

67.71 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 84 [CD NO. 84]

In that Zone designated as CD No. 84 (Comprehensive Development District No. 84) no Building or Structure or part thereof shall be erected, constructed, placed, maintained or used and no land shall be used except in accordance with and subject to the regulations contained in or incorporated by reference into this Part.

- A. CD NO. 84 Density:** The Floor Area Ratio for COMPRHENSIVE DEVELOPMENT DISTRICT NO. 84 [CD NO. 84] [including all Sites and Parcels] shall not exceed 1.15.
- B. Site A – the Manor house site [containing the heritage designated building].** The minimum Site area for Site A shall be 4580 square metres.

(1) Permitted Uses

The following Uses and no others shall be permitted:

- (a) Tourist Accommodation, Restaurant, Lounge with Accessory Uses
- (b) Single Family Residential
- (c) Multiple Family Residential
- (d) Congregate Care Senior Citizens Apartments
- (e) Home Occupation
- (f) Boarding: subject to the requirements of Section 30.3
- (g) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.

(2) Parcel Size

The minimum Parcel size for parcels created by subdivision shall be 4,580 square metres.

(3) Floor Area Ratio – [Density]

The Floor Area Ratio shall not exceed 0.47 as determined in relation to Site A.

(4) Unit Size

The minimum Floor Area for each Multiple Family Dwelling unit shall be not less than 60 square metres.

(5) Building Height

- (a) Notwithstanding the definition of Height in this Bylaw, in this Zone, the highest point of any building or Structure must not exceed 37.2 metres geodetic (above sea level). For greater certainty, the Height exceptions of Section 15 continue to apply.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(6) Lot Coverage

- (a) All Principal Buildings, Accessory Building and Structures combined shall not cover more than 20% of the Area of Site A.

(b) All Accessory Buildings and Structures combined shall not exceed 5% of the Area of Site A.

(7) **Siting Requirements**

(a) **Principal Building**

The existing principal building shall be sited as detailed on the survey plan prepared by McElhanney Associates Land Survey Ltd., stamped "Received September 9, 2013", and attached hereto as Schedule 'C', including an inset from the survey provided for convenience purposes.

(b) **Accessory Buildings**

- (i) No Accessory Building shall be located in the Front Yard.
- (ii) No Accessory Building shall be located with 1.5 metres of an Interior or Rear Lot Line.
- (iii) Building Separation: No Accessory Building shall be located within 2.5 metres of the Principal Building.

(8) **Usable Open Space**

Useable open space shall be provided in an amount of not less than 20% of Site A.

(9) **Fencing**

No fence shall be placed in the Front Yard. No fence shall exceed a Height of 2 metres.

(10) **Off-Street Parking**

- (a) Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).
- (b) Notwithstanding section (10)(i) the existing use of 14 or fewer hotel rooms shall provide 12 parking spaces.

C. Site B – the Remainder of CD NO. 84.

The minimum Site area for Site B shall be 12,056 square metres.

(11) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Multiple Family Residential
- (b) Townhouse Residential
- (c) Single Family Residential
- (d) Congregate Care Senior Citizens Apartments
- (e) Tourist Accommodation, with Accessory Uses

- (f) Home Occupation
- (g) Boarding: subject to the requirements of Section 30.3
- (h) Urban Hens: subject to the requirements of Section 30.4 of this bylaw.

(12) **Parcel Size**

The minimum Parcel size for parcels created by subdivision shall be 12,056 square metres.

(13) **Floor Area Ratio – [Density]**

The Floor Area Ratio shall not exceed 1.38 as determined in relation to Site B.

(14) **Number of Buildings**

More than one (1) principal building is permitted on Site B.

(15) **Unit Size**

The minimum Floor Area for each Multiple Family Dwelling unit shall be not less than:

- (a) 60 square metres for not less than 90 percent of the units; and
- (b) 35 square metres otherwise.

(16) **Building Height**

- (a) No Principal Building shall exceed a Height of 21 metres.
- (b) No Accessory Building shall exceed a Height of 3.6 metres.

(17) **Lot Coverage**

- (a) All Principal Buildings, Accessory Building and Structures combined shall not cover more than 50% of the Area of Site B.
- (b) All Accessory Buildings and Structures combined shall not exceed 5% of the Area of Site B.

(18) **Siting Requirements**

(a) Principal Building

(i) Front Lot Line setback	7.5 metres (minimum)
(ii) Eastern Lot Line setback Building elements up to 11 metres in height Building elements over 11 metres in height	3.5 metres (minimum) 7.5 metres (minimum)
(iii) Northern Lot Line setback Building elements up to 11 metres in height Building elements over 11 metres in height	4.5 metres (minimum) 7.5 metres (minimum)
(iv) Southern Lot Line setback Building elements up to 11 metres in height Building elements over 11 metres in height	4.5 metres (minimum) 7.5 metres (minimum)
(v) Site A/ Site B shared Lot Line setback Building elements up to 11 metres in height Building elements over 11 metres in height	3.5 metres (minimum) 7.5 metres (minimum)

(b) Accessory Buildings

- (i) No Accessory Building shall be located in the Front Yard.
- (ii) No Accessory Building shall be located with 1.5 metres of any Site A lot line, Eastern Lot Line, Northern Lot Line, and Southern Lot Line .
- (iii) Building Separation: No Accessory Building shall be located within 2.5 metres of any Principal Building.

(19) **Usable Open Space**

Useable open space shall be provided in an amount of not less than 7.5% of Site B.

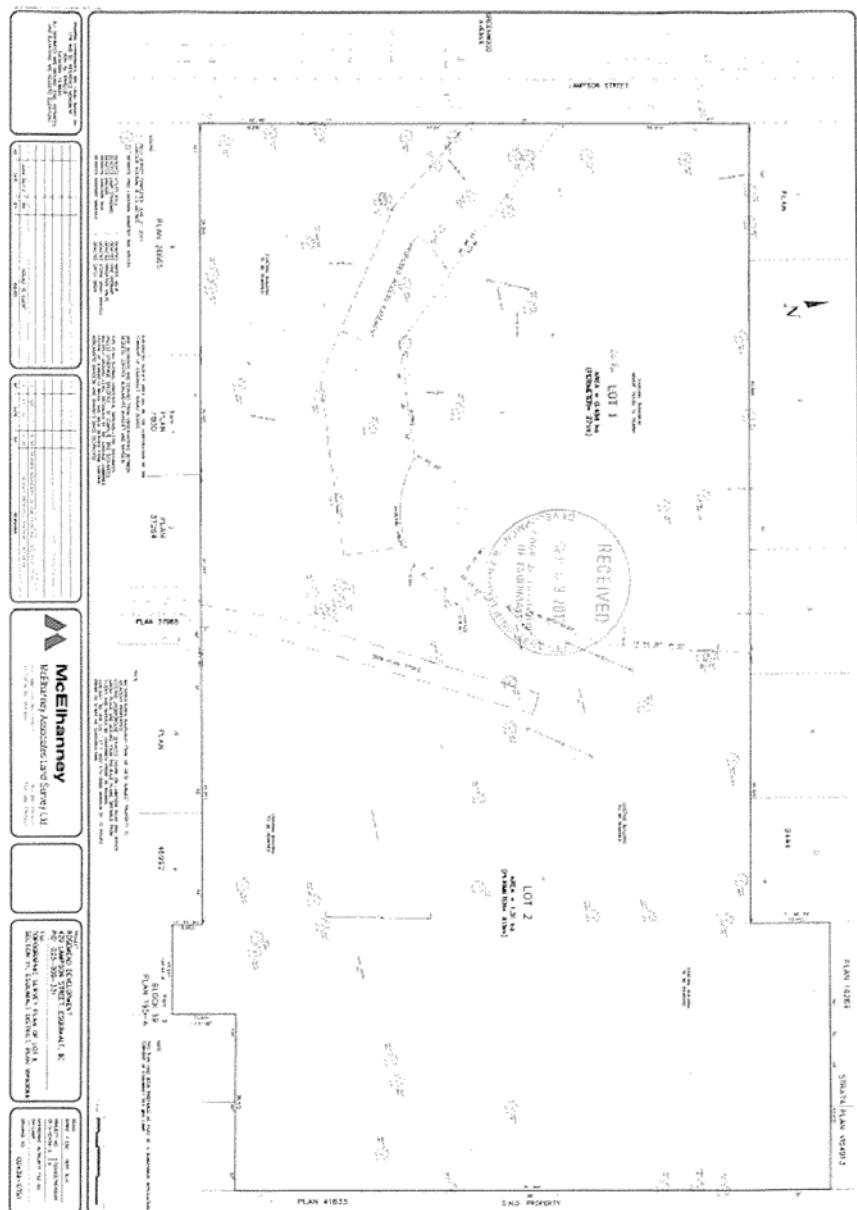
(20) **Fencing**

Fencing is prohibited within 36.7 metres of the Front Lot Line. No fence shall exceed a Height of 2 metres.

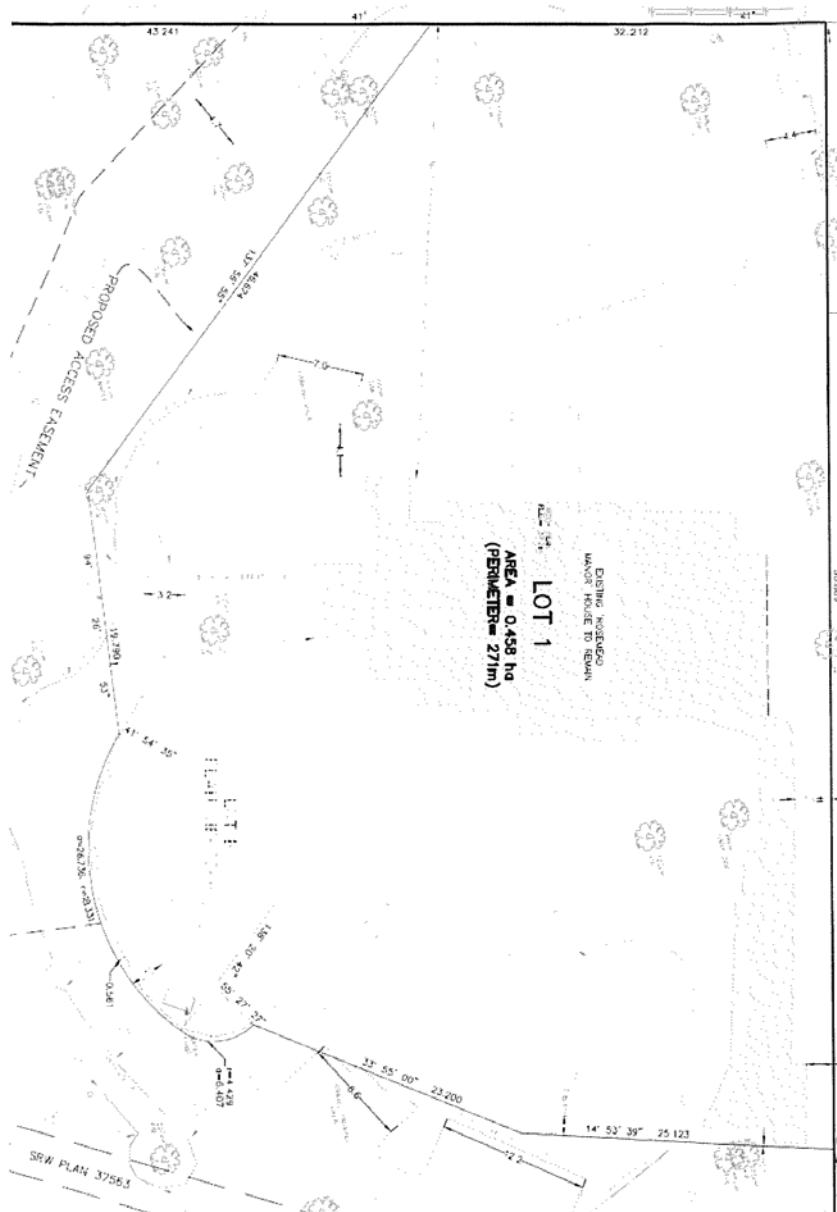
(21) **Off- Street Parking**

- (a) Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).
- (b) Notwithstanding Section (21) (a) No more than 10% of the area of Site B, not covered by Principal Buildings, Accessory Buildings and Structures (Lot coverage), may be used for surface parking (excluding driveways).

Page 1 of 2
Schedule "C" of CD No. 84
(429 Lampson Street)
Siting of Existing Principal Building



Page 2 of 2
Schedule "C" of CD No. 84
(429 Lampson Street)
Siting of Existing Principal Building
(Inset from the Survey - for convenience)



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2807

A Bylaw to designate the existing building known as the English Inn at 429 Lampson Street as a Municipal Heritage Building.

WHEREAS THE Council considers that the property shown cross hatched in Schedule A of this Bylaw and described in Schedule B of this Bylaw has heritage value and heritage character.

AND WHEREAS the owners of that property have applied to the Township of Esquimalt for designation of the existing building on the property as a municipal heritage site;

AND WHEREAS the owners have agreed there is no reduction in market value of the property, or, in the alternative, they have waived in writing any entitlement to compensation for the designation under s. 969 of the *Local Government Act*;

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "HERITAGE DESIGNATION [429 Lampson Street] BYLAW, 2013, NO. 2807".
2. That the existing building and area shown cross-hatched on Schedule 'A' attached to and forming part of this bylaw (the "**Protected Property**") located on that parcel of land commonly known as 429 Lampson Street and situated in the Township of Esquimalt in the Province of British Columbia and more particularly described as PID 023-009-331, Lot B, Section 11, Esquimalt District, Plan VIP60066 (the "**Lands**") shall be and is hereby provided heritage designation pursuant to Section 967 of the *Local Government Act*.
3. Subject to Section 4 of this Bylaw, in accordance with subsection 967(2)(g) and (3) of the *Local Government Act*, no person may affect the Protected Property without the benefit of a Heritage Alteration Permit in accordance with the following policies:
 - (a) Alteration, changes, removal and actions to be consistent with, in the following order:
 - (i) the statement of Heritage Value prepared by Donald Luxton & Associates, dated September 2013, as provided in Schedule B to this Bylaw;
 - (ii) *Standards and Guidelines for the Conservation of Historic Places in Canada, © Her Majesty the Queen in Right of Canada, 2010, Second Edition*;
 - (iii) guidelines provided in relation to the Lands further to Development Permit Area No. 7 English Inn as identified in *OFFICIAL COMMUNITY PLAN BYLAW, 2006, NO. 2646, AMENDMENT BYLAW [NO. 15], 2013, NO. 2808*;
 - (b) In recognition of the Protected Property only representing a portion of the existing building, removal of any of those portions of the existing building not provided heritage designation by this Bylaw only be undertaken so as to ensure that the architectural and heritage integrity of the heritage designated portions of the building.

4. In accordance with subsection 967(2)(f) of the *Local Government Act*, the following activities may be carried out in relation to the Protected Property and the Lands without the benefit of a Heritage Alteration Permit:
 - (a) general maintenance and upkeep of the exterior of the existing building, including periodic repairs, cleaning and painting the exterior;
 - (b) interior changes that do not impact the exterior of the existing building; and
 - (c) minor routine landscaping.

READ a first time by the Municipal Council on 23rd day of September, 2013.

READ a second time by the Municipal Council on 23rd day of September, 2013.

A Public Hearing pursuant to Sections 890 and 892 of the *Local Government Act* was held on 21st day of October, 2013.

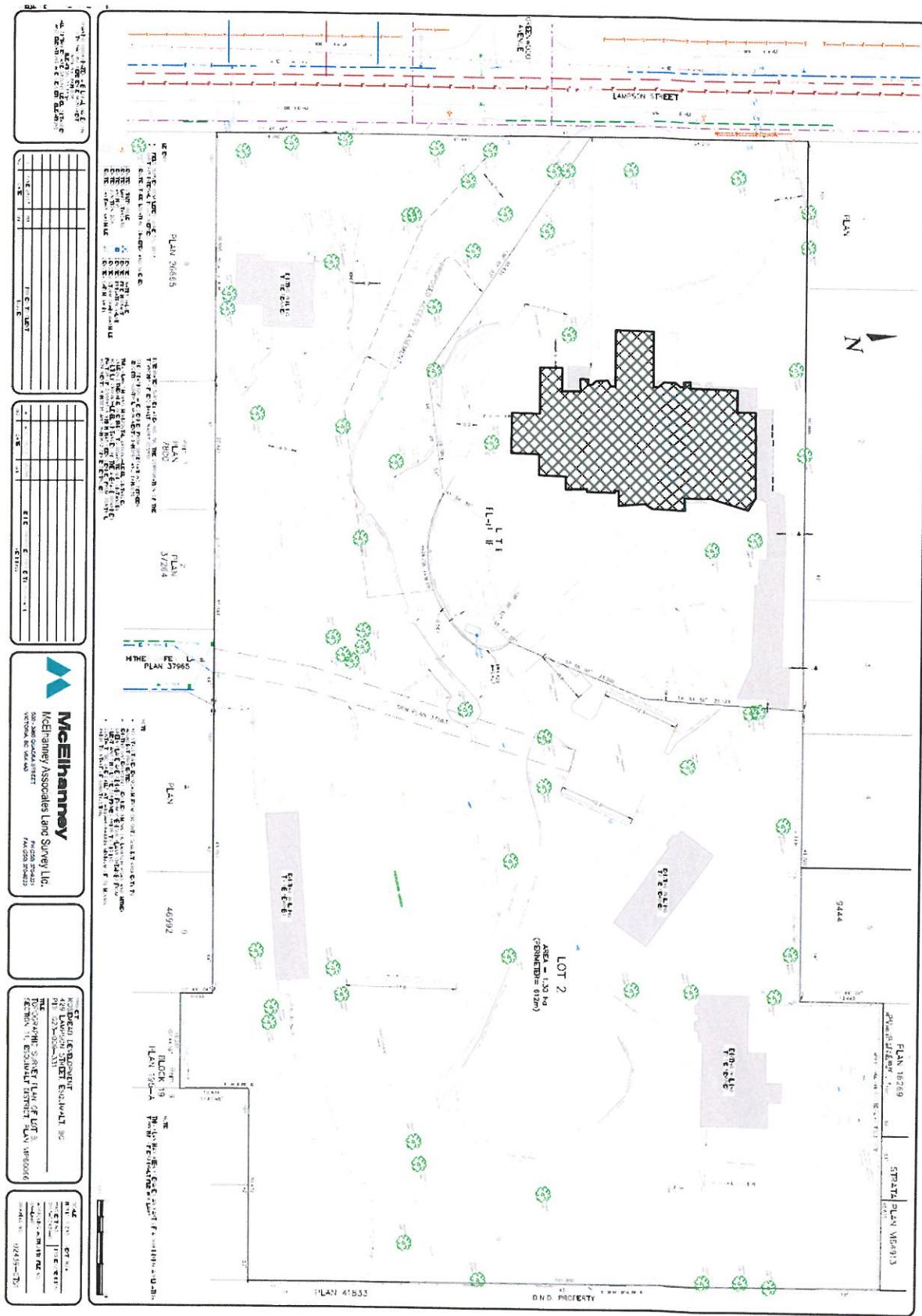
READ a third time and passed by the Municipal Council on 4th day of November, 2013.

ADOPTED by the Municipal Council on 4th day of November, 2013.


BARBARA DESJARDINS
MAYOR


ANJA NURVO
CORPORATE OFFICER

SCHEDULE 'A' TO BYLAW 2807



THE ENGLISH INN, 429 LAMPSON STREET, ESQUIMALT
HERITAGE VALUE

SCHEDULE B OF BYLAW NO. 2807



Name of Historic Place: The English Inn

Historic Name: *Rosemead*

Location: 429 Lampson Street, Esquimalt

Date of Construction: 1909

Original Owner: Thomas Henry Slater and Elizabeth Slater

Architect: Samuel Maclure

Description of the Historic Place

The English Inn is a two and one-half storey, masonry estate house located at 429 Lampson Street in the Saxe Point neighbourhood of Esquimalt, near the Strait of Juan de Fuca. Tudor Revival in style, the house is situated on a large rocky outcropping with a mature forested landscape, and features a high gabled roof, extensive stonework and half-timbered gable ends.

Heritage Value of the Historic Place

The English Inn is significant for its representation of British-inspired architecture and the development of early estate holdings in Esquimalt. This large manor house demonstrates the social, cultural, and aesthetic values of local wealthy businessmen and women of the early twentieth century – values such as appreciation of architectural elegance and grand interior spaces, leisure and recreation, formal landscaped gardens and scenic views. Located near naval and shipbuilding installations, the Saxe Point neighbourhood was an appealing residential location for Esquimalt's early gentry. These estate properties have since been subdivided for development, and the English Inn is the last surviving early

THE ENGLISH INN, 429 LAMPSON STREET, ESQUIMALT
HERITAGE VALUE

SCHEDULE B OF BYLAW NO. 2807

manor house in the area. Originally known as *Rosemead*, it was built in 1909 for the Slater family. Yorkshire-born Thomas Henry Slater (1866-1934), a successful broker, realtor and developer, arrived from Ontario following his marriage to Elizabeth Maud Robinson on March 26, 1895. The Slaters only resided here until 1917, and subsequently rented the house to various notable residents including Sir James Lougheed, one of Canada's well-known early politicians. The Slaters sold the property in 1933 to Dr. Thomas Arthur Rickard and his wife, Marguerite, who remained in the house until 1946, and this progression of elite owners and residents roots the estate firmly in the early social development of Esquimalt. After the end of World War Two, Sam Lane, Retired Squadron Leader of the Royal Canadian Air Force, and his wife, Rosina, began the conversion of the manor into a guesthouse. The Lanes constructed additional buildings on the property and operated the estate for many years as "The Olde England Inn," a noted tourist attraction that promoted British historical connections.

The English Inn is also valued for its Tudor Revival architecture, designed by celebrated local architect Samuel Maclure (1860-1929), who was responsible for many significant buildings throughout the Capital Regional District and the Lower Mainland of British Columbia. Maclure, known especially for his British Arts and Crafts residential designs, had recently completed the opulent *Hatley Park* in Colwood before beginning work on Slater's new home in Esquimalt; both demonstrate Maclure's penchant for stone cladding and traditional British architecture. This house for the Slaters displayed good, modern taste as well as an affinity for all things British, and high-quality craftsmanship is evident both inside and out in the finishes and materials. The use of the Tudor Revival style, with its direct British antecedents, was also a patriotic demonstration of loyalty to the Mother Country. In addition to its lavish design details, the height of the house, its relative seclusion and its deep setback from the street enhance its grandeur. The English Inn remains the only extant Maclure-designed building in Esquimalt and is a testament to the work of one of British Columbia's most accomplished native architects.

Character-Defining Elements

The key elements that define the heritage character of The English Inn include its:

- location on a large rocky outcrop in the Saxe Point neighbourhood of Esquimalt;
- generous setback from the street, set amongst native landscaping and mature trees;
- residential form, scale and massing as expressed by its two and one-half storey height with full basement, and broad overhanging gabled roof;
- Tudor Revival style design features of the original Maclure design, including: massive rubblestone foundations growing out of the native rock; cedar shingles and tuck-pointed stone cladding on the ground floor; half-timbering on the upper floors; south-facing parallel gables; ground floor projecting bays and indented porches; large eave brackets; bracketed dropped finials at the gable ends; a *porte cochère* with square, tapered, stone columns and wooden brackets; tall stone chimneys; and a south-facing second floor balcony;
- Original wooden sash windows, including a variety of multi-paned double-hung and casement assemblies, some with stained and leaded glass panels.

RESEARCH SUMMARY

CIVIC ADDRESS: 429 Lampson Street, Esquimalt

LEGAL ADDRESS: Lot B, Section 11, Esquimalt District Plan VIP60066

ORIGINAL OWNERS: Thomas Henry Slater and Elizabeth Slater

ORIGINAL NAME: Rosemead

CONSTRUCTION DATE: 1909

ARCHITECT: Samuel Maclure

SAMUEL MACLURE ARCHITECTURAL DRAWINGS AT UNIVERSITY OF VICTORIA ARCHIVES:

- Location: Segger Fonds, UVA Accession 89-41, box 1, file 4
- Drawing numbers: AP1612-AP1614 (3 blueprint drawings: plans and elevations)
- Client: T.H. Slater
- Title: House for T.H. Slater Esq., Lampson St., Esquimalt, B.C.
- Address: "Rosemead" (The English Inn), 429 Lampson Street, Esquimalt
- Date: July 1909
- Description: Two-storey house with basement and attic (no plans of the latter are present). The ground floor comprises a vestibule, hall, drawing room, sitting room, den, dining room, kitchen, pantry and larder. A porte cochère and porch join the house on this level at the vestibule. A large verandah wraps around the west, south and east sides of the house. The second floor consists of the upper hall, four bedrooms, dressing room, box room, two bathrooms and a balcony. Porches and verandahs are faced in stone, and the rest of the first floor is finished in shingles. Second-floor gable ends and one of the attic gable ends have a half timbering treatment. The other attic gable end is finished in shingles. Plans specify the liberal use of leaded glass windows.

9.8 Development Permit Area No. 7 - English Inn

9.8.1 Scope

Lands legally described as PID: 023-009-331 Lot B Section 11 Esquimalt District Plan VIP60066 is designated as Development Permit Area No. 7 - English Inn.

9.8.2 Categories

Sections 919.1 (1) (d), (e), (f), (g), (h) and (i) of the *Local Government Act*

- (d) revitalization of an area in which a commercial use is permitted;
- (e) form and character of intensive residential development;
- (f) form and character of commercial and multi-family residential development;
- (h) establishment of objectives to promote energy conservation;
- (i) establishment of objectives to promote water conservation; and
- (j) establishment of objectives to promote the reduction of greenhouse gas emissions.

9.8.3 Justification

These guidelines were developed to steward the design of development on the property known as the “English Inn” site at 429 Lampson Street in Esquimalt. The intent is to encourage new development to be sympathetic with, and a good neighbour to both the existing heritage Samuel Maclure designed manor house, known as Rosemead and the surrounding neighbourhood context, while providing opportunity for alternative massing solutions to accommodate market and building programmes. The key objective is a harmonious and sensitive development respectful of the Protected Property under Heritage Designation Bylaw 2807, including as described in the schedules thereto.

9.8.4 Requirements of Owners of Land within the Development Permit Area

- a. Owners of land within Development Permit Area No. 7 must not do any of the following without first obtaining a Development Permit in accordance with the guidelines for this Development Permit Area:
 - i. subdivide lands;
 - ii. construct, add to or alter a building or structure;
 - iii. alter lands or landscaping.

b. Exemptions:

The following do not require a Development Permit:

- i. construction of buildings or structures less than 10 square metres in area;
- ii. emergency repairs to existing structures where a potential safety hazard exists;
- iii. fences that comply with the Zoning Bylaw; and
- iv. replacement or changing of existing signs, provided the sign area is not to be increased.

9.8.5 Guidelines for Owners of the Land within the Development Permit Area

These guidelines are not intended to slavishly replicate the mock Tudor vocabulary of the original house, but rather listen to its basic form, texture, proportions and composition of elements on site. The guidelines are descriptive, not restrictive. The guidelines incorporate features to encourage the promotion of energy and water conservation and the reduction of greenhouse gases.

9.8.6 Landscape and Significant Features

- Respect, to the extent possible, the qualities of the existing topography, natural rock outcrops and related significant trees (especially in the southeast corner).
- Respect significant trees through appropriate building siting and design.
- Landscape designs should reflect the character defining elements of the Manor house site and should use plant species suited to local climate and incorporate drought-tolerant, native species and other xeriscaping techniques that minimize the need for landscape irrigation.
- The hard landscaping of the Manor house site; including but not limited to the pavilion, fountain, stonework and retaining walls, represent the formal landscaped gardens characteristic of a home of this stature and era. Any change of use of the site should respect the existing landscape features.
- Landscaping at the rear of the Manor house site has been developed to form a courtyard for use by the buildings occupants and guests, and forms an integral part of the building context. All building siting and design should respect the site lines from these outdoor spaces.
- The landscaped areas of the Manor house site, including the formal gardens, fountains, pavilions, hardscaping and courtyards are an important part of the character of the site



Image Above: An Example of Site Vegetation
©Dunster & Associates Environmental Consultants Ltd. 2012

and any proposed design should be sympathetic to these elements and this character. Use of materials should reflect the high quality already established on the site.

- The property has many unique and mature plants and trees and any proposal should endeavour to reuse and incorporate this material on the site to the extent possible.
- Fences as a part of the landscape should be of high quality material and the use of chain link fences should be avoided.

9.8.7 Access and Parking

- Retain and simplify the existing driveway from Lampson Street to access the heritage property and lands beyond by eliminating the southern exit driveway and widen the north driveway judiciously around significant trees, with permeable paving, to accommodate two-way traffic.
- Maintain the domestic scale and character of the driveway onto Lampson Street including unobtrusive low level lighting and retain the existing stone gate posts.
- Any surface parking, especially on the Manor house site, should be appropriately screened with landscaping and be designed not to detract from the character of the landscaping of the site. The use of permeable paving materials for parking areas is encouraged.
- If additional parking is required on the Manor house site, and the 'Village' wing was removed, location along the northern property line should be considered.
- Incorporate appropriate storm water management measures to ensure storm water from the driveway infiltrates back into the ground to ensure no net runoff offsite.
- Incorporate below grade parking, for the development site, to take advantage of the approximately one storey north/south cross fall across the site.
- Avoid long open cut parking access ramps by accessing underground parking from the lower levels of the existing grade.
- Appropriate bicycle and scooter storage should be provided in commercial and multiple-family buildings.
- Commercial and multiple-family buildings should include provision for charging stations for electric vehicles where appropriate.



Driveway Entry

9.8.8 Environment

- Use green building standards and technology to reduce the environmental/ ecological footprint of development.

- Use natural storm water management techniques and measures to ensure that all storm water is managed on the site with no net increase off site. It is a fundamental municipal requirement that all storm water runoff be managed on site. This will substantially improve the existing condition.
- Use of outdoor lighting on buildings or in the landscape should be designed to minimize light pollution and spill over onto neighbouring properties. All outdoor lighting should minimize wattage and be directed downward. Use of motion detectors and timers is encouraged.

9.8.9 Building Form and Character

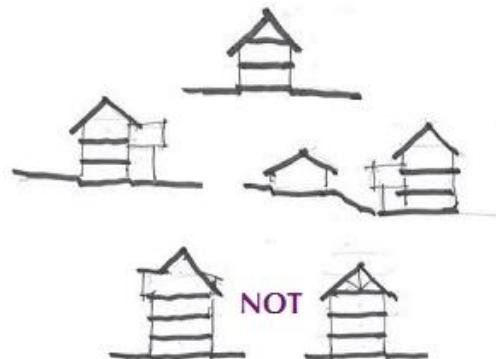
- Break down building volumes into domestic sized increments.
- Incorporate pitch roof language with dormers sympathetic to the heritage Maclure manor, reducing apparent building height and volume.
- Consider relaxation of building setbacks where it can be shown that it is advantageous to building design and distribution of building mass and volume in relation to adjacent properties.
- Respect significant trees through appropriate building siting and design.



Maclure's Biggerstaff Wilson House,
Victoria, 1905

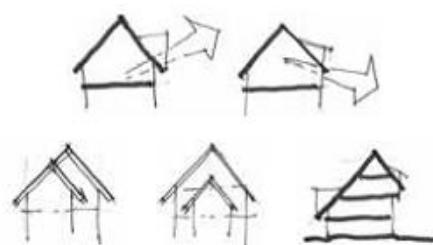
9.8.10 Distribution of Building Volume

- Concentrate higher building volume towards the middle of the site and towards the easterly portions adjacent to the neighbouring DND property.
- Keep building volumes lower towards the edges and composed as if made up of individual dwelling units, particularly towards the south. Massing towards the northern edges can typically accommodate another storey, since the English Inn site is a nominal level below the neighbours to the north.



9.8.11 Basic Building Volume and Roof Forms

- Employ basic building elements not much more than twice the bulk of the manor house proper to create an overall composition whereby the whole reads as an assemblage of these parts.
- Compose building elements to shape and define spaces between and within; not to exist as objects in space.



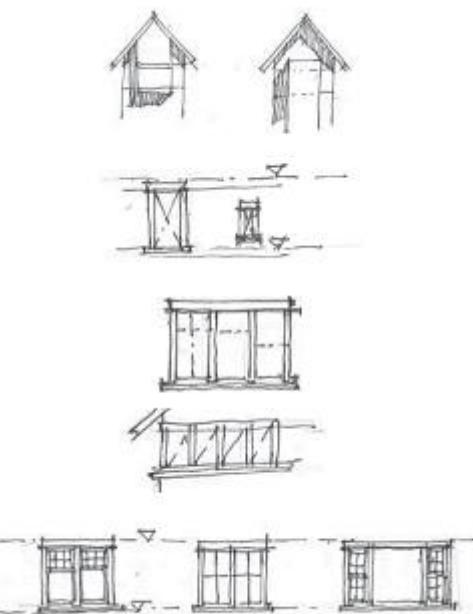
- Employ a language of roof pitch typically to reflect that of the manor house; to be inhabited within, not simply sit on top of habitable space.
- Figuratively, pull the roof forms down around the occupied spaces.
- Utilize dormers - pitched or single slope - to provide light and views from habitable space within the roof.
- Utilize stepped down gables, or single pitch runoffs to further break down scale and create more intimate relationships with the ground. These elements can be used in succession.
- Roof overhangs and window placement should be coordinated to provide cooling and shade during summer and solar access for passive heating in the winter.
- Roof surfaces should be designed to accommodate solar energy collection devices. Skylights are discouraged, as a benefit of natural daylight penetration is not sufficient from an energy perspective, to outweigh their heat loss due to low insulation value.

9.8.12 Building Orientation and Access to Sunlight

- Buildings should be located, oriented and designed to facilitate the retention of passive solar heat (e.g. south facing windows), reduce heat loss and support natural ventilation.
- Reduce energy consumption of electric lighting by maximizing opportunities for the distribution of natural daylight into a building's interior spaces (excluding the use of skylights).
- Avoid the use of heavily tinted or reflective glazing that reduces solar heat gain but also reduces the penetration of light.
- Placement and retention of deciduous trees is encouraged such that these trees provide summer-season shading, and winter-season solar access.
- While respecting the importance of the existing character of the site's landscape character design of on-site landscaping should minimize shading impacts and the potential for solar thermal or photovoltaic systems on the site and surrounding properties.

9.8.13 Windows - Types and Proportions

- Employ bay windows, bracketed in upper stories, or stepped out on lower stories to form decks off upper stories, to break down scale of end walls.
- Employ basic window element having a vertical proportion - 1:1.4 - 1:2.2.
- Vary size from floor to ceiling to very small openings for secondary spaces.
- Increase amount of transparency by stringing multiple units or by employing basic units at regular intervals.



- Create horizontal strip glazing condition by exploring recurrent smaller units.
- Break down scale and texture where appropriate with divided light muntins or zinc cam in double glazed units.
- Large single well-proportioned sheets can be employed in conjunction with divided lites to capture views.

9.8.14 Renewable and Alternative Energy

- Support where feasible, on-site renewable energy systems and technologies such as solar hot water, solar photovoltaic, micro wind turbines and heat pumps.
- Encourage on-site resource recovery through technologies where possible such as heat exchangers on ventilation and domestic water supply.

9.8.15 Materials Management

- Recycling infrastructure and facilities especially for organics is encouraged.
- Building materials which are durable for the use intended should be sourced locally or regionally to reduce transportation requirements whenever possible and economic.
- Reuse existing building and landscape materials on site where practical and economic.
- Encourage construction waste diversion planning as part of the development process. Including the identification of designated areas for the collection of recyclable materials.