



Planning Justification Report

In support of the proposed Zoning Bylaw Amendment

Date: March 13, 2023

Municipality of West Grey
402813 Grey Road 4,
RR2 Durham, ON N0G1R0

Attn: David Smith, Manager of Planning and Development
CC: Karl Shipprack (CBO), Mike Weber (Owner), Anita Weber (Owner), James Harrison (Contractor)
Re: 456 Jacob Street (Subject Site)

Dear Mr. Smith, and the Planning Services team,

We hope this letter finds you well. On behalf of my clients Mike and Anita Weber, and further to the pre-consultation meeting held on Jan 9th, 2024 for 456 Jacob Street, please view this as our formal application to amend West Grey Zoning Bylaw Number 37-2006 (adopted by council May 15, 2006). The Neustadt Springs Brewery has been a staple of Neustadt for over 150 years; long held in high regard by the members of the surrounding community, this site and building have retained their charm and offer a very rare authentic glimpse into Ontario's history. The spring-fed structure has previously served as a residence, hotel, stable, town hall, customs office and dance hall; however the current proposal anticipates expanding upon the current use as a brewery to allow larger event to take place within its walls.

The business which has continued to operate since new ownership in 2018 is currently being impeded by a building that was neglected by past owners and now requires some improvements to continue serving the business and community. Modern upgrades and improvements include: an elevator & improved stairs and flooring to make the building more accessible to a greater part of the community; a renovated event space on the 2nd floor allowing people to gather in the building for community events as they have for the past 150 years; and replacing the failing and missing windows will allow more light into the building. A renovation to the back of the building will remove a falling down extension to the structure and replace it with a new addition to house an improved boiler system and weather proofed storage area.

Initial discussions with Grey County and the SVCA on this proposal have turned up limited comments the extent of which have been reflected both on the plans and in this report. A new regulated limit is proposed subject to comments received by Michael Oberle of the SVCA and no EIS will be required as confirmed by Grey County Planning. This application is being filed for conformance at the direction of staff however we are happy to discuss any concerns further through the commenting period.

Sincerely, Blake Tonicie
Principle, TonEra Developments Ltd.

For clarity, TonEra Developments Ltd has been retained by Strawhat (the Contractor), who has been engaged by the clients Mike and Anita Weber for the renovation of 456 Jacob St. This report has been reviewed for compliance against provincial and municipal regulations however it has not been endorsed by an RPP. Review and Stamp can be obtained by an RPP if requested however there are no such legislative requirements.



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A note on reading this report:

Given the multifaceted nature of 21st century planning policy in Ontario, planning reports have tended to grow in both length and complexity in recent years.

To assist the reader, this report has been structured in such a way that each section aims to analyze a facet of the Subject Lands without drawing an independent conclusion. The first part of the report therefore is an Examination of both the site and relevant policies, whereas the latter half is dedicated to Resolutions and Implementation.

*Almost all opinions and resolutions have been left to the end of the report and are addressed in the latter part however in some cases where a point or interim statement is required prior to the conclusion, statements have been identified in **BOLD**.*



Part I – Examination of Proposal

1. Subject Lands

- 1.1. The Subject Lands shown on [Appendix 1](#) is located West of the intersection of Jacob Street and William Street at 456 Jacob St.
- 1.2. The Subject Lands are described legally as *PT LT 2 CON 13 AS IN 17R-924 PT 2 TO 8; NEUSTADT*
- 1.3. The Subject Lands are approximately 1.11 Acre in area
- 1.4. The site has over 128m of frontage onto Jacob Street from the street line.
 - 1.4.1. This excludes Part 1 of 17R-924 and assumes it has either been deeded to the city or is burdened by an easement in favour of the city for the Jacob Street ROW.
- 1.5. The site is bounded by:
 - 1.5.1. Commercial to the North;
 - 1.5.2. Residential across Jacob Street to the East;
 - 1.5.3. Residential to the South; and,
 - 1.5.4. SVCA Regulated Area to the West
 - 1.5.5. It should be noted that there is considerable separation between the brewery and all adjacent structures, including the small stone building on site.
- 1.6. The site is currently improved by the following structures (*areas are estimated at this time*):

1.6.1. Main Building – Brewery	-	8390F (approx. 65Ft x 129Ft)
1.6.2. Stone Cottage	-	145SF (14.5Ft x 10Ft)
- 1.7. The site contains two driveway accesses from Jacob St, one on either side of the building which lead to a parking area at the back of the building. There is no parking between the building and the street, (as the building is very close to the sidewalk), however there is some limited parking that falls within the measured front yard as well as what appears to be an aged layby for loading adjacent to the doors to the retail area.

2. Current & Proposed Uses

- 2.1. The site hosts a 2-story fieldstone structure, initially constructed out of timber in 1859 and reconstructed in the years leading up to 1869. The site and buildings have previously hosted a great number of uses including customs office, hotel, creamery, food processing, farmers market, dance hall and even the Neustadt town hall for a period. However, for most of its life the primary use of the building has been a mix of brewing, as well as serving and selling beer.
- 2.2. The current and anticipated uses of the site include the following:
 - 2.2.1. Main Building – Basement
 - 2.2.1.1. Current - Mostly unfinished, the basement is comprised of an amazing network of catacomb-like cellars and is currently used primarily for storage and is the brewery's access to the spring.
 - 2.2.1.2. **Proposed** – **In addition to the current uses, the basement is anticipated to be used as a private event space for parties, tastings & tours.**
 - 2.2.2. Main Building – Ground Floor
 - 2.2.2.1. Current- Uses include brewing, canning, retailing and on-site consumption of beer, a parking area for customers as well as some loading at the rear; these uses are expected to continue.
 - 2.2.2.2. **Proposed** – **In addition to the above, the uses at grade are expected to expand to include some food preparation however no stoves or commercial kitchen equipment with the potential to generate GLV are proposed. Also, some distilling is anticipated to be introduced at a future date.**



2.2.3. Main building - Second Floor

2.2.3.1. Current

- 2.2.3.1.1. The second floor is primarily being used for storage on the south end of the building with some very limited use for the brewery (a hopper is located on the second floor).
- 2.2.3.1.2. The north side of the second floor hosts an apartment which is occasionally used by the owners.

2.2.3.2. Proposed

- 2.2.3.2.1. **The south side of the building is expected to be fully finished for use as an event space and seating area for the brewery.**
- 2.2.3.2.2. **The north side of the 2nd floor is not anticipated to be changed as part of the proposed works and will remain as an apartment.**

2.2.4. Stone Cottage

2.2.4.1. *No changes proposed for this building which will continue to be used for storage*

- 2.2.5. It should be noted that this site has been home to the existing brewery use and structure for over 150 years and is located immediately adjacent to both the creek and residential uses. This long and untroubled history confirms that unlike most industrial uses, there are no negative externalities as a result of this existing M1 use's proximity to the adjacent residential areas and downtown commercial areas.
- 2.2.6. Although it will be further explored through permit, it is anticipated that the Occupancy of the building will **regularly accommodate up to 80 patrons**, however at full occupancy could accommodate up to **180 persons** in the basement, main floor and second floor event space. It is not expected that this full occupancy condition would exist outside of private events which would could occur as frequently as a monthly or bi-monthly basis. See **Figure 2** for details on parking.

3. Planning Framework

- 3.1. Consistency and Conformity with Provincial Policy Statement is demonstrated by the following points:

3.1.1. Section 2.3 Settlement Areas and Settlement Area Boundary Expansions

3.1.1.1. *Section 2.3.1 - Settlement Areas shall be the focus of growth and development.*

The subject lands are within a Rural Settlement Area as identified by the Grey County Official Plan.

3.1.1.2. *Section 2.3.2 - Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

3.1.1.2.1. *Efficiently use land and resources*

3.1.1.2.2. *Optimize existing and planned infrastructure and public service facilities;*

The proposal anticipates improving existing lands and structures serviced by existing municipal infrastructure and as such would appear to meet this intent.

3.1.1.3. *Section 2.3.3 - Planning authorities should support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

The redevelopment proposal increases the utility and occupancy of the existing facility and encourages local job creation and reliance on local infrastructure (such as on street parking) to support a complete community for nearby residents and users.



3.1.2. Section 2.5 Rural Areas in Municipalities

3.1.2.1. Section 2.5.1 - *Healthy, integrated and viable rural areas should be supported by:*

f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets

The subject lands are proposed to redevelop a serviced site, in town with existing cultural value, creating new economic opportunities while preserving the adjacent natural features.

3.1.3. Section 2.8.1 Employment | Supporting a Modern Economy

3.1.3.1. Section 2.8.1.1 - *Planning authorities shall promote economic development & competitiveness by:*

a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

d) encouraging intensification of employment uses and compact, mixed-use development that incorporates compatible employment uses such as office, retail, industrial, manufacturing and warehousing, to support the achievement complete communities.

Proposal aims to increase commercial viability of existing employment stock and intensify job creation in the rural growth area.

3.1.4. Section 4.1 Natural Heritage

3.1.4.1. Section 4.1.1 - *Natural features and areas shall be protected for the long term.*

Appropriate buffers have been established from the adjacent feature. New mapping has been proposed by the SVCA based on a discussion and site walk in February 2024.

3.1.5. Section 5.2 Natural Hazards

3.1.5.1. Section 5.2.3 - *Development and site alteration shall not be permitted within: d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*

The proposed use inclusive of the future anticipated addition exist outside of any floodway

3.1.5.2. Section 5.2.7 - *Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe...*

As determined with the SVCA, the proposal does not anticipate any new, sensitive or non-permitted uses between the noted natural hazard and the limit of the existing structure.

3.2. Grey County Official Plan

3.2.1. The Subject Lands are identified as Primary Settlement Area in the County of Grey Official Plan ([Appendix 4](#)). S3.5 of the County Official Plan speaks to the purpose of this designation as being primarily focused on intensification of new development and as a result there are not many goals that are related to the subject application.

Section 5.3 item 6 does specifically suggest that local policies should enable brownfield development and expansion or conversion of existing buildings as proposed by this application.

3.3. West Grey Official Plan

3.3.1. The Subject Lands are identified as Downtown Commercial in both the in-effect 2018 Official Plan as well as the Proposed 2023 Draft Official Plan ([Appendix 2](#)).

3.3.2. The proposed uses are supported by the goals of the official plan in the following ways:



3.3.2.1. As listed in Part C2.2.4, “To *promote the downtowns as the focal points* of these two communities and to improve, wherever possible, the economic health of the downtowns by promoting *redevelopment and a mixture of compatible land uses*”.

3.3.2.2. As listed in Part D, the official plan, “*strive[s] to establish and maintain the downtowns* of Durham and *Neustadt as the business, cultural, social and recreational focal point* of these two communities”.

This proposal has a prominent and visible impact to both locals and tourists in Neustadt, from both an economic development and aesthetic perspective by expanding the use of the site.

3.3.3. The economic objectives of the plan identified in Section C3 further support the proposed uses as per the following:

3.3.3.1. C3.2.1 To ensure that Durham and Neustadt are desirable communities to locate new businesses and *maintain existing businesses*.

3.3.3.2. C3.2.2 To *promote the historical nature* and charm of the downtowns as places to conduct business and to shop.

3.3.3.3. C3.2.3 To support and enhance the arts and *cultural interests* of Durham and Neustadt and promote these interests as *tourism opportunities*.

3.3.3.4. C3.2.6 To *increase the tourism component* of the local economies by *providing a wider range of recreational facilities* and tourist accommodations including bed and breakfast establishments, hotels and motels. Specific emphasis shall be given to attracting *four-season tourism facilities*.

The improvements to this building will help reinforce the policies of Section C3.2 by emphasising one of, if not the most prominent building and business in downtown Neustadt. This revitalization will have positive impacts to these surrounding businesses by driving additional tourism traffic into the downtown.

3.3.4. Although not designated as heritage, given the significance of the brewery both as a building and business, the following provisions included in Part C4 are extremely relevant:

3.3.4.1. C4.2.2 To enhance the character of Durham and Neustadt by *restoring, protecting, conserving and maintaining* their archaeological and heritage resources.

3.3.4.2. C4.2.4 To take advantage of all relevant legislation and programs wherever possible to encourage the preservation and enhancement of heritage resources and to *develop a greater awareness of the value of heritage conservation* in the communities.

3.3.4.3. C4.2.6 To encourage the establishment of Community Improvement Areas for the purposes of, among other things, *preserving buildings*, areas and landscapes of historical or architectural significance. Detailed policies pertaining to Community Improvement Areas are contained in Section E6 of this Official Plan.

The proposed improvements reinforce the prominence of the existing building and ensure it continues to be a focal point of the downtown area for years to come as anticipated in Section C3.4.

3.3.5. The objectives of the **Downtown Commercial** designation are further listed as:

3.3.5.1. D3.2.1 To *promote the downtowns* of Durham and *Neustadt* as the focal point for providing goods and services to the residents of the entire Municipality.

3.3.5.2. D3.2.2 To *encourage a mix of uses, including night time activities*, in order to enhance the viability of the downtowns.

3.3.5.3. D3.2.3 To *improve and protect the historical and architectural charm* of the downtowns.

3.3.5.4. D3.2.4 To *revitalize older buildings* and beautify the streetscape in order to improve the aesthetic nature of the downtowns.

3.3.5.5. D3.2.5 To *provide cultural and recreational activities* within the downtowns.



3.3.5.6. D3.2.6 To *promote the pedestrian aspect of the downtowns* and encourage open space areas. **The anticipated renovations reinforce the prominence of the amazing existing building and increase its utility and accessibility to the surrounding residents and tourists as intended through Section D3.2.**

3.3.6. The following policies in D3.4 are relevant to the proposed uses on site:

3.3.6.1. D3.4.3 *Commercial uses that attract both local and tourist business and support more than a “9-to-5” environment, such as restaurants and entertainment facilities, shall be encouraged in the downtowns.*

3.3.6.2. **D3.4.6 *Special events that attract large volumes of people to the downtowns shall be promoted.***

3.3.6.3. D3.4.7 *The infilling of vacant properties and the re-development of existing building properties will be encouraged to achieve a continuous building effect along the main streets within the core areas. A 0 metre front yard shall be promoted and parking within the front yard shall be prohibited.*

3.3.6.4. D3.4.9 *Downtown property owners and tenants will be encouraged to maintain and enhance the attractiveness of their businesses.*

The considerations listed in D3.4 are fully supportive of the intended use as a tourist brewery and event space, allowing the space to hold larger, more regular functions and bookings to attract tourism and increase the vibrancy of the downtown.

3.3.6.5. D3.4.11 *Development within the downtowns may be subject to a Site Plan Control Agreement.*

3.3.6.6. D3.4.12 *The Municipality shall endeavour to provide adequate parking facilities for all permitted uses within the downtown, except for land uses requiring overnight accommodation such as hotels or residential uses in which case the owners shall provide the required parking.*

Although not required, parking has been provided on site for the brewery use for the occasions where large events would put too large a demand on public parking infrastructure. The municipality has requested that a site plan be provided to demonstrate the location of private parking infrastructure which has been included with this submission (see [Appendix 1](#)).

3.4. Conservation Authorities – Saugeen Valley CA

3.4.1. The Subject Lands are located within the Regulated (whole site) and Flood Fringe (North end of site) areas of the Official Plan; the property has been identified as being of interest to the conservation authority due to its proximity to the adjacent Meux Creek.

3.4.2. An application was made for pre-consultation and a discussions to date with the SVCA have determined no EIS is required and no further mitigation is needed as the proposed use of the lands does not encroach into the hazard areas.

3.4.3. Updated mapping has been provided by the SVCA based on the findings of a site walk on February 9, 2024.

3.4.4. The SVCA has been circulated on the proposed zoning by-law amendment however does not have any concern for the rezoning, provided the NE zone (Natural Environment zone) is updated to best reflect the site conditions

3.4.5. **[Appendix 7](#) reflects this updated mapping provided by the SVCA and a copy of the correspondence has been forwarded to West Grey Planning staff and has been included with this submission.**



3.5. West Grey Community Improvement Plan (2020)

- 3.5.1. D3.4.9 of the Official Plan identifies that “Downtown property owners and tenants will be encouraged to maintain and **enhance the attractiveness of their businesses**. Downtown improvement programs shall be encouraged by devising and implementing improvements to building facades, signage, lighting, sidewalks, trees and other landscaping, parking, pedestrian circulation and traffic. Council may provide assistance through Community Improvement Programs and other partnerships with the private sector to improve these areas. As per Section 3.2 of the West Grey CIP (2020), “**The entire Municipality of West Grey has been designated as a community improvement project area**”.
- 3.5.2. Section 1.2 of the **West Grey CIP (2020)** identifies the following purposes (amongst others) of the CIP:
- 3.5.2.1. **Support the adaptive re-use of commercial, industrial, agricultural and institutional buildings;**
 - 3.5.2.2. **Promote the development, redevelopment and/or conversion of brownfield, vacant and greyfield properties**
- 3.5.3. Examples of the types of revitalizations anticipated in Section 1.3 include the following:
- 3.5.3.1. **Improve and beautify buildings, façades and properties;**
 - 3.5.3.2. **Adaptive reuse and restoration of historic properties and structures;**
 - 3.5.3.3. **Sensitive and appropriate redevelopment of underutilized properties, or development of existing properties (e.g., conversion of upper storey space for residential uses);**
 - 3.5.3.4. **Improvements of buildings to enhance accessibility for persons with disabilities;**
 - 3.5.3.5. **Promote of economic development and business growth.**
- 3.5.4. Section 4 of the **WGCIP** identifies the following financial incentives for property owners who are undertaking to revitalize their structures or properties:
- 3.5.4.1. Section 4.1 speaks to the eligibility of costs associated with the improvement of Façade, Building & Signage Improvements, including repair, replacement and restoration of façade masonry, architectural detailing, and/or structural deficiencies/improvements as well as awnings and canopies or signage, up to a maximum of \$5,000.
 - 3.5.4.2. Section 4.2 speaks to the eligibility of costs associated with Property, Landscaping and Parking Area Improvements including improvement of landscaping, driveways, parking areas, permanent sidewalk café or patio, improvement of walkways, permanent planters amongst other items, up to a maximum of \$5,000.
 - 3.5.4.3. Section 4.3 speaks to the Accessibility Improvement Grant including new automatic doors, access ramps, elevators, improvements to interior accessibility amongst others, up to a maximum of \$5,000.
 - 3.5.4.4. Section 4.4 speaks to the Planning & Building Permit Fee Grant which redevelopment of Commercial and Industrial uses would qualify for.
 - 3.5.4.5. Section 4.1.3 mentions that no more than two grants may apply in any given twelve (12) month period.

It is expected that multiple aspects of the proposal will be eligible for funding.



Part 2 – Implementation

4. Existing & Proposed Zoning

4.1. Existing Zoning

4.1.1. As shown on the “**Grey County GIS**” and read in the April 1, 2017 consolidation of the “**West Grey Zoning Bylaw**”, The site is currently zoned **M1 – Industrial Zone**, with some areas between the building and creek being identified as **Flood Fringe**. The South-Western portion of the site is also zoned **R1B Low Res** however this will be removed as a function of this proposal. See [Appendix 6](#) for details.

4.1.1.1. **R1B – Low Density Residential**

4.1.1.2. **M1 - Industrial** means “Any manufacturing, processing, assembly, repair, fabricating, milling except for a motor vehicle recycling and salvage or wrecking facility, junk or scrap yard, fertilizer manufacturer, abattoir, rendering plant or any use considered offensive by the Public Health Act”.

4.1.1.3. **Flood Fringe** “means that portion of the floodplain located between the floodway and the limit of the Regional Storm Flood Event”.

4.2. Proposed Zoning

4.2.1. The **R1B** is assumed to be a result of a historic land assembly and will be removed from the property.

4.2.2. Rather than amend the M1 zone and given the site’s location within the downtown area of the Official Plan, the site is proposed to be rezoned **C1-XXX**, site specific Downtown Commercial as has previously been discussed with staff. This change is not anticipated to generate any negative externalities as the existing brewery and associated uses are expected to continue in a similar capacity to current operations.

4.2.3. As requested by the SVCA a portion of the site, inclusive of sections of the parking area, are anticipated to be zoned **NE-XXX**

4.2.4. The Flood Fringe overlay is anticipated to be maintained.

4.2.5. The final proposed zoning would therefore read **C1-XXX, NE-XXX (FF)** subject to staff approval.

4.2.6. See [Appendix 8](#) for proposed edits to the Zoning Mapping.

5. Site Specific Provisions & Justification

5.1. Specific Regulations in the C1 Zone

5.1.1. As per [Section 17.1](#) - Permitted Uses include:

5.1.1.1. Restaurant, Tavern, Retail, Accessory Uses

5.1.1.2. Section 2.1 is proposed to be further amended to include:

5.1.1.2.1. “**Brewery**” & “**Accessory Retail Outlet**” subject to the provision of Section 24 as a permitted use; as well as

5.1.1.2.2. “**Small Distillery**” & “**Contract Bottling**”

5.1.1.2.2.1. The definition of a small distillery is proposed to be an alcoholic spirits producer as defined by Agricorp & OMAFRA

5.1.1.2.3. See [Appendix 8](#) for more details

5.1.2. As per [Section 17.2.1](#) - Lot Area Required

5.1.2.1. Minimum Required = None

5.1.2.2. Provided = 4487m²

5.1.2.2.1. No Amendment proposed to Section 17.2.1



- 5.1.3. As per Section 17.2.2 - Lot Frontage
- 5.1.3.1. Minimum Required = None
- 5.1.3.2. Provided = ~129m
- 5.1.3.2.1. No Amendment proposed to Section 17.2.2
- 5.1.4. As per Section 17.2.3 - Front Yard
- 5.1.4.1. Minimum Required = None
- 5.1.4.2. Provided = 0.15 as per existing structure
- 5.1.4.2.1. No Amendment proposed to Section 17.2.3
- 5.1.5. As per Section 17.2.4 - Interior Side Yard
- 5.1.5.1. Min required where a C1 Zone abuts any residential zone = 3m
- 5.1.5.2. Min Required all else = 0m
- 5.1.5.3. Provided = 36.5m to South; 3.7m to the North
- 5.1.5.3.1. No Amendment proposed to Section 17.2.4
- 5.1.6. As per Section 17.2.6 - Rear Yard, Minimum
- 5.1.6.1. Minimum Required = 3m
- 5.1.6.2. Provided = 16.5m at nearest corner of building
- 5.1.6.2.1. No Amendment proposed to Section 17.2.6
- 5.1.7. As per Section 17.2.7 - Building Height
- 5.1.7.1. Maximum Allowable = 12m
- 5.1.7.2. Provided = 12m and no additional height anticipated
- 5.1.7.2.1. No Amendment proposed to Section 17.2.7
- 5.1.8. As per Section 17.3, "A permitted commercial use or building may contain one or more accessory residential dwelling units subject to the following":
- a) Each residential dwelling unit, accessory to a permitted commercial use or building, shall be located above or to the rear of the main commercial use – *Existing ARDU is located on 2nd floor.*
 - b) b) Each accessory residential dwelling unit shall not occupy any more than fifty percent (50%) of the ground floor area of a main commercial use – *Existing ARDU is located on 2nd floor and occupies no ground floor space beyond an entrance.*
 - c) c) Each accessory residential dwelling unit shall have a minimum floor area of 50.0 m² (538.2 ft²) – *Existing ARDU is 4100SF including the ~200SF stair access from grade and all unfinished areas.*
 - d) e) Each accessory residential dwelling unit shall be completely self-contained – *Existing ARDU is entirely self contained from the rest of the building and proposed uses.*
 - e) f) Each accessory residential dwelling unit shall have a separate and direct means of access to a public street or lane via halls and /or stairs and/or across the subject property. – *Existing ARDU has access directly outside onto Jacob street; an associated parking space can be located an either side of the building. Primary entrance is noted on conceptual site plan.*
 - f) g) Each accessory residential unit shall be provided with a minimum of one off-street parking space – *Existing ARDU can have one associated parking space identified on the future site plan.*

5.2. Specific Regulations in the NE Zone

5.2.1. As per Section 6.22 - Non-Complying Uses

- 5.2.1.1. Nothing in this By-law shall prevent a non-complying use, building or structure from being enlarged, extended (either vertically or horizontally), reconstructed, repaired or renovated provided that the enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of the use, building or structure with any provision of this By-law.

5.2.1.1.1. The existing stone cottage is currently being used for storage and is anticipated to continue to be used for storage even though it falls within the proposed **NE-XXX** zone. Sie Specific provision is requested to this effect.



5.2.2. As per Section 31.1 – Permitted NE Uses

5.2.2.1. The NE zone allows Parking Areas as a permitted use.

5.2.2.2. The section also notes, “Existing uses, buildings and structures, permitted as of the date of passing of this Bylaw” as a permitted use.

5.2.2.2.1. It is worth noting that the existing stone cottage will fall within the proposed NE zone and as a result, a site specific exemption for the existing structure should be mentioned.

5.3. Review of the General Provisions

5.3.1. As per Section 6.3 - Buffer Area, as the lot is within an Industrial zone and the interior side lot line abuts a Residential Zone, a buffer area has been provided on the South of the lot. This is in addition to the 4.5m side yard setback.

5.3.1.1.1. No Amendment proposed to Section 6.3 anticipated.

5.3.2. As per Section 6.26 - Outdoor Storage Areas

5.3.2.1. In a[n]...Industrial Zone...the outdoor display of goods, materials and equipment, which is accessory to the main use of the lot, shall be permitted [subject to the provisions of this section].

5.3.2.1.1. It is anticipated that some limited outdoor storage may occur on the property from time to time to serve as temporary storage of incoming or outgoing goods and materials to the facility, including as an example pallets of beer or large boxes of deliveries. This is not currently a permitted use in the **C1** zone.

5.4. Review of the Flood Fringe Overlay

5.4.1. As read in Section 33, the FF Overlay requires that any additions or new development consult with the **Saugeen Valley Conservation Authority**. In addition to the M1 zone provisions, the following taken from Section 33.2.2 must be accounted for in the design:

5.4.1.1. All window openings shall be located above the Floodplain elevation;

5.4.1.2. Main floor levels and doorway openings may be permitted below the Floodplain elevation

5.4.1.2.1. The above provisions will be respected in the design of the addition. No amendments anticipated.



Figure 1 - Zoning Permission Summary Table

<i>Below all in (m)</i>	<u>M1(S.24)</u>	<u>C1(S.17)</u>	<u>Existing</u>	<u>CL.***(Proposed)</u>	<u>Notes</u>
Permitted Uses	Brewery, Accessory Retail Outlet, Manufacturing	Restaurant, Tavern, Retail, Accessory Uses	Brewery, Accessory Retail Outlet	Restaurant, Tavern, Brewery, Retail, Contract Bottling/ Canning, Small Distillery	“Small Distillery” & “Contract Bottling” means an alcoholic spirits producer as defined by Agricornp & OMAFRA
Lot Area	929m ²	None	4487m ²		
Lot Frontage	20m	None	128.6m		
Front Yard	7.5m	None	0.15m	0.15m	
Interior Side Yard	3m (9.2m ¹)	0m (3m ²)	>9.2m		
Rear Yard	7.5m (9.2m ¹)	3m	>9.2m		
Lot Coverage	60%		17.5%		788.76 / 4486.6m ²
Building Height	12m	12m	12m		9.1m
Accessory Retail Use³	25% GFA	Retail Allowed	<7% (139m ²)		30 sqm
Accessory Residential Use	Not allowed	1 Off Street Parking and separate entrance	No separate entrance	1 Off Street Parking and separate entrance	

- Note 1- Where a M1 zone abuts any residential zone.
- Note 2- Where a C1 zone is abutting a residential zone.
- Note 3- Product to be sold must be produced on site.

5.5. Parking

5.5.1. As per Section 6.27, Parking Areas shall:

- 5.5.1.1. Size stalls at 2.7m x 5.5m;
- 5.5.1.2. Be constructed of asphalt, concrete, approved granular material, paving brick, or similar hard-surfaced materials;
- 5.5.1.3. Be provided with curbing, wheel stops or other devices;
- 5.5.1.4. In an industrial zone, not be located within 1.5 m (5 ft) of a street, or within 4.5 m (14.8 ft) of a residential zone.
- 5.5.1.5. In accordance with Section 6.27.8, provide parking at a ratio of 1/90m for Industrial Use, plus 3 visitor spaces (max for >15m of frontage).

5.5.2. As per Section 6.16, Loading Spaces are required at a low min of approximately 1/25,000SF and should not become an issue

5.5.3. Although a minor point, the M1 zone allows for the presence of “Parking Areas” & “Parking Lots” with the only notable exception being read in Section 24.3:

- 5.5.3.1. In addition to the required number of parking spaces set out in Section 6.27, a maximum of three visitor parking spaces for passenger vehicles may be provided in the required front yard for the first 15 m (49.2 ft) of front wall of the principal building plus one additional visitor parking space for each additional 7.5 m (24.6 ft) of front wall in excess of the first 15m (49.2 ft).



5.5.3.2. This should be achievable, otherwise an amendment to this provision may be required as part of an anticipated Minor Variance.

Figure 2 - Parking Summary Table

<i>Below all in (m)</i>	MI (S.24)	CI (S.17)	Existing	CI.*** (Proposed)
<i>Required Parking</i>	50 (1 space/90m ²) 3 Visitor Spaces	As per 6.27.7, parking requirements do not apply to CI Restaurant would otherwise require 1 space/4 persons as per table 6.27.8	Informal approx.. 80	60 (1 space/3 people based on max anticipated occupancy of 180)
<i>Required Loading</i>	1 (1 space/25,000sf)		1	1
<i>Parking Setbacks</i>	Parking allowed within the front yard and exterior yard. 1.5m setback to street 4.5m set back to residential.		<1m to North 6m to South	3m to North (Commercial) 6m to South (Residential)
<i>Barrier Free Parking</i>	As per 6.27.7, parking requirements do not apply to CI Otherwise, at ¼ required, 2 spaces must be provided as per 6.27.5		0	2

6. Summary & Conclusion

- 6.1. The zoning on the subject property is proposed to be moved from **R1B, M1 & NE (subject to FF Overlay)** to the **C1-XXX, NE-XXX (FF Overlay)** subject to the provisions listed in [Appendix 8](#).
- 6.2. Based on the finding in this report, it is our opinion that the town requested Amendment to the Zoning Bylaw is entirely aligned with the Provincial Policy Statement, County of Grey Official Plan, West Grey Official Plan and good planning principles. It is in no way anticipated to negatively impact any aspect of the site or surrounding uses and is in fact intended to be quite complimentary to the neighborhood as understood through the scope of this review.
- 6.3. Due to being located within the site plan control area identified in the West Grey Official Plan, it is anticipated that a Section 41 Site Plan and Development Agreement will be registered on the property to further address the proposal. Concerns related to Fire, occupancy, parking and construction have been analyzed and anticipated but will be further addressed and supported through the Site Plan as well as the future permit application.

Sincerely,

S. Blake Tonic

**Development Manager
& Principle, TonEra Developments Ltd.**

TONERA DEVELOPMENTS LTD.

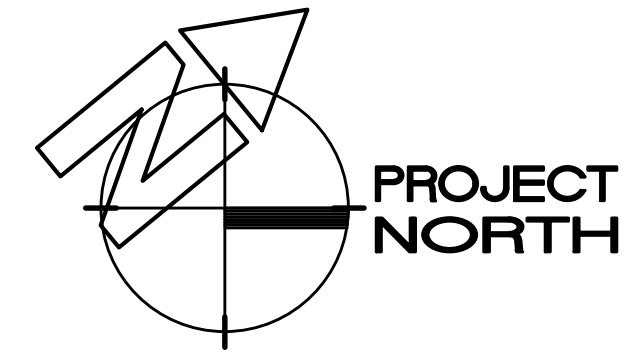
Appendices Related to:
Neustadt Brewery, 456 Jacob Street

Appendices List

1. ***Site Plan***
2. ***West Grey OP – Land Use Schedule (Schedule A)***
3. ***West Grey OP – Natural Constraint Schedule (Schedule B)***
4. ***Grey County Land Use Schedule (Schedule A)***
5. ***Grey County Natural Constraint Schedule (Appendix B)***
6. ***West Grey Zoning Map (From GIS)***
7. ***SVCA Feature Map (From Email attachment)***
8. ***Proposed Zoning Map***
9. ***Draft Exception Zone Wording***

Note: Drawings included in appendices have been reduced and are not to scale

Appendix 1 - Site Plan



THIS DRAWING IS AN INSTRUMENT OF SERVICE & IS THE PROPERTY OF ABA ARCHITECTS INC. & CANNOT BE MODIFIED AND/OR REPRODUCED WITHOUT THE PERMISSION OF ABA ARCHITECTS INC.
THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, BEFORE PROCEEDING WITH THE WORK.
DRAWINGS ARE NOT TO BE SCALED.

SITE DATA -456 Jacob Street, Neustadt, ON					Zone: C1***
AREAS		Metric	Imperial	%	
Site Area	0.4 ha	1.1 acre	-	-	
Building Footprint (Lot Coverage)	4486.6 sq m	48,293.4 sq ft	100%		
Asphalt Area	774.4 sq m	8,335.6 sq ft	17%		
Concrete Area	2,497.8 sq m	26,886.1 sq ft	56%		
Total Impervious Area	3,541.5 sq m	38,120.4 sq ft	79%		
Landscaped/Sodded Area	945.1 sq m	10,173.0 sq ft	21%		
Total Permeable Area	945.1 sq m	10,173.0 sq ft	21%		
SETBACKS		Building Face			
		Req'd	Provided		
Front Yard Setback		7.5m	0.1m		
Rear Yard Setback		7.5m	18.1m		
Internal Side Yard Setback (North)		9.2m	30.2m		
Internal Side Yard Setback (South)		9.2m	36.9m		
FRONTAGE		Min Required	Provided		
Lot Frontage		20.0 m	128.60 m		
BUILDING DATA					
BUILDING AREAS					
Below Grade	<i>Existing</i>	<i>Proposed</i>	Metric	Imperial	
Basement	475.4	42.6	518.0 sq m	5,575.9 sq ft	
Gross Floor Area (Below Grade)			518.0 sq m	5,575.9 sq ft	
Above Grade	<i>Existing</i>	<i>Proposed</i>	Metric	Imperial	
Level 1 (Ground Floor)	682.9	91.5	774.4 sq m	8,335.6 sq ft	
Level 2	681.3	34.7	716.0 sq m	7,707.0 sq ft	
Gross Floor Area (Above Grade)	1364.2	126.2	1,490.4 sq m	16,042.5 sq ft	
Total Gross Floor Area			2,008.4 sq m	21,618.2 sq ft	
BUILDING HEIGHT		Metric	Imperial		
Total Building Height		9.1 m	29.0 ft		
COMMERCIAL					
Gross Floor Areas		Metric	Imperial		
Accessory Retail Use		30.0 sq m	322.9 sq ft		
Total Commercial Gross Floor Area		30.0 sq m	322.9 sq ft		
RESIDENTIAL					
Existing Apartment		384.6 sq m	4,139.8 sq ft		
Parking Data					
PROVIDED	BF	Standard	Spacos	Total:	
Surface Parking	2	58		60	
Loading				1	

SITE PLAN LEGEND	
	L.S. LIGHT STANDARD
	EX. H.P. EXISTING HYDRO POLE
	SIGN
	CB CATCHBASIN
	MH MANHOLE
	CBMH CATCH BASIN MANHOLE
	FIRE HYDRANT
	ENTRANCE/EXIT
	BIKE RACK
	L.B. LIGHTED BOLLARD
	FLUSH CURBING
	CONCRETE CURB
	PROPERTY LINE
	PROPOSED FIRE ROUTE
	PROPOSED FENCE
	PROPOSED CONCRETE
	PROPOSED LANDSCAPE/SOD
	BARRIER FREE PARKING SPACE
	ACCESSIBLE PARKING SIGN(60x75) cm SUPPORT: STEEL

SITE PLAN NOTES	
1.	ALL REQUIRED SETBACKS TO BE VERIFIED WITH GOVERNING AUTHORITIES PRIOR TO CONSTRUCTION.
2.	ALL ANCHORING DIMENSIONS ARE MEASURED TO THE CLOSEST SURVEYORS IRON BAR.
3.	THIS DRAWING TO BE READ IN CONJUNCTION WITH SITE SERVING, GRADING AND DRAINAGE, SITE DETAILS, LANDSCAPE AND ELECTRICAL SITE PLAN DRAWINGS. ANY ERRORS AND/OR OMISSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
4.	ALL NEW CONCRETE SIDEWALKS AND PADS TO BE (57/125mm) THICK POURED IN PLACE CONCRETE ON MINIMUM (7/150mm) COMPACTED GRANULAR 'A' BASE. PROVIDE SAWCUTS AND BROOM FINISH.
5.	ALL PARKING STALL MARKINGS TO BE APPLIED TO ASPHALT SURFACES WHEN OUTSIDE TEMPERATURE EXCEEDS +8° CELSIUS.
6.	ALL PARKING STALL MARKINGS SHALL BE PAINTED WHITE UNLESS NOTED OTHERWISE.
7.	CONTRACTOR TO MAKE GOOD ALL DAMAGE TO ADJACENT PROPERTIES RESULTING FROM THE WORK CARRIED OUT UNDER THIS CONTRACT AT NO EXTRA CHARGE.
8.	CONTRACTOR TO REMOVE ALL DEBRIS AND SURPLUS MATERIALS FROM THE SITE AT COMPLETION OF CONSTRUCTION.
9.	MAINTAIN ACCESS TO THE PROPERTY INCLUDING OVERHEAD CLEARANCES FOR USE BY EMERGENCY RESPONSE VEHICLES.
10.	IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INFORM THEMSELVES OF THE EXACT LOCATION OF, AND ASSUME ALL LIABILITY FOR DAMAGE TO, ALL POLE LINES, CONDUITS, WATERMANS, SEWERS, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES BEFORE COMMENCING THE WORK. SUCH UTILITIES AND STRUCTURES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS AND WHERE SHOWN, THE ACCURACY OF THEIR POSITION IS NOT GUARANTEED.

No.	REVISIONS	DATE

CHRONOLOGY	

CHRONOLOGY	



CLIENT

PROJECT NAME
NEUSTADT SPRINGS BREWERY
456 Jacob Street
NEUSTADT, ON

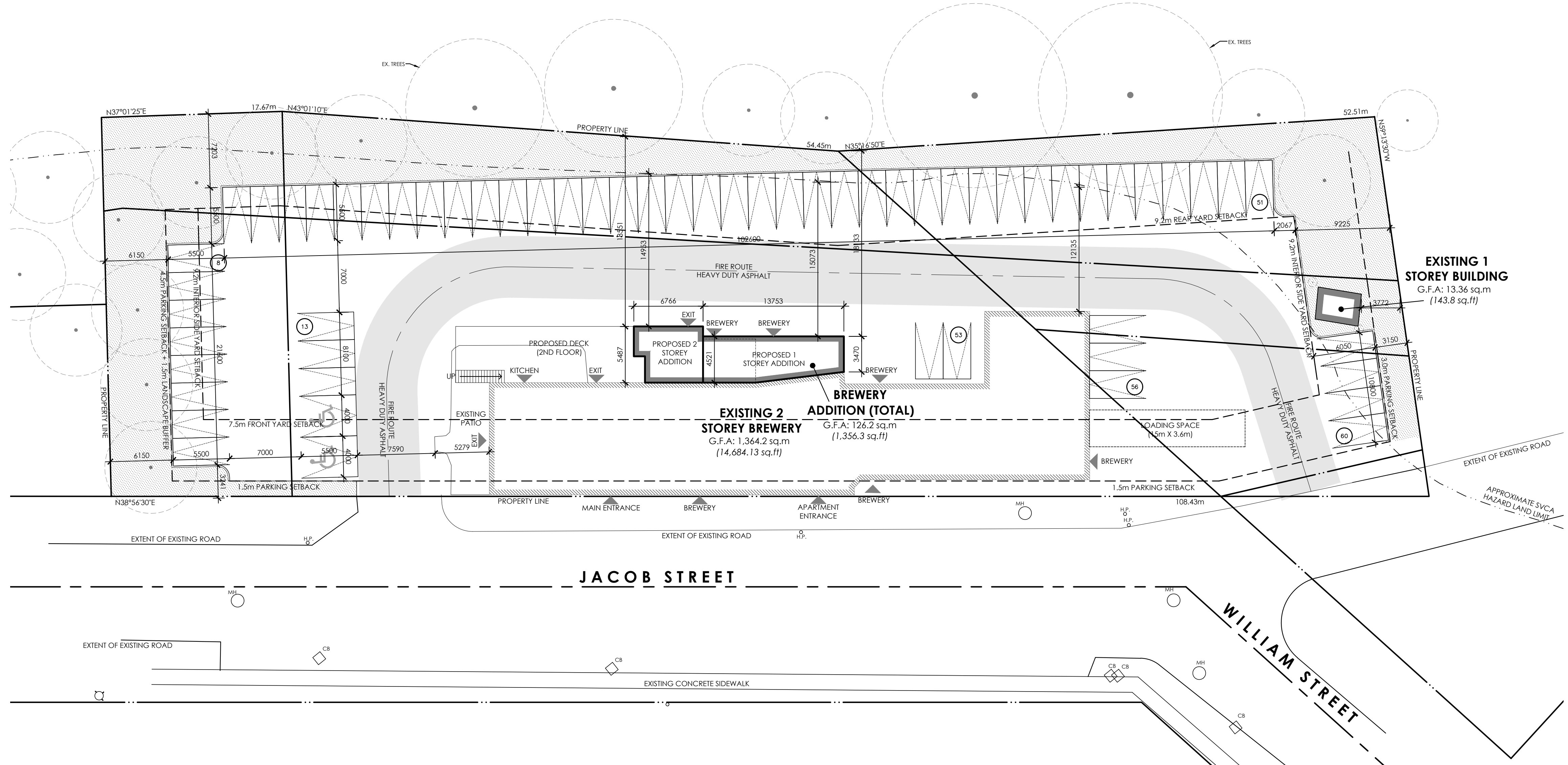
DRAWING TITLE
SITE PLAN

SCALE
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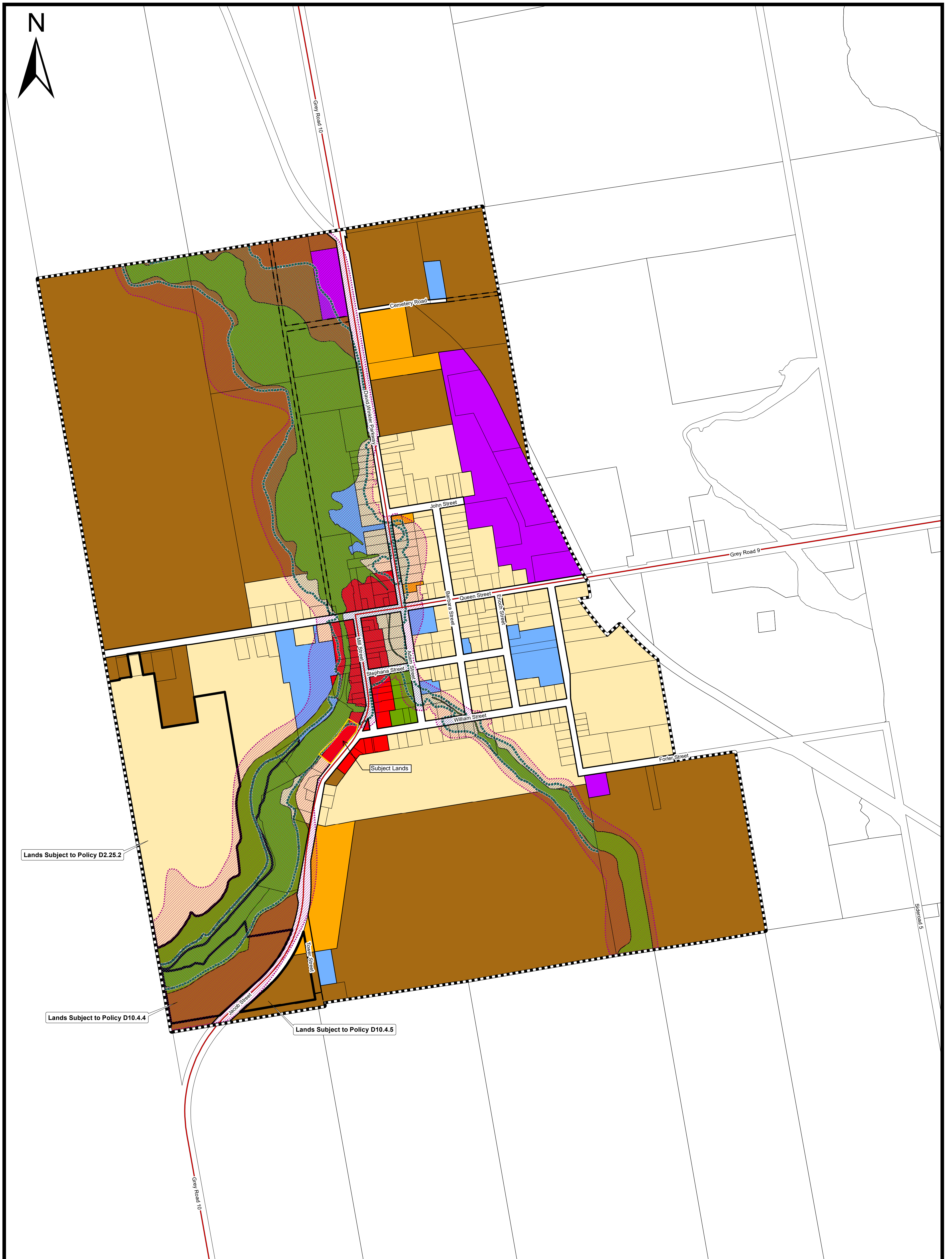
SHEET SIZE
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PROJECT NUMBER
2023-049

DRAWING NUMBER
SP1.0



LAST SAVED BY: J. Jacone DATE: March 8, 2024
FILE LOCATION: Z:\2023\2023-049 Neustadt Springs Brewery\2.0 Site Planning\2023-049 Site Plan.dwg



Land Use Designations

- Residential
- Downtown Commercial
- Downtown Transition
- Highway Commercial
- Institutional
- Industrial
- Open Space
- Environmental Protection
- Future Development

Overlays

- Flood Fringe
- Regulated Area
- Hurricane Hazel Flood Event Standard

Streets

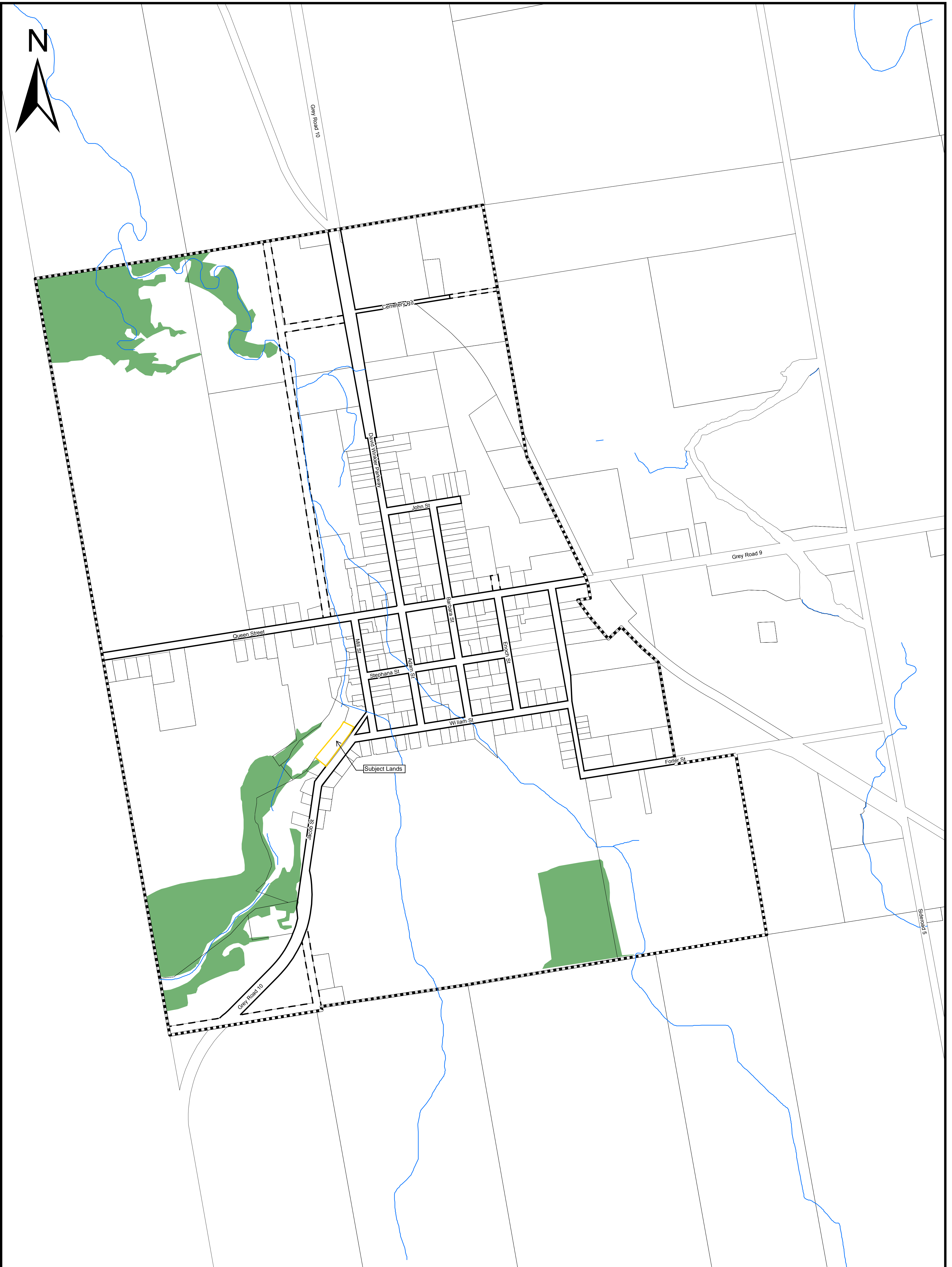
- Provincial Highway
- County Road
- Municipal Street
- Unopened Municipal Street

Boundary

- Planning Area

SCHEDULE B
(Land Use Plan: Neustadt)
to the
MUNICIPALITY OF WEST GREY
OFFICIAL PLAN

SCALE 1: 4500



Constraints

- Significant Woodlands
- Other Wetlands
- Water Courses

Boundary

- Planning Area

APPENDIX B
 (Constraint Mapping: Neustadt)
 to the
MUNICIPALITY OF WEST GREY
OFFICIAL PLAN

SCALE 1: 4500

Legend

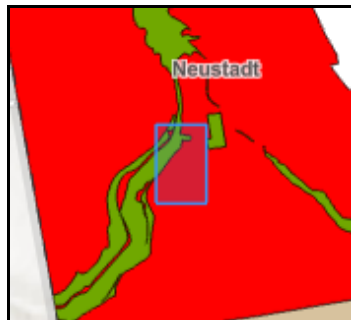
Assessment Parcel



County Official Plan (2018)

Land use

- Primary Settlement Area (Red)
- Hazard Lands (Green)



Notes

Print Date: 03/08/2024 16:41:31

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Legend

Assessment Parcel



County Official Plan (2018)

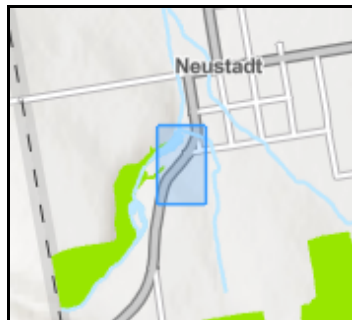
Streams



Lakes and Rivers



Significant Woodlands

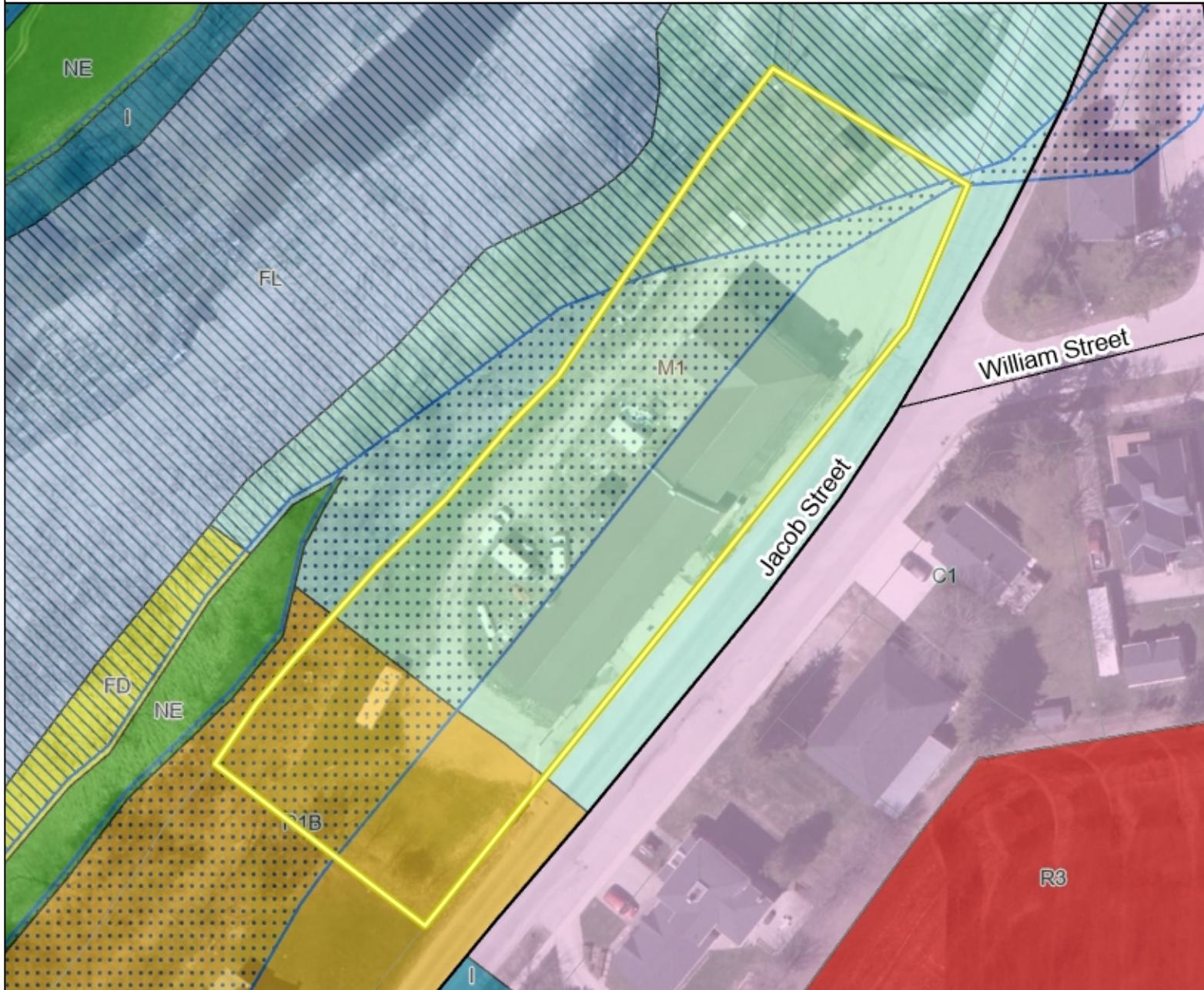


Notes

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Appendix 6 - Current Zoning Map



Legend

- Large Scale Roads**
 - Provincial Highway
 - County Road
 - Township Road
 - Seasonal Road
- Parcels - Current**
- Zoning - West Grey - Floodline**
 - Flood Fringe
 - Regulation Limit
- Zoning - West Grey**
 - A1 Agricultural
 - A2 Rural
 - A3 Restricted Rural
 - C1 General Commercial
 - C2 Highway Commercial
 - C3 Neighbourhood Commercial
 - C4 Shopping Centre Commercial
 - C5 Hamlet Commercial
 - C6 Rural Commercial
 - FD Future Development
 - FL Flood Way
 - I Institutional
 - M1 Industrial
 - M2 Restricted Industrial
 - M3 Rural Industrial
 - M4 Extractive Industrial
 - MH Mobile Home Park
 - MU1 Mixed Use
 - ND No Development
 - NE Natural Environment
 - NE2 Natural Environment 2
 - OS Open Space
 - ER Estate Residential
 - R1A Unserviced Residential
 - R1B Low Density Residential
 - R2 Medium Density Residential

Notes

56 0 28 56 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
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Printed January 25, 2024

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Appendix 7 - SVCA Mapping



The included mapping has been compiled from various sources and is for information purposes only. Saugeen Valley Conservation Authority (SVCA) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.



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UTM Zone 17N, NAD 83

1:1000

Legend

-  Approximate Regulated Area limit
-  Hazard Land limit/ recommended NE zone
-  Watercourse
-  Parcel Fabric

2020 air photo
465 Jacob St.
Feb. 9, 2024

Proposed Zoning Bylaw Amendment and Zoning Map for 456 Jacob St W

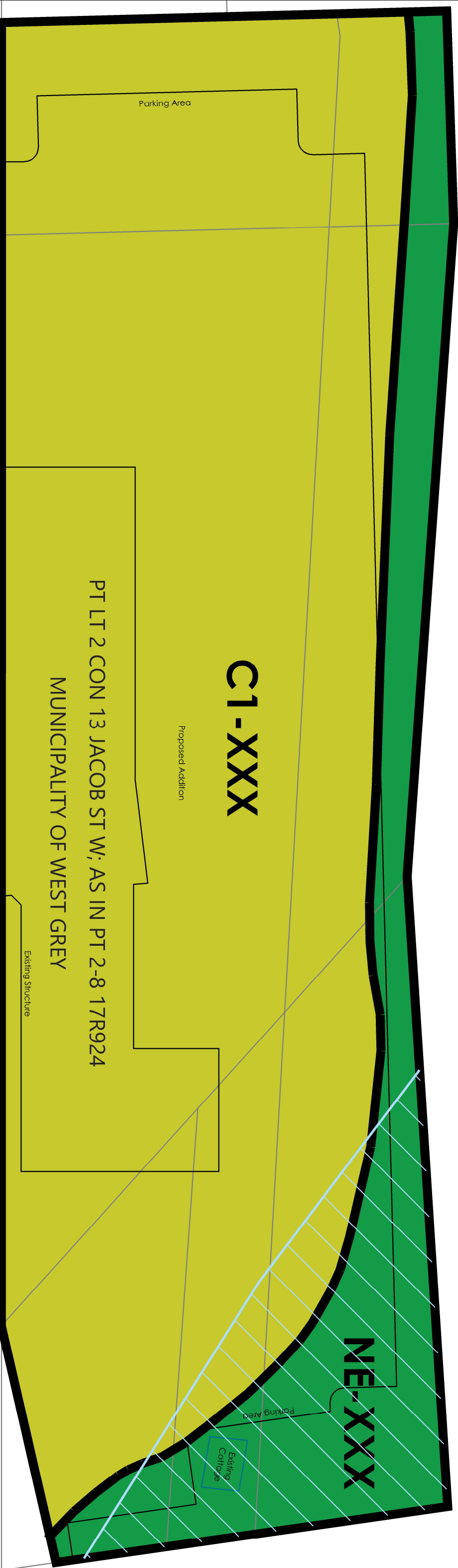
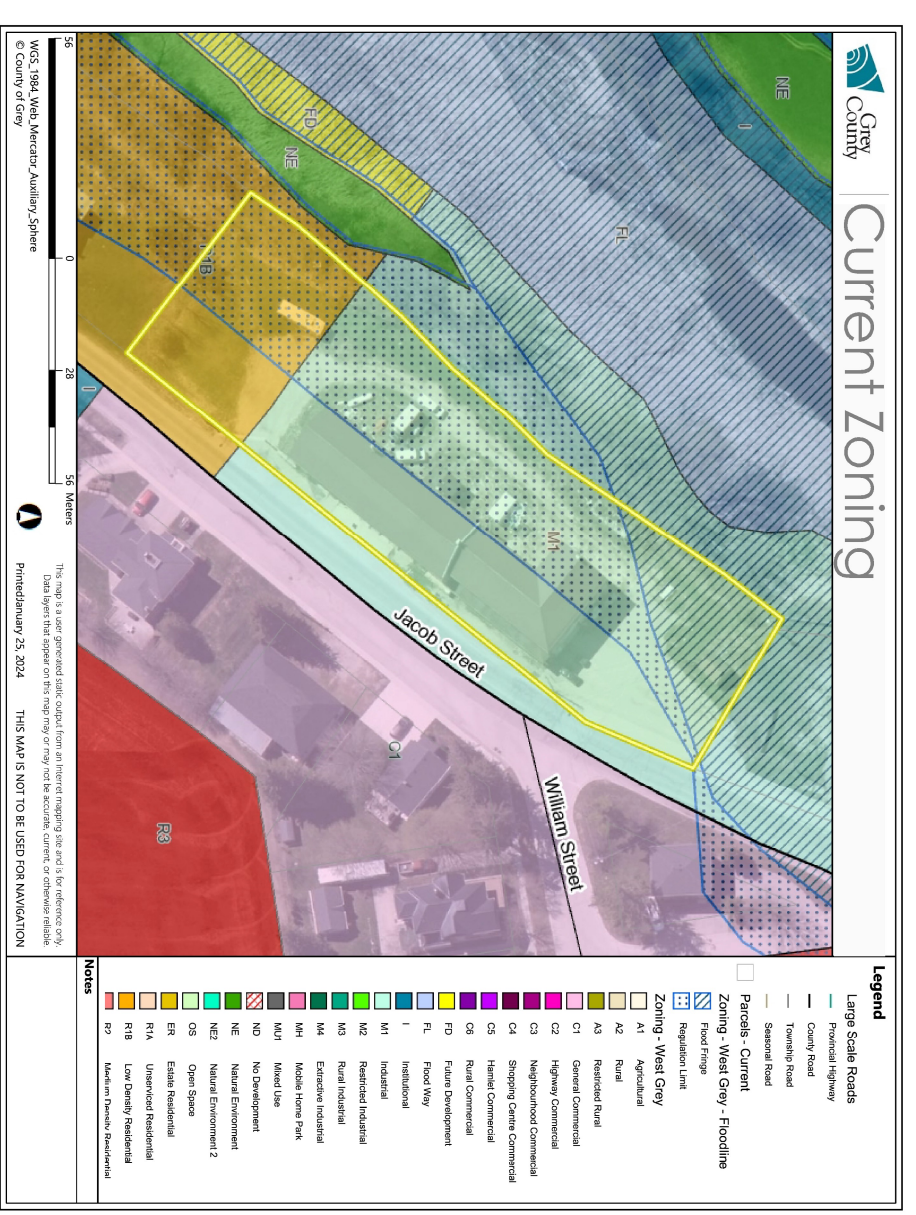
Zoning Bylaw Amendment to state the following:

The designation of the lands previously zoned R1B, M1 and FF overly are hereby amended to the C1-XXX and NE-XX site specific zones, still subject to the FF overlay.

Flood Fringe Continues to remain subject to Section 33

C1-XXX as per Section 17, subject to any site specific provisions

N1-XXX as per Section 31, subject to any site specific provisions





Appendix 9 - Draft Exception Zone Wording

PT LT 2 CON 13 JACOB ST W; AS IN PT 2-8 17R924

MUNICIPALITY OF WEST GREY

(By-law 2024-XX)

As per ZONING BY-LAW 37-2006, SECTION 35 – EXCEPTION ZONE

C1-XXX (see Schedule No. XX)

Notwithstanding Section 17, Downtown Commercial Zone, the following are permitted uses within the lands zoned C1-XXX in accordance with the following:

- In accordance with the provisions of Section 24 – M1 and the definitions in Section 5, a *Brewery* shall be deemed a permitted use within the C1-XXX zone;
- Notwithstanding the provisions of Section 17 and 24, *Small Distillery* and *Contract Bottling* shall be permitted uses; and further the definition of these uses shall be as defined by Agricorp, as may be amended from time to time but generally described as the following:
 - “Small Distillery” means an alcoholic Spirits producer with sales of less than 600,000 litres of alcoholic Spirits annually in Ontario.
 - “Contract Bottling” means the final bottling or other packaging of Spirits by a person other than the brewer/distiller, under an agreement or arrangement, including any incidental processes such as final filtration or the addition of any substance to the Spirits that, if added, must be added at the time of bottling or packaging under an agreement or arrangement.
- Notwithstanding the provisions of Section 6.26, limited use as an *Outdoor Storage Area* shall be permitted as an accessory use adjacent to any loading spaces within a parking area.

NE-XXX (see Schedule No. XX)

Notwithstanding Section 31, Natural Environment Zone, any existing structures located on the lands zoned NE-XXX on the date of this exception zone being registered may be used for a storage building.