

AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING
TO BE HELD IN THE BOARD ROOM, CITY HALL,
ON MONDAY, 2009-NOV-02, COMMENCING AT 4:30 P.M.

1. **CALL THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO ORDER:**

2. **INTRODUCTION OF LATE ITEMS:**

3. **ADOPTION OF AGENDA:**

4. **ADOPTION OF MINUTES:**

- (a) Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2009-OCT-19 at 4:30 p.m.

Pg. 4-7

5. **PRESENTATIONS:**

- (a) Mr. B. Anderson, Manager of Community Planning, to provide a PowerPoint presentation, regarding an update on the Newcastle and Southend Neighbourhood Plans.
- (b) Mr. K. Sillem, Planning Assistant, to provide a PowerPoint presentation regarding LED Signage / Electronic Message Boards. (A report on this topic appears as Item 10(a) on the agenda.)

6. **DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)**

7. **COMMISSION REPORTS:**

8. **COMMITTEE REPORTS:**

9. **STAFF REPORTS: (blue)**

CORPORATE SERVICES:

- (a) **Key Date Calendar for 2010**

Pg. 8-11

Staff's Recommendation: That Council adopt the Key Date Calendar and Acting Mayor Schedule for 2010 as attached.

- (b) **Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.51, 2009** Pg. 12-17

Staff's Recommendation: That Council waive the consent requirements under Section 801.4 of the Local Government Act by consenting to the adoption of "REGIONAL DISTRICT OF NANAIMO PUMP AND HAUL LOCAL SERVICE AREA AMENDMENT BYLAW NO. 975.51, 2009" and that the Regional District of Nanaimo be notified accordingly.

- (c) **Port Theatre Loan Guarantee**

Staff's Recommendation: That Council rescind their offer made 2009-AUG-17 to guarantee a \$2 million line of credit for the Port Theatre Studio. Pg.18

10. **INFORMATION ONLY ITEMS:**

- (a) Report from Mr. A. Tucker, Director of Planning, re: LED Signage / Electronic Message Boards. Pg. 19-50

11. **CORRESPONDENCE:**

- (a) Letter dated 2009-OCT-23 from the Departure Bay Neighbourhood Association, requesting that the City proceed with upgrading the existing Departure Bay beachfront walkway. It was further requested that the community be consulted early in the design process. Pg.51

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

14. **DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA: (10 MINUTES)**

- (a) Ms. Kristina Brow, Mr. Quinn Frame, Ms. Tina Bray and Ms. Jenny Haskins, fourth year Vancouver Island University Nursing students, to provide a PowerPoint Presentation on Car Seat Safety. Pg.52

15. **QUESTION PERIOD: (Agenda Items Only)**

16. **PROCEDURAL MOTION:**

It is moved and seconded that the following meeting be closed in order to deal with the following matters under the *Community Charter* Section 90(1):

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the municipality;

Community Charter Section 90(2):

- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

MINUTES OF THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING
HELD IN THE BOARD ROOM, CITY HALL,
ON MONDAY, 2009-OCT-19 COMMENCING AT 4:30 P.M.

PRESENT: Mayor J. R. Ruttan, Chair

Members: -Councillor W. L. Bestwick
Councillor W. J. Holdom
Councillor D. K. Johnstone
Councillor J. A. Kipp
Councillor L. D. McNabb
Councillor J. F. K. Pattje
Councillor L. J. Sherry
Councillor M. W. Unger

Staff: A. C. Kenning, Deputy City Manager
A. W. Laidlaw, General Manager of Community Services
D. W. Holmes, General Manager of Corporate Services
E. C. Swabey, General Manager of Development Services
T. L. Hartley, Director of Human Resources
B. E. Clemens, Director of Finance
T. M. Hickey, Director of Engineering and Public Works
T. P. Seward, Director of Permits and Properties
Chief R. Lambert, Nanaimo Fire Rescue
R. J. Harding, Director of Parks, Recreation and Culture
J. E. Harrison, Manager of Legislative Services
R. Lawrance, Environmental Planner
W. Sims, Manager of Water Resources
S. McMillan, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Finance / Policy Committee of the Whole Meeting was called to order at 4:32 p.m.

2. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall on Monday, 2009-SEP-21 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

It was moved and seconded that the Minutes of the Special Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall on Thursday, 2009-SEP-24 at 3:00 p.m. be adopted as circulated. The motion carried unanimously.

4. STAFF REPORTS:

ADMINISTRATION:

(a) Sustainability Committee – Energy Conservation and Management Policy

It was moved and seconded that Council rescind the 1990 Energy Efficiency Policy from the Corporate Council Policy Manual and replace it with the 2009 Energy Conservation and Management Policy.

It was moved and seconded that the main motion be amended to add the words "with a review in twelve months" at the end of the motion. The motion carried unanimously.

The vote was taken on the main motion, as amended:

It was moved and seconded that Council rescind the 1990 Energy Efficiency Policy from the Corporate Council Policy Manual and replace it with the 2009 Energy Conservation and Management Policy with a review in twelve months. The motion carried unanimously.

DEVELOPMENT SERVICES:

(b) DP624 – 6115 Glacier Way

It was moved and seconded that Council issue Development Permit No. DP624 at 6115 Glacier Way with the following variances:

- Required Building Height
The maximum allowed building height is 14 metres (46 feet). The proposed building height 15.66 metres (51.4 feet), a proposed variance of 1.66 metres (5.45 feet).
- Required Front Yard Setback
The required front yard setback along Turner Road is 7.5 metres (24.6 feet). The proposed building siting is 6 metres (19.7 feet), a proposed variance of 1.5 metres (4.9 feet).
- Required Flanking Street Setback
The required flanking street setback is 4 metres (13.1 feet). The proposed building siting is 3.3 metres (10.8 feet), a proposed variance of 0.7 metres (2.3 feet).
- Required Watercourse Setback
Molecey Creek requires a setback of 15 metres (49.2 feet) to top of bank. The proposed building siting is 7.5 metres (24.6 feet) from the top of bank, a proposed variance of 7.5 metres (24.6 feet).

- Required Parking

The required parking for 26 units is 43 parking spaces. The proposed parking is 35 parking spaces, a variance of 8 parking spaces.

The motion carried unanimously.

COMMUNITY SERVICES:

(c) Water Treatment Plant - Consultant Selection

Mr. A.C. Kenning, Acting City Manager, informed Council that the City does not have all of the money yet to do the \$67M Water Treatment Plant project. A certain amount of debt is required for the project which will require an elector approval process. Staff will be bringing a report to Council in the near future, likely recommending an alternative approval process.

It was moved and seconded that Council award the first phase of consultant services for water pilot testing and preliminary design for the Water Treatment Plant to Associated Engineering Ltd. with the fees estimated to be \$1.207 million. The motion carried unanimously.

(d) City of Nanaimo Dam Safety Policy

It was moved and seconded that Council adopt the City of Nanaimo Dam Safety Policy. The motion carried unanimously.

5. INFORMATION ONLY ITEMS:

- (a) Report from Mr. B.E. Clemens, Director of Finance, re: Assessment Roll Adjustments.

6. OTHER BUSINESS:

(a) Mayor's Report on B.C. Ferries Cutback of Services

Mayor Ruttan updated Council on the BC Ferries cutback of service. Meetings are planned with mayors in adjacent communities.

Councillor Unger vacated the Board Room at 5:08 p.m.

(b) Report from Councillor Holdom re: Vancouver Island Regional Library Board

Councillor Holdom provided an update to Council on the priorities of the Vancouver Island Regional Library.

It was moved and seconded that, in response to the request from the Vancouver Island Regional Library about services in Nanaimo, Council identify the need for improved services in the area of North Nanaimo as its highest priority. The motion carried unanimously.

Councillor Unger returned to the Board Room at 5:10 p.m.

7. QUESTION PERIOD:

It was moved and seconded that Council direct Staff to prepare a report on the implications of the travel allowance for those currently receiving a travel allowance on an annual basis. The motion carried unanimously.

Mayor Ruttan called a five minute recess at 5:40 p.m.

The meeting reconvened at 5:45 p.m.

8. PROCEDURAL MOTION:

It was moved and seconded that the following meeting be closed in order to deal with the following matters under the *Community Charter* Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or employee negotiations.

The motion carried unanimously.

Council moved into "In Camera" at 5:47 p.m.

Council moved out of "In Camera" at 6:50 p.m.

9. ADJOURNMENT:

It was moved and seconded at 6:50 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

DIRECTOR,
LEGISLATIVE SERVICES

2009-OCT-26

REPORT TO COUNCIL

REPORT TO: I. HOWAT, DIRECTOR OF LEGISLATIVE SERVICES

FROM: J. E. HARRISON, MANAGER OF LEGISLATIVE SERVICES

RE: KEY DATE CALENDAR FOR 2010

RECOMMENDATION:

That Council adopt the Key Date Calendar and Acting Mayor Schedule for 2010 as attached.


EXECUTIVE SUMMARY:

Attached is the Key Date Calendar and Acting Mayor Schedule for 2010 for Council's consideration.


BACKGROUND:

Each Fall, Legislative Services Staff prepare a Key Date Calendar of dates for Council meetings and Public Hearings and the Acting Mayor Schedule for the upcoming year. The proposed Calendar is attached for Council's consideration and adoption.

Respectfully submitted,


J.E. Harrison, Manager
Legislative Services


Ian Howat, Director
Legislative Services


Douglas Holmes, GM
Corporate Services

FPCOW: 2009-NOV-02

☐ Council
☒ Committee FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009.NOV.02

City of Nanaimo

COUNCIL KEY DATE CALENDAR – 2010

All City of Nanaimo Council Meetings commence at 7:00 p.m., and will be held in the Shaw Auditorium, Port of Nanaimo Centre, located at 80 Commercial Street.

All City of Nanaimo Finance/Policy Committee of the Whole Meetings commence at 4:30 p.m., and will be held in the City Hall Board Room located on the 2nd Floor at 455 Wallace Street.

January 1	<i>NEW YEAR'S DAY</i>
January 11	Council Meeting
January 14	Public Hearing
January 18	Finance/Policy Committee of the Whole
January 25	Council Meeting
February 1	Finance/Policy Committee of the Whole
February 4	Public Hearing
February 8	Council Meeting
February 15	Finance/Policy Committee of the Whole
February 22	Council Meeting
March 1	Finance/Policy Committee of the Whole
March 4	Public Hearing
March 8	Council Meeting
March 15	Finance/Policy Committee of the Whole
March 22	Council Meeting
April 1	Public Hearing
April 2	<i>GOOD FRIDAY</i>
April 5	<i>EASTER MONDAY</i>
April 9-11	AVICC Convention
April 12	Council Meeting
April 19	Finance/Policy Committee of the Whole
April 26	Council Meeting
May 3	Finance/Policy Committee of the Whole
May 6	Public Hearing
May 10	Council Meeting
May 15	Deadline - Adoption of Tax Rates & Financial Plan Bylaws
May 17	Finance/Policy Committee of the Whole
May 24	<i>VICTORIA DAY</i>
May 28-31	FCM

June 3Public Hearing
June 7Council Meeting
June 14Finance/Policy Committee of the Whole
June 21Council Meeting
June 28Finance/Policy Committee of the Whole

July 1*CANADA DAY*
July 8Public Hearing
July 12Council Meeting
July 19Finance/Policy Committee of the Whole

August 2*BC DAY*
August 5Public Hearing
August 9Council Meeting
August 16Finance/Policy Committee of the Whole

September 2Public Hearing
September 6*LABOUR DAY*
September 13Council Meeting
September 20Finance/Policy Committee of the Whole
September 27-October 1UBCM Conference

October 4Council Meeting
October 7Public Hearing
October 11*THANKSGIVING DAY*
October 18Finance/Policy Committee of the Whole
October 25Council Meeting

November 1Finance/Policy Committee of the Whole
November 4Public Hearing
November 8Council Meeting
November 11*REMEMBRANCE DAY*
November 15Finance/Policy Committee of the Whole
November 22Council Meeting

December 2Public Hearing
December 6Finance/Policy Committee of the Whole
December 13Council Meeting

ACTING MAYOR SCHEDULE - 2010			
Councillor Sherry	2009-DEC-07	to	2010-JAN-17
Councillor McNabb	2010-JAN-18	to	2010-MAR-07
Councillor Holdom	2010-MAR-08	to	2010-APR-18
Councillor Johnstone	2010-APR-19	to	2010-JUN-06
Councillor Kipp	2010-JUN-07	to	2010-JUL-18
Councillor Bestwick	2010-JUL-19	to	2010-SEP-05
Councillor Pattje	2010-SEP-06	to	2010-OCT-24
Councillor Unger	2010-OCT-25	to	2010-DEC-05

STAFF REPORT

REPORT TO: I. HOWAT, DIRECTOR OF LEGISLATIVE SERVICES

FROM: J. E. HARRISON, MANAGER OF LEGISLATIVE SERVICES

RE: REGIONAL DISTRICT OF NANAIMO PUMP AND HAUL LOCAL SERVICE AREA
AMENDMENT BYLAW NO. 975.51, 2009

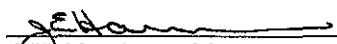
STAFF'S RECOMMENDATION:

That Council waive the consent requirements under Section 801.4 of the *Local Government Act* by consenting to the adoption of "REGIONAL DISTRICT OF NANAIMO PUMP AND HAUL LOCAL SERVICE AREA AMENDMENT BYLAW NO. 975.51, 2009" and that the Regional District of Nanaimo be notified accordingly.

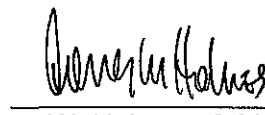
EXECUTIVE SUMMARY:

Staff have received correspondence from the Regional District of Nanaimo advising that they have introduced and read three times "REGIONAL DISTRICT OF NANAIMO PUMP AND HAUL LOCAL SERVICE AREA AMENDMENT BYLAW NO. 975.51, 2009". The bylaw proposes to remove one property within Electoral Area "E" from the pump and haul program. As part of the approval process, the Regional District of Nanaimo requires the City's consent to this bylaw.

Respectfully submitted,


J.E. Harrison, Manager
Legislative Services


I. Howat, Director
Legislative Services


D. W. Holmes, G.M.
Corporate Services

/kk

FPCOW: 2009-NOV-02

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☐ Council
☒ Committee.....FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009-NOV-02



REGIONAL
DISTRICT
OF NANAIMO

September 30, 2009

City of Nanaimo
455 Wallace Street
Nanaimo, BC
V9R 5J6

Attention: **Ian Howat**
Director of Legislative Services

Re: RDN Pump and Haul Local Service Area Amendment Bylaw No. 975.51

The Board, at its regular meeting held September 22, 2009, introduced and read three times the above noted amendment bylaw. (copy attached) This bylaw proposes to remove one property within Electoral Area 'E' from the pump and haul program. As part of the approval process, the Regional District of Nanaimo requires the City's consent to this bylaw.

It would be appreciated if your Council would endorse the following resolution:

MOVED _____, SECONDED _____, that the Council of the City of Nanaimo waive the consent requirements under Section 801.4 of the *Local Government Act* by consenting to the adoption of "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.51, 2009" and FURTHER that the Regional District be notified accordingly.

As the District requires this consent to complete the approval process, it would be appreciated if you would consider this request at your next Council meeting.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Maureen Pearse
Sr. Mgr. of Corporate Administration

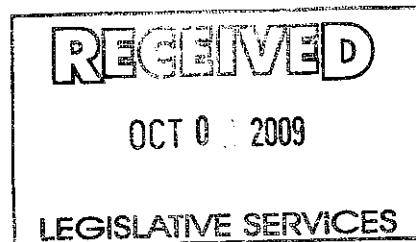
MMP:nat

Attachment

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250)390-4163

RDN Website: www.rdn.bc.ca



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 975.51

**A BYLAW TO AMEND THE REGIONAL
DISTRICT OF NANAIMO PUMP AND
HAUL LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 975**

WHEREAS Regional District of Nanaimo Pump and Haul Local Service Area Establishment Bylaw No. 975, as amended, established the pump and haul local service area;

AND WHEREAS the Board has been requested to amend the boundaries of the local service area to exclude the following property:

Lot 5, District Lot 78, Plan 25366, Nanoose Land District (Electoral Area 'E')

AND WHEREAS the Directors of Electoral Areas 'B', 'C', 'E', 'F', 'G' and 'H' have consented, in writing, to the adoption of this bylaw;

AND WHEREAS the Councils of the City of Nanaimo and the District of Lantzville have consented, by resolution, to the adoption of Bylaw No. 975.51;

NOW THEREFORE the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Schedule 'A' of Bylaw No. 975 is hereby repealed and replaced with Schedule 'A' attached hereto and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.51, 2009".

Introduced and read three times this ____ day of _____, 2009.

Adopted this ____ day of _____, 2009.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration

BYLAW NO. 975.51

SCHEDULE 'A'

Electoral Area 'B'

1. Lot 108, Section 31, Plan 17658, Nanaimo Land District.
2. Lot 6, Section 18, Plan 17698, Nanaimo Land District.
3. Lot 73, Section 31, Plan 17658, Nanaimo Land District.
4. Lot 24, Section 5, Plan 19972, Nanaimo Land District.
5. Lot 26, Section 12, Plan 23619, Nanaimo Land District.
6. Lot 185, Section 31, Plan 17658, Nanaimo Land District.
7. Lot 177, Section 31, Plan 17658, Nanaimo Land District.
8. Lot 120, Section 31, Plan 17658, Nanaimo Land District.
9. Lot 7, Section 18, Plan 17698, Nanaimo Land District.
10. Lot 108, Section 12, Plan 23435, Nanaimo Land District.
11. Lot 75, Section 13, Plan 21531, Nanaimo Land District.
12. Lot 85, Section 18, Plan 21586, Nanaimo Land District.
13. Lot 14, Section 21, Plan 5958, Nanaimo Land District.
14. Lot 108, Section 13, Plan 21531, Nanaimo Land District.
15. Lot 84, Sections 12 & 13, Plan 21531, Nanaimo Land District.
16. Lot 72, Section 13, Plan 21531, Nanaimo Land District.

Electoral Area 'C' (Defined portion)

Electoral Area 'E'

1. Lot 69, District Lot 68, Plan 30341, Nanoose Land District.
2. Lot 1, District Lot 72, Plan 17681, Nanoose Land District.
3. Lot 17, District Lot 78, Plan 14212, Nanoose Land District.
4. Lot 32, District Lot 68, Plan 26680, Nanoose Land District.
5. Lot 13, Block E, District Lot 38, Plan 13054, Nanoose Land District.
6. Lot 13, District Lot 78, Plan 25828, Nanoose Land District.
7. Lot 58, District Lot 78, Plan 14275, Nanoose Land District.
8. Lot 28, District Lot 78, Plan 15983, Nanoose Land District.
9. Lot 23, District Lot 78, Plan 14212, Nanoose Land District.
10. Lot 23, District Lot 78, Plan 28595, Nanoose Land District.
11. Lot 53, District Lot 78, Plan 14275, Nanoose Land District.
12. Lot 12, District Lot 8, Plan 20762, Nanoose Land District.

Electoral Area 'F'

1. Lot 2, District Lot 74, Plan 36425, Cameron Land District.
2. Lot A, Salvation Army Lots, Plan 1115, Except part in Plan 734 RW, Nanoose Land District.
3. Strata Lot 179, Block 526, Strata Plan VIS4673, Cameron Land District.
4. Strata Lot 180, Block 526, Strata Plan VIS4673, Cameron Land District.
5. Strata Lot 181, Block 526, Strata Plan VIS4673, Cameron Land District.

6. Strata Lot 182, Block 526, Strata Plan VIS4673, Cameron Land District.
7. Strata Lot 183, Block 526, Strata Plan VIS4673, Cameron Land District.

Electoral Area 'G'

1. Lot 28, District Lot 28, Plan 26472, Nanoose Land District.
2. Lot 1, District Lot 80, Plan 49865, Newcastle Land District.

Electoral Area 'H'

1. Lot 22, District Lot 16, Plan 13312, Newcastle Land District.
2. Lot 29, District Lot 81, Plan 27238, Newcastle Land District.
3. Lot 46, District Lot 81, Plan 27238, Newcastle Land District.
4. Lot 9, District Lot 28, Plan 24584, Newcastle Land District.
5. Lot 41, District Lot 81, Plan 27238, Newcastle Land District.
6. Lot 20, District Lot 16, Plan 13312, Newcastle Land District.
7. District Lot 2001, Nanaimo Land District.
8. Lot 1, District Lot 40, Plan 16121, Newcastle District.
9. Lot 27, Plan 16121, District Lot 40, Newcastle Land District.

City of Nanaimo

1. Lot 43, Section 8, Plan 24916, Wellington Land District.

District of Lantzville

1. Lot 24, District Lot 44, Plan 27557, Wellington Land District.
2. Lot A, District Lot 27G, Plan 29942, Wellington Land District.
3. Lot 1, District Lot 85, Plan 15245, Wellington Land District.

STAFF REPORT

REPORT TO: D.W. HOLMES, GENERAL MANAGER OF CORPORATE SERVICES

FROM: B. E. CLEMENS, DIRECTOR OF FINANCE

RE: PORT THEATRE LOAN GUARANTEE

RECOMMENDATION

That Council rescind their offer made 2009-August-17 to guarantee a \$2 million line of credit for the Port Theatre Studio.

BACKGROUND

At the Finance & Policy Committee of the Whole meeting held 2009-August-17, Council approved the following motion:

"It was moved and seconded that the City of Nanaimo guarantee a line of credit with the Royal Bank for \$2 Million for the Port Theatre Studio Project, pending receiving confirmation of funding from the Federal and Provincial Governments through Building Canada and Cultural Spaces Canada, totalling approximately \$8.5 Million."

The Port Theatre has been advised that they were not successful in receiving a grant from the Building Canada program. Staff are recommending that Council formally rescind their loan offer in order to make these funds available to Council during the upcoming budget discussions.

Respectfully submitted,



Brian E. Clemens
Director of Finance



Douglas W. Holmes
General Manager of Corporate Services

BEC/

FPCOW: 2009-Nov-02

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☐ Council
☒ Committee... FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2009. NOV. 02

FOR INFORMATION ONLY

TO: E.C. SWABEY, GENERAL MANAGER, DSD

FROM: A. TUCKER, DIRECTOR OF PLANNING, DSD

RE: LED SIGNAGE / ELECTRONIC MESSAGE BOARDS

STAFF'S RECOMMENDATION:

That Council receive this report for information.

EXECUTIVE SUMMARY:

Council, at its meeting of 2009-OCT-05, received a report from the Signage Committee recommending that LED signs be prohibited in Nanaimo. Council did not support the Signage Committee recommendation and referred the issue back to the Committee. Subsequently, it was decided that the reconsideration of this issue be undertaken by the Committee of the Whole with all members of Council, in an attempt to capture as broad a community perspective as possible, regarding LED signs. The Committee of the Whole will review and recommend LED signage regulations to Council.

BACKGROUND:

Attached, for Council's consideration are two reports dated 2009-SEP-28 and 2009-JUL-02 (Schedule 'A'), to provide background on the discussions held by the Signage Committee. In addition, correspondence (Schedule 'B') received by the City is also attached.

At this evening's meeting, Staff will provide a PowerPoint presentation which will outline:

1. Background information from the Signage Committee.
2. LED sign regulations in other BC municipalities.
3. Possible LED sign criteria:
 - size / height;
 - location /zoning designations;
 - hours of operation;
 - message display times / fade effects;
 - light intensity;
 - content regarding third-party advertising;
 - percentage of civic information content;
 - reduction in overall site signage; and
 - regulatory options (i.e. Development Variance Permit Applications vs. amending the Sign Bylaw).
4. Next steps, including scheduling a meeting to seek input from the community, followed by additional meetings of the Committee, if required.

Respectfully submitted,



A. Tucker
 Director of Planning
DEVELOPMENT SERVICES DEPARTMENT
 AT/pm
 COTW: 2009-NOV-02
 G: ZA1/47/Reports/2009Nov02 Info Only LED Signage.dotx

T. Seward
 Director of Development
DEVELOPMENT SERVICES DEPARTMENT

☐ Council
☒ Committee... EPSCOW
☒ Open Meeting
☐ In-Camera Meeting
 Meeting Date: 2009-NOV-02


Ted Swabey, General Manager
 Development Services Department

2009-SEP-28

REPORT TO: COUNCIL

FROM: CHAIR, SIGNAGE COMMITTEE

RE: LED SIGNAGE / ELECTRONIC MESSAGE BOARDS

COMMITTEE'S RECOMMENDATION:

That Council prohibit LED signage and give First, Second and Third Reading to the associated amendment bylaw "SIGN BYLAW AMENDMENT BYLAW 2008 NO. 7081".

EXECUTIVE SUMMARY:

Council, at its regular meeting of 2008-SEP-29, made a Motion to establish a Signage Committee in order to review, among other issues, LED / video signage and make recommendations to Council on the use of such signs within the City of Nanaimo.

BACKGROUND:

The Signage Committee, at its inaugural meeting of 2009-APR-22, adopted a Workplan to review the specific issues of LED signage, real estate / construction signage and the Sign Bylaw in its entirety. The approved Workplan established the first objective of the Committee as a review and recommendation on the issue of LED signage.

The process to review and consider the specific issue of LED signage has involved five meetings to date:

- | | |
|--------------------|--|
| 2009-APR-22 | Review of existing bylaws, background on LED signage and research of LED signage regulations in other communities. |
| 2009-MAY-20 | "In Camera" meeting subject to solicitor / client privilege, included a presentation from the City solicitor. |
| 2009-JUN-02 | Community consultation session. |
| 2009-JUN-22 | Recommendations to Mayor and Council. |
| 2009-SEP-23 | Committee met to consider new correspondence received since the 2009-JUN-22 meeting. |

At the Sign Committee meeting of 2009-SEP-23 the Committee adopted the following Motion:

"That Council prohibit LED signage and give First, Second and Third Reading to the associated amendment bylaw "SIGN BYLAW AMENDMENT BYLAW 2008 NO. 7081".

The bylaw, if adopted, will prohibit LED / video signage within the City of Nanaimo.

In addition, the Committee recommended that Mayor and Council receive the Staff Report to the Signage Committee containing Staff recommendations (Schedule 'A'). All relevant documents, including meeting minutes, presentations, and submissions are in the Councillor's office for review.

Respectfully submitted,



Councillor Larry McNabb
Chair, Signage Committee

KS/pm

Council: 2009-OCT-05

ZA1-47-Reports/2009Oct05 Signage Committee Rpt.doc

SCHEDULE A

2009-JUL-02

STAFF REPORT

TO: SIGNAGE COMMITTEE

FROM: D. LINDSAY, MANAGER, PLANNING DIVISION, DSD

RE: LED SIGNAGE / ELECTRONIC MESSAGE BOARDS – RECOMMENDATIONS

STAFF'S RECOMMENDATION:

That the Signage Committee adopt the following Motion:

1. "WHEREAS LED signage is not in keeping with the community design objectives and will have a negative impact on aesthetics;
2. WHEREAS there remain continued concerns with respect to driver safety as a result of the potential for distraction created by LED signage; and
3. WHEREAS the existing bylaw provides opportunity for businesses to advertise their presence without the use of LED signage:

The Signage Committee recommends that Council:

1. Prohibit LED signage and give First, Second and Third Reading to the associated amendment bylaw "SIGN BYLAW AMENDMENT BYLAW 2008 NO. 7081"; and
2. Adopt the following guidelines for use as part of the consideration of any development variance permit application to permit LED signage:
 - a. limit the use to static images only (i.e., no moving images);
 - b. regulate and require automatic dimming;
 - c. third party signage is prohibited; signage content shall be limited to those business goods and services available on-site only;
 - d. LED signage operation prohibited during the hours of 11:00 pm to 6:00 am; and
 - e. LED signage should only be considered where there is a demonstrated reduction in the overall amount of signage on-site."

BACKGROUND:

Council at its regular meeting of 2008-SEP-29 made a Motion to establish a Signage Committee in order to review, among other issues, LED signage and make recommendations to Council on the use of such signs within the City of Nanaimo.

LED signage takes the form of electronic message boards that consist of light emitting diodes which display high-resolution, multi-coloured advertising graphics, which can take the form of either static, changeable messages / displays or continuous video. These types of signs act as large, exterior video screens.

The Signage Committee at their inaugural meeting (2009-APR-22) adopted a Workplan to review the specific issues of LED signage, real estate / construction signage and the Sign Bylaw in its entirety. The approved Workplan established the first objective of the Committee as a review and recommendation on the issue of LED signage.

The process to review and consider the specific issue of LED signage has involved three meetings to date:

- Meeting 1:** 2009-APR-22 – review of existing bylaws, background on LED signage and research LED signage regulations in other communities;
- Meeting 2:** 2009-MAY-20 – “In Camera” meeting subject to solicitor / client privilege. Presentation from City solicitor.
- Meeting 3:** 2009-JUN-02 – community consultation session.

Community Consultation Session

In an attempt to generate public discourse regarding the use of LED signage in Nanaimo, the Signage Committee ran advertisements in the local newspapers for a community consultation session and provided a feedback forum on the City's website. Of the nine email responses received, seven of those were opposed to the use of LED signage and cited both traffic safety and aesthetic issues as their prime concerns (Schedule 'A'). The minutes of the community consultation session, at which the Signage Committee received three formal submissions, are attached to this report.

Traffic Safety and LED Signage

Many of the responses received noted concerns regarding driver safety as a result of the potential for distraction by LED signage.

At the community consultation session in a response to a question from the Committee regarding this issue, a presenter stated that none of the studies completed to date found any correlation between traffic accidents and LED signage and cited specific studies, including the “Traffic Safety Evaluation of Video Advertising Signs” completed for the City of Toronto. A copy of the study is attached for the Committee's consideration.

Staff note that this study, which was based on six separate studies, was not able to conclude that LED signage were or were not a safety concern.

“On the basis of the five studies reported here and the amalgamation with the results of an earlier study of eye movements for a video sign on the Gardiner Expressway, it cannot be concluded at this time that video advertising signs are either safe or unsafe”.

The study conclusions state:

“Although the evidence is by no means clear cut in one direction or the other, it is intuitively obvious that any distraction during the driving task within a busy environment increases the level of risk”.

The conclusions of the report also include the following:

“A comparison between this study and an earlier one suggests that there may be large differences in driver distraction dependant on the placement and environment in which the sign is seen. Therefore, it was recommended that the city adopt a cautious approach to allowing additional video signs at this time. Further eye fixation studies are required to determine design and placement factors that keep driver distraction to a minimum”.

Charter of Rights – Limitation on Freedom of Expression

There have been no court cases that have considered regulation or prohibition of video signage in relation to the right to freedom of expression under the *Charter of Rights*.

In the event the proposed recommendation is alleged or is found to infringe the constitutionally guaranteed right to freedom of expression, the Signage Committee should consider whether the limitation is justified under section 1 of the *Charter of Rights*, as a reasonable limit on freedom of expression, that can be demonstrably justified in a free and democratic society. The Signage Committee should consider the following questions:

Q: Is the objective of the proposed bylaw amendment pressing and substantial?

The Signage Committee has received information about traffic safety concerns and the aesthetic impacts of video signage. Aesthetic and safety concerns may be considered as "pressing and substantial" objectives.

Q: Is the proposed bylaw rationally connected to that objective?

The proposed bylaw amendment addresses video signage only and directly addresses the objectives identified above.

Q: Does the proposed bylaw amendment minimally impair the right to freedom of expression?

The City's Sign Bylaw continues to provide opportunities for the owners of real property and advertising companies to erect and maintain other forms of signage.

Q: Is there a reasonable balance between the proposed bylaw amendment and the objectives identified above.

The proposed limitation reflects a cautious approach to a new technology. There is limited empirical data on the traffic safety impacts of such signs. Given the lack of data and the relative lack of experience of Canadian municipalities with video signage, the City is not in a position at present to prescribe a set of regulations that will work for all potential locations. The Sign Bylaw continues to provide opportunities for the owners of real property and advertising companies to erect and maintain other forms of signage. The *Local Government Act* provides a process for Council to consider variance requests on a case-by-case basis, based upon site specific information and a set of guidelines that the Signage Committee may wish to consider and recommend to Council.

The Signage Committee can consider these factors in deciding whether an appropriate balance has been struck.

STAFF RECOMMENDATION:

As outlined in previous reports to Council and the Signage Committee, based on the potential for driver distraction and the associated safety concerns and based on the negative impacts that LED signage will have on community aesthetics, Staff recommend that LED signage not be permitted and the Sign Bylaw be amended to clarify that this specific form of signage is not allowed.

As the Committee is aware, applicants can request to vary the Sign Bylaw regulations through a development variance permit. As such, if the Sign Bylaw prohibits LED signage, applicants could make requests for such signage on an individual basis.

In anticipation of such applications, Staff believes the Committee should consider guidelines to assist in the evaluation of such proposals. Staff recommend the following guidelines:

- a. limit the use to static images only, 10-second hold times;
- b. light intensity is restricted to 0.3 foot candles above ambient light;
- c. automatic dimming is required for all LED signage;
- d. third party signage is prohibited; signage content shall be limited to those business goods and services available on-site only;
- e. LED signage operation prohibited during the hours of 11:00 pm to 6:00 am; and
- f. LED signage should only be considered where there is a demonstrated reduction in the overall amount of signage on-site.

A section 219 (*Land Title Act*) could be registered on title of the property to ensure the guidelines are adhered to by the present and future owners as a condition of the development variance permit.

Respectfully submitted,



D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

KS/DL/pm

Signage Committee: 2009-JUL-03

G:\Devplan\Files\Legis\3900\30\ZA-62\2009Jul03 Signage Bylaw Cncl Rpt.doc

SCHEDULE B



SERVING THE BUSINESS COMMUNITY SINCE 1889

September 11, 2009

Mayor John Ruttan
City of Nanaimo

Re: LED Signs

Dear Mayor Ruttan:

We are aware that Council is proposing to disallow LED signs in our city. We strongly urge you to revisit this issue.

As a business organization, the Chamber is concerned that this action may send the wrong message to our current business community and also potential investors.

We believe that a carefully drafted policy that permits LED signs within strict parameters would allow businesses to advertise but would in no way contribute to the dreaded sign pollution. Tasteful and well regulated LED signs would not turn Nanaimo into another Las Vegas. In a progressive community, there is a place for all forms of business identification and selected advertising through all kinds of media including LED signs. Strict regulation and enforcement encourages investment much more than prohibition.

The Chamber appreciates that writing policy for an issue as complex as LED signs is no easy feat. However, we are convinced that this council is up to the task.

Sincerely,

Walter Anderson,
President



**CANADIAN FEDERATION
OF INDEPENDENT BUSINESS.**

625 Howe Street, Suite 1430
Vancouver, British Columbia V6C 2T6

September 10, 2009

Mayor and Councillors
City of Nanaimo
455 Wallace St
Nanaimo, BC V9R 5J6

RECEIVED

SEP 14 2009

MAYOR'S OFFICE

Dear Mayor:

As you know, the Canadian Federation of Independent Business (CFIB) is a non-profit, non-partisan business association that seeks to give independent business a greater voice in determining the laws that govern business and the country. With 105,000 members across Canada, we are the largest organization exclusively representing the interests of small and medium-sized businesses to all levels of government. With 105,000 members across Canada, 10,000 of which are located in BC, including 300 in Nanaimo, we are the largest organization exclusively representing the interests of small and medium-sized businesses (SMEs) to all levels of government.

What you may not know is that most business in BC is small business. Almost 80 per cent of BC's businesses employ fewer than 5 people, and 98 per cent of BC businesses have fewer than 50 employees. Small and medium sized enterprises, many of which are family run and operated, account for 61 per cent of private sector employment in BC. A thriving small business sector is essential for creating jobs, training workers, providing essential goods and services, and supporting local charities. In addition to these key contributions, small businesses add enormously to the ambience, friendliness and culture of Nanaimo.

With this in mind that we are writing on behalf of numerous small businesses in Nanaimo that have expressed concern that their views are not being heard in the city's signage committee. It is our understanding that the signage committee was created earlier this year to discuss the city's signage by-law and to consider the use of private signage in the city. We also understand that one of the discussion points will be whether to approve the use of LED signs.

For many small businesses, signage such as an LED sign is the only form of advertising they can afford. The cost to run a small ad once in a local paper today can run into the thousands of dollars. While the majority of municipalities have signage by-laws, not many have taken the extreme measure to completely prohibit LED signs, as they recognize the importance to small businesses in their community.

One of the small businesses that have been impacted by Nanaimo's municipal signage by-law is our member, David Sauvé of The Soakhouse. Mr. Sauvé was recently told to take down his LED sign by the municipality, as there had been a singular complaint that the sign was distracting to drivers. As I am sure you can appreciate, this was quite a blow for our member as the sign, which Mr. Sauvé had invested significant capital in, was helping his young business grow in an unconventional store front location.

The Soakhouse moved into their current location in January 2008 and invested more than \$500,000 into the location before opening. It is our understanding that the location had been empty for several years, as it was unable to attract any long term commercial residents. Our member said this wasn't surprising, as there is limited visibility of the business from the street. The front door of the business actually doesn't face the street but the side parking lot and our member has reported numerous occasions where customers were steps away from the store front, but couldn't see it. In order to resolve this issue our member put up his LED sign inside the front door, 50 feet from Bowen Road. Mr. Sauvé reported that immediately after they put up the LED sign the business started to see more foot-traffic. Over the last year and half our member has made a go of his business and now has 6 employees working in the business.

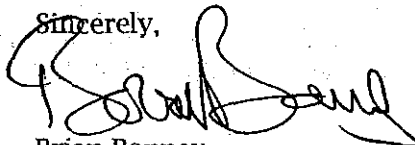
Much of this success has recently been undermined though, as the municipality has forced him to take down his LED sign. As reported to us by our member, a city staff member indicated that his sign had been determined to be a traffic hazard after the city received one complaint. Mr. Sauvé was surprised, as where the sign was mounted makes it only visible to one direction of traffic and if you were to stand directly across the street our member noted you could not see the sign. Mr. Sauvé's family, friends and customers use Bowen Street and we can assure you he would not risk endangering them by having a sign up that could cause an accident. We are very concerned that the city didn't properly investigate this issue before making their decision. Other than taking the complaint, what criteria did the city use to determine the sign was a hazard?

Several of our Nanaimo members along with non members have contacted CFIB to express their support of The Soakhouse and to further express their concern that their views are not being heard. CFIB commends Nanaimo for going through a consultation process on this issue and we are asking you, on behalf of small businesses and small business owners in Nanaimo, to ensure that any by-law enacted within the city is beneficial to all involved.

As you make your decision on September 12th, we encourage you to remember that municipalities have a responsibility to create by-laws that are fair and reasonable, and do not unnecessarily restrict the ability of small business to operate successfully.

Small business is the backbone of a thriving community and we encourage you to ensure the Nanaimo is open for business. Thank you for your attention to this matter. We look forward to your response.

Sincerely,



Brian Bonney
Director of Provincial Affairs,
British Columbia



Nicole Nash
Member Services Counsellor
British Columbia

From: Toby Seward
Sent: May 26, 2009 3:43 PM
To: 'George Hanson'
Cc: Dale Lindsay; Kris Sillem
Subject: RE: LED issue

Will do.

From: George Hanson [mailto:ghanson@insightdevelopments.ca]
Sent: Tuesday, May 26, 2009 9:46 AM
To: Toby Seward
Subject: FW: LED issue

Hi Toby,

I received information re: this issue along with an email for a 'sign committee' that I didn't know existed. Anyway, the email didn't go through. Could you please pass my comments along?

Thanx.

George Hanson
Development Manager
Insight Developments
250-741-0101

From: George Hanson
Sent: May 25, 2009 4:46 PM
To: 'signcommittee@nanaimo.ca'
Subject: LED issue

Attention: Sign Committee

The single biggest issue, I believe, regarding LED technology used in signage is that there is no design control. Unlike traditional, even 'animated' neon signage, the sign is essentially of static design which can be reviewed and approved with a certain degree of certainty that what is approved is what will be erected. An LED sign is, for all intents and purposes, a television on a stick—a black box upon which anyone with a computer and some software can project their 'designs.' We've no doubt all seen the brochures and flyers created by amateur graphic designers using clip art and some desk top publishing software. We should not allow this sort of visual pollution to occupy and dominate our city streetscapes.

Some business people may argue that they 'need' this technology to attract attention and remain competitive. This argument was previously used when the City created a bylaw to prohibit the use of the garish portable florescent signs that were littering the Island Highway (Just prior to the bylaw being approved, I drove from downtown Nanaimo to Woodgrove and counted 17 of these monstrosities.) Signage, if not strictly controlled, is like the arms race of the cold war era. The bigger and brighter Harry's sign is, the bigger and brighter Lucy's sign must be to compete. Pretty soon everyone has big bright signs and there are so many of them—no one stands out—and the community ends up looking like a cheap version of Las Vegas.

In certain limited situations it may be appropriate for a small amount (in relation to the total size of the sign) of a sign to include limited LED technology as PART of the overall design, but the City should absolutely not allow stand alone LED signage. My opinion is not 'anti-technology' but 'anti-visual pollution'.

I think the new RONA building is an example of how retail business signage can be tastefully handled. Nobody driving by could possibly miss seeing the RONA store, but the sign is imbedded in the design of their building, thus negating the need even for an ugly backlit lollypop sign on the roadway. I, as a consumer, do not need rolling computer graphics of people sawing boards and banging nails and cartoon graphics telling me that light bulbs are 6 for a \$1.00 to get me to come in...

Nanaimo has a vision to be regarded as 'one of the most desirable, livable small cities in North America.' We already have to work very hard to convince passers by that there is more to our community than a 15 mile strip of malls. Please don't take us backwards 20 years by allowing this LED invasion of extraneous visual information.

George Hanson
Development Manager
Insight Developments
250-741-0101

From: brooketomlin [bctomlin@shaw.ca]
Sent: May 12, 2009 7:45 AM
To: SignCommittee
Subject: Input to the Sign Committe City of Nanaimo

To Kris Sillem,

Kris,

I am replying to your invitation for "Sign Companies" input to the proposed changes in your Sign Bylaw with respect to the inclusion of electronic signs.

On several occasions we Landmark Sign Ltd. have been asked to sit at Municipal Planning Tables in the drafting of Sign Bylaws.

In that regard I am pleased that you have asked for input, although I am not sure you have actually contacted sign companies?

Landmark has recently assisted the City of Langford with amendments to their Sign Bylaw, and in particular the issue of electronic message centers and video boards etc.

We feel that they have a balanced Sign Bylaw in this regard, and have the flexibility within the bylaw to enable business's to have choices. We always like to point out there is a need for business's to be successful and signing is so important!

I suggest you look at the City of Langfords Bylaw as a model.

The population/demographics and types of corridors, and mix of business's is similar to that of Nanaimo.

Further, the Mayor and Council there has taken an interest in signing, and has instilled a culture with their admin staff that says: "we are open for business" and they are, and will promote new business and signing proposals at every opportunity within and even outside the bylaw in special situations.

The tone with their Planning staff is most always positive, and approvals usually take no more than 2 days. They will spend as much time telling clients "how they can do something" as they used to "telling them why the cant."

And they are even waiving permit fees to make it easier for business's and developers.

I hope this input is useful.

We are the largest sign company on the Island and as such do business with many planning departments in many Municipalities

We are in a position to compare, and have a good feel for the successful ones.

Good luck with your amendments.

Best Regards

Brooke Tomlin
Landmark Sign Ltd
250-889-1267

From: Margaret Tew [marg.tew@gmail.com]
Sent: May 21, 2009 9:31 AM
To: SignCommittee
Subject: LED - Animated Signs
Attachments: LED - Animated Signs.doc

Re: the call to provide submissions on the issue of LED/Animated signs.

I wrote the following on Jan. 8, 2007:

I read in the Bulletin recently that the Chamber of Commerce has plans to put '*signage*' up along the Nanaimo Parkway. Is that not just a politically correct term used to describe *billboards*?

BYLAW NO. 1055 OF R D N EAST WELLINGTON - PLEASANT VALLEY OFFICIAL COMMUNITY PLAN. states that strip development, including commercial or residential uses, along the Parkway was to be discouraged, the visual integrity of landscapes were to be promoted and the appearance and natural beauty of the rural countryside and natural features along the Parkway were to be preserved. *Billboards* do not conform to this vision.

The Dec. 28 episode of "O'Reilly and the Age of Persuasion." on CBC Radio looked at the question of why we find some forms of advertising more intrusive than others. In exchange for hearing, watching, or reading an ad, the consumer is entitled to something.

The Chamber is not honouring the advertising contract. What is the ordinary Nanaimo citizen getting in return for having our beautiful landscape destroyed unnecessarily with billboards? Nothing! One may argue that the businesses who are advertising will be promoted leading to a stronger economy overall for Nanaimo.

On the other hand I would argue that Nanaimo is booming right now in large part because of all the new people moving here for its natural beauty. Would you not be defeating your purpose by destroying the very thing that is driving the economy? Does anybody *like* the row of Billboards along the Island Highway near Nanoose? I think not.

Also, consider the safety factor. People should be keeping their eyes on the road not looking at billboards.

Thank goodness the Chamber did not carry through with their plans for '*signage*' along the Nanaimo Parkway.

I believe that the LED/Animated sign is appropriate in its present location but any further ones would probably be very undesirable.

Respectfully submitted,

Margaret Tew – fairly new resident of Nanaimo

ps I just watched your short video and this totally confirms my views!

From: Naida [naidah@shaw.ca]
Sent: May 26, 2009 11:35 PM
To: SignCommittee
Subject: LED signs

Attention Sign Committee;

I am writing to let you know that I will not be able to attend the meeting regarding the discussion about allowing LED/animated signs in Nanaimo. I strongly oppose allowing them to be erected, and in fact, wish that the one on the Conference Centre would be taken down (as well as the annoying sign in Diana Krall Plaza). I feel that they are unnecessary, unsightly, dangerously distracting and offensive. Any sign that encourages drivers to take their eyes off the road in front of them and read advertising is frankly criminal.

Thank you for considering my views.

Best regards
Naida Hobbs

From: Mark Swiecki [mswiecki@shaw.ca]
Sent: May 29, 2009 9:18 AM
To: SignCommittee
Subject: LED Sign Committee

Dear Committee Members,

I am writing to express my concerns over the LED sign issue. My two areas of concern are:

1. This serves as a distraction to drivers and will result in accidents. In the last week, I was nearly hit twice, first by a lady talking on her cell phone and veering into my lane and secondly by a person who had a dog sitting on her lap with the dog's paws on the steering wheel. There have been recent reports of fatal injuries of people "texting" while driving in the news lately. Why do we need another distraction of what the price of apples are compared to pears, etc. flashing on the side of the road? So, the very first issue is safety.
2. Secondly, the video on line does no justice to how these signs look at dusk or night. I would suggest a drive through the City of Duncan to confirm how cheap and tawdry these LED signs look at that time of day. It makes the city look like a mutant form of Las Vegas north. Is this really the image the City of Nanaimo wants? Doesn't really go with the concepts of the "Harbour City" or much less "Arts in the Community".

There is only one safe and legitimate use of LED lights and that is on the names of streets (and perhaps distance markers). In fog, heavy snow and rain, reflections off the wet pavement the printed sign names can be difficult to read. If we are promoting tourism, then let's make it easier for the tourists not to get lost and for even the residents to read street names if they aren't familiar with the area. I'm sure many motorists have been in a situation where they are trying to read the street name and by the time they get to the intersection (especially during heavy traffic) they realize they are in the wrong turn lane. So, major intersections and signs offer a safe, legitimate and pragmatic use of LED technology.

But let's leave the flashing commercials and TV clips off the highway, they are only a safety hazard and offer little to the esthetics to the Harbour City's image.

Sincerely,

Mark J. Swiecki

(250) 756-0770
mswiecki@shaw.ca

Please feel free to use or read my letter if it serves the purpose of discussion on this issue.

From: Drew Taylor [Drew.Taylor@viu.ca]
Sent: May 29, 2009 2:55 PM
To: SignCommittee
Cc: Kris Sillem
Subject: VIU Facilities - LED / Animated Sign Comments **[Please confirm receipt]**

Importance: High

Good afternoon,

In response to the **City of Nanaimo, Wednesday, May 13, 2009 Media Release - Call for Presentations Regarding LED / Animated Signs;**
 Vancouver Island University [VIU] Facilities Services & Campus Development would like to make the following comments:

The use of LED/Animated signage should be permitted, but limited to:

1. the advertisement of broad-based community information only, such as programs & events of a civic, philanthropic, educational or athletic nature;
2. specific zones and/or organizations, such as the Vancouver Island University Nanaimo Campus, the Downtown core [as shown in Bylaw 2850 "Schedule A"] and/or other areas of similar nature [ie: City Parks – Beban Centre].

Vancouver Island University has been researching LED / Animated signage for use on its Nanaimo Campus, and foresees a significant benefit to the publicity of institutional, educational, athletic & other community events with this technology. The university also recognizes the need for such technology to be limited in order to maintain both the safety & aesthetics of our growing community.

VIU thanks the City of Nanaimo and the Sign Committee for this opportunity to make comments.

Sincerely,

Drew Taylor - on behalf of VIU Facilities Services & Campus Development

Drew Taylor, ASCT, AT.AIBC | Campus Planner & Developer | Facilities Services & Campus Development
 A| 900 Fifth Street, Nanaimo, BC, V9R 5S5 P|250.740.6539 C|250.751.3874 F|250.740.6520 W|www.viu.ca/facilities



VANCOUVER ISLAND UNIVERSITY
 EXPLORE. DISCOVER. THRIVE.

♻️ Please consider the environment before printing this email.

From: sarah clark [sarahjclark@shaw.ca]
Sent: June 1, 2009 8:00 AM
To: SignCommittee
Subject: LED/Animated Signs

To the Sign Committee,
City of Nanaimo

Re: LED/Animated Signs

I would like to voice my strong opposition to the use of LED/Animated Signs in the City of Nanaimo for the following reasons:

Our current bylaws do not allow for cars to be parked on a city street with a For Sale sign on them, because they are considered too distracting to passing motorists.

LED Signs are extremely distracting and visually polluting. Since they need to be on major roads to be effective for the advertiser, they present a distinct and significant driving hazard. (The one in Duncan is a excellent example of distracting drivers from driving.)

- Nanaimo has many narrow major roads, like Terminal Avenue - for some drivers, this is enough of a challenge
- There is already an 8 kms stretch identified as a "high crash zone" identified on Terminal Avenue - with no flashing signs on it
- This are unnecessarily distracting and a distinct hazard to both drivers and pedestrians
- Until we restrict the use of cellphone while driving, a high percentage of the population is already quite distracted and dangerous

The sign that has been installed at the Conference Centre is a perfect example of why **not** to allow such signs:

- It is flashing its message at exactly where there is a high incidence of jay walking, a flashing traffic signal, a road entering onto Terminal Avenue, between two traffic lights and where there is a tight curve in the road. This is an accident waiting to happen.

There is a reason that other jurisdictions are questioning use of these as advertising medium ... they just aren't safe for roadways.

I believe they were originally conceived to add visual excitement to sporting events and concerts - indoors.

Let's please leave them there, where everyone will be safe.

I ask that the Sign Committee not allow the use of LED/Animated signs in our city.

~sarah clark

sarah j clark
sarahjclark@shaw.ca

PS

Could you please let me know that you received this email in time to be presented to the committee, thanks!

From: Edgar, David D TRAN:EX [David.Edgar@gov.bc.ca]
Sent: June 1, 2009 4:49 PM
To: Kris Sillem
Cc: Gordon Foy; Hardy, Jennifer L TRAN:EX
Subject: Sign Committee - Public Open House

Kris,

I understand you have a sign committee looking at electronic/animated signs. Other than not allowing them in our right of way, our Ministry does not have a policy on their use outside the right of way. As noted below, the Minister has control outside the right of way but historically that control has not been exercised.

I share others concern over their use. Animated signs are an added distraction to drivers. We would be interested in how Nanaimo eventually addresses the issue. Perhaps setting a minimum distance from the right of way will help address it in two ways. One by making it harder for a developer/owner to place one as it is more likely competing with other desires like building footprints and parking spaces. More importantly a minimum distance puts it more outside the drivers field of vision, particularly when they get close to it. I expect you are already considering maximum dimensions.

All the best,

Dave

Dave Edgar

Transportation Planning Engineer
 Ministry of Transportation and Infrastructure
 3rd Floor - 2100 Labieux Road
 Nanaimo, B.C. V9T 6E9
 ☎: (250) 751-3276
 Fax (250) 751-3288
 ✉: David.Edgar@gov.bc.ca

From: Hardy, Jennifer L TRAN:EX
Sent: Monday, June 1, 2009 1:42 PM
To: Edgar, David D TRAN:EX
Subject: RE: Sign Committee - Public Open House

Dave,

We do not have any official policy on the use of large animated video screens/billboards. However, there are already quite a few near highways throughout the province which do set a precedent.

There is a concern that these signs (especially those with constantly changing animation or those that do not have dimming ability) could prove a distraction to drivers and ultimately lead to increased collisions. However, it is difficult to determine any direct correlation between these signs and an increase in collisions. As far as I am aware, there haven't been any studies done that explore the connection between animated signs, driver distraction, and collisions.

Jason Wood had been researching the issue of light intensity and animated signs and apparently did find some information on the subject. He is away today, but I will ask him tomorrow about it.

Although we have no specific guidelines or policy on the use of these animated signs, the BC Transport Act, item

16 (1) (d) empowers the Minister to take action if a sign is a "nuisance" that may cause driver distraction:

Minister may require remedial action

16 (1) Subject to section 22, the minister may furnish a notice under this section to the owner or occupier of land if the minister believes that there is on the land, whether or not that land is near a provincial public undertaking, equipment or a tree, fence, sign, building, vehicle, device, object or situation that, in the minister's opinion,

(a) creates a need to act to protect

(i) a provincial public undertaking,

(ii) any land or improvement related to a provincial public undertaking, or

(iii) any thing that is or may be on or near a provincial public undertaking,

(b) might affect the safety of any person who is or might be on or near

(i) a provincial public undertaking, or

(ii) any land or improvement related to a provincial public undertaking,

(c) is causing or might cause the accumulation of snow, water, debris or any other potentially hazardous material on or near a provincial public undertaking or on or near any land or improvement related to a provincial public undertaking, or

(d) is 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.

Regards,

Jennifer Hardy, EIT
Engineering Branch
B.C. Ministry of Transportation and Infrastructure
250.356.9762

From: Edgar, David D TRAN:EX
Sent: May 15, 2009 9:00 AM
To: Hardy, Jennifer L TRAN:EX
Subject: FW: Sign Committee - Public Open House

Jen – can you check into

1. whether or not our ministry has a policy on the large "video screens" that serve as animated billboards
2. If no policy, do we want to offer any comment on their use

We'd want the answer prior to June 2nd.

Thanks,

Dave

Dave Edgar

Transportation Planning Engineer
Ministry of Transportation and Infrastructure
3rd Floor - 2100 Labieux Road
Nanaimo, B.C. V9T 6E9
☎: (250) 751-3276
Fax (250) 751-3288
✉: David.Edgar@gov.bc.ca

From: OBrien, Debbie TRAN:EX
Sent: Friday, May 15, 2009 8:27 AM
To: Edgar, David D TRAN:EX
Subject: FW: Sign Committee - Public Open House

Hi, Dave:

This came to me as the Ministry contact. I am not sure if you would want to attend or make some comments on behalf of the Ministry, but I thought I would pass this on to you for your information.

Regards,

Debbie

From: Penny Masse [<mailto:Penny.Masse@nanaimo.ca>]
Sent: Wednesday, May 13, 2009 3:26 PM
To: 'Atlas Signs'; 'Caya Signs'; 'Devlin Signs'; 'Galaxy Graphics'; 'Grant Signs'; 'Houston Sign'; 'Knight Signs'; 'Charlene Semple'; 'Ryan Shepherd'; 'Marshall Signs'; 'midislandsignservice@shaw.ca'; 'Mid Island Signs'; 'Pacific Awning'; 'Scott Signs'; 'Sign Age'; 'Sign Connection'; 'Signfast Signs'; 'Signs Now - Nanaimo'; 'mail@alleykatsigns.com'; 'Source Signs'; 'Triad Signs'; 'terra.willson@daktronics.com'; 'baldwin.lin@gmail.com'; 'calicodeb@shaw.ca'; 'mgharrison55@shaw.ca'; 'rdiggles@shaw.ca'; 'carey.ave@telus.net'; 'kylie.sandham@hotmail.com'; 'chaseriver@hotmail.com'; 'nallen39@telus.net'; 'pennybent@hotmail.com'; 'smcbk@shaw.ca'; 'don_gwen@shaw.ca'; 'juliefedje@shaw.ca'; 'ewwood@shaw.ca'; 'cathieandlorne@shaw.ca'; 'humpy@telus.net'; 'greg@newglobal.ca'; 'gshuley@aspengroveschool.ca'; 'w.jaques@telus.net'; 'njmnc@shaw.ca'; 'jenniferorourke@shaw.ca'; 'jackmathias@shaw.ca'; 'dbonin@telus.net'; 'liamt@telus.net'; 'grant.corriveau@telus.net'; 'susanleggott@hotmail.com'; 'dhardie@narsf.org'; 'Gordon Fuller'; 'fraser.king@shaw.ca'; 'danosha@shaw.ca'; 'dmurchie@murchie.ca'; 'fhjtaylor@telus.net'; 'sharonikofoed@shaw.ca'; 'sherrym@telus.net'; 'khovestad@gmail.com'; 'matt@nanaimodowntown.com'; 'info@nanaimodowntown.com'; 'admin@nanaimodowntown.com'; 'dzorkin@telus.net'; 'sales@turleysflorist.com'; 'emailmalcolm@gmail.com'; 'bruce@paintedturtle.ca'; 'tangclan@shaw.ca'; XT:General; Nanaimo Chamber of Commerce FIN:IN; 'president@nanaimochamber.bc.ca'; 'lee@nanaimochamber.bc.ca'; XT:General; Nanaimo Chamber of Commerce FIN:IN; 'barbara@nanaimochamber.bc.ca'; 'anne@nanaimochamber.bc.ca'; OBrien, Debbie TRAN:EX; Janice Palin; Anita Halabourda; Georgina Windle; Allana Rinta; 'dfladzate@pattisansign.com'
Subject: Sign Committee - Public Open House

Good afternoon.

The attached is forwarded on behalf of Kris Sillem.

Thank you, have a great day.

Penny

(Please note: I did not have direct email addresses for the appropriate traffic division employees at the RCMP, please forward to the applicable people.)

Penny Masse

Planning Division - City Hall

238 Franklyn Street

Nanaimo, BC

V9R 5J6

250-755-4460 X4331

250-755-4439 Fax

Penny Masse

From: Kris Sillem
Sent: Tuesday, June 02, 2009 4:13 PM
To: Dale Lindsay
Cc: Penny Masse
Subject: FW: Sign Committee - Public Open House

More sign stuff from MOT.

Penny do you have time to add this to the package.

Kris Sillem
Planning Assistant
Development Services Department
kris.sillem@nanaimo.ca
(250) 755-4430

From: Edgar, David D TRAN:EX [mailto:David.Edgar@gov.bc.ca]
Sent: June 2, 2009 3:07 PM
To: Kris Sillem
Cc: Gordon Foy
Subject: RE: Sign Committee - Public Open House

Kris -- more info. Enjoy.

Dave

Dave,

I spoke with Jason Wood regarding some of the investigations he did into acceptable brightness levels for electronic billboards. Jason's findings on lighting levels are summarized in the e-mail below. In addition, he mentioned that with regards to animation of the signs - he found an almost universal standard that there has to be a minimum of 4 seconds between changing screens. In other words, most jurisdictions do not allow full motion video screens.

Jennifer

From: Wood, Jason TRAN:EX
Sent: Wed, February 11, 2009 2:05 PM
To: Miska, Ed TRAN:EX; Wiseman, Jeff TRAN:EX; Swales, Dave TRAN:EX
Cc: Cross, Graeme D TRAN:EX; Tekano, Murray M TRAN:EX; Lain, Scott TRAN:EX
Subject: RE: Research Information - Electronic Billboard(s)

Gentlemen,

Here is some information regarding brightness level of the Electronic Billboards.

Most of the larger signs are capable of up to 14000 nits (candela per square meter) in daytime. But most are operating at less than that at 5000 to 8000. Higher brightness shortens lifespan and increases power consumption.

fact the OAAA(Outdoor Advertisers Association of America) recommends a daytime max of 8000 nits. Some regulating agencies have set limits at a lower 5000 to 6500 range.

For nighttime the OAAA has a recommended max of 1000 nits and several gov. agencies have set limits in the 500 to 800 range.

most cases though, the rule of thumb appears to be that nighttime brightness is set at 10% of daytime brightness.

Jason Wood, P.Eng.
Acting Senior Traffic Engineer
Ministry of Transportation and Infrastructure
250-387-7583

Dave Edgar
Transportation Planning Engineer
Ministry of Transportation and Infrastructure
3rd Floor - 2100 Labieux Road
Nanaimo, B.C. V9T 6E9
☎: (250) 751-3276
Fax (250) 751-3288
✉: David.Edgar@gov.bc.ca

From: Edgar, David D TRAN:EX
Sent: Monday, June 1, 2009 4:49 PM
To: 'Kris.Sillem@nanaimo.ca'
Cc: 'Gordon Foy'; Hardy, Jennifer L TRAN:EX
Subject: Sign Committee - Public Open House

Kris,

I understand you have a sign committee looking at electronic/animated signs. Other than not allowing them in our right of way, our Ministry does not have a policy on their use outside the right of way. As noted below, the Minister has control outside the right of way but historically that control has not been exercised.

I share others concern over their use. Animated signs are an added distraction to drivers. We would be interested in how Nanaimo eventually addresses the issue. Perhaps setting a minimum distance from the right of way will help address it in two ways. One by making it harder for a developer/owner to place one as it is more likely competing with other desires like building footprints and parking spaces. More importantly a minimum distance puts it more outside the drivers field of vision, particularly when they get close to it. I expect you are already considering maximum dimensions.

All the best,

Dave

Dave Edgar
Transportation Planning Engineer
Ministry of Transportation and Infrastructure
3rd Floor - 2100 Labieux Road
Nanaimo, B.C. V9T 6E9
☎: (250) 751-3276
Fax (250) 751-3288
✉: David.Edgar@gov.bc.ca

From: Hardy, Jennifer L TRAN:EX
Sent: Monday, June 1, 2009 1:42 PM
To: Edgar, David D TRAN:EX
Subject: RE: Sign Committee - Public Open House

Traffic Safety Evaluation of Video Advertising Signs

Alison Smiley, Bhagwant Persaud, Geni Bahar, Calvin Mollett,
Craig Lyon, Thomas Smahel, and W. Leslie Kelman

Road authorities are under increasing pressure from advertisers to allow video advertising in the right-of-way but are understandably concerned about whether video signs constitute a driving hazard. At the City of Toronto's request, a comprehensive assessment of traffic safety impacts related to such signs was carried out in a series of studies involving three downtown intersections and an urban expressway site. An on-road eye fixation study was carried out to determine if drivers look at video advertising signs. Conflict studies were conducted to determine if there were more conflicts on intersection approaches with visible video signs than on those without such signs. A before-and-after sign installation study of headways and speeds on the urban expressway was carried out. Crashes were compared before and after sign installation at the expressway and three intersection sites. Finally, a public survey was conducted to determine if video advertising was perceived to affect traffic safety. On the basis of the eye fixation study and the public survey data, it is apparent that video advertising can distract drivers inappropriately and lead to individual crashes. However, the evidence from other studies was not consistent and suggests that for the particular signs studied, overall impacts on traffic safety are likely to be small. Further studies, especially prospective ones with larger crash data sets, are required to be certain about the findings. A comparison between this study and an earlier one suggests that there are large differences in driver distraction depending on the placement and the environment in which the sign is seen. Further studies are required to determine factors that minimize driver distraction.

Road authorities are under increasing pressure from advertisers to allow commercialization of the right-of-way as one method of developing revenue streams to offset budget constraints. In Toronto, Canada, numerous applications have been made for the right to erect video advertising signs at downtown intersections and along urban expressways. An on-road eye movement study of 61 commercial signs along the downtown portion of the Gardiner Expressway had raised concerns about distraction due to video advertising (1). Significantly more glances and, even more important, significantly more glances that lasted $\frac{3}{4}$ s or longer were made to video signs than to

scrolling text, roller bar, or static billboard signs. The effectiveness of video advertising in attracting drivers' attention is no doubt linked to its attributes of movement and brightness, which make it more likely to be noticed by drivers. In addition, video advertising may retain driver attention longer because of the continuous stream of changing images, which are potentially more interesting to look at than static images. Given the greater attention-attracting qualities of video advertising signs, road authorities are understandably concerned about whether these signs constitute a driving hazard.

Although there is much concern about the impact of roadside advertising, there have been few studies in this area, and most of them are dated and deal with static billboards rather than video advertising, which could be expected to be much more distracting (2). A review of five such studies, all carried out between 1961 and 1965, concluded that the signs did not contribute to accidents (3): two studies showed no effect, two studies that did find an effect were subsequently discredited, and one found an effect but did not separate the conflicts arising from entering and exiting commercial premises from the distracting effect of the signs themselves.

At the request of the city of Toronto, a comprehensive assessment of traffic safety impacts related to video advertising signs was carried out in a series of five studies, each intended to answer specific questions, as follows:

- Study 1, eye fixation. Driver's eye movements were recorded as they drove past video signs located at three downtown intersections and along an urban expressway. This study addressed two questions: Do drivers look at video advertising signs and if so, how frequently and for how long? Do these glances occur at the expense of glances at traffic-related signs and signals, the speedometer, or rearview mirrors?
- Study 2, conflicts. A conflict analysis was undertaken at two of the downtown intersections, comparing conflicts on approaches where the video sign was visible (hereafter referred to as the video approach) with those on approaches where it was not (hereafter referred to as a nonvideo approach). The question addressed was, Does the distraction from video signs lead to an increase in conflicts that might indicate a deterioration in safety?
- Study 3, headways and speeds. Measures of headway and speed were obtained from loop detectors on an affected section of an urban expressway before and after the installation of a video sign. A control section was used for comparison purposes. The question addressed was, Does this distraction increase the frequency of short time headways or increase speed variance?
- Study 4, crashes. Collision frequencies and patterns on the video approach were compared with those on the nonvideo approach before and after the installation of video signs for the three downtown intersections. In addition, collision frequencies and patterns were analyzed

A. Smiley and T. Smahel, Human Factors North Inc., 118 Baldwin Street, Toronto, Ontario M5T 1L6, Canada. B. Persaud and C. Lyon, Department of Civil Engineering, Ryerson University, 350 Victoria Street, Toronto, Ontario M5B 2K3, Canada. G. Bahar, ITRANS Consulting Inc., 100 York Blvd., Suite 300, Richmond Hill, Ontario L4B 1J8, Canada. C. Mollett, Regional Municipality of York, 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1, Canada. W. L. Kelman, Transportation Services, City of Toronto, 100 Queen Street West, 23rd Floor, East Tower, Toronto, Ontario M5H 2N2, Canada.

Transportation Research Record: Journal of the Transportation Research Board, No. 1937, Transportation Research Board of the National Academies, Washington, D.C., 2005, pp. 105-112.

before and after sign installation for the video sign visible from the Don Valley Parkway (DVP). This study addressed the question, Are there indications of changes in collision patterns or frequency?

- Study 5, public survey. A survey at three downtown intersections determined whether the public perceived video advertising to have a negative effect on traffic safety.

STUDY SITE DESCRIPTIONS

There were four study sites, including three downtown intersections and one section on an urban expressway, for which video advertising signs were visible.

The three downtown intersection sites were all four-leg signalized intersections with two approach lanes in each direction and a posted speed of 50 km/h. In each case the video sign could be observed on two of the four intersection approaches but not on the other two. Figure 1 illustrates the site at Bay and College Streets.

The DVP site is a divided, controlled-access urban expressway, with three lanes per direction, paved shoulders, and a median barrier. The posted speed limit is 90 km/h. There is a video sign located off the freeway, which is the only commercial sign visible to northbound traffic. The driver's view of this sign is intermittently partially or fully blocked from view by buildings and overpasses. The best sign visibility occurs during a 5- to 7-s period before the driver passes the sign. Figure 2 is a map of the sign location and the affected DVP segment.

Table 1 shows the distance and time over which each video sign was visible as well as the distance and time over which the images on each video sign could be seen clearly enough to identify them; that is, they were legible.

STUDY 1: EYE FIXATION

The aim of the first study was to provide evidence concerning whether drivers looked at video advertising signs and if they did, how that affected their visual search related to other aspects of driving. The reasoning behind the study was that direct evidence of driver distraction would be required to substantiate any claim of changes in headways, speeds, conflicts, and crash frequencies as a result. Smiley et al. provide a full report on this study (4). The methodology and results are summarized in the following sections.

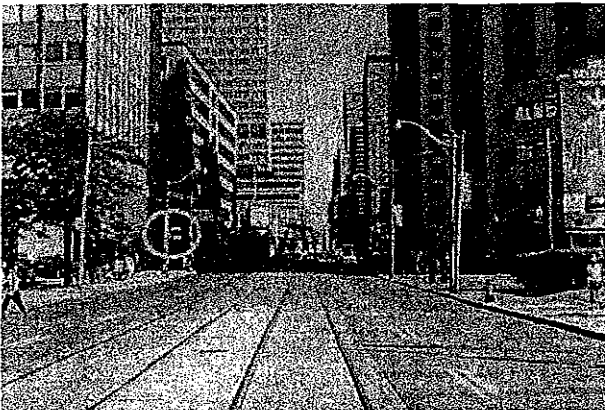


FIGURE 1 Video approach on Bay Street northbound toward College Street, Toronto (circle indicates location of video sign).

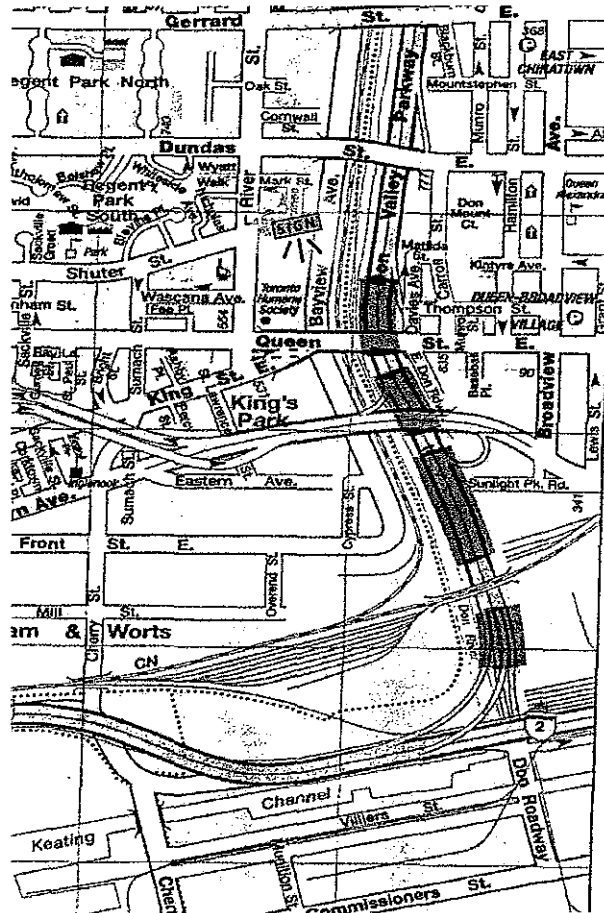


FIGURE 2 Location of DVP sign and affected DVP segment.

Methodology

Driver eye movements were recorded by using a head-mounted EL-MAR Vision 2000 eye tracking system for 16 subjects, aged 25 to 50 years, as they drove along the DVP past the single video sign and then through the three downtown intersections on both video and nonvideo approaches. Subjects drove a passenger vehicle equipped with a second brake and were accompanied by a driving instructor and researcher. To avoid influence on eye movement behavior, subjects were not told the true purpose of the experiment, only that the study would examine eye movement behavior in a variety of driving environments in Toronto. The study was conducted during the summer in dry conditions in the daytime between the hours of 1000 and 1400. The final data sample included eye movement recordings from 69 intersection approaches and 14 passes of the video sign on the DVP. Only glances that occurred while the vehicle was in motion were measured.

Results

The eye movement study indicated that the four video signs studied attract driver attention in that the probability of a driver's looking at the sign on a given approach was almost 1 in 2. The average glance

TABLE 1 Video Advertising Sign Legibility

Intersection	Direction	Distance Legible	Time Legible at Speed Limit	Distance Visible	Time Visible at Speed Limit
Yonge and Bloor (50 km/h)	EB*	190 m	13.4 s	260 m	18.7 s
	SB	180 m	13.0 s	400 m	28.8 s
Bay and College (50 km/h)	NB*	125 m	9.0 s	200 m	14.4 s
	WB	150 m	10.8 s	210 m	15.1 s
Spadina and Dundas (50 km/h)	SB*	190 m	13.4 s	690 m	49.7 s
	WB	180 m	13.0 s	660 m	47.5 s
DVP (90 km/h)	NB*	450 m**	18 s	820 m**	33 s

EB = eastbound, SB = southbound, NB = northbound, WB = westbound.

*Direction of travel for eye tracking analysis.

**Segments on which sign was obscured by overpasses were excluded.

length was 0.5 s, similar to those found in studies of traffic signs. In some cases glances at video signs were made unsafely, that is, at short headways (1 s or less), for long durations (1.47 s), and at large angles (up to 31 degrees) off the line of sight. Considering all four video signs, about one-fifth of the glances lasted longer than 0.75 s, the time that is considered to be equivalent to minimum perception–reaction time to the slowing of a vehicle ahead. A total of 38% of the headways measured during glances at video signs were less than 1 s. Almost one-fourth of the glances were at 20 degrees or greater off the line of sight. Since perception–reaction time to an unexpected event can take on the order of 0.75 to 1.5 s, glances at video signs at such angles and headways could result in drivers' not detecting the slowing of the vehicle ahead, a frequent event in congested downtown and DVP traffic, and not stopping in time. However, it must be noted that for the particular signs and sign placements in this study, glances at static signs (billboards and bus shelter ads) were made at even larger angles and more frequently at shorter headways than those at video signs. Furthermore, the longest glance recorded was for a static sign.

Although drivers looked at the video signs on almost half the occasions that they were present, the majority of glances were looking ahead at traffic, 76%. The next most prominent category was traffic signals and street name signs (7%) followed by pedestrians on the sidewalks (or distant from the road), who did not present a potential conflict with the driver (6%). Although there was a greater proportion of glances at commercial signs (static billboard plus video signs) on the video approach, this finding appeared to be due mainly to the lack of billboards on the nonvideo approaches at two of the three intersections. At the intersection of Yonge and Bloor Streets, a billboard that was visible on the nonvideo approach had been placed on the reverse side of the video sign and was roughly equivalent in size to the video sign. Although the video sign was on the same side of the road as the driver, the billboard was on the opposite side, and thus drivers had to look further off the line of sight to see the billboard. Despite this larger angle on the nonvideo approach, the billboard received almost twice the number of glances received by the video sign on the video approach.

No evidence was found that glances at video signs reduced the proportion of glances at traffic signs or signals. There was a trend toward a greater proportion of glances at mirrors or speedometers on the video approach. From the few occasions on which there were potential conflicts with pedestrians and cyclists, there is no evidence that drivers on the video approach were less likely to detect them.

Glances at video signs as compared with those at static commercial signs were associated with longer headways and were made closer

to the line of sight. Both findings indicate greater safety for video sign glances.

The most distracting sign, as indicated by the proportion of subjects who looked at it and the total number of glances made to it, was the sign at Bay and College Streets (see Figure 1). This finding was despite the fact that this sign was visible for the shortest time—about 70% of the time available at the other two downtown intersections. It was also smaller than the other signs, and subjectively the content was less entertaining. However, it was mounted lower, closer to the driver's line of sight (2 degrees off the line of sight vertically as compared with 5 degrees for the other signs), and was in a relatively less cluttered environment, making it much more conspicuous. However, it was further off the line of sight horizontally than the other two intersection signs (6 degrees versus 3 and 4 degrees), which would have been expected to discourage glances. Nonetheless it attracted the most glances and at the widest angles.

STUDY 2: CONFLICTS

If video signs distract drivers, it may be possible to observe an increase in the number of conflicts recorded on approaches with a video sign compared with those without such signs. Conflict studies were conducted at two of the intersections at which observations were made of driver eye fixations: Bay and College Streets and Yonge and Bloor Streets. Conflicts were examined in relation to three types of behavior as drivers approached the intersection:

- Braking without good cause,
- Unwarranted lateral lane displacements, and
- Delayed start on green.

All of these behaviors potentially lead to sudden decreases in headways, which in turn can lead to rear-end or sideswipe collisions.

Methodology

At each intersection, there were two video and two nonvideo approaches. The basis for selection of two approaches for comparison was that they were as geometrically similar as possible, so that differences in conflict rates could be attributed to the presence of the video sign and would not be influenced by differences in geometry.

Observers were placed on the video and nonvideo approaches at a distance of about 70 to 80 m from the intersection, which provided them with a clear view of vehicles approaching each intersection. These observers counted and recorded the number of brakings (without good cause) and lateral lane displacements in the center lane. (Because of the use of the curb lane for loading and unloading passengers, which could have compromised the reliable detection of conflicts, only vehicles in the center lane were observed.)

As a control for exposure, the total number of vehicles eligible to be counted if braking or unwarranted displacements took place was also counted so that the proportion of vehicles engaged in these behaviors on each approach could be recorded. In order to assess delayed starts on green, the time from the commencement of the green signal until the front wheels of the fifth vehicle in the queue crossed the stop line was measured, both for the video and nonvideo approaches. From initial observations, the sample sizes were large enough to detect a difference larger than 10% had such differences been present. Observations and measurements were conducted on weekdays in off-peak daytime periods during clear and dry weather conditions.

Four observers worked 15-min shifts followed by a 15-min rest break and rotated between the approaches. This schedule ensured that each observer received adequate rest and stayed alert throughout the data collection process. To avoid bias, the observers and their supervisor were blind as to the actual purpose of the study. They were told that the city was interested in gaining a greater understanding of driver behavior at signalized intersections.

Results

At Yonge and Bloor Streets, there was a significantly higher incidence, by 60%, of drivers who applied their brakes without good cause on the video compared with the nonvideo approach (19% versus 12%). In contrast, there was no significant difference at the $p < 0.05$ level in the extent of unwarranted lateral lane displacements or in the time it took for the fifth vehicle in a queue to cross the stop line after the commencement of green. At Bay and College Streets, no significant differences at the $p < 0.05$ level were found for any of the three observed behaviors.

Since the video and nonvideo approaches were geometrically similar and had similar speeds and pedestrian activity, the only reason that could be found for increased braking on the video approach at Yonge and Bloor Streets was the presence of the video sign.

STUDY 3: HEADWAYS AND SPEEDS

If video signs distract drivers, it may be possible to see the results on speeds and headways between vehicles on an affected segment. Some distracted drivers might slow, resulting in greater speed variability, or might allow unsafe headways to develop when they fail to detect the slowing of the vehicle ahead. To test this hypothesis, speed, flow (vehicles per hour passing a point), and occupancy (the percentage of time that the point is occupied by a vehicle) were compared before and after installation of the video sign visible from the DVP.

Methodology

Data were collected from one mainline traffic detector station in the northbound lanes of the DVP, from which the video sign could be seen, and compared with data from a detector station suitable as a control in the southbound lanes, roughly opposite the northbound detector

station. The sign was activated in April 2001. The before-and-after months compared were

1. May 2000 compared with May 2001 (immediately after activation) and
2. May 2000 compared with May 2002 (one year after activation).

For each set of data, 20-s averages of speed, flow, occupancy, and average vehicle length in the median lane (Lane 1) were calculated. Observations during congested periods were removed since congested operation would be unlikely to be affected by the sign. Congested periods were identified on the basis of low speed (< 60 km/h), high occupancy ($> 30\%$), or both. Periods with bad or missing data were also removed.

Results

Before-and-After Speed and Occupancy Comparisons

Before-and-after comparisons of average speed, occupancy, and their standard deviations were made by calculating the ratio of the after-period measure to the before-period measure, adjusted for changes in these measures at the control site (i.e., the southbound detector station). Thus a ratio of more than 1 indicates an increase in a measure after sign installation, and vice versa. The results indicate a minor decrease in mean speed (i.e., ratio < 1) for most flows when May 2001 and May 2002 (after installation) are compared with May 2000 (before installation). This finding was accompanied by a corresponding increase in mean occupancy for these same comparisons and an increase in the standard deviation of speed for most flow levels (i.e., ratio > 1). A decrease in speed may be anticipated to improve safety; however, the increase in mean occupancy (i.e., decreased headway) and increased speed variance would likely lead to a decrease in safety.

Proportion of High 20-s Flows in Time Period

For the morning and afternoon peak periods and the northbound and southbound directions separately, the average flow and proportion of 20-s flows above a certain level (2,340 vph) were computed. These are indicators of dangerous headways (inverse of flow, i.e., < 1.5 s). The results indicate an increase in the proportion of northbound (video approach) high flows when May 2001 and May 2002 are compared with May 2000. However, this increase was matched by an increase in this measure for the southbound (nonvideo) direction unaffected by the sign and so could not be attributed to the sign.

The results of the speed-flow-occupancy analysis are inconsistent and therefore inconclusive. The results of high-flow (short-headway) analysis do not support the indications from the speed and occupancy analysis of a possible deterioration in safety and operations. The negative impacts suggested by the speed and occupancy analysis are also not supported by the results of the collision analysis presented next.

STUDY 4: CRASHES

If drivers are distracted by video signs, they may slow or they may be delayed in responding to the vehicle ahead, resulting in an increase in collisions, particularly rear-end collisions. Collision frequency and pattern data were analyzed for the three downtown intersections with

video signs and for the DVP section on which a single video sign is visible.

Downtown Intersection Sites with Video Signs

Methodology

The methodology employed for the three downtown intersection sites was a before-and-after study using the approaches on which the signs are not visible to control for changes in safety that may be unrelated to the video sign. The before and after periods for each location were as follows:

Intersection	Before Period	After Period
Yonge-Bloor	Jan. 1996 to Nov. 1999	Jan. 2000 to Oct. 2002
Bay-College	Jan. 1996 to Dec. 2000	Feb. 2001 to Oct. 2002
Spadina Ave.- Dundas St.	Jan. 1996 to Nov. 2000	Jan. 2001 to Oct. 2002

Construction records were reviewed, and they indicated no significant activity during the analysis period that may have affected the results.

Collisions were identified as related to the video approaches if at least one vehicle in the collision originated on either of those approaches. All other collisions were assigned to the comparison (nonvideo) approaches.

The empirical Bayes methodology was used to properly account for the effects of traffic volume changes by using safety performance functions that relate crash experience to the average daily traffic (ADT) entering an intersection. These safety performance functions were available from previous studies done by the city. The methodology for combining data to get an average effect over the three intersections was the weighted log odds ratio. Significance tests at the 5% level were performed on the log odds ratios calculated. The average effect

cited is the exponent of that ratio and is also stated in terms of a percent increase or decrease. For example, an effect of 1.006 indicates a percent increase of 100 (1.006 - 1), or 0.6%.

Results

Table 2 shows total, injury, and rear-end collisions before and after sign installation on the affected (video) and comparison (nonvideo) approaches, together with the average effect for the three intersections considered together. Overall, there was no effect on total collisions (0.6% increase on video approaches). There was a nonsignificant 43.2% increase in injury collisions. For rear-end collisions there was a nonsignificant 12.9% increase on approaches where the video sign was visible. None of the results is statistically significant ($p > 0.05$) because of the small sample size of collisions.

Considering collisions at individual intersections, results at two of the three intersections (Spadina-Dundas and Bay-College) are indicative of an increase in rear-end as well as total collisions on the video compared with the nonvideo approach. The former is statistically significant ($p < 0.02$, effect not shown). However, the results at the third intersection, Yonge and Bloor, show a nonsignificant decrease in total and rear-end collisions.

Further analysis of the Yonge and Bloor Streets sign was carried out with an expanded database that added the intersection collisions to those classified as midblock for which at least one vehicle was heading toward the intersection. The motivation for this analysis was that the sign at the Yonge and Bloor Streets intersection, because of its height, may encourage looks from a greater distance back from the intersection than the sign at Bay and College Streets. (Indeed, a subsequent analysis of the angle and distance at which the glances were made confirmed this supposition.) The further analysis did not materially alter the conclusions in that the effects were in the same direction (increase or decrease) when the within-block effects were compared

TABLE 2 Total, Injury, and Rear-End Collisions Before and After Sign Installation

Intersection	Months Before	Months After	Direction	Affected Approaches		Direction	Comparison Approaches	
				Collisions			Collisions	
				Before	After		Before	After
Total collisions								
Bloor and Yonge	47	34	SB;EB	32	24	NB;WB	26	29
Bay and College	60	21	NB;WB	28	11	SB;EB	13	4
Spadina and Dundas	59	22	SB;WB	43	23	NB;EB	38	14
Average effect* = 1.006 (0.6% increase – <i>p</i> -value = 0.9681 – statistically insignificant)								
Injury collisions								
Bloor and Yonge	47	34	SB;EB	9	10	NB;WB	6	6
Bay and College	60	21	NB;WB	13	7	SB;EB	5	3
Spadina and Dundas	59	22	SB;WB	9	8	NB;EB	10	3
Average effect* = 1.432 (43.2% increase – <i>p</i> -value = 0.1806 – statistically insignificant)								
Rear-end collisions								
Bloor and Yonge	47	34	SB;EB	11	6	NB;WB	12	15
Bay and College	60	21	NB;WB	2	6	SB;EB	3	3
Spadina and Dundas	59	22	SB;WB	12	9	NB;EB	12	3
Average effect* = 1.129 (12.9% increase – <i>p</i> -value = 0.6527 – statistically insignificant)								

*The average effect is for all three intersections combined. It is the exponent of the weighted log odds ratio.

with those effects based on the city-classified intersection-related collisions.

DVP Before-and-After Crash Analysis

Methodology

The methodology employed to analyze before-and-after collision data was a before-and-after study using a comparison group to control for changes in safety that may be unrelated to the video sign. Safety performance functions were not available to do a formal empirical Bayes analysis as was done for the downtown intersections. The before period was January 1996 to March 2001. The after period was May 2001 to October 2002.

The video segment is northbound on the DVP from Eastern Avenue to 160 m north of Queen Street with the sign located as shown (see Figure 2). Three different potential nonvideo, southbound DVP comparison segments were used: Queen to Dundas, Eastern to Queen, and Eastern to Dundas. The most appropriate is Eastern to Queen since the other two include the Eastern-Richmond exit diverge, which is likely to increase collision frequency.

Collisions identified by the city as interchange-related and those that did not occur on the DVP but were not identified as interchange (i.e., those that occurred on ramps or on overpasses) were excluded from the analysis. Because of the short after period and the small number of collisions, the analysis only considered changes in collisions overall and did not separate out individual collision types, as was done in the analysis of the downtown intersections.

Results

As can be seen from Table 3, total collision frequency remained unchanged and there was a negligible increase in injury collision frequencies on the video approach based on the most comparable section, that is, the comparison between Eastern and Queen.

There were large decreases in collisions on the video approach based on the two other comparison groups, but the effects have large

standard errors and are insignificant at the 5% level except for those for total collisions using the southbound Queen to Dundas segment as the comparison group. As mentioned earlier, this is not the most appropriate comparison group in that it includes a ramp diverge, a feature not present on the video segment.

STUDY 5: PUBLIC SURVEY

Methodology

A questionnaire was designed to survey the public with respect to their opinions on the safety of video advertising signs. A total of 152 persons were surveyed: 94 men and 58 women. Of the total, 37 were 18 to 29 years old, 90 were 30 to 55 years old, and 23 were over 55. (Ages for two subjects were not recorded.) Participants were approached at the three downtown intersection sites where video signs were installed.

Results

With respect to the impact of video signs on driver attention to pedestrians or cyclists, 65% of those surveyed said that these signs have a negative effect. With respect to video advertising signs in the downtown area, 59% said that as a driver, their attention is drawn to such signs and 49% of those indicated a negative effect on driving safety. With respect to these signs on the Gardiner Expressway, 59% said that as a driver, their attention is drawn to these signs and 44% of those indicated a negative effect on driving safety.

With respect to restrictions on video advertising in the interest of traffic safety, 86% of subjects said there should be such restrictions. Participants were offered sample restrictions, including "not on highways," "not at intersections," "light level at night," and "other." Of the total, 73% said that video signs should not be placed at intersections; 62% said the signs should not be on highways.

Given the small sample, a surprising number of drivers had experienced near-collisions—nine out of 152—and two had experienced rear-end collisions that they associated with video advertising signs.

TABLE 3 Before-and-After Collision Analysis of DVP Segment Possibly Affected by Video Sign for Total Collisions and Injury Collisions

Section	Before Period Collisions (Jan. 1996 to March 2001)		After Period Collisions (May 2001 to Oct. 2002)		Ratio of After to Before, Normalizing for Differences in Before and After Period Length		"Effect" for Affected Segment Using Specific Comparison Group (standard error) (<i>p</i> -value)	
	Total	Injury	Total	Injury	Total	Injury	Total	Injury
NB affected segment	50	16	10	4	0.700	0.875	n/a	n/a
SB comparison (Eastern to Dundas)	140	41	39	10	0.975	0.854	0.682 (0.253) [0.2088]	0.864 (0.481) [0.7772]
*SB comparison (Eastern to Queen)	62	19	11	3	0.621	0.922	1.000 (0.423) [1.000]	1.093 (0.631) [0.8831]
SB comparison (Queen to Dundas)	78	22	28	7	1.241	1.114	0.552 (0.370) [0.1163]	0.628 (0.355) [0.2946]

Shaded results are statistically significant ($P < 0.05$).

*Most appropriate collision comparison.

Participants were asked to rate various driver distractions on a scale of 1 to 7 (1 = not at all distracting, 7 = very distracting to drivers). Video advertising signs were rated at 3.7, higher than billboards (2.1) but close to the same as road construction (4.0) and lower than in-car cell phone use (5.6) in terms of distraction.

DISCUSSION OF RESULTS

A wide range of methods was used to address the question of whether drivers are distracted from the driving task by video advertising signs and whether that distraction has subsequent impacts on headways, speeds, conflicts with other vehicles, and crashes.

With respect to whether drivers were distracted while their vehicles were in motion, eye movement results suggest that a substantial proportion of drivers will look once or more at a given video advertising sign, on average half at the downtown-intersection signs and a third at the sign on the DVP. Clearly, some video signs are more distracting than others. An earlier study of commercial signs on the Gardiner Expressway (1) in Toronto (see Figure 3) found that one of the video signs attracted on average 5.1 glances per exposed subject, considerably more than the 0.9 glance per exposed subject for the DVP video sign. The longest glance at the Gardiner Expressway video sign lasted 3.2 s compared with 1.1 s for the DVP sign. Compared with the DVP sign, the Gardiner Expressway video sign was visible and legible for considerably longer (84 s versus 38 s visibility and 24 s versus 18 s legibility at the speed limit of 90 km/h), had an uninterrupted view, and, most important, was on a curve so that it appeared close to the center of the driver's line of sight for about 24 s during the approach.

The number of glances per individual video sign was small, and so statistically significant differences in looking behavior were not found. The most distracting sign as indicated by the proportion of subjects who looked at it, the total number of glances made to it, and the fact that it attracted glances farthest off the driver's line of sight was the sign at Bay and College Streets. This finding was despite the fact that this sign was smaller than the other two signs, had subjectively less interesting content, was farther off the line of sight horizontally than the other two intersection signs (6 degrees versus 3 and 4 degrees), and was visible for the shortest time (9 s at the speed limit or about two-thirds of the time available at the other two downtown intersections). In terms of attention-attracting advantages, this sign was mounted lower, was closer to the driver's line of sight (2 degrees off

the line of sight vertically as compared with 5 degrees for the other signs), and was in a relatively less cluttered environment, making it much more conspicuous.

While glancing at the Bay and College Streets sign, one subject looked at an angle of 31 degrees while traversing the intersection. It would be difficult to detect the slowing of a vehicle ahead while looking at such an angle.

Conflict studies were made at two downtown intersections. Only one conflict measure showed a significant difference between the video and nonvideo approaches; however, the effect was sizeable. At Yonge and Bloor Streets, the incidence of drivers applying their brakes without good cause was significantly higher (by about 60%) on the video approach. There were no statistically significant increases in conflicts at the Bay and College Streets intersection, despite the fact that this sign appeared to attract a higher proportion of glances, longer glances, and glances at wider angles than the sign at Yonge and Bloor Streets.

The results of the collision analysis for the downtown intersections were insignificant and inconsistent. Also, the direction of effect did not support the conflict study analysis in that collisions decreased on the video approaches after sign installation at the Yonge and Bloor Streets intersection.

For the DVP segment affected by the video sign there was no consistency between the results for the two sets of analyses conducted (headway-speed-occupancy and collision).

The results of the public survey showed that 65% of those surveyed perceived a negative impact of video signs on safety due to driver distraction. Given the small sample, a surprising number of drivers had experienced near-collisions (nine out of 152) and two had experienced rear-end collisions that they associated with video advertising signs. Video advertising signs were rated close to the same as road construction in terms of distraction. This finding is a concern given that road construction is associated in many studies with an increase in crashes (5).

CONCLUSIONS

On the basis of the five studies reported here and the amalgamation with the results of an earlier study of eye movements for a video sign on the Gardiner Expressway, it cannot be concluded at this time that video advertising signs are either safe or unsafe. The eye fixation study, which was carried out with a relatively safe group of drivers in the daytime, showed that on average, with respect to number and duration of glances, advertising signs were responded to in a similar manner to traffic signs. Nonetheless, there were individual examples of unsafe behavior associated with glances at signs.

The conflict study showed evidence of unsafe behavior at one of the two intersections studied. Although the collision study also found evidence of unsafe behavior, the negative impacts were not found at the same intersection where conflicts were significantly higher for the video approach.

The headway-speed-occupancy and collision analyses for the DVP segment that was affected by the video sign show nonsignificant and inconsistent impacts on safety. Longer after periods would be desirable for a more reliable examination of changes in collision frequency.

The public survey indicated that a majority of drivers believed that video signs negatively affect driving safety, a surprising number given the size of the sample that had experienced near-collisions or collisions that they attributed to distraction by video signs.

Although the evidence is by no means clear cut in one direction or the other, it is intuitively obvious that any distraction during the



FIGURE 3 Distracting video sign (5.1 glances per exposed subject) westbound on Gardiner Expressway, Toronto (1).

driving task within a busy environment increases the level of risk. On the basis of the eye fixation study and the public survey data, it is apparent that video advertising can distract drivers inappropriately, leading to individual crashes. However, the evidence from the headway and speed, conflict, and crash studies was not consistent as to the traffic safety impact, suggesting that for the particular signs studied, overall impacts on traffic safety are likely to be small. Further study with larger crash data sets are required to be certain. In addition, a prospective before-and-after safety study may be more definitive in that it would be possible to compare before- and after-installation conflict rates and to try to better control for the effects of changes in safety due to other factors.

A comparison between this study and an earlier one suggests that there may be large differences in driver distraction dependent on the placement and environment in which the sign is seen. Therefore, it was recommended that the city adopt a cautious approach to allowing additional video signs at this time. Further eye fixation studies are required to determine design and placement factors that keep driver distraction to a minimum.

ACKNOWLEDGMENTS

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Departure Bay Neighbourhood Association

2730 Elk Street, Nanaimo, BC V9S 3T9

October 23, 2009

To: Mayor and Council
City of Nanaimo

Re: Upgrading of the Existing Beach Walkway Departure Bay

As deliberations will be starting soon on Nanaimo's 2010 budget, the Departure Bay Neighbourhood Association would like to remind City staff and Council of a previous agreement to include upgrading of the existing Departure Bay beachfront walkway in the 2010 Capital program.

The existing paved surface has a severe cross slope which makes walking very difficult for those with even minor mobility problems, and for many elderly residents. The need to improve the walkway was identified as a significant Action Item in the Departure Bay Neighbourhood Plan, which was adopted by City Council in 2006. The type of improvements envisaged in the Plan include levelling of the existing asphalt surface, and associated improvements to the overhead lighting, railings and stairs to the beach.

The Neighbourhood Association made a presentation to the Parks Commission in June 2007, encouraging the Commission to consider such a project under the Parks program. Following an assessment of the project by Staff, the Commission included it as part of the 5 year capital program. Specifically it was identified as a project to be undertaken in 2010.

The Neighbourhood Association would like to request Staff and Council to proceed with this project in the coming year. We would also encourage City staff to meet with the community early in the design process, to allow an opportunity for meaningful input into the project details.

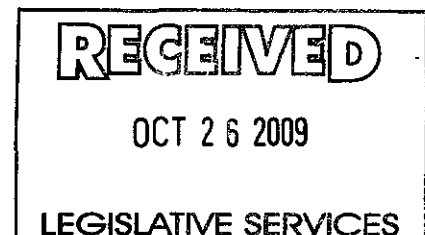
Yours truly,

Penny Bent

President, Departure Bay Neighbourhood Association

Cc: Richard Harding, Director Parks, Recreation and Culture

e-mail: pennybent@hotmail.com
Phone: (250) 751-8261



☐ Council
☒ Committee *FR.COW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2009 NOV 02*



REQUEST TO APPEAR AS A DELEGATION

ON 2009 - NOV - 02
year month day



COUNCIL

(at 7:00 p.m. in the Shaw Auditorium, 80 Commercial Street)



FINANCE / POLICY COMMITTEE OF THE WHOLE

(at 4:30 p.m. in the City Hall Board Room, 455 Wallace Street)

NAME OF PERSON MAKING PRESENTATION: <u>KRISTINA BROW, QUINN FRAME</u> <u>TINA BRAY & JENNY HASKINS</u>			
* Print			
ADDRESS:	street address	City	Province Postal Code
PHONE:	home	business	FAX:
NAME OF APPLICANT IF OTHER THAN ABOVE:			

DETAILS OF PRESENTATION:

We are fourth year nursing students from Vancouver Island University, and we are focusing on community development and sustainability in our program. Car seat safety has been identified as a community need, and we have recently been certified by the Justice Institute as Certified Car Seat Safety Technicians thus meaning we are now authorized to hold car seat checks and clinics in the community. With us nearing the end of our program and moving on from this initiative, there will again be a need for education in the community. We feel the need to meet with you and council to hear your suggestions and feedback. We would also like to share with you some of our ideas to make this a sustainable program in the City of Nanaimo.

PLEASE NOTE

- **Electronic presentations** must be provided on a CD or by e-mail no later than 9:00 a.m. the day of the Meeting.
- Please submit a written copy of your presentation to the Recording Secretary either at, or prior to, the Meeting.
- **Multiple speakers** on a single issue or topic shall be given 5 minutes each to make their presentations as per Section 18 of the Council Procedure Bylaw.