



**VILLAGE OF BELCARRA
MINUTES
VILLAGE HALL
MONDAY, OCTOBER 5, 2009**



Minutes of the Regular Meeting of the Municipal Council for the Village of Belcarra, held Monday, October 5, 2009 at the Municipal Hall, 4084 Bedwell Bay Road, Belcarra BC.

Council in Attendance:

Mayor Ralph Drew
Councillor Jennifer Glover
Councillor Colin Richardson

Staff in Attendance:

Administrator, Lynda Floyd
Superintendent Public Works/Building Inspector, Larry Scott
Planning Consultant, Michael Rosen
Administrative Assistant, Catherine Guerin

Absent:

Councillor Bruce Drake
Councillor Jamie Ross

1. CALL TO ORDER

The meeting was called to order at 7:30pm.

2. APPROVAL OF THE AGENDA

2.1 Regular Council Meeting Monday, October 5, 2009

Moved by: Councillor Richardson
Seconded by: Councillor Glover

That the Agenda for the regular Council Meeting Monday, October 5, 2009 be amended:

By adding:

Item 8.1.1 Correspondence from Laurence Westgeest, 255 Turtlehead Road, dated October 2, 2009;

By deleting:

Item 19.1 Adjourn to closed meeting.

And that the agenda be adopted as amended.

CARRIED

3. ADOPTION OF THE MINUTES

3.1 Regular Council Meeting Monday, September 21, 2009

Moved by: Councillor Glover
Seconded by: Councillor Richardson

That the Minutes of the Regular Council Meeting held Monday, September 21, 2009 be adopted.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES AS ADOPTED

No items presented.

5. INTRODUCTION OF LATE ITEMS

No items presented.

6. DELEGATIONS

No items presented.

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

No items presented.

8. REPORT OF PUBLIC WORKS SUPERINTENDENT/DEVELOPMENT VARIANCE PERMITS

**8.1 Development Variance Permit Application (DVP 09-02) - Saito
Lot 38, Plan 52302, DL 229 & 4991, Group 1, NWD
Lot 11, Block 10, Plan 1095, DL 229, Group 1, NWD
DL 4991, Group 1, Except: Part Subdivided by Plan 52302
DL 4992, Group 1, NWD - Hamber Island
Turtlehead Road / Hamber Island**

Michael Rosen, Planning Consultant, provided a report dated October 2, 2009 regarding clarification of the existing access easements that provide physical and legal access across the adjacent lots 7, and 8 for Lots 38 and 11 in the context of their relationship to the Development Variance Permit Application for DVP 09-02.

Michael Rosen, Planning Consultant, noted that:

- The issues regarding the validity of the easements, while important, are not specifically related to the DVP application being considered;
- The applicants and all other parties involved will be required to resolve the easement issues amongst themselves, as it is of a private matter;
- A mutual easement agreement will be required as a condition of issuing a Building Permit for an accessory structure, granting reciprocal access over the isthmus and Lot 38;
- Applicants considered other access options and determined other viable alternatives would be to construct access to Lot 38 via municipal road allowance or to arrange new easements with respective interested parties; and
- If for any reason all respective parties cannot agree with regards to easements, a sunset clause has been incorporated into the permit noting that if bridge construction is not completed within three years, the Development Variance Permit would become invalid.

Moved by: Councillor Richardson
Seconded by: Councillor Glover

That further comments from the public regarding Development Variance Permit Application DVP 09-02 be received.

CARRIED

Karl Gustavson, Karl Gustavson Architect, presented an overview of the application process and noted that:

- Applicants attempted to provide as much transparency as possible with regards to communication of the Burrard Environmental Review Committee (BERC) approval process;
- Upon satisfactory communication and approval process being met, the proposed application was referred to council for next steps, which included signage posting and reports produced for public record;
- Setback relaxation proposal is between Hamber Island and the isthmus;
- Relaxation regarding site coverage pertains to the accessory building structure (bridge);
- Applicants opted to keep accessory building lower than maximum height permitted in Zoning Bylaw;
- Applicants want to increase the width of view-corridors for adjacent properties and to maintain low impact on surrounding area;
- Suggested resolution regarding access to Lot 38 is to re-route and extend Turtlehead Road to grant legal access to Lot 38 in order to address service issues;
- Recently discovered that the easement which provided access to Lot 38 was discharged in 1977; and
- Rights of easements relative to the removal of a property line under the Land Title Act.

8.1.1 Laurence Westgeest, 255 Turtlehead Road, provided correspondence dated October 2, 2009 regarding Development Variance Permit Application for DVP 09-02.

Moved by: Councillor Richardson
Seconded by: Councillor Glover

That correspondence from Laurence Westgeest, 255 Turtlehead Road, dated October 2, 2009 regarding the Development Variance Permit Application for DVP 09-02 be received.

CARRIED

Laurence Westgeest, 255 Turtlehead Road, expressed concern:

That:

- That the BERC application and public notification process was insufficient;
- The impact on his property both financially and physically would be significant; and
- Invited Council to come to the location of the proposed site to see first-hand the potential disadvantages regarding Development Variance Permit Application for DVP 09-02.

Discussion ensued relative to:

- Village of Belcarra has no influence on the BERC process;
- Any concerns regarding BERC process should be directed to BERC;
- Board of Variance was not chosen by applicant and as such, the respective process does not apply;
- The design presented by the applicant is tied specifically to the DVP 09-02 application; and
- Any issues arising from the design or construction of the bridge will be addressed in the Building Permit stage.

Duncan Hay, 237 Turtlehead Road, spoke relative to the requirements under legislation for the various options to subdivide or consolidate properties.

Moved by: Councillor Richardson

Seconded by: Councillor Glover

That Council authorize the issuance of DVP 09-02 regarding the relaxation of the setback and size requirements for an accessory structure (bridge) as so identified on the Drawing A1.0 – Site Plan prepared by Karl Gustavson dated 2009 07 03, issuance of DVP 09 – 02 to be subject to the consolidation of Lots 11, 38 and Remember DL 4991 into one lot.

CARRIED

8.2 Single Residential Wharf Facility Application – 3590 Marine Avenue

Larry Scott, Building Inspector / Superintendent of Public Works, provided a report dated September 30, 2009 regarding further consideration for a single residential wharf facility application at 3590 Marine Avenue.

Discussion ensued relative to Municipal staff's review and amendments proposed to the Highway Encroachment Agreement Bylaw, which will be brought forward to Council at a future meeting.

Moved by: Councillor Richardson

Seconded by: Councillor Glover

That:

- The Port Metro Vancouver revised application to construct a Single Private Wharf Facility to serve 3590 Marine Avenue for construction, subject to the terms and condition noted in subsequent Building Permits, Road Use Permits and the execution of a new Highway Encroachment Agreement be approved; and
- The issuance of a permit to occupy the new wharf facility be withheld pending the owner of 3590 Marine Avenue satisfactory removing the existing earth stairs, footbridge, cabana and other relevant improvements now occupied by the proponent as part of an existing Highway Encroachment Agreement and returning the riparian area to a natural condition.

CARRIED

9. COMMITTEE REPORTS

9.1 Public Works & Planning – Councillor Ross

No items presented.

9.2 Treaty Advisory Committee & Special Projects – Councillor Richardson

The Provincial Government cut back funding that they have been providing since 2007.

9.3 Protective Services – Councillor Drake

No items presented.

9.4 Environmental Affairs – Councillor Glover

No items presented.

10. MAYOR’S REPORT

No items presented.

11. FINANCE REPORT

No items presented.

12. ADMINISTRATOR’S REPORT

12.1 School District 43, School District Capital Bylaw Updated School Site Acquisition Charge

Lynda Floyd, Chief Administrative Officer, spoke relative to a report dated October 2, 2009 regarding School District Capital Bylaw Updated School Site Acquisition Charge.

Moved by: Councillor Glover
Seconded by: Councillor Richardson

That the report from the Planning Consultant entitled School District 43 - Capital Bylaw Amendment Bylaw - Updated School Site Acquisition Charge dated October 2, 2009 be received for information.

CARRIED

13. BYLAWS

13.1 Village of Belcarra Fees and Charges Bylaw No. 400, 2008 Amendment Bylaw No. 419, 2009

Moved by: Councillor Glover
Seconded by: Councillor Richardson

That the “Village of Belcarra Fees and Charges Bylaw No. 400, 2008 Amendment Bylaw No. 419, 2009” be adopted.

CARRIED

14. CORRESPONDENCE/PROCLAMATIONS

Moved by: Councillor Richardson
Seconded by: Councillor Glover

That correspondence items 14.1 – 14.2 be received.

CARRIED

REQUEST FOR ACTION

- 14.1 Karolin Phillips, PAC co-chair of Artworks for Anmore, September 27, 2009 requesting Council re-consider a previous request for sponsorship towards the 3rd Annual Artworks for Anmore, by way of \$250.00 donation.

Moved by: Councillor Richardson

Seconded by: Councillor Glover

That the Village of Belcarra provide an artwork donation, valued at \$250.00, towards the Annual Artworks for Anmore.

CARRIED

INFORMATION ITEMS

- 14.2 Mary Polak, Ministry of Children and Family Development and Minister Responsible for Child Care, September 25, 2009 regarding October being proclaimed Foster Family Month in British Columbia

15. **NEW BUSINESS**

No items presented.

16. **UNFINISHED BUSINESS**

No items presented.

17. **NOTICES OF MOTION**

No items presented.

18. **PUBLIC QUESTION PERIOD**

John Doerksen, 3590 Marina Avenue, queried the status of the proposed development of the loco lands in Port Moody.

Jim Chisholm, 4505 Belcarra Bay Road, queried the status relating to progress on the Belcarra Potable Water Infrastructure project.

19. **ADJOURNMENT**

Moved by: Councillor Glover

Seconded by: Councillor Richardson

That the October 5, 2009 Regular Meeting be terminated (8:59 pm).

CARRIED

C E R T I F I E D C O R R E C T

Ralph E. Drew, Mayor

Lynda Floyd
Chief Administrative Officer