

RE: BURNABY SIGN BYLAW  
TEXT AMENDMENTS UNDER CONSIDERATION  
REPORT ON COMMENTS SUBMITTED BY THE  
SIGN BYLAW REVIEW COMMITTEE  
BURNABY CHAMBER OF COMMERCE

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER SUPPLEMENTARY  
1983 November 02

FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our File: 02.230

SUBJECT: BURNABY SIGN BYLAW  
TEXT AMENDMENTS UNDER CONSIDERATION  
REPORT ON COMMENTS SUBMITTED BY THE  
SIGN BYLAW REVIEW COMMITTEE, BURNABY CHAMBER OF COMMERCE

RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

1.0 The Sign Bylaw Review Committee of the Burnaby Chamber of Commerce has provided its comments on the series of text amendments currently under consideration by Council in connection with the recent review of the Burnaby Sign Bylaw. At a meeting held 1983 October 28 between representatives of the Chamber's Committee and Municipal staff, a number of these questions and comments were addressed and clarified, the Chamber's position was noted with respect to other points for the purpose of future discussion, and an unintentional omission of a phrase in copying a clause from the present bylaw was brought to the attention of staff.

Additionally, Mayor Lewarne requested that the Planning & Building Inspection Department provide Council with a report on the following topics, for consideration prior to the granting of Third Reading of the amending bylaw.

2.0 The remaining concerns of the Chamber's Committee are:

- (a) definition of "Major Shopping Centre" (pertinent to acceptance of ICMS signs in freestanding form only in the case of "the major shopping malls situated on large sites with buildings set back a considerable distance from the streets" - (Item 22 Supplementary, Manager's Report No. 51, 1983 August 08),
- (b) text amendment dealing with sign repairs and face copy changes (Item 3.11 of previous reports on text amendment proposals),
- (c) a phrase in the amendment to Section 5.4 (2)(a) dealing with the minimum height of freestanding signs.

- 2.1 A table outlining the Chamber's comments on each of these items and the Departmental response to each follows.

3.0 DISCUSSION AND RECOMMENDATIONS

DEPARTMENTAL COMMENT AND RECOMMENDATION	COMMENT BY CHAMBER REPRESENTATIVES	ITEM
<p>Council has approved the use of facia-type ICMS signs in the C3, C4, P2 and CD based on C3 Districts.</p> <p>The acceptance of ICMS signs in freestanding form only in the case of major shopping malls was recommended by staff solely in recognition of the special needs presented by these major malls in Burnaby, where they occupy large sites and have buildings set back a considerable distance from the streets.</p> <p>Brentwood Mall and Lougheed Mall, as regional shopping centres, exemplify these conditions, and the definition of "Shopping Centre, Major" reflects the acceptance of freestanding ICMS signs if desired on these sites.</p> <p>It might be argued that Middlegate Mall in a certain sense meets the general criteria as well in view of its major setback from the commercial street frontage on Kingsway, although it is not a regional or "major" shopping mall and does not possess sufficient site area or developed floor area to qualify under the present definition.</p> <p>The lesser shopping centres in C3 Districts will be able to make use of facia-type ICMS signs if they desire, but they do not have site conditions justifying the use of the freestanding form.</p> <p>Shopping centres per se are not permitted as a land use in the C4 Service Commercial District.</p>	<p>The Chamber's representatives have objected to the proposed definition in that it limits the eligibility for ICMS signs in freestanding form to, in effect, the major enclosed shopping malls (Brentwood and Lougheed Mall). It was felt that greater latitude should be given to allowing other, smaller shopping centres to also use freestanding ICMS signs.</p> <p>Further, it was suggested that confusion might result if a special definition is used in this bylaw, differing from the definition of shopping centre under the Zoning Bylaw.</p> <p>Following discussion, the Chamber's Committee recommended that ICMS signs in freestanding form be permitted in shopping centres as defined in the Zoning Bylaw, where located in the C3 or C4 Districts, and on a site with a minimum area of 5 acres.</p>	<p>(a) Definition of "Shopping Centre, Major"</p>

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Item	Comment by Chamber Representatives	Departmental Comment and Recommendation
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(a) Cont'd.

Should Council decide that it should revise its approach in response to the concerns expressed, or to include provision for a centre the size of the Midlegate Mall which has a substantial set back from the commercial street frontage, it would be necessary to instruct the Municipal Solicitor to draft a revision to the present text amendments. One approach that could be used is as follows:

1. delete from the amending bylaw the proposed definition of "Shopping Centre, Major",

2. delete from the amending bylaw the wording shown for the proposed amendment to Schedule V, Section 2, Subsection (4) and to substitute therefore a section having the following effect:

"(4) In shopping centres (consisting of a group of retail stores in one or more buildings designed as an integrated unit) located in a C3 zoning district on a site with a minimum lot area of 8 acres, a permitted freestanding sign may be an illuminated changing message system sign."

Your staff recommends that no change be made to the present wording.

(b) Sign Repairs and Face Copy Changes (Item 3.11 of previous reports on Sign Bylaw Review)

The Chamber has previously stated that it would delete the references to "billboards" from its initial proposal to amend the bylaw so as to exempt sign maintenance, repair and face copy changes from the necessity for Municipal permit approval. (On 1983 April 25 Council received a staff recommendation to make such amendments, but deferred the item for further discussion pending the report on "Poster Panels").

The staff report on 1983 April 25 recommended that the Municipal Solicitor be authorized to draft the amendments to Section 3(1) and 3(3) of the Sign Bylaw to:

- permit copy changes and face repairs to non-conforming signs provided the dimensions of the original sign face or copy area remain unchanged,

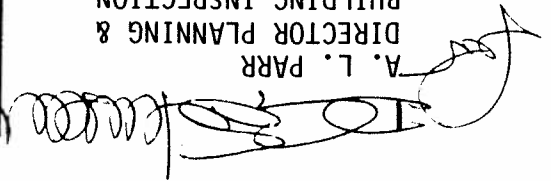
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<p>- provide (by way of clarification) that all normal maintenance operations including replacement of internal structural elements, copy lighting, and refurbishing of signs shall not require an application or a permit, but shall conform with all other provisions of the Bylaw.</p> <p>A former reference to modifications to non-conforming billboards was deleted.</p> <p>This item was brought forward for a decision by Council in the Poster Panel report on 1983 October 22, and the report was referred to the Sign Bylaw Committee of Council. A report from the Chairman of the Committee appears elsewhere on this Agenda.</p> <p>Upon adoption of this recommendation, the Municipal Solicitor will prepare the necessary text amendment.</p>	<p>The Chamber now wishes to have this matter brought forward and concluded as a text amendment.</p>	(b) Cont'd.
<p>This omission results from a transcription error, and has been corrected in the text of the Bylaw being presented for Third Reading.</p> <p>The action of the Chamber's Committee in bringing this oversight to our attention is appreciated.</p>	<p>The Chamber correctly pointed out that a phrase contained in the present regulation was omitted in the drafting of the amending section.</p> <p>The words that should appear following the amending section are:</p> <p>"...except where such sign does not interfere with pedestrian or vehicular traffic".</p>	(c) Proposed amendment to text of Section 5.4(2)(a) dealing with the minimum height of freestanding signs.

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A. L. PARR  
 DIRECTOR PLANNING &  
 BUILDING INSPECTION



DGS:1f  
 cc: Municipal Solicitor  
 Municipal Clerk