

From: "Mochrie, Paul" <Paul.Mochrie@vancouver.ca>
To: "Direct to Mayor and Council - DL"
Date: 7/20/2023 6:01:35 PM
Subject: Storm Brewing mural

Good afternoon Mayor & Council,

In response to inquiries from several Councillors today, as well as significant media interest in this matter, I am sharing below an update on Storm Brewing's mural, which includes an overview of the issue, actions to date and steps going forward.

You also will find below some key messages, which we'd encourage you to use when speaking with media and on social media, as you deem appropriate. You are also welcome to refer any media inquiries to media@vancouver.ca.

If you have further questions about this matter, please reach out to Andrea or me and we will include them as part of the weekly Council Q&A.

Best,
Paul

Issue:

Earlier this summer, as part of a regular patio program review, City staff became aware of several unpermitted murals that spanned across three external walls of Storm Brewing located at 310 Commercial Drive.

On May 31, 2023, the Property Use Inspection branch sent an educational letter to the property owner, informing them that the murals were unpermitted and contravened the City's Zoning and Development By-law. The property owner was given 60 days to either obtain a permit for the mural or remove the artwork. Several media outlets have reported on the issue, noting that the murals have been on the building for the past ten years.

With fairness as a key value, City staff are unable to grant an exception. Staff previously required other property owners to either remove unpermitted murals or apply for a permit and bring their murals into compliance. Additionally, the by-law pertaining to murals was passed and enacted by Council in 1988, therefore Storm Brewing's mural is not eligible to be 'grandfathered' in.

It is important to note that contrary to media reports, the City did not issue tickets, require the owner to remove the mural, nor make plan to forcibly remove the mural. At this stage, the City is asking the property owner to apply for a permit and to engage with the City to discuss how they can bring their mural into compliance over time.

The City has been in contact the property owner and await their application for a permit. We look forward to working with them to bring the mural into compliance.

Background:

Mural artwork in the City is regulated through the City's Zoning and Development By-law, and the City's mural policy was enacted in 1988. Mural artwork is intended to serve as a powerful and accessible means of artistic expression, capable of enriching public spaces, fostering cultural connections, and promoting social engagement within communities. Murals are not to be used as a form of advertisement, even where they are sponsored.

Staff will continue to encourage the property owner to apply for a permit, however, internal discussions have determined that it is unlikely that a permit can be issued for the current iteration of the mural because it is designed to advertise the business. As mural artwork by nature of being situated outdoor

require regular fixes, staff will work with the property owner to bring the mural into compliance over time.

Key Messages:

- The City of Vancouver became aware of the unpermitted murals located at Storm Brewing earlier this summer as part of a regular patio program review.
- In late May, the City sent the property owner an educational letter, informing them that the mural was not in compliance and asked that they apply for a permit.
- The City did not issue any tickets nor did it require that the property owner take any immediate action to remove the mural. There are no plans to forcibly remove the mural.
- The purpose of the City's mural program is to promote local artists, enrich public spaces, foster cultural connections, and promote social engagement within communities. Murals are not to be used as a form of advertisement, even where they are sponsored.
- The City has been in contact with the property owner and awaits their application for a permit. We look forward to working with them to bring the mural into compliance.

If needed:

- Mural artwork in the City is regulated through the City's Zoning and Development By-law, and the mural policy was enacted in 1988. While the murals have been on the property for 10 years, the property owner did not attempt to bring it into compliance. This is unfair to the many property and business owners who have taken steps to be in compliance with the by-law.
- We are unable to comment on whether the mural as it stands would be eligible for a permit. The property owner will need to apply for the permit and following consideration, the City either approve it or work with them to bring it into compliance.
- The City's mural program guidelines are available [online](#).

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The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the x^wməθkɪy̓əm (Musqueam), Snw̓x̓w̓čw̓7mesh (Squamish), and səlilwətaʔ (Tsleil-Waututh) Nations.