District of Oak Bay • Oak Bay Heritage

Statement of Significance

The Prospect Heritage Conservation Area
Oak Bay, BC

January 2020

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

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Acknowledgement

The District of Oak Bay acknowledges with respect the traditional territory of the Coast and Straits Salish peoples, and specifically the Lekwungen speaking people, known today as the Songhees and Esquimalt nations, whose historical relationships with the land continue to this day.

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

District of Oak Bay

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 of Section 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 *Iechinihl* (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
1980s location in the former Francis Rattenbury home.

1940s- 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

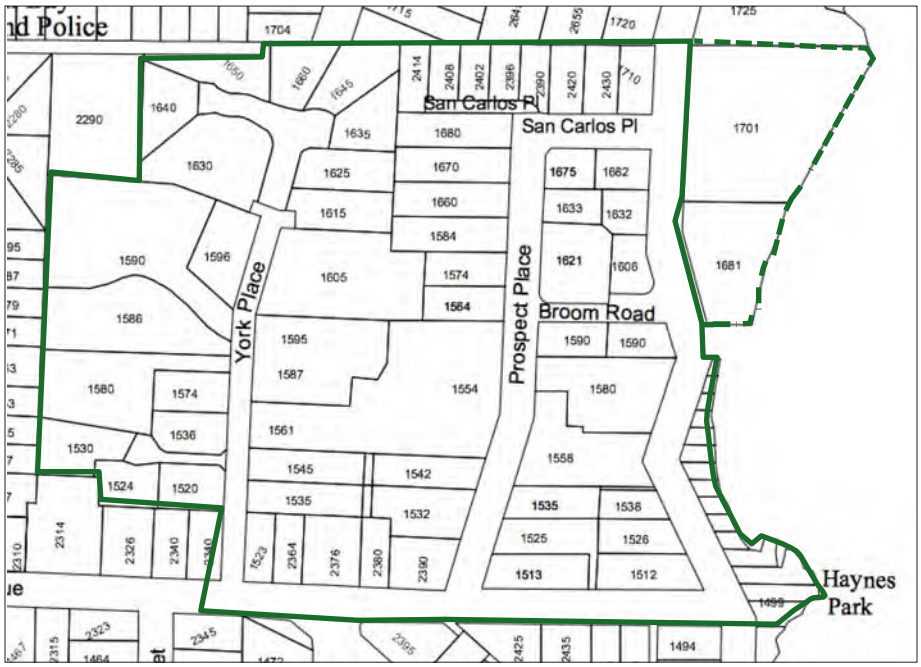
Approximate proposed area of The Prospect HCA. Future expansion of this boundary could be a consideration.

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

A Rattenbury designed Shingle and Tudor Revival home.

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

The Prospect Heritage Conservation Area includes 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 Glenlyon Norfolk School, formerly the Francis Rattenbury residence, 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 Oak Bay beachfront.

Values

The Prospect Heritage Conservation Area is significant for its aesthetic, historic, social, natural history and educational values, particularly its representation of the origins of the Oak Bay community in the late 19th century, the leafy suburban character of its evolved cultural landscape, and its mix of architecturally significant and more modest residences.

The Prospect is significant for its use by First Nations for millennia. While more widely understood and acknowledged, the colonial history of this area is only a brief chapter in the overall history of human occupation. There has been Indigenous land use in this area for living, fishing, food and medicine gathering since time immemorial. There are archaeological sites recorded within the boundary of The Prospect, and significant sites nearby, especially in the area of Bowker Creek and Willows Beach. Evidence suggests these sites are between 3000 and 4000 years old.

The area is important for its integration into a landscape with features such as steep topography that rises in elevation from the foreshore to the higher elevations of York Place, which give some homes a prominent physical status and considerable views; bedrock outcrops; and Rattenbury's Beach and foreshore, all of which have a physical and visual influence on the form of development and overall character of the neighbourhood. The landscape is important for its ecologically significant areas including rare wildlife and plant species, and its lush vegetation, both native and ornamental, safeguards habitat for 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 historic value as part of the pattern of growth of the Oak Bay community in the late 19th century. It charts the evolution of the area from Pemberton's large estate subdivision and farm to a unique leafy garden suburb. It provides an understanding of the upper classes of Victoria society, first as a beachside resort destination and later as an aesthetically pleasing and high quality residential neighbourhood.

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*.

As designed by its British architect-owners, this area of Oak Bay is centered on prominent architect Francis Mawson 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 Boat House – are important for their adaptive reuse and integration into the grounds of Glenlyon Norfolk School.

Of particular importance in the area is the presence of significant residences built with superior material and craftsmanship of the time, and designed by some of BC's most prominent late 19th and early 20th 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. The inclusion of contemporary buildings by well-known late 20th century architects, including a 1996 house designed by Pamela Charlesworth and Campbell Moore's 1992 Barwin House, makes the area a showcase for some of BC's most prominent architects' residential work for over a century.

As a complement to these significant architectural works, the neighbourhood has maintained its primarily single family residential nature, with generous lots, careful siting of buildings and lush landscaping contributing to the successful integration of new residences of varying style and scale. Important landscape features include building setbacks and boulevards, and a variety of lot sizes and configurations. Public open spaces such as Beach Drive, Rattenbury's Beach, and Haynes Park alongside the work of early architects including the summer house designed by Samuel Maclure suggest the lifestyles and activities of early Prospect area residents.

Significant streetscapes have evolved into a harmonious integration of narrow roadways, buildings, trees, garden 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, a 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 their contribution to the bucolic nature of the neighbourhood and for softening harder elements such as buildings, structures and roadways. Trees and plantings provide screening between the street and private spaces, and create a peaceful rural atmosphere, including large sequoia trees associated with the garden development at Briarbrae, and others planted around 1912.

Unique, historic concrete sidewalk with decorative scored pattern.

Rock outcrop adjacent to informal pedestrian path.

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

The eccentricity of the streets and lanes that curve, vary in length, or have no outlet are important for their reflection of the early design of this upscale neighbourhood. While originally designed as both a response for the topography and to emphasize the elite nature of the original neighbourhood, these irregular streets form part of the character and charm of the area today.

Landscape details are fundamentally integral to the character of the place. They include stone walls, some with capped pillars, along most streets; 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, and to Mary Tod, Chatham, Discovery and other offshore islands. 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.

Character Defining Elements

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

Land Patterns
- A variety of lot sizes and configurations

Spatial Organization
- Location fronting Rattenbury's Beach
- Streets conforming to original neighbourhood plan
- Streets that vary in length and width and some that have no outlet
- Groups or clusters of significant buildings
- Varied landscape setbacks and boulevards between roadways, properties and buildings

Prospect Place stone wall with natural vegetation.

Samuel Maclure designed decorative well-head.

Lych Gate at York Place and Oak Bay Avenue.

Visual Relationships
- Layered internal views
- Views up and down streets
- Mountain views from all streets
- Views from Rattenbury's Beach
- Views to Mary Tod, Chatham, Discovery and other offshore islands

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

Ecological Features
- Native and naturalized vegetation
- Wildlife and bird life habitat, both terrestrial and marine
- Rattenbury's Beach, foreshore and bank with natural vegetation

Vegetation
- Layered vegetation of trees, ornamental mature shrubs and groundcovers
- Significant coniferous and deciduous trees such as 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

Landforms
- Sloped topography that rises in elevation from the foreshore to the higher elevations of York Place
- Bedrock outcroppings

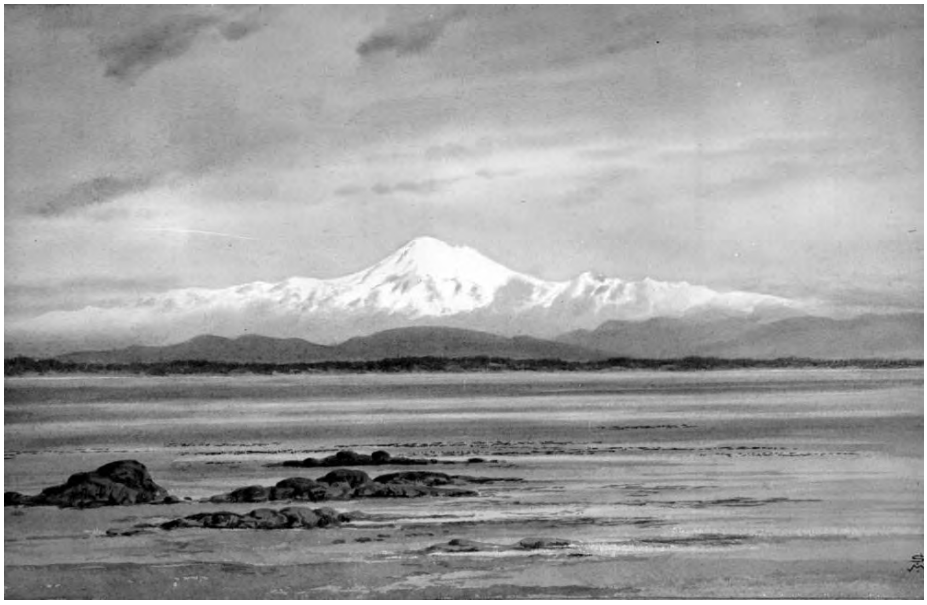
Water Features
- Rattenbury's Beach
- Ornamental well-head

Built Features

- Significant residences built with superior materials and craftsmanship, designed by some of BC's most prominent late 19th and early 20th century architects
- A wide variety of residential buildings of varying types, scales, styles and ages
- Summer house designed by Samuel Maclure
- Buildings protected by designation, registration and covenant
- Remaining historic, neighbourhood scale stone walls along streets and lanes such as York Place, Oak Bay Avenue, Prospect Place, Broom Road and Beach Drive
- Presence of fences along property lines, and gates at driveway and walkway entrances
- Lych Gate and stone wall at York Place and Oak Bay Avenue
- Samuel Maclure designed decorative well-head
- Public stairs and public benches

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
- The ability of the neighbourhood to convey stories, connections to colourful residents, historical scandals, dramatic lives and notable figures through its character defining elements.
- The ability of the neighbourhood to be a place for historical walking tours



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

Significant Heritage Properties

Property	Architect	Date of Construction	Status
Annandale Sir Charles Hibbert Tupper House 1595 York Place	J.G. Tiarks	1897-98	Designated
Sandhurst Arthur E. and Matilda A. Haynes House 1512 Beach Drive	J.G. Tiarks	1898-99	Designated
Iechinihl 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	
Briarbrae 1605 York Place	Francis M. Rattenbury	1904	
Arran 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
Sheilin 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
Bide-A-Wee 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	
Patio Court 2390 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2396 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2402 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 2408 San Carlos Avenue	K.B. Spurgin, J. Graham Johnson	1927	Designated
Patio Court 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 (HCA) 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 that 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.

Archaeological Site A site that contains the physical remains of past human activity, the physical evidence of how and where people lived in the past, and that may be of regional, provincial, national or international significance.

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 subcategories:
  - **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 Site Means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people.

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, nondestructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, nondestructive 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.