

**Watchdog Report on Sooke Council Regular Council Meeting**  
**Monday, July 25, 2022**  
**Hester Vair for Watchdog Committee, Transition Sooke.**

Mayor Tait chairing the meeting. Also present: Councillors Al Beddows, Jeff Bateman, Megan McMath, Tony St-Pierre, & Dana Lajeunesse.

Staff that I heard at the meeting were: are Interim Chief Administrator Officer Don Schaffer, Matthew Pawlow, Director of Planning and Development, Ted Ruitter, Fire Chief, and Carolyn Mushata, Corporate Officer

There was nothing very critical at this meeting. The items I am reporting on are arranged in order of importance (from my perspective):

- **An Odd Discussion / Misunderstanding About Recommendations from the Climate Action Committee - and Some News about Hiring a Climate Action Coordinator .** Reveals a little of our Councillors' attitudes towards the issue.
- **Bateman Requests Numbers Be Recorded Accurately to Make Sure Issues Are Reflected Correctly.** Bateman has done this a number of times before - I'm glad, because there are cases when the language used for numbers (several, numerous) can be misleading.
- **Development Variance Approved Against Staff's Advice.** This is an example of how sidestepping bylaws for a small property owner might possibly have negative consequences for planning bylaws in the long run.
- **Haldane's presentation** Non-controversial, but included because development is a broader concern for Transition Sooke, and Haldane is a leader in among local developers.
- **Exemptions to Checkout Bag Regulation Amendment Bylaw No. 866** This bylaw is being amended to make it more flexible.
- **Council Expresses Support for Island Rail Corridor**

**An Odd Discussion / Misunderstanding About Recommendations from the Climate Action Committee - and Some News about Hiring a Climate Action Coordinator .**

(Item 9, Consent Agenda & item 10, Reports. Time on video 1:52:25))

In item 9, the Consent agenda (so called because these items are bundled together because that are not expected to generate any controversy) contained a recommendation referred from the July 18<sup>th</sup> Committee of the Whole Meeting to adopt the Climate Action Plan, and refer it to the new Council during their orientation. McMath opposed the adoption of this motion.

Under Reports, a number of very similar recommendations came forward, again from the Climate Action Committee - except that this time they included a more specific proposal to hire a Climate Action Coordinator. There was a bit of a misunderstanding because some councillors thought that the Climate Action Committee was duplicating its recommendations to Council. Staff explained that this set of recommendations from the Climate Action Committee were part of its final report, and they were on the agenda because reports are always passed on to council. What is interesting is how different councillors responded to this.

- Beddows was initially suspicious of the motivation for this duplication, saying 'did people not like the response they got so they are trying to put it through again'.
- Tait was supportive of the proposal to hire a co-ordinator since there is now money from the province's Local Government Climate Action Program to cover such a position (it will be \$130,000 annually until 2025). She asked if this was something that could be pursued now, or did

it have to be part of the budget for the next council.

- McMath did not think a resolution accepting these recommendations was necessary because it was the business of the next council. She said that, in any event, it was the next council's decision to make – the money could be used for a number of things and it was not a foregone conclusion that it be spent on a co-ordinator position.
- Bateman presented the recommendations. His calm, but very pointed, response to McMath's comment is worth recounting: 'Yes, I hope that the new council will do exactly that; they will see what they want to spend it on - to look at the yawning gap in staffing or to look at other priorities'.
- Tait countered McMath's point, suggesting that it would be very helpful for next council to see that this was work in process; staff agreed that they would like the resolution passed because it would help them refer things to the new council.

The report was accepted, with McMath opposed.

### **Bateman Requests Numbers Be Recorded Accurately to Make Sure Issues Are Reflected Correctly.**

Item 5, Adoption of Minutes. Time on tape 1:20:48.

In the adoption of minutes of previous meetings Bateman corrected the use of the words 'several' and 'numerous' - which he has done a number of times before. He points out these two terms are not always used correctly ('numerous' means large numbers and 'several' means a number more than two or three but not many). When these terms are misused descriptions of situations don't reflect reality. He is gently teased by Beddows about this; I have observed that sometimes those terms are used in a way that reflects what someone would like to be true, not what is true, and I applaud Bateman for making this point.

### **Council Rejects Staff Advice to Refuse Request for Variances**

Item 4.1. Development Variance Permit - 5686 Woodlands Road

This is relevant to Transition Sooke because it is an example of council acting against the recommendation of staff. In this case it was because the request was seen as coming from a property owner looking to create housing for himself and his family, not a developer setting a precedent for getting around staff; however, it is an example of how sidestepping these bylaws might create future problems.

Don Brown of 5686 Woodlands Road North Saseenos neighbourhood applied for a variance to make it easier for him to create a 3-lot subdivision. First, he requested a variance reducing the width of panhandle access into the lots from a 6 metre width to 4.66 m. Second he requests that he not have to make the normally required improvements on the two roads bordering the property (Woodlands and Wisterwood). Staff argued that the variance not be granted primarily because of potential legal problems in the future that might result from an agreement between three property owners and the district. Pawlow said it is standard planning practice to discourage shared access roads, particularly when there is alternative district road access because such agreements put the district at risk of legal nightmares. (Brown argued that widening the road would involve cutting down trees, and the alternative road would be very expensive to develop, and requires careful environmental oversight because it involves a watercourse). The second variance requested was relief from required improvements in the road required by the bylaw (because they are not strictly necessary at the moment), and staff point out that this defers the responsibility and the cost of doing this to the District when they are required later. Council entirely ignored staff recommendations regarding parkland.

Mayor Tait, St-Pierre, and McMath were all very sympathetic to Mr Brown, and in full support of

allowing the variances. McMath was aggressive in her questioning of Pawlow's expertise to be making these recommendations. Beddows was sympathetic to staff and opposed to the the variances. Beddows pointed out a few areas where he questioned Mr Brown's presentation, but primarily he was concerned about going over staff's heads. He pointed out that staff are the experts and their reasoning was sound, and he also questioned the wisdom of ignoring the transportation master plan regarding the two roads at issue. Bateman and Lajeunesse were out of the room - I assume because they had a conflict of interest in some way, but the video did not begin at the start of the meeting so I cannot be sure.

#### **Presentation from Herb Haldane of the Sooke Builders Association - Landscaping Issues in Bylaw 404**

Item 6, in Delegations - time on video not recorded, but not too long after 1:20:48 & in item 8 Public Comments 1:37:56.

I did not think this was a controversial or significant issue but I include it because it was a presentation by Haldane who has run for council before and is a strong supporter of development.

Summary of Haldane's presentation: Bylaw 404 requires grass in the verge of new houses. The bylaw says sod must be laid to the end of the boulevard, but this is not always a good choice in Sooke, partly because of steep grades, so instead of lawn, developers put in irrigation and shrubs, and often decorative rocks. Developers pay a deposit (2500\$ 'highway use fee'), and if the bylaw is not followed that deposit is not returned. Haldane says the rock garden / shrub option is less maintenance for the district and preferred by many property owners. He suggests that the bylaw needs to be more flexible. Unlike the last time I heard Haldane present to Council he was very polite about staff saying that 'they are very good people, but they say their hands are tied.'

- Pawlow explained that this bylaw is currently being reviewed by the Engineering department.
- All councillors were in favour of increasing flexibility in the bylaw, and were concerned that developers should not lose their deposit.
- Schaffer will look into the issue.

#### **Exemptions to Checkout Bag Regulation Amendment Bylaw No. 866**

Item 11. Time on video 2:23:13

There have been requests from people who find that paper does not work for their business and so the bylaw is being made more flexible. One example that was given was the print shop (which uses a non-plastic waterproof bag). Beddows has received comments that the bylaw requires business to charge for paper bags and was pleased to hear that it does not. He said 'I can work with that' and he will go and talk to the businesses that are charging for paper.

#### **Council Expresses Support for Island Rail Corridor**

13.1. Support for Island Rail corridoer in 'Correspondence Requiring Action'. Time on video: 2:39:50 St-Pierre asks that council demonstrate support for keeping the land in the corridor available should rail ever become a reality. The rest of council supports the notion, and staff are asked to draft a letter.