

APPENDIX 1

Message

Meyer, Alison

From: Van Bruggen, Walter ILMB:EX [Walter.VanBruggen@gov.bc.ca]
Sent: Thursday, November 24, 2005 4:34 PM
To: 'Meyer, Alison'
Cc: Anderson, Keith ILMB:EX; Herbert, Sean TSA:EX; Berry, Doug ILMB:EX
Subject: RE: Victoria Harbour

Hi Alison,
Please contact and discuss this matter with Bob Evans who already has an interest in the Crown Land parcel Lol 1, Plan 44757, Esquimalt District. The City should obtain written support from Mr Evans indicating his support for converting to Park, that portion of Lot 1 located in Lime Bay. Upon receiving Mr Evans support, ILMB will provide support to rezoning to Victoria Harbour park zone or accept an application from the City for the Purchase or Free Crown Grant for the parcel in Lime Bay.
Thanks,
Walter

Walter Van Bruggen
Land Technical Officer
Regional Client Services Division
Integrated Land Management Bureau
Ministry of Agriculture and Lands
Suite 501, 345 Wallace Street
Nanaimo BC, V9R 5B6
Tel. 250-741 5878
Fax 250-741 5888
e-mail walter.vanbruggen@gov.bc.ca
visit the website at www.lwbc.bc.ca

APPENDIX 2

from Marianne Hopp, Articled Student <elc.uvic@gmail.com>
to Keith.Anderson@gov.bc.ca,
Walter.VanBruggen@gov.bc.ca
bcc ELC Articled Student <elc.uvic@gmail.com> hide details
date Tue, May 19, 2009 at 3:48 PM May 19 Reply
subject Re: email
mailed-by gmail.com

Dear Mr. Van Bruggen and Mr. Anderson:

Please refer to the attached email from Walter Van Bruggen to Alison Meyer, City of Victoria, dated November 24, 2005.

1. Could you please advise us as to what "interest" Mr. Evans had in Crown Land parcel Lot 1, Plan 44757, Esquimalt District on November 24, 2005?
2. Why did the Integrated Land Management Bureau require the City to obtain written support from Mr. Evans indicating his support for changing the zoning of a portion of that water lot to park zoning.
3. Why did the ILMB make Mr. Evans' grant of support for rezoning a necessary pre-requisite for ILMB providing support for rezoning?

Thank you for your clarification of this matter.

Sincerely,

Marianne Hopp

~~~~~

Marianne Hopp

Articled Student

UVic Environmental Law Centre

250-853-3194

250-472-4528 fax

[elc.uvic@gmail.com](mailto:elc.uvic@gmail.com)

<http://elc.law.uvic.ca>

### APPENDIX 3

from Lutes, Dave R ILMB:EX <Dave.Lutes@gov.bc.ca>  
to elc.uvic@gmail.com  
cc "Engels, Simone ILMB:EX" <Simone.Engels@gov.bc.ca> hide  
"Eng, Patricia ILMB:EX" <Patricia.Eng@gov.bc.ca> details Jun Reply  
date Tue, Jun 9, 2009 at 3:21 PM 9  
subject FW: Question re: Mr. Evans' "interest" in Crown Land  
parcel Lot 1, Plan 44757, Esquimalt District  
mailed-by gov.bc.ca

Dear Marianne Hopp:

The following is a response to the questions you raised in the May 19, 2009 email. If you have any further questions please feel free to contact me.

**Question 1:** Generally it was known by ILMB for several years that Mr. Evans had an interest in this water lot (Lot 1). Mr. Evans had submitted an application for marina purposes over Lot 1 on October 6, 2005; however, it was returned by ILMB on October 19, 2005 because additional information was needed. In 2005, Mr. Evans was the fee simple owner of the adjacent Water Lots 3 and 4 and was developing the upland property adjacent to Lot 1.

**Question 2:** Since the email exchange you refer to is over three years old, it is difficult to say for sure why this was requested. The previous Senior Land Officer (Keith Anderson) subsequently indicated to the City via email that the Province would not consider agreeing to the zoning changes to that portion of Lot 1 in Lime Bay until it was clear what portions of Lot 1 would ultimately be required for marina development, so this may have been the rationale. It is likely that the Province simply wished to ensure that, prior to consenting to any rezoning of the crown land, that the zoning changes would not impact on the future potential development options for Lot 1. As both the owner and developer of the upland in Phase 1 of the Songhees Master Agreement, and a known proponent for the proposed marina development on Lot 1, Mr. Evans' comments would have been of interest to the Province prior to considering agreeing to any proposed changes to the zoning of the Crown water lot.

**Question 3:** I do not interpret this email to say that Mr. Evans' support would have been a 'pre-requisite' for rezoning any or all of Lot 1. As in the response to question 2, above, the Province's interest was in determining how proposed zoning changes might impact the future development of Lot 1 for potential marina purposes.

---

**From:** Van Bruggen, Walter ILMB:EX  
**Sent:** Wednesday, May 27, 2009 4:34 PM  
**To:** 'Marianne Hopp, Articled Student'  
**Cc:** Lutes, Dave R ILMB:EX  
**Subject:** RE: Question re: Mr. Evans' "interest" in Crown Land parcel Lot 1, Plan 44757, Esquimalt District

Dear Marianne Hopp,

We apologise for not having responded yet to your May 19, 2009 email below. We expect to be able to respond to your email in the next day or two.

Your patience is appreciated.

Thanks,

**Walter Van Bruggen**

Project Manager, Partnership and Sales

Crown Lands and Resources

West Coast Service Centre

**Integrated Land Management Bureau**

Ministry of Agriculture and Lands

Suite 142, 2080 Labieux Road

Nanaimo BC, V9T 6J9

Tel. 250-751 7255

Fax 250-751 7224

e-mail [walter.vanbruggen@gov.bc.ca](mailto:walter.vanbruggen@gov.bc.ca)