

VILLAGE OF BELCARRA MINUTES

**REGULAR COUNCIL MEETING
VILLAGE HALL
MONDAY, JULY 28, 2003
AT 7:30 P.M.**

These are the minutes of the **Regular Meeting** of the Municipal Council for the Village of Belcarra, held Monday, July 28, 2003, at the Municipal Hall, 4084 Bedwell Bay Road, Belcarra, BC.

COUNCIL IN ATTENDANCE:

Mayor Ralph Drew
Councillor Bruce Drake
Councillor Jennifer Glover
Councillor Colin Richardson

ABSENT:

Councillor Jamie Ross

STAFF IN ATTENDANCE:

Administrator, Moira McGregor
Building Inspector, Larry Scott

**REGULAR MEETING
Monday June 23, 2003**

**SPECIAL MEETING
Wednesday June 25, 2003**

1. Upon advice that there was a quorum present, Mayor Drew called the regular meeting to order at 7:30 p.m.
2. **APPROVAL OF THE AGENDA**
It was; Moved by: Councillor Glover
Seconded by: Councillor Drake
THAT the Agenda be approved as amended.
CARRIED UNANIMOUSLY
3. **ADOPTION OF MINUTES**
 - 3.1 It was; Moved by: Councillor Richardson
Seconded by: Councillor Drake
THAT the minutes of the Regular meeting of Council held Monday, June 23, 2003 be **ADOPTED**.
CARRIED UNANIMOUSLY
 - 3.2 It was; Moved by: Councillor Drake
Seconded by: Councillor Richardson
THAT the minutes of the special Council meeting held Wednesday, June 25, 2003 be **ADOPTED**.
CARRIED UNANIMOUSLY
4. **BUSINESS ARISING FROM THE MINUTES AS**

**John Doerksen
Marine Avenue**

ADOPTED MINUTES

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

6. DELEGATIONS & PETITIONS

- 6.1** Mr. Doerksen appeared before Council, representing Marine Avenue residents, relative to the recent letter from BERC advising that they no longer will review or approve any new facilities fronting Marine Avenue. Mr. Doerksen advised that the residents are here to support Council with their efforts regarding the wharfage. Mr. Doerksen asked if the word “new” in the letters from VPA dated February 3 and 4, 2003, refers to a completely new facility where none existed before or does it also mean facilities that may, in time, require replacing with new facilities.

Mayor Drew advised that the problem goes back approximately a year and a half and VPA will not approve the application if BERC does not get approval. Mayor Drew stated that Council was very reluctant to start rocking the boat to the point where they could jeopardize the three applications that were on-going. Mayor Drew advised that he agrees with Mr. Doerksen’s suggestion that Council should have a public meeting with BERC and VPA.

Mr. Doerksen advised that he is in the process of applying to replace his dock. Mayor Drew advised that it has only been in the last few weeks that the approvals came through for the two groups. Mayor Drew stated that the Village’s plan of action started a year ago. There were three different meetings with BERC at their offices and what was achieved was their agreement that they were prepared to continue the process of the three applications that were in the works. The next step is to organize the meeting with BERC when the summer is over.

Mayor Drew advised that there has been some political lobbying going on and recently a 33 page letter was sent to the *Vancouver Port Authority* with copies to a number of Ministers in Ottawa outlining all of the things that are wrong and need to be protected in Bedwell Bay. Mayor Drew advised that copies of the letter would be made available.

Mr. Doerksen thanked Council for allowing them to appear tonight. Mayor Drew thanked the residents of Marine Avenue for attending the meeting.

**Dr. Mike Mostrenko
Marine Avenue
Application for a Private
Single Wharf denied by
BERC**

6.2

Dr. Mostrenko appeared before Council relative to a letter dated July 16th, 2003 from BERC advising that they have closed the file regarding this subject application and that based upon new and/or amending information ask that Council write to VPA and BERC to encourage BERC to reopen the file and review the new information. Dr. Mostrenko advised that the contractor he chose had successfully put in a wharf in Bedwell Bay without any problems. Dr. Mostrenko stated that BERC began to request further information on a regular basis. Such requests included concern about foreshore vegetation and the possibility that 4 alder trees would need to be removed; to provide information and justify the size of the float; physical survey regarding eel grass; etc. Dr. Mostrenko advised that an environmental firm was employed to check the area and they stated that they were impressed with the eel grass growth and were not concerned about the effect of Dr. Mostrenko's project on eel grass or fish habitat. This report was submitted to BERC. Dr. Mostrenko then received the letter from BERC rejecting his proposal based on the potential effect on the environment without scientific information. The file was then closed.

Dr. Mostrenko advised that he has terminated their relationship with the contractor and has spoken to other contractors to try and fulfill BERC's requirement for a smaller float. Dr. Mostrenko advised that he has spoken to VPA and Coast Guard and they are encouraging that the file be reopened. Dr. Mostrenko asked Council to encourage VPA to discuss with BERC a reopening of the file so he can continue to process and get more detailed information to BERC regarding the amendments.

Moved by: Councillor Drake

Seconded by: Councillor Richardson

THAT based upon the submission by Dr. Mostrenko of new plans from a different contractor with a new construction technique, the *Village of Belcarra* strongly encourages the *Burrard Environmental Review Committee* and the *Vancouver Port Authority* to reopen and complete a full and fair review of the file titled "Dr. Mostrenko Bedwell Bay BERC CPR #0207B028" in order to satisfy all environmental concerns outlined in the letter from BERC dated July 16th, 2003."

CARRIED UNANIMOUSLY

Application for a Road User Permit to construct an Interlocking Block Retaining Wall on Road Allowance

Application for a Tree Cutting Permit to remove trees on Belcarra Bay Road

Community Shuttle Bus Implementation

7. STAFF REPORTS/DEVELOPMENT VARIANCE PERMITS

- 7.1** Council reviewed a report from Public Works dated July 16th, 2003 relative to constructing an interlocking block retaining wall fronting 3464 Marine Avenue. Public Works stated that it has encroached approximately 6 feet onto road allowance and that the reason it was located there was to protect existing vegetation.

Moved by: Councillor Drake

Seconded by: Councillor Richardson

THAT approval be granted to allow a constructed retaining wall fronting 3464 Marine Avenue to remain as constructed.

CARRIED UNANIMOUSLY

- 7.2** Council reviewed a report from Public Works dated July 22nd, 2003 to remove a cluster of overgrown laurel and two juvenile hemlock trees located on Robson Road adjacent to 5005 Belcarra Bay Road. This is to facilitate a major renovation and in order to get machinery in they need to clear some trees. Public Works believes that there will be an opportunity to improve the existing Turn-a-round by removing 2 additional hemlock trees in the immediate area. Public Works advised that the posting was shorter than the 14 days however consent has been received by both adjoining properties. Public Works stated that the posting was only for 6 days to take advantage of Council schedule, as the next meeting is not until August 28, 2003.

Moved by: Councillor Drake

Seconded by: Councillor Richardson

THAT subject to the terms and conditions specified in the attached Road Use Permit 220703, approval be granted to remove the overgrown laurel and 4 hemlock trees located on Robson Road, adjacent to their property side yard lot line.

CARRIED UNANIMOUSLY

- 7.3** Council reviewed a letter dated June 23, 2003 from TransLink requesting approval for the transit use of new sections of roadway, Belcarra Bay Road to Whiskey Cove Lane. TransLink also requests that the Village reserve \$1,500 in their 2003 budget to assist in any new stops or road upgrades. Councillor Richardson asked if the \$1,500 was a one-shot deal. Public Works advised that the \$1,500 was based on \$500 per stop and if they need all three it would be \$500 but it could go higher if a more creative stop was needed. Public Works stated

**Road Use Permit
Application Access Stairs
to the Foreshore – Marine
Avenue**

it is his expectation that it will be lower.

Moved by: Councillor Drake
Seconded by: Councillor Glover

THAT Council reserve in the 2003 budget to \$1,500.00
CARRIED UNANIMOUSLY

7.4 Council reviewed a report dated June 16th, 2003 relative to an application to construct access stairs on the foreshore fronting 4140 Marine Avenue. Public Works advised that this is a stair application to allow a set of stairs down to the beach, which would serve as a future access to a wharf facility or swimming float. Public Works stated that from his perspective, without the benefit of *Vancouver Port Authority* wharf application, he felt it was premature to allow for a set of stairs to go in that location as that facility may not be removed or it may have to be relocated after construction. The public stairs remain and there is a trail corridor that goes from the public stairs over to and near the beach that the proposed stairs would terminate.

Mr. Jillings advised that the public stairs will not be maintained by them. A pre-application has been made to BERC to get information from them but they have not heard back as yet. Mayor Drew stated that the Village will be maintaining the stairs. Mayor Drew suggested that Mr. Jillings make his application to the Port and get an answer from them in terms of floats or wharves or docks and based on that Council will know what is needed to be considered.

Councillor Glover asked Public Works about the cost of the stairs. Public Works stated that he has received a quote of \$2,900 for two galvanized stairs. The Village has gone out to another contractor who has assured staff that he can get a better price.

Moved by: Councillor Glover
Seconded by: Councillor Drake

THAT the application to construct access stairs on the Marine Avenue foreshore adjacent to the common lot line of 4140 and 4132 Marine Avenue be denied.

CARRIED UNANIMOUSLY

**West Nile Virus – Action
Plan Committee**

7.5 Council reviewed a report from Public Works dated July 28, 2003 regarding a request for membership on a Local Advisory Committee to advise the Medical Health Officer regarding Adult Mosquito Control. Public Works stated that *Fraser Health Authority* is requesting that a representative from the local government be appointed as a committee member and if West Nile is discovered the committee could take steps to

Tree Cutting Permit Application

Councillor Ross

notify or eliminate the problem. The method used to determine West Nile is by a crow carcass recovery program where staff would gather up crow or stellar jay carcasses in a bag and courier them to specific places in the Lower Mainland.

Moved by: Councillor Glover

Seconded by: Councillor Richardson

THAT the Chair of the Environmental Committee and the Superintendent of Public Works be appointed as West Nile Virus Adult Mosquito Control Local Advisory Committee Members;

AND THAT Staff be authorized to participate in the crow carcass recovery and submission program.

CARRIED UNANIMOUSLY

7.6 Council reviewed a report from Public Works dated July 28th, 2003 regarding an application to remove one alder tree to accommodate the placement of an approved wharf facility stair access. Public Works stated that VPA had required the wharf facility to be moved approximately 25 feet to the north which made the original submission of removing 3 alder trees to be reduce to 1 alder trees. The 14-day posting was noted however this was relative to the removal of 3 trees and not the amended removal of 1 tree. No comments have been received regarding the removal of the 3 trees. Mayor Drew asked if this 1 tree is part of the 3 original trees to be removed. Public Works stated that it is not however it is a tree of less significance as it is up against the parking area of the asphalt.

Moved by: Councillor Drake

Seconded by: Councillor Glover

THAT based upon there being no complaints in 14 days and subject to noted terms and conditions, the attached Tree Cutting Permit #280703, approval is granted to remove 1 alder tree, located to the Immediate North of the proposed stair access fronting is granted subject to its terms and conditions.

8. COMMITTEE REPORTS

8.1 Public Works and Planning

(i) Public Works advised Council that the date for the fire protection water main construction has been set for August 11, 2003. The water main will run from Salish Road to Whiskey Cove Lane.

(ii) Mayor Drew asked about the head walls at Rae Creek. Public Works advised that the head walls are with the Engineer with

<p>Councillor Richardson</p>	<p>instruction that they are required for review in advance of the water main contractor doing his work.</p> <p>(iii) Public Works advised that the bank stabilization is a lesser priority than the head wall however the survey information is with the Engineer and he will be trying to prepare a design consistent with the Soils Engineer's recommendation.</p> <p>8.2 Treaty Advisory Committee & Special Projects</p> <p>(i) Councillor Richardson advised Council that the Tswassen AIP has been initialed by the parties and taken back to the principals for signatures.</p> <p>(ii) Councillor Richardson advised that Mayor Drew will be interviewed on CBC Radio Tuesday morning.</p> <p>(iii) Mayor Drew advised that Agreement-in-Principles are not binding and they now have to go back to all three parties. There should be a vote by the Tswassen First Nation this fall and the Province and Federal Government Cabinets will have to endorse it. General feeling is it will take 2 years to conclude a final agreement.</p>
<p>Councillor Drake</p>	<p>8.3 Protective Services</p> <p>(i) Councillor Glover advised Council that there have been more break ins and thefts on Belcarra Bay. Tools and a motor were stolen along with a boat. The thieves ran their boat onto Cates Park.</p>
<p>Councillor Glover</p>	<p>8.4 Environmental Affairs</p>
<p>Mayor Drew</p>	<p>8.5 Finance Committee</p>
<p>GVRD Small Communities and Electoral Area Police Funding Study</p>	<p>9. <u>MAYOR'S REPORT</u></p> <p>9.1 Mayor Drew advised that the GVRD <i>Small Communities Committee</i> had a financial analyst undertake an analysis of the police funding proposal. It was considered on Friday and Mayor Drew stated that it was excellent work on the part of the analyst. The Committee endorsed recommendations 1 and 2 and will be contacting the Solicitor General to indicate that these are the items the Committee wishes to pursue. Mayor Drew stated that the Committee has also asked to meet with the Solicitor General before the UBCM conference along with the financial analyst.</p>

<p>Dr. Ragan – Senkler Road Application for a Private Residential Waterfront Licence Fronting Marine Avenue denied by BERC</p>	<p>10. <u>ADMINISTRATOR’S REPORT</u></p>
<p>UBCM – On Table</p>	<p>10.1 The Administrator advised that she spoke to VPA but was not able to speak to anyone. Dr. Ragan is asking to have his application resubmitted however the Administrator does not want to do this if it’s going to be a waste of time. Mayor Drew stated that Dr. Ragan needs to have a dialogue with BERC rather than VPA. The Administrator will wait to hear back from VPA.</p> <p>10.2 The Administrator advised that UBCM is coming up and asked if any member of Council wants to meet with any of the Ministers as August 15 is the deadline. Mayor Drew stated that Council should apply for a meeting with the Solicitor General regarding Police Funding and the Administrator suggested speaking to Minister George Abbott as well. It was decided that Council would just speak to the Solicitor General. The Administrator asked if any other members of Council would be attending the UBCM convention. Councillor Drake stated that he did not know if he would be able to attend.</p>
<p>Bylaw No. 332, 2001 Amendment Zoning Bylaw No. 253, 1996 ADOPTION</p>	<p>11. <u>BYLAWS</u></p> <p>11.1 Moved by: Councillor Glover Seconded by: Councillor Drake THAT Bylaw No. 332, 2001 being a bylaw to amend the marine water area for a Group Wharf Facility from Marine (W-1) to Marine (W-2) Zoning Bylaw No. 253, 1996 be ADOPTED this 28th day of July 2003. CARRIED UNANIMOUSLY</p>
<p>Bylaw No. 333, 2002 Amendment Zoning Bylaw No. 253, 1996 ADOPTION</p>	<p>11.2 Moved by: Councillor Glover Seconded by: Councillor Drake THAT Bylaw No. 333, 2002 being a Bylaw to amend the marine water area for a Group Wharf Facility from Marine (W-1) to Marine (W-2) Zoning Bylaw No. 253, 1996 be ADOPTED this 28th day of July 2003. CARRIED UNANIMOUSLY</p>
	<p>12. <u>CORRESPONDENCE</u></p> <p>Moved by: Councillor Drake Seconded by: Councillor Glover</p> <p>THAT correspondence be RECEIVED as reviewed by Council and those requiring action be itemized below. CARRIED UNANIMOUSLY</p>
	<p>13. <u>PROCLAMATIONS</u></p>

		Moved by: Councillor Drake Seconded by: Councillor Richardson
COMMUNITY LIVING MONTH	13.1	THAT Belcarra Council PROCLAIMS the month of October, 2003 as “ COMMUNITY LIVING MONTH ”.
BC RIVERS DAY	13.2	THAT Belcarra Council PROCLAIMS Sunday September 28, 2003 as “ BC RIVERS DAY ”.
MAHATMA GANDHI DAY	13.3	THAT Belcarra Council PROCLAIMS Thursday October 2, 2003 as “ MAHATMA GANDHI DAY ”. CARRIED UNANIMOUSLY
	14.	NEW BUSINESS
	15.	UNFINISHED BUSINESS
	16.	NOTICES OF MOTION
	17.	PUBLIC PARTICIPATION
Rudy McKitka Marine Avenue	17.1	Mr. McKitka stated that 13 vehicles parked along Marine Avenue this past weekend. Mayor Drew stated some limitation should apply. Negative impact on neighbour parking. Some vehicles could park at the Village Hall. Limit number of vehicles to 6.
	18.	TERMINATION OF REGULAR MEETING Moved by: Councillor Glover Seconded by: Councillor Richardson THAT the Regular Meeting of Council TERMINATES at 10:50 p.m. CARRIED UNANIMOUSLY

CERTIFIED CORRECT

Mayor Drew

**ADMINISTRATOR
M. McGregor**