

ITEM 9
MANAGER'S REPORT NO. 62
COUNCIL MEETING 1982 11 08

RE: APPROVAL OF INTERNAL SIGNS IN INTERIOR MALLS OF SHOPPING CENTRES
BURNABY SIGN BY-LAW, 1972

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendations of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER
FROM: DIRECTOR PLANNING & BUILDING INSPECTION
SUBJECT: APPROVAL OF INTERNAL SIGNS IN INTERIOR MALLS OF SHOPPING CENTRES
BURNABY SIGN BY-LAW, 1972

PLANNING & BUILDING INSPECTION DEPARTMENT
1982 NOVEMBER 04

RECOMMENDATIONS:

1. THAT a by-law be prepared to amend the Burnaby Sign By-Law, 1972, By-law No. 6163, in accordance with the terms outlined in Section 3.1 of this report.
2. THAT the proposed text amendment by-law be brought forward for Council consideration in conjunction with the recommendations of the Burnaby Sign By-Law Review Committee for review and coordination.

REPORT

1.0 BACKGROUND

At the request of the Municipal Manager, the Planning & Building Inspection Department has recently conducted a review of the provisions of the Burnaby Sign By-Law as they apply to the special case of interior signs in Shopping Centre Malls. We understand that this subject arose through discussions between the Manager and a representative of two major shopping malls in Burnaby, who suggested that Burnaby seemed to be the only Municipality in the Lower Mainland that controls sign displays in the interior of malls.

The suggestion at this time by mall management is that inasmuch as mall tenants are required to file a plan for proposed signs in interior malls with the owner of the centre, it should be unnecessary for the Municipality to control such internal signs.

2.0 DISCUSSION

- 2.1 At the present time, the By-Law does not exempt such signs from the requirement for application and approval of the necessary permits under the Building and Zoning By-Laws. However, provision is made under Section 6.3 of the Sign By-Law for the submission and approval of a Comprehensive Sign Plan for the whole of a shopping centre development. Section 6.3 reads as follows:

"Comprehensive Sign Plan:

A comprehensive sign plan may be provided for the business premises which occupy the entire frontage in one or more block fronts or for the whole of a shopping centre development. Such a plan, which shall include the location, size, height, colour, lighting and orientation of all signs, shall be submitted for preliminary plan approval to the Director of Planning. Such a comprehensive plan shall comply with the sign area and density regulations of this By-law and shall result in an improved relationship between the various parts of the plan."

- 2.2 With respect to practice in other Lower Mainland municipalities, our research indicates that the City of Vancouver and the District of West Vancouver, like Burnaby, require application and approval for interior as well as exterior signs, and some other municipalities control signs through their preliminary development processes, through Comprehensive Sign Plans, or through electrical permits in the case of electrical signs.
- 2.3 Burnaby's By-law is comprehensive in its application; that is to say, it requires that all signs erected, placed, altered, or moved within the Municipality must conform with the By-law, and signs oriented to interior "shopping streets" are not excepted. Additionally, safety considerations dictate that there be appropriate structural and electrical checking, approvals and inspection processes which are carried out through the Building Inspection Division. Accordingly, it is necessary that these technical and physical checks continue to be made in each case.
- 2.4 However, our review suggests that, in the interest of streamlining operations and reducing the cost in time and money to both the applicant and the Municipality, it would be feasible to eliminate one step in the approvals process for individual, internal tenant signs in an enclosed shopping mall which is covered by an approved Comprehensive Sign Plan. If this approach is approved, it will mean that a mall tenant in such cases will have to obtain any landlord approval (as his lease may require) and building/electrical permit approval, but will not be required to submit an application for Preliminary Plan Approval.

It is felt that adequate control can be achieved through this simplified approach, as the overall parameters of sign display will have been established when an agreed-upon Comprehensive Sign Plan is approved (satisfying the underlying interests of the Sign By-Law, but with the inherent flexibility of the comprehensive approach), and the particular technical and safety requirements will be assessed at the time of building and/or electrical permit application for the individual sign. Conformance with the terms of the Comprehensive Sign Plan (such as maximum size, general type and location) will be ascertained by comparison with the approved Plan on file.

- 2.5 Those existing malls which pre-date the 1972 Sign By-Law and which do not presently have Comprehensive Sign Plans in place (such as Brentwood Mall and Lougheed Mall) would be encouraged to submit such Plans for the whole of their developments, and staff will be available to assist them in this regard.

3.0 IMPLEMENTATION


- 3.1 If this approach is supported by Council, it can be implemented by a minor amendment to the Administration and Enforcement Section of the Burnaby Sign By-Law. Specifically, it would be necessary to provide for the exception under the terms of Section 6.2(1), by adding the following provision to the existing list of exceptions (precise wording to be developed in consultation with the Municipal Solicitor):

"(iv) internal tenant signs within enclosed interior walls in shopping centres which conform to the provisions of a Comprehensive Sign Plan approved under this By-law. In this case, all permits and approvals required under Section 5(1) of By-Law #6333, being the 'Burnaby Building By-Law, 1973' shall be obtained, but submission of an application for Preliminary Plan Approval shall not be required."

- 3.2 It is our understanding that the Burnaby Sign By-Law Review Committee is considering making recommendations to amend the by-law, but to date there has been no contact with the staff. As a result, we are not aware whether this subject is included in the matters being addressed by the Committee, or how it would relate to any recommendations to be advanced by it. Accordingly, this staff recommendation is being put forward at this time in order that the By-Law amendment may be prepared, but it is felt that introduction of the by-law for readings should await Council consideration of the Committee's report and coordination of the topics by way of referral to staff for comment.

DGS:1f

cc: Chief Building Inspector
Municipal Solicitor


A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

