



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: May 15, 2015
Contact: Jane Pickering
Contact No.: 604.873.7456
RTS No.: 10801
VanRIMS No.: 08-2000-20
Meeting Date: May 26, 2015

TO: Vancouver City Council
FROM: General Manager of Planning and Development Services
SUBJECT: Sign By-law Amendment: 520 West Georgia Street (TELUS Garden)

RECOMMENDATION

- A. THAT the application by Henriquez Partners Architects, on behalf of 500 Georgia Property Inc. (a partnership between TELUS Communications and Westbank Properties), the registered owners (the "Owner") of a commercial building known as TELUS Garden having a civic address of 520 West Georgia Street (PID: 028-779-576; Lot A, Block 54, District Lot 541, Group 1, New Westminster District Plan BCP50274 ("TELUS Garden")), to amend the Sign By-law to allow a sign on a retractable screen with electronic copy in the form of projected video images (the "Screen") to be installed and operated on the west façade of TELUS Garden be referred to a Public Hearing together with:
- (i) Draft Sign By-law amendments, substantially in accordance with Appendix A;
 - (ii) The recommendation of the General Manager of Planning and Development Services to approve the application, subject to the conditions contained in Appendix B.
- B. THAT, subject to 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 an agreement to set out the terms and conditions of the use and operation of the Screen (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 and Development Services;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, substantially in accordance with Appendix A, for consideration at the Public Hearing.

- 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; and
 - (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.

REPORT SUMMARY

This report seeks Council approval for amendments to the Sign By-law to allow a 7.5 m x 11 m retractable screen with electronic copy, in the form of projected video images, on the west façade of TELUS Garden, between the 16th and 18th floors of the 22 storey building. The proposed Screen will feature video art and community programming, as well as limited tenant recognition for TELUS Garden tenants who sponsor video programming. There will be no advertising for products or services. The Screen will animate the building and precinct, which is in close proximity to the Granville Street entertainment district (where animated and neon signs are encouraged), and the existing and anticipated future location of the Vancouver Art Gallery.

The Screen uses back projection technology which is only visible in low light conditions. As a result, it will have limited hours of use, from dusk to 11 pm. Its location on the west façade of the building means the Screen will be visible mainly from the north side of Georgia Street, west of Seymour Street. Impacts on residential uses are anticipated to be minimal as the screen is oriented towards the commercial/office district.

Amendments to the Sign By-law are needed because there is no provision for new technology, such as a retractable screen with electronic copy, in the by-law. The Owner will be required to enter into an Agreement to set out terms and conditions governing the use and operation of the Screen and this Agreement will be registered as a covenant on title to TELUS Garden.

It is recommended that the application be referred to a Public Hearing, with the recommendation of the General Manager of Planning and Development Services to approve it, subject to the Public Hearing, along with the conditions of approval outlined in Appendix B and C.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council Policies for this proposal include:

- CD-1(525) By-law No. 10433, enacted February 28, 2012.
- Sign By-law No. 6510

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Planning and Development Services RECOMMENDS approval of the foregoing.

REPORT

1. Background

a) Site Rezoning

On February 28, 2012, the site at 520 West Georgia St. (along with 775 Richards St. and 555 Robson St.) was rezoned to CD-1 to permit, among other things, a mixed-use development, TELUS Garden. The TELUS Garden development will include a new head office for TELUS, as well as office space for tenants, including Amazon, Bull Housser law firm and Glowbal Grill restaurant.

Included in the approval of the zoning was support in principle for a sign with a retractable projection screen, located between the 16th and 18th floors of the office building at 520 West Georgia St., based on the following:

- the building will be the head office for TELUS, a pre-eminent technology provider;
- the Screen is to be integrated into the design of the building and will animate it; and
- a significant majority of the Screen content is to be for civic and artistic uses, with no third party advertising.

b) Sign By-law Review

A review of the Sign By-law is currently underway to update the by-law and to consider approaches to addressing new sign technology. The review includes a study of best practices for digital signage including appropriate locations for digital signs, size, and hours of operation. It is anticipated the Sign By-law update will be completed in late 2015 and will include new digital media signage provisions which will reduce the number of one-off sign by-law applications necessary.

2. Site Context

Buildings to the north and west of the TELUS Garden site, which will have the most direct sightlines to the proposed Screen, are primarily commercial/office uses (see Figure 1), with the exception of the upper floors of the Hudson residential building and the Private Residences at the Hotel Georgia (north of the tower at 701 West Georgia). Directly opposite the proposed Screen is the Scotia Tower office building. Development to the south of the site is primarily residential, with few sightlines to the Screen. The Kingston Hotel and TELUS Garden residential tower are adjacent to the TELUS Garden building where the Screen is to be located, although it will not be visible from either building. The Screen will also not be visible from development east of the site.

Other electronic screens located downtown include an LED screen at the Queen Elizabeth Theatre, on Georgia Street, and video screens (which display 3rd party advertising) at:

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

Figure 1. Site and Adjacent Development



- (a) Kingston Hotel (residential)
- (b) TELUS Garden residential building
- (c) TELUS and Avigilon Office Buildings
- (d) Capitol Residences
- (e) Office/Retail Building
- (f) Parking Garage
- (g) Scotia Tower
- (h) London Drugs
- (i) Pacific Centre/TD Tower
- (j) Pacific Centre/701 West Georgia Tower
- (k) Hudson's Bay
- (l) The Hudson residential building
- (m) Office/Retail Buildings

Strategic Analysis

1. Proposed Sign:

Amendments to the Sign By-law are being requested to permit a 7.5 m (24.6 ft.) high by 11 m (36 ft.) wide sign on a retractable screen, with electronic copy in the form of projected video images (see Appendix D, Figure 2):

a) Location:

The proposed Screen is to be located on the west façade of the TELUS Garden office building at 520 West Georgia St., between the 16th and 18th floors of the 22 storey building, located behind the window panels of the 3-storey sky garden. The Screen will be housed in the ceiling of the sky garden and will not be visible when retracted.

b) Technology:

The proposed Screen will use back projection technology to project images onto a mesh screen. The projectors will be located between the raised floors of the building behind the screen and powered by photovoltaic panels on the roof of the building. Back projection creates a softer image than standard LED technology and is visible in low light conditions only. As a result, the Screen will not be in use during daytime hours and will be retracted. It is proposed that the Screen will be lowered at dusk. There is no audio associated with the Screen.

c) Content and Programming:

The proposed Screen will be used to display cultural content and community programming, with limited recognition for TELUS Garden tenants, and City of Vancouver sponsored public service announcements. Video content will generally run in 20 minute loops (although not restricted to this length). Content will be allocated as follows:

- (i) 90 percent (approximately 18 minutes) will be composed of cultural content and community programming in the following proportions:
- a minimum of 60% will be existing or commissioned professional art content, licensed art, and student film, video and art;
 - the remainder will be community programming and TELUS TV produced content which will include video clips of local events such as the Vancouver Sun Run, Pride Parade, Jazz Festival and will not include advertising or promotion of TELUS programs or services; and
 - a maximum of 25 percent (4.5 minutes) of content may include the logo or slogan of a tenant at TELUS Garden in association with video content that has been sponsored by the tenant. Logos and slogans will not be permitted to overlay or appear on the screen at the same time as professional, licensed or student art content. No advertising for products or services will be allowed.
- (ii) 10 percent (approximately 2 minutes) of screen content will be reserved for City of Vancouver public service announcements and programming. Staff in Cultural Services will co-ordinate the content, which will include advertising of upcoming events and performances produced by non-profit arts organizations and video artwork. Similar arrangements currently exist for the video signs at the former Future Shop building at Robson and Granville Streets and on the CBC site.

Although the proposed Screen includes primarily cultural content, it is not part of the City's public art program and will be administered by the Owner, with programming and content secured through the Agreement.

2. Proposed Amendments to the Sign By-law

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

Current Sign By-law Regulations	Proposed Amendments
<ul style="list-style-type: none"> no definition for proposed sign type no definition for proposed sign copy no regulations for sign type 	<ul style="list-style-type: none"> new definition for Retractable Screen Sign new definition for Electronic Copy regulate size, height, brightness, hours of operation, maximum size of a tenant logo or slogan, require that the sign be retracted when not in use, and allow recognition of arts organizations in association with City of Vancouver public service announcements and video art
<ul style="list-style-type: none"> signs with animation are not allowed at this location 	<ul style="list-style-type: none"> allow animation
<ul style="list-style-type: none"> signs cannot be located so that they obstruct the lighting, ventilation, access or operation of a window 	<ul style="list-style-type: none"> allow the sign to be located in front of a window

To mitigate impacts on nearby uses and because the projection technology requires low light conditions, the Screen will operate between dusk and 11 pm only. In the summer the Screen will generally be in operation between 9 pm and 11 pm and in the winter after 5 pm to 11 pm. The Screen must be retracted when it is not in use. The brightness of the Screen will be limited to 330 cd¹ per m², which is in keeping with a review of best practices for electronic signs in other municipalities (regulations generally range from 300 cd per m² to 500 cd per m² between sunset and sunrise).

Reflecting the intended use of the Screen for cultural programming, tenant logos and slogans will be limited to a maximum size of 8.25 m², which is 10% of the screen area.

As a condition of the Sign By-law amendments, the Owner will be required to enter into an Agreement which will secure 10% air time for City of Vancouver public service announcements and cultural programming as well as include detailed requirements for Screen content and programming, as summarized below:

- content and programming must be as described in 1. c) above and any changes must be approved by the City;
- the City may require an annual review of screen programming, content, operation and administration, to ensure compliance with the provisions of the Agreement; and
- a committee that includes a recognized art professional and an independent video/film professional (both approved by the City) must be established to review and approve content and look for opportunities to work with established arts and media organizations.

¹ cd per m² (candelas per square metre) is the standard unit of luminous intensity or amount of light emitted by the light source.

Additional details on the requirements for Screen content and 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 screen, City of Vancouver air time, and stipulations regarding liability, indemnity, default and termination. These amendments to the Sign By-law are site-specific and only apply to this proposal. However, the Sign By-law review is considering ways to incorporate regulations for new technology into the by-law, including areas where digital signs could be considered in the future.

3. Residential and Traffic Considerations

Impact on nearby residential uses is anticipated to be minimal as the Screen is primarily oriented towards commercial uses. The nearest residential uses from which it can be seen are the Capital Residences at 833 Seymour Street and the Hudson at 610 Granville Street (see Figure 1.) which are 200 m and 175 m away, respectively. While the upper floors of both buildings will have diagonal sightlines to the proposed screen, the distance and the angle from which it can be seen will reduce impacts. The Screen will also be visible from the upper floors of the Private Residences at the Hotel Georgia at 667 Howe Street, which is 300 m north-west of the Screen. The distance from the Screen will limit impacts, as will the requirement for the Screen to be turned off at 11 pm.

The proposed Screen is not expected to interfere with the visibility of traffic signals due to its height. However, it is unknown if the Screen will have an impact on driver distraction. 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 applicant, to the satisfaction of the General Manager of Engineering Services.

Public Consultation

A community open house was held on February 11th, 2015 to explain the proposal and to obtain community input. Residents and property owners within a two block radius of the proposed Screen were notified by mail about the open house. An additional block to the north-west of the site was also notified, reflecting the sightlines to the Screen. Advertisements were placed in both the Courier and Georgia Straight newspapers. Staff from Planning & Development Services and Cultural Services were in attendance, as well as representatives from Henriquez Partners Architects, TELUS, and Westbank Projects.

Approximately 55 community members attended the meeting. Fifty-six comment forms, phone calls and emails were received, with 25% of responses in support of the proposed Screen, 10% tentatively supportive and 65% opposed. Those in support thought the Screen was well designed and would add animation and interest to the building façade and the area. They also liked that the Screen would provide a venue for art. A few tentatively supported the proposal if measures are taken to reduce impacts on residents (e.g. turn the screen off at 11 pm) and the content is controlled to prevent advertising and to ensure that the Screen is used for cultural and artistic programming.

Those who did not support the proposal were concerned about the impacts of the illumination and brightness of the Screen (41% of all responses), concerned that the content would be used for advertising rather than cultural content (36% of responses), thought that the screen would overwhelm the area and negatively impact the public realm (18% of responses), and that it could impact driver distraction (7% of responses).

Several respondents also noted mistrust of TELUS and the proposed Screen content based on their experience of the digital signs at BC Place, which include advertising by TELUS. Those signs are owned by BC PavCo and were not approved by the City of Vancouver. Comparisons were also made to the video signs at Granville and Robson Streets, with concern that the proposed media sign would be used for advertising, similar to these signs. However, the latter signs were approved for third party advertising; they provide 10% air time for City of Vancouver announcements and programming.

To address the above-noted concerns, the proposed amendments to the Sign By-law include regulations to restrict the hours of operation, brightness, size of tenant logos and slogans, as well as require that the Screen is retracted when not in use. The Agreement will ensure that the Screen is restricted to cultural content and City of Vancouver programming, will limit opportunity for tenant recognition and ensure there is no advertising for goods or services.

CONCLUSION

It is recommended that the application to amend the Sign By-law to allow the installation of a retractable screen with electronic copy between the 16th and 18th floors of TELUS Garden at 520 West Georgia Street be supported. The proposed Screen will be integrated into the architecture of the building, which is occupied by a leading technology provider, and will provide a venue to display video art and community programming.

* * * * *

Sign By-law amendments
Regarding TELUS Garden retractable screen sign

Draft for Public Hearing

BY-LAW NO. _____

A By-law to amend
Sign By-law No. 6510
regarding a sign at 520 West Georgia Street

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

1. This By-law adds to the indicated provisions of the Sign By-law.

2. In Section 2, in alphabetical order, Council adds:

Copy, Electronic means *copy* that is displayed and changed using electronic screens, projection, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays or any other similar electronic, computer generated or digital technology .

Sign, Retractable Screen means a screen that has *copy* painted on, attached to or projected onto it and that can be retracted so that it is not visible."

3. In Schedule B, Council adds:

"(p) despite anything to the contrary in this By-law, but only on the site described as CD-1 (525) and regulated by CD-1 By-law No. 10433, on the west façade of the building located at 520 West Georgia Street:

1. one Retractable Screen Sign with Electronic Copy in respect of which:

- (A) the vertical dimension of the sign must not exceed 7.5 m;
- (B) the horizontal dimension of the sign must not exceed 11 m;
- (C) the height of the sign must not exceed 67.7 m above grade;
- (D) the screen must be retracted when not in use;
- (E) the screen must not be in use between 11 pm and dusk;
- (F) the maximum luminance must not exceed 330 candelas per m²;
- (G) the maximum size of a logo or slogan pertaining to a business located on the premises is 8.25 m²;
- (H) notwithstanding the provisions of Section 2, for the purposes of Schedule B 1 (p), third party advertising does not include sign copy that advertises, promotes or directs attention to businesses, goods or services, matters or activities pertaining to a civic, artistic or cultural institution, society, event or purpose not located on the site; and
- (I) sections 11.1.2, 11.1.3 and 11.9 do not apply."

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

That, prior to consideration of enactment of the Sign By-law, the City and 500 Georgia Property 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 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.

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, if required by the Director of Legal Services, be registered as a covenant on title to the lands.

Draft Programming and Content Conditions:

The following content and programming restrictions will apply to the Screen and be included as terms and conditions of the Agreement between the City and 500 Georgia Property Inc. (the "Owner"):

1. 90% of the Screen air time must be composed of cultural content and community programming, as described below:
 - (a) a minimum of 60% must be existing or commissioned independent professional art content (independent art, film, video, digital productions), licensed art or student film, video and art content;
 - (b) the remainder may be community programming and TELUS TV produced content, including significant local, national, international events, but not advertising or promotion of TELUS programs or services; and
 - (c) a maximum of 25% of the cultural content and community programming air time may include the logo or slogan of a tenant at TELUS Garden in association with a video clip that has been sponsored by the tenant:
 - (i) no more than 25% of each 20 minutes of air time may contain a logo or slogan;
 - (ii) logos or slogans must not overlay existing or commissioned or licensed professional art content or student art content or appear on the Screen at the same time
 - (iii) the Owner must not display or permit any other person to display advertising for goods and services.
2. 10% of the Screen air time must be reserved for air time provided by the City of Vancouver, with requirements for:
 - equal distribution of City air time;
 - allowing the banking of City air time; and
 - the provision of technical support by the Owner.
3. Artists and students must not be charged a fee to display artwork on the Screen.
4. The City of Vancouver may require an annual review of sign programming, content, operation and administration.
5. Any change to the allocation of the 90% cultural content, the 25% tenant recognition or 10% City of Vancouver air time, must be approved by the City of Vancouver.
6. Proposed cultural content will be reviewed and approved by a committee including two stakeholders from the ownership group (including one representative from Westbank Projects and one representative from TELUS Communications) and at least one member who is a recognized art professional and one independent video/film professional, the latter two to be approved by the City of Vancouver. The committee will:
 - (a) meet at least 4 times a year to review and approve Screen content, including the 60% art content, community programming and 25 % tenant recognition, but excluding the 10% City air time;

- (b) consult and consider partnership opportunities with arts and media organizations (Vancouver Art Gallery, Vancouver Contemporary Art Gallery, Vancouver Film Festival, Cineworks, VIVO) and art schools in the process of selecting and/or providing licensed and commissioned video art; and
 - (c) consider opportunities to receive submissions from new and emerging artists, local artists.
7. Members of the committee, other than building stakeholders, will be paid a professional consultant fee by the Owner(s) to compensate for their contribution to the Screen programming.
 8. TELUS will provide production support and technical resources.
 9. A police override for emergencies and amber alerts will be enabled.

Figure 2. Proposed Media Sign

