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Development Permit Resubmission*

Proposed English Inn Redevelopment
429 Lampson Street

June 30, 2016 (*Amended on February 21, 2018, as indicated in red italics*)

**Resubmission applies to Site A Revisions Only; DP for Site B was approved November 27, 2017.*

Development Variance Permit Summary and Rationale: (Site A only)

(Variance request is applicable to redesigned Inn Wing only; all other Variances for balance of proposed development on both Sites A and B were approved November 27, 2017.

The Renewal and Expansion of the English Inn

(Parcel A) (*Resubmission applicable to redesigned Inn Wing only*)

Proposed New Construction on Remaining Lands

(Parcel B) (*Variances approved November 27, 2017*)

- **Preamble**

All Variances requested for 'Site B' (all proposed buildings except for the Inn and Inn Wing) were approved by Council on November 27, 2017. In response to community input, Council requested a redesign of the Inn Wing on Parcel A, in order to consider the Variance applicable to this specific project component only. This amended summary applies only to the DP Amendment submission for the revised Inn Wing.

In association with a June 30, 2016 Development Permit Application for the subject site and the updated DP Resubmission October 27, 2017, a Development Variance Permit is being requested on behalf of the owner of the site, Aragon Properties (Lampson) Ltd, to reflect project characteristics that are not in full compliance with some of the clauses set out in the Township of Esquimalt's Zoning Bylaw #2050 Amendment Bylaw #2809, enacted in 2013. This document identifies the specific clauses requiring a Variance, and sets out Rationale to justify the reasons behind the requested consideration and approval for each clause noted. Reference should also be made to the appended **Zoning Bylaw Matrix**, which indicates individual Variances by Clause Number, and the Architectural Drawings DP1.20 through **DP1.24**, which illustrate graphically the specific location of the non-compliant components on each building level.

To fully appreciate the context of the requested Variance Rationale, thorough review and understanding of the proposed project design will be beneficial. It is therefore further recommended that this rationale be reviewed in parallel with the accompanying Development Permit Design Summary and Rationale, and all other supporting documentation, including the Architectural and Landscape Development Permit Application Drawing Set.

- **General Project Summary and Context**

The grounds and original home of the historic English Inn site are on the cusp of realizing a proposed and inspired vision for redevelopment, contingent on Council Approval of the Development Permit Application. Rezoned in 2013, it was anticipated that the 5 acre property would be subdivided into 2 parcels, one on which the Inn would remain in perpetuity under one owner, and one in which it was assumed a separate owner would purchase to realize the substantial redevelopment rights being offered, by means of constructing a significant and stand-alone multi-unit residential building complex. Bylaw #2809 sets out zoning criteria aimed to preserve and

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protect the Inn and the immediate grounds, while establishing criteria to guide sensitive but substantial densification.

Many of the Bylaw clauses were crafted on the basis of the assumed separate ownership scenario, where specific clauses would guide development while respecting the rights and privileges of each respective owner. However, shortly after the property was successfully re-zoned, the entire parcel was purchased by Aragon Properties, with the expressed interest of controlling the total property through to the complete redevelopment of Parcel B, when it is presently assumed that the controlling interests for Parcel B will pass to the Strata Entity representing the proposed 179-unit residential development. Aragon will remain the owner and project developer throughout the construction and completion of the proposed redevelopment of Parcel B.

It is also the intent of Aragon to retain ownership and full expanded operation of the Inn (Parcel A). The current Development Permit Application is therefore being made for the site as a whole, founded on Aragon's vision for the redevelopment of the entire property. The eventual subdivision is still anticipated, with parcel division expected to be generally in conformance with the intermediate property line first defined conceptually at Rezoning, and demarcated with very slight refinement on the current drawing set. The Zoning Bylaw Matrix therefore remains applicable to each parcel, though the Variance of some clauses may not be as crucial an issue as it might be were the parcels owned by separate parties at the outset of redevelopment.

The redevelopment vision for the site was conceived initially by both Aragon and the design team, founded on a jointly-held objective to satisfy every one of the 21 Zoning clauses. The clauses guided the design methodology in conjunction with the detailed consideration of a tree preservation and landscape management plan. The original redevelopment vision, as defined during the Rezoning Phase (by others), has required significant concept modification to preserve the general design objectives, while responding to even greater tree and landscape preservation restrictions than were anticipated at the outset. Some of the requested Variances are the direct outcome of this responsible analysis and commitment by Aragon to the value of retaining important existing landscaping elements, while realizing a quality legacy project within the community. The project aims to be a good neighbour, and the minor Variances requested aim to enhance the overall quality and experience of the project.

The revised design for the Inn Wing requires a Variance with regard to building footprint, as it exceeds the original footprint of the demolished wing. It is similar in form and character to the previous design, and seeks the same Variance, which applies only to the footprint size. Other revisions include the following and do not require any new Variances:

- 1. All circulation is enclosed within the interior space.*
- 2. All exterior walkways on the Inn Wing have been eliminated, substantially reducing the risk of noise and overlook to the north.*
- 3. North façade windows are provided for façade interest, are limited in size and number, and are placed in corridors and stairs; any windows facing north within suites are placed high to prevent overlook to adjacent properties.*
- 4. The building has been shifted southwards, with the north façade extending no further into the sideyard than the most northerly edge of the demolished building.*
- 5. The total floor area (suites and circulation space cumulatively) of the redesigned Inn Wing is less than the total area of the previous design (including interior area and exterior circulation).*

- **Rationale for Zoning Bylaw Clauses Requiring a Variance or Comment, by Clause Number:**

- **1. Parcel A (Inn and Proposed Enhancement/Expansion)**

- **(3) Floor Area Ratio:** Variance not required. See Zoning Bylaw #2880.

- **(4) Unit Size:** Variance not required. See Zoning Bylaw #2880.

- **(7a) Siting Requirements: *(Variance Required)***

- Refer to APC Meeting: August 16, 2016 Staff Report Recommendation 4.

- The bylaw theoretically restricts new construction to the footprints of existing principal building(s). This applies to both the new Wing and the heritage Inn.

- *Minor changes to the heritage building's footprint to permit a new lower lobby and exterior access stair, and the addition of a manager's office sitting below existing main level floor area, were approved by Council on October 2, 2017 (HAP) and November 27, 2017 (DP).*

- The proposed new hotel wing covers a greater area than the demolished 'Shakespeare' wing, though it is generally positioned over, *and primarily south of*, the footprint of the previously existing wing. The larger footprint is required to accommodate viable hotel rooms *and internal circulation, as requested by both Council and neighbouring homeowners, though the combined suite and circulation space floor area is less than in the original design.*

- *The footprint of the redesigned Inn Wing has been shifted southwards, to align with the northern extent of the previously existing building, achieving an offset of 7'-6" from the property line (the original submission placed the building approximately 4' from the property line).*

- The architectural façade of the new building is carefully considered with the aim of improving the façade compared to the dilapidated and randomly composed previous addition, and new plantings within the increased setback will further improve the 'neighbourliness' of the proposed new building.

- **(10) Off Street Parking: *(Variance Approved by Council November 27, 2017)***

- Refer to APC Meeting: August 16, 2016 Staff Report Recommendation 4.

- The geometry of the stalls varies very slightly from the Parking Bylaw requirements in the calculation of required stall width when the stall is adjacent columns, which requires a Variance. Refer also to the Parking Report. The Bylaw theoretically requires compliant parking to be located on Parcel A. All required Parcel A parking is proposed to be located within the below-grade parking garage on Parcel B, which is to be constructed in Phase 1. Given that the property subdivision has not yet occurred, and that the overall property remains a single parcel, a Variance with respect to the location of the parking may not be required.

2. Parcel B (Proposed 179-Suite Residential Development)

(12) **Parcel Size:** Variance not required. See Zoning Bylaw #2880.

(13) **Floor Area Ratio:** Variance not required. See Zoning Bylaw #2880.

(17a) **Lot Coverage, Principle Building(s):**

(Variance Approved by Council November 27, 2017)

Refer to APC Meeting: August 16, 2016 Staff Report Recommendation 4.

The specified maximum lot coverage is **50%**. The Township typically includes parkades within a lot coverage calculation, as they are often fully above grade with a utilitarian roof. However, in the proposed design, much of the parkade is below grade, and all of the parkade roofs not covered by the buildings will be extensively landscaped such that they will appear to invisibly integrate with the site landscaping. Accordingly, it is suggested that the landscaped roof areas be deleted from the Lot Coverage calculation, resulting in a Lot Coverage figure of approximately **43%**, which is below the maximum of 50%. If the total parkade area must be included within this calculation, a **57.6%** value results, exceeding the maximum permitted and triggering the need for a required Variance. The site coverage for the total property (Parcels A and B in combination) is **47%** (below the maximum), or **38%** if the landscaped parking roofs are excluded. If the site is considered as a single entity, then no Variance is required for this clause.

(18a) **Siting Requirements, Principle Building(s):**

(Variances Approved by Council November 27, 2017 except as noted)

Refer to APC Meeting: August 16, 2016 Staff Report Recommendation 4.

The entire proposed scheme has been configured in response to highly particular siting requirements, notably the stepped setbacks, and general overall compliance has arguably been achieved. Development Permit drawings DP 1.21 through DP 1.26 illustrate graphically the areas that may require further discussion with the Township with regard to interpreted compliance. The most challenging upper setback to be accomplished is along the south façade of the Southern Building, where roofs, overhangs and balcony railings may project into the upper setback very slightly. Other exceptions include the exterior elevator balcony corridor at level 4 on the north face of the North Building and balcony edges on the Eastern Façade of the Central Building, which extend approximately 30cm towards the neighbouring DND property.

Future Variances at Site Subdivision *(Will require Variance at time of subdivision)*

When the site undergoes subdivision new variances will be required as a result of the new property line's adjacency to the new north strata building. These will be primarily for balcony overhangs, but also include building setbacks at upper levels and the location of an accessory building within 1.5m of the property line. These future Variance conditions are indicated on plan DP1.20-1.26.

(21) **Off Street Parking:**

(Variance Approved by Council November 27, 2017)

Refer to APC Meeting: August 16, 2016 Staff Report Recommendation 4.

The geometry of the stalls varies slightly from the Parking Bylaw requirements in the calculation of required stall width when the stall is adjacent columns. Refer also to the Parking Report. The quantity of parking provided meets all Parking Bylaw requirements, and is accommodated within the proposed below-grade parking garage.

Section 16 (1)(b)&(e)

*(Variance Approved by Council November 27, 2017,
Applied to all buildings except Inn Wing)*

Heavy timber trellis elements are essential to the proposed overall design aesthetic of the project, and extend more than 0.61 metres into some side yard setbacks in numerous locations. Their removal would eliminate much architectural interest, and the intended softening of façades through the use of hanging planter baskets, and the casting of interesting shadows on façades facing the perimeter property lines. A minor Variance is therefore requested for these multiple projections, in multiple locations. See DP 1.21-1.24 for precise locations.

Lastly, and of crucial importance to the proposed design, the lower eaves of all 45 degree roof slopes extend 0.9m (3 feet) beyond the face of the exterior walls beneath them, or 0.3m (1 foot) beyond the specified maximum roof overhang not typically included within a setback calculation. Reducing this overhang to achieve siting compliance would negatively impact the deep overhangs necessary to the proposed roof aesthetics of the project (which echo the very substantial roof overhang depths of the Inn).

Zoning Bylaw Matrix

(Updated to reflect slight floor area redistribution within compliant maximum FAR across the whole site).

	BYLAW CLAUSE	ALLOWED	PROPOSED	VARIANCE	
SITE A	(1)	PERMITTED USES A) TOURIST ACCOMMODATION RESTAURANT LOUNGE WITH ACCESS USES B) SINGLE FAMILY RESIDENTIAL C) MULTIPLE FAMILY RESIDENTIAL D) CONGREGATED CARE SENIOR CITIZENS APARTMENTS E) HOME OCCUPATION	A) TOURIST ACCOMMODATION RESTAURANT LOUNGE WITH ACCESS USES	NO	
	(2)	PARCEL SIZE	4580 sqm MINIMUM	5340 sqm	NO ^
	(3)	FLOOR AREA RATIO	0.47	0.47	NO ^
	(4)	UNIT SIZE (MFD)	>= 60 sqm	N/A	NO
	(5a) (5b)	BUILDING HEIGHT BUILDING HEIGHT	<= 37.2 m GEODETIC <= 3.6 m	NOT MORE THAN 37.2 m EMERGENCY KIOSK IS <= 3.6 m IN HEIGHT	NO NO
	(6a) (6b)	LOT COVERAGE LOT COVERAGE	<= 20% <= 5%	19% NO CHANGE	NO NO
	(7a) (7b)	SITING REQUIREMENTS SITING REQUIREMENTS	EXISTING PRINCIPLE ACCESSORY BUILDINGS	NEW STAIR AND HOTEL WING EXTEND BEYOND EXISTING REFER TO SUPPORTING DOCUMENTS	YES NO
	(8)	USABLE OPEN SPACE	>=20%	38.9%	NO ^
	(9)	FENCING	NO FENCE IN FRONT YARD	NO FENCE ON SITE A IN FRONT YARD	NO
	(10)	OFF STREET PARKING	IN ACCORDANCE WITH PARKING BYLAW	HOTEL PARKING LOCATED IN SITE B PARKADE*	NO
SITE B	(11)	PERMITTED USES A) MULTIPLE FAMILY RESIDENTIAL B) TOWNHOUSE RESIDENTIAL C) SINGLE FAMILY RESIDENTIAL D) CONGREGATED CARE SENIOR CITIZENS APARTMENTS E) TOURIST ACCOMMODATION WITH ACCESSORY USES F) HOME OCCUPATION	A) MULTIPLE FAMILY RESIDENTIAL B) TOWNHOUSE RESIDENTIAL E) TOURIST ACCOMMODATION WITH ACCESSORY USES	NO	
	(12)	PARCEL SIZE	12,056 sqm MINIMUM	12,313 sqm	NO ^
	(13)	FLOOR AREA RATIO	1.38	1.38	NO ^
	(14)	NUMBER OF BUILDINGS	MORE THAN 1 PRINCIPLE BUILDING	5 PRINCIPLE BUILDINGS [6 INCLUDING PARKADE]*	NO
	(15)	UNIT SIZE (MFD)	>= 60 sqm FOR 90% OF MFD, 35 sqm OTHERWISE	15 UNITS ARE LESS THAN 60sqm [8% OF ALL UNITS]*	NO ^
	(16a) (16b)	BUILDING HEIGHT BUILDING HEIGHT	<= 21.0 m FROM AVE GRADE <= 3.6 m	REFER TO BUILDING ELEVATIONS N/A	NO NO
	(17a) (17b)	LOT COVERAGE LOT COVERAGE	<= 50% <= 5%	58.5% NEGUGIBLE	YES** NO
	(18a) (18b)	SITING REQUIREMENTS SITING REQUIREMENTS	SEE PART 5 - 243 CHART	REFER TO SUPPORTING DOCUMENTATION*	YES** NO
	(19)	USABLE OPEN SPACE	7.5%	20.6%	NO
	(20)	FENCING	NO FENCE MORE THAN 0.3M FROM PROPERTY LINE WITHIN 36.7M OF FRONT LOT LINE NO FENCE ABOVE 2m	NO NO FENCE ABOVE 2m	NO NO
	(21)	OFF STREET PARKING	IN ACCORDANCE WITH PARKING BYLAW	PARKING STALLS PROVIDED EXCEED BYLAW REQ'MENTS GEOMETRY VARIES FROM BYLAW REQ'MENTS**	NO YES**

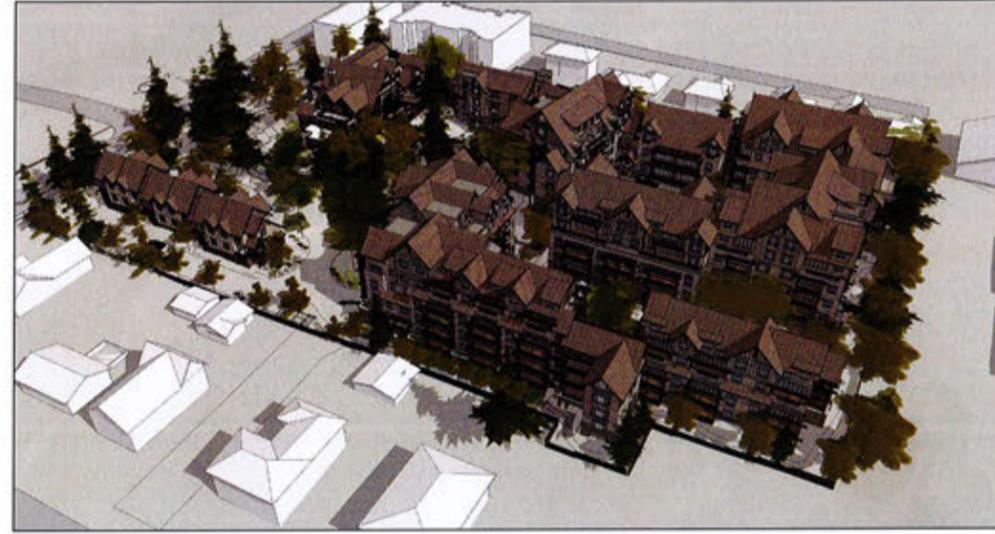
* REFER TO ACCOMPANYING VARIANCE RATIONALE DOCUMENT
 ** APPROVED NOVEMBER 27 2017
 ^ AS PER BYLAW 2880

Revision No.	Description	Date

Issue	Issue Date
Arqon Progress Set	2017 02 16
OP Resubmission	2017 05 09
OP Resubmission	2017 10 23
OP Resubmission	2017 12 05
OP Amendment - 1st Wing	2018 02 21



1 AERIAL VIEW LOOKING NORTHWEST
 2017/02/16 AS NOTED



2 AERIAL VIEW LOOKING NORTHEAST
 2017/02/16 AS NOTED



3 AERIAL VIEW LOOKING SOUTHWEST
 2017/02/16 AS NOTED



4 AERIAL VIEW LOOKING SOUTHEAST
 2017/02/16 AS NOTED

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Project
English Inn
 409 Langson Street
 Victoria, BC
 For
 Arqon (Lampson) Properties Ltd.

Sheet Title
CONCEPTUAL IMAGES

Drawn By	Checked
JY_JH_RV	GF
Project Number	Scale
1527	AS NOTED
Revision	Sheet Number

DP0.01

Issue	Issue Date
Arden Progress Set	2017 02 16
DP Resubmission	2017 05 08
DP Resubmission	2017 10 27
DP Submission	2017 12 15
DP Amendment - 1st Wing	2018 02 21
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⊕ ⊕ JAN 21 12PM
SCALE: 1/8"



⊕ ⊕ JAN 21 12PM
SCALE: 1/8"



⊕ ⊕ JAN 21 12PM
SCALE: 1/8"



⊕ ⊕ MAR 21 12PM
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⊕ ⊕ MAR 21 12PM
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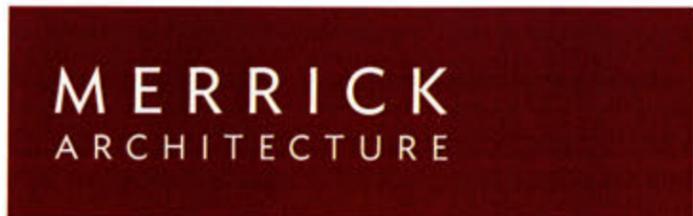
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For
Arden (Lamson) Properties Ltd.

Sheet Title
SHADOW STUDIES

Drawn By: JY, JH, RV
Checked: GF
Project Number: 1527
Scale: AS NOTED
Revision: _____
Sheet Number: _____

DP0.03



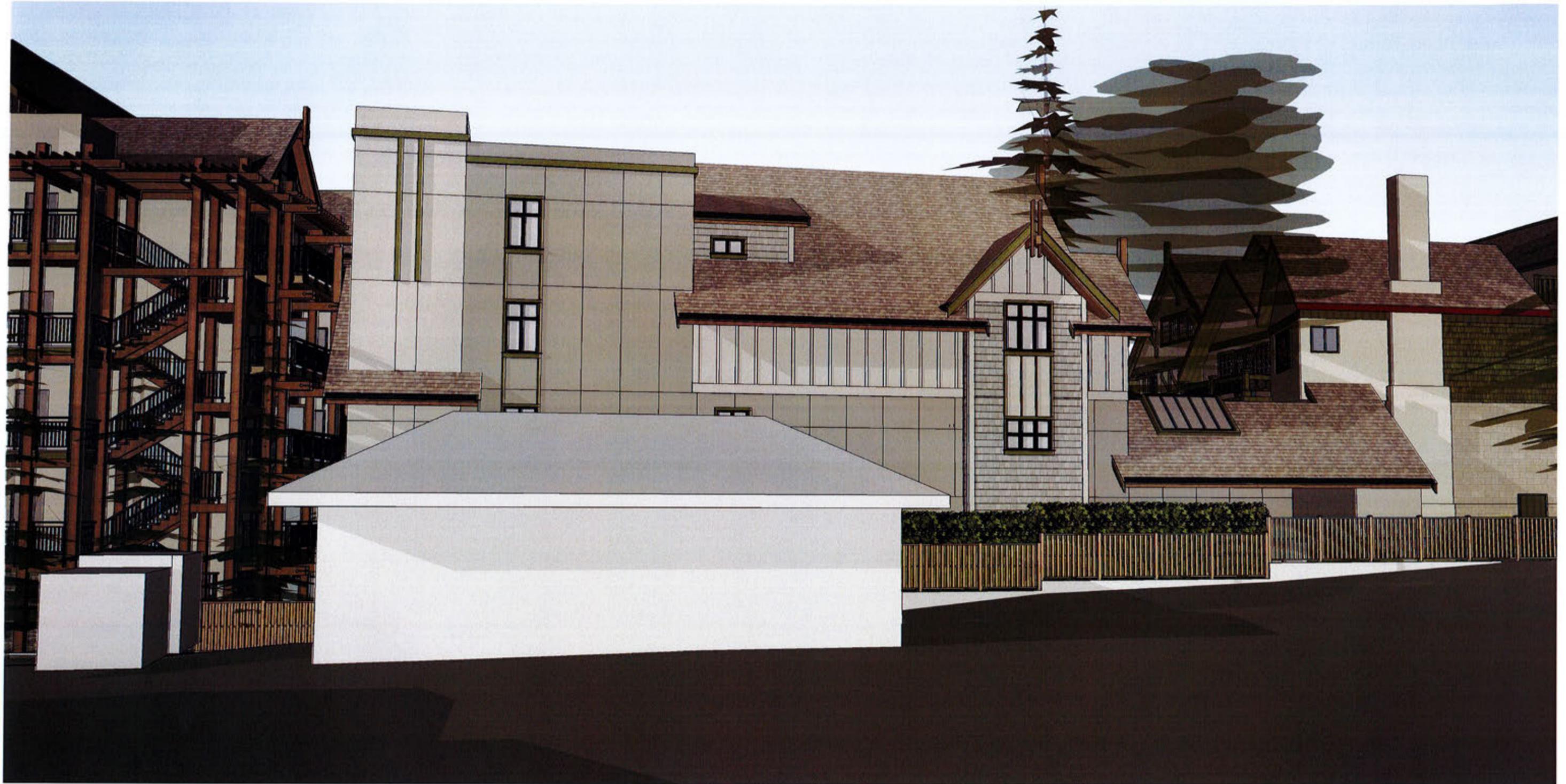
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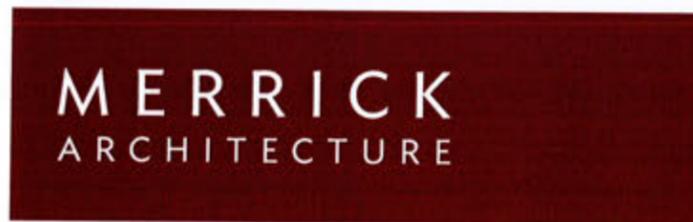
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Previous Design: DP Resubmission October 2017



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