

**H.1.c.d 500, 504, and 506 Herald Street: Development Permit with
Variance No. 00105 (Downtown)**

Moved By Councillor Alto

Seconded By Councillor Young

That Council, after giving notice, extending the notification area to 100 metres, and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00105 for 500, 504, and 506 Herald Street, in accordance with:

1. Plans date stamped April 16, 2020.
2. Development meeting all Zoning Bylaw 2018 requirements, except for the following variance:
 - a. allowing new construction and building features to be erected partly on one lot and partly on another lot (Administration, Part 1, Section 12).
3. Conditional upon:
 - a. the applicant providing security to replace two street trees (species to be determined by the Parks Department) on the frontage and to include grate, guard and structural soil to the satisfaction of the Director of Parks and Recreation; and
 - b. the applicant providing a financial contribution of \$1000 for two bicycle racks to be placed on Herald Street.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

H.3 500, 504, and 506 Herald Street: Development Permit with Variance No. 00105 (Downtown)

Committee received a report dated May 7, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Development Permit with Variance Application for 500, 504, and 506 Herald Street in order to construct an upper floor addition and exterior stairs to an existing building for use as a brew pub.

Committee discussed the following:

- *Concerns relating to hours of operation and occupancy load*
- *Matters under Council's consideration*
- *Properties receiving notice for public comments*
- *Comments received from the Downtown Residents Association*

Moved By Mayor Helps

Seconded By Councillor Alto

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00105 for 500, 504, and 506 Herald Street, in accordance with:

1. Plans date stamped April 16, 2020.
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 - b. the applicant providing a financial contribution of \$1000 for two bicycle racks to be placed on Herald Street.
4. The Development Permit lapsing two years from the date of this resolution."

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council, after giving notice, **extending the notification area to 100 metres**, and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council, after giving notice, extending the notification area to 100 metres, and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00105 for 500, 504, and 506 Herald Street, in accordance with:

1. Plans date stamped April 16, 2020.
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 - b. the applicant providing a financial contribution of \$1000 for two bicycle racks to be placed on Herald Street.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of May 21, 2020

To: Committee of the Whole **Date:** May 7, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variance Application No. 00105 for 500, 504 and 506 Herald Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00105 for 500, 504, and 506 Herald Street, in accordance with:

1. Plans date stamped April 16, 2020.
2. Development meeting all *Zoning Bylaw 2018* requirements, except for the following variance:
 - a. allowing new construction and building features to be erected partly on one lot and partly on another lot (Administration, Part 1, Section 12).
3. Conditional upon:
 - a. the applicant providing security to replace two street trees (species to be determined by the Parks Department) on the frontage and to include grate, guard and structural soil to the satisfaction of the Director of Parks and Recreation; and
 - b. the applicant providing a financial contribution of \$1000 for two bicycle racks to be placed on Herald Street.
4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may

include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 500, 504 and 506 Herald Street. The proposal is to construct an upper floor addition and exterior stairs to an existing building for use as a brew pub (Herald Street Brew Works). A variance is required to allow the new building construction (rooftop patio, railings, trellis, kitchen structure and exiting stairs) to straddle an existing property line.

The following points were considered in assessing this application:

- This existing building is within DPA 1(HC) Core Historic. The building is not heritage-designated or registered, but nonetheless contributes to the Old Town industrial fabric and sense of place. The proposed changes to the façade are appropriate in the context and are generally in compliance with the *Old Town Design Guidelines – New Buildings and Additions to Existing Buildings* (2019).
- As it is an existing building, the property is exempt from providing bicycle parking. In anticipation of the number of staff and patrons, the applicant is proposing four short term bicycle stalls on site. A financial contribution will be made to provide two additional bike racks within the public right-of-way.
- In support of the Urban Forest Master Plan, the two street trees along the frontage will be replaced.
- The existing building is situated across two lots, and the variance is related to the new construction that straddles the lot line. This is not an uncommon situation for buildings of this era in Old Town or Chinatown, and is therefore supportable.
- The applicant will require additional approvals (building permit, liquor licensing, occupant load) to extend the brew pub seating (lounge license) on the roof deck and to reallocate some seating to the rear ground level patio.

BACKGROUND

Description of Proposal

The proposal is to renovate an existing building for a brew pub and add a third storey (roof top patio area). Specific details include:

- changes to the façade of the building (fenestration, new canopy, painting, signage and lights)
- creation of the third storey roof top patio area with seating for 99 patrons, with a stairwell and food preparation area
- patio area aluminium guards rails and trellises
- exterior stairs (rear elevation)
- staff bike parking for four bikes (short term).

The building is situated across two lots, which creates a conflict with the *Zoning Bylaw 2018* for the new construction (roof top patio, railings, structures related to food service and exit stairs).

The interior renovations for the brew pub are currently under construction.

This application does not deal with any changes to the Lounge Endorsement to a Manufacturer's License for additional seating on the roof top patio or reallocation of seating to the rear ground level patio area. This is a separate process, and the applicant has indicated that the additional required approvals will be sought after the processing of this application. In the interim, the roof top patio area would not be licensed and would therefore not serve alcohol until additional approvals are in place.

Sustainability

The applicant has not identified any specific sustainability features associated with this proposal. The use of an existing building is an adaptive re-use, which generates less building waste than new construction.

Active Transportation

The *Zoning Bylaw 2018* exempts existing buildings from providing short or long term bicycle parking (Part 5, Bicycle Parking Exemptions). Nonetheless, in recognition of the amount of staff and patrons that the business will generate, the applicant is providing four bicycle parking stalls at the rear of the building for staff. As these stalls are not weather protected or secure, these spaces would be considered short term.

Additionally, there are two existing bike racks along the Herald Street frontage, and two new bike racks will be added for use by patrons. Due to limited space in front of the building, the final location of the racks will be determined by the Engineering Department. The bike racks are valued at \$500 each, therefore a \$1000 fee will be required to be paid prior to the issuance of the Building Permit to cover the cost of the racks. The staff recommendation includes the necessary wording to ensure this occurs.

Public Realm

No public realm improvements are proposed in association with this application, aside from the addition of bike racks and street tree replacement.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. Only the ground floor of this building will be accessible.

Existing Site Development and Development Potential

The site is presently zoned Old Town District-1 Zone (OTD-1), *Zoning Bylaw 2018*. Under the current Old Town District-1 Zone, the property could be developed at a density of 3.0:1 Floor Space Ratio (FSR) and with the use as proposed for a brew pub. This zone allows for a range of uses including a brew pub, drinking establishment and food and beverage service.

Data Table

The following data table compares the proposal with the existing Old Town District-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double

asterisk is used to identify a legal-nonconforming situation.

Zoning Criteria	Proposal	Existing Zone Old Town District - 1
Site area (m ²)	1372 (combined area of two lots)	Not specified
Density (Floor Space Ratio) – maximum	0.48:1 (combined density of two lots)	3:1
Total floor area (m ²) - maximum	329	
Height (m) - maximum	9.0 (to top of trellis)	15
Storeys	3	Not specified
Building over property line	Yes *	Not permitted
Setbacks (m) – minimum		
To all lot lines	Building 0.37cm from front lot line at closest point	0
Vehicle parking total	12	Not required in Old Town for lots less than 1100m ² in area. Each lot is less than 1100m ²
Vehicle parking location	Rear yard **	Required within a building if provided
Bicycle parking stalls – minimum		
Short term	4 (see Active Transportation)	Not required for an existing building
Long term	0	Not required for an existing building

Relevant History

The building was constructed in 1895 for A & A Dowell for a cartage company. Over its history, the building has been used for warehousing, a theatre and retail space. It has been vacant the last few years.

On March 28, 2019, Council endorsed the following resolution with regard to the liquor license for this property:

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application to have a lounge endorsement added to the manufacturing license for a brewery, having hours of operation from 9:00 am to 12:00 am Sunday to Thursday, and 9 a.m. to 1 a.m. Friday to Sunday with an occupant load of 178 persons.

Since that time, the Liquor Control and Cannabis Regulation Branch has issued an approval in principal for the manufacturing area of the brew pub. The lounge area has also received an approval in principal for Level 1 and the mezzanine; however, it is contingent upon obtaining occupancy and occupancy load approvals. The current approval in principal for the Level 1 of the lounge area does not identify any seating on the ground level patio at the rear of the building so this will also require an amendment to the approvals, which is as noted earlier, a separate process. The roof top patio area (99 additional seats) has not been part of the above-noted liquor licensing approvals.

The current zoning for the property (Old Town District-1 Zone) permits brew pubs, drinking establishment and food and beverage service as land uses within this zone.

A Delegated Development Permit was issued in August 2019 for minor changes to the façade, but as the applicant is proposing further changes to the façade, these changes are included in this application. A building permit is currently issued for the interior renovations.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on January 3, 2019, June 10, 2019, November 3, 2019, January 30, 2020 and April 20, 2020 (revisions only) the application was referred for a 30-day comment period to the Downtown Residents Association. The DRA has not provided a formal response to this application.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP, 2012)* identifies this property within DPA 1, (HC) Core Historic. The most relevant guidelines applicable to this proposal are the *Old Town Design Guidelines for New Buildings and Additions to Existing Buildings (2019)*.

While the building is part of the Old Town industrial fabric, there is little architectural merit in the existing structure to pursue heritage status as the building facade has undergone many changes over its lifetime.

Specific changes to the front elevation of the building façade include:

- new double wide wood and glass doors to replace the commercial glass doors
- replacement of existing canopy over the entry with a simplified wood awning
- a new window with mullions to increase the amount of glazing at street level

- painted signage on face of building
- accent lighting above signage
- painting the existing cladding material and trim
- prefinished aluminum guard rail.

The materials, signage and palette are consistent with the character of the area. The addition of a new window will increase transparency on the ground floor, which is encouraged in the guidelines. The cladding materials (including the brick) have been previously painted and will be repainted in one colour which will help distinguish the building as a single entity. The lighting is appropriate to the scale and function of the building. The new guard rail in dark grey on the upper storey reinforces the former industrial character of the building and is similar to guard rails used in newer buildings in Old Town and Chinatown.

The changes to the rear of the building are mostly utilitarian in nature and this area is not visible from the Herald Street; as such, application of the design guidelines is limited. Changes to the rear of the building include:

- 1.8m high windbreak constructed of translucent glass and aluminum frame at patio level
- decorative wood trellis at patio level
- new exiting stairs
- two bicycle racks (four spaces)
- overhead doors for delivery
- new exterior doors at ground level
- refurbished concrete for patio area at ground level with guard rails
- space for tank for brewery operation.

Local Area Plans

The *Downtown Core Area Plan* (2011) places the parcel within the Historic Commercial District, forming the primary hub for retail, entertainment and tourism within the Downtown Core Area, noting that the concentration of rehabilitated heritage buildings and attractive streetscapes serves to attract other uses. This application is consistent with the policy to locate active commercial uses at street level to encourage increased pedestrian activity.

Tree Preservation Bylaw and Urban Forest Master Plan

There are two street trees (sour cherry) along the frontage of this property. These trees are in poor condition. In support of the Urban Forest Masterplan, the applicant has agreed to replace these with new trees, grate, guard and structural soil, with species determined by the Parks Department. Additionally, it is noted that the street trees are often stressed by construction and servicing, so it would be prudent to address this issue at this time. The staff recommendation includes the appropriate wording to ensure this occurs.

Regulatory Considerations - Variance

In older parts of the City and prior to building inspection services, it is not uncommon that a building straddles one or more lot lines. As this is an existing situation, the variance to allow new building construction to straddle the existing lot line is considered supportable.

The option of consolidating the lots was discussed with the applicants, and this was not considered a feasible course of action for them at this time.

CONCLUSIONS

This Development Permit with Variance Application only considers the changes to the exterior of the building, including the construction of a third floor patio area. As noted, the applicant will be required to apply for the appropriate approvals to include this third floor patio area as part of the overall lounge license for the brew pub in order to extend liquor sales on this level.

The front façade changes are generally consistent with the *Old Town Design Guidelines – New Buildings and Additions to Existing Buildings* (2019). The material changes will create a distinctive character to the building while still fitting in with the established streetscape.

The variance to allow new construction over a lot line is supportable, as this is an existing condition and having a building straddle a lot line in the parts of Victoria that were generally developed before regulations is not uncommon.

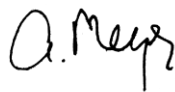
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 0015 for the property located at 500 – 506 Herald Street.

Respectfully submitted,



Lucina Baryluk
Senior Planner
Development Services



Karen Hoese, Director
Sustainable Planning and Community
Development Department

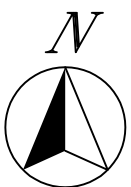
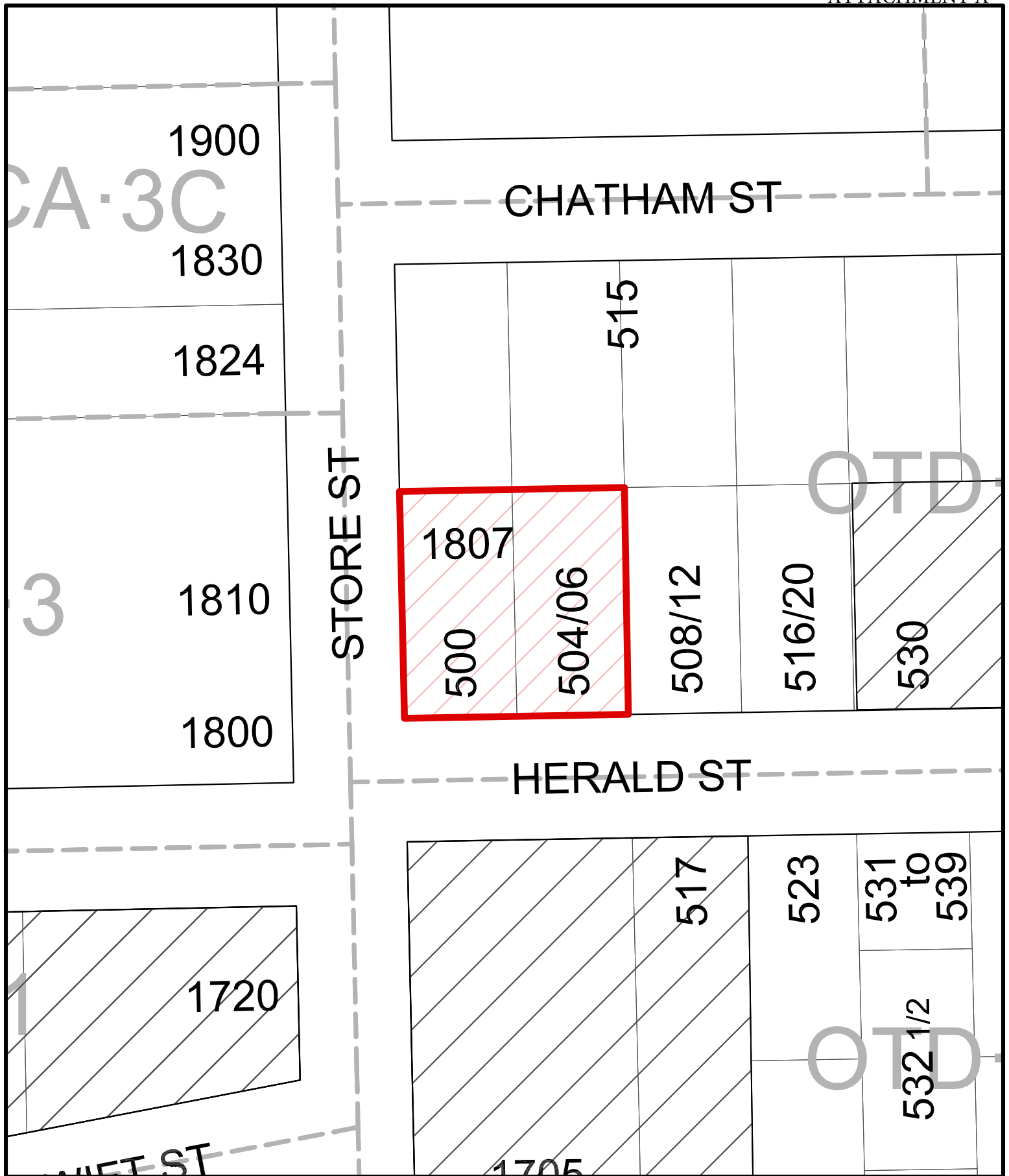
Report accepted and recommended by the City Manager:



Date: May 12, 2020

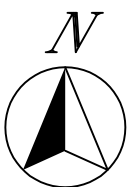
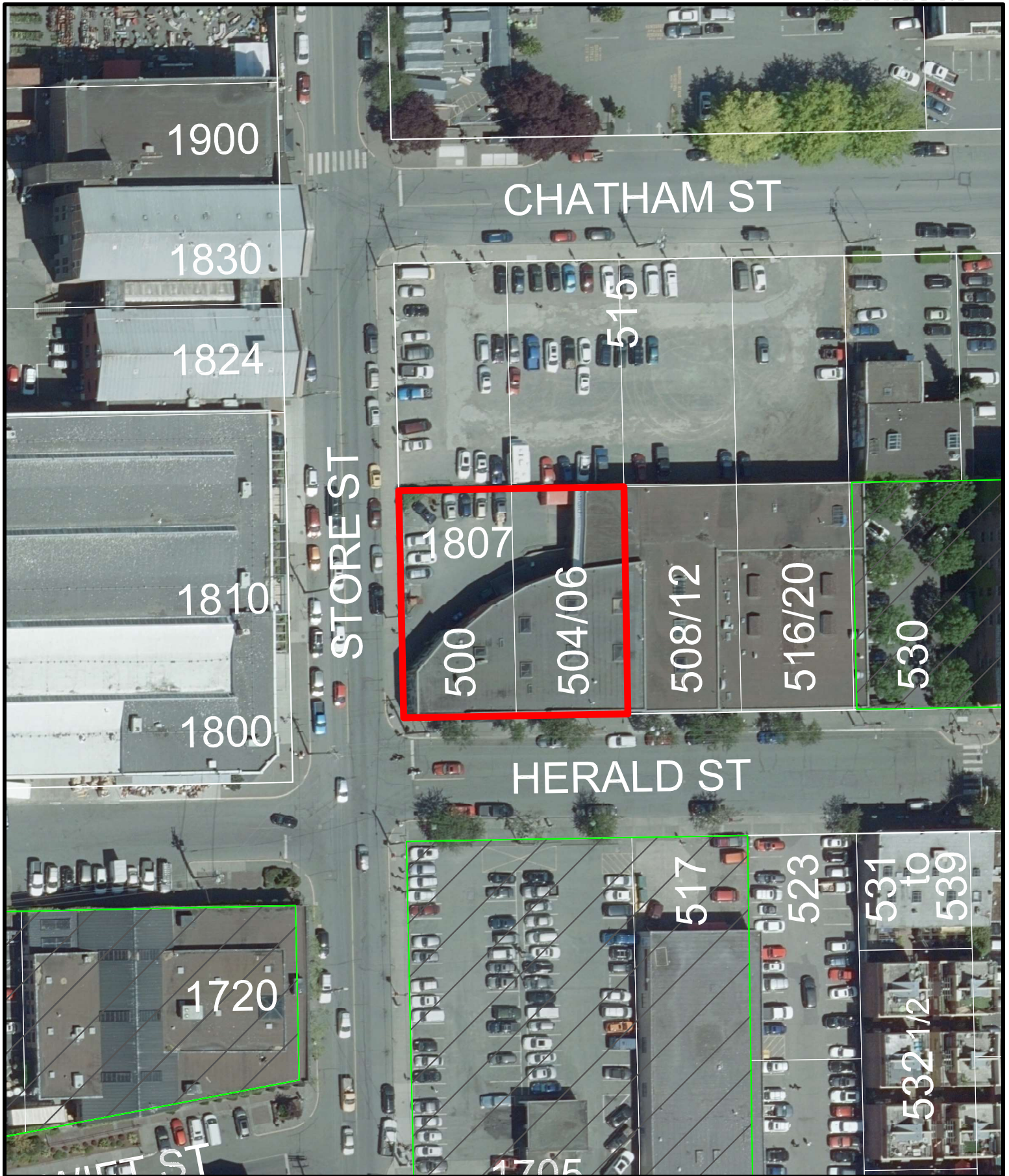
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 16, 2020
- Attachment D: Letter from applicant to Mayor and Council dated March 5, 2020
- Attachment E: Letter from architect to Mayor and Council dated January 29, 2020.



500 - 506 Herald Street
Development Permit with Variance #00105





500 - 506 Herald Street
Development Permit with Variance #00105



ZONING INFORMATION - LOT 469

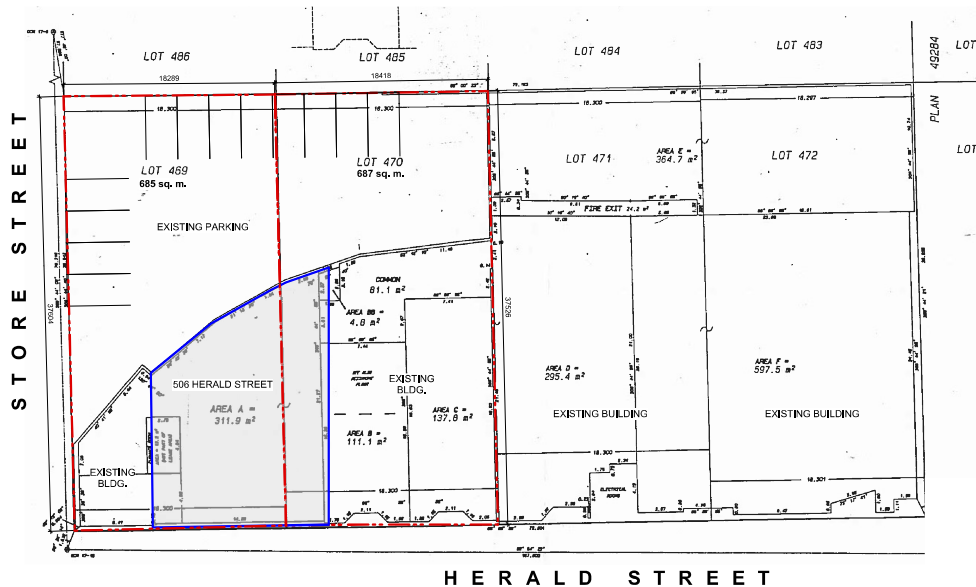
CIVIC ADDRESS: 506 Herald Street, Victoria, BC

ZONE (EXISTING):
OTD-1**PROPOSED ZONE:**
No change to zone, No change of use.**SITE AREA (m²):**
Lot 469: 685 m²**FLOOR AREA (m²):**
L1: 171 m² (no change)
Mezzanine: 67 m² (proposed)
TOTAL: 237 m² (proposed)**COMMERCIAL FLOOR AREA (m²):**
237 m²**FLOOR SPACE RATIO:** .35: 1**SITE COVERAGE (%):** 28%**HEIGHT OF BUILDING (m):** 8.6 m**NUMBER OF STOREYS:** 2 (one storey plus mezzanine, and rooftop patio)**PARKING STALLS ON SITE:** 8 (existing, no change)**PARKING STALLS REQUIRED:** none**BICYCLE PARKING NUMBER (CLASS 1 & CLASS 2):** none (4 provided)**BUILDING SETBACKS (m)**
OTD-1 Zone, therefore, no setbacks required.**ZONING INFORMATION - LOT 470**

CIVIC ADDRESS: 506 Herald Street, Victoria, BC

ZONE (EXISTING):
OTD-1**PROPOSED ZONE:**
No change to zone, No change of use.**SITE AREA (m²):**
Lot 470: 687 m²**FLOOR AREA (m²):**
L1: 76 m² (no change)
Mezzanine: 16 m² (proposed)
TOTAL: 92 m² (proposed)**COMMERCIAL FLOOR AREA (m²):**
92 m²**FLOOR SPACE RATIO:** .13: 1**SITE COVERAGE (%):** 12%**HEIGHT OF BUILDING (m):** 8.6 m**NUMBER OF STOREYS:** 2 (one storey plus mezzanine, and rooftop patio)**PARKING STALLS ON SITE:** 4 (existing, no change)**PARKING STALLS REQUIRED:** none**BICYCLE PARKING NUMBER (CLASS 1 & CLASS 2):** none**BUILDING SETBACKS (m)**
OTD-1 Zone, therefore, no setbacks required.**PROJECT INFORMATION****REGISTERED OWNER**Mike & Lee Spence
5067 Cordova Bay Road
Victoria, BC
V8Y 2K1
tel: 250.818.5465
lee.spence.112@gmail.com**ARCHITECT**dHKharchitects
977 Fort Street
Victoria, BC
V8Y 3K3
Charles Kierulff
tel: 250.658.3367
ck@dhk.ca**STRUCTURAL CONSULTANT**Sorensen TRILOGY Engineering Ltd.
215 - 737 Goldstream Avenue
Victoria, BC
V9B 2X4
Brian Lang
tel: 250.880.2117
brian@sorensenTRILOGY.ca**MECHANICAL CONSULTANT**Avalon Mechanical Consultants Ltd.
300 - 1245 Esquimalt Road
Victoria, BC
V8A 3P2
Mirek Demidow
tel: 250.384.4128
fax: 250.384.4134**ELECTRICAL CONSULTANT**Williams Engineering
202-511 Easton Square
Victoria, BC
V8W 1J1
Michael Phillips
tel: 778.406.0023 ext.8001
MPhillips@williamsengineering.com**SIGNAGE BYLAW SUMMARY****REFERENCED DOCUMENT: CITY OF VICTORIA SIGNAGE BYLAW 14-097****ZONE 1**
Arterial Commercial
1:1 Ratio Permitted (maximum total area: 9 m²)**SIGN TYPE**
Combination Sign: Business name painted on facade (mural style).**SIGN AREA AS SHOWN**
8.9 sq m**Note:** Final sign design to be done by others in compliance to current sign bylaws.**DRAWING LIST****Architectural**

A001	Project Data & Site Plan
A201	Level 1 & Mezzanine Floor Plan
A202	Roof Top Plan
A203	Seating Plan
A401	Elevations
A501	Sections
A601	Materials Board

1 Site plan
A001 1:200**BUILDING CODE SUMMARY - 506 Herald Street, Victoria, BC****REFERENCED DOCUMENT: BRITISH COLUMBIA BUILDING CODE 2018 - PART 3****BUILDING AREA** [Building Footprint]: 1900 m² overall, 260 m² for A-2 506 Herald Street.**BUILDING HEIGHT:** Two (2) storey
NUMBER OF STREETS FACING: One (1)
SPRINKLERED: Yes**MAJOR OCCUPANCY CLASSIFICATIONS:** Group E (3,2,2,67), 3,2,2,67 is more restrictive.**SEPARATION OF MAJOR OCCUPANCIES:** (3,1,3,1)

• Minimum fire-resistance rating of fire separation, Group E to A-2: 2 hours, Group A-2 to A-2 - none.

CONSTRUCTION TYPE (3.1.4): Combustible Heavy Timber Construction**OCCUPANT LOAD (3.1.17):**1.2 m/person for dining and beverage,
4.6 m²/person for process rooms.

Ground Floor:
 Gross Floor Area 260 m² (served by 2 exits front and rear) Total Load: 123 people
 Ground Floor Restaurant Area: 124 m² = 103 people
 Ground Floor Process Area: 73 m² = 16 people
 Cofloor: 19 m² = 4 people

Mezzanine:
 Gross Floor Area 83 m² (served by 1 stair down to Ground Floor) Total Load: 67 people
 Mezzanine Restaurant Area: 56 m² = 67 people

Rooftop:
 Gross Area 167 m² (served by 2 exits front and rear) Total Load: 200 people (seasonal).
 Rooftop Restaurant Area: 167 m² = 200 people

Total Calculated Occupant Load: 390; Occupant load limited and posted per 3.1.17.1,2 to 277 people.

CONSTRUCTION REQUIREMENTS (3.2.67):

- Group E, up to 3 storeys, Sprinklered
- 1) A building classified as Group E is permitted to conform to Sentence (2) provided
 - a) except as permitted by Sentences 3.2.2.7(1) and 3.2.2.15(2), the building is sprinklered throughout,
 - b) it is not more than 3 storeys in building height, and
 - c) it has a building area not more than
 - i) 7 200 m² if 1 storey in building height,
 - ii) 2 000 m² if 2 storeys in building height,
 - iii) 1 000 m² if 3 storeys in building height.
- 2) The building referred to in Sentence (1) is permitted to be of combustible construction or noncombustible construction used singly or in combination, and
 - a) floor assemblies shall be fire separations with a fire-resistance rating not less than 45 min,
 - b) mezzanines shall have, if of combustible construction, a fire-resistance rating not less than 45 min,
 - c) loadbearing walls, columns and arches supporting an assembly required to have a fire-resistance rating shall
 - i) have a fire-resistance rating not less than 45 min, or
 - ii) be of noncombustible construction, and
 - d) loadbearing walls, columns and arches supporting a fire separation shall have a fire-resistance rating not less than that required for the fire separation.

FIRE ALARM AND DETECTION SYSTEMS (3.2.4):

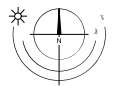
- Signal to Fire Department required, 2 stage, Will notify that an alert signal has been initiated (3.2.4.8,3)
- Building is one storey and less than 2000 m², and therefore can be one fire zone, An annunciator is not required if there is only one zone (3.2.4.9,2,3)
- Visual and audible trouble signal to be provided at main entrance (3.2.4.4)
- Electrical supervision of fire alarm system required (3.2.4.10)
- Smoke detectors not required (3.2.4.12)
- Fire alarm system monitoring required (3.2.4.16)
- Manual pull stations required at exits (3.2.4.17)

EXITS AND EGRESS:

Travel Distance to an exit is 45 m maximum (3,4,2,5); 8,6 m (Ground Floor), 13 m (Mezzanine), 29 m (Roof) actual.
 Minimum Width of Exits (3,4,3,2): Exit corridor / passageway: 1100 mm
 Stair: 900 mm
 Doorways: 900 mm

WASHROOMS:

- Building occupancy is limited to 178 people as per approved liquor licence, with an additional 99 people on the roof (unlicensed) for a total of 277 people. Total Number of water closets provided (3,7,2,2,A) is 9. All water closet stalls are private and unisex. Sign with occupant limit to be posted on site.
- Accessible washroom provided is ground floor universal washroom (3,7,2,10).

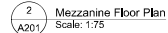
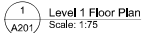


NO.	DATE	DESCRIPTION
1	21 JAN 2020	Prepared for Development Permit
2	21 JAN 2020	Prepared for Development Permit
3	12 NOV 2019	Prepared for Development Permit
4	12 NOV 2019	Prepared for Development Permit
5	12 NOV 2019	Prepared for Development Permit
6	12 NOV 2019	Prepared for Development Permit
7	12 NOV 2019	Prepared for Development Permit
8	12 NOV 2019	Prepared for Development Permit
9	12 NOV 2019	Prepared for Development Permit
10	12 NOV 2019	Prepared for Development Permit

10775 - 48th Avenue, Suite 100, Richmond, BC

RE-ISSUED FOR DEVELOPMENT PERMIT

de Hoog & Kierulff architects	
517 West 8th Street Victoria, BC V8V 2K1 Tel: 250.658.3367	1000 West 8th Street Victoria, BC V8V 2K1 Tel: 250.658.3367
Herald Brew Pub 506 Herald Street Victoria, BC	
Project Data & Floor Plan	
A001	3





de Hoog & Kierulff architects

KITCHEN OFFICE
 877-8410-8100
 712-250-8410-8100

RENOVATED OFFICE
 102-8100-2410-8100
 712-250-8410-8100

Herald Brew Pub
 506 Herald Street
 Victoria, BC

Level 1 & Mezzanine Floor Plan

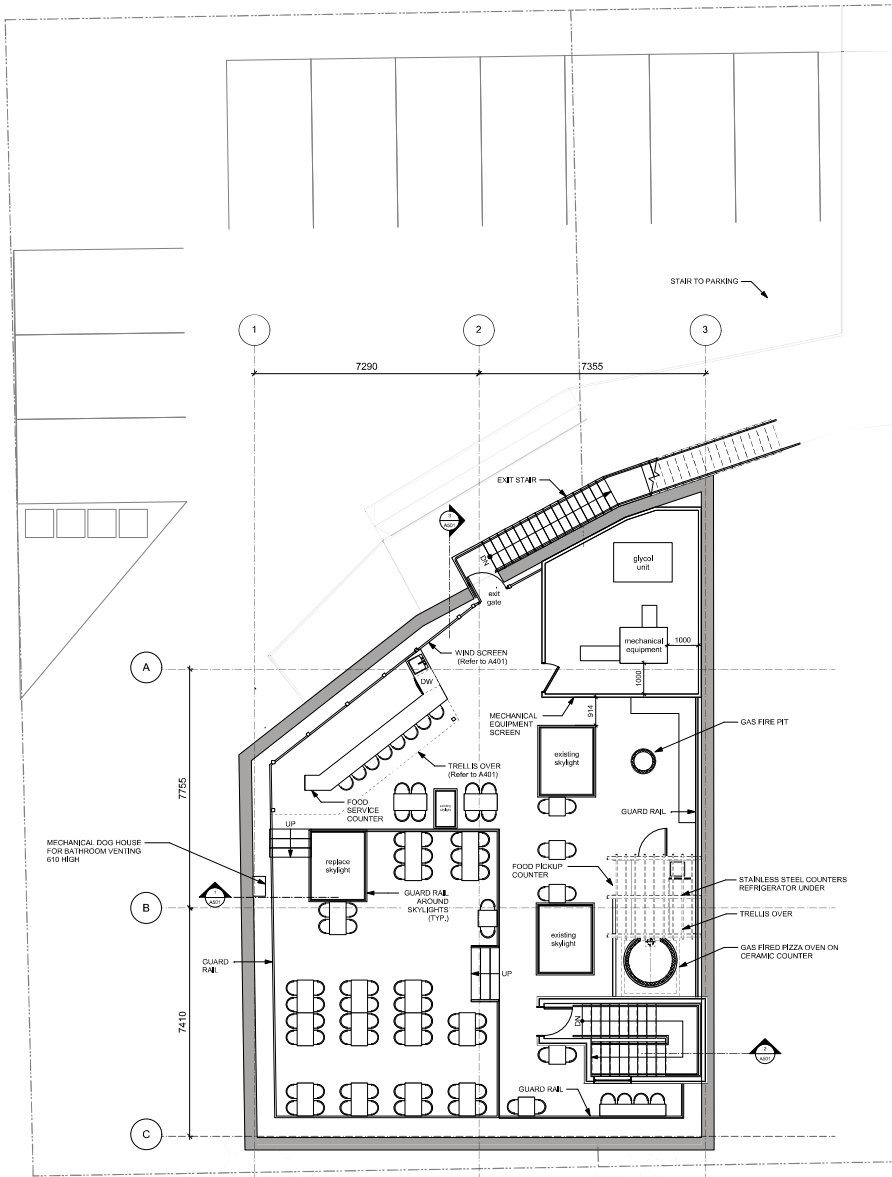


A201

3

General Notes

1. Contractor to verify all dimensions and confirm same on site. Architect to be notified in case of any discrepancies.
2. Shaded walls are existing.
3. All gridlines are to centreline of existing columns, centre of studs, and face of existing interior brickwork unless noted otherwise. Plans to be read in conjunction with details to confirm.



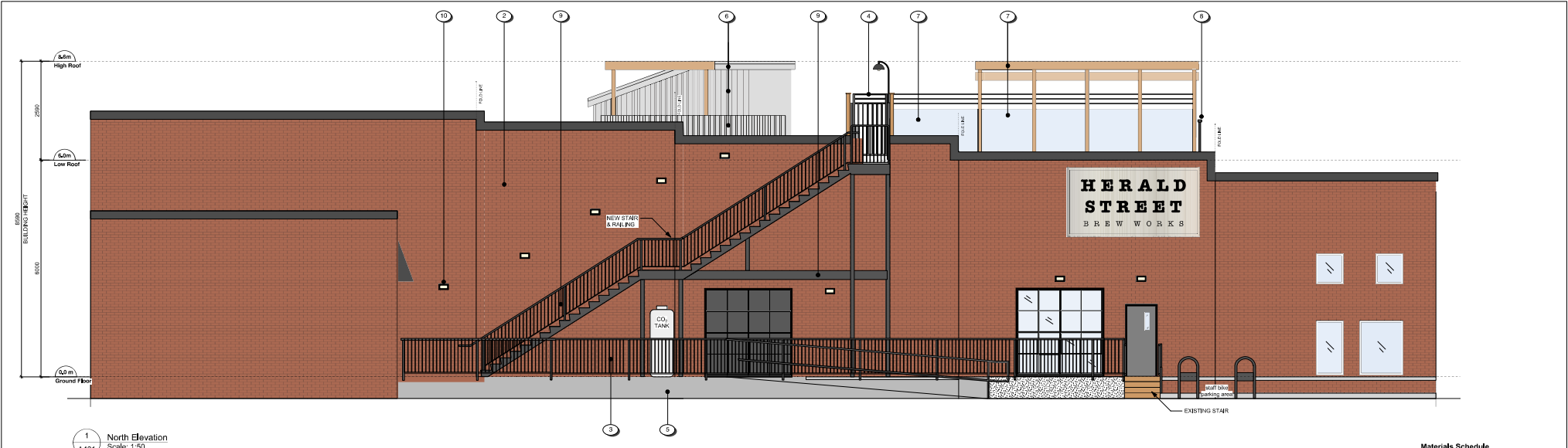
0 2500 5000mm
1:75

NO.	DATE	DESCRIPTION
3	31 MAR 2023	Revised for Development Permit
2	21 JAN 2023	Revised for Development Permit
1	12 MAY 2019	Revised for Development Permit
0	12 DEC 2018	Issued for Development Permit
Author	de Hoog & Kierulff	Client
Drawn	AK	Checked
Scale	As Noted	Notes

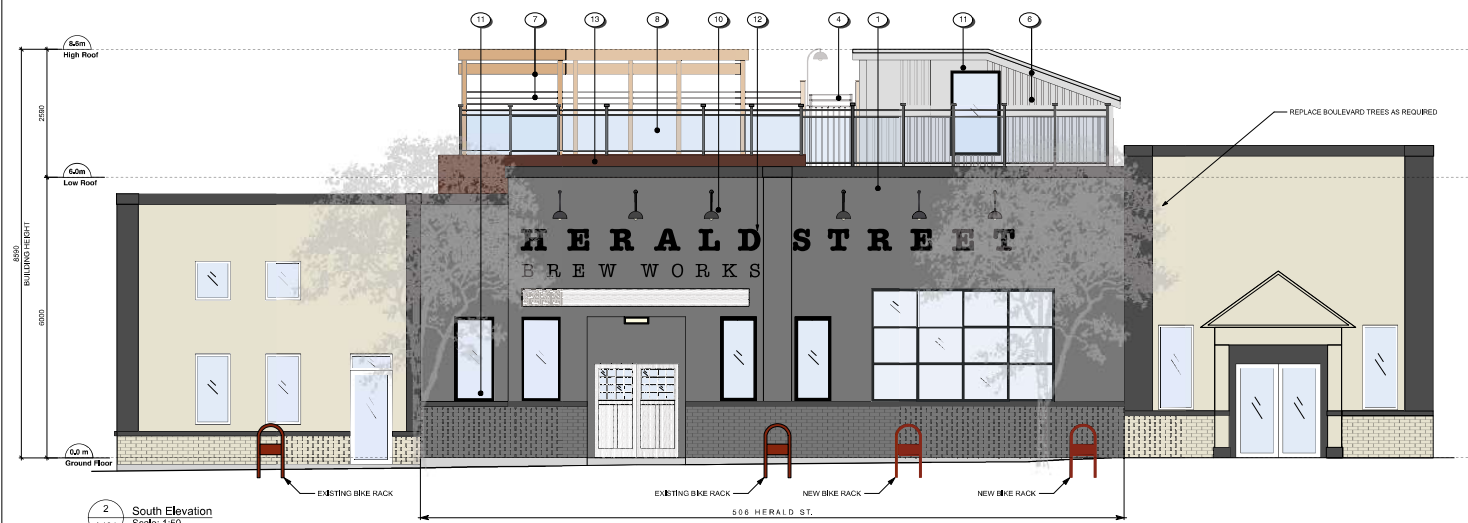
NOTE: All dimensions are shown in millimeters.

RE-ISSUED FOR DEVELOPMENT PERMIT

de Hoog & Kierulff architects 400-600-0000 1111 11th St. W. Victoria, BC V8W 2E1		604-683-0000 604-683-0001 604-683-0002	
Herakli Brew Pub 200 Herakli Street Victoria, BC			
Rooftop Floor Plan			
1 A202		3	



1 North Elevation
A401
Scale: 1:50



2 South Elevation
A401
Scale: 1:50

Materials Schedule

- 1 Paint Herald St. facade: Cloverdale - Zen Retreat - 0535
- 2 Retain existing brick (typ.)
- 3 Prefinished aluminum gabled frame - Dark Grey, Chip-proof mesh inset - Anodized.
- 4 Prefinished aluminum gate - Dark Grey, Fir posts - Clear Stain.
- 5 Paint new concrete infill to match existing.
- 6 Anodized metal.
- 7 1020 mm high window: with translucent tempered glass and prefinished aluminum frame - Dark Grey, Fir posts and inlets - Clear Stain.
- 8 Prefinished aluminum gabled frame - Dark Grey Translucent tempered glass inset.
- 9 Prefinished aluminum stair, pickets and railing - Dark Grey.
- 10 New lighting to co-ordinate with existing (by others).
- 11 Paint all trim: Cloverdale - Subway - 0536
- 12 New mural-style painted sign (by others). Refer to Sign Bylaw Summary, A401.
- 13 New wood decking.

0 1250 2500mm
1:50

NO.	DATE	DESCRIPTION	BY	CHECKED
1	21 MAR 2020	Prepared for Development Permit		
2	21 JUN 2020	Prepared for Development Permit		
3	12 NOV 2019	Prepared for Development Permit		
4	12 NOV 2019	Prepared for Development Permit		
5	12 NOV 2019	Prepared for Development Permit		
6	12 NOV 2019	Prepared for Development Permit		
7	12 NOV 2019	Prepared for Development Permit		
8	12 NOV 2019	Prepared for Development Permit		
9	12 NOV 2019	Prepared for Development Permit		
10	12 NOV 2019	Prepared for Development Permit		
11	12 NOV 2019	Prepared for Development Permit		
12	12 NOV 2019	Prepared for Development Permit		
13	12 NOV 2019	Prepared for Development Permit		
14	12 NOV 2019	Prepared for Development Permit		

NOTES: All dimensions are shown in millimeters.

RE-ISSUED FOR DEVELOPMENT PERMIT

de Hoog & Kleruff architects

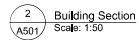
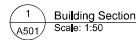
1111 11th Ave. S.E.
Vancouver, BC V6A 1A1
Tel: 604-681-3333

Herald Brew Pub
506 Herald Street
Victoria, BC

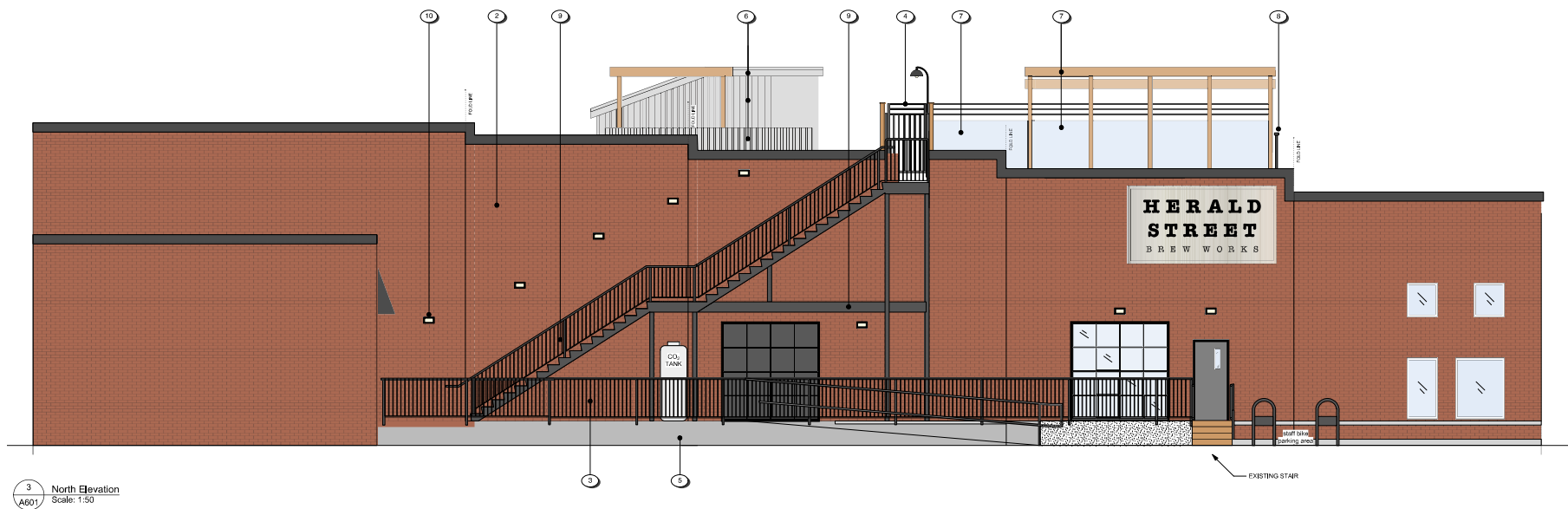
Elevations

A401

3

RE-ISSUED FOR DEVELOPMENT PERMIT

 <p>de Hoog & Klerulf architects</p> <p>AMSTERDAM OFFICE 977 West Street 7 Floor 1017 CA Amsterdam, The Netherlands T +31-20-684-3367</p> <p>NEW YORK OFFICE 142-5100 2nd Ave. West 6th Floor New York, NY 10019 T +1-212-685-5811</p>	<p>Herald Brew Pub 506 Herald Street Victoria, BC</p>
<p>Sections</p>	<p>A501</p>
<p>3</p>	<p>3</p>



3 North Elevation
A601
Scale: 1:50



2 South Elevation
A601
Scale: 1:50

Materials Schedule	
1	Paint Herald St. facade: Cloverdale - Zon Relief - 0535
2	Retain existing brick (typ.)
3	Prefinished aluminum guardrail frame - Dark Grey, Climb-proof mesh inset - Anodized.
4	Prefinished aluminum gate - Dark Grey, Fir posts - Clear Stain.
5	Paint new concrete infill to match existing.
6	Anodized metal.
7	1828 mm high window with translucent tempered glass and prefinished aluminum frame - Dark Grey, Fir posts and trellis - Clear Stain.
8	Prefinished aluminum guardrail frame - Dark Grey Translucent tempered glass inset.
9	Prefinished aluminum stair, pickets and railing - Dark Grey.
10	New lighting to co-ordinate with existing (by others).
11	Paint all trim: Cloverdale - Subway - 0536
12	New mural-style painted sign (by others), Refer to Sign Bylaw Summary, A601.
13	New wood decking.

RE-ISSUED FOR DEVELOPMENT PERMIT



HERALD STREET BREW WORKS

March. 5th, 2020.

Dear Mayor and Council Members,

Our vision for Herald Street Brew Works is to have an interior space where the patrons feel like they are sitting in amongst the action of a brewery. The main level will have an order station for beer to go, and an adjacent order station for beverages to enjoy onsite, with a deli cooler in between, offering prepared food to eat. There will be a mezzanine with another order station, where the patrons can overlook the brewhouse, bright tanks and fermentation tanks. Continuing up the stairs from the mezzanine, will be a rooftop deck so that Victoria's moderate climate can be enjoyed.

We are the operating partners that jointly own 72% of the shares, ensuring full control of all operations of the business. We would like to re-state that we will be operating the Brewery Lounge as we do the Drake, ensuring a safe and comfortable space that will be welcoming to all ages (all minors must be accompanied by an adult). There is absolutely no plan to create a "nightclub" or "frat-house" ambience as has been suggested by some.

Another fear that has been expressed is that we plan to sell HSBW upon approval of this application or shortly after opening. There is no plan to sell either The Drake Eatery or sell our new project, Herald Street Brew Works. In fact, we have a succession plan consisting of staff that currently work at The Drake Eatery (both of whom own shares in The Drake) already in place for both of our businesses to ensure their long continued operation.

The plan for Herald Street Brew Works is to build it out in 2 stages. The interior construction is almost done and the interior will open shortly. This DP is in reference to the exterior and the roof top deck. Over a third of our opening costs were spent on building upgrades to support a rooftop deck that would safely meet all building codes..

As shown in this DP, the rooftop deck will have a service bar as well as a kitchen to further enhance the family friendly experience. We have met with Chris Le Fevre to discuss how our business would affect his condo development (Iron Works) that is located behind our location. After those discussions we had our architect make some structural layout changes to locate the patrons away from the condos and mitigate sound travel. Chris stated he was in full support of our plan as laid out in this DP.

The patio addition at The Drake Eatery was an instant success and in the 3 plus years of operation (open until midnight) has received no complaints from neighbouring businesses and/or residents in adjacent condos. In fact it has been noted as having brought much needed vibrancy to the Market Square Courtyard. The very limited options for outdoor seating for Food & Beverage venues in Victoria is something that has been noted by locals and tourists alike.

Upon opening, HSBW will employ 10 staff. This rooftop deck would employ an additional of 10 staff.

After traveling and visiting world class craft breweries throughout North America, this project was born. It is a passion project! We want to bring another example of quality brewing to Victoria, and add to the culture experience of Victoria.

With kind regards,

Lee & Mike Spence
Owner/Operators of Herald Street Brew Works

January 29, 2020

Attn: Mayor and Members of Council
City of Victoria
1 Centennial Square
Victoria, BC V9W 1P6



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Re: DP Reactivation – Herald Street Brew Works
DPV No. 00105 - 504-506 Herald Street

Dear Mayor and Members of Council,

On behalf of our client, Mike & Lee Spence, we are pleased to submit this application for development permit for the above named property.

506 Herald Street is an existing commercial retail unit (CRU) at the west end of Herald Street, near Store Street that has been vacant for well over the past 2 years. The CRU is part of a larger building which contains an art store, a coffee shop, furniture store, and a gym. To the east of the property is a mixed-use commercial/multi-unit residential building with surface parking, and to the west across Store Street – lies more commercial buildings and the Canoe Club pub/restaurant. A new commercial/multi-unit residential building is being developed on the property to the north. Directly across the street to the south lies a parking lot with commercial and residential units beyond.

A building permit application has been approved to convert the CRU space into a micro brew pub and construction on the space is underway. The CRU was formerly a warehouse with double height space, and features exposed wood beams, columns and decking. The redeveloped space will include a new mezzanine seating area.

The owners now wish to expand their operation to include a roof terrace. Through this development permit application, we are requesting minor changes to the form and character of the building. The enhancements proposed include: repainting the façade (existing trim colour to be retained); addition of a roof top stair enclosure to connect the roof space with the mezzanine and ground floor below; a rear exterior exit stair; covered rooftop food preparation area, and railing. Materials used would incorporate elements of brick and metal, in-line with the industrial architectural language of surrounding buildings in the Old Town District.

The site is currently zoned OTD-1 Old Town District 1, which permits Brewpub use, therefore a change of use is not required. The allowable maximum density

of development for the zone is 3.0:1. The proposed FSR is below the maximum at 0.35:1 on Lot 469, and 0.13:1 on Lot 470. The maximum allowable building height for the zone is 15m. The proposed building height is 9m (approximate).

Note that in response to an email from senior planner, Miko Betanzo, dated February 5, 2019, the Development Permit application for the above property was changed to a Development Permit with Variance to allow the proposed rooftop deck amenity space to straddle the lot line that bisects the tenant space.



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The lot division for this tenant space is a historical anomaly that the tenant does not have the authority to change. We believe the presence of the lot line has no material effect on the extent or layout of the proposed rooftop amenity area and the variance to allow the roof deck to straddle the lots is supportable.

Following the success of the owner's other property, 'The Drake' in Market Square, this brewpub will work within the footprint of an existing, long-vacant CRU to revitalize the space and create a social hub featuring locally-made product and city views, attracting local patrons and tourists alike. Alongside Philip's new tasting room on nearby Discovery Street and the Canoe Club one block away, the new brewpub will contribute to the vibrancy of this emerging residential and commercial area by establishing the area as a "destination" for locally-made product in the heart of Old Town.

Thank you for your consideration.

Sincerely yours,

Charles Kierulf

Architect AIBC MRAIC

1

Development Permit With Variance Application for 500 – 506 Herald Street



1

Aerial View

2



2

Context - area

3



3

Context

4



4

Rear elevation

5

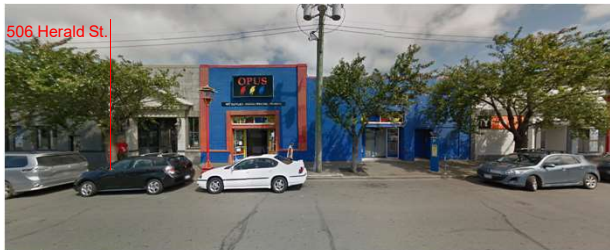


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Neighbouring Properties – To The West



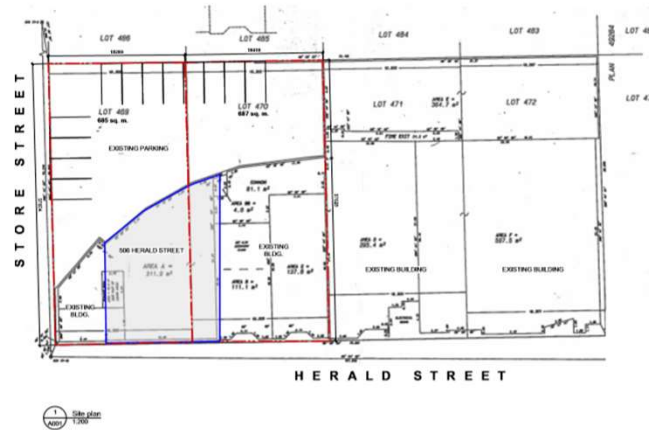
Neighbouring Properties – To The East



6

Site Plan

7



7

Context –Herald Street – Existing building

8



8

Elevations and Materials

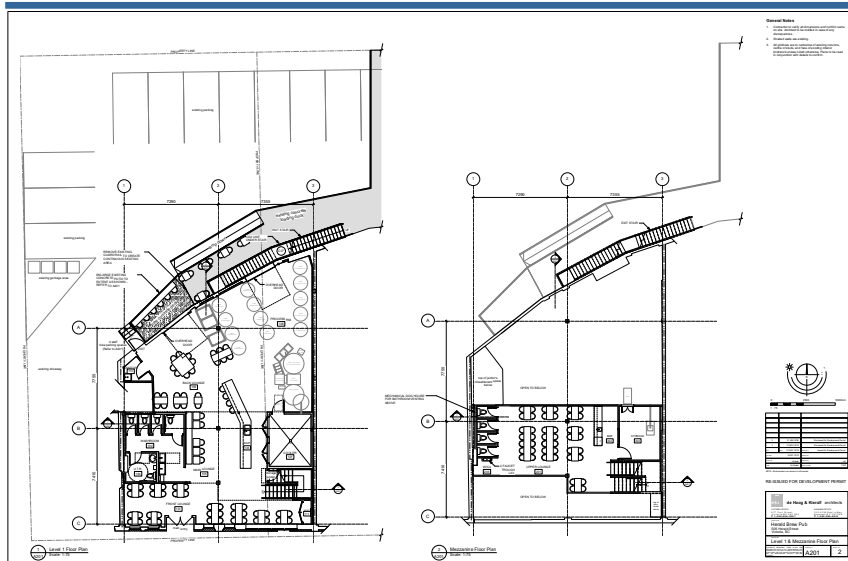
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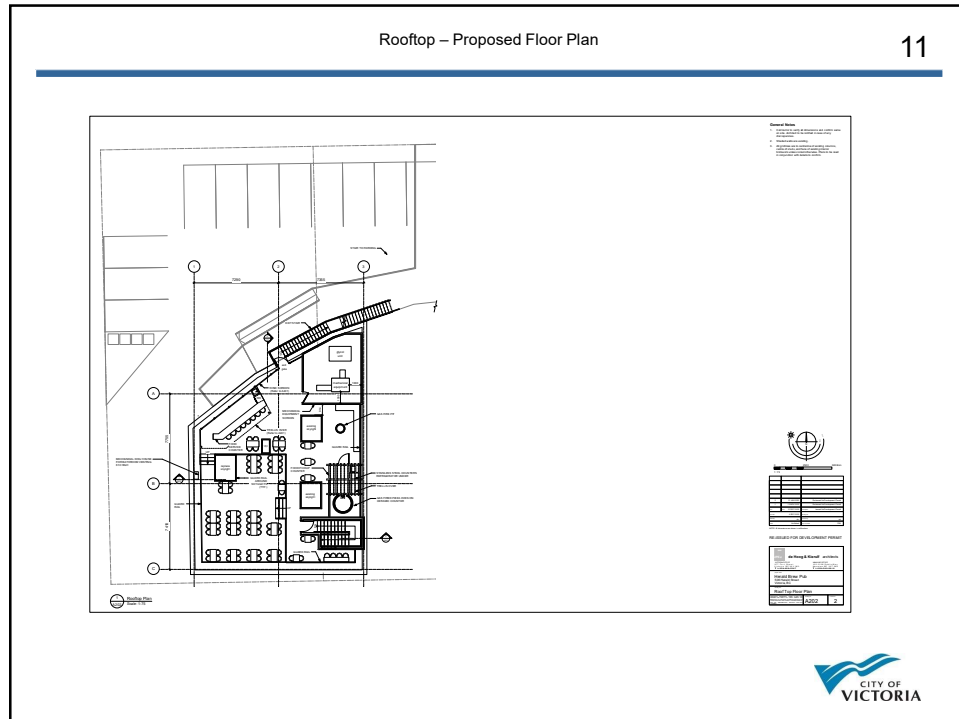
9

Level 1 & Mezzanine – Proposed Floor Plans

10



10



11



12

From: Ian Sutherland [REDACTED]
Sent: May 19, 2020 10:13 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 506 Herald Street-DP with Variance No.00105

Please see attached letter regarding 506 Herald Street.

Best regards,
Ian Sutherland
Chair DRA LUC



Mayor Helps and Council
City of Victoria
No.1 Centennial Square
Victoria, BC V8W 1P6

May 16, 2020

Re: 506-508 Herald St – Brew Pub – Development Permit with Variance No. 00105

Dear Mayor Helps and Council,

Further to the DRA letters dated April 26, 2018 and March 27, 2019 expressing concerns regarding the proposed brewpub at 506 Herald Street, we now understand that the applicant is applying for an additional 99- person roof top patio held back from the original application for the 178-person interior capacity that was approved by Council in 2019. Opening hours for the currently approved interior brewpub are 9:00 am to midnight Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday. While this application seeks approval to construct a rooftop patio for a 99 person occupancy it does not include a liquor licensing application for the intended use to be considered concurrently.

Within a 200m proximity from the subject property, there are a great many residences and the neighbourhood is rapidly growing. The larger buildings in the immediate area are outlined below and comprise a total of 935 units. This still does not include small buildings or the several hundred units to be built in the near future on the several Lou Poy properties (that are currently parking lots) directly across the street from this application.

Building	# Units
Ironworks	170
Mermaid Wharf	102
Janion	110
The Pearl (approved)	132
The Union	136
Chinese Care Centre	31
Swift Street Apartments	49
555 Chatham	22
Lee Cheong & Lum Sam	25
555 Chatham	25
601 Herald	27
Cityzen	32
Lim Dat Building	22
Biggerstaff Building	24
Dragon Alley	12
Herald Building	16

The DRA has pointed out repeatedly that the insertion of large capacity late night Liquor establishments into the center of either existing or planned dense residential neighbourhoods such as this one is extremely detrimental to the livability of the neighbourhood and creates unnecessary and ongoing conflict. The approval of an additional of 99 outdoor seats without consideration of the intended use as outdoor liquor service will no doubt provide disruption to the local area residents and ongoing conflict with the existing and hundreds more units soon to be built immediately adjacent.

The applicant has stated that the developer of the adjacent condominium, Chris Le Fevre, is fully supportive of this project. We would simply note that the developer will not reside in his development and according to his public statements, appears unaware that many complaints against neighbouring liquor establishments have come from residents of his developments in the past. Some Councillors are well-aware of the litany of complaints that have been made from residents of his Leiser Building project on lower Yates regarding noise from public congregation in front of Lucky Bar. That, and the well known catastrophic impacts of the rooftop patio at the Strath on livability at The Falls condo should provide Council some pause to reflect.

The DRA would like to point out that this application has morphed from an initial proposal of 100 seats closing at midnight that was fully supported by the community to a destination pub to be almost triple in size with later operating hours. It is interesting that this application is being segregated from the inevitable liquor application for the additional 99 outdoor seats that this proposed rooftop patio will facilitate. While this application is technical in nature and it is the applicant's right to invest in and construct a rooftop patio that is unlicensed at the time of approval, we would point out that the incremental approval of this application appears as a strategy that will allow the applicant to both avoid public comment on what is effectively a licensing application as well as provide a claim of financial hardship if liquor licensing for that same space is not approved in the near future. It is logical that both licensing and construction approvals should be heard by Council concurrently as the rationale for approval for one is indelibly linked to the other.

The DRA strongly supports a vibrant Downtown which includes late night drinking establishments in appropriate locations. Downtown residents are concerned about impacts on their livability this type of establishment will create and have been patiently awaiting the recommendations of the Alcohol Policy Review conducted a year ago in June of 2019. We trust Council will honour commitments to prioritize the implementation of any policy recommendations this review may bring forward. Downtown is expected to absorb the majority of residential growth for the region, so Council needs to thoughtfully consider the impacts decisions such this one will have on the quality of life for this rapidly growing community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a stylized, cursive script.

Ian Sutherland
Chair Land Use Committee Downtown Residents Association