

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, NOVEMBER 1, 2004 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brownoff, Cubberley, Derman, Ngai, Pickup, Wade and Wergeland
Staff: Tim Wood, Municipal Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie M. MacPhee, Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Ngai and Seconded by Councillor Cubberley: "That the Minutes of the Council and Committee of the Whole Meetings held October 25, 2004, and the Special Council Meeting held October 19, 2004 be adopted."

CARRIED

No. 402
Elk Lake Drive
Bylaw 8600

4570 ELK LAKE DRIVE.
Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2004, No. 8600" and approval of Development Permit No. DPR2003-00032. Rezoning from A-1 to RS-2, RT-4 and RA-3.

MOVED by Councillor Derman and Seconded by Councillor Ngai: "That Bylaw No. 8600 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Council approve and issue Development Permit No. DPR2003-00032 on Lot 2, Section 9, Lake District, Plan VIP69707 (4570 Elk Lake Drive/Royal Oak Drive)."

CARRIED

No. 403
ADM40
Bylaw 8612

SAFETY AND SECURITY RESERVE FUND BYLAW.
Final Reading of the "Safety and Security Reserve Fund Bylaw, 2004, No. 8612". To establish a reserve fund for the purpose of expenditures related to safety and security.

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That Bylaw No. 8612 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 404
ADM40
Bylaw 8614

LAND USE AND DEVELOPMENT APPLICATION FEE BYLAW AMENDMENT.
Final Reading of the "Land Use and Development Application Fee Bylaw, 2004, Amendment Bylaw, 2004, No. 8614". To provide for an advertising fee for temporary commercial use or industrial use permits considered at a Public Hearing.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8614 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 405
PRO00
Fire Service
Agreement

DURRANCE AND RUDY ROADS – FIRE SERVICE AGREEMENT

Report of the Fire Chief dated October 25, 2004 recommending that Council agree to an amendment of the existing Fire Services Agreement with the Capital Regional District (Durrance and Rudy Roads) to include Lot 1, Plan 20302 in the Local Service Area.

**MOVED by Councillor Pickup and Seconded by Councillor Brownoff:
“That Council approve an amendment to the existing Fire Services Agreement with the Capital Regional District (Durrance and Rudy Roads) to include Lot 1, Plan 20302 in the Local Service Area.”**

CARRIED

Adjournment

On a motion from Councillor Ngai, the meeting adjourned at 7:33 p.m.

.....
MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, NOVEMBER 1, 2004 AT 7:34 P.M.

Present: **Chair:** Councillor Cubberley
Council: Mayor Leonard and Councillors Brownoff, Derman, Ngai, Pickup, Wade and Wergeland
Staff: Tim Wood, Municipal Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie M. MacPhee, Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Elk Lake Drive
 Rezoning

4680 ELK LAKE DRIVE – REZONING APPLICATION – DENFORD CONSTRUCTION MANAGEMENT.

Reports of the Director of Planning dated October 22, 2004 recommending approval of the rezoning from C-13 to RP-2; and the Advisory Design Panel dated September 21, 2004 recommending approval of the design subject to consideration of providing a source of daylight into the corridors if possible.

In response to questions from Council, the Director of Engineering stated:

- The intent is to construct a sidewalk across the driveway of the proposed development.
- The applicants plan to deconstruct the existing building and recycle as much of the materials as possible on site.

Mr. G. Denford, Denford Construction Management, applicant, stated:

- He is the president of Berwick Retirement Communities Ltd.
- The first Berwick seniors facility was opened in 1989; since that time they have been committed to building other Berwick facilities that enhance and enrich the lives of hundreds of seniors.
- The proposed facility at Royal Oak will be the fifth Berwick facility; there are more than 200 caregivers located at the various facilities which include staff in food services, housekeeping, activities, and the many nurses.

Mr. S. Chow, Chow, Fleischauer and Low Architects, stated:

- Berwick Retirement facilities are lifestyle facilities for seniors, and provide various programs, amenity spaces and extensive landscaping.
- The existing Royal Oak Inn is in very poor condition and does not meet their requirements so they plan to deconstruct it.
- The site is an ideal location for a congregate care facility; it is centrally located, on a transit route, close to a recreation facility, library, golf course, churches and two shopping centres.
- The proposed development is compatible to the surrounding neighbourhood and comparable in scale and massing to other surrounding buildings.
- The proposed building will be four stories high, constructed in three wings with 228 units, and will occupy 29 percent of the site.
- There will be extensive landscaping and decorative features located throughout the development; stormwater runoff will be reduced by 40 percent with the use of permeable and grasscrete pavers in the parking areas and driveway.
- They are proposing generous setbacks; the building is stepped down from west to east along Marsett Place and will present as a three-storey building along Marsett Place; impacts to the four-storey condominium located to the north should be minimal.

- The proposed development will be accessed by the existing driveway on Elk Lake Drive, and a second service driveway will be located off Marsett Place at the northwest corner of the site; there are three surface parking areas and underground parking for the residents.
- The finishing materials will consist of beam treatments, stone work, hard-plank siding, board and batten log treatments, and louvered vents; gables will be used to accent the ends of the wings.
- There will be a porte-cochere at the front of the building to define the entrance; a central feature in the driveway area will be comprised of a waterfall, rock, and a sculpture of some sort.
- The roof will be capped with a clerestory roof element that will bring natural light into the centre of the building; this feature will require a height variance.

Responding to questions from Council, Mr. Chow stated:

- In all of their projects they ensure that they use high-performance wall elements with good insulation to minimize heat loss; the windows will incorporate argon gas, will have low E-glazing, and are high-performance as well.
- They will be using low-flush toilets; in some of the service areas, light sensors will be used that will turn lights off when the space is not being occupied.
- The proposed retail area is about 1,700 square feet; in Berwick House the retail area is used as a pharmacy.
- They intend to do some berming in the landscape area between the Highway and the front of the building; they are also proposing significant landscaping which will help soften traffic noise.

Mr. B. Forth, Landscape Architect, stated:

- The northeast courtyard will have an arbor, seating areas, gazebo, and pond feature, and will serve as a picnic area.
- All residential units have continuous terraces to encourage socializing; there will be an “adopt-a-pot” program that allows the residents to do their own gardening and also to provide some privacy on the terraces.
- A strolling path will be constructed around the perimeter of the building and will loop back to the building at several points if residents are unable to walk the entire path.
- There are several trees at the southwest corner of the site that will be retained; coniferous screening will be planted between their building and the Howard Johnson Hotel.
- It is anticipated that the berms will be three or four feet high with three to six foot high naturalized vegetation planted on them; they plan to plant trees with a caliper of about eight centimetres.

Responding to a question from Council, Mr. Forth stated:

- When he developed the landscape plan he worked with the area that was available and he felt that it was significant so he did not think it was necessary to encroach into the strip of land between Elk Lake Drive and the Highway; berming that strip could be considered.

Mr. B. Bomhof, Berwick Retirement Communities, stated:

- It is more practical to deconstruct the existing Royal Oak Inn and construct a new building rather than renovate it and try to make it fit the needs of the seniors who will reside there.

- A 35-foot setback along the Marsett Place frontage gives more space between this development and the four-storey condominium north of them on Marsett Place.
- They plan to deconstruct the building one floor at a time and remove the asbestos; they hope to salvage and reuse some of the studs, plates and joists in this facility.
- The large 4.5 acre site enables them to build a retirement residence that is larger than their previous facilities; this means that 35 percent of all interior space will be devoted to social and amenity areas.
- There will be a dining room, library, hair salon, games and crafts rooms, internet lounges, exercise rooms, and a large screen in-house movie theatre with a small stage for productions.
- They met with the Royal Oak Community Association and held two public meetings; 600 invitations were sent out and about 100 people attended who provided positive feedback.

Responding to questions from Council, Mr. Bomhof stated:

- Many of the staff who work in the Berwick facilities are students and have bus passes; he estimates that about 40 to 50 percent of all of their staff use public transit.
- They discussed with their administrator the possibility of providing bus passes to their staff.
- All of their facilities have a bus that staff use to shuttle the residents to medical appointments, day trips, and weekly shopping trips.

Ms. E. Turnbull, president, Royal Oak Community Association, stated:

- There was a very good turnout at both of the Open Houses that the applicants held.
- There were some concerns expressed with traffic and the height of the proposed building; the Association hopes that the proponents still plan to mark out the height and various floors of the building.
- It is not likely that the proposed facility will generate a lot of vehicular traffic but there could be more scooter traffic so sidewalks and mobility have to be easy and compatible.
- The Association hopes that the developer and staff will work with Transit regarding the possibility of relocating the bus stop in order to better serve the future residents and improve visibility.
- She would like to know if there has been any consideration given to recycling the grey water into the water features.

Mrs. Ames, Marsett Place, stated:

- She thinks the proposed building should be moved elsewhere on the site so it will not impact any of the residents living on Marsett Place.

A resident on Marsett Place stated:

- She lives in the back corner of the condominium building on Marsett Place and has views of the city, water and mountains.
- She is concerned that the height of the proposed new building will impact her views and she will lose her privacy.
- The proposed facility is lovely and will fit in nicely with the neighbourhood but she would like to see a visual display of how high the building will be.

Ms. F. Forrest-Richards, 4589 Blenkinsop Road, stated:

- She would like to know what percentage of the residents will be patients

and how many will be active seniors.

- She would also like to know if the site is on Municipal sewers.

Mr. B. Martin, owner, Howard Johnson Hotel, stated:

- He thinks the proposed development is a vast improvement over the last proposal that came forward for the site.
- He is looking forward to seeing the development proceed.

Ms. L. Anderson, 4678 Elk Lake Drive, stated:

- She thinks the area has improved significantly since the Howard Johnson Hotel was built.
- She is looking forward to the old Royal Oak Inn being taken down as the site is not very safe at night.

Mr. G. Sullivan, 500 Marsett Place, stated:

- He thinks the Royal Oak Inn should be retained and refurbished to ensure that the character of the neighbourhood is maintained.
- He would like to see a congregate care setting that incorporates the neighbourhood and its amenities, where the residents have access to Beaver Lake Park, and the use of golf carts to get around the site.
- He thinks there should be a secured perimeter, and the location of the delivery entrance should not impact residential parking along Marsett Place.

Mr. C. Johanssen, Marsett Place, stated:

- He likes the proposed development and thinks it will be a great asset to the community.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

- He thinks the proposed developed is very nice and will fit into the neighbourhood.
- Although the proposal calls for the use of pervious pavers and grasscrete to reduce stormwater runoff, there is still a very large area of impervious surfaces.
- He would like to know if any of the water features will be used as part of the stormwater management program; the grey water could be stored and reused for on-site irrigation.

Responding to questions and comments, Mr. Bomhof stated:

- They plan to construct two scaffold towers and drape flags or tape across them so the neighbours can see the proposed height of the building; they will inform the strata council on Marsett Place so they can meet them on-site if they wish; it will likely take about a week to have it set up.
- They have Licensed Practical Nurses on staff; it is more of an assisted living facility where the residents are mobile, active seniors rather than a care facility.
- When a resident becomes too frail they will be provided some limited assistance and then they will have to find an alternative residence.
- They are considering using storage tanks to contain the rain water coming off the roof of the building and possibly some of the runoff from the parking lot to pump into their irrigation systems.
- They will be adding one driveway access from Marsett Place so there will be a loss of one parking spot along Marsett Place; it is not their intention to paint the curb to prohibit parking.
- The southern elevation is four storeys; the three-storey section is on the

Marsett side of the development; the schematic that is shown is incorrect.

Responding to questions and comments, the Director of Planning stated:

- All of the 228 units in the proposed development are for congregate care.

In response to a question, the Director of Engineering stated:

- The subject property is serviced by Municipal water and sewer collection.

MOTION:

**MOVED by Councillor Pickup and Seconded by Councillor Brownoff:
“That a Public Hearing be called.”**

Councillor Pickup stated:

- She is happy to support the proposal; it is a great concept that allows the residents to age in place.
- The proposed facility has lots of natural light which is a healthy and positive aspect.
- The proposed site coverage is quite low and the amount of landscaping and amenities is very impressive.

Councillor Brownoff stated:

- She is excited about the concept and really likes the outdoor amenities that have been designed; the walking path is an excellent asset.
- She is happy that many of the adaptable housing features will be incorporated into the units, and agrees that the bus stop needs to be moved closer to the facility.
- She hopes that the applicants will undertake the visual display so the residents on Marsett Place can see the actual height of the proposed building.

Councillor Derman stated:

- He would like to have more information on what features will be incorporated to make the building energy efficient and more sustainable in terms of the environment.
- He hopes that the applicants will consider a program for staff that encourages them to use public transit.
- He thinks berming the area between Elk Lake Drive and the Highway is an excellent idea and hopes the applicants will pursue it.
- He would also like to have more information pertaining to the type of use of the proposed retail space.

Councillor Wergeland stated:

- He thinks it is a great proposal; it is close to many amenities.
- It is a very attractive design and the grounds have been very carefully planned and laid out.

Councillor Wade stated:

- She would like to have more information on the size and use of the retail component.

Councillor Ngai stated:

- She would like more details on the on-site water conservation/efficiency program.

Mayor Leonard stated:

- He does not think it is necessary to have information at the Public Hearing on how the applicants operate their business; in the 20 years the Berwick Retirement facilities have been operating, they have made many changes to their operation that have always been very innovative.
- A facility of this size is going to be noticed in the community no matter how much screening and berming is done.
- The developer and architect have a great track record and he is sure that when the development is completed it will be very attractive.

Councillor Cubberley stated:

- He is happy that the site coverage has been reduced and that there will be some underground parking.
- It is an attractive design with an extensive landscape package.

The Motion was then PUT and CARRIED

EPW65/XRef:
Blenkinsop Road
Inclusion in Sewer
Enterprise
Boundary

4591/4599/4611/4621 BLENKINSOP ROAD – REQUEST FOR INCLUSION IN SEWER ENTERPRISE BOUNDARY.

Reconsideration of the report of the Director of Engineering dated September 8, 2004 recommending the properties at 4591, 4599, 4611 and 4621 Blenkinsop Road not be included within the Sewer Enterprise Boundary; and supplemental report of the Director of Engineering dated October 22, 2004 providing additional information.

Ms. F. Forrest-Richards, 4589 Blenkinsop Road, stated:

- She urges Council to support the inclusion of the four subject properties in the sewer enterprise boundary.
- The sewer line is already in place and it does not make sense to not connect them.
- The properties are subject to heavy runoff from Mt. Douglas which is comprised of both rain water and animal waste as well.
- The letter from the Vancouver Island Health Authority (VIHA) states that the long-term viability of any new septic systems on these properties will be compromised by the physical characteristics of the land.

Mr. R. Stonebanks, president, Cordova Bay Community Association, stated:

- The Association voted unanimously in opposition of connecting the four subject properties to the Municipal sewer system.
- VIHA has not ordered the properties to be connected due to health issues; instead they identified a possible remediation method for each of the properties.
- There is always a financial need associated with these kinds of issues; it will cost \$3,200 to connect to the sewer system and \$12,000 to \$20,000 for the homeowners to replace or repair them.
- The four properties are outside of both the Sewer Enterprise and Urban Containment Boundaries.

Ms. P. Day, 4621 Blenkinsop Road, stated:

- It will cost her about \$30,000 to replace her septic system and it will have to

be moved onto higher ground close to her back pasture; this means the system will have to be pumped up hill and she will have to move her horses and build a fence.

- She has a diagram that shows all of the drains and pipes that have been installed, and all of the work that has been done to her septic system over the years.
- Even if she goes to the expense of installing a new septic system VIHA has said there is no guarantee on the long-term viability of it because of the demographics of the land.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

- He strongly urges Council not to expand the Urban Containment Boundary or the Sewer Enterprise Area.
- He hopes that Council will support the recommendation in the Engineer's report to not connect the four properties.

Mr. R. Futch, 4611 Blenkinsop Road, stated:

- Council could specify that only the footprint of the house be connected to the sewer system and not the entire property; this will prevent the property from being subdivided in the future.
- On the north side of his property he has a six inch drain that drains into the ditch along Blenkinsop Road.
- After a heavy rainfall the drain is completely full and cannot take in any more water; with the level of the water table, their water meter is about 12 to 18 inches below water.
- The rear portion of his property is very rocky and there is a spring that runs through it, there is also an open ditch with four catch basins; at the end of each season the driveway has to be re-surfaced with road base.

A representative for Mr. R. LeGrand, 4691 Blenkinsop Road, stated:

- In this day and age septic tanks are a precarious way of dealing with sewerage mainly because of the use of chemicals and other products relative to our way of living.
- Products like detergents and weed killers destroy the good kind of bacteria that septic tanks are reliant on to keep them healthy and working properly.
- The four property owners have researched the cost of replacing their septic systems and the costs are considerably more than connecting to the Municipal sewer system.
- She does not think it is unreasonable to include only the building footprint in the sewer system.

The Municipal Clerk advised that the following outstanding motion from the September 13, 2004 meeting needed to be dealt with:

MOVED by Councillor Gillespie and Seconded by Councillor Ngai: "That the existing building footprint for the properties at 4591, 4599, 4611 and 4621 Blenkinsop Road be included within the sewer enterprise area."

Councillor Ngai stated:

- She thinks it makes sense to allow the properties to connect to the sewer system as long as it is specified that it is only the building footprint.
- If a covenant is registered against the building footprint it will ensure that any future owners will not be able to subdivide the property.

- It is important to maintain the character of the Valley and also ensure that the environment is not negatively impacted.

Councillor Pickup stated:

- She does not support the subject properties being connected to the sewer system; VIHA has recommended remedial action.
- It is important that the Sewer Enterprise and Urban Containment Boundaries be protected and preserved.
- If these four properties are connected to the sewer system it could set a precedent for the other 50 properties in the area.
- There are alternative solutions even though they are expensive; perhaps the four property owners should consider one common septic system for their properties.

Councillor Wergeland stated:

- He does not have a problem with the four properties being connected to the Municipal sewers as the sewer line already runs along the frontage of their properties.
- He does not think connecting them will encourage future development.

Councillor Derman stated:

- He understands the dilemma that the properties owners are faced with; it is always more cost efficient for property owners to connect to the sewer system rather than pay for replacing their septic systems.
- He thinks it could set a precedent for other property owners in the Valley if the entire property is included and not just the building footprint.
- The letter from VIHA states that even if the systems are replaced, the long-term viability of them is questionable.

Councillor Wade stated:

- She does not think that one common septic system for the four properties is feasible unless there is a central area that is flat.
- The long-term viability of any septic system on these properties is not guaranteed.
- She thinks it is justifiable for the subject properties to be connected to the Municipal sewer system as long as it is only the building footprint.

Councillor Brownoff stated:

- VIHA says that the long-term viability of these four properties is compromised by the physical characteristics of the land.
- Even if the owners replaced their septic systems there is no guarantee on how long they will work.
- She supports the four properties being connected to the sewer system only if it is just the building footprint.

Mayor Leonard stated:

- He will support the properties being connected to the sewer system if it is limited to just the building footprint.

In response to a question from Council, the Director of Engineering stated:

- If the actual building footprint is the only area that can be serviced by sewer, it means that a property owner will have to request an extension to the

Sewer Enterprise Area if they want to build an addition onto their existing house.

Councillor Cubberley stated:

- He does not support connecting the subject properties to the Municipal sewer system.
- The letter from VIHA does not state that the only option for the four properties is to be connected to the sewer system; remedial action could be taken.
- He thinks it is important for property owners to maintain and take responsibility for the health of their septic systems.

**The Motion was then PUT and CARRIED,
with Councillors Cubberley and Pickup voting against.**

ADM120
Employment and
Assistant Act

PROVINCIAL GOVERNMENT CHANGES IN THE EMPLOYMENT AND ASSISTANCE ACT.

Report from Councillor Pickup dated October 27, 2004 recommending Council adopt the recommendation outlined.

Councillor Pickup stated:

- A year ago she brought a report forward to Council protesting the Provincial changes to social assistance; Council unanimously supported her recommendations.
- Although the Provincial Government backed down on its original punitive legislation, it has not addressed major gaps in funding and services which have impacted both low and middle income families and individuals in our community.
- The cuts to welfare benefits download the Province's responsibility for those in need as more and more people are forced to seek food and shelter in our communities.
- There have been recent newspaper articles on how the Ministry of Children and Families has been cut by \$145,000,000 since the government has been in office.
- In 1999 about 13 percent of the population of Saanich was living below the poverty level and since that time the figure has grown.
- In 2002 support payments were cut by 20 to 35 percent and there were cuts made to shelter payments and shelter allowances.
- Canada has one of the worst records in the industrialized world and BC is the worst in terms of supporting childcare and affordable, quality Early Childcare Education.

Mayor Leonard stated:

- The essence of this issue has been before Council previously and was endorsed by a consensus; the broad policy issue was endorsed at a UBCM Convention.
- He recognizes that social policies affect the people we serve and that is why he has supported previous resolutions.
- He believes the report and proclamation before Council this evening however, has hyped the essence of the previous resolution into a partisan position and he therefore will not support it; the report talks about government advertising, budget surpluses and government boasting.
- He fully respects people's rights to pursue the election issues but attacking government advertising and budget surpluses belongs at all-candidates

- meetings; that's where these things should be debated with passion.
- Council can deal with Provincial politics for the next several months until the Provincial election in May 2005; he would prefer to focus on Municipal business, especially when we are working towards our strategic plans and municipal priorities and this issue has already been endorsed by Council.

Councillor Derman stated:

- He finds the comments of the Mayor to be objectionable and divisive.
- He considers all issues that come before Council on their own merits.
- With regard to this particular item, there are a number of important issues involved that have profoundly impacted a number of citizens.
- There are cost implications to communities when Provincial and Federal governments download their responsibilities and he thinks it is important to continue to send letters advising them that we do not approve of their cuts.

Councillor Wergeland stated:

- Council has already dealt with this issue and subsequently sent a letter to the Province.
- It is obvious that we are all concerned with the issue of poverty and provincial cuts, but it is not necessary for Council to repeatedly deal with it.
- He is struggling to deal with this report because the issue of politics has come into it.

Councillor Ngai stated:

- Although Council may not agree with everything that the Provincial government does, the Council Chamber is not the proper venue to deal with some of these types of issues.
- We were tasked as Councillors to look after the affairs of Saanich; they are interconnected with other levels of government but our primary focus should be on Saanich.

Councillor Brownoff stated:

- As Municipal politicians we work with both Provincial and Federal governments and there are occasions where our constituents ask that we lobby other levels of government on their behalf.
- The Provincial Government has said that they have surplus funds and is asking Municipalities for their input on how they would like to see those funds spent.
- Municipalities have to stick together and present a strong voice for our greater community; taking Provincial or Federal business out of our Council Chambers is wrong and she thinks that a letter should be sent to the Province again asking them to look at their budget and re-evaluate some of the programs that they cut.

Councillor Wade stated:

- She does not think there is anyone in this Council Chamber who is not generally supportive of the broad principles of taking care of all our citizens and that is why when the issue came before Council the first time she was supportive of it.
- Now we are starting to dictate why and how specific Provincial programs should work and that is not Council's job in local government; for example she doesn't know enough about computerized financial assistance to know whether that is a negative or positive thing.
- The proposed resolution does not ask the Province to consider using some

of the surplus funds to go to social programs.

Councillor Pickup stated:

- The primary reason why she brought this issue forward to Council again is because it has not been adequately addressed; the proposed proclamation is to reiterate Council's position.
- She thinks it is appropriate before a Provincial election to encourage the government to demonstrate they understand that their cuts have been too deep and that it is time for them to rethink the direction they have moved in.

Councillor Derman stated:

- He wants to clarify that he finds it objectionable for the Mayor to take a report from an individual Councillor and brand members of Council with it and suggest a group or block process.

MOTION:

MOVED by Councillor Pickup and Seconded by Councillor Derman: "That Council pass the following motion pertaining to changes in the *Employment and Assistance Act*:

WHEREAS in April 2002, the Provincial Government announced new welfare legislation in the *Employment and Assistance Act*; and, this new act outlined a dramatic program of welfare restructuring that include cuts to benefits and tightening of eligibility rules; and deep cuts have also been made to the Ministry of Human Resources' operating budget;

AND WHEREAS the Provincial Government announced on February 5, 2004, additional exemptions to the two-years-out-of-five welfare rule, but these changes do not go far enough in meeting the needs of the poorest people in the Province, and those that are already struggling to deal with the impacts of other Provincial program and service cuts;

AND WHEREAS the changes to welfare effectively download Provincial responsibility for people in need onto Municipal Governments as more hungry and homeless people are forced to seek food, shelter, and community support in our neighbourhoods, street and parks;

THEREFORE BE IT RESOLVED that Saanich Council calls on the Provincial Government to change the *Employment and Assistance Act* to ensure social assistance benefits meet the basic needs of individuals and families, and further, Saanich Council urges that the Provincial Government include in this call for change:

- Repealing the cuts to benefit rates (support, shelter allowances and crisis grants);
- Move to developing a universal Early Childhood Education program in cooperation with the Federal Government and in the interim, increase substantially eligibility and levels of subsidies for childcare;
- Reversing the requirement that single parents seek work when their youngest child reaches the age of three;
- Ending the three-week wait for new financial assistance applicants;
- Abandoning the two-year independence test;
- Refraining from privatizing financial assistance delivery or computerized financial assistance determination;
- Rescinding the law imposing social assistance time limits; and

FURTHER BE IT RESOLVED that Saanich Council urges the Provincial Government to end the centralization of employment and assistance field services, so as to prevent barriers to assistance access by keeping physical services within the local community; and

FINALLY, Saanich Council direct the Mayor to send a letter to the Union of British Columbia Municipalities and other Municipal Councils in BC outlining its concerns, and urging other Councils to take similar action. Copies should also to be sent to all MLA's representing residents of Saanich."

**DEFEATED,
with Mayor Leonard and Councillors Ngai, Wade and Wergeland voting against.**

ADM60

Provincial Capital
Commission

PUBLIC ACCOUNTABILITY OF THE PROVINCIAL CAPITAL COMMISSION

Letter from Richard Mills dated October 27, 2004 pertaining to the public accountability of the PCC.

Councillor Pickup stated:

- There appears to be a number of problems with the Provincial Capital Commission (PCC) in terms of public perception, lack of public consultation, and the suggestion that representatives on the Commission are not allowed to share information with the public.
- There have not been any progress reports or updates on the status of the Crystal Gardens and she thinks it is up to the representatives to keep Council informed.
- She expects Council members who sit on the Commission to report out on what is going on with the Commission.

Councillor Wergeland stated:

- When there is something to report out on the happenings of the PCC, either he or Councillor Ngai will do so.
- Anyone who has a concern or wants to know what is going on with the PCC, is also welcome to contact him or Councillor Ngai.

Mr. R. Mills, 1848 Fairburn Drive, stated:

- He is a spokesperson for the Friends of Crystal Gardens Conservation Centre, which has concerns over the PCC Boards' lack of transparency and openness in dealing with public assets, including physical structures, programs and lands.
- With regard to the Crystal Gardens, it has been extremely difficult for citizens to assess the information on the administering of our assets.
- They have been forced to go through arduous FOI requests, risk assessments have been delayed and there is still no contract for the Gardens; endangered animals have died and staff has been warned not to comment on it.
- As the present liberal administration has decided to compose a commission where there are eight of their appointees in comparison to six elected appointees from Municipal Councils, it is imperative that our representatives from Council not be gagged in their ability to report back to the public or their Councils.
- As the assets the PCC administers are public assets, they believe that the public has a right to know the logic behind their decisions.
- The current Chair of the PCC has said that only he or the CEO may speak

on matters pertaining to the Commission's affairs; at the PCC's next meeting on November 16, 2004, the Governance Committee will discuss asking for the government to enshrine this policy in its bylaws, thus effectively locking the public out of any process involving its assets.

- They are asking Council to send a letter to the Chair of the PCC requesting that transparency be respected by not requiring Saanich's representatives to be silent on issues affecting its citizens.

Ms. E. Turnbull, 785 Viaduct Avenue East, stated:

- If there are significant sites that the public may want to see retained then the PCC reps should bring it forward to Council for information and give the public the opportunity to provide input.

MOTION:

MOVED by Councillor Ngai and Seconded by Mayor Leonard: "That letters be sent to the Chair of the Provincial Capital Commission (PCC) and the Minister of Community, Aboriginal and Women's Services advising that Saanich Council representatives will continue to reserve the right to speak publicly on PCC issues affecting Saanich residents."

Councillor Ngai stated:

- She agrees that representatives on the PCC should not be muzzled and should be able to keep the public informed of what is going on; she supports sending a letter to the Chair.

Councillor Derman stated:

- This is not an issue of who the reps are on the Commission, it is an issue of how Council deals with the PCC in terms of its reps; how can the reps serve their function if they are not allowed to report back to their respective Councils.

Councillor Wergeland stated:

- With regard to the issue of the Crystal Gardens, the PCC was not trying to hide anything, but in hindsight, there should have been more public consultation and the public should have been invited to attend the meetings.
- After the PCC has made a decision the Chair and its reps should share it with the public.

Councillor Brownoff stated:

- She thinks the letter should also go to Murray Coell, the Minister responsible for the PCC.
- To have any elected official barred from speaking to the public about issues they have discussed unless they are In Camera is wrong.

Councillor Pickup stated:

- Elected officials should not be muzzled and should be able to report back to the public on matters that affect them.

The Motion was then PUT and CARRIED

In Camera Motion

MOVED by Councillor Derman and Seconded by Councillor Cubberley: "That the following Council meeting be closed to the public as the subject matter being discussed relates to solicitor-client privilege."

CARRIED

Adjournment

On a motion from Councillor Wade, the meeting adjourned at 10:45 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK