

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Report of the **PUBLIC HEARING**
Wednesday, April 6, 2005 at 7:00 p.m.
Central Saanich Municipal Hall Council Chamber

PRESENT: Mayor Allison Habkirk
Councillors: Graham, Haddon, King, Korol, Mason and Thompson
Gary C. Nason, Administrator
Trish Flanders, Municipal Clerk
Hope V. Burns, Director of Planning & Building Services

1. APPROVAL OF AGENDA

The Administrator, Mr. Gary C. Nason, noted the addition to the agenda of the following late items of correspondence:

- Correspondence dated April 4, 2005 from D.T. Osland, #201 – 1196 Sluggett Road; and
- Correspondence dated April 6, 2005 from Karyn French, Executive Director – Pacific Housing Advisory Association;

496.05 MOVED BY COUNCILLOR GRAHAM
 SECONDED BY COUNCILLOR THOMPSON
 That the Agenda for the Public Hearing held on April 6, 2005 be approved as amended.
 CARRIED UNANIMOUSLY

2. INTRODUCTORY STATEMENT BY THE MAYOR

Mayor Habkirk noted that the purpose of the Public Hearing was to hear representations in regards to the following Bylaw:

1. ***“Central Saanich Land Use Bylaw Amendment Bylaw No. 1520, 2005”*** [To Terminate the Housing Agreement Between the District of Central Saanich and the Home Port Housing Society – 1196 Sluggett Road (Lions Cove)]

Mayor Habkirk then read a prepared statement outlining the procedures for the Public Hearing.

The Administrator advised that extra copies of the Public Hearing Agenda were available for viewing at this Public Hearing. Mr. Nason noted that the Public Hearing Agenda included copies of the Public Hearing Notice, copies of Bylaw No. 1520 and relevant background Staff Memoranda relating to the proposed Bylaw. He advised that copies of the Land Use Bylaw, the Official Community Plan and the two Local Area Plans were also available for viewing at this Public Hearing. Mr. Nason noted the additional correspondence from Mr. David T. Osland and from Pacifica Housing Advisory Association which had been received by the District since publication of the Public Hearing agenda and would be read into the record of this Public Hearing later this evening.

3. “Central Saanich Land Use Bylaw Amendment Bylaw No. 1520, 2005”

- a) Staff Memorandum dated February 14, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Home Port Housing Society Project, 1196 Sluggett Road (previously received at the February 21, 2005 Regular Council Meeting);
- b) Council Motions to Authorize the Preparation of the Bylaw, to Give the Necessary Readings to Bylaw No. 1520 and to refer the Bylaw to a Public Hearing;
- c) Copy of “Central Saanich Land Use Bylaw Amendment Bylaw No. 1255, 1997” [To Rezone Property Located at 1196 Sluggett Road from R-2 Residential Two Family to RM-2 Residential Apartment to Permit the Construction and Occupancy of a 20-unit Multiple Family Housing Development];
- d) Copy of “Central Saanich Seniors Housing Agreement Bylaw No. 1278, 1998” [To Authorize the District to Enter into a Housing Agreement with the Home Port Housing Society, 1196 Sluggett Road];

- e) Copy of “Central Saanich Seniors Housing Agreement Bylaw (Home Port Housing Society) Amendment Bylaw No. 1434, 2002” [To Authorize an Amendment to the Housing Agreement with the Home Port Housing Society to Define the Age Limitation for “Senior Person” as Being 55 Years or Older]; and
- f) Correspondence Received Since the Introduction of Bylaw No. 1520 and Publication of the Notice of Public Hearing:
 - Marian Nurse, 1038 Nakini Place, March 18, 2005;
 - David T. Osland, #201 – 1196 Sluggett Road, April 4, 2005; and
 - Pacifica Housing Advisory Association, April 6, 2005.

The Director of Planning and Building Services, Ms. Hope V. Burns, advised that in general terms, the purpose of Bylaw No. 1520 is to terminate the Housing Agreement between the District of Central Saanich and the Home Port Housing Society (Lions Cove – 1196 Sluggett Road). Ms. Burns gave a brief overview of the history of the property, noting that Bylaw No. 1255 rezoned the property located at 1196 Sluggett Road to permit the construction and occupancy of a 20-unit multiple family housing development, and that Bylaw No. 1278 subsequently authorized the District to enter into a Housing Agreement to restrict occupancy of the dwellings to citizens 65 years and older. She further noted that Bylaw No. 1434 authorized an amendment to the Housing Agreement to lower the age restriction to citizens 55 years and older, and that the owner of the development, Home Port Housing Society, has been unable to comply with the terms of the Housing Agreement. In this regard, the Society and tenants of the property have requested that the District terminate the agreement, the result of which would be that there would be no restrictions on the occupancy of the dwellings.

Mayor Habkirk then opened the floor for representations from the public in regards to Bylaw No. 1520.

Mr. Peter Vaartnou, Solicitor with Jones Emery Hargreaves Swan, advised that he represents 18 of the 19 life lease holders with the Home Port Housing Society, and noted that his clients fully support the termination of the Housing Agreement between the District of Central Saanich and the Home Port Housing Society. Mr. Vaartnou asked that the following life lease holders of the various units at 1196 Sluggett Road, or their estate representatives, briefly introduce themselves to Council:

- David T. Osland, representing his mother Inez Osland, Unit No. 201;
- Jan Ryan, representing her father Jack Saunders, Unit No. 108;
- Jack Saunders, Unit No. 108;
- Eleanor Richardson, representing her mother Margaret Ward, Unit No. 204;
- Anne Dyck, representing her mother) Ina Stubbs, Unit No. 102;
- Edith Haymes, Unit No. 303;
- Linda Goble, representing her father George Schumacher, Unit No. 105;
- Claire Leslie, representing her mother Gladys Warren, Unit No. 203;
- Frances Alexander, Unit No. 206;
- Sheryl Yore, representing her mother Laura King, Unit No. 301;
- Braunda Gustafson, Unit No. 304;
- Mavis Munro, Unit No. 205;
- Doris Maki, Unit No. 208;
- Merle Frost, Unit No. 302;
- Murray Southern, Unit No. 207;
- Jack Stewart, Unit No. 103;
- Margaret Kynas, Unit No. 103.

Mr. Vaartnou stated that over the past several years the life leases have become unmarketable which is problematic and stressful for the residents. He indicated that similar situations have been resolved with other housing societies by allowing owners to assume their titles and create a strata corporation, however to do so in this situation would be contrary to the existing Housing Agreement. Mr. Vaartnou further stated that he respects Council's wishes to not have an age restriction; however, the residents could deal with this particular issue on their own if the property is eventually strata-titled. In closing, Mr. Vaartnou urged the passage of Bylaw No. 1520 and thanked Council for its support.

Mr. David T. Osland, #201 – 1196 Sluggett Road, advised that he was representing the estate of his mother, and proceeded to read into the record of the Public Hearing his

correspondence dated April 4, 2005, a copy of which is attached to the Minutes of this Public Hearing. Mr. Osland thanked Council for proceeding with this Bylaw in an expeditious time frame.

Ms. Margaret Kynas, #103 – 1196 Sluggett Road, stated that the life lease holders have been victimized by the Housing Agreement situation for over eight years, and urged Council to help resolve this issue by passing Bylaw No. 1520.

Ms. Alicia Plucinski, 1172 Lucille Drive, advised of her support for Bylaw No. 1520 but indicated her preference to retain the “seniors” age restriction for the building. She advised of her concerns with young families moving into this area, and stated that in her opinion this particular building would not be suitable for children.

Ms. Betty Kinch, 1183 Lucille Drive, stated that she supports the adoption of Bylaw No. 1520 but that the building should be retained for seniors housing.

Mr. Alex Apouchtine, 1166 Lucille Drive, advised that he also supports the adoption of Bylaw No. 1520 but suggested that the current adult/senior age restriction be retained. He stated that he is very concerned with parking in the general area, and also expressed concern that this particular Bylaw could be precedent-setting.

Ms. Mary Lushington, 1190 Lucille Drive, concurred with the comments from the previous speakers and indicated her support for Bylaw No. 1520 but suggested that the age restriction be retained.

Ms. Patricia Collett, 1105 Verdier Avenue, stated her support for Bylaw No. 1520 but requested that the age restriction be retained.

Ms. Jean Bridges, 1203 Lucille Drive, advised that she fully supports the adoption of Bylaw No. 1520.

Ms. Susan Olynyk, 904 Damelart Way, advised that her mother, Mrs. Doris Maki, is a resident of the building, and indicated their support for Bylaw No. 1520 and for retaining the age restriction for occupancy by senior citizens only.

Mr. Wayne Watkins, 7055 Wallace Drive, advised that he supports the adoption of Bylaw No. 1520 to cancel the Housing Agreement between the District and Home Port Housing Society for the following reasons:

- the current residents/owners participated in good faith;
- the Society apparently cannot repay the tenants their investment in the property;
- with the Agreement terminated, the owners could then own their strata units;
- the Strata Property Act provides for a strata corporation to pass a bylaw with a ¾ vote to continue to restrict ownership to 55+ years, which is what the residents desire – a condominium building for seniors.

The Administrator read into the record of the Public Hearing the correspondence dated April 6, 2005 from Karyn French, Executive Director – Pacifica Housing Advisory Association, a copy of which is attached to the Minutes of this Public Hearing.

Ms. Mary Lushington, 1190 Lucille Drive, advised that she does not agree with the comments contained in the correspondence from Pacific Housing Advisory Association, and stated that in her opinion this building would not suitably house families with children.

Ms. Braunda Gustafson, #304 – 1196 Sluggett Road, advised that she does not agree with Pacifica Housing’s reference that this location would provide “affordable housing” for families, and questioned how a purchase price of over \$200,000 could be considered as being affordable.

Ms. Patricia Collett, 1105 Verdier Avenue, stated that converting this building to being family-oriented could potentially change the lifestyle and character of the immediate neighbourhood.

Ms. Catherine Haymes, 1246 Verdier Avenue, stated that the residents of this building are a “community in itself” and that the building has been fully designed for senior citizens and mobility-challenged individuals. She encouraged Council to proceed with the adoption of Bylaw No. 1520.

Mr. David T. Osland questioned the late response from Pacific Housing Advisory Association and its sudden interest in pursuing this particular development.

Ms. Sheryl Yore indicated that some of the residents are in need of special care but cannot move because of the inability to sell their units.

Ms. Jan Ryan, #58 – 2600 Ferguson Road, stated that the senior citizens in this building have experienced high levels of stress and some are becoming ill because of this stress. She encouraged Council to authorize the adoption of Bylaw No. 1520 and terminate the Housing Agreement with Home Port Housing Society.

Mayor Habkirk called three times for further representations from the public in regards to Bylaw No. 1520. There were no further representations.

Mayor Habkirk declared the Public Hearing for Bylaw No. 1520 closed.

3. ADJOURNMENT:

On motion, the Public Hearing held on Wednesday, April 6, 2005 adjourned at 7:42 pm.

Recorded by: Trish Flanders
Municipal Clerk