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# HERITAGE CONSERVATION PLAN

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LAWSON RESIDENCE  
960 FOUL BAY ROAD, OAK BAY, BC  
DECEMBER 2025



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# INTRODUCTION

The following report is a Heritage Conservation Plan for the proposed work to be done to 960 Foul Bay Road, the Lawson Residence, in the District of Oak Bay, BC along its western border with the City of Victoria (Figs. 1 and 2). The proposed work involves relocating the structure within its lot, (providing a clearer view of the house from the street and the ability to have infill development on its large lot); restoring elements on the exterior; and interior renovations to improve the configuration of the suites. This work will be part of a Heritage Revitalization Agreement (HRA), which will also designate the residence.



Fig. 1: Map of 960 Foul Bay Road along the District of Oak Bay’s western border, Victoria, BC. Its large lot is outlined in yellow. (Source: Oak Bay’s GIS Mapping Service)



Fig. 2: Front view of 960 Foul Bay Road, 2025. (Source: Cummer)

## HISTORICAL CONTEXT

Situated on the land of the Coast Salish and the Lekwungen speaking peoples, the colonial history of the area dates back to 1843, with the establishment of Fort Victoria. In 1858, the area of Oak Bay was surveyed and subdivided into five sections, with areas allocated to four prominent individuals (John Tod, Joseph D. Pemberton, Isabella Ross and William Henry McNeil) (Fig. 3). Following this subdivision, the area slowly developed and evolved through the latter 19th and early 20th centuries (Baird 1979, pp. 18-26).

“At the beginning of the 20th century, Oak Bay was a rural community lacking all the basic services” (Corporation of the District of Oak Bay 2006, p. 46). It became incorporated in 1906, when its “growing population saw the need for infrastructure and regulation” (*ibid.*) The result of this, was an early 20th century building boom in the area through the early 1910s (Baird 1979, p. 71). 960 Foul Bay Road was a part of this construction boom (Fig. 4).

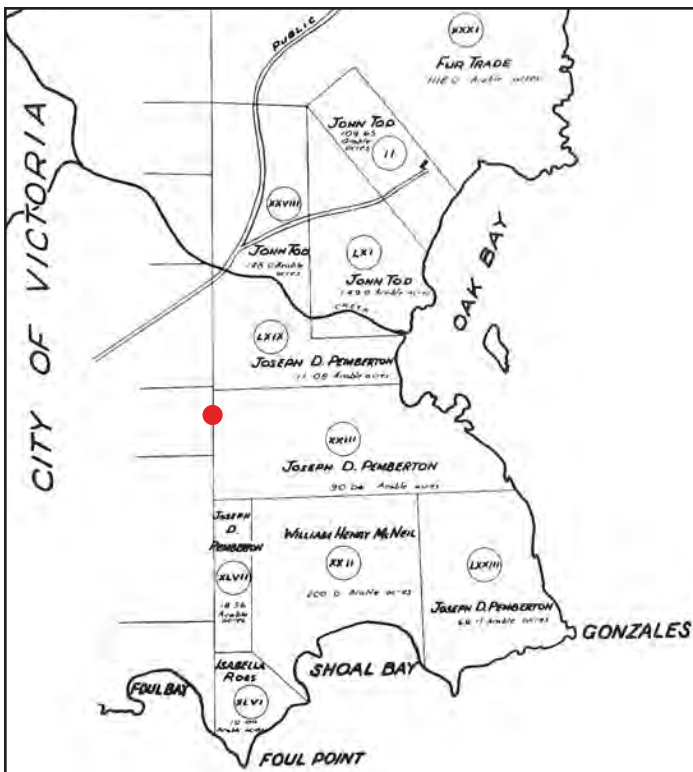


Fig. 3: Reproduction of the Pemberton map illustrating the land survey and subdivision of Oak Bay in 1858. The approximate, eventual location of 960 Foul Bay Road is pinpointed with a red dot. (Source: Baird 1979, p. 36)

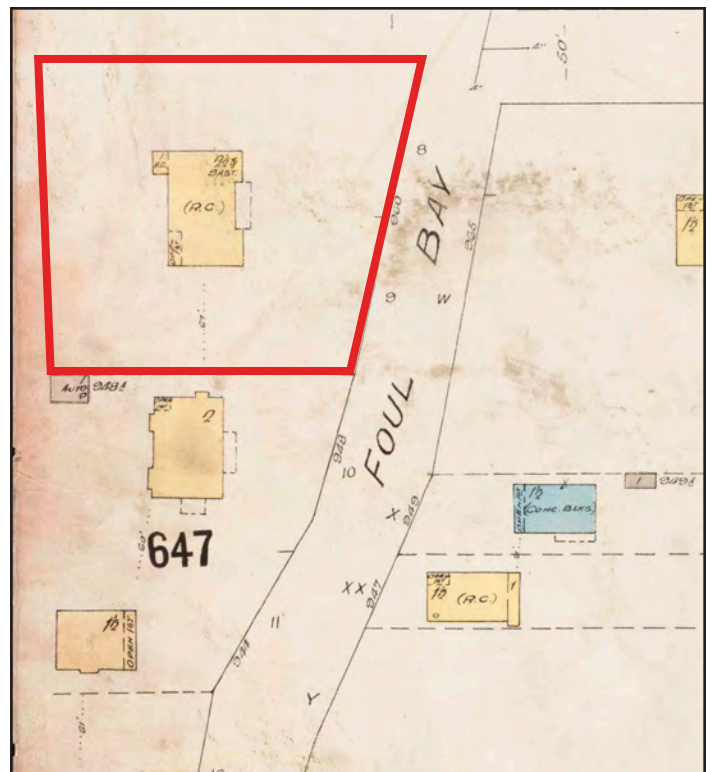


Fig. 4: Goad Fire Insurance Plan, 1916, showing the Lawson Residence already built at 960 Foul Bay Road, outlined in red. Note the garage structure on site today was not part of the original development, as discernible above. (Source: UVic Vault, Volume III, Sheet 354)

960 Foul Bay Road was built in 1914 for Victoria-born Henry Graham Lawson (of the pioneering Lawson Family who emigrated to Canada from Scotland in the 1860s). The house was built for Lawson and his growing family with Mary Lawson (née Powell). They lived in the house with their three sons (William, Graham and Donald) for multiple decades until Lawson's death in 1945 (Fig. 5).

The house was designed for Lawson by prominent and prolific architect of the era, Samuel Maclure, who built numerous commercial and residential structures throughout the province of British Columbia during his years of architectural practice from 1887 until his death in 1929 (Wolf 2003, pp. 151 to 155). He was particularly well known and celebrated for his use of Tudor Revival style elements, especially half-timbering.

**H. G. Lawson, K.C.  
Well-known Lawyer  
Dies at 66 Years**



Henry Graham Lawson, K.C., 66, native of Victoria and one of the city's leading lawyers, died Friday evening at his home, 960 Foul Bay Road, after a year's illness.

Mr. Lawson was one of five sons of the late James Hill Lawson, one of the early-day merchants of Victoria and manager for many years of H. P. Rithet and Company. He attended school here and then commenced the study of law with the legal firm of Bodwell, Irving and Duff. A. D. Crease, K.C., and the late C. E. Wilson were fellow students.

This firm was one of the most noted in Canada, Mr. Irving later going to the Supreme Court of British Columbia and Mr. Duff becoming Chief Justice of Canada.

After being called to the bar Mr. Lawson entered the firm of Bodwell and Lawson, succeeding his brother, James, in the partnership, on the latter's departure for Vancouver, Bodwell and Lawson remained until 1928 when Mr. Lawson entered partnership with H. J. Davis in the firm of Lawson and Davis, the firm also taking over the practice of Pooley, Luxton and Pooley, of which Mr. Davis had been junior partner.

Mr. Lawson was prominent in athletics at the turn of the century, playing on many championship football and rugby teams.

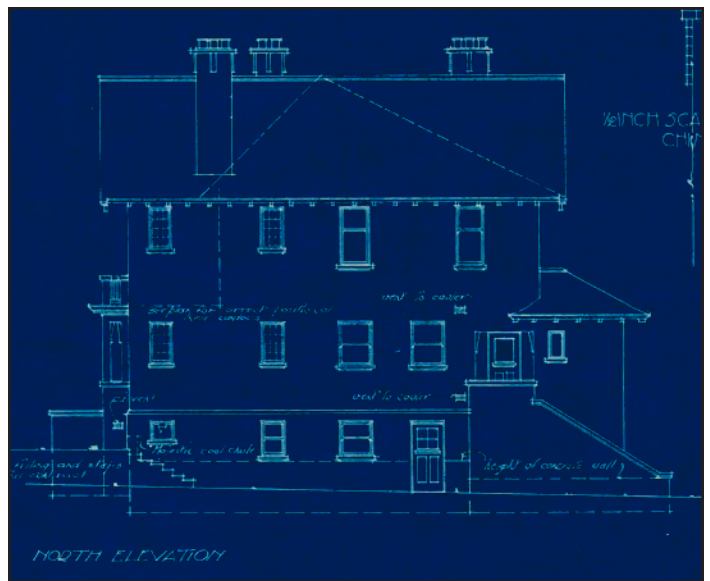
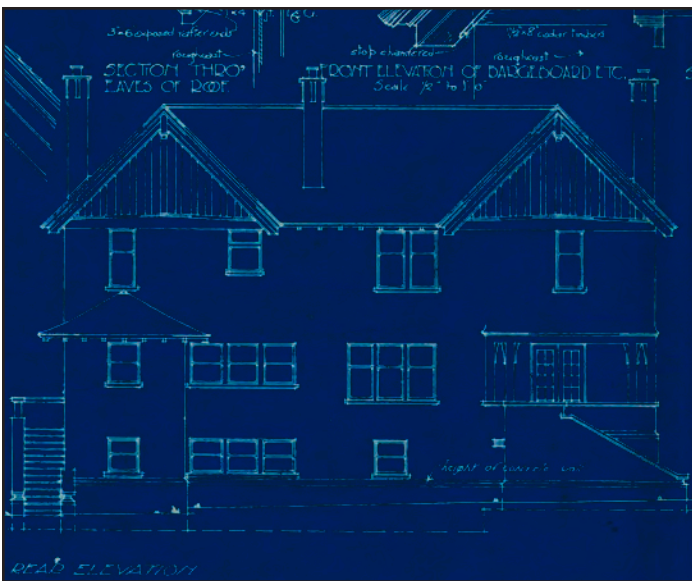
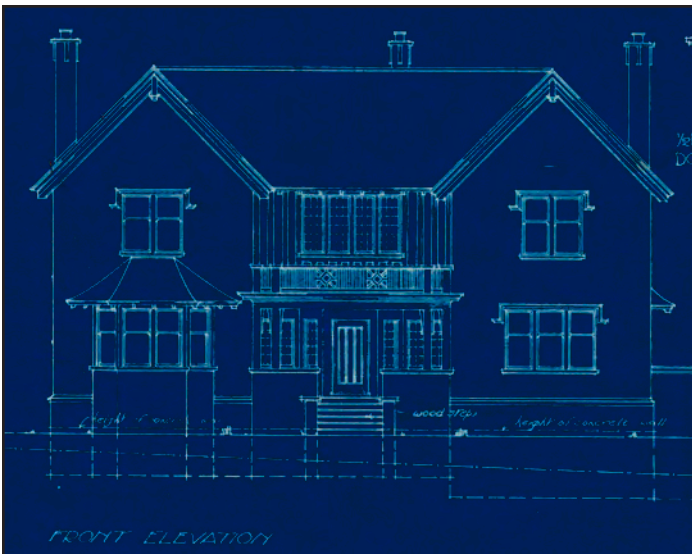
He was a Bencher of the Law Society of British Columbia and a member for many years of the Uniformity of Laws Commission of Canada. He was a member of the Union Club and Victoria Golf Club.

He leaves his widow and three sons, all in the navy, William P. Lawson, at present in Victoria; Graham, overseas, and Donald J. on the Atlantic coast; two sisters, Mrs. O. R. Parker and Mrs. Louis Davies of Victoria; three brothers, J. H. Lawson, K.C., Vancouver; Jack Lawson, Prospect Lake, and Victor Lawson, Powell River. One brother, William, died some years ago.

Fig. 5: Newspaper article discussing the death of Henry Graham Lawson. (Source: *Victoria Daily Times*, February 3, 1945, p. 8)

## RESEARCH FINDINGS

Rather fortuitously, the original Samuel Maclure drawings of 960 Foul Bay Road were available from the District of Oak Bay Planning Department (Figs. 6 to 9), in addition to a collection of historical photographs (Figs. 10 to 13). The former residents of the property have also been determined and consolidated for the historic record (Table 1). The following catalogues the available archival materials, which have been used as the basis and guide for the proposed conservation work being undertaken. The current views of each side of the house are also shown for comparison (Figs. 14 to 17).



Figs. 6, 7, 8 and 9: Architectural drawings by S. Maclure showing the different elevations of House for H.G. Lawson, 1914. (Source: District of Oak Bay Planning Department)



Fig. 10: Archival photograph showing the front entrance to 960 Foul Bay Road with a view of the porch above, prior to being closed in. (Source: Uno Langman Collection UBC Robert Sinclair Album, 1-0053546.0032)



Fig. 11: Archival photograph showing the side staircase and back entrance to 960 Foul Bay Road. (Source: Uno Langman Collection UBC Robert Sinclair Album, 1-0053546.0010)



Fig. 12: Archival photograph showing the view from 960 Foul Bay Road, illustrating the former look of the landscaping and fencing. (Source: Uno Langman Collection UBC Robert Sinclair Album, 1-0053546.0193)



Fig. 13: Archival photograph showing the view of 960 Foul Bay Road from the street, also illustrating the former look of the property's fencing and the house's front facade, including its window decorative detailing. (Source: Uno Langman Collection UBC Robert Sinclair Album, 1-0053546.0194)

**Table 1: Consolidated List of Occupants of 960 Foul Bay Road**

Year	Resident	Occupation
1914 - 1944	Henry G Lawson (Mary P)	Lawyer, <i>Lawson and Davis</i>
1945	Mrs. Mary Lawson	Widow, H G
1946	George O Cumpston (Elizabeth)	Res Partner, <i>G A Touche &amp; Co</i>
1947 - 1957	William Motherwell (Mary E) Elizabeth L Motherwell	Retired Student (1947); Pub Wrtr, <i>Vic &amp; Isl Pub Bur</i> (1948)
1958 - 1968	Dr Vere G Stuart (Margaret J)	Physician, 123, 645 Fort Street
1969 - 1973	Mrs. Margaret J Stuart	Widow
1974 - 1975	Barrie L Henderson (Lillian J)	Secretary Treasurer, Oak Bay Marina
1976	Vacant	
1977	Apartments 1 * Roger Anderson 2 * Brian R Anderson 3 * Paul McAdams 4 * Wayne Wickert	Physician Programme Officer, Regal Economic Expansion Manager Trainee, The Bay Physician
1978	Al Reakes Janet Wright Mark A Baker	Bartender Employment Agent Servmn, Royal Jubilee Hospital
1979	Roger C Anderson Al Reakes Shelley M Donald	Physician, Cook St Medical Building Bartender Student
1980 - 1981	Roger C Anderson Al Reakes A Shepherd	Physician & Surgeon, Rm 210, 1175 Cook Street Bartender Nurse
1982	No Return	
1983 - 1986	LJ Henderson Lemay E Henderson	Retired Student
1987 - 1988	B L Henderson Lemay E Henderson Florence Hajnal	Chartered Accountant Student Retired
1989 - 1991	B L Henderson Joyce Henderson (1991)	Chartered Accountant Student
1992	Amanda Banks Shannon Wadsworth Beth Baer	Student Student Student
1993 - 1999	Lillian Henderson Lemay E Henderson (1998 and 1999)	Retired Physician

Sources: Vancouver Public Library BCCD, 1914 to 1955 and Victoria Public Library Heritage Room, 1956 to 1999



Fig. 14: Current view of the front elevation, 2025. (Source: Cummer)



Fig. 15: Current view of the South elevation, 2025. (Source: Cummer)



Fig. 16: Current view of the rear elevation, 2025. Note the later addition garage structure on the right, to the south. (Source: Cummer)



Fig. 17: Current view of the North elevation, 2025. (Source: Cummer)

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## STATEMENT OF SIGNIFICANCE

The following is the Statement of Significance for the Lawson Residence located at 960 Foul Bay Road, updated from the original statement written by Edwards Heritage Consulting in February 2017.

### DESCRIPTION OF HISTORIC PLACE

960 Foul Bay Road is a two-storey, plus basement, Tudor Revival residence with a twin gable roof, featuring two gables at both its front and back, each with simple gable end finials and half-timbering at the rear. The roof also features tall ornate brick chimneys clad with roughcast stucco. Its front façade is partially symmetrical with its twin gable roofline, matching upper-level double hung horned wood windows and its centred front door with decorative balustrade above. However, it is also asymmetrical featuring a bay window on one side of the lower level, but not on the other. It is located along the Oak Bay border with the City of Victoria.

### HERITAGE VALUE

960 Foul Bay Road is a late Edwardian era, Tudor Revival structure designed by Samuel Maclure and built in 1914 for Henry Graham Lawson and his growing family. The house has aesthetic value through its connection to Samuel Maclure and its representative Tudor Revival style; historical value through its association with the pioneering Lawson Family; and social value for having provided much needed housing to so many individuals over its numerous years.



Fig. S1: View of 960 Foul Bay Road, 2025. (Source: Cummer)

The Lawson Residence at 960 Foul Bay Road has aesthetic value as a good, yet modest example of a Samuel Maclure Tudor Revival residence from his pre-war design period. Samuel Maclure was born in British Columbia in 1860 and became BC's foremost domestic architect from the 1890s to the 1920s. He was impressively prolific building numerous commercial and residential properties throughout the province. He was most well known for his Tudor Revival houses, which took inspiration from Britain, but made use of local materials, resulting in a uniquely West Coast design. His Tudor Revival houses typically featured gable roofs, half-timbering, and tall chimneys, all of which are featured on the Lawson Residence.

960 Foul Bay Road has historical value due to its original owner and his family's settler connection to early Victoria. Henry Graham Lawson was born in Victoria in 1879, the fifth child of James Hill Lawson and Ann Lawson (née MacDonald); Scottish emigrants who came to Canada in the early 1860s. Henry Lawson lived in the house with his wife, Mary Lawson (née Powell) and their three sons (William, Graham and Donald). Henry Lawson became a successful lawyer in the region, who (according to his granddaughter) used to take the streetcar downtown to work each day, coming home the same way for lunch. This evokes a now lost way of life, further connecting the house to the history and development of the area, including the housing boom that took place in Oak Bay in the 1910s. Henry died in the house in 1945 and numerous Lawson descendants still live in Victoria today.

After the Lawson Family's multiple decades of residency, the house was used by various additional families through the 1940s to 1970s, until it was subdivided into "Apartments" in 1977. During this time, the Lawson Residence was home to a wide range of individuals (accountants, bartenders, physicians, nurses, retirees, students and widows, among others). This has continued into the 21st century with numerous individuals of varying backgrounds living within the Lawson Residence. This diversity connects to the house's social value. The fact that such a wide range and large number of individuals have called 960 Foul Bay Road home is an important part of its significance, even in the present day.

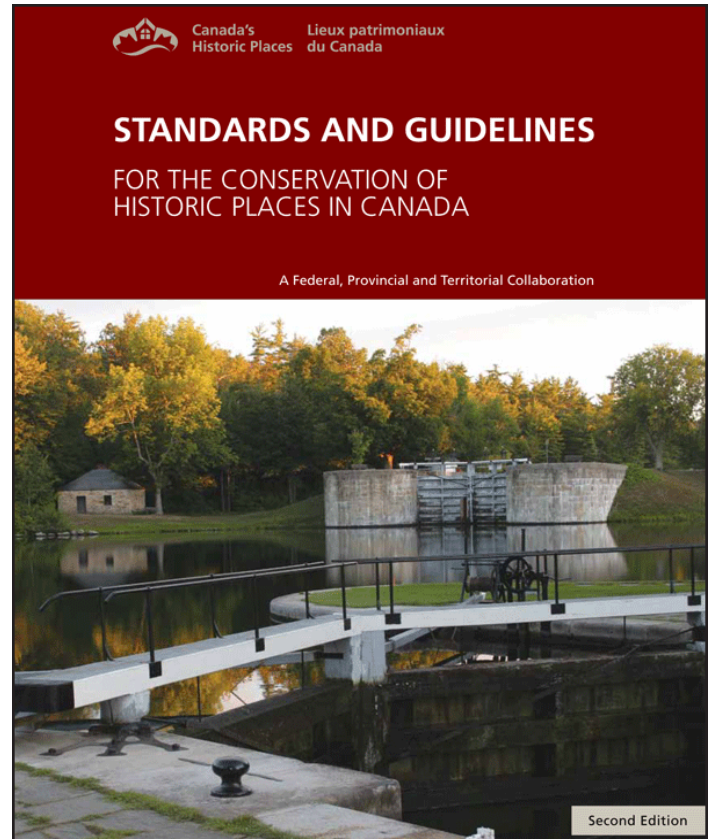
## CHARACTER DEFINING ELEMENTS

The key elements that define the heritage character of 960 Foul Bay Road include:

- *Its location along Foul Bay Road, on the border with the City of Victoria;*
- *Its multi-family residential use;*
- *Its twin gable roof with two gables at the front and two at the back, with modest gable finials and simple eave brackets;*
- *Its characteristics of the Tudor Revival Style including its wood frame construction, tall brick chimneys and half-timbering applied to the gable ends at the rear, on its west façade;*
- *Its centred front entrance with a sleeping porch above with a decorated balustrade; and*
- *Its mixed form and pattern of fenestration.*

## CONSERVATION GUIDELINES

The *Standards and Guidelines for the Conservation of Historic Places in Canada* (Second Edition) (Parks Canada, 2010) is the pan-Canadian set of conservation principles that guides all conservation work in Canada and is the foundation of the conservation approach being employed with regards to 960 Foul Bay Road in Oak Bay, BC. As defined by the Standards and Guidelines, the work proposed for the Lawson Residence includes aspects of **preservation**, **restoration** and **rehabilitation**, which are defined below. The following Standards should be adhered to as much as possible when carrying out any conservation work to an historic place (see Table 2 below), including the work proposed for the Lawson Residence.



*Standards and Guidelines for the Conservation of Historic Places in Canada.* (Source: Parks Canada)

**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.

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

(Parks Canada 2010, p. 255)

Table 2a: General Standards for Preservation, Rehabilitation and Restoration

Standard	Description
1	<b>Conserve</b> the <i>heritage value</i> of an <i>historic place</i> . <b>Do not remove, replace or substantially alter</b> its <b>intact or repairable</b> <i>character-defining elements</i> . <b>Do not move</b> a part of an historic place <b>if its current location is a character-defining element</b> .
2	<b>Conserve changes</b> to an <i>historic place</i> that, over time, have become <i>character-defining elements</i> in their own right.
3	Conserve <i>heritage value</i> by adopting an approach calling for <b>minimal intervention</b> .
4	<b>Recognize</b> each <i>historic place</i> as a physical <b>record of its time, place and use</b> . <b>Do not create a false sense of historical development</b> by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
5	<b>Find a use</b> for an <i>historic place</i> that <b>requires minimal or no change to its character-defining elements</b> .
6	<b>Protect and</b> , if necessary, <b>stabilize</b> an <i>historic place</i> <b>until</b> any subsequent <b>intervention</b> is undertaken. <b>Protect and preserve archaeological resources in place</b> . Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7	<b>Evaluate</b> the existing <b>condition</b> of <i>character-defining elements</i> <b>to determine</b> the appropriate <b>intervention</b> needed. Use the <b>gentlest means possible</b> for any intervention. <b>Respect heritage value</b> when undertaking an intervention.
8	<b>Maintain character-defining elements</b> on an ongoing basis. <b>Repair character-defining elements by reinforcing</b> their <b>materials</b> using recognized conservation methods. <b>Replace in kind</b> any <b>extensively deteriorated</b> or missing parts of <b>character-defining elements</b> , where there are surviving <i>prototypes</i> .
9	Make <b>any intervention</b> needed to preserve <i>character-defining elements</i> <b>physically and visually compatible</b> with the <i>historic place</i> and <b>identifiable</b> on close inspection. <b>Document any intervention</b> for future reference.

Table 2b: Additional Standards Relating to Rehabilitation

Standard	Description
10	<b>Repair</b> rather than replace <i>character-defining elements</i> . Where character-defining elements are <b>too severely deteriorated to repair</b> , and where sufficient physical evidence exists, replace them with new elements that <b>match the forms, materials and detailing</b> of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the <b>new elements compatible with the character</b> of the <i>historic place</i> .
11	<b>Conserve</b> the <i>heritage value</i> and <i>character-defining elements</i> when creating any new additions to an <i>historic place</i> or any related new construction. Make the new work <b>physically and visually compatible with, subordinate to and distinguishable from</b> the <i>historic place</i> .
12	Create any new additions or related new construction so that the <b>essential form and integrity</b> of an <i>historic place</i> will not be impaired <b>if</b> the new work is <b>removed</b> in the future.

Table 2c: Additional Standards Relating to Restoration

Standard	Description
13	<b>Repair</b> rather than replace <i>character-defining elements</i> from the <i>restoration</i> period. Where character-defining elements are <b>too severely deteriorated to repair</b> and where sufficient physical evidence exists, <b>replace</b> them <b>with new</b> elements that <b>match the forms, materials and detailing</b> of sound versions of the same elements.
14	<b>Replace missing</b> features from the <i>restoration</i> period with new features whose forms, materials and detailing are <b>based on</b> sufficient physical, documentary and/or oral <b>evidence</b> .

Source: Parks Canada 2010, pp. 22-23; with author bolding for clarity and emphasis

# CONSERVATION OBJECTIVES

The Lawson Residence at 960 Foul Bay Road will be preserved, restored and rehabilitated as part of a new Heritage Revitalization Agreement (HRA) for the site (Figs. 19 and 20). Please note that although a previous HRA was approved for this lot, it was not completed and has since been rescinded. This new proposal will relocate the Lawson Residence within its lot, maintaining its historical orientation (unlike the previously approved proposal), making it more prominent and visible from the street for all to enjoy (Fig. 18). It will also include heritage designation to formally celebrate and protect its heritage value going forward. The site’s history and heritage value will also be articulated and visualized in an interpretative panel to be installed along the street.



Fig. 18: Modern view of the Lawson Residence from Foul Bay Road, 2024, highlighting its lack of visibility and prominence in the streetscape. (Source: Cummer)



Fig. 19: Site plan showing the relocated Lawson Residence and the proposed surrounding infill development. Note the recommended interpretative panel location in the top right, outlined in red. (Source: Kilo Architecture and Zebra Design)



Fig. 20: Proposed revised streetscape. Above, shows the elevations along Brighton Ave, with the Lawson Residence on the left and the infill development on the right. Below, shows the elevations along Foul Bay Road, with the Lawson Residence on the right and another infill development on the left. (Source: Kilo Architecture and Zebra Design)

As outlined in its Statement of Significance, the Lawson Residence, at 960 Foul Bay Road, has aesthetic, historical and social value contributing to its heritage significance. Its aesthetic value lies in its architectural style as a good example of an Edwardian Tudor Revival residence and through its historical association with prominent and prolific architect,

Samuel Maclure. Its historical value is embodied in its connection to the pioneer Lawson Family and its connection to the housing boom that took place in Oak Bay in the 1910s. Its social value is found in the fact that it has provided much needed housing to so many different individuals over its numerous years.

The key elements that define the heritage character of 960 Foul Bay Road are as follows:

- *Its location along Foul Bay Road, on the border with the City of Victoria;*
- *Its multi-family residential use;*
- *Its twin gable roof with two gables at the front and two at the back, with modest gable finials and simple eave brackets;*
- *Its characteristics of the Tudor Revival Style including its wood frame construction, tall brick chimneys and half-timbering applied to the gable ends at the rear, on its west façade;*
- *Its centred front entrance with a sleeping porch above with a decorated balustrate; and*
- *Its mixed form and pattern of fenestration.*

The conservation of 960 Foul Bay Road is focused on the preservation of the heritage house, including its various character defining elements; restoration of certain elements, including its sleeping porch and window decoration; and its rehabilitation by relocating the house within its lot onto a new foundation, increasing its visibility and facilitating the development of much-needed additional housing on the large lot. The following table summarizes the specific elements of 960 Foul Bay Road to be preserved, restored and rehabilitated (Table 3).

<b>Table 3: List of the elements to be preserved, restored and rehabilitated</b>		
<b>Preserved</b>	<b>Restored</b>	<b>Rehabilitated</b>
Overall structure	Its standalone nature, by removing the mid-20th century large scale addition, connected to the house to the south	Relocating the house within its lot onto a new foundation, extending its physical life and allowing for seismic security
Its multi-family residential use	Removing the roof's later addition skylights and restoring the chimneys	Minor amendments to the roof form, incl. adding two side dormers and removing one heavily deteriorated rear chimney
Its Tudor Revival elements, including wood frame construction, brick chimney forms, half-timbering in its gable ends, modest drop finials and simple eave brackets	Returning fencing and gates along Foul Bay Road and Brighton Street taking cues from the originals	Reconfiguring the interior layout to improve its livability and usability as a multi-unit dwelling, with some exterior updates as well, such as providing balconies and decks for outdoor living
Its form and pattern of fenestration, where possible	Its sleeping porch to its previous unenclosed form and adding back the window decoration detailing at the front	Installing new windows, where needed

Source: Cummer Heritage Consulting (CHC)

# PROPOSED ALTERATIONS

The major proposed alteration to the property is relocating the building (maintaining its current and historical orientation) in order to facilitate infill development on the large lot, providing much-needed additional housing to the area. Although not an insubstantial change, the proposed changes are considered a reasonable intervention given the site conditions, particularly its large lot size and the modern needs of residents, as outlined in the District of

Oak Bay Housing Needs Report (Urban Matters 2020, pp. 4 to 6). There are multiple precedents from the surrounding properties for increasing the density on these large historical lots, whether through subdivision or infill development; as visible in comparing the 1916 Fire Insurance Plan with the modern GIS Map, showing infill development and multiple large lot subdivisions over the last century (Figs. 21 and 22).

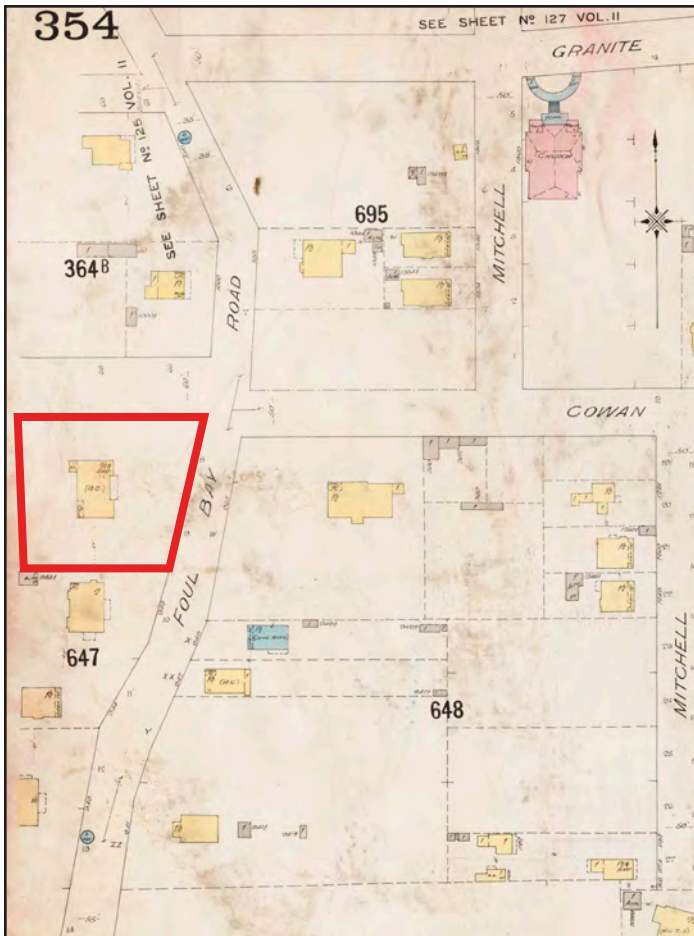


Fig. 21: Goad Fire Insurance Plan, 1916, showing the Lawson Residence and the various surrounding properties on numerous large lots, which have subsequently been either subdivided and infilled. (Source: UVic Vault, Vol. III)

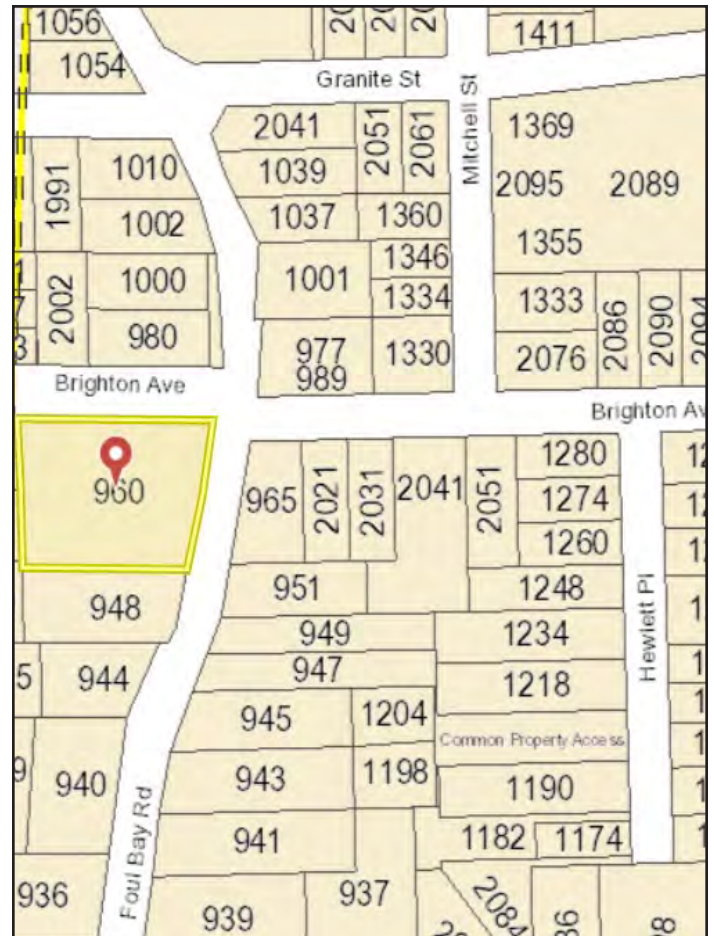


Fig. 22: Map of the 960 Foul Bay Road in the District of Oak Bay, Victoria, BC, with the property outlined in yellow and pinpointed with a red pin. (Source: Oak Bay's GIS Mapping Service)

# CONSERVATION RECOMMENDATIONS

Recommendations for the preservation, restoration and rehabilitation of the Lawson Residence are based on the condition assessments done by Cummer Heritage Consulting (CHC) during site visits conducted in 2023, 2024 and 2025. Overall, the exterior condition of the Lawson Residence appears to be in fair to poor condition. As outlined

below there are many areas in need of attention, which will be addressed as part of this Heritage Revitalization Agreement (HRA). These recommended conservation strategies are based on the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Parks Canada 2010).

## ROOFING AND DRAINAGE

It is unclear how old the current roof is, however, its condition is poor, overall, with curling and decaying shingles as well as moss growth in places (Figs. 23 and 24). Roof replacement is highly encouraged. It is difficult to determine the full condition of the drainage system from a simple exterior inspection. As part of this conservation work though, the drainage system (including the elements below ground) should be upgraded to guarantee optimal performance, with a regular maintenance schedule put in place to ensure their continued efficient and effective functioning.

**Roofing and Drainage Conservation Strategy**  
 Preservation, Restoration and Rehabilitation

- The original roof elements (the bargeboards, fascia boards, soffits and decorative drop finials) will be **preserved**, where possible, and **restored (replaced in-kind)**, if needed.
- The roofing and drainage will be **rehabilitated** with a new roof and drainage system being installed. These should be regularly monitored and maintained to ensure their ongoing good condition.



Figs. 23 and 24: Views of the northern side of the roof (above) and the southern side of the roof (below), 2025. (Sources: Cummer)

## CHIMNEYS

There are three chimneys on the house, all in largely poor condition. Two of the three (the northern and southern side chimneys) have had their top bricks and chimney caps fall off, but with their stucco intact (Figs. 25 and 26). However, the western, rear chimney still has its chimney caps, but has lost most of its stucco with other signs of deterioration including loss of mortar (Fig. 27). The chimneys will need to be documented, prior to relocation, to ensure they can be properly restored in their new location.

Figs. 25 to 27: Views of the northern chimney (left), southern chimney (middle) and western chimney (right), 2025. (Sources: Cummer)

### Chimneys Conservation Strategy

#### Preservation and Restoration

- Two of the three chimney forms (Figs. 25 and 26) will be **preserved** and **restored** following relocation.
- The chimney at the rear of the roof, in the poorest condition (Fig. 27), will be removed to facilitate an altered rear roof configuration to improve livability.
- Each chimney should be investigated prior to relocation to determine their structural integrity.
- If dismantled prior to relocation, the chimneys should be thoroughly documented beforehand, so that their original appearance can be replicated and restored.
- The caps and bricks from the removed chimney should be inspected and those in good condition should be kept and used for any repairs needed on the surviving two.



## WINDOWS AND DOORS

Most of the windows on 960 Foul Bay Road are original and are in fair to good condition. That being said, internal performance appears to be a concern, as discernible from the insulation film put on most of the windows (Figs. 28 and 29). As shown in comparing the original drawings to the current façades, there are also four windows that are not original, which were installed in the four gables of the residence at some point in time (Figs. 28 and 29). The original front door appears to be in good, operable condition (Fig. 29).

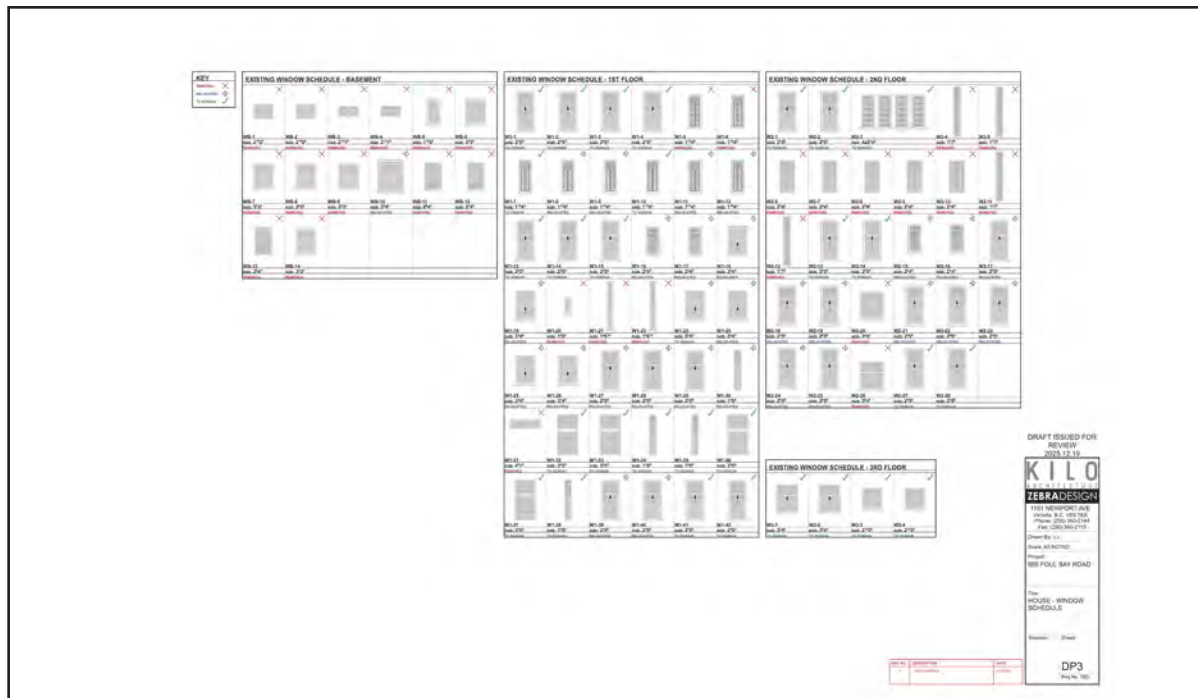
### Windows and Doors Conservation Strategy

Preservation, Restoration and  
Rehabilitation

- There is a wide range of interventions being employed with regards to the windows (Figs. 30 and 31). Where possible, remaining original wood windows should be **preserved**. If any sashes, sills and/or trims need repair or replacement, these should be **replaced, in-kind**.
- Each window should be made weather tight by re-puttying and weather-stripping, as necessary.
- Retain and **preserve** the door openings in their original locations and **preserve** the original doors, where possible. **Restore** them with new staining.

Figs. 28 and 29: Views of the rear façade (above) and the front facade (below), showing the numerous original horned wood windows with insulation film on the interiors as well as the newer windows added in the four gables (front and back), 2025. (Sources: Cummer)






Figs. 30 and 31: Proposed elevations of 960 Foul Bay Road (above) and the window schedule for 960 Foul Bay Road (below), showing the plan for each window. (Sources: Kilo Architecture and Zebra Design)

## CLADDING AND FINISHES

The exterior stucco appears to be in fair to good condition (Figs. 28 and 29 above), with areas simply in need of cleaning, which will be addressed when the house is repainted. As is the case with the half timbering in the rear gables as well (Fig. 28 above).

Element	Colour/Finish	Code	Example
Wood Window Frames & Sashes, Trims, Soffits, etc.	Oxford Ivory, High Gloss	VC-01	
Stucco Rendering	Haddington Grey, Flat	VC-15	

### Cladding and Finishes Conservation Strategy

#### Preservation and Restoration

- The stucco cladding should be **preserved** and **restored**, with extensive cleaning carried out on all sides, using gentlest means possible; do not use power-washing or harsh chemical cleaners as this can damage the building.
- The house should be repainted in its entirety. As outlined in the 2018 HCP, “the stucco was originally unpainted, and therefore a mortar grey colour. The only other original applied colour was an ivory colour on all painted surfaces” (DLA 2018, p. 27) (colours illustrated to the left).
- The current colour scheme does not need to be maintained, but an appropriate historic colour scheme should be chosen.

## STRUCTURE AND FOUNDATIONS

Overall, the walls and building envelope of the Lawson Residence appear to be stable. However, a new foundation and additional supports are desirable to extend the physical life of the building. This will also better prepare the building for a seismic event, since many early developments such as these were not bolted to their foundation.

### Structure and Foundations Conservation Strategy

#### Relocation, Preservation, Restoration and Rehabilitation

- The main two and a half storey structure will be **relocated** within its lot and **preserved**, including its form, scale and massing. It will be **rehabilitated** by being put on a new foundation to extend its physical life and increase its structural stability. The later addition garage and connecting hallway will be removed and the building’s original configuration **restored**.
- The upper balcony will also be **restored**, removing the later addition enclosure to match its historical appearance.

## LANDSCAPING

The landscaping on site is quite overgrown, but is, for the most part, sufficiently at a distance from the historic structure. However, it is more abundant in the southeast corner (Fig. 29) and there are also vines growing on the building at the rear (Fig. 28 above). This should be removed and discouraged as it can damage the building. After relocation, any new landscaping should be planted at a sufficient distance to avoid damaging the structure and its finishes.

### Landscaping Conservation Strategy

- Landscaping on site will be **revitalized** (Fig. 32).
- Any additional landscaping being added to the site should have a minimum 2-ft clearance between the vegetation and the building face. This is preferable to ensure there is sufficient space from the structure and to remove any threat to the foundation or the building’s finishes over time.



Fig. 32: Proposed Landscape Plan for 960 Foul Bay Road. (Source: Lombard North Group)

## MAINTENANCE PLAN

Following completion of the outlined conservation work, the owner must maintain the building and land in good repair and in accordance with generally accepted maintenance standards. All work should follow the *Standards and Guidelines for the Conservation of Historic Places in Canada (2nd Edition)*. As with the Heritage Conservation Plan, the maintenance standards apply only to the exterior of the building. As general upkeep is frequently overlooked and will lead to the deterioration of heritage resources,

maintenance standards warrant special attention to help to extend the physical life of a heritage asset. Any building should be kept in a reasonable condition so that it continues to function properly without incurring major expenses to repair deterioration due to neglect. The most frequent source of deterioration problems is from poorly maintained roofs, rainwater works and destructive pests. It is important to establish a maintenance plan using the information below:

### General Cleaning

- The building exterior should be regularly cleaned depending on build up of soot, biological growth and/or dirt up-splash from the ground.
- Cleaning prevents build up of deleterious materials, which can lead to premature and avoidable maintenance problems.
- Windows, doors and rainwater works should be cleaned annually.
- When cleaning always use the gentlest means possible, such as soft bristle brush and low-pressure hose. Use mild cleaner if necessary, such as diluted TSP or Simple Green ©.
- Do not use high-pressure washing as it will lead to excessive damage to finishes, seals, caulking and wood elements and it will drive water in wall assemblies and lead to larger problems.

### Site

- Ensure site runoff drainage is directed away from the building.
- Maintain a minimum 2-ft clearance between vegetation and building face and a 12-inch-wide gravel strip against the foundation in planted areas, if possible.
- Do not permit vegetation (such as vines) to attach to the building.

### Foundation

- Review exterior and interior foundations, where visible, for signs of undue settlement, deformation or cracking.
- If encountered, seek advice from a professional Engineer, immediately.
- Ensure perimeter drainage piping is functional.
- Arrange a professional drainage inspection every three to five years.

**Wood Elements**

- Maintaining integrity of the exterior wood elements is critical in preventing water ingress into the building. Annual inspection of all wood elements should be conducted.
- Closely inspect highly exposed wood elements for deterioration. Anticipate replacement in kind of these elements every 10 to 15 years.
- Any signs of deterioration should be identified and corrective repair/replacement action carried out. Signs to look for include:
  - Wood in contact with ground or plantings;
  - Excessive cupping, loose knots, cracks or splits;
  - Open wood-to-wood joints or loose/missing fasteners;
  - Attack from biological growth (such as moss or moulds) or infestations (such as carpenter ants);
  - Animal damage or accumulations (such as chewed holes, nesting, or bird/rodent droppings). These should be approached using Hazardous Materials procedures; and
  - Signs of water ingress (such as rot, staining or mould).
- Paint finishes should be inspected every three to five years and expect a full repainting every seven to ten years. Signs to look for include:
  - Bubbling, cracks, crazing, wrinkles, flaking, peeling or powdering; and
  - Excessive fading of colours, especially dark tones.

**Windows and Doors**

- Replace cracked or broken glass as it occurs.
- Check satisfactory operation of windows and doors. Poor operation can be a sign of building settlement distorting the frame or sashes or doors may be warped.
- Check condition and operation of hardware for rust or breakage. Lubricate annually.
- Inspect weather stripping for excessive wear and integrity.

**Roofing and Rainwater Drainage**

- Inspect roof condition every five years, in particular looking for:
  - Loose, split or missing shingles, especially at edges, ridges and hips;
  - Excessive moss growth and/or accumulation of debris from adjacent trees; and
  - Flashings functioning properly to shed water down slope, especially at the chimneys.
- Remove roof debris and moss with gentle sweeping and low-pressure hose.
- Plan for roof replacement at around 18 to 22 years (so between 2041 and 2045).
- Annually inspect and clean gutters and flush out downspouts. Ensure gutters positively slope to downspouts to ensure there are no leaks or water splashing onto the building.
- Ensure gutter hangers and rainwater system elements are intact and secure.
- Ensure downspouts are inserted into collection piping stub-outs at grade and/or directed away from the building onto concrete splash pads.

## CONCLUSION

With the above in mind, from a heritage professional perspective, the proposed work on 960 Foul Bay Road appears to be supportable considering the site conditions and community housing needs, providing much needed revitalization of the house and grounds. The work does not impact the heritage value nor the character-defining elements of the historic place, but, instead, extends the physical life of the building for another century and provides a mix of much-needed additional housing options to the neighbourhood.

If you have any further questions or would like me to clarify anything, please feel free to contact me. Thank you.

Sincerely,



Katie Cummer, PhD CAHP

Principal, Cummer Heritage Consulting

December 23, 2025

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## REFERENCES

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## **STANDARDS AND GUIDELINES FOR THE CONSERVATION OF HISTORIC PLACES IN CANADA**

The District of Oak Bay adopted the Standards and Guidelines for the Conservation of Historic Places in Canada as part of the 2025 Official Community Plan update that was adopted by Council on December 11, 2025.

The Standards and Guidelines for the Conservation of Historic Places in Canada is intended to promote responsible conservation practices that help protect Canada's irreplaceable historic places. They provide a philosophical consistency for project work; and while neither technical nor case-specific, they provide the framework for making essential decisions about which features of an historic place should be maintained, and which can be altered.

### **GENERAL STANDARDS (ALL PROJECTS)**

1. Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable, character-defining elements. Do not move a part of an historic place if its current location is a character defining element.
2. Conserve changes to an historic place which, over time, have become character-defining elements in their own right.
3. Conserve heritage value by adopting an approach calling for minimal intervention.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never co existed.
5. Find a use for an historic place that requires minimal or no change to its character defining elements.
6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention for future reference.

#### **ADDITIONAL STANDARDS RELATING TO REHABILITATION**

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

#### **ADDITIONAL STANDARDS RELATING TO RESTORATION**

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical documentary and/or oral evidence.

Further detailed information is contained in the Guidelines available at:

[Parks Canada > Heritage Conservation > Standards & Guidelines](#)



## Community Engagement + Public Information Meeting Summary for 960 Foul Bay Road

### Meeting Details:

**Date:** Tuesday, April 15th, 2025

**Time:** 6:00pm – 8:00pm

**Location:** Oak Bay United Church, 1355 Mitchell Street, Oak Bay

### Notification:

To ensure a fulsome discussion and prioritize dialogue with residents, an invitation was mailed to **175 homes within 200m** of the proposed development in Oak Bay. Further, as the properties which abut the subject site to the west are located within the City of Victoria, invitations were also sent to homes within **100m of the site into Victoria**.

The Public Information Meeting was initially booked and confirmed to be held at the Monterey Recreation Centre on Tuesday April 8<sup>th</sup>. As such, the first set of invitations were mailed on Tuesday, March 18<sup>th</sup>. Subsequently, Oak Bay staff notified the project team on March 27<sup>th</sup> that such community consultations are not permitted to be held at the Centre. The team quickly pivoted, secured the Oak Bay United Church for the following Tuesday, and mailed change notifications on April 1<sup>st</sup>. Addresses were obtained by using the CRD's parcel mapping system; hand addressed, stamped, and mailed via Canada Post. Neighbours in close proximity to the site were also contacted via email with the meeting details.



### Attendance:

The project team met with the immediate neighbours in advance of the public meeting from 5:00 – 6:00pm. The doors then opened to the broader public officially from 6:00 – 8:00pm, though many attendees arrived earlier.

The meeting was very well attended by approximately 80 participants; primarily residents of Oak Bay and Victoria.



The open house was hosted by Jennifer Travelbea (owner/developer), and included the following project team members:

- Mark Holland, Principal, Westplan Consulting Group
- Dr. Katie Cummer, Heritage Consultant, Cummer Heritage Consulting
- Keith Tetlow, Architect, KILO Architecture
- Rus Collins, Principal Designer, Zebra Design Group
- Jim Partlow, Landscape Architect, Lombard North Group
- Tim Shaw, Traffic and Parking Consultant, Watt Consulting Group

**Meeting Format:**

The purpose of the meeting was to gather public input, address concerns, and consider suggestions to guide the planning process.

Large-scale boards detailing the proposal were displayed throughout the room allowing for movement at each attendee’s desired pace and an opportunity to ask questions to the project team directly.

## **Questionnaire:**

A series of questions were posed to attendees both verbally and in the form of a written comment card. A QR code was also provided for those preferring to provide their feedback online or at a later date.

Generally speaking, more attendees were supportive of the development than not. Here's what the project team heard:

### **Support for Diverse Housing Options**

- Residents expressed support for adding diverse housing options to this area of Oak Bay and many suggested that Oak Bay needs to “do its share” to address housing shortages.
- Some respondents suggested other areas of development should include the Cedar Hill Corner/UVic Lands, the former Oak Bay Lodge site and along main roads within the District.
- A few respondents suggested development should be focused in other areas of the CRD and not in Oak Bay.

### **Restoration and Preservation of the Heritage Home**

- Over 90% of respondents support the conversion of the existing heritage home into multiple suites in conjunction with the planned restoration and heritage designation.
- While some commented that 8 suites is too many, others were keen on the single-level design of the proposed units.
- Some respondents asked about affordability and what would happen to the current tenants of the heritage home.

### **Support of Tudor-Revival Style Architecture**

- Over 86% of respondents support the style of architecture proposed and feel it is aligned with that of the existing homes in the neighborhood.
- Others suggested larger windows and commented that this style of architecture is becoming too common in Oak Bay.
- Several expressed distain for the proposed density saying it is too much for the site while others expressed the need for townhomes in the community.

### **Mixed Thoughts Regarding Parking**

- With 40 on site parking spots for 24 units, there was inevitably a mixed response to the proposed parking. While many think there is too much parking, just as many felt there isn't enough.
- Many attendees suggested the site should be accessed off Foul Bay Road instead of Brighton Avenue.
- Concerns were heard regarding traffic congestion and the closure of Richardson Street from Oak Bay.

- Several respondents suggested less parking in favour of more greenspace and tree retention.

### **Improvements vs Impact to Brighton Greenway**

- 60% of respondents felt the proposed sidewalk and plantings were an improvement to the Greenway. Many suggested the sidewalk be continued in both Oak Bay and Victoria.
- 40% would prefer no sidewalk and want the road left completely as is.

### **Traffic:**

- Immediate neighbours feel traffic data is inaccurate and out of date given recent development in Victoria.
- Many believe there will be too much traffic on Brighton impacting pedestrians and children playing on the street.

### **Density and Affordability:**

- There is a mix of supporters of the proposed density and those that feel the density is too large for the site.
- Many attendees and respondents suggested considering a mix of rentals and below-market options.

### **Trees:**

- Many attendees do not support the removal of trees and suggest more should be done to improve tree retention, specifically Garry oak trees.
- Others appreciated the new Garry oak plantings and highlighted connections between the location and active transportation options resulting in greenhouse gas reductions.

### **Conclusion**

The Public Information Meeting offered meaningful insight into residents' priorities, support and concerns both in relation to the proposed townhome development and broader growth within Oak Bay.

The project team remains committed to ongoing collaboration with neighbours and the community, aiming to address key issues and identify balanced solutions that reflect both the urgent need for diverse housing in Oak Bay and the importance of aligning with community values and provincial housing requirements.

# 960 Foul Bay Road



Corner of Foul Bay Rd & Brighton Ave

**Victoria-based Marking Developments has submitted a proposal to revitalize the Lawson Residence and establish new townhomes at 960 Foul Bay Road.**

Envisioned to provide diversified housing options for the Oak Bay community, this proposal includes the relocation of the 1914-built Lawson Residence to the northeast corner of the lot and a Heritage Revitalization Agreement (HRA) to preserve its architectural character and significance for future generations, while creating room for eight new single-level 2-bedroom homes and sixteen 3 & 4-bedroom townhomes designed for families.

Restoration and revitalization of the landscape includes new Garry oak trees and an extended boulevard area along the Brighton Avenue Greenway, substantially improving the public realm.

**We invite you to join us for an upcoming Community Open House and Information Session. Stop by to learn more, ask questions to the project team and share your feedback on this proposal.**



## Learn More:

### COMMUNITY OPEN HOUSE & INFORMATION SESSION

Tuesday, April 15th, 6pm - 8pm  
Oak Bay United Church  
1355 Mitchell Street

## Community Planning Contact

Mark Holland, Community Planner, Westplan Consulting  
T: (250) 713-9789 | E: [mark@westplanconsulting.ca](mailto:mark@westplanconsulting.ca)

COMMUNITY OPEN HOUSE - NOTICE OF CHANGE

# 960 Foul Bay Road



## New Date & Time

### COMMUNITY OPEN HOUSE & INFORMATION SESSION

Tuesday, April 15<sup>th</sup>, 6pm - 8pm  
Oak Bay United Church  
1355 Mitchell Street

Dear Resident(s),

Please be advised that due to an unforeseen facility booking issue, the **Community Open House and Information Session for 960 Foul Bay Road on April 8<sup>th</sup>, 2025 from 6pm - 8pm at Monterey Recreation Centre has been rescheduled.**

The new location, date and time is:

**COMMUNITY OPEN HOUSE**  
**Tuesday, April 15<sup>th</sup>, 6pm - 8pm**  
**Oak Bay United Church**  
**1355 Mitchell Street**

We sincerely apologize for any inconvenience as a result of this change.

Regards,

**Mark Holland**  
**Community Planner**  
Westplan Consulting  
T: (250) 713-9789  
E: mark@westplanconsulting.ca

[markingdevelopments.com/foul-bay/](https://markingdevelopments.com/foul-bay/)



### **Land Use and Built Environment Policies**

The Land Use section of the OCP contains the following policies that provides the primary guidance to evaluate development applications and to guide proposed variations from the adopted land use framework that can occur through submission of an OCP amendment application:

*CF5 – A comprehensive planning process may be required for proposals that change the land use and/or increase density on larger sites and multi lot areas in the District. The planning process for a large site redevelopment and re-zoning should include consideration of the following information and criteria:*

- *Transportation Impact Analysis*
- *Frontage improvements/road dedication for active transportation or green infrastructure*
- *Public access to the shoreline, preferably a continuous public walkway, where appropriate*
- *Protection and enhancement of the shoreline ecology or other sensitive ecosystems Protection of existing mature trees and meeting Tree Canopy Targets for replanting demonstrated through a Tree Management Plan*
- *Geotechnical study for sea level rise, tsunami risk and suitability of the ground for development*
- *Servicing study to understand how the site will be serviced including any necessary upgrades*
- *Integration of environmental considerations into the planning and design of buildings to advance community climate and ecological health goals*
- *Demonstration of a significant community benefit including community amenities and affordable housing contributions*

The proposed development application has addressed this policy through the submission of the relevant reports, including a Transportation Impact Analysis, Geotechnical Study, Tree Management Plan, and Servicing Plan. The District has also required a 2.74m road dedication to allow a future sidewalk to be built along the Foul Bay Road frontage by the developer.

The proposed development includes the conservation and revitalization of the historic Lawson Residence, enabling its rehabilitation and long term protection as a heritage resource in exchange for additional density and built form permissions enabled through redesignation of the site and through the proposed HRA and Heritage Designation. Retention and rehabilitation of the Lawson Residence, which is currently not a protected heritage property, the following OCP policies and objectives are relevant to the proposed development:

*CF7 – Consider variations to the provisions of the Land Use Framework, including height, built form and density, without requiring an OCP amendment, in circumstances including, but not limited to, the following:*

- *To achieve heritage conservation objectives*
- *Where significant community amenities are being provided*
- *Where below-market or non-market housing units are provided*

*Built Environment Objective #1 – Encourage all new development and redevelopment to respect and enhance Oak Bay’s unique “sense of place’ through sensitive and innovative responses to the existing form, scale, and character, and to promote residents’ health and well-being.*

*BE1 – Support development and redevelopment that responds to and maintains the unique social, cultural and environmental characteristics of each neighbourhood.*

*BE5 – Support the conservation and rehabilitation of existing heritage and character buildings.*

### **Housing Policies**

The proposed development features the conversion of the existing Lawson Residence to a multiplex containing 8 single-level 2-bedroom units and the development of sixteen (16) additional townhouse units spread across three (3) new buildings. The following OCP policies and objectives related to housing are relevant to the proposed development.

*Housing Objective #3 – Develop new housing that integrates with the character of the existing neighbourhoods and mitigates potential impacts such as tree loss, parking, traffic, noise and other effects on other properties.*

*Housing Objective #4 – Encourage and support the upgrading and retrofitting of older and heritage houses.*

*H22 – Rezoning of lots in the Residential designation may be supported to allow for the development of townhouses, with a density greater than typically allowed, where the lot meets the following criteria:*

- *Lots over 1,000m<sup>2</sup> or corner lots (at the intersection of two streets); and*
- *Lots fronting onto a BC Transit bus route.*

The subject property is 3,322m<sup>2</sup> in area, well over the 1,000m<sup>2</sup> minimum outlined in policy H22, and is a corner lot located at the intersection of Foul Bay Road and Brighton Avenue. Furthermore, the subject property is located on Foul Bay Road along the BC Transit #3 and #7/7N bus routes. North- and southbound bus stops are located within 200m of the subject property (~3min walk). While the proposal is not a rezoning within the Residential land use designation but is a townhouse project of greater density and unit count than that permitted in the Residential land use designation i.e. 4 dwelling units, staff believe that this policy is still relevant and does provide policy support for the proposed development.

*H33 – Encourage townhouses as a transition form of housing in locations that are between mixed use or multi-unit residential areas and lower density residential established neighbourhoods.*

Townhouse development in this location could be seen to provide a transition in density from the low-density residential neighbourhoods of South Oak Bay and the higher density mixed-use areas of Oak Bay Village and the properties designated Multi-Unit Residential between Oak Bay Avenue and Granite Street. Should redevelopment within the City of Victoria occur in accordance with the Residential Priority Growth Area designation and zoning, the redesignation of this site could also provide a transition in density from potentially denser developments to the west.

*Housing Objective #2 – Encourage and support a greater diversity of housing forms and tenures that respond to needs of all community members as they change over time, including affordable and inclusive housing.*

*H4 – Encourage and support a range of housing types, forms and tenures throughout the community to meet the needs of diverse incomes, lifestyles, ages and abilities.*

*H9 – Encourage universal design within housing units, and for access to housing units internally and from the street, for units intended for persons with developmental or physical disabilities.*

The proposed development includes 8 single-level dwellings in the converted Lawson Residence, with elevator access provided internally. These units offer ownership opportunities for smaller households. Units on the 1st through 3rd floors are accessible with the exception of 9 steps at the entrance to the building. Basement units have external access doors, with 8 stairs to navigate for each. The remaining townhouse units all contain 4-bedrooms, providing family-oriented housing. None of the proposed housing units are specifically intended for persons with developmental or physical disabilities or include any affordable or inclusive housing. Level access to the elevator would allow for the opportunity for accessible housing.

*Housing Objective #7 – Support tenant protection and mitigate the effects of displacement on tenants from redevelopment.*

*H13 – Revise development application procedures to request a statement from the applicant outlining what provisions have been made regarding notice and relocation assistance to existing tenants where a proposed development would result in the loss of rental, affordable or inclusive housing and encourage some of the new units to accommodate these residents.*

The existing house is currently occupied by several rental suites and, as such, staff recommend a Tenant Assistance Plan be requested and submitted to ensure that tenants currently living in the building are considered should redevelopment occur.

### **Heritage Policies**

The proposed development includes an extensive restoration of the *Lawson Residence*. The following OCP policies are relevant to the proposed development:

*HR1 – Support the retention of heritage and character houses and other buildings in line with the Standards and Guidelines for the Conservation of Historic Places in Canada and through the following measures:*

- *Use the authorities enabled under the Community Charter and Local Government Act as appropriate to protect and conserve heritage property including, but not limited to, heritage revitalization agreements, density bonusing, maintenance standards, development of a community heritage register, and designation of heritage property*
- *Consider incentives to lower housing costs, such as permissive heritage tax exemptions (under Section 225 of the Community Charter), where heritage buildings or properties are used for housing*

*HR6 – Collaborate with Songhees Nation and Esquimalt Nation on items of mutual interest related to arts, culture, interpretation and education. The following are potential opportunities:*

- *Work with Songhees Nation and Esquimalt Nation on ways to provide interpretation and education related to traditional Indigenous uses, archaeological sites and ways that First Nations perceived of and managed the natural environment, respecting the importance, integrity and potential need for confidentiality related to some sites.*
- *Integrate Songhees Nation and Esquimalt Nation arts and culture into community events, buildings, programs, parks, and public spaces.*

The applicant is proposing an interpretation panel at the corner of Brighton Avenue and Foul Bay Road that would include reference to the heritage building and site.

### **Natural Environment**

The applicant has submitted a Landscape Plan and Tree Management Plan (Attachments 8 and 9) in support of the proposed development. The following OCP policies and objectives related to the natural environment are relevant to the proposed development:

*Natural Environment Objective #1 – Protect and restore native ecosystems, including terrestrial, riparian and aquatic habitats for wildlife, vegetation, rare and endangered species, on public land and encourage similar initiatives on private land.*

*Natural Environment Objective #4 – Protect and enhance the urban forest, including Garry oaks with a target tree canopy coverage of 40%.*

*NE7 – Protect and grow the tree canopy in Oak Bay – home to Canada’s largest urban population of Garry oak trees. Increase canopy coverage from 33% to approximately 40% by 2045, as outlined in the Urban Forest Management Strategy.*

*Built Environment Objective #3 – Retain existing trees, other vegetation, natural features and topography where possible as a reflection of Oak Bay’s character and for the environmental values.*

*NE9 – Encourage flexible approaches to the siting of buildings and paved areas in order to protect existing trees.*

*H5 – Encourage all residential development and redevelopment projects to minimize the disturbance of existing trees, topographic features and landscaped areas that contribute character and quality to the streetscape. Where these areas are disturbed, encourage the installation of new features and landscaped areas that contribute to the streetscape and are consistent with other well-developed landscapes in the neighbourhood.*

*Built Environment Objective #2 – Foster and strengthen social interaction through the design of mixed use and multi-unit residential development that includes pedestrian-friendly design, complete streetscapes and comfortable public spaces to sit and gather.*

23 on-site trees protected under the Tree Protection Bylaw and 2 municipal street trees will require removal due to the impacts from the proposed construction, necessitating the planting of 46 replacement trees. The majority of the trees proposed for removal are in fair health, showing signs of stress and/or structural defects. 3 of these trees are in fair to poor health, with signs of decline due to stress. Only 2 of the trees proposed for removal are in fair to good health, with only minor signs of stress. These 2 trees are proposed for removal as one is located within the proposed footprint of Building B and the other within the proposed footprint of Building D.

Sidewalks and landscaping are proposed on both frontages. Sidewalk alignment along the Brighton Avenue frontage has been routed to avoid conflict with existing municipal Garry oaks as much as possible. 2 young municipal Garry oaks are proposed for transplant along this frontage. An extended landscaped boulevard is proposed along the Brighton Avenue frontage that transitions into the private greenspace along the front of proposed Building D and the north side of the *Lawson Residence*. The Western Red Cedar at the northeast corner of the property will be retained through the redevelopment process. New landscaping will be installed along the Foul Bay Road frontage, as well as a low fence reflective of the original design of the historic property. The development also includes internal pathways providing safe pedestrian connections to the street from buildings at the rear of the site, outdoor amenity spaces and common patios around the *Lawson Residence* to enhance the social interaction of residents.

Parks staff have reviewed the proposal and note that the proposed landscaping and replacement tree planting will allow the site to meet the District's canopy coverage target for the site, 55% versus the target of 35%.

### **Servicing our Community**

#### ***Transportation Policies***

The subject property is located along the BC Transit #3 and #7/7N bus routes, which run along Foul Bay Road. Bus stops for both north- and southbound buses are located within 200m (~3min walk) of the subject property. The site is also located 2 blocks from the commercial services along Oak Bay Avenue. The subject property abuts Brighton Avenue, which, through a combination of developed road and pedestrian pathways connects Windsor Park to the City of Victoria. To the east of the subject property, Brighton Avenue forms part of the Centennial Trail, a 6.8km walking route through South Oak Bay designated as part of Oak Bay's centennial celebrations in 2006.

The applicant has submitted a Transportation Impact Analysis (TIA), originally completed in 2023 with an addendum updating its findings to 2025 (Attachments 10 and 11). The findings of the TIA and addendum indicate that the proposed development is not anticipated to have a significant effect on traffic flow on the surrounding street network. As such, no operational issues are forecast due to the proposed development.

Vehicular access to the proposed development is located off Brighton Avenue, with one shared driveway proposed for access to the entire development. Internal driveways are proposed running in a 'T' shape in the middle of the property to provide vehicular access to individual units and surface parking areas. In addition, a pedestrian walkway is proposed between Building A (*Lawson Residence*) and Building B connecting the internal portions of the development, including Buildings C and D, to Foul Bay Road.

The following OCP policies and objectives related to transportation are relevant to the proposed development.

*BE2 – Encourage the design of complete and active streets with new development projects to provide access to safe and convenient multi-modal transportation for residents of all ages and abilities.*

*BE4 – Ensure accessible design principles are followed in public space and street design, where appropriate, with consideration to those with physical, sensory, or cognitive disabilities.*

*Transportation Objective #2 – Improve sidewalks for better accessibility, especially in commercial and high-use locations.*

*T1 – Support the development of complete streets, which are public spaces that are safe and comfortable for everyone, whether walking, rolling, or driving, focusing on key village centres and corridors where people need to access shops, services, and daily needs.*

*T11 – Support and encourage the development of Oak Bay’s pedestrian and cycling networks as part of an inter-connected multi-modal transportation system within Oak Bay and adjacent jurisdictions, consistent with the District’s Active Transportation Strategy.*

*T12 – Improve pedestrian infrastructure, connectivity and accessibility, consistent with the District’s Pedestrian and Sidewalk Master Plan.*

*Parks and Recreation Objective #2 – Expand and upgrade the trail/path system, including improvements to public access to and along the shoreline.*

*PR14 – Improve and expand the network of trails and paths as opportunities arise through private development contributions or grants for active transportation.*

*T3 – Adopt and implement Transportation Demand Management strategies and tools in parallel with the CRD, other municipalities, and public institutions such as Camosun College and University of Victoria.*

*T20 – Create a Transportation Demand Management (TDM) bylaw to require new developments to support sustainable transportation. This could include bike and car share parking with charging stations, subsidized transit passes, and end-of-trip facilities like showers, lockers, and change rooms.*

The applicant will be required to provide a 2.74m road dedication along the Foul Bay Road frontage, and a new 2.0m sidewalk, with curb and gutter, will be installed separated from vehicular travel lanes by a 2.16m boulevard strip. An improved letdown for the crosswalk across Foul Bay Road at the northeast corner of the site will be installed complete with tactile warning strips. Staff note that currently this frontage does not have a curb, gutter or sidewalk.

A new 2.0m wide meandering sidewalk, with curb and gutter, will also be installed along the Brighton Avenue frontage. Currently, this frontage does not have a curb, gutter or sidewalk and, as such, pedestrian users must walk on the roadway or the gravel verge.

Road dedication will be required along the Foul Bay Road frontage to facilitate the installation of a sidewalk and an improved letdown and realigned crosswalk across Foul Bay Road at the northeast corner of the site. Significant improvements are also proposed along the Brighton Avenue frontage, with the inclusion of a meandering sidewalk and extensive boulevard plantings. The frontage improvements would represent a significant improvement to pedestrian safety in the area.

The proposed development includes upgrades and the installation of pedestrian facilities along the Foul Bay Road and Brighton Avenue frontages, providing a safe pedestrian connection to the Centennial Trail, which runs along Brighton Avenue to the east.

Although the District has not yet developed a TDM bylaw to require TDM measures in new developments, the proposed development includes bike parking in each of the townhouse garages as well as a 6-space rack and 2 oversize spaces at the rear of the property between Buildings C and D. No other TDM measures are currently proposed for this development.

### ***Utilities, Infrastructure and Services Policies***

The applicant has submitted civil engineering plans to the satisfaction of the Director of Engineering and Public Works outlining proposed site servicing and infrastructure upgrades. The following OCP policies and objectives related to infrastructure and site servicing are relevant to the proposed development.

*US4 – Require new developments to contribute to or include necessary infrastructure upgrades for transportation, water, drainage and sewer services per the Development Cost Charges Bylaw.*

*US10 – Require all new developments to include a stormwater management plan that uses innovative rainwater management techniques that aim to detain and treat rainwater flows prior to discharge into the sanitary storm system or water bodies. Update relevant bylaws – such as the public sewer bylaw – to reflect best practices and ensure alignment with major civic projects.*

*US12 – Continue to require new climate-resilient green infrastructure on private and public land. This includes rain gardens, shallow channels to soak up rainwater (bioswales), green roofs, and permeable surfaces that let water pass through.*

Service upgrades will be required to facilitate the proposed development, along with the payment of required DCCs in accordance with the District's DCC Bylaw (see Financial Impacts section below). Although the proposed impermeable surface coverage is relatively high, the site design includes climate-resilient stormwater management designed to capture, filter and store rainwater on site encouraging infiltration and mitigating flood risk.

### ***Risk and Resilience Policies***

The applicant has submitted building plans and landscape plans (Attachments 5 and 8), as well as a geotechnical study (Attachment 12) evaluating site hazards and detailing features and practices recommended to mitigate risks and enhance resilience. The following OCP policies related to risk and resilience are relevant to the proposed development.

*RR7 – In land use decision-making, consider and address natural hazards, including earthquake, tsunami risk, severe weather events, soil erosion, fault lines and flooding.*

*RR8 – Encourage new developments to assess climate and natural hazards risks, such as flooding, extreme heat, earthquake or wildfire, and show how site design, building, and landscaping will reduce those risks.*

*RR12 – Promote drought-tolerant and fire-resistant landscaping in both public and private developments.*

As outlined in the geotechnical assessment of the site, the proposed development is feasible from a geotechnical perspective with little to no unique geotechnical issues present on the site. The proposed development must meet the requirements of the BC Building Code, which has been recently updated to include more stringent requirements for lateral resistance to seismic forces, enhancing resilience to earthquake risk. Landscaping for the site and boulevard areas emphasizes drought-tolerant and native species as well as significant tree planting, reducing risks associated with extreme weather.

### **Climate Change and Energy**

Building plans (Attachment 5) and landscape plans (Attachment 8) have been submitted detailing proposed building and landscaping elements as they relate to sustainability. The applicant's site analysis (Attachment 7) also includes further details on proposed sustainability measures. The following OCP policies and objectives related to sustainability, climate change and energy are relevant to the proposed development:

*Climate Change and Energy Objective #2 – Work towards deep emission reductions focused on the personal transportation and building sectors.*

*CCE12 – Require new development to meet the BC Zero Carbon Step Code, and encourage the use of building materials and processes that produce fewer emissions to reduce the climate impact of construction.*

*CCE16 – Support efforts to reduce greenhouse gas emissions associated with transportation including encouragement for the adoption of electric vehicles and by encouraging integrated land use and transportation planning that reduce trip lengths and supports a shift in travel modes towards low carbon forms of transportation.*

The proposed development represents development within the urban core, close to public and active transportation options and within walking distance to services and amenities. The proposed development also incorporates a significant amount of bike parking including for oversized bicycles. These factors will encourage residents to take fewer trips by personal vehicle and, as such, support efforts to reduce GHG emissions related to transportation.

*CCE6 – Encourage the use of green building technologies such as solar panels, geothermal energy and other emerging systems.*

*CCE12 – Require new development to meet the BC Zero Carbon Step Code, and encourage the use of building materials and processes that produce fewer emissions to reduce the climate impact of construction.*

*CCE13 – Encourage resilient buildings that employ localized solutions and systems that can better withstand disruptions caused by extreme weather, including for energy, air quality and water supply and conveyance.*

*Built Environment Objective #5 – Encourage new development to include sustainable building technologies.*

*BE6 – Encourage the design and construction of sustainable and environmentally responsible structures, buildings and infrastructure that reduce demand for services, create less waste, make efficient use of energy and resources, create healthier living environments, and minimize adverse impacts on natural systems and resources. This can be accomplished through methods such as the following:*

- Innovative systems for heating, cooling and hot water*
- Rainwater collection and infiltration systems*
- Long lasting construction methods and materials*
- Deconstruction of buildings and recycling or repurposing of building materials where possible*

*BE7 – Require all new construction to meet the highest emission levels of the BC Zero Carbon Step Code, as outlined in the Building and Plumbing Bylaw and its future amendments. This includes:*

- Mandating full electrification for space heating and domestic hot water equipment in all new residential and commercial buildings*
- Integrating the Zero Carbon Step Code alongside the BC Energy Step Code to ensure both low operational emissions and high energy efficiency*
- Working with the building and development community to ensure clear and consistent expectations for meeting high-performance energy standards.*

The proposed development will be required to meet the BC Energy Step Code and the Zero Carbon Step Code, thereby reducing building-related energy usage and emissions. Rehabilitating the existing *Lawson Residence* on the site encourages material recycling and reuse, reducing construction waste. The proposed buildings also feature high efficiency lighting and fixtures, low-flow fixtures for water conservation, high-performance windows, solar ready roof design, and passive energy design.