

ITEM	31
MANAGER'S REPORT NO.	84
COUNCIL MEETING	Dec. 12/77

Re: LETTER FROM MR. FRASER WILSON, COMMONWEALTH DISPLAYS LTD.
4531 E. HASTINGS STREET, BURNABY, B.C.
SIGN BY-LAW

Appearing on the agenda for the December 12, 1977 meeting of Council is a copy of a letter dated November 25, 1977 addressed to Mr. A.L. Parr, Director of Planning, from Mr. Fraser Wilson, Commonwealth Displays Ltd. asking for an explanation in connection with a sign installed in the Old Orchard Shopping Mall and one on Central Park Place.

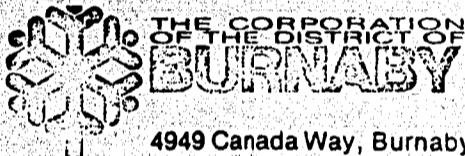
Following is a copy of the Planning Department reply dated December 8, 1977 and sent directly to Mr. Wilson.

Since the new sign by-law was only given three readings on November 28, and will not be finally adopted until December 12, we have not become involved with enforcement of it. Once the by-law is in place, we will have to address ourselves to the question of enforcement, and at that time we will have to review the Central Park Place sign referred to by Mr. Wilson. There are undoubtedly other signs that do not meet the requirements of the by-law, and the Chief Building Inspector proposes to use the area inspectors for enforcement; i.e., the inspectors that look after the Municipality on an area basis will be given a new by-law and asked to enforce it as part of their daily routine in their respective areas.

RECOMMENDATION:

1. THAT a copy of this report item be forwarded to Mr. Fraser Wilson.

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4949 Canada Way, Burnaby, B.C. V5G 1M2
Planning Department

Telephone (604) 294-7400

December 8, 1977

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

Attention: Mr. Fraser Wilson

Dear Sirs:

Re: Enquiry Concerning Signs — Your Letter of
November 25, 1977

The Planning Department is in receipt of your letter of November 25th in which you have requested an explanation concerning a sign produced by your Company and other signs pointed out by yourself at a nearby location in the vicinity of Grange and Kingsway.

In reply we would point out that the signs to which you refer have been the subject of correspondence between yourself and the Chief Building Inspector, reports to Council and the Municipal Manager, and discussions on several occasions. More specifically, since the questions was first raised by you in your delegation to the Council on September 13, 1976 and the subsequent mention in your letter of October 4, 1976; you have received replies in the form of copies of the Chief Building Inspector's reports to the Council meetings of October 12th and October 18, 1976 and the Chief Building Inspector's letter to you dated November 2, 1976.

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In view of your interest in having a more complete understanding of the matter, we will seek in this letter to outline the salient facts that relate to the signs mentioned, and to point out the actions taken by Council and the Special Committee of Council that reviewed the Sign By-law during the past 12 months in an effort to clarify its wording so that instances such as the one you have identified may be more readily controlled.

The fascia sign for Ron Dawson and Associates that was erected at the Old Orchard Shopping Centre was the subject of an enforcement action commenced by a Building Inspector, who observed new commercial business signs on the property, that had been erected in contravention of Municipal By-laws. The signs in this case had never received the necessary approvals under the Burnaby Building By-law and the Burnaby Sign By-law for permanent business signs, and hence the inspection resulted in a letter being directed to Ron Dawson and Associates advising them to make application for the permits required and further that, if a permit could not be issued, removal of the signs would be required in order to restore compliance with the Municipal By-laws governing such business signs. As the fascia sign could not be approved, it was necessary to have it removed.

The signs which you identified in your October 4, 1976 letter to the Chief Building Inspector on a property known as Central Park Place, on the other hand, fall within the category of Special-Purpose and Temporary signs covered by Schedule Number I of the By-law. Up to that point in time, as you know, it had not been our practice in this Municipality to insist on permits for certain types of temporary signs such as the real estate signs mentioned.

However, the fact that the permit process was not applied to this type of signage did not relieve the owner of the sign from observing all the pertinent regulations of the Municipality governing their size, siting, type and similar matters.

As the example you advanced has amply demonstrated, and as confirmed in discussions with the Sign By-law Committee, it was found that the practice of not requiring that permits be obtained for such classes of special purpose and temporary signs was simply unworkable as signs that were produced and placed in many such instances were found to contravene the regulations adopted by Council in the By-laws, and as the Building Inspector had no way of maintaining an effective control over the type, physical characteristics, structural adequacy, or duration of such signs, the conclusion is that it is, in fact, imperative to apply the permit system in the case of real estate signs.

In the course of the Sign By-law Committee's review of the By-law, it obtained input from members of the sign industry, from users, and from staff in order to have an appreciation of the needs and operational realities of the sign industry to be considered in recommending changes relating to specific provisions or interpretation of the By-law.

Among the concerns expressed by several members of the sign industry was the need to have a clear, unambiguous statement of which signs in this Municipality require a permit and which do not. In response to this need, and to the need which had become evident to have an effective means with which to exercise permit control over some types of temporary signs such as real estate temporary advertising signs, the Committee's recommendations to the Council included an amendment to make it explicit that this type of sign requires permit approval, and further set out the revised regulations and certain improved procedures to enable permit applications to be handled in a simple and straight-forward manner.

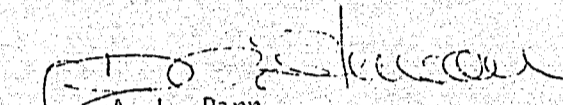
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The By-law text amendments arising from the adopted recommendations were given Three Readings on November 28, 1977, and upon Final Adoption will overcome the lack of clarity that was of concern to the industry and at the same time provide the Building Inspector with the permit basis for effective enforcement in future temporary sign applications of this type.

Thank you for your interest in this matter; with the By-law clarification and amendments we can look forward to having the means to prevent excesses in signage such as you have observed and the procedures necessary to document and effect a control.

Yours truly,


A. L. Parr
DIRECTOR OF PLANNING

DGS/ds
cc Municipal Manager