Insurance	91,400	92,700	80,800	81,606	65,400
Marketing and Communications	200	600	2,000	6,095	10,500
Audit	18,000	16,000	16,000	14,578	13,500
Stipends & Honorariums	203,300	180,600	183,300	176,122	181,200
Miscellaneous	1,900	700	1,500	5,489	1,500
Heat	27,100	27,200	25,800	21,666	25,300
Utilities	129,400	133,200	126,400	120,163	136,500
Repairs and Maintenance	101,800	46,200	85,700	65,604	76,300
Vehicle Fuel	50,200	50,500	50,200	41,650	50,900
Vehicle Repairs & Maintenance	126,400	126,600	121,800	128,895	117,900
Vehicle Insurance	10,100	10,200	10,100	9,997	11,500
Operational Equip & Supplies	523,400	421,000	499,900	514,303	491,000
Equipment Maintenance	10,000	20,700	10,000	9,848	12,000
Equipment Rentals	-	7,100	-	-	-
Program Expenditures	86,100	46,500	63,100	45,961	46,400
Contracted Services	2,580,000	2,451,700	2,483,900	2,530,940	2,570,200
Grants to Organizations	178,900	128,000	128,400	128,450	133,400
Licenses and Permits	3,300	3,200	3,300	3,123	3,300
Tax Exemptions	107,600	103,500	104,600	77,034	78,000
Election	-	-	-	-	-
Partner Contributions	1,788,100	1,822,900	1,769,700	1,628,849	1,652,600
Other debt charges	10,000	9,100	10,000	5,990	10,000
Debenture principal	-	-	-	-	-
Operating reserves	-	-	-	-	-
Capital Reserves	-	-	-	-	-
Doubtful accounts allowance	2,500	2,500	2,500	-	2,500
	9,299,500	8,670,600	8,799,300	8,335,084	8,513,100
Net Operational Surplus (Deficit)	1,390,600	1,528,800	1,319,200	1,755,812	1,384,000
Capital Program & Reserves					
Principal Debenture Repayments	538,400	537,100	537,000	492,016	507,600
Debenture interest	155,500	144,700	144,500	138,414	142,100
Principal/Interest Future Debt	-	-	-	-	-
Transfer to Operating Reserves	5,000	5,000	5,000	5,000	5,000
Transfer to Capital Reserves	729,300	719,800	719,800	735,700	735,700
Transfer to Cap Reserve - Fire Equip	219,000	179,000	179,000	179,000	179,000
Transfer to Capital Fund	-	-	-	-	-
Transfer from Operating Reserves	(256,600)	(104,100)	(266,100)	(188,700)	(185,400)
	1,390,600	1,481,500	1,319,200	1,361,430	1,384,000
Net Surplus (Deficit)	\$ -	\$ 47,300	\$ (0)	\$ 394,382	\$ -

Town of Wolfville
Operating Budget ~ Tax Revenue Requirement Draft Presentation
2019/20 Operating Budget - DRAFT V3

Changed - V2 to V3

	BUDGET		
	Current Yr 2019/20	Required Increase	Prior Yr 2018/19
<i>Total to be funded by Property Tax Rates</i>	7,267,900	312,900	6,955,000
		4.50%	

		Budget 2019/20	<u>\$ Increase</u>	Budget 2018/19
		RESULTING TAXES		
Residential ~ No Change to Rate	1.465	6,007,200	268,900	5,738,300
Resource	1.465	10,900	700	10,200
	Subtotal from residential sector	6,018,100	269,600	5,748,500
			4.69%	
Commercial	3.575	1,249,800	43,300	1,206,500
	Subtotal from commercial sector	1,249,800	43,300	1,206,500
			3.59%	
TOTAL		7,267,900	312,900	6,955,000
			4.50%	
Revenue surplus (shortfall)		\$0		\$0

Overall Increase in Tax Revenue 4.50%

Tax Rate Change Assumption

Residential ~ No Change to Rate	1.465	1.460
Commercial	3.575	3.570

BUDGETED TAXABLE ASSESSMENTS (net of allowance for appeals)

Residential	4.33%	410,050,900	393,034,300
Commercial	3.44%	34,958,700	33,796,400
Resource	6.69%	746,600	699,800
TOTAL		445,756,200	427,530,500

2019 PVSC ASSESSMENT ROLL

	Per Roll (net of Cap)	Allowance For Appeals & Bus Closings & Adjustments	Expected Taxable Assessment
Residential	410,950,900	(900,000)	410,050,900
Commercial	34,958,700		34,958,700
Resource	746,600	-	746,600
TOTAL	446,656,200	(900,000)	445,756,200

**Town of Wolfville
2019/20 Operating Budget - DRAFT V3
General Government Division**

Changed - V1 to V2

Changed - V2 to V3

	2019/20	2018/19		2017/18	
	Budget	Forecast/Act	Budget	Actual	Budget
REVENUES					
Residential & resource taxes	6,018,100	5,757,100	5,748,500	5,637,954	5,632,100
Commercial taxes	1,318,800	1,290,300	1,266,000	1,219,044	1,206,700
Deed Transfer Tax	340,000	295,000	340,000	424,411	300,000
Business development area rate	100,000	105,500	100,000	100,466	100,000
Grant in lieu of taxes	992,500	992,300	980,000	987,242	979,700
Kings County Fire Protection	121,100	93,800	118,400	118,428	118,400
Cost recoveries	112,200	107,500	110,500	97,550	95,100
Job Cost billings	-	-	-	5,463	3,400
Cost recoveries from Sewer Dept	3,500	3,500	3,500	875	-
Facility Rental					
Land Leases					
Interest on investments	90,000	88,200	80,000	83,141	65,000
Other revenues	69,400	61,200	24,300	26,403	24,300
Equilization Grant	70,000	69,900	70,000	69,869	70,000
Farm Acreage Grant	1,100	1,100	1,100	1,119	1,100
EMO 911 Cost Recovery	-	-	-	-	-
Employment grants	-	-	-	-	-
PNS conditional grants	-	-	-	-	-
Other conditional grants	-	900	-	-	-
	<u>9,236,700</u>	<u>8,866,300</u>	<u>8,842,300</u>	<u>8,772,224</u>	<u>8,595,800</u>
EXPENSES					
Salary and wages	609,300	588,000	624,100	503,875	482,900
Employee Benefits	118,200	111,100	119,500	93,433	95,600
Seasonal Wages	-	-	-	-	-
Employee Benefits Seasonal wag	-	-	-	-	-
Meetings, Meals and Travel	7,900	11,000	8,100	4,751	8,800
Professional Development	68,500	59,700	73,600	56,048	63,600
Membership Dues & Fees	7,600	7,400	7,900	9,254	7,900
Advertising	7,900	6,700	7,900	7,891	7,900
Telecommunications	16,700	16,800	15,300	16,403	29,500
Office Expense	44,200	40,200	43,800	43,016	43,500
Legal	20,000	28,800	20,000	33,896	15,000
Insurance	85,000	86,500	74,400	74,943	59,000
Marketing and Communications	-	-	-	-	-
Audit	18,000	16,000	16,000	14,578	13,500
Mayor and Council Remuneration	164,900	148,500	144,900	137,995	143,000
Miscellaneous	1,900	800	1,500	5,317	1,500
Heat	13,300	14,200	12,000	10,369	12,000
Utilities	5,700	7,700	5,700	5,444	5,700
Repairs and Maintenance	11,700	6,000	16,700	9,976	16,700
Operational Equip & Supplies	69,600	35,200	69,100	54,318	80,400
Program Expenditures	2,500	2,000	10,000	-	-
Contracted Services	80,000	45,600	63,400	109,766	126,100
Grants to Organizations	100,000	53,000	49,500	55,000	60,500
Tax Exemptions	107,600	103,500	104,600	77,034	78,000
Election	-	-	-	-	-
Other debt charges	10,000	9,100	10,000	5,990	10,000
Debenture interest	-	-	-	-	-
Doubtful accounts allowance	2,500	2,500	2,500	-	2,500
	<u>1,573,000</u>	<u>1,400,300</u>	<u>1,500,500</u>	<u>1,329,297</u>	<u>1,363,600</u>
Net Division Surplus (Deficit)	\$ 7,663,700	\$ 7,466,000	\$ 7,341,800	\$ 7,442,927	\$ 7,232,200
Reserve Funding					
Transfer from Operating Reserves & Accumulated Surplus	80,000	10,000	70,000	-	-
Net Surplus (Deficit)	\$ 7,743,700	\$ 7,476,000	\$ 7,411,800	\$ 7,442,927	\$ 7,232,200

Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Protective Services Division

	<u>2019/20</u>	<u>2018/19</u>		<u>2017/18</u>	
	Budget	Forecast/Act	Budget	Actual	Budget
REVENUES					
Fire Protection Rate	408,000	365,600	380,000	374,914	380,000
Kings County Fire Protection	165,500	163,600	160,200	154,772	160,200
License & fee revenue	5,000	4,100	5,000	4,090	5,000
Parking fines	26,000	27,200	27,000	34,596	24,000
Other fines	10,000	12,700	8,600	14,772	9,100
Miscellaneous	80,000	63,800	-	12,238	-
EMO 911 Cost Recovery	1,600	1,900	1,600	1,853	1,600
Other conditional grants	-	-	-	7,500	-
	<u>696,100</u>	<u>638,900</u>	<u>582,400</u>	<u>604,735</u>	<u>579,900</u>
EXPENSES					
Salary and wages	197,500	192,200	142,800	137,373	134,800
Employee Benefits	31,700	31,100	23,800	25,018	19,800
Seasonal Wages	14,700	11,900	14,300	7,504	14,300
Employee Benefits Seasonal wag	1,500	-	1,500	-	1,500
Meals and Travel	7,200	5,100	2,200	2,035	2,500
Professional Development	15,000	13,800	15,000	7,907	15,000
Membership Dues & Fees	2,200	2,200	2,200	1,253	2,400
Telecommunications	11,100	10,800	11,100	10,245	10,400
Office Expense	11,500	2,200	2,500	664	2,500
Legal	10,200	2,900	10,200	11,087	10,200
Insurance	6,400	6,200	6,400	6,663	6,400
Marketing and Communications	200	500	2,000	1,785	2,000
Honorariums	38,400	32,100	38,400	38,127	38,200
Miscellaneous	-	-	-	147	-
Heat	4,800	5,200	4,800	4,508	4,800
Utilities	17,500	18,200	15,700	16,299	16,800
Repairs and Maintenance	19,000	10,200	19,400	13,141	19,500
Vehicle Fuel	6,000	6,300	6,000	4,400	7,600
Vehicle Repairs & Maintenance	44,100	44,500	40,500	49,064	47,400
Vehicle Insurance	4,900	5,000	4,900	4,776	4,300
Operational Equip & Supplies	74,500	82,300	66,500	81,799	69,400
Equipment Maintenance	10,000	20,700	10,000	9,848	12,000
Contracted Services	1,928,200	1,849,800	1,863,700	1,842,816	1,844,900
Licenses and Permits	1,800	1,800	1,800	1,711	1,800
Debenture interest	5,300	8,400	11,100	9,455	11,100
	<u>2,463,700</u>	<u>2,363,400</u>	<u>2,316,800</u>	<u>2,287,625</u>	<u>2,299,600</u>
Net Division Surplus (Deficit)	<u>\$ (1,767,600)</u>	<u>\$ (1,724,500)</u>	<u>\$ (1,734,400)</u>	<u>\$ (1,682,890)</u>	<u>\$ (1,719,700)</u>

**Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Public Works Division**

Changed - V1 to V2

Changed - V2 to V3

	2019/20	2018/19		2017/18	
	Budget	Forecast/Act	Budget	Actual	Budget
REVENUES					
Job Cost billings	10,000	13,600	10,000	2,630	10,000
Cost recoveries from Water Util	111,700	109,100	109,100	108,800	108,800
Cost recoveries from Sewer Dept	43,100	33,500	42,200	33,500	42,000
Land Leases	4,000	3,900	4,000	3,893	3,000
TOTAL REVENUE	168,800	160,100	165,300	149,323	163,800
EXPENSES					
Salary and wages	580,600	518,600	561,000	531,604	539,100
Employee Benefits	122,800	116,800	117,000	113,874	106,200
Seasonal Wages	12,000	3,900	12,000	-	-
Employee Benefits Seasonal wag	1,200	-	1,200	-	-
Meals and Travel	2,400	4,500	2,100	1,518	100
Membership Dues & Fees	1,500	1,000	1,000	450	1,000
Supplies	-	-	-	-	-
Advertising	-	200	-	297	-
Telecommunications	4,200	4,300	4,200	4,200	8,400
Office Expense	4,100	3,400	3,700	3,595	5,000
Legal	-	5,300	5,000	20	5,000
Heat	9,000	7,800	9,000	6,789	8,500
Utilities	35,500	36,700	34,300	34,212	31,300
Repairs and Maintenance	54,800	21,300	40,300	33,337	32,300
Vehicle Fuel	36,900	36,500	36,900	30,604	37,000
Vehicle Repairs & Maintenance	57,000	65,800	57,000	52,364	57,000
Vehicle Insurance	4,200	3,300	4,200	4,316	4,000
Operational Equip & Supplies	153,800	128,100	150,900	202,809	138,400
Equipment Rentals	-	4,900	-	-	-
Contracted Services	390,700	444,800	381,500	428,322	398,600
Licenses and Permits	1,500	1,400	1,500	1,412	1,500
Debt interest	133,500	119,300	121,900	114,529	110,000
	1,605,700	1,527,900	1,544,700	1,564,252	1,483,400
Net Division Surplus (Deficit)	\$ (1,436,900)	\$ (1,367,800)	\$ (1,379,400)	\$ (1,414,929)	\$ (1,319,600)
Reserve Funding					
Transfer from Operating Reserves & Accumulated Surplus	95,000		60,000		60,000
Net Surplus (Deficit)	<u>\$ (1,341,900)</u>	<u>\$ (1,367,800)</u>	<u>\$ (1,319,400)</u>	<u>\$ (1,414,929)</u>	<u>\$ (1,259,600)</u>

**Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Sewer & Solid Waste Division**

	<u>2019/20</u>	<u>2018/19</u>		<u>2017/18</u>	
	Budget	Forecast/Act	Budget	Actual	Budget
<u>REVENUE</u>					
Sewer Rates	430,000	402,300	411,000	390,868	403,000
Kings County Sewer Contribution	2,000	1,600	3,200	(991)	2,000
TOTAL REVENUE	432,000	403,900	414,200	389,877	405,000
<u>EXPENSES</u>					
Salary and wages	82,900	77,700	87,100	62,249	85,400
Employee Benefits	18,200	11,800	17,400	8,710	17,900
Meals and Travel	-	100	-	98	-
Utilities	52,400	45,300	52,400	45,638	61,200
Vehicle Repairs & Maintenance	17,900	9,400	17,900	9,300	9,300
Operational Equip & Supplies	111,700	93,000	105,700	86,892	96,400
Equipment Rentals	-	-	-	-	-
Contracted Services	62,100	58,300	61,300	55,712	61,100
Debenture interest	9,500	9,900	9,000	9,681	20,000
	358,700	305,500	350,800	278,280	351,300
Net Division Surplus (Deficit)	\$ 73,300	\$ 98,400	\$ 63,400	\$ 111,597	\$ 53,700

**Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Parks Division ~ 510**

Changed - V1 to V2

Changed - V2 to V3

	2019/20	2018/19		2017/18	
	Budget	Forecast/Act	Budget	Actual	Budget
REVENUES					
Miscellaneous	-	1,200	-	200	-
TOTAL REVENUE	-	1,200	-	200	-
EXPENSES					
Salary and wages	67,500	29,200	66,100	37,373	63,800
Employee Benefits	13,200	41,000	13,200	52,025	12,800
Seasonal Wages	193,000	232,500	175,300	187,610	159,900
Employee Benefits Seasonal wag	35,700	-	35,100	-	34,400
Meetings, Meals and Travel	-	300	-	2,023	-
Telecommunications	-	1,100	-	835	-
Utilities	5,200	6,500	5,200	5,763	6,400
Vehicle Fuel	6,300	6,400	6,300	5,429	6,300
Vehicle Repairs & Maintenance	5,400	6,100	4,400	17,869	4,200
Vehicle Insurance	1,000	1,500	1,000	905	3,200
Operational Equip & Supplies	82,700	76,500	82,100	75,205	85,300
Equipment Rentals	-	2,200	-	-	-
Contracted Services	46,000	17,200	36,000	8,321	38,500
Debenture interest	-	2,400	-	-	-
	456,000	422,900	424,700	393,358	414,800
Net Division Surplus (Deficit)	<u>\$ (456,000)</u>	<u>\$ (421,700)</u>	<u>\$ (424,700)</u>	<u>\$ (393,158)</u>	<u>\$ (414,800)</u>
Reserve Funding					
Transfer from Operating Reserves & Accumulated Surplus	41,600	7,200	28,800	-	35,000
Net Surplus (Deficit)	<u>\$ (414,400)</u>	<u>\$ (414,500)</u>	<u>\$ (395,900)</u>	<u>\$ (379,800)</u>	<u>\$ (379,800)</u>

**Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Planning Division ~ 610**

	<u>2019/20</u>	<u>2018/19</u>		<u>2017/18</u>	
	Budget	Forecast/Act	Budget	Actual	Budget
REVENUES					
Zoning & Subdivision approvals	600	500	600	585	600
Bldg Insp. & Development Revenues		46,000	47,500	68,403	76,500
License & fee revenue	1,500	1,900	1,500	1,091	1,500
Building & development permits	16,000	13,400	16,000	27,515	16,000
Development agreements	1,000	-	1,000		1,000
Cost recoveries from Water Util	-	-	-	7,350	9,800
Cost recoveries from Sewer Dept	-	-	-	2,625	3,500
Land Leases	900	-	900		900
Miscellaneous	-	-			-
PNS conditional grants	30,000	-		8,000	-
Other conditional grants	46,500	-	-		-
	<u>96,500</u>	<u>61,800</u>	<u>67,500</u>	<u>115,569</u>	<u>109,800</u>
EXPENSES					
Salary and wages	301,700	278,000	272,300	245,620	307,300
Employee Benefits	54,000	53,300	54,500	53,015	54,500
Seasonal Wages	58,000	22,600	45,100	49,300	45,100
Employee Benefits Seasonal wag	5,800	-	4,200	-	4,200
Meetings, Meals and Travel	5,000	3,700	6,200	4,355	11,200
Membership Dues & Fees	2,100	2,200	2,100	1,021	2,100
Advertising	8,000	7,900	8,000	8,474	8,000
Telecommunications	5,300	3,900	5,300	4,948	5,000
Office Expense	13,200	15,300	13,200	11,789	13,200
Legal	20,000	41,400	20,000	26,331	20,000
Miscellaneous		(100)		25	-
Program Expenditures	30,000	-			
Contracted Services	45,000	12,700	50,000	52,016	50,000
	<u>548,100</u>	<u>440,900</u>	<u>480,900</u>	<u>456,894</u>	<u>520,600</u>
Net Division Surplus (Deficit)	(451,600)	\$ (379,100)	\$ (413,400)	<u>\$ (341,325)</u>	<u>\$ (410,800)</u>
Reserve Funding					
Transfer from Operating Reserves & Accumulated Surplus	30,000	24,900	69,300		79,300
Net Surplus (Deficit)	<u>\$ (421,600)</u>	<u>\$ (354,200)</u>	<u>\$ (344,100)</u>		<u>\$ (331,500)</u>

**Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Community Development Division**

	<u>2019/20</u>	<u>2018/19</u>		<u>2017/18</u>	
	Budget	Forecast/Act	Budget	Actual	Budget
REVENUES					
Kings County Recreation Contrib	10,000	11,500	-	(2,945)	-
Program fees	16,000	13,500	16,000	7,621	6,400
Festival & events revenues	500	2,200	-	500	-
Facility fees & cost recoveries	11,000	11,900	10,300	11,437	10,300
Tourist Bureau revenues	1,500	3,300	1,500	3,400	3,400
Facility Rental	-	-	-	-	-
Employment grants	-	3,000	-	3,258	-
PNS conditional grants	-	12,500	-	6,000	5,000
Other conditional grants	21,000	9,100	19,000	29,493	17,700
TOTAL REVENUE	60,000	67,200	46,800	58,968	42,800
EXPENSES					
Salary and wages	242,800	174,200	160,300	182,155	183,500
Employee Benefits	43,400	33,000	31,400	39,989	33,800
Seasonal/Term Wages	91,300	98,900	93,500	89,818	84,700
Employee Benefits Seasonal wag	14,400	9,000	14,200	-	13,100
Meals and Travel	2,800	1,400	2,500	1,893	1,700
Professional Development	-	-	-	-	-
Membership Dues & Fees	7,300	5,900	7,300	2,432	7,200
Advertising	21,000	17,100	21,500	9,924	13,000
Telecommunications	5,700	5,200	5,700	5,107	4,800
Office Expense	5,800	3,300	5,800	4,416	3,700
Legal	-	-	-	-	-
Marketing and Communications	-	100	-	4,310	8,500
Miscellaneous	-	-	-	-	-
Utilities	13,100	18,800	13,100	12,807	15,100
Repairs and Maintenance	12,300	8,700	9,300	9,150	7,800
Property Taxes	-	-	-	-	-
Vehicle Fuel	1,000	1,300	1,000	1,217	-
Vehicle Repairs & Maintenance	2,000	800	2,000	298	-
Operational Equip & Supplies	31,100	5,900	25,600	13,280	21,100
Program Expenditures	53,600	44,500	53,100	45,961	46,400
Contracted Services	28,000	23,300	28,000	33,987	51,000
Grants to Organizations	78,900	75,000	78,900	73,450	72,900
Debt interest	7,200	4,700	2,500	4,749	1,000
	661,700	531,500	555,700	534,943	569,300
Net Division Surplus (Deficit)	(601,700)	\$ (464,300)	\$ (508,900)	\$ (475,975)	\$ (526,500)
Reserve Funding					
Transfer from Operating Reserves & Accumulated Surplus	10,000		38,000		
	10,000		38,000		
Net Surplus (Deficit)	\$ (591,700)		\$ (470,900)		

Town of Wolfville
2019/20 Operating Budget - DRAFT V3
Partner Contributions ~ 840

	<u>2019/20</u>	<u>2018/19</u>		<u>2017/18</u>	
	Budget	Forecast/Act	Budget	Actual	Budget
<u>EXPENSES</u>					
<u>Local partners</u>					
Grant to WBDC	100,000	100,000	100,000	100,000	100,000
<u>Regional partners</u>					
Regional Solid Waste	520,200	525,000	501,000	435,550	480,500
Transit services	152,700	181,000	144,400	152,588	137,800
Valley Community Fibre	1,500	1,500	1,000	1,975	1,000
Regional Development	-	22,800	25,000	22,766	25,000
Kings Region -cooperative Initiatives	25,800	5,900	10,800	14,291	13,900
<u>Provincial partners</u>					
Annapolis Valley Regional Libra	25,000	24,300	25,000	24,320	24,000
Education	763,900	764,700	765,500	674,808	674,500
Corrections	82,000	81,700	81,000	81,129	80,200
Regional Housing Authority	40,000	40,000	40,000	46,063	40,000
Assessment services	77,000	76,000	76,000	75,359	75,700
	<u>1,788,100</u>	<u>1,822,900</u>	<u>1,769,700</u>	<u>1,628,849</u>	<u>1,652,600</u>
Net Department Surplus (Deficit)	<u>\$ (1,788,100)</u>	<u>\$ (1,822,900)</u>	<u>\$ (1,769,700)</u>	<u>\$ (1,628,849)</u>	<u>\$ (1,652,600)</u>

**Town of Wolfville
2019/20 - Four Year Operating Budget Projections
All Divisions**

	2019/20 Budget	PROJECTION		
		2020/21 Budget Projection	2021/22 Budget Projection	2022/23 Budget Projection
REVENUES				
Taxes and grants in lieu of taxes	\$ 9,177,400	\$ 9,353,650	\$ 9,514,800	\$ 9,643,200
Sale of service/cost recoveries	912,500	914,300	918,200	926,700
Sewer Rates	430,000	435,000	440,000	445,000
Provincial, Federal & other grants	170,200	170,200	78,100	93,700
	10,690,100	10,873,150	10,951,100	11,108,600
EXPENSES				
Salary and wages	2,082,300	2,140,000	2,199,500	2,260,500
Employee Benefits	401,500	411,000	420,700	430,700
Seasonal/Term Wages	369,000	375,900	332,900	339,000
Employee Benefits Seasonal wag	58,600	59,700	55,800	56,800
Meetings, Meals and Travel	25,300	25,400	25,500	25,600
Professional Development	83,500	85,200	89,400	91,200
Membership Dues & Fees	20,700	21,300	21,300	21,300
Advertising	36,900	37,300	37,700	38,100
Telecommunications	43,000	43,700	44,000	44,300
Office Expense	78,800	80,200	81,600	83,000
Legal	50,200	45,200	45,500	45,800
Insurance	91,400	94,400	96,500	98,600
Marketing and Communications	200	200	200	200
Audit	18,000	18,400	18,800	19,200
Stipends & Honorariums	203,300	207,400	211,600	215,800
Miscellaneous	1,900	1,900	1,900	1,900
Heat	27,100	27,500	27,900	28,000
Utilities	129,400	131,300	133,400	135,400
Repairs and Maintenance	101,800	89,300	89,500	89,700
Vehicle Fuel	50,200	51,100	52,100	53,100
Vehicle Repairs & Maintenance	126,400	121,300	121,300	121,300
Vehicle Insurance	10,100	10,200	10,200	10,200
Operational Equip & Supplies	523,400	490,200	494,600	499,100
Equipment Maintenance	10,000	10,200	10,400	10,600
Equipment Rentals	-	-	-	-
Program Expenditures	86,100	87,200	88,300	89,400
Contracted Services	2,580,000	2,601,800	2,633,700	2,579,100
Grants to Organizations	178,900	128,900	128,900	128,900
Licenses and Permits	3,300	3,300	1,800	3,300
Tax Exemptions	107,600	109,800	112,200	114,800
Election	-	32,000	-	-
Partner Contributions	1,788,100	1,828,700	1,881,800	1,931,800
Other debt charges	10,000	10,000	10,000	10,000
Debenture principal	-	-	-	-
Operating reserves	-	-	-	-
Capital Reserves	-	-	-	-
Doubtful accounts allowance	2,500	2,500	2,500	2,500
	9,299,500	9,382,500	9,481,500	9,579,200
Net Operational Surplus (Deficit)	1,390,600	1,490,650	1,469,600	1,529,400
Capital Program & Reserves				
Principal Debenture Repayments	538,400	-	-	-
Debenture interest	155,500	-	-	-
Principal/Interest Future Debt	-	817,500	936,000	986,500
Transfer to Operating Reserves	5,000	5,000	5,000	5,000
Transfer to Capital Reserves	729,300	641,300	565,700	568,000
Transfer to Cap Reserve - Fire Equip	219,000	259,000	259,000	259,000
Transfer to Capital Fund	-	-	-	-
Transfer from Operating Reserves	(256,600)	(132,000)	(100,000)	-
	1,390,600	1,590,800	1,665,700	1,818,500
Net Surplus (Deficit)	\$ -	\$ (100,150)	\$ (196,100)	\$ (289,100)

Year 2 thru 4 projections are based upon assumptions that may not match future events. Intended to illustrate possible results based on current budget structure and modest assessment growth.

Town of Wolfville
DRAFT 2018/19 Ten Year Capital Investment Plan - Nov 7 COW
Fiscal 2018/19 to 2027/27

	BUDGET FOCUS									
	Year 1 2019/20	Year 2 2020/21	Year 3 2021/22	Year 4 2022/23	Year 5 2023/24	Year 6 2024/25	Year 7 2025/26	Year 8 2026/27	Year 9 2027/28	Year 10 2028/29
Information Technology										
Servers		15,000	-	-	-	-	-	15,000	-	-
Other IT Upgrades										
Total Other	-	-	-	-	-	-	-	-	-	-
Information Technology	\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ -	\$ -
Municipal Buildings										
Town Hall Civic Complex										
New Facility								2,800,000		
Community Development/Public Works										
Accessibility/Reno upgrade	200,000									
Solar Panels	135,000									
Fire Hall										
New Facility								1,700,000		
RCMP Detachment										
Reno for use by Town staff	50,000									
Library										
New Facility								1,900,000		
Total Municipal Buildings	\$ 385,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,400,000	\$ -	\$ -

Town of Wolfville
DRAFT 2018/19 Ten Year Capital Investment Plan - Nov 7 COW
Fiscal 2018/19 to 2027/27

BUDGET FOCUS										
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Protective Services										
Fire Department										
Trucks										
Aerial Ladder Truck						1,350,000	-			
Pumper 1 E-One Cyclone	may not arrive until June 2019									
Ford 4*4 Utility Vehicle										
Pumper 3 E-One Cyclone					800,000					
Tanker 6 Int'l Pumper/Tanker	2003									
Rescue 4 Pumper Rescue	2006									750,000
Ford Haz Matt vehicle	2007									
Fire Trucks	-	-	-	-	800,000	1,350,000	-	-	-	750,000
Equipment										
Equipment Upgrades	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
SCBA Apparatus	30,000	30,000	30,000	30,000						
Misc Fire Equipment	50,000	50,000	50,000	50,000	20,000	20,000	20,000	20,000	20,000	20,000
Total Fire Department	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 820,000	\$ 1,370,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 770,000
Transportation Services										
Public Works - Fleet Inventory										
veh # 18 - skid steer (currently)	120,000					60,000				60,000
veh # 19 - PW 3/4 ton Crew Cab				36,500						
veh # 20 - 1/2 pick up - Rec		30,000					30,000			
veh # 21 - PW 3/4 ton 4*4		30,000					35,000			
veh # 22 - PW 1/2 ton		30,000					30,000			
veh # 23 - PW 1 ton		70,200					75,000			
veh # 25 - PW 5 ton plow truck					185,000					
veh # 26 - Parks 3/4 ton crew cab			32,400						35,000	
veh # 27 - PW backhoe	120,000						130,000			
veh # 28 - PW loader				155,500						160,000
veh # 29 - PW trackless		160,000						160,000		
veh # 31 - Parks micro truck			25,000					25,000		
veh # 32 - PW 3/4 ton				40,600						40,600
veh # 34 - PW micro truck				25,000					25,000	
veh #?? - Parks micro truck				25,000					25,000	
veh # 39 - Parks Z Track mower		12,200					13,000			
veh # 40 - Parks loader/backhoe				57,500					60,000	
veh # 37 - Parks mower					13,000				13,000	
veh # 38 - Parks mower		12,500					13,000			
veh # 24 - PW asphalt recycler					110,000					
veh # 17 - Bylaw car		30,000						25,000		
veh # 51 - PW trackless					160,000					
veh # 33 - Parks 3/4 ton crew cab				69,300						69,300
New PW/Parks Vehicle	30,000					30,000				
New PW/Parks Vehicle	30,000					30,000				
flail mower							40,000			
Rec Dept - Bike Trailer						15,000				
New - Utility Trailer										
Fleet/Equipment	300,000	374,900	57,400	409,400	528,000	75,000	366,000	210,000	158,000	329,900

Town of Wolfville
DRAFT 2018/19 Ten Year Capital Investment Plan - Nov 7 COW
Fiscal 2018/19 to 2027/27

		BUDGET FOCUS									
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
		2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Transportation Infrastructure											
<i>includes active transport corridors, street, sidewalk, sanitary & storm sewer where applicable</i>											
Dale St - Sherwood to end	120 m		-								
Earnscliffe Ave. - civic 16 to end	170 m										
Earnscliffe Ave. Main to civic 16	180 m					648,000					
Gaspereau - civic 128 to Fowler	170 m						612,000				
Gaspereau - civic 94 to civic 128	180 m										648,000
Gaspereau - Willow to civic 94	180 m	\$ 600,000									
Highland - Bay to Civic 76	250 m					900,000					
Highland - civic 76 - Skyway Dr	250 m								900,000		
Highland - Prospect to Bay	250 m				900,000						
Kent Ave - Main to Queen	350 m		-								
King St - Victoria to Willow	180 m										
Maple Ave - civic 43 to Civic 83	230 m										828,000
Maple Ave - Main to civic 19	210 m				-		756,000				
Maple Ave -civic 19 to civic 43	210 m								792,000		
Maple Ave -civic 83 to end	250 m										
Pleasant - Huron to Orchard	240 m									864,000	
Pleasant - Sherwood to Huron	180 m				648,000						
Seaview	185 m	715,000									
Sidewalk - Blomidon Terrace											
University - civic 18 to Crowell Dr	200 m									720,000	
University - Main to civic 18	200 m							720,000			
Victoria - Main to King	170 m									612,000	
Westwood - Main to Irving Centre	350 m	1,260,000									
Wickwire - Little to Beckwith	300 m							1,080,000			
Parking lots							100,000				
Engineering - design work year in advance		-	-	77,400	77,400	73,400	90,000	84,600	109,800	73,800	
		2,575,000	-	77,400	1,625,400	1,621,400	1,558,000	1,884,600	1,801,800	2,269,800	1,476,000
Land Acquisitions/Disposals											
		-	-	-	-	-	-	-	-	-	-

Town of Wolfville
DRAFT 2018/19 Ten Year Capital Investment Plan - Nov 7 COW
Fiscal 2018/19 to 2027/27

		BUDGET FOCUS									
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
		2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
<u>Streets, Sidewalks, Parking Lots</u>		2,575,000	-	77,400	1,625,400	1,621,400	1,558,000	1,884,600	1,801,800	2,269,800	1,476,000
Other Transportation											
Decorative Downtown Light Posts - Elm		75,000									
Decorative Downtown Light Posts - to Willow				200,000							
Asset Mgt Plan - partial cwfd											
Traffic lights @ Gaspereau/Main											
Shoreline Protection		350,000									
Flood Risk Mitigation		50,000	50,000						1,000,000		
Storm Water Mgt Plan		30,000									
		505,000	50,000	200,000	60,000	-	-	-	-	1,000,000	-
Other Transportation											
TOTAL TRANSPORTATION		\$ 3,380,000	\$ 424,900	\$ 334,800	\$ 2,094,800	\$ 2,149,400	\$ 1,633,000	\$ 2,250,600	\$ 2,011,800	\$ 3,427,800	\$ 1,805,900
Environmental Health Services											
<u>Storm Water Management</u>											
included in Street infrastructure above											
<u>Storm Water System</u>											
		-	-	-	-	-	-	-	-	-	-
<u>Sewage Treatment/Collection</u>											
<u>Miscellaneous Equipment</u>											
<u>Miscellaneous Equipment</u>											
		-	-	-	-	-	-	-	-	-	-
<u>Sewer Treatment</u>											
Plant expansion design		40,000									
Treatment plant expansion			3,070,000								
Generator - STP											
2015		40,000	3,070,000	-	-	-	-	-	-	-	-
Sanitary Sewer Collection											
Generator (s) Lift Sations											
2008											
Generator (s) Lift Sations (2)											
2015											
Generator Lift Station											
2016											
Generator Lift Station											
2018											
		-	-	-	-	-	-	-	-	-	-
TOTAL Environmental Health Services		\$ 40,000	\$ 3,070,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Town of Wolfville
DRAFT 2018/19 Ten Year Capital Investment Plan - Nov 7 COW
Fiscal 2018/19 to 2027/27

	BUDGET FOCUS									
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	<u>2028/29</u>
Community Infrastructure										
Infrastructure										
<u>East End Gateway</u>										
New VIC & Willow Park upgrades	50,000	450,000								
Harvest Moon Trail Head	25,000									
Other Gateway Upgrades - TBD	100,000	275,000								
Relocate Skatepark & Related Costs	75,000									
Evangeline Park - <i>partial cfwd</i>	15,000									
Nature Preserve - dam upgrade				500,000						
Tennis Courts - resurface										
Post Office Open Space										
Mona Parsons - pathway amenities	20,000									
Cenotaph Monument										
Allow for Future Park Development			100,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
West End Parkland & Trail	10,000	100,000								
<u>NOT IN PLAN YET</u>										
Robie Tufts										
Quiet Park										
Waterfront Park										
Woodmans Grove										
Burial Ground										
Fitness Trail										
Harvest Moon Trail										
Kiosks										
Nature Preserve - concrete										
Nature Preserve										
	\$ 295,000	\$ 825,000	\$ 100,000	\$ 550,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
GRAND TOTAL ALL PROJECTS	\$ 4,150,000	\$ 4,384,900	\$ 484,800	\$ 2,694,800	\$ 3,019,400	\$ 3,053,000	\$ 2,320,600	\$ 2,096,800	\$ 9,897,800	\$ 2,625,900
										\$ 34,728,000

**Town of Wolfville
Draft Capital Budget
2019/20 Funding Summary**

	Total Budget Cost	Internal Sources			External Sources					Town Water Utility
		Current & Past Years Budget		Future Years Budget	Fed Grant Gas Tax	Fed/Prov Build Canada	Energy Grants	Fed/Prov other	Other	
		Capital Reserves	Operating Reserves	Long Term Debt						
Information Technology										
Infrastructure Upgrades	-	-								-
Municipal Buildings	385,000	250,000		135,000						
Fire Services										
Equipment Upgrades	50,000	50,000								
Vehicles	-	-								
Public Works Equipment										
Vehicle/Equipment replacement	300,000	280,000							20,000	
Street reconstruction projects	2,575,000	688,425		1,088,425	316,900			-		481,250
Other Transportation	505,000	75,000	80,000	350,000						
Environmental Health Services										
Sewage Treatment	40,000	40,000								
Sewage Collection	-	-								
Community Services	295,000	255,000	20,000						20,000	
Totals	4,150,000	1,638,425	100,000	1,573,425	316,900	-	-	-	40,000	481,250

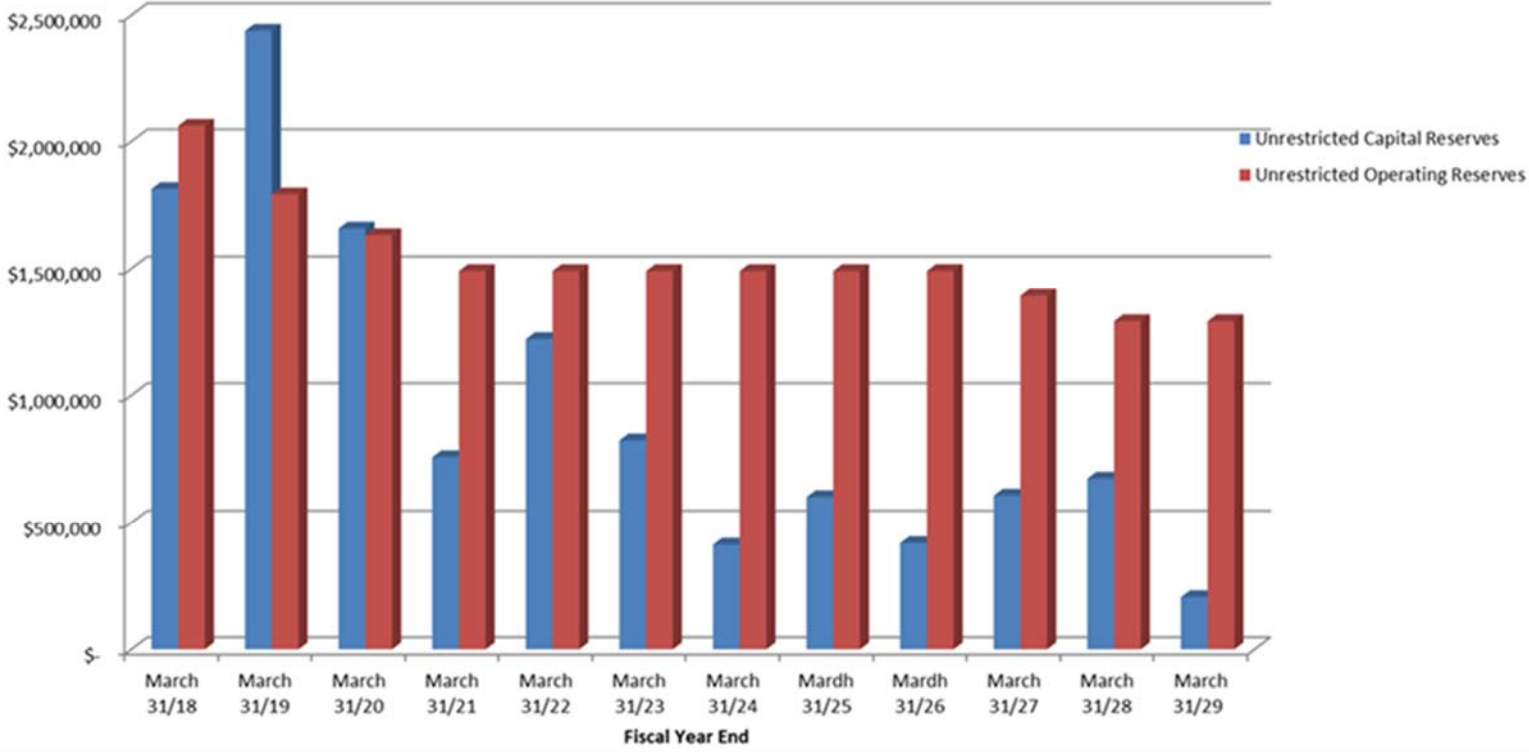
**Town of Wolfville
Draft Capital Budget
2020/21 Funding Summary**

PROJECT	Total Budget Cost	Internal Sources			External Sources					Town Water Utility
		Current & Past Years Budget		Future Years Budget Long Term Debt	Fed Grant Gas Tax	Fed/Prov Build Canada	Energy Grants	Fed/Prov other	Other	
		Capital Reserves	Operating Reserves							
Information Technology										
Infrastructure Upgrades	15,000	15,000								-
Municipal Buildings										
Town Hall ~Complex Upgrades	-	-								
Fire Services										
Equipment Upgrades	50,000	50,000								
Vehicles	-									
Public Works Equipment										
Vehicle/Equipment replacement	374,900	337,400								37,500
Street reconstruction projects	-	-								-
Other	50,000	-	50,000							
Environmental Health Services										
Sewage Treatment	3,070,000	1,276,550		1,476,550	316,900					
Sewage Collection	-	-								
Storm Water Management										
Community Services										
	825,000	50,000		700,000						75,000
Totals	4,384,900	1,728,950	50,000	2,176,550	316,900	-	-	-	112,500	-

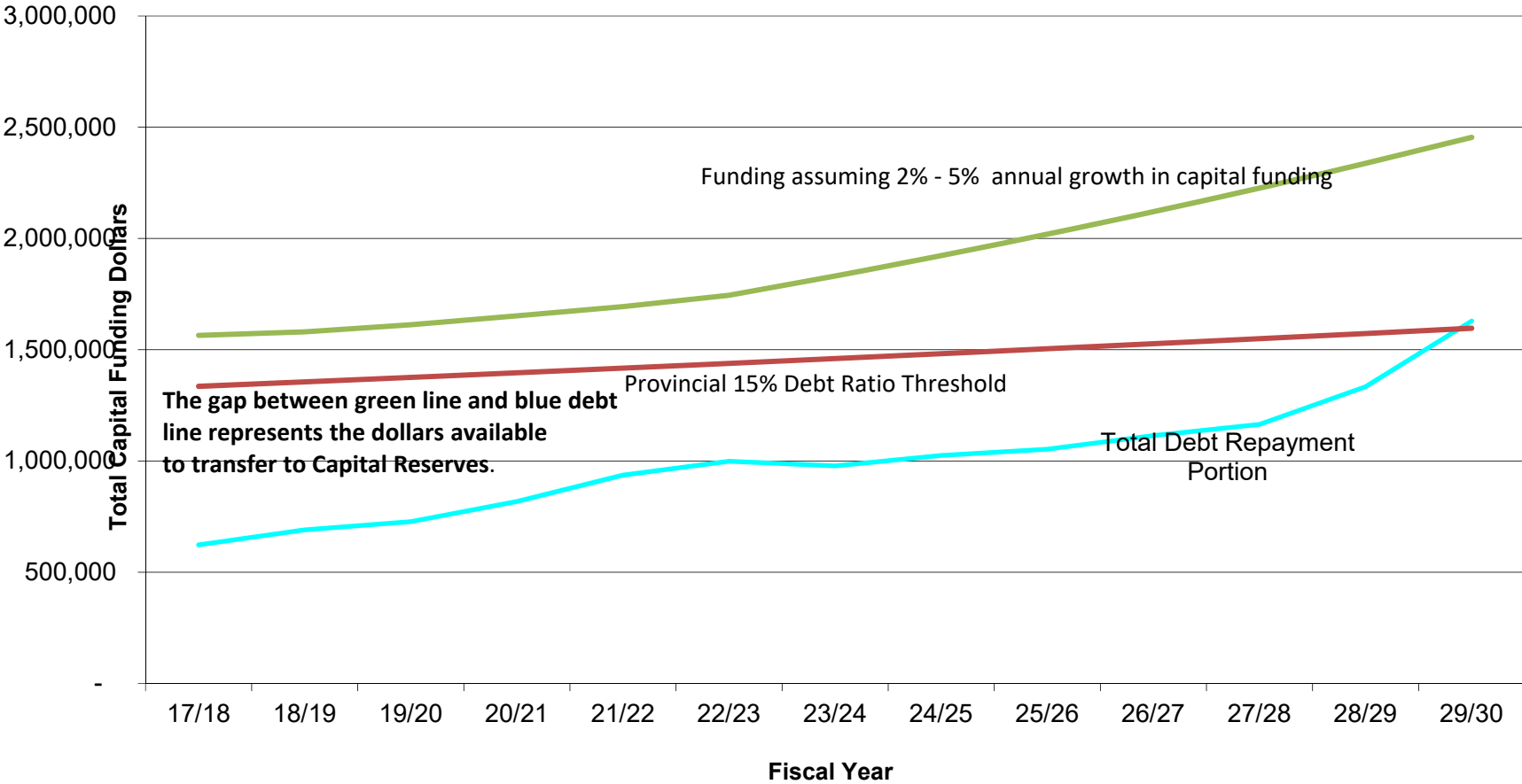
**Town of Wolfville
Draft Capital Budget
2021/22 Funding Summary**

PROJECT	Total Budget Cost	Internal Sources			External Sources					Town Water Utility
		Current & Past Years Budget		Future Years Budget	Fed Grant Gas Tax	Fed/Prov Build Canada	Energy Grants	Fed/Prov other	Other	
		Capital Reserves	Operating Reserves	Long Term Debt						
Information Technology										
Infrastructure Upgrades	-	-								-
Municipal Buildings	-	-								
Fire Services										
Equipment Upgrades	50,000	50,000								
Vehicles	-	-		-						
Public Works Equipment										
Vehicle/Equipment replacement	57,400	51,700							5,700	
Street reconstruction projects	77,400	77,400	-	-				-		
Other	200,000	200,000								
Environmental Health Services										
Sewage Treatment	-	-								
Sewage Collection	-	-								
Storm Water Management										
Community Services	100,000	50,000							50,000	
Totals	484,800	429,100	-	-	-	-	-	-	55,700	-

**Town of Wolfville
2019/20 Draft CIP Budget - Mgt Working Copy
Reserve Balances**



Town of Wolfville Draft 2019/20 CIP - Working Copy - V3 10 Year Impact - Capital Funding Capacity



**Town of Wolfville
Water Utility
Operating and Capital Budget ~ V1**

	2018/19		2019/20	2020/21	2021/22
	Forecast	Budget	Budget	Budget	Budget
Operating Revenue: Dept 950					
Metered Sales	667,000	694,000	718,800	721,200	721,200
Fire Protection Charges	372,500	380,000	408,100	396,023	397,000
Sprinkler Service	7,800	7,900	8,300	8,300	8,300
Other	2,700	2,000	3,400	3,400	3,400
Job Cost Billings	15,000	6,000	9,000	12,000	15,000
Interest on Arrears	1,300	1,500	1,500	1,500	1,500
Investment Income	12,000	5,000	17,000	18,000	18,000
	1,078,300	1,096,400	1,166,100	1,160,423	1,164,400
Operating Expenditures:					
Power & Pumping 962					
Salary and wages	8,900	11,800	11,800	12,100	12,400
Employee Benefits	1,500	2,400	2,400	2,400	2,500
Utilities	90,700	78,300	91,000	92,800	94,700
Operational equipment & supplies	7,900	8,300	8,000	8,000	8,000
Contracted Service	-	-	8,000	8,000	-
	109,000	100,800	121,200	123,300	117,600
Treatment 964					
Salary and wages	15,200	22,200	15,700	16,000	16,300
Employee benefits	2,800	4,400	3,200	3,200	3,300
Professional Development	-	-	-	-	-
Utilities	5,800	5,200	6,500	6,700	6,900
Operational equipment & supplies	49,900	41,200	44,000	44,400	44,800
Equipment Maintenance	-	-	-	-	-
Contracted Service	24,800	41,400	45,700	11,200	11,300
	98,500	114,400	115,100	81,500	82,600
Transmission & Distribution 966					
Wages	112,100	89,900	112,000	114,200	116,500
Employee Benefits	16,700	18,000	22,400	22,800	23,300
Meetings, Meals and Travel	1,000	1,000	1,000	1,000	1,000
Telecommunications	1,400	2,500	1,500	1,500	1,500
Vehicle Fuel	4,200	2,500	4,000	4,000	4,000
Vehicle Repairs & Maintenance	9,300	21,600	9,500	9,500	9,500
Vehicle Insurance	400	400	400	400	400
Operational equipment & supplies	81,700	85,000	71,000	85,000	90,000
Equipment Maintenance	1,000	5,000	5,000	5,000	5,000
Contracted Service	24,000	30,000	26,000	26,300	26,600
	251,800	255,900	252,800	269,700	277,800
Administration And General 970					
Salary/wages	145,500	121,000	140,000	143,500	147,100
Employee Benefits	25,100	24,200	28,000	28,700	29,400
Meetings, Meals & Travel	100	400	400	400	400
Professional development	4,300	2,000	5,000	2,000	2,500
Membership dues & fess	500	500	500	500	500
Advertising	900	-	-	-	-
Office expense	32,300	33,900	33,000	33,300	33,600
Legal	-	-	-	-	-
Insurance	9,300	7,700	8,000	8,100	8,200
Audit	5,700	5,700	6,000	6,000	6,000
Miscellaneous	-	-	-	-	-
Contracted services	19,600	16,400	20,000	20,000	20,000
Doubtful accounts allowance	1,000	1,000	1,000	1,000	1,000
	244,300	212,800	241,900	243,500	248,700
Depreciation	150,200	150,200	158,300	165,600	167,000
Property Taxes	56,100	56,100	57,200	58,300	59,500
Operating Expense total	909,900	890,200	946,500	941,900	953,200
NET OPERATING REVENUE:	168,400	206,200	219,600	218,523	211,200

**Town of Wolfville
Water Utility
Operating and Capital Budget ~ V1**

	2018/19		2019/20	2020/21	2021/22
	Forecast	Budget	Budget	Budget	Budget
Non Operating Expenditures:					
Debenture Interest	19,900	21,900	15,600	14,300	10,000
Debenture Principle	99,000	93,700	112,500	82,900	39,500
Debenture Discount	-	-	-	-	-
Other Debt Charges	100	500	500	500	500
Capital From Revenue	70,000	70,000	70,000	70,000	70,000
Dividend to Town	-	-	45,000	50,000	50,000
	<u>189,000</u>	<u>186,100</u>	<u>243,600</u>	<u>217,700</u>	<u>170,000</u>
Net Surplus (Deficit)	<u>\$ (20,600)</u>	<u>\$ 20,100</u>	<u>\$ (24,000)</u>	<u>\$ 823</u>	<u>\$ 41,200</u>
Accumulated Surplus, Op Fund, Opening	\$ 943,389		\$ 922,789	\$ 498,789	\$ 499,612
Transfer to Water Capital Projects			(400,000)	-	-
Accumulated Surplus, Op Fund, Opening	<u>922,789</u>	<u>-</u>	<u>498,789</u>	<u>499,612</u>	<u>540,812</u>
Capital Reserve Fund at Year End					
Water Depreciation Reserve Acct Balance	<u>\$ 54,400</u>	\$ -	<u>\$ 149,400</u>	<u>\$ 315,000</u>	<u>\$ 482,000</u>

Town of Wolfville
Water Utility - Capital Plan
 Fiscal 2019/20 to 2023/24 ~ Working Copy

	Year 1 <u>2019/20</u>	Year 2 <u>2020/21</u>	Year 3 <u>2021/22</u>	Year 4 <u>2022/23</u>	Year 5 <u>2023/24</u>
Equipment					
Remote Meter System	35,000	45,000	70,000	35,000	
Equipment Trailer	17,000				
veh #30 - 1/2 pick up		25,000			
Total Other	52,000	70,000	70,000	35,000	-
Collection System					
Kent - Main to Queen					
Westwood - Main to Irving Centre	315,000				
Seaview	166,300				
Highland - Prospect to Bay				225,000	
Pleasant - Sherwood to Huron				162,000	
Highland - Bay to Civic 76					225,000
Earnscliffe - Main to civic 16					162,000
Earnscliffe - civic 16 to end					
Maple Ave - Main to civic 19					
	481,300	-	-	387,000	387,000
Treatment System					
	-	-	-	-	-
GRAND TOTAL ALL PROJECTS	\$ 533,300	\$ 70,000	\$ 70,000	\$ 422,000	\$ 387,000
Funding					
Depreciation Reserve Funds	63,300	-	-	352,000	317,000
Capital From Revenue	70,000	70,000	70,000	70,000	70,000
Long Term Debt	-	-	-	-	-
Capital From Surplus	400,000	-	-		
	533,300	70,000	70,000	422,000	387,000

REQUEST FOR DECISION 014-2019

Title: 2019 Spring Debenture Issue Approval

Date: 2019-03-05

Department: Finance



SUMMARY

2019 Spring Debenture Issue Approval

Annually the Municipal Finance Corporation (MFC) provides two opportunities for municipalities to participate in debenture issues to meet their long-term debt funding requirements. There is a spring and a fall debenture issue. The dollar amounts leveraged through the combined debt requirements of the province’s municipalities allow participants to obtain borrowing rates not otherwise available.

The Town of Wolfville typically participates in the spring issue to obtain long term debt funding for capital projects completed in the previous fiscal year (or completed early in current year). This is the process being followed again this year.

So, the purpose of this report is to complete the process for long term borrowing approved by Council in the 2019/20 Capital Budget. **This is the last formal step required** in order to participate in the 2019 Spring Debenture Issue issued through the MFC

DRAFT MOTION:

That Council approve the attached resolution for pre-approval of participation in the Spring Debenture Issue, with the following **maximum** parameters:

Street Infrastructure,		
Including sidewalks, underground sanitary, storm systems	\$724,400	15-20 years
Sidewalk – Blomidon Terrace	\$100,000	15 years
Water Utility – Distribution lines	<u>\$151,700</u>	20 years
TOTAL BORROWING	<u>\$976,100</u>	

Maximum average interest rate set at 5.5%

REQUEST FOR DECISION 014-2019

Title: 2019 Spring Debenture Issue Approval

Date: 2019-03-05

Department: Finance



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- MGA Section 66 – Power to borrow money

3) STAFF RECOMMENDATION

That Council approve the 2019 spring Debenture Issue funding requirements.

4) REFERENCES AND ATTACHMENTS

- 2018/19 Capital Budget and related funding requirements
- Capital Asset Funding Policy
- RFD 032-2018 – Temporary Borrowing Resolution, 2018/19 Capital (May/18 Council)
- TBR #18/19-01 (Town) in amount of \$1,424,400 and TBR #18/19-02 (Water Utility) in amount of \$151,700
- MFC Pre-Approval Resolution Wording (attached)

5) DISCUSSION

This is one of the steps required in order to participate in the debenture issues processed by the Nova Scotia Municipal Finance Corporation (MFC) each year. ***This is a housekeeping matter at this stage*** as it relates to the 2018/19 capital projects previously approved by Council.

As in past years, this matter is time sensitive. The MFC has set a deadline of April 18th to submit commitment letters for the spring issue.

Last year Council approved a Temporary Borrowing Resolutions (TBR) #18/19-01 and #18/19-02. This covered the capital projects included in the 2018/19 Capital Budget for the Town and Water Utility. The TBR's were broken down as follows as it relates to amounts needed for project complete/almost complete:

Street Infrastructure,		
Including sidewalks, underground sanitary, storm systems	\$724,400	15-20 years
Sidewalk – Blomidon Terrace	\$100,000	15 years
Water Utility – Distribution lines	<u>\$151,700</u>	20 years
TOTAL BORROWING	<u>\$976,100</u>	

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The total amount actually approved by Council last year was \$1,424,400 for the Town and \$151,700 for the Water Utility. The amount moving forward to long term borrowing, i.e. debenture issue, is lower due to the following:

- Three of the projects in the 2018/19 Capital Budget were not carried out in the current year. The projects are
 - Building Renos @ P Wks/Community Development
 - Gaspereau Ave. storm sewer
 - Sewage Treatment Plant Ultra Violet System

Based on funding projections using the Towns Ten Year Capital Investment Plan (CIP), the above noted borrowings can occur without negatively impacting the Town's Debt Service Ratio, which has been in the 6.7% to 7.1% range (according to provincial FCI Report) for last two years. The Province has a guideline that flags a municipality when their Debt Service Ratio exceeds 15%.

As noted during annual capital budget discussions, the Town's Debt Ratio will continue to increase over the next 10 years. This relates to Council's focus to address the existing infrastructure deficit in Town and the need to fund major infrastructure projects. Based on current capital funding model assumptions, the Town will not reach a 15% Debt Ratio until the year 2028/29.

The noted maximum interest rate is the figure suggested by the MFC given current market conditions. In the last two years the final debenture terms have included interest rates lower than the annually suggested threshold. The "maximum" is simply set to ensure the Town is able to participate in the spring debenture issue without having to revise documentation. Timelines do not allow councils to revise parameters and resubmit to the Municipal Finance Corporation (MFC).

6) FINANCIAL IMPLICATIONS

The financial impact of this year's debt requirement was considered as part of the 2018/19 budget approval process. No further analysis is provided here.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Not applicable at this stage. Refer back to Council approval of Annual Operations Plan and related budget documentation

8) COMMUNICATION REQUIREMENTS

Staff will communicate, in the required format, all information to the NS Municipal Finance Corporation.

REQUEST FOR DECISION 014-2019

Title: 2019 Spring Debenture Issue Approval

Date: 2019-03-05

Department: Finance



9) ALTERNATIVES

At this stage no alternatives, as the budget plan included debt financing for the items identified.

Name of Unit: _____

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter "the Minister);

AND WHEREAS the resolution of council to borrow for _____ was approved by the Minister _____;

AND WHEREAS clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the

(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$ _____, for a period not to exceed _____ years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the

(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the

(Name of Unit)

held on the _____ day of _____ 20____

GIVEN under the hands of the Mayor/Warden and the Clerk of the

(Name of Unit)

this _____ day of _____ 20____

Mayor/Warden

Clerk

REQUEST FOR DECISION 009-2019

Title: 10 Harbourside Drive Development Agreement

Date: 2019-03-19

Department: Development & Planning



SUMMARY

Joe Rafih, owner of 10 Harbourside Drive (the Anvil), has requested a development agreement for a lounge, which is required for any lounge in the Town of Wolfville to be a conforming use. The Anvil is currently a non-conforming use. Non-conforming uses are not able to alter the building in a manner that will alter the occupancy. Conforming use buildings, in this zone, are able to be altered in a manner that increases the area by up to 25% as of right. More substantial alterations to conforming use buildings can be considered by development agreement. At this time no details are included for alterations as none have been specified.

A non-substantial update is included in the discussion, below.

Motion from PAC

The Planning Advisory Committee provides a positive recommendation to Council regarding the Draft Development Agreement for PID 55278899 and that the attached Draft Development Agreement be forwarded to Council for Initial Consideration before a Public Hearing is held.

DRAFT MOTION:

THAT COUNCIL APPROVE THE DRAFT DEVELOPMENT AGREEMENT FOR PID 55278899 AS OUTLINED IN RFD 009-2019

Addition recommended by Staff:

THAT COUNCIL DISCHARGE THE DEVELOPMENT AGREEMENT FOR PID 55278899 DATED NOVEMBER 29, 1979

REQUEST FOR DECISION 009-2019

Title: 10 Harbourside Drive Development Agreement

Date: 2019-03-19

Department: Development & Planning



1) CAO COMMENTS

The CAO supports the recommendation of Staff.

2) LEGISLATIVE AUTHORITY

The Municipal Government Act Section 47 enables Council to make decisions in the exercise of its powers on behalf of the Municipality, which includes directing staff. The Municipal Planning Strategy regulates requirements for Development Agreements. The Land Use By-Law identifies when development agreements are appropriate.

3) STAFF RECOMMENDATION

As per Draft Motion.

4) REFERENCES AND ATTACHMENTS

1. PAC Staff Report, dated 2019-01-16
2. Draft Development Agreement
3. Development Agreement dated November 29, 1979

5) DISCUSSION

Joe Rafih has expressed interest in altering the Anvil beverage room in the future and interest in “being on an even playing field” with other restaurant / lounges. It is unclear what exactly is intended to be altered as no clear details have been provided. Staff believe reinvestment in an existing business should be enabled given the activities within the Anvil conform with the existing Municipal Planning Strategy. A development agreement is required for a lounge within the Town of Wolfville and in this case to make the Anvil “conforming.”

UPDATE: A development agreement for a renovation and minor expansion of 10 Harbourside Drive was found, dating to 1979. This development agreement did not address the use, nor was it registered online or in our regular files. As the outcomes of the Development Agreement from 1979 have been concluded and two development agreements cannot apply to the same property at the same time, the development agreement from 1979 can and should be discharged. Discharging this Development Agreement from 1979 enables Staff to implement the Development Agreement outlined in this report.

6) FINANCIAL IMPLICATIONS

None at this time.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

REQUEST FOR DECISION 009-2019

Title: 10 Harbourside Drive Development Agreement

Date: 2019-03-19

Department: Development & Planning



Policy review included as part of Attachment 1

8) COMMUNICATION REQUIREMENTS

Communication requirements are reviewed as part of Attachment 1

9) ALTERNATIVES

- a. That Council provide more specific requirements for the development agreement.
- b. That Council request additional information from the applicant / PAC.

REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal
10 Harbourside Drive

Date: Jan 16, 2019

Department: Planning & Development



APPLICANT	Joe Rafih of Anvil Beverage Room (1991) Limited.
PROPOSAL	To remove the non-conforming status for the existing lounge in anticipation of minor alterations to the exterior and layout.
LOCATION	10 Harbourside Drive (the Anvil) (PID 55278899)
LOT SIZE	10,656 square feet
DESIGNATION	Central Commercial (CC)
ZONE	Central Commercial (C-1)
SURROUNDING USES	Park (P), Central Commercial (C-1) including cafes, restaurants and residences
ARCHITECTURAL GUIDELINES	The existing property is within the 'Downtown Core' Architectural Control area.
NEIGHBOUR NOTIFICATION	Email list from PIM meeting; Newspaper ads and notices mailed to surrounding property owners within 100 metres; Sign placed on property

PROPERTY LOCATION

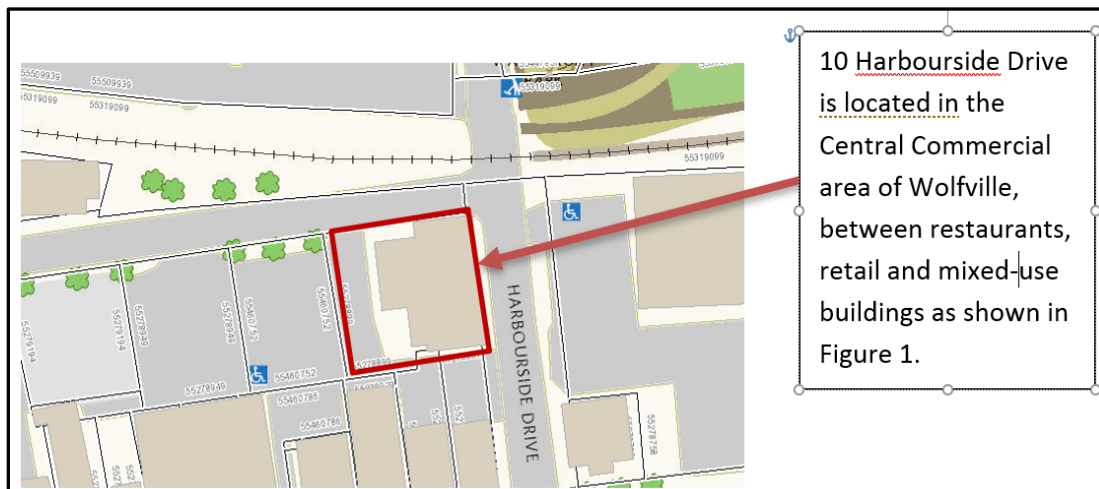


Figure 1 – Context Map

REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal
10 Harbourside Drive

Date: Jan 16, 2019

Department: Planning & Development



PROPOSAL

The Applicant and property owner of 10 Harbourside Drive, Joe Rafih of Anvil Beverage Room (1991) Limited, is seeking a development agreement to remove the “non-conforming” status for the existing lounge in anticipation of minor alterations to the exterior and layout which are likely to expand capacity and revitalize the building.

The property consists of a “legally non-conforming” lounge. Lounges within the Town of Wolfville are permitted only by development agreement. Lounges existing before this requirement are considered legally permitted, non-conforming uses. “Non-conforming” uses are permitted to continue operations without alterations to their capacity as they are a pre-existing use within the Town of Wolfville. “Non-conforming” uses are required to become conforming uses in order to make renovations which alter their capacity.

Previous to recent Municipal Planning Strategy amendments to remove the limit of lounge seats, the use at the Anvil did not conform to the maximum number of lounge seats permitted at lounge establishments. Now the amendments have passed, the only reason this building and business continue to be “non-conforming” is due to the lack of a development agreement as required by the Municipal Planning Strategy.

This application is to become a “conforming use” lounge to enable minor alterations to the property, as per policies within the Land Use By-Law and the associated Downtown Architectural Guidelines, which may increase the capacity of the building and the uses therein. Alterations intended may include rearrangement of bathrooms, expansion or rearrangement of the kitchen, and alterations to the exterior such as garage bay doors. Major alterations, more than 25% of the area, would continue to require a development agreement. No alterations, or timelines, are confirmed at this time - therefore no drawings or plans for alterations are included.

PROCESS & NEXT STEPS

Section 230 of The Municipal Government Act (MGA) establishes the process for the approval of a Development Agreement. This process requires review by the Planning Advisory Committee and the holding of a Public Hearing by Council prior to a decision by Council to approve or reject the proposal. The decision by Council may be appealed to the Nova Scotia Utility and Review Board by an aggrieved person or by the Applicant.

The first stage of the application review process began at the Public Information Meeting (PIM) held on September 11, 2018. Property owners within 100 metres of the development were notified by mail, indicating that the site was subject to a development agreement application. The purpose of the PIM was to provide the public with an opportunity to offer preliminary feedback on the request and allow the

REPORT TO PLANNING ADVISORY COMMITTEE

Development Agreement Proposal

10 Harbourside Drive

Date: Jan 16, 2019

Department: Planning & Development



applicant to answer any questions that would arise. The subject property is located within the ‘Downtown Core’ Architectural Control Area requiring review by the Town’s Design Review Committee (DRC), yet this application has not been circulated to the Design Review Committee as there are no drawings or plans to review.

The next step in the Development Agreement process (as shown below), will be to have the Planning Advisory Committee (PAC) review this report and provide a recommendation to Council. Council will then provide Initial Consideration, and if passed, a Public Hearing will be scheduled prior to a decision on the proposal from Council.



Figure 5 – Development Agreement Process

POLICY REVIEW & DISCUSSION

The property is designated Central Commercial in the [Municipal Planning Strategy](#) (MPS) and zoned Central Commercial (C-1) in the [Land Use Bylaw](#) (LUB). Bounded by Main Street to the south and Front Street to the north, the property is approximately 6,140 square feet (570 square metres) in size with no development constraints or slope limitations, sitting just outside the Tidal Flood Risk boundaries.

The Municipal Planning Strategy (MPS) includes several policies for Council to consider when reviewing such an application. This section provides relevant policies for this development proposal and discussion on criteria set out within these policies.

Municipal Planning Strategy – Part 9 – Commercial Development and Land Use

“9.2.4 to consider only by development agreement in areas zoned Central Commercial (C-1) proposals for:

- new buildings in excess of 100 square metres building floor area in accordance with policies 12.1.4, 12.1.5 and 18.6.1.
- additions to existing buildings in excess of 100 square metres or which constitute over 25% of the building floor area of the existing building in accordance with policies 12.1.4, 12.1.5 and 18.6.1.
- new lounges, additions to, or extensions of established lounges in accordance with policy 9.2.8.”

“9.2.8 to ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as lounges or any additions or expansions of existing lounges by development agreement:

- (a) the proposed use shall not have an adverse effect on any adjacent properties, especially residential;
- and

REPORT TO PLANNING ADVISORY COMMITTEE
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- (b) parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone; and*
- (c) the hours of operation of the lounge use shall be restricted to a closing hour of 1:00am.*
- (d) adult entertainment will not be permitted.*
- (f) development is in accordance with policy 18.6.1.”*

A review of Policy 18.6.1 in the MPS is included below.

Municipal Planning Strategy – Part 18 – Implementation

The policies 9.2.4 & 12.1.7 outlined in the MPS states that a “development is in accordance with Policy 18.6.1.” Policy 18.6.1 of the MPS contains general policies that are to be considered for all development agreement applications. An overview of issues arising from these general criteria is reviewed below in Table A while a summary of the entire policy, with Staff comment to each criterion, is provided as *Attachment 1*.

Table A – Discussion of MPS Policy 18.6.1	
Select Criterion	Discussion
1. Conflict with adjacent land uses	<p>Section 18.6.1 (b) of the MPS states:</p> <p style="text-align: center;"><i>“to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods...”</i></p> <p style="text-align: center;"><i>(i) The type and intensity of use;”</i></p> <p>Neighboring uses are primarily commercial, with a variety of restaurants and mixed-use buildings along Front Street and Main Street. Commercial uses surrounding the lot are similar to the proposed development with activities that include serving food and beverage.</p> <p>The proposed development should not cause conflict with adjacent land uses, nor would it be out of character with the surrounding neighbourhood as it is the same purpose and use as currently existing.</p>

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<p>2. Parking, Traffic & Egress</p>	<p>Section 18.6.1 (g) of the MPS states:</p> <p><i>“to ensure that the proposed site and building design provides the following:</i></p> <p>(ii) <i>functional vehicle circulation and parking and loading facilities designed to avoid congestion on or near the property and to allow vehicles to move safely within and while entering and exiting the property;”</i></p> <p>As the building is intended for the same use as currently existing, Staff believe parking, traffic, and egress are suitable for this development.</p>
<p>3. Architectural Features</p>	<p>Section 18.6.1 (g) of the MPS states:</p> <p><i>“to ensure that the proposed site and building design provides the following:</i></p> <p>(viii) <i>architectural features, including but not limited to, mass, scale, roof style, trim elements, exterior cladding materials, and the shape, size and relationship of doors and windows; that are visually compatible with surrounding buildings in the case of a new building or with the existing building in the case of an addition;”</i></p> <p>As the building is intended for the same use as currently existing with no physical alterations, Staff believe the existing architecture is suitable for this development and have not circulated this application to the Design Review Committee.</p>

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Staff believe the development proposal is consistent with the intent and criteria set out in Policy 18.6.1 of the MPS. A summary table for MPS Policy 18.6.1 with Staff comment to each criterion is provided in *Attachment 1*.

REVIEW FROM OTHER DEPARTMENTS

This application has not been circulated to other departments as the development agreement does not alter the existing use at this time.

PUBLIC INFORMATION MEETING

The Town held a Public Information Meeting on Sept 11, 2018. Comments focused on the value of renovations to the existing building. See attachment 2 for more details.

DESIGN REVIEW COMMITTEE

This application has not been circulated to the Design Review Committee as it does not alter the structure of the building.

SUMMARY OF DRAFT DEVELOPMENT AGREEMENT PROVISIONS

- To create a conforming use lounge with;
- operating hours that end at 1am and;
- prohibition of adult entertainment

COMMENTS & CONCLUSIONS

Previous to Municipal Planning Strategy amendments which removed the restriction on lounge seats within the Town of Wolfville, the applicant had little interest in removing the “non-conforming use” status, as doing so would have meant further limiting the number of lounge seats permitted at the Anvil. As this limitation is removed, the applicant would like to become a “conforming use” towards eventually renovating and making alterations to the building which will revitalize and may increase the capacity of the Anvil, such as rearrangement of bathrooms, expansion or rearrangement of the kitchen, and alterations to the exterior such as garage bay doors.

The only limiting factor in becoming a “conforming use” is the lack of a development agreement for a lounge, which is required by the Municipal Planning Strategy for lounges within the Town of Wolfville.

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Development Agreement Proposal

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Staff believe approving this development agreement is consistent with relevant policies as it does not substantially alter the existing use at this time and will enable reinvestment in a local business.

STAFF RECOMMENDATION

Staff recommends that the Planning Advisory Committee provide a positive recommendation to Council regarding the Draft Development Agreement for PID 55278899 and that the attached Draft Development Agreement be forwarded to Council for Initial Consideration before a Public Hearing is held.

ATTACHMENTS

1. Policy Summary Tables
2. Public Information Meeting Notes
3. Draft Development Agreement

REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal
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ATTACHMENT 1 – Policy Summary Tables

Policy 9.2.8 states:

to ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as lounges or any additions or expansions of existing lounges by development agreement:

General Development Agreement Policies of the MPS (Section 18.6.1)	Staff Comment
<i>(a) the proposed use shall not have an adverse effect on any adjacent properties, especially residential; and</i>	<ul style="list-style-type: none"> • As existing.
<i>(b) parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone; and</i>	<ul style="list-style-type: none"> • As existing
<i>(c) the hours of operation of the lounge use shall be restricted to a closing hour of 1:00am.</i>	<ul style="list-style-type: none"> • No issue
<i>(d) adult entertainment will not be permitted.</i>	<ul style="list-style-type: none"> • No adult entertainment is permitted.
<i>(f) development is in accordance with policy 18.6.1</i>	<ul style="list-style-type: none"> • See table below

Policy 18.6.1 of the MPS states the general policies for all development agreements. As part of the review for this section, staff may have contacted other departments or outside agencies to seek specific information. The following table outlines the policy and provides Staff comment:

General Development Agreement Policies of the MPS (Section 18.6.1)	Staff Comment
(a) <i>to ensure that the proposal conforms to the intent of the MPS and to all other applicable Town By-Laws and regulations, except where the application for a development</i>	<ul style="list-style-type: none"> • This proposal is enabled for consideration by development agreement and in Staff's opinion the proposal is consistent with the intent of the MPS.

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<p><i>agreement modifies the requirements of the LUB or Subdivision By-Law.</i></p>	
<p>(b) <i>to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods through:</i></p>	
<p>i) <i>the type and intensity of use</i></p>	<p>Neighboring uses are primarily commercial, with a variety of restaurants and mixed-use buildings along Front Street and Main Street. Commercial uses surrounding the lot are similar to the proposed development with activities that include serving food and beverage.</p> <p>The proposed development should not cause conflict with adjacent land uses, nor would it be out of character with the surrounding neighbourhood as it is the same purpose and use as currently existing.</p>
<p>ii) <i>the height, mass or architectural design of proposed buildings</i></p>	<ul style="list-style-type: none"> • The proposal has not been circulated to Design Review as it does not alter the existing structure.
<p>iii) <i>hours of operation of the use</i></p>	<ul style="list-style-type: none"> • As outlined in the Development Agreement.
<p>iv) <i>outdoor lighting</i></p>	<ul style="list-style-type: none"> • as existing.
<p>v) <i>noise, vibration, or odour</i></p>	<ul style="list-style-type: none"> • as existing.
<p>vi) <i>vehicles and pedestrian traffic</i></p>	<ul style="list-style-type: none"> • as existing.
<p>vii) <i>alteration of land levels/or drainage patterns</i></p>	<ul style="list-style-type: none"> • as existing.
<p>viii) <i>deprivation of natural light</i></p>	<ul style="list-style-type: none"> • as existing.
<p>(c) <i>to ensure that the capacity of local services is adequate to accommodate the proposed development and such</i></p>	

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<i>services will include, but not be limited to the following:</i>	
<i>i) sanitary and storm sewer systems</i>	<ul style="list-style-type: none"> • as existing.
<i>ii) water systems</i>	<ul style="list-style-type: none"> • as existing.
<i>iii) schools</i>	<ul style="list-style-type: none"> • No issues
<i>iv) recreation and community facilities</i>	<ul style="list-style-type: none"> • No issues
<i>v) fire and police protection</i>	<ul style="list-style-type: none"> • No issues
<i>vi) street and walkway networks</i>	<ul style="list-style-type: none"> • No issues
<i>vii) solid waste collection and disposal systems</i>	<ul style="list-style-type: none"> • No issues
(d) <i>to ensure that the proposal is not premature or inappropriate by reason of the financial ability of the town to absorb capital and/or maintenance costs related to the development.</i>	<ul style="list-style-type: none"> • No costs to be incurred by the Town
(e) <i>to ensure that the proposal does not cause environmental damage or damage to adjacent properties through:</i>	
<i>i) pollution of soils, water or air</i>	<ul style="list-style-type: none"> • No issues
<i>ii) erosion or sedimentation</i>	<ul style="list-style-type: none"> • as existing.
<i>iii) interference with natural drainage systems</i>	<ul style="list-style-type: none"> • No issues
<i>iv) flooding</i>	<ul style="list-style-type: none"> • No issues
(f) <i>to ensure that the proposal protects and preserves matters of public interest such as, but not limited to:</i>	
<i>i) historically significant buildings</i>	<ul style="list-style-type: none"> • No issues
<i>ii) public access to shorelines, parks and public and community facilities</i>	<ul style="list-style-type: none"> • No issues

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Department: Planning & Development



<p><i>iii) important and significant cultural features, natural land features and vegetation</i></p>	<ul style="list-style-type: none"> • No issues
<p>(g) <i>to ensure that the proposed site and building design provides the following:</i></p>	
<p><i>i) useable active transportation networks that contribute to existing active transportation links throughout the community</i></p>	<ul style="list-style-type: none"> • As existing
<p><i>ii) functional vehicle circulation and parking and loading facilities designed to avoid congestion on or near the property and to allow vehicles to move safely within and while entering and exiting the property</i></p>	<ul style="list-style-type: none"> • As existing.
<p><i>iii) facilities for the safe movement of pedestrians and cyclists</i></p>	<ul style="list-style-type: none"> • Not applicable
<p><i>iv) adequate landscaping features such as trees, shrubs, hedges, fences, flower beds and lawns to successfully integrate the new development into the surrounding area</i></p>	<ul style="list-style-type: none"> • As existing
<p><i>v) screening of utilitarian elements, such as but not limited to; mechanical and electrical equipment, and garbage storage bins</i></p>	<ul style="list-style-type: none"> • Utilitarian elements are to be screened
<p><i>vi) safe access for emergency vehicles</i></p>	<ul style="list-style-type: none"> • No issues
<p><i>vii)adequate separation from, and consideration of, public and private utility corridors to ensure their</i></p>	<ul style="list-style-type: none"> • Not applicable

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Department: Planning & Development



<p><i>continued safe and functional operation</i></p>	
<p><i>viii) architectural features, including but not limited to, mass, scale, roof style, trim elements, exterior cladding materials, and the shape, size and relationship of doors and windows; that are visually compatible with surrounding buildings in the case of a new building or with the existing building in the case of an addition</i></p>	<ul style="list-style-type: none"> • Not applicable as the application does not alter the structure of the building.
<p><i>ix) useable outdoor amenity space for use of residents in a residential development</i></p>	<ul style="list-style-type: none"> • As existing
<p><i>x) accessible facilities for the storage and collection of solid waste materials</i></p>	<ul style="list-style-type: none"> • As existing.
<p><i>xi) appropriate consideration for energy conservation</i></p>	<ul style="list-style-type: none"> • As existing
<p><i>xii) appropriate consideration of and response to site conditions, including but not limited to; slopes, soil, and geological conditions, vegetation, watercourses, wet lands, and drainage</i></p>	<ul style="list-style-type: none"> • As existing
<p>(h) <i>where Council determines, on the advice of a licensed professional, that there is a significant risk of environmental damage from any proposed development which does not require an assessment under the Environmental Assessment Act, environmental studies shall be carried out at the expense of the developer for the purpose of determining the nature and extent of any environmental impact and no agreement shall be</i></p>	<ul style="list-style-type: none"> • No issues identified

REPORT TO PLANNING ADVISORY COMMITTEE

Development Agreement Proposal

10 Harbourside Drive

Date: Jan 16, 2019

Department: Planning & Development



<p><i>approved until Council is satisfied that the proposed development will not create or result in undue environmental damage</i></p>	
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Policy 18.6.2 establishes what conditions may be established in the development agreement. The conditions are limited to those listed, and to the specific policies guiding the particular type of development.

Policy 18.6.2 of the MPS	
SECTION 18.6.2	STAFF COMMENT
<p>18.6.2 that a development agreement may contain such terms and conditions that are provided for in Section 227 of the Municipal Government Act which ensures that the proposed development is consistent with policies of this Municipal Planning Strategy. The agreement may include some or all of the following:</p> <ul style="list-style-type: none"> (a) the specific type of use; (b) the size of the structure(s) within a development; (c) the percentage of land that may be built upon and the size of yards, courts, or other open spaces; (d) the location of structure(s) in relation to watercourses, steep slopes and development constraint areas; 	<ul style="list-style-type: none"> • The draft Development Agreement includes terms and conditions in relation to many of the items included in 18.6.2.

REPORT TO PLANNING ADVISORY COMMITTEE

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<ul style="list-style-type: none"><i>(e) storm water drainage plans;</i> <i>(f) the maximum and minimum density of the population within the development; the architectural design or external appearance of structures, in particular its compatibility with adjacent structures, where required by policy;</i> <i>(g) traffic generation, access to and egress from the site and impact on abutting streets and parking;</i> <i>(h) landscape design plan indicating the type, size and location of all landscaping elements that buffer or screen the development. This may also include fencing, walkways and outdoor lighting;</i> <i>(i) open storage and outdoor display;</i> <i>(j) public display or advertising;</i> <i>(k) maintenance of the development;</i> <i>(l) any other matter which may be addressed in the Land Use By-law or Subdivision By-Law, such as parking requirements, yard requirements, etc.;</i>	
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REPORT TO PLANNING ADVISORY COMMITTEE

Development Agreement Proposal

10 Harbourside Drive

Date: Jan 16, 2019

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<p><i>(m) site specific information relating to soils, geology, hydrology and vegetation.</i></p>	
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REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal
10 Harbourside Drive

Date: Jan 16, 2019

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ATTACHMENT 2 – Public Information Meeting Minutes

Public Information Meeting
6.00 PM – Council Chambers
Development Agreement Proposal
10 Harbourside Drive

Attending

Staff: Planner Jeremy Banks & Assistant Development Officer James Collicutt

Applicant: Joe Rafih

Five Members of the Public

Planner Jeremy Banks began the meeting with a PowerPoint presentation that provided an overview of the proposal to change the status of the Anvil Beverage Room (10 Harbourside Drive) to conforming via a development agreement. The relevant background information and processes were reviewed as they relate to the proposal.

Mr. Banks looked to the public for questions and comments.

Wanda Swinimer, 389 Main Street asked:

Has the Applicant not been able to do any renovations since it became non-conforming?

Staff: Correct. In some cases, even minor updates aren't possible.

Wayne Merrill, 386 Main Street asked:

Could the building be built-up?

Staff: An increase in building height would be possible through the DA but that is not included in the proposal at this time.

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Mrs. Townsend, 3 Seaview Avenue asked:

How high could the building be?

Staff: The final decision would be made Council based on several architectural, context and design feature considerations.

As there were no further questions or comment and Mr. Banks adjourned the meeting at 6.15 PM.

REPORT TO PLANNING ADVISORY COMMITTEE

Development Agreement Proposal

10 Harbourside Drive

Date: Jan 16, 2019

Department: Planning & Development



ATTACHMENT 3 – Draft Development Agreement

This **Development Agreement** is made this _____ day of _____, 2019.

BETWEEN:

ANVIL BEVERAGE ROOM (1991) LIMITED

(Hereinafter called the “Developer”)

OF THE FIRST PART

- and -

TOWN OF WOLFVILLE

A municipal body corporate,
(Hereinafter called the “Town”)

OF THE SECOND PART

WHEREAS the Developer has requested that the Town enter into a Development Agreement relating to the use and development of the Lands (PID 55278899) pursuant to the provisions of the Municipal Government Act and the Municipal Planning Strategy for the Town of Wolfville;

AND WHEREAS a condition of granting approval for the development of the Lands is that the parties enter into this Development Agreement;

AND WHEREAS the Town Council of the Town, at its meeting on _____, 2019 approved entering into this Development Agreement to permit a lounge as licensed by the Province of Nova Scotia, subject to the registered owner of the Lands entering into this Development Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the covenants made in this Development Agreement and other valuable consideration the Developer and the Tenant and the Town agree to the following terms.

1. Schedules

The following schedules form part of this Development Agreement:

Schedule “A” – Legal Parcel Description of Lands

2. Definitions

2.1 In this Development Agreement:

“Building By-Law” means Chapter 65 of the By-Laws of the Town of Wolfville.

“Developer” means the owner(s) of the lands, their heirs, successors, assigns, and all subsequent owners of the lands.

“Development” means a Lounge as licensed by the Province of Nova Scotia.

“Development Officer” means the Development Officer appointed by the Town of Wolfville under the provisions of the *Municipal Government Act*.

“Engineer” means the Engineer appointed by the Town of Wolfville under the provisions of the *Municipal Government Act*.

“Effective date” means the date on which this Development Agreement is deemed to be entered into under the terms of this Development Agreement.

“Lands” means the real property in the Town of Wolfville owned by the Developer, PID 55278899, and as described in Schedule “A”.

“Land Use By-Law” means the Land Use By-Law of the Town of Wolfville in force from time to time, adopted and amended by the Wolfville Town Council under the provisions of the *Municipal Government Act*. At the date of this Development Agreement, it is the Land Use By-Law adopted by Council on September 23, 2008, and recorded at the Kentville Land Registry Office on November 6, 2008, as Document Number 92078600.

“Lounge” means a lounge as defined and regulated by the Liquor Control Act (or replacement thereof) and any associated regulations of the Province of Nova Scotia.

“Municipal Planning Strategy” means the municipal planning strategy of the Town of Wolfville in force from time to time, adopted and amended by the Wolfville Town Council under the provisions of the *Municipal Government Act*. At the date of this Development Agreement, it is the Municipal Planning Strategy adopted by Council on September 23, 2008, and recorded at the Kentville Registry of Deeds Office on November 6, 2008, as Document Number 92078543.

“MGA” means the *Municipal Government Act*, S.N.S. 1998, c. 18, as amended.

“Planning Documents” means Land Use Bylaw, Municipal Planning Strategy, and Subdivision Bylaw.

- 2.2** Where terms (words or phrases) are not defined in this Development Agreement, definitions in the Town's planning documents shall apply. Where terms are not defined in the planning documents, definitions in the MGA shall apply. Where terms are not defined in the aforementioned sources, their ordinary meaning shall apply.

3. Relevance of Planning Documents and Other Regulations

- 3.1** This Development Agreement contains definitions and regulations for the Development. It complements the Town's Planning Documents. Unless specified in this Development Agreement, requirements in the Town's Planning Documents shall apply. Where there is a conflict between this Development Agreement and the Planning Documents, this Development Agreement shall prevail.
- 3.2** Regulations outside of this Development Agreement or the Town's Planning Documents may be applicable to the Development. However, the terms of this Development Agreement shall not be materially changed in order to comply with such regulations without an amendment to this Development Agreement.

4. Background

The Developer wishes to enter into a development agreement to create a lounge at 10 Harbourside Drive in accordance with the Town of Wolfville Municipal Planning Strategy. The Anvil has been operating as a non-conforming use with respect to the number of lounge seats for many years. The Municipal Planning Strategy was recently amended to remove the seat restriction on lounges which allows the Anvil to now become a conforming use. This development agreement responds to this request.

5. Terms

5.1 Development Conditions

5.1.1 Permits and Approvals

- 5.1.1.1** This Development Agreement allows the Developer to obtain development permits, other permits, and permissions to allow uses permitted by this Agreement.
- 5.1.1.2** The Developer shall be responsible for obtaining all necessary permits and approvals required by law for the Development, including but not limited to development permits, building permits, and any approvals required from the Province of Nova Scotia.

5.1.1.3 Obligations or other requirements in this Development Agreement are those of the Developer, unless otherwise specified.

5.1.2 Land Use

5.1.2.1 The following uses are permitted:

(a) A Lounge subject to the following:

- Closing time for the Lounge will be 1:00am or earlier, Monday to Sunday inclusive.
- Adult entertainment is prohibited at all times.

(b) Other uses in accordance with the zone standards of the Land Use By-law.

5.1.3 General Requirements 5.1.3.1 The Development shall conform to the zone standards of the Land Use By-law, except as otherwise established by this Agreement. 5.1.3.2 Buildings, landscaping, and other related features shall be maintained in good condition, pursuant to the Town's Property Minimum Standards By-law.

5.1.3.3 The Developer agrees that all noise levels generated by patrons or live entertainment will be controlled by the Town of Wolfville Noise Bylaw

5.1.3 Municipal Services

5.1.3.1 The parties agree that municipal sanitary sewer and water services are available.

5.1.3.2 The Town makes no warranties, guarantees or claims as to the adequacy of the Town's water supply to provide the recommended Fire Flow amounts for protection of the building from fire. The Developer shall satisfy itself that the available fire flows are satisfactory to meet its needs.

5.1.4 Refuse Storage and Utility Equipment

5.1.4.1 Refuse, compost, recyclables, and other similar matters shall be stored within the building(s), or within accessory structures or containers pursuant to the requirements of the Land Use Bylaw, Valley Region Solid Waste-Resource Management By-Law, and other applicable regulations.

5.1.4.2 Containers referenced in 5.1.5.1 shall be located so that they are visually screened.

5.1.4.3 Utility equipment such as mechanical and electrical equipment shall be visually screened by fencing or landscaping.

5.1.5 Timing

5.1.5.1 This Development Agreement shall be deemed entered into on the day following the day on which the time for appeal of Town Council's approval has elapsed, or the day on which any appeals have been disposed of and the policy of the Wolfville Town Council approving this Development Agreement has been affirmed by the Nova Scotia Utilities and Review Board, under the provisions of the MGA, or other judiciary body as applicable.

5.1.5.2 This Development Agreement does not come into effect until the requirement of Section 228(3) of the Municipal Government Act are fulfilled and this development agreement is filed in the Registry of Deeds. All other time requirements imposed in this Development Agreement shall be calculated from that date, the effective date.

5.1.5.3 All Development enabled by this Agreement shall be completed within three (3) years. Upon failure to meet this timing requirement, the Town may discharge this Development Agreement without the consent of the Developer or Tenant.

5.1.6 Amendment

5.1.6.1 With the exception of matters which the Town and the Developer do not consider to be substantive, the amendment of any other matter in this Development Agreement can only be made under the provisions of Section 230 of the MGA, including the holding of a Public Hearing.

5.1.6.2 Following are matters in this Development Agreement which the Town and the Developer do not consider to be substantive:
(a) The requirements for completion imposed by section 5.1.6.3.

5.1.7 Expenses

5.1.7.1 The Developer shall pay all costs and expenses incurred by the Town related to this Development Agreement.

5.1.8 Liability

5.1.8.1 The Developer shall be liable for any damage caused to persons or public or private property by the Developer or any contractor or other individual doing work related to the Development. The Developer shall indemnify the Town and save it harmless from any claim, cause of action, or liability in any way relating to the Development. The Developer shall obtain and maintain in force throughout the course of construction on the Development, liability insurance coverage to insure the responsibilities which the Developer is assuming in this section.

5.1.9 Default

5.1.9.1 If the Developer fails to comply strictly with any term of this Development Agreement or any legislation applicable to this Development Agreement, the Town may, after 30 days notice in writing to the Developer, enter the lands and perform any obligation with which the Developer has failed to comply strictly. All expenses arising out of the entry of the Lands and performance of the obligations may be recovered by the Town from the Developer by direct suit and shall form a charge upon the Lands. The Developer shall pay interest on any sum so expended by the Town at the same monthly rate charged by the Town for tax arrears on the outstanding balance from time to time. Such interest costs shall be treated as an expense.

5.1.9.2 If the Developer breaches any of the terms of this Development Agreement, the Town, at its sole option, may:

- (a)** Terminate this Development Agreement;
- (b)** Exercise its rights under paragraph 5.1.10.1 above; or,
- (c)** Take no action.

5.1.9.3 Any election by the Town to take no action on a breach of this Development Agreement by the Developer shall not bar the Town from exercising its rights under this Development Agreement on any other breach.

5.1.9.4 Any expenses incurred by the Town in exercising its rights under sections 5.1.10.1 and 5.1.10.2, or either of them, shall be paid by the Developer to the Town.

5.1.10 Administration

The Development Officer administers this Agreement. His/Her decision is final and binding on all parties.

6. Warranties by the Developer

6.1 Title and Authority

6.1.1 The Developer warrants as follows:

- (a)** The Developer has good title in fee simple to the Lands or good beneficial title subject to a normal financing encumbrance or is the sole holder of a Registered Interest in the Lands. No other entity has an interest in the Lands which would require their signature on this Development Agreement to validly bind the Lands or the Developer has obtained the approval of every other entity which has an interest in the Lands whose authorization is required for the Developer to sign this Development Agreement to validly bind the Lands.
- (b)** The Developer has taken all steps necessary to, and it has full authority to, enter this Development Agreement.

7. Full Agreement

7.1 Other Agreements

7.1.1 This Development Agreement constitutes the entire agreement and contract entered into by the Town and the Developer. No other agreement or representation, whether oral or written, shall be binding.

7.1.2 This Development Agreement shall not be a precedent for any other agreement either between the Town and the Developer or between the Town and any other party.

8. Notice

Any notice to be given under this Development Agreement shall be made in writing and either served personally or forwarded by courier or by registered mail, postage prepaid, if to the Town to:

Town of Wolfville
359 Main Street
Wolfville, Nova Scotia
B4P 1A1
Attention: Development Officer

and if to the Developer:

The Anvil Beverage Room (1991) Limited
10 Harbourside Drive
Wolfville, NS
B4P 2B8

9. Headings

The headings used in this Development Agreement are for convenience only. If any of the headings are inconsistent with the provisions of the Development Agreement which it introduces, the provisions of the Development Agreement shall apply.

10. Binding Effect

This Development Agreement shall ensure to the benefit of and be binding upon the parties to this Development Agreement, their respective successors, administrators, and assigns.

11. Execution

In witness of this Development Agreement the parties have signed and delivered it to each other on the date set out at the top of the first page.

SIGNED AND DELIVERED)
In the presence of:)

)
)
) TOWN OF WOLFVILLE
)

) By _____
) MAYOR

Witness)

)
) By _____
) TOWN CLERK

SIGNED AND DELIVERED)
In the presence of:)

) By _____
) ANVIL BEVERAGE ROOM (1991) LIMITED

Witness

CANADA
PROVINCE OF NOVA SCOTIA
COUNTY OF KINGS

I certify that on _____, 2019, _____
a witness to this agreement came before me, made oath, and swore that the **TOWN OF WOLFFVILLE**, caused the same to be executed by its proper officers who affixed its Corporate Seal and subscribed their hands in its name and in its behalf in his/her presence.

A Commissioner of the Supreme Court of Nova Scotia

CANADA
PROVINCE OF NOVA SCOTIA
COUNTY OF KINGS

I certify that on _____, 2019, _____
a witness to this agreement came before me, made oath, and swore that **ANVIL BEVERAGE ROOM (1991) LIMITED**, caused the same to be executed by its proper officers who affixed its Corporate Seal and subscribed their hands in its name and in its behalf in his/her presence.

A Commissioner of the Supreme Court of Nova Scotia

Schedule "A" – Property Description

ALL that certain lot, piece or parcel of land situate, lying and being in the Town of Wolfville, in the County of Kings and Province of Nova Scotia, bounded and described as follows:

COMMENCING at a point in the South limit of Front Street, said point marking the Northeast corner of lands formerly of one Frank Bresnan now Beverley Wade;

THENCE in an Easterly direction by the South limit of Front Street One Hundred Nine Feet (109') more or less or to the West boundary line of Gaspereau Avenue;

THENCE in a Southerly direction by the West boundary line of Gaspereau Avenue Eighty-eight feet (88') more or less or to the Northeast corner of lands of Raymond J. Parsons;

THENCE in a Westerly direction by the North boundary line of said Parsons lands and continuing Westerly along part of the North boundary line of lands of Geraldine MacKay, Fifty-six feet (56') more or less or to a corner bound;

THENCE in a Southerly direction by part of the East boundary line of said Geraldine MacKay lands Twelve (12') feet;

THENCE in a Westerly direction by part of the North boundary line of said Geraldine MacKay lands, and the North boundary line of lands of R. M. Giffin, Fifty-one feet (51') more or less, or to the Northwest corner of said Giffin lands;

THENCE in a Northerly direction by said Beverley Wade lands formerly of Bresnan, One Hundred feet (100') more or less, or to the point of BEGINNING;

TOGETHER WITH the privileges of a right-of-way over certain lands lying immediately South of and adjoining the above described lands, the Northern sideline of said right-of-way lands being part of the Southern boundary line of said above described lands. This right-of-way being Twelve feet (12') in width throughout and running Westerly (Twelve Feet in width) from the Western sideline of Gaspereau Avenue Extension through to the Eastern boundary line of lands hereinbefore described; said right-of-way being for the benefit of Forge Investments Limited herein, their heirs and assigns, and their agents, servants, workmen, to go, return, pass, and repass with or without automobiles, horses, carts, wagons, trucks and other vehicles laden or unladen and also to drive cattle and other animals in, through along and over those lands in common with the owner or occupier of adjacent lands to the South of said right-of-way lands the same being now or formerly Raymond J. Parsons, Geraldine MacKay, and also in common with lands now or formerly of R.M. Giffin which adjoin to the West those lands now or formerly of Geraldine MacKay.

AND SUBJECT to the privileges of a right-of-way over the Southern portion of the Western part of the above described lands Twelve (12') in width throughout and running Westerly from the Western boundary line of lands now or formerly of B.R. Wade a distance of fifty-one feet (51') more or less the same being the Western portion of that pre-existing right-of-way reserved by one Rupert E. Harris in an Indenture of deed dated the 1st day of September, A.D. 1899, and recorded in the Kings County Registry of Deeds in Book 73 at Page 240.

NOV 29 1979

12816

THIS SPECIAL DEVELOPMENT CONTRACT entered into this
15th day of October, 1979.

BETWEEN:

THE TOWN OF WOLFVILLE, a municipal corporation,
having its principal place of business in the
Civic Building, in the Town of Wolfville, in the
County of Kings and Province of Nova Scotia,
hereinafter called the "TOWN"

OF THE ONE PART

- and -

FORGE INVESTMENTS LIMITED, a company incorporated
under the laws of the Province of Nova Scotia,
having its head office and principal place of
business at Wolfville, in the County of Kings,
Province of Nova Scotia, hereinafter called
"FORGE"

OF THE OTHER PART

WHEREAS:

1. Forge Investments Limited are the proprietors of the Anvil Beverage Room located on Gaspereau Avenue Extension and Front Street, Wolfville, Nova Scotia
2. That the Nova Scotia Department of Public Health has requested Forge Investments Limited to make certain alterations to their premises to conform with the requirements of the Nova Scotia Department of Health and Forge Investments Limited wishes to make certain alterations within the premises and to add an extension for the purposes of both complying with the regulations of the Nova Scotia Department of Health and for the purposes of improving their facilities and in particular the addition of staff washroom facilities, extra storage facilities, improved heat and air conditioning arrangements and additional customer accommodation. The present building of the Anvil Beverage Room is shown on a survey certificate attached as Schedule "A" and the proposed extension is shown marked in yellow on the survey certificate attached as Schedule "B".
3. Forge Investments Limited has applied to the Town of

Wolfville for a development permit to allow them to make the necessary improvements and alterations.

4. The Town of Wolfville is unable to issue the development permit at present for the following reasons:

(a) the present use of the property is not specifically provided for in the revised Zoning Bylaw for the C1 Zone in which it is located;

(b) the property does not provide the required parking facility specified in the Zoning Bylaw Part 5, paragraph 24 (f) of "1 parking space for 4.5 square metres of floor area devoted to public use";

the proprietors are therefore 'non-conforming users', subject inter alia the Planning Act 1969 Part VIII.

5. The Town of Wolfville believes that the improvements and alterations to the Anvil Beverage Room would be in the best interests of the Town of Wolfville and has agreed to allow the alterations and extensions to be permitted so long as the Town of Wolfville and Forge Investments Limited would enter into a Special Development Agreement as defined by the Municipal Development Plan, Part 3, paragraph 20 (2) pursuant to the Planning Act, Section 33 (2) (b)

NOW THEREFORE, THIS CONTRACT WITNESSETH that in consideration of the premises and the covenants herein, the Town agrees to approve and does hereby approve subject to the covenants on the part of Forge and the terms and conditions herein specified, the Special Development proposal for the alterations and extension of Forge's beverage room the alterations and extensions will be in accordance with the plans and specifications attached as C1 and C2 and it is agreed that the plans and specifications referred to as C1 and C2 shall constitute part of this contract and Forge covenants and agrees to carry out and see to completion of the deve-

lopment as specified on the plans and specifications and subject to the terms, conditions and covenants as hereinafter set out.

The Town and Forge agree that this development is, and is intended to be, operative pursuant to the provisions of Section 33 (2b) of the Planning Act, S.N.S., 1969, as amended and this Contract is made under the authority of Sections 33 and 34 of the Planning Act, S.N.S., 1969;

Forge shall locate the development on the property owned by Forge Investments Limited located at the corner of Gaspereau Avenue extention and Front Street.

It is mutually agreed that where there is conflict between this Agreement, the Plan, specifications and the ordinances of the Town of Wolfville, hereinbefore referred to, that the Agreement shall take precedence over the Plan and ordinances and that the Plan and specifictions shall take precedence over the ordinances, the latter, however, being otherwise fully applicable and enforceable;

Forge agrees to provide the Town with five additional sets of detailed plans and specifications;

It is agreed by both the Town and Forge that this agreement shall be in no way considered a precedent for this or any other application.

Forge acknowledges that part of the Development proposal calls for excavating of basement under a portion of the development and that the Town has drawn to their attention that a basement in this area is subject to flooding. That in consideration of the Town's entering into this agreement, Forge hereby releases the Town from all responsibility from any damage by way of flood.

The Town has not required Forge to conform to the

C A N A D A
PROVINCE OF NOVA SCOTIA
COUNTY OF KINGS SS

ON THIS 16th day of October, A. D., 1979,
before me, the subscriber personally came and appeared,
Patricia A. Stewart, a subscribing witness to the
foregoing Indenture, who, having been by me duly sworn, made oath
and said that THE TOWN OF WOLFVILLE, one of the parties thereto
caused the same to be signed in its name and on its behalf, and its
corporate seal to be hereunto affixed and the same to be delivered by
Ray A. Thomson and Robert A. Wrye in her
presence.

Juanita P. How

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA.

Juanita P. How
A Commissioner of the Supreme
Court of Nova Scotia

C A N A D A
PROVINCE OF NOVA SCOTIA
COUNTY OF ~~KINGS~~ Halifax SS

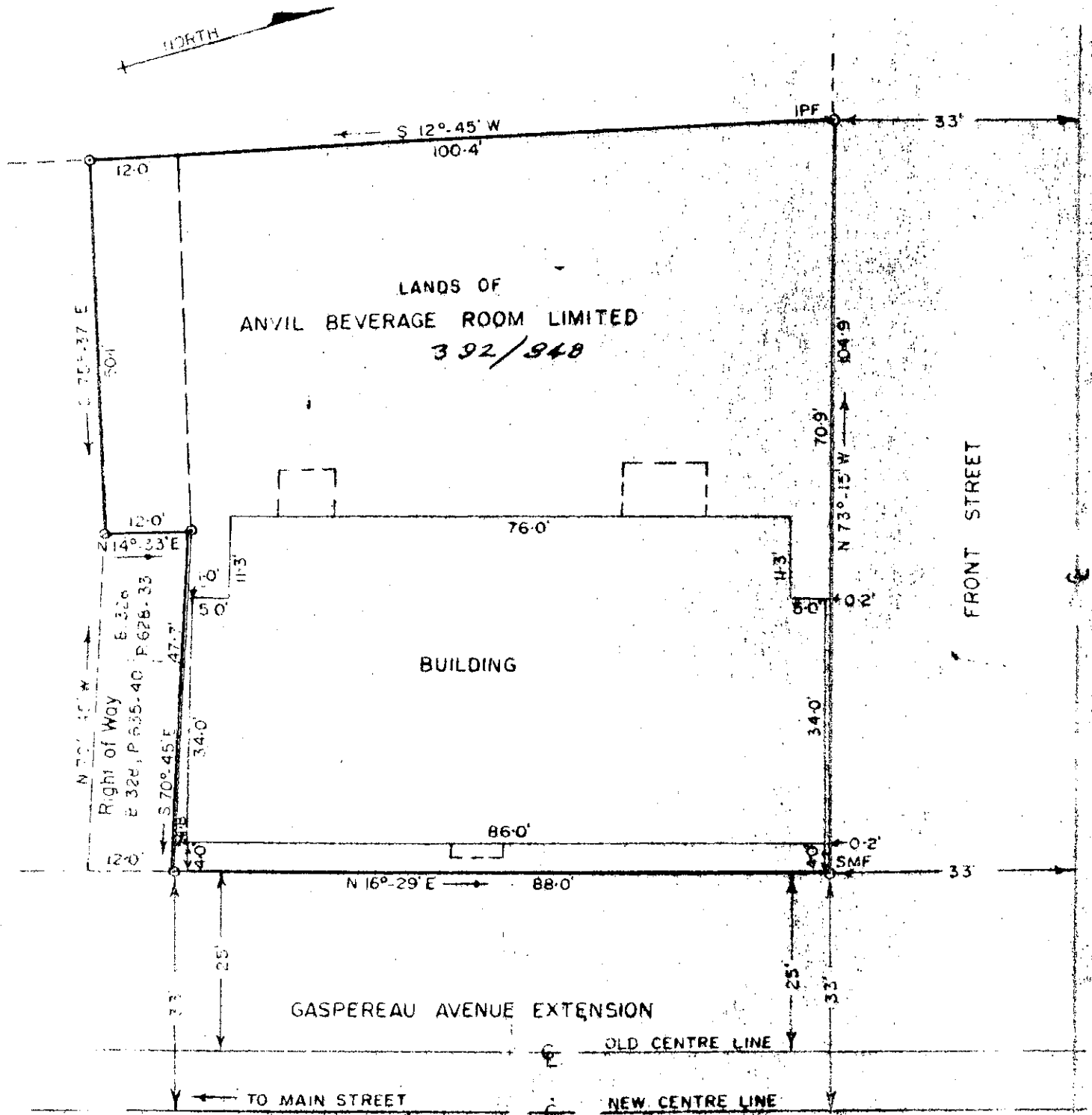
ON THIS 31st day of October, A. D., 1979,
before me, the subscriber personally came and appeared, Wylie
Verge, a subscribing witness to the foregoing
Indenture, who, having been by me duly sworn, made oath and said that
FORGE INVESTMENTS LIMITED one of the parties thereto, caused the same
to be signed in its name and on its behalf and its corporate seal to be
hereunto affixed and the same to be delivered by DARRELL KENNIE
in his presence.

Joel W. Fournier

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA.

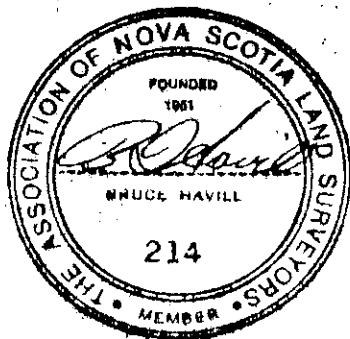
JOEL W. FOURNIER
A Commissioner of the Supreme
Court of Nova Scotia

Survey Certificate



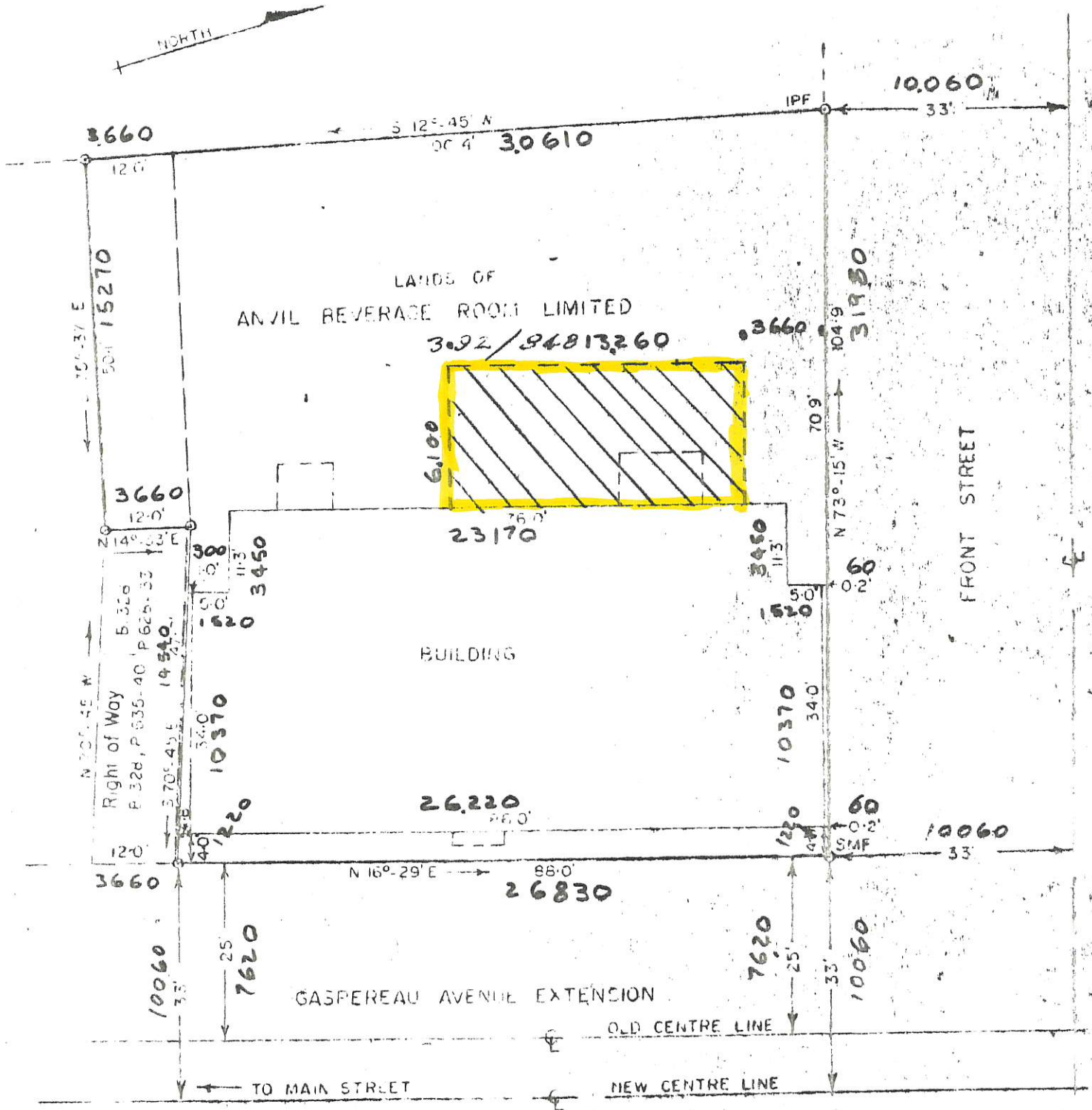
I certify that the building(s) are located as shown on this plan.

Bruce Havill
 Bruce Havill, N.S.L.S. No. 214



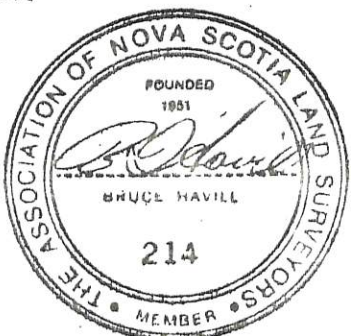
PLAN SHOWING		
BUILDING LOCATION, LANDS OF ANVIL BEVERAGE ROOM LTD. WOLFVILLE, KINGS COUNTY, NOVA SCOTIA		
Scale: 1"=20'	VALLEY SURVEYS 538 Main Street Kentville, N.S.	Date: OCT. 24/77
Drawn by: TRN		File No:
Approved: O.C.		Plan No: 77-516

Survey Certificate



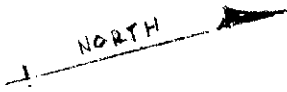
certify that the building(s) are located as shown on this plan.

Bruce Havill
 Bruce Havill, N.S.L.S. No. 214

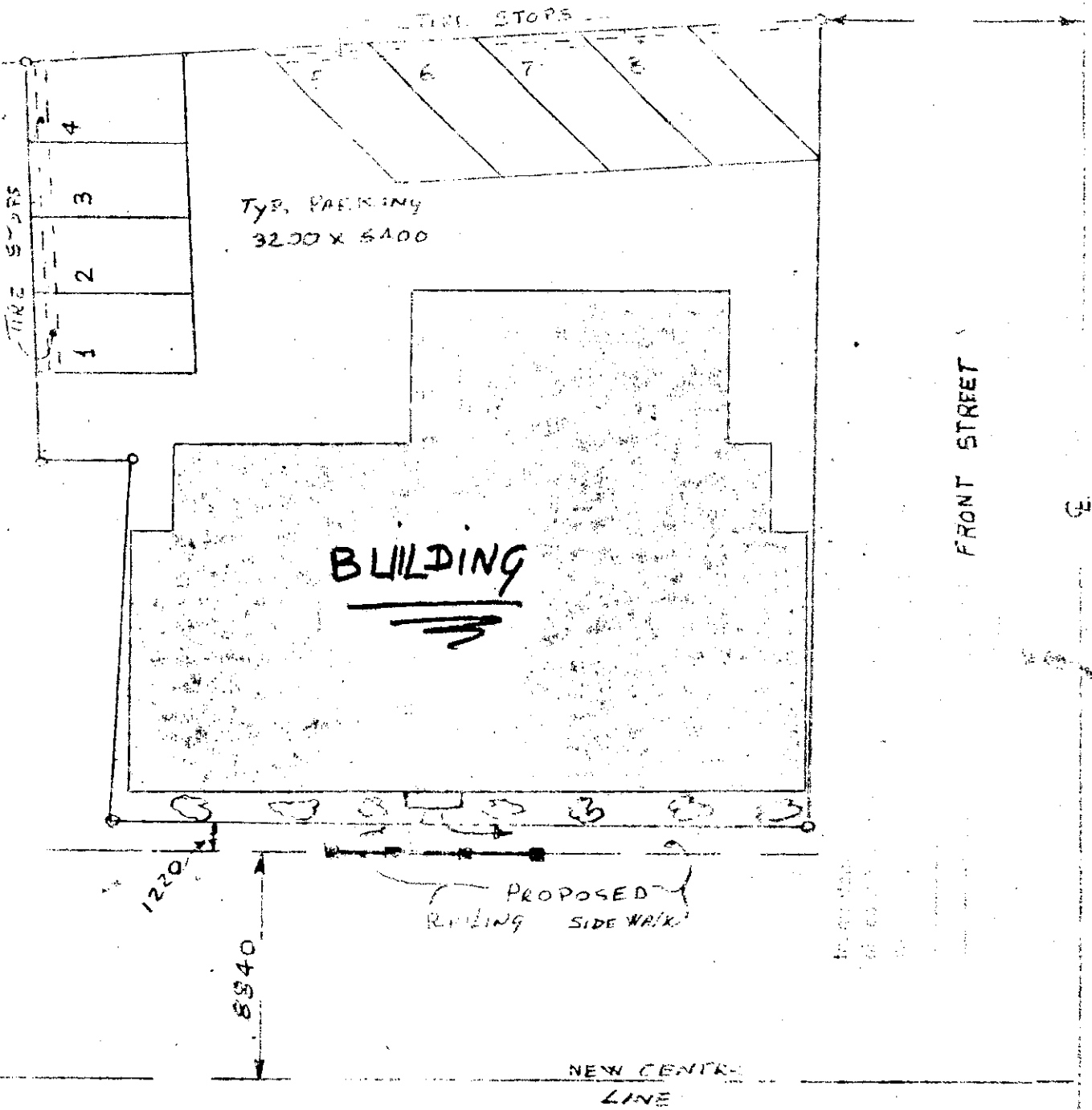


PLAN SHOWING		
BUILDING LOCATION, LANDS OF ANVIL BEVERAGE ROOM LTD. WOLFVILLE, KINGS COUNTY, NOVA SCOTIA		
Scale: 1" = 20'	6100 mm	Date: OCT 24/77
Drawn by: TRN	VALLEY SURVEYS	File No:
Approved:	538 Main Street Kentville N.S.	Plan No: 77-516

SCHEDULE "D"



10060



ANYIL BEVERAGE ROOM LTD WOLFVILLE, KINGS COUNTY, NOVA SCOTIA		
Scale:	PROPOSED-PARKING AND FRONTAGE IMPROVEMENT	Date: 2/8/19



March 11th, 2019

Councillor Brian / Faye Brown
Kings Point to Point Transit Society
14 Aberdeen Street
Kentville, NS B4N 2N1

Dear Councillor Brian and Ms. Brown,

The Town of Wolfville would like to meet with the appropriate staff and/or board members to begin discussions on developing a multi-year agreement, between the Town of Wolfville and Kings Point to Point, that would provide for longer term sustainable funding.

If multi-year funding can be agreed then we would welcome a discussion on the inclusion of the following items as part of the overall agreement:

- Increased partnering with Kings Transit. Examples may include:
 - Co-location
 - Financial services
 - Fuel purchasing
 - Capital purchases
 - Maintenance
- Long term sustainability
- Capital expenditures/funding
- Annual reporting/Audit

Once an agreement is reached by all parties this would form the basis of funding beginning in fiscal year 2020/2021. The Town of Wolfville values the important work of Kings Point to Point Transit Society and we look forward to finding a mutually agreeable time to meet.

Yours truly,

Erin Beaudin
Chief Administrative Officer



Municipality of the County of Kings

87 Cornwallis Street
PO Box 100
Kentville NS B4N 3W3
www.county.kings.ns.ca

Tel: (902) 678-5290
Tel: 1-888-337-2999
rfrost@countyofkings.ca

Land of Orchards, Vineyards and Tides

February 21, 2019

Councillor Brian / Faye Brown
Kings Point to Point Transit Society
14 Aberdeen Street
Kentville, NS B4N 2N1

Dear Councillor Brian and Ms. Brown,

As follow up to correspondence sent on December 5, 2018, the Municipality would like to meet with the appropriate staff and/or board members to begin discussions on developing a multi-year agreement, between the Municipality of the County of Kings and Kings Point to Point, that would provide for longer term sustainable funding.

The intention of a multi-year agreement would be to discuss the inclusion of the following items:

- Increased partnering with Kings Transit (Examples may include)
 - Co-location
 - Financial services
 - Fuel purchasing
 - Capital purchases
 - Maintenance
- Long term sustainability
- Capital expenditures/ funding
- Annual reporting/ Audit

Once an agreement is agreed to by both parties, this would form the basis of funding beginning in fiscal year 2020-2021.

The Municipality of the County of Kings values the important work of Kings Point to Point Transit Society, and we look forward to finding a mutually agreeable time to meet.

Yours sincerely,

Rob Frost
Deputy Chief Administrative Officer

From: J W
Sent: February 16, 2019 8:39 PM
To: Kevin Kerr
Cc: Jeff Cantwell; Town Council
Subject: thank you for the 35 km sign

Jane Warren

February 15, 2019

Kevin Kerr
Director, Public Works - Wolfville
200 Dykeland Street, Wolfville NS
B4P 1A2

Dear Mr. Kerr;

The new, large, shiny, metal, 35 kph sign on the westward (incoming) side of Main Street, at the top of the curve between Main Street and Sherwood Drive, looks wonderful!
It is quite an attention grabber.

Thank you,
Jane Warren

CC: Mayor of Wolfville
CC: Wolfville Town Council



P.O. Box 670
168 Water Street
Shelburne, N.S.
BOT 1W0

Phone: (902) 875-2991
Fax: (902) 875-3932

cao@town.shelburne.ns.ca
www.town.shelburne.ns.ca

February 26th, 2019

Municipal Units of Nova Scotia,

Dear Municipal Units of Nova Scotia,

The Town of Shelburne would like to propose that a portion of the Provincial HST goes back to municipal units who own and are responsible for two thirds of public infrastructure. As we all know, property taxes alone can't keep up with our growing local needs. There is mounting evidence that the main risk to financial viability of our communities is both the cost of infrastructure to provide services and service levels that don't reflect fiscal capacity. Asset Management studies have demonstrated that our infrastructure is in need of maintenance and repairs that already exceed our budgets, let alone expanding infrastructure to help our communities grow. As municipal units, we are often faced with new responsibilities that are forced upon us by the provincial government.

In Shelburne, we have a former federal government wharf that requires major repairs to maintain; we are being told to contribute to doctor retention programs, fund libraries, fund education, pay for policing, and so many more additional expenses that were not part of our responsibility in the past. These new additional costs, ones that we have no choice but to accept, make it even more difficult to plan future projects and stick to our budgets. By distributing a small portion, we are asking for 0.75%, of the HST to municipal units, this will result in municipal units receiving a portion of the taxes collected from both tourists and residents who use our infrastructure without having to resort to imposing large increases in property taxes to cover our basic needs.

HST makes up roughly 18% of the total tax revenue. We are asking for 0.75% of that 18%. The Nova Scotia Provincial Government is balancing their budgets while many municipalities are struggling to maintain basic standards. The Town of Shelburne is asking other municipal units to collectively lobby for a small share of this HST and asking you to write to us showing support. This item could then be forwarded to the NSFM.

Please send all letters of support to: clerk@town.shelburne.ns.ca or by mail.

Sincerely,

Karen Mattatall
Mayor, Town of Shelburne