

ITEM	9
MANAGER'S REPORT NO.	65
COUNCIL MEETING	Oct. 18/76

Re: LETTER FROM MR. FRASER WILSON THAT APPEARED ON THE AGENDA  
FOR THE OCTOBER 12, 1976 MEETING OF COUNCIL  
SIGNING

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Appearing on last week's agenda was a letter from Mr. Fraser Wilson of Commonwealth Displays Ltd. regarding a sign that his firm had produced for Ron Dawson and Associates who are located in the Old Orchard Shopping Center. The letter was addressed to the Chief Building Inspector with a carbon copy to Council.

Attached is a copy of the reply that the Chief Building Inspector has sent to Mr. Wilson.

This is for the information of Council.

\* \* \* \*

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## THE CORPORATION OF THE DISTRICT OF BURNABY

BUILDING DEPARTMENT

MUNICIPAL HALL  
4949 CANADA WAY  
BURNABY B.C. V5G 1M2

October 8, 1976.

Commonwealth Displays Ltd.,  
4531 East Hastings Street,  
Burnaby, B.C.  
V5C 2K3

Attention: Mr. Fraser Wilson

Dear Sir:

We note from your letter of October 4 that you have a copy of our letter of August 19, 1976, to Ron Dawson & Associates Ltd. Perhaps it would be helpful to all concerned if you had a copy of our letter of July 7 to that same firm, and a copy of Ron Dawson & Associates Ltd. letter of July 14 to Commonwealth Displays Ltd. Please find copies of said letters attached.

You state in your letter of October 4 that Commonwealth Displays Ltd. produced a fascia sign for Mr. Dawson in January this year, and arranged with a licenced sign erector to place the sign on the wall of his premises. Mr. Dawson, in his letter of July 14 to Commonwealth Displays Ltd., states: "...As you custom-made and erected the sign, we feel confident such would conform to particular bylaw and that you would have obtained the necessary permit." Perhaps you could clarify this apparent conflict of information about actual placement of the sign on premises of the Old Orchard Shopping Centre.

Your letter goes on to ask for bylaw section reference: "...that would allow the granting of a permit to a sign facing Kingsway, as you suggest in your letter, yet not permit the placing of our sign on Grange Street."

Would you, sir, please examine our two letters of July 7 and August 19 to Ron Dawson & Associates Ltd. as no reference "...to a sign facing Kingsway..." is contained in either of the said letters.



Commonwealth Displays Ltd.

October 8, 1976.

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As to your enquiry for bylaw reference for the sign(s) placed on premises of the Old Orchard Shopping Centre, and able to be viewed from Grange Street, we would first direct you to Burnaby Zoning Bylaw No. 4742, Section 7.3 (1) and (2)(d), copy attached.

The Burnaby Sign Bylaw No. 6163 operates in conjunction with the Zoning Bylaw, and in practice requires an application being made to the Director of Planning for preliminary plan approval for the placement of a sign on a property where the bylaw requires a permit to be issued for such sign. The Burnaby Zoning Bylaw sets out regulatory controls of development in the municipality, including placement of signs. The Sign Bylaw extends the regulatory control of the Zoning Bylaw by setting forth the particular technical or special matters pertinent to signage in the municipality.

Further to your question about your client's sign(s) in the Old Orchard Shopping Centre, the entire centre is, as you say, in a C3 zone. The Sign Bylaw operates through the establishment of Schedules and Supplementary Regulations. Commercial properties in C3 zoning districts are regulated for signs through Schedule V of the Sign Bylaw. Schedule V allows all signs covered in Schedule I, but the Schedule I signs are not pertinent to the question at hand.

You will note in sentence 1 (2) of Schedule V, see copy attached, the other signs permitted in the C3 district, namely:

Two business signs,  
or one business sign,  
plus  
one non-accessory canopy,  
or facia,  
or freestanding,  
or projecting,  
or roof sign,

fronting each street bounding the property on which the sign is located...

On the north walls of the Old Orchard Shopping Centre premises, fronting on Grange Street, we find one business sign over the arcade entrance from Grange Street into the shopping centre reading:

"The Old Orchard"

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October 8, 1976.

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We also find one business sign reading:

"Bowl  
Old Orchard  
Lanes"

Therefore, the allowance for signage as expressed in sentence 1 (2) of Schedule V has been used on the north face of the shopping centre. The placement of signs of Ron Dawson & Associates Ltd. on the north wall of the Old Orchard Shopping Centre premises, and as referred to in our letter of July 7, was done without application for, or granting of preliminary plan approval, without permit, and contrary to Schedule V. The Planning Department reports an application for preliminary plan approval for the other sign of Ron Dawson & Associates Ltd. placed on the shopping centre premises and facing into the parking lot was received on September 10, 1976, and is currently under consideration for preliminary plan approval.

Would you, sir, again please refer back to our letter of August 19, 1976, to Ron Dawson & Associates Ltd. and note therein that no assurance was given that the third sign was allowed.

Your enquiry about property known as "Central Park Place" is noted and investigation of sign use on the said property is proceeding. Appropriate action pursuant to the Sign Bylaw and the Zoning Bylaw will be taken following this investigation.

Yours truly,



M. J. Jones,  
CHIEF BUILDING INSPECTOR.

MJJ:lm  
Enc.

c.c. DIRECTOR OF PLANNING  
MUNICIPAL MANAGER ←

MJJ	
F.R.	
J.	
G.H.	
H.R.	
S.H.	
G.F.	

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CORRESPONDENCE AND PETITIONS  
 Regular Council Meeting  
 October 12, 1976

RECEIVED  
 OCT 13 1976

Signs



**Commonwealth Displays LTD.**

BUILDING INSPECTOR'S OFFICE

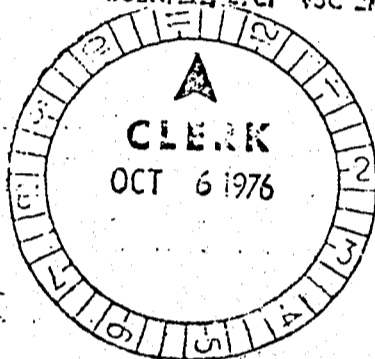
Showcards

299-1031

PHONE 427-1610 2700 KINGSWAY BURNABY, B.C.  
 4531 E. HASTINGS ST. (REAR)  
 BURNABY, B.C. V5C 2K3

October 4th, 1976.

Mr. M. J. Jones,  
 Chief Building Inspector,  
 Municipality of Burnaby,  
 4949 Canada Way,  
 Burnaby B.C. V5G 1M2



Dear Sir:

I have before me a copy of a letter dated August 19th, 1976, addressed to Ron Dawson & Associates, Old Orchard Shopping Centre, Burnaby, signed by yourself.

In January of this year we produced a fascia sign for Mr. Dawson and arranged with a licenced sign erector to place said sign on the wall of his premises.

Your letter requests that this sign be removed within thirty days of receipt of same as no permit was issued and the customer has since complied.

This compliance means that Mr. Dawson has been forced to pay for the production, erection and removal of our product because of the decision of your department that it was illegal.

Would you, sir, please quote to us the section of the By-law that would allow the granting of a permit to a sign facing Kingsway, as you suggest in your letter, yet not permit the placing of our sign on Grange Street.

According to our Zone Map this is a shopping area, C3, and the requirements are spelled out in the By-law.

I furthermore request information as to how a property known as "Central Park Place" is currently allowed to display well over one thousand square feet of sign area on three streets that are totally residential.

A prompt reply would be appreciated.

Yours truly,

*Fraser Wilson*

FOR Fraser Wilson  
 V.P., Commonwealth Displays Ltd.

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AGENDA - (OCTOBER 12)

COPY - MANAGER

CHIEF BUILDING INSPECTOR (FOR RECORD)

PLANNER



c.c. to Mayor and Council.  
 FW/bb

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BUILDING DEPARTMENT

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RETURN REGISTERED

August 19, 1976.

Ron Dawson & Associates Ltd.,  
Old Orchard Shopping Centre,  
4429 Kingsway,  
Burnaby, B.C. V5H 2A3

Dear Sirs:


Subject: 4429 Kingsway; Lot "A", Blk. 3,  
District Lot 153, Plan 19895

A reinspection of the above premises revealed that the signs referred to in our previous letter of July 7, 1976, have not as yet been removed, nor has an application been made to the Municipal Planning Department. In discussing the matter with the Planning Department, we have been given to understand that obtaining approval for the fascia sign on Grange Street is apparently not possible as regulations pursuant to Burnaby Sign By-Law No. 6163 cannot be met. However, the sign facing the parking lot area may possibly be approved.

In view of the above, you are hereby requested to have the Grange Street sign removed within 30 days of receipt of this letter. An application for the other sign should be made forthwith to the Planning Department.

Your cooperation will be looked for and appreciated.

Yours truly,

  
M.J. Jones,  
CHIEF BUILDING INSPECTOR.

HRS:lm

c.c. H.R. Swift, Supervisor,  
Building Inspections.

R. Thompson,  
Building Inspector.

PLANNING DEPARTMENT.

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BUILDING DEPARTMENT

RETURN REGISTERED

July 7, 1976.

Ron Dawson & Associates Ltd.,  
Old Orchard Shopping Centre,  
4429 Kingsway,  
Burnaby, B.C. V5H 2A3

Dear Sirs:

Subject: 4429 Kingsway; Lot "A", Blk. 3,  
District Lot 153, Plan 19895

It was noted by Mr. R. Thompson, Building Inspector, on July 6, 1976, that three signs have been erected on the subject property, two facing Grange Street, and one facing the parking lot, in contravention of Section 5(1)(a) of Burnaby Building By-Law No. 6333, and Section 6.2 of Burnaby Sign By-Law No. 6163.

Section 5(1)(a) requires that a permit be obtained prior to the erection of a sign. The Burnaby Sign By-Law requires that you first make application, accompanied by plans, to the Municipal Planning Department. In the event that a permit may not be issued for the subject signs, you are hereby requested to have the signs removed within thirty (30) days of receipt of this letter.

Your attention with regard to this matter will be appreciated.

Yours truly,



M.J. Jones,  
CHIEF BUILDING INSPECTOR.

HRS:lm

c.c. H.R. Swift, Supervisor,  
Building Inspections.

R. Thompson,  
Building Inspector.

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PHONE 435.8158

**RON DAWSON & ASSOCIATES (1972) LTD.**

Insurance Brokers

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25 OLD ORCHARD SHOPPING CENTRE  
 4428 KINGSWAY  
 BURNABY, B.C. V5H 2A4

MJJ	
FR	
JS	
GH	
HR	
SN	
GT	

RETURN REGISTERED

July 14, 1976

RECEIVED

JUL 16 1976

BUILDING INSPECTOR'S OFFICE

Commonwealth Displays Ltd.,  
 4531 East Hastings Street (Rear)  
 Burnaby, B.C.  
 V5C 2K3

599-1031

Dear Sirs:

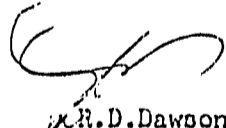
GHOST SIGN CO  
 SURREY

Re: Invoice No. 3741  
 Dated January 29, 1976

We are in receipt of a letter dated July 7th, 1976, from the Corporation of the District of Burnaby, B.C., advising that a permit is required prior to the erection of a sign.

Accordingly, as you custom made and erected the sign, we feel confident such would conform to particular Bylaw and that you would have obtained the necessary permit. Therefore, kindly advise permit number.

Yours very truly,

  
 R.D. Dawson

RDD/nm

cc Mr. H.R. Swift, Supervisor  
 Building Inspections



side only, between Price Street and the B.C. Hydro Railway right-of-way which crosses Boundary Road immediately south of Thurston Street.

**6.17 Parking or Storage of Commercial Vehicles, Trucks, Trailers, Boats or Equipment in Residential Districts:**

No commercial vehicle, truck, bus, contractors equipment, dismantled or wrecked automobile, boat, trailer or any similar vehicle, conveyance, craft or equipment shall be parked or stored in the open in any R or RM District, except the following which may be parked or stored in the rear yard only:

- (1) One truck or commercial vehicle not exceeding three-quarter ton rate capacity.
- (2) Trucks, commercial vehicles or equipment required for the construction, repair, servicing or maintenance of the premises.
- (3) Any dismantled or wrecked vehicle for a period of not more than 30 successive days.
- (4) One boat or vessel not exceeding a length of 20 feet.
- (5) One trailer not exceeding a length of 20 feet.

**SECTION 7 ADMINISTRATION AND ENFORCEMENT**

**7.1 Administration:**

This Bylaw shall be administered by the Chief Building Inspector and the Chief Licence Inspector or any other official of the Corporation who may be appointed by the Council.

**7.2 Permits and Licences:**

The Chief Building Inspector shall not issue any permit, nor shall the Chief Licence Inspector issue any licence for a building, structure or use which violates any of the provisions of this Bylaw.

**7.3 Preliminary Plan Approval:**

- (1) Any person wishing to undertake a development shall apply for and receive preliminary plan approval from the Director of Planning before the issuance of a building permit, except in the case of the following:
  - (a) The construction of one-family and two-family residential dwellings and accessory buildings.
  - (b) The maintenance of any building, structure or use.
  - (c) The completion of a building which was lawfully under construction or for which a permit has been lawfully issued at the effective date of this Bylaw.
  - (d) The improvement or alteration of any building within the property lines of the lot, provided that such improvement or alteration shall not materially affect the external appearance, increase the density of occupancy nor change the use of such building.
  - (e) The construction, alteration, maintenance, or repair of a highway, street, lane or bridge.
  - (f) The erection, construction or placing of temporary

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- buildings as defined in this Bylaw.
- (2) Every application for development shall be accompanied by the following:
- (a) The street address and legal description of the lot.
  - (b) The name of the applicant and/or of the owner of the lot.
  - (c) A statement of the purpose of the proposed development and the estimated commencement date.
  - (d) A preliminary plan showing the dimensions of the lot or lots; location, plans, profiles, elevations and height of all buildings and structures including signs, setbacks, parking areas, access, open spaces and landscaping, screen fences, surrounding land uses and such further or additional land use information as the Director of Planning may require.
  - (e) In the case of industrial uses, a description of the proposed operation in sufficient detail to determine whether the operation is a use permitted within the applicable zoning district.
  - (f) In the case of apartment or group housing development proposals, the submission of either, at the choice of the applicant, a true-to-scale perspective or model, together with a detailed plan of landscaping and usable open space. (B/L # 6177-6/11/72)
- (3) When such application for development conforms to the provisions of this Bylaw and does not contravene any approved land use or road plan, preliminary plan approval shall be given by the Director of Planning.
- (4) The approval of plans or drawings shall not in any way relieve the applicant from full responsibility for the carrying out of the development in accordance with the provisions of this Bylaw.
- (5) The granting of preliminary plan approval shall not absolve the applicant from compliance with all relevant municipal bylaws.
- 7.4 Utilities Required before Commencement:**
- (1) Notwithstanding any right contained in this Bylaw, the Chief Building inspector may prohibit a person who proposes to erect a building from commencing the erection of such building until firm arrangements have been made to supply such building with electric power and public water, sewerage, street and other facilities.
  - (2) No building shall be constructed, erected or occupied on any lot not serviced by a municipal sanitary sewer until a permit for the installation thereon of a septic tank has been obtained from the Medical Health Officer and such permit shall not be issued unless the topography, usable area for sewage control, soil formation and conditions, surface and subsurface drainage of the lot will permit the satisfactory operation of the septic tank.

SCHEDULE NO. V C3, C4 AND C7 DISTRICTS

..EM  
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1. Permitted Signs:

- (1) Signs permitted in Schedule I of this By-law, as regulated therein.
- ➔ (2) Two business or one business and one non-accessory canopy or fascia or freestanding or projecting or roof sign fronting each street bounding the property on which the sign is located, provided, however, that non-accessory signs shall not be permitted within 50 feet of any property in an A, R, RM or P3 District.

2. Requirements:

- (1) The total area of canopy signs shall not exceed a ratio of two square feet of sign area for each lineal foot of street frontage of the building to which the signs are attached.
- (2) The total area of fascia signs shall not exceed 20 percent of the wall surface to which the signs are attached.
- (3) The maximum area and height of a freestanding sign shall be as follows:

<u>Lot Area</u>	<u>Sign Area</u>	<u>Maximum Height</u>
6,000 sq. ft. or less	100 sq. ft.	20 ft.
6,000 sq. ft. to 1 acre	150 sq. ft.	25 ft.
More than 1 acre	200 sq. ft.	30 ft.

- (4) The requirements for projecting signs and roof signs shall be as set forth in Section 5.4 of this By-law.

SCHEDULE NO. VI SPECIAL AREAS

- 1. Shopping centres, as defined in the Burnaby Zoning By-law, shall be subject to the submittal of a Comprehensive Sign Plan as regulated by Section 6.3 of this By-law.
- 2. Comprehensive Development Districts as provided for in Section 700 of the Burnaby Zoning By-law, shall be subject to the submittal of a Comprehensive Sign Plan as regulated by Section 6.3 of this By-law.
- 3. No non-accessory signs shall be permitted within 500 feet of the right-of-way of the following streets: