



REPORT

Report Date: June 2, 2020
Contact: Theresa O'Donnell
Contact No.: 604.673-8434
RTS No.: 13876
VanRIMS No.: 08-2000-20
Meeting Date: June 30, 2020
[Submit comments to Council](#)

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: Applicant Request for Reconsideration of Refused Sign Permit:
654 Nelson Street

RECOMMENDATION

THAT Council uphold the decision by the Director of Planning on March 26, 2020 to refuse Sign Permit SI-2019-00782 because the proposed sign does not comply with the Sign By-law and does not meet the requirements for relaxation due to unnecessary hardship.

Under Section 15.11 of the Sign By-law, an applicant may request that Council reconsider a refusal to issue a sign permit due to unnecessary hardship and in reconsidering the application, Council may uphold, overturn, or vary a decision to refuse a sign permit.

REPORT SUMMARY

The Director of Planning refused the sign application because the animated copy is located outside of the permitted animated copy area. A separate permit with the identical signage has been issued with the condition that the sign is operated without the animated copy consistent with the current Sign By-law. The bounded area for animated copy is intended to minimize impacts to nearby residences (see Fig. 1). There is no public engagement or notification as part of the sign permit process. A future planning initiative will revisit signage as the site borders (across the street) the area where animated copy is permitted.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Relevant Council policies for this site include:

- *Vancouver Charter*
 - Sections 571A and 571AA authorize Council to make by-laws to regulate signs, and to relax the Sign By-law's regulations in circumstances of unnecessary hardship.

- The Director of Planning is not authorized to grant a relaxation for animated signage at this location under Granville Street Sign District and the Sign By-law.
- Section 571AA entitles any person whose request for a relaxation is considered by the Director of Planning to have the decision reconsidered by Council.
- Sign By-law:
 - Enacted on July 25, 2017.
 - Section 1.3 defines “Unnecessary hardship” as “hardship that results from unique physical circumstances that are peculiar to the site and does not include mere inconvenience, preference for a more lenient standard or a more profitable use, or self-induced hardship resulting from the actions of the owner or applicant.”
 - Section 12.15 allows animated copy to be located on a projecting sign that faces Granville Street, between West Hastings Street and Nelson Street.
 - Part 15 includes how the Director of Planning is to consider relaxation requests based on unnecessary hardship, and the process for reconsideration of that decision by Council.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The Director of Planning, Urban Design and Sustainability recommends approval of the foregoing recommendation to uphold the decision by the Director of Planning to refuse Sign Permit SI-2019-00782.

REPORT

Background/Context

The Belmont Hotel is a 6-storey building located at the corner of Nelson and Granville Street in the Granville Street Sign District. The district encourages neon signs with animated copy, moving signs, and other signs that reflect the historic role of Granville Street as a vibrant, colourful retail and entertainment centre. In order to protect and minimize potential impacts to nearby residences, the Sign By-law does not permit animated copy on signs outside the area between Nelson and West Hastings Street (see Figure 1). Refusal of animated copy on a sign is consistent with the current Sign By-law due to the proposed sign's location.

The Belmont Hotel currently has a number of signs, including various fascia signs at street level, and a four-storey projecting sign at the corner (see Figures 2 and 3). Urban Sign applied for sign permit SI-2019-00782 on December 20, 2019 (see the proposal in Figure 4). The proposal included a series of 3 figures in neon lighting that is sequentially animated to create the effect of a person diving on the existing illuminated double-faced projecting sign.

- November 13, 2019: Prior to submitting an application, the applicant was advised by staff that a relaxation would not be supported for this application.
- December 20, 2019: Applicant submitted an application with a relaxation request (Appendix B).
- March 26, 2020: Director of Planning refused the relaxation request (Appendix C).
- April 9, 2020: Applicant requested Council reconsideration of Director of Planning decision (see Appendix D). A detailed file history is attached in Appendix A.

A second permit SI-2019-00012 with the neon diving figures was submitted on January 9, 2020 and issued on January 15, 2020. It allows the neon diving figures to be added to the existing projecting sign with the condition that the sign is operated without the animated copy to be

consistent with the Sign By-law. A future planning initiative will revisit signage as part of the Granville Street South Entertainment District Guidelines.

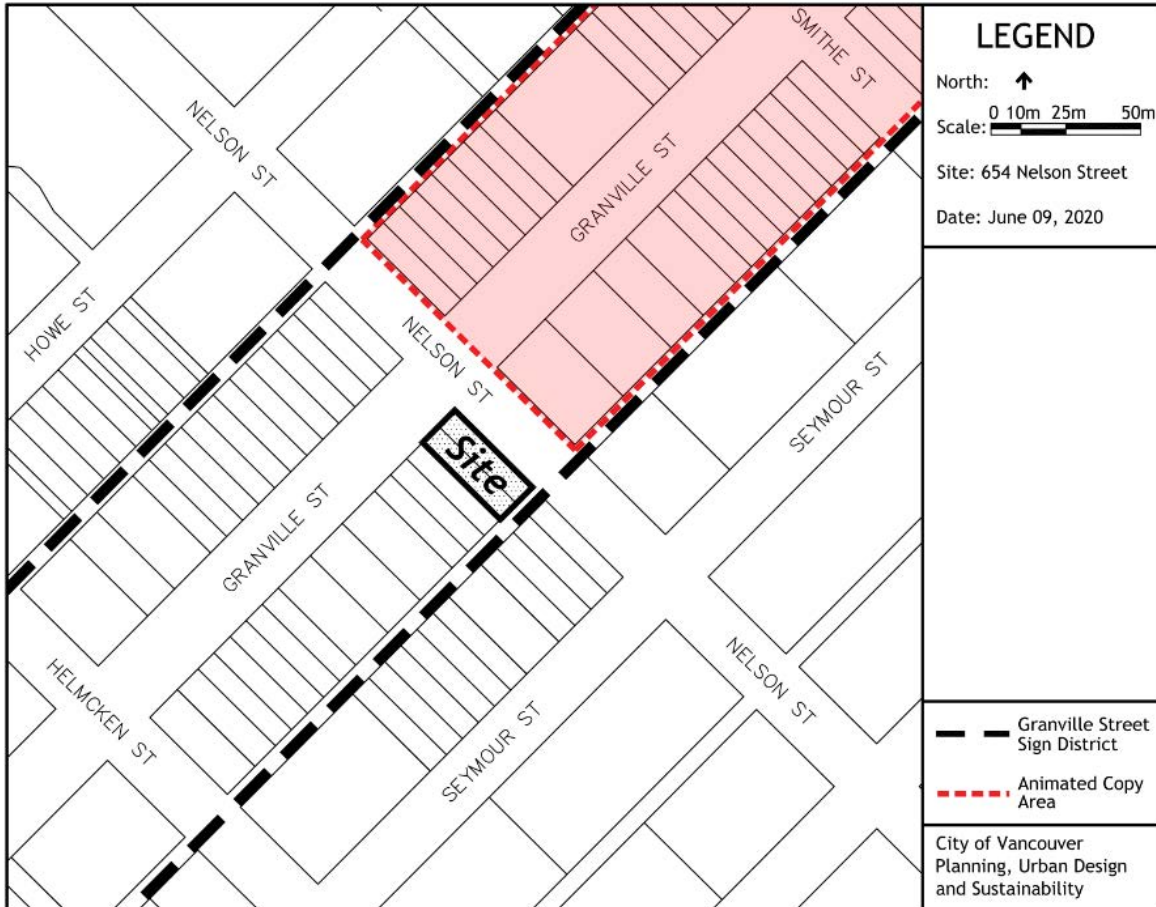


Figure 1: Sign location



Figure 2: Granville Street frontage

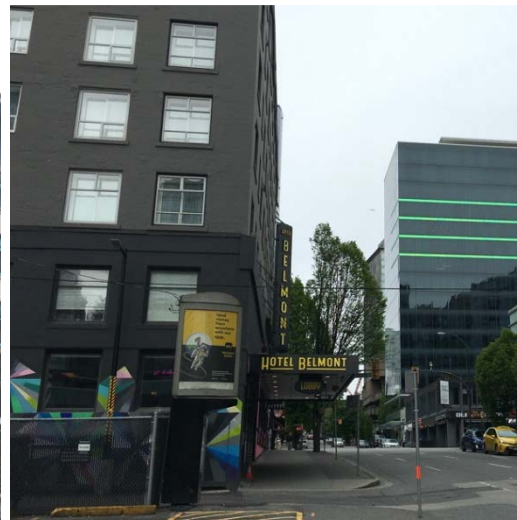


Figure 3: Nelson Street frontage

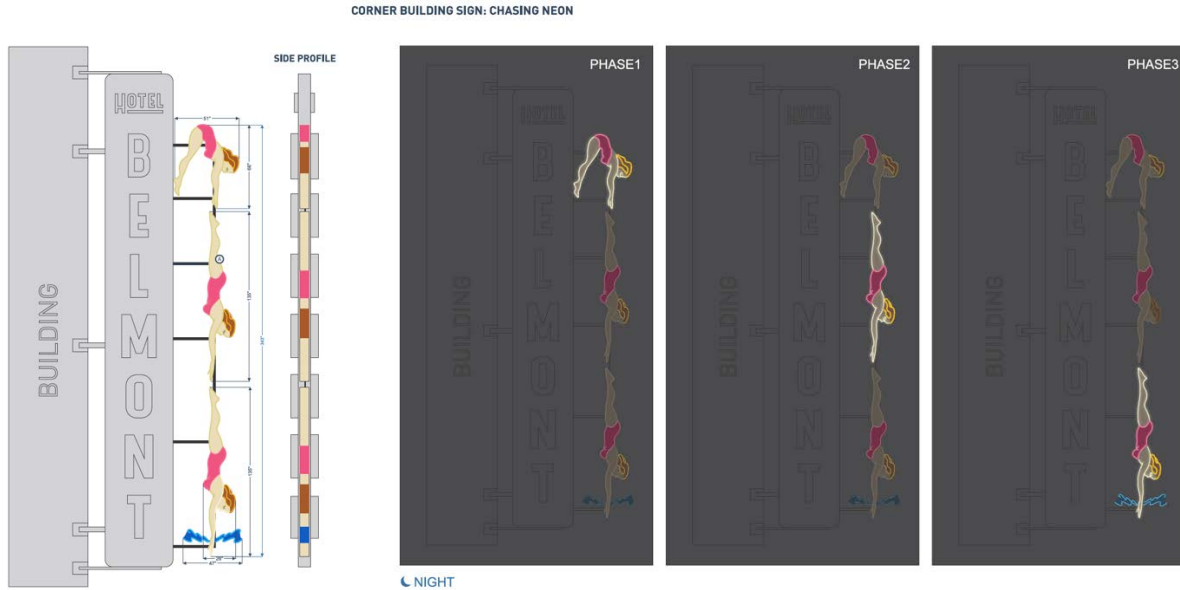


Figure 4: Proposed addition to existing projecting sign, with phased animated copy.

Strategic Analysis

As described on Appendix C, the Director of Planning refused the permit and the request for relaxation on March 26, 2020 for the following reasons:

- Proposed sign location does not comply with Section 12.15 (b) which requires signs with animated copy to face Granville St., between West Hasting and Nelson Street because the sign is on the other side of Nelson Street.
- Director of Planning does not have the authority to permit animated signage at this location under the Granville Street Sign District and the Sign By-law (Section 12.15).
- Director of Planning may relax the permitted height, sign area, copy area, vertical dimension or width of a sign; or the permitted location or number of signs on a site, but not whether a sign outside the designated area may or may not have animated copy.
- As there is no unnecessary hardship as that term is defined in the Sign By-law, the application is not eligible for any relaxation as set out in section 15 of the By-law.

Pursuant to By-law section 15.11, the applicant requested through the City Clerk that Council reconsider the Director of Planning's decision to refuse the relaxation. Council may consider whether the applicant suffers "unnecessary hardship" as defined by Section 1.3 as hardship that results from unique physical circumstances that are peculiar to the site and does not include mere inconvenience, preference for a more lenient standard or a more profitable use, or self-induced hardship resulting from the actions of the owner or applicant. Council may uphold, overturn or vary a decision made by the Director of Planning.

In making its determination, Council is governed by the same rules that govern the Director of Planning.

Financial Implications/Related Issues/Risk

There are no financial implications.

CONCLUSION

The proposed sign does not comply with the Sign By-law or the requirements for a relaxation of unnecessary hardship. It is recommended that Council uphold the Director of Planning's refusal to issue sign permit SI-2019-00782 located at 654 Nelson Street.

* * * * *

**654 Nelson Street
APPLICATION PROCESS TIMELINE FOR SI-2019-00782**

Earlier Approvals

January 9, 2019 – Application SI-2019-00012 was submitted for a projecting neon sign (without animated copy).

June 3, 2019 – Sign Permit SI-2019-00012 was issued.

Sign Inquiry

November 13, 2019 – Staff received an inquiry regarding adding animation to the projecting neon approved under SI-2019-00012.

November 13, 2019 – Staff advised the applicant that there may be possibilities to explore animated copy through Granville Street planning work, and that a relaxation would not be supported to allow animated copy at this location.

November 22, 2019 – Applicant requested information on the relaxation process. Staff emailed this information.

December 10, 2019 – Applicant submitted a letter requesting a relaxation. No application, fee or other documentation was included.

Permit Application

December 20, 2019 – Applicant submits an incomplete application for a projecting neon sign with animated copy and relaxation request letter (sign permit SI-2019-00782). The required relaxation fee was not included, and the E2 documentation was missing.

Relaxation Request

January 29, 2020 – Applicant paid the relaxation request fee for SI-2019-00782 (Appendix B).

February 26, 2020 – Staff advised the applicant that staff would not support the proposed sign relaxation. The applicant advised that it would like to appeal to Council.

March 16, 2020 – Applicant submits E2 documentation. Application SI-2019-00782 is now complete.

March 26, 2020 - A permit refusal was issued through email.

Relaxation Reconsideration

April 9, 2020 – The applicant submitted a relaxation request to Development Services with an incorrect permit number.

April 9, 2020 – Staff advised that the permit number on the relaxation request was incorrect, and requested that a new version be submitted.

April 13, 2020 – The applicant submitted a revised relaxation request to Development Services.

April 14, 2020 – Staff advised that the relaxation request must be sent to the City Clerks.

April 14, 2020 – The applicant submitted the relaxation request to City Clerks (Appendix D).

May 14, 2020 – The City Clerk advised the applicant that Council would reconsider the decision on June 30 (Appendix E).

May 27, 2020 – A letter was sent to applicant advising that it can submit additional information to support its request for a reconsideration by Council (Appendix F).

654 Nelson Street
RELAXATION REQUEST



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VICTORIA BC V9A 5V1 | SALES@URBANSIGN.CA

December 10, 2019

Relaxation Appeal letter - Permit # SI 2019-00012 – Hotel Belmont

Attention: Sign Permit department

We have recently had a sign permit approved to supply and install illuminated neon diving girls projecting off the sign of an existing projecting sign located at the Belmont Hotel, 654 Nelson St, Vancouver.

This borders on the sign zone that enables neon chasing. Our client wants to amend the existing permit and is now wanting to enable these diving girls to be on a chasing system so that it looks like they are diving off the sided of the building. This is unfortunate as the sign location sits barley outside of the sign zone that enables such request.

We are writing this request on behalf of our client. To add this feature would be make this structure more of a landmark for the city and of course the Hotel. Not being able to add this feature would not give the hotel the best return on investment and potentially create more of a hardship.

Please accept this letter as a form of the relaxation application consideration.

Best Regards,

Jeff Fumeaux

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654 Nelson Street
PERMIT RELAXATION REFUSAL EMAIL AND ATTACHED LETTER

654 Nelson St / SI-2019-00782 - Sign Permit Application



Sign Permits

Thu 3/26, 9:04 PM

branding@urbansign.ca

Reply all

Hello,

The Director of Planning has refused the relaxation request. Please see the attached for the Director of Planning refusal letter.

You may appeal the decision of the Director of Planning to Council within 14 days from the date of the permit refusal. There is no additional fees required for this appeal. The applicant will need to present the appeal via email to City Clerk's Office so they can schedule the appeal at a Special Council Meeting.

If the Council upholds the decision of the Director of Planning, you will have to either revise their drawings to show compliance with the Sign By-law OR apply for a new Sign Permit Application for a new sign.

If the Council overturns the decision of the Director of Planning, you need to send the Special Council Appeal Approval to me to complete or continue the sign permit application process. I can then re-open the Sign Permit application to continue the process and issue the permit.

Let me know if you have any questions.

Regards,

Tim Tam | Project Coordinator
Development, Buildings, & Licensing
City of Vancouver | 515 W 10th Ave

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February 26, 2020

Jeff Furneaux
Urban Design
#1 - 798 Fairview Rd
Victoria, BC
V9A 5V1

Dear Jeff Furneaux:

**RE: 654 Nelson Street
SI-2019-00782**

The Director of Planning has received your sign permit application for SI-2019-00782 to add animated copy on this existing illuminated double-faced projecting sign on the north east corner of this building at 654 Nelson St, and accompanying relaxation request, including the attached rationale dated Dec 10, 2019.

The sign permit application and relaxation request has been refused by the Director of Planning for the following reasons:

- Proposed sign location does not meet Section 12.15 Signs with Animated Copy, (b) faces Granville St, between West Hastings Street and Nelson St
- The reasons for the request to relax the location on this building is not possible as the Director of Planning does not have the authority to relax this location under the Granville District
- As there is no unnecessary hardship, the application is not eligible for a relaxation as set out in section 15 of the Sign By-law.

Pursuant to section 15.1 of the Sign By-law, you may ask Council to reconsider this decision:

“15.11 Reconsideration by Council

An owner may request that Council reconsider a decision of the Director of Planning under this Part, by delivering a request in writing to the City Clerk within 14 days of the decision, setting out the reasons for the request.”

Sincerely,

Tim Tam
Project Coordinator I
Development, Buildings and Licensing

654 Nelson Street
APPLICANT RECONSIDERATION REQUEST EMAIL AND LETTER

From: Jeff - Urban Sign [mailto:sales@urbansign.ca]
Sent: Thursday, April 9, 2020 5:46 AM
To: Sign Permits
Cc: Production Manager - Urban Sign
Subject: Appeal letter - 654 Nelson St / SI-2019-00782 - Sign Permit Application

Hi Tim,

Hope you and your team are doing well and staying save! Please see the attached appeal letter for your review. Can you also confirm that you have received this letter? Let me know if you need anything else. Thank you.

Best regards,

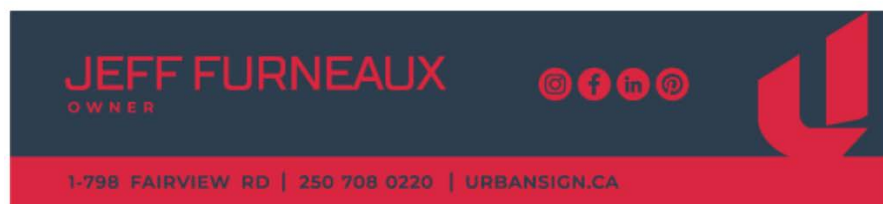


From: Jeff - Urban Sign [mailto:sales@urbansign.ca]
Sent: Tuesday, April 14, 2020 3:12 PM
To: Correspondence Group, City Clerk's Office
Cc: Gazmend - Urban Sign
Subject: Belmont Hotel appeal letter - 654 Nelson St, Vancouver, BC

Good afternoon,

Please see the attached appeal letter for processing and let me know if you need anything else. Thanks!

Best regards,





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March 26 /2020

Relaxation Appeal letter - Permit # SI 2019-00782 – Hotel Belmont

Attention: Sign Permit department

We have recently had a sign permit approved to supply and install illuminated neon diving girls projecting off the sign of an existing projecting sign located at the Belmont Hotel, 654 Nelson St, Vancouver.

This borders on the sign zone that enables neon chasing. Our client wants to amend the existing permit and is now wanting to enable these diving girls to be on a chasing system so that it looks like they are diving off the sided of the building. This is unfortunate as the sign location sits barley outside of the sign zone that enables such request.

We are writing this request on behalf of our client. To add this feature would be make this structure more of a landmark for the city and of course the Hotel. Not being able to add this feature would not give the hotel the best return on investment and potentially create more of a hardship for the new owner of the hotel.

Please accept this letter as a form of appeal to the relaxation application consideration.

Best Regards,

Jeff Furneaux

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654 Nelson Street
COUNCIL MEETING NOTICE



CITY CLERK'S DEPARTMENT
Office of the City Clerk

VanRIMS No.: 08-2000-20

May 14, 2020

Jeff Furneaux
Owner,
Urban Sign
798 Fairview Road – Unit 5
Victoria, BC, V9A 5V1

Delivered via email to: sales@urbansign.ca

Dear Jeff,

RE: Relaxation Appeal letter - Permit # SI 2019-00782 – Hotel Belmont

Thank you for your email dated April 14, 2020, in which you request to amend an existing permit for a client located at 654 Nelson Street, Vancouver.

Enclosed is a Notice of Hearing for the above-noted Relaxation Appeal letter - Permit # SI 2019-00782 – Hotel Belmont, as follows:

DATE:	Tuesday, June 30, 2020
TIME:	3 pm
PLACE:	Council Chamber Third Floor, City Hall

If you require an interpreter, please notify the City Clerk's Office no later than seven (7) days before the meeting.

Yours truly,

A handwritten signature in black ink, appearing to read "RH", with a long horizontal flourish extending to the right.

Rosemary Hagiwara,
Acting City Clerk

cc: Jessie Adcock, General Manager, Development, Building and Licensing
John Greer, Assistant Director, Development Services

654 Nelson Street
REQUEST FOR SUBMISSION OF SUPPLEMENTARY REASONS LETTER



Development, Buildings, & Licensing
Development Services
Development Review Branch

May 27, 2020

Jeff Furneaux
Urban Sign
798 Fairview Road - Unit 5
Victoria, BC, V9A 5V1

Delivered via email to: sales@urbansign.ca

Dear Jeff Furneaux,

RE: Request for Submission of Supplementary Reasons
Hotel Belmont, 654 Nelson Street, Permit Number SI-2019-00782

Staff reviewed your request for Council reconsideration of the Director of Planning decision to refuse Sign Permit SI-2019-00782. As noted in the letter from the City Clerk, Council will reconsider the decision on June 30, 2020.

While oral representations will be permitted at the Council reconsideration, the written reasons you have provided in your letter requesting Council reconsideration will form an integral part of the basis of Council's reconsideration, and will be appended to the Council report related to the reconsideration. A copy of the report will be made available prior to the Council reconsideration. Based on this, if you would like to submit additional or supplementary written rationale, please submit them to the City Clerk by email to speaker.request@vancouver.ca by June 10, 2020 (end of business day). If supplementary reasons are not received by this date, the City will proceed with developing the Council report based on what has already been submitted.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sonia Erichsen".

Sonia Erichsen, Manager Development Services

cc: Jason Olinek, Planning, Urban Design & Sustainability
Grant Murray, Legal Services
Rosemary Hagiwara, City Clerk's Office

654 Nelson Street
SUBMISSION OF SUPPLEMENTARY REASONS LETTER



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Dec 10, 2019

Relaxation Appeal letter - Permit # SI 2019-00012 – Hotel Belmont

Attention: Sign Permit department

We have recently had a sign permit approved to supply and install illuminated neon diving girls projecting off the sign of an existing projecting sign located at the Belmont Hotel, 654 Nelson St, Vancouver.

This borders on the sign zone that enables neon chasing. Our client wants to amend the existing permit and is now wanting to enable these diving girls to be on a chasing system so that it looks like they are diving off the sided of the building. This is unfortunate as the sign location sits barley outside of the sign zone that enables such request.

We are writing this request on behalf of our client, who strongly believes that the addition of this iconic feature would be make this structure an instant landmark for the city, bringing a sense of much needed vibrancy, life, and character to the Granville Entertainment District. With the Covid-19 pandemic, businesses on Granville being forced to either close down or operate in survival mode and they believe that this creative feature like this can help revitalize the neighbourhood while signifying their goal to bring back the past glory of Granville by paying tribute to its glorious history of animated neon signs.

Please accept this letter as a form of the relaxation application consideration.

Best Regards,

Jeff Furneaux

Appenix

- 1.) *Letter of Support from Downtown Vancouver Business Improvement Association*
- 2.) *Past images of Granville Street Entertainment District Neon Scene*
- 3.) *Article published on CBC "Vancouver's Entertainment District reopens in survival mode due to pandemic"*
<https://www.cbc.ca/news/canada/british-columbia/granville-street-reopening-covid-19-1.5586001>

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June 9, 2020

Sign Permit Department,

Permit # SI 2019-00012 – Hotel Belmont

The purpose of this letter is communicate the Downtown Vancouver Business Improvement Association's (DVBIA) support for the "chasing" feature of a neon sign previously approved by the City. We understand that this feature is currently not permissible because the building that the sign will be attached to is located on the opposite side of the zone boundary that does permit the chasing neon feature.

As you are well aware, a number of building and business owners along Granville Street have made significant investments over the course of the last few years to renovate and upgrade their respective properties. The owner of the Hotel Belmont, Pacific Reach, is amongst this group. These investments have greatly assisted in elevating the stature of the street, changing people's perceptions about the street and attracting customers back. The addition of a chasing feature on this neon sign would not only pay homage to Granville Street's roots as a destination that was once renowned for its neon signs, but it would also introduce a strong placemaking element similar to the DVBIA's lane ways, i.e. Ackery's Alley and Alley-Oop, in the Granville Entertainment District.

Sincerely,

A handwritten signature in black ink that reads "C. Gauthier".

Charles Gauthier, MCP
President & CEO

CHAIR:

Gary Pooni
Brook Pooni Associates

VICE CHAIR:

Luca Otton
Boughton Law Corporation

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Damon Holowchak
Donnelly Group

Rob Kavanagh
GW, Realty Advisors

Christopher Lythgo
Business Development Bank of
Canada

Vera Liu
Kingzett Capital

Julie Lacasse
Qualifreal Property Group

Chuck We
Hudson Pacific Properties

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Charles Gauthier
Downtown Vancouver BIA



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Vancouver's Entertainment District reopens in survival mode due to pandemic

Reduced capacity following a lengthy closure has Granville Street businesses anxious about 'the great reboot'

CBC News - Posted: May 27, 2020 6:00 AM PT | Last Updated: May 27

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At this time last year, Bill Kerasiotis was nearly finished transforming one of Granville Street's biggest nightclubs into something completely different.

The DJ booths and dance floors at Caprice were replaced with a bocce ball court and arcade games to attract the kind of crowd that isn't interested in a wild Saturday night on Granville but might stop by for a post-work beer on a Tuesday.

Colony opened almost exactly a year ago, drawing big weekday crowds that became even larger on weekends.

Kerasiotis says similar establishments opened nearby, bringing a new clientele to the neighbourhood, which caused business to boom until the pandemic hit.

"We've been on Granville Street for about 20 years, primarily as nightclub operators, and we've gone through a lot of highs and lows," he said.

"This all really brought the street back, so the timing of this [pandemic] is just frustrating."

After being closed for two months due to COVID-19, Colony Bar on Granville Street in Vancouver reopened on May 25, 2020. (Maggie MacPherson/CBC)

Pre-pandemic Granville Street was far from perfect— concerns about violence and empty storefronts with for lease signs in the windows have been around for years. But Kerasiotis believes it was trending in the right direction before COVID-19.

Downtown Vancouver Business Improvement Association President and CEO Charles Gauthier acknowledges many businesses are struggling and some have even gone under, but he believes the neighbourhood can regain its momentum.

"We've gone from the great suppression to the great reboot," Gauthier said.

"We're welcoming people back in a very slow, methodical way."

The question is, when will it be safe to welcome people back at a capacity that will pay the bills.

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- [Granville Street nightclubs disappearing as millennials drawn to pubs and restaurants instead](#)

New businesses

Last month, on April 1, Clemen Oliveras and her husband Ian Turnbull were supposed to be celebrating the grand opening of their new restaurant, Brunch.

When they were looking for a location, they couldn't believe their luck when they learned the most popular brunch spot in their neighbourhood — Twisted Fork on Granville Street near Davie Street — was moving.

The couple signed a lease to move in and immediately began turning it into their dream business: a restaurant that blends the meals Oliveras grew up on in her hometown of Mexico City with Turnbull's favourite Canadian dishes.

They remodelled the entire space and prepared for the grand opening, then COVID-19 hit.

Ian Turnbull, owner of Brunch restaurant on Granville Street, cleans the window of his restaurant in Vancouver on Tuesday, May 26, 2020. (Maggie MacPherson/CBC)

"It's been very stressful," Oliveras said.

"Every morning we're like, 'Yeah, it's going to work and we're going to get through this' because it can bring you down."

Brunch started offering delivery and takeout earlier this month, but as of Tuesday morning, the only two people to enjoy a meal inside the restaurant were the couple's six- and eight-year-old sons, Oliver and William.

From right, Clement Oliveras and Ian Turnbull, seen with their sons Oliver Turnbull, 6, and William Turnbull, 8, hoped to open their restaurant on April 1, 2020 but they were forced to wait two months due to the COVID-19 pandemic. (Jesse Johnston/CBC)

They're excited to begin dine-in service Saturday, but it's unclear how profitable they can be under the province's health and safety guidelines that only allow them to operate at 50 percent capacity..

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Still, Turnbull says positive reviews and encouraging words from early customers give him hope.

"We can imagine it full of people with the music playing and glasses clinking," he said.

"Everybody got hit by the pandemic, so let's all help each other out with everybody pushing for everybody."

The new Granville

Like Turnbull, Gauthier often daydreams about restaurants once again filled with people.

In the long term, he wants to see more hotels and taller buildings on the strip that provide more office space, similar to the shared workspace that is replacing the old Tom Lee Music building.

He says before the pandemic, companies had expressed interest in those kinds of developments that would add foot traffic to the Entertainment District.

"I don't think any of that interest is going to wane," he said.

"This is just a blip for them because they have a longer term horizon and I think we'll see those projects move forward."

•

PHOTOS

[Artists transform boarded-up Vancouver storefronts with colourful murals](#)

In the short term, the city is looking at expanding patio space for restaurants so they can bring in more customers.

Oliveras and Kerasiotis agree, however, that what businesses really need is to get back up to 100 per cent capacity as soon as it's safe to do so.

"It's so devastating for a lot of people," Kerasiotis said.

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"I just hope everyone lands well."

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