



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: March 22, 2010
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Meeting Date: April 8, 2010

TO: Standing Committee on Planning and Environment

FROM: Director of Licenses and Inspections, in consultation with the Director of Planning

SUBJECT: Proposed Pacific National Exhibition 100th Anniversary Celebration Sign Designation and Relaxation By-law

RECOMMENDATION

THAT Council, by by-law, designates the Pacific National Exhibition (PNE)100th Anniversary Celebration as a special event for the purpose of providing sign relaxations and authorizing the Director of Licenses and Inspections to grant relaxations for signs related to the anniversary celebration, and to impose time limits and conditions on such relaxations;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally in accordance with Appendix A, and to bring the by-law back to Council for enactment.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS A.

CITY MANAGER'S COMMENTS

The City Manager RECOMMENDS approval of recommendation A.

COUNCIL POLICY

Section 571AA of the Vancouver Charter enables Council, by by-law, to provide for the relaxation of the Sign By-law if the sign is in relation to a special event, as designated by Council by by-law or resolution, and authorize any official of the city or by a board composed

of such officials to determine what relaxations are appropriate. The relaxations may be limited in time and may be made subject to conditions.

PURPOSE

This report recommends that Council bring into effect a new by-law to:

- designate the PNE 100th Anniversary Celebration as a “special event” for the purpose of providing sign relaxations and to authorize the Director of Licenses and Inspections to determine what relaxations are appropriate, including the establishment of conditions and time limits.

BACKGROUND

In January 2006, Council requested the Province to amend the Vancouver Charter to grant relaxation provisions for the Sign By-law in the case of special events. Section 571AA of the Vancouver Charter introduces these relaxations, and also provides that they may be subject to conditions and limited in time. The Province approved these Charter amendments in March 2006.

DISCUSSION

This year, the PNE will be celebrating their 100th Anniversary. Staff recommends that Council enact a new by-law to designate the PNE 100th Anniversary Celebration as a special event and introduce relaxation provisions to accommodate sign opportunities, such as banners, for this special occasion. For example, relaxations may be sought to accommodate large-sized celebratory banners; the Sign By-law only permits banners up to 4 m² (43 sq. ft.). The PNE has initiated discussions with the City about upcoming signage to create a festive/celebratory atmosphere and assist with wayfinding both inside and outside the site.

Key objectives for this special event signage will be to ensure that the signage does not detract from the public realm, maintains views through the site and is respectful to the neighbourhood. The proposed by-law specifies that the signage:

- contains content which celebrates the PNE 100th Anniversary or creates or enhances a festive environment;
- contains no third party advertising; and
- is time limited to December 31, 2010, after which date the sign must be removed.

Signage which proposes illumination will not be approved. Consideration may be given to banners, flags and partial building wraps which propose celebratory and festive content. Consultation will occur with other departments to ensure that life safety, aesthetics and other issues are addressed.

The Director of Licenses and Inspections is the approving authority because signs generally include structural elements to enable signs to be attached to buildings. The relaxation provisions will apply except for sections 14 and 15 of the Sign By-law which deals with electrical and construction aspects as these are matters of life safety. All sign applicants will

still need to comply with the provisions of these sections, to the satisfaction of the Chief Building Official.

When the City has issued a sign permit for celebratory signage for this special event, the permit will be posted to the Hastings-Sunrise Community Web Page for general information, along with staff contact details. Hastings-Sunrise community groups have also been notified of this report.

FINANCIAL IMPLICATIONS

There are no financial implications with respect to the city's operating expenditures, fees or staffing.

CONCLUSION

Designating the PNE 100th Anniversary Celebration as a special event will provide staff with the flexibility to accommodate signage opportunities from May 1 to December 31, 2010 and facilitate the creation of a celebratory atmosphere.

Staff recommends that Council designate this celebration as a "special event" by by-law and authorize the Director of Licenses and Inspections to grant sign relaxations, including the establishment of conditions and time limits, and that the Director of Legal Services be instructed to prepare a by-law, generally in accordance with Appendix A, and to bring the by-law back to Council for enactment.

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**CITY OF VANCOUVER
BRITISH COLUMBIA**



**PNE
100TH ANNIVERSARY
SIGN DESIGNATION AND RELAXATION
BY-LAW NO. _____**

PNE
100TH ANNIVERSARY SIGN DESIGNATION AND RELAXATION BY-LAW

TABLE OF CONTENTS

SECTION 1
INTERPRETATION

- 1.1 Name of By-law
- 1.2 Definitions
- 1.3 Table of contents
- 1.4 Severability

SECTION 2
DESIGNATION AND AUTHORIZATION

- 2.1 Designation
- 2.2 Authorization

SECTION 3
TIME LIMITS AND CONDITIONS

- 3.1 Restriction on relaxation
- 3.2 Compliance with Sign By-law
- 3.3 Electrical and construction requirements
- 3.4 Time limits for signs at the site
- 3.5 Time limits for celebratory signs and wayfinding signs
- 3.6 Conditions for celebratory signs
- 3.7 Conditions for wayfinding signs

SECTION 4
OFFENCES AND PENALTIES AND ENFORCEMENT

- 4.1 Offences under By-law
- 4.2 Notice or order regarding violation
- 4.3 Service of notice or order
- 4.4 Fine for offence
- 4.5 Fine for continuing offence

SECTION 5
ENACTMENT

- 5. Force and effect

BY-LAW NO. _____

**A By-law regarding designation of a special event
and relaxations of the Sign By-law for the
PNE 100th Anniversary**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**SECTION 1
INTERPRETATION**

Name of By-law

1.1 The name of this By-law, for citation, is the “PNE 100th Anniversary Sign Designation and Relaxation By-law”.

Definitions

1.2 In this By-law:

“celebratory sign” means a sign that celebrates the PNE 100th Anniversary, and creates or enhances a festive environment and atmosphere for the PNE 100th Anniversary ;

“Director” has the meaning ascribed to it by section 2.1 of the Sign By-law;

“sign” has the meaning ascribed to it by section 2.1 of the Sign By-law;

“PNE 100th Anniversary” means the Pacific National Exhibition 100th Anniversary celebration;

“site” means PID: 008-348-219, Lot 90, except part in Plan 13045, Town of Hastings Suburban Lands, Plan 100, and PID: 007-262-841, Block X, except part in Explanatory Plan 13247, Town of Hastings, Plan 17745;

“wayfinding sign” means a sign that gives directions to or on the site.

Table of contents

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

Severability

1.4 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

SECTION 2 DESIGNATION AND AUTHORIZATION

Designation

2.1 Council designates the PNE 100th Anniversary as a special event.

Authorization

2.2 Subject to the time limits and conditions set out in this By-law, Council authorizes the Director to relax the Sign By-law for any sign in relation to the PNE 100th Anniversary, and to impose time limits and conditions on such relaxations.

SECTION 3 TIME LIMITS AND CONDITIONS

Restriction on relaxation

3.1 The Director may relax the Sign By-law only for a celebratory or wayfinding sign to or on the site.

Compliance with Sign By-law

3.2 Except only to the extent this By-law allows or to the extent the Director authorizes a relaxation, a person who constructs, installs, places, erects, displays, projects, paints, alters, repairs, or relocates a sign must comply with the Sign By-law.

Electrical and construction requirements

3.3 This By-law does not apply to, nor allow any relaxations of, Section 14 of the Sign By-law which sets out electrical requirements for signs or Section 15 which sets out construction requirements for signs.

Time limits for signs at the site

3.4 The relaxations the Director may authorize for a sign to or on the site are to commence on a date authorized by the Director, and end on the earlier of a date required by the Director and December 31, 2010.

Time limits for celebratory signs and wayfinding signs

3.5 The relaxations the Director may authorize for a celebratory sign are to:

- (a) begin on a date authorized by the Director; and

- (b) end on the earlier of:
 - (i) a date required by the Director,
 - (ii) December 31, 2010.

Conditions for celebratory signs

3.6 A celebratory sign:

- (a) requires a permit under the Sign By-law;
- (b) must include information that celebrates the PNE 100th Anniversary, or creates or enhances a festive environment and atmosphere for the PNE 100th Anniversary; and
- (c) must not include any third party advertising, which has the meaning ascribed to it by section 2.1 of the Sign By-law.

Conditions for wayfinding signs

3.7 A wayfinding sign:

- (a) requires a permit under the Sign By-law; and
- (b) must not include any third party advertising, which has the meaning ascribed to it by section 2.1 of the Sign By-law.

SECTION 4 OFFENCES AND PENALTIES AND ENFORCEMENT

Offences under By-law

4.1 A person who:

- (a) violates any provision of this By-law, or does any act or thing which violates any provision of this By-law, or suffers or allows any other person to do any act or thing which violates any provision of this By-law;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this By-law;
- (c) fails to comply, or suffers or allows any other person to fail to comply, with an order, direction, or notice given under any provision of this By-law; or
- (d) fails to comply with any term or condition of any relaxation authorized by the Director under this By-law or with any condition or time limit imposed by the Director on such a relaxation;

is guilty of an offence against this By-law, and liable to the penalties imposed under this Section 4.

Notice or order regarding violation

4.2 An inspector or official of the city, or a by-law enforcement officer, may give notice or an order to any person ordering or directing that person to:

- (a) discontinue or refrain from proceeding with any work or doing anything that contravenes this By-law; or
- (b) carry out any work or do anything to bring a sign into conformity with this By-law;

within the time specified in such notice.

Service of notice or order

4.3 An inspector or official of the city, or a by-law enforcement officer, may serve a notice or order under this By-law:

- (a) by mailing it by registered post to an owner at the address of the owner shown on the real-property assessment roll prepared pursuant to the Assessment Act, to the occupant of the site or to the owner of the sign;
- (b) by handing it to the owner or other person who is the addressee of the notice;
- (c) if the notice or order refers to a sign on real property, by posting it on the real property.

Fine for offence

4.4 Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$500.00 and not more than \$2,000.00 for each offence.

Fine for continuing offence

4.5 Every person who commits an offence of a continuing nature against this By-law is liable to a fine not exceeding \$50.00 for each day such offence continues.

SECTION 5
ENACTMENT

Force and effect

5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2010

Mayor

City Clerk