

THE CITY OF VICTORIA



OFFICE OF THE MAYOR

June 25, 2009

The Honourable Patrick Bell
Minister of Forests and Range
Room 317
Parliament Buildings
Victoria, BC V8V 1X4

Dear Minister Bell:

Re: Victoria International Marina
City of Victoria Referral Comments to Province

I am writing on behalf of Victoria City Council in follow-up to the City of Victoria's letter to the Integrated Land Management Bureau dated April 19, 2009, a copy of which is enclosed for reference.

I would greatly appreciate the opportunity to meet with you on this issue at your earliest convenience.

The Council wishes to bring to the Minister's attention two very serious issues regarding the proposed Victoria International Marina that are of great concern to the Council and residents in our community.

1. The Scale of the Proposed Marina

The footprint of the proposed marina is much greater than originally conceptualized in relevant City Planning policies. The Council believes this project is fundamentally out of balance with the current plans for the neighbourhood and runs counter to the original vision for this location. Although this zoning does permit docks for pleasure boats, the underlying intent of the Community Plan has been to support a range of marine uses that are oriented to public use and that are compatible with adjacent residential and park uses. Further, the proposed scale of the marina will have a significant negative impact on view corridors over the harbour envisioned in City Planning documents.

The Honourable Patrick Bell
June 25, 2009
Page Two

The City seeks a balance between the interests of a working harbour and those of recreation and conservation. The City of Victoria wants to mitigate potential conflicts associated with the range of activities while, at the same time, take advantage of opportunities and compatibilities.

The scale and scope of the proposed marina is far beyond the community interests and expectations brought to this Council's attention.

2. Integrity of Adjacent City Park

The City is the owner of Lime Bay Park, which is immediately west of the Royal Quays and lot SCR-1. The proposed marina shows docks and piles erected on the water surface fronting Lime Bay Park. The Council wishes to express their concern and the concern of many residents in our community with the erection of docks and piles in front of Lime Bay Park. The Council believes that the public has a reasonable expectation that the water surface fronting one of the last remaining park areas in Victoria's Inner Harbour not be encumbered with docks and piles as this will detract from the public's enjoyment of the park and impede access across the water surface to the park. Council is supportive of the public's expectation to be able to land or launch a vessel along the foreshore of a park.

It is the City's expectation that the Province will take into account our concerns and input, both as upland land owners and as representatives of the broader community interest when considering the proposal.

Thank you in advance for your attention to this issue. I look forward to meeting with you in the near future.

Sincerely,



Dean Fortin
MAYOR

c: Gordon Smill, Land Officer, Integrated Land Management Bureau, 142
- 2080 Labieux Road, Nanaimo, BC, V9T 6J9

Questions from Victoria City Council

WATERLOT

Who defined the size and configuration of the water lot?

The City's 1985 planning document entitled Songhees Guidelines Illustrated a much smaller marina footprint that did not extend in front of Lime Bay Park (to the west) or the Victoria Harbour Park (to the east). Would the ILMB take into account the foreshore park use (Lime Bay Park) or park zoning (Victoria Harbour Park) in determining the overall marina footprint?

RIPARIAN (Littoral) RIGHTS

How are the littoral rights of upland owners determined?

What is the technical standard that the ILMB applies in determining whether an upland owner's littoral rights are affected by a water lot development?

Is there any avenue for appeal if an upland owner's littoral rights are satisfactorily considered by the ILMB?

MORATORIUM ON YACHT CLUBS

The Greater Victoria Harbour Authority business plan refers to a moratorium on marinas. The moratorium was apparently specific to yacht clubs and was intended to regulate the growth of fixed moorage facilities and encourage transient moorage. Does a marina with strata-titled slips meet the intent of the principles of the moratorium?

Can an interest in a Provincial Crown water lot be conveyed through a strata plan to a strata unit holder?

NATURE OF LEASE

What is the term of the proposed lease under review by the ILMB?

Is there a different lease for the construction phase of the project only?

What are the performance provisions under the proposed lease?