



## Planning and Land Use Committee Report

For the Meeting of January 28, 2016

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**To:** Planning and Land Use Committee      **Date:** January 14, 2016

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place

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### RECOMMENDATION

That subject to all pre-conditions being addressed to the satisfaction of staff and that the applicant has secured unconditional approval from City Council to allow the proposed work in the City Park and Right-of-Way, that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following:

"That Council authorize the issuance of Development Permit Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place, in accordance with:

1. Plans date stamped January 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Section 10.21.6 - Building setback (easterly lot line) reduced from 6.0m to 0.6m;
  - b. Section 10.21.7 - Building setback (southerly lot line) reduced from 6.0m to 0.87m.
3. Discharge of the existing Statutory Right of Way related to 1 Cooperage Place and a new Statutory Right-of-Way being registered on the property title to secure public access to the proposed dock during daylight hours and during the hours businesses operating at the marina remain open.
4. Revised plans that:
  - a. indicate that the proposed substation will be finished in a natural green colour and green chain link security fencing be provided around the structure and screened by landscaping;
  - b. relocate the entry path to the substation enclosure so that no part of it is located in the City Park and indicate that the proposed surface materials are consistent with the finish of the adjacent public pathway.
5. The Developer having the necessary unconditional approval from the City to undertake work to the harbour wall in the City Park and to place a hydro substation in the City Right-of-Way.
6. That this Development Permit supersedes Development Permit No. 000104 for 1 Cooperage Place and 2 Paul Kane Place.
7. The Development Permit lapsing two years from the date of this resolution."



## LEGISLATIVE AUTHORITY

In accordance with Section 490 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, siting, form, exterior design and finish of buildings, and other structures.

## EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of December 10, 2015 (attached), the applicant has submitted revised plans and responded to the request for more detailed information with respect to the proposed hydro substation, paddle channel, harbour wall and access to parking. Each of these items is discussed in turn below. The Planning and Land Use Committee Report dated December 10, 2015, together with the meeting minutes, are attached and provide further detailed background information and analysis.

### Requested Information

#### Hydro Substation

In response to a request for detailed information relating to the proposed substation, the applicant has submitted revised plans illustrating that the structure would:

- be located in a grassed section the City Right-of-Way adjacent to the Westsong Way
- have a maximum height of approximately 2.07m
- be situated on a concrete "hydro pad" with a footprint of approximately 6.5m<sup>2</sup>
- be "wrapped" with a special protective material which can either be coloured to blend in with any screening vegetation or finished with an appropriate graphic
- be screened from public view by proposed landscape planting.

The applicant has provided a technical rationale for the proposed substation size, design and location in their revised letter to Mayor and Council dated January 5, 2016 (attached).

In this instance, applicable City Design Guidelines seek to ensure that such structures are screened from public view and do not adversely impact the Cooperage Place view corridor. The applicant has submitted a landscape plan to demonstrate that the structure can be adequately screened by planting materials. Photomontages provided by the applicant indicate that the structure and associated landscaping would be clearly visible from Cooperage Place but would have limited impacts on views from north to south across the Harbour. The main impact on the views would be in close proximity to the proposed substation on the southwest corner of Cooperage Place.

The applicant has stated that they will work with staff to select an image, graphic or colour to apply to the final finish of the substation. Given that the structure would be screened by vegetation, staff recommend that the substation simply be a natural green colour. In addition, to



address any potential CPTED issues arising, staff recommend that a green coloured chain link fence be constructed around the substation within the landscaped area.

Finally, it is noted that an entry path, required to access the substation, is shown on the adjacent City Park in the revised plan submission. Staff recommend that Council consider requesting that this entry path be relocated so that no part of it is located in the City Park and instead it is provided from the south-western corner of Westsong Way over the City Right-of-Way. This relatively short section of pathway should be finished with materials that are consistent with the finish of the adjacent public pathway.

#### Harbour Wall and Railing Design

In response to concerns raised by both Council and staff, the applicant has made the following revisions to the proposed harbour wall:

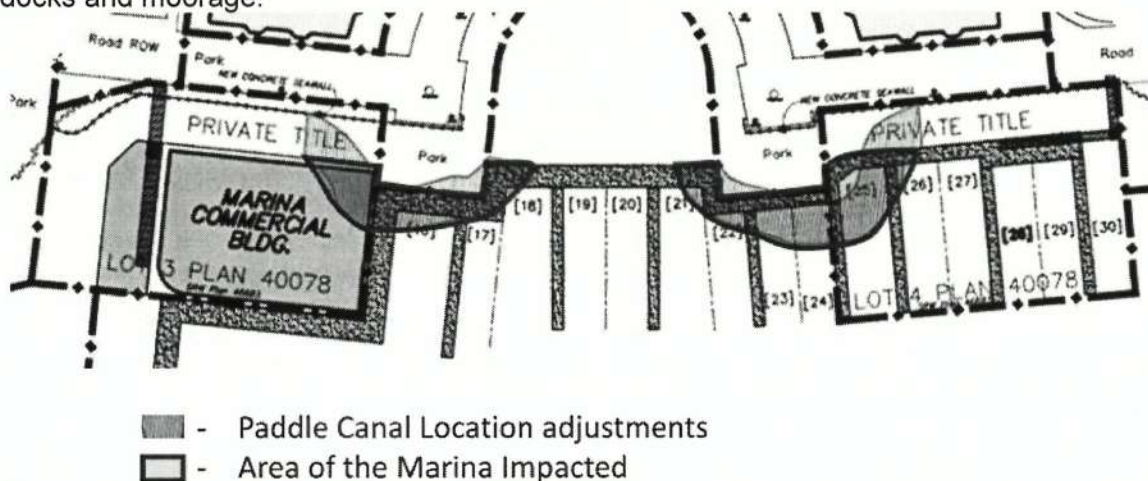
- the proposed railing system is now consistent with the City standard railing specification that is currently being installed on adjacent sections of the Westsong Way
- stone columns, landscaping and boulders that projected above grade in the Paul Kane Place and Cooperage Place view corridors have been removed from the proposed harbour wall design
- some vertical stone columns are still proposed to break up the horizontal appearance of the new wall, however, they no longer project above grade.

Staff recommend that Council consider approving the revised design for the proposed harbour wall and railing, however, an alternative motion is provided should Council wish to refer the proposal to the Advisory Design Panel for their review and recommendations.

#### Paddle Channel

The applicant has provided information to demonstrate the impact on the paddle route should the City decline their request to carry out work in City Park to accommodate the proposed channel.

The plan below indicates what the paddle route would look like if the City did not permit the removal of rip-rap in the Park areas (the affected area is superimposed on the proposed paddle route). The revised route would impact the layout and location of the proposed marina building, docks and moorage.





The applicant has indicated that any such revisions to the paddle route could compromise navigability and Transport Canada, the governing authority, has already considered and approved the current design. Again, further information relating to this issue is provided in the attached letter to Mayor and Council.

#### Unobstructed Access to Parking Stalls

The Application requires unobstructed access to 41 parking stalls to comply with the requirements of Schedule C of the *Zoning Regulation Bylaw*. The applicant has provided evidence demonstrating that they have access to 48 parking stalls within the adjacent Royal Quays building. This is consistent with the current zoning which states that the required parking may be located on nearby properties. As part of the previous Development Permit approval, the applicant had indicated that the gate to the Royal Quays parkade would remain open during restaurant business hours (for customer access and use). The gate would be closed after hours and staff would be provided with access security fobs. The applicant has confirmed that this access strategy would continue to be employed.

Although it is a private matter and falls outside the scope of this Application, the applicant has confirmed that they will work with the Royal Quays Strata Corporation to ensure that the proposal does not compromise security within the existing underground residential parking areas. The applicant has indicated that this matter may be resolved through the provision of a second gate within the parkade, separating the commercial parking from the residential parking area.

#### Security Gates and Public Access

An existing SRW is registered on title with the purpose of securing public access to a walkway around a pier structure that was proposed as part of the previous Development Permit approval. As the current application no longer proposes a pier and would supersede the previous approval, if approved, it is considered that the existing SRW is no longer relevant and should be discharged.

As requested, the applicant has now provided details of the proposed security gates that would be positioned throughout the marina. The gates would stand approximately 2.2m in height, are predominantly glazed with a stainless steel frame and similar in design to other security gates that have been provided on docks elsewhere in the City.

It is important to note that the applicant has now proposed a new gate on the ramp between the Westsong Way and the proposed marina building. However, they have expressed a willingness to register a new Statutory Right-of-Way (SRW) on title to secure public access to the dock located at 1 Cooperage Place and to ensure that the gate remains open during daylight hours as well as during times when the businesses located at the marina are open. This would ensure the gate would always be open during daylight hours as well as any times after dark when the businesses on the dock are still open.

### **CONCLUSIONS**

The design of the proposed marina building is consistent with the applicable City Design Guidelines. Furthermore, the proposed setback variances are recommended as being acceptable as the proposed building location would have minimal impacts on neighbouring



properties or the Cooperage Place view corridor. Staff recommend that Council also consider approving the revised Harbour wall and railing design.

The proposed hydro substation would be screened from public view through a landscape treatment and, although there would be some impact upon the Cooperage Place view corridor, these impacts are considered minimal.

Staff recommend that Council consider requesting that a new SRW be registered on the property title to secure public access to the proposed dock during daylight hours and during the hours businesses operating at the marina remain open.

It is important to note that the Application should not advance to a meeting of Council until the applicant has secured unconditional approval from City Council to allow the proposed work in the City Park and Right-of-Way.

## **ALTERNATE MOTION**

### **Option 1 (referral to Advisory Design Panel)**

That subject to all pre-conditions being addressed to the satisfaction of staff and that the applicant has secured unconditional approval from City Council to allow the proposed work in the City Park and Right-of-Way, that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place, in accordance with:

1. Plans date stamped January 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Section 10.21.6 - Building setback (easterly lot line) reduced from 6.0m to 0.6m;
  - b. Section 10.21.7 - Building setback (southerly lot line) reduced from 6.0m to 0.87m.
3. Referral to Advisory Design Panel, with a request that the Panel pay particular attention to the design, colour and finish of the proposed new Harbour wall, railings and any associated landscaping.
4. Discharge of the existing Statutory Right of Way related to 1 Cooperage Place and a new Statutory Right-of-Way being registered on the property title to secure public access to the proposed dock during daylight hours and during the hours businesses operating at the marina remain open.
5. Revised plans that:
  - a. indicate that the proposed substation will be finished in a natural green colour and green chain link security fencing be provided around the structure and screened by landscaping;
  - b. relocate the entry path to the substation enclosure so that no part of it is located in the City Park and indicate that the proposed surface materials are consistent with the finish of the adjacent public pathway.
6. The Developer having the necessary unconditional approval from the City to undertake work to the harbour wall in the City Park and to place a hydro substation in the City Right-of-Way.



7. That this Development Permit supersedes Development Permit No. 000104 for 1 Cooperage Place and 2 Paul Kane Place.
8. The Development Permit lapsing two years from the date of this resolution.”

**Option 2 (decline)**

That Council decline Development Permit with Variances Application No. 000440 for the property located at 1 Cooperage Place and 2 Paul Kane Place.

Respectfully submitted,



Jim Handy  
Senior Planner – Development Agreements  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: January 21, 2016

**List of Attachments**

- PLUC Report dated December 10, 2015
- PLUC Minutes dated December 10, 2015
- Council Minutes dated December 10, 2015
- Letter from applicant dated January 5, 2016
- Revised plans dated January 5, 2016
- Other correspondence.





## Planning and Land Use Committee Report

For the Meeting of December 10, 2015

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**To:** Planning and Land Use Committee                      **Date:** November 26, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** **Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place**

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### RECOMMENDATION

Staff recommend that, subject to all pre-conditions being addressed to the satisfaction of staff and that the applicant has secured unconditional approval from City Council to allow the proposed work in the City Park and Right-of-Way, that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000440 for 1 Cooperage Place, in accordance with:

1. Plans date stamped November 26, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Section 10.21.6 - Building setback (easterly lot line) reduced from 6.0m to 0.6m;
  - b. Section 10.21.7 - Building setback (southerly lot line) reduced from 6.0m to 0.87m.
3. Submission of revised plans that:
  - a. demonstrate that the proposed substation will be satisfactorily screened from public view and will not adversely impact the important view corridor along Cooperage Place to the satisfaction of staff;
  - b. provide a design for the proposed seawall and railing design within the City Park to the satisfaction of staff and apply this design along all parts of the affected seawall;
  - c. remove any stone columns, landscaping and boulders associated with the new harbour wall that project above grade in the Paul Kane Place or Cooperage Place view corridors;
  - d. provide detailed elevations of any proposed gates or free-standing security related structures that will be constructed on the docks or associated gangways.
4. Referral to Advisory Design Panel, with a request that the Panel pay particular attention to the following:
  - a. the siting and appearance of the hydro substation and any proposed screening;



- b. the design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.
5. The applicant provide further details of how they will be providing unobstructed access to the required parking stalls located within the adjacent Royal Quays building.
6. The Developer having the necessary unconditional approval from the City to undertake work to the harbour wall in the City Park and to place a hydro substation in the City Right-of-Way.
7. The Development Permit lapsing two years from the date of this resolution."

## LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, siting, form, exterior design and finish of buildings, and other structures.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1 Cooperage Place. The proposal is to construct a building on a dock in association with a proposed marina development and to remove rip-rap (i.e. boulders that protect the shoreline) along the shoreline and install a new harbour wall to facilitate a paddle route. The Application also proposes the construction of a hydro substation in the City Right-of-Way at the southern end of Cooperage Place. The applicant is seeking setback variances (south and east) to support the location of the proposed marina building.

The following points were considered in assessing this application:

- the proposal is consistent with the *Official Community Plan* which identifies marina and moorage as acceptable uses and place character features within the Working Harbour Urban Place Designation
- the proposed marina building is consistent with the *Victoria Harbour Plan* and the *Policy Plan and Design Guidelines for the Songhees Area of Victoria West* which both contemplate a marina at this location
- details relating to the proposed substation design and harbour wall treatment are not considered to be consistent with the applicable Design Guidelines
- the proposed variances are considered to be acceptable as encroachment of the proposed building into the south and east setbacks would not impact views from the Cooperage Place view corridor or result in a demonstrable impact upon neighbouring properties
- the Application proposes work in a dedicated City Park and in the Right-of-Way and this work requires City Council approval before the Development Permit with Variances Application advances to a meeting of Council.



It is important to note that this Application relates to the construction of the new marina related building, removal of rip-rap, new harbour wall treatment, hydro substation and proposed setback variances only. The docks and slips associated with the proposed marina are permitted under the applicable Zone for the site and do not require a Development Permit Application or any other consent from the City. Furthermore, the City does not have any jurisdiction over the number of vessels that can be moored at the marina, the size of those vessels or the proposed paddle route.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to construct a building on a dock in association with a proposed marina development and to remove rip-rap along the shoreline and install a new harbour wall to facilitate a paddle route. The Application also proposes the construction of a hydro substation in the City Right-of-Way at the southern end of Cooperage Place. Specific details include:

- A single-storey marina building with a floor area of 765m<sup>2</sup> and would comprise of a restaurant, a coffee house, a marine commercial centre and ancillary facilities. Access to the building would be provided from Westsong Way via a gangway.
- 48 parking stalls are available in the adjacent Royal Quays building to serve the proposed development.
- Removal of existing rip-rap along the shoreline to facilitate a proposed paddle route
- A new harbour wall in areas where rip-rap is removed. The vertical treatment of the wall would be comprised of concrete piles with a concrete cap, stone columns and railings.
- A hydro substation with a footprint off approximately 10m<sup>2</sup> is proposed on the City Right-of-Way. The substation would be approximately 2.4m tall and would be partially screened by the proposed landscaping. The exact dimensions and details of this substation are still being determined.

The proposed variances are as follows:

- setback to the easterly lot line is reduced from 6.0m to 0.6m
- setback to the southerly lot line is reduced from 6.0m to 0.87m.

### **Sustainability Features**

As indicated in the applicant's letter dated September 17, 2015, the following sustainability features are associated with this Application:

- mechanical systems will be designed to allow fan-assisted fresh air ventilation for cooling
- the building envelope will be air tight and impermeable to moisture
- the building has been designed and wall insulation will minimize heat loss
- glazing has been designed to take advantage of passive solar heating
- installation of low-flow fixtures to reduce water usage
- installation of a high-reflectance roof to reduce heat island effect
- water-efficient landscaping materials
- building systems (plumbing and HVAC) will be designed to be highly efficient with less than conventional energy and water consumption

- the contractor will implement a construction waste management plan
- the building design will utilize materials with recycled content that are sourced regionally
- low-emission emitting building materials would be used.

### **Active Transportation Impacts**

The Application proposes the following features which support active transportation:

- four-space Class 2 bike racks
- four-space Class 1 bike storage (within adjacent Royal Quays building).

### **Public Realm Improvements**

The Application proposes the following changes to the public realm:

- construction of a new harbour wall in the City Park
- installation of new railings, to the City standard railing design, along the portions of the new harbour wall being constructed in City Park.

### **Existing Site Development and Development Potential**

The site is presently characterized by shoreline and open water. The proposed marina and associated moorage is spread over three distinct Zones, namely:

- the marina building would be located within the SCR-2 Zone, Songhees Commercial District
- docks and moorage would be located in the SCR-1 Zone, Songhees Commercial District
- docks and moorage would also be located in the MS-6 Zone, Lime Bay District.

Under the current Zoning the property could be developed as follows:

#### **SCR-1 Zone and SCR-2 Zone**

A building is permitted in each of the SCR-1 Zone and SCR-2 Zone with floor area not exceeding 864m<sup>2</sup> and not exceeding 6m or one storey in height measured from an elevation of 3m geodetic. Permitted uses in each Zone include restaurants, public buildings, clubs, docks and accessory uses.

#### **MS-6 Zone**

A building is permitted with a maximum floor space ratio of 1.5:1 with a maximum height of 6m or one storey. Permitted uses include clubs (limited to those principally engaged in water related activities), docks, wharves, piers, restaurants, ship chandlers, storage, repair and supply of marine equipment, parks and their accessory uses.

### **Data Table**

The proposed marina building would be located within the SCR-2 Zone, Songhees Commercial District. The following data table compares the proposal with the SCR-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.



Zoning Criteria	Proposal	Zone Standard SCR-2: Songhees Commercial District
Site area (m <sup>2</sup> ) - minimum	1904	1400
Density (Floor Space Ratio) - maximum	0.4	n/a
Total floor area (m <sup>2</sup> ) - maximum	765	864
Height (m) - maximum	6.9m measured from dock	6m measured from 3m geodetic
Storeys - maximum	1	1
Setbacks (m) - minimum North South East West	10.7 0.87* 0.6* 22	2m above 3m geodetic 6m above 3m geodetic 6m above 3m geodetic 22
Parking – minimum	41	41 (Restaurant = 30 stalls Coffee Shop = 9 stalls Office = 2 stalls)
Bicycle parking stalls (minimum)	4 Class 1 stalls 4 Class 2 stalls	3 Class 1 stalls 3 Class 2 stalls

### Relevant History

On September 8, 2011, Council approved a Development Permit Application to allow the construction of two marina buildings on piers at 1 Cooperage Place and 2 Paul Kane Place. The Developer commenced work within the two-year statutory deadline and the Development Permit remains valid and effective.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on October 9, 2015, the Application was referred for a 30-day comment period to the Victoria West CALUC. Additional letters were sent on November 9, 2015, and November 27, 2015, to advise the CALUC that the City had received revised plans. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## ANALYSIS

### Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within Development Permit Area (DPA) 13: Core Songhees. The applicable Design Guidelines for the Songhees and Lime Point sub-area of DPA13 are the *Policy Plan and Design Guidelines for the Songhees Area of Victoria West* and the *Advisory Design Guidelines for Buildings, Signs and Awnings*. The three main components of their proposal and their consistency with the applicable Design Guidelines are discussed in turn below.

#### Proposed Marina Building

The design of the proposed marina building is consistent with the aforementioned guidelines. The building would have a feature roofline and the walls would be predominantly glazed to maximize views across the Outer Harbour.

#### Proposed Substation

The Application proposes the construction of a substation at the southwest end of Cooperage Place. City Policy and Design Guidelines identify Cooperage Place as an important view corridor. Furthermore, the *Policy Plan and Design Guidelines for the Songhees Area of Victoria West* specifically state that hydro kiosks be concealed from public view, especially along streets, paths and the waterfront area.

The proposed substation would be located on a grass area adjacent to the Westsong Way. As currently depicted, the structure would stand approximately 2.4m tall with a footprint of approximately 10m<sup>2</sup>. The structure would be positioned so as not to impede pedestrian movement along the Westsong Way. The applicant has submitted photomontages to demonstrate that the proposed structure would not interrupt views across the Harbour from the Cooperage Place view corridor. The Application proposes extensive planting around the structure which largely screens it from public view. However, the plan drawings of the substation show an exposed transformer building that staff understand, for safety reasons, would need to be situated within a structure or within a fenced compound. As the applicant has not provided adequate detail, staff cannot satisfactorily assess the visual impact of the proposed structure.

It should be noted that staff have requested that the applicant consider placing the substation underground in a vault. The applicant has stated that this is not feasible for the following reasons:

- the unit will be susceptible to water ingress, needing drainage
- draining the underground manhole will require an oily-water separator for which there is no physical space
- pumping will be required, unless the outflow of the oily-water separator can drain into the ocean
- the underground chamber needed to fit the unit sub-station is very large and may not fit on the site
- an underground unit will cost in the \$250,000 range



- maintenance to an underground unit is difficult and requires specialized breathing apparatus as it is a confined space.

### Proposed Harbour Wall Design

The proposed harbour wall is required as a result of the removal of the existing rip-rap and would primarily consist of concrete piles that would secure the shoreline. Part of the new wall would be located on private property at 1 Cooperage Place and 2 Paul Kane Place respectively and part would be located in a City Park located at each end of a semi-circular harbour feature located in front of the Royal Quays residential development. The applicant proposes different wall treatments for the privately-owned portion and for the City-owned portion.

For the privately-owned parcels, a concrete vegetated wall cap is proposed above the concrete piles with railings above and interspersed with stone columns. The columns would project approximately 1m above grade. For the City-owned portion, the Applicant proposes the construction of the City standard railing above the concrete cap. The design treatment on the City-owned land is a response to staff direction to the applicant that they implement a comprehensive design approach for the whole area that conforms with City standards and does not impede views over the water. The applicant wishes to introduce additional features such as the landscaping and stone columns on their property.

This proposed design raises two key concerns, namely the visual impact of having a piecemeal approach to the wall design in a prominent location along the Westsong Walkway and the fact that elements of the wall, such as the proposed stone columns and planting which project above grade, could obscure views of the harbour.

In light of the above concerns relating to the proposed harbour wall and substation, staff recommend that Council consider requiring the applicant to provide revised plans that:

- clearly depict the final dimensions of the substation and any related enclosing structures and demonstrate that it will be satisfactorily screened from public view and will not adversely impact the important view corridor along Cooperage Place
- provide one consistent high-quality design for the proposed seawall
- with the exception of railings, remove any other feature associated with the new harbour wall that projects above grade in the Paul Kane Place or Cooperage Place view corridors
- provide detailed elevations of any proposed gates or free-standing security-related structures that will be constructed on the docks or associated gangways.

In addition to the above, staff recommend that Council consider referring the Application to the Advisory Design Panel (ADP). In particular, review by ADP could add valuable input into the issue of the harbour wall and railing design.

### **Victoria Harbour Plan**

The *Victoria Harbour Plan* includes specific policies and strategies for development along the Songhees South Shore. The Plan notes the potential for a marina development in front of the Royal Quays is outlined in the *Policy Plan and Design Guidelines for the Songhees Area of Victoria West*. The Plan goes on to state that the City will continue to permit a water lot development for restaurants, related commercial activities and marina uses and, furthermore, there is support for places of interest and activity for residents and visitors along the waterfront.



The Plan seeks to formalize Easements and Rights-of-Way along Westsong Way and, as a strategy to meet this objective, it states that path Rights-of-Way will be obtained as applications for development are made to the City. The previous Development Permit Application proposed public walkways around the two proposed piers that would have been located at 1 Cooperage Place and 2 Paul Kane Place. Public access to those walkways were secured by Statutory Right-of-Way (SRW). If the current proposal proceeds, there will be no public walkway at 2 Paul Kane Place and, while public access will be available to the marina building and associated coffee shop and restaurant at 1 Cooperage Place, the applicant is not proposing to secure this access by way of an SRW.

The applicant has not formally proposed the discharge of the existing SRW's, presumably because the previous Development Permit, approved in 2011, is still valid.

### **Variances**

In order to accommodate the proposed kayak route along the shoreline the applicant has positioned the proposed marina building in the south-east corner of the property located at 1 Cooperage Place which results in setback variances. The setback from the easterly lot line is reduced from 6.0m to 0.6m and the setback to the southerly lot line is reduced from 6.0m to 0.87m. It should be noted that the setback only applies to roof elements of the building that project above 3m geodetic.

By virtue of moving the building to the southwest corner of the lot, the building is moved further away from the adjacent residential properties located to the north. In addition, the proposed building does not interrupt the Cooperage Place view corridor. Staff recommend that Council consider approving the proposed variances to the *Zoning Regulation Bylaw*.

### **Other Considerations**

#### **Parking**

The Application requires unobstructed access to 41 parking stalls to comply with the requirements of Schedule C of the *Zoning Regulation Bylaw*. The applicant has provided evidence demonstrating that they have access to 48 parking stalls within the adjacent Royal Quays building. This is consistent with the current zoning which states that required parking may be located on nearby properties. As part of the previous Development Permit approval, the applicant had indicated that the gate to the Royal Quays parkade would remain open during restaurant business hours (for customer access and use). The gate would be closed after hours and staff would be provided with access security fobs. In discussions with City staff, the applicant has since indicated that access to the parking area would be via a valet service. Staff recommend that Council consider requiring that the applicant provide more details relating to the proposed parking strategy, to determine whether it satisfies the *Zoning Regulation Bylaw* requirement to provide unobstructed access to the parking stalls and to ascertain, if a valet service is being proposed, whether this would require any valet stations and, if so, where these would be located and what would they look like.

### **Resource Impacts**

The applicant has requested that work be undertaken within the City Park to facilitate the proposed kayak route and that a substation be constructed on a City Right-of-Way. This work



would be subject to the property owner agreeing to carry out the work at their expense and maintaining any new structures in perpetuity. Therefore, there are no resource impacts associated with this proposal.

## CONCLUSIONS

The design of the proposed marina building is consistent with applicable City Design Guidelines. Furthermore, the proposed setback variances are also considered acceptable as the proposed building location would have minimal impacts on neighbouring properties or the Cooperage Place view corridor. However, staff recommend that Council consider requesting revised plans to address concerns relating to the proposed substation and new harbour wall treatment. Staff also recommend that Council consider referring the Application to the ADP for review.

In addition to the above, staff recommend that Council consider requiring that the applicant provide more details relating to the proposed parking strategy.

Finally, it is important to note that the Application should not advance to a meeting of Council until the applicant has secured unconditional approval from City Council to allow the proposed work in the City Park and Right-of-Way.

## ALTERNATE MOTION

### Option 1 (no referral to Advisory Design Panel)

Staff recommend that, subject to all pre-conditions being addressed to the satisfaction of staff and that the applicant has secured unconditional approval from City Council to allow the proposed work in the City Park and Right-of-Way, that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000440 for 1 Cooperage Place, in accordance with:

1. Plans date stamped November 26, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Section 10.21.6 - Building setback (easterly lot line) reduced from 6.0m to 0.6m;
  - b. Section 10.21.7 - Building setback (southerly lot line) reduced from 6.0m to 0.87m
3. Submission of revised plans that:
  - a. demonstrate that the proposed substation will be satisfactorily screened from public view and will not adversely impact the important view corridor along Cooperage Place to the satisfaction of staff;
  - b. provide a design for the proposed seawall and railing design within the City Park to the satisfaction of staff and apply this design along all parts of the affected seawall;
  - c. remove any stone columns, landscaping and boulders associated with the new harbour wall that project above grade in the Paul Kane Place or Cooperage Place view corridors;
  - d. provide detailed elevations of any proposed gates or free-standing security related structures that will be constructed on the docks or associated gangways;

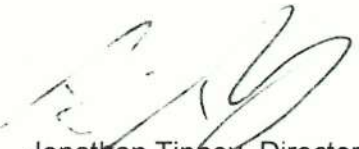
4. The applicant provide further details of how they will be providing unobstructed access to the required parking stalls located within the adjacent Royal Quays building;
5. The Developer having the necessary unconditional approval from the City to undertake work to the harbour wall in the City Park and to place a hydro substation in the City Right-of-Way;
6. The Development Permit lapsing two years from the date of this resolution.

**Option 2 (decline)**

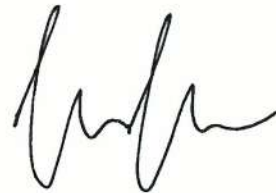
That Council decline Development Permit with Variances Application No. 000440 for the property located at 1 Cooperage Place.

Respectfully submitted,

  
Jim Handy  
Senior Planner – Development Agreements  
Development Services Division

  
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: December 2, 2015

**List of Attachments**

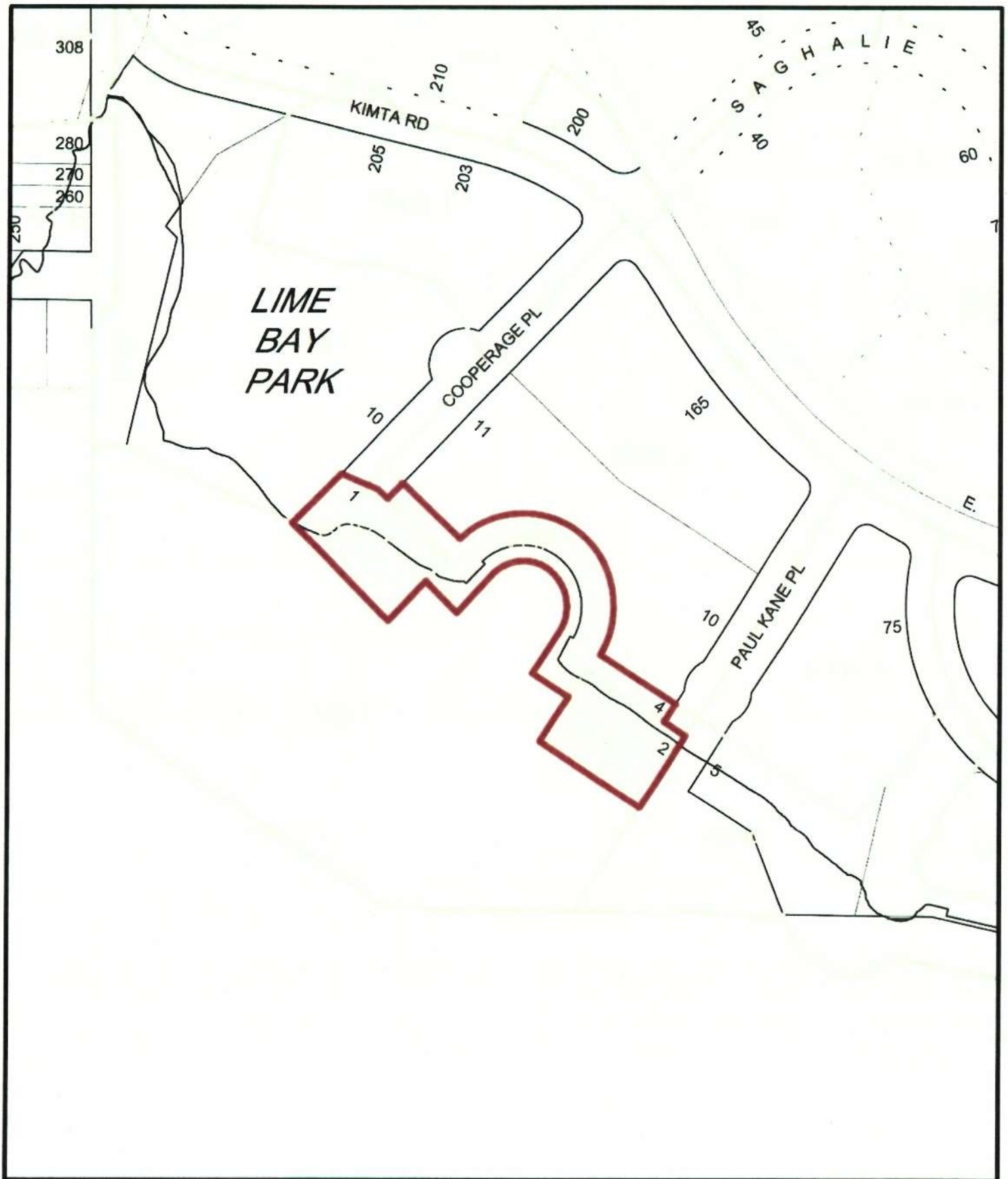
- Aerial photo
- Zoning map
- Applicant letter dated September 17, 2015
- Plans dated November 26, 2015
- Correspondence.





1 Cooperage Place &  
2 and 4 Paul Kane Place  
Development Permit #000440





1 Cooperage Place &  
2 and 4 Paul Kane Place  
Development Permit #000440







VICTORIA  
MARINA



September 15, 2015

Mayor and Council  
City of Victoria  
1 Centennial Square, Victoria B.C. V8W 1P6

Dear Mayor and Council;

**Re: Victoria International Marina  
LOT 3 Plan 47008 and those 48 parking spaces leased from strata plan 1889 to Pacific  
National Investments Ltd., otherwise known as 1 Cooperage Place, Victoria B.C.**

Further to our meetings with the City of Victoria, as described below and with the supporting documentation contained within the existing Development Permit on the said lands, Community Marine Concepts Ltd. (CMCL) is pleased to submit the following Application for Development Permit (with Relaxation) to the City of Victoria for approval.

Further to our most recent meeting with the City on September 8, 2015, we are asking the City to consider the significant effort that has already gone in to the planning and regulatory consultation on this project over the past 30 years and respectfully requests that the City move towards this final approval using the quickest means at their disposal. The ability for CMCL to meet its commitment to the Federal Government, the Province and First Nation associations on the entire marina development hinges on a focussed approval with no delays (i.e., <10 weeks). CMCL is available to provide any and all assistance it can in supporting the City in their update and processing of the documents.

### **Description of the Proposal**

The City has already issued a Development Permit on the site (Active Permit DP 000104, copy included as **Appendix I**), which includes a building on piers and at grade on both Lot 3 and Lot 4 of Plan 47008. The two buildings form part of a larger marina development plan, which includes docks and piers located on the adjacent water-lot lease held between the Province and CMCL. The nature of the development and its location on the harbour required that multiple overlapping approvals be sought at all levels of government, including agreements with the local First Nations. In reaching these approvals, extensive project elements, outside of those required by the City, were needed. The element with the most significant impact on the marina plan is the Transport Canada requirement for CMCL to provide a seven-meter wide safety-focused water route for small paddle vessels that cuts through the marina. The aforementioned approved Development Permit has this paddle route running beneath both buildings (see plans associated with the DP approval in **Appendix I**).



CMCL is currently proposing the following key modifications, already approved by senior governments (see attached Approval from Transport Canada in **Appendix H**), to the existing approved development permit proposal:

1. The building on Lot 3 no longer be placed on piers and at grade (i.e., ~3m geodetic). Instead, the building will float on the water, secured on the sides by piles and let to rise and fall with the tide. A low-freeboard dock and wave attenuator would also be added to the west side of the building to accommodate the potential for launching and storing of smaller paddle vessels.
2. The paddle canal no longer travel underneath the site's building(s); rather, the entire marina plan, including the modified building mentioned in #1 above, be pushed-back a minimum of 7m off the north property line to accommodate a 7m-wide water corridor spanning the entire length of the marina. The seawall proposed in the initial existing development permit would need to be slightly extended at both Lots 3 and 4 to properly secure the foreshore to accommodate the paddle canal. A diagram showing the new paddle corridor and seawall is provided in **Appendix L**.
3. The building proposed on Lot 4 is to be removed from the plan. Marina moorage infrastructure (i.e., floats and piles) will replace the building in order to offset the loss of slips resulting from changes #1 and #2. Transport Canada has approved this plan modification thus no further approvals on this item are required.

An overall conceptual design of the entire marina project showing these changes is provided in **Appendix J** for your information. Letter-sized copies of the current Develop Permit drawings are also included in **Appendix B** for reference.

### **Zoning Variances**

The zoning for Lot 3 and Lot 4 are unique to each lot (i.e., no other properties share their current zoning designation). CMCL requests a variance to the setbacks listed in the SCR-2 Zone, the zone that applies only to Lot 3. No variances are being pursued for Lot 4.

The setbacks listed in the current SCR-2 zoning were developed under the properties original zoning, in 1992/93, which allowed for a three-storey building at grade (~3m Geodetic). The setbacks were in place to decrease the impact on distant views from the upper floors of neighbouring buildings to the north (i.e., the Royal Quays) from a three-storey building on the property. By dropping the building to one floor and moving it to the water seven-meters off the front property line, any impact to these upper views is eliminated and the east and south setbacks no longer serve their original purpose; thus, needlessly restricting the land owner to very limited site coverage (i.e., <28%). We are asking that the City adjust the south and west setbacks from 6m to 0.9m and 0.6m respectively in order to accommodate the proposed (more resident-favoured) lower floating building. A figure depicting the current and proposed setback arrangement is included in **Appendix K**.



## **Project Benefits and Amenities**

The capital cost for constructing the marina property (workers' wages, consultants, architects, development permits and materials) including facilities such as a harbour club, marina concierge, floating restaurant, marine commercial, and coffee house will be approximately \$24 million. The gross economic impact is expected to be approximately \$50 million and to employ about 150 skilled people. These latter estimates have been determined by third party professionals.

The restaurant and coffee house are being planned to service the Victoria community in addition to marina patrons, offering residents and visitors the opportunity to experience world-class water-front dining accompanied by extraordinary views of the Victoria Harbour and the strait of Juan da Fuca. The coffee and tea house will be a welcome addition to growing number of pedestrians using the Songhees walkway and the large number of residents in neighbouring high-density developments.

By moving the building to the water, CMCL was able to include an additional low-freeboard float, able to accommodate paddle boat users by offering a safe and secure launch point, as well as boat storage for paddle clubs (at the time of application there are two paddle clubs that have secured an interest in using the space). We have received a considerable amount of unsolicited support for this concept, which has led to us to also consider providing a valet kayak storage service.

## **Neighbourhood**

The plans for a marina at this location have been part of the overall master plan for the community since the first plans were conceptualization in the early 1980's. Although its scope has been downsized considerably over the years, the owners have put substantial resources in to assessing every potential viable option and believe that the currently proposed design forms the highest and best use for this property. The neighbourhood has already provided considerable input to the marina project through the first Development Permit application, which the City approved. The removal of one building and locating the other on to the water has simply made the project more welcomed by the neighbours, as they will still enjoy the amenities offered by the marina, while also receiving additional set back breathing room between the marina and themselves.

Recent feedback from neighbouring community members has been consistent, they would rather see the floating building on Lot 3 than have two buildings at grade. Feedback from the paddle community has also been consistent in its support of an *open* paddle corridor over one that meanders under the buildings.

We believe this marina building will be a beautiful landmark in our harbour. Together with the marina itself, the project is something that the neighbours and Victoria will be proud of, one that will provide an integrated, interesting and fitting opportunity for the public, local residents, visitors and recreational boat owners to access the water of our harbour.

## **Design and Development Permit Guidelines**

The two properties fall within Development Permit Area 13, Core Songhees within the City of Victoria's Official Community Plan (OCP). In Appendix A, DPA 13 - Core Songhees of the OCP is listed a



number of guidelines to be considered when applying for Development Permit with Area 13. The following were considered and applied with respect to the Marina and this application: (1) Victoria Harbour Plan (2001), and; (2) Policy Plan and Design Guidelines for the Songhees Area of Victoria West (2008).

The project is within a sub-area designated "Marina", as indicated in Figure 1 of the Policy Plan and Design Guidelines for the Songhees Area of Victoria West. With respect to the development's proposed uses, the project responds very well to the Policy Plan's Concept Objectives in a number of ways:

1. The project will provide an activity node along the Westsong waterfront walkway, reinforcing the objective of the Policy that *"the waterfront should not become simply a sterile place which people visit, but should, in compatible fashion, incorporate business, commercial and residential uses which complement public and community needs."* (Page 6). The floating building is proposed to accommodate three primary commercial businesses; (1) a Tea and Coffee House; (2) A Signature Restaurant, and; (3) Marina Business Commercial Centre to house Marina operations.
2. The project will celebrate the integration of land uses as encouraged by the Policy where it stated *"Land uses should not be arbitrarily separated into residential, business or commercial uses, but should be integrated in ways which provide variety and texture to the activities of this development."* (Page 6). The marina will introduce marina-related businesses (e.g., large recreational boat moorage and paddle boating) to the neighbourhood in a format that is fitting to the area's master planning. In addition, the restaurant and coffee house combine the marine experience together with casual and fine dining, to create a truly unique amenity for all to enjoy.
3. The project is incorporated into the adjacent Westsong waterfront walkway, providing publicly accessible experiences directly off the walkway including the coffee and tea house, the restaurant, and the paddle dock, as well as the several floating walkways associated with them. Visiting these spaces will bring people down to the water for an experience unique to walking on the shoreline, an activity made particularly difficult at the current time due to heavy rip-rapped shorelines. The Policy stated *"Waterfront development should incorporate continuous linear public space, provide access to the water's edge..."* (Page 6)
4. Marinas, restaurants, bistros etc. are diversities promoted by the Policy Plan (Page 9).

With respect to the design concept, the following are our design responses to some of the applicable design guidelines contained in the Policy plan:

#### 1. Streets and Pedestrian Ways

- While this development does not technically front onto a street, the interface between the proposed buildings and the Westsong Way will be provided with landscaped planters with species that echoes those along the existing Royal Quays Condominium.
- The promenade decks will be finished in stamped concrete paving with a distinctive pattern and colour that is reminiscent of traditional wharves and piers (Page 24, Paving Materials).



- Entrances to the promenade decks will be denoted by glazed entry portals which will help to create “...distinct identity, celebrate its entrance and add that special note through increased awareness and enjoyment.” (Page 24, Gateways).
- The widths of the publicly accessible promenade decks will range between 7.5’ to 16’, widths that will accommodate two couples to walk by each other comfortably (Page 25, Walkways).
- The promenade decks are handicap accessible directly from the Westsong Way (Page 25, Handicap Access).
- This development’s pedestrian connections possess all of the features: different paving materials, walkway widths, activity nodes, and planted areas, as outlined in the Policy Plan (Page 25, Variety).
- Landscape planters have been broken up into sections to allow for clear, direct and welcoming accesses to the building entrances and the promenade decks.
- Landscape trees along this interface will be of a similar species as those planted along the Royal Quays condominiums, creating a pleasant streetscape and a change in experience for pedestrians using the Westsong Way.

## 2. Variety of Built Forms

- While the building’s exterior pays strong homage to their nautical setting, the juxtaposition of free curvilinear forms with the more traditional rectilinear elements will create a design that reflects the interface of water and land and the convergence of marine and residential activities (Page 26).
- We believe the design of the building will not only provide “A visual and architectural harmony ... with all areas of development” (Page 30), but it also will embrace and speak to the dynamicism of the harbour in all its diversity.

## 3. Building facades

- The buildings will be clad largely in glass and aluminum panels, materials that will maintain well and provide longevity in the marine environment.

## 4. Building colours

- Aside from the clear Low-E glazing, the buildings will be predominantly white (curved roofs) and clear aluminum in colour with reddish brown flat roofs and blue aluminum panels to function as accents.
- These colours have been chosen from a palette of local hues: white – Royal Quays and Shutters; blue – the water and skies; red – Royal Quays roofs; clear aluminum – marine riggings; clear glass – changing kaleidoscope of reflected colours.

## 5. Quality of materials

- The architectural building and landscape materials have been selected to denote quality and permanence.

## 6. Rooftop mechanical

- All rooftop equipment and vents will be screened by integral rooftop enclosures.
- The enclosures will be designed to deflect both noise and smell away from land side residences.

## 7. Transportation/ Parking Garages

- Provisions for parking have been allowed for within the Royal Quays' underground parkade through a long term lease agreement (Lease documents and associated Schedules can be found attached to this submission as **Appendix G**. These documents will illustrate the easements in the parkade in favour of the marina proponent.)
- There are a total of 48 parking stalls within the Royal Quays parkade (i.e., stalls represented by lot areas 30-77) available for use by customers and visitors to the development either through a planned valet or self-park with access approval.
- Of note: The Owner, previously acting as Principal of Pacific National Investments (PNI), had negotiated in good faith with the City of Victoria in 1987 and 1988 as part of its subdivision application which resulted in PNI paying for the additional costs of constructing wider road sections to accommodate expanded parking (90 degree stalls) as part of the servicing bonded contract between the City and PNI. These stalls were located on Cooperage Place and Paul Kane Place for the purposes of providing sufficient parking for Lots 3 and 4 over the water and the marina. Layout for these parking stalls are shown on the attached plan in **Appendix G**.
- In addition, the Owner is prepared to meet the City's reasonable costs of line marking these 90 degree parking spaces on Cooperage and Paul Kane Places to facilitate the creation of this additional parking capacity.

## 8. Garbage

- All garbage and recycling will be stored within the buildings.

## 9. Privacy

- The more public oriented activities such as the coffee shop and the restaurant are placed facing the water and away from the existing land based buildings to facilitate privacy for the area's residents.
- As the building will be floating down on the water, floor levels of the one storey high building will well below the lowest habitable floor levels of the existing residential buildings behind (Royal Quays), further increasing the degree of privacy for the residents.

## Green Building Features

**Appendix F** outlines several of the "Green" features of the building proposal.

## Infrastructure

Infrastructure needs for the building and the marina were conceived as part of the original Songhees Development and installed by the Developer at the time. All required service lines terminate and are accessible at the southern end of Cooperage Place. Electrical needs of the marina and commercial



building will require a unit substation. CMCL has commenced discussions with Engineering Department at the City to secure an appropriate location for this. A copy of a preliminary servicing plan is included as **Appendix E**.

## **Discussion of Application Declaration Items**

### **Title and Ownership**

A current **Certificate of Title** is provided in **Appendix C** of this application package.

There is one **Registered Owner** of the property noted on title, that being the applicant, otherwise known as **COMMUNITY MARINE CONCEPTS LTD, INC. NO. BC0736657**.

There is one title restriction on the property in the form of a Statutory Right of Way (SRW PLAN 46683). The SRW Plan document is included as **Appendix D** of this package. From discussion with the City Solicitor and the planning department, we understand that the language within the SRW Plan will eventually need to be revisited to properly reflect the results of the proposed design changes. Most likely at the time that operational and safety programs for the marina are developed.

### **Site Profiles for Contaminated Sites**

Pursuant to the Waste Management Act, the Province of British Columbia requires an applicant to submit a Site Profile Form on properties that are or were used for commercial or industrial purposes as defined within the provincial regulations, i.e., Schedule 2 Activities. As far as the applicant is aware, none of the industrial and commercial activities listed in Schedule 2 – Activities, have occurred or are occurring on this site. A Completed and Signed, Site Profile form is included in **Appendix M**.

It is worth noting that sediment testing was completed on the site as part Environmental Canada permitting of the dredging program. Sediment analytical data from this work universally met the CSR Industrial/Commercial (I/C) generic land use standards, and the data from some samples met the CSR Residential (CSR RL) land use standards. As the majority of the dredging at the site is complete and revealed no significant contamination findings, we do not anticipate any additional reason for concern around site contamination.

### **Archaeological Sites**

CMCL understands that Pursuant to the BC Heritage Conservation Act of the province of British Columbia, they responsible for ensuring compliance with the BC Heritage Conservation Act, including steps to determine whether or not a site is an archaeological site. CMCL also acknowledges that it is against the law to alter an archaeological site without first obtaining a permit to do so from the Province of British Columbia.

A preliminary archaeological assessment of the project area resulted in no evidence of cultural or heritage remains being noted within the proposed work area. However, due to the cultural history of Victoria Harbour there remains some potential for the presence of cultural or historical artefacts to

be buried deep within marine substrates. As such, the Environmental Monitor (EM) assigned to the project, pursuant to the project's Construction Environmental Management Plan (CEMP), will be responsible for reporting any cultural or heritage artefacts that may be uncovered during dredging operations to the contractor and the project manager; and, if artefacts are uncovered during dredging, work will be temporarily suspended and an archaeological consulting firm will be contacted and brought in to take appropriate action.

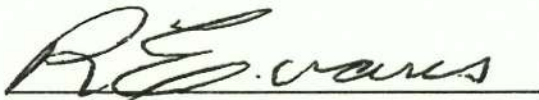
## Plans

Appropriate copies of the following drawings have been submitted in support of the Development Permit Application and copies of included in **Appendix B**:

- **A001 Project Data** (Including, Location Plan, Survey Plan, and Project Information Table)
- **A101 Site Plan**
- **A201 Floor Plan**
- **A301 Building Elevations (East and South)**
- **A302 Building Elevations (West and North)**
- **A401 Schematic Building Sections**
- **Schematic Perspectives/ Views**

We look forward to working with City staff council and the mayor on the moving this project through the municipal develop permit process in due haste. Thank you for your consideration.

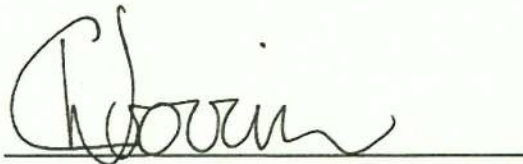
Yours Sincerely,



**Robert G. Evans**

Director

Community Marine Concepts Ltd.



**Craig E. Norris**

Director Strategic Planning

Community Marine Concepts Ltd.

CC:

John Alexander – Cox Taylor Lawyers

Bruce Halsor – Crease Harman LLP

Tom Zworski – City Solicitor

Jonathan Tinney – Director of Sustainable Planning and Community Development

Jim Handy – Senior Planner





## Green Building Features - Victoria International Marina

### Energy Reduction:

Glazing is limited to 40% of exterior surface area; this average is reduced on the north side which is subject to greater heat loss and increased on the south side.

Thermal Bridging - no uninsulated structural elements penetrate the exterior of the building.

Average wall insulation is increased to R22 to reduce heat loss.

The building mass has been kept relatively simple with minimal stepping and exposed wings helping to reduce thermal losses.

The building envelope will be air tight and impermeable to moisture.

### Natural Ventilation:

Mechanical systems will be designed to allow fan assisted fresh air ventilation for cooling. The marine location will allow this system to provide effective free cooling most of the year. This fresh air promotes healthy indoor air quality and reduce the potential for moisture build up and condensation especially in the winter months when windows tend to be kept shut.

### Urban impacts:

The project is near a transit stop.

The project intensifies the use of existing city services.

The project will enhance the economic viability of the inner harbour.

In addition to these design features, and in order to support the City of Victoria's green initiatives, the design team has targeted a number of LEED compliant points for this building, with the possibility of achieving 38 points by incorporating the following aspects:

#### Sustainable Sites – 6 points:

Pre-requisite – Construction activity pollution prevention

Credit 4.2 – Alternative Transportation – bicycle parking and proximity to transit

Credit 4.4 – Alternative Transportation - size parking stall requirements to be less than local zoning requirements.

Credit 6.1 – Storm water design – quantity control (1)

Credit 6.2 – Storm water design – quality control (1)

Credit 7.2 – Heat island effect – roof – 75% high reflectance roof (1)

Credit 8.0 - Light Pollution Reduction - minimize light trespass from building and site (1)

#### Water Efficiency - 4 points :

Pre-requisite – water use reduction – use of low flow fixtures



Victoria  
977 Fort Street V8V 3K3  
T 250-658-3367  
F 250-658-3397  
Nanaimo  
102-5190 Dublin Way V9T 2K8  
T 250-585-5810



Victoria  
977 Fort Street V8V 3K3  
T 250-658-3367  
F 250-658-3397  
Nanaimo  
102-5190 Dublin Way V9T 2K8  
T 250-585-5810

Credit 1 – water efficient landscaping – native and adaptive species (2)

Credit 3 – water use reduction of 30% (2)

Energy and Atmosphere – 7 points:

Credit 1 – Optimize energy performance – Building systems (plumbing and HVAC) will be designed to be highly efficient, with less than conventional energy and water consumption. This is supported by the Owners because it results in reduced operating costs in the long term. (7)

Materials and Resources - 6 points:

Pre-requisites – There will be provision for storage and collection of recyclables.

Credit 2 – The contractor will implement a construction waste management plan (2)

Credit 4 – The building design will utilize materials with recycled content (2)

Credit 5 – The building design will utilize materials that are sourced regionally (2)

Indoor Environmental Quality -15 points:

Pre-requisites of minimum indoor air quality performance and environmental tobacco smoke control will be addressed.

Credit 1 – there will be monitoring of outdoor air delivery (1)

Credit 2 – the building design will provide increased ventilation (1)

Credit 3 – there will be a construction indoor air quality management plan in place, both during construction and before occupancy (2)

Credit 4 – low emitting materials, specifically adhesives and sealants, paints and coatings, flooring systems, and composite wood and agrifibre products will be specified (4)

Credit 5 – indoor chemical and pollutant source control will be provided (1)

Credit 6 – controllability of lighting and thermal comfort systems will comply with LEED credit requirements (2)

Credit 7 – the design of the thermal comfort systems will comply with the LEED credit requirements (2)

Credit 8 – provision of daylight and views from areas inside the building will comply with credit requirements (2)



Received  
City of Victoria

SEP 17 2015

Planning & Development Department  
Development Services Division

DISCUSSION DOCUMENT



VICTORIA  
MARINA

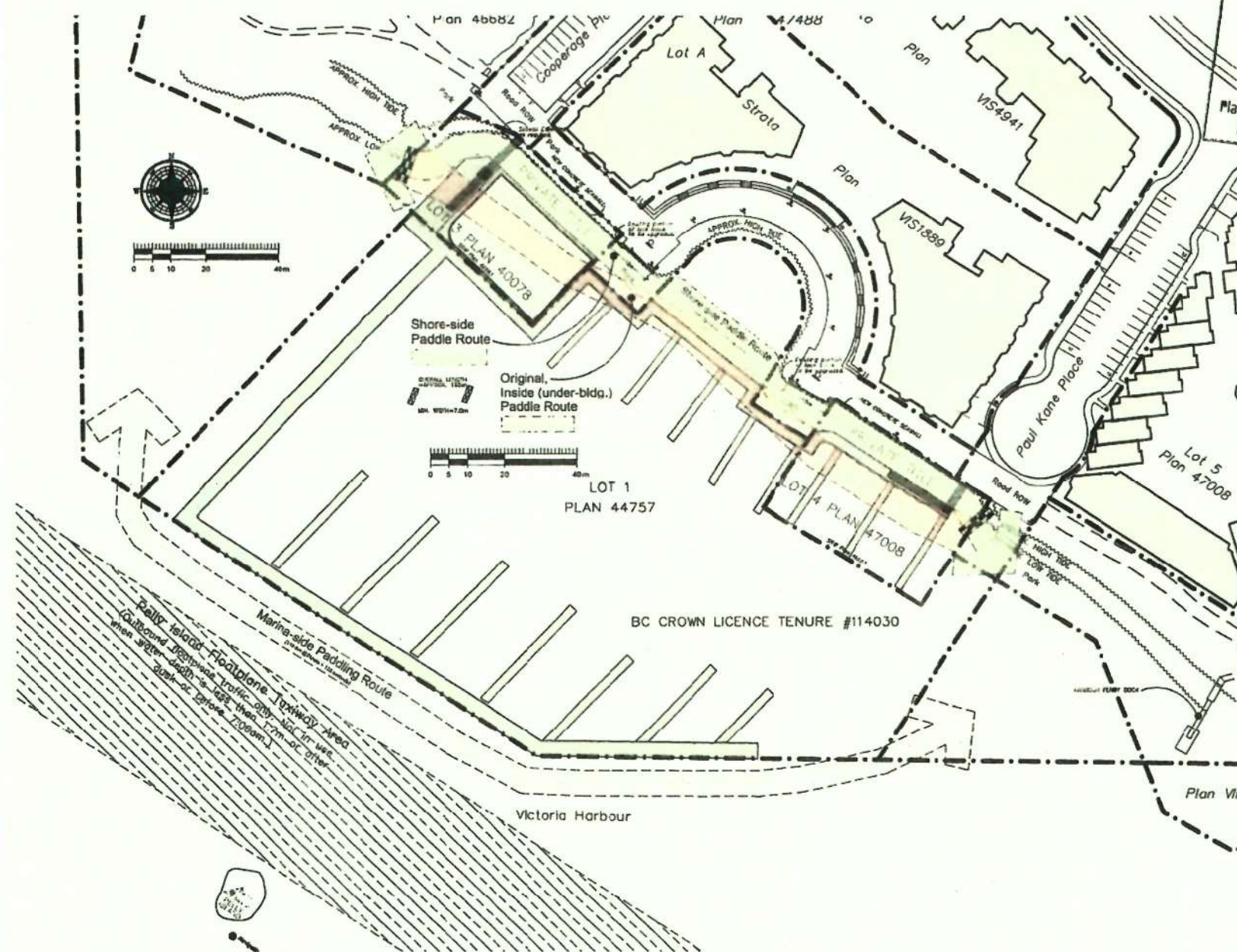
Community Marine  
Concepts Ltd.

de Hoog and Kerulf  
Architects

PADDLE ROUTE  
ENHANCEMENT

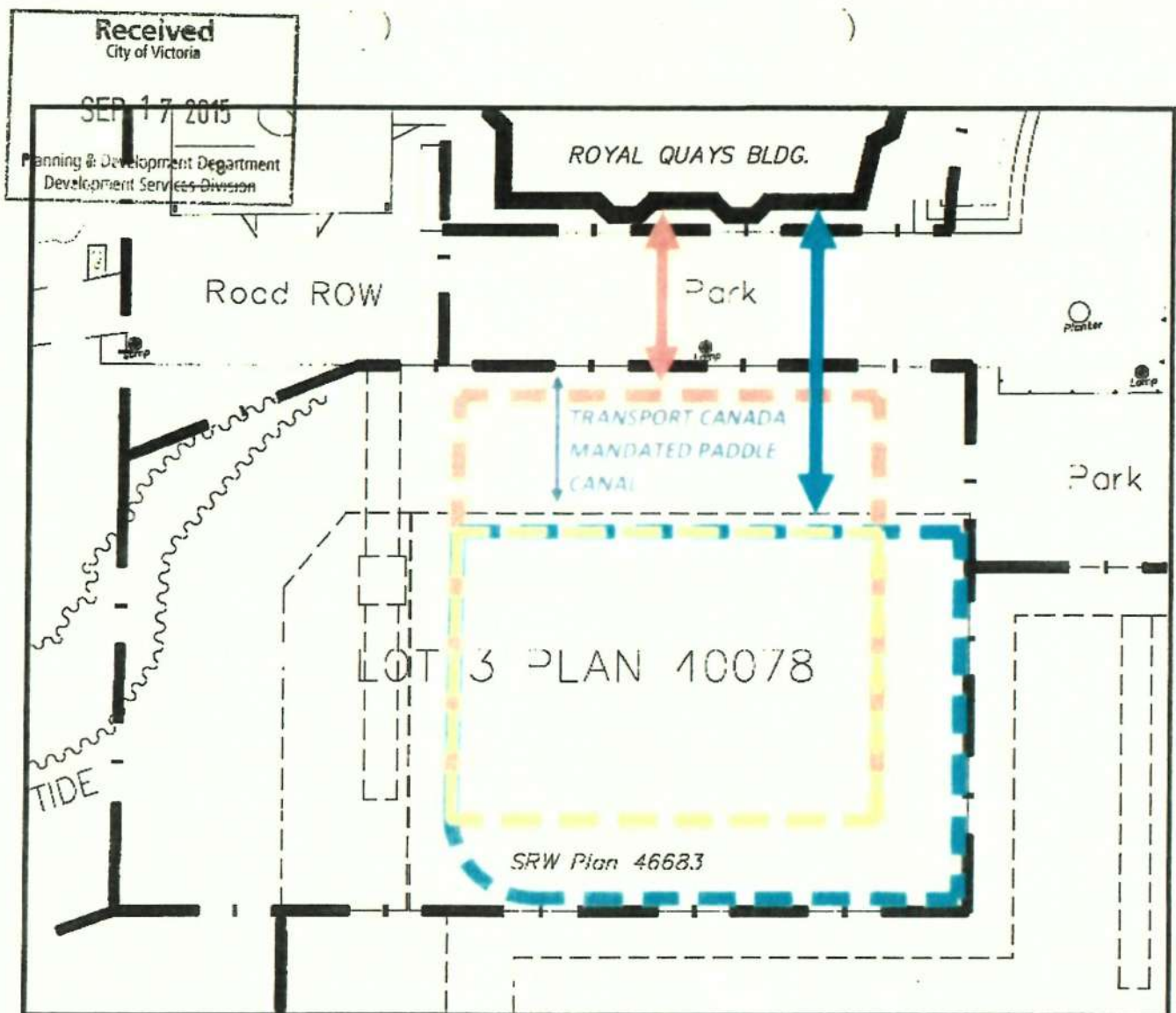
VICTORIA INTERNATIONAL  
MARINA

NO.	DATE	STATUS	PROJECT
1	2015-09-17	DISCUSSION	PADDLE ROUTE ENHANCEMENT



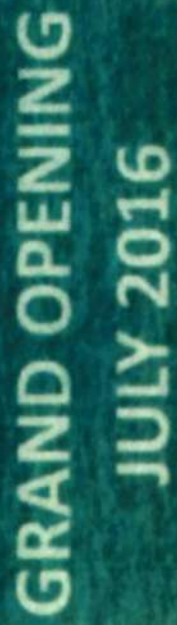
© 2015 COMMUNITY MARINE CONCEPTS LTD.





LOT 3 PLAN 10078		Current		Proposed		Option (unbuildable)	
Buildable Area		8234sq ft	767sq ft	8234sq ft	767sq ft	8234sq ft	767sq ft
Coverage		25 %		40 %		27 %	
Setback from Royal Quays		43ft	12m	71ft	22m	71ft	22m
Setback from North Property		8.5ft	2m	35ft	10.7m	8.5ft	10.7m
Setback from South Property		18.7ft	6m	4ft	0.9m	18.7ft	6m
Setback from East Property		18.7ft	6m	2ft	0.6m	18.7ft	6m
Setback from West Property		71ft	22m	71ft	22m	71ft	22m
Floor Elevation		Up on the Water		Down on the Water		Down on the Water	
Roof Elevation	above Sea-level	15-26ft	4.5-8m	15-26ft	4.5-8m	15-26ft	4.5-8m
	above Grade	5-16ft	1.5-5m	5-16ft	1.5-5m	5-16ft	1.5-5m







Navigation Protection Program  
Suite 620 – 800 Burrard Street  
Vancouver, BC V6Z 2J8

Our file Notre référence  
2010-500008 (8200-06-8949)

July 8, 2015

Community Marine Concepts Ltd.  
240-730 View Street  
Victoria, BC V8W 1J8

Attention: Huaiyin Zheng

RE: Notice to the Minister under the *Navigation Protection Act* for Approval a Marina, located on unsurveyed foreshore or land covered by water being part of the bed of Victoria Harbour, Parcel Identifier: 011-570-253, Lot 3, DL 119, Esquimalt District, Plan 47008; and, Parcel Identifier: 011-570-270, Lot 4, DL 119, Esquimalt District, Plan 47008, in the Province of British Columbia.

Enclosed please find the Approval for the above-noted work issued by the Minister of Transport in accordance with subsection 6(1) Placement, of the *Navigation Protection Act* (NPA).

Pursuant to Sec. 34 of the *Navigation Protection Act*, the owner shall provide unimpeded access to the Minister or their representatives for inspection purposes.

Pursuant to Sec. 5 of the *Navigable Waters Works Regulations*, all temporary piles, false works, silt curtains, construction material or debris, etc. are to be completely removed from the waterway.

Please note that the attached document relates only to the effect of your work on navigation under the NPA. It is the owner's responsibility to comply with any other applicable laws and regulations.

Should you have any questions, please do not hesitate to contact our office in Vancouver by phone (604) 775-8867 or e-mail [NPPAC-PPNPAC@tc.gc.ca](mailto:NPPAC-PPNPAC@tc.gc.ca).

Respectfully,

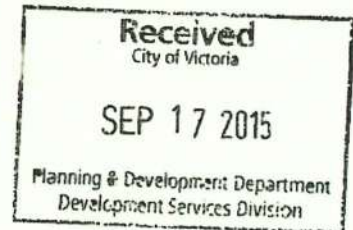


Brent Magee  
Officer  
Navigation Protection Program  
Transport Canada  
Pacific Region

BM/co

Enclosures Approval Document and reviewed plans

cc: Craig Norris, Community Marine Concepts Ltd, [cnorris@vimarina.ca](mailto:cnorris@vimarina.ca)  
Crease Harmon LLP, Bruce Hallsor, [Hallsor@crease.com](mailto:Hallsor@crease.com)  
Jim Chan, Manager Operations and Technical Services, [jim.chan@tc.gc.ca](mailto:jim.chan@tc.gc.ca)  
Rod Nelson, RD TC Communications, [rod.nelson@tc.gc.ca](mailto:rod.nelson@tc.gc.ca)  
Carol Unwin, Victoria Harbour Master, [carol.unwin@tc.gc.ca](mailto:carol.unwin@tc.gc.ca)  
Bonita Wallace, Land Technical Officer, [Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca)  
Kevin Carrigan, Superintendent of MNS, [kevin.carrigan@dfo-mpo.gc.ca](mailto:kevin.carrigan@dfo-mpo.gc.ca)  
Michelle Bigg, Fisheries Protection Biologist [Michelle.Bigg@dfo-mpo.gc.ca](mailto:Michelle.Bigg@dfo-mpo.gc.ca)  
CHS-DFO, [chsdatacentre@dfo-mpo.gc.ca](mailto:chsdatacentre@dfo-mpo.gc.ca)





**NAVIGATION PROTECTION ACT**  
**Section 6 (1)**

2010-500008 (8200-06-8949)

## Approval

**APPLICANT:**                      **Community Marine Concepts Ltd.**  
240-730 View Street  
Victoria, BC V8W 1J8

**WORK:**                              **Marina**

**SITE LOCATION:**              Located at Approximately 48° 25' 38.00" N x 123° 22' 56.00" W, Victoria Harbour, located on unsurveyed foreshore or land covered by water being part of the bed of Victoria Harbour, Parcel Identifier: 011-570-253, Lot 3, DL 119, Esquimalt District, Plan 47008; and, Parcel Identifier: 011-570-270, Lot 4, DL 119, Esquimalt District, Plan 47008, in the Province of British Columbia.

Regarding the application (detailed above) to the Minister of Transport, submitted pursuant to the *Navigation Protection Act*, for an approval of the work per the attached plan (1), the Minister hereby approves the work pursuant to subsection s.6(1) Construction in accordance with the following terms and conditions:

1. Construction must start within 2 years and be completed within 4 years of the issuance of the approval.
2. A yellow flashing light must be placed on the southwest and southeast corners of the facility at a height of no less than 2 metres above the water level as identified on the approved plan. The light will display a 0.5 second flash every 4 seconds (FL 4s), with a minimum range of 2.0 nautical miles.
3. A white strobe light must be placed at the marina entrance to indicate arriving and departing vessels, it shall be at a height of no less than 2 metres above the water level.
4. Signs clearly identifying entrance to the Inside Paddling Route must be installed at locations identified on the approved plan. Final wording and size of signs must be approved by Transport Canada prior to operation of the marina.
5. Signs detailing the inbound and outbound procedures for vessels must be installed at the locations identified on the approved plan. Final wording and size of signs must be approved by Transport Canada prior to operation of the marina.
6. Public access to the Inside Paddling Route must be provided at all times.
7. The Inside Paddling Route must be kept clear of debris that may restrict or pose a hazard to navigation.
8. No part of any vessels moored in slips 1 to 7 as identified on the approved plan may be higher than 41.24 metres above the water level.
9. A Marina Operational Plan outlining inbound and outbound call in procedures and an education plan for users and staff must be submitted and approved by Transport Canada prior to operation. This plan must be provided to all vessels that will operate in the marina.
10. No vessels are to be moored to the outside of the wave attenuator at any time.
11. Safety stations must be installed on the floats along the Inside and Outside Paddling Routes. Stations must have a safety ladder, life ring and heaving line. The locations of the safety stations are identified on the approved plan.
12. Safety ladders must be installed on the floats along the Inside and Outside Paddling Routes. The locations of the ladders are identified on the approved plan.
13. Any temporary or test piles must be completely extracted to remove the entire length of the pile from the bed of the waterway. Where physical conditions result in the breakage of piles best efforts shall be made to remove entire pile stubs with the least amount of disturbance to the bed of the waterway.

14. Notice to Shipping action must be taken by contacting the agency below at least 10 days in advance of your intended date of commencement. The proponent must ensure that the active Notice accurately reflects the construction activities.

Victoria Marine Communications & Traffic Services  
P.O. Box 60009860 West Saanich Road  
Sidney, BC, Canada, V8L 4B2  
[mctsvictoria@dfo-mpo.gc.ca](mailto:mctsvictoria@dfo-mpo.gc.ca) Phone 250-363-6333

15. In the event that the operation of the above work is terminated, it will be the proponent's responsibility to remove the work and associated equipment in its entirety.
16. The silt current shall be marked with yellow cautionary buoys at a distance of no greater than 50m. The buoys shall be no less than 40cm in diameter and have horizontal bands of yellow reflective tape not less than 10 cm in width and 15 cm in length so as to be visible from all directions.
17. Equipment used during construction must remain within the lease area when not in use.

SIGNED in two copies on July 7, 2016 in, Vancouver BC



Brent Magee  
Officer  
Navigation Protection Program  
Programs Group  
Transport Canada  
Pacific Region  
for the Minister of Transport



**NAVIGATION PROTECTION ACT**  
Section 6 (1)

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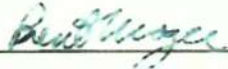
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Victoria Marine Communications & Traffic Services  
P.O. Box 60009860 West Saanich Road  
Sidney, BC, Canada, V8L 4B2  
[mctsvictoria@dfo-mpo.gc.ca](mailto:mctsvictoria@dfo-mpo.gc.ca) Phone 250-363-6333

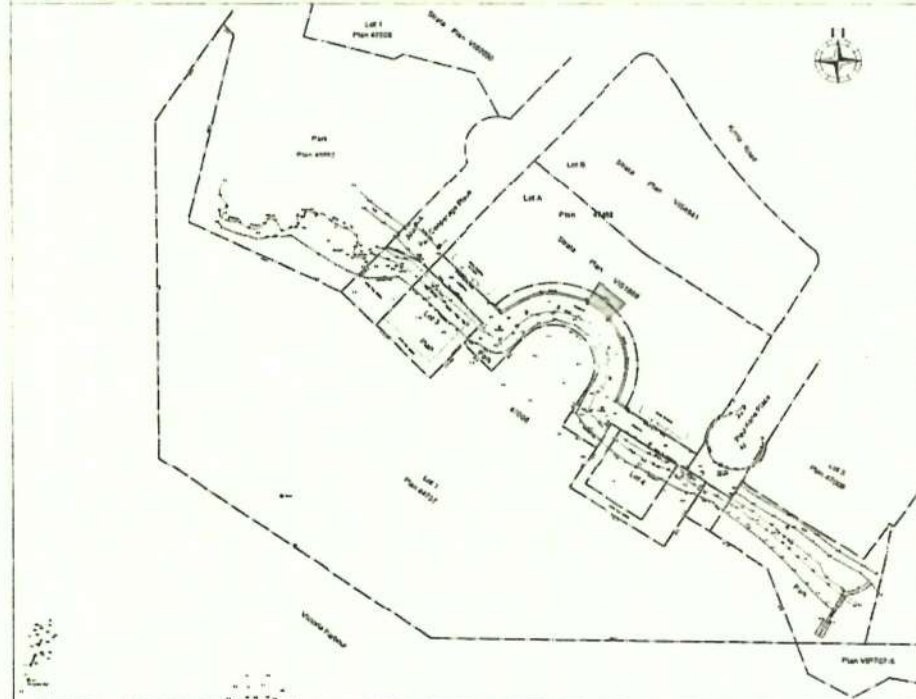
15. In the event that the operation of the above work is terminated, it will be the proponent's responsibility to remove the work and associated equipment in its entirety.
16. The silt current shall be marked with yellow cautionary buoys at a distance of no greater than 50m. The buoys shall be no less than 40cm in diameter and have horizontal bands of yellow reflective tape not less than 10 cm in width and 15 cm in length so as to be visible from all directions.
17. Equipment used during construction must remain within the lease area when not in use.

SIGNED in two copies on July 6, 2006 in, Vancouver BC



Brent Magee  
Officer  
Navigation Protection Program  
Programs Group  
Transport Canada  
Pacific Region  
for the Minister of Transport





## VICTORIA ZONING BYLAW SUMMARY

**BUILDING DESCRIPTION**  
ONE STOREY FLOATING MARINA BUILDING

**USES**  
RESTAURANT/COFFEE SHOP, OFFICES

**ZONE**  
EXISTING: SCR 1  
PROPOSED: SCR 1

**DEVELOPMENT PERMIT AREA**  
DPA13 - CORE SIDEWALKS

**SITE AREA:** 1904 m<sup>2</sup> (22,495 s.f.)

**FLOOR AREA:**  
PERMITTED: 864 m<sup>2</sup> (MAXIMUM)  
PROPOSED: 785 m<sup>2</sup>

**FLOOR SPACE RATIO:**  
PROPOSED: 0.40 1/FER

**SITE COVERAGE:** 40%

**OPEN SITE SPACE:** 60%

**GRADE OF BUILDING:**  
3.0 m (Grade 1000)

**HEIGHT OF BUILDING:**  
PERMITTED: 6.0 m MAX. (measured from grade 1000, 3.0m)  
PROPOSED: 6.0 m (measured from grade 1000, 2.1m - high water)

**NUMBER OF STOREYS:**  
PERMITTED: 1 STOREY  
PROPOSED: 1 STOREY

**PARKING:**  
REQUIRED (for building):  
Restaurant: 150 seats / 5 seats per stall = 30 stalls  
Coffee Shop: 44 seats / 5 seats per stall = 9 stalls  
Office: 100 m<sup>2</sup> / 60 m<sup>2</sup> per stall = 1.5 stalls  
TOTAL REQUIRED: 40 stalls  
PROVIDED: 40 stalls in Royal Quay Parkade (Convenient)

**BICYCLE PARKING:**  
REQUIRED: 785 m<sup>2</sup> / 205 m<sup>2</sup> per stall = 37 stalls  
PROVIDED: 4 stalls / 4 Indoor Stalls (6 m<sup>2</sup> each) in Royal Quay Parkade (one of 40 stalls)

**SETBACKS:** Required Proposed  
NORTH: 3.0 m 10.7 m  
EAST: 6.0 m 0.60 m  
SOUTH: 6.0 m 0.60 m  
WEST: 22.0 m 22.0 m

\*Minimum Required

## BUILDING CODE SUMMARY

**REFERENCED DOCUMENT:**  
BRITISH COLUMBIA BUILDING CODE 2012 - PART 2

**MAJOR OCCUPANCY CLASSIFICATION**  
• GROUP A2 - ASSEMBLY

**BUILDING AREA:**  
• 785 sq.m. (8,530 s.f.)

**BUILDING HEIGHT:**  
• 1 STOREYS

**NUMBER OF STREETS FACING:**  
• 1

**ACCESSIBLE FACILITIES**  
• FULLY ACCESSIBLE

**CONSTRUCTION REQUIREMENTS**  
• 3.2.2.27 GROUP A2, ONE STOREY  
• COMBUSTIBLE OR NON-COMBUSTIBLE CONSTRUCTION  
• Building & Firecode

## PROJECT DESCRIPTION

**CHARGED ADDRESS:**  
1 Comptre Place, Victoria BC

**LEGAL DESCRIPTION:**  
Lot 2, District Lot 119, Folio 1000, Plan 47008

## REGISTERED OWNER

Community Marine Concepts Ltd.  
240-730 View St.  
Victoria B.C.  
V8W 2T7

tel: 778-432-0477  
email: owner@community.ca

## ARCHITECT

de Hong & Kienul architects  
877 East Coast  
Victoria BC  
V8V 3K3

tel: 250-655-3357  
fax: 250-655-3357  
email: info@dhk.ca

## STRUCTURAL ENGINEER

EG-Tec Engineering Ltd.  
200-1177 Jervis Road  
Victoria BC  
V8J 1G3

tel: 250-724-5555  
fax: 250-724-5555  
email: info@egtec.com

## MECHANICAL ENGINEER

Rusden Mechanical Consultants Ltd.  
300-1241 Esquimalt Rd.  
Victoria B.C.  
V8A 3P2

tel: 250-384-4218  
fax: 250-384-4154  
email: info@rusdenmechanical.com

## ELECTRICAL ENGINEER

AES Engineering Ltd.  
3rd Floor, 1815 Blanshard Street  
Victoria B.C.  
V8T 5M4

tel: 250-381-6121  
fax: 250-381-6121  
email: info@aesengineering.ca

## CIVIL ENGINEER

VSP  
400-401 Garsfield Road  
Victoria BC  
V8T 5M3

tel: 250-384-5812  
fax: 250-384-2844  
email: stephen.rhodes@vspgroup.com

## LANDSCAPE ARCHITECT

Land Story Design Associates  
6885 Fernside Place  
Victoria BC  
V8T 1T9

tel: 250-655-2163  
email: jame@landstory.ca

## SITE INFORMATION BASED ON DRAWINGS PREPARED BY

Richard J. Wray & Associates  
84-2227 James White Boulevard  
Salmon BC  
V8L 1S9

tel: 250-656-5105  
email: rich@rjwray.com

## LIST OF DRAWINGS

### Architectural

A001 Project Data  
A'01 Site Plan  
A'10 Site Plan w/ Elevation - Option 1  
A'11 Site Plan w/ Elevation - Option 2  
A001 Floor Plan  
A002 Roof Plan  
A001 Building Elevation  
A002 Building Elevation  
A001 Building Section  
A001 Building Section  
A002 Photomontage

### Landscape

L1 Proposed Gravel Plan  
L2 Proposed Gravel Plan (just sale)  
L3 Proposed Gravel Section  
L4 Proposed Gravel Section  
L5 Proposed Lighting Plan  
L6 Materials Sheet

### Civil

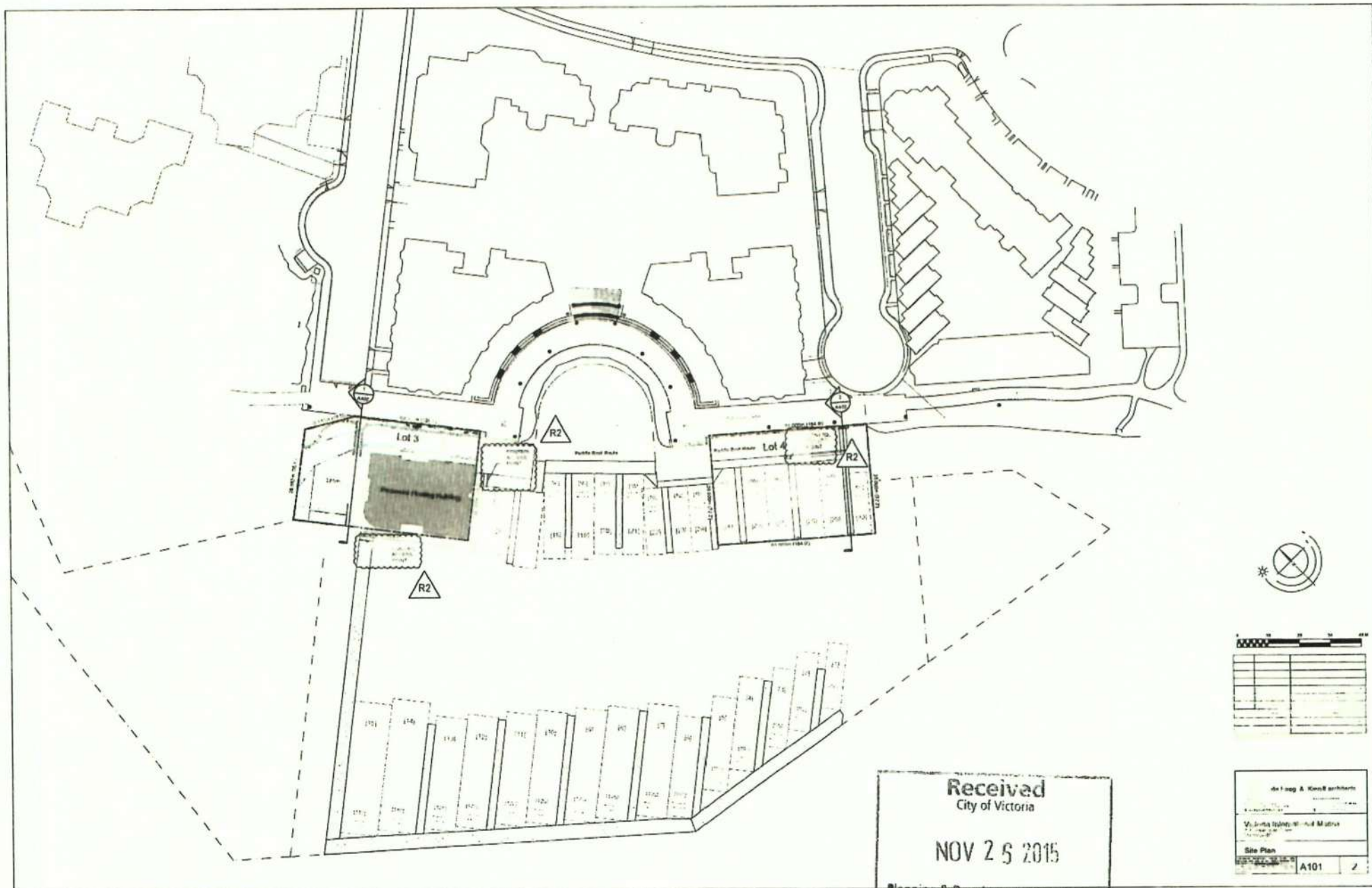
CDP01 Conceptual Site Sketching

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NOV 26 2015

Planning & Development Department  
Development Services Division

de Hong & Kienul architects  
Victoria International Marina  
Project Data  
Sheet 1 of 1  
A001 1

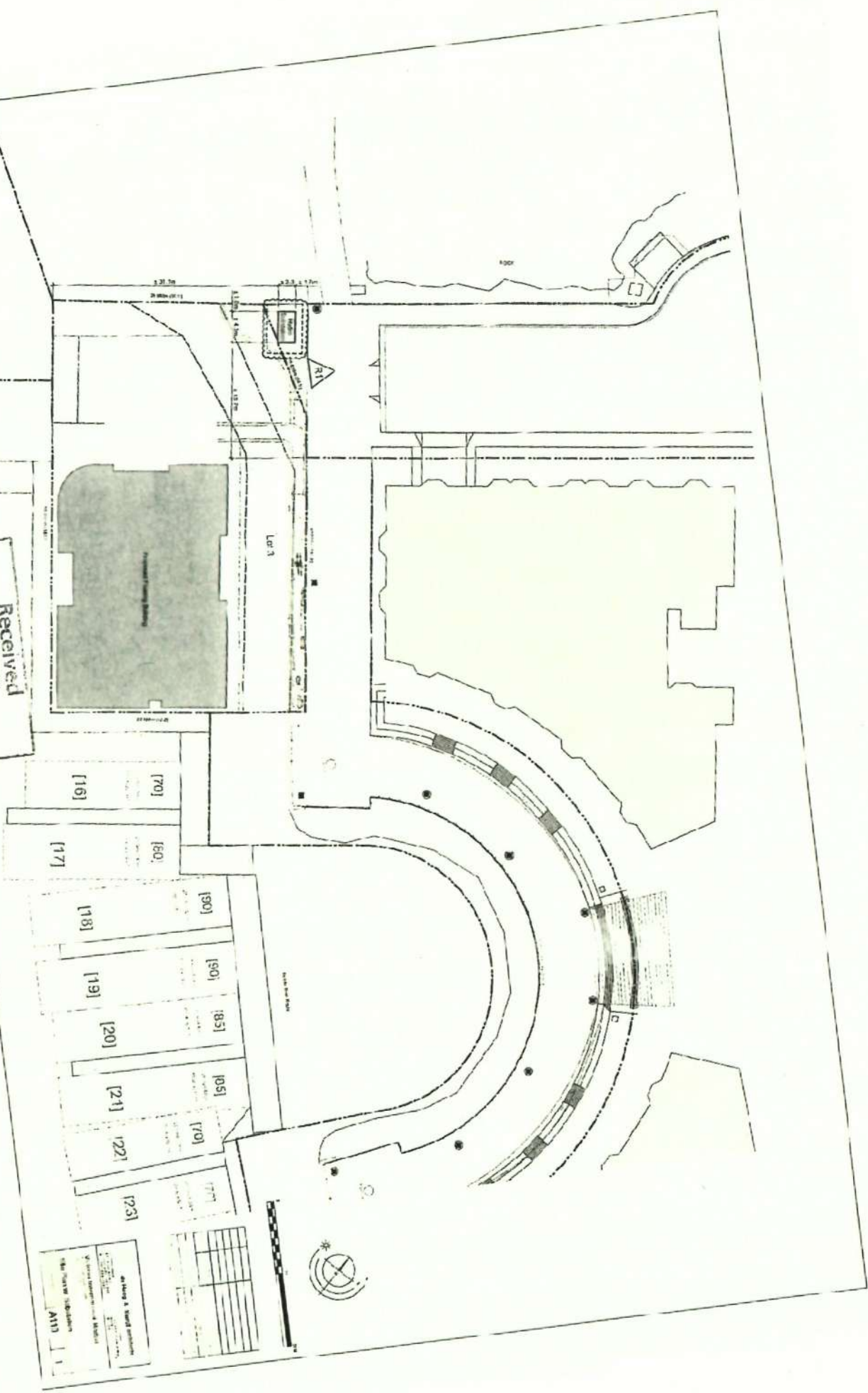


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Development Services Division

Site Plan  
A101

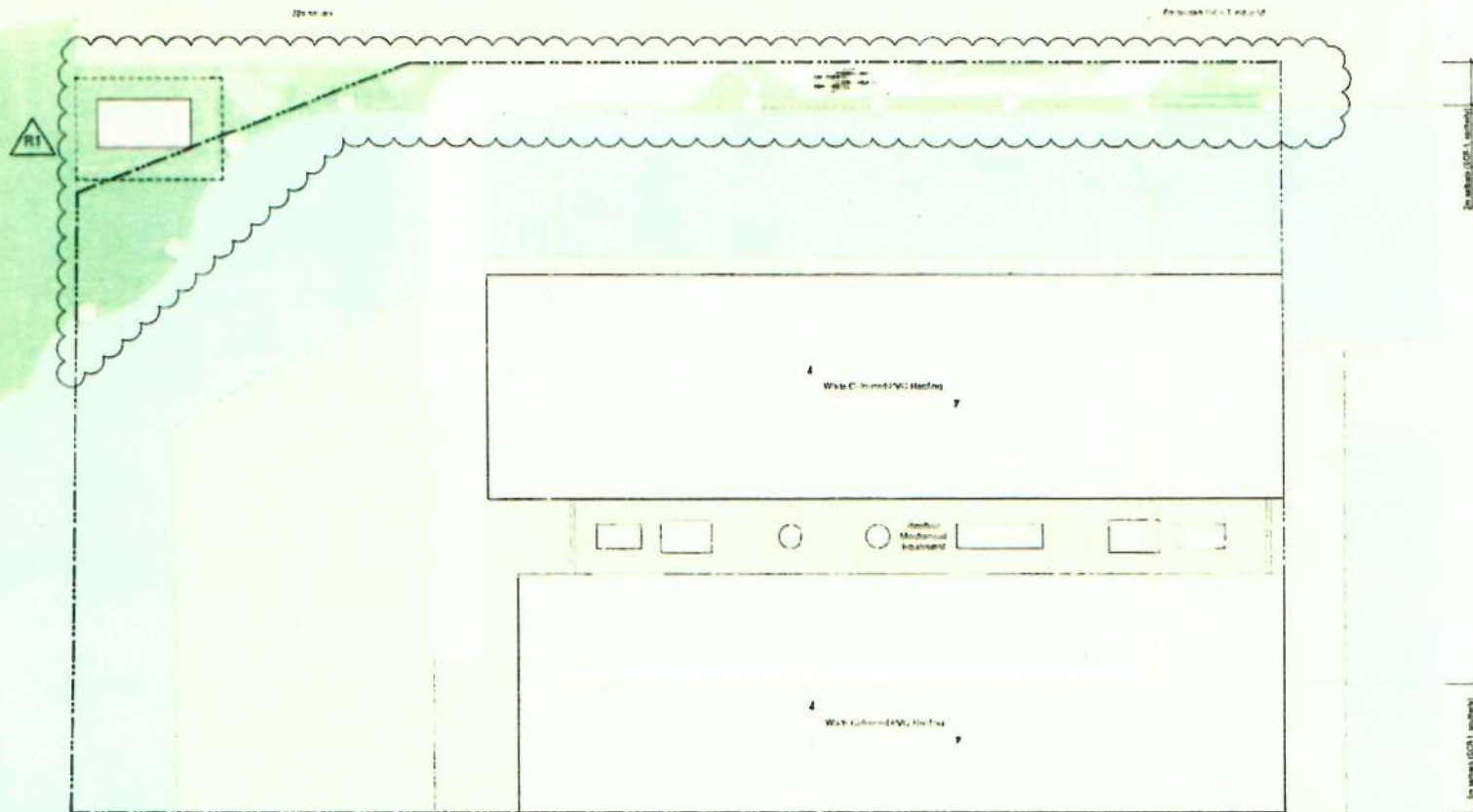


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Development Services Division









**BUILDING FOOTPRINT**  
766 sqm (8295 sq)

**Seating Capacity**

Tea Clipper Coffee House  
44 seats

Restaurant  
150 seats plus bar seating




de Haug & Kienitz Architects	
2000 10th Avenue	
Victoria British Columbia	
V8N 2C5	
Phone: 250-383-1111	
Fax: 250-383-1112	
Email: info@dehaug.com	
Website: www.dehaug.com	
Project Name: Victoria International Market	
Project No: A202	
Sheet No: 1	

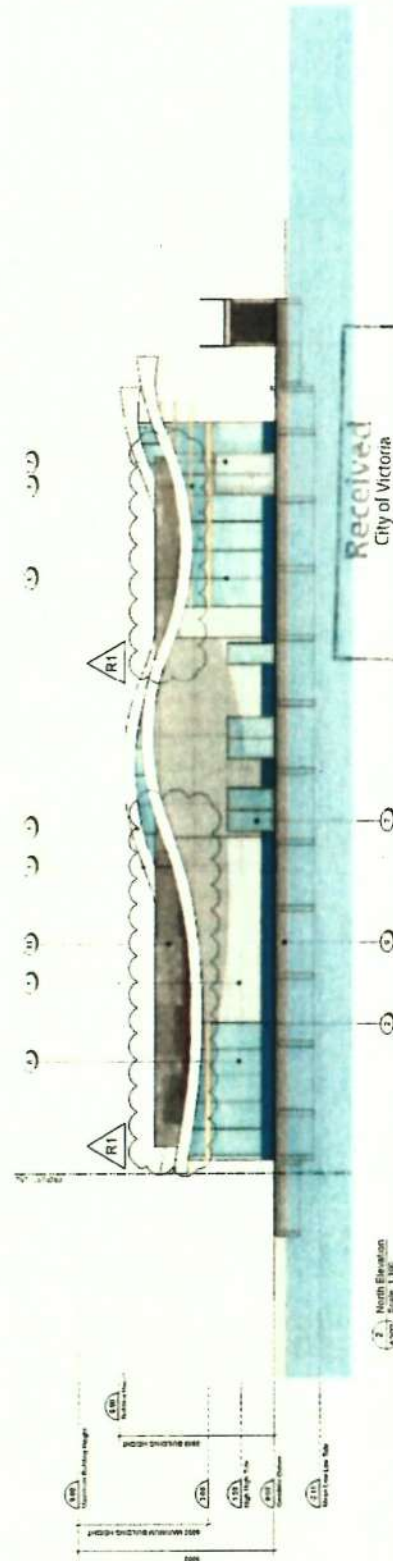
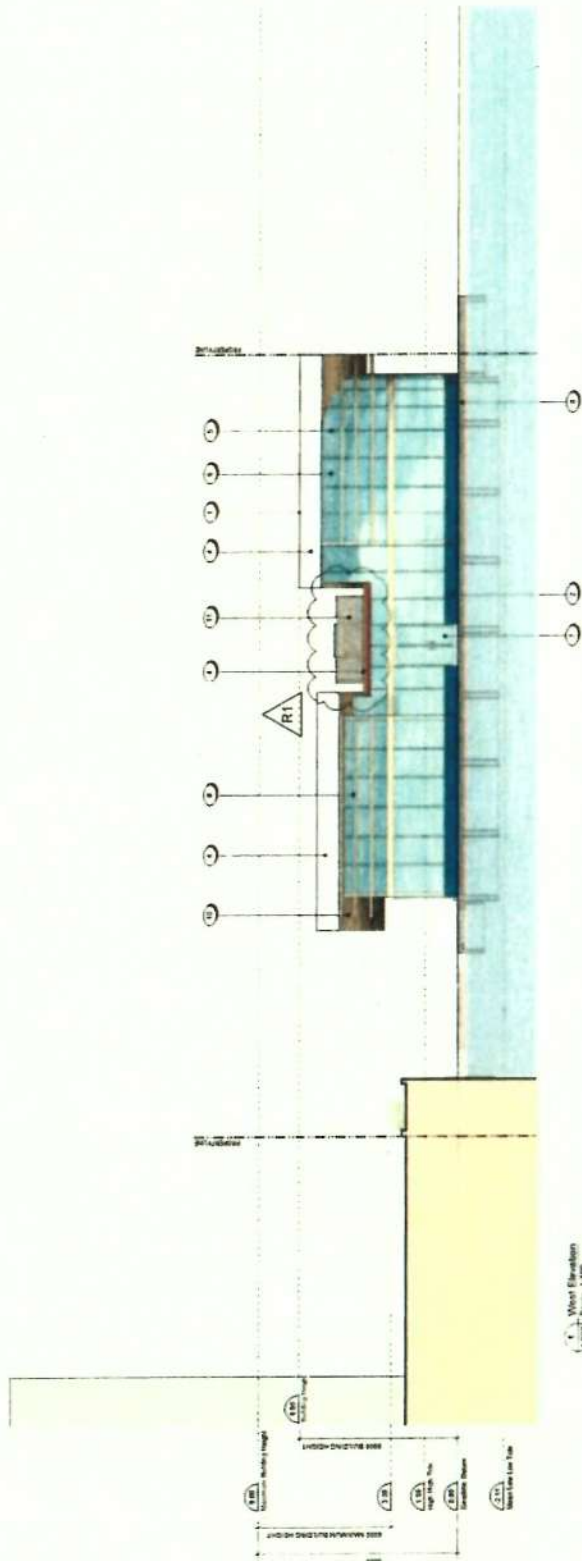
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**NOV 26 2015**

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Development Services Division







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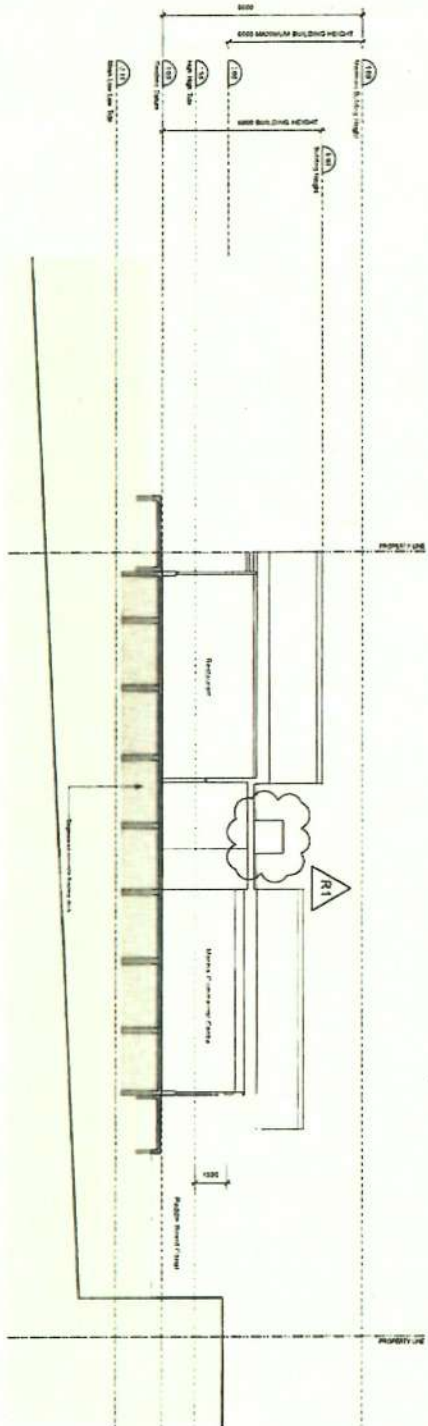
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Development Services Division

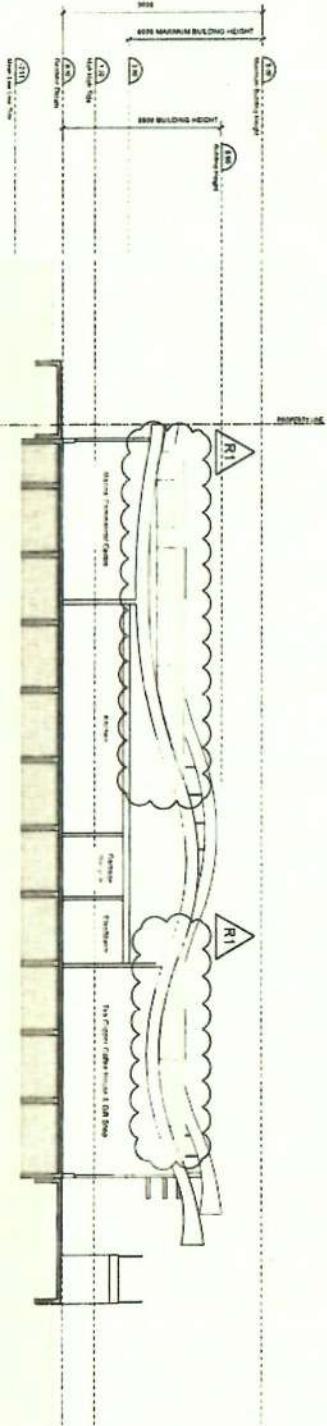
2 North Elevation  
Scale: 1/8" = 1'-0"

West Education

1. *State* "Pursuant to the above Pledge,"
2. *I promise that I will* *obey* *obey*
3. *the Government of* *the* *United States*
4. *in all things* *in* *the* *future*
5. *honorably, bravely, loyally, justly,*
6. *and with pure heart,*
7. *mind, and strength.*
8. *I will support the Government of the United States*
9. *against all enemies, foreign and domestic;*
10. *against all such acts of Treason and Violence*
11. *as may exist.*
12. *I will bear true faith and allegiance to the same;*
13. *when I am called to the support thereof;*
14. *and will accept the arms of the United States*
15. *when required.*



1 North-South Schematic Building Section  
Scale: 1/8" = 1'-0"

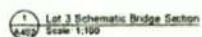


2 East-West Schematic Building Section  
Scale: 1/8" = 1'-0"

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NOV 25 2015

Planning & Development Department  
Development Services Division



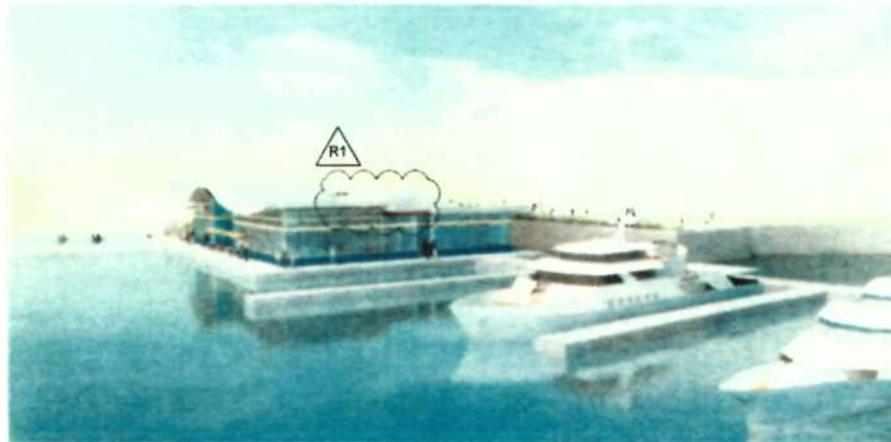


de Hong & Karul Architects 1111 15th St. N. Suite 100 Minneapolis, MN 55403 Tel: 612-338-2222 Fax: 612-338-2222		Victoria International Marine 1111 15th St. N. Suite 100 Minneapolis, MN 55403 Tel: 612-338-2222 Fax: 612-338-2222	
Schematic Bridge Sections		A402	

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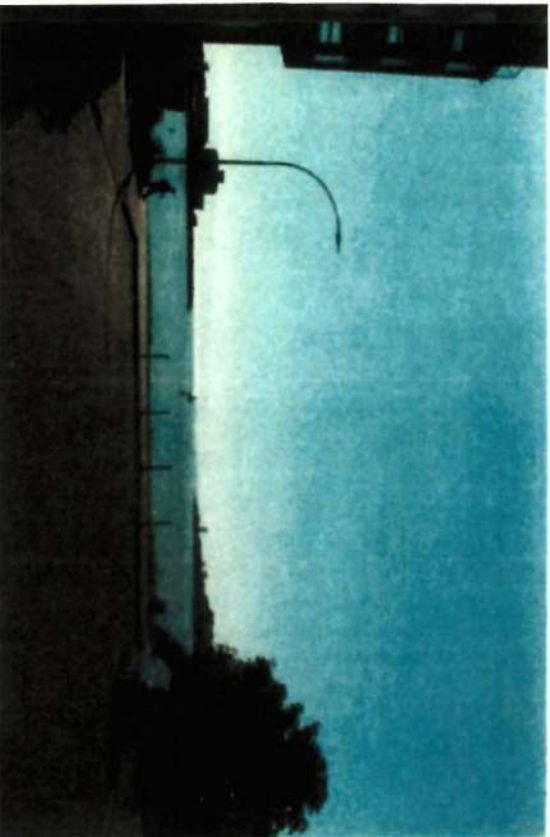
de Haag & Kienit architecten

Verspreidingsstudie

Building Renderings

A501



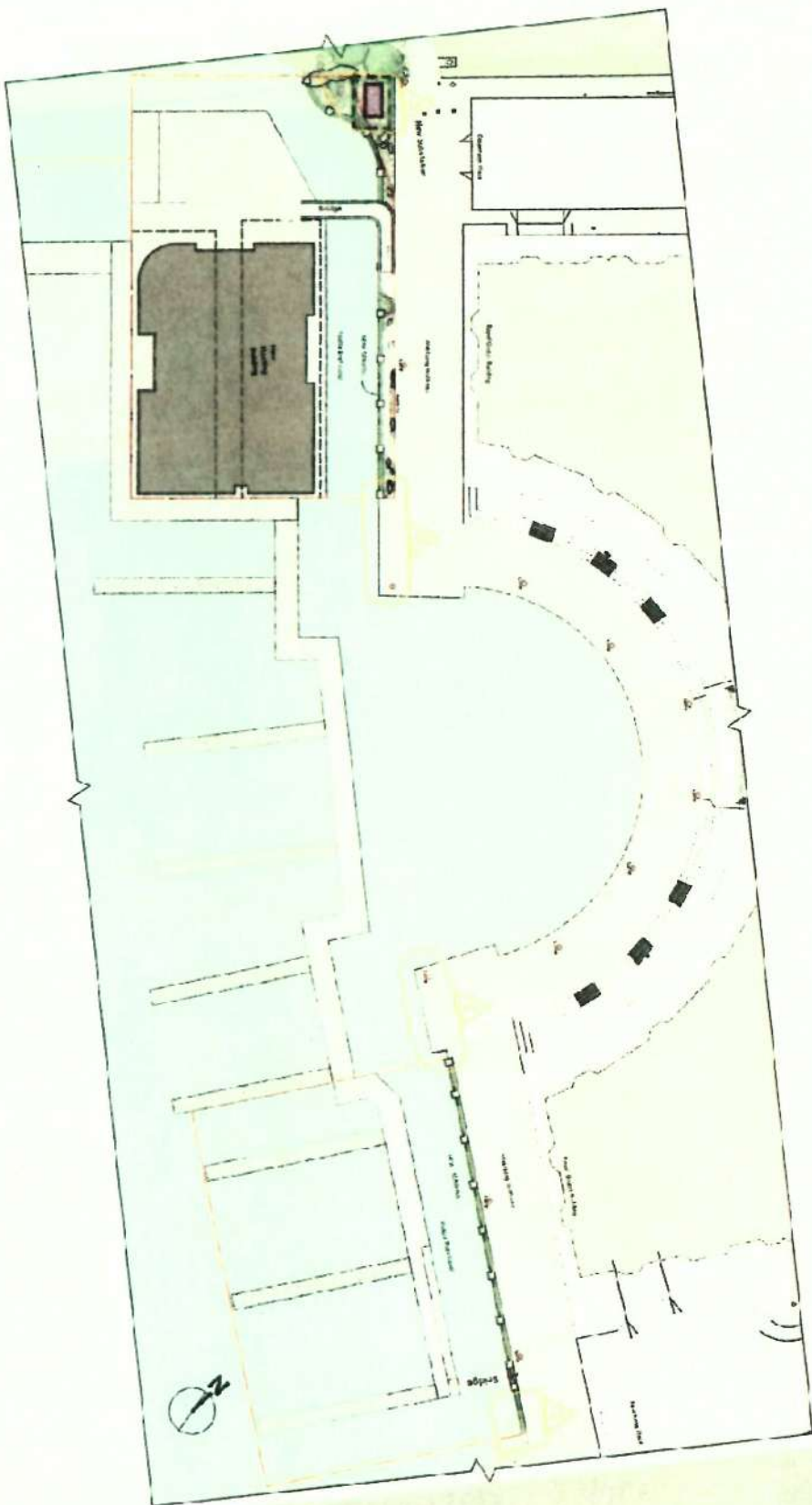


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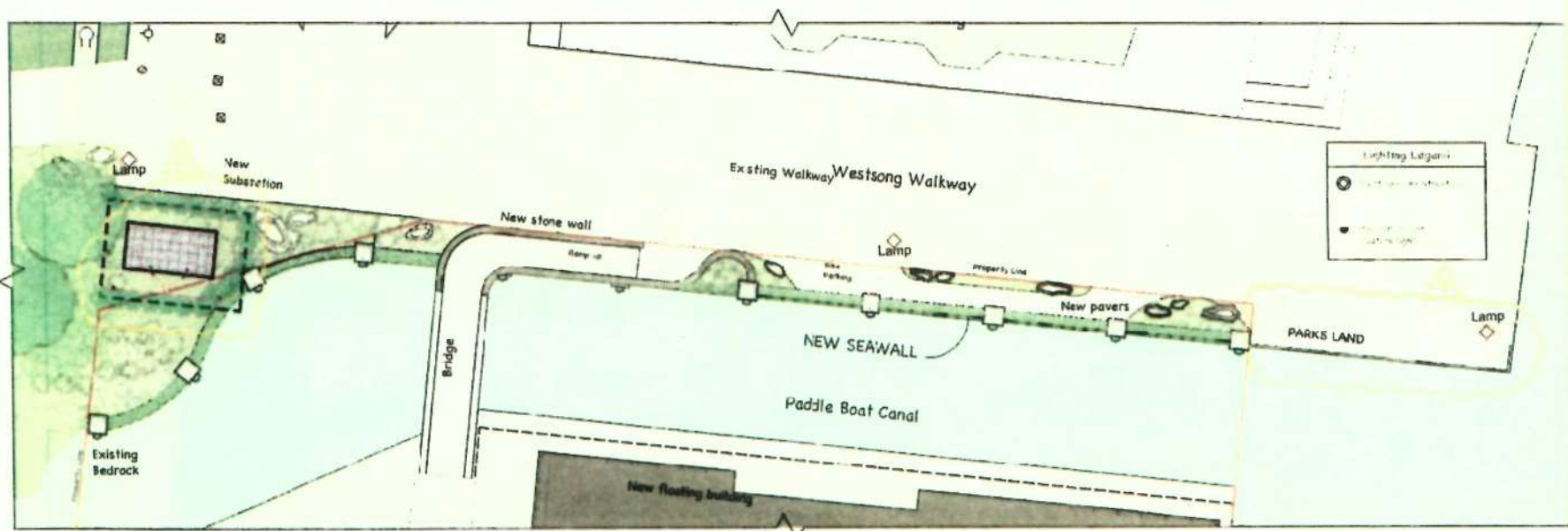


Proposed Seawall Plan  
 1  
 Scale 1:50

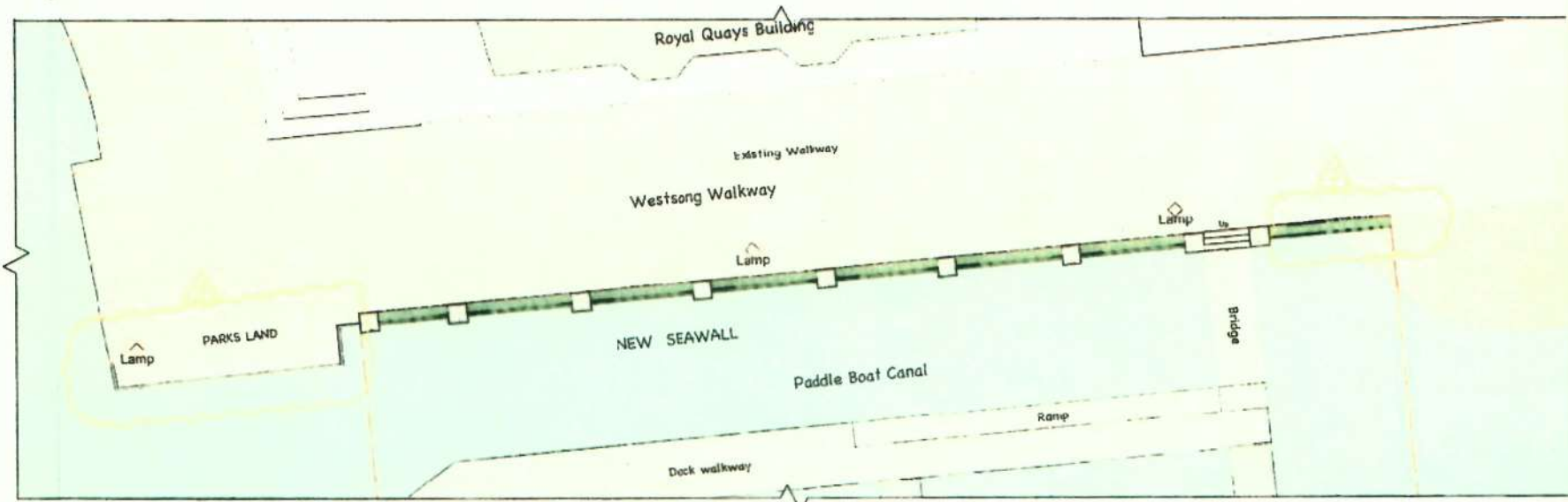
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 Development Services Division

LANDSCAPE  
 DESIGN

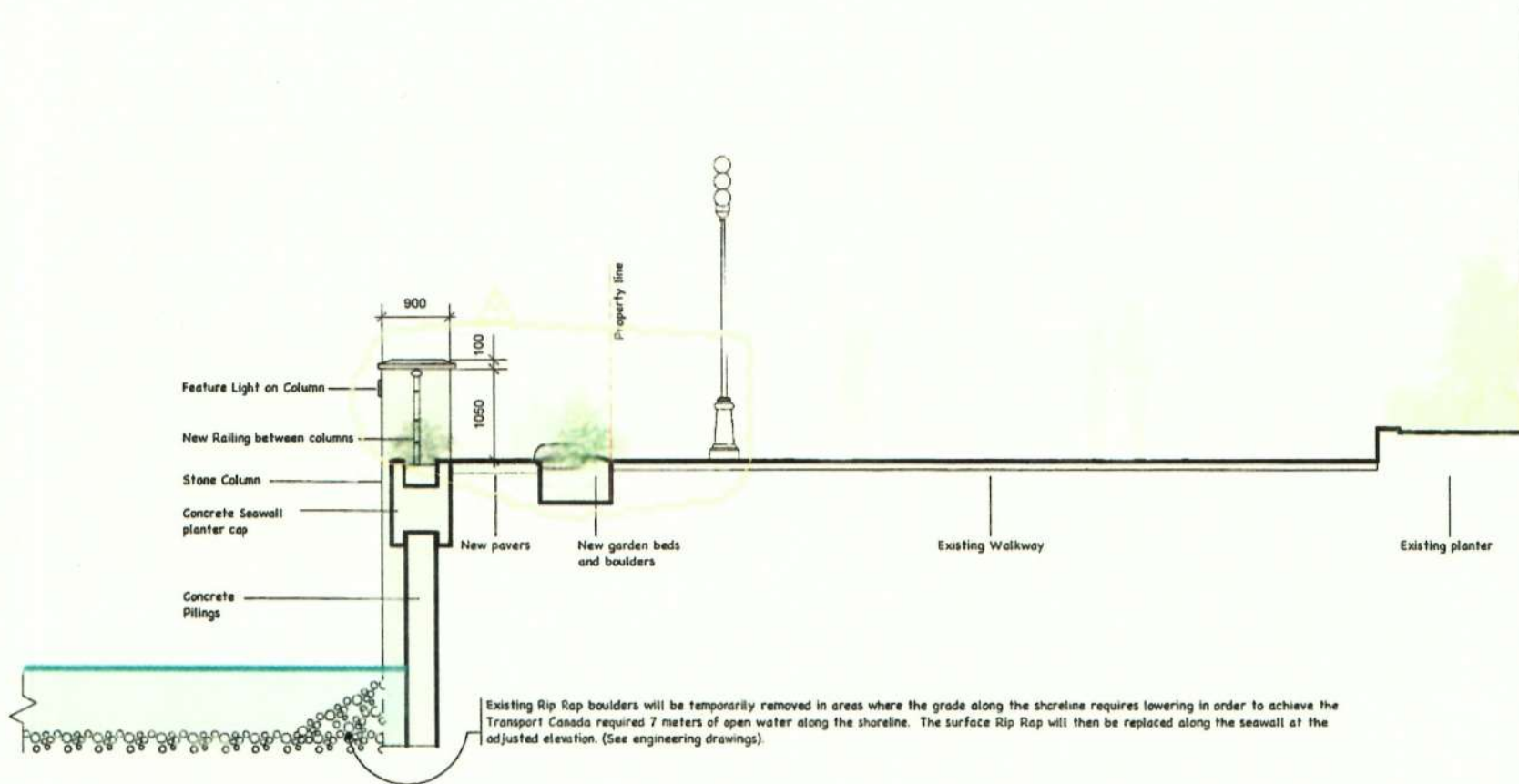




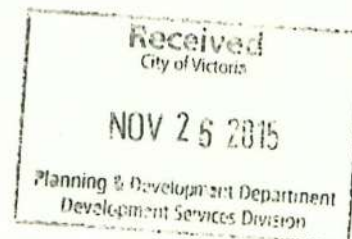
1 Proposed Seawall Plan (west side)  
Scale: 1:200



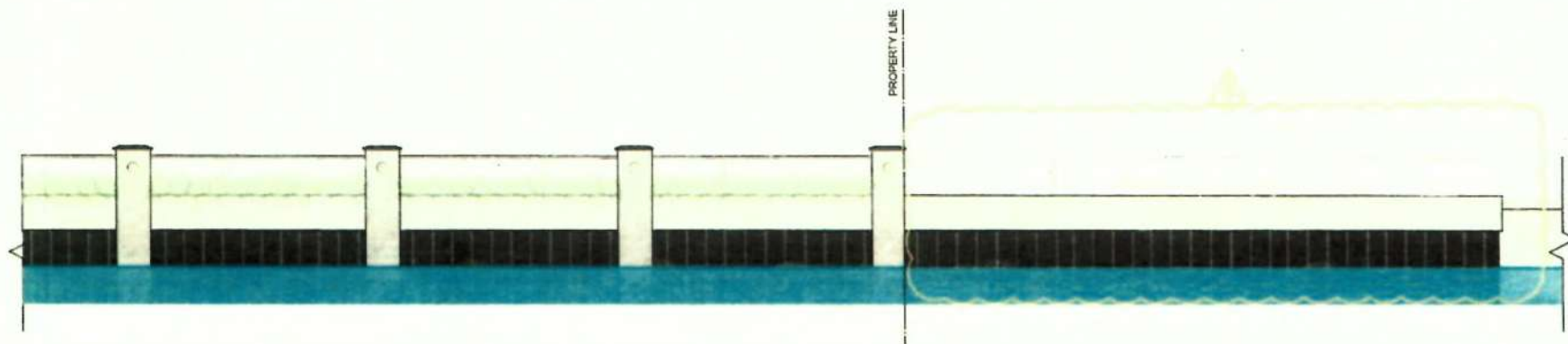
2 Proposed Seawall Plan (east side)  
Scale: 1:200



1 Proposed Seawall Section  
Scale: 1:50







1 Proposed Seawall Elevation with concrete pilings, concrete vegetated wall cap and stone columns  
Scale: 1:100



2 Proposed Seawall Elevation viewed from the water  
Scale: 1:500





1: The stone for the columns to be native and similar the stone walls on the Songhees walkway.



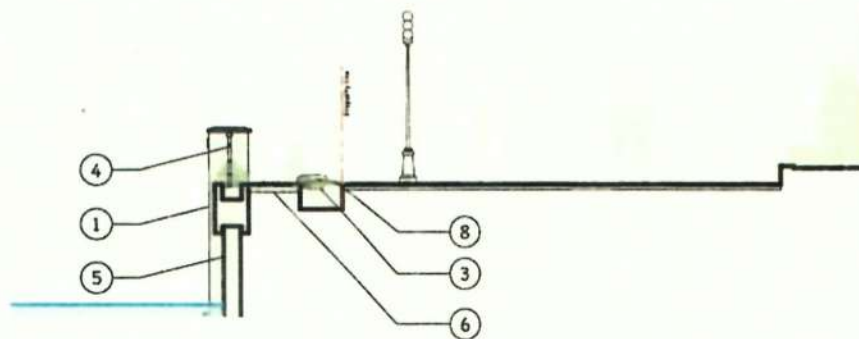
2: Soft ornamental vegetation example for the landscaped areas near the seawall.



3: Boulders for sitting in the landscaped areas.



4: Low profile, clean railing design example for between the stone columns.



7: Hedge vegetation example for screening the substation.

5: Concrete Plings painted black to be used for the Seawall



6: Bluestone pavers to be used on landscaped path, bike parking and ramp entry.



8: Vegetation example for the landscaped areas near the seawall.



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NOV 25 2015  
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Development Services Division

LANDSCAPE  
DESIGN  
REPORT









# GENERAL NOTES:

## WATERPOOR

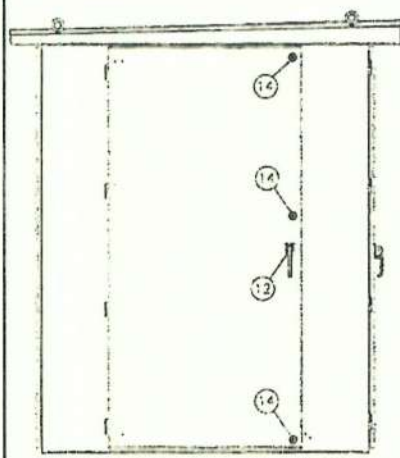
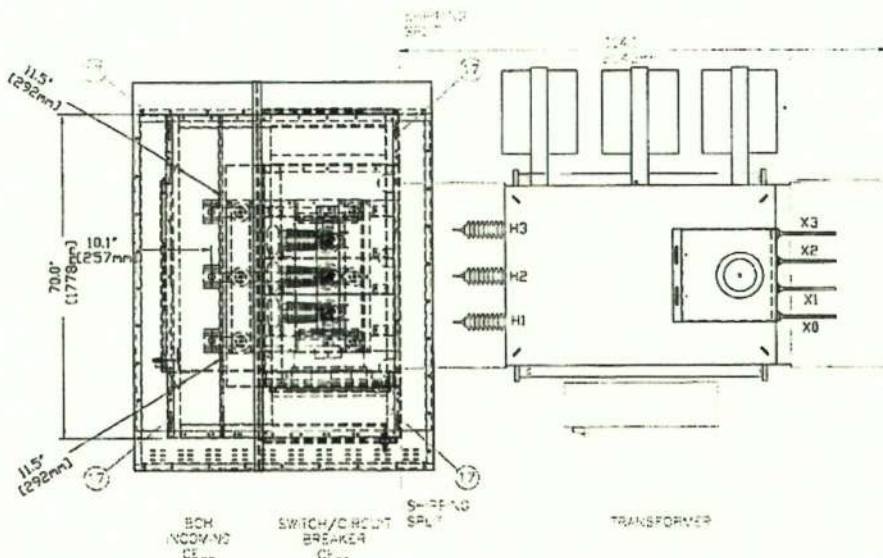
MATERIALS:  
 STANDARD: 6000  
 WARE: CSA (222 NO. 3)  
 WARE: 3  
 WARE: 1/2" (12.7mm)  
 FREQUENCY: 60Hz  
 SHORT-TIME WITHSTAND: 25kV @ 25Hz  
 INSULATION: OUTDOOR NEVA 3P  
 FINISH: ELECTROSTATIC POWDER COAT, APL 801  
 EQUIPMENT WEIGHT: 2000 lbs. TOTAL (EXCLUDING TRANSFORMER)

## RANGE/REAR BOX:

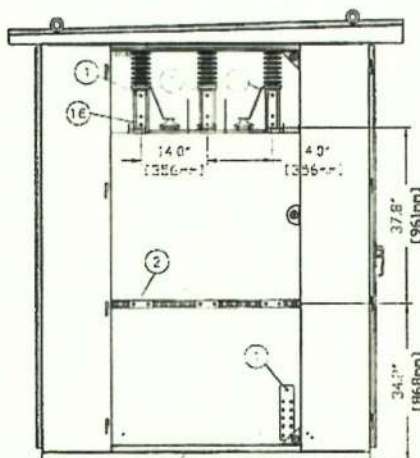
1 X MG SFE SWITCH 24kV, 125kV BU, 630A  
 5 X CUTLER-HAMMER DBU-27 EXPULSION FUSE PER COORDINATION STUDY (3 SPARE)  
 3 X CMT FOR LINE LINE INDICATORS, C/W WIRING HARNESS & LIVE LINE INDICATORS  
 VISC BUS BARS, INSULATORS, GROUNDING STUDS, HARDWARE

## NOTES:

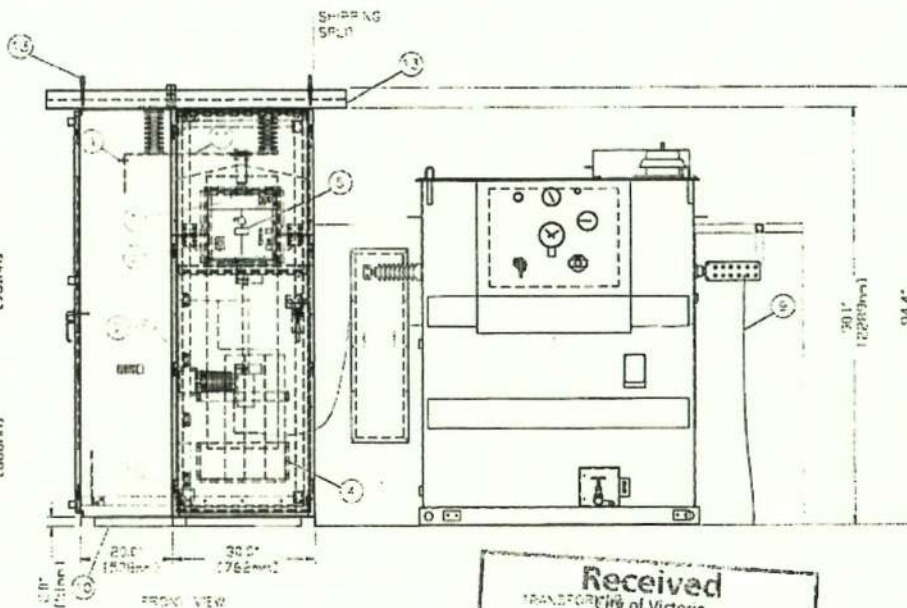
- GROUNDING STUDS
- WOOD CABLE SUPPORT
- CONTACT STATUS VIEWING WINDOW
- SPARE FUSE COMPARTMENT
- LIVE LINE INDICATORS
- ANTI-CONDENSATION INSULATION OF UNDERSIDE OF ROOF (FIRE RETARDANT)
- SFE LOAD BREAK SWITCH
- CAPACITIVE VOLTAGE TRANSFORMER FOR LIVE-LINE INDICATORS
- SECONDARY CABLES (LUGS NOT SUPPLIED)
- 2"X1/4" GROUND BUS IN PLATED COPPER
- 2"X1/4" PHASE BUS ALUMINUM C/W 35KV POLYMER INSULATION
- LOCKABLE LATCH
- LIFTING EYES
- PENTA-SOL (3) (PENTA SOCKET NOT SUPPLIED)
- 
- CABLE TERMINATION INSULATION ROOF
- HOLES FOR SEISMIC RESTRAINT
- SPRING TYPE DOOR RESTRAINTS



END VIEW



END VIEW WITHOUT DOOR  
3D HYDRO NOONING SECTION



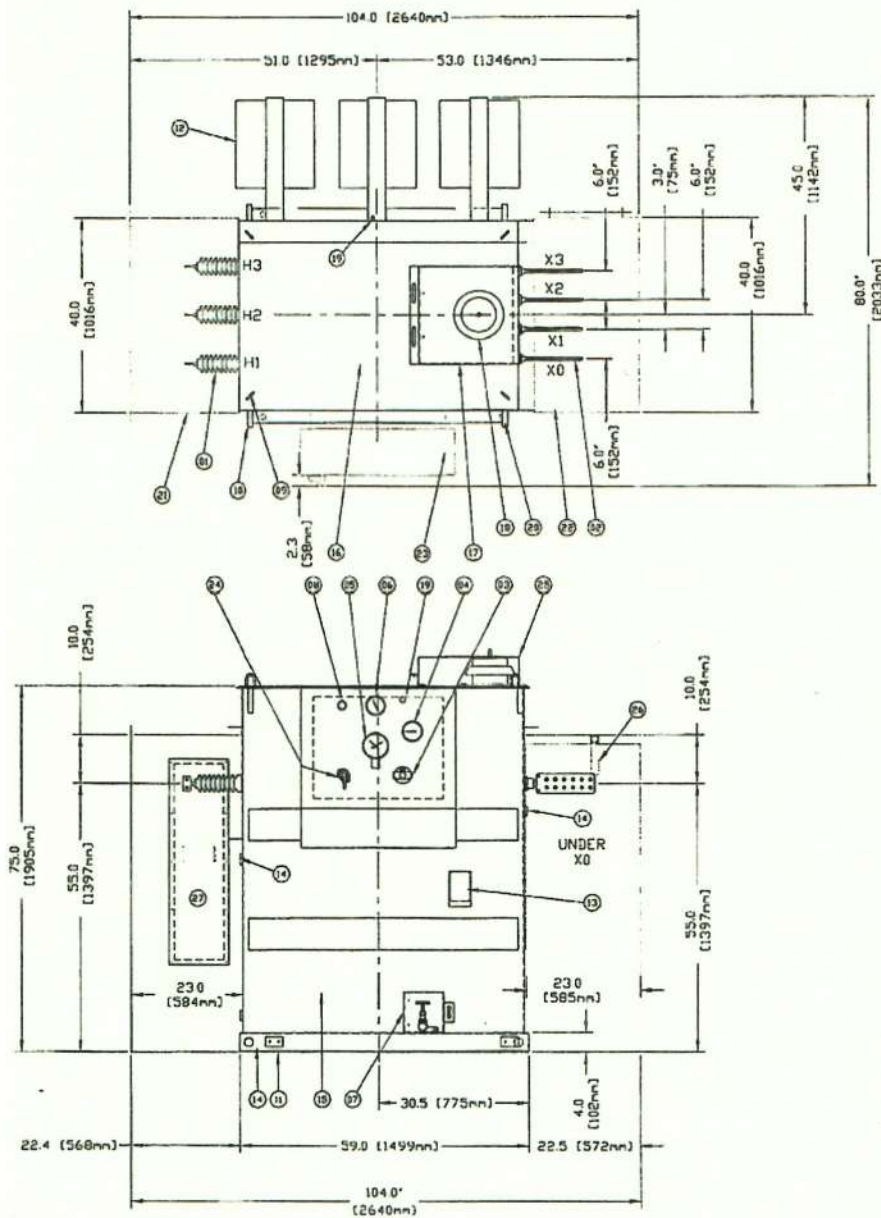
FRONT VIEW

THIS DRAWING MUST BE STAMPED  
BY THE DESIGNER AND THE  
ENGINEER FOR CONSTRUCTION. ALL  
DIMENSIONS SHOWN ON THIS  
DRAWING ARE IN INCHES.

PROJECT NAME	2000 A.M. AND
DATE	2000 A.M. AND
DESIGNER	2000 A.M. AND
ENGINEER	2000 A.M. AND
DATE	2000 A.M. AND
PROJECT NO.	2000 A.M. AND

prime  
engineering  
TECHNICAL SUPPORT

Received  
 TRANSFORMER City of Victoria  
 NOV 26 2015  
 Planning & Development Department  
 Development Services Division

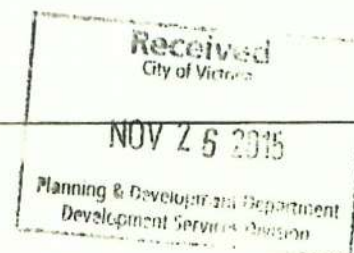


- | ITEM | DESCRIPTION  |
|------|--|
| 01   | HV BUSH 25.0KV CLASS, 250 AMPS.  |
| 02   | LV BUSH 1.2KV CLASS, 2400 AMPS.  |
| 03   | TAP CHANGER WITH 3/8" (10MM) DIAMETER HOLE FOR PADLOCKING.   |
| 04   | MAGNETIC LIQUID LEVEL INDICATOR.   |
| 05   | LIQUID TEMPERATURE INDICATOR.  |
| 06   | PRESSURE VACUUM GAUGE $\pm 10$ PSI (70kPa).  |
| 07   | COMBINATION DRAIN AND LOWER FILTER PRESSURE VALVE WITH 3/8" (10MM) SAMPLER. 1.0" (25MM) DIAMETER WITH PADLOCKABLE HOUSING. |
| 08   | 1.0" (25MM) UPPER FILTER PRESS PLUG.   |
| 09   | LIFTING EYES FOR LIFTING COVER ONLY.   |
| 10   | LIFTING LUGS FOR LIFTING COMPLETE TRANSFORMER.   |
| 11   | TRANSFORMER BASE WITH PROVISIONS FOR JACKING PER ANSI STANDARD AND FOR ROLLING IN EITHER DIRECTION.                        |
| 12   | RADIATORS.   |
| 13   | STAINLESS STEEL NAMEPLATE.   |
| 14   | STAINLESS STEEL GROUND PADS WITH NEMA DRILLING.  |
| 15   | TRANSFORMER TANK-SEALED TANK LIQUID PRESERVATION.  |
| 16   | TRANSFORMER COVER: WELDED.   |
| 17   | MANHOLE: 15.5" X 15.5" (394 X 394MM) WITH BOLTED COVER.  |
| 18   | PRESSURE RELIEF DEVICE WITH INDICATOR.   |
| 19   | PURGE VALVE.   |
| 20   | STEEL BASE C/W HOLES FOR SEISMIC RESTRAINT.  |
| 21   | HV FULL FLANGE WITH PAD-LOCKABLE SIDE ACCESS PANELS.   |
| 22   | LV CABINET: FULL HEIGHT, BOTTOM ENTRY REAR REMOVABLE COVER.  |
| 23   | CABINET ENCLOSURE FOR SEGMENT 1 GAUGES & SWITCHES.   |
| 24   | -  |
| 25   | ALUMINUM BACK PLATE FRO ENTRY OF EXISTING SINGLE CONDUCTOR CABLES  |

#### NOTES:

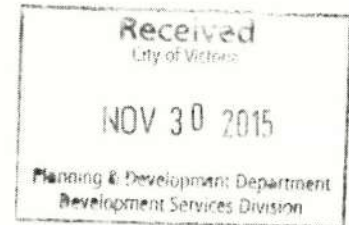
1. DIMENSIONS SHOWN IN INCHES [MM].
2. UNIT SHIPPED WITH 3PSI NITROGEN BLANKET AT TIME OF MANUFACTURE.
3. STAINLESS STEEL HARDWARE
4. UNIT SHIPPED WITH 2 AEROSOL CANS OF TOUCH-UP PAINT

**3<sup>rd</sup> POWER TRANSFORMER**  
 1000KVA KNAN 65°C  
 HV: 12470X24940 DELTA  
 LV: 600Y/347  
 MINERAL OIL FILLED  
 PAINT: ANSI #61



1-5 LAMPING V-BT BE STAMPED, 6-10 LAMPING V-BT BE STAMPED, 11-15 LAMPING V-BT BE STAMPED, 16-20 LAMPING V-BT BE STAMPED, 21-25 LAMPING V-BT BE STAMPED, 26-30 LAMPING V-BT BE STAMPED, 31-35 LAMPING V-BT BE STAMPED, 36-40 LAMPING V-BT BE STAMPED, 41-45 LAMPING V-BT BE STAMPED, 46-50 LAMPING V-BT BE STAMPED, 51-55 LAMPING V-BT BE STAMPED, 56-60 LAMPING V-BT BE STAMPED, 61-65 LAMPING V-BT BE STAMPED, 66-70 LAMPING V-BT BE STAMPED, 71-75 LAMPING V-BT BE STAMPED, 76-80 LAMPING V-BT BE STAMPED, 81-85 LAMPING V-BT BE STAMPED, 86-90 LAMPING V-BT BE STAMPED, 91-95 LAMPING V-BT BE STAMPED, 96-100 LAMPING V-BT BE STAMPED, 101-105 LAMPING V-BT BE STAMPED, 106-110 LAMPING V-BT BE STAMPED, 111-115 LAMPING V-BT BE STAMPED, 116-120 LAMPING V-BT BE STAMPED, 121-125 LAMPING V-BT BE STAMPED, 126-130 LAMPING V-BT BE STAMPED, 131-135 LAMPING V-BT BE STAMPED, 136-140 LAMPING V-BT BE STAMPED, 141-145 LAMPING V-BT BE STAMPED, 146-150 LAMPING V-BT BE STAMPED, 151-155 LAMPING V-BT BE STAMPED, 156-160 LAMPING 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LAMPING V-BT BE STAMPED, 616-620 LAMPING V-BT BE STAMPED, 621-625 LAMPING V-BT BE STAMPED, 626-630 LAMPING V-BT BE STAMPED, 631-635 LAMPING V-BT BE STAMPED, 636-640 LAMPING V-BT BE STAMPED, 641-645 LAMPING V-BT BE STAMPED, 646-650 LAMPING V-BT BE STAMPED, 651-655 LAMPING V-BT BE STAMPED, 656-660 LAMPING V-BT BE STAMPED, 661-665 LAMPING V-BT BE STAMPED, 666-670 LAMPING V-BT BE STAMPED, 671-675 LAMPING V-BT BE STAMPED, 676-680 LAMPING V-BT BE STAMPED, 681-685 LAMPING V-BT BE STAMPED, 686-690 LAMPING V-BT BE STAMPED, 691-695 LAMPING V-BT BE STAMPED, 696-700 LAMPING V-BT BE STAMPED, 701-705 LAMPING V-BT BE STAMPED, 706-710 LAMPING V-BT BE STAMPED, 711-715 LAMPING V-BT BE STAMPED, 716-720 LAMPING V-BT BE STAMPED, 721-725 LAMPING V-BT BE STAMPED, 726-730 LAMPING V-BT BE STAMPED, 731-735 LAMPING V-BT BE STAMPED, 736-740 LAMPING V-BT BE STAMPED, 741-745 LAMPING V-BT BE STAMPED, 746-750 LAMPING V-BT BE STAMPED, 751-755 LAMPING V-BT BE STAMPED, 756-760 LAMPING V-BT BE STAMPED, 761-765 LAMPING V-BT BE STAMPED, 766-770 LAMPING V-BT BE STAMPED, 771-775 LAMPING V-BT BE STAMPED, 776-780 LAMPING V-BT BE STAMPED, 781-785 LAMPING V-BT BE STAMPED, 786-790 LAMPING V-BT BE STAMPED, 791-795 LAMPING V-BT BE STAMPED, 796-800 LAMPING V-BT BE STAMPED, 801-805 LAMPING V-BT BE STAMPED, 806-810 LAMPING V-BT BE STAMPED, 811-815 LAMPING V-BT BE STAMPED, 816-820 LAMPING V-BT BE STAMPED, 821-825 LAMPING V-BT BE STAMPED, 826-830 LAMPING V-BT BE STAMPED, 831-835 LAMPING V-BT BE STAMPED, 836-840 LAMPING V-BT BE STAMPED, 841-845 LAMPING V-BT BE STAMPED, 846-850 LAMPING V-BT BE STAMPED, 851-855 LAMPING V-BT BE STAMPED, 856-860 LAMPING V-BT BE STAMPED, 861-865 LAMPING V-BT BE STAMPED, 866-870 LAMPING V-BT BE STAMPED, 871-875 LAMPING V-BT BE STAMPED, 876-880 LAMPING V-BT BE STAMPED, 881-885 LAMPING V-BT BE STAMPED, 886-890 LAMPING V-BT BE STAMPED, 891-895 LAMPING V-BT BE STAMPED, 896-900 LAMPING V-BT BE STAMPED, 901-905 LAMPING V-BT BE STAMPED, 906-910 LAMPING V-BT BE STAMPED, 911-915 LAMPING V-BT BE 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LAMPING V-BT BE STAMPED, 1921-1925 LAMPING V-BT BE STAMPED, 1926-1930 LAMPING V-BT BE STAMPED, 1931-1935 LAMPING V-BT BE STAMPED, 1936-1940 LAMPING V-BT BE STAMPED, 1941-1945 LAMPING V-BT BE STAMPED, 1946-1950 LAMPING V-BT BE STAMPED, 1951-1955 LAMPING V-BT BE STAMPED, 1956-1960 LAMPING V-BT BE STAMPED, 1961-1965 LAMPING V-BT BE STAMPED, 1966-1970 LAMPING V-BT BE STAMPED, 1971-1975 LAMPING V-BT BE STAMPED, 1976-1980 LAMPING V-BT BE STAMPED, 1981-1985 LAMPING V-BT BE STAMPED, 1986-1990 LAMPING V-BT BE STAMPED, 1991-1995 LAMPING V-BT BE STAMPED, 1996-2000 LAMPING V-BT BE STAMPED, 2001-2005 LAMPING V-BT BE STAMPED, 2006-2010 LAMPING V-BT BE STAMPED, 2011-2015 LAMPING V-BT BE STAMPED, 2016-2020 LAMPING V-BT BE STAMPED, 2021-2025 LAMPING V-BT BE STAMPED, 2026-2030 LAMPING V-BT BE STAMPED, 2031-2035 LAMPING V-BT BE STAMPED, 2036-2040 LAMPING V-BT BE STAMPED, 2041-2045 LAMPING V-BT BE STAMPED, 2046-2050 LAMPING V-BT BE STAMPED, 2051-2055 LAMPING V-BT BE STAMPED, 2056-2060 LAMPING V-BT BE 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November 30, 2015

City of Victoria  
1 Centennial Square  
Victoria, BC  
V8W 1P6

Attention: Mayor and Council

**Re: Development Variance Permits No. 000440, dated October 9 and November 9 for:  
1 Cooperage Place**

For both variance permit notifications we have been unable to arrange a meeting with the applicant.

In both cases, neither Community Marine Concepts Ltd, nor their architect has been available. The Victoria West Land Use Committee is disappointed with their lack of cooperation and can offer no further comments.

Regards,

A handwritten signature in black ink, appearing to read "Doran Musgrove".

Doran Musgrove, Chair  
Vic West Land Use Committee

## **Janice Appleby**

---

**From:** Monica Dhawan  
**Sent:** Tuesday, December 01, 2015 4:01 PM  
**To:** Janice Appleby  
**Subject:** FW: THE MARINA NOBODY WANTS  
**Attachments:** 0011155810.PDF

Can you please attach this one as well?

Thanks,  
Monica

**From:** Terry Milne [REDACTED]  
**Sent:** Friday, November 27, 2015 8:44 PM

[REDACTED]

**Subject: THE MARINA NOBODY WANTS**

Please find (below) a letter sent to Minister Steve Thomson, and also (attached above) an Open Letter to the Minister in the Sunday Victoria Times Colonist, sponsored by numerous local clubs, organizations and individuals.

Victoria Harbor falls under three levels of government but neither former federal nor provincial authorities held a public meeting to address citizens' concerns. Representations and questions were ignored or given short shrift and it seemed personal connections and paid lobbyists ruled the day. All is described below.

The section of Harbour involved is heavily used by local people, visitors, tourists and many paddle boating individuals and clubs. The area will be swallowed up by a commercial marina with a profit motive. The people who use the water lot and walkway area are virtually all are opposed to this project. For this reason we urge Victoria's Mayor and Council to thoroughly review the latest marina design (which we have heard exceeds boundaries) and to hold a public meeting and hear citizen's concerns before any decisions are made.

**PLEASE READ ON.**

**VICTORIA HARBOUR DEFENCE ALLIANCE (VHDA)**

**2777 Benson Plc**



**Honourable Steve  
Thomson**

**Victoria BC. V8N 1S5  
Minister of Forests, Lands and Natural Resources  
(FLNR) 23 November 2015**

**Dear Minister Thomson,**

**We are a group of Victoria citizens, including former Victoria Mayor Peter Pollen, deeply concerned over an unfolding travesty, namely the mega-yacht marina in Victoria Harbour promoted by Robert Evans. We know, and you must know, this use of Crown Land is contrary to the wishes and benefit of the many Victorians who use and enjoy the area, and this in turn is contrary to the Crown Land Allocation Principles, of which you are the Steward designated to protect the public interest,**

**This project is rife with concerns over improper lobbying, and procedures, conflict of interest, lack of transparency, lack of due diligence and public accountability, disregard of riparian rights, and a failure to ensure the public benefit. Victorians have consistently declared overwhelming opposition to the project with a petition containing 7,000 signatures and many protest gatherings by hundreds of citizens and boaters. Despite this FLNR blessed the project, without identifying any meaningful public benefit or calling a meeting to address the many public concerns. When the City held the one and only government sponsored public meeting on the issue FLNR ducked out and assigned its speaking time to the developer to promote the project. Did this equate with public transparency and accountability?**

**To boating experts the proponent's business plan of selling off long term slip leases to store large luxury yachts in a highly exposed part of the harbour was doomed from the start, It seemed a dubious stab at making a quick profit at the expense of the only dedicated public recreational area in the harbor. FLNR was so advised but ignored our input. Obviously the plan failed and since then FLNR has been quietly rubber stamping a revolving door of lease owners and marina designs. With the latest design FLNR's Project Officer ruled a new application would be required. However after the developer's lawyer-lobbyist, Mr. Bruce Hallsor raised objections evidently, your Chief of Staff intervened and changed your own Project Officers ruling, Perhaps this resulted from Hallsor's erroneous claim that Victoria Mayor Lisa Helps fully endorsed the new marina plan. We question what due diligence was done to assess the proponent's first business plan before leasing away the public water lot, and ask whether FLNR is about to support a similar circumstance.**

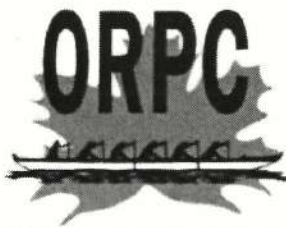
**Since FLNR may have breached many of the Crown Land Allocation Principles under which it is supposed to operate an investigation by the Provincial Ombudsperson has been initiated. However as the developer has abandoned the original marina plan there is an opportunity to review the whole project. Victoria has a very small and busy harbour. It is packed with shipping activity and infrastructure, and is one of the busiest water airports in the world. There is no room for a Stanley Park here, only one small area left, one place reserved for people and non-powered boaters to enjoy the quiet ambiance of the North Shore of the harbour. Is this to be lost to an unneeded development in which an actual public benefit has**

**still to be identified? Design dithering by the developer has provided one last chance to return the North Shore walk ways, shoreline and water reserve to the people of Victoria, where they rightfully belong. Minister, we strongly urge you to do so.**

**Terrence Milne  
Secretary VHDA**

**Peter Pollen  
President VHDA**





VIA EMAIL: [REDACTED]

October 10, 2015

To Whom It May Concern:

**RE: VICTORIA HARBOUR MARINA PROTEST**

I am an extremely concerned paddler from the Ocean River Paddling Club Society ("ORPC") who adamantly disapproves the proposed development of the Victoria Harbour Marina. The goals of our paddling club are to foster the development of recreational and competitive paddling sports in the Victoria area and to encourage and facilitate learning opportunities for all paddlers, which includes safe access to inner/outer harbour waters and the open ocean.

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In order for ORPC to continue to provide paddling opportunities to Victorians of all ages, we require a safe environment to pursue our sport. The location of this marina, and in particular the newly proposed "paddling canal", will place our paddlers in an unsafe environment each time they traverse through these waters. The "paddling canal", being only seven meters in width, will not be wide enough to safely handle our six-person outrigger canoes or multiple solo canoes, especially when we often have four six-person outrigger canoes paddling through these waters. For example if a White Hull row boat, being 5.5 meters in width (including oars), attempts to pass through the paddling canal and meets an outrigger canoe, being 3 meters in width, the two cannot pass each other. One would need to hold up, or potentially back up. This would be further compounded by current, tide or waves providing an unsafe environment and leading to possible equipment damage. Lastly at low tide this route may not be safely passable due to lack of water and rocks.

The size and location of this new marina needs to be reconsidered, especially the location and width of the proposed "paddling canal".

Paddler Name Chloe Tim Houlahan

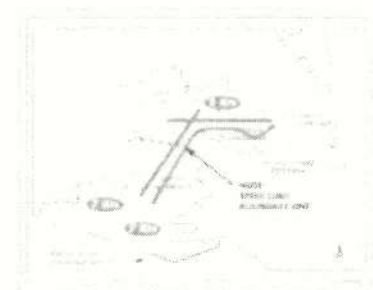
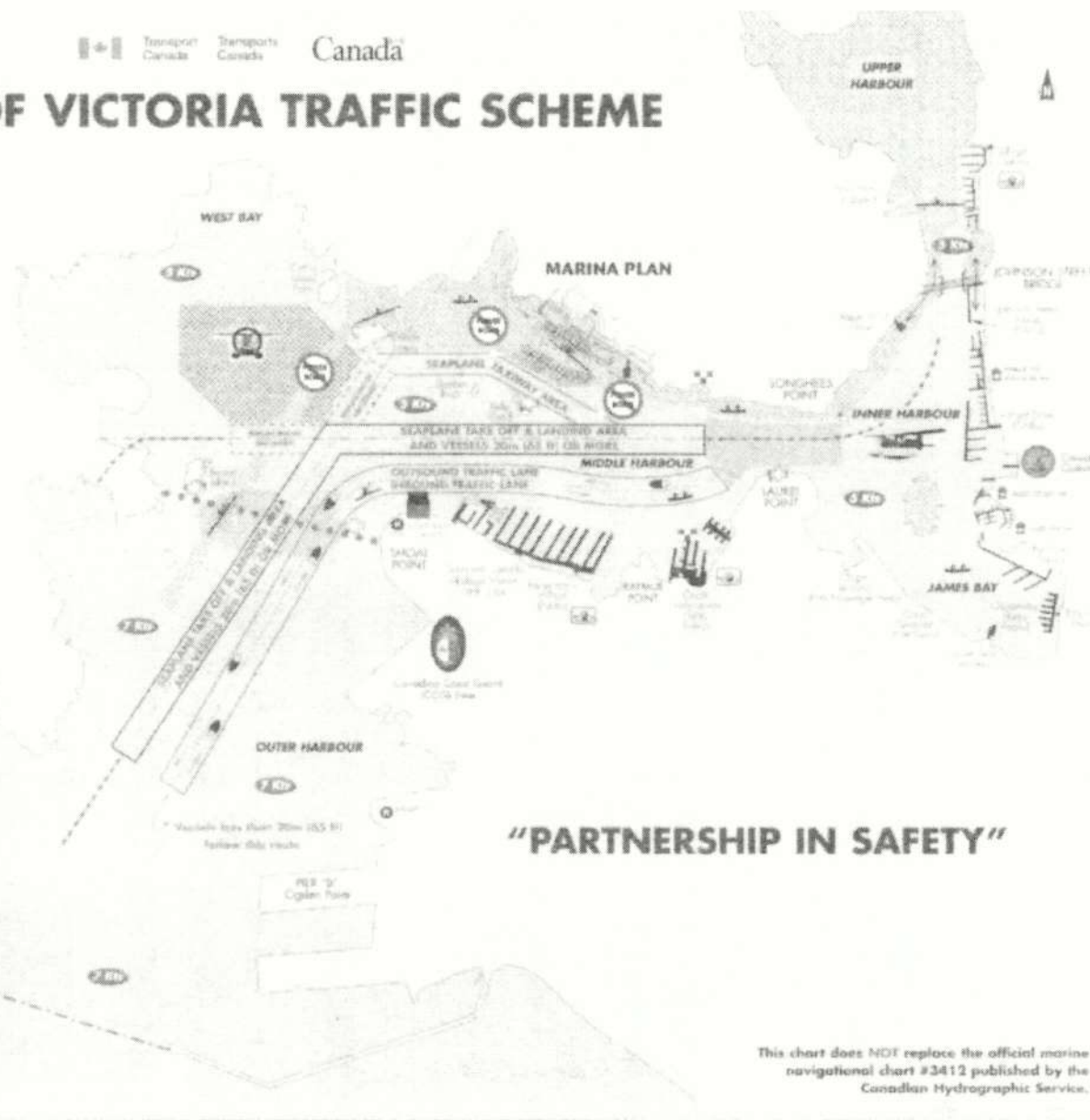
Address: Box 8692 Victoria BC V8W 3S3

P.S. the attached plan shows the proposed marina located on the Port of Victoria Traffic Management Scheme and the Non motorized space that paddlers, rowers &

1627 Barksdale Drive, Victoria, BC V8N 5A8 SUP user  
Will Rose

# PORT OF VICTORIA TRAFFIC SCHEME

\* Vessels using inbound/outbound traffic lanes shall "KEEP YELLOW BUOYS CLOSE TO PORT AT ALL TIMES".



## LEGEND


NOT TO SCALE

This chart does NOT replace the official marine navigational chart #3412 published by the Canadian Hydrographic Service.



# The Marina Nobody Wants

**To the Honourable Steve Thomson,  
Minister of Lands and Forests**

Dear Minister,

We are a group of Victoria citizens, including former Mayor Peter Pollen deeply concerned over the mega-yacht marina to be built on the North Shore of Victoria Harbour. We know, as you must, this assignment of Crown Land is against the wishes of countless Victorians and that ignoring the public interest violates the Crown Land Allocation Principles you are charged to uphold.

Victorians have declared overwhelming opposition to a marina that will disrupt walkers, displace boaters and infringe on resident's property rights. Hundreds of citizens launched protests and more than 7000 signed a petition opposing this project. However the Land Agency ignored all dissent, spurned a meeting to address citizen's concerns and leased the area to a developer, apparently without an adequate review of the business plan. Marina slip sales have totally failed, and since then your staff has been quietly rubber stamping a revolving door of lease owners and marina plans, all testifying to the Agency's lack of due diligence and public accountability in the first place.

From the start this project has been rife with concern over improper lobbying, conflict of interest, lack of transparency and accountability and disregard for property rights, all contrary to Land Policies, and all under investigation by the Provincial Ombudsperson. However since the developer has now abandoned the original marina plan you have an opportunity to reconsider the project.

Victoria has a small busy harbor packed with shipping and one of the busiest water airports in the world. There is no room for a Stanley Park here! There is however one small place left for people and non-powered boaters to enjoy the quiet ambiance and views of the North Shore. Is this to be despoiled by the travesty of an unneeded commercial development for which no actual public benefit has been identified? There is one last chance to return the North Shore walk ways, shoreline and boat water reserve to the people of Victoria, where they belong. Minister, we strongly urge you to do so!

**FRIENDS OF VICTORIA HARBOUR**

Dear Ladies and Gentlemen:

I am writing in respect of the proposed Victoria International Marina. I am writing as an individual, but please be assured my concerns reflect those of many Royal Quays residents.

It has been reported to us that Mr. Robert Evans, a principal of the proponent, has been telling all who would listen that the City has approved his new plans which include a single floating platform for the business facilities at the marina instead of the two pile-supported platforms specified in the current development permit. Shortly thereafter your senior planner, Mr. Jim Handy, advised us that no such new plans had even been received by the City, let alone approved. Given the history of the project and the individual, Mr Evans being a little in front of the facts is not surprising. Nonetheless, the revised project is of no less concern to us than the one currently approved.

Presumably, the revised plans have now been submitted for approval. But, regardless of whether or not that is the case, we would like to remind you/make you aware that those new plans – like the old ones – propose a large restaurant immediately adjacent to one of the buildings comprising Royal Quays. As such, its entrances, patio and kitchen exhausts will be situated mere feet away from the living room and bedroom windows of ten suites in Royal Quays (including mine). Further, while, perhaps, the disturbance from the noise may be restricted largely to those ten suites, given the predominant light southwest winds in the summer, the kitchen odours will envelope the entire neighbourhood.

We would hope that when considering the revised plans, assuming they now have been or soon will be submitted for your approval, you will bear in mind the significant negative impact this facility will have on those living nearby and will impose the strictest standards available to every aspect of the operation of that facility should you see fit to approve the new plans or any subsequent revision to them.

Respectfully,

Don Grovestine





## ROYAL QUAYS

Strata Plan VIS 1889  
c/o Proline Management Ltd.  
201 Burnside Road West  
Victoria BC V9A 1B3

August 4, 2105

Mr. Jim Handy, Senior Planner  
City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6

Subject: Victoria International Marina

Dear Jim:

Further to your recent meeting with our Walter Creed and Mike Marley, we have received information via Freedom of Information from the Province and other reports that certain inaccurate claims involving Royal Quays have been made by or on behalf of the proponent.

In respect of the 48 parking spaces at Royal Quays leased by the proponent, the proponent's consultant advised the Province on April 14, 2014:

"The final stages of a working agreement with the Strata Corporation are in progress. This includes a shared cost to secure parking spaces so marina users will not have access to the condo building spaces."

We are concerned similar claims may have been made to City representatives. While there were some early discussions in that timeframe to explore potential alternative techniques for securing the residential space, portrayal as "final stages of a working agreement" and cost-sharing seems little more than wishful thinking – especially in light of the decision in the suit the proponent brought against Royal Quays regarding those parking spaces. There are currently no such negotiations underway nor have we been approached by the proponent to open any.

We also understand that the proponent claims now to have the support of a majority of Royal Quays owners and has tendered to the Province an e-mail of dubious origin justifying that claim. The facts of the matter are, at their annual general meeting on May 20, 2009, Royal Quays owners approved the following motion:

"That the strata council be directed to send a letter of opposition to particular government officials responsible for the oversight of the water lots and the harbour to express the opposition of the Royal Quays owners to the proposed Victoria International Marina."

No question of support for or opposition to the marina has been put to the owners since nor has there been any attempt otherwise to assess any change in their general sentiment. While

many owners are undoubtedly relieved that one of the previously-proposed buildings is no longer planned, there is no basis to indicate the owners' position towards the proposed marina generally has softened.

For your information.

Yours truly,

Donald G. Grovestine, President  
Strata Plan VIS 1889 ("Royal Quays")

Cc: Alison Meyer, Assistant Director, Development Services  
Councillor Chris Coleman





VIA EMAIL

October 10, 2015

To Whom It May Concern:

**RE: VICTORIA HARBOUR MARINA PROTEST**

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In order for ORPC to continue to provide paddling opportunities to Victorians of all ages, we require a safe environment to pursue our sport. The location of this marina, and in particular the newly proposed "paddling canal", will place our paddlers in an unsafe environment each time they traverse through these waters. The "paddling canal", being only seven meters in width, will not be wide enough to safely handle our six-person outrigger canoes or multiple solo canoes, especially when we often have four six-person outrigger canoes paddling through these waters. For example if a White Hull row boat, being 5.5 meters in width (including oars), attempts to pass through the paddling canal and meets an outrigger canoe, being 3 meters in width, the two cannot pass each other. One would need to hold up, or potentially back up. This would be further compounded by current, tide or waves providing an unsafe environment and leading to possible equipment damage. Lastly at low tide this route may not be safely passable due to lack of water and rocks.

The size and location of this new marina needs to be reconsidered, especially the location and width of the proposed "paddling canal".

Paddler Name Tim Hurliman

Address: Box 80422 Victoria BC V8N 3S3

P.S. The attached plan shows the proposed marina located on the Port of Victoria Traffic Management Scheme and the non motorized space that paddlers have &

1627 Barksdale Drive, Victoria, BC V8N 5A8  
Supervisor  
W. H. Stone

# PORT OF VICTORIA TRAFFIC SCHEME

Vessels using inbound/outbound traffic lanes shall "KEEP YELLOW BUOYS CLOSE TO PORT AT ALL TIMES".



"PARTNERSHIP IN SAFETY"

## LEGEND

Centre Line Buoy	Red Aid To Navigation Light
Buoy	Remedy Collection Point
Anchor Plot	Shipping Arrival And Departure Route
Green Aid To Navigation Light	Shipping Buoy
Heavy Traffic - One Extreme Control	Shipping Holding Area
Medium Landing Plot	Shipping Incident Response Operating Area
Information Buoy	Shipping Tide Marker
Transport Facility	Shore Light
Unsubmerged Area For Shipboard Drift Buoys	Wharf
	Speed Limit Boundary Line

NAD 83 datum

This chart does NOT replace the official marine navigational chart 23412 published by the Canadian Hydrographic Service





VIA EMAIL:

October 16, 2015

To Whom It May Concern:

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Paddler Name

Daniel Miskely

Address:

108 Paddock Place





VIA EMAIL:

October 16, 2015

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Paddler Name

Julie Kippen

Address:

4238 Cedar Hill Rd, Victoria, BC V8N 3C5





VIA EMAIL: [FLNR.Minister@gov.bc.ca](mailto:FLNR.Minister@gov.bc.ca); [Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca); [minto@tc.gc.ca](mailto:minto@tc.gc.ca);  
ryan

October 16, 2015

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The size and location of this new marina needs to be reconsidered, especially the location and width of the proposed "paddling canal".

Paddler Name Trent Ronak

Address: 768 Head Str. Victoria BC





VIA EMAIL:

October 16, 2015

To Whom It May Concern:

**RE: VICTORIA HARBOUR MARINA PROTEST**

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The size and location of this new marina needs to be reconsidered, especially the location and width of the proposed "paddling canal".

Paddler Name

Sandra Ruge

Address:

768 Head St. Victoria, BC





VIA EMAIL:

October 16, 2015

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Paddler Name

D. Barry

Address:

Blenkin Sop 3673





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October 16, 2015

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Paddler Name

BRENDA JACKMAN

Address:

4335 Cedar Hill, Victoria BC





VIA EMAIL:

October 16, 2015

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Paddler Name Jordan Pilon

Address: 1627 Barksdale Drive, Victoria BC V8N 5A8

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October 16, 2015

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Paddler Name Paul Pilon

Address: 1627 Barksdale Drive, Victoria BC V8N 5A8





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Paddler Name RICHARD MAAS

Address: #39-10520 MACDONALD PARK ROAD  
SIDNEY, B.C.

1627 Barksdale Drive, Victoria, BC V8N 5A8





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Paddler Name Marianne Pilon

Address: 1627 Barksdale Drive, Victoria BC V8N 5A8





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Paddler Name LISE BUGEAUD 

Address: 6984E Central Saanich Rd Victoria BC  
V8Z 5B2





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Paddler Name Airbe Storrock

Address: 844 Gannet Court Victoria BC





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Paddler Name

Michelle Morady

Address:

277 Bessborough Ave Victoria, BC V8B 1T4





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Paddler Name

Jane Jackson-Berry

Address:

3673 Blenkinsop Rd,  
Victoria,



**Jim Handy**

---

**From:** mayorandcouncil@victoria.ca  
**Sent:** Friday, Sep 18, 2015 3:32 PM  
**To:** 'Glenda Ducharme'  
**Subject:** RE: Marina

Dear Ms. Ducharme,

Thank you for your email, it has been shared with Mayor and Council.

The City has not yet received a formal submission for this site; however, staff understand the applicant is expecting to finalize their submission soon. I have filed your email to ensure it is stored with all public feedback received on the application.

Sincerely,

Monica Dhawan  
Correspondence Coordinator  
Citizen Engagement and Strategic Planning  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0516



-----Original Message-----

From: Glenda Ducharme [REDACTED]  
Sent: Sunday, September 13, 2015 9:51 PM  
To: mayorandcouncil@victoria.ca  
Subject: Marina

Hi. I am in favour of the changes Mr. Evans proposed regarding the marina. This is very important to me as my condo will be looking out at the marina. Thanks. G.Ducharme resident of The a Royal Quays

Sent from my iPhone

November 3, 2009

Mr. Ryan Greville  
Area Officer  
Navigable Waters Protection Division  
Transport Canada  
Pacific Region  
820 – 800 Burrard Street  
Vancouver, BC V6Z 2J8

Your file: 8200-05-8949

Email: [ryan.greville@tc.gc.ca](mailto:ryan.greville@tc.gc.ca)

Mr. Greville,

Thank you for your letter of October 2, 2009 giving South Island Sea Kayaking Association (SISKA) this opportunity to respond to the revised plans for Victoria International Marina. While we appreciate this opportunity to comment, we are concerned that other stakeholders and the public have not had the same opportunity. Given the significant impacts of this revised plan the appropriate process would have been for NWPP to require the proponent to deposit this revised plan at the land titles office with an advertisement and a reasonable period for public comment.

In our opinion, the latest drawings continue to raise navigational, access and safety concerns for a wide range of non-powered vessels, not just kayakers. Standards under the Navigable Waters Protection Program (NWPP) require that the review officers and the public are given access to a set of plans that is clear, accurate and complete, with supporting documentation. A review of the revised plans and earlier versions of the site plan indicates that this standard has not been met. In order to act with due diligence, Transport Canada must address the concerns raised in this letter as well as concerns raised in earlier submissions that have not yet been adequately addressed. Please note that in July, 2009 NWPP agreed that the proposed marina site plan should be overlaid on a Canadian Hydrographic Services (CHS) navigational chart so that the impacts on navigation and safety of the proposed work could be clearly and accurately assessed. To date we have not been provided with this document. Has NWPP obtained this from the proponent? When will this document be made available to stakeholders and the public?

If Transport Canada required the proponent to overlay the proposed marina site plan onto Chart 3412 and to report the clearances in navigable water definitions, not as surveyor data references under each structure, stakeholders and NWPP could use the CHS Current and Tide Table, Volume 5 for the Victoria harbour to determine if there is sufficient clearance under the buildings and sufficient water under the vessels to safely use the proposed paddle corridor. By using chart datum, it will be possible to NWPP and stakeholders to determine if the clearances under the structures will be safe for all non-powered vessels including outrigger canoes, stand up paddle board users and row boats.

The proponent's schematics of the ramp leading to the docks should show the clearances based on chart datum at both the land end and the dock end of the ramp for all structures. This method removes the ambiguity about the sea floor contour from the foreshore out under the marina and in particular, along the proposed paddle corridor. This information combined with data from the Current and Tide tables is essential to determine the feasibility of the corridor for all types of non-powered vessels.

Fisheries and Oceans web site defines datum as follows:

*"Datum - For navigational safety, depths on a chart are shown from a low-water surface or a low-water datum called chart datum. Chart datum is selected so that the water level will seldom fall below it and only rarely will there be less depth available than what is portrayed on the chart."*

Reference: <http://www.dfo-mpo.gc.ca/regions/central/issues-questions/index-eng.htm>

It appears that NWPP has not taken under consideration that clearance under the buildings will decrease over time as a result of changes in sea level due to climate change. According to recent studies, at the current rate of change in sea level the clearances through this corridor could decrease to a point where navigation may not be feasible for the duration of the license of occupancy of the water lots. Refer to Dr. Gordon Greeniaus' letter to NWPP in November 2009.

The clearance under the structures (buildings and bridges) according to the proponent's material is based on geodetic datum. Clearances on a Canadian Hydrographic Chart (CHS) are based on chart datum and not the level of the land as in geodetic datum. Therefore, the clearances under structures need to be measured according to recognized standards for navigable water, chart datum. For example, CHS Chart 3412 of the Victoria Harbour shows clearances under structures such as the Johnson Street Bridge at 5.9 m and the Point Ellice Bridge at 9 m. The NWPP has a duty to assess the proposed work in accordance with the established marine navigational standards. When will clearances based on chart datum be made available to stakeholders and the public?

According to the renderings attached to your letter, the two buildings are supported by pilings within the boundary of the corridor and therefore the paddling corridor appears to be obstructed by pilings. The pilings present safety risks to all non-powered vessels by restricting maneuverability and line of sight.

The limited corridor width of approximately 8 m requires careful maneuvering given its non-linear configuration. The curves require agility and good pilotage by kayakers. Since the majority of kayakers paddle in groups passage becomes difficult with increased risk of an accident in the corridor and especially under the buildings. Furthermore, the narrow corridor is inadequate for non-powered vessels to maneuver when there is opposing traffic. Since there are several sets of pilings, the potential safety risk increases further when the paddlers are negotiating the pilings on each side of the two buildings due to the further reduction of space.

In order to navigate this narrow corridor, paddlers operating larger non-powered vessels are presented an extreme hazard. A six person outrigger canoe (OC6) is 15 m long and 2.5 m wide. Paddlers of these large vessels attempting to transit the corridor need to be very highly skilled as they are extremely difficult to steer in the best of conditions and respond relatively slowly to the helm. The proposed paddle route leaves little space to allow for steering difficulties and opposing traffic to transit safely within the corridor and under the buildings.

The revised plan lacks detailed measurements on the separation between the pilings. When will this information be made available to stakeholders and the public? Doug Linton, Director Safety and Standards, Victoria Canoe and Kayak Club (VCKC) has stated that it is unlikely an OC6 could safely navigate through this corridor. He states in his email of October 14, 2009 to NWPP "...many steerspersons will opt to go around the marina on the outside in order to avoid being caught between the proverbial 'rock and the hard place', thereby entering the [approximately] 5m wide zone adjacent to the aircraft taxiway ...". SISKA concurs with the concerns raised by VCKC, an organization of over 400 members who operate large non-powered vessels on the north shore of the Victoria harbour on a year round basis.

Other navigational concerns have been raised by operators of non-powered vessels who are forced to proceed around the marina between the aircraft taxiway on the north side of Pelly Island and the perimeter of the marina structure. Earlier submissions have provided evidence of serious safety concerns with respect to this mix of marine and aircraft traffic in the congested area, complicated by the effects of the wave attenuator and mega-yacht traffic. Will NWPP and Lori Young as part of the operational review respond to the navigational and safety issues raised by stakeholders including Harbour Air Seaplanes, Victoria Harbour Ferries, Ocean River Sports, VCKC and other organizations? Refer to Irene Faulkner's letter of September 21, 2009.

The alternative is to paddle around the exterior of the marina next to the taxiway. The distance between the marina and the edge of the taxiway appears to be approximately 8m. This creates unacceptable risks associated with mixing powered vessels, aircraft and non-powered vessels in a restricted space. These risks of congested traffic in a restricted area were previously documented in SISKA's submissions between December 2008 and August 2009 to NWPP. Evidence of these navigational and safety concerns are contained in the letter from Irene Faulkner dated September 21, 2009 on behalf of SISKA to Jim Prentice, Minister of the Environment, a copy of which was forwarded to Transport Canada Minister, John Baird. At the public meeting in Victoria on September 22, 2009, Ms. Faulkner presented a copy of the letter to the panel chair in the presence of Lori Young, Regional Director, Programs – Pacific, who is in charge of the operational review of the proposed marina. Will NWPP and Lori Young respond publicly to the submissions of September 21 and 22, 2009 as part of Transport Canada's operational review?

Paddling under the two buildings presents additional safety risks beyond the issue of the pilings. Visibility becomes an issue as a paddler's vision must quickly adjust from bright sunlight to the darkness under the buildings several times during their transit. Low light days and evenings will add to the risk to paddlers. Under both lighting conditions, it could be difficult to recognize and avoid other paddlers.

There is the strong probability debris and sea plant material will collect behind the marina driven by prevailing winds and tides. The accumulation of the debris will eventually create a navigational hazard to paddlers and could block access to the paddlers. This could force paddlers out around the marina and the mixed traffic issue arises once again. How will NWPP address this navigational hazard as part of their review process?

With the larger non-powered vessels unable to navigate safely through the narrow corridor, the effects of the wave attenuator come to the forefront for vessels paddling around the exterior of the marina structure. We refer you to earlier submissions to NWPP authored by Dr. Gordon Greeniaus regarding the measurement of the reflective wave particularly when westerly winds are blowing against the attenuator. In July 2009 Transport Canada agreed to obtain a peer review of the proponent's wave attenuator study and the negative impacts on navigational safety. At the public meeting on September 22, 2009, Lori Young reiterated Transport Canada's commitment to this peer review. What is the status of the review and when will Transport Canada release this information to stakeholders and the public?

In an earlier submission, SISKA raised concerns about effects on navigation and safety of this marina if the use of this marina were to change in use from a marina for mega-yachts to a marina for a larger number of smaller boats. Evidence was provided earlier that Transport Canada officials are on record as stating that such a change in use would raise serious concerns with respect to traffic safety. This is because the current Victoria Harbour traffic scheme requires smaller boats to use the traffic separation lanes on the south side of the harbour. Previous requests for information on what conditions Transport Canada would put in place to prevent this change in use have not been answered. Due diligence requires that Transport Canada puts conditions in place to prevent such a change in use. What are Transport Canada's intentions to ensure that the best interests of stakeholders and public are protected with respect to this issue?

Although SISKA is responding in detail to this revised plan, our position on the revised marina has not changed. The scope and the location of the proposed marina are such that attempts to mitigate concerns by making minor changes to the site plan are not effective. This project will substantially impede safe navigation and public access to these waters. The plan attached to your letter of October 2, 2009 does not adequately mitigate stakeholder's concerns regarding navigation nor does it protect public access to these waters. The approval of the project proposed by Community Marine Concepts LP on the north shore of the Victoria Harbour will effectively alter the use of this area from the current public use to private use. The approval of this project is counter to the stated mission of the Navigable Waters Protection Division to preserve the public right of unimpeded safe navigation. This protection applies equally to all vessels including a wide range of small non-powered vessels. It is not consistent with NWPP's mandate to focus on mitigation of concerns from kayakers only.

According to the NWPP guidelines, the public is entitled to access a set of clear, accurate and complete plans and to participate in a fair and transparent public consultation process. In order to restore our trust in the review and approval process, the integrity, transparency and accountability are of primary importance. It is SISKA's contention that Transport Canada has not responded effectively to requests for information from stakeholders or effectively addressed concerns about navigation and safety that have been identified. Therefore Transport Canada has not met its obligations.



It is our expectation that the serious concerns raised by SISKKA and other stakeholders will be seriously considered and acted upon. This is how Transport Canada can demonstrate that NWPP and the Pacific Region Programs Branch that is carrying out the operational review will fulfill their mandates to protect public access to these navigable waters and maintain operational safety of Victoria Harbour.

Attached is a site plan of the proposed marina overlaid on the current Port of Victoria Traffic Scheme that demonstrates the extent to which navigation by non-powered vessels could be impeded by this project. See Appendix A.

Respectfully,

Gary Allen  
President  
South Island Sea Kayaking Association  
Email: [gd.allen@shaw.ca](mailto:gd.allen@shaw.ca)

Copies to:

Lori Young, Regional Director,  
Programs – Pacific  
Transport Canada  
Email: [lori.young@tc.gc.ca](mailto:lori.young@tc.gc.ca)

Michael Henderson, Regional Director General  
Transport Canada  
Email: [michael.henderson@tc.gc.ca](mailto:michael.henderson@tc.gc.ca)

Bob Gowe, Manager  
Navigable Waters Protection  
Transport Canada  
Email: [bob.gowe@tc.gc.ca](mailto:bob.gowe@tc.gc.ca)

John Baird  
Minister, Transport Canada  
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Maurine Karagianis, MLA  
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Email: [Maurine.Karagianis.MLA@leg.bc.ca](mailto:Maurine.Karagianis.MLA@leg.bc.ca)

Denise Savoie, MP  
Victoria  
Email: [SavoieD@parl.gc.ca](mailto:SavoieD@parl.gc.ca)

Keith Martin, MP  
Esquimalt-Juan de Fuca  
Email: [MartinK@parl.gc.ca](mailto:MartinK@parl.gc.ca)

Mayor Dean Fortin and members of Victoria City Council

Appendix A

The following embedded file (pvts08\_megamarina\_detail.pdf) uses the existing Port of Victoria Vessel Traffic Scheme with the proposed Victoria International Marina overlaid.



December 4, 2015

The Honourable Steve Thomson, Minister of Forest Resources and Lands, Province of British Columbia

The Honourable Bonnie Raitt, Minister of Transport, Infrastructure and Communities, Canada

The Honourable Gail Shea, Minister of Fisheries and Oceans, Canada

Her Worship Mayor Lisa Helps and Council, City of Victoria

Honourable Ministers, Mayor and Council:

I am writing on behalf of the South Island Sea Kayaking Association (SISKA) in regard to the proposed Victoria International Marina (VIM) development in Victoria Harbour.

SISKA represents over 200 active local sea kayakers who regularly paddle the waters off our coast as well as inland waterways including the Gorge, Esquimalt and Victoria Harbours. We are very familiar with the proposed marina site and continue to have a number of serious concerns for the safety of boaters if this development proceeds.

The planned transit channel between the proposed floating VIM dock and the shore, intended for passage by non-powered boaters would feature blind entrances at both ends, insufficient clearance at high tides under the gangway, the likelihood of considerable floating debris obstacles and a width that would not permit the safe passage of OC6s or similar-sized boats inadvertently meeting there. This could well result in marine accidents and injuries.

If the proposed marina complex were to be located further offshore to widen the transit channel, there would be insufficient room for powered vessels to pass around the perimeter without infringing on the floatplane taxiway on the north side of Pelly Island. The result of these navigational challenges would very likely be the mixing of marine traffic in the area and the potential for additional marine accidents.

In November 2009, SISKA made a detailed submission to the various authorities outlining our concerns about a previous version of this proposed development (attached). Despite the very significant concerns expressed at that time by ourselves, a number of other organizations and the public at large, the governing authorities permitted this development planning process to continue without any public consultation and the current flawed marina proposal is the result.

Regrettably, we have been given no opportunity for feedback on the current proposal, but note from the VIM website (<http://vimarina.ca>) that two local companies involved in rowing and kayaking have apparently been given concessions to operate at the marina. However, it is absolutely essential, before the proposed marina development proceeds any further in this public waterway, that the views and concerns of the much broader community of local kayakers, canoeists and small boaters be fully heard and safely accommodated.



We therefore call upon the provincial, regional and municipal authorities to ensure that the public is properly protected in our local marine environment.

Sincerely,



Alan Campbell

Vice-President, South Island Sea Kayaking Association

Victoria, British Columbia

Copies:

Ryan Greville, Manager, Navigation Protection Program, Transport, Infrastructure and Communities, Canada

Susan Farlinger, Regional Director General, Pacific Region, Fisheries and Oceans Canada

Bonnie Antcliffe, Regional Director, Ecosystems Management Branch, Fisheries and Oceans Canada

Alain Magnan, A/Manager, Regulatory Reviews, Fisheries Protection Program, Fisheries and Oceans Canada

Jonathan Tinney, Director, Sustainable Planning and Community Development, City of Victoria

Jim Handy, Senior Planner, Development Agreements, City of Victoria

Jason Johnson, City Manager, City of Victoria

Tom Zworski, City Solicitor, City of Victoria

Murray Rankin, MP

Randall Garrison, MP

Maurine Karagianis, MLA

Carole James, MLA

Gary Holman, MLA

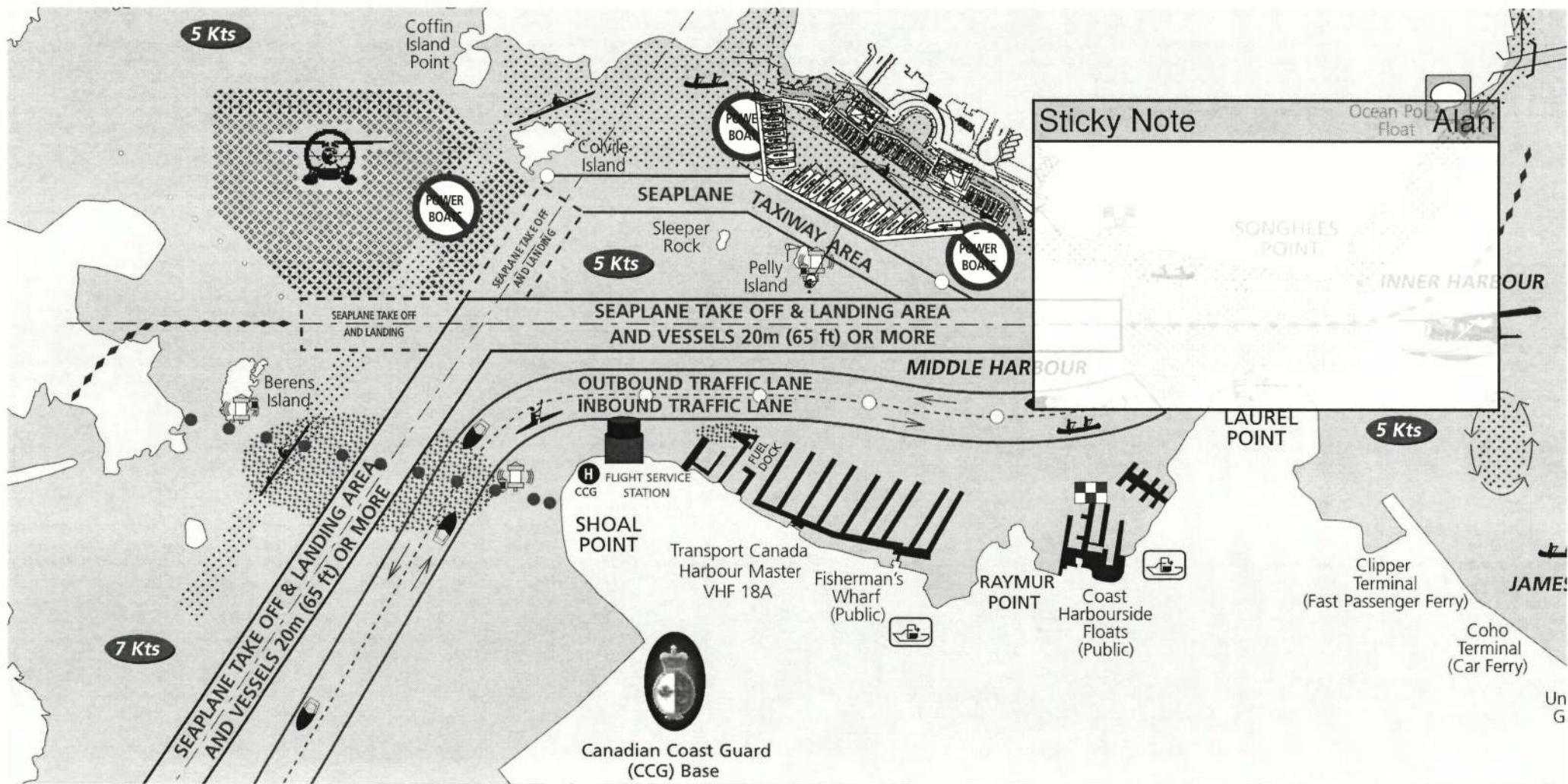
Chandra Herbert, MLA

Alyssa Zhang, Financial Manager, Victoria International Marina

Peter Harris, Pacifica Paddle Sports

Harold Aune, Whitehall Rowing

Executive, South Island Sea Kayaking Association





December 8, 2015

To: City of Victoria Planning and Land Use Committee  
Mayor and Council

Re: Development Permit Application  
Vancouver International Marina

As you consider this application, we want to make sure you are aware of a few important points:

- Valid development permits are currently in place for an earlier iteration of this marina. We believe the current version (one building instead of two, a much lower building profile, greater collaboration with/accommodation of other harbour users, etc.) provides a superior outcome in all respects;
- The present marina design provides safe passage for kayaks and other paddle boats between the marina and the shore. As well, an approximately 100-foot channel for safe passage of paddle boats exists between the offshore edge of the marina and the taxiing corridor reserved for float planes. These considerations have been vetted and approved by Transport Canada, the regulator for Victoria's harbor traffic.
- All levels of government have worked closely with us in planning this project. We have acted and continue to act upon all requirements and suggestions of these agencies.
- We have undertaken extensive community and harbour user consultation, including meetings with Royal Quays Strata Corporation (incl., current and past council members), Vic West CALUC, several paddlers, three leading paddle companies, interested citizens, representatives of City Council, all levels of government, communication through several newspaper and direct mail updates, and continued communication with our First Nations partners. While we have not been able to satisfy the desire of those who simply don't want to see the marina, we have worked diligently to amend our plans to satisfy almost all harbour users and stakeholders.
- We have completed extensive engagement with the Vic West CALUC, even to the degree of communicating several minor changes requested in the last several days by the city Planning Department.

Planning & Land Use  
Standing Committee

DEC 10 2015

Late Item#

6

Page#

- We look forward to undertaking the marina project (there is strong market interest in these berths evidenced through numerous slip-reservations), and anticipate making a solid and significant contribution to the Victoria economy.

All of us associated with this project hope the marina project merits your support and approval of this development permit application.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Norris', with a stylized, flowing script.

Craig E. Norris  
Director, Strategic Planning  
Community Marine Concepts Ltd.

email: [cnorris@vimarina.ca](mailto:cnorris@vimarina.ca)

phone: [REDACTED]



## Janice Appleby

---

**From:** mayorandcouncil@victoria.ca  
**Sent:** Wednesday, December 09, 2015 1:32 PM  
**To:** Janice Appleby  
**Subject:** FW: Proposed Songhees Marina Development



FYI - Late correspondence

Thanks,  
Monica

**From:** dougevans@telus.net [mailto: ]  
**Sent:** Wednesday, December 09, 2015 12:32 PM  
**To:** mayorandcouncil@victoria.ca  
**Cc:** Council Royal Quays  
**Subject:** Proposed Songhees Marina Development

Dear Mayor and Council,

I am Doug Evans, owner of the condominium unit 106 in Royal Quays which will be adjacent to the proposed Songhees Marina development.

I have long been concerned about the potential negative impact this development will have on the usage, life style, and property value of my condominium unit.

I purchased this unit to take advantage of the beauty of the inner harbour, and the ambiance of the condominium community that runs adjacent to the harbour walkway.

I have not contacted Council prior to this as proposals have continually changed including the nature of the development.

I am now led to believe that the proposed Marina development is being considered by Council and that the new proposal includes a restaurant will be **situated approximately 100 feet from my bedroom**. Obviously, I am concerned that this will cause considerable down grading in the value of my property, but more importantly, will totally disturb what has been a treasured location for the last 20+ years.

In particular, I would like to bring to council member's attention the following concerns:

- Exhaust fumes and smells (from a restaurant) blowing into the condo units all day,
- Garbage storage and collection (especially if not monitored often) which will have visual and odour impact on residents of the condominium,
- Potential littering of grounds around the development and blowing onto condominium property,
- Noise emanating from the facilities and disturbing condo units residents daily,
- Hours of operation (i.e. 9 am to 11 pm ?) - must be quiet time for the condo units,
- Light pollution from signs and facility lighting shining into condo units both night and day,
- Impact of ingress, egress and traffic patterns that need to be addressed to minimize noise and impact on condo units and adjacent streets,
- Parkade and Songhees walkway security including camera security to avoid problems and potential disputes regarding traffic and people actions,
- Secure parking impacts which will affect the current secure parking for the condominium and owner's vehicles, as well as increasing in//out congestion.

I am sure there are other items that I have missed like the size of vehicles allowed in the parkade, not to mention vehicles leaking fluids, exhaust fumes, etc. without proper mitigation.

Perhaps there are City by-laws to address some of these concerns, but the City should examine what issues have arisen with other restaurants in residential areas, and there resolution.

Please consider the above concerns when evaluating this proposal and **keep in mind the local residents**, not just the commercial entrepreneurs and their not guaranteed proposal propaganda.

Thank you.

Doug Evans  
Victoria BC Canada





## Craig Norris

---

**From:** Doran Musgrove <[REDACTED]>  
**Sent:** December 9, 2015 12:38 PM  
**To:** Anita Walper; Craig Norris  
**Subject:** To Mayor & Council, Development permit #000440 for 1 Cooperage Place

Anita:

Further to my letter of November 30th, I have since met with Craig Norris, Director of Strategic Planning of Community Marine Concepts Ltd.. The purpose of the meeting was to (a) review the plans in general and (b) to review the easterly & southerly setbacks of the building. The proposed floating building design and location appear satisfactory and although the setback reductions are substantial, they are in keeping with the requirement to provide a protected kayak route.

With regard to the City of Victoria letter of November 27th, there is no objection to the decreased setbacks as shown.

Doran Musgrove  
Vic West Community Association  
Chair - Land Use Committee

Sign up for the VWCA newsletter [here](#)!

Live in Vic West and not a VWCA member? Join [here](#) for free!



### **3.1 Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place**

Committee received a report regarding an application for 1 Cooperage Place and 2 Paul Kane Place. The proposal is to construct a building on a dock in association with a proposed marina development and to remove rip-rap along the shoreline and install a new harbour wall to facilitate a paddle route.

Committee discussed:

- Concerns regarding the public access and the loss of the view corridor.
- Further engagement should be considered with the neighbourhood and those affected by the development.
- How the impact of the hydro substation could be mitigated.
- The kayak and boating channel and if there is a way to prevent the rip-rap from being disturbed.

**Action:** It was moved by Councillor Alto, seconded by Councillor Loveday, recommends that Council refer the application back to staff to have the applicant to provide more detailed information with respect to:

1. The proposed Hydro substation.
2. Accommodating the paddling channel width with and without the accommodation of the City.
3. Specifics of items previously requested by staff.
4. With a request that the applicant provide detailed information on the following:
  - a. The siting and appearance of the hydro substation and any proposed screening.
  - b. The design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.
5. Unobstructed access to parking stalls.

CARRIED UNANIMOUSLY 15/PLUC313

PLUC meeting  
December 10, 2015



## **REPORTS OF THE COMMITTEE**

### **3. Planning and Land Use Committee – November 26, 2015**

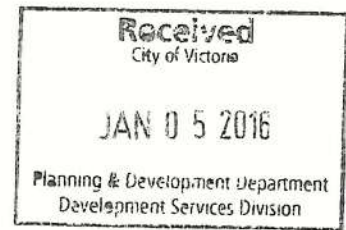
#### **5. Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place**

It was moved by Councillor Loveday, seconded by Councillor Madoff, that Council refer the application back to staff to have the applicant to provide more detailed information with respect to:

1. The proposed Hydro substation.
2. Accommodating the paddling channel width with and without the accommodation of the City.
3. Specifics of items previously requested by staff.
4. With a request that the applicant provide detailed information on the following:
  - a. The siting and appearance of the hydro substation and any proposed screening.
  - b. The design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.
5. Unobstructed access to parking stalls.

**Carried Unanimously**

Council Meeting  
December 10, 2015



January 4, 2015

Mayor and Council  
City of Victoria  
1 Centennial Square  
Victoria B.C. V8W 1P6

**Dear Mayor and Council;**

**Re: DP000440 – Victoria International Marina – Response to PLUC Comments  
LOT 3 Plan 47008 and those 48 parking spaces leased from strata plan 1889 to Pacific National Investments Ltd., otherwise known as 1 Cooperage Place, Victoria B.C.**

Community Marine Concepts Ltd. is pleased to supply Mayor and Council with the following information in response to the motion made at the December 10, 2015 Planning and Land Use Committee meeting and subsequent request for information from Staff.

**The PLUC Motion:**

*"That Council refer the application back to Staff to have the applicant provide more detailed information with respect to:*

1. *The proposed Hydro substation*
2. *Accommodating the paddling channel width with and without the accommodation of the City.*
3. *Specifics of items previously requested by Staff.*
4. *With a request that the applicant provide detailed information on the following:*
  - (a) *The siting and appearance of the hydro substation and any proposed screening.*
  - (b) *The design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.*
5. *Unobstructed access to parking stalls."*

**Each of the preceding five points is addressed under the corresponding numbered headings following. The respective Staff request is included under each, followed by our response.**



## 1. The proposed Hydro substation

### Request from Staff

- Final detailed architectural drawings of the proposed Hydro Substation (including details of screening, planting materials etc.). Example Engineering drawings are not acceptable. To address concerns addressed by PLUC, Staff would strongly recommend that the substation is at least partially submerged (and ideally entirely submerged) to significantly reduce the visual impacts of the proposal.
- Submission of revised plans that: demonstrate that the proposed substation will be satisfactorily screened from public view and will not adversely impact the important view corridor along Cooperage Place to the satisfaction of Staff [again, it is recommended that the substation be buried or at least partially buried].

### Response:

#### Determining Required Power Infrastructure

- Each slip is provided with power suitable for the slip size and type of vessel. The proposed commercial building on Lot 3 also requires power.
- A "Code Load" calculation was conducted to determine the size of Electrical Service required to meet the property's needs. This process is governed by the Canadian Electrical Code, Section 78 — Marinas, yacht clubs, marine wharves, structures, and fishing harbours rule 78-056.
- The "Code Load" requirement for Victoria International Marina (VIM) is a 750 KVA 600V Unit Substation.
- VIM is required to purchase and install the Unit Substation.

#### Constraints

- Secondary power lines (installed by VIM) proceed from the Unit Substation into a small in-ground transition junction box located on Lot 3, before proceeding down the marina ramp and ultimately into the Main electrical room situated in the floating building.
- BC Hydro is required to provide the primary service to the Unit Substation but "will not provide a primary service to a floating dock via cable suspended under a ramp"; therefore, our only choice is to locate the Unit Substation on land. (*Note: the primary reason is that High Voltage cable is not designed to be in constant motion and tides produce constant motion.*)
- BC Hydro has advised against underground installation. BC Hydro does not have an approved standard for underground vault installation. (*Note: The existing vaults in the downtown Victoria network are old installations that do not have standard replacement equipment for repairs.*)
- The City of Victoria, Chief Electrical Inspector has indicated that the City will not approve a below grade installation.
- Clearance for servicing and for panel opening would require a significantly larger 'footprint' for a semi-submerged (in-ground) substation than for a surface-installed unit closely surrounded by landscaping.
- The footprint of the Unit Substation was minimized by the supplier at our request.

#### Solution

- An above-grade installation with screening to the satisfaction of the City.
- Locate the station as to limit impact to views along the Cooperage Road view corridor.
- Two viable locations/options were considered. At the request of the City, only one option was included in the drawing package but both should accompany this letter (see Attachment A).
- Vegetation screening proposed for Option 1 and image wrap screening for Option 2; however, either would be to the satisfaction of the Parks Department.

## 2. Accommodating the paddling channel width with and without the accommodation of the City.

### Request from Staff

- Plans and information detailing what the paddle route and marina development would look like if the City did not approve the proposed work in City Park. Detailed plans of the paddle route.

### Response:

- There are two federally approved navigable paddling routes around the marina. One on the open water (south) side of the marina and one on the shore-side (north) of the marina.
- The north or shore-side paddling route is required by Transport Canada to be 7m (23 feet) of open water at all tides.

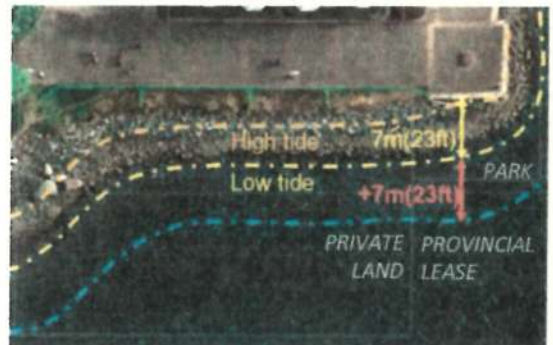
### Response:

Note: The following sketches are provided to assist in answering Council's question. Most of the images below cover Lot 3 only, for readability and because the effect is more-or-less a mirror image in Lot 4.

- At low tide, there is currently ~7.0m of riprap between the property line/edge of pavement/wall and low tide.

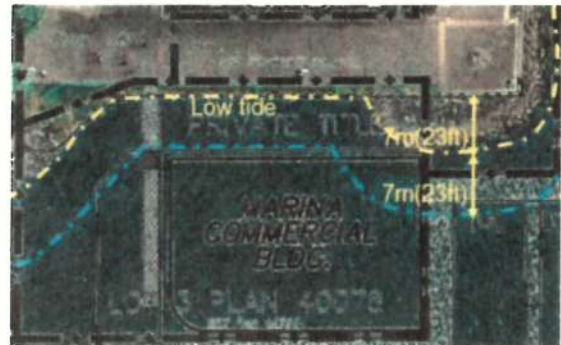
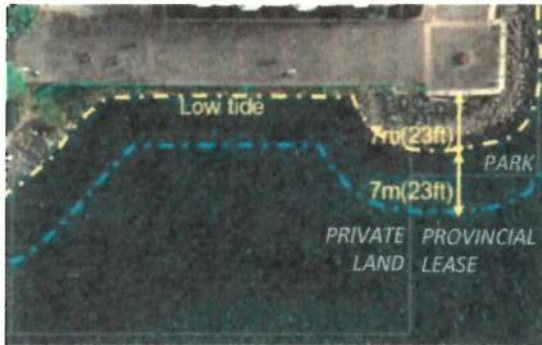


- If the shoreline remains as is, an additional 7m (23ft) of water would be required to obtain the 7m of water at all tides.

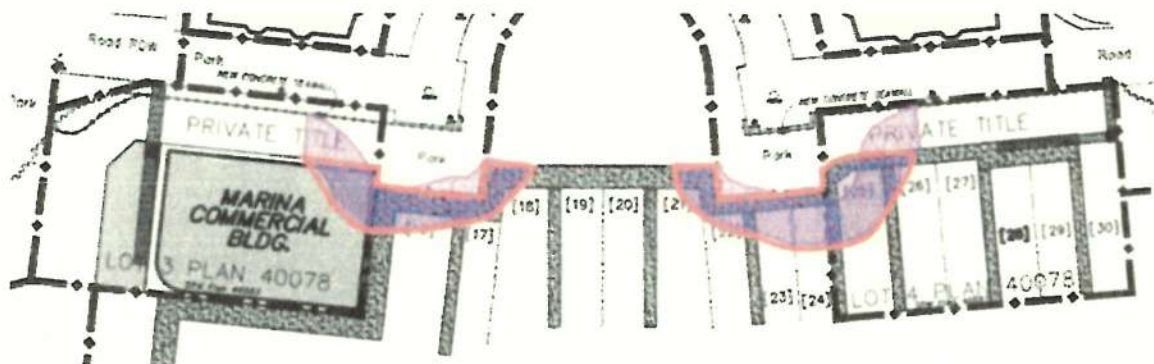




- If the shore area in the Park was to remain as is the paddle corridor would be forced in to the Provincial Lease, which is not allowed by the Province. Paddle navigability would also be compromised.

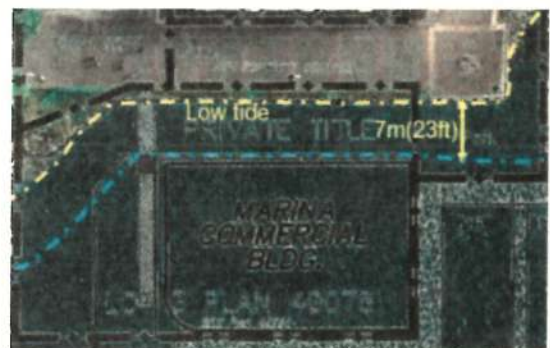
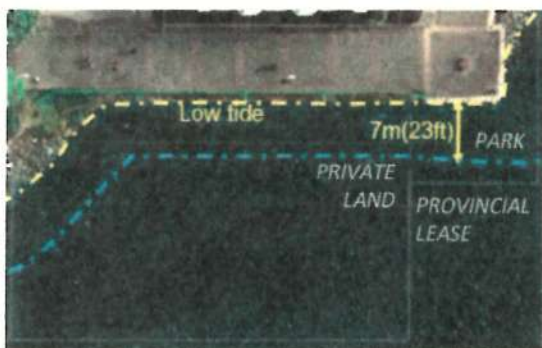


- The impact to the east and west sides are similar in nature. The impact on the east side is more significant.



- Paddle Canal Location adjustments
- Area of the Marina Impacted

- The Current Design Proposal



#### **Without the City's accommodation:**

- Two additional kinks would be created in the paddle canal, compromising navigability. Transport Canada, the governing authority, has already considered options and approved the current design.
- The Paddle corridor is pushed into the Provincial Lease, which is not allowed by the Province.
- There would be a total loss of ~600m<sup>2</sup> (6,400 ft<sup>2</sup>) of buildable area within the project.
  - 251m<sup>2</sup> (2,700 ft<sup>2</sup>) loss of buildable area on Lot3 and Lot4.
  - 348m<sup>2</sup> (3,720 ft<sup>2</sup>) loss of buildable area on Provincial Lease lot.

#### **Other Constraints:**

- The building and marina have already been pushed back as far as possible, limited by boat turning radiuses, transportation clearances and the lease area itself.

In summary, paddler safety, legal constraints on canal dimensions, and constraints on marina site are the key conditions supporting municipal accommodation.

### **3. Specifics of items previously requested by Staff.**

All Staff requests have been included/covered under each of the other Motions.

### **4. With a request that the applicant provide detailed information on the following:**

- (a) The siting and appearance of the hydro substation and any proposed screening.  
*[Item (a) has been covered under our response for Motion #1 and related Staff request]*
- (b) The design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.

#### **Request from Staff**

- Provide a design for the proposed seawall and railing design within the City Park to the satisfaction of Staff and apply this design along all parts of the affected seawall [we are seeking a consistent design approach along all parts of the affected wall].
- Remove any stone columns, landscaping and boulders associated with the new harbour wall that project above grade in the Paul Kane Place or Cooperage Place view corridors [to ensure a consistent design approach we recommend that the stone columns, landscaping and boulders be removed along all sections of wall].
- Provide detailed elevations of any proposed gates or free-standing security related structures that will be constructed on the docks or associated gangways.

#### **Response**

- All stone columns, landscaping and boulders associated with the new harbour wall that project above grade have now been removed from the design to ensure consistency with the City's design approach.
- Detailed elevations of proposed free-standing security related structures on the docks or associated gangways are provided in the revised drawing package.
- Security gates will be installed at both entries to the marina, as noted on the revised plans.
- Gate design will be transparent for both view and safety reasons.
- The gate to the commercial building float will be open to the public during normal business hours.



## 5. Unobstructed access to parking stalls.

### Request from Staff

- Provide details of how you will be providing unobstructed access to the required parking stalls located within the adjacent Royal Quays building.

### Response

- Community Marine Concepts Ltd. (CMCL) has the right to access 48 parking stalls located underneath the Royal Quays. We understand that the parkade currently has control doors which restrict access to those with a 'fob' key.
- A court order is also in place, which states that the Strata Corp. must provide CMCL access to and from the stalls.
- CMCL (the marina) will work constructively with the Royal Quays Strata Corp. to restore unobstructed marina parking access without compromising Royal Quays security. Gate relocation or double-gating are likely win-win solutions.
- Parkade access to stalls assigned to the marina, would remain open during restaurant business hours (for customer access and use). The gate would be closed after hours and marina staff would be provided with access security fobs.

We trust that the above information together with the drawings and Staff report have adequately addressed your questions.

We look forward to working with City staff, council and the mayor on the moving this project through the municipal develop permit process in due haste. Thank you for your consideration.

Yours Sincerely,



**Craig E. Norris**

Director Strategic Planning  
Community Marine Concepts Ltd.

CC:

Bruce Hallsor – Crease Harman LLP  
Gene Miller – New Landmarks  
Jim Handy – Senior Planner  
John Alexander – Cox Taylor Lawyers  
Jonathan Tinney – Director of Sustainable Planning and Community Development  
Robert G. Evans – Community Marina Concepts Ltd.  
Tom Zworski – City Solicitor

## Attachment A

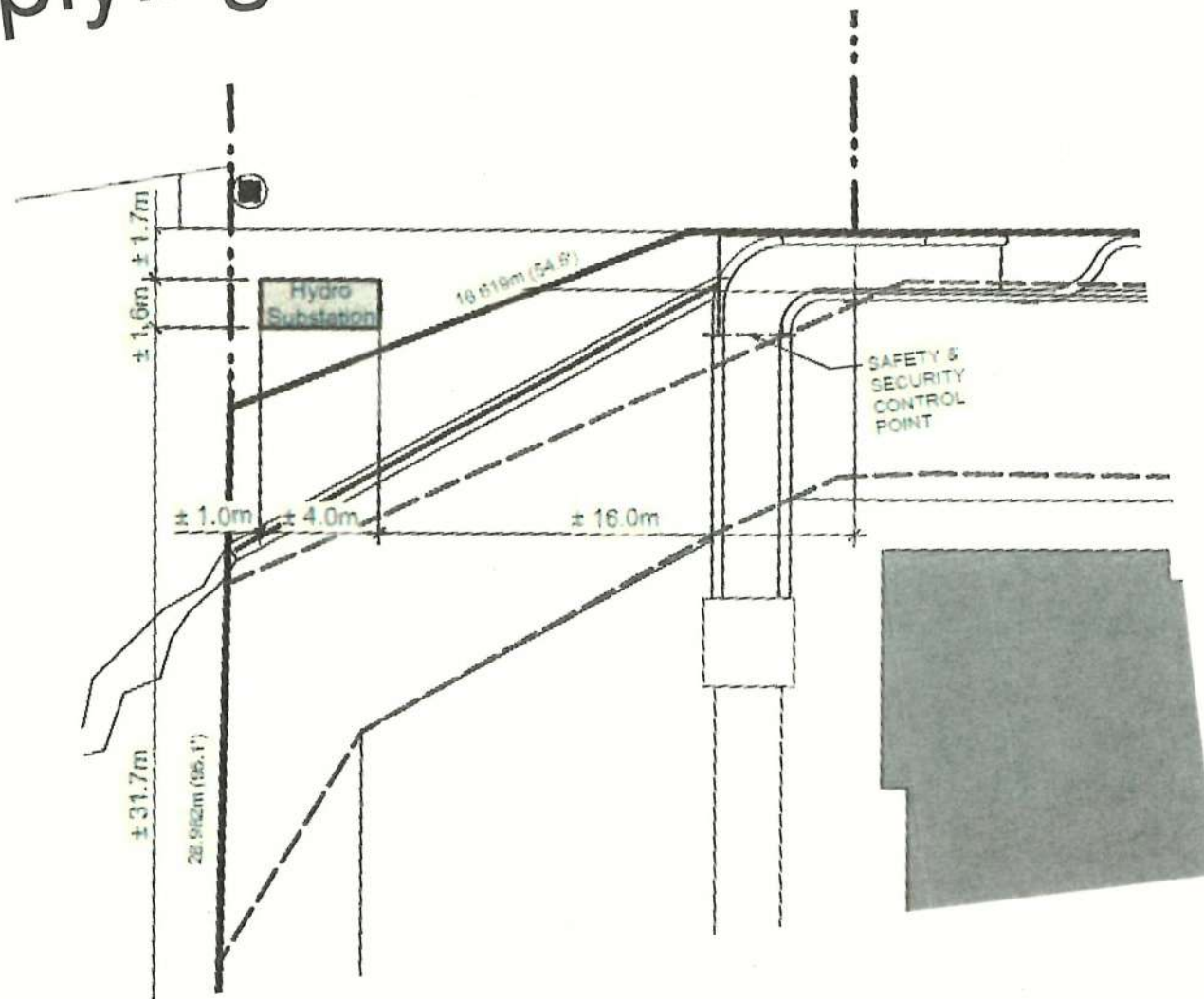


# Supplying Power – Options

1. End of the Cooperage Road right-of-way.
2. Midway along the Cooperage Road R-O-W.

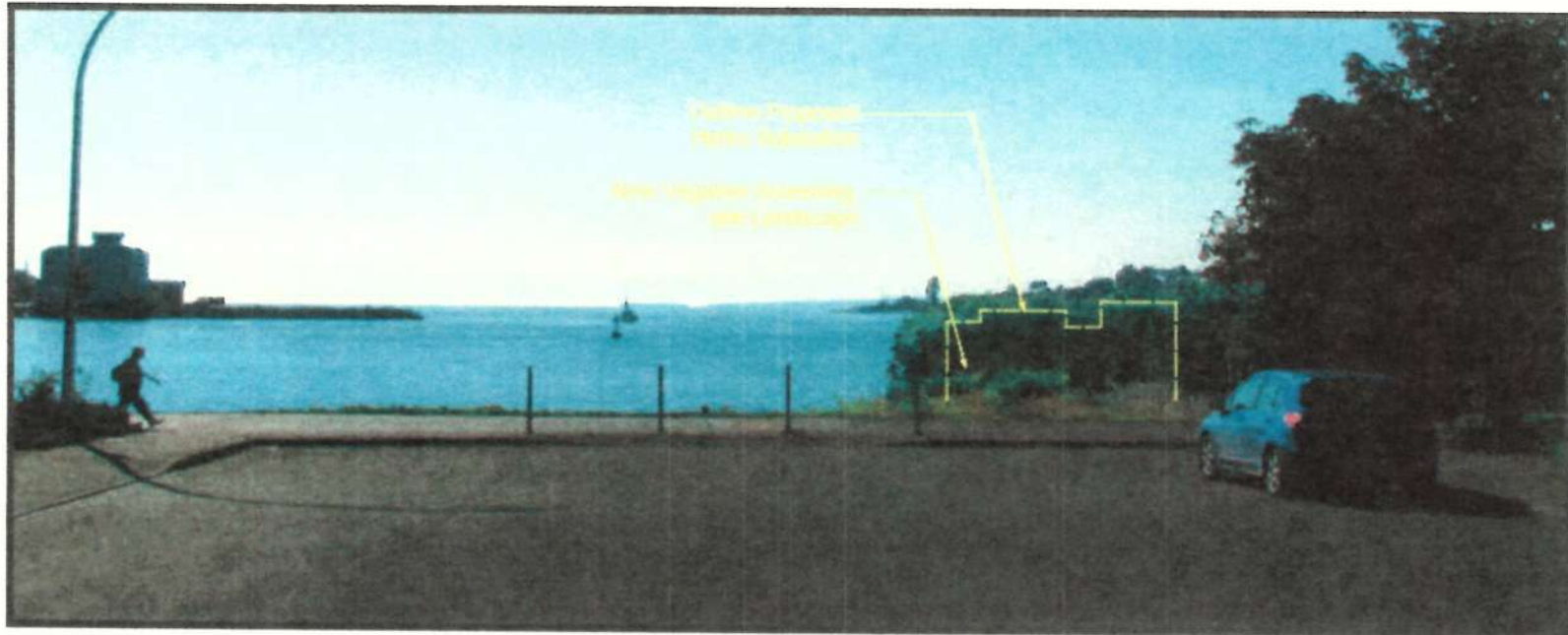


# Supplying Power – Option 1 PLAN

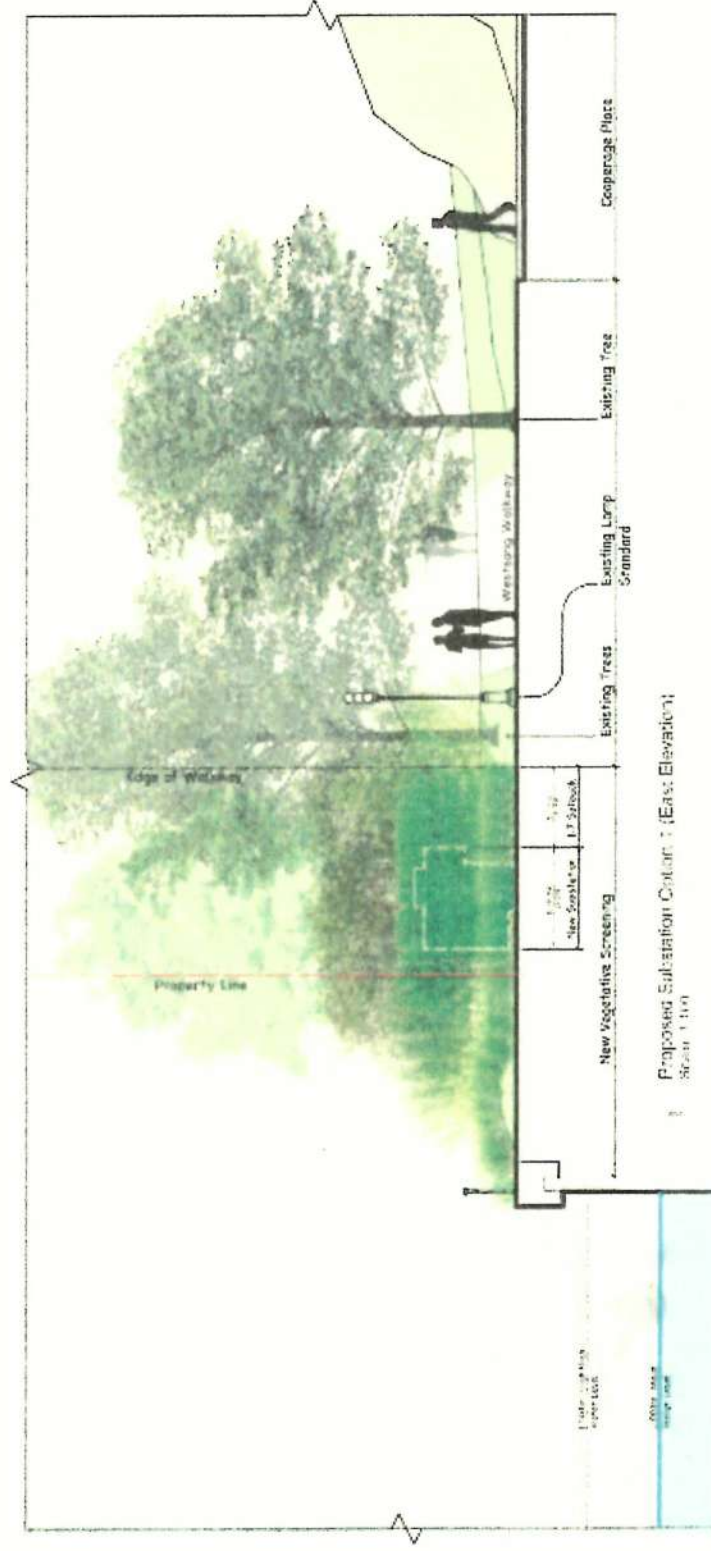




# Supplying Power – Option 1

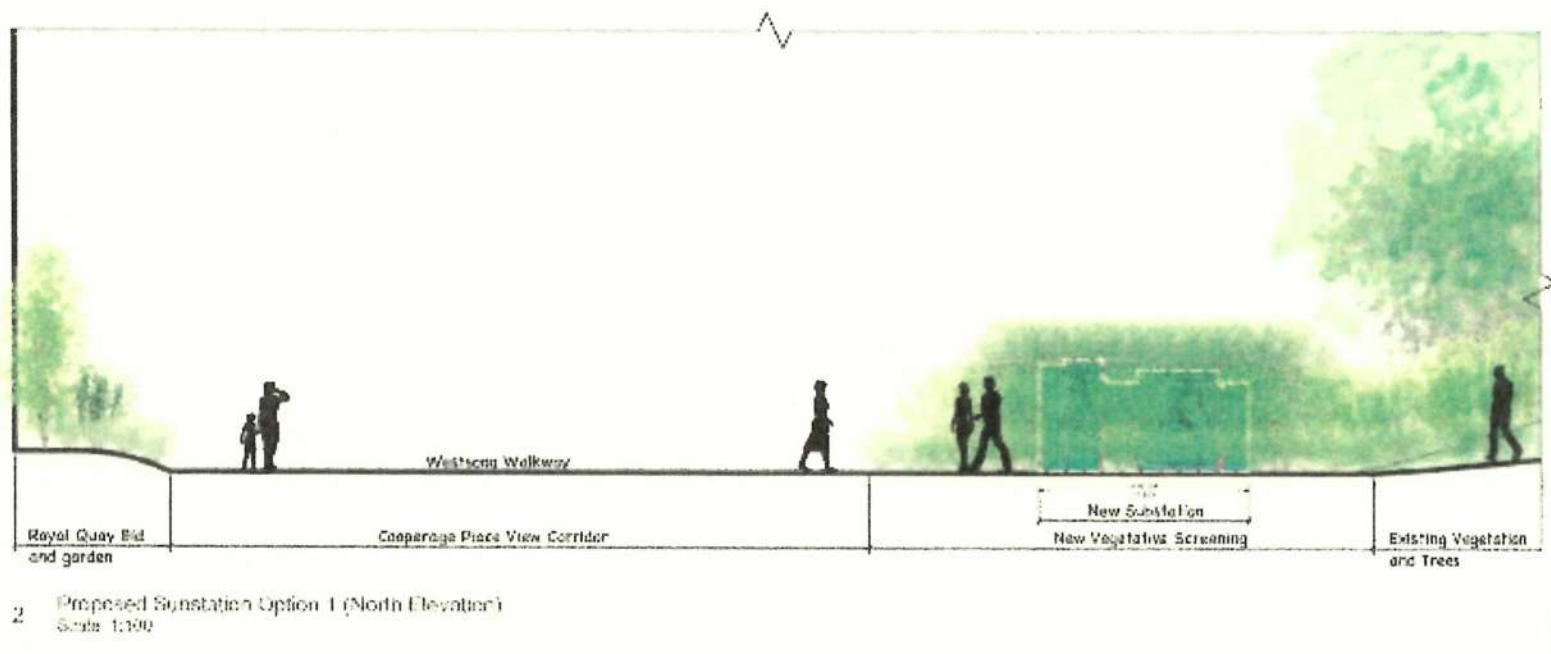


# Supplying Power – Option 1

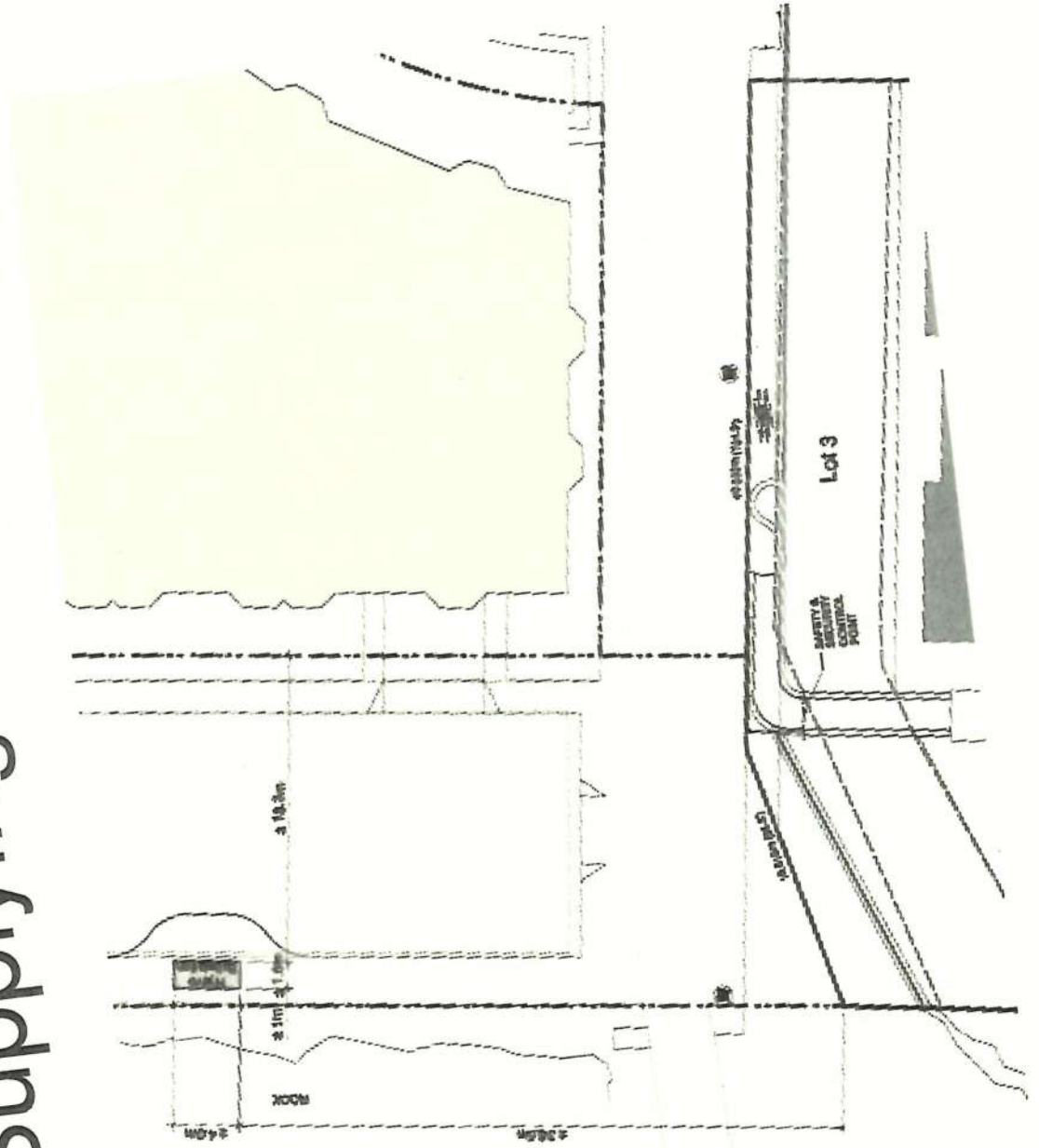




# Supplying Power – Option 1



# Supplying Power – Option 2 PLAN

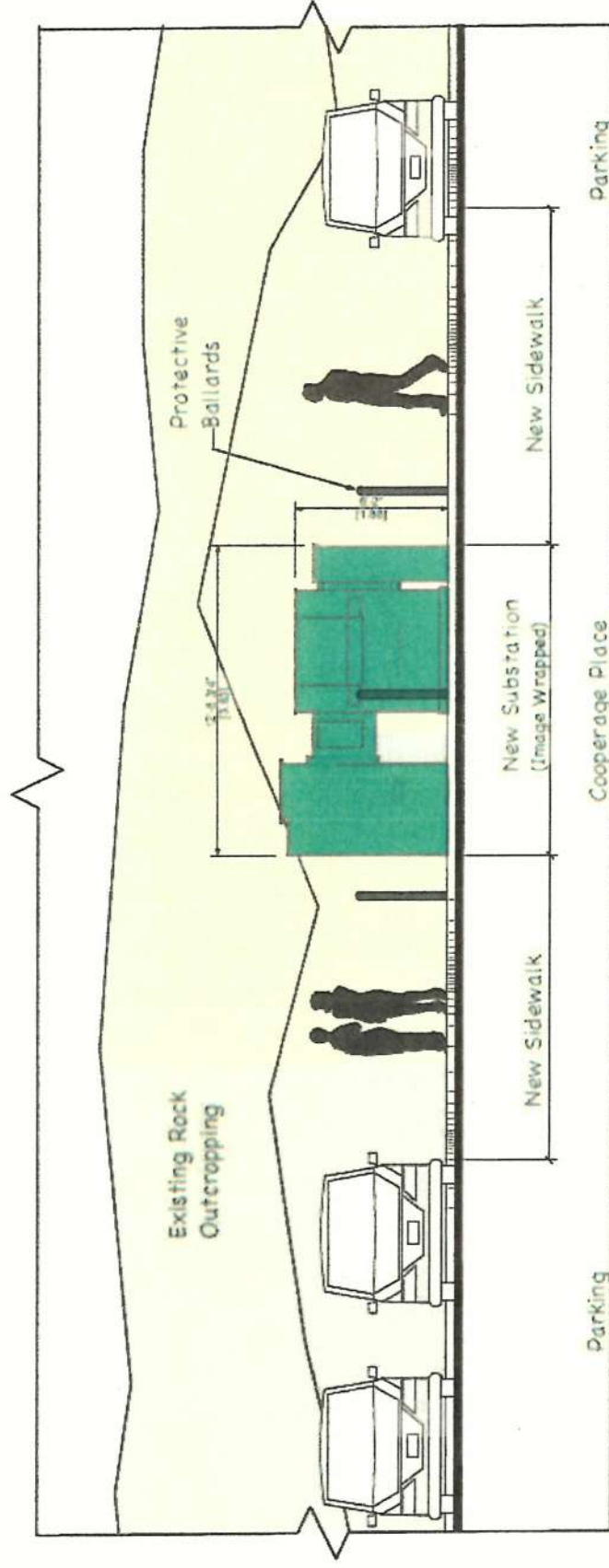




# Supplying Power – Option 2



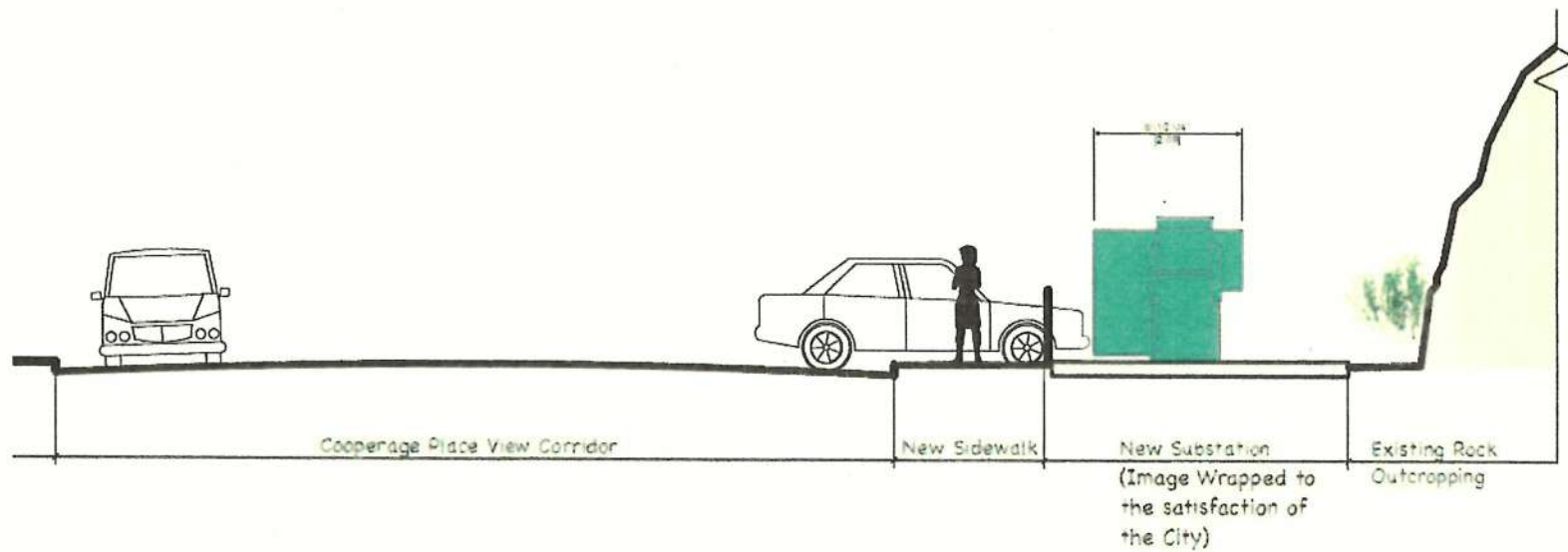
# Supplying Power – Option 2



**East Elevation**



# Supplying Power – Option 2



**North Elevation**

# Supplying Power – Option 2

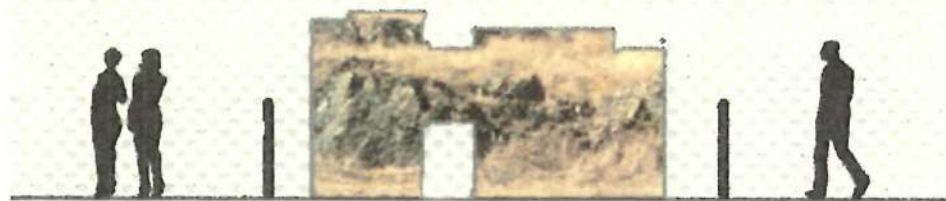
## IMAGE WRAPPING

The Unit Substation will be wrapped with a special protective material on which an image will be printed. The image for the wrap will be selected as to best camouflage the Substation with its surroundings.

In the case where there is also a live vegetation screen, the wrap will be designed to blend with the vegetation colour and pattern of the live screening vegetation.

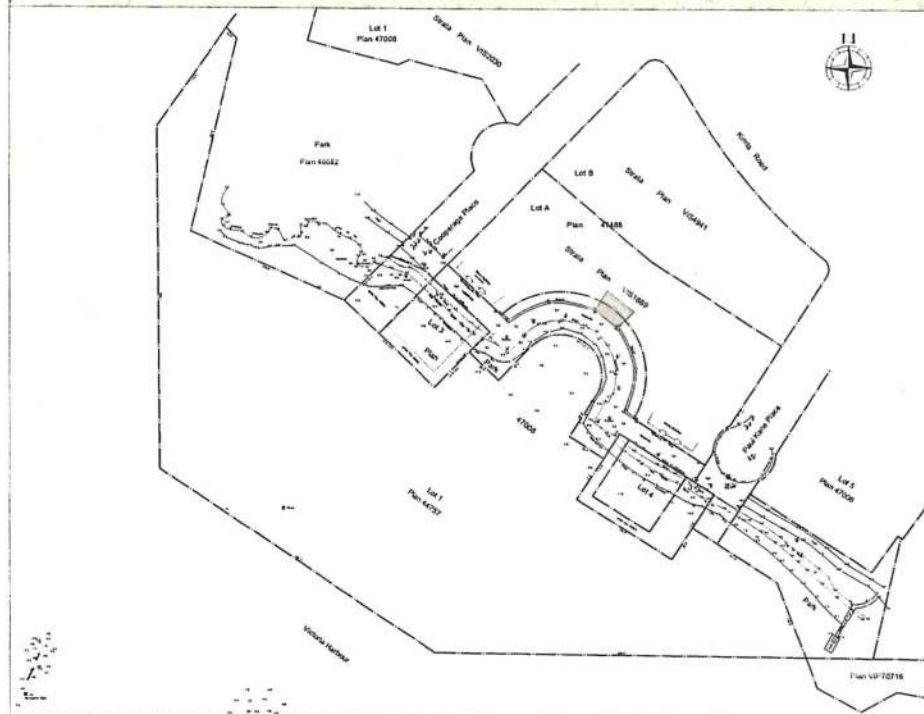
A second choice would be an oceanographic interpretation visual appropriate to this location.

In either case, CMCL will work with the Parks department in selecting an image, design or colour acceptable to Parks.



**Example:** a potential wrap might be based on the view currently behind each side of the Substation, as demonstrated in this sequence of sketches above, repeated for each side.





## VICTORIA ZONING BYLAW SUMMARY

**BUILDING DESCRIPTION:**  
ONE STOREY FLOATING MARINA BUILDING

**USES:**  
RESTAURANT/COFFEE SHOP, OFFICES

**ZONE:**  
EXISTING: SCR 1  
PROPOSED: SCR 1

**DEVELOPMENT PERMIT AREA:**  
OPA13 - CORE SONGHEES

**SITE AREA:** 1904 m<sup>2</sup> (20, 495 s.f.)

**FLOOR AREA:**  
PERMITTED: 864 m<sup>2</sup> (MAXIMUM)  
PROPOSED: 765 m<sup>2</sup>

**FLOOR SPACE RATIO:**  
PROPOSED: 0.40 : 1 FSR

**SITE COVERAGE:** 40%

**OPEN SITE SPACE:** 60%

**GRADE OF BUILDING:**  
3.0 m Geodetic (designated)

**HEIGHT OF BUILDING:**  
PERMITTED: 6.0 m MAX. (measured from geodetic 3.0m)  
PROPOSED: 6.9 m (measured from geodetic 2.1m - high water)

**NUMBER OF STOREYS:**  
PERMITTED: 1 STOREY  
PROPOSED: 1 STOREY

**PARKING:**  
REQUIRED (schedule C):  
Restaurant: 150 seats / 5 stalls per stall = 30 stalls  
Coffee Shop: 44 seats / 5 stalls per stall = 9 stalls  
Office: 100 m<sup>2</sup> / 65 m per stall = 1.5 stalls  
TOTAL REQUIRED: 40.5 stalls  
PROVIDED: 48 stalls in Royal Quays Parkade (Convenient)

**BICYCLE PARKING:**  
REQUIRED: 765 m<sup>2</sup> / 205 m<sup>2</sup> per stall = 3.7 stalls  
PROVIDED: 4 stalls / 4 indoor stalls (located in Royal Quays Parkade, one of 48 stalls)

**SETBACKS:**  
NORTH: 2.0 m Required 10.7 m Proposed  
EAST: 6.0 m 0.60 m\*  
SOUTH: 6.0 m 0.875 m\*  
WEST: 22.0 m 22.0 m

\*Variance Required

## BUILDING CODE SUMMARY

**REFERENCED DOCUMENT:**  
BRITISH COLUMBIA BUILDING CODE 2012 - PART 3

**MAJOR OCCUPANCY CLASSIFICATION:**  
• GROUP A2 - ASSEMBLY

**BUILDING AREA:**  
• 765 sq.m. (8 235 s.f.)

**BUILDING HEIGHT:**  
• 1 STOREYS

**NUMBER OF STREETS FACING:**  
• 1

**ACCESSIBLE FACILITIES**  
• FULLY ACCESSIBLE

**CONSTRUCTION REQUIREMENTS:**  
• 3.2.2.27 GROUP A-2, ONE STOREY

• COMBUSTIBLE OR NON-COMBUSTIBLE CONSTRUCTION  
• Building is Sprinklered

## PROJECT DESCRIPTION

**CIVIC ADDRESS:**  
1 Cooperage Place, Victoria BC

**LEGAL DESCRIPTION:**  
Lot 3, District Lot 119, Esquimalt District, Plan 47008

## REGISTERED OWNER

Community Mares Concepts Ltd.  
240-730 View St  
Victoria B.C.  
V8W 3Y7

tel: Mr. Craig Harris 778-432-0477  
email: cmc@victoria.ca

## ARCHITECT

de Hong & Kienit architects  
977 Fort Street  
Victoria, BC  
V8V 3K3

tel: Mr. Peter de Hong 250-658-3367  
fax: 250-658-3387  
email: pdh@dk.ca

## STRUCTURAL ENGINEER

EQ-Two Engineering Ltd.  
260-1177 West Broadway  
Vancouver, BC  
V6H 1G3

tel: Mr. Mahmoud Rezaei 604-724-5555  
fax: 604-615-2825  
email: mrezai@eq-two.com

## MECHANICAL ENGINEER

Avon Mechanical Consultants Ltd.  
300 - 1245 Esquimalt Rd  
Victoria, B.C.  
V8A 3P2

tel: Mr. Jonathan Edgel 250-384-4218  
fax: 250-384-4134  
email: jon@avonmechanical.com

## ELECTRICAL ENGINEER

AES Engineering Ltd.  
3rd Floor, 1815 Blanshard Street  
Victoria, B.C.  
V8T 5A4

tel: Mr. Roger Dupuis 250-381-6121  
fax: 250-381-6811  
email: rdupuis@appliedengineering.ca

## CIVIL ENGINEER

WSP  
400 - 401 Garbally Road  
Victoria, BC  
V8T 5M3

tel: Mr. Stephen Childs 250-384-6510  
fax: 250-385-2844  
email: stephen.childs@wspgroup.com

## LANDSCAPE ARCHITECT

Land Story Design Associates  
6805 Danica Place  
Victoria, BC  
V8Y 1T9

tel: Mr. James Darnell 250-558-2163  
email: jame@landstory.ca

## SITE INFORMATION BASED ON DRAWINGS PREPARED BY

Richard J. Wey & Associates  
#4 - 2227 James White Boulevard  
Surrey, BC  
V3L 1Z5  
File: 90194TOP00M

tel: Mr. Richard Wey 250-658-5155

## LIST OF DRAWINGS

### Architectural

- A001 Project Data
- A101 Site Plan
- A110 Site Plan w. Substation - Option 1
- A111 Site Plan w. Substation - Option 2
- A201 Floor Plan
- A202 Roof Plan
- A301 Building Elevations
- A302 Building Elevations
- A401 Schematic Building Sections
- A402 Schematic Bridge Sections
- A501 Building Renderings
- A502 Photomontage Substation, option 1
- A503 Original Views
- A504 Photomontage Substation, option 2

### Landscape

- L1 Proposed Seawall Plan
- L2 Proposed Seawall Plan (west & east side)
- L3 Proposed Seawall Section
- L4 Proposed Seawall Elevation
- L7 Proposed Substation Option 1
- L8 Proposed Substation Option 2
- L9 Proposed Substation Planning Plan

### Civil

- C.DP01 Conceptual Site Servicing Option 1
- C.DP02 Conceptual Site Servicing Option 2

Received  
City of Victoria

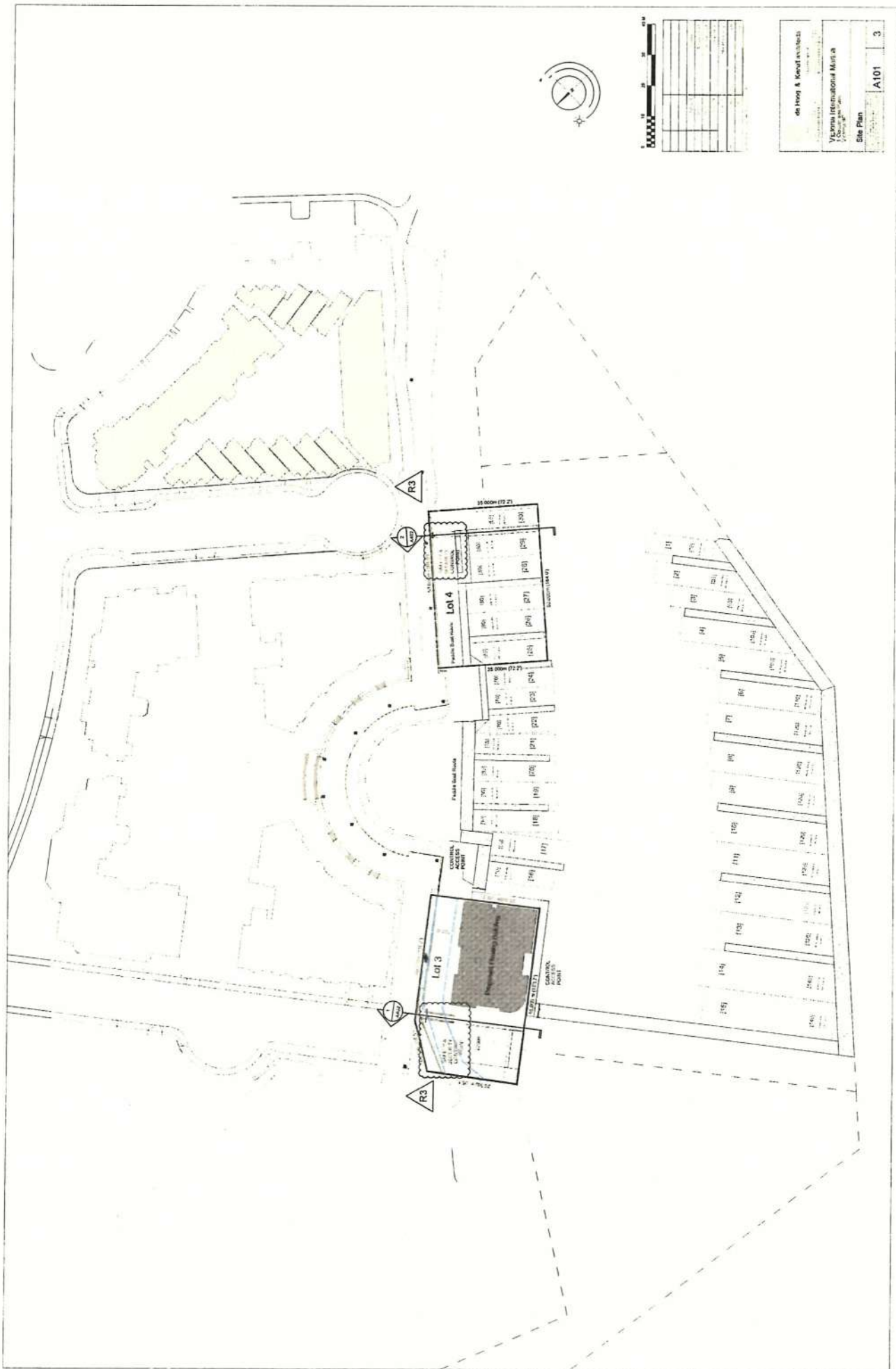
JAN 05 2016

Planning & Development  
Department

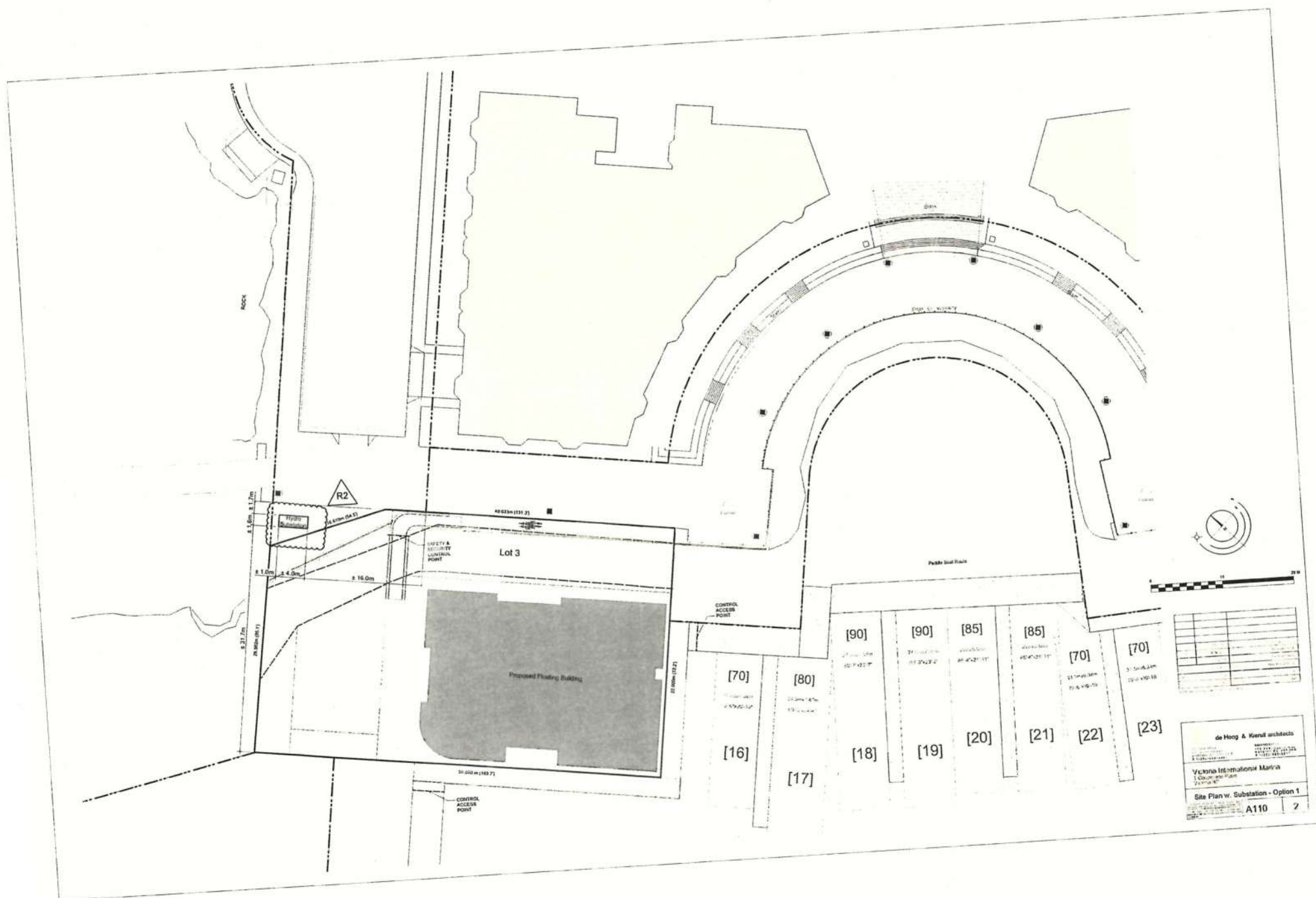
R2



de Hong & Kienit architects	
Project Name	1 Cooperage Place
Project Address	1 Cooperage Place, Victoria BC
Project Date	2015-12-15
Project No.	1000000000
Project Status	Approved
Project Manager	Mr. Peter de Hong
Project Engineer	Mr. Jonathan Edgel
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Project Status	Approved
Project Manager	









4 End View  
A112 Scale 1:20

[illegible]

**de Hoog & Kerulf architects**

VICTORIA INTERNATIONAL MARINA  
1 Deshaun Lane, Suite 200  
Victoria BC V8N 4K5  
Tel: 250-383-1111 Fax: 250-383-1112  
www.vicmarina.com

**Hydro Substation**

A112 0











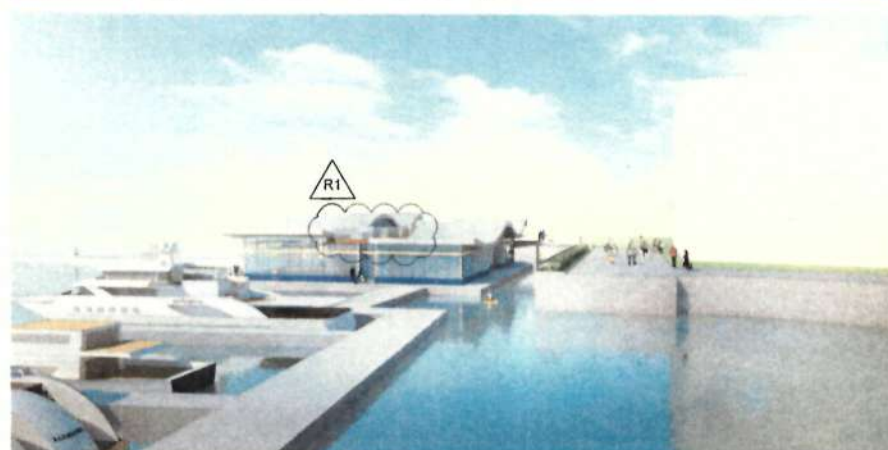
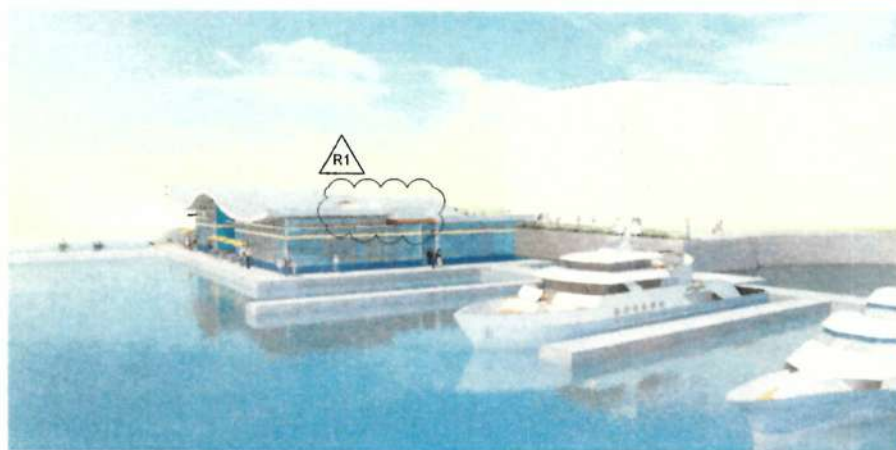




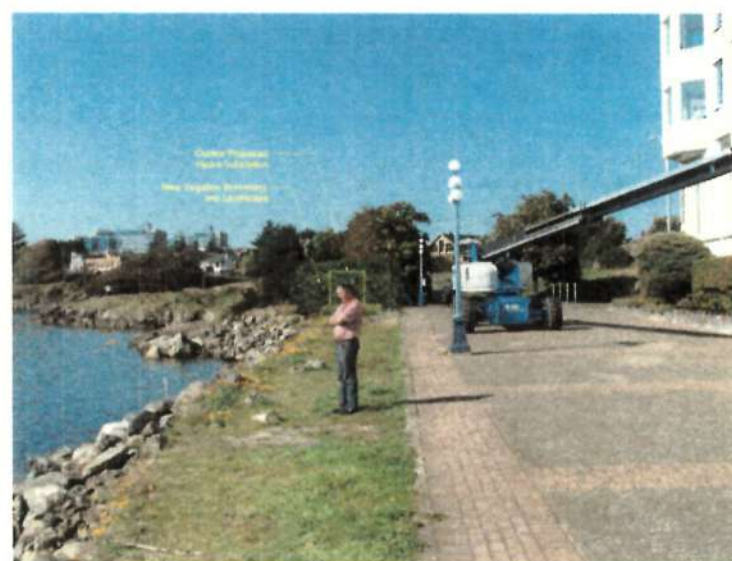






[illegible]

<p>de Hoog &amp; Kienulf architects</p> <p>de Hoog &amp; Kienulf architects          2010 2010 2010          2010 2010 2010          2010 2010 2010</p>	<p>Visiona International Manna</p> <p>Visiona International Manna          Visiona International Manna          Visiona International Manna</p>	<p>Building Renderings</p> <p>Building Renderings          Building Renderings          Building Renderings</p>	<p>A501</p> <p>A501          A501          A501</p>
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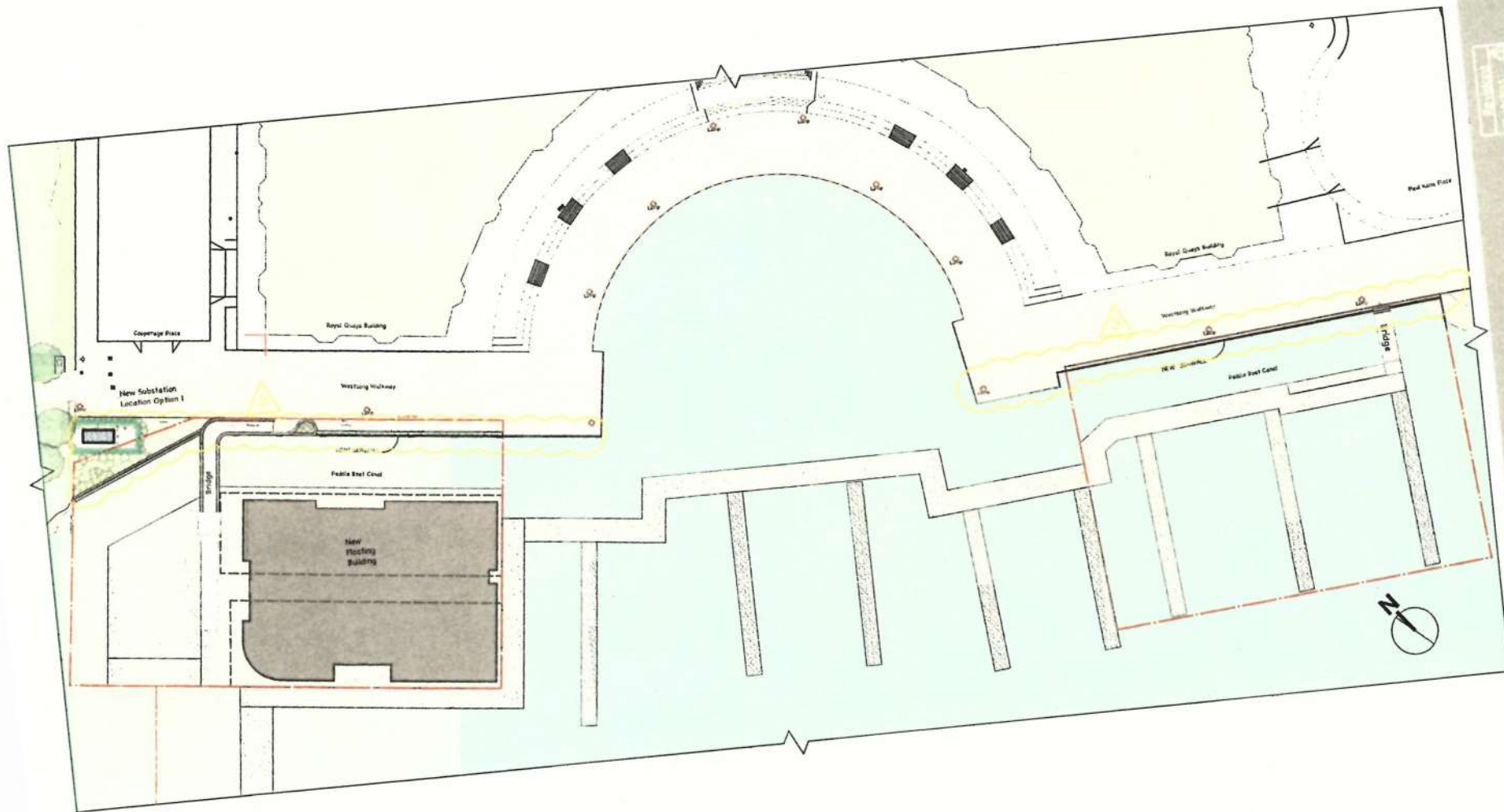
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<p>de Hoog &amp; Kierulff architects</p> <p>de Hoog &amp; Kierulff architects          1017 CA Amsterdam, The Netherlands          Tel: +31 (0)20 610 1111          Fax: +31 (0)20 610 1111          E-mail: info@dhk.nl</p>		<p>Photomontage Substation, option</p> <p>A502</p>	
--	--	--	--



[illegible]

<p><b>de Hoog &amp; Kierulff architects</b></p> <p>ARCHITECTS OFFICE          BOX 2400 NORD          1000 CA 1000          W 71-100-1000</p>		<p>ARCHITECTS OFFICE          1000 CA 1000          BOX 2400 NORD          W 71-100-1000</p>	
<p><b>Vedalia International Marina</b>          1000 CA 1000          BOX 2400 NORD</p>			
<p><b>Original Views</b></p>			
<p><b>A503</b></p>		<p><b>1</b></p>	



1 Proposed Seawall Plan  
Scale: 1:500

REVISION	DATE	BY	APP'D

L1

31 / 12 / 2015

VICTORIA INTERNATIONAL MARINA

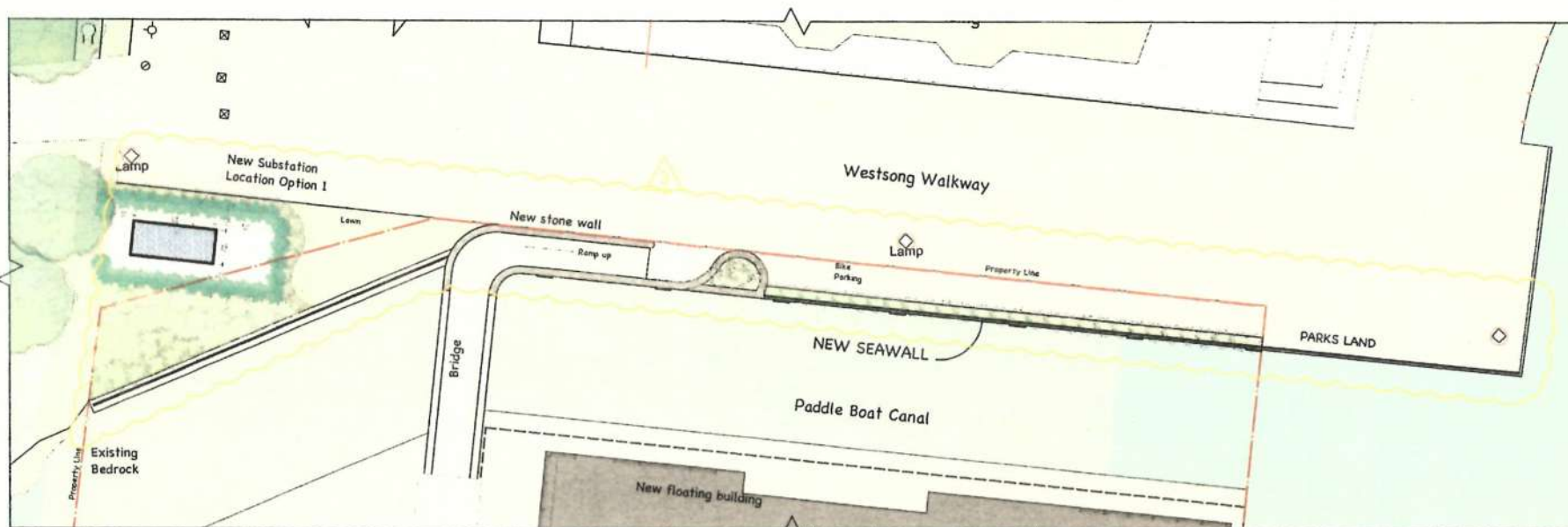
240 - 750 View Street  
Victoria, B.C. V8W 3Y7

LANDSTONY

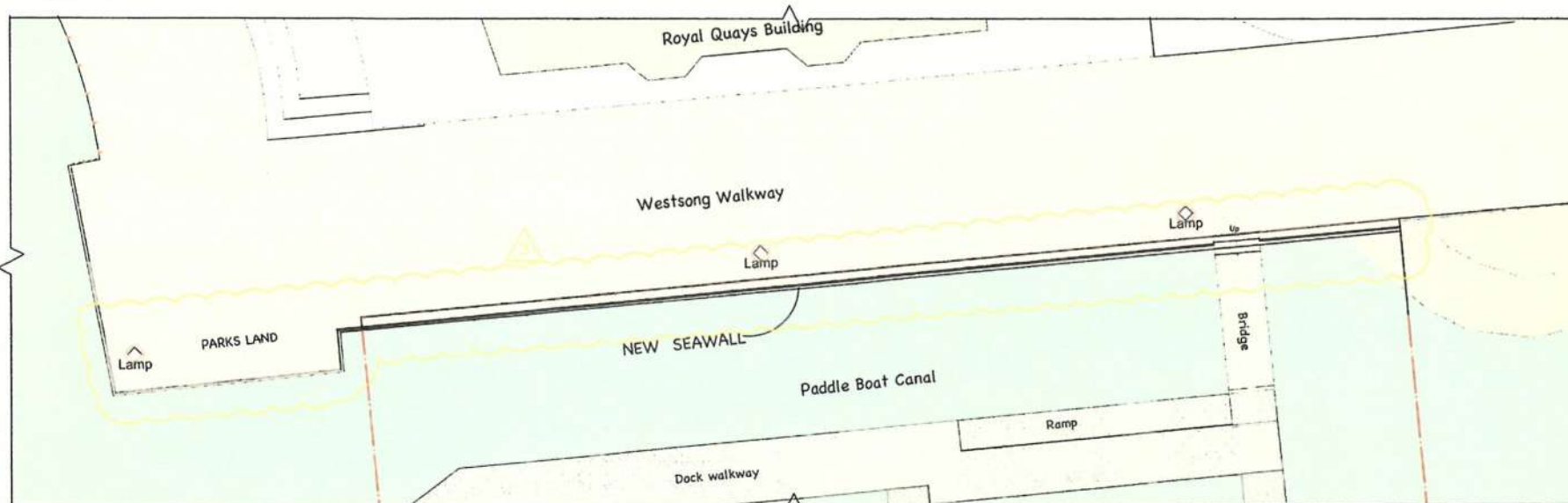
Design Associates

with Duffin & Co.  
Victoria, B.C. V8V 1Y9  
250-687-1111  
landstony@landstony.com





1 Proposed Seawall Plan (west side)  
Scale: 1:200



2 Proposed Seawall Plan (east side)  
Scale: 1:200

L-2

31/12/2015

REVISION	DATE	BY	APP

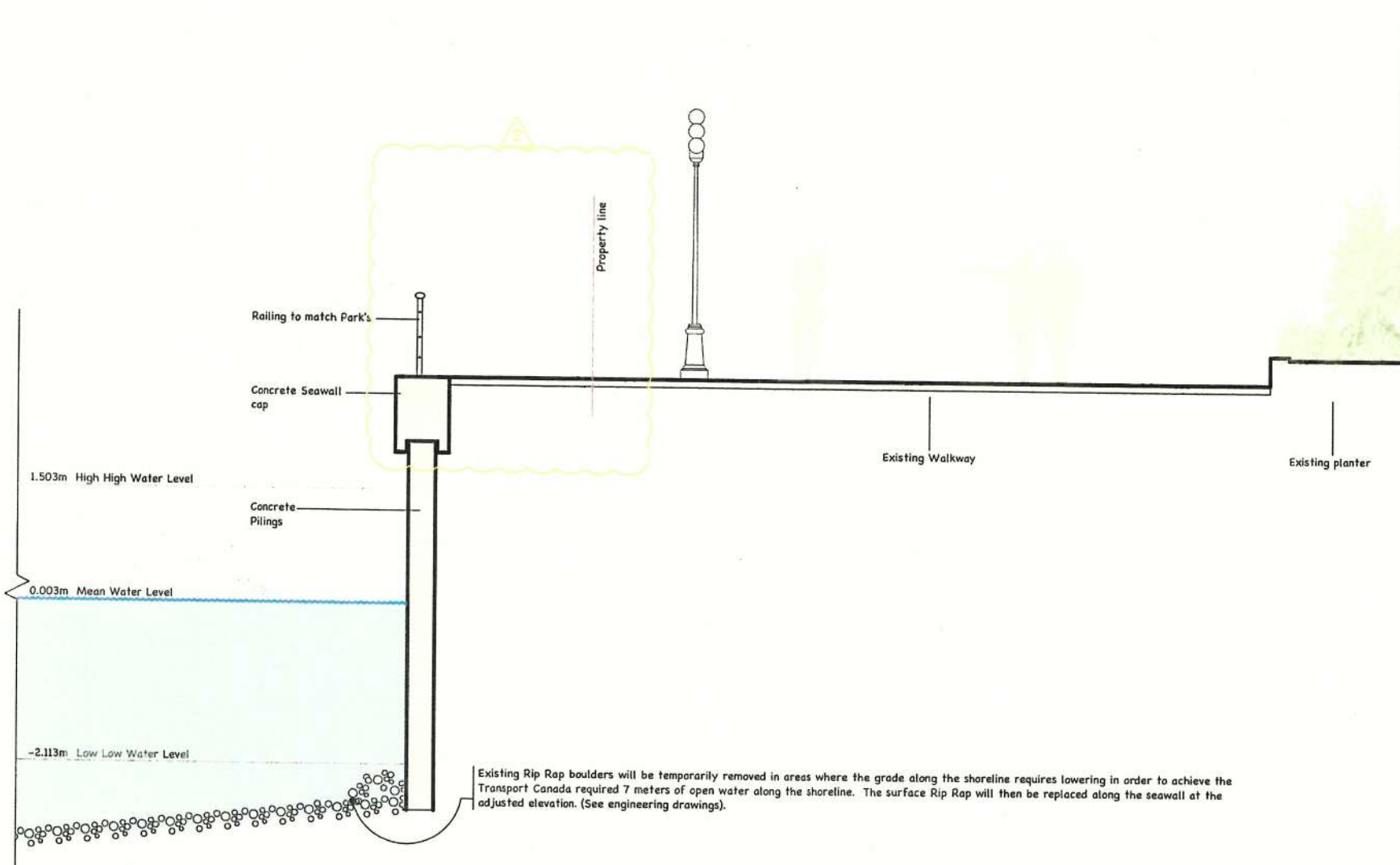
VICTORIA INTERNATIONAL MARINA

240 - 730 View Street  
Victoria, BC V8W 3Y7

LANDSTORY

Design Associates

4600 Highway 10  
Victoria, BC V8P 1T9  
250.686.4140 landstory.ca



1 Proposed Seawall Section  
Scale: 1:50

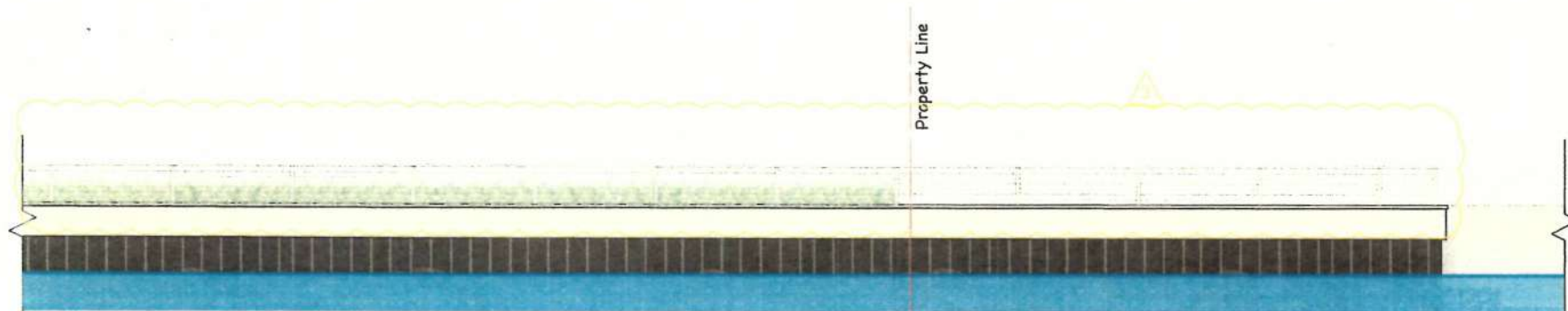
L-3  
21/12/2015

REV	DATE	BY	CHK	APP
1	21/12/2015	LM	LM	LM

**LANDSTORY VICTORIA INTERNATIONAL MARINA**

**Design Associates**  
400-730 View Street  
Victoria, BC V8W 3Y7  
250.683.3143 | info@landstory.ca





1 Proposed Seawall Elevation (without stone columns) with concrete pilings, concrete wall cap, and railing to match Parks  
Scale: 1:100



2 Seawall Elevation viewed from the water  
Scale: 1:500

L-4

31 / 12 / 2015

Revised	By	Date
1	AM	12/15/15
2	AM	12/15/15
3	AM	12/15/15
4	AM	12/15/15
5	AM	12/15/15
6	AM	12/15/15
7	AM	12/15/15
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10	AM	12/15/15

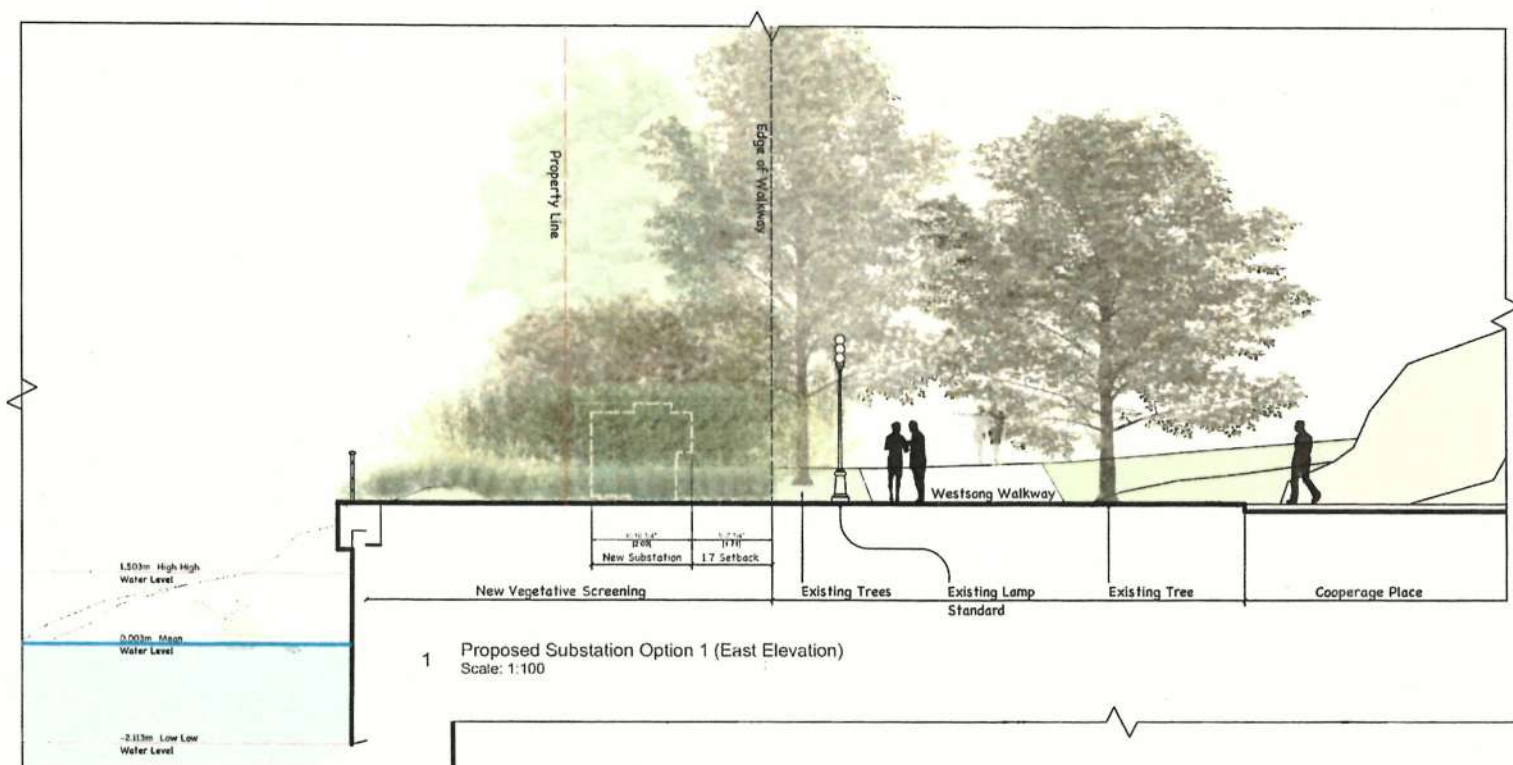
LANDSTORY VICTORIA INTERNATIONAL MARINA

240 - 730 View Street  
Victoria, BC V8W 3J7

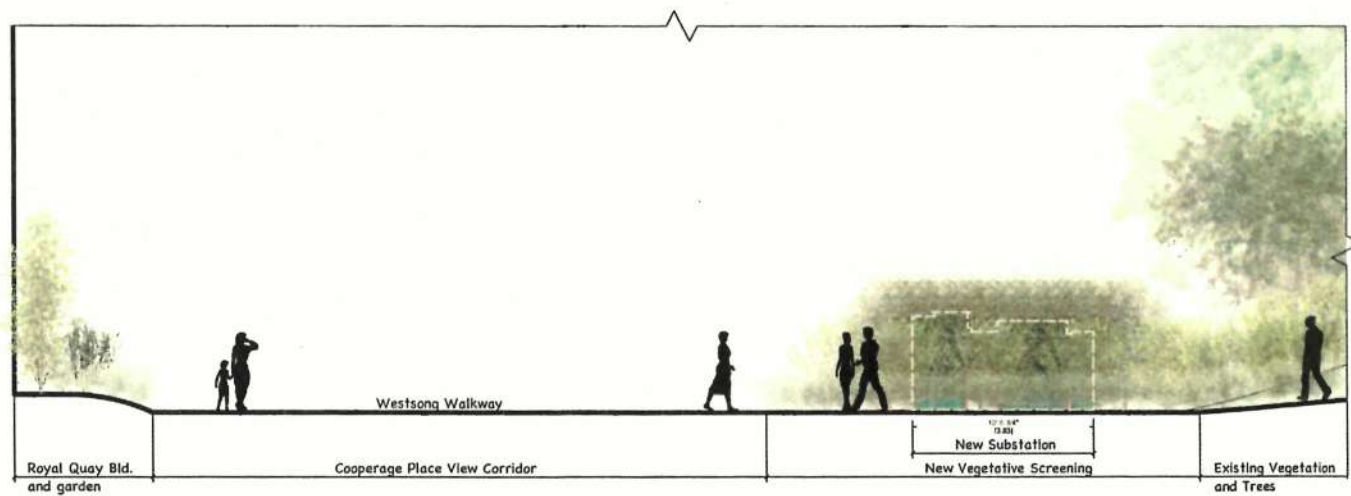
LANDSTORY VICTORIA INTERNATIONAL MARINA

Design Associates

1000 - 1000  
Victoria, BC V8T 1Y1  
250.606.2141 jordan@landstory.com



1 Proposed Substation Option 1 (East Elevation)  
Scale: 1:100



2 Proposed Substation Option 1 (North Elevation)  
Scale: 1:100

L-7

31/12/2015

VICTORIA INTERNATIONAL MARINA

240 - 730 View Street  
Victoria BC V8W 3V7

LANDSTORY

Design Association

400-680-0000  
Victoria BC V8W 1Y9  
200-680-0000



Lamp

Heather

Westsong walkway

Portugeuse Larel

Entry Path

Substation

Panel Access area

Lawn

New Sea Wall

Fountain Grass

Heather

1 Proposed Substation Planting Plan (west side)  
Scale: 1:50



*Prunus lusitanica* - Portuguese Laurel



*Pennisetum alopecuroides* - Fountain Grass



*Calluna vulgaris* - Heather

L-9

31 / 17 / 2015

VICTORIA INTERNATIONAL MARINA

240 - 730 View Street  
Victoria, BC V8W 3T7

LANDSTORY

Design Associates

1888 Douglas Road  
Victoria, BC V8W 1T1  
250.683.2443 landstory.ca





## Jim Handy

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**From:** Craig Norris <cnorris@vimarina.ca>  
**Sent:** Thursday, Dec 10, 2015 9:12 AM  
**To:** Jim Handy  
**Cc:** Jonathan Tinney; Gene Miller  
**Subject:** FW: Victoria Harbour Residents and the Marina

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Jim,

An email/letter for you and our DP file. This letter was sent to several councillors and the mayor but doesn't seem to have made it to our file – as I don't see it on the PLUC agenda.

-Craig

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**From:** John Mullane [mailto: [REDACTED]]  
**Sent:** November 29, 2015 12:47 PM  
**To:** 'Craig E. Norris' <cnorris@vimarina.ca>; 'Robert G. Evans' < [REDACTED] >  
**Subject:** FW: Victoria Harbour Residents and the Marina

FYI

Regards

JOHN MULLANE, B.COMM, CERT.PR, CFP, CLU, RHU

**FINANCIAL LIFE PLANNER**

phone: 250 885-4347 website: [www.jmullane.ca](http://www.jmullane.ca)

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**From:** John Mullane [mailto: [REDACTED]]  
**Sent:** Sunday, November 29, 2015 12:46 PM  
**To:** Honorable Marc Garneau ([mintc@tc.gc.ca](mailto:mintc@tc.gc.ca)); 'FLNR.Minister@gov.bc.ca'  
**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Victoria Harbour Residents and the Marina

Honorable Steve Thompson,  
Honorable Marc Garneau,

I am writing about the recent advertisement in the Victoria Times Colonists that was signed by "Friends of Victoria Harbour". I am totally annoyed that a private for profit business has placed such a deceptive advertisement without identifying who they are.

I have surveyed a sampling of residents in our 100 suite building on Victoria Harbour and I can tell you that the majority of residents want to see the Marina built and in operation. Many people would prefer to have more small boats on the harbour, however, Transport Canada has precluded this by using the harbour as an inner city airport.

Both my wife and I have served as Presidents of our Strata and I served three years on the Victoria West Community Associate Board just a few years ago.

I have also for some years been in contact with other harbour residents many of who I have copied with this note. Our condo building because of its location is not as negatively impacted as other buildings along the harbour by the float planes or the marina.

This is a quick overview of Victoria Harbour. Victoria Harbour is a very small harbour and in one of the most beautiful settings in the world. Victoria is ideally positioned to be a leader in the green economy and a high technology hub. At this time Victoria has a lot of vacant commercial and retail space downtown because Victoria has suffered from a lack of vision. Yes they have supported the Point Hope shipyards to maintain some traditional trades employment. The Harbour Air Float plane service operates like a bus service without any security or regulation and provides a very convenient connection to Vancouver. There is an irrational fear that if the float planes are regulated that the provincial government will move to Vancouver.

Thus when you talk to the emergency measures people or fire department supervisors they will acknowledge concerns about the float plane operations. The policy seems nothing gets documented or discussed publicly on the risks to the large condo developments around the harbour. The noise and pollution from the float planes damages the environment and inhibits the economy. This inability to discuss or plan for a green economy is holding back the great potential of Victoria.

Regards

JOHN MULLANE, B.COMM, CERT.PR, CFP, CLU, RHU

**FINANCIAL LIFE PLANNER**

**618-50 Songhees Rd, Victoria V9A 7J4**

phone: [REDACTED] website: [www.jmullane.ca](http://www.jmullane.ca)



## Jim Handy

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**From:** Craig Norris <cnorris@vimarina.ca>  
**Sent:** Thursday, Dec 10, 2015 9:45 AM  
**To:** Jim Handy  
**Cc:** Jonathan Tinney  
**Subject:** FW: Victoria International Marina

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Jim,  
Please add the below to the DP file.  
-Craig

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**From:** Sue Woods [mailto: ]  
**Sent:** December 9, 2015 10:11 PM  
**To:** mayor@victoria.ca; Ben Isitt <bisitt@victoria.ca>; Charlayne Thornton-Joe <cthorton-joe@victoria.ca>; Chris Coleman <ccoleman@victoria.ca>; Geoff Young <gyoung@victoria.ca>; Jeremy Loveday <jloveday@victoria.ca>; Marianne Alto <malto@victoria.ca>; Margaret Lucas <mlucas@victoria.ca>; Pam Madoff <pmadoff@victoria.ca>  
**Subject:** Victoria International Marina

Dear Mayor and City Councillors,

It is my understanding that tomorrow there will be a discussion by and presentations to City Council regarding variances requested by the developer of the Victoria International Marina (VIM) to improve the transit area for paddlers and to improve even further the sight-lines from the shore by reducing the number of buildings from two to one.

Since the time when City council signed the original agreement, the developer has been forced to down-size and otherwise alter the original plans. The Courts endorsed the legality of the marina by handing out a sizeable monetary penalty against the City for reneging on its agreement with the developer. This is firm proof that the developer has the legal right to construct a marina on the Songhees shore, as per the Songhees Development Plan and subsequent signed agreements.

Over the past several years there has been a number of public meetings held with and by various City Councils to deal with the development of this marina, so all interested parties have had more than ample time and opportunities to present their points of view.

However, even though the marina has been an integral and legal component of the official Songhees Development Plan, it continues to suffer from an opposition which purports to speak for Songhees residents. **Please know that this is not so! I have lived at 55 Songhees Road, just down the Westsong walkway from the marina's location, since 1997 and, except for the small group lobbying on the walkway against the marina, the majority of residents I speak with are in favour of and are looking forward to the marina's development.**

From personal experience I know that the opposition has been making a number of more than questionable statements against the marina, including:



- 'The marina was only intended to be a small dock for kayaks and canoes.' **This is categorically untrue! The original plan agreed upon by City Council was at least twice the size of the present down-sized design. Further proof is that there are approximately 40 parking spaces reserved in the Royal Quays' parkade since its construction; these spaces were and are designated for use by the marina. A dock for kayaks et al would never need 40 parking spaces!**

- 'More than 7000 citizens signed a petition opposing the marina.' From the information I was fed by the protest group when they were soliciting on the walkway in front of Royal Quays, it is my belief that a significant percentage of these signatures were obtained by what the faceless/nameless "Friends of Victoria Harbour" have accused the marina developer of doing, i.e., **improper lobbying**. In their lobbying for signatures the protest group made no mention of the facts that the marina was an integral component of the Songhees Development Plan as proven in court, that the walkway on which they were standing was designed with underground infrastructure already in place for the marina, that Royal Quays itself was designed to provide sight-lines over the marina and contains 40 parking spots for the marina, etc. In addition, I believe a significant portion of those who signed were in fact not citizens, but tourists accosted as they were out enjoying the day and were bombarded by the opponents' biased diatribe. **I firmly support everyone's right to protest but, if one truly believes that one's cause is just, there should be no need to use misinformation, lack of transparency and other biased tactics to convince others to one's side!**

- 'The marina would be environmentally damaging.' Speaking as a marine biologist with more than 20 years' experience in environmental impact assessment, **this statement by the opposition is categorically untrue also.**

\* The dredging for the marina, which has already taken place and had a temporary minimal impact, resulted in a healthier sea floor through the removal of contaminants deposited over many decades by the industries that used to be located along the Songhees shore. This improvement of the benthic environment will enhance potential settlement of marine species.

\* The marina's pilings and floats will provide new and safe habitat for colonization by numerous marine species, providing food and shelter for other species.

\* Marine birds and mammals which utilize this area on a seasonal/annual basis are already acclimatized to the noise and physical presence of vessels. For example, the wake produced by boats entering/exiting the marina will be negligible compared to those produced by larger vessels such as the Coho and the Clippers, and significantly less than that of a float-plane landing next to the marine animals! So the marine animals' behaviour and distribution will not be adversely affected by the presence of the marina.

\* Given my experience with Transport Canada's abysmal lack of response to a spill which eventually contaminated the Songhees shoreline and concentrated in the bayed area in front of Royal Quays for several days, I believe the developer will do a much better job in ensuring the area stays clean and free from pollutants, for the health and safety of the marina and the surrounding neighbourhood.

- 'Marina traffic will unduly interfere with present harbour operations.' **Again categorically untrue!** Every day of the year, especially spring to fall, there is a variable number of vessels (boats and float planes) operating in the harbour and operators accommodate accordingly. Because Transport Canada has dictated the minimal length of vessels which can use the marina, these vessels now have the right to use the shipping channel and will simply operate in the same manner as those entering/exiting the marinas at Fisherman's Wharf and in the vicinity of Harbourside. To my knowledge there have been no problems caused by this traffic, and it should be no different for VIM.

- 'The marina will disrupt use of the walkway.' **And again categorically untrue!** The marina will not impinge on the walkway; even during construction the main components of the marina will be floated into place. In addition the developer, when he developed the Royal Quays condominiums and surrounding roads and park areas, actually constructed a wider walkway in this area to ensure unobstructed use of the walkway.



-The marina will displace boaters.' **On the contrary**, the developer has designed a transit area for the non-motorized vessels (which are the only ones allowed along the harbour's north shore) that will actually be safer for them as it protects them from the wakes of the float planes.

In summary, the **Victoria International Marina** is a development hundreds of Songhees residents and others **DO** want to see realized asap. The developer has already been forced to change the plans agreed upon by the City in the past and is still trying to accommodate protestors' wishes, in this case to provide a better transit area for paddlers and improved sight-lines for Royal Quays' residents.

Please put a stop to the on-going misinformed lobbying by the protestors and approve the variances requested by the developer so that the marina can finally become the Songhees Development Plan entity approved and signed onto by City Councils in the past. I believe it is time for our City Council to honour the agreement signed onto by past Councils.

Thank you for your kind attention.

Yours sincerely,  
Susan M. Woods  
207 - 55 Songhees Road  
Victoria, B.C  
V9A 6T3  
