

RE: BURNABY SIGN BYLAW

EXISTING NON-CONFORMING NEIGHBOURHOOD CONVENIENCE STORES

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1983 JUNE 09
FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our File: 02.230
SUBJECT: BURNABY SIGN BYLAW
EXISTING NON-CONFORMING NEIGHBOURHOOD CONVENIENCE STORES

RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

1.0 BACKGROUND

1.1 From time to time the Planning & Building Inspection Department receives inquiries from merchants or sign companies contemplating the placing of new advertising signs on non-conforming grocery store premises in residential areas of the Municipality. In as much as the use in such cases is non-conforming to the zone in which they are located, the opportunity for new or additional illuminated sign display is very limited.

This Department has recently been asked to give consideration to means whereby privileges might be extended to non-conforming grocery stores to have new illuminated signs approved. This question has arisen in connection with two specific instances connected with stores located in an R5 and in an RM3 zoning district, but it is relevant to a number of similar situations in residential areas throughout the Municipality.

1.2 These non-conforming situations are the result of historic development pre-dating the current zoning bylaw, where neighbourhood convenience stores had been established to serve the day to day retail grocery shopping needs of an established residential area. The legal status for these uses is established under the provisions of the Municipal Act and the Zoning Bylaw which recognize the non-conformity and provide essentially that the status quo at the effective date of the Zoning Bylaw may be maintained, but that no new development may be created.

In residential areas, the sign display potential is regulated by Schedule II of the Burnaby Sign Bylaw, which provides for the modest sign display needs associated with A, R and RM districts and which does not permit illuminated signs.

1.3 There has been a manifest desire by merchants to upgrade, to modernize and/or to increase their visual exposure by installing new illuminated advertising signs on such properties.

When inquiries are received concerning a desire for additional sign display, staff advise that awning signs (which are permitted in all zoning districts as a special purpose sign under Schedule I of the Sign Bylaw) can be approved but that there is no further provision for commercial sign display under the prevailing zoning.

2.0 DISCUSSION

2.1 In the course of the review as requested, staff acknowledged the function performed by the neighbourhood convenience stores in complementing the commercial shopping facilities provided at recognized commercial centres, in so much as they appear to have an established patronage and remain viable in their neighbourhood settings, although most are not legally recognized by commercial zoning. Indeed, in the majority of cases the existing premises could not satisfy the requirements of the neighbourhood commercial district (C1) due to their historic development which does not reflect current standards of onsite parking, building setbacks, etc.

2.2 While permitting new sign displays to be installed under a non-conforming status is not, in our view, entirely consistent with the general philosophy of maintenance of the status quo on a strict basis, it is recognized that permitting more modern and effective business identification under controlled standards does not significantly increase the commercial development of the site and would not be expected to detrimentally affect the value of adjacent properties.

2.3 A number of alternative courses of action to permit an acceptable level of illuminated commercial sign display in such cases were examined in consultation with the Municipal Solicitor's office. Options included rezoning of the properties, the use of comprehensive sign plans through introduction of a text amendment, the establishment of such non-conforming sites as Special Areas by text amendment, and amending the text of Schedule II to permit by regulation acceptable types of signs on such non-conforming retail sites.

2.4 The option which staff believe to be the most straightforward and to satisfy the expressed desire in such cases is to introduce a text amendment to Schedule II that would permit one illuminated business or identification canopy or fascia sign fronting each street bounding the property on which the sign is located for an existing retail store catering to the day-to-day shopping needs of the residents of a local neighbourhood.

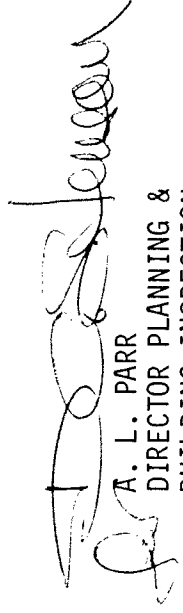
The proposal would include regulation of the total area of a canopy or fascia sign to the same ratio as is provided under Schedule III for the CI District; that is, one square foot of sign area for each lineal foot of street frontage of the building to which the sign is attached.

3.0 CONCLUSION

3.1 Inasmuch as amendments to the Sign Bylaw are currently being drafted in bylaw form in the Municipal Solicitor's office, staff have asked the Solicitor to include in the proposed amendments the revisions noted above in Section 2.4. Unless directed to the contrary by Council, staff intend to pursue this subject on this basis.

ML
DGS:lf

cc: Municipal Solicitor
Chief Building Inspector
Assistant Director-Long Range
Planning & Research


A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

