

From: Wendy Bowkett [REDACTED] >

Sent: Wednesday, March 27, 2019 1:13 PM

To: Lisa Helps (Mayor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Sharmarke Dubow (Councillor); Laurel Collins (Councillor)

Subject: 506 Herald Street Brew Pub

To Mayor and Council,

I am disappointed that staff and the applicant have failed to address the concerns that local residents, like myself, have raised regarding the proposed operating hours and occupant load, as instructed by Council at the March 14, 2019 Committee of the Whole. Instead, the applicant has provided more rationalizations and staff have continued to minimize resident concerns with a recommendation for endorsement.

Having read the updated report from staff and the letter from the applicant and would like to address a few points.

At the CALUC meeting on March 26, 2018 the applicant made a number of representations regarding their business plan and operations. In brief, they assured those in attendance that the Herald Street Brew Pub would be “a spin off of The Drake”. Since that time, the applicant has made a number of changes that are in contradiction to the assurances they provided the community. This operation was going to open first as a restaurant while the applicant waited for the rezoning and the brewery use would be added upon approval. The applicant pointed out that they had been paying rent for several months, and they wanted to move forward with their operations. The applicant’s architect provided the drawings for submission and the applicant addressed questions from those in attendance. There was nothing “preliminary” about these discussions; much like any CALUC meeting.

Today, this application does not include a kitchen and no food, beyond a few snacks, will be served at this location. This is a substantial departure from what was originally proposed. This is also dissimilar to the operations at The Drake and unlike Canoe and Swans, which have full kitchens that are open throughout their operating hours. Without a kitchen and without food service, the most comparable operation is Philips Tasting Room which operates Thurs-Sat from 10 am to 10 pm and Sun-Wed from 12-8 pm. The parallels between the two continue as both (will) do on-site sales of beer produced in “Crowler/Growler format to go”. The applicant readily draws this comparison in their letter of March 22, 2019. As such, I would suggest that closing hours of midnight are more than generous to support a modest crowd of patrons in a growing and densifying residential district.

The occupancy load was discussed at the CALUC meeting and the applicant assured residents that “total seating inside will be about 100 people”. Now the applicant is asking for an occupancy load of 178. Using the applicant’s numbers in their letter of March 22, 2019, they anticipate that the number of onsite staff, etc would be up to “12 people”. Adding the proposed total seating and the number of staff would bring the total occupancy load to 112. Not 178. Furthermore, in the applicant’s recent letter, they refer to a rooftop deck, which is not part of this application but should be considered nonetheless. It can be anticipated that this element will come with the requisite request for increased occupancy and with further problems of noise and nuisance for neighbours and residents.

Additionally, under the BC Government “Manufacturer Terms and Conditions” with a [Lounge Endorsement](#) (pg 23) “Live or recorded music, television and dancing are permitted in your lounge”. Therefore, with the proposed operating hours and occupant load, the approval of a Lounge Endorsement provides an unfettered opportunity to have this location operate as a nightclub.

As identified by VicPD "The proposed capacity of 178 seats is significant. The hours of operation are that of a nightclub. These hours draws late-night street disorder issues well into the early morning hours..."

I have been a long time patron and supporter of The Drake. The new location and the business model being proposed, in my opinion, over reach what is best for the neighbourhood in terms of liveability. And if it ever came to be that the current operators sold this business, we have no mechanisms to ensure that new owners would continue to operate as good neighbours apart from restricting operating hours and occupant load. Our Council should not keep creating situations that have the potential to pit late night liquor operators against residents by co-locating them. It is much easier to avoid these conflicts than it is to resolve them.

I would support the Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Herald Street Brew Works, 506 Herald Street if the occupancy load were reduced and the operating hours restricted to a 12 am closing.

Thank you for considering my input.

Regards,

Wendy Bowkett

1715 Government Street

From: JC Scott <[REDACTED]>

Sent: Wednesday, March 27, 2019 2:09 PM

To: Lisa Helps (Mayor); Charlayne Thornton-Joe (Councillor); Marianne Alto (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Ben Isitt (Councillor); Sarah Potts (Councillor); Sharmarke Dubow (Councillor); Laurel Collins (Councillor)

Cc: Ian Sutherland; Douglas Boyd; Andy Wachtel; Devan Cronshaw; Dianne Flood; Eric Ney; Harold Stanley; JC Scott; Mathew Yee; Nicholas Harrington; Pat Jones; Rob Wittman; Robert Florida; Ruth Annis; Pam Madoff; DRA President

Subject: 506 Herald Street

"Lisa Helps (Mayor)" <mayor@victoria.ca>, Councillor Charlayne Thornton-Joe <cth Thornton-joe@victoria.ca>, "Marianne Alto (Councillor)" <MAalto@victoria.ca>, "(Councillor) Geoff Young" <gyoung@victoria.ca>, "Jeremy Loveday (Councillor)" <jloveday@victoria.ca>, "Ben Isitt (Councillor)" <bisitt@victoria.ca>, "(Councillor) Sarah Potts" <spotts@victoria.ca>, "(Councillor) Sharmarke Dubow" <sdubow@victoria.ca>, Councillor Laurel Collins <lcollins@victoria.ca>

To Mayor and Council,

I have tried to be as clear as possible about my concerns re: public process and public input in Victoria in recent years. 506 Herald may be the most egregious example of people playing the system and avoiding the truth since the planning staff's abysmal management of the Johnson Street Bridge, about which many of you know my feelings. I have volunteered in Victoria for over three decades in various roles, including like Ian Sutherland, acting as chairperson or co-chair. The City of Victoria cannot continue to ask people of intelligence and social value to contribute time and effort to a seriously flawed process. If what we are told in this process is not the truth, then how can we or others be asked to contribute and participate? If what staff promotes as if it has public input and support, does not have that support and in fact, as it was with the Johnson Street Bridge and this 506 Herald Street Pub exactly opposite, then how can you work with that staff and claim to care for civic input and engagement?

I attended the CALUC that Ian Sutherland refers to, and I fully support ALL of his statements, what you and staff are apparently ready to approve, is in no meaningful way the same as what we were shown and in fact promised for this address. I would gladly say this directly to the owners

of the Drake who asked for our community support which we gave (to a completely different proposal).

I support licenced establishments downtown, what I do not support is being told one thing in the approval process and then receiving (in my Chinatown neighbourhood) something totally different, especially when it is self-branded as being “what we approved”.

That is a lie, so please try to bring some honesty back to the civic process in Victoria, you are not yet the Trump White House but the direction of politics both here in Victoria and even in Ottawa, is a long way from ideal today.

JC



JC Scott,
Principal Designer



From: Doug Boyd [REDACTED]
Sent: Wednesday, March 27, 2019 1:47:18 PM
To: Councillors
Cc: Ian Sutherland
Subject: UPDATE Re: revised plans for 506 Herald Brewpub

Hello Mayor and Council

I became aware ONCE MORE through communication from the Land Use Chair of the Downtown Residents Association, that the City Staff have submitted their report for the Committee of the Whole meeting tomorrow recommending approval of the applicants plans for a 178-seat capacity and a 2:00 AM closing time.

I strongly urge council to reject this recommendation. There is a high density of residents in the vicinity of this establishment with more to be added. I would argue that most of these residents do not want their Old Town neighbourhood to become another "Entertainment District" with all of the attendant problems that would accompany it. The plans for a higher number of seats and later hours are apparently an attempt to make the proposed establishment more of a destination, and to attract patrons from outside of downtown, as well as tourists and industry workers from other dining/drinking venues looking for a late night experience. With this would come considerably more noise, more traffic, and other social problems.

The City staff met with the applicant after the last Council meeting and are relying solely on the applicant's arguments for their recommendation. They did not attempt to meet with the DRA who held the original CALUC meeting last year, or as far as I am aware, with any residents who have expressed concerns about this project.

i would be prepared to support and would look forward to this project if the closing hours were changed to 12:00 PM as per the original application and if the number of seats were significantly reduced.

Sincerely
Douglas Boyd
648 Herald Street

From: "dhboyd" [REDACTED]
To: "councillors" <councillors@victoria.ca>
Cc: "Ian Sutherland" [REDACTED]>
Sent: Thursday, March 14, 2019 2:22:10 PM
Subject: revised plans for 506 Herald Brewpub

Hello Mayor and Council

I just became aware through communication from the Land Use Chair of the Downtown Residents Association, about the changes that the applicant has made to their plans for this facility since the CALUC meeting that was held last spring. I was one of the residents who attended the CALUC meeting and enthusiastically supported the proposal presented at that meeting.

I am very disappointed and very upset about the fact that the capacity has increased from 100 to 178 seats and the applicant is proposing a closing time of 2:00 AM vs 12:00 PM, as presented at the meeting. I feel a deep sense of betrayal that the management of the Drake has made this change without a subsequent public meeting to explain the changes to neighbourhood residents. We do not need this many liquor

primary seats in that location, and we certainly do not need an establishment that serves drinks until 2:00 AM, with all of the attendant noise and social problems.

I strongly recommend that this revised application be rejected and that the applicant be required to hold another public meeting to explain these changes to neighbourhood residents. I can pretty much guarantee that they would not receive the level of support that they did at the CALUC meeting last spring, unless some very significant changes are made to their revised plans.

Sincerely,
Douglas Boyd
648 Herald Street