

ITEM	15
MANAGER'S REPORT NO.	34
COUNCIL MEETING	94/05/30

TO: CITY MANAGER 1994 MAY 20

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: PERSONAL WINE, BEER AND CIDER PRODUCTION

PURPOSE: To provide Council with information requested in connection with the concerns raised at the Public Hearing for the proposed text amendment regarding the above use.

RECOMMENDATION:

1. THAT Council receive this report for information purposes.

REPORT

1.0 BACKGROUND:

- 1.1 On 1994 February 07 Council received a report from this Department advising Council of a written request to amend the text of the Burnaby Zoning Bylaw to permit a "Hobby Wine Making and Brew on Premises" business in a commercial zone. The report concluded that in light of the described retail/service component of the personal beer, wine and cider production use, and the lack of any objections or concerns regarding this use by staff in Burnaby and other Greater Vancouver municipalities, it is recommended that a bylaw be prepared amending the Zoning Bylaw to permit personal beer, wine and cider production facilities with a maximum size of 287.7 m² (3,000 sq.ft.) in the C3 and C4 Districts.

At that time, Council adopted the recommendation and the amendment bylaw was subsequently forwarded to the 1994 April 19 Public Hearing. At the Public Hearing, concerns were raised by three individuals currently involved in the operation of existing beer, wine and cider production businesses in industrial zoning districts in Burnaby. On 1994 April 25 Council tabled Second Reading of the amendment bylaw and directed staff to report back on the concerns raised at the Public Hearing.

This report is in response to that request.

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2.0 GENERAL DISCUSSION:

- 2.1 First, information was requested on what zoning districts and locations this use is currently permitted in and would be permitted in under the proposed amendment. Currently, the manufacturing, processing and packaging of alcoholic beverages is permitted in the M2 General Industrial District and the M3 Heavy Industrial District. M2 and M3 District zoned sites are located in areas throughout Burnaby, but generally in locations which are not conveniently accessible to the public. The proposed text amendment would permit the subject use in the C3 General Commercial District and the C4 Service Commercial District. C3 and C4 District zoned sites are generally located in the Town Centre areas (Metrotown, Lougheed, Brentwood and Edmonds) and along the strip commercial areas such as Hastings Street, Sixth Street and Kingsway.
- 2.2 The second point raised at the Public Hearing related to additional traffic in commercial areas if this use was permitted in the C3 and C4 Districts. Staff would assert that this use would not necessarily generate any greater traffic demands than any other personal service use in a commercial zoning district (i.e.: dry cleaning shops, barber shops or outdoor produce shops). However, the more pertinent point may be that if this use generates a significant amount of commercial traffic, the use should be located in a commercial area, where the road system is intended to accommodate higher intensity commercial traffic.
- 2.3 The third concern raised was that of the sale of liquor to minors. The assertion was made at the Public Hearing that in commercially zoned areas, that young people will be more directly exposed to the manufacturing of alcohol as opposed to the operations located in removed industrial areas. It is likely that young people would be more likely to come in contact with personal beer, wine and cider production facilities if they are located in commercial areas than in industrial areas, however, it is questionable whether or not this is the most likely method minors would use to illegally obtain alcohol. Staff contacted the Liquor Control and Licensing Branch and determined that the sale of liquor to minors is prohibited by Section 35(1) of the Liquor Control and Licensing Act, which states:

- 35. (1) No person shall
 - (a) sell, give or otherwise supply liquor to a person who is apparently a minor.

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The enforcement of this regulation would be pursued by the R.C.M.P., as these are not licensed establishments which are inspected by Liquor Control and Licensing Branch inspectors.

This is for the information of Council.



D.G. Stenson, Director
Planning and Building

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