

**BOARD REPORT**

TO: Chair and Directors

FROM: Candice Benner
Development Services Assistant

File No: BL 701-86

Date: November 21, 2016

SUBJECT: South Shuswap Zoning Amendment (CSR)
Bylaw No. 701-86

RECOMMENDATION #1: THAT:
"South Shuswap Zoning Amendment (CSR) Bylaw No. 701-86", be read a second time, as amended this 2nd day of December, 2016;

RECOMMENDATION #2: THAT:
a public hearing to hear representations on "South Shuswap Zoning Amendment (CSR) Bylaw No. 701-86" be held;
AND THAT:
notice of the public hearing be given by the staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;
AND FURTHER THAT:
the holding of the public hearing be delegated to Director Paul Demenok, as Director of Electoral Area 'C' being that in which the land concerned is located, or Alternate Director Arnie Payment, if Director Demenok is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

APPROVED for Board Consideration:

Meeting Date: December 2, 2016


Charles Hamilton, CAO

SHORT SUMMARY:

The proposed bylaw amendment would allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association, each located on properties zoned P1 –Public and Institutional in accordance with South Shuswap Zoning Bylaw No. 701, to display advertisements which are considered off-site signage, on these properties only. The proposed amendment will also introduce regulations for third party signs which are consistent with regulations recently adopted and proposed in other CSRD zoning bylaws.

Since first reading staff received notification that the height of the sign at the Sorrento Memorial Hall is 28 feet (8.53m) tall; this is higher than what was proposed at first reading, therefore an amendment at second reading is required.

The Board gave Bylaw No. 701-86 first reading at the August 18, 2016, regular meeting and directed staff to utilize the simple consultation process. The development notice was not required to be posted in accordance with Development Services Procedures Bylaw No. 4001. Staff referred the bylaw to affected ministries, agencies, and First Nations and comments received have been summarized in this

report. It is now appropriate for the Board to consider second reading as amended, and to delegate a Public Hearing.

VOTING:	Unweighted Corporate	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder	<input type="checkbox"/>
	LGA Part 14	<input checked="" type="checkbox"/>			(Weighted)	
	(Unweighted)					

POLICY:**Proposed Zoning Amendment:**

The following definition will be included in the Definitions section of Bylaw No. 701:

Section 1 Definitions

SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation;

The following wording is proposed to be included in the General Regulations section of Bylaw No. 701:

Section 3 General Regulations**Third Party Off-Site Signage**

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, where third party off-site signage is permitted, it must comply with the following criteria:

.1 Sign Area:

.1 the maximum *sign* area shall be not greater than:

- .1 the square root of (the total wall area x 10) m² - for wall *signs* and projecting *signs*; or
- .2 3 m² for free standing *signs*.

.2 Height of Signs:

- .1 The height of free standing *signs* shall not exceed 9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
(a) a lot corner adjacent to the intersection of two public highways.

.4 Illumination:

- .1 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Number of Signs:

- .1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.6 Landscaping:

- .1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.7 Design Standards:

- .1 All signage shall be professionally prepared;
- .2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;
- .3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;
- .4 Guy-wires are not permitted as a method to affix or stabilize *signs*;
- .5 All *signs* shall meet BC Building Code standards as required;
- .6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and
- .7 All *signs* shall not project into areas used by the public.

.8 Maintenance:

- .1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.
- .2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter.

Section 24 P1 –Public and Institutional Zone

The proposed amendment is to add a new permitted use to Section 24.1 as follows:

18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association).

FINANCIAL:

This bylaw amendment is not the result of bylaw enforcement; however, the Sorrento Memorial Hall is located on CSRD owned lands and is currently advertising third party off-site signage. If the Board does not adopt the proposed amendment, staff will follow up with the Board regarding next steps for resolving the illegal use.

KEY ISSUES/CONCEPTS:

CSRD staff are proposing this bylaw amendment to allow third party off-site signage only for the properties upon which the Sorrento Memorial Hall and the Cedar Heights Community Hall are located.

The Sorrento Memorial Hall sign was recently upgraded to an illuminated LED sign that is on a rotating schedule advertising upcoming community events and local businesses. Cedar Heights Community Association has expressed an interest in third party off-site advertising as they also recently upgraded their sign to an illuminated LED sign. Staff understand that Carlin Hall, located along the Trans-Canada Highway, may also wish to advertise similarly; however, Carlin Hall is not located within the area subject to Bylaw No. 701.

Ministry of Transportation and Infrastructure (MoTI) has granted preliminary approval of this bylaw amendment application upon the condition that wording from Section 16 of the *Transportation Act* be reflected in the Third-Party Signage wording of the General Regulations Section of Bylaw No. 701. As a result of these comments, CSRD staff included additional wording to Section 3.20.4 Illumination in Bylaw No. 701, in consultation with MoTI staff.

Bylaw No. 701 currently zones both the Sorrento and Cedar Heights Community Halls P1 –Public and Institutional, which does not permit third party off-site signage.

The Sorrento Memorial Hall and Cedar Heights Community Association have indicated that third party off-site advertising will increase their revenue stream.

CSRD staff has provided specific and detailed signage requirements to be included in Section 3 General Regulations section of Bylaw No. 701. In consultation with Corporate Administration staff, it was determined that developing a corporate policy with specific guidelines for third party off-site advertising standards is not necessary at this time; if there is a need in the future, Administration is able to bring forward a policy for Board consideration, as needed.

IMPLEMENTATION:**Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process; referrals were sent out for agency comment. In accordance with Section 7.25 of Development Services Procedures Bylaw No. 4001 there is no requirement for posting notices for CSRD initiated amendments therefore, as of the date of this report, no public submissions have been received.

The public will first become aware of this application when the Public Hearing Notice is placed in the newspaper.

LIST NAME OF REPORTS / DOCUMENTS:

1. South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Location, Zoning, Orthophotos, Photos	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. First Reading Board Report, August 18, 2016	Attached to Board Report: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

DESIRED OUTCOME:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:



1. *Endorse recommendations. Bylaw No. 701-86 will be given second reading as amended and a public hearing will be delegated.*
2. *Decline second reading, as amended, Bylaw No. 701-86 will be defeated.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

COMMUNICATIONS:

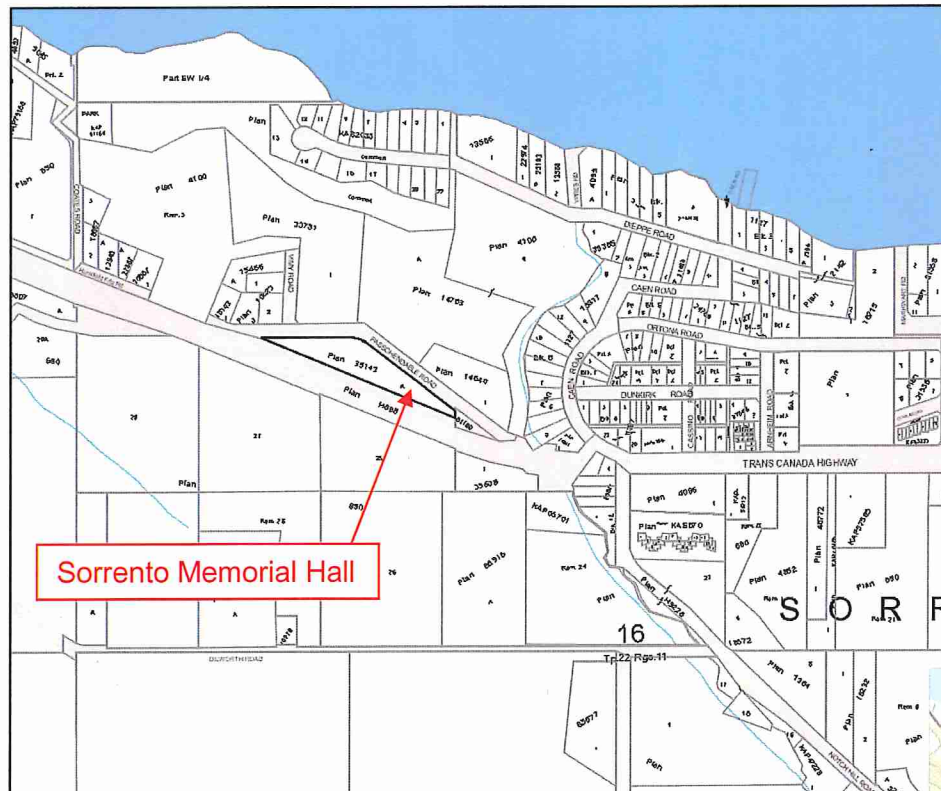
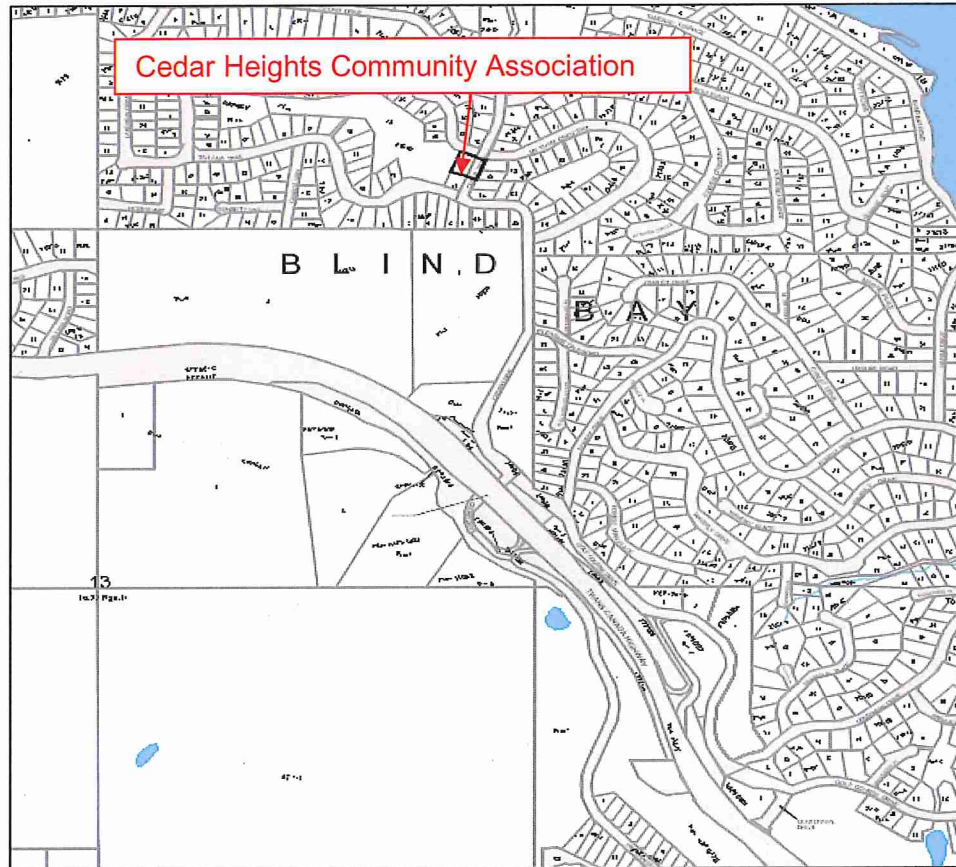
If the Board gives Bylaw No. 701-86 second reading as amended, and delegates the Public Hearing, staff will set a date for the public hearing and will proceed with notification of adjacent property owners and advertising the public hearing as required by the Local Government Act.

Referral Agency responses:

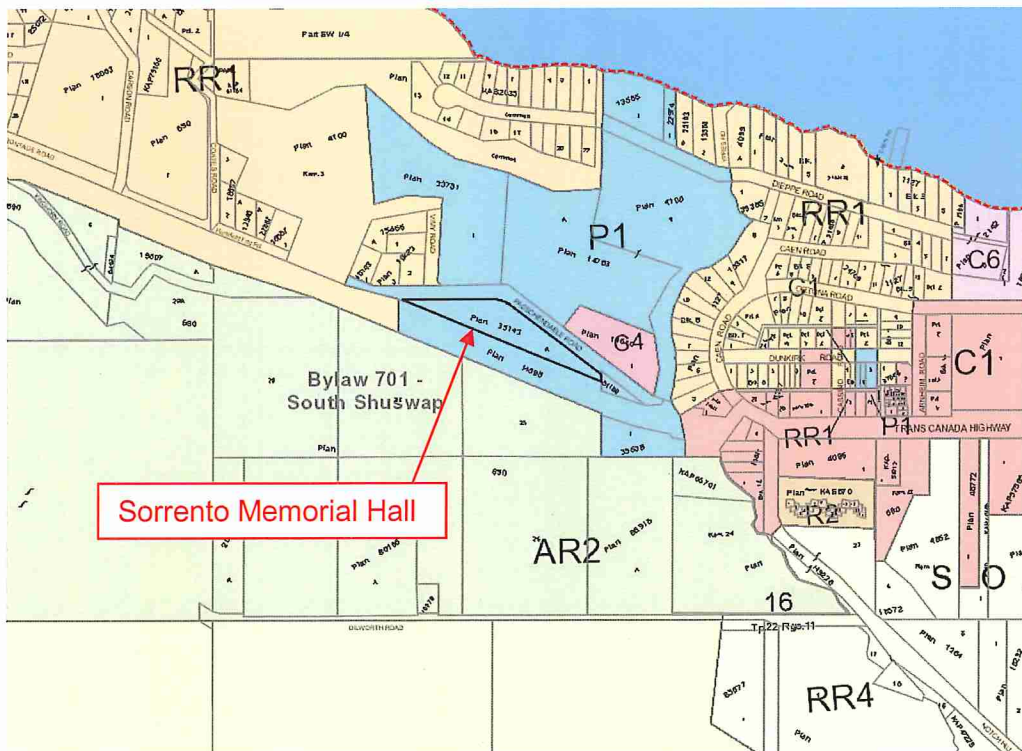
Advisory Planning Commission 'C'	Recommended approval
Interior Health	No health impacts associated with this proposal have been identified. Interests unaffected.
Ministry of Transportation and Infrastructure	Preliminary approval granted subject to additional wording from the Transportation Act be included in the Section 3.20.4 Illumination of Bylaw No. 701.
CSRD Operations Management	No concerns
CSRD Corporate Administration	have no objections to the proposed amendment and a corporate policy is not required at this time.
School District #83	No response
Adams Lake Indian Band	No response
Little Shuswap Indian Band	No response
Neskonlith Indian Band	No response

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Team Leader, Development Services	Nov. 21, 2016	
Manager, Development Services	11/21/16	
Deputy Manager, Corporate Administration Services		

Location



Zoning



An aerial photograph of a residential neighborhood with property lines overlaid. A red arrow points from the bottom center towards a specific lot. The lot is a rectangular parcel with a house and a driveway. Surrounding lots are numbered: 74, 41, 40, 32, 33, 34, 27, 29, 31, 57, 1, 72, 73, 25, 23, 21, 49, 46, 2, 1, 4, 6, 8. Some lots are labeled with 'A' and 'B'. A large number '26582' is written in the upper left, and '24644' is written in the upper right. The word 'Plan' is written in the lower right. A red box at the bottom contains the text 'Cedar Heights Community Association'.



Photos



Cedar Heights Community Association



Sorrento Memorial Hall

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (CSRD) BYLAW NO. 701-86

A bylaw to amend the "South Shuswap Zoning Bylaw No. 701"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 701;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 701;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

i. Section 1, Definitions is amended by:

Adding the following new definition:

"SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation";

after the definition of "SIGHT TRIANGLE".

ii. Section 3, General Regulations is amended as follows:

Adding the following new section:

"Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, third party off-site signage must comply with the following criteria:

.1 Sign Area:

.1 The maximum *sign* area shall be not greater than:

.1 the square root of (the total wall area x 10)
m²– for wall *signs* and projecting *signs*; or

.2 3 m² for free standing *signs*.

.2 Height of Signs:

.1 The height of free standing *signs* shall not exceed
9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
 - (a) a lot corner adjacent to the intersection of two public highways.

.4 Illumination:

- .1 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

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.2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter."

- iii. Section 24 P1 –Public and Institutional Zone is amended by adding the following:

"18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association)."

2. This bylaw may be cited as "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86."

READ a first time this 18th day of August, 2016.

READ a second time as amended this ____ day of _____, 2016.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

RECEIVED THE APPROVAL of the Minister of Transportation and Infrastructure this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Corporate Officer

Chair

Certified true copy of Bylaw No. 701-86
as read a third time.

Certified true copy of Bylaw No. 701-86
as adopted.

Corporate Officer

Corporate Officer