

ITEM	10
MANAGER'S REPORT NO.	11
COUNCIL MEETING	1983 02 14

RE: LETTER FROM STEVE LAWRENCE MOTORS WHICH APPEARED ON THE AGENDA FOR
THE 1983 JANUARY 24 MEETING OF COUNCIL (ITEM 3b)
PROPOSED FREESTANDING SIGN
(ITEM 9, REPORT NO. 5, 1983 JANUARY 24)

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1983 FEBRUARY 09

FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our File: PPA 6684(S)

SUBJECT: STEVE LAWRENCE MOTORS, 4620 KINGSWAY
PROPOSED FREESTANDING SIGN

RECOMMENDATIONS:

1. THAT Item No. 9 of the Municipal Manager's Report No. 5, 1983 January 24, now be lifted from the table.
2. THAT a copy of this report and a copy of Item No. 9, Manager's Report No. 5, 1983 January 24, be sent to Mr. Peter Caruso, President, Steve Lawrence Motors, 4620 Kingsway, Burnaby, B.C., V5H 2B9; and to Husky Oil Marketing Ltd., Box 6525, Postal Station "D", Calgary, Alberta, T2P 3G7.

REPORT

1.0 BACKGROUND

On 1983 January 24, Council heard Mr. Peter Caruso as a delegation representing Steve Lawrence Motors in connection with a proposed freestanding sign on public land to the north of the service station at 4620 Kingsway. At that time, Council also received and tabled a report from the Director Planning & Building Inspection (Item No. 9, Manager's Report No. 5, 1983 January 24) providing background and an explanation of the reason the proposed sign could not be approved at the location requested, on public property.

In tabling the matter, Council requested a report from staff outlining the legal ramifications of providing a lease of the required property to Husky Oil Marketing Ltd. for the purpose of locating a freestanding sign on the 16.5 foot dedicated road allowance.

2.0 SOLICITOR'S RESPONSE

The Legal and Lands Department conducted a search of the title to the property in question and the Road Acquisition and Dedication By-Law adopted 1967 June 12 which authorized the acquisition of the land "for highway purposes". The By-Law contains the following clause:

- "3. Upon registration of the said deed in fee simple, in the Land Registry Office at the City of New Westminster, in the Province of British Columbia, the said lands shall be established as a public highway."

The deed was registered under application dated 1967 July 14.

Accordingly, the Solicitor has today written as follows:

"The land on which Steve Lawrence Motors wish to place a freestanding sign was acquired by the Corporation pursuant to BURNABY ROAD ACQUISITION AND DEDICATION BYLAW NO. 13, 1967. The Bylaw was registered against the title and has the effect of establishing the land as a public highway.

"The placement of a sign of the type contemplated on public property would be contrary to section 5.3(1) of the Sign Bylaw."

3.0 CURRENT SITUATION

The proposal for a new freestanding business sign on public property (PPA application #6588(s)) cannot be lawfully approved. The service station presently has an identification sign at a permitted location on the site immediately south of the Kingsway property line. A food store operation has recently been added to the business, and the operator requires a change to his sign display to advertise this new feature. Apart from the location on and over public property, the design proposal as submitted presents no problems and could be approved at a location on the service station lot.

The present sign on the property can be seen without view obstruction by other signs or buildings for a considerable distance in either direction on Kingsway (for example, eastbound traffic can view the sign from the McKay Avenue intersection and beyond, a distance in excess of 250 feet from the driveway entrance to the station).

Staff met with Mr. Caruso at the site on 1983 February 08 in order to assist him to find a solution for an on-site location which can be approved under the bylaw. After hearing his concerns and objections, it was suggested that in order to achieve increased visibility for motorists approaching from the west, he or his sign advisers might wish to consider reducing the height of the proposed new sign from the current design proposal dimension of 23' to 11'. While this measure might on the surface seem to reduce visibility, it would paradoxically enhance visual exposure, firstly, by reducing the "screening" effect of an existing non-conforming business sign to the west across Silver Avenue; and, secondly, by displaying the sign more fully within the normal arc of vision of the motorist travelling on the street (a factor which has prompted many businesses including major oil companies in recent years to voluntarily and on their own initiative shift to low level signs in urban areas). Additionally, it was suggested that Mr. Caruso might benefit from a re-examination of the siting of a sign in an east-west direction along the 250-foot frontage of the property, to optimize visibility to on-coming traffic.

PLANNING & BUILDING INSPECTION DEPARTMENT
STEVE LAWRENCE MOTORS
PROPOSED FREESTANDING SIGN (PPA 6684(S))
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We understand that these suggestions will be considered and staff stand ready to assist in concluding the application in a satisfactory and viable manner.

A. L. Parr

A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

DGS:1f

cc:- Municipal Solicitor
- Chief Building Inspector

