

PREPARED FOR: Council
FROM: Brian Green, Deputy Director of Community Building and Planning Services
MEETING DATE: July 08, 2024
SUBJECT: Oak Bay Marina Buildings - Statement of Significance

RECOMMENDATION(S)

THAT the report titled "Oak Bay Marina Buildings - Statement of Significance", authored by Brian Green, Deputy Director of Community Building and Planning dated July 8, 2024, be received.

EXECUTIVE SUMMARY OF REPORT

The purpose of this report is to provide Council with information, analysis and a recommendation regarding a Statement of Significance that has been prepared for the Oak Bay Marina buildings.

BACKGROUND/HISTORIC CONTEXT

On June 26, 2023 at a regular Council meeting Council passed the following motion:

THAT staff be directed to prepare a heritage statement of significance for the three marina buildings to inform future decision making. 2023-290

A Statement of Significance is a declaration of value that briefly explains what a historic place is and why it is important. The Statement of Significance identifies key aspects of the place that must be protected in order for the historic place to continue to be important and retain its heritage value.

A Statement of Significance generally consists of the following:

1. Description of the Historic Place and explains what the place consists of in physical terms, where it is located, and what are its physical limits.
2. Heritage Value explains why the place is of value to the community, province, territory or nation.
3. Character-defining Elements sets out the key features that must be conserved in order for the place to continue to have value

A Statement of Significance is required in order for a historic place to be listed on the BC Register of Historic Places and be Heritage Designated.

ANALYSIS

Council has been considering the next steps for the District owned marina site and buildings as part of a Council Priority Project (*CPP#52 – Undertake Options Analyses for Marina*).

To prepare the statement of significance staff appointed Liberty Brears, a heritage planner, to deliver a Statement of Significance for the Oak Bay Marina buildings including the restaurant, commercial and boat works buildings by conducting research, consultation, and documentation.

The work of producing the Statement of Significance included the following tasks:

Task 1 – Launch of the project with staff and the consultant to identify relevant staff members, timelines, goals and scope of the project.

Task 2 – Site visit to photograph and document the buildings.

Task 3 – Research of the historical context and chronology including history of ownership, dates of construction and associated historical events and a review of the following:

Historical Context and Chronology

- Chronological information including history of ownership, date of construction, and contemporary and associated historical events
- Historical uses and associations with significant persons
- Name of the architect and builder

Physical Characteristics

- Views and vistas
- Siting of buildings within their context
- Spatial organization of the property and immediate environs
- Overall form and character
- Architectural style and features
- Interior features

The draft Statement of Significance was presented to the Heritage Commission for their review and comment and subsequently updated to address their comments.

The resultant Statement of Significance is a documented statement of value that briefly explains and outlines the geographic context, architectural context and the building design of the three marina buildings and their significance including the character defining elements of each of the three buildings.

A copy of the Statement of Significance and appendix can be found in Attachment #1.

OPTIONS

1. Council receive the Statement of Significance for information (Staff Recommended)
2. Council provide alternative direction to staff.

ADVISORY BODY RECOMMENDATIONS WITH MINUTES EXCERPT (IF APPLICABLE)

On March 7, 2023 the Heritage Commission discussed their work plan which included discussing the Oak Bay Marina Restaurant Building and the Commission passed the following motion at this meeting:

THAT the Commission recommends consideration be given by Council to the designation of the Oak Bay Marina Restaurant as a municipal heritage site.

On April 6, 2024 the draft Statement of Significance was presented to the Heritage Commission. The Commission passed the following motion at the meeting:

THAT the Heritage Commission receive the Statement of Significance on the Oak Bay Marina Buildings with the following comments:

- 1. To acknowledge in the report that the restaurant was a place for gatherings and celebrations for local residents;*
- 2. To acknowledge in the report that this is an important example of the British Festival Style of Architecture on a national scale.*

The draft report was updated by the consultant to address these comments received.

COUNCIL PRIORITY SUPPORTED

Livability

FINANCIAL IMPACT

The Statement of Significance was produced by a Heritage Consultant at the cost of \$5,000 funded from the CB&P teams consultant budget. In addition, staff time of around 20 hours from CB&P was used to manage the consultant and project.

It is not known at this point what the financial implications would be of protecting and retaining the buildings versus the cost of building new.

IAP2 FRAMEWORK ENGAGEMENT

INFORM **CONSULT** **INVOLVE** **COLLABORATE**

The consultant presented the draft statement of significance to the Heritage Commission and also reached out to a couple of community members suggested by the Heritage Commission who had local knowledge of the history of the buildings.

TIMELINE/PROCESS/NEXT STEPS

The Statement of Significance can be used to help inform future decision making around the long-term future of the marina buildings.

Respectfully submitted,

Brian Green, Deputy Director of Community Building and Planning Services

Reviewed and approved by the Director of Corporate Services.

Dianna Plouffe

Dianna Plouffe, Director of Corporate Services

I have read and consider staff's recommendation to be supportable for Council's consideration.

Selina Williams

Selina Williams, Chief Administrative Officer

ATTACHMENTS(S):

[Attachment 1_Oak Bay Marina SOS final report](#)

[Attachment 1_Oak Bay Marina SOS - appendix](#)



Liberty & Co.



Oak Bay Marina Buildings

Statement of Significance - Final Report
Oak Bay Marina at 1327 Beach Drive



2024

Prepared by Liberty & Co. Heritage Planning
Victoria, BC Liberty-co@telus.net
Website: www.liberty-co.ca

Acknowledgement

The District of Oak Bay acknowledges with respect the traditional territory of the Coast and Straits Salish peoples, and specifically the Lekwungen speaking people, known today as the Songhees and Esquimalt nations, whose historical relationships with the land continue to this day. The following report describes why the Oak Bay Marina Buildings are of value to the people of Oak Bay who settled in the area after 1846. The report provides a history of the property, an overview of how the building complex came to be, and how it has changed over time to become what it is today. The report does not attempt to capture the perspectives of the Songhees and Esquimalt nations as those discussions are happening outside the scope of this project.

The guiding questions for this report are as follows:

- Why do the Marina Buildings continue to exist today?
- What part of history does the Marina Buildings, otherwise known as the historic place, represent?
- What values do the Marina Buildings embody and why is that of importance today?

Property Boundaries

In Scope	The three buildings are located on the foreshore and cantilevered over the land covered by water.
	The property owned by the District of Oak Bay is on the Spewhung headland. The District of Oak Bay has leased the portion of the foreshore from the Province of BC.
Not In Scope	The boat hoist beside Building 3, marina wharves and mooring docks, breakwater, parking lot, filled foreshore comprising the bulk of the parking lot, land covered by water being the bed of Oak Bay and the waterway.
	Vegetation such as ornamental and naturalized shrubs, trees, and the marine plants in beach areas; and ecological features such as the native and naturalized vegetation, wildlife and bird habitat both terrestrial and marine.

Statement of Significance

The Oak Bay Marina Building complex is comprised of three buildings positioned on the northern edge of a prominent headland known as Spewhung near the intersection of Beach Drive and Currie Road. The physical extent of the Oak Bay Marina Building complex is limited to the footprint of the buildings.



Building 1 - Restaurant & Cafe



Building 1 - Restaurant & Cafe



Building 2 - Marina Sales & Service



Building 3 - Boatworks

Statement of Significance

Description

The Oak Bay Marina Building complex is comprised of three buildings positioned on the northern edge of a prominent headland known as Spewhung near the intersection of Beach Drive and Currie Road. The headland on which the buildings are positioned is located along the southern perimeter of the body of water known as Oak Bay in the Salish Sea. The physical extent of the Oak Bay Marina Building complex is limited to the footprint of the buildings.

Heritage Values

The Oak Bay Marina Building complex is significant for its aesthetic, historic, social, and educational values.

The Oak Bay Marina Building complex is of aesthetic value for its representation of modernist expressionism in architecture. It is the quintessential example of British modernism which was the dominant version of the style in Victoria during the 1950s and 60s. Built in 1962, the design of the Marina Buildings is attributed to the architectural firm of Birley and Wagg. The Building complex features a pavilion and in the true spirit of modernism successfully uses space, form, and light to celebrate the beauty of the natural landscape. It is defined by casual shaping and massing, whimsical forms, yet a certain airy weightlessness. The innovative engineering, also in the true spirit of modernism, is seen in the cantilevered design of the buildings over the water. The setting gives opportunities for form-making that are denied to all other buildings on the Oak Bay waterfront. Integrated into the waterfront landscape, the Building complex has a prominent physical status and considerable views.

The Building complex is of historical value for its association with the development of Oak Bay. Since the late 19th century, Oak Bay has been historically known as a seaside community and a place of recreation with boating, moorage and fishing near the Spewhung headland.

The Building complex is also of social value for its role as a public gathering place and is a destination point in the region. The buildings, and the spaces between them, have become popular places for tourists and locals to gather. The uses of this important gathering place have provided many people with access to food service, entertainment, shopping and recreation - especially water-based recreational uses at the Marina.

Finally, the complex is of educational value for its association with Sealand of the Pacific. The buildings were used to support the marine-themed entertainment park, which drew hundred of fans every year and closed in 1993. It also exemplifies conflicting social values. Some view captivity as good for orcas and for society while others are opposed to captivity and assert that keeping killer whales in captivity is cruel, unusual, and dangerous for animals and people.

Statement of Significance

Character-Defining Elements

Key elements of the Marina Building complex include but are not limited to:

Building 1	<ul style="list-style-type: none"> • 15-sided (quindecagon) pavilion at the outward end of the Marina complex • East elevation of the upper level at grade level with the lower level and all other elevation walls on a concrete support structure extending over the water • Cast in place concrete foundations consisting of a combination of slab on grade and suspended floor slabs; the slabs are separated by a retaining wall that runs north-south below the buildings • Concrete pilings underneath the suspended floor slab • Wood-framed windows and doors, painted and mainly single-glazed • Solid core wood entry doors with single pane lites, painted • Wood framed exterior walls of painted stucco and painted channel rustic wood cladding • Balconies wrapping around the waterfront elevation • Wood walkway on the balcony supported by cantilevered concrete • Framing made of glulam beams, glulam columns and steel columns set between the large windows • Shallow dome atop roof beams connected to a compression ring/horizontal ring beam that is supported on steel posts extending down the centre of the building and supported on a concrete pier and footing below the slab-on-grade • Interior Honduras mahogany wall paneling • Association with orca statue and commemorative plaque on the sign at the entrance to the parking lot
Building 2	<ul style="list-style-type: none"> • One-storey, rectangular building of concrete block construction • East elevation at grade level with all other elevation walls on a concrete support structure extending over the water • Grade-level accessible entrance • Clerestory between the flat roof and top of the concrete block walls
Building 3	<ul style="list-style-type: none"> • Location at the inland end of the Marina complex • One-storey, square structure of concrete block construction • Large, full-height door openings on the east and west elevations • Clerestory between the flat roof and top of concrete block walls • Concrete material expressed in patterning on end wall • Suspended concrete slab foundation extending over the water • 6-ton overhead hoist use to lift boats and motors

Geographic Context

Beginning in 1858 with politician and surveyor Joseph D. Pemberton’s survey of Oak Bay and evolving up to the present day, the headland on which the buildings are located once formed part of the Pemberton large estate subdivision and farm.

Geographic Features

Land Pattern	<ul style="list-style-type: none"> • Location on the Spewhung headland (and possibly some of the filled foreshore developed to accommodate the associated parking lot)
Spatial Organization	<ul style="list-style-type: none"> • Siting on the northern shore of the Spewhung headland bordering the protected waters of Oak Bay • Natural foreshore with its low bedrock outcrops to one side of the buildings and outward-facing man-made breakwater extension on the other side
Circulation	<ul style="list-style-type: none"> • Internal walkways • Wood boardwalk along the west elevation of Buildings 1 and 2 • Concrete pavement and curbed sidewalks of the hardscaping around the buildings • Access to the waterfront sidewalk promenade and expansive parking area
Vegetation	<ul style="list-style-type: none"> • Planters with soft landscaping or drainage rocks provided directly adjacent to the building foundation walls
Visual Relationship	<ul style="list-style-type: none"> • Layered internal views • Mountain views from all vantage points • Views to Rattenbury’s Beach and Glenlyon Norfolk School
Social Traditions	<ul style="list-style-type: none"> • Ability of the site to convey stories, improve historical literacy, and connect people to the history of their community

Geographic Context

Certain landscape features are integral to the character of the Oak Bay Marina Buildings:

Internal views and spaces	<ul style="list-style-type: none"> • Public open spaces • Walkways • Views between buildings framing the entry to the Marina docks • Views between balconies and decks to the waterfront
External views and view scapes	<ul style="list-style-type: none"> • Views to Mary Tod, Chatham and Discovery, and other offshore islands • Views to the waters of Oak Bay and Haro Strait • Mountains known as Mt. Baker, Cascades and the Olympics

Architectural Context

Building 1: Construction

Building 1 is a wood-framed building with glulam beams and glulam columns at the roof level and at the portion of the upper level facing the water. There is extensive glazing facing the water. Some of the lower walls are concrete. The waterfront side of the building extends over the water and is supported on a reinforced concrete suspended slab on concrete beams and piers. The other side of the building is on a slab on grade with some exterior concrete walls backing onto soil. The upper level features a deck along the exterior which is supported on glulam outriggers. The lower level features a deck that is supported with structural steel members bolted to the concrete suspended slab. The upper-level deck consists of joists spanning between glulam sections. The lower-level deck of concrete construction consists of a timber plank walkway partially sitting on the suspended slab and partially supported on cantilevered structural steel members bolted to the underside of the suspended slab.

The concrete structure supporting the three buildings is a reinforced concrete suspended slab on concrete beams further supported on concrete piers extending down to rock at the sea floor. There is a concrete retaining wall running north-south which separates the suspended slab portion facing the water from the slab-on-grade portion.



Architectural Context

Building 2: Construction

Building 2 is constructed of concrete blocks and has extensive glazing. Similar to Building 1, it is partly supported on a suspended concrete slab over the water and partly on a slab-on-grade. At the breezeway end of the building, there is a wood-framed section with extensive glazing located below the original upper deck. This portion steps down from the rest of the building and appears to have been added in 1993. Building 2 features a timber deck on the waterfront side that is supported with structural steel members bolted to the concrete suspended slab. The lower-level breezeway located between Building 1 and Building 2 has exposed steel posts and provides an exterior passage from the parking lot side of the property through to the gangway that extends down to access the marina dock.

Building 3: Construction

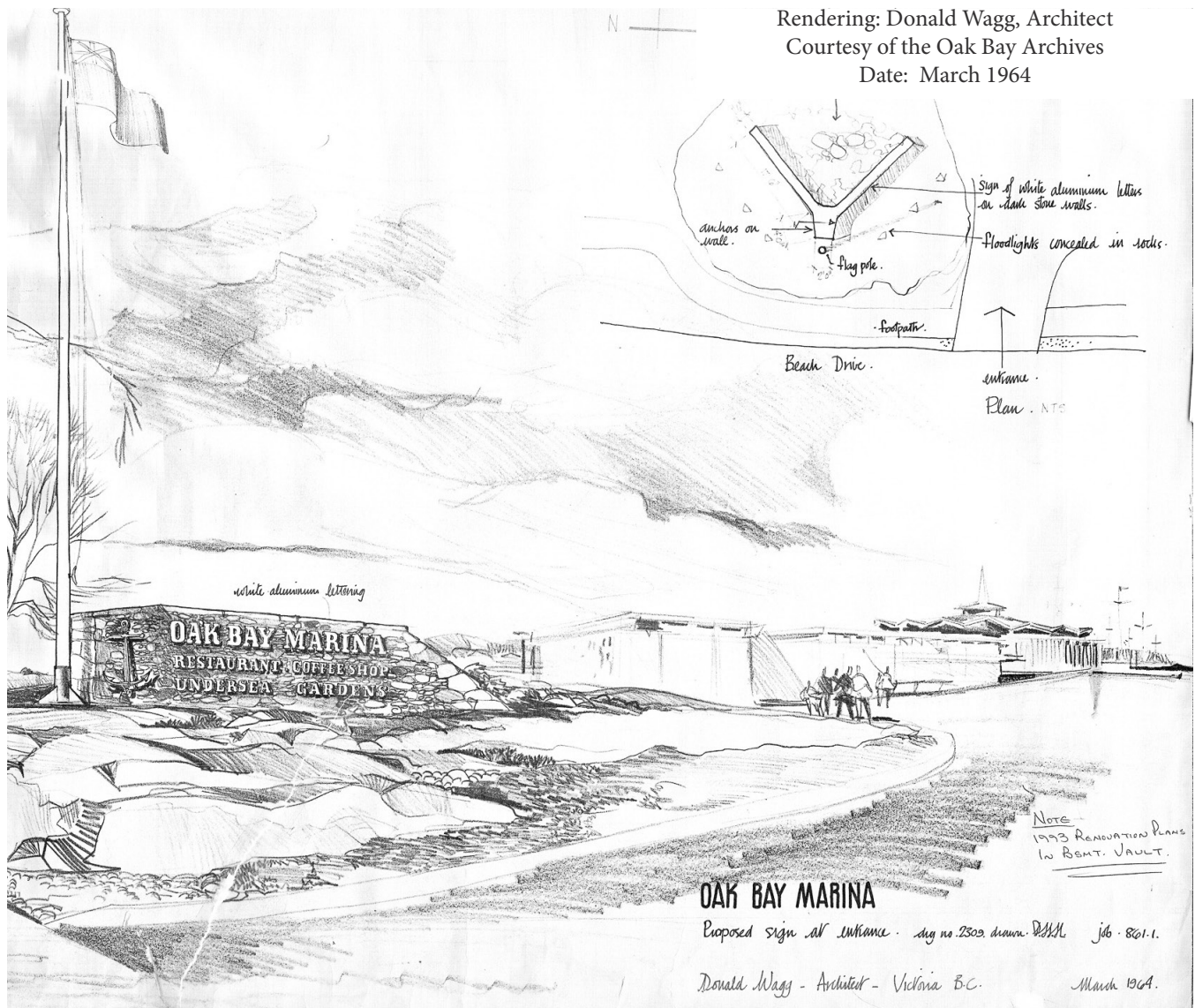
Building 3 is constructed of concrete blocks. There is a wood-framed mezzanine in the southwest corner of the building. It is fully supported over the water on a suspended concrete slab with continuous concrete beams on piers.



Building Design

The initial concept for the design of the Oak Bay Marina Building complex can be attributed the powerhouse architectural firm of Birley & Wagg. The name of the firm is listed on the full set of architectural drawings that date to 1963, although Birley died in 1961. By 1964, subsequent drawings list only Donald Wagg. And, in 1964, an article on the opening of Marina lists only Wagg, as well. (1) Numerous architects later in independent private practice worked in the Victoria office of Birley & Wagg, notably David Hambleton, who joined the firm in 1958 and became a partner in 1966. (2) John Malcom Phillips was also an architect with the firm and involved in the design.

Well-known architects like Birley, Wagg and Hambleton transformed southern Vancouver Island in the postwar period and played an important role in fashioning a contemporary community. While the Oak Bay Marina buildings were built well after international modernism had become firmly entrenched in most regions of Canada, it was clear that architects like these were working with the more expressive forms of modernism that emerged in the 1960s. During the 1960s, the expressive directions of modernism in the Canadian context embraced an aggressive expression of function, individualism, and structure and turned its back on rationalist principles on which the modern movement had been based.



From the mid-1960s on, the better new office towers (and other building types) were packaged in ever more interesting and varied shapes, while concrete and other solid materials began to replace transparent steel and glass. This came in part as a reaction to the discipline and sameness of the International Style, and from a desire to give vent to individual expression. (3)

The Oak Bay Marina Building complex could be compared with another civic building of the time, the Toronto City Hall (1961), which “extended and exaggerated the modernist vocabulary beyond the glass curtain wall; developed bolder, more sculptural shapes; used structural components in a more ornamental manner; and sought a more aggressive expression of function, individualism, and structure.” (4)

The terminology used to describe the architectural design of buildings in the mid-20th century is often challenging. Both ‘Late Modernism’ and ‘Modern Expressionism’ are terms used to define architectural styles with the latter used to emphasize architects’ new expressive directions. No matter the term, the shift was a complex historical moment in the multi-faceted modernist narrative. Building 1 at the Marina certainly exemplifies the new expressive directions of modernism. It is designed with a projecting subsection, or pavilion, distinguished by a different roof shape and surface treatment located the end of the building. The lack of axiality in internal planning and the absence of architectural ornament was a notable departure from the predominantly Victoria and Edwardian-era architectural styles of the surrounding neighbourhood. The expressionist approach used at the Marina has also been termed British Modernism. The Festival of Britain, which took place in 1951, influenced the work of many architects who moved from Britain to Victoria. And many of these architects made an important contribution to the multi-faceted modernist narrative of the postwar period in Victoria.

Casual shaping and massing, whimsical forms, yet a certain airy weightlessness, these were hallmarks of what came to be known as post World War II England as “Festival of Britain Architecture” – after the exhibition building on Thames South Bank site in London which in 1951 hosted the Festival of Britain. All these elements can be read from this complex which features a polygon pavilion that clings to water’s edge at the Oak Bay Marina. (5)

According to “Misha Black (coordinating architect for the upstream section of the South Bank Exhibition): ‘The Festival spot lit and gently pushed forward an already existing style – it did not create one.’” (6) The Festival produced buildings that were bright, cheerful and human in scale - they formed an exciting contrast with their drab setting of traditional architecture. The Festival made it clear that innovative engineering, such as cantilevering, was seen as the true formal expression of the modernist spirit. The Festival of Britain advanced the modernist narrative and influenced the design of the Oak Bay Marina Buildings.

Historical Context



Photographer: BC Ministry of the Provincial Secretary and Travel Industry
Image I-21089 courtesy of the BC Archives
Date: 1967

Building History

Building 1 (the 'Restaurant and Cafe' Building) was used as a restaurant in the upper level with a café and other commercial space below. Bob Wright, who had the vision for the Marina, managed it from his head office in the building. He spent his career building the largest sport fishing operation in North America, the Oak Bay Marine Group of Companies. Bob served BC and Canada as a member of Council for the City of Victoria, a director for the Victoria Marine Resources Centre and as a commissioner for the Canada-Pacific Salmon Treaty.

Building 2 (the 'Marina Sales and Service' Building) contained commercial uses such as retail and offices. The store sold fibreglass and aluminum boats, motors (inboard and outboard and inboard/outboard), boat trailers, and chandlery of all kinds including paddles, oars, lifejackets, rowlocks and marine paint. It was a complete marine store and brokerage. It was originally managed by President Fred W. Thow. The building was also used for the administration of the Marina with wharfage for 400 boats with individual berths, boat rentals, and fuel facilities.

Building 3 (the 'Boatworks' Building) was used for storage and a motor repair shop. The repair shop contained a hoist over the water used to remove heavy outboard and most inboard engines for service work and storage. One of the businesses operating out of the building included Gartside Marine Engine machine engine repair.

The buildings were used by local businesses, groups and organizations such as Calibre Yacht Sales dealer and brokerage, Ocean River Sports, Oak Bay Sea Scouts, Barnacle Systems (sale of marine safety devices), Oak Bay Charters, Marine Eco Tours, the Rescue Station and Oak Bay Sea Rescue Society, and the Oak Bay Sailing School (promoted safe boating lessons).

Modern Expressionism



Innovative Engineering

The Festival of Britain made it clear that innovative engineering, such as cantilevering, was seen as the true formal expression of the modernist spirit.



Expressive Building Form

The polygon pavilion is the projecting subsection of the building complex and it is distinguished by a different roof shape and surface treatment. The design of the Marina is bold and defined by the sculptural shape of the roof. The design clearly expresses the building's function, its individualism, and structure.



Exaggerated Modernist Vocabulary

The design extended and exaggerated the modernist vocabulary beyond the glass curtain wall. The structural frame of wood and steel supported on reinforced concrete pilings (i.e. not load bearing walls) allow for a free plan where partitions can be placed anywhere and space can flow freely, openings can be placed to suit the views with the widest windows possible.

Chronology of directory entries

1966	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Marine Sales & Service and Oak Bay Marina Gift Shop, Undersea Gardens Aquarium
1968	Same as above with the addition of Oak Bay Guide Services Fishing and Oak Bay Yachts, Undersea Gardens Aquarium
1970	Same as above, Sealand Aquarium
1971	Same as above, Sealand Aquarium
1974	Same as above, Sealand
1977	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Marine Sales & Service, Oak Bay Guide Services Fishing, Oak Bay Marina Dining Lounge, Sealand
1979	Same as above, Sealand of the Pacific
1981	Same as above with the addition of Advance Yachts, Captains Choice Yacht supplies and Oak Bay Sea Power, Sealand of the Pacific
1983/4	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Guide Services Fishing, Oak Bay Marina coffee shop, Advance Yachts, Oak Bay Sea Power, Oak Bay Salmon Charters, Sailtrend Enterprises, Sealand of the Pacific amusement park
1986	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Guide Services Fishing, Oak Bay Marina coffee shop, Oak Bay Sea Power, Oak Bay Charters, Sailtrend Enterprises, Sealand of the Pacific amusement park
1989	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Marina coffee shop, Oak Bay Charters, Sailtrend Enterprises, Max Three Charters, Brunet Yacht Sales & Brokerage Boat Charters, Sealand of the Pacific amusement park
1991	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Marina coffee shop, Oak Bay Charters, Sailtrend Enterprises, Max Three Charters, Newport Yacht Sales, Sealand of the Pacific amusement park
1992	Oak Bay Marina, Oak Bay Boat Works, Oak Bay Marina Restaurant, Oak Bay Marina coffee shop, Oak Bay Charters, Sailtrend Enterprises, Newport Yacht Sales, Sealand of the Pacific amusement park
1993	Same as above
1995	Same as above with the addition of VS Studio
1997	Same as above
1999-2000	Oak Bay Marina, Newport Yacht Sales and Charter, Oak Bay Marine Group Resort Reservations (accounting, cafe-deli, executive offices, Oak Bay Marina Restaurant, Marine Store & Charters, sales and marketing)
2002	Same as above with addition of Oak Bay Marine Group Resort Reservations (boat rentals and moorage)
2008-2016	Same as above

Notes

- 1) Victoria Daily Times, (April 9, 1964), 18.
- 2) Maltwood Museum. *Victoria Modern: Investigating postwar architecture and design on Southern Vancouver Island: an introduction*. Vol. 1. Victoria, British Columbia: Maltwood Museum and Gallery and the University of Victoria, 2005. 40.
- 3) Harold Kalman, *A History of Canadian Architecture*. Don Mills, Ontario: Oxford University Press Canada, 2000. 563.
- 4) Kalman, *A History of Canadian Architecture*, 568.
- 5) Martin Segger and Douglas Franklin, *Exploring Victoria's Architecture*. Victoria, British Columbia: Sono Nis Press, 1996. 206.
- 6) Reyner Banham, "The Style: 'Flimsy... Effeminate?'" In *A Tonic to the Nation: The Festival of Britain 1951*, by Benham, Mary and Bevis Hillier, 195. London, England: Thames and Hudson, 1976.

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- Electrical: Spratt & Associates Consulting Engineers (July 1963)
- Mechanical Drawings: F.T. Gardiner Consulting Mechanical Engineer (July 1963)
- Structural Drawings: Read Jones Christofferson Consulting Engineers (April 1963)

Reports and reference files at the District of Oak Bay

- Oak Bay Marina Condition Assessment for the District of Oak Bay by Herold Engineering (June 9, 2023)
- District of Oak Bay reference files for Mt. Baker, Oak Harbour, Oak Bay Marina, Sealand of the Pacific including a brochure entitled "Sealand of the Pacific: Canada's largest oceanarium (197-)"

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- Victoria Daily Times, Victoria Times Colonist

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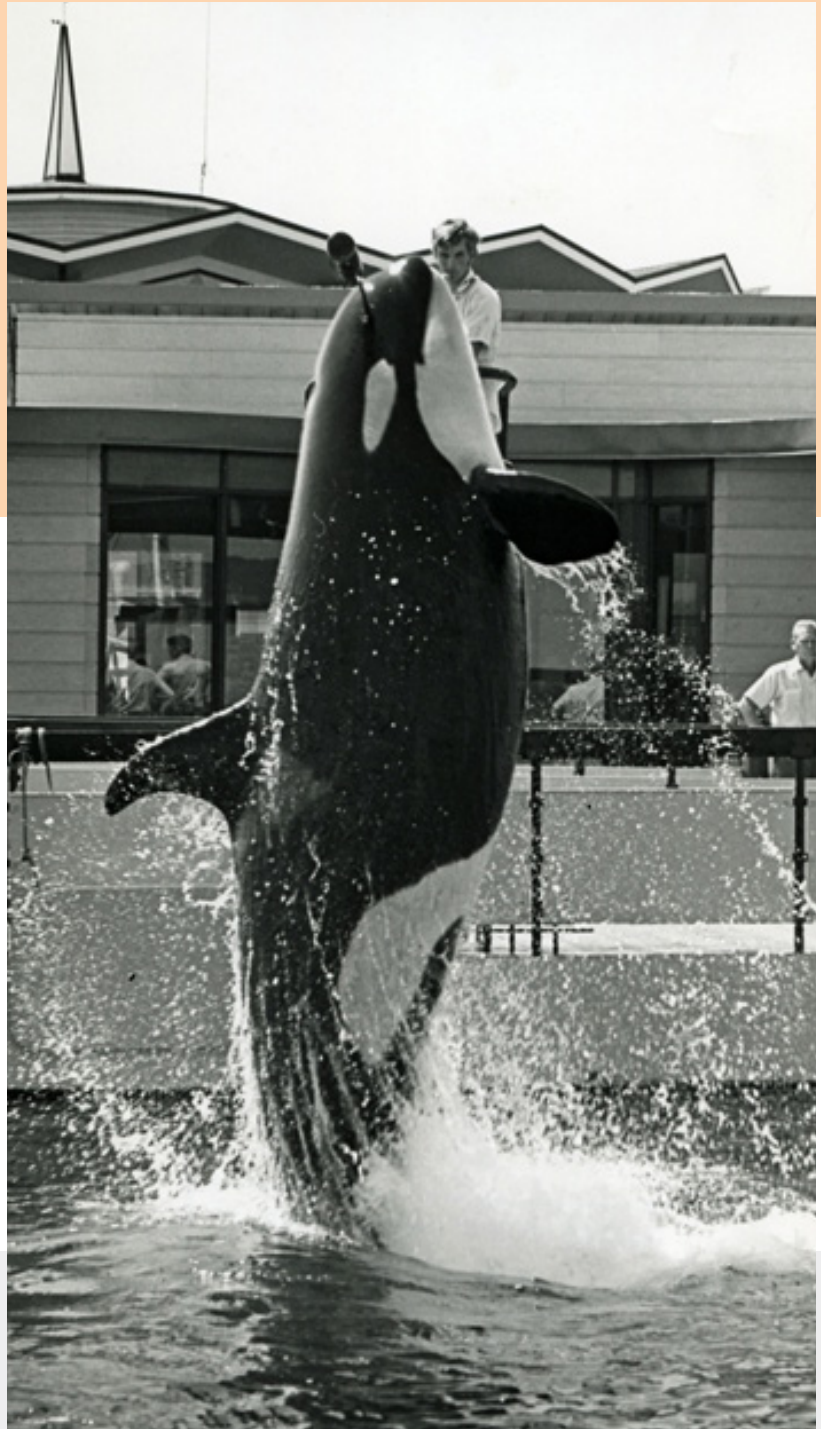
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Thank You

The following individuals and organizations contributed to the development of this report:
District of Oak Bay staff, District of Oak Bay Heritage Commission, District of Oak Bay Archives, and local residents Cathy Denny, Martin Segger, and Jean Sparks.



Appendix A - Chronology of dates

1846	Fort Victoria became the headquarters of the Hudson's Bay Company's trade in British territory west of the Rocky Mountains.
1849	The British formed the Colony of Vancouver Island with Victoria as the capital.
1858	The Hudson's Bay Company consolidates its land holdings in the area around Oak Bay by signing treaties with the local First Nations including the Chekonein and Chilcowitch bands. "The HBC made land available to employees and land not retained by the company was carved up among the HBC four other owners before the Union of British Columbia with Vancouver Island. The four included Joseph Pemberton, the first surveyor general for the area, who surveyed Oak Bay and subsequently owned 1200 acres of land, including Section XXIII (23) that includes the current Oak Bay Marina using the land primarily for livestock farming." (7)
1887	Pemberton formed a real estate company and set out to liquidize all the land he purchased in 1858 that included Section 23.
1890s	"The Oak Bay Camp (a summer resort organized by the Haynes and Johnston families who settled in Oak Bay in 1889) operates in tents on Rattenbury's beach." (8) Recreation on the water was part of the European culture of the settlers who began arriving in the area. The first Oak Bay Boat Club is established at Spewhung.
1891	"The Oak Bay Land and Improvement Company is formed to develop the land near Oak Bay Beach as a residential subdivision. The development is called Oak Harbour and includes the seaside part of Section 23." (9) The construction of the tram line along Oak Bay Avenue to Oak Bay provides many people from the area with access to the seafront and beach.
1893	"The Mount Baker Hotel opens, solidifying Oak Bay as a popular seaside resort. The Mount Baker Hotel was a well-known landmark with grounds that extended from Orchard Road to Windsor. It was soon after destroyed by fire in 1902." (10) "The boathouse associated with the hotel remained located on the foreshore at the end of Orchard Avenue. (Note: at some point between 1902 and 1906 the Oak Bay Boat Club assumed operations of the boathouse)." (11)
1900	"Oak Bay was recognized as a seaside community and a place of recreation. In the early 1900s, there were cottages by the sea, resorts, camping on beaches, fishing, golf and a wide range of other activities." (12)
1901	"Captain John Voss and Norman Luxton departed from Turkey Head on a global circumnavigation in the Tilikum, a 38-foot cedar dugout canoe rigged for sail. Today, a stone marker on the headland commemorates the event." (13)
1905	"The Oak Bay Hotel was built at the foot of Windsor Road. It was designed by F. M Rattenbury and managed by John Virtue. (Note: the hotel was converted to suites in 1938 and eventually demolished in 1962 to make way for Oak Bay's first high-rise, the Rudyard Kipling Apartments)." (14)
1906	"The corporation of the District of Oak Bay is established. Oak Bay Council had "very sound Town Planning ideas, in that they purchased Lots A, B, C, and D in the vicinity of the Boat-house, thus preserving the view from Beach Drive along this stretch of the water frontage." (Note: Lot A is Queen's Park and Lot B contains the Marina buildings)" (15)

1909	“In all probability Oak Bay may have a dock in the near future... Years ago (1891 Oak Bay Land and Improvement Co.) propositions were presented to make Oak Bay into a serviceable harbour and thus shorten distances between the City (Victoria) and Vancouver by nearly an hour.” (16)
1910	Council is still considering the establishment of a wharf in the vicinity of Turkey Head. Land speculation spurs subdivision in Oak Bay and farms begin to give way to significant residences.
1914	“Boathouse was moved on skids from its original location at the foot of Orchard Avenue to municipally-owned property on Spewhung. It was used by children as a place to hang out and rowboats could be rented for a day of fishing or exploring Mary Tod Island just off the shore of Turkey Head.” (17)
1930	By this time Oak Bay was a suburb and seaside cottages are disappearing. Recreation on the Oak Bay waterfront becomes more like the other recreational activities on the water along the coast. “The idea of recreation... was firmly established. Instead of seeing tourism simply as a means of promoting the province’s resource industries, Victoria – as many people and companies around the sea already did – began to see it as an important economic activity in its own right. Privately owned summer cottages spread further around the Strait.” “Fishing had become one of the most important recreational activities on the inland sea and visitors to the province were attracted by the Strait’s reputation for salmon fishing.” (18)
1950	“Recreation became firmly established... during the post-war decades as incomes rose, technologies evolved and people found themselves with more leisure time.” “Scuba diving was more novel; in the 1950s the first recreational divers started exploring the depths with new artificial breathing apparatuses in clear, protected waters. Undersea diving was relatively complex, physically demanding and expensive, and the sport was limited to a small number of practitioners. However, their new perspective on the marine environment and growing awareness of the underwater world helped not only to stimulate the development of marine parks but also to bring attention to pollution below the water’s surface.” (19)
1950	“Historically reviled as dangerous pests, killer whales were dying by the hundreds, even thousands... By the 1950s, whalers, scientists, and fisherman around the world were killing hundreds, perhaps thousands, of orcas per year. In a single expedition, celebrated by Time magazine, US soldiers slaughtered more than one hundred off Iceland. But then a curious thing happened. In the mid-1960s, at the height of the violence, a few daring men caught and displayed live orcas for the first time. Captive killer whales in turn captivated the public, which would never view the species, or the ocean, in the same way again.” Source: Colby, <i>Orca</i> p.2
1960	“Completion of a breakwater requiring 120,000 tons of rock and extending 700 feet from Turkey Head toward Mary Tod Island, one of the municipality’s natural parks.” (20) “The building inspector and fire chief both reported to Council that considerable work would be required to put the boathouse in safe condition. Not only did a fire hazard exist, but the piling beneath the building and the floor joists were in need of replacement. Council decided that the old building had outlived its usefulness and was more or less an eyesore on the waterfront. It was resolved to advertise for plans and proposals for the establishment of a modern marina development on the site. Only three proposals were received ranging from \$60,000 to \$1,000,000, the later being for a complex of marina and shopping centre. Council chose the proposal of the Oak Bay Marina Company and following a year of discussion an agreement was signed, subject to the approval of the ratepayers, for leasing the land to the company for 30 years. The ratepayers voted in favor of the agreement and today, where the old boathouse was located, stands one of the finest marina complexes on the Pacific Coast.” (21)

1961	<p>“The Oak Bay Marina Company, whose proposal for a new marina establishment had been approved by Council, stated that the 20-year maximum limit for the leasing of corporate lands in the Municipal Act would not be sufficient for the amortization of their proposed investment of \$450,000 for the project, which would revert to the municipality in 30 years. In November, the Reeve met with the Minister of Municipal Affairs, the Minister of Lands and Forests, with their respective Deputy Ministers, the Deputy Minister of Recreation and Conservation, the Departmental Solicitor. Having explained the problem to the government representative, the Reeve was assured that the difficult could be overcome by an amendment to the Municipalities Enabling Act which would give Oak Bay authority to lease for 30 years. The Minister of Lands and Forests agreed to a similar term of lease of adjoining foreshore.” (22)</p>
1962	<p>“An agreement was signed with the Oak Bay Marina Company, subject to approval by rate-payers. On April 17 this approval was given in no uncertain manner, the vote in favour of the bylaw and agreement being 92.1% of the total votes cast for the referendum. An agreement was signed by the Reeve and Clerk by which the provincial Department of Lands and Forests granted a 30-year lease of the foreshore area at the Marina from June 1.” (23)</p>
1963	<p>“Permission was given to the Standard Oil Company to establish a fueling dock and service depot at the Oak Bay Marina. An application was made for the installation of an Undersea Garden at the Marina. After viewing the plans and proposal, Council refused on the ground that it would increase traffic hazards on Beach Drive owing to the number of visitors to the exhibit. Later, following pressures from interested citizens and a request by the Reeve, Council decided to issue a permit to operate for six months. If a traffic hazard developed, the permit would be cancelled.” (24) Undersea Gardens was proposed by local entrepreneur Charlie White.</p>
1964	<p>“Building Permit Application to demolish the boathouse” (25) “Bay of water was filled in to build the Oak Bay Marina” (26) “Oak Bay Marina opened on April 14 including a large restaurant and the tourist-attracting Undersea Gardens and providing all-year moorage for about 550 boats.” (27) “Oak Bay Marina was planned from the outset to be in keeping with the carefully nurtured residential and park like image of Oak Bay. Manager Bob Wright says this has been the guiding principle of all planning that has gone into the marina. The result is a low, attractive group of buildings, a park-like parking lot and promenades that enable sightseers to stroll all over the marina property – even right over the water – without climbing stairs... One of the terms of the Oak Bay Marina Ltd.’s lease with the municipality is that it provides round-the-clock search and rescue facilities. Manager Bob Wright has lost count of the number of times he has been called out in the past two years he has managed the Oak Bay boathouse.” (28)</p>
1965	<p>“Boating for sheer pleasure or fishing the adjacent waters has increased tremendously in recent years and continues to grow in popularity. In addition, the many yachts provide a magnificent vista along the waterfront through the year.” (29) Building Permit Application for a Gift Shop at the Oak Bay Marina (30) Oak Bay Boat Club also known as Turkey Head Sailing Association.</p>
1966	<p>“Recreational boating grew very rapidly after World War II and by 1966, an estimated 72,000 pleasure craft were operating around the Strait. As the fleet of small craft grew, the proportion of motorized craft also increased... A little over 60 percent of these boats were powered by inboard or outboard motors, about 6 percent by sail and the rest – about a third – by either oar or paddle. Also growing rapidly was the number of larger pleasure craft requiring a “wet berth” and moorage space.” (31)</p>
1969	<p>First directory entry for Sealand of the Pacific</p>

1971	“An estimated 13,000 small-craft berths were available most near Vancouver and Victoria.” “The boom in boating would continue into the 1980s.” (32)
1973	“Pablo, the elephant seal at Sealand, finally ate his first meal Friday since he was found, cut and in poor shape, washed up at a cove near Becher Bay... Since being rescued by a Sealand crew, Pablo has been nursed back to health through regular tube feedings of mashed herring and vitamins, and injections of antibiotics.” (33)
1976	“A halfway house was officially opened at Sealand of the Pacific on Friday. The first two clients were harbor seals named PeeWee and Freebee. Nursed back to health after being found hurt and abandoned, they waddled out the back door of Sealand and flopped back into the open water and freedom.” (34)
1977	“An orca whale is found struggling for survival in Menzies Bay and transported by highway to a saltwater pool at the water’s edge at the Oak Bay Beach Hotel. The whale is named Miracle.” (35) “Sealand of the Pacific is the first company to receive the Society for the Prevention of Cruelty to Animals’ award of merit... the award is for ‘outstanding and unselfish service in the care of Miracle, the baby killer whale.’” (36)
1978	“Miracle moved from the Oak Bay Beach Hotel to Sealand” (37)
1979	“The story of Keefe, the harbor seal who was orphaned when his mother was killed by a killer whale in 1968, has a happy ending. Today he has freedom and a new bride.” (38)
1982	“Greenpeace feels barbs from some: Greenpeace, the environmental protest organization, has become the target of vitriolic condemnation over its efforts to prevent Sealand from capturing and holding killer whales. Whale yeas have it, 2-1: People who favor capturing killer whale for public display in aquariums outnumber the anti-capture faction by almost two to one, a Times-Colonist survey shows. Results of the poll show 1,716 respondents, or 66 per cent, favor the capture of killer whales.” (39)
1983	“Spoiling Sealand of the Pacific’s plan to capture two killer whales would save orcas from certain death, Greenpeace president Patrick Moore said Monday. A federal license issued to Sealand says the whales are to be removed from the L pod... Matthews said the emphasis at Sealand, a private company, would be on education... At the news conference, Matthews said: Sealand president Bob Wright intended to divest himself of all financial holdings in Sealand and Matthews had been given an option to buy Sealand (Wright is also president of Oak Bay Marina, from which Sealand sub-leases its property). Sealand has abandoned its plan to “recycle” whales, under which whales were to be returned to the wild after five or six years of captivity. This was one of the most notable selling points of Sealand’s plan to capture whales last year. The educational aspect of Sealand’s programs would be extended to university students as well as school children. The conditions of the federal license stipulated that Sealand was to provide “an environmental studies program without any charge to schools in the Greater Victoria district.” (40)
1986	“About 25 harbor seals are brought to Sealand’s Victoria Marine Animal Rescue Centre every summer. The abandoned pups are checked by a veterinarian and raised at Sealand until released at a year old.” (41)

1991	<p>“Protesters appeared daily outside the theme park’s gates, rattling the quiet, upscale community of Oak Bay. SeaLand was seriously considering ending the orca shows, after twenty-three popular years.” (42) “In June, the Coroner’s Court of British Columbia had issued a verdict in the case: Keltie died as a result of “drowning due to or as a consequence of falling in the whale pool.” Even though the whales had “thwarted” her escape, the death was ruled an accident.” (43) “In November, SeaWorld filed a formal application with National Marine Fisheries Service to import Tilikum, Haida, and Nootka from Sealand in Canada.” (44) The 30-year lease between the District of Oak Bay and the Oak Bay Marina Ltd had was set to expire in 1992. However, a new lease agreement was already in the process of being established.</p>
1992	<p>“In January, SeaWorld applied to National Marine Fisheries Service for an emergency permit to immediately import Tilikum, citing “medical reasons.” Haida’s calf, Kyuquot, had been born on Christmas Eve, and Haida and the pregnant Nootka had chased Tilikum into a small medical pool and threatened him each time he tried to leave.” (45) “The agreement would permit SeaWorld to temporarily import Tilikum “for the purpose of providing medical treatment and care that is otherwise unavailable in Canada at this time.”” (46) “In October, National Marine Fisheries Service granted SeaWorld a permit to import the remaining Sealand whales into the United States and put them on public display... National Marine Fisheries Service also gave SeaWorld permission to keep Tilikum for permanent public display in Orlando.” (47) “The District of Oak Bay entered into a new agreement to lease and sublease the Marina Upland and Aquatic Lands to Oak Bay Marina Ltd. Bylaw No. 3736 authorized the lease and sublease and was adopted on December 30. As condition of the new agreement was the Sealand Phaseout Agreement. It stipulated removal of whales and the Sealand barge by the end of 1993. The Marina was required to pay the Municipality \$625 per month until all whales had been removed with monies set aside for a municipal heritage foundation.” (48) Sealand closes.</p>
1993	<p>Plans proposed to renovate the Oak Bay Marina buildings were the subject of Oak Bay Advisory Design Panel meetings. Proposed alterations to Building 1 included new decking to establish a new approach to the buildings and as an additional area of enjoyment to the public. Alterations were also proposed in the breezeway, and the Panel provided advice to make the existing breezeway more inviting and brighter at both points of access. Building 2 was the subject of a letter from the Oak Bay Marine Group to the District of Oak Bay which stated a permit application had triggered building code upgrades including seismic upgrading. The proposed upgrading work included anchoring the roof to the south masonry wall, to infill the clerestory windows, and to infill bottom panels of windows with concrete. Building 3 was the subject of a letter from the Oak Bay Marine Group to the District of Oak Bay which stated certain upgrades were needed to meet current building code including seismic upgrading work. The proposed upgrading work included anchoring the roof to the north and south masonry walls and to infill the clerestory windows on the east and west walls.</p>
2007	<p>Bob Wright donated \$11 million to the University of Victoria for the Bob Wright Centre – Ocean, Earth and Atmospheric Sciences.</p>
2019	<p>Ending the Captivity of Whales and Dolphins Act (Bill S-203) makes it illegal to keep cetaceans (whales and dolphins) in captivity for display and entertainment.</p>
2022	<p>“The second 30-year lease between the District of Oak Bay and the Oak Bay Marina Ltd expires at the end of the year.” (49)</p>
2023	<p>The upper floor of Building 1 is vacated.</p>

Notes

- 7) Ron Baird, *Success Story: The History of Oak Bay*. D. Heffernan, J. Borsman Publishers, 1979. 37.
- 8) District of Oak Bay, *The Prospect Heritage Conservation Area: Oak Bay, BC - Statement of Significance*, n.p., n.p., 2020. 3-4.
- 9) Fred Barnes, ed., *Only in Oak Bay: Oak Bay Municipality: 1906-1981*. The Corporation of The District of Oak Bay, 1981. p. 114.
- 10) Barnes, *Only in Oak Bay*, 39.
- 11) Baird, *Success Story*, 144.
- 12) Capital Regional District (CRD). *Shaping the Capital Region Over Fifty Years*. Victoria, British Columbia: Capital Regional District and Blue Beetle Books Incorporated, 2016. p. 28.
- 13) CRD, *Shaping the Capital*, 27.
- 14) Barnes, *Only in Oak Bay*, 30.
- 15) Oak Bay Council Anniversary Committee, *The Corporation of The District of Oak Bay: 1906-1956 Golden Jubilee – Fifty Years of Growth*. Oak Bay, British Columbia. n.p. 1956.
- 16) District of Oak Bay Council meeting minutes, Victoria Daily News (May 6, 1909)
- 17) CRD, *Shaping the Capital*, 29.
- 18) Howard Macdonald Stewart, *Views of the Salish Sea: One hundred and fifty years of change around the Strait of Georgia*. Madeira Park, British Columbia: Harbour Publishing Co. Ltd., 2017. 219 and 233.
- 19) Stewart, *View of the Salish Sea*, 224 and 225.
- 20) Barnes, *Only in Oak Bay*, 85.
- 21) Baird, *Success Story*, 146.
- 22) George Murdoch, *A History of the Municipality of Oak Bay*, n.p., n.p. 1968, 143.
- 23) Murdoch, *A History of the Municipality of Oak Bay*, 146.
- 24) Murdoch, *A History of the Municipality of Oak Bay*, 151.
- 25) District of Oak Bay property files.
- 26) CRD, *Shaping the Capital*, 29.
- 27) David Kirby, *Death at SeaWorld*. New York City, New York: St. Martin's Press, 2012. 151.
- 28) Victoria Daily Times, (April 9, 1964), 20.
- 29) Baird, *Success Story*, 146.
- 30) District of Oak Bay property files
- 31) Stewart, *Views of the Salish Sea*, p. 227.
- 32) Stewart, *Views of the Salish Sea*, p. 227.
- 33) Pablo Eating, Victoria Times (May 5, 1973)
- 34) Halfway House at Sealand, Victoria Times (June 28, 1976)
- 35) District of Oak Bay Archives reference file
- 36) Merit award to Sealand, Victoria Times (November 23, 1977)
- 37) District of Oak Bay Archives reference file
- 38) Orphaned Seal has Everything – The Run of the Ocean, New Bride and Free Meals, Victoria Times (May 10, 1979)
- 39) Victoria speaks in loud way over Haida and Sealand, Victoria Times Colonist (October 16, 1982)
- 40) Greenpeace sees illegal harassment as duty, Times Colonist (February 22, 1983)
- 41) Sealand pair give abandoned seal pups loving care, Victoria Times (July 22, 1986)

- 42) Kirby, *Death at SeaWorld*, 116.
- 43) Kirby, *Death at SeaWorld*, 116.
- 44) Kirby, *Death at SeaWorld*, 123.
- 45) Kirby, *Death at SeaWorld*, 126.
- 46) Kirby, *Death at SeaWorld*, 127.
- 47) Kirby, *Death at SeaWorld*, 144.
- 48) District of Oak Bay Bylaw No. 3736, Oak Bay Marina Operating Lease Bylaw, 1993.
- 49) District of Oak Bay Bylaw No. 3736.