

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

**Edited on June 3<sup>rd</sup> to correct error in item 13.6.**

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 and Item 13.7 The Scope and Direction of the Official Community Plan**

In the original version of this report I (Hester) made a significant error. I had assumed that the Climate Action Committee and the Official Community Plan Advisory Committee had met together to discuss the fraught question of to what extent the community plan needed to address the issue of climate change. That error is corrected in this version.

**Brief Summary:** The citizen advisory committees on the Official Community Plan has 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 of changing the terms of reference of the committee- 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. I observed tension around overlap between the jurisdiction of the Official Community Plan advisory committee and the Climate Action Committee, and there were implications that the Climate Action Committee was intruding on the jurisdiction of the Official Community Plan Advisory Committee, making demands that more climate change concerns needed to be added to the community plan. All at the council meeting agreed that at a recent special meeting of the Official Community Plan Advisory Committee (referred to as 'the Friday meeting' throughout the discussion) there was a good communication and staff, councillors, and committee members all feel optimistic that they understand each other and

are in good relations regarding issues around how the committee should be dealing with climate change. It is my impression that significant tension still remains. Councillor Beddows, who is the liaison for the Official Community Plan Advisory Committee, and Councillor 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. Councillor Bateman, the liaison with the Climate Action Committee, spoke strongly and clearly in support of the work of the Climate Action Committee.

The discussion on item 13.6, above, and item 13.7, the scope and direction of the Official Community Plan overlapped a great deal. The specific issue here is that staff are concerned about the amount of time (and thus money) being spent on the advisory committees, because the increased involvement of these committees 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 - although no specific reductions of committee involvement were mentioned.

**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 (some of these concerns were about climate change - as McInnis' introduction makes clear). One telling comment that Beddows made as he began his comments on the Friday meeting, 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 and went directly to what appeared to be the crux of the issue - putting clear targets for fossil fuel reduction in the community plan. 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 continued by speaking about the work of the Climate Action Committee. He 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 - I assume this was a thought for a potential compromise, whereby the community plan would have limited details on the climate issue, but the district would have a separate document with more detail. 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.