

## **ATTACHMENT C**

### **Technical Comments**

**Accessibility** – Circulated

**Agreements Coordinator** – Circulated

**Building Inspector** – An animated sign (LED display) was installed without the benefit of a sign/building permit prior to 2024. A complaint was received in 2024 in regards to the brightness of the sign. Building department staff received a sign and building permit application on April 22, 2024. A sign and building permits were not issued at the time, as the property is zoned residential, and illuminated signs are not permitted in the residential zone. The surrounding properties are predominantly residential use. Since the animated sign is affecting the neighbours, the sign bylaw section 4.9 applies.

Sign By-law 2009-66: Section 4.9 All illuminated signs shall be so constructed as to direct light away from any adjacent residential use.

\*\*\*The use “Outdoor patio and café “ is a defined term in the zoning by-law. This use is not permitted in the Community Institutional (IC) Zone. It would need to be added through a special provision. \*\*\* In addition, is a site plan approval required to allow the addition of the patio. This would be consistent with other outdoor patios in Norfolk County. i.e. the patio at Wild Wings, or is a special event permit required for each event.

**By-law Services** – The letter from Bylaw to the Port Dover Legion forwarded to the Port Dover Legion explains our position on this fairly clearly.

For clarity, the Port Dover Legion at 208 Market sits in the middle of an otherwise exclusively residential use neighbourhood, with approximately 60 dwellings located within a 1 block radius.

The Legion received complaints from nearby residents in 2024 who reported to Bylaw that they were ignored when they asked for the music volume to be reduced. In at least one case a band is alleged to have increased the music volume and taunted a nearby resident over the speaker system when they were asked to turn it down. A review of video taken from one event verified the excessive volume.

Bylaw is taking the position that one of the specific intentions of the Noise bylaw enacted by Council was to prohibit electronically amplified sound in residential areas of the County. In this case, rezoning would permit a nuisance issue in an area of otherwise exclusive residential use, with the closest dwellings located just 30 metres from the Legion patio where the amplified music would emanate. As per the Noise bylaw, residents should be afforded the right to enjoy their own properties without the likelihood that amplified sound would “*disturb the quiet, peace, rest, enjoyment, comfort and convenience*” of their property. Potential violations will also be virtually impossible for Bylaw to investigate as they will, according to page 10 of the Application, be taking place after business hours on Tuesdays and on Sundays, both times when Bylaw

officers are not working. This will in all likelihood lead to the OPP having to intervene if there is a noise issue.

Based on this, Bylaw does not support the Port Dover Legion parking lot being rezoned from R2 to Community Institutional use.

**Canada Post** – Circulated

**Development Engineering** – Development Engineering has reviewed the application to re-zone the lands from R2 to IC. The proposal does not suggest the addition of buildings or structures. The proposal seeks to allow (as indicated in the application) for the use of the parking lot for uses other than a parking lot. Depending on the size of space being used for something other than parking, such use may result in a temporary loss of on-site parking and an increase in demand for off-site parking. Given this potential it may be appropriate to include special provisions within the rezoning to specify an on-site parking target or to define the maximum allowable space for events/patios so as to preserve a level of on-site parking.

**Enbridge Gas** – Circulated

**Norfolk Fire** – Circulated

**Norfolk GIS** – Circulated

**Paramedic Services** – No comments from Paramedic Services

**Realty Services** – Circulated

**Zoning Administrator** – Circulated

Any further Technical Comments will be updated at either Public Hearing Committee or Council.