

No. 24-051

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend Bylaw No. 05-75 Heritage Designation (1964 Fairfield Road) Bylaw (No. 530) to add the property known as 507 Foul Bay Road to the heritage designation at 1964 Fairfield Road and add the Statement of Significance to the bylaw.

Whereas:

- a. Council considers that heritage designation of the property known as 507 Foul Bay Road is necessary and desirable for the conservation of the protected heritage property at 1964 Fairfield Road known as Abkhazi Garden; and
- b. the owner of 507 Foul Bay Road has consented to heritage designate the real property and has waived their right to compensation for such heritage designation.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

1. This Bylaw may be cited as the “HERITAGE DESIGNATION (1964 FAIRFIELD ROAD) AMENDMENT BYLAW (NO. 2)”.
2. Bylaw No. 05-75 Heritage Designation (1964 Fairfield Road) Bylaw (No. 530) is amended by:
 - a) deleting the purpose statement and replacing it with:

“The purpose of this Bylaw is to designate the existing house, the summer house, garden shed and gardens known as Abkhazi Garden, located at 1964 Fairfield Road and the adjacent ancillary garden support area which forms part of Abkhazi Garden, located at 507 Foul Bay Road, as protected heritage real property.”
 - b) inserting the words “as described in the Statement of Significance attached to this Bylaw at Schedule A,” after the words “known as Abkhazi Garden,” in section 2;
 - c) adding the following new section 3 immediately after section 2:

“3. The adjacent ancillary garden support area which forms part of Abkhazi Garden, as described in the Statement of Significance attached to this Bylaw as Schedule A, and which is located at 507 Foul Bay Road, legally described as PID 001-039-857, Lot 3, Section 68, Victoria District, Plan 37953, is designated protected heritage real property.”
 - d) inserting the Schedule A – Statement of Significance at page 2 and attached to this bylaw at Appendix 1.

READ A FIRST TIME the **1st** day of **August** 2024

READ A SECOND TIME the **1st** day of **August** 2024

Public Hearing Held On the day of 2024

READ A THIRD TIME the day of 2024

ADOPTED on the day of 2024

CITY CLERK

MAYOR

Appendix 1

Schedule A

Statement of Significance

1964 Fairfield Road – Abkhazi Gardens

Original version from 2005 – written by Steve Barber

Amended – October 2023 by Kristal Stevenot, Senior Heritage Planner, City of Victoria

Description of Historic Place

The historic place comprises a designed domestic garden, garden buildings, and an early modern bungalow set around and upon a rocky knoll, in Victoria's Gonzales neighbourhood.

Heritage Value

The historic place, begun in 1946 and still evolving, is valued as one of the very earliest expressions of Modernism in both garden design and domestic architecture, in post-war Victoria and for what its design tells us about its creators' lives. The garden is valued for its long tradition of plant conservation.

Peggy (nee Pemberton-Carter) and Nicholas Abkhazi's approach to the planning and design of their home and garden represents an isolated example of an international shift in design thinking, that was, in part, a reaction to war, but which also sought to celebrate new technology, often itself a by-product of war. The garden contains references to, and is seen by many as a metaphor, the lives of its creators. The layering, texture and colouring – a reference to Chinese art and landscape – reflects the influence of Peggy's time living in China; the tranquility and privacy – a response to lives shattered by wartime internment; for Peggy in a Japanese camp, and for Nicholas, an exiled Georgian Prince, in a German prisoner of war camp; and the energy that went into the creation of the garden on a difficult site – an expression of their love that began in Paris in 1920 and triumphed over the adversity of war to be rekindled when they met again after the war and moved to Canada.

The summerhouse (1946), and the house (1947), are important surviving examples of the domestic work of accomplished Victoria-based Modernist architect John Wade and are valued for the way the planning and detailing responds, not to the tyranny of precedent, but rather to the spirit of place, the integration of house and garden, the function of space, and the celebration of post-war construction technology.

Continuing a course followed by the Abkhazis until Nicholas' death and in 1987 and Peggy's in 1994, the garden continues to evolve to survive, reflecting new realities such as the drier climate and public accessibility. It is valued as a setting for rare plant conservation, for important rescued specimens from Vancouver Island collections, and of hybrids developed by key Island plantsmen including Ed Lohbrunner, Herman Vaartnou, and Joe Harvey.

Character-Defining Elements

- the single-storey house with deep overhanging enclosed eaves
- the ratio of window openings to walls, and the location and size of the window openings in relation to the landscape
- the distinctive wide beveled siding
- the stone chimney stack
- the stone revetments, stone steps, stone walls on the house and garden shed, and stone foundation retaining walls
- the view from the kitchen to the garden looking north-west
- the position of the bay window opening in the sitting room that marks the location of the original arrangement of French doors flanking a window
- the remains of the roman brick fireplace
- the fitted cupboards at the rear entrance, which was once the mud room
- the position of the kitchen sink
- the acoustic tiles on a vaulted ceiling
- birch-faced plywood wall coverings
- oak parquet floors and under floor heating infrastructure
- lighting integrated into the window valences
- the original interior wood doors (swing and sliding)
- the underlying natural landscape elements including the rocky outcrops and the Garry oaks
- the lawns, the incised concrete walkways and their signs of a once painted finish, stone and gravel paths and stone terrace, and outbuildings
- the ever-evolving three ponds and their surrounding benches, rocks and plantings
- the evolving borders resulting from the addition and translocation of rare and threatened species and specimens from other gardens in Victoria, and experimentation with hardier and drought tolerant plants, see Head Gardener's landscape plan and plant inventory
- garden buildings including the summerhouse and the tool shed
- the Rhododendron woodland garden
- the Georgian horn beam hedge along the perimeter of the garden
- Lot 3 at 507 Foul Bay Road – adjacent property and ancillary support area where the green house, compost area, propagation area and gardener's shed are located.