REPORT of the Public Hearing held in the Council Chamber of the District Municipal Hall, 355 West Queens Avenue, North Vancouver B.C. on Tuesday, April 13, 1999 commencing at 7:53 p.m.

PRESENT:

Mayor: Don Bell

Councillors: Trevor Carolan, Ernie Crist, Janice Harris, Pat Munroe

Staff: Mr. I. Torry, Manager - Community Planning
       Ms A. Hilsen, Deputy Municipal Clerk
       Ms B. Audette, Committee Clerk

BYLAW 7076  “Rezoning Bylaw 1111”

Applicant: Parkgate Village Shopping Centre on behalf of Mr. George Maddeaux

Subject Land: Parkgate Shopping Centre, 3650 Mount Seymour Parkway
             Lot 3, District Lot 622, Plan VAP 23161

Proposed Text Amendment: To amend the text of the Comprehensive Development Zone 4 (CD 4) to allow “hobby beer and wine-making establishments” as a permitted use, but limiting the use to the making of wine only.

Purpose: To allow for the operation of a winemaking establishment in the Parkgate Shopping Centre.

The Deputy Municipal Clerk advised that the statutory notification and advertising requirements had been met.

The Manager – Community Planning advised that the proposed Bylaw amendments would allow the retail operation of a hobby winemaking store in Parkgate Shopping Centre. He explained that this type of business had traditionally been allowed only in light industrial zones due to concern about the potential impact on residential neighbours. Other municipal jurisdictions have begun to allow beer and wine stores in commercial zones.

The Deputy Municipal Clerk advised that all correspondence received prior to the close of the Hearing will be circulated to Council and will form part of the Public Hearing record.

PUBLIC INPUT:

1. Don ISAAK
   4000 Block Mount Seymour Parkway
   • Resident at this address for 5 years and has owned a wine-making business in the City of North Vancouver for 4 years
• Secretary of the B.C. Hobby Brewers Association which represents the majority of U-Brew companies in the province
• The provincial government is establishing a new liquor act which will include a new class for U-Brew beer and wine companies
• Expressed concern about the District making a distinction between beer making and wine making operations when a higher authority will view them as a single category
• Expressed concern about fairness and equity for existing U-Brew owners who had to comply with restrictions about the location of their businesses
• When he applied to the District to open his business, he expressed interest in establishing it in Edgemont Village, Lynn Valley and Parkgate Shopping Centre but was discouraged from pursuing these locations
• A number of other U-Brew operators, who may have preferred other locations, have chosen premises based on existing zoning restrictions
• Opposed to spot zoning amendments that could affect existing U-Brew business owners
• The proposed amendments would be more appropriate if they were implemented as part of a review of the Zoning Bylaws which would allow all existing U-Brew owners an opportunity to consider an alternate investment
• He would like to operate a store in Parkgate Shopping Centre

In response to a question from Councillor Munroe, Mr. Isaak explained that U-Brew business operators currently need to obtain a business license but do not require a liquor license, however, the provincial government is developing a new U-Vin/U-Brew license for U-Brew shops. There will be one license, which will not distinguish between wine making and beer making establishments.

In response to a question from Mayor Bell, the Manager – Community Planning advised that the District is dealing with land use and has the right to restrict the type of business in a particular zone or site. He advised that District staff would review the new provincial legislation when it has been adopted and will also review the Zoning Bylaws.

In response to a question from Councillor Munroe, Mr. Issak suggested that, if the District is willing to allow a U-Brew business to be operated in a commercial area, there should be fair and equal opportunities for all applicants, including existing business owners, to participate.

In response to a question from Councillor Munroe, the Manager – Community Planning noted that the proposed Bylaw responds to a particular application but clarified that there will be a comprehensive review of the Zoning Bylaw regulations.

In response to a question from Councillor Harris, the Manager – Community Planning advised that the Lynn Valley Local Plan and the Upper Capilano Local Plan did not contemplate a U-Brew business in the Lynn Valley commercial core or in Edgemont Village.

In response to a question from Councillor Harris, the Manager – Community Planning explained that this proposal is the first application to rezone a commercial property to allow a U-Brew business and noted that staff has dissuaded applicants in the past. He noted that the City of North Vancouver permits U-Brew operations in commercial areas.

2. Gary HAWTHORNE
2800 Block Thorncliffe Drive

• Shares the concerns of the previous speaker
• Suggested that Council could decide that hobby brewing of wine, but not beer, is a retail business
• U-Brew businesses have become acceptable to the public
• This proposal should not have to undergo a lengthy application process
• Noted that the Zoning Bylaw review was supposed to have been conducted last year
• Recommended support for the application by granting approval for a retail wine
  brewing business at this site

In response to a question from Councillor Munroe, the Manager – Community Planning clarified
that, by definition, hobby U-Brew operations are not retail businesses, however, Council could
alter the Zoning Bylaws to amend the definition.

In response to a question from Mayor Bell, the proponent, Mr. George Maddeaux, clarified that he
had specifically applied to establish a wine-making U-Brew business due to strong odors
associated with beer making.

In response to a question from Mayor Bell, the Manager – Community Planning confirmed that
anyone could apply to operate a U-Brew business in any commercial zone if Council amended
the definition to classify U-Brew operations as general retail businesses.

In response to a question from Councillor Carolan, the Manager – Community Planning advised
that it would take approximately six weeks before Council could introduce a new draft Bylaw to
amend the definition and a Public Hearing would have to be held on the matter.

Mr. Hawthorne resumed speaking:
• Expressed concern that the current application not be postponed

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DISPOSITION:

MOVED by Councillor MUNROE, Seconded by Councillor CAROLAN and CARRIED
THAT Bylaw 7076 be returned to a regular meeting of Council for further consideration.

Mayor BELL declared the Public Hearing in respect of Bylaw 7076 CLOSED at 8:29 p.m.

Certified correct:

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Committee Clerk