

Subject: [Fwd: Wharf Bylaw Business Issue for Council]

Date: Tue, 02 Jul 2002 17:31:03 -0700

From: Brian Platts <brian_platts@telus.net>

To: Corrie Kost <kost@triumf.ca>

Subject: RE: Wharf Bylaw Business Issue for Council

Date: Mon, 1 Jul 2002 11:40:19 -0700

From: "john hunter" <johnhunter@idmail.com>

To: "Bill Rimmer" <Bill_Rimmer@dnv.org>

CC: "FONVCA" <fonvca@fonvca.org>

Thanks Bill. I misunderstood that it was a meeting with council, but upon asking several members, they knew nothing of the meeting, so I assumed I had the wrong date. I guess it was not with council.

A couple of the drafting concerns I raised at the DCYC meeting have been fixed. Appreciated.

Business Points

1) But my major concern remains. "Commercial" uses of the wharf are prohibited excepting delivery of materials and school water taxis. If "commercial" means things like the little shuttle taxis (if we ever get them) in Victoria Harbour or False Creek, or if it means a commercial cruise boat from Vancouver Harbour or False Creek, then it seems to me we are reducing potential business to Deep Cove merchants.

Such a cruise boat might want to pull into the dock, drop 20 passengers to shop in the Cove for a few hours, anchor out in the bay away from the dock, and then pick them up at the dock again. Would your bylaw not prohibit that? Why would we want to prevent that? Are we not pro-small business? Also GVRD are (were?) looking at a ferry link along the inlet - why would we pass a bylaw prohibiting that future benefit? Sure you can change a bylaw in future, but why send this anti-business message? Apparently Victoria Harbour and False Creek do not take this approach.

Perhaps "commercial" does not include these, but that is why it is important to define "commercial". My sense is it does prohibit such things.

We keep hearing that the lease with VPA says this and that, and that the dock shall not be used for commercial operations. Well, the fact is, it WAS used for commercial operations and VPA or Transport Canada apparently ignored it. VPA is in the business of commercial operations. I suspect the intent of that language is not things like I discuss above. Perhaps the mayor can get a clarifying letter? Or we just ignore it - what is the contractual penalty for such a minor violation? Your March 1 e-mail said VPA is willing to be flexible.

2) I am not sure you are correct that there is no moorage at Cates Park. Since we put the new dock in, I have seen boats moored there - not sure how long they stay.

3) Consultation: Despite Staff trying to advise affected people before the Feb. 27 meeting at DCYC, apparently the wrong address list was used. Not one person at that meeting had received the notification letter, they claimed. I talked to four merchants in Deep Cove and they were all unaware of the initiative at that time. Have further steps been taken to notify affected persons?

Drafting Points

4) Schedule A item 2 the rates schedule - "bylawese" language?? Can we not replace those totally repetitive paragraphs with one paragraph, and try the word "respectively" and refer to the tables on the next page? Why in the tables add the "not applicable" part which just adds more confusion? Why not delete these tiny tables completely and just put it in the prose or do ONE table?

-Clause 21 strictly read would prohibit a vessel like my 30 footer that IS sometimes used for business purposes (client entertainment) from using the wharf even though on that day it is NOT being used for business purposes. Suggest add "being" after "which is".

John Hunter

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

From: Bill Rimmer [mailto:Bill_Rimmer@dnv.org]

Sent: June 28, 2002 11:07 AM

To: 'johnhunter@idmail.com'

Subject: Wharf Bylaw

The meeting was at the Municipal Hall between 4 and 6 p.m. June 25th. The Municipal Solicitor is reviewing the Bylaw and will consider additional wording regarding commercial activity such as "Business or commercial services does not include the delivery of commodities or goods by owners or operators of retail businesses and the pick up, exchange or return of commodities or goods"