

**Watchdog Report on Sooke Council Regular Council Meeting
Monday, May 10, 2021
Jack Gegenberg & Hester Vair for Watchdog Committee, Transition Sooke.**

Mayor Tait chairing the meeting. Councillors attending: Al Beddows, Jeff Bateman, Megan McMath, Tony St-Pierre, Ebony Logins, & Dana Lajeunesse. Staff present: Chief Administrator Officer Norm McInnis, Raechel Gray, Director of Financial Services, Matthew Pawlow, Director of Planning and Development, and Carolyn Mushata, Corporate Officer

In the first half of the meeting (observed by Jack Gegenberg) there were three items that were of potential interest to Transition Sooke members. The first item relates to development. The other two items are basically social justice issues. In the second half of the meeting (observed by Hester Vair) there are 4 items that might be of interest.

Item 7.1 on the Agenda. Development Variance Permit for 2081 Charters Rd. A single family home with owner building a suite over the existing garage. The issue is that the reno put the structure too close (0.8 m) to the neighbouring property. The zoning for that house requires that structures must be at least 1.5m from neighbouring property lines. The complicating factor here is that the initial contractor did the reno BEFORE notifying the District/Building Inspectors. The District attempted to contact the contractor (prompted by neighbour complaints) but that attempt was ignored. Subsequently, the owner fired the contractor and contacted the District to get a retroactive variance. District Staff recommended that Council approve the retroactive variance, citing cooperation and goodwill of owner. Bateman and the Mayor were unhappy about retroactive approval of variances.

Item 9. RCMP Quarterly Report for first quarter of 2021. The Mayor was concerned that high real estate values might hinder RCMP recruitment. St. Pierre was concerned about the increasing amount of time that RCMP officers spent dealing with situations that resulted from 'mental health issues'.

Item 13.2. Property Tax Deferment Penalties. Due to the pandemic, a number of Sooke homeowners had difficulty successfully applying for property tax deferrals - not because of extraordinary financial hardship, but rather because it was more difficult to access the District to arrange the deferral, given closures of City Hall. The Provincial Government refused to allow any extension of deadlines. As a result, around 25 Sooke homeowners were late applying, and subject to a penalty of 10% of the amount of the yearly tax. If the penalty is NOT paid, then the homeowner becomes ineligible to apply for subsequent deferrals. Of the 25-ish late appliers, all but 3 paid the penalty. Those three have had deferrals for many years, but are now ineligible. The Mayor favoured Council paying the penalties for the three, amounting to a total of around \$400. Staff opposed that. Two Councillors, Beddows and McMath were strongly in agreement with Staff, coming up the usual arguments along the lines 'it is unfair to those who paid' or 'if we do this, everyone will want the same treatment'. On the vote on the Staff recommendation, all but Mayor voted in favour, with the Mayor

indicating her strong objection.

The second half of the meeting, observed by Hester Vair:

Item 13.5 Recommendation from the Land Use and Development Committee – manufactured homes to be allowed on agricultural land

Staff recommended to Council that Sooke's zoning bylaws be changed to allow manufactured homes on agricultural lands (at the moment any dwellings on the ALR must be for farm help). This is because the province will be making this change, and Sooke should be consistent with this. Some people might be concerned that this change could be abused to increase residences on farm lands; Councilor St-Pierre addressed this concern by pointing out that Sooke does not have large parcels of farmland, and such farms are family owned and people in residences on the land are needed there. The Land Use and Development Committee recommended that the OCP Advisory committee be informed about this. (Presented by Mr Pawlow) Both recommendations passed by Council.

Item 13.6 Revision of the Terms of Reference of the Official Community Plan Advisory Committee

Brief Summary: The citizen advisory committees on the Official Community Plan and on Climate Action have been frustrated by the lack of clarity around their specific responsibilities and areas of jurisdiction. Mr McInnis noted that the district has learned from this and will handle the orientation of citizen advisory committees better in the future. The revision of the terms of reference passed.

The bigger issue that emerged in the discussion of this item is evidence of tension around the work of the Climate Action Committee. Much of the discussion on this item was not directly on the topic - it was about climate change and the Climate Action Committee. One has to read through the lines here, since no one officially introduced the elephant in the room to any observers not in the know, so I hope my comments are a reasonably accurate interpretation of what was going on. There was tension around any overlap or competing jurisdiction between the Official Community Plan advisory committee and the Climate Action Committee; however, all agreed that at a recent meeting between the two committees (referred to as 'the Friday meeting' throughout the discussion) there was a good communication and all parties feel optimistic that they understand each other and are in good relations. It is my impression that significant tension still remains. Beddows, who is the liaison for the Official Community Plan Advisory Committee, and McMath do not want the target for reduction of fossil fuel emissions (required to be in the Official Community Plan) to be too strictly and specifically stated. Beddows reported that this view is held by some members of the Official Community Plan Advisory Committee. Bateman spoke strongly and clearly in support of the work of the Climate Action Committee.

Item 13.7 The Scope and Direction of the Official Community Plan

Brief Summary. The discussion on this item and the previous one overlapped a great deal. Staff are concerned about the amount of time (and thus money) being spent on the advisory committees, because their increased involvement in the Official Community Plan brings

higher staff costs and higher bills from the consultants on the Official Community Plan. Staff want direction on the matter from Council, and presented the motion that staff should draft the Official Community Plan with the consultant and then give it to the Official Community Plan Advisory Committee for review, according to the original timeline. Other options were mentioned in the report which extended the deadlines, and increased costs, allowing for a more extensive role to the advisory committees. The motion to proceed with the original timeline passed.

Further Details on the Discussion On The Previous Two Items (or skip down to item 14.1)

The terms of reference of the Official Community Plan advisory committee were revised (the committee was in agreement with this). First, it was made explicit that they are to provide 'community-based input' (removing the term 'technical' from the terms of reference); second, the terms of reference now set out two specific tasks: to review the Official Community Plan bylaw and make a recommendation to council before public engagement on it, and second, to present this to council, with recommendations regarding the implementation of the plan. Presented by Mr McInnis.

Mr McInnis introduced this first item by saying that 'we' (I assume he means Council and staff) need to learn a bit about how we structure the committees so that in future committees are clear about what they are to do, and what they can and cannot do. He said that there were several issues that came up for the Official Community Plan advisory committee. First, the committee wanted to understand where Sooke's growth projections came from, and if they could be changed, and what policy tools could be used to manage the issue. Second, the committee wanted to know what Sooke's climate action goals were, what was required by the Climate Change Accountability Act (?), and what obligations does Sooke have in this regard. Third, they wanted to make a connection with the T'Souke Nation before a draft of the Official Community Plan goes out to the public. He also mentioned something which was not clear to me (Hester observing) about issues that would not be addressed through public commentary that might be useful - the example (which I did not understand) was Saseensos. He was supportive of the work of the committee, but clearly concerned that the increase in meetings and access to the consultant would raise costs.

Al Beddows is the council member on the Official Community Plan advisory committee. He had carried out a poll of committee members and reported on their experience, which was mostly positive. He said that some members of the committee had 'big concerns', but most of these were worked through on the Friday meeting (implying that these concerns were about climate change, since the meeting was with the Climate Action Committee). One telling comment that he made was that he didn't want to 'get Jeff Bateman all upset'. Bateman is chairing the Climate Action Committee - so I assume this comment refers to the potential tension between the two committees, and Bateman's stance on climate change.

Beddows reported that there was concern in the Official Community Plan advisory committee about the Climate Action Committee's recommendation of a target 7% annual reduction in fossil fuel emissions because it would be difficult to put this in a document that

lasts for years. It might be worth noting that later in the discussion Beddows made the comment that 'Transition Sooke gave us a big presentation... we don't always necessarily agree with everyone but our job is to take the information and do the best job we can at getting it into a document' - which I would interpret as a respectful, but not approving, comment.

McMath also said she was concerned that the Official Community Plan advisory committee was focusing too much on the climate change issue, because it should not be their concern (they should not 'get hung up on minutia like that'). There seemed to be an implication that the Official Community Plan Advisory Committee is giving in to pressure from the Climate Action Committee - who should not be involved in the Official Community Plan to any great degree.

As liaison with the Climate Action Committee, Bateman spoke on the issue. He began by asking Beddows what the Official Community Plan advisory committee's position was on the 50% target emissions reduction. Beddows responded that he would prefer not to put anything too restrictive in the Official Community Plan, and would like to have a statement that said something like - 'Sooke would work with other levels of government to meet the province's 50% goal'. Bateman responded by clarifying that the Local Government Act (?) requires that municipalities have a target, that the recommended target is 50%, and that the Sustainable Solutions Group had been hired to help with recommendations for this (in more detail than I have here).

Bateman reported that the Climate Action Committee has requested a meeting with the consultants. Anna Russel, on the Climate Action Committee, has been in contact with Jeremy Murphy at Sustainable Solutions, but that it would expedite matters if Anna had direct contact with Jeremy, perhaps through a ZOOM call. There was no clear response to this. Bateman concluded positively, that the committee now had a good sense of what was required of them and how things were to work.

In a discussion about what should and should not be involved in the Official Community Plan (how much about climate, and what of transportation, or other issues), St-Pierre asked what is required to be in the Official Community Plan, and what issues might be expected to be laid out in other documents. For example Tony mentioned the issues of climate change, farm land, and food security. (A statement on climate change is required by provincial legislation to be in the Official Community Plan, but the plan is not required to address the issues of farmland or food security).

McInnis pointed out that there are four things required by legislation, and others are optional. He pointed out that the Official Community Plan would refer to other plans on specific issues, for example, the Transportation plan, so a number of issues would be linked to the Official Community Plan through specific plans. Staff intends to do a workshop with the Official Community Plan advisory committee on this. (In his report submitted to the meeting McInnis says that the amount of issues that are emerging is growing. Originally the

expectation was that the Official Community Plan would only deal with what was required by legislation.

Item 14.1 Third reading to a bylaw requiring farm stands selling value added products to obtain and pay for a business licence.

Presented by Raechel Gray, Director of Financial Services .

Farm stands selling 'altered food products' (example: strawberry jams instead of strawberries) would have to have a business licence at a cost of \$50. Staff presented an option for discussion which would require the licence but exempt farms from the fee, and Al Beddows made this motion. No one voted for it. Jeff Bateman suggests that the motion to have farms pay for a licence be adopted. No one voted for that either (although both Bateman and Logins expressed an unwillingness to exempt farms from the fee). Tony St-Pierre presented a motion that the issue be passed on to the Economic Development Committee (spoken form 'eckdev', so observers need to be in the know). Logins opposed, but it carries.

Item 16.1 Letter from Bernie Klassen regarding a Resource Recovery Centre

Bernie wrote following up on a Zero Waste Sooke talk in 2016 & 2017 where they suggested the establishment of a resource recovery centre; he asks if progress will be made on this item and suggests that it be forwarded to the Economic Development Committee. Bateman recuses himself from the discussion because he was a founding member of Zero Waste Sooke. Jeff Carter, Director of Operations, was unavailable so Mr McInnis responded. Tony St-Pierre requests that Jeff Carter respond to Bernie. Motion passes.