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CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
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RECEIVED: OCT 24 2017		
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<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

18 October 2017

No 2 – 1013 Arcadia St, Esquimalt BC V9A7R7

Attention:

Mr. Randall Garrison, MP Esquimalt Juan de Fuca

Ms. Mitzi Dean MPP Esquimalt-Metchosin

Ms. Barb Desjardins - Mayor, and Council, Township of Esquimalt

Subject: New tax on Private Moorage

My wife and I own a modest property that borders on the 'Gorge', the saltwater navigable waterway in the Township of Esquimalt. We recently received a letter from BC's new NDP/Green Government proclaiming that after all these years of apparent neglect it was time to start charging a separate and distinct property tax on the old boat-float that sits in front of our house.

There is no doubt that the water on which my property borders is Crown property...and that its use is regulated by government legislation. As it is an ocean waterway it seems unclear if its use should be regulated by provincial or federal authorities. In either case, the courts have affirmed that the public has the right to both access and utilize navigable waterways. And, since the Province seems intent on separately taxing our float I must infer that it claims ownership of the local seas, an assessment that I believe most mariners and our Federal representatives might disagree.

Nonetheless, it is hard for most any individual to fight government and if our newly elected Provincial Coalition believes that it has successfully found another way to tax the public then I expect most of us will simply roll over.

What is disappointing though is that, to the best of my knowledge, the provincial Assessment Act has not recently changed. What has changed is how the new Government has decided to interpret it and act upon its most recent, seemingly tax-grabbing opportunity...unless of course the Esquimalt Municipality intends to reduce its assessment by the same amount that will now be directed to Provincial coffers.

For the record, our float is probably 50+ yrs old. Twelve years ago we spent \$200 to put some new wood on it and added a new gangway for \$3,000. With depreciation, we will expect the evaluation to be pretty small. If it is not, or if an aggressive evaluator decides to assess intrinsic value of being able to access the water then Government(s) should expect many appeals from many residents.

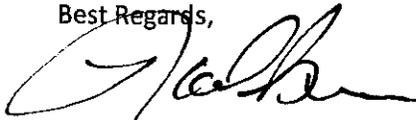
If implemented, I predict that this new tax will be a costly nightmare to administer. For example:

- How will jurisdictional disputes be resolved related to Federal, Provincial, Municipal, Private & Strata waters;
- How will the province deal with the 'big' users such as the now private BC Ferry docks vrs the 'little' users such as the private swimming floats;

- How will the province rate simple floats against the docks that are piled to the bottom;
- How will the province rate lake vrs ocean moorage;
- How will the province rate seasonal floats & docks that are only in the water May thru Sep;
- How will the province assess depreciation and the varying rate of depreciation in salt-water vrs fresh-water;
- How will the province rate commercial vrs private docks / floats. It seems inappropriate to only target private docks;
- How will the province rate anchored floats & docks that are not connected to the foreshore;
- Should the province not also target live-aboard boats, float homes and boats in general that are clearly occupying Crown properties? And, some of which pay no taxes whatsoever;
- ...and so on?

Respectfully request advise your position on this new initiative?

Best Regards,



Larry and Judi Olsen

No 2 – 1013 Arcadia St

Victoria, BC

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