

Notes of the Public Hearing held on Wednesday January 25, 2016 at 6:00 PM at the CSRD Board room, 555 Harbourfront Drive NE, BC regarding South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86.

PRESENT: Chair Paul Demenok – Electoral Area 'C' Director
Candice Benner – Development Services Assistant (DSA), CSRD
Corey Paiement – Team Leader, Development Services, CSRD

6 members of the public

Chair Demenok called the Public Hearing to order at 6:01 PM. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed amending Bylaw No. 701-86.

The DSA said that this hearing has been called under Section 464 of the *Local Government Act*, which states that the Board shall not adopt a zoning bylaw amendment unless it has held a public hearing. The Board has delegated the holding of the public hearing to Electoral Area C Director Paul Demenok. It is expected that the Public Hearing Report will be submitted to the Board for consideration at its meeting on February 16, 2017 or March 23, 2017. The Chair may adjourn the hearing without further notice if the time and place for resumption of the hearing is stated to those present.

The Local Government Act sets out the notification requirements for a public hearing. The notice must state: location, time and date of the hearing; purpose of the bylaw, in general terms; the land or lands that are the subject of the bylaw; when and where copies of the bylaw may be inspected. The notice must be published in 2 consecutive issues of a local newspaper. The last publication is to appear not less than 3 nor more than 10 days before the public hearing.

The notice of this hearing was published in the following newspaper(s): The Shuswap Market News on January 13 and January 20, 2017. It was also posted on the CSRD website and Facebook page and all owners of property located within 100 m of the subject properties were sent notices in the mail.

Section 470 of the Local Government Act states that after a public hearing, the regional board may, without further notice or hearing, adopt or defeat the bylaw, or alter and then adopt the bylaw provided the alteration does not alter the use, increase the density, or without the owner's consent, decrease the density of any area from that originally specified in the bylaw.

A bylaw shall not be quashed on the grounds that an owner or occupier did not see or receive the notice where a court is satisfied the board made reasonable effort to mail or otherwise deliver the notice.

The DSA explained that there is a public hearing binder at the back of the room that contains background documents available for review. The Planner said that 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 proposed bylaw amendment would allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association, to display advertisements which are considered off-site signage, on these properties only.

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.

CSRD staff has provided specific and detailed signage requirements to be included in Section 3 General Regulations section of Bylaw No. 701 which are consistent with regulations recently adopted and proposed in other CSRD zoning bylaws. These General Regulations include sign area, maximum height and setbacks, illumination, and design standards. These documents can review the proposed General Regulations wording in the Public Hearing Binder at the back of the room.

The DSA outlined the various agency comments that were received during the referral process which included comments from Ministry of Transportation (MOT) wanting additional wording from the Transportation Act be included in Section 3.20.4 Illumination of Bylaw No. 701; CSRD staff worked with MOT to including this wording in the amendment.

The Chair opened the floor for comments.

Debbie Hanson, 2311 Lakeview Drive said that she has lived in Cedar Heights for 9 years. She decided to live there for the lake view and the rural environment and has enjoyed living near Cedar Heights Hall. She said that since the new sign was installed that she doesn't enjoy living there anymore. She feels that the sign turns the residential neighbourhood into a commercial one. She said that the light from the sign can be seen everywhere and constantly. She also said that the glare and brightness of the sign are hazardous for driving and she has spoken with others in the community who agree. She said that many members of the community who have concerns didn't attend this hearing because they are members of the Cedar Heights Association and didn't want to make waves. She believes that the sign lowers land values surrounding the hall. She said she is opposed to advertising for profit at the consequence of the community. She said she is not opposed to the old wooden sign or an illuminated sign by the door. She said she does not support this amendment.

Chair asked if Debbie can see the sign from her front door.

Debbie replied that she can't see the sign from her front door but she can see it from her living room. She said she can also see the glare of the different colours outside on her lakeside deck.

Mark Lane, 3096 Trans-Canada Highway, asked if a public hearing was required before the sign was put up.

Chair replied that he believed the halls had spoken with CSRD administration and Ministry of Transportation previously.

Mark Lane said that the lighting is not being controlled and it should be. He said that the Sorrento sign is so bright that you can't even read it, as well at night it's so bright that it's hard to see when driving which is a traffic safety problem and could cause an accident. He said that these types of signs can be controlled. He also said that Carlin Hall has mostly good sign lighting but then sometimes it changes to something very bright which is distracting. He said that there should be no amendment approval until the brightness of the sign lighting is well managed. He said that this should be fair for everyone; he said that he has tried to get third party advertising approval from MOT for six years and has been denied each time. He said that the argument that Cedar Heights and Sorrento Halls are non-profits and therefore could use the profit from third party advertising isn't fair as every business in the area has a hard time making money.

Jean-Luc Desgroseilliers, 2361 Sunrise Blvd, President of Community Heights Association, said that the association wants to be in good standing with the neighbours. He said the reason the association put up the new sign was for safety of Association volunteers; he said the old sign was leaning, too high, and it was unsafe to change the letters. This sign is also a more effective method for advertising Association events. He said that they have reduced the brightness of the sign to the lowest level and are improving the transitions between colours, and that they are getting away from the bright white colour to further reduce brightness. Also the operational hours of the sign are from 6 am to 10 pm and they have discussed with the programmer to possibly reduce the hours even more in the winter. He said it costs about \$110/month to operate the sign and the association put in about \$10,000 to buy the sign. He said that they want third party advertising revenue to help pay this cost without having to raise membership prices. He said that he will contact the programmer tomorrow about reducing the hours.

Mark Lane, said that when he was looking into signage for his business he found that there are dawn to dusk on/off switches with no programming required.

Chair asked Debbie if she has noticed a difference in the brightness over the past couple of months for the Association sign.

Debbie said that she did notice that a new advertisement about a church is dark and has subdued brightness compared to other advertisements. She said that the greens, reds, and blues are very bright and disturbing not just white. She said that green is less bright than the others because it is a more natural colour (against trees, etc.).

Steve Wills, 2628 Highlands Drive, Chair of APC 'C', said that the APC met on August 29th to review this amendment. He wanted to confirm that the amendment is for third party advertising and that the sign itself is not the issue.

The DSA said that the amendment is for third party advertising and there is additional wording in the General Regulations for signage.

Russ McLeod, 2217 Tahana Trail, said that the association made sure to meet the setback requirements and asked if this is after-the-fact regulation.

Chair said that this is an after-the-fact amendment.

Mark Lane, read out Ministry of Transportation wording from the Transportation Act pertaining to nuisance lighting. He said that digital lighting is considered a billboard and that MOT wording on billboards does not permit certain things and this was the reason he did not pursue putting a sign up for his business. He said that it was last fall when he approached MOT about it that they may have changed their tune about this.

The DSA noted that two public letter submissions were handed in at the hearing.

Hearing no further representations or questions about amending Bylaw No. 701-86, the Chair called three times for further submissions before declaring the public hearing closed at 6:35 PM.

CERTIFIED as being a fair and accurate report of the public hearing.



Director Paul Demenok
Public Hearing Chair



Candice Benner
Development Services Assistant