

TO: MAYOR & COUNCILLORS

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: HERITAGE DESIGNATION OF EAGLE FORD NEON SIGN

PURPOSE: To seek Council's authorization to prepare a Heritage Designation Bylaw for the protection of the Eagle Ford Neon Sign.

RECOMMENDATION

THAT a Heritage Designation Bylaw be prepared and advanced to First Reading on February 26, 2024, and to Public Hearing on March 26, 2024;

THAT the addition of the Eagle Ford Neon Sign to the Burnaby Community Heritage Register as a protected heritage landmark be approved; and

THAT a copy of this report be forwarded to the Heights Merchants Association for their information.

EXECUTIVE SUMMARY

This report seeks Council's authorization to prepare a Heritage Designation Bylaw for protection of the Eagle Ford Neon Sign. This historic neon sign was acquired by the City in 2012 for the purpose of its restoration as a civic heritage landmark, and funding for the project is available through the 2023-2027 Financial Plan. A Heritage Designation Bylaw will provide for the protection of the resource as a civic heritage asset and enable variances to the City's Zoning Bylaw to permit its installation on a City-owned sidewalk on Hastings Street.

1.0 POLICY SECTION

Under Section 611 of the *Local Government Act*, provision is made for the designation by bylaw of property that "...has heritage value or character..." The intent of a designation bylaw is to protect a unique heritage feature, which may include a building, structure, or landscape feature.

Section 612 of the Local Government Act specifies the formal procedures for the designation process, which includes preparation of a report identifying the heritage value and character of the resource, a public hearing, and notification of all persons with a registered interest in the property and its occupants.

Protection of heritage resources is supported by *Burnaby's Official Community Plan* (1998), specifically Goal 12.2.

2.0 BACKGROUND

Under the terms of the *Local Government Act (1996)*, provision is made for the designation by bylaw of property that “has heritage value or character” (Section 611).

Section 612 of the *Local Government Act* specifies the formal procedures of the designation process, which includes a public hearing, notification of occupants and all persons with a registered interest in the property, publication of notices, and preparation of a report. The report is to be made available to the public and is to address:

- the heritage character of the property;
- the compatibility of conservation with the Official Community Plan (OCP) and other community planning objectives;
- the compatibility of conservation with lawful uses of the property; and
- the possible need for financial or other support to enable conservation.

As the neon sign will be installed on a City sidewalk (which does not have a property title, registered owners or interest holders), the City will instead provide notices of the public hearing and information about the project to the owners and occupants of 4160 Albert Street (alias 4191 Hastings Street) through their property managers, as the neon sign is proposed to be installed on the sidewalk adjacent to this property. The public hearing will provide these occupants and owners as well as the public an opportunity to provide input into the proposed heritage designation.

The resource will also be listed on the City of Burnaby’s Community Heritage Register (CHR). Under the terms of Section 598 of the *Local Government Act*, provision is made for establishing a *CHR* to identify real property that is considered by a local government to be heritage property. The City of Burnaby’s CHR was established in 1998, and includes resources that are protected by a heritage designation bylaw, as well as resources that have been formally identified by Council as having heritage value or heritage character.

2.1 Heritage Character Statement

The Eagle Ford neon sign is an iconic neon sign that was mounted in the 4100 block of Hastings Street for several decades. The sign was installed in the 1940s or 1950s outside of 4161 Hastings Street. 4161 Hastings is a historic address (now 4160 Albert Street) that was the home of Walsh Motors from 1933 to 1949, when the business changed its name to Eagle Motors Garage and Sales. In 1956, it became a Ford Motor Company dealer and was renamed Eagle Ford. Eagle Ford remained in business until 1985.

The sign may have been installed as early as the 1940s for Walsh Motors. The design of an eagle about to take flight was used in the 1940s by California’s Richfield Oil Company in their advertising, and neon and enamel signs featuring the eagle also existed in other communities, including Vancouver, to identify gas stations and garages where Richfield Oil products were sold.

It is likely the decision to name the business “Eagle Motors Garage and Sales” in 1949 was to capitalize on the association of the location with the eagle sign. The iconic eagle was used in Eagle Ford’s advertising and was featured on its car badge, long after the location stopped selling Richfield Oil products.

After Eagle Ford closed, the sign was acquired by a collector. Council approved the purchase of the neon sign in September 2012, for the purpose of reinstating it as a heritage landmark.

The sign is valued for its original design, and its landmark location on Hastings Street. It is further valued for its connection to a long-operating business that was part of the Hastings Street commercial corridor.

2.2 Compatibility with Community Plan and Adjoining Land Use

The conservation of heritage resources is a goal of Burnaby's OCP (1998). The conservation of this landmark is considered compatible within the well-developed commercial streetscape of the Heights commercial corridor. The *Burnaby Social Sustainability Strategy* (2011) supports the enhancement of neighbourhood character through recognition and promotion of iconic architecture and historical monuments.

The former location of Eagle Ford Motors is now 4160 Albert Street, home to a commercial strata development known as "Carleton Square" with a residential strata building at the rear of the property. The commercial building facing Hastings Street is also known as 4191 Hastings Street.

The proposed location for the sign is on the City-owned sidewalk that fronts 4191 Hastings Street (Attachment 1). This location was identified because of its proximity to the original location of the sign.

The 2.54 m (8.33 ft.) high double-faced sign will be mounted 5 m (16.4 ft.) above street level on a post. It will be mounted perpendicular to Hastings Street, so the two faces of the sign are visible to those travelling east or west on Hastings Street. This replicates the original orientation of the sign, which was intended to be highly visible to passing motorists (Attachment 2).

The sign will overhang onto Hastings Street, above the HOV lane. Mounting the sign 5 meters (16.4 ft.) above the street will allow vehicles of all sizes to pass safely below. This is the same height that is required for traffic lights or other types of signs and infrastructure that project into a travel lane.

It is not possible to calculate the anticipated luminous discharge from neon tubes due to the nature of the technology. The brightness of neon varies with the specific mix of gases and the length and shape of the tubes. Brightness can also fluctuate depending on temperature and humidity.

Neon does not generally diffuse much light on surrounding objects. The nearby Swinging Girl neon sign provides a reference for the anticipated brightness of the Eagle Ford neon sign. To mitigate against the possibility that the Eagle Ford neon sign's brightness could impact neighbouring residential units, a dimmer will be installed to enable the brightness of the sign to be adjusted. A timer could also be added to the sign after it is installed, should further measures be required to ensure the comfort of nearby residents.

2.3 Conservation Approach and Financing

A conservation plan for the sign was prepared by neon sign historian John Atkin (Attachment 3). The work outlined in the conservation plan includes completing careful documentation of the sign prior to removal of existing paint and neon tubes. Missing neon tubes will be replaced. Contractor Galaxie Signs has been retained to complete the restoration in alignment with the conservation plan, utilizing the services of a sign-painter skilled in hand-painting.

The original neon tubes will be replaced with new neon, in colours that match the original as closely as possible.

The June 9, 2022 Council report noted that \$110,000 is required for implementation, and that funding would be requested as part of the 2023-2027 Financial Plan. The required funding was included in the Planning and Development Department operating budget for 2023 and again in 2024, and the cost estimate for the work remains \$110,000.

The ongoing care, maintenance and operational costs for this project are proposed to be managed by the City in cooperation with the Heights Merchants Association. The City will be responsible for maintaining the sign. Under the terms of the agreement to repair and install the sign, a maintenance contract at a fixed rate for a 5-year term has been awarded to Galaxie Signs at a cost of \$3,000 per year.

The Heights Merchants Association will pay for the costs of electricity to operate the sign. This arrangement mirrors the agreement for the nearby Swinging Girl neon sign, which is also owned by the City, maintained through a maintenance agreement with a sign company, and supplied with electricity by the Heights Merchants Association.

3.0 GENERAL INFORMATION

At its September 17, 2012 meeting, Council authorized the acquisition of the Eagle Ford neon sign for future restoration as a potential neon landmark. This acquisition followed the successful restoration of the “Swinging Girl” neon sign in 2010.

Correspondence from the Heights Merchants Association was received by the CHC at its February 11, 2021 meeting, which expressed interest in working with the City to reinstate the Eagle Ford sign as a heritage landmark in Burnaby Heights. A report was subsequently advanced to Council at its June 9, 2022 meeting through the CHC. The report’s recommendation to approve the conservation and reinstatement of the Eagle Ford neon sign as a civic heritage landmark was adopted by Council.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Heritage Designation Bylaws require a public hearing. As such, a public hearing notice will be published in adherence with City policies, notice will be mailed to residents and property owners within 30 meters of the proposed sign location, and information about the sign will be available through the public hearing agenda.

Following Council’s approval of the recommendations of this report, staff will also circulate information about the project to the owners of both the commercial and residential strata units at 4160 Albert Street (alias 4191 Hastings Street) through their property managers to inform them of the project and invite questions prior to the public hearing.

Staff will continue to engage with the Heights Merchants Association on this project through meetings and ongoing communication.

5.0 FINANCIAL CONSIDERATIONS

The June 9, 2022 Council report noted that \$110,000 is required for implementation, and that funding would be requested as part of the 2023-2027 Financial Plan. The requested funding was included in the Planning and Development Department operating budget for 2023 and 2024, and the cost estimate for the work remains \$110,000. Funds for ongoing maintenance of the sign are also provided through the operating budget. A maintenance contract at a fixed rate for a 5-year term has been awarded at a cost of \$3,000 per year.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – Sketch #1 – Map of proposed sign location adjacent to 4191 Hastings Street (alias)
- Attachment 2 – Production Design Drawing
- Attachment 3 – Conservation Plan

REPORT CONTRIBUTORS

This report was prepared by Lisa Codd, Planner 2, and reviewed by Lily Ford, Planner 3, Hilary Carle, Senior Project Manager, Civic Buildings, Wendy Tse, Director Community Planning, Amy Choh, Director Engineering Transportation, and Lee-Ann Garnett, Deputy General Manager Planning and Development.