



MINUTES
OAK BAY HERITAGE COMMISSION
TUESDAY, NOVEMBER 13, 2018 AT 4:00 PM
DOWNSTAIRS MEETING ROOM, MUNICIPAL HALL, 2167 OAK BAY AVENUE

MEMBERS PRESENT

Marion Cumming	Cora Smith
Jane Hall	Robert Taylor
Joan Heagle	Pat Wilson
Susan Ross	Councillor Esther Paterson

MEMBERS ABSENT

Heather Cochran
Bronwyn Taylor

STAFF PRESENT

Bruce Anderson, Director of Building and Planning
Deborah Jensen, Manager of Planning
Graeme Buffett, Planning Technician
Krista Mitchell, Building / Planning Clerk

OTHERS PRESENT

Members of the Public: 14

1. Call to Order

The meeting was called to order at 4:02 pm.

It was moved and seconded that Robert Taylor be elected as interim Chair.

The motion was carried.

None opposed.

2. Adoption of Minutes

It was moved and seconded that the minutes from October 9, 2018 be adopted.

The motion was carried.

None opposed.

3. Approval of Agenda and Late Items

The agenda was approved as amended with the addition of an update of current heritage applications as item (7).

4. Correspondence

None

5. Information Items

None

6. New Business

- a) HAP00016 – 915 Island Road – Heritage Alteration Permit
To consider window replacement within the heritage home.

G. Buffett gave a brief description of the proposal. Some of the comments were:

- Altering windows on both the street facing front elevation and north elevation.
- Replacing street facing front windows with larger multi lite wood windows.
- Decorative features will be replicated in the new design.
- Side elevation will have new window opening as well as two replacement windows.
- Home does not have a statement of significance, and is not listed on the Community Heritage Register.
- House to the north is a similar design, with both homes built in 1896 - 1897 by Irwin Brown.

Commission Comments

Commission members inquired about the size of the proposed windows.

M. Hertel and P. Hertel, owners, commented that double hung windows are proposed for the side of the house to allow for more light, noting that the existing windows are not original and they want to restore them back to original. They also advised the windows would match the front windows of 929 Island Road, with divided lites on top and plain glass on the bottom.

Commission members commended the applicants for restoring the historic property.

It was moved and seconded to recommend that Council approve HAP00016.

The motion was carried.

None opposed.

Commission members asked whether the owners of 915 Island Road would consider adding the property to the Community Heritage Register including creation of a Statement of Significance.

- b) HRA00008 – 1561 York Place – Heritage Revitalization Agreement
To consider designating the rock walls and carriage house, and facilitating a four lot subdivision.

D. Jensen gave a summary of the application. Some of the comments were:

- Property is bordered by both York Place and Prospect Place, and was created by a subdivision of the original Annandale estate.
- The proposed heritage revitalization agreement would preserve both walls along York Place and Prospect Place, and restore and preserve carriage house, and facilitate a four lot subdivision.
- The statement of significance provided with the Conservation Plans mentions the granite wall along York Place and the rubble wall along Prospect Place, and references the carriage house originally part of the Annandale property.

A. Cooper and M. Miller, applicants, and C. Dunk, heritage consultant with Donald Luxton & Associates, gave a presentation of the proposal. Some of the comments were:

- 1561 York Place was subdivided from the Annandale estate in 1929, with Annandale considered one of the most historically significant surviving homes in Oak Bay.
- Fronts onto Prospect Place and York Place, and RS2 zone allows for two lots.
- Property is vacant but contains several remnants that relate to Annandale, including the carriage house, a portion of the York Place granite wall with gate posts and one original entry point, and the Prospect Place rubble wall.
- Two enormous matching homes were built in 1897, Annandale and Garrison House.
- Original Garrison home was destroyed by fire and subsequently divided into 11 lots.
- The applicant purchased the property in 2016 and began neighbourhood consultation.
- Approved building permit in place for a single family home, including a single driveway crossing onto Prospect Place.
- Components of the heritage revitalization agreement application would include designating and repairing the character defining elements of the York Place granite wall, designating and repairing the character defining elements of the Prospect Place rubble wall with minimal interruption for three future driveway crossings and the previously approved crossing.
- 80% of the wall is left in original condition after the three proposed 12 foot driveway crossings and the one approved crossing are installed.
- Intent is to repair and restore the carriage house, and relocate it to Windsor Park where it is available for public use and in the stewardship of the District.
- The District has agreed to accept the carriage house at Windsor Park, adjacent to the rose garden, where the carriage house would be restored to original condition.
- Propose to subdivide into four lots that are contextually appropriate with adjacent zoning.
- Will follow recommendations of the heritage consultants to restore the York Place granite wall to its original condition.
- Intention is to preserve in place the Prospect Place rubble wall, with the exception of the rehabilitation of select locations to accommodate the proposed openings.
- Application is consistent with goals of the Official Community Plan, and the principles of heritage conservation, allows for growth and change in the neighbourhood.

Commission Comments

The Chair commented that the application is to be examined based on the goals and actions contained in the Oak Bay Heritage Plan:

1. Conserve established streetscapes and neighborhoods.
2. Conserve historic buildings and structures.
3. Conserve cultural landscape features.
4. Conserve natural landscape features and ecological heritage.
5. Celebrate Oak Bay's unique history.

D. Jensen clarified there is currently no designation bylaw for the walls and carriage house, rather they are mentioned as features of the Annandale property in Stuart Stark's book.

C. Dunk, heritage consultant, commented that the carriage house is on the subdivided portion of the property and the statement of significance was not written by Donald Luxton and Associates.

Commission members commented that the statement of significance is for 1587 York Place, is not intended to blanket all of the property, and a site visit would have been helpful. They also inquired whether the carriage house could remain on the property and be used as a museum, whether hedgerows could be planted next to the Prospect Place wall as they can be used to create a country look, and whether the District had funding to support the carriage house at Windsor Park.

M. Miller, applicant, commented that keeping the carriage house on the property did not work with the current plan.

B. Anderson advised maintenance costs would be with the Parks operations budget.

Commission members inquired about the location of the art nouveau gates on York Place, the iron gates on Prospect Place, and asked for clarification on access for the lots.

A. Cooper, applicant, advised the Prospect Place gate is in place and will be retained.

M. Miller, applicant, noted the York Place gates were in poor condition, and were removed and donated elsewhere. He also noted the proposed driveway crossings conform to the District bylaws, and 80% of the rock wall will remain.

B. Anderson clarified the proposed heritage conservation area is still with the working group and does not have any formal status, and noting that the principle of the conservation area is to acknowledge and protect heritage values. He also noted a conservation area does not typically speak to new builds reflecting heritage design.

Commission members noted that blasting will have an impact on the rubble rock wall that is already not in good condition.

M. Miller, applicant, advised that Donald Luxton and Associates will manage any mitigating factors, and stated he was confident that blasting will have no impact to the wall.

Commission members questioned the use of a covenant to protect the wall rather than a designation bylaw, and identified the heritage assets situated on the property as a granite wall, two gateposts and art nouveau gates on York Place, Annandale carriage house, topography and natural rock outcroppings, rubble stone wall with gated opening on Prospect Place, and the rural aspect on Prospect Place.

A. Cooper, applicant commented that a heritage designation seems to offer the most protection.

Commission members summarized the heritage value documentation for assessing an application as:

1. Conserve Established Streetscapes and Neighborhoods:

- The proposed HRA creates a minimum of two additional breaks in the stone wall and widening of the existing opening of the north end of the Prospect wall thereby destroying the rural ambiance.
- The topography will be significantly modified by destroying the natural rock outcroppings.
- The north lot will have to have access through the existing stand of Garry oak trees.

- The gates on York Place are not considered in this HRA.
 - The granite wall on York Place will be rehabilitated and retained intact.
2. Conserve Historic Buildings and Structures
 - The removal of the carriage house destroys the context of the carriage house and its connection to the history of Oak Bay.
 - The carriage house has been proposed to be relocated.
 - Stone rubble wall has one opening that is approximately seven feet wide. The HRA indicates “new openings” but does not specify the number.
 - The proposal does not include specifics on how the wall will be protected during blasting and construction.
 - The granite wall on York Place will be rehabilitated and retained intact.
 - Proposed paving for driveways destroys the rural and native wildness of the site.
 3. Conserve Cultural Landscape Features
 - This area was Oak Bay’s first subdivision and it is a fine example of organic architecture with the concept of architecturally designed homes built on the land.
 - The current proposal will have blasting through a rock outcropping to construct a six car garage.
 4. Conserve Natural Landscape Feature and Ecological Heritage
 - The HRA proposes significant destruction of the natural landscape features.
 - The proposal for additional lots would require further damage to rock outcroppings.
 - Guidelines have not been included for the architectural style of the new lots.
 - At a minimum the development should be subject to HCA guidelines, siting restrictions and a limited amount of blasting.
 5. Celebrate Oak Bay’s Unique History
 - If the HRA is accepted, most of the unique heritage aspects of the property will be removed, partially destroyed or damaged if the HRA is accepted.
 - The HRA proposal does not celebrate Oak Bay’s unique history.

It was moved and seconded to recommend:

1. that Council decline this proposed 1561 York Place heritage revitalization agreement application; and
2. the municipality negotiate with the proponent to mitigate the impact on the heritage of this special location by requiring:
 - a) access to any approved subdivision through the existing opening in the York Place granite wall;
 - b) retention and rehabilitation of the rubble stone wall intact;
 - c) retention of the rural aspect of Prospect Place;
 - d) any new permit for buildings and new lots to follow the heritage conservation area guidelines; and
 - e) minimum blasting of the natural landscapes of the property.

The motion was carried.

None opposed.

Commission members noted it would be useful if they had: received a statement of significance specific to the features and not to Annandale; known the number of proposed openings in the wall and that the carriage house was to be relocated; and requested they receive sufficient time to review the applications.

7. Heritage Applications

D. Jensen provided an update on current heritage applications, noting that heritage revitalization agreement applications for 77 Beach Drive and 602 Newport Avenue are under review by staff, and that the heritage revitalization agreement application for 1416 St David Street has been reviewed by the Heritage Commission and staff are working with the applicant on next steps.

8. Next Meeting

The next regular meeting of the Heritage Commission is scheduled for Tuesday, December 11, 2018 in the Council Chambers of Municipal Hall.

9. Adjournment

The meeting was adjourned at 5:13 pm.

