



Heritage Conservation Area Consulting Services

Request for Qualifications

Background

The District of Oak Bay is a municipality with a population of approximately 18,000 that forms part of the Greater Victoria urban area and, along with 12 other municipal governments, comprises the Capital Regional District.

Oak Bay residents and Council consider heritage and heritage conservation a priority. Recently, a neighbourhood group approached Oak Bay Council to ask that Council consider designating their neighbourhood ("The Prospect" neighbourhood) as a Heritage Conservation Area (HCA) in accordance with the *BC Local Government Act*. If approved this would be Oak Bay's first Heritage Conservation Area. Residents have done considerable work in the proposed Conservation Area to inform residents and to identify the area's heritage significance, including the development of an initial Statement of Significance (SoS).

The District has embarked on a process of establishing a Working Group and working with the community to evaluate the feasibility of and (if approved) assist in implementing the establishment of a Heritage Conservation Area in the Prospect neighbourhood. The District anticipates this initiative being completed by June 2018. The District also intends to establish a standardized process for future HCA applications.

Scope of Services

The District is seeking the services of a heritage/planning consultant (or consultants) to assist the District and Working Group. Services the consultant may be expected to provide include:

- Providing advice to the Working Group and District staff including attending Working Group and Council meetings when required
- Having knowledge and experience of Heritage Conservation Areas including but not limited to the process of creating an HCA, implementation of HCAs and HCAs in a heritage planning context
- Demonstrating legal knowledge related to Heritage tools, governing provincial legislation, bylaw development and other provincial legislation that may apply to land use
- Providing expert advice on the role and impacts of available tools for protection, permissions, and exemptions within an HCA
- Assisting in selection of HCA implementation tools and recommendations on appropriate design guidelines for the specific neighbourhood.
- Assisting with public consultations within the proposed Prospect neighbourhood and for the broader community.
- Presenting HCA-related information and answering questions in public meetings

- Preparing necessary bylaws required to establish and implement the Heritage Conservation Area
- Reviewing and making any recommendations related to the document "*The Statement of Significance for the proposed Prospect Heritage Conservation Area*" prepared by heritage consultant Denise Cook on March 6, 2017, including providing guidance on the containment boundaries contained in the draft SoS
- Contributing to, editing, and/or reviewing working group documentation as required, including educational materials, presentations and reports
- Creating a framework/application process for future Heritage Conservation Area applications and proposals, as well as recommendations for managing HCAs and property owner applications within HCAs once implemented
- Assisting with other tasks identified by the Working Group or District staff in relation to the Heritage Conservation Area

Attachments

The following important documents are attached:

- Attachment 1 - Oak Bay Heritage Conservation Working Group Work Plan
- Attachment 2 - Oak Bay Heritage Conservation Working Group Terms of Reference
- Attachment 3 - *The Statement of Significance for the proposed Prospect Heritage Conservation Area* prepared by heritage consultant Denise Cook dated March 6, 2017

Quote

If you have knowledge or experience in a significant number of the areas listed in the Scope of Services above, please provide the following information:

- a submission of no more than 5 pages outlining your background and experience in providing similar services to local governments;
- a fee schedule detailing hourly rates for persons anticipated to provide services and any and all anticipated out-of-pocket expenses.

Please submit your quote no later than **4:30 pm on Wednesday, December 6, 2017** via email to:

Warren Jones
Director of Corporate Services
District of Oak Bay
wjones@oakbay.ca

Any questions may be directed to Warren Jones via email or by phone at 250-598-3311 x7416

OBHCA

Oak Bay Heritage Conservation Area Working Group

November 13, 2017

WORK PLAN REPORT FOR COUNCIL CONSIDERATION

Background:

On July 7, 2017, Oak Bay Council approved the terms of reference for the Oak Bay Heritage Conservation Area Working Group (the "Working Group"). In the staff report accompanying the terms of reference, it was suggested a work plan would be created for Council approval. While a Council-approved work plan is not required in the Terms of Reference themselves, the Working Group feels it is worthwhile to share an early work plan with Council for review and approval. This provides as much of the "desired outcomes, milestones, and timelines" as is possible at this time; and as the process is just beginning, the work plan is intended as a guidance document, rather than a highly prescribed plan.

It should be recognized that the Working Group will be building upon the excellent work and heritage consultation already undertaken through the development of the initial HCA Statement of Significance ("SoS"), prepared March 2017 for the proposed Prospect Heritage Conservation Area.

Work to Date:

The members of the HCA Working Group were announced on October 17th 2017. To date, the Working Group and municipal staff have undertaken the following activities:

- Two public information sessions were held at Windsor Pavillion (October 19th and 21st). Murray Miller, Heritage Planner, presented a broad overview of how Heritage Conservation Areas can be implemented with examples from around the world; these presentations were intended to provide a shared foundation of knowledge to the community and to the members of the Working Group. The sessions were attended by approximately 70 residents.
- The HCA Working Group has met on October 21st, November 2nd and November 9th to develop this work plan, generate the goals and scope of the Working Group, establish the expertise required of an external consultant, and guide a hiring process.

Important Clarification:

One important point for Council support is requested by the Working Group. In the original staff report accompanying the July 17th Terms of Reference (although not in the terms themselves), it was outlined that the project would move forward based on (among other aspects): *"Inclusion in a potential HCA being voluntary. Private property owners will not be required or "forced" into participating in a HCA."*

The wording of this is unclear, as one could infer that a Heritage Conservation Area won't be created without majority resident support, or one could infer that individual properties would only be included at their individual request.

The Working Group, based on expert advice from Mr. Miller and others, recommend that Council support the following clarifying statement:

Oak Bay Heritage Conservation Area Working Group

“That the Initial Heritage Conservation Area, being created at the voluntary request of the residents, include all properties within the geographical area, with the final boundaries of the HCA still to be finalized.” Specifically, it’s important to be clear that properties within the HCA may not opt in or out on a lot-by-lot basis – in fact, municipal resources such as streets and boulevards are also contained within the HCA. The rationale for a Heritage Conservation Area is that the character of an entire area be protected, and having it implemented in fragments would defeat the fundamental purpose of a Heritage Conservation Area.

While this process is voluntary and resident-driven, the Working Group recognizes that Council may implement future Heritage Conservation Areas under a different process, as allowed under the Local Government and Heritage Conservation Acts.

The Working Group’s goal is to design HCA rules that meet the specific needs of the diverse properties within the HCA, and that residents see the HCA as a positive change. There is sufficient flexibility in the HCA regulations to address the differentiated needs of individual properties and houses of any age.

Work Plan:

The following steps will be undertaken by the Working Group:

- (1) Establish the specific goals of the proposed Heritage Conservation Area.**
 - **These goals start in the broadest terms: “To protect the character of the neighbourhood,” and “managing elements of continuity within a context of change.”**
 - **Additional and specific goals of the applicant HCA will be determined through a consultation process**
 - **A list of potential goals will also be developed to guide future HCA applications**
- (2) Establish the scope of the HCA**
 - **Geographic scope**
 - **Scope of required protections and permissions**
 - **Scope of expertise for external consultant**
- (3) Determine the best tools to meet the goals and scope of the applicant HCA. This may be limited to the scope of a Heritage Conservation Area, or may include other heritage, planning, or zoning tools in parallel**
- (4) Create a scope of requirement for a consultant, which the municipal staff will manage through a request for proposal (RFP), expression of interest (EOI), or other selection tools.**
 - **The Working Group will aid in developing the selection criteria of the consultant, consultants, or organization**
 - **The Working Group will select the consultant, consultants, or organization**
- (5) Incorporate meaningful public consultation**
 - **Consult with the broader community on the tools and controls under consideration**
 - **Consult with the owners and occupants of the proposed HCA and neighbouring areas for input on specifics for the applicant HCA area**

- Consult with the broader community on the draft recommendations before bringing the report to Council for consideration
 - Provide educational and technical materials through the process to improve community knowledge and support meaningful community discussions.
- (6) Create a draft report with recommendations for Council consideration
- (7) If practical, work with consultant and staff to generate draft bylaw changes to enact the initial HCA (and/or other heritage tools) implementations.
- (8) Create an additional or supplemental report with a proposed process for future HCA applications. This may include (but not necessarily be limited to)
- A checklist for applicants
 - A process for application consideration and approval (i.e. committee approval process)
 - A process for changes within an HCA (i.e. approval process or permit process for renovation, new build, or municipal work)
 - Incentives or streamlined processes for heritage protections
 - Requirements of HCA Statements of Significance
 - Other as determined by the Working Group

Next Steps:

The work plan is a living document; there is considerable work to be done to develop specific milestones and timelines. The first order of business will be crafting the goals that will guide the balance of the process. While not explicitly laid out in the work plan, any significant changes to the work plan and any options that arise which would be of considerable community impact will come back to Council for input.

The Working Group Chair, Councillor Murdoch, will be providing ongoing regular updates to Council on the process of the Working Group through the coming months, and public and Council input will be welcomed through the process as we work to determine options and recommendations.

Respectfully Submitted,

Kevin Murdoch

Kevin Murdoch, Chair

On Behalf of the Oak Bay Heritage Conservation Area Working Group

Heritage Conservation Area Working Group Terms of Reference

Purpose

The Oak Bay Heritage Conservation Area Working Group will work with Council, District staff, consultants and the community to explore the possibility and make recommendations to Council on potentially establishing a Heritage Conservation Area and related policies and regulations for a proposed area defined to date as being bordered by Oak Bay Avenue, Beach Drive, Prospect Place, San Carlos Place and York Place.

The Working Group will

1. Work with staff and the District's consultants to:
 - Establish the Working Group's work plan including desired outcomes, milestones and timelines
 - Develop public education, information and consultation processes and activities
 - Identify options for defining the scope and content of the proposed Conservation Area
 - Develop Conservation Area policies, regulations and guidelines

2. Review and provide feedback to staff and the District's consultants on:
 - Consultation materials and outputs
 - Communication materials
 - Proposed design guidelines
 - Other proposed Heritage Conservation Area implementation policies or regulations

3. Participate further by:
 - Attending and participating as hosts in public consultation events
 - Disseminating information about the process and events
 - Reporting regularly to Council, the APC, ADP, Heritage Commission and Community

Working Group Membership

The Working Group include:

- Council Liaison (appointed member of Council – also Working Group Chair)
- Three Members from the proposed HCA Neighbourhood
- Two Community Members "at large" (from outside the proposed HCA Neighbourhood)
- One Heritage Commission members
- One Advisory Planning Commission member
- One Advisory Design Panel Member
- One Parks, Recreation & Culture Commission member

The working group will be supported by District staff led by the Director of Corporate Services and Manager of Planning

Meeting Frequency

The Working Group will meet monthly or bi-monthly depending on the work plan. All meetings will be open to the public. Public information and engagement meetings will be held at times best serving the community including evenings and weekends.

Term

Working Group members will be nominated by their respective Commissions/Committees or selected through an application process. Council will formally appoint all Working Group members. Initial appointments will expire in December 2018.

Procedure

As a District-convened body, the Working Group is governed by the District's policies, procedures and governance protocols.

District of Oak Bay • Oak Bay Heritage



Statement of Significance

The Prospect Heritage Conservation Area Oak Bay, B.C.





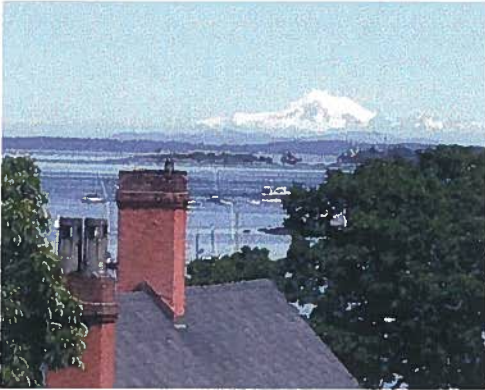
One of the Storybook houses at Patio Court on San Carlos Avenue.

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York Place, Oak Bay Avenue, Prospect Place, Broom Road, San Carlos Avenue and Beach Drive District of Oak Bay



View of Mount Baker from a Prospect Place residence.

Introduction

The proposed Prospect Heritage Conservation Area is one of Oak Bay's oldest neighbourhoods and warrants recognition as a historic place. It is bordered by York Place, San Carlos Avenue, a portion of Beach Drive and Oak Bay Avenue, and includes both Prospect Place and Broom Road. It also includes the shoreline of Rattenbury's Beach and Haynes Park.

Oak Bay is a municipal district, incorporated 1906, bordering said bay: an area of 10.38 square kilometres, population 18,094 (2016 census), with an elected mayor and council, municipal police and fire departments, recreation facilities, golf courses, and shopping districts such as Oak Bay Village and Estevan Village.

To counteract the loss of significant heritage buildings in the neighbourhood, a group of citizens created Protect Oak Bay Heritage as a way of safeguarding the places, character and qualities of the neighbourhood. Many residents living in this distinctive Oak Bay neighbourhood now wish the area to become the community's first Heritage Conservation Area (HCA).

The proposed HCA includes elements of both the private and public realm. The HCA is a partnership between the property owners and the municipality, as the conservation of both the private and public realms jointly contribute to the stewardship and ongoing success of a Heritage Conservation Area.

B.C. provincial law permits municipal and regional governments to create a Heritage Conservation Area under Sections 614 and 615 under the *Local Government Act*. This law provides long-term protection to a distinct heritage area as part of an Official Community Plan.

Heritage Conservation Areas can contain multiple properties, landowners, resource types and heritage values. An HCA establishes objectives, policies and regulatory guidelines to protect properties, streetscapes, landscapes, landscape features, overall fabric and any other historical characteristics of an area considered to have heritage significance, and which require particular attention in community planning to ensure they are conserved and not demolished or destroyed.

Residents are involved in the development of guidelines for a Heritage Conservation Area that reflect their wishes and desires, leaving the future of a neighbourhood predictable and stable but able to successfully manage change. This Statement of Significance, outlining the heritage values and characteristic features of the place, is a first step in achieving a Heritage Conservation Area.

Historical Chronology

- 1858 The Hudson's Bay Company consolidates its land holdings in the area around Oak Bay by signing treaties with local First Nations including the Chekonein and Chilcowitch bands.
- Joseph D. Pemberton surveys Oak Bay. He owns 1200 acres of land, including Section LXIX that includes Oak Bay Avenue, Prospect Place, San Carlos Avenue and a portion of Mt. Baker Avenue (later Beach Drive) and the future York Place, using the land primarily for livestock farming.
- 1889 The Haynes and Johnston families settle in the Oak Bay area.
- 1890s The Oak Bay Camp, a summer resort organized by the Haynes and Johnston families, operates in tents on Rattenbury's Beach.
- 1891 The Oak Bay Land and Improvement Company is formed to develop the land near Oak Bay Beach. The development is called Oak Harbor and includes the seaside part of Section LXIX with the properties on the east side of York Place, between Oak Bay Avenue and the boundary of Section LXI.
- Oak Bay Avenue is listed in local directories. Originally surveyed by Joseph Pemberton, it provides access to the seafront and beach.
- The Oak Bay tramway line opens.
- 1892 The consolidation of land that will result in the Prospect area begins with property transfer: "John Edward Crane to Ellen Turner, 1/3 of 15 acres of Section 69."
- 1893 The Mount Baker Hotel opens, solidifying Oak Bay as a popular seaside resort.
- Land is transferred from "B. Boggs, W.D. McGregor and Ellen Turner to C.A. Vernon." This portion of land later transferred from C.A. Vernon to J.G. Tiarks and F.M. Rattenbury as part of their 15 acre estate
- 1898 Prominent Victoria architects, John Gerhard Tiarks and Francis Mawson Rattenbury, purchase 15 acres of land extending from Oak Bay Avenue northward to present day San Carlos Avenue. The legal transfer reads: "J.G. Tiarks and F.M. Rattenbury, 15 acres Section of 69 except lots 15, 26, 41 and 46, Map 396."

Historical Chronology Continued.

- 1898 John Tiarks designs five homes within the 15 acre parcel, including *Annandale* for Sir Charles Hibbert Tupper, Minister of Justice and the Attorney General of Canada, and its twin *Garrison House* (destroyed c1930s) built for the Honourable Frederick Peters, Premier and Attorney-General of Prince Edward Island. Francis Rattenbury, architect of The Empress Hotel and Parliament Buildings, plans the grounds for, and constructs, his residence *lechinihl* (Indigenous term meaning “a place of good things”) on the Oak Bay waterfront overlooking the beach with Mount Baker and the Cascade Range beyond.
Mount Baker Avenue is listed in local directories.
- 1900 Samuel Maclure designs the Captain Mallascott Richardson House on York Place (subsequently the site of Gibson House) which includes a summer house and tennis court.
- 1906 The Corporation of the District of Oak Bay is established.
- 1910 Land speculation spurs subdivision and development in Oak Bay and farms begin to give way to significant residences.
- 1919 The Gibson House (built on the former site of the Captain Mallascott Richardson House moved down the hill to Woodlawn Crescent) begun by Francis Rattenbury and completed by Samuel Maclure and Ross Lort, is built on York Place, perched high on an outcrop.
- 1920s An active decade of significant residential development in the area by notable architects: one home designed by Ralph Berrill, four homes by Samuel Maclure, and seven homes by K.B. Spurgin and J. Graham Johnson.
- 1935 The Glenlyon School moves to its present Beach Drive location in the former Francis Rattenbury home.
- 1940s-1980s Ongoing infill of houses, most successfully absorbed into existing character and street plan.
- 1990 The York Place development is constructed as a quiet cul-de-sac of seven homes around the estate of the Rattenbury designed Judge Peter Secord Lampman House at 1630 York Place.

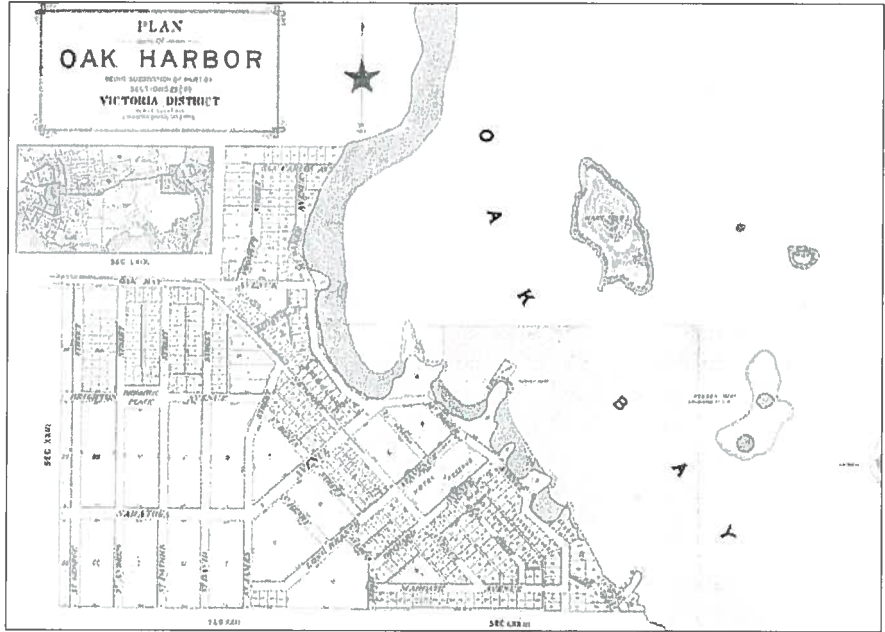
Site Context

Approximate proposed area of The Prospect HCA. Future expansion of this boundary could be a consideration.



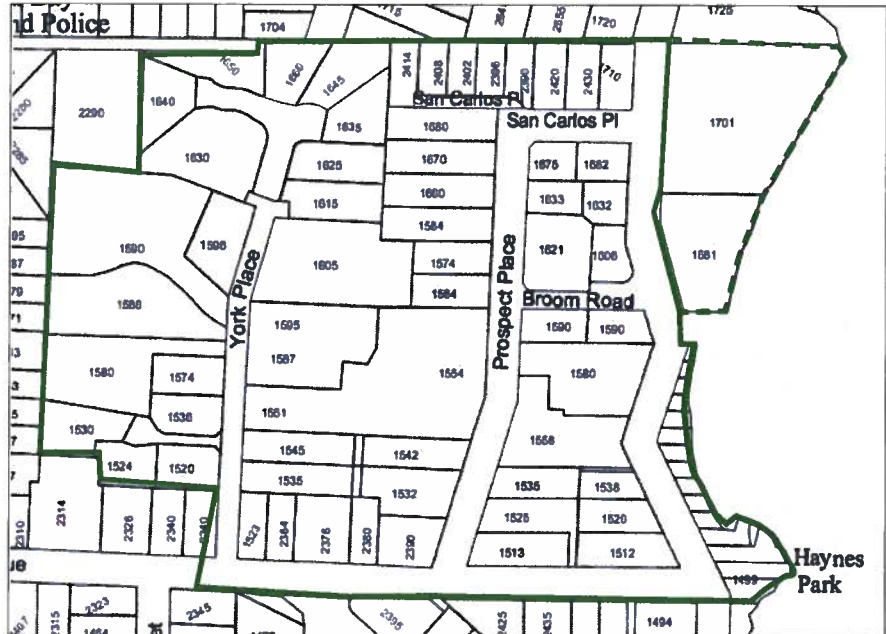
Note: The solid yellow line depicts the proposed HCA boundaries. The dashed yellow line identifies the adjoining Glenlyon Norfolk School campus with its three heritage designated buildings on the original Rattenbury estate.

The Area: The Early Vision Most of the proposed Heritage Conservation Area is within the original boundary of the larger Oak Harbor development of 1891.



Oak Harbor c. 1891. (District of Oak Bay Archives)

The Area: Present Day



Note: The solid green line depicts the proposed HCA boundaries. The dashed green line identifies the adjoining Glenlyon Norfolk School campus with its three heritage designated buildings on the original Rattenbury estate.

Statement of Significance

Description

The Prospect Heritage Conservation Area is bordered by York Place, San Carlos Avenue, a portion of Beach Drive and Oak Bay Avenue, and includes both Prospect Place and Broom Road. It also includes the shoreline of Rattenbury's Beach and Haynes Park.

The area is a significant cultural landscape with a sloped topography, narrow scenic roads, significant architecturally-designed houses and a location fronting the still-natural Oak Bay beachfront. To date, of the 30 houses with heritage designation in Oak Bay, 11 are in this neighbourhood. An additional four houses are on the heritage register.

Values

The section of Oak Bay comprised of York Place, Oak Bay Avenue, Prospect Place, Broom Road, San Carlos Avenue and Beach Drive is significant for its aesthetic, historical, social and educational values — especially its representation of the evolution of the Oak Bay community, the particular character of its evolved cultural landscape, and significant residences of considerable architectural merit.

The area is integrated into a glacial landscape that includes features such as Rattenbury's Beach and foreshore, topography that rises in elevation from the foreshore to the higher elevations of York Place, and bedrock outcrops, all of which provide both an understanding of past geological processes and a visual influence on the form of development and overall character of the neighbourhood. The lush vegetation, both native and ornamental, safeguards significant habitat for aquatic life, birds and small mammals.

Originating in 1858 with politician and surveyor Joseph D. Pemberton's survey of Oak Bay and evolving up to the present day, the area has historical value as part of the pattern of growth of the Oak Bay community in the late 19th century. It charts the evolution from Pemberton's large estate subdivision and farm to a unique garden suburb, with considerable character and sense of place. It provides an understanding of the upper classes of Victoria society, first as a beachside resort destination and later as a highly aesthetic and quality residential neighbourhood.

As designed by its British architect-owners, this area of Oak Bay is centred around Rattenbury's c.1898 estate plan, which saw Prospect Place constructed as the original roadway leading through the 15 acre property to Rattenbury's house overlooking the beach. The remaining buildings of Rattenbury's estate — including the Residence, Coach House/Garage and



A Rattenbury designed Shingle and Tudor Revival home.



View of Rattenbury's Beach, mature trees and houses on Beach Drive.



Samuel Maclure designed summer house overlooking site of former tennis court.



Trio of historic houses along Beach Drive.



Wrought iron Art Nouveau gates at Annandale.

Boat House — are important for their adaptive re-use and integration into the grounds of Glenlyon Norfolk School.

Of particular importance in the area is the presence of significant residences built with superior materials and craftsmanship and designed by some of B.C.'s most prominent late nineteenth and early twentieth century architects such as Francis Rattenbury, Samuel Maclure, Karl Spurgin, John Tiarks, Ralph Berrill, Percy L. James and others, often interpreting classic residential building styles such as Queen Anne, Tudor Revival and Classical Revival. As a complement to these significant architectural works, the neighbourhood has maintained its primarily single-family residential nature, generally successfully absorbing new residences of varying style and scale.

The 1898 house *Annandale* (and carriage house) designed by John G. Tiarks is considered to be one of the most historically significant houses in Oak Bay for its association with federal politician Sir Charles Hibbert Tupper, son of a Father of Confederation and Prime Minister of Canada Sir Charles Tupper. K.B. Spurgin and J. Graham Johnson's 1927 collection of houses, *Patio Court*, on San Carlos Avenue creates a distinctive streetscape.

Significant contemporary architecture includes a 1996 house designed by Pamela Charlesworth at 1530 York Place, and Campbell Moore's 1992 *Barwin House* at 1574 Prospect Place.

Important landscape features include the work of early architects, such as Samuel Maclure's summer house, associated with the *Gibson House* at 1590 York Place, and create a direct association with the lifestyles and activities of early Oak Bay residents. A rustic wood exterior and interior with wide opening wood-lattice doors looking out over a former tennis court are singular characteristics of this structure.

Significant streetscapes have evolved into a harmonious integration of narrow roadways, buildings, trees, gardens and natural vegetation, with remaining evidence of early large-estate development and the adaptation of neighbourhood design to the site's natural topography.

The eclectic arrangement of buildings and traces in the landscape, such as openings in walls, overgrown gates, small pathways and laneways, public staircases, the location of the Samuel Maclure-designed decorative well-head, and vegetation and tree patterns, are valued for their physical manifestations of past patterns of land use. Layers of vegetation are important for imparting a sense of place — including large sequoia trees associated with the garden development at *Briarbrae*, and others planted around 1912.

There is an eccentricity to the streets and lanes that curve, like *Prospect Place*; vary in length, such as *Broom Road*; or have no outlet, such as *York Place*. These



Unique, historic concrete sidewalk with decorative scored pattern.

features are important for their reflection of the early design, use and evolution of the neighbourhood.

Landscape details are fundamentally integral to the character of the place. They include stone walls, some with capped pillars, along most streets; gates such as the Art Nouveau designed gates in front of the *Annandale* property on York Place; fences; narrow sidewalks; lack of curb and gutter; and the Lych Gate and stone wall at York Place and Oak Bay Avenue.

Contributing to the aesthetic value of the place are key views to the waters of Oak Bay and to mountains such as Mount Baker, the Cascades and the Olympics. Internal views include layered vistas of houses at different elevations, trees and shrubs, and views up and down streets and lanes.

The important rural character of the place and country lane feel has been retained, even in the presence of new construction which, to date, manages to mostly fit into the character of the neighbourhood.

Significant community and social value is found in the interaction of residents with their neighbourhood, the pride in the significant history and heritage of the place, and a high level of involvement in protecting its features and managing future change.

Character-defining Elements

Natural systems and features

- Sloped topography that rises in elevation from the foreshore to the higher elevations of York Place
- Bedrock outcroppings
- Native and naturalized vegetation
- Wildlife and bird life habitat, both terrestrial and marine
- Rattenbury's Beach, foreshore and bank with natural vegetation
- Views to Mary Tod, Chatham, Discovery and other offshore islands

Buildings

- Significant residences built with superior materials and craftsmanship, designed by some of B.C.'s most prominent late nineteenth and early twentieth century architects
- A wide variety of residential buildings of varying types, scales, styles and ages
- Successful integration of a number of newer buildings into the early neighbourhood
- Summer house designed by Samuel Maclure
- Buildings currently protected by designation, registration and covenant

Structures

- Stone walls along York Place, Oak Bay Avenue, Prospect Place, Broom Road and Beach Drive



Rock outcrop adjacent to informal pedestrian path.



P.L. James designed Beach Drive home built in 1912.



Prospect Place stone wall with natural vegetation.

- Fences and gates compatible with the neighbourhood
- Art Nouveau gate in front of the Annandale property on York Place
- Lych Gate at York Place and Oak Bay Avenue
- Samuel Maclure-designed decorative well-head
- Public stairs and public benches

Spatial organization

- Location fronting Rattenbury's Beach
- Streets conforming to original neighbourhood plan
- A variety of lot sizes and configurations
- Streets that vary in length and width and some that have no outlet
- Significant buildings in groups or clusters
- Varied landscape setbacks and boulevards between roadways, properties and buildings

Land uses and open space

- Primarily residential land uses
- Mix of public and private land uses
- Educational use through Glenlyon Norfolk School (former Rattenbury estate)
- Streetscapes of diverse character on all roadways
- Beach use for recreation
- Haynes Park

Circulation

- Curved narrow roadways, generally without curbs, and on some streets, no sidewalks
- Narrow sidewalks on other streets, some with distinct patterns in the concrete
- Streets and lanes with a rural character and natural features
- Pedestrian dominated streets
- Small parking areas tucked amongst vegetation
- Minimal access points from most properties onto roadways

Vegetation

- Layered vegetation of trees, ornamental mature shrubs and groundcovers
- Significant coniferous and deciduous trees such *Sequoiadendron* and Garry Oak, and deciduous canopy trees along streetscapes and individual properties
- Cultivated gardens
- Natural planting in boulevards and along road edges
- Native shrubs and mosses
- Hedges
- Marine plants in beach areas



Samuel Maclure designed decorative well-head.



Lych Gate at York Place and Oak Bay Avenue.

Water features

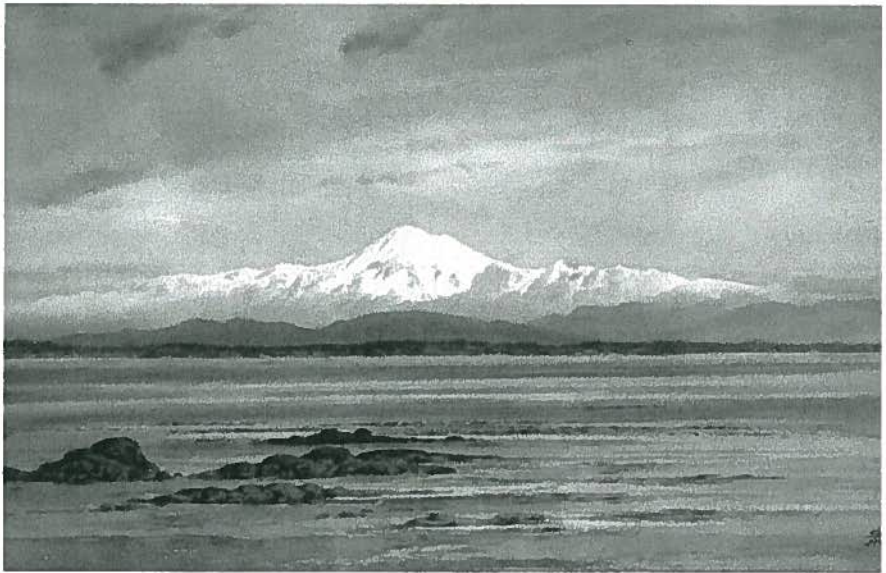
- Rattenbury's Beach

Views and vistas

- Layered internal views
- Views up and down streets
- Mountain views from all streets
- Views from Rattenbury's Beach

Intangibles and social traditions

- Historical and current street names and their meanings, including Mt. Baker Avenue/Beach Drive; Prospect Street/Prospect Place; Beach Avenue/Broom Road
- Neighbourhood stories, colourful personalities, historical scandals, dramatic lives and notable figures
- Neighbourhood historical walking tours



Mount Baker painted by Samuel Maclure, c.1890.
(BC Archives PDP03773)

Significant Heritage Properties

Property	Architect	Date of construction	Status
<i>Annandale</i> Sir Charles Hibbert Tupper House 1595 York Place	J.G.Tiarks	1897-98	Designated
<i>Sandhurst</i> Arthur E. and Matilda A. Haynes House 1512 Beach Drive	J.G.Tiarks	1898-99	Designated
<i>Iechinihl</i> Francis Mawson Rattenbury House, Coach House, and Boat House 1701 Beach Drive	Francis M. Rattenbury	1898, 1914	Designated
Schwengers House 1660 Prospect Place	J.G.Tiarks	1899-1900	
<i>Briarbrae</i> 1605 York Place	Francis M. Rattenbury	1904	
<i>Arran</i> 1580 York Place	Samuel Maclure	1906-07	
Lampman House 1630 York Place	Francis M. Rattenbury	1907-08	Covenant
C. Mason Dubois House 1525 Prospect Place	Francis M. Rattenbury, alterations by Samuel Maclure	1908	Registered
<i>Sheilin</i> 1535 Prospect Place	D.C. Frame	1909	Registered
J.W. Morris House 1558 Beach Drive	Percy Leonard James, Douglas James	1912	
Gibson House 1590 York Place	Francis M. Rattenbury, Samuel Maclure, Ross Lort	1919	Registered
<i>Bide-A-Wee</i> Mrs. J. D. Helmcken House 1538 Beach Drive	Samuel Maclure	1922	Designated
F. Hamilton and Elizabeth R. Harrison House 2390 Oak Bay Avenue	Samuel Maclure	1923	

Significant Heritage Properties continued.

Property	Architect	Date of construction	Status
Florence Rattenbury House 1513 Prospect Place	Samuel Maclure	1925	
1542 Prospect Place	Samuel Maclure	1925	
<i>Patio Court</i> 2390 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
<i>Patio Court</i> 2396 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
<i>Patio Court</i> 2402 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
<i>Patio Court</i> 2408 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
<i>Patio Court</i> 2414 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Adamson House 1590 Beach Drive	K.B. Spurgin	1928	Designated
2376 Oak Bay Avenue	K.B. Spurgin	1928	
Seldon Humphreys House 1621 Prospect Place	Ralph Berrill	1929	
J. Harman House 1586 York Place	Percy Leonard James, Hubert Savage	1931	Registered
1532 Prospect Place	Additions, alterations by J.H.Wade, C.D. Stockdill 1949 (original architect unknown)	1940	

Towards a Heritage Conservation Area

Definition

The District of Oak Bay can, by bylaw, define specific areas in the Official Community Plan under *Local Government Act [RSBC 2015]* Sections 614-618 to provide long term protection for a distinctive heritage area that contains resources with special heritage value and/or heritage character. A successful Heritage Conservation Area protects — through policies, standards and guidelines — the buildings, landscape features, overall character, and context of a neighbourhood within which identified protected heritage properties may be located.

Specific properties that are to be protected must be identified in the bylaw.

In the Heritage Conservation Area, a Heritage Alteration Permit is required to allow an owner to do the following:

- Subdivision of a property
- Addition of a structure
- Addition to an existing structure
- Construction of a new building
- Alterations to a building, structure, land, or feature

Implementation

The following are the steps to be taken to achieve the creation of a Heritage Conservation Area:

- A process of planning and research, through which a community identifies a distinctive area that it determines should be managed by long-term heritage protection
- In consultation with the area property owners, the District of Oak Bay agrees that a Heritage Conservation Area is the best tool to provide long-term protection
- Consultation with area property owners regarding the control mechanisms (including design controls) that may be included in the bylaw
- Preparation of a bylaw by the District to amend the Official Community Plan to identify the Heritage Conservation Area. The bylaw must include:
 - A description of the special features or characteristics which justify the establishment of the Heritage Conservation Area
 - The objectives of the Heritage Conservation Area
 - Guidelines that address how the objectives will be achieved
- The bylaw may also:
 - Identify circumstances for which a permit is not required
 - Include a schedule listing the protected properties in the area

- Identify features or characteristics that contribute to the heritage value or heritage character of the area
- At least 10 days before a public hearing is held to discuss the amendment, the District must notify all owners of properties listed on the Heritage Conservation Area schedule
- The District adopts the Heritage Conservation Area bylaw
- The District notifies the Land Title Office and the minister responsible for the Heritage Conservation Act of the adoption of the Heritage Conservation Area bylaw, as well as any additions or deletions that may be made to the Heritage Conservation Area schedule

Using the Statement of Significance to support the creation of a Heritage Conservation Area

The Statement of Significance that outlines the values and characteristics of the proposed Heritage Conservation Area is included in the OCP bylaw. The identified character-defining elements contribute to the description of the special features or characteristics which justify the establishment of the Heritage Conservation Area, and form the basis of the area guidelines.

Guidelines can be based on the *Standards and Guidelines for the Conservation of Historic Places in Canada*, as well as being written specifically for this HCA. Guidelines can provide direction in preserving and protecting the architectural design and general character of historic places, ensuring integrity, sustainability and compatibility of all new construction with existing structures and heritage values in the HCA.

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Glossary of Terms

Adaptive re-use Conversion of a building into a use other than that for which it was designed, such as changing a power plant or warehouse into a gallery space or housing.

Artifact An object made by a human being, typically an item of cultural or historical interest.

Character-defining element The materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained in order to preserve its heritage value.

Conservation All actions, interventions, or processes that are aimed at safeguarding the character-defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve preservation, rehabilitation, restoration, or a combination of these and other actions or processes.

Cultural landscape Any geographical area that has been modified, influenced, or given special cultural meaning by people.

- **Designed** cultural landscapes were intentionally created by human beings.
- **Evolved** cultural landscapes developed in response to social, economic, administrative, or religious forces interacting with the natural environment. They fall into two sub-categories:
 - **Relict** landscapes in which an evolutionary process came to an end. Its significant distinguishing features are, however, still visible in material form.
 - **Continuing** landscapes in which the evolutionary process is still in progress. They exhibit significant material evidence of their evolution over time.
- **Associative** cultural landscapes are distinguished by the power of their spiritual, artistic, or cultural associations, rather than their surviving material evidence.

Demolition The systematic and deliberate destruction of a building (or fixture, chattel, and or equipment) or portion thereof.

Designation Local government land use regulation intended to give long-term protection to heritage property. It is a form of legal protection and the primary form of long-term local government regulation that can prohibit demolition.

Fabric In conservation, fabric means all the physical material of a place that is the product of human activity.

Habitat The area or type of site where an individual or wildlife species naturally occurs or depends on directly or indirectly in order to carry out its life processes or formerly occurred and has the potential to be reintroduced.

Heritage Alteration Permit An authorization by local government that allows certain kinds of changes to be made to protected heritage property.

Heritage Conservation Area A designated historic district or conservation area, which denotes a neighbourhood unified by a similar use, architectural style and/or historical development. A Heritage Alteration Permit is required to make any changes in a Heritage Conservation Area.

Heritage register A list of sites that have been recognized for their heritage value by Council Resolution.

Heritage value The aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present, or future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses, and cultural associations or meanings.

Historic place A structure, building, group of buildings, district, landscape, archaeological site or other place in Canada that has been formally recognized for its heritage value.

Indigenous Native to a particular place.

Inspection A survey or review of the condition of an historic place and its elements to determine if they are functioning properly; to identify signs of weakness, deterioration or hazardous conditions; and to identify necessary repairs. Inspections should be carried out on a regular basis as part of a maintenance plan.

Intangible heritage The practices, representations, expressions, knowledge and skills, as well as associated tools, objects, artifacts and cultural spaces that communities and groups recognize as part of their history and heritage.

Integrity Material wholeness, completeness, and unimpaired condition of heritage values or the completeness of an ecosystem in terms of its indigenous species, functions, and processes.

Intervention Any action, other than demolition or destruction, that results in a physical change to an element of a historic place.

Landscape An expanse of natural or human-made scenery, comprising landforms, land cover, habitats, and natural and human-made features that, taken together, form a composite.

Maintenance Routine, cyclical, non-destructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

Native Wildlife species endemic (indigenous) or naturalized to a given area.

Naturalized A non-native species that does not need human help to reproduce and maintain itself over time in an area where it is not native. Naturalized plants often form the matrix for a novel ecosystem.

Non-native A species introduced with human help (intentionally or accidentally) to a new place where it was not previously found.

Object A discrete item that has heritage value and can be collected or conserved. See also Artifact.

Preservation The action or process of protecting, maintaining and/or stabilizing the existing materials, form and integrity of an historic place or of an individual component, while protecting its heritage value.

Rehabilitation The action or process of making possible a continuing or compatible contemporary use of an historic place or of an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Restoration The action or process of accurately revealing, recovering or representing the state of an historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Scale The sense of proportion or apparent size of a building or building element as created by the placement and size of the building in its setting.

Sense of place The feeling associated with a place, based on a unique identity and other memorable or intangible qualities.

Site circulation Movement patterns of pedestrian and vehicular traffic.

Statement of significance A statement that identifies the description, heritage value, and character-defining elements of an historic place. A Statement of Significance is required in order for a historic place to be listed on the BC Register of Historic Places.

Stewardship Linked to the concept of sustainability, stewardship is an ethic that embodies responsible planning and management of cultural and natural resources.

Streetscape The visual elements of a street, including the pavement (dimensions, materials), sidewalks, adjoining buildings and open space frontages, street furniture, lighting, trees and plantings that combine to form the street's character.

Sustainability A group of objectives (economic, social, and environmental - the 'triple-bottom line') that must be coordinated and addressed to ensure the long term viability of communities and the planet.

View or viewscape What can be seen from an observation point to an object(s), particularly a landscape or building.