

TOWN OF FORT FRANCES

By-Law 03/14 – S

(Being a By-Law to amend Zoning By-Law #03/14, as amended, *The Planning Act*, Section 34 – Brewery Definitions and Zoning Provision)

WHEREAS Council of the Town of Fort Frances has the authority under section 34 of the Planning Act, R.S.O., 1990, Chapter 13 (as amended) to regulate the use of land and the character and use of buildings and structures within the Town of Fort Frances;

WHEREAS Council of the Town of Fort Frances wishes to amend Zoning By-Law 03-14 to included brewery operation definitions and zoning provisions;

AND WHEREAS in accordance with Section 34(12) of the Planning Act, a Public Meeting was held on February 10, 2020 to consider the subject Zoning By-Law Amendment, with proper notice given to the public according to Ontario Regulation 545/06;

AND WHEREAS at its meeting held February 10, 2020, Council approved the Report and recommendation of the Municipal Planner, supported by the Planning and Development Executive Committee and the Committee of Adjustment, that the amendments be approved.

NOW THEREFORE the Council of the Corporation of the Town of Fort Frances **HEREBY ENACTS** as follows:

1. To add the following definitions into Section 2:

Microbrewery

A brewery completely contained within a structure that produces 300,000 litres or more, but less than 1,500,000 litres of beer per year.

Nanobrewery

A brewery completely contained within a structure that produces less than 300,000 litres of beer per year.

2. To add the following general provisions into Section 3:

3.38 Breweries

No person shall construct, permit to construct, or operate a brewery of any scale unless it complies with all applicable federal, provincial and municipal law and statutes. Brewery operations may be required to submit a wastewater management plan to the Operations and Facilities Division for approval prior to operation. All brewery operations shall comply with section 3.18 of this by-law regarding obnoxious uses. Brewery operations within the Light Industrial zone may not be municipally restricted on production volume but must comply with all federal and provincial production approvals and licenses.

3.38.1 Microbrewery

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 carryout and/or on-site tap-room or restaurant sales. Ancillary tasting of beer shall be permitted.

- a) On-site taproom and restaurant sales shall not be permitted within the Industrial Park.

3.38.2 Nanobrewery

Nanobreweries 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 carryout and/or on-site tap-room or restaurant sales. Ancillary tasting of beer shall be permitted.

3. To add microbrewery and nanobrewery as a permitted use in the General Commercial (C2) zone
4. To add microbrewery and nanobrewery as a permitted use in the Enterprise (E) zone
5. To add microbrewery as a permitted use in the Light Industrial (M1) zone.

READ THREE TIMES AND FINALLY PASSED in open Council this 9th day of March 2020.

J. Caul, Mayor

E. Slomke, Clerk