

# VILLAGE OF BELCARRA MINUTES

**REGULAR COUNCIL MEETING  
VILLAGE HALL  
MONDAY, JUNE 10, 2002  
AT 7:30 P.M.**

These are the minutes of the **Regular Meeting** of the Municipal Council for the Village of Belcarra, held Monday, June 10, 2002, at the Municipal Hall, 4084 Bedwell Bay Road, Belcarra, BC.

**COUNCIL IN ATTENDANCE:**

Councillor Bruce Drake  
Councillor Larry Carlsen  
Councillor Jennifer Glover  
Councillor Jamie Ross

**ABSENT:**

Mayor Ralph Drew

**STAFF IN ATTENDANCE:**

Administrator, Moira McGregor  
Building Inspector, Larry Scott

**Rise from In-Camera**

**RISE FROM IN-CAMERA**

Moved by: Councillor Ross  
Seconded by: Councillor Carlsen

**THAT** Belcarra Council rise from In-Camera and that all resolutions made at the In-Camera meeting be endorsed.  
**CARRIED UNANIMOUSLY**

**Call Meeting To Order**

1. Upon advice that there was a quorum present, Acting Mayor Glover called the regular meeting to order at 7:47 p.m.

2. **APPROVAL OF THE AGENDA**

It was; Moved by: Councillor Carlsen  
Seconded by: Councillor Ross

**THAT** the Agenda be approved as amended.  
**CARRIED UNANIMOUSLY**

**Regular Minutes  
May 27<sup>th</sup>, 2002**

3. **ADOPTION OF MINUTES**

It was; Moved by: Councillor Carlsen  
Seconded by: Councillor Ross

**THAT** the minutes of the Regular meeting of Council held Monday, May 27, 2002 be **ADOPTED**.  
**CARRIED UNANIMOUSLY**

4. **BUSINESS ARISING FROM THE MINUTES AS**

**Proposed Resolution on  
GVTA Governance**

**Dave Debolt, Inspector of  
Operations and constable  
Wally Humphreys, RCMP**

**ADOPTED MINUTES**

**4.1 TABLED from May 13, 2002**

It was decided that this item on GVTA Governance be **TABLED** until a full Council is present.

**5. BUSINESS POSTPONED OR TABLED AT OR NOT  
DEALT WITH AT A PREVIOUS MEETING**

**6. DELEGATIONS & PETITIONS**

**6.1** Acting Mayor Glover welcomed, Dave Debolt, Inspector of Operations, and Constable Wally Humphreys of the RCMP Coquitlam Detachment. Acting Mayor Glover noted that this is an annual opportunity for the residents of Belcarra to discuss policing issues within the area.

Inspector Debolt advised that the detachment has three provincially funded officer positions for the rural areas. There have been recent discussions to cut the number of rural officers to two; the municipalities have added three new officers. Inspector Debolt noted that the total number of officers in the detachment is 163 with some vacant positions.

Constable Wally Humphreys advised that the detachment has received an extra \$9,000 towards the policing of parks, and the police boat. Acting Mayor Glover asked if the new boating regulations would impact the boat patrols. Constable Humphreys stated that the new boat licensing regulation comes into effect in September; anybody operating a vessel under 4 metres (including jet skis) must have the Operators Proficiency Card.

Acting Mayor Glover asked if the bicycle programs would remain in effect. Constable Humphreys stated that ICBC is not funding a volunteer bike patrol under the Lock-Out- Auto Crime program this year. Inspector Debolt noted that the RCMP have entered into a partnership with the local Yamaha dealership and have acquired two 4 wheeled drive ATV's to access areas of the parks.

Acting Mayor Glover stated that one primary local concern is the nighttime parties and the small bonfires that are left burning. It would be valuable to have regular night patrols in the area. Constable Humphreys stated residents should call 911 when they see vehicles and people gathering for a party in the bush and the Citizen Crime Watch could checkout the area. And report incidents to the police. Acting Mayor Glover

**Roy Juliusson  
Coquitlam Towing**

stated that perhaps an article could be put into the Barnacle to make neighbours aware to call the police.

Acting Mayor Glover thanked Inspector Debolt and Constable Humphreys for attending.

- 6.2** Acting Mayor Glover welcomed Mr. Roy Juliusson from Coquitlam Towing to discuss illegal parking in the area. Mr. Juliusson stated that cars were recently towed from Midden Road and there is a discrepancy whether they were towed legally or illegally.

The Administrator advised that Council agreed last year to not to tow non-resident vehicles parking on Midden Road. The bylaw was not amended at that time; therefore vehicles without a resident decal were illegally parked.

After a short discussion it was decided that Public Works would review the no parking areas and prepare a report for Council for the June 24, 2002 regular meeting.

Acting Mayor Glover thanked Mr. Juliusson for attending the meeting.

**Eric Broberg  
Marine Avenue  
Wharf Development on  
Bedwell Bay**

- 6.3** Mr. Broberg, 4168 Marine Avenue appeared before Council to address his concerns with the pier and wharf development in Bedwell Bay. Mr. Broberg prepared an overhead presentation including a photographic rendering showing multiple images of the Mac Donald dock and stated, this is what the bay could look should Council continue to allow the development of single wharfs in the bay. The shoreline of Bedwell Bay is unique, it is public land, and he is concerned with the number of wharfs been allowed in this area.

Mr. Broberg stated that the Village has before them two applications, a single and a shared wharf at the north end of the bay, the development of a single wharf causes him great concern, as he feel this end of the bay cannot sustain such development. The application for a shared wharf, of which he will be a member, is to be used by four families and, in his opinion is the only solution; only one facility should be permitted. Mr. Broberg concluded by allowing one shared communal float fronting lots 9, 10 and 11, to ensure the use in protecting the foreshore for the inclusive use by the public versus one individual.

Acting Mayor Glover thanked Mr. Broberg for his presentation, and explained that legally a resident can make an

**Michael Mostrenko**  
**4152 Marine Avenue**  
**Application for a Single**  
**Wharf**

**Jillian Hull**  
**4168 Marine Avenue**

application for a waterlot licence on Marine Avenue to Council. Every application will be reviewed on its individual merits, and Council has discretion to review those merits and accept or deny an application.

Councillor Drake asked Mr. Broberg to clarify what he would prefer to have developed. Mr. Broberg stated that the waterlots are treated no differently than if someone was a true waterfront owner. In the southern portion of the bay the structures get a lot bigger. The geography of the bay is unique and is not compatible with individual private construction in front of each lot.

Following questions from Council, Acting Mayor Glover thanked Mr. Broberg for his presentation.

Dr. Michael Mostrenko, 4152 Marine Avenue, appeared before Council to offer a position statement on his application for a private single wharf. Mr. Mostrenko advised that he had attended the public information meeting and the public hearing relative to the 2001 rezoning of the marine area. The reasons for attending the meetings were to ensure that the property he was considering purchasing would still permit both single and/or shared wharfs. The application before Council complies with the current zoning bylaw, and he is asking that he be allowed the same opportunity to apply for a dock facility as every other property owner on Marine Avenue.

Following questions from Council, Acting Mayor Glover thanked Dr. Mostrenko for his summation.

**Council agreed to adjourn the meeting at 9:30pm for a 5-minute break.**

**Acting Mayor Glover reconvened the meeting at 9:40pm.**

At this time Council agreed to allow questions from the Gallery on the issue of wharf development on Bedwell Bay.

Ms. Hull stated that her father held the foreshore lease fronting Lots 9, 10 and 11 Marine Avenue, this lease is now transferred to her mother. As a neighbourhood, five families shared the beachfront, and they've had floats there since the late 1950's and would like to see the one-shared wharf continue.

**Joyce Evans**  
**3750 Bedwell Bay Road**

Mrs. Evans stated that having seen the photographic rendering in Eric’s presentation of what the area could look like, she agrees with no development: “The reason that people come to Belcarra and Bedwell Bay is the beautiful view, just because it’s in the bylaw and it is legal doesn’t necessarily mean that we should let it happen. Once the docks are there, they are there, and nobody is going to take them down. We’ve seen what it could look like, even if you have far less docks than what the rendering showed.”

Councillor Ross asked Mrs. Evans if she was opposed to both applications before Council. Mrs. Evans stated that she is opposed to single wharfs. “I think the Village should rethink the minimum number of docks to be allowed in that area.”

**Jo Ledingham**  
**Cabin 1 -Belcarra Park**

Ms. Ledingham stated that aesthetics are critical when you see the bristling number of docks in the rendering: “The real cue from the presentation is what it could look like. There are two proposals and I would like to know, do these overlap, or are they side by side?” Acting Mayor Glover stated that they are individual applications fronting two separate parcels.

**Ed Russell**  
**3680 Bedwell Bay Road**

Mr. Russell stated that one of the things that should be important in this area of the bay is free access to the beach: “The presentation rendering shows all of those wharfs and that is ridiculous, because how many wharfs are really going to be built. If you look at the docks in the rest of the bay it’s not that bad. I think it’s wrong that we should be arguing over one wharf or two wharfs, neighbours should be getting together and working it out. Why did Mr. Broberg not attend the public forum when the discussions about these wharfs took place to voice his opinion? Mr. Mostrenko has the right to put in a private wharf if it meets the bylaw and Council approves the application.”

**Jim Chisholm**  
**4505 Belcarra Bay Road**

Mr. Chisholm stated that the proposal should be approved based on the present bylaw and policies in the Village: “There are twenty-one spaces for group wharfs between Young and Kelly, which will accommodate all the residents that want boats and do not live on the foreshore. We should not restrict any resident’s use of the foreshore that’s why we all live here. Council should accept and approve both applications.”

**George McRae**  
**Bedwell Bay Road**

Mr. McRae asked for some clarification regarding the current foreshore lease: “Whose property does it front and the legal description of the dock?”

Acting Mayor Glover asked the Administrator to clarify the

**Joe Kecskes**  
**4228 Bedwell Bay Road**

**Kurt Tsuyuki**  
**3471 Senkler Road**

existing lease in the name of Mrs. Jacqueline Hull. The Administrator explained that the existing lease dates back prior to incorporation and the lease area fronts a part of lot 11, all of lot 10 and a portion of lot 9.

Mr. McRae asked if the existing float would have to be moved in order to build the new single float. The Acting Mayor stated that although there are other issues to be considered, physically both floats could exist in the same frontage area. Mr. McRae stated if the existing lease is legal, Mr. Mostrenko's application should not proceed.

Mr. Kecskes asked how much of the foreshore does the lease cover, as he was in with his boat and somebody kicked me off that beach: "Does the lease give them the right to kick me off the beach?" The Administrator stated that although the lease fronts the foreshore, the beach is public and not privatized.

Mr. Tsuyuki stated that this is his first time at a meeting: "Mike Mostrenko is following the bylaws and one wharf is for a group and one wharf is for single; if Council bans one wharf Council should ban all wharfs. If they want no docks in that end of the bay, and everyone votes, then they get rid of all the docks. It should not be purely on the basis of one person."

Councillor Ross stated that he appreciated all the presentations and he realizes that this is a very emotional subject for people. Council has been involved in a mediation process with all the parties and he can say sincerely that this mediation process had a characteristic of real respect across the table. Councillor Drake also stated that it was obvious with the amount of people attending the meeting, that this involves issues of water access, viewscape, environmental sensitivity and development of the foreshore, which are all sensitive matters. The Village needs to be very respectful of one another. Councillor Drake thanked the residents for their comments.

Acting Mayor Glover thanked the residents for their input. Question period ended at 10:10 pm.

**Single Wharf Application  
Fronting 4152 Marine  
Avenue**

**7. STAFF REPORTS/DEVELOPMENT VARIANCE  
PERMITS**

- 7.1** Council reviewed a report from the Administrator and the Building Inspector relative to an application for a private single wharf fronting 4152 Marine Avenue. The Administrator advised that there is an existing current lease fronting this property, the Village obtained legal advice that Council could proceed with approval-in-principal for a new Licence, Sub-Licence Agreement subject to cancellation of the current lease between the Vancouver Port Authority and Mrs. J. Hull. The Village has received written notification from the Vancouver Port Authority that this lease will be terminated should the Village not approve a new Licence/Sub Licence Agreement for the existing berthing float.

The recommendation before Council for approval in principal, allows the application to proceed through the approval process, if the Vancouver Port Authority does not terminate the current lease, no new licence can be issued on behalf of the applicant.

The Building Inspector confirms that the submission complies with existing zoning. A sketch contained in the report shows a picture of the dock location fronting lot 10 Marine Avenue.

Moved by: Councillor Drake

Seconded by: Councillor Ross

**THAT** the Village of Belcarra Approve-in-Principle an application for a Private Residential Single Waterlot Licence fronting the foreshore of the immediate upland property at 4152 Marine Avenue.

**AND THAT** the Village of Belcarra authorize the Administrator to proceed with a request to the Vancouver Port Authority, that upon anticipated termination of an existing lease to Mrs. Hull, the VPA can proceed with the issuance of a Private Residential single Waterlot Licence fronting the foreshore of the immediate upland property at 4152 Marine Avenue;

**AND THAT** upon anticipated termination of an existing lease to Mrs. Hull, the Administrator be authorized to prepare a Sub-Licence Agreement and a Highway Encroachment Agreement between the Village of Belcarra and Mike Mostrenko and Catherina Van Beek, 4152 Marine Avenue, Belcarra.

**CARRIED UNANIMOUSLY**

**Group Wharf Application  
Fronting 4132 & 4152  
Marine Avenue**

Councillor Ross confirmed that the Village legal opinion is very clear, if during the four to six month approval process the Vancouver Port Authority does not terminate the lease fronting lot 10, the Mostrenko licence/sub-licence will not be issued and no construction can take place, the applicant should be aware of this.

Councillor Ross stated the parties came together in this very difficult issue, Council offered them a chance to mediate and there were three sessions. Councillors Ross and Glover were asked to be the representatives of the mediation with the full support of Council. During this process the parties were not able to reach a shared consensus agreement. Councillor Ross thanked the two spokespersons Phil and Mike for all their help.

- 7.2 Council reviewed a report from the Administrator and the Building Inspector relative to an application for a shared wharf fronting 4132 and 4140 Marine Avenue. This application also includes an area within the existing lease and can only be approved-in-principle. The Building Inspector advised that this application meets zoning requirements.

Moved by: Councillor Ross  
Seconded by: Councillor Carlsen

**THAT** the Village of Belcarra Approve-In-Principle an application for a Private Shared Residential Waterlot Licence fronting the foreshore of the immediate upland properties fronting 4132 and 4140 Marine Avenue;

**AND THAT** the Administrator be authorized to prepare a sub-Licence Agreement and a Highway Encroachment Agreement between the Village of Belcarra fronting 4150 and 4132 Marine Avenue in the names of the joint property owners, Jillings, Rathbone, Ross and Hull-Broberg all of Marine Avenue, Belcarra. **CARRIED UNANIMOUSLY**

**Highway Encroachment  
Agreement**

- 7.3 Council reviewed a report from the Building Inspector relative to an application for a second Highway Encroachment Agreement (HEA) by the shared group members for the private continued use of the existing stairs that provide access down to the beach to the existing berthing float fronting lot 10 on the foreshore of Bedwell Bay. The Building Inspector stated that this matter is before Council for clarification and direction on whether two HEA's should be considered for the same parties for the private use of public land which is inconsistent with Policy No. 137, to minimize the privatization

**Request from the  
Vancouver Port Authority  
to Licence Existing Float  
on Bedwell Bay Road**

of public land. Councillor Carlsen asked if this application was to privatize the stairs. The Building Inspector advised that the stairs are currently privatized under the existing lease agreement; the application is asking that this status be retained.

Councillor Ross stated that when a wharf is approved it is with limited access, in order to privatize as little of the public land as possible and ensure continued use for the public. Councillor Carlsen noted that privatization of public land was a key point of discussion during the OCP process and he would be concerned supporting this type of privatization. The structure being proposed would have the effect of making it more difficult for other people to access that area of the beach and in effect privatize the beach.

Lynn Bhyrne, representing lot 9, stated that the group is asking for one set of stairs to service five-families with preserving an existing structure rather than cause environmental damage. Ms. Bhyrne further stated that she does not understand why that is inconsistent with any other application. Councillor Drake stated that this is the first time a shared group would have two private access points down to the water. In the past there has always been just one.

Moved by: Councillor Drake  
Seconded by: Councillor Carlsen

**THAT** Council defer the application for a second Highway Encroachment Agreement to privatize the stair access to the beach to allow the applicants to provide for additional information.

**CARRIED UNANIMOUSLY**

- 7.4 Council reviewed a report from the Administrator relative to a letter dated June 7, 2002 from the Vancouver Port Authority asking if the Village is prepared to make application for a Licence on behalf of an existing berthing float on Bedwell Bay. The Port confirms that the present agreement with Mrs. Hull could not be continued unless the lease is brought into compliance with the new guidelines.

Moved by: Councillor Carlsen  
Seconded by: Councillor Ross

1. THAT Council direct the Administrator to advise the Vancouver Port Authority that the Village of Belcarra will not assume a Licence Agreement to replace the current lease to Mrs. Hull for the existing berthing float.
2. **THAT** Council direct the Administrator to write a letter of support to the Vancouver Port Authority to allow the existing berthing float and/or mooring buoys to remain during the approval process of the applications for a single and shared facility.

**CARRIED UNANIMOUSLY**

**8. COMMITTEE REPORTS**

**Councillor Carlsen**

**8.1 Public Works and Infrastructure Committee**

Councillor Carlsen advised that the tender are out for the next phase of the Fire Protection WaterMain and should be awarded on June 14, 2002.

Public Works is replacing the bus shelter roofs.

**Councillor Ross**

**8.2 Planning & Special Projects**

Councillor Ross reported on the huge success of the 11<sup>th</sup> Annual Belcarra Day picnic, which was well attended.

Councillor Ross will attend the next Lower Mainland Treaty Advisory meeting on Wednesday June 26<sup>th</sup>.

**Councillor Drake**

**8.3 Protective Services**

**Councillor Glover**

**8.4 Environmental Affairs**

**Mayor Drew**

**8.5 Finance Committee**

**9. MAYOR'S REPORT**

**10. ADMINISTRATOR'S REPORT**

**11. BYLAWS**

**ACCESS AWARENESS DAY**

**John Ross 4140 Marine Avenue**

**Joe Kecskes, Bedwell Bay Road**

**Jim Chisholm Belcarra Bay Road**

**Dr. Tsuyuki, Senkler Road**

**Mr. McKitka Marine Avenue**

**12. CORRESPONDENCE**

Moved by: Councillor Ross  
Seconded by: Councillor Carlsen

**THAT** correspondence be **RECEIVED** as reviewed by Council and those requiring action be itemized below.

**CARRIED UNANIMOUSLY**

**12.5** The Administrator will provide more information of the matter of the Homeowner Program to the next meeting.

**13. PROCLAMATIONS**

**13.1** Moved by: Councillor Carlsen  
Seconded by: Councillor Ross

**THAT** Belcarra Council **PROCLAIMS** Saturday June 1, 2002 as **ACCESS AWARENESS DAY**.

**CARRIED UNANIMOUSLY**

**14. NEW BUSINESS**

**15. UNFINISHED BUSINESS**

**16. NOTICES OF MOTION**

**17. PUBLIC PARTICIPATION**

Asks that Council revisit the Zoning Bylaw for single wharfs, as they are not appropriate for the end of Bedwell Bay.

Concern of recent parties with bonfires at the tennis court area. Residents are asked to call 911 to report vehicles arriving for parties after the park is closed.

Does not think that docks are an impediment to the area and should be permitted.

Support the current zoning relative to dock facilities.

**Mr. McKitka lives in this area of the bay and intends at some time to apply for a single wharf, and should have the right to apply.**

**18. TERMINATION OF REGULAR MEETING**

Moved by: Councillor Drake  
Seconded by: Councillor Ross

**THAT** the Regular Meeting of Council **TERMINATE** at 11:25 p.m. **CARRIED UNANIMOUSLY**

CERTIFIED CORRECT

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**Mayor Drew**

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**ADMINISTRATOR  
M. McGregor**