

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, FEBRUARY 2, 2015 AT 7:30 PM

Present: **Chair:** Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Andy Laidlaw, Chief Administrative Officer; Carrie MacPhee, Director of Legislative Services; Sharon Hvozdanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That Council adopt the amended minutes of the January 26, 2015 Council and Committee of the Whole meetings.”

A correction was made on page 13 of the Council meeting minutes of January 26, 2015 to the mover and seconder on the motion to postpone further consideration of the Public Participation report.

CARRIED

BYLAWS

2130-40
Harriet Road

HERITAGE DESIGNATION BYLAW – 3261 HARRIET ROAD

Final Reading of the “Heritage Designation Bylaw, 2015, No. 9313”. To designate the exterior of the dwelling as a municipal heritage structure.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 9313 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

2130-40
Gorge Road
West

HERITAGE DESIGNATION BYLAW – 321 GORGE ROAD WEST

Final Reading of the “Heritage Designation Bylaw, 2015, No. 9314”. To designate the exterior of the dwelling and the landscape features that display the formal character of the garden as a municipal heritage property.

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That Bylaw No. 9314 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

2870-30
Normandy
Road

520 NORMANDY ROAD – REZONING TO RS-6

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2015, No. 9315”. Rezoning from A-1 to RS-6 for proposed four lot residential subdivision.

MOVED by Councillor Brice and Seconded by Councillor Plant: “That Bylaw No. 9315 be introduced and read.”

CARRIED

2870-30
Haliburton
Road/Wesley
Road

785 HALIBURTON ROAD AND 4932 WESLEY ROAD – REZONING TO RS-10
First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2015, No. 9316”.
Rezoning from A-1 to RS-10 for proposed six lot residential subdivision.

Councillor Wergeland declared, pursuant to Section 85 of the Council Procedure Bylaw, that he is not entitled to participate in the discussion of the Rezoning Application for 785 Haliburton Road/4932 Wesley Road as he owns property in the neighbourhood.

Councillor Wergeland left the meeting at 7:37 pm.

MOVED by Councillor Plant and Seconded by Councillor Sanders: “That Bylaw No. 9316 be introduced and read.”

CARRIED

with Councillors Brownoff and Derman OPPOSED

Councillor Wergeland returned to the meeting at 7:38 pm.

RESOLUTIONS FOR ADOPTION

1050-20
Benefit Carrier

APPROVAL OF BENEFIT CARRIER
Joint report of the Directors of Corporate Services and Finance dated January 28, 2015 recommending Council approve the proposal from Desjardins Insurance and the binder payment of \$257,000, and authorize staff to complete the Master Agreement for execution in accordance with the Signing Authority Bylaw, 2011, No. 9092.

MOVED by Councillor Brice and Seconded by Councillor Brownoff: “That Council approve the proposal from Desjardins Insurance and the binder payment of \$257,000 and authorize staff to complete the Master Agreement for execution in accordance with the Signing Authority Bylaw, 2011, No. 9092.”

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 7:40 pm.

The meeting reconvened at 9:46 pm.

In Camera Motion

MOVED by Councillor Haynes and Seconded by Councillor Murdock: “That pursuant to Sections 90(1), (c), (d), (e) and (i) of the Community Charter, the following meeting be closed to the public as the subject matters being considered relate to labour relations and other employee relations; security of the property of the municipality; acquisition or disposal of land or improvements; and legal advice that is subject to solicitor client privilege.”
CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 9:47 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, FEBRUARY 2, 2015 AT 7:41 PM

Present:

- Chair:** Mayor Atwell
- Council:** Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
- Staff:** Andy Laidlaw, Chief Administrative Officer; Carrie MacPhee, Director of Legislative Services; Sharon Hvozdanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

6840-20
Blenkinsop
Road

4630 BLENKINSOP ROAD (A PORTION) – REQUEST FOR INCLUSION IN THE SEWER SERVICE AREA

Report of the Director of Engineering dated January 13, 2015 recommending Council approve extension of the Sewer Service Area to contain the building footprint of the existing home at 4630 Blenkinsop Road, as the request meets the policy requirements set out in the Official Community Plan and Blenkinsop Local Area Plan.

PUBLIC INPUT:

- J. Colebourn, executor of the property, Blenkinsop Road, stated:
 - The existing septic system is failing due to the infiltration of ground water which overwhelms the system; an onsite sewage disposal system is not suitable on this property due to the high ground water table.
 - The most viable option to resolve the issue is inclusion in the Sewer Service Area.

In response to a question from Council, the Director of Engineering stated that the building footprint of the existing home will be included in the Sewer Service Area.

Motion: **MOVED by Councillor Derman and Seconded by Councillor Brice: “That the application to include a portion of Lot 5, Section 24, Plan 10468, Lake District (4630 Blenkinsop Road) in the Sewer Service Area be approved.”**
CARRIED

5690-30
Horticulture
Centre of the
Pacific Society

HORTICULTURE CENTRE OF THE PACIFIC SOCIETY – REQUEST FOR INTEREST FREE LOAN EXTENSION

Report of the Director of Finance dated January 28, 2015 recommending Council direct staff to conduct the notification process for an extension of the loan to the Horticulture Centre of the Pacific and bring an amendment to the agreement forward to a future Council meeting.

PUBLIC INPUT:

Nil

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

- The total value of the interest forgone on the loan would be \$18,000 over the term of the loan.
- Public notification of intent is required in accordance with the Community Charter.

Motion: **MOVED by Councillor Derman and Seconded by Councillor Brownoff: “That Council direct staff to conduct the notification process for an extension of the loan to the Horticulture Centre of the Pacific and bring an amendment to the agreement forward to a future Council meeting.”**

Councillor Derman stated:

- The Horticulture Centre of the Pacific (HCP) is located on property owned by Saanich and leased to the Society; volunteers run the operation on Saanich’s behalf.
- The Couvelier Pavilion was built to replace the glasshouse that was destroyed by fire; revenue from renting the Pavilion was estimated far higher than actual income received which resulted in challenges in repayment of the loan.

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

- It has not been past practice to refer the value of the additional interest costs back to the organization for payment.

MOVED by Councillor Plant and Seconded by Councillor Murdock: “That the motion be amended to include the additional interest costs be added to the amount of the loan to be returned back to Saanich.”

Councillor Plant stated:

- The HCP does amazing work but he is not comfortable forgiving the \$18,000 in additional interest costs; the additional costs should be borne by the organization.

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

- The \$18,000 represents interest income to the municipality that is forgone; in the past, Saanich has not added the value of the interest-free portion to the

base of the loan for collection.

Councillor Haynes stated:

- He supports the amendment to the motion; the additional interest cost is a significant amount of money and the organization has the ability to pay.
- The loan extension is supportable but it is reasonable to ask the organization to pay the additional interest costs.

Councillor Derman stated:

- He is not in favour of the amendment; loan extensions have been granted to other organizations and it has not been past practice that the additional costs be charged back to the organization.
- Interest-free loans support volunteer activities which then return assets to the municipality; charging the organization for the additional costs seems unnecessarily punitive.

Councillor Murdock stated:

- Saanich taxpayers are not out of pocket for the interest costs; it is an unintended adjustment to our investment opportunities.
- The HCP is operating on Saanich's behalf therefore we are servicing our own asset; he supports forgiving the interest income.

Councillor Sanders stated:

- She is not in favour of the amendment; the HCP lost revenue when the glasshouse was destroyed by fire.
- The organization is run mainly by volunteers which saves the municipality money for maintenance of the property.
- Interest-free loans have been extended in the past.

In response to a question from Council, the Director of Finance stated that the financial statements provided by the HCP indicate they have a long-term plan for financial stability.

Councillor Brice stated:

- She is not in favour of the amendment although she appreciates the spirit of it which is to be financially cautious.
- Income anticipated for the rental of the pavilion was to be used to pay back the loan; to add \$18,000 to the loan could mean that some of the programs will be delayed.

Councillor Plant stated:

- He is not opposed to supporting non-profit groups; Council should consider the true costs of this loan in terms of lost opportunity for investment.

**The Amendment to the Motion was DEFEATED
with Mayor Atwell and Councillors Brice, Brownoff, Derman, Murdock,
Sanders and Wergeland OPPOSED**

The Main Motion was then Put and CARRIED

1410-01
Council
Proceedings

PUBLIC PARTICIPATION AT COUNCIL MEETINGS

Further consideration of the report of the Director of Legislative Services dated January 22, 2015 summarizing the public input opportunities provided at Council meetings by other municipalities.

PUBLIC INPUT:

H. Charania, on behalf of the North Quadra Land Use Protection Association, stated:

- Pre-registration of speakers may make the process for providing input more restrictive.
- The five minutes allotted to speakers should be eliminated and the Chair should have the discretion to ask the speaker to conclude their remarks.
- Community Associations should be allotted more time than individual speakers.
- Development permits and development permit amendments should be heard in the same format as Public Hearings.
- The Community Association is not sure how effective open mic sessions would be; more specifics are required.
- There is a lack of detailed responses to correspondence sent to the municipality by residents; more than an acknowledgement is expected.
- He does not advocate for a 3-1-1 line; Public Works staff are quick to respond to concerns.

J. Schmuck, Rock Street, stated:

- It may be best to have an open mic session once a month, rather than at every meeting; speakers should be asked to pre-register and be asked to speak in order of registration.
- Community Associations are often presenting on behalf of a group or at the request of the municipality and should be given more time to speak than individuals.
- The Public Participation policy should be considered when discussing the new process; the number of in camera meetings should be decreased.

B. Furber, Arbutus Road, stated:

- During the election, the most talked about issue was public engagement; expanding public participation at Council meetings should be started immediately.
- More avenues of public engagement need to be explored including community outreach, town hall meetings, participatory television and an interactive website.
- Decisions should be made in partnership with the community.
- The key factor to success is a commitment from Council to meaningful public engagement.

K. Harper, Bonair Place, stated:

- Currently, there is limited opportunity for public engagement at Saanich; a broadly-based, accessible and easy process for public engagement is desirable.
- Public participation should be at the beginning of the meeting and residents should be able to speak on any topic; better decisions are made as a result of having public input at the front end of a process.
- Setting time limits for speakers is reasonable; groups doing presentations should be given more time.
- It is Council's business to hear from the public; although there may be a tremendous amount of interest to provide public input when the process is introduced, the interest will dissipate over time.

M. Beauchamps, on behalf of Saanich Families in Action, stated:

- Saanich Families in Action supports more public participation at Council meetings.
- It may be difficult for individuals with young families to attend evening Council meetings; webcasting meetings allows people the opportunity to watch meetings on their own time.

B. Gilbert, Lang Street, stated:

- Council has a mandate to take action in relation to public participation; mistakes will be made but can be learned from.
- Allowing delegations will be an important aspect of the process; speaking to agenda items and a question period at the end of the meeting is desired.

E. Robertson, Cadboro Bay Road, stated:

- It is vital that Council listens to the views and wishes of residents; discussions at meetings form part of the official record.
- A renewed public engagement process will reflect the wishes expressed during the recent election; Community Associations should be granted more time than individual presentations.

J. Oberg, Tudor Avenue, stated:

- The right to speak is enshrined in the Canadian Charter of Rights and Freedoms; there is a legal framework that support public participation.
- Residents have the expertise, desire and need to provide input; change needs to be made as quickly as possible.

Motion:

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That based on the report from staff and input from the public, staff be directed to amend the Council Procedure Bylaw to facilitate the following at regularly scheduled Council meetings:

- 1. Delegations - up to two 10-minute delegations per Council meeting;**
- 2. Input on Council agenda items – up to three minutes per speaker; and**
- 3. As the last item on the Council agenda, statements/questions on topics that relate to Saanich – up to three minutes per speaker to a maximum of 30 minutes in total.”**

Councillor Plant stated:

- Concern was expressed during the election that residents want to be heard; delegations should be able to share their wisdom with the municipality and after the meeting the general public should be able to share what is important to them.
- Decorum needs to be followed in relation to agenda items; it may be desirable to start the meeting at 7:00 pm and have in camera meetings before the regular meeting.
- If there is a large crowd to discuss one item, there may be a need for a special meeting.
- Staff will not be expected to answer questions from the public; pre-registration of delegations is suggested.
- An evaluation of the process should take place after six months.

Councillor Derman stated:

- The current Committee of the Whole format for input is exemplary.
- There may be legal restrictions for discussion of certain Council items.

- It has been problematic in the past that when a Councillor brings forward a report, it gets placed on the Council agenda; a Councillor should have the right to request that a report be placed on the Committee of the Whole agenda to ensure that the public has a chance to provide input.
- Allowing delegations to present to Council is appropriate; establishing a time frame and pre-registration for open mic may be preferable.
- It is undesirable to defer development applications to another meeting.
- The Governance review will identify the opportunities for public input already being utilized by the municipality.
- Community Advisory Committees bring meaningful resolutions to Council.

MOVED by Councillor Derman and Seconded by Councillor Plant: “That the motion be amended to include a further bylaw revision that allows a report from a member of Council or an advisory committee to be scheduled for a Committee of the Whole meeting at the Council member’s request.”

Councillor Murdock stated:

- During the election, the public expressed interest for public participation more broadly, not just at Council meetings; this will be seen as a first step for allowing the public input and the process will be evergreen, constantly evolving.
- There may be other options for input including through a 3-1-1 line, webcasting, apps, and blogs; initially there may be a large number of people wanting to attend meetings and address issues.
- The lack of ability to refer reports to a Committee of the Whole meeting can be frustrating so the proposed amendment is appreciated; a five-minute restriction on discussion should be consistently used although five minutes may be too restrictive for Community Association.
- Pre-registration of delegations is desirable.

Councillor Brice stated:

- The current process for Committee of the Whole meetings works well.
- It may be preferable to have a similar time frame for speakers at Council meetings and Committee of the Whole meetings.
- Starting meetings at 7:00 pm may make it easier for residents to attend; point 3 of the motion may need to be changed to “as the last item on the agenda”, rather than “after the meeting” for a legal and procedural point of view.
- She supports the amendment to the motion.

Councillor Brownoff stated:

- Presently, residents can present to Advisory Committees; five minutes time frame for speaking should be the goal.
- Community Associations work with the greater community on projects and should be allowed extra time to present; input at the Committee of the Whole and Public Hearings shapes proposed development.
- A legal opinion may be needed in relation to public input on specific items at Council.
- She supports starting the meeting at 7:00 pm and allowing delegations to present.
- Further opportunities for engagement at Financial Plan and Strategic Plan meetings may include webcasting, blogs, twitter, and the use of social media.
- She supports the amendment to the motion; the amendment to the Council Procedure Bylaw will take time to implement.

Councillor Sanders stated:

- Residents have expressed the desire to speak to items on the Council agenda; she appreciates the suggestions to allow delegations, presentations and having an open mic session.
- Having presentations once a month, rather than at each meeting, may be preferable; delegations should be allowed more time to present.
- The Public Participation Handbook is available on the website and should be considered when reviewing this process.
- Further discussion needs to take place in relation to when to allow input and time limits for speakers.
- Amending the Procedures Bylaw is a process that may take time.

Councillor Wergeland stated:

- A time limit is not as important as the content of the discussion; the agenda could include a note outlining which items can be discussed.
- Ten minutes could be allotted for delegations and individuals could be given 3-5 minutes to speak; Community Association should be allotted a longer time period to speak.
- It is preferable that delegations be pre-registered to ensure that everyone in attendance has time to present; he is concerned about the logistics of a question and answer period.

Councillor Haynes stated:

- The process for speaking at the Committee of the Whole and to Advisory Committees is exemplary; a more open, participatory form of engagement is desirable.
- An evolutionary approach can be taken; permissive registration of speakers and open mic sessions should be considered.
- Community Associations should be allowed a longer time to speak; grants from Saanich to Community Associations could be conditional upon the Association allowing input from the community.
- Public participation at Advisory Committee meetings could be considered; a 7:00 pm start time for Council meetings is supportable.
- Time limits for presentations should be considered; the agenda could include a note on which items can be discussed.
- The process should be evaluated within 6-9 months.

Mayor Atwell stated:

- This is a good starting point; a mechanism to sequence topics together would make it easier for Council to understand.

The Amendment to the Motion was then Put and CARRIED

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

- Staff will look at the recommendations in their entirety, refine the points and return a report that would address the various issues that have been raised and make some recommendations to Council on how they might be structured.
- There is a fair bit of work to be done before the bylaw could be brought back to Council, including statutory notification requirements.

Councillor Murdock stated:

- He prefers a report being returned to Council with a draft amendment attached that would give Council an indication on how the amendment was structured.

Councillor Wergeland stated:

- Council could make recommendations for some items, including time limits, and forward to staff to include in their report.

Mayor Atwell stated:

- The motion is a framework to begin the process.

Councillor Plant stated:

- He recommends three minutes to discuss agenda items at Council meetings with time limits remaining at five minutes for Committee of the Whole meetings.

Councillor Sanders stated:

- Clarity and structure is needed in relation to time limits for speakers.

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That the motion be amended by allowing up to five minutes per speaker for input on Council agenda items.”

**The Amendment to the Motion was CARRIED
with Councillor Plant OPPOSED**

Councillor Derman stated:

- He is in favour of a report from staff, including a draft bylaw, being brought forward to a future meeting for discussion.

MOVED by Councillor Derman and Seconded by Councillor Sanders: “That the motion be amended to request staff prepare a report and draft bylaw for consideration at a future Committee of the Whole meeting.”

In response to a question from Council, the Director of Legislative Services stated the report could be returned to the Committee of the Whole meeting on March 23, 2015.

Councillor Haynes stated:

- He would prefer having the report returned to a Committee of the Whole meeting to allow public input.

Councillor Wergeland stated:

- Further public participation is not necessary since public input has already been received.

Councillor Plant stated:

- Further discussion is not needed; the public has had the opportunity to provide input.

Councillor Brice stated:

- The item can be ratified at the Council meeting following the Committee of the Whole meeting on the same date.

**The Amendment to the Motion was then Put and CARRIED
with Councillor Wergeland OPPOSED**

**The Main Motion as Amended was then Put and CARRIED
with Councillor Wergeland OPPOSED**

Consolidated Motion:

“That based on the report from staff and input from the public, staff be directed to:

- a) Amend the Council Procedure Bylaw to facilitate the following at regularly scheduled Council meetings:**
 - 1. Delegations – up to two 10-minute delegations per Council meeting;**
 - 2. Input on Council agenda items – up to five minutes per speaker;**
 - 3. As the last item on the Council agenda, statements/questions on topics that relate to Saanich – up to three minutes per speaker to a maximum of 30 minutes in total.**
- b) Amend the Council Procedure Bylaw to allow a report from a member of Council or an advisory committee to be scheduled for a Committee of the Whole meeting at the Council member’s request.**
- c) Return a report with the draft bylaw for consideration at a future Committee of the Whole meeting.”**

Motion: MOVED by Councillor Haynes and Seconded by Councillor Murdock: “That a five minute recess be called.”

CARRIED

The meeting recessed at 9:33 pm.

The meeting resumed at 9:43 pm.

Adjournment On a motion from Councillor Derman, the meeting adjourned at 9:44 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK