



## BC Supreme Court Ruling Confirms City Has Authority to Regulate the Gorge Waterway

Date: Monday, March 5, 2018

For Immediate Release

VICTORIA, BC — The BC Supreme Court has ruled that the City of Victoria has the authority to regulate the Gorge Waterway.

In 2017, the City sought an injunction to require owners to remove their vessels and docks that were illegally moored in the waterway.

“Today’s judgment confirms that the City’s zoning regulations for the Gorge Waterway do not intrude on federal jurisdiction over navigation and shipping, and that they represent a reasonable balance between the municipality’s role in regulating land use and boaters’ rights to occasionally anchor,” said City Solicitor Tom Zworski.

The judgement also recognizes that the right to anchor does not extend to the permanent or semi-permanent occupation of public space for private purposes.

As a result of the ruling, vessel and dock owners must remove their property from the Gorge Waterway by May 7, 2018.

“It is the City’s expectation that owners will respect the court order and comply with the deadline to remove their vessels and property from the area,” said Zworski.

In May 2016, changes were made to the City’s Zoning Regulation Bylaw to improve the management of the Gorge Waterway by limiting long-term mooring to a maximum of 48 hours and not more than 72 hours in a 30-day period.

These changes regulate the use of the waterway for recreation without restricting navigation, prohibit live-aboard use and the storage of vessels, and address the negative impacts that unregulated marine activities have on the marine environment and Victoria residents.

The City will continue to offer outreach services to those living aboard vessels that cannot be safely moved to assist them in finding alternate housing.

City Bylaw officers monitor the Gorge Waterway. The public is asked to report any long-term mooring by calling 250.361.0215.

**For More Information:**

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