



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: October 17, 2017
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VanRIMS No.: 08-2000-20
Meeting Date: October 31, 2017

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: 798 Granville Street - Electronic Video Sign - Sign By-law Amendment

RECOMMENDATION

- A. THAT the application by Bonnis Properties (Robson) Inc., the registered owners, of a building having a civic address of 798 Granville (PID: 025-234-480, Lot G, District Lot 541, Group 1, New Westminster District Plan LMP52542) to amend the Sign By-law to allow two electronic video signs at the corner of Granville and Robson, to replace two existing video signs, be referred to public hearing, together with:
- (i) draft by-law amendments generally as presented in Appendix A; and
 - (ii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix A, for consideration at public hearing.

- B. THAT, subject to approval of Recommendation A, prior to enactment of the by-law to amend the Sign By-law, the Director of Legal Services be authorized to enter into a new replacement agreement to set out the terms and conditions of the use and operation of the screens (the "Agreement") with the Owner on the terms and conditions set out in Appendix B and Appendix C and on such other terms and conditions as are acceptable to the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

- C. THAT recommendations A and B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law amending the Sign By-law and any costs incurred in fulfilling requirements imposed as a condition of amending the Sign By-law are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

This report seeks Council approval of amendments to the Sign By-law to allow two 9.2 m x 6.1 m (56 m²) electronic video signs located at 798 Granville Street (at the corner of Granville and Robson), on the second and third floors, replacing two smaller electronic video signs located on the 3rd floor of the building. As the signs are larger, the financial contribution and airtime public benefits associated with the proposal have also increased.

The signs will display third party advertising, and dedicate 10% of air time to public art and community announcements, with additional time available for video art and concerts administered by the City of Vancouver, consistent with current practice. The programming will be supported by an annual contribution of \$120,000 from the applicant.

The signs will be located within the Granville Street entertainment district, where neon and animated signs are encouraged. The intersection of Granville and Robson is primarily used for pedestrian and bus travel. Due to the specific circumstances in this area, driver distraction concerns have been assessed and are not expected to be a concern.

In accordance with general Sign By-law requirements, the signs will be equipped to automatically adjust to ambient light conditions and not exceed sign brightness standards. The signs will be angled toward pedestrians at the street level, with some visibility by adjacent office and retail uses, and limited visibility from residential properties.

At a community open house in February 2017 concerns were raised about the brightness, size, and potential distractive effects of electronic video. It is anticipated that Sign By-law regulations for brightness and the lower location of the signs on the building will result in reduced impacts on neighbouring properties.

The Owner will be required to enter into a new Agreement to replace the agreement that governs the use of the current signs. The Agreement will be registered as a covenant on title pursuant to Section 219 of the Land Title Act and will set out terms governing the use and operation of the signs including the terms set out in Appendix B of this report.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Sign By-law No. 11879 regulates the form, location, size and illumination of signs on private property.

In 2003, Council approved a by-law to amend the Sign By-law to allow two video screens on the 3rd floor of 798 Granville Street.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Planning, Urban Design and Sustainability recommends approval of the recommendations.

REPORT

Background/Context

1. Existing Site Conditions and Context

The site is located at the north east corner of Granville and Robson within the Granville entertainment district (see Figure 1). There is an existing three storey building on the property with two older electronic signs. This site is zoned DD Downtown District, and is subject to the Granville Street Sign District.

The Granville Street Sign District encourages signs that compliment Granville's historic vibrant character, including colourful neon, animated, and electronic signs. In addition to the numerous vibrant signs on Granville Street, there are other electronic signs in the vicinity, including signs:

- in the plaza at the corner of Hamilton and Georgia Streets at the CBC building
- in Terry Fox Plaza at BC Place
- at the Georgia Viaduct at BC Place
- at the corner of East Pender and Carroll Streets in the International Village; and
- facing the plaza on Canada Place Road at Canada Place.

In addition, there is a message centre sign at Queen Elizabeth Theater on Georgia Street, and a retractable projecting video screen at Telus Gardens on Georgia Street.

The proposed signs face Pacific Centre's retail uses and upper office tower, and a neighbouring two storey retail building.

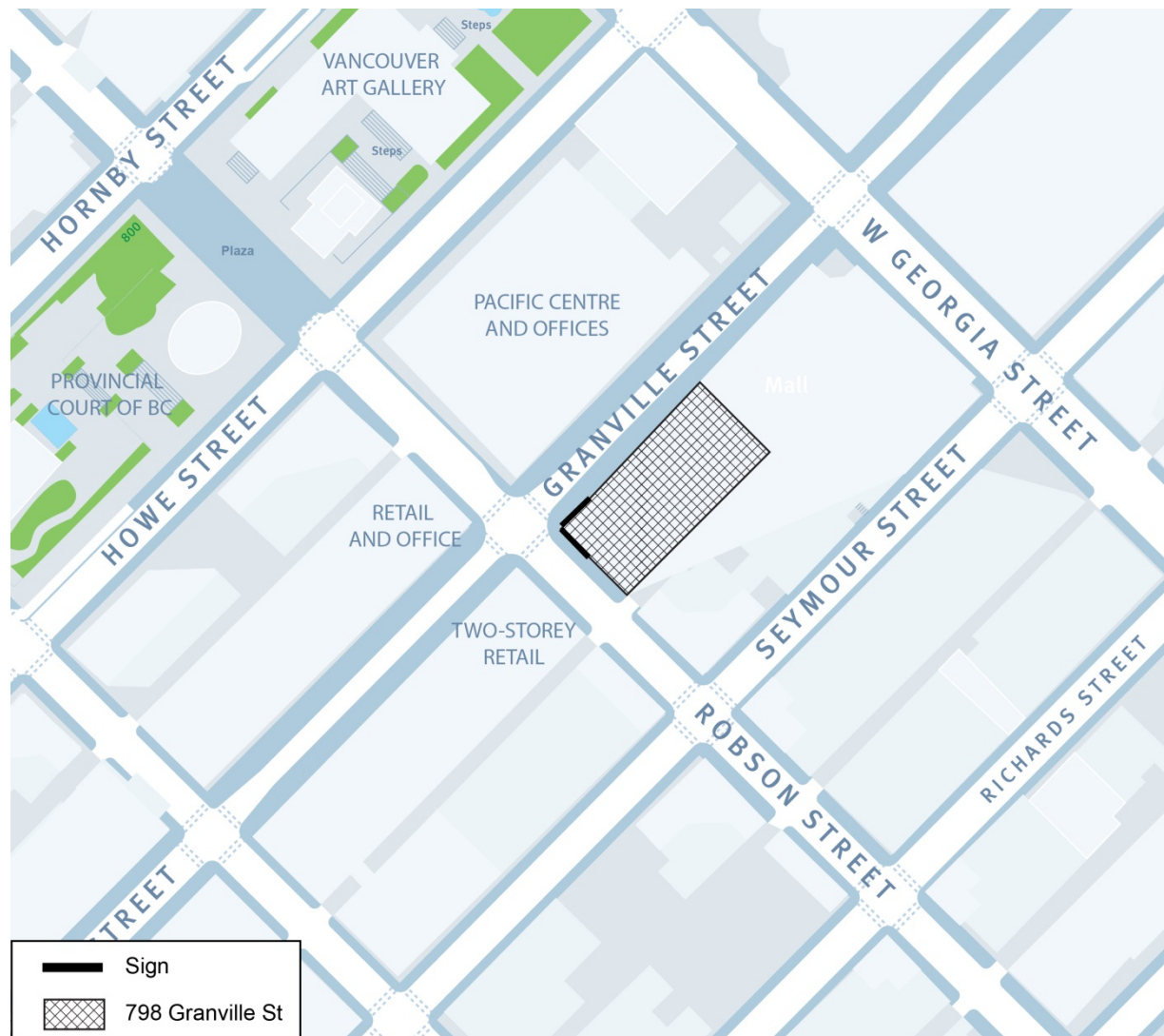


Figure 1: Location of Proposed Signs

2. Previous Approvals

In 2003, the Sign By-law was amended to permit two 28 m² automatic changeable copy signs on the third floor level of 798 Granville Street that operate 24 hours a day (Figure 2). At the time of the approval, one sign faced west onto a blank wall of a former department store, and one sign faced south onto a two storey retail building.

The City entered into a legal agreement with the owner to obtain 10% of the air time for arts and cultural programming, a monthly allotment of 2.5 hours for concert time, and an annual financial contribution starting at \$60,000 with an annual consumer price index (CPI) increase. This funding has been used to support Cultural Services' Vancouver Live Video Screen Advertising Program, which administers the City's programming component on the signs. This agreement expires in 2017.



Figure 2: Existing Signs

Strategic Analysis

a) Location:

The proposed signs are to be located at 798 Granville Street (at the corner of Granville and Robson), on the second and third floors, as illustrated on Figure 3.

The proposed signs will be placed lower on the building than the existing signs and tilted to face pedestrians along Granville Street and Robson Street. While one of the signs will be visible from a residential building on Seymour Street, it is expected that by locating the new signs lower on the building, impacts of the signs will be reduced.

One of the proposed signs is across the street from an office tower. With a lowered location on the building, visibility of the sign from the office tower will also be reduced.

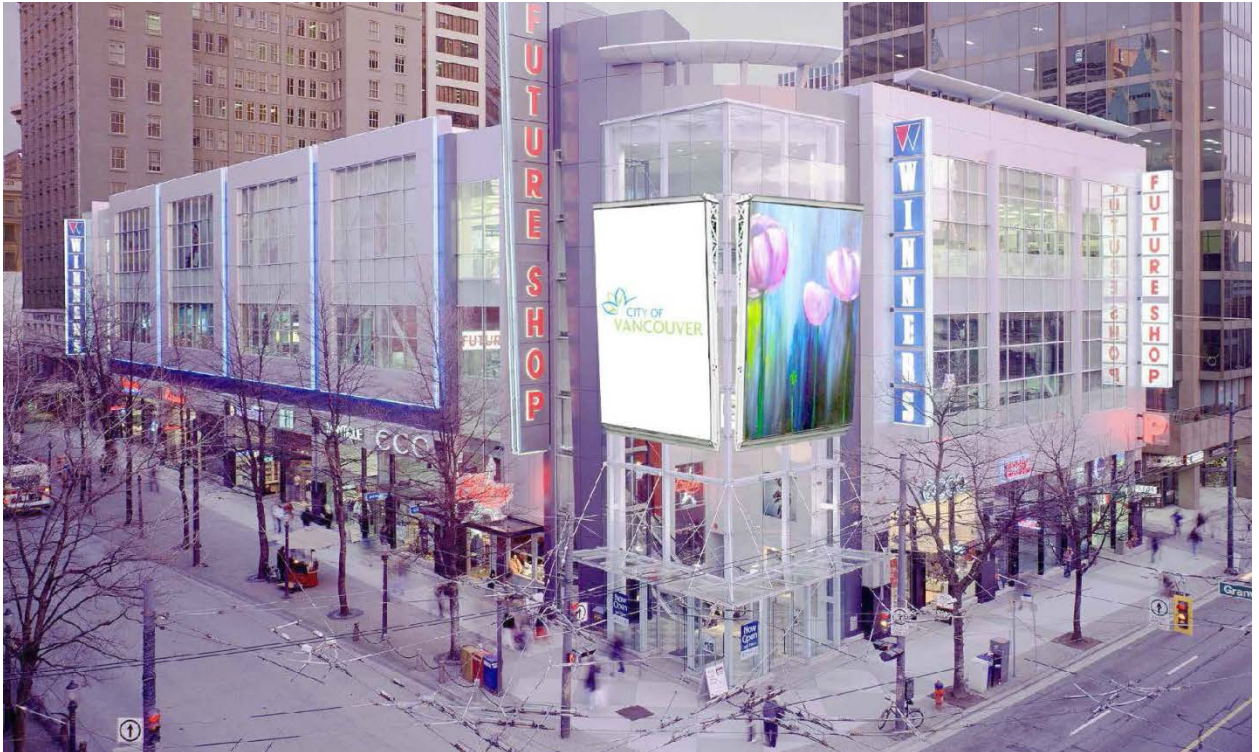


Figure 3: Proposed Signs

b) Size and Dimensions

Both signs are 9.2 m high and 6.1 m wide, each with a total of 56 m² sign area.

c) Technology:

The proposed signs will use LED (light emitting diode) technology, and ambient light sensors to limit power usage and light pollution.

The ambient light sensors will be programmed to adjust brightness with daytime and evening conditions, and will be more responsive than the existing older signs. There is no audio associated with the signs. However, the City may use external audio equipment in coordination with the electronic signs for occasional special concerts.

d) Content and Programming:

The proposed sign content will be primarily third party advertising.

Public art and community announcements administered by the City of Vancouver will account for 10% of regular looped sign content. Cultural Services staff co-ordinate the content through the Vancouver Live Video Screen Advertising Program, which provides space for non-profit arts organizations to promote events and performances.

In addition to the above, the City will receive additional allotments of time for video art productions and concerts (see Appendix C). The sign will also be available for emergency announcements such as amber alerts.

The City programming administration would continue to be supported by an annual financial contribution of \$120,000 from the applicant over the length of the agreement.

Proposed Amendments to the Sign By-law

The following amendments to the Sign By-law are required to allow the proposed Signs:

Current Sign By-law Regulations	Proposed Regulations
- Maximum sign size is 28 m ²	- Maximum sign size is 56 m ²
- Sign location is restricted to the 3 rd storey	- Signs are located on the 2 nd and 3 rd storey

The size and location differences between the existing and proposed signs are shown on Figure 4.

To mitigate light impacts, the sign will be required to meet the following standard brightness requirements in Section 5.13 of the Sign By-law:

- be equipped with an ambient light sensor that automatically adjusts sign luminance;
- not exceed an upper limit of 3.0 lux above ambient light conditions;
- have a maximum sign luminance or brightness of 300 nits during the daytime and 5000 nits in the evening; and
- automatically default to a black screen should the sign malfunction.

As a condition of enactment of the by-law to amend the Sign By-law generally as provided in Appendix A, the Owner will be required to enter into a new Agreement to, among other things, commit air time to the City of Vancouver for public service announcements and cultural programming, which exceeds the overall airtime provided under the current agreement. This Agreement will be registered on title as a covenant under Section 219 of the Land Title Act and the current agreement will be discharged.

Should the proposed amendments to the Sign By-law not be approved, an extension to the existing agreement could be considered.

Additional details on the requirements for programming are provided in Appendix C. These provisions will form a part of the comprehensive Agreement that will also include detailed requirements for the maintenance and operation of the sign, City of Vancouver airtime, and stipulations regarding liability, indemnity, default and termination. These amendments to the Sign By-law are site-specific and would only apply to this proposal.

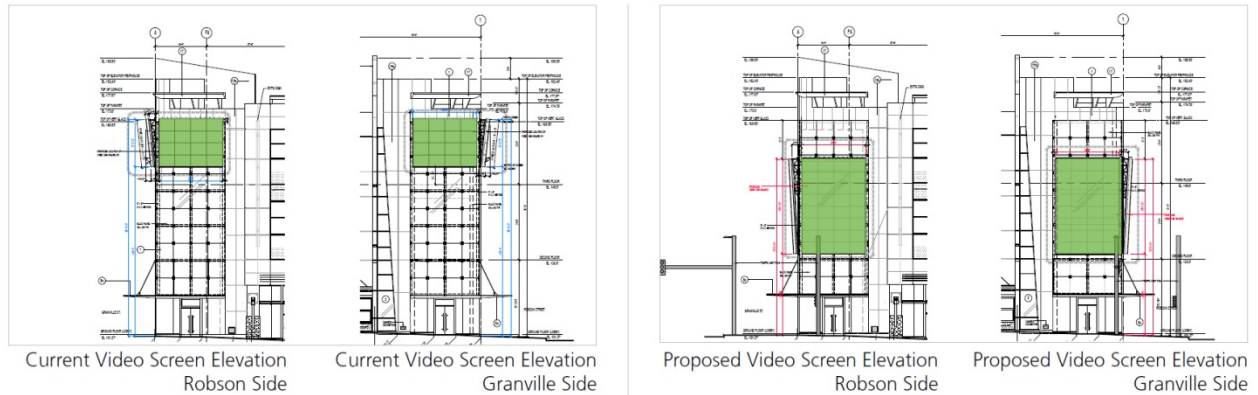


Figure 4: Current and Proposed Sign Elevation Drawings

Traffic Consideration

Based on the specific circumstances at this intersection, the proposed signs are not expected to interfere with the visibility of traffic signals or contribute to driver distraction.

Travel along Granville Street from Georgia Street south past Robson, is restricted to buses and taxis. The portion of Robson Street between the Vancouver Art Gallery and the Courthouse is a pedestrian only area. This is one block west of the proposed signs. As a result, limited east west vehicle traffic along Robson is expected at Granville Street (see Figure 5).

Traffic data will be monitored to determine if there are any impacts to road safety. Any concerns that are identified will be addressed with the Owner, to the satisfaction of the General Manager of Engineering Services.



Figure 5: Transportation conditions in the vicinity of Granville and Robson

Public Input:

A total of 5373 notifications were distributed within the neighbouring area in February 2017. Notification and application information, as well as an online comment form was provided on the City's website. A community open house was held on February 28, 2017 and approximately 21 people attended. A total of 24 written or digital comments were received from the public.

Concerns were raised about the brightness, size, and potential distractive effects of electronic video signs, especially at night where it may affect nearby residents and people working during evening hours. It is anticipated that the regulations in the Sign By-law for brightness and the lower location of the signs on the building will result in reduced impacts on neighbouring properties.

A full public consultation summary is found on Appendix D.

Implications/Related Issues/Risk

Financial

Should the Sign By-law amendment be approved, the applicant will enter into an agreement to i) dedicate 10% of air time to public art and community announcements, with additional time available for video art and concerts administered by the City of Vancouver and ii) contribute \$120,000 a year (with annual CPI adjustment) to City of Vancouver to administer and program the portion of the city air time on the signs. The annual contribution will be sufficient for funding the administrative component of the Vancouver Live program and allow for additional funds to offset costs of video art or concert administration.

CONCLUSION

It is recommended that the application to amend the Sign By-law to allow the placement of two electronic video signs on the second and third floor of 798 Granville Street be supported. The proposed signs are better situated for pedestrian visibility, align with the intent of the Granville Street entertainment area, continue the agreement to obtain community programming benefits, and integrate improved technology to manage lighting impacts.

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PROPOSED PRIOR-TO CONDITIONS TO CONSIDER PRIOR TO BY-LAW ENACTMENT

That, prior to consideration of enactment of the by-law to amend the Sign By-law, the City and Bonnis Properties (Robson) Inc. shall enter into an Agreement, to the satisfaction of the Director of Legal Services, setting out the terms and conditions of the use and operation of the electronic video sign by the owner and securing the amount and timing of City of Vancouver 'air time' and any other terms and conditions as may be required by the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.

This Agreement, and any related agreements shall provide security to the City including, without limitation, indemnities, warranties, equitable charges, and letters of credit and withholding of permits, as deemed necessary and in a form satisfactory to the Director of Legal Services and shall, as required by the Director of Legal Services, be registered as a Section 219 Covenant on title to the lands.

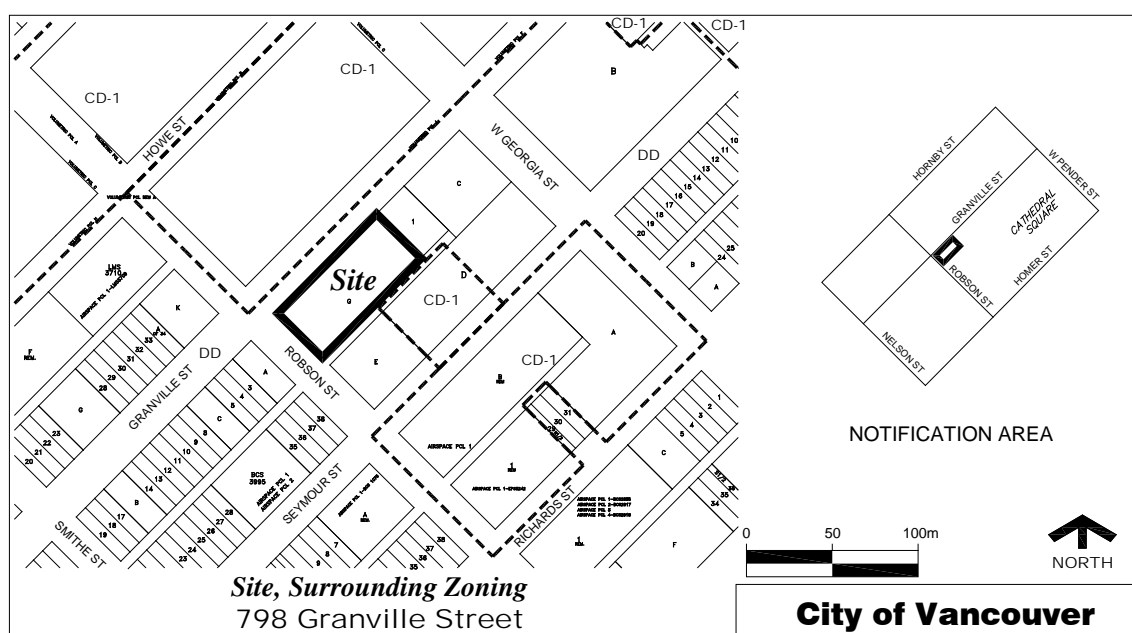
Draft Programming and Content Conditions:

- 10% of air time on the signs will be dedicated to public art and community cultural announcements administered by the City of Vancouver. This airtime will be included in the regular loop of advertisements throughout the day, and cannot be banked or sold by the City of Vancouver.
- An additional 2.5 hours of air time per month will be dedicated to concerts administered by the City of Vancouver.
- An additional amount of airtime will be available to video art productions administered by the City of Vancouver. This air time will be provided daily at noon for no more than 5 minutes per occurrence. These days and times may be adjusted by mutual consent.
- Air time will be granted on an emergency basis to the City of Vancouver for emergency announcements such as amber alerts. The applicant will create content in a timely manner to communicate the emergency message.
- An annual financial contribution of \$120,000 will be provided to the City of Vancouver to assist with costs of administering and programming City content.
- Some in kind technical support and assistance will be provided above the basic receiving and content looping.
- Broader definition of cultural content and public art, to include any works the City of Vancouver determines to have cultural or art benefits.
- 10 year contract term, with an option to extend. With reasonable notice to the City, the applicant may remove and reinstate the signs at the same location should the property undergo significant renovations or redevelopment that would require temporary removal of the signs. In this instance, the annual payment would be prorated to the actual time the sign was in operation during a specific calendar year.
- City content must be submitted in advance in accordance with the provisions set out in the previous contract provisions.

798 Granville Street
PUBLIC CONSULTATION SUMMARY

Public Notification

A community open house was held on February 28, 2017. A total of 5373 notifications were distributed to property owners and tenants within a two block radius of the site. An email notification was sent to the Downtown Business Improvement Association for distribution to their members. Notification and application information, as well as an online comment form, were provided on the City of Vancouver website (vancouver.ca/rezapps).




February 28, 2017 Community Open House

A community open house was held from 5:00-7:30 pm on February 28, 2017, at 872 Granville Street. Staff, the applicant team, and a total of approximately 21 people attended the Open House.

Public Response

Public responses to this proposal have been submitted to the City as follows:

- In response to the February 28, 2017 open house, a total of 4 comment sheets were received from the public.
- A total of 20 letters, e-mails, online comment forms, and other feedback were received from the public

Total notifications		5373
Open House attendees	21	
Feedback forms	4	
Electronic feedback	20	

It should be noted that 14 of the 24 responses received originated from one business located on the fourth floor of the offices above Nordstrom. Their comments, however, were common amongst other responses. All of the feedback received is aggregated below, organized by topic and ordered by frequency:

Brightness

Respondents were concerned that the proposed electronic video signs may be too bright, especially due to the proposed increase in sign size. At the same time, there was strong support for the use of dimming technologies, particularly during evening and late night hours to mitigate the effects on nearby residents and businesses.

Size

Concerns over the size of the proposed electronic video signs were raised primarily because it would be a significant distraction for nearby businesses and because of the potential effects on ambient light conditions during evening and late night hours.

Positioning

Respondents supported lowering the signs from their current positions on the third storey and angling them to the street. It was recognized that lowering the signs and angling them toward the street would help to minimize the negative impacts on neighbours while making the signs more visible to shoppers.

Distraction

There were some concerns that the proposed electronic video signs would be distracting to nearby employees because of flashing advertisements, reflections, and glare, especially at night.

Sign Content

Some respondents would like to see an increase in the proportion of arts, culture, and community-related programming displayed on the proposed electronic video signs.