

MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, FEBRUARY 25, 2008 AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai, and Sanders  
**Staff:** Tim Wood, Administrator; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; Neil Findlow, Planning Supervisor; and Shirley Leggett, Senior Committee Clerk.

Minutes

**ADOPTION OF MINUTES**

**MOVED by Councillor Brice and Seconded by Councillor Brownoff:**  
"That the Minutes of the Council and Committee of the Whole Meetings held February 11, 2008, the Special Council Meeting held February 5, 2008, and the Committee of the Whole Meeting held February 12, 2008, be adopted."

**CARRIED**

**BYLAWS**

No. 30  
Carey Road  
Bylaw 8899

**HOUSING AGREEMENT AUTHORIZATION BYLAW (CAREY ROAD).**  
Final Reading of the "Housing Agreement Authorization Bylaw (Carey Road), 2008, No. 8899". To authorize entering into a housing agreement for property at 3912 and 3914 Carey Road.

**MOVED by Councillor Brownoff and Seconded by Councillor Gillespie:** "That Bylaw No. 8899 be adopted by Council and the Seal of the Corporation be attached thereto."

**CARRIED**

No. 31  
Grange Road/  
XRef: EPW65  
Bylaw 8904

**SANITARY SEWER BYLAW AMENDMENT – 4075 GRANGE ROAD.**  
Final Reading of the "Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2008, No. 8904". To include 4075 Grange Road in the Sewer Service Area.

**MOVED by Councillor Hunter and Seconded by Councillor Sanders:**  
"That Bylaw No. 8904 be adopted by Council and the Seal of the Corporation be attached thereto."

**CARRIED**

No. 32  
Carloss Place/  
XRef: EPW65  
Bylaw 8891

**SANITARY SEWER BYLAW AMENDMENT – CARLOSS PLACE PROPERTIES.**

Three Readings of the “Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2008, No. 8891”. To include 4731, 4735, 4743, 4747, 4751, 4755 and 4759 Carloss Place in the Sewer Service Area.

**MOVED by Councillor Derman and Seconded by Councillor Brice:**  
**“That Bylaw No. 8891 be introduced and read.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brice:**  
**“That Bylaw No. 8891 be read a second time.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brice:**  
**“That Bylaw No. 8891 be now passed.”**

**CARRIED**

No. 33  
ADM40  
Bylaw 8911

**REPEAL BYLAW (LOCAL COURT OF REVISION REMUNERATION BYLAW).**

Three Readings of the “Repeal Bylaw, 2008 (Local Court of Revision Remuneration Bylaw, 1975, No. 3764), No. 8911”.

**MOVED by Councillor Ngai and Seconded by Councillor Sanders:**  
**“That Bylaw No. 8911 be introduced and read.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Sanders:**  
**“That Bylaw No. 8911 be read a second time.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Sanders:**  
**“That Bylaw No. 8911 be now passed.”**

**CARRIED**

No. 34  
Watson Street  
Bylaw 8914

**1979 WATSON STREET (A PORTION).**

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2008, No. 8914”. Rezoning from RS-6 to RS-4.

**MOVED by Councillor Sanders and Seconded by Councillor Brice:**  
**“That Bylaw No. 8914 be introduced and read.”**

**CARRIED**

No. 35  
Gordon Head Rd.  
Bylaw 8910

**4246 GORDON HEAD ROAD (A PORTION).**

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2008, No. 8910”. Rezoning from RS-12 to RS-10.

**MOVED by Councillor Hunter and Seconded by Councillor Ngai: “That Bylaw No. 8910 be introduced and read.”**

**CARRIED**

No. 36  
Quadra Street  
 Bylaw 8912

**3350 QUADRA STREET/1016 INVERNESS ROAD/3351 GLASGOW AVENUE.**

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2008, No. 8912". Rezoning from RS-6 to RM-6.

**MOVED by Councillor Brice and Seconded by Councillor Sanders:  
 "That Bylaw No. 8912 be introduced and read."**

**CARRIED**

**RESOLUTIONS FOR ADOPTION**

No. 37  
EPW95  
 LRT Alignment  
 Study

**LRT ALIGNMENT STUDY.**

Report from Councillor Brownoff dated February 7, 2008 recommending Council request the Capital Regional District to initiate an update to the LRT Alignment Study that will capture opportunities with the E&N project and other development opportunities in the region, as part of the Transportation Management review process.

**MOVED by Councillor Brownoff and Seconded by Councillor Derman:  
 "That the Capital Regional District be requested to initiate an update to the LRT Alignment Study that will capture opportunities with the E & N project and other development opportunities in the region, as part of the Transportation Management review process."**

Councillor Brownoff stated:

- CRD Planning is currently undertaking a transportation management review process; the LRT Study that was done in 1996 is captured in policies within Saanich's Core Local Area Plan (LAP) and talks about the Municipality's support.
- There are two policies in the LAP that acknowledge the long term opportunity to develop an LRT system within the Douglas Street right-of-way and the Galloping Goose regional trail corridor as outlined in the LRT Implementation Strategy, and by planning for appropriate densities around the proposed station nodes.

Councillor Derman stated:

- A number of things have changed since the 1990's and one of those changes is the E&N Railway right-of-way being taken over by the Island Corridor Foundation.
- In December 2007, the Travel Choices Select Committee sent a motion to the Board recommending that the Board develop a transportation vision for the region; the suggested action may fit very well within that vision.

**The Motion was then PUT and CARRIED**

**RECOMMENDATIONS FROM COMMITTEES**

*From the Healthy Saanich Advisory Committee held January 17, 2008.*

No. 38  
ADM85 – HSAC  
Measuring Up  
Program

**“MEASURING UP” AND “10 X 10 EMPLOYMENT CHALLENGE”**

Recommendation from the Healthy Saanich Advisory Committee Meeting held January 17, 2008 and report from the Director of Parks and Recreation with a resolution for Saanich to participate in the 2010 Legacies Now “Measuring Up” initiative, join and work with the Ministers’ Council on employment for Persons with Disabilities to help meet the target of increasing employment for persons with disabilities by 10 percent by 2010, and encourage Saanich employers to support both the “10 X 10 Challenge” and the “Measuring Up” initiatives.

**MOVED by Councillor Brice and Seconded by Councillor Hunter:**  
**“That Council endorse the following resolution:**

**WHEREAS people with disabilities are under-represented in public participation, community involvement and the workforce. People with disabilities desire and deserve to fully participate in and contribute to the social and economic well-being of our community;**

**AND WHEREAS the 2010 Legacies Now “Measuring Up” initiative will assist the Municipality to assess and increase accessibility and inclusion for people with disabilities and all citizens by:**

- 1. Ensuring all people can fully participate and contribute to their community;**
- 2. Creating accessible public spaces; and**
- 3. Promoting employment opportunities for people with disability and others;**

**AND WHEREAS the “Measuring Up” initiative leads communities through the process of identifying, planning and implementing strategies to become more accessible and inclusive for the citizens and visitors considering the improvement of public spaces, recreation facilities, retail outlets, and the modes of transit that support accessing these facilities;**

**AND WHEREAS the “Measuring Up” initiative corresponds with and supports the “10 X 10 Employment Challenge” which encourages communities to increase employment opportunities for people with disabilities by 10 percent by 2010;**

**THEREFORE, be it resolved that:**

- 1. The Municipality of Saanich participate in the 2010 Legacies Now “Measuring Up” initiative to assess and advance the accessibility and inclusion of people with disabilities in Saanich;**

- 2. **The Municipality of Saanich join and work with the Ministers' Council on Employment for Persons with Disabilities to help meet the target of increasing employment for persons with disabilities by 10 percent by 2010; and**
- 3. **The Municipality of Saanich encourage all Saanich employers to support both the "10 X 10 Challenge" and "Measuring Up" initiatives to support people with disabilities."**

Councillor Brice stated:

- The proposed initiative is intended to make our Municipality as balanced and healthy as possible by recognizing that there are individuals in the community with disabilities who may not have had an opportunity to participate fully in the community through work opportunities.
- It is Saanich's intention as an employer to ensure that we do everything we possibly can to utilize the talents and resources of everyone in our community.

Councillor Sanders stated:

- She is very happy to see that Saanich is proceeding with the proposed initiatives.

Councillor Brownoff stated:

- The employment equity policy that Saanich created in 1992 was very proactive and it may need to be updated to reflect the proposed initiatives.

**The Motion was then PUT and CARRIED**

*Recommendation from the Cedar Hill Golf Course Advisory Committee Meeting held February 6, 2008.*

No. 39  
FIN95  
Golf Course Fees  
and Charges

**PROPOSED FEES AND CHARGES SCHEDULE FOR 2008**

Recommendation from the Cedar Hill Golf Course Advisory Committee Meeting held February 6, 2008 and report of the Director of Parks and Recreation dated January 29, 2008 recommending that the Fees and Charges Schedule for 2008 be approved as outlined.

**MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Council approve the 2008 golf course fees as presented in the January 29, 2008 report of the Director of Parks and Recreation."**

Councillor Gillespie stated:

- The last few years the membership at the Cedar Hill Golf Course has decreased and as a result revenues are down.
- The operation of the club house and the golf course will be reviewed this year.

**The Motion was then PUT and CARRIED**

**CAPITAL REGIONAL DISTRICT ACTIVITIES**

No. 40  
ADM115  
CRD Activities  
Council members provided updates on a variety of Capital Regional District initiatives.

Adjournment  
On a motion from Councillor Gillespie, the meeting adjourned at 8:12 p.m.

The Meeting reconvened at 9:46 p.m.

*From the Committee of the Whole Meeting held February 25, 2008*

Recommendations **RECOMMENDATIONS**

No. 41  
Creed Road  
Amendment to  
Restrictive  
Covenant  
**450 CREED ROAD (HIGHLAND PACIFIC GOLF COURSE) – AMENDMENT TO COVENANT RESTRICTING NIGHT LIGHTING OF DRIVING RANGE**

**MOVED by Councillor Gillespie and Seconded by Councillor Ngai: “That Restrictive Covenant ET042547 be amended to permit night lighting up to 9:00 p.m. via four shielded lights, three mounted on the upper floor of the driving range and one mounted on a left hand netting pole.”**

**CARRIED**

No. 42  
ADM195  
Liquor License  
**3800 FINNERTY ROAD (UNIVERSITY OF VICTORIA STUDENTS SOCIETY) – NEW LIQUOR PRIMARY LICENSE TO REDUCE THE HOURS THAT LIQUOR CAN BE SERVED AT VERTIGO NIGHT CLUB**

**MOVED by Councillor Gillespie and Seconded by Councillor Ngai: “That Council approve the request for a new Liquor Primary License by the University of Victoria Students Society.”**

**CARRIED**

In Camera Motion  
**MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: “That the following meeting be closed to the public as the subject matter being discussed relates to the proposed acquisition/disposition of land and/or improvements and to personal information about identifiable individuals being considered for appointment.”**

**CARRIED**

Adjournment            On a motion from Councillor Hunter, the meeting adjourned at 9:47 p.m.

.....  
MAYOR

I hereby certify these Minutes are accurate.

.....  
MUNICIPAL CLERK



- possible.
- A portion of the attached garage and deck will be removed from the existing dwelling to accommodate the driveway to the proposed panhandle lot; there will be no secondary suites in the proposed new dwelling.
- Panhandle lots are not a new concept for the subject neighbourhood; the neighbouring parcels to the south and north are panhandle lots that were created several years ago.
- They have spent the last 18 months working with the neighbourhood, held 11 meetings, and had numerous conversations with the neighbours in order to address any concerns with regard to their proposal.
- Loss of trees and greenspace as well as the segregation of the neighbourhood through hedges and fences are important issues; only three of the 13 existing trees will be removed in order to accommodate the proposed new dwelling; one of the Garry oak trees that will be removed will be replaced with two mature Garry oak trees; the existing Ponderosa pine tree will be retained.
- They are proposing covenants to protect the remaining mature trees with the exception of the diseased apple trees, restricting the size and height of the proposed new dwelling.
- They have received 32 signatures of support for their proposal and are requesting that Council approve their application.

In response to questions from Council, Mr. O'Neill stated:

- They agree to a covenant for the proposed new dwelling's site plan, building design, footprint, floor space ratio and total living area as described on the site plans dated November 13, 2007 and submitted as part of the subdivision application.
- To illustrate the height of the proposed new dwelling, he and the designer floated a balloon which compared the level of the roof of the existing dwelling and the adjacent house to the north at 3837 Cumberland Road; the top of the balloon was at par with the adjacent residence and actually lower than some of the other neighbouring houses.

Ms. J. McKay, 3837 Cumberland Road, stated:

- The neighbourhood has worked diligently with the applicants, the community association, and staff to ensure the evolution of a reasonable subdivision plan; the proposal addresses many of the concerns that were raised and the applicants have indicated that restrictive covenants may be a means of ensuring those concerns are addressed.
- In order to provide some assurance to the neighbourhood, the covenants should include the site plan, building design, footprint, floor space ratio and total living area, height and elevations of the proposed new dwelling, as well as a covenant to protect the remaining significant trees on the property as per the arborist's report.

Mr. A. Cripps, 3829 Cumberland Road, stated:

- The subject area is a very unique and beautiful area with many varieties of birds and wildlife.
- Originally the applicants were proposing to construct a new house

that was approximately 4,500 square feet in size but after working with the neighbourhood they reduced it to the current size of 3,700 square feet including the garage which will still be the largest house in the neighbourhood.

- He does not think the size of the proposed new dwelling fits the policies of the Quadra Local Area Plan in terms of its size.
- He also has some concerns with drainage and that there could be runoff to his property.

Ms. J. Waelti-Walters, 3831 Cumberland Road, stated:

- One of the reasons she purchased her property was because of its park-like setting, greenspace and rural views.
- She is concerned that her privacy will be impacted as the siting of the proposed new dwelling is angled so that it will face her deck and studio; the existing Ponderosa pine tree could be impacted by the construction.
- She also has concerns with noise as the acoustics in the valley mean that she may be able to hear the heat pump the applicants are proposing to install in the proposed new dwelling; there will also be noise from the vehicles that will pass by her property in order to access the proposed new lot.

Mr. P. O'Neill, 2517 Sinclair Road, stated:

- He and his family have lived in Saanich since 1976; they are fortunate that their grown children continue to live in Saanich.
- The applicants have spent the last 18 months on the proposed subdivision; they have held 11 formal meetings and 25 informal meetings, and have made every attempt to work with the neighbourhood in order to address their concerns.
- He hopes that Council will approve the application.

Mr. J. Mannall-Fretwell, 1235-B Palmer Road, stated:

- He hopes that the applicants will choose to remain in the neighbourhood whether or not their subdivision application is approved; they have been respectful and fair with the neighbours in their approach to the proposed development.
- However, he does not support the proposal; two years ago he supported the subdivision application for 1234 Garry Oak Place because he felt at the time that the benefits to the neighbourhood would outweigh the negative impacts despite the close proximity of the new house to his own property.
- In this case, the proposed new dwelling will face his house; his views will be impacted and a couple of the existing trees will be removed.
- The area is very unique and has a small urban forest with lots of wildlife that he is concerned will be lost if the proposed subdivision is approved.

Mr. B. Emmett, 1231 Palmer Road, stated:

- The applicants are very good neighbours and were extremely diligent with the consultation process they undertook with regard to their proposal.
- Although he and some of the other adjacent neighbours recognize the advantages of infill development there are issues that still need

to be addressed.

- A lot by lot approval process is not capable of conserving the environmental and neighbourhood values; these values will be lost without some kind of broader neighbourhood planning process.
- Neighbourhood values are recognized in the Quadra Cedar Hill Local Area Plan; major treed areas are recognized as being environmentally significant and are important to maintaining a healthy and livable neighbourhood, and are critical elements of the Municipal greenspace.
- He does not support the proposed subdivision.

Ms. I. Silletta, 1735 Teakwood Road, stated:

- She supports the proposed subdivision; it is a suitable area for infill housing.
- The size and massing of the proposed new dwelling is similar to other houses in the area.

Mr. M. O'Neill, 3218 Doncaster Road, stated:

- He supports the proposed subdivision; the applicants have received more than 30 signatures in support of their proposal.
- Construction and machinery noise is a temporary issue and will cease once the proposed new dwelling is completed.

Mr. M. Brown, president, Quadra Cedar Hill Community Association, stated:

- He is extremely familiar with the subject area; there have been numerous panhandle lots created over the past several years so a precedent has already been established.
- In this area of Saanich many of the lots are between 12,000 and 15,000 square feet in size; there is an expectation that these lots may be subdivided because the current zoning allows for 6,000 square foot lots.
- Infill developments can be very contentious and have negative impacts; residents in mature, established neighborhoods regret any loss of character to their area, however, property owners are entitled to do what they are legally entitled to do with their property.
- The applicants have shown good will toward their neighbours; they have had numerous meetings and conversations with their neighbours in order to address their concerns.
- The Community Association neither supports nor objects to the proposal.

Mr. K. Whitcroft, Environmental Director, Quadra Cedar Hill Community Association, stated:

- We need to consider the long term consequences if the proposed subdivision is approved; there is natural drainage in the subject area as it is a ravine valley setting and is within the Colquitz Watershed area.
- There is a policy in the Quadra Local Area Plan that states a zero increase in stormwater runoff has been implemented; the Planner's report states that stormwater will be captured and flow directly into the storm drains; this does not support the policy.
- There could also be impacts to the remaining trees especially during

future storms that will likely occur through climate change; even if only one tree is removed it could result in other trees being impacted due to blow downs.

- We also need to consider sustainability; one of the policies in the Saanich General Plan is to encourage open space private property.
- The planner's report also states that the applicant will be required to replace the existing wood stave storm pipe traversing the subject property; he would like to know what the cost will be and if adjacent properties will also have to be excavated in order to access the pipe.

Mr. S. McLeisch, 3945 Grandis Place, stated:

- He is a registered landscape architect; it is important not to jump to conclusions and develop tunnel vision on some aspects of the proposed subdivision as there are many factors to consider.
- There has been mention of loss of biodiversity; he has visited the site and in terms of biodiversity, there are not that many trees on the property; the existing Ponderosa pine tree exudes a chemical from its roots that actually kills anything underneath it - this is how these kinds of trees survive; there would be more biodiversity if the tree was removed.
- With regard to tree blow down, this is often associated with forested areas; in this particular case there are only one or two trees that will be removed so there should not be any concerns at all in terms of blow down.
- With regard to directing stormwater runoff directly into the storm system, there are other alternatives to ensure that the water is filtered and dissipates before it goes into the storm pipes such as using rain gardens.

Mr. M. McLellan, 3888 Cumberland Road, stated:

- He is concerned with increased traffic volumes and the lack of stop signs in the neighbourhood; there are many young children who live in the immediate area.

Mr. P. Korby, 1206 Judge Place, stated:

- He has lived in his present location for the past 15 years.
- He supports the proposed subdivision; it does not require any variances or rezoning, and he agrees that the area is unique with its beautiful greenspace and urban forest.
- The five properties from 1200 to 1224 Judge Place are not connected to the storm drain system; these properties have a higher elevation than the subject property and currently all the stormwater runoff from these properties runs freely to the subject area.
- The neighbour at 3829 Cumberland Road has mentioned that during the winter months, his property is virtually unusable because it is like a quagmire.
- He is concerned with how the applicants are going to manage runoff; he would like to know if Saanich plans to make provisions for easements and connections to the storm drains in order to manage the runoff.

Mr. M. Turner, 3233 Bellevue Road, stated;

- He has lived and worked in Saanich for many years; he is very

familiar with Playfair Park and its beautiful gardens.

- He has known the applicants for the past several years and can vouch for their dedication with regard to preserving the integrity of the neighbourhood.
- He also understands the neighborhoods' resistance to change and acknowledges that there are concerns that need to be addressed; he has no doubt that the applicants will address those concerns so he supports the proposed development.

In response to questions, the Director of Engineering stated:

- The cost of replacing the wood stave storm pipe will depend on how the work is undertaken; the replacement will happen eventually irrespective of whether or not the proposed subdivision is approved; there is an easement that covers the alignment of the pipe which is in favor of the Municipality and permits Saanich to maintain and replace it when necessary.
- The applicant will be required to adhere to Schedule "H" of the Subdivision Bylaw with regard to stormwater management.

Mayor Leonard stated:

- The proposed subdivision complies with all of Saanich's policies, and the Planner's report makes reference to the two adjacent panhandle lots which were approved a number of years ago; Council has the opportunity to ensure that the spirit of these policies are adhered to.
- The applicants have worked extremely hard with the neighbours; the proposed covenants they are offering in terms of restrictions on the proposed new dwelling are virtually as good as a multi-family development permit which is commendable; they are offering restrictions on the proposed panhandle lot that the adjacent panhandle lots do not have.
- He thinks the proposed subdivision is supportable; the application is predictable and reasonable, and it is only fair that we give it consideration.

**MOTION:**

**MOVED by Mayor Leonard and Seconded by Councillor Ngai: "That it be recommended that Council approve an exemption from the 10 percent road frontage requirement of the *Local Government Act* for proposed Lot 2 of a subdivision of Lot 6, Block 2, Section 32, Victoria District , Plan 4988 (3833 Cumberland Road)."**

Councillor Ngai stated:

- The applicants have done considerable work with the neighbourhood trying to mitigate any impacts and ensuring that their concerns are addressed; she commends them for their efforts.
- It is encouraging to see young families wanting to live and work in Saanich.
- Some people think that infill developments degrade their neighborhoods; it is the property owner's right to decide what to do with their property, and it is up to Council to consider these kinds of applications based on their own merit.
- She feels that the proposed subdivision is supportable; the adjacent properties are panhandle lots and it is only reasonable for the applicants to expect the same consideration.

Councillor Brice stated:

- There have been some excellent points raised with regard to the proposed subdivision.
- She would prefer that the size of the proposed new dwelling were smaller and more sympathetic to the environment, however, it does not require any variances and therefore meets the zoning requirements.
- The applicants have worked diligently with the neighbourhood to address their concerns and while she has some concerns on balance she will support the proposal.

Councillor Gillespie stated:

- The subject area is a very special area and there are some large lots.
- The applicants have worked extremely hard to address any concerns that have been raised by some of the neighbours and have more than 30 signatures in support of their application.
- He supports the proposed subdivision.

**MOVED by Councillor Hunter and Seconded by Councillor Sanders: "That consideration of the subdivision application for 3833 Cumberland Road be postponed, and that staff bring back further information with respect to the proposed covenants including the height of the proposed dwelling, drainage and cost of replacement of the wood stave pipe, driveway access and parking, tree retention, environmental impacts and the urban forest, the amount of fill that will be required, and whether the proposed dwelling will overshadow the adjacent dwelling."**

Councillor Hunter stated:

- The applicants and the neighbours have done an excellent job working together in order to address issues that have been raised and he is impressed.
- He would like more information from staff with regard to issues pertaining to the cost of the replacement of the storm drain, drainage, and impacts to neighbouring properties.
- He would also like additional information with regard to the proposed covenants and impacts to the existing trees, the driveway, parking, and dwelling size.
- He would like to have the information from the Engineering and Planning departments in a more consolidated fashion.

Councillor Sanders stated:

- Not long after she was appointed to be the Chair of the Environmental Advisory Committee, she was contacted by some of the residents of the subject area to see how they could preserve their properties intact and ensure there would be no potential for developing them.
- When the neighbourhood was initially developed, higher parts of the creek were open through Judge Place and this could be why the area is as wet as it is.
- Perhaps by postponing further discussion of the application, some of

- the issues can be addressed; the proposed covenants are excellent.
- One of the most difficult issues to deal with pertains to height; the subject property rises about 10 feet and she questions whether or not the proposed new dwelling will tower over the adjacent houses.
  - She also has concerns with the proposed driveway access; presently there is a three foot grassy area between the adjacent property to the south; the driveway to the proposed panhandle lot will run directly down the property line and perhaps that should be reconsidered.
  - Postponing the application would give staff an opportunity to provide more information on issues such as environmental impacts, runoff water, zero percent increase to the storm drains, and the cost of replacing the wood stave.

Councillor Brownoff stated:

- There are a number of issues that have not been addressed but she recognizes that the Planner's report is based on the request to waive the 10 percent road frontage requirement.
- The proposed driveway access to the panhandle lot and how much of the existing deck will be removed needs to be further addressed.
- The rear portion of the property where the panhandle lot is proposed is very low and the ground is wet; she would like to know how much fill will be required.
- The location of the proposed double car garage looks like it is forward of the hedge that the neighbour has planted; she would like to know if the proposed new dwelling will overshadow the adjacent property.
- She is concerned with the size of the proposed new dwelling; the height of it may be higher in relationship to the adjacent houses.
- She supports postponing further consideration of the application.

Councillor Derman stated:

- He supports postponing further consideration of the subdivision application.
- The applicants have gone a long way towards working with the neighbourhood on this particular application and he congratulates them.
- It is important to take into consideration the nature of the adjacent properties and the very large contiguous greenspace and treed area; it is also important to remember that we are signatories to the Urban Forest Strategy in this region.
- The subject property is a large area of urban forest and may be a wildlife corridor; we need to have more information on potential impacts to the future of this area with regard to wildlife, drainage, etc., given the history of the area and the existing conditions.

**The Motion was then PUT and CARRIED, with Councillors Gillespie and Ngai voting against.**

Creed Road  
Amendment to  
Covenant re  
Lighting of Driving  
Range

**450 CREED ROAD (HIGHLAND PACIFIC GOLF COURSE) – AMENDMENT TO COVENANT RESTRICTING NIGHT LIGHTING OF DRIVING RANGE.**

Report of the Director of Planning dated February 8, 2008 further to a letter from Goodwill Investments Ltd. dated December 12, 2007,

recommending the covenant be amended by permitting night lighting up to 9:00 p.m. via four shielded lights, three mounted on the upper floor of the driving range and one mounted on a left hand netting pole.

Ms. A. Plasterer, Director, Goodwill Investments Ltd., stated:

- The Highland Pacific Golf Course driving range was one of two golf courses in BC chosen by The Range Association of America to receive the 2008 award for 100 Top Ranges in North America.
- The trail connection to Thetis Lake Park has been completed; CRD Parks were finally able to airlift in the bridge in January and they will be holding a ribbon cutting ceremony with the View Royal and Saanich.

In response to questions from Council, Ms. Plasterer stated:

- The lighting consultant recommended four shielded lights to illuminate the driving range; three will be on the upper floor of the range building pointing away from adjacent houses toward the lake, and the other light will be installed on one of the netting poles and will be shielded downwards.
- In order for the neighbours to evaluate the proposed lighting, they mounted the lights on stands in the proposed locations and then after a period of a few weeks, asked the neighbours if there were any impacts to them; none of the neighbours had any complaints.

**MOTION:**

**MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That it be recommended that Restrictive Covenant ET042547 be amended to permit night lighting up to 9:00 p.m. via four shielded lights, three mounted on the upper floor of the driving range and one mounted on a left hand netting pole."**

**CARRIED**

ADM195  
Liquor License

**3800 FINNERTY ROAD (UNIVERSITY OF VICTORIA STUDENTS SOCIETY) – NEW LIQUOR PRIMARY LICENSE TO REDUCE THE HOURS THAT LIQUOR CAN BE SERVED AT VERTIGO NIGHT CLUB.** Report of the Director of Planning dated February 8, 2008 further to a letter from the Liquor Control and Licensing Branch dated January 9, 2008, recommending the request for a new Liquor Primary License by the University of Victoria Students Society for Vertigo be approved.

**MOTION:**

**MOVED by Councillor Brownoff and Seconded by Councillor Hunter: "That it be recommended that Council approve the request for a new Liquor Primary License by the University of Victoria Students Society."**

**CARRIED**

Adjournment                    On a motion from Councillor Gillespie, the meeting adjourned at 9:45 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK