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# Blinded by the lights: New Vancouver bylaw takes dim view of 'nuisance lighting'

*"People are telling me about losing sleep, it's having impacts on their mental and physical health," Green Coun. Adriane Carr said about light pollution.*

(Dark sky)

Vancouver's bylaw regulating "untidy premises" has been amended to include private property with nuisance outdoor lighting that interferes with neighbours' peace and enjoyment of their own homes.

The amendment, which council passed last week, bans any outdoor light fixture that "casts light directly" into a neighbour's window, or lighting that "unreasonably disturbs the peace, rest, enjoyment, comfort or convenience" of the neighbouring property's occupants.

In recent years, Vancouver has had a "proliferation" of the newer style of electronic lights that use light-emitting diodes or LEDs. They are fairly inexpensive and easy to install, according to a staff report that came to council in July. In the increasingly dense city, there has been a "significant increase in the amount of decorative outdoor lighting installed on private property," the report says, which can have a "negative impact on neighbouring properties."

Denise Johnson has lived in the East Fraser Lands in southeast Vancouver for 22 years, and says nuisance lighting only became an issue for her last year, when a new townhouse development was built across the street from her.

"You would not believe the intensity of these LED lights. They're incredible," Johnson said. "It's definitely affecting my health, my stress level is through the roof. ... This is not going away. I can't live like this."

Johnson hopes the bylaw amendment will help. But she worries the problem might continue.

"There's a reason why exposing humans to bright unshielded light is a universally recognized method of torture. Because it's extremely effective, it damages your mental health and your physical health," she said. "It's just causing me so much anxiety, and I'm sure I'm not the only one."

Johnson has been trying since last year to resolve the situation, speaking to the building's architect, managers and residents, but the problem persists. Earlier this month, she connected with Green Coun. Adriane Carr and raised her concerns.

"Light pollution is an incredibly important issue to many people," Carr said. "People are telling me about losing sleep, it's having impacts on their mental and physical health."

Often, Carr said, these problems come up in newer buildings with electronic LED lights in neighbourhoods where multi-family buildings are close together. It has become more of a concern as more of the city's neighbourhoods become more dense.

Future buildings will also be subject to new requirements, as outlined in an amended building bylaw passed in July, which revised exterior lighting requirements to "further reduce nuisance lighting and light pollution."

The city was not able to immediately provide data on the number of complaints about lighting in recent years, but the staff report notes there were at least 59 reports of lighting complaints to the city's 311 line between 2015 and 2017, including complaints about houses and condo towers.

The amended bylaw takes effect Nov. 1, shortly before many residents will be putting up their Christmas lights.

But the new rules shouldn't affect most regular Christmas lights, chief licence inspector Kathryn Holm said. The city's report illustrates the kinds of "poorly designed light fixtures that produce glare and light trespass," including unshielded floodlights, wall-mounts or "period-style fixtures."

If residents aren't able to address concerns about light complaints directly with their neighbours, Holm said, they can contact the city, whose bylaw officers will first try to resolve the situation without enforcement. In many cases, property owners with nuisance lights will be happy to fix the problem with the installation of shields or dimmers, Holm said, and bylaw enforcement might not be necessary.

People found in contravention of the untidy premises bylaw could be subject to fines ranging from \$250 to \$10,000 per offence, per day.

"We never try to jump to using our enforcement tools as the way to resolve a matter, we will always try to facilitate a conversation," Holm said. "But this now gives us a tool to formalize our authority over advancing any enforcement if we find we need to, in a particularly egregious situation. Right now, we have no tools to address it."

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# Bylaw changes will regulate 'nuisance' outdoor lighting

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Brantford, Ont.  
Canada

(Dark Sky)

Brantford councillors have endorsed changes to the city's property standards bylaw making "nuisance outdoor illumination" an offence.

Coun. Richard Carpenter said it will "put some teeth" into enforcement when excessive light from a residence is bothersome for neighbours.

“I’ve had several complaints about light being illuminated into someone’s bedroom and they couldn’t sleep most nights,” said Carpenter.

Coun. Dan McCreary initiated the change last December when he asked city staff to prepare a report considering a bylaw amendment.

“This came about as a result of some complaints in Ward 3, including a family that lived on Coachwood who could read the newspaper at night in their abode because of the light that was spilling from a property way across the road.

“For that citizen, and for other citizens, the frustration level was extreme because we really didn’t have the tools with which to deal with offenders.”

The number of complaints to the city’s bylaw department related to excessive light use increased from eight in 2021 to 22 in 2022.

Dave Wiedrick, the city’s director of property standards and bylaw, said the brightness of lights has advanced in recent years to provide more options for energy efficiency and price. He said light from incandescent bulbs produce warmer yellow and amber tones while LEDs give off harsher white and blue tones.

Gwen Chapman, a member of the Butterflyway Program, said bright lighting is affecting moths and other flying insects who lose their sense of direction, “can’t find food and end up dying.”

Chapman said businesses and homeowners who “decide they need to light their properties so that people on the space station can see their buildings” also impacts animals who hunt after dark and their prey.

Chapman said the south side of her house is lit 24/7 by a neighbour.

“I walk into the bathroom in the middle of the night and I’m blinded by the lights on the house next to me. “This affects people’s sleep and livelihood and it’s not fair.”

The bylaw changes will regulate the spread of light. Wiedrick said even with light fixtures pointing to the ground, the glare’s intensity is sometimes “still great enough to reduce a viewer’s ability to see, and even sometimes enough to produce a sensation of discomfort.”

Wiedrick said many other municipalities, including Toronto, Mississauga, Vaughan, Niagara and Grimsby, have lighting restrictions.

Under the bylaw changes, those with nuisance lighting could be asked to install a shield around the light so that is directed only on the owner’s property and not adjoining properties.

“If the glare is trespassing onto neighbouring properties, shields have to go up,” said Wiedrick.

“For many people, the lights they have around their home are very important for community safety but I think this strikes the right balance,” said Coun. Mandy Samwell.

In addition to enforcement, Weidrick said education “would be a great tool to manage the number of complaints that are received.” A page on the city’s website will outline the bylaw changes and how they will be enforced, and social media campaign will be launched.

Final approval of the changes is required at a council meeting later this month.

# Modern Property Standards should account for light pollution: Aurora Council

Light pollution and noise could be two factors coming under increased scrutiny in a modernized Property Standards Bylaw for Aurora.

By Brock Weir, Local Journalism Initiative Reporter The Auran

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READ THE CONVERSATION



Light pollution and noise could be two factors coming under increased scrutiny in a modernized Property Standards Bylaw for Aurora.

Council set the wheels in motion on a revised bylaw last week following a motion from Councillor Rachel Gilliland who said after 22 years and a “drastically” changed landscape, it was time to bring the bylaw into the twenty-first century.

“My investigation was initiated by concerns of light pollution,” said Councillor Gilliland, after reading a letter of support from a constituent who shared these concerns over light pollution. “A lot of this has been caused by the new technology of LED lighting and I have also been approached by residents who have concerns about exposed garbage receptacles in view by residential areas and vehicles parking on front lawns or creating new parking pads on their front lawns.

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fter discussions with staff, they agreed [that] with the emergence of brighter LED lights and other growth in technologies that we could really benefit from a review... and I discovered this hasn't been dusted off since 1999. A lot has changed in Aurora over the last 22 years. We've seen an increase in residential homes, multi-level development and business growth, so I kind of feel now is an opportune time in which staff can review the Property Standards bylaws to reflect our growth and modernization. It is not just limited to the lighting pollution this resident specifically spoke of, but there are many different avenues such as retaining walls, driveway delineation, and I could go on and on. Needless to say, this is just to really modernize the bylaw [so that] it reflects our growth and modernization."

First out of the gate to support the motion was Councillor Sandra Humfryes who said the "timing was right" to review policies overall, but with particular emphasis on light pollution.

"I had a resident who has a small bungalow alongside a home that was just built [at] two storeys and the lights are often left overnight and lighting into their homes," she said. "It is causing them some grief, so I appreciate this motion and am looking forward to hearing what staff have to say."

Agreed Councillor Harold Kim: "It deserves a much-needed review given how much time has passed. Certainly, in my seven years on Council, there are instances where certain property standards needed to be reviewed."

Similarly, Councillor Wendy Gaertner was in support of the motion, citing both light pollution and noise as top priorities.

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“In the past, sometimes we have put the onus on the residents that are disturbed by the light to get better screens or X, Y and Z. It really shouldn’t be up to the residents and...there is no reason they should be disturbed by neighbours’ lights and it can also be a privacy issue.”

Mayor Tom Mrakas added that while he supported the motion, he wanted to make sure whatever came back for Council’s review had teeth.

“Maybe it is within the report that does come back within that Property Standards bylaw [that staff] could maybe add a little piece talking about whether we move towards a more proactive approach when it comes to property standards and just what that would entail from a Council perspective,” he said.

Techa van Leeuwen, Aurora’s Director of Corporate Services, said her department would “like to do a comprehensive review” of the bylaw as it is “outdated” and what will come back will be “enforceable.”