

- It is unfortunate that the DRA letter writer would include so many false and misleading statements. This serves to undermine the process as it creates confusion as to just what is intended by this application. Stating that this application has “morphed” from a “pub” into a “bar” is **false** and extremely misleading.
Herald Street Brew Works has always been, and continues to be proposed as a ‘Brewery with Lounge Endorsement’ and this application is for the addition of licensed patio seating to the already approved Brewery Lounge seating.
- The statement, “the original plan included a kitchen” is also **false**. We have always clearly stated that upon opening there would not be a kitchen but that we will be offering food that has been prepared off-site.
- The Rooftop Patio has always been a part of the ultimate build-out and was included in our original presentation to the DRA and the City staff. As the plan was to not begin build-out the rooftop until two(2) years after opening, it could not be included in our first phase ‘liquor license application’ as we would then be required to build it out within two(2) years (as per BC Liquor Board regulations). It was not “held back” for any other reason as the DRA letter is trying to infer. The DRA’s statement that this is an “expansion by misdirection” is **false**. We have followed and abided by all Provincial and Municipal rules and regulations throughout the entire process.
- The statement that we have “recently expressed intention to add a service bar on the rooftop patio” is misleading and we are confused as to what their implication is. As our model is ‘counter service’ (as opposed to table service), the plan for the brewery has always been to have a service bar on each level.
- This DRA letter continues to use the Strath as an example as to the “catastrophic impacts” of rooftop patios. We would point out the positive impacts that the Market Square Courtyard has had throughout the summer with over 165 licensed seats all licensed until midnight (90 of those seats were operated by The Drake Eatery). We have not heard one complaint from the neighbouring residents. In fact, only compliments.
- The Lucky Bar comparison is confusing as they do not operate a patio, rooftop or otherwise. It perhaps does show an example that not all licensed establishments are operated in the same manner and/or attract the same kind of clientele. In over six years of operation The Drake Eatery has certainly not caused a “litany of complaints”.

January 20, 2021

Lee and Mike Spence

By Email

Re: Herald St. Brew Pub – Information Meeting
506 Herald St. Victoria, BC

Dear Lee and Mike,

We met with Chris LeFevre on Jan 25, 2019 to discuss the brewery. In attendance with Chris, was Joe Sopp, Lee and Mike Spence and myself. The primary point of the conversation, after receiving an email from Chris specifically asking if there was to be a rooftop deck, was to explain the project and discuss possible impacts of the roof top patio. Chris had concerns about noise from the patio impacting his new project, the 'Ironworks'.

The plan at that point showed roof top seating for 98 persons, 20 of which faced towards the Ironworks. Mr. LeFevre expressed concerns that due to the openness of the plan, there would be no abatement of noise generated by the pub patrons. Chris was informed about the operational protocols that are being used at the 'Drake' to control noise, i.e. removal of loud patrons, staff training, quiet music, family atmosphere etc. We discussed the idea of constructing a partition along the wall nearest the Ironworks, to shield and dissipate noise from the patio.

Lee and Mike were amenable to this idea to change the plan to include this sound barrier. Chris was satisfied with this solution as well and said that he supported the project.

The only changes since then have been the reduction of seating along the north wall from 20 to 8 seats and the addition of a glass barrier with trellis along the north wall in front of the seating area. This is intended to be a noise barrier, although the drawings call it up as a wind barrier. Mr. LeFevre's recent concerns can be justified due to this mislabeling.



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The owners however have taken his concerns seriously and will upgrade this barrier by making it more solid, extending it to the eastern edge of the roof top and by adding planters so the trellis will be covered in vines (wisteria or similar). We will adjust the plans to reflect this.

I trust this clarifies the situation.

Sincerely yours,



Peter de Hoog, Architect AIBC
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Ryan Morhart

From: Lee Spence [REDACTED]
Sent: January 18, 2021 12:59 PM
To: Ryan Morhart
Subject: Re: LL000327 Herald Street Brew Works | FINAL COTW - LL000327 Herald Street Brew Works

Hi Ryan,

I just talked to Peter, the owner of de Hoog, this morning. He is going to write a letter quickly about our meeting with Chris le Fevre to clarify that information.

We only have the following points to the summary;

This is from the summary: *The City received 21 pieces of correspondence in reply to the notification that went to 378 owners and occupants. Six letters stated opposition which included one from the Downtown Residents Association. In support of the application, 15 letters were received.*

A total of 32 letters of support were submitted (all are included in this package). As well as 1 Video presentation in support (from a Ironworks condo owner).

The summation seems to be misleading. Also the police department letter is confusing as they have added another 100 seats to the total occupancy, saying an occupancy of 378.

Thank you!

Cheers
- Lee Spence
[REDACTED]

On Fri, Nov 20, 2020 at 12:05 PM Ryan Morhart <RMorhart@victoria.ca> wrote:

Hi Lee,

The report for COTW is complete and I'm sharing it so you may review and provide additional correspondence addressing the anything in the report. If provided, correspondence ill go into appendix H.

Let me know if you have any questions or would like to discuss.

Thanks,

Ryan

Ryan Morhart

Manager & Chief Building Official

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