

REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD

DATE: October 14, 2021	APPEAL NO.: SDAB2021-0069 FILE NO.: DP2020-7705
APPEAL BY: Vance Macdonald	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY for a Temporary Use: Sign – Class G (Digital Third Party Advertising Sign) was refused at <u>205 9 Avenue SE</u>	LAND USE DESIGNATION: CR20-C20/R20 Discretionary
COMMUNITY OF: Downtown Commercial Core	DATE OF DECISION: September 2, 2021
APPLICANT: Vance Macdonald – Leading Outdoor	OWNER: ARI POINTE 910 HOLDINGS LTD. CIDEX HOLDINGS LTD.

Notes:

- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as a courtesy only. The Board’s record may include additional materials, including notifications to affected parties and correspondence of a procedural or administrative nature.



NOTICE OF APPEAL

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

CC 821 (R2014-01)

In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee. For filing instructions and fee payment options, see the reverse side of this form.

ISC: Unrestricted

Online Store Information			
Confirmation Number 10390251	Order Number 36219039	Online Form Processed 2021-09-22 7:40:16 PM	
Site Information			
Municipal Address of Site Under Appeal 205 -9TH AVENUE S.E.		Development Permit/Subdivision Application/File Number DP2020-7705	
Appellant Information			
Name of Appellant VANCE MACDONALD		Agent Name (if applicable)	
Street Address (for notification purposes) 163 CLEAR CREEK PLACE SW			
City CALGARY	Province ALBERTA	Postal Code T3Z 0E9	Residential Phone # 310-425-9706
Business Phone # 403-389-9303	Email Address vancem@leadingoutdoor.com		

APPEAL AGAINST

Development Permit	Subdivision Application	Notice of Order
<input type="checkbox"/> Approval	<input type="checkbox"/> Approval	<input type="checkbox"/> Notice of Order
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval	
<input checked="" type="checkbox"/> Refusal	<input type="checkbox"/> Refusal	

REASONS FOR APPEAL Sections 678 and 686 of the Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal.

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons:

We will be presenting planning rationale at the hearing to support the interim use of a digital display at the back end of this parcel that abuts the rail yards and tracks and will not have any negative impacts to the surrounding area and its commercial developments.

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

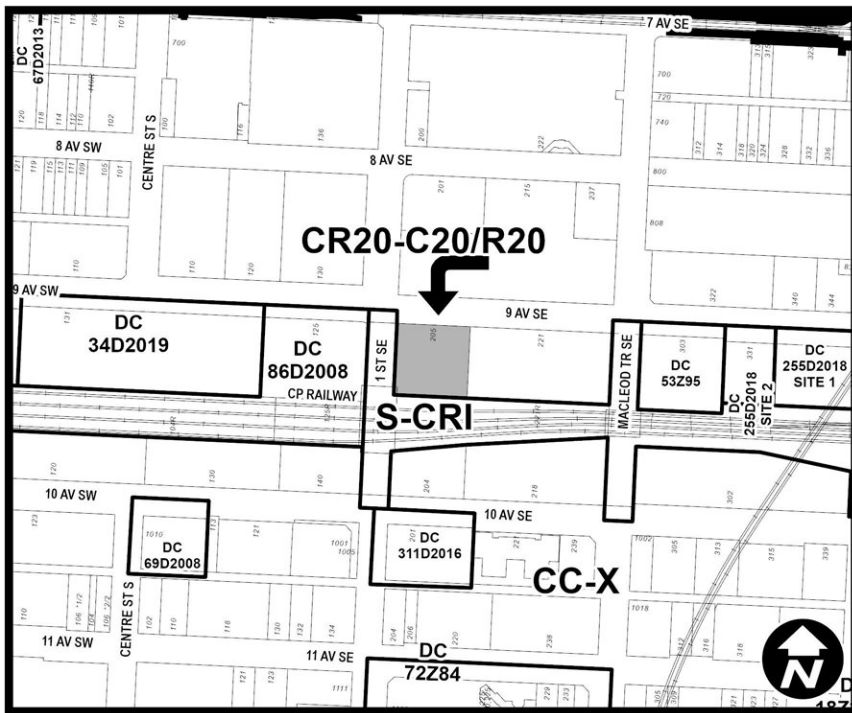
Estimated presentation time (minutes/hours) 1.5 HOURS	Will you be using an agent/legal counsel? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
If yes, what are the issues?	
Do you anticipate bringing any witnesses/experts to your hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	If yes, how many will you be bringing?

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, Section 33(c) and the Municipal Government Act, Sections 678 and 686. NOTE: THIS INFORMATION WILL FORM PART OF A FILE AVAILABLE TO THE PUBLIC. If you have any questions regarding the collection of this information, contact the City Appeal Boards at 403-268-5312 or PO Box 2100 Stn. "M", #8110, Calgary, AB, T2P 2M5.

FOR OFFICE USE ONLY				
Final Date of Appeal YYYY MM DD 2021 09 23	SDAB Appeal Number SDAB2021-0069	Fee Paid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date YYYY MM DD 2021 10 14	Date Received September 22, 2021

SDAB2021-0069

4



SDAB2021-0069



2021 September 02

LEADING OUTDOOR
Chris Roubekas



RE: Notification of Decision for DP2020-7705
Subject: Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)
Address: 205 9 AV SE

This is your notification of the decision by the Development Authority to refuse the above noted application on September 2, 2021. Enclosed are the Reasons for Refusal, along with an appeal form, in the event that you choose to appeal this decision.

An appeal along with reasons must be submitted, together with payment of \$200.00 fee, to the Subdivision and Development Appeal Board (4th floor, 1212 31 Avenue N.E., Calgary, AB T2E 7S8) within 21 days of receipt of this letter. An appeal may also be filed online at <http://www.calgarysdab.ca>. To obtain an appeal form, for information on appeal submission options or the appeal process, please call (403) 268-5312.

Should you have any questions or concerns, please contact me at (403)333-5642 or by email at Shelagh.Giesbrecht@calgary.ca.

Sincerely,

SHELAGH GIESBRECHT
Senior Planning Technician
Planning and Development



**DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007**

DP2020-7705

This permit relates to land in the City of Calgary municipally described as:

205 9 AV SE

Community: **Downtown Commercial Core**

L.U.D.: **CR20-C20/R20**

and legally described as:

1423LK;3

1423LK;3

(See attachment for complete list of legal desc.)

and permits the land to be used for the following development:

Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)

The present owner and any subsequent owner of the above described land must comply with any attached conditions.

The development has been approved subject to any attached conditions and to full compliance with the approved plans bearing the stamp of approval and the above development permit number.

Decision By: **Development Authority**

Date of Decision: **September 2, 2021**

Development Authority **Maurie Loewen**

File Manager: **Shelagh
Giesbrecht**

Release Date: _____

This permit will not be valid if development has not commenced by:

This is NOT a Building Permit

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. For further information, you should contact the City of Calgary, Planning, Development & Assessment - Building Regulations Division.

WARNING

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Applicant: **LEADING OUTDOOR**

Address: **#802 5656 3 ST SW**

City: **Calgary, T2H1H7**

Phone: **[REDACTED]**

Complete Address and Legal Description listing for Development Permit DP2020-7705

Address Type	Address	Legal Description
Parcel	205 9 AV SE	1423LK;3 1423LK;3



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Reasons for Refusal for DP2020-7705

The Reasons for Refusal document is intended to provide a short summary of the development permit review and analysis. Attached to this document is supporting information about the application process; concerns raised as a result of the circulation process, the requested relaxations of the Land Use Bylaw; and other information in support of the decision.

Proposed Use

This application is for a Digital Third Party Advertising Sign, Sign – Class G, at 205 9 AV SE. The site is in the Downtown Commercial Core and is designated Commercial Residential (CR20-C20/R20) District. This is commonly referred to as the CR district. Sign Class G is a discretionary use in this district.

Planning Review and Analysis

During the review, the Development Authority considered the Land Use Bylaw, the Downtown Underpass Urban Design Guidelines and the Calgary Third Party Advertising Sign Guidelines.

The proposed sign is oriented toward the intersection of 9 AV SE and 1 ST SE and is oriented towards both eastbound and southbound traffic. There is a high degree of drive workload at this signalized intersection, including dual turn lanes, terminating turn lanes, split turns, multiple lanes of traffic, a split lane and narrowing lanes. Given the downtown location, there is also a great deal of pedestrian traffic. Drivers travelling east on 9 Av SE and South on 1 ST SE should direct their attention to pedestrians, the intersection and navigation of the narrow underpass.

The proposed Digital Third Party Advertising sign contravenes the Land Use Bylaw requirement for separation from other Third Party Advertising Signs, and limits the total number of signs in an area. The sign is proposed to be adjacent to two third part advertising sign, and there is an additional sign one block to the south. The train bridge, belongs to CP Rail, has historically been populated with two Third Party Advertising Signs. At the time of application, two Third Party Advertising Signs were mounted to the underpass facing southbound traffic on 1 ST SE. Although the submitted plans did not reflect these signs, photos on file clearly show them. Upon request, the applicant submitted amended plans that reflected one Third Party Advertising Sign on the underpass bridge. A recent site visit revealed that the Third Party signage on the CP Rail underpass has been removed. CP land falls under a different regulatory scheme than the remainder of the City and signage on the overpass pre-dates the Council's current regulatory scheme. It is feasible that CP can replace these signs without the need to obtain a development permit.

The CR20-C20/R20 district was implemented in October 2013, five years after the initial implementation of Land Use Bylaw 1P2007. Council approved significant change to the regulatory scheme for the Downtown Core with the goal of implementing policy such as the Municipal Development Plan (MDP). The CR district requires a higher degree of urban design than previous rule sets. This includes specific standards for third party signage and the requirement of new signs to be considered as part of the comprehensive approach to the design. Section 115.5(1.1) of the Land Use Bylaw 1P2007 states that digital third party advertising signs over 4.5 square metres are allowed in the CR district only where part of a comprehensive development and where incorporated into the design of a building. The proposed sign, which is 24.5 square metres in area, is not part of a comprehensive development and is not incorporated into the design of a building. The freestanding structure is located within a parking lot the maximum practical distance from the building. This is a common approach to third party signage outside of the Downtown Core as the physical separation often makes the sign more visible to cars. The sign placement does not reflect Councils expectations for new signage, where the context is development oriented towards the pedestrian. The proposed location and sign design are materially different than the expectations for the area.

This is a prominent intersection within the downtown with the Glenbow Museum and Arts Commons located on adjacent parcels to the south. There are planned renovations of these two buildings to implement established policies and incorporate pedestrian oriented design. Furthermore, the site is at a higher elevation than the



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adjacent 1 St SE underpass which is an important pedestrian corridor into the Downtown Core. The Downtown Underpass Design Guidelines states in section 4.5.1 "The design of the pedestrian realm at underpasses plays a key role in fulfilling the concept of 'pedestrian first'."

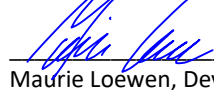
The Downtown Core is a unique area in the city. It is a focal point. It is the most visible and highest profile area of the City. It has the greatest concentration of jobs and people. Nurturing a vibrant, attractive, and people-oriented downtown is a key objective of Council approved planning policy and of the Land Use Bylaw. The image of the City, in the eyes of citizens and visitors alike, is greatly impacted by the appearance of the downtown and the experience of being in the downtown. The rules and policies, including policies in the Municipal Development Plan, recognize the pre-eminent role of the Downtown Core in the City. They recognize the important role that visual character and general aesthetics play in the way our downtown is used and perceived. The rule for large-scale digital signage in the downtown is designed to provide direction and clarity with regard to what is acceptable and what is not. Large scale freestanding third party advertising signage is not acceptable.

The application was circulated to the Downtown Planning team for input and their comments are attached. It is their opinion, and that of the Development Authority, that the proposal is not aligned with Council approved policy or sound planning principles.

In considering the application the Development Authority has applied section 35 and 36 of the Land Use Bylaw. The proposal is contrary to Council approved policy, the context, and contrary to sound planning principles. Inserting auto oriented freestanding signage in an area which is intended to have comprehensive architectural design and be oriented toward the pedestrian would result in a development which is out of context. There are no unique site characteristics which would offset the requested relaxations; the application proposes Third Party signage immediately adjacent to third party signage. The sign is designed to appear like those elsewhere in the City without respecting the rules or context of the area; the test for relaxation is therefore not met. The development is refused.

Decision

For the above noted reasons, this application is refused.


 Maurie Loewen, Development Authority

Sep 02, 2021

Date



Attachments for DP2020-7705

Site and Context

Site: The parcel is a corner site that is adjacent to the 1 St S.E. underpass (Macleod Trail South) The 2621.22 square metres parcel is 51.82 metres wide and accommodates a 10-storey commercial building.

Context: The adjacent sites accommodate Calgary Arts Commons, the City of Calgary Public Building & Burns Building to the north, the Glenbow Museum to the north west, Palliser Square to the east and the railway corridor to the south. The site is at a higher elevation to the adjacent pedestrian and vehicle underpass.

Process

Notice Posting: Not Required

Circulation:

- **Business Improvement Area – Calgary Downtown Association:** No comment received
- **Ward 2 Councillor:** comments received – no support
- **Enmax:** no conflict
- **Traffic Assessment:** no support
- **Greenline:** no comment

Bylaw Check: Relaxations required, please the Chart of Relaxations below.

Policy Review: The application does not conform to the Calgary Third Party Advertising Sign Guidelines or the Downtown Underpass Urban Design Guidelines

Objections: Yes – Ward Councillor, Chief Urban Designer – City Wide Urban Design, Community Planning; Traffic Assessment

Support: None

Downtown Underpass Urban Design Guidelines

4.5.1

One of the objectives of the Centre City Plan is to make the Centre City a walkable place that is safe, secure, accessible, legible, interesting and enjoyable for pedestrians and cyclists. The design of the pedestrian realm at underpasses plays a key role in fulfilling the concept of 'pedestrian first'.

4.9

The Centre City Plan identifies all underpasses as gateways from and to Downtown. As the major south – north linkages between the Downtown and Beltline neighbourhoods, underpasses can become spots where visitors, workers, and residents find information and interpretive features that they can use to explore and discover. Good signage can play an important role in supporting the public realm and contributing to a distinctive local identity. The intent has been consistent in recent policy work related to the subject, including the Calgary Downtown Retail District Strategy and the Animated Public Art Report. This Guideline focuses primarily on the pedestrian realm. The intent is to:

- Enhance the gateway features of all underpasses through proper pedestrian signage
- Improve the wayfinding and legibility
- Enrich the pedestrian experience

Pedestrian Signage

1. Provide wayfinding signage to direct and orient pedestrians and cyclists to surrounding key destinations, as well as the public transit network where applicable.
2. To maximize pedestrian feel along the underpass streets, encourage pedestrian scaled retail signage on canopies and blade retail signage perpendicular to the retail facades comprising part of the building frontages.
3. Use branding signage at underpasses to enhance the gateway features of the underpasses



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4. Use banner or art signage as distinctive features to beautify the streets.
5. Where possible, consider using interpretive signage to celebrate local heritage
6. Install pedestrian signage at appropriate locations (retaining wall, lighting pole, balustrade, pavement, storefront, street corner etc.) depending on the type, size and potential impact of the signage on pedestrian realm. The location, size and design of the signage must not distract the drivers and overpower adjacent structures, as well as the streetscape character of the area.
7. Avoid visual clutter and signage proliferation that detract from the quality of the pedestrian realm. Design the signage to be part of the overall graphic system for the underpass and its surrounding area to establish the visual continuity of the pedestrian realm. Require a scale, orientation and level of detail that is distinctive from traffic signs in order to improve legibility and avoid confusion and distraction for drivers.
8. Encourage the use of custom designed signage as public art to enrich the pedestrian experience depending on local character of the area.
9. Develop freestanding, illuminated directional kiosks at appropriate locations, featuring maps of the Centre City destinations combined with newspaper / magazine stands and wayfinding features.
10. Animated wayfinding or signage are at the discretion of the Development Authority, based on the local context of the underpass and the evaluation criteria defined in the Land Use Bylaw 1P2007.

Calgary Third Party Advertising Sign Guidelines

3. Approach to Regulating Third Party Advertising Signs

The Calgary Municipal Development Plan (MDP) and the Calgary Transportation Plan (CTP) provide the long-term strategy for managing growth and change in Calgary consistent with Council adopted land use goals and objectives. These include creating a prosperous economy, shaping a more compact urban form, creating great communities, using urban design to create a livable and attractive city, connecting the city, and greening the city.

The policies of the MDP and CTP direct implementation of Calgary's planning processes. This includes tools such as the regulation of land use and the approval of development permits. The principles of this Third Party Advertising Sign Guideline are based on these policies and intended to ensure their consistent application in the development approval process.

The Land Use bylaw rules govern the development of all types of signs in Calgary. The priorities for regulating Third Party Advertising Signs are:

- Promoting community aesthetics and public safety in the approval and development of signs;
- Preventing visual clutter arising from sign proliferation; and
- Protecting Calgary's communities and visual environment from unsuitable signs.

These priorities for Third Party Advertising Signs can be addressed in the Land Use Bylaw by rules dealing with:

- Land Use Districts where Third Party Advertising Sign development is appropriate;
- Requirements for the location and siting of Third Party Advertising Signs;
- Size and height regulations
- Illumination and operational characteristics; and
- The development permit review process.

The focus of the following principles of Third Party Advertising Sign regulation is to maintain and enhance a high quality urban environment in Calgary and a city that continues to be a desirable community in which to live, work, and visit.

4. Principles of Third Party Advertising Sign Regulation

- (A) Land Use Districts



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IX. Where appropriate in the Centre City, signs with digital displays may be integrated into development and be of a form and quality that contributes to defining a district identity for adjacent public space, and enhances the experience of the space through good urban design.

(B) Location and Siting

II. Third Party Advertising signs must be located on private property along streets in such a way that their location mitigates or avoids risk to public safety. The location should not create an obstruction to vision or contribute to visual confusion with official traffic control devices.

(C) Size and Height

Third Party Advertising Signs come in a variety of sizes. Third Party Advertising Sign size and height are factors for achieving an appropriate fit between the Third Party Advertising Sign with surrounding buildings and spaces so that it is in scale with its context and character of the area.

VII. Where council has identified specific pedestrian areas which promote business opportunities, such as Business Revitalization Zones, Third Party Advertising Signs are not appropriate as they provide additional visual clutter that may detract from the local businesses in the immediate vicinity.

(D) Development Permit Review Process

The flexibility inherent in development permit process for discretionary uses such as Third Party Advertising Signs allows the City to tailor the development permit approval to the specific circumstances of the location of the proposed Third Party Advertising Sign and its surrounding context.

The review of development permit applications involving Third Party Advertising Signs should take into account matters including: any relevant plans or policies, the suitability of the location and parcel for the Third Party Advertising Sign, compatibility and impact of the Third Party Advertising Sign on adjacent development and principles of good planning.

Principles:

- I. The objective for the review of development permits for Third Party Advertising Signs is to maintain and improve the quality of Calgary's communities and its overall visual character.
- II. Applications will be circulated to Transportation Department for review of visibility and public safety issues.
- III. Where a proposed Third Party Advertising Sign is located in an area that is subject to a specific policy or plan, any applicable policies on signage or urban design will be taken into consideration.

Key Land Use Bylaw Provisions

Discretionary Use That Does Not Comply

36(1) The **Development Authority** may approve a **development permit** application for a **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the **Development Authority**:

- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (b) the proposed **development** conforms with a **use** prescribed by this Bylaw for that land or **building**.

Discretionary Use Development Permit Application

35 When making a decision on a **development permit** for a **discretionary use** the **Development Authority** must take into account:

- (a) any plans and policies affecting the **parcel**;
- (c) the appropriateness of the location and **parcel** for the proposed **development**;
- (d) the compatibility and impact of the proposed **development** with respect to **adjacent development** and the neighbourhood;



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- 114 (1.1) Third Party Advertising Signs** with a **sign area** greater than 4.5 square metres may only be located in the CR20-C20/R20 District where:
- (a) it forms part of a comprehensive **development**; and
 - (b) it has been incorporated into the design of a **building** or structure.
- 115.3 (3) A Digital Third Party Advertising Sign:**
- (b) must not be located within 75.0 metres of any **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) **signs** displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same **street**;

Purpose

1305 The Commercial Residential District (CR20-C20/R20) is intended to be characterised by:

- (a) **developments** that contribute to the Downtown's role as the predominant destination for business, retail, entertainment and cultural activities in the City;
- (b) a mix of commercial, residential and cultural **uses** within the Downtown;
- (c) intensive high-rise, high-density **developments** where intensity is measured by **floor area ratio**;
- (d) **developments** that are pedestrian-oriented at **grade** and provide a high quality public realm;
- (e) **buildings** that incorporate a mix of **uses**;
- (f) varying maximum base **density** with incentive **density** over and above base **density** to achieve commercial residential mixed use, public benefit and amenities within the same community;
- (g) active, pedestrian focused **uses** on the ground floor and **+15 Skywalk System** level of **buildings**;
- (h) **developments** that promote the preservation and reuse of historic resources.
- (i) the connection of **buildings** to the **+15 Skywalk System**;
- (j) improved and expanded public transportation; and
- (k) **parcels** that are intended to transition **uses** and **building** forms to the surrounding neighbourhoods if they are located in the Transition Area as illustrated in Map 11.

Chart of Relaxations

Bylaw Requirement	Provided	Relaxation
114 (1.1)(a&b) Third Party Advertising Signs with a sign area greater than 4.5 square metres may only be located in the CR20-C20/R20 District where it forms part of a comprehensive development ; and it has been incorporated into the design of a building or structure.	(a) Not comprehensive	100%
	(b) Not Freestanding	100%
115.3 (3)(b) A Digital Third Party Advertising Sign must not be located within 75.0 metres of any Third Party Advertising Sign facing the same on-coming traffic and must not result in more than two (2) signs displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same street ;	Adjacent to Third Party Advertising Sign location (18.9 metres (westerly)) (east sign not installed, no dimension)	-56.1 metres 25%
	Three signs in 225.0 metre radius: 1) Subject sign 2) West Underpass sign 18.9m 3) East Underpass sign 4) 1 ST & 10 AV SE Sign 142.9m	1 additional sign 50%



Signs Permit Application

Online Submission

Application Information	
Applicant Details <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Agent Representing Business or Property Owner	
Applicant Name Chris Roubekas	Applicant Contact Information Phone: [REDACTED]
Representing Company (if applicable) Leading Outdoor	Email: [REDACTED]
Business Trade Name SWEET TREE CANNABIS CO.	Mailing Address: #1109 188 15 AV SW, CALGARY Alberta Canada T2R 1S4
Business ID [REDACTED]	
Sign(s) Information	
Municipal Address 205 9 AV SE	
Type of Application <input checked="" type="checkbox"/> New Sign <input type="checkbox"/> Sign Reapplication	Previous Approval Number (if reapplying)
Type of Sign(s) Digital third party advertising sign (Class G) Digital Third Party Advertising Sign	
Number of Signs: 1	
Permitted/Permitted with Relaxation/Discretionary Discretionary	
Text and/or business name to be displayed on the sign(s) General Advertising	
Please provide a detailed explanation of your sign application Application to install a new, one-sided Class G digital display.	

Public Trees

☐ Yes☒ No☐ N/A

Sign Details

Digital third party advertising sign (Class G)

Digital Third Party Advertising Signs

Number of Signs: 1

1. Digital Third Party Advertising Signs Details

Q: Is the Sign new or existing?

A: New

Q: Are there any freestanding advertising signs within 30 metres of the proposed sign?

A: No

Q: Are there any digital third party advertising signs or digital message signs within 300 metres of the proposed sign?

A: Yes

Q: Is the Sign shown on the Plans?

A: Yes

Q: Will there be more than two third party advertising signs within a 225 metre radius of each other, facing the same street?

A: No

Q: Are there any digital third party advertising signs less than 4.6 metres high and 4.5 square metres in area (such as "pillar ads") within a 30 metres of the proposed sign?

A: No

Q: Is the proposed sign within, and visible from, 125 metres of a building containing a dwelling unit?

A: No

Q: Proximity to Sensitive Areas

Is the proposed sign located in or within 450 metres of any of the following?

A major park

A: No

Q: An escarpment

A: No

Q: A civic pathway

A: No

Q: A riverbank

A: No

Q: A natural area

A: No

Q: Is the power provided underground?

A: Yes

Q: Is the sign equipped with an ambient light metre (which will operate at all times the sign is operating)?

A: Yes

Q: Can the sign be set to not exceed 3.0 LUX?

A: Yes

Q: Industrial

Maximum Luminance (Nits) -- Sunrise to Sunset: 7500 -- Sunset to Sunrise: 500

A: Selected

Q: How often is the sign messaging proposed to change?

A: 6 seconds

Q: 24 Hour Monitoring Contact

If the following information changes, the sign owner must provide The City with updated information, within 48 hours, by contacting 403-268-5311.

Applicant name:

A: Vance Macdonald

Q: Company name:

A: Leading Outdoor

Q: Contact email:

A: vancem@leadingoutdoor.com

Q: Contact phone:

A: [REDACTED]

Submitted Documents

Document Type: ARCHITECTURAL
 Document SubType: PLANS
 Document Name: 200309-Sign-Rev2drawings.pdf

Document Type: SUPPORTING DOCUMENT
 Document SubType: CERTIFICATE OF TITLE
 Document Name: TITLE 201 144 223 and CAVEAT 141 182 134.pdf

Document Type: SUPPORTING DOCUMENT
 Document SubType: LETTER OF AUTHORIZATION
 Document Name: LOA.docx signed.pdf

Document Type: SUPPORTING DOCUMENT
 Document SubType: PHOTOS
 Document Name: 4 photos.pdf

Document Type: SUPPORTING DOCUMENT
 Document SubType: PUBLIC TREE DISCLOSURE
 Document Name: public-tree-disclosure-statement (2).pdf

Document Type: ARCHITECTURAL
 Document SubType: INFORMATION FORM
 Document Name: Artwork Right Flag Curved[53791].png

Document Type: SUPPORTING DOCUMENT
 Document SubType: OTHER
 Document Name: Cover Letter.pdf

The personal information obtained on this form is being collected under the authority of section 33(c) of the FOIP Act. This information is being collected for the purpose of our inspection processes (if required) and will be disclosed to relevant City Business Units, Federal and Provincial agencies, Utility companies, Community Associations/Groups/Organizations, Adjacent Municipalities, Municipal school boards and/or any agencies required for review as part of the application review process. It may also be used to conduct ongoing evaluations of services received from Planning & Development. The name of the applicant and the nature of the application will be available to the public, as authorized by the FOIP Act. You may direct questions about the collection, use or disclosure of your personal information by the City of Calgary at 800 Macleod Trail SE Calgary, Alberta in relation to this program by emailing the FOIP Program Administrator for Planning and Development at plngbldg@calgary.ca or by telephone at (403)268-5311.

Online Services Terms of Use

PLEASE REVIEW THESE TERMS OF USE CAREFULLY. BY ACCESSING AND USING THIS ELECTRONIC ONLINE SERVICES WEBSITE, YOU ACCEPT AND AGREE TO THE FOLLOWING TERMS OF USE. IF YOU DO NOT AGREE WITH THESE TERMS OF USE YOU ARE NOT AUTHORIZED TO USE THIS ONLINE SERVICES SITE AND MUST IMMEDIATELY DISCONTINUE USE OF THIS ONLINE SERVICES SITE.

1. Interpretation

These Online Application Consent and Confirmation of Applicant supplement, and shall be interpreted consistently with, the general Terms of Use for the City of Calgary's website, found at the bottom of each web page.

2. Accuracy of Information Submitted

You acknowledge and agree that your electronic submission of information to The City of Calgary ("The City") using this Online Application is true and accurate and is intended to be your permit application to The City.

3. Consent to Electronic Decision

I agree that The City can issue its formal decision to in electronic form (e.g. electronic mail) to the email address provided through the Online Application. If my email address changes I will advise The City of the new email address or provide a mailing address for the formal approval.

4. Electronic Submission

Except as may otherwise be required by The City, you must only submit, provide and accept information or records related to your application in electronic form and you will not re-submit your application in paper form. The City does not guarantee that the entire electronic permit application process will be completed electronically, and The City reserves the right in its sole discretion to require you to submit information and records relating to your application in paper form.

5. Complete Application

I acknowledge that The City may inactivate or cancel incomplete permit applications that do not contain all of the requested information at The City's sole discretion.

6. Changes to Site and Terms of Use

The City reserves the right to make changes to this Online Services Site, the Terms of Use and provide

additional terms at any time without notice. The changes or additional terms are effective immediately upon being posted to this Online Services Site. Your use of the Online Services Site will be subject to the Terms of Use posted on the Online Services Site at the time of use. In the event any of the provisions of the Terms of Use are determined to be invalid, void, or unenforceable for any reason, that provision will be deemed to be severable and will not affect the validity or enforceability of any remaining condition of the Terms of Use. You may be asked to agree to separate terms of use for other pages or applications used elsewhere on The City's website.

7. Disclaimer of Warranties and Conditions

THE CONTENTS, PRODUCTS AND SERVICES ON THIS ONLINE SERVICES SITE AND YOUR USE OF THIS ONLINE SERVICES SITE ARE PROVIDED IN GOOD FAITH ON AN "AS IS" AND "AS AVAILABLE" BASIS. YOU RELY ON THE INFORMATION CONTAINED IN THIS ONLINE SERVICES SITE AT YOUR OWN RISK.

THE CITY DISCLAIMS ALL WARRANTIES OR CONDITIONS, EXPRESS OR IMPLIED, WITH RESPECT TO THE CONTENTS, PRODUCTS AND SERVICES CONTAINED ON THIS ONLINE SERVICES SITE, INCLUDING WITHOUT LIMITATION, IMPLIED WARRANTIES AND CONDITIONS OF TITLE, MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE AND NON-INFRINGEMENT. THE CITY FURTHER DISCLAIMS ANY AND ALL WARRANTIES REGARDING SECURITY, CURRENCY, CORRECTNESS, QUALITY, ACCURACY, COMPLETENESS, RELIABILITY, PERFORMANCE, TIMELINESS, OR CONTINUED AVAILABILITY WITH RESPECT TO THE ONLINE SERVICES SITE OR YOUR USE OF THE SITE. THE CITY FURTHER DISCLAIMS ALL WARRANTIES WITH RESPECT TO ANY DELAYS OR ERRORS IN THE TRANSMISSION OR DELIVERY OF ANY MATERIALS, PRODUCTS OR SERVICES AVAILABLE THROUGH THIS ONLINE SERVICES SITE. THESE DISCLAIMERS APPLY TO THE FULLEST POSSIBLE EXTENT IN JURISDICTIONS THAT LIMIT THE EXCLUSION OF IMPLIED WARRANTIES.

WHILE THE CITY TRIES TO ENSURE THE ACCURACY AND COMPLETENESS OF INFORMATION ON THIS ONLINE SERVICES SITE, IT DOES NOT GUARANTEE ITS ACCURACY OR COMPLETENESS. THE CITY DOES NOT GUARANTEE OR WARRANT THAT THIS SITE WILL ALWAYS BE AVAILABLE FOR USE.

8. Privacy Statement and Collection of Personal Information

Any information, including personal information, contained in a permit application submitted by using this site is being collected under the authority of The Calgary Building Permit Bylaw 64M94 (for Building Permits) or the Municipal Government Act, Section 640, and The City of Calgary Land Use Bylaw 1P2007 (Part 2) (for Development Permits) as well as the *Alberta Freedom of Information and Protection of Privacy Act* ("FOIP"), Section 33(a) and (c). This information will be used for The City's permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services for purposes related to these processes. Information may also be used by The City to conduct ongoing evaluations of services received from The City's Planning and Development Department. The name of the applicant and the nature of the permit will be made available to the public as authorized by FOIP. Please send inquiries by mail to the FOIP Program Administrator, Planning and Development, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

9. Alberta Law

You agree to be bound by Alberta law when using this Online Services Site and agree that any court

proceedings or other legal action will take place in Alberta.

10. No Damage or Modification of Site

You agree that you will not take any action to damage, modify, or breach the security of this Online Services Site, or cause the Online Services Site to no longer be available for use. You agree not to impersonate or misrepresent your association with any other person. You agree that you will not submit any information that is harmful, unlawful, or otherwise objectionable.

11. Site Ownership

The contents of this Online Services Site are owned or licensed by The City. You may not copy, transfer, store, upload, distribute, publish or otherwise use this content except as permitted by these Online Services Terms of Use. The words, phrases, names, designs or logos used on this Online Services Site may constitute trademarks, service marks or trade names of The City or other entities. The display of any such marks does not imply that The City or other entities have granted a license to you to use these marks.

12. Security of Account Information

You are responsible for protecting the confidentiality of any account information, user names, logins, passwords, security questions and answers, and other information you might need to access and use this Online Services Site. You are responsible for all activities occurring under your account, user name, or login. You agree to notify The City if you suspect that your account, user name, or login is not secure or is being used for an inappropriate purpose.

13. Violation of Terms of Use

Any rights you have to use this Online Services Site will terminate immediately upon any violation of these Online Services Terms of Use. The City may, in its sole discretion, temporarily or permanently terminate your access to and use of this Online Services Site, at any time, for any reason, without notice or liability to you. The City is not liable for any damages resulting from its termination of your access to, or use of, this Online Services Site.

14. Copyright

I acknowledge and understand that, as part of The City's process in reviewing, evaluating, and processing the permit application, The City will need to make available, in print and digital form, copies of the application materials to relevant City business units, members of City council, utility providers, other municipalities, municipal school Boards, relevant community associations/groups/organizations (including their boards of directors and planning committees), members of the general public, and any other external agencies or third parties whose input is required by The City in connection with the processing of your application. I hereby (i) consent to The City's copying, reproduction, distribution, and communication of the permit application materials, in any material form and via any medium, as required for the purpose of enabling The City to process your application; and (ii) certify that I am authorized and have the right to grant such consent.

15. Condominium Property

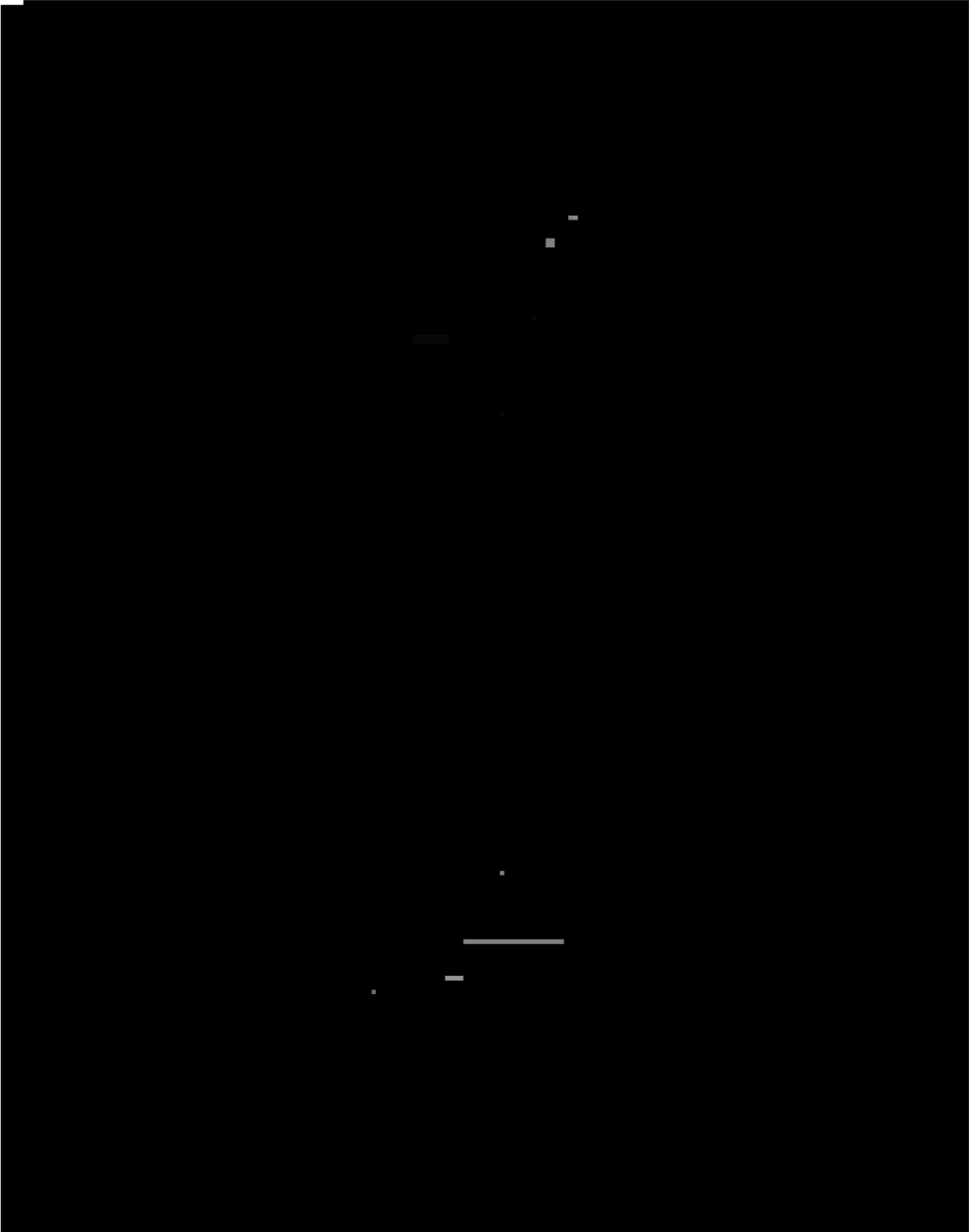
I have all authorizations required under the Condominium Property Act, RSA 2000, c C-22, as amended or replaced, the bylaws of the Condominium Corporation, and otherwise in law to apply for this application if it is respecting condominium property. I further agree to immediately notify The City, in writing, of any changes

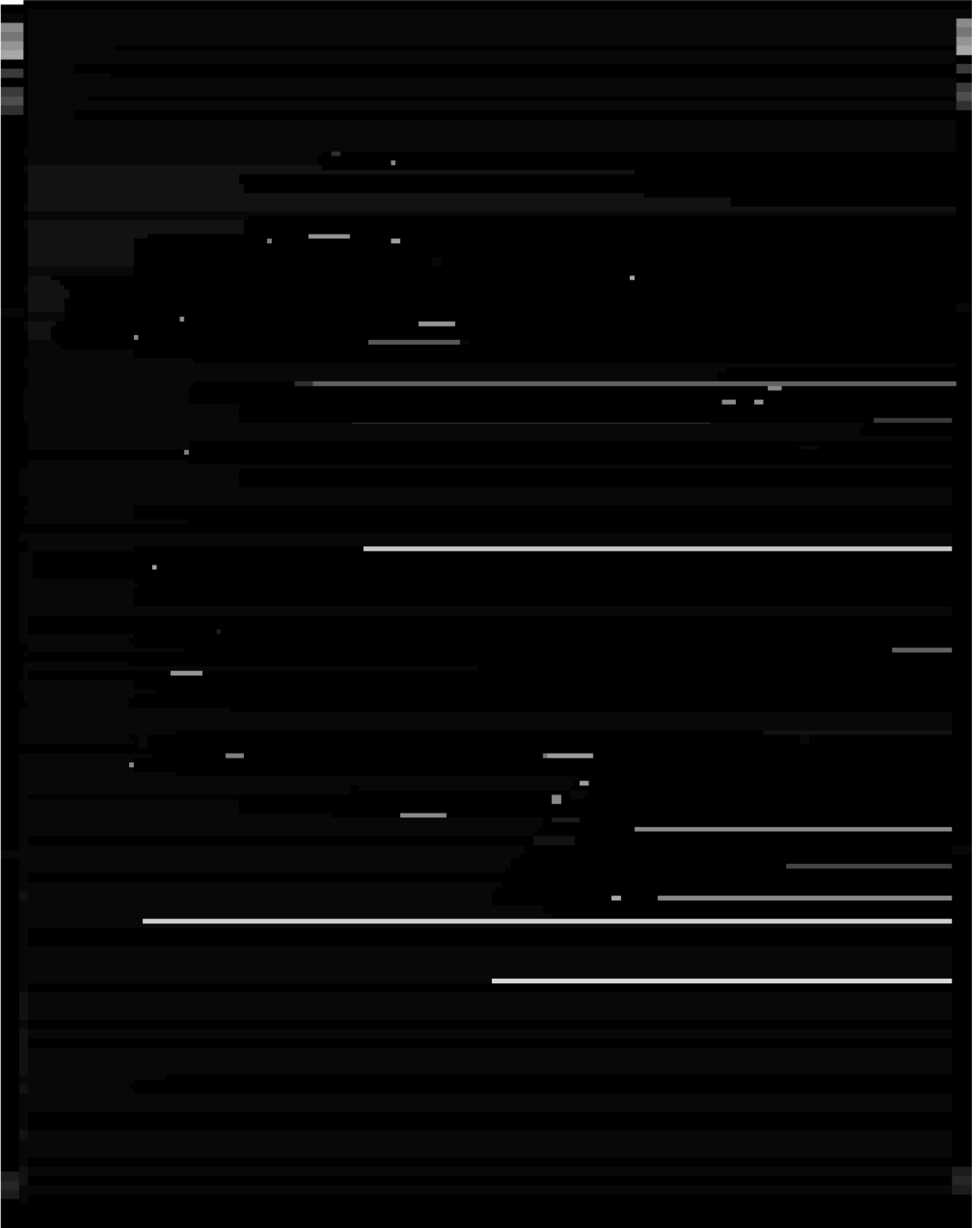
regarding this information.

Development Permit Application Requirements

I am authorized to apply for this permit in accordance with section 26 (1) of the Land Use Bylaw 1P2007 as amended.







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November 18, 2020

The City of Calgary
Planning, Development & Assessment
P.O. Box 2100, Station M, #8108
Calgary, AB, T2P 2M5

To whom it may concern:

The following will authorize Leading Outdoor Advertising Inc. to apply for a Development Permit for a Third-Party freestanding Class G digital signage that is located on our property municipally described as:

205 – 9 Avenue S.E.

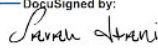
and legally described as:

Plan: 1423 LK; BLOCK: 3

We acknowledge that the above noted structure is owned and operated by Leading Outdoor Advertising.

Thank you.

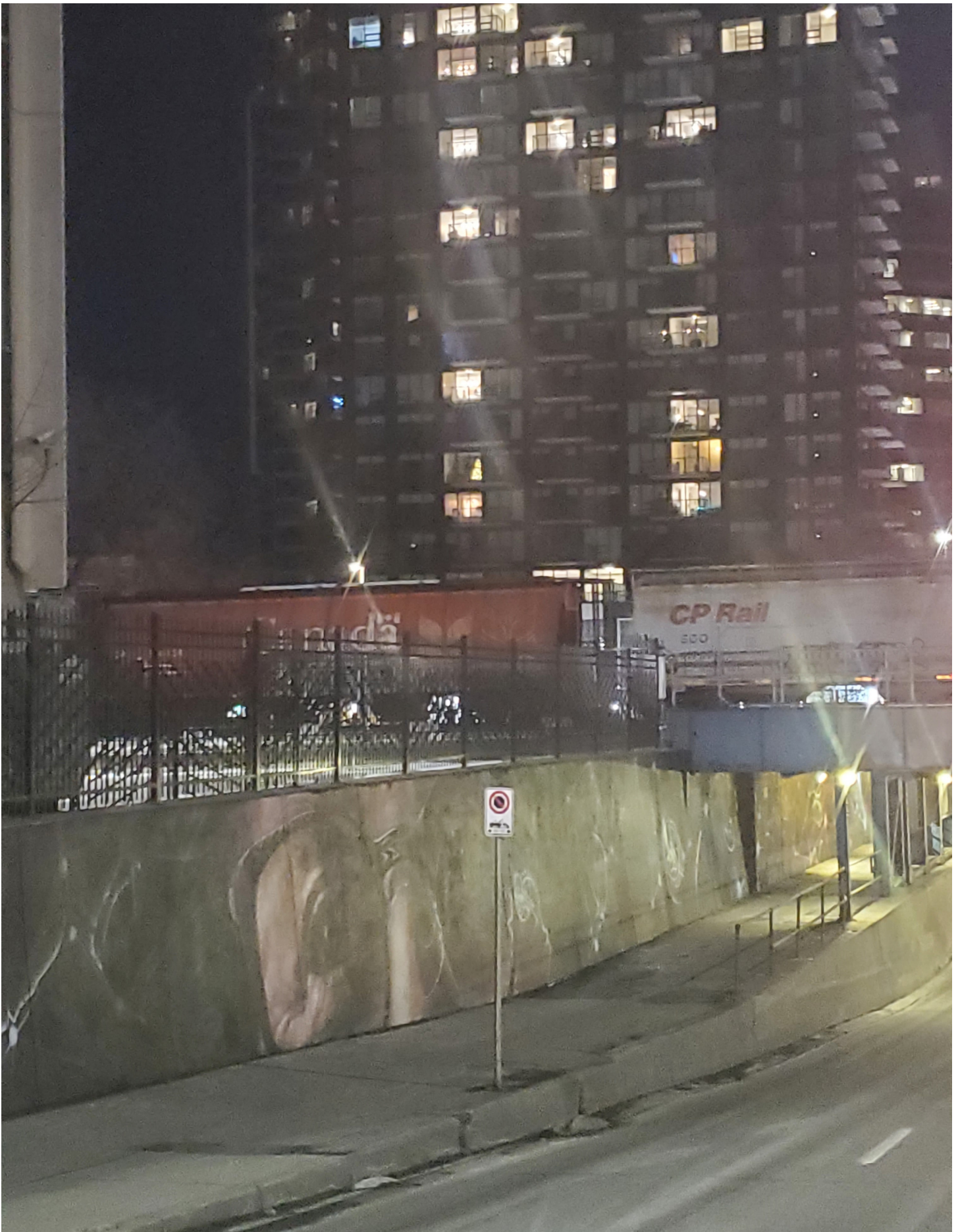
Sincerely,
Cidex Holdings Ltd.

DocuSigned by:

775B43417934435













Site Contamination Statement

 Application # _____
 for office use only

Site Address: 205 - 9th Avenue SE

Legal Description: Plan: 1423 L.K.; Block: 3

The information provided in this disclosure statement will assist the Development, Land Use and Subdivision Authorities in processing planning applications. The Authorities rely on the information provided in this statement to assist in determining the potential for site contamination, which may have been caused by current or historic activities.

You are responsible for the accuracy of the information provided in this statement. The questions must be answered to the best of your knowledge based upon diligent inquiry and the thorough inspection and review of all documents and other information pertaining to the subject property. **Please be aware that further site assessments may be required as part of the review of your application.**

1. Are you aware of any environmental investigations (audits, assessments, tests, surveys or studies) for this site? ☐ Yes ☒ No

If yes, please provide copy(s).

2. Are you aware of any environmental requirements associated with any previous planning applications on this site? ☐ Yes ☒ No
 (i.e. development permit, land use redesign or subdivision)

If yes please provide a brief description and the associated development application number(s):

3. Has there been site remediation or a request for such on the site? ☐ Yes ☒ No

If yes, please provide a brief description:

4. Are you aware of any regulatory actions, past or current, which have been applied to this site? ☐ Yes ☒ No

Examples include (but are not limited to):

- Environmental Protection Orders
- Reclamation Orders or Certificates
- Control / Stop Orders, fines, tickets or prosecutions
- Violations of environmental statutes, regulations and bylaws
- Administrative penalties and warning letters

If yes, please describe and provide copies of relevant documents:

5. Have any permits been issued or are you currently operating under a license or approval issued by federal or provincial authorities or the Calgary Fire Department for activities which may impact the property? ☐ Yes ☒ No
 (e.g. certificates of approval, storage tank regulations, plant operating permits)

If yes, please describe:

6. Has there been contact with Alberta Environment or Calgary Regional Health Authority regarding possible contamination on the site? ☐ Yes ☒ No

If yes, please provide a brief description:

NOTE: This form is to be signed by the titled owner(s) of the property or their authorized agents or consultants.

I, the ☐ owner, ☒ authorized agent, ☐ authorized consultant, state that, to the best of my knowledge, the information provided in this statement is accurate, complete and is based on diligent inquiry and thorough inspection and review of all the documents and other information reasonably available pertaining to the subject property. I am not aware of any other information that may indicate that the subject property is potentially contaminated.

Date

Applicant Signature

Chris Roubekas

Applicant Name (Please Print)

Leading Outdoor

Company Name (Please Print)

FOP DISCLAIMER: The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOP) Act, Section 23(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. Please send inquiries by mail to the FOP Program Administrator, Planning, Development & Assessment, P.O. Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.



Public Tree Disclosure Statement

The City of Calgary Street Bylaw (20M88) and the Tree Protection Bylaw (23M2002) protect trees growing on City (public) land. An approved Tree Protection Plan is required when construction activities occur within 6m of a public tree. More information regarding protecting trees during construction and development is found here. Public trees are required to be shown on plans submitted for this application.

1. Are there public trees on the City lands within six meters of and/or overhanging the development site? ☐ Yes ☐ No

If you answered yes, ensure all trees identified are shown on the submitted plans.

Note: if you are not sure how to determine which trees are yours and which are public, you can:

- Use the [City's tree map](#) (may not be up to date for your property)
- Contact 3-1-1 to put in a "development tree inquiry" to get confirmation from an Urban Forester
- Send inquiries to tree.protection@calgary.ca

2. Who will be submitting the Tree Protection Plan for this development?

☐ Applicant ☐ Owner ☐ Builder ☐ Other:

If Other: Name: _____ Phone: _____
Email: _____

The Tree Protection Plan must be submitted directly to Urban Forestry at tree.protection@Calgary.ca following the [Tree Protection Plan Guidelines](#).

FOIP DISCLAIMER: The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. Please send inquiries by mail to the FOIP Program Administrator, Planning, Development & Assessment, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

Rules Governing Class G Signs – Digital Third Party Advertising Signs**115.1** *deleted*

30P2012, 4P2013

Prohibited Locations for Digital Third Party Advertising Signs**115.2 (1)** *deleted*

30P2012, 4P2013

(2) Digital Third Party Advertising Signs are prohibited on any site where the **sign** is positioned such that the **copy** on the **sign** is visible from:

- (a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;
- (b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;
- (c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;
- (d) 85 Street N.W. from Bowness Road, north to Bearspaw Dam Road;
- (e) 87 Street N.W. from Bearspaw Dam Road, north to Nose Hill Drive;
- (f) 17 Avenue South from the eastern **City** limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
- (g) 32 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (h) 64 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (i) 96 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail;
- (j) 144 Avenue N.W.;
- (k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;
- (k.1) Airport Trail;
- (l) Anderson Road;
- (m) Barlow Trail from the north **City** limits, south to the junction of McKnight Boulevard;
- (n) Bearspaw Dam Road from 87 Street N.W., east to 85 Street N.W.;
- (o) Beddington Trail;
- (p) Bow Bottom Trail;
- (q) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail;
- (r) Canyon Meadows Drive;

4P2013

4P2013

- (s) Chaparral Boulevard;
- (t) Country Hills Boulevard;
- (u) Crowchild Trail;
- (v) Deerfoot Trail;
- (w) Falconridge Boulevard N.E.;
- (x) Glenmore Trail from Elbow Drive S.W., west to the **City** limits;
- (y) Glenmore Trail from the Bow River, east to Ogden Road S.E.;
- (z) Harvest Hills Boulevard;
- (aa) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.;
- (bb) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail;
- (cc) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard;
- (dd) Macleod Trail from 162 Avenue S.W., south to the **City** limits;
- (ee) McKenzie Lake Boulevard S.E.;
- (ff) McKenzie Towne Boulevard S.E.;
- (gg) McKenzie Towne Drive S.E.;
- (hh) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the **City** limits;
- (ii) Memorial Drive N.E. from 39 Street S.E., east to the **City** limits;
- (ii.1) Metis Trail;
- (jj) Nose Hill Drive;
- (kk) Peigan Trail;
- (ll) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor;
- (mm) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the **City** limits;
- (nn) Shaganappi Trail;
- (oo) Shawnessy Boulevard from west **City** limits, east to Shawnessy Drive S.W.;
- (pp) Southland Drive from west **City** limits, east to Haddon Road S.W.;
- (qq) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail;

- (rr) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard;
 - (ss) the Transportation and Utility Corridor;
 - (tt) Trans-Canada Highway from the Bow River, west to the **City** limits; or
 - (uu) Trans-Canada Highway from 6 Street N.E., east to the **City** limits.
- (3) **Digital Third Party Advertising Signs** are prohibited on sites **adjacent** to Bowness Road from 62 Street N.W. to 65 Street N.W.
- (4) **Digital Third Party Advertising Signs** are prohibited on **street** or utility rights-of-way.
- (5) **Digital Third Party Advertising Signs** must be a minimum of 450.0 metres from: 4P2013
- (a) major parks, as referenced in section 115;
 - (b) escarpments and pathways;
 - (c) riverbanks; and
 - (d) natural areas,
- when the **copy** is visible.
- (6) A **Digital Third Party Advertising Sign** is prohibited if: 4P2013
- (a) the **digital display** is visible from a **building** containing a **Dwelling Unit**; and
 - (b) it is located less than 125.0 metres, measured from the face of the **digital display** to a **building** containing a **Dwelling Unit**.

Siting of Digital Third Party Advertising Signs

30P2011

- 115.3 (1) A **Digital Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic; 44P2013
- (2) A **Digital Third Party Advertising Sign** must be removed from a **parcel** upon expiry of the **development permit** for such a **sign** if a **development permit** application for a **Freestanding Sign** is approved within 30.0 metres of the **Digital Third Party Advertising Sign**; 44P2013
- (3) A **Digital Third Party Advertising Sign**:
- (a) must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the **sign** containing the **digital display** to the closest point of another **sign** containing the **digital display** when the **signs** are facing the same oncoming traffic; 4P2013

- 4P2013 (b) must not be located within 75.0 metres of any **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) **signs** displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same **street**;
- 4P2013 (c) except where specified in subsection (d), must be located at least the following distances from any **property line** shared with a **street**:
- (i) 17.0 metres where the posted speed limit of the public thoroughfare is 100 kilometres per hour or greater;
 - (ii) 16.0 metres where the posted speed limit of the public thoroughfare is 90 kilometres per hour;
 - (iii) 14.0 metres where the posted speed limit of the public thoroughfare is 80 kilometres per hour;
 - (iv) 10.0 metres where the posted speed limit of the public thoroughfare is 70 kilometres per hour; and
 - (v) 6.0 metres where the posted speed of the public thoroughfare is 60 kilometres per hour or less.
- 4P2013 (d) may be located closer to a **property line** shared with a **street** identified in subsection (c) provided that:
- (i) the **sign** replaces an existing approved **Sign – Class F** on a **parcel**;
 - (ii) the **development permit** approving the **Sign – Class F** remains in effect; and
 - (iii) the distance from the **sign** to any **property line** is not less than that of the existing approved **Sign – Class F**.
- (4) Trees required under an approved **development permit** must not be removed or altered in any way to accommodate the placement or visibility of a **Digital Third Party Advertising Sign**.
- (5) A **Digital Third Party Advertising Sign** must not be located on, or attached to, a roof of a **building**.
- (6) A freestanding **Digital Third Party Advertising Sign** must be separated from:
- (a) a **Directional Sign**, exceeding 3.0 square metres in **sign area**, in a **street** right-of-way;
 - (b) a **street** intersection or railway crossing by at least 30.0 metres; and
 - (c) the curblin or edge of a **major street, expressway** or freeway, to the satisfaction of the General Manager Transportation or his delegate.

Height and Size of Digital Third Party Advertising Signs

- 115.4 (1)** The maximum height of a wall-mounted or a freestanding-flush **Digital Third Party Advertising Sign** is 10.5 metres and it must not extend above the *eaveline*.
- (2)** The maximum height of a freestanding **Digital Third Party Advertising Sign** is 8.3 metres, and if any portion of a freestanding **Digital Third Party Advertising Sign** is located within 6.5 metres of a *building* less than 8.3 metres in height, the *sign* must not exceed the height of that *building* or 6.5 metres, whichever is greater.
- (3)** The dimensions of the *sign area* of a **Digital Third Party Advertising Sign** must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the **Digital Third Party Advertising Sign**.
- (4)** The maximum area of a **Digital Third Party Advertising Sign** must not exceed 25.0 square metres and only one face of a double-faced *sign* may be used to calculate *sign area*.

General Rules for Digital Third Party Advertising Signs

4P2013

- 115.5 (1)** The applicant for a *development permit* for a **Digital Third Party Advertising Sign** must show that the **Digital Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby *buildings* and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line.
- (1.1) Digital Third Party Advertising Signs** with a *sign area* greater than 4.5 square metres may only be located in the CR20-C20/R20 District where:
- (a)** it forms part of a comprehensive *development*; and
- (b)** it has been incorporated into the design of a *building* or structure.
- (2) A Digital Third Party Advertising Sign** must not block natural light or the sky from surrounding *buildings'* windows and doors.
- (3)** The lighting or orientation of a **Digital Third Party Advertising Sign** must not adversely affect any neighbouring residential areas.
- (4)** An auxiliary *sign* or other material must not be attached to, on, above or below a **Digital Third Party Advertising Sign**.
- (5)** The backs of all **Digital Third Party Advertising Signs** and all cut-outs must be enclosed.

33P2013

- (6) The space between the faces of a double-faced **Digital Third Party Advertising Sign** must be enclosed.
- (7) Electrical power supply to the **Digital Third Party Advertising Sign** or base landscaping must be underground unless otherwise allowed by the **Development Authority** such as, but not limited to, situations where reasonable access to an underground power source is not available or the **Digital Third Party Advertising Sign** is located in an area where underground power has not commenced.
- (8) A **development permit** for a **Digital Third Party Advertising Sign** may only be issued for a period not exceeding three (3) years.
- (9) Prior to a **development permit** expiring for a **Digital Third Party Advertising Sign**, and upon receipt of a new **development permit** application for the same **Digital Third Party Advertising Sign** at the same height, size and location, the **Development Authority** may apply the rules referenced in subsection (10).
- (10) When considering a **development permit** application for a **Digital Third Party Advertising Sign** referenced in subsection (9), the **Development Authority**:
 - (a) must consider if the proposed **Digital Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby **buildings** and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line;
 - (b) must not approve the **development permit** if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Digital Third Party Advertising Sign**;
 - (c) may only approve the **development permit** for the **Digital Third Party Advertising Sign** when the **use** is listed in the District; and
 - (d) must not approve the **development permit** for the **Digital Third Party Advertising Sign** when the **sign** is located within and the **digital display** is visible from 125.0 metres of a **building** containing a **Dwelling Unit**.



SWEET TREE CANNABIS CO.

Dear Sir/Madam:

RE: Detailed Review (DR)

Development Permit Number: DP2020-7705

Based on the plans received, your application has been reviewed in order to determine compliance with the Land Use Bylaw and applicable City policies. Any variance from the Land Use Bylaw or City policies may require further discussion or revision prior to a decision being rendered.

A written response to the Prior to Decision issues in this DR is required from the Applicant by the end of the thirty (30) calendar day response due date. In the event that the response due date expires, the application may be inactivated subject to a fifteen (15) calendar day reactivation timeline. In the case of a non-responsive or incomplete application, the General Manager – Planning, Development and Assessment may cancel the application as per Section 41.1 of Land Use Bylaw 1P2007.

Should you have any questions or concerns, please contact me at (403)333-5642 or by email at Shelagh.Giesbrecht@calgary.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shelagh", followed by a horizontal line.

SHELAGH GIESBRECHT
Senior Planning Technician



Detailed Review 1 – Development Permit

Application Number:	DP2020-7705
Application Description:	Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)
Land Use District:	Commercial Residential District
Use Type:	Discretionary
Site Address:	205 9 AV SE
Community:	DOWNTOWN COMMERCIAL CORE
Applicant:	SWEET TREE CANNABIS CO.
Date DR Sent:	January 8, 2021
Response Due Date:	February 8, 2021
Senior Planning Technician:	SHELAGH GIESBRECHT - (403)333-5642 - Shelagh.Giesbrecht@calgary.ca

General Comments

The proposed Digital Third Party Advertising Sign is a vehicle oriented sign in a location where enhancement of the pedestrian realm is a priority. The application is subject to the rules for Third Party Digital Advertising Signs in the Land Use Bylaw 1P2007, specifically CR20-C20/R20 land use district. Digital Third Party Advertising Signage is required to be pedestrian oriented with a sign area of less than 4.5 square metres unless it forms part of a comprehensive development and it has been incorporated into the design of a building or structure.

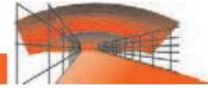
The application is also subject to the Downtown Underpass Urban Design Guidelines and to the Calgary Third Party Advertising Sign Guidelines. The objective of the Downtown Underpass Urban Design Guidelines is to support enhancement of the pedestrian realm and ensure future development is sensitive to the pedestrian experience. The purpose of the Calgary Third Party Advertising Sign Guidelines is to provide support on the appropriate use and location of Third Party Advertising Signs in Calgary.

Comments on Relevant City Policies

DOWNTOWN UNDERPASS URBAN DESIGN GUIDELINES

4.0 Underpass Design Guidelines

4.5 SIDEWALK / MULTI-USE PATHWAY

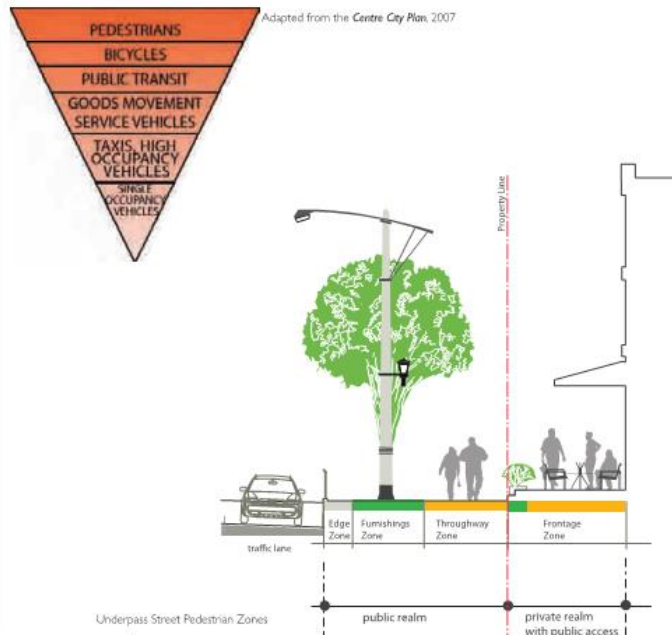


4.5.1 Pedestrian First

One of the objectives of the Centre City Plan is to make the Centre City a walkable place that is safe, secure, accessible, legible, interesting and enjoyable for pedestrians and cyclists.

The design of the pedestrian realm (including edge zone, furnishings zone, throughway zone, frontage zone as illustrated at the right) at underpasses plays a key role in fulfilling the concept of "pedestrian first". Section 4.5 focuses on the throughway zone of the pedestrian realm.

Section 4.5 illustrates options for bicycle access at underpass streets, which include off-street multi-use pathways, on-street shared travel lanes, and on-street bike lanes.



DOWNTOWN UNDERPASS URBAN DESIGN GUIDELINES

JULY 2010 35



4.0 Underpass Design Guidelines

4.9 PEDESTRIAN SIGNAGE

The Centre City Plan identifies all underpasses as gateways from and to Downtown. As the major south-north linkages between the Downtown and Beltline neighbourhoods, underpasses can become spots where visitors, workers, and residents find information and interpretive features that they can use to explore and discover. Good signage can play an important role in supporting the public realm and contributing to a distinctive local identity. The intent has been consistent in recent policy work related to the subject, including the Calgary Downtown Retail District Strategy (2009) and the Animated Public Art Report (2008). This Guideline focuses primarily on the pedestrian realm. The intent is to:

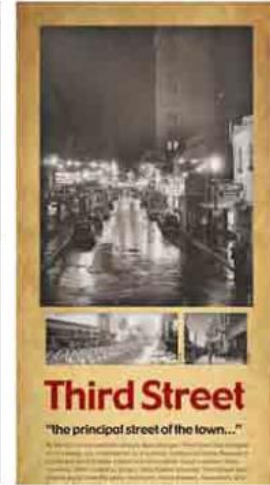
- Enhance the gateway features of all underpasses through proper pedestrian signage
- Improve the wayfinding and legibility
- Enrich the pedestrian experience

Pedestrian Signage

1. Provide wayfinding signage to direct and orient pedestrians and cyclists to surrounding key destinations, as well as the public transit network where applicable.
2. To maximize pedestrian feel along the underpass streets, encourage pedestrian-scaled retail signage on canopies and blade retail signage perpendicular to the retail facades comprising part of the building frontages



Sample of Underpass Wayfinding Signage.



Sample for directional signage design related to the historical context.

4.9 PEDESTRIAN SIGNAGE

3. Use branding signage at underpasses to enhance the gateway features of the underpasses (See Section 4.1.2 Bridge Structure)
4. Use banner or art signage as distinctive features to beautify the streets.
5. Where possible, consider using interpretive signage to celebrate local heritage
6. Install pedestrian signage at appropriate locations (e.g. retaining wall, lighting pole, balustrade, pavement, storefront, street corner, etc.) depending on the type, size and potential impact of the signage on pedestrian realm. The location, size and design of the signage must not distract the drivers and overpower adjacent structures. It must respect the scale and material of the adjacent structures, as well as the streetscape character of the area. It must not protrude onto the sidewalk or obstruct the pedestrian flow.
7. Avoid visual clutter and signage proliferation that detract from the quality of the pedestrian realm. Design the signage to be part of the overall graphic system for the underpass and its surrounding area to establish the visual continuity of the pedestrian realm. Require a scale, orientation and level of detail that is distinctive from traffic signs in order to improve legibility and avoid confusion and distraction for drivers.
8. Encourage the use of custom-designed signage as public art to enrich pedestrian experience depending on the local character of the area (see Section 4.1.1 Public Art).

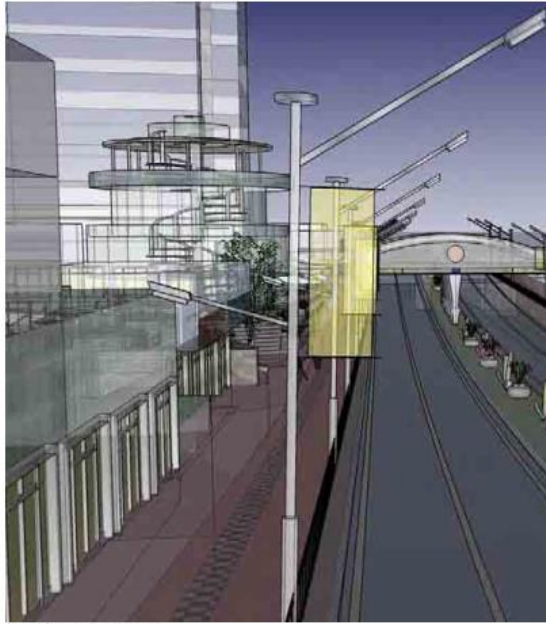


Image of banners in underpasses.

DOWNTOWN UNDERPASS URBAN DESIGN GUIDELINES

JULY 2010 49



4.0 Underpass Design Guidelines

4.9 PEDESTRIAN SIGNAGE

9. Develop free-standing, illuminated, directional kiosks at appropriate locations, featuring maps of the Centre City destinations combined with newspaper/magazine stands and wayfinding (consistency with Wayfinding Study, Centre City Implementation, 2010) features. Kiosks could also function as special structures to pronounce gateway elements.
10. Animated wayfinding or signage are at the discretion of the Approving Authority, based on the local context of the underpass and the evaluation criteria defined in Land Use Bylaw IP2007 (Sign regulations such as approval procedure, location, type, size, lettering, colour, illumination).



Sample of Pedestrian Signage and Wayfinding

DOWNTOWN UNDERPASS URBAN DESIGN GUIDELINES

50 JULY 2010

CALGARY THIRD PARTY ADVERTISING SIGN GUIDELINES

3. Approach to Regulating Third Party Advertising Signs

The Calgary Municipal Development Plan (MDP) and the Calgary Transportation Plan (CTP) provide the long-term strategy for managing growth and change in Calgary consistent with Council adopted land use goals and objectives. These include creating a prosperous economy, shaping a more compact urban form, creating great communities, using urban design to create a livable and attractive city, connecting the city, and greening the city.

The policies of the MDP and CTP direct implementation of Calgary's planning processes. This includes tools such as the regulation of land use and the approval of development permits. The principles of this Third Party Advertising Sign guideline are based on these policies and intended to ensure their consistent application in the development approval process.

The Land Use Bylaw rules govern the development of all types of signs in Calgary. The priorities for regulating Third Party Advertising Signs are:

- Promoting community aesthetics and public safety in the approval and development of signs;
- Preventing visual clutter arising from sign proliferation; and
- Protecting Calgary's communities and visual environment from unsuitable signs.

These priorities for Third Party Advertising Signs can be addressed in the Land Use Bylaw by rules dealing with:

- Land Use Districts where Third Party Advertising Sign development is appropriate;
- Requirements for the location and siting of Third Party Advertising Signs;
- Size and height regulations;
- Illumination and operational characteristics; and
- The development permit review process.

The focus of the following principles of Third Party Advertising Sign regulation is to maintain and enhance a high quality urban environment in Calgary and a city that continues to be a desirable community in which to live, work, and visit.

4. Principles of Third Party Advertising Sign Regulation

(A) Land Use Districts

- IX. Where appropriate in the Centre City, signs with digital displays may be integrated into development and be of a form and quality that contributes to defining a distinct identity for adjacent public space, and enhances the experience of the space through good urban design.

(B) Location and Siting

- II. Third Party Advertising Signs must be located on private property along streets in such a way that their location mitigates or avoids risk to public safety. The location should not create an obstruction to vision or contribute to visual confusion with official traffic control devices.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

(C) Size and Height

Third Party Advertising Signs come in a variety of sizes. Third Party Advertising Sign size and height are factors for achieving an appropriate fit between the Third Party Advertising Sign with surrounding buildings and spaces so that it is in scale with its context and the character of the area.

- VII. Where Council has identified specific pedestrian areas which promote business opportunities, such as Business Revitalization Zones, Third Party Advertising Signs are not appropriate as they provide additional visual clutter that may detract from the local businesses in the immediate vicinity.

(E) Development Permit Review Process

The flexibility inherent in the development permit process for discretionary uses such as Third Party Advertising Signs allows The City to tailor the development permit approval to the specific circumstances of the location of the proposed Third Party Advertising Sign and its surrounding context.

The review of development permit applications involving Third Party Advertising Signs should take into account matters including: any relevant plans or policies, the suitability of the location and parcel for the Third Party Advertising Sign, compatibility and impact of the Third Party Advertising Sign on adjacent development, and principles of good planning.

Principles

- I. The objective for the review of development permits for Third Party Advertising Signs is to maintain and improve the quality of Calgary's communities and its overall visual character.
- II. Applications will be circulated to the Transportation Department for review of visibility and public safety issues.
- III. Where a proposed Third Party Advertising Sign is located in an area that is subject to a specific policy or plan, any applicable policies on signage or urban design will be taken into consideration.

Bylaw Variances		
Regulation	Standard	Provided
Siting of Digital Third Party Advertising Signs 115.3 (3) A Digital Third Party Advertising Sign: (a) must be located at least 300.0 metres from any other Digital Message Sign or Digital Third Party Advertising Sign when measured from the closest point of the sign containing the digital display to the closest point of another sign containing the digital display when the signs are facing the same oncoming traffic;	300 m	115.3m (-184.7m)
Siting of Digital Third Party Advertising Signs 115.3 (6) A freestanding Digital Third Party Advertising Sign must be separated from: (a) a Directional Sign, exceeding 3.0 square metres in sign area, in a street right-of-way; (b) a street intersection or railway crossing by at least 30.0 metres; and (c) the curblineline or edge of a major street, expressway or freeway, to the satisfaction of the General Manager Transportation or his delegate.	Support	No support – comments follow
General Rules for Digital Third Party Advertising Signs 115.5 (1) The applicant for a development permit for a Digital Third Party Advertising Sign must show that the Digital Third Party Advertising Sign is compatible with the general architectural lines and forms of nearby buildings and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line.	Compatibility of proposed sign to nearby buildings and character of the streetscape	No compatibility – vehicle oriented sign in pedestrian oriented streetscape
General Rules for Digital Third Party Advertising Signs 115.5 (1.1) Digital Third Party Advertising Signs with a sign area greater than 4.5 square metres may only be located in the CR20-C20/R20 District where: (a) it forms part of a comprehensive development; and (b) it has been incorporated into the design of a building or structure.	4.5m2	24.5m2 (+20m2)

CIRCULATION COMMENTS

The application was circulated to the Chief Urban Designer, City wide Urban Design, Community Planning.

David Down – Chief Urban Designer provided the following comments:

Our main concern is that this sign does not contribute to our objective of improving the quality of the pedestrian experience through underpasses like this, and in this case it is located at a key “gateway” location facing two major civic institutions (Glenbow and Arts Commons) which will both be undergoing future improvements to enhance and open up their street edges to encourage pedestrian activity.

City Wide Urban Design does not support the proposed digital signage based on the following:

- The proposed signage is located near an underpass gateway from Downtown Core to Beltline community. It's an area in transition from a civic cultural district to a residential mixed use neighbourhood, passing an underpass with recent public improvements (mural project) and potential future additional improvement investment. The area where the signage is visible is a busy street intersection at 9 Avenue SE and 1 Street SE, which involves high pedestrian and vehicular movement and significant civic activities (Arts Commons, Glenbow). As well, there is significant existing commercial advertising on the balustrades of the underpass which already add to the visual clutter of the area.
- Based on the location and context it is suggested that the proposed signage will distract drivers' attention away from the traffic lanes at a narrowing and descending condition, causing potential safety concerns. Where high contrast, high luminance lighting elements are proposed care should be taken to avoid negatively impact drivers' ability to navigate by impacting vision through the contrast of light and dark.
- The signage is large in scale (8.3m high and 7.0m wide) and highly visible to both drivers and pedestrians in an area where improving walkability and pedestrian comfort is an objective; the scale of the signage, being entirely automobile oriented, does not improve the pedestrian character and human scale.
- Local signage policy asks that new signage be incorporated into the design of buildings or structures. Given the current economy, these lands may not develop for some time – likely longer than the proposed 5-year term.
- In summary, the proposed signage does not contribute to the vibrancy of the area considering that it is auto-orientation along a high pedestrian volume street. City Wide Urban Design does not support the proposed digital signage of this scale at this location.

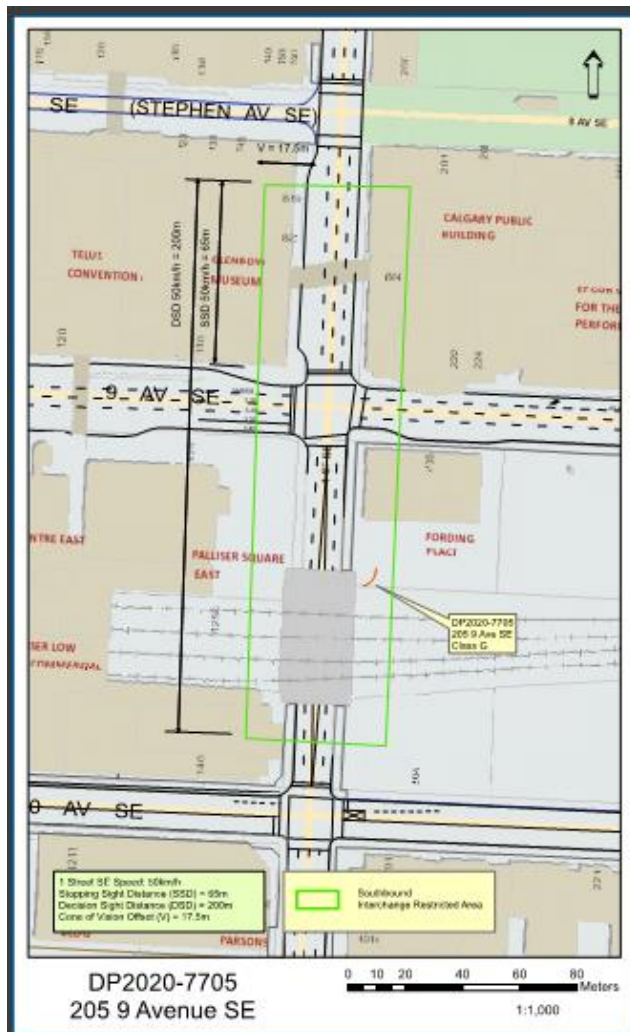
The application was circulated to the Ward Councillor and the following comments were provided:

- The proposed signage is entirely auto-oriented and is a highly inappropriate use for the Centre City. The signage is diametrically opposed to the creation of a more pedestrian-oriented Centre City. It is non-compliant with policies that promote a more pedestrian-scaled and pedestrian-oriented Centre City.
- The applicant has made no efforts to try and produce a pedestrian-oriented sign given its 8+ metre height and near 25 metre squared signage area. That said, the inappropriate size is secondary to the inappropriate use.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

- On top of being auto-oriented, the signage is also distracting to passing motorists and poses a safety issue. This is particularly noteworthy because it will distract motorists as they enter the tight underpass situation that requires an even higher level of attention from motorists.
- We are disappointed that this application is proposed.

The application was circulated to Roads – Traffic Engineering for comment. The following diagram & comments were provided:



After review the application, the sign is within the restricted area of the signalized intersection. Traffic recommends relocating the sign such that the sign is outside the cone of vision at stopping sight distance.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

Prior to Decision Requirements

The following issues must be addressed by the Applicant through a written submission and amended plans prior to a decision by the Approving Authority:

1. The development, as proposed, is not supported for the above noted reasons:

Indicate, in writing, the manner in which the application will proceed:

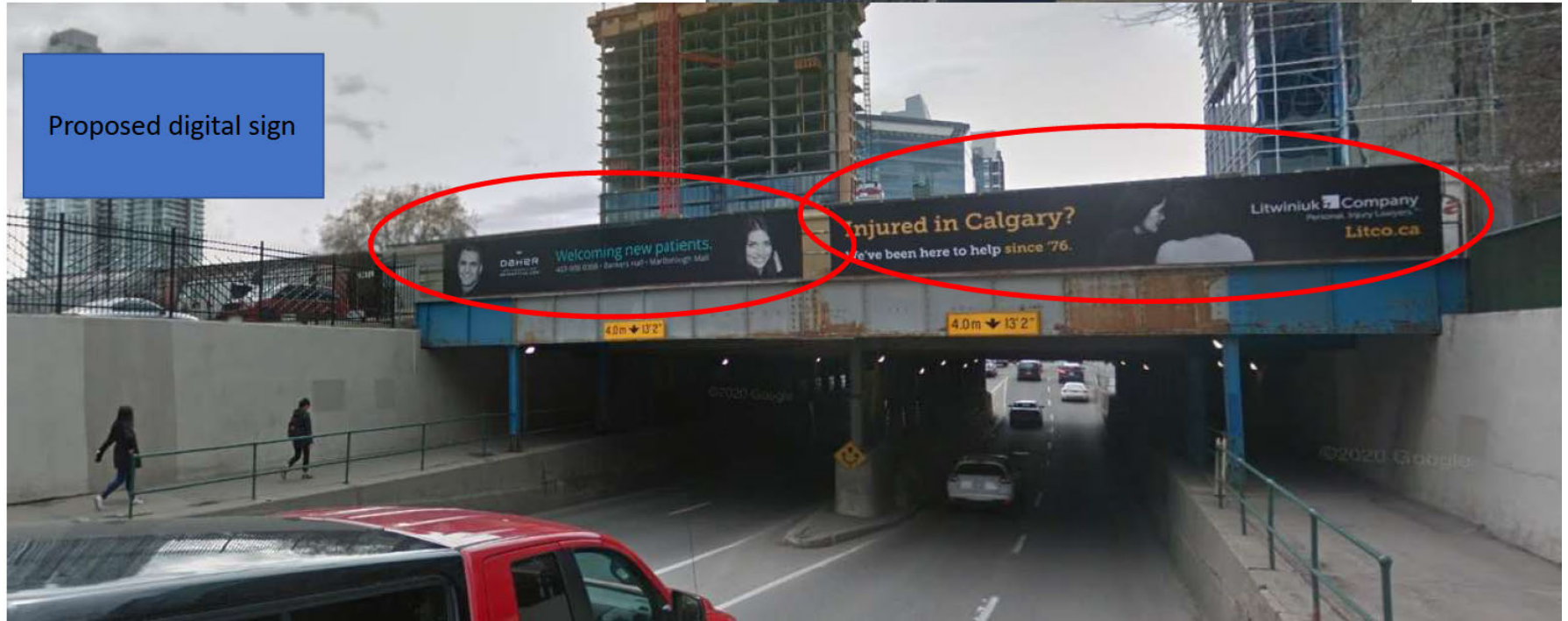
(A) Request **cancellation** of the application. Any applicable fee refund will be determined at the time of cancellation.

(B) **Pursue** the application, as proposed, with a decision of refusal by the Development Authority. The refusal will be based on the comments listed above.

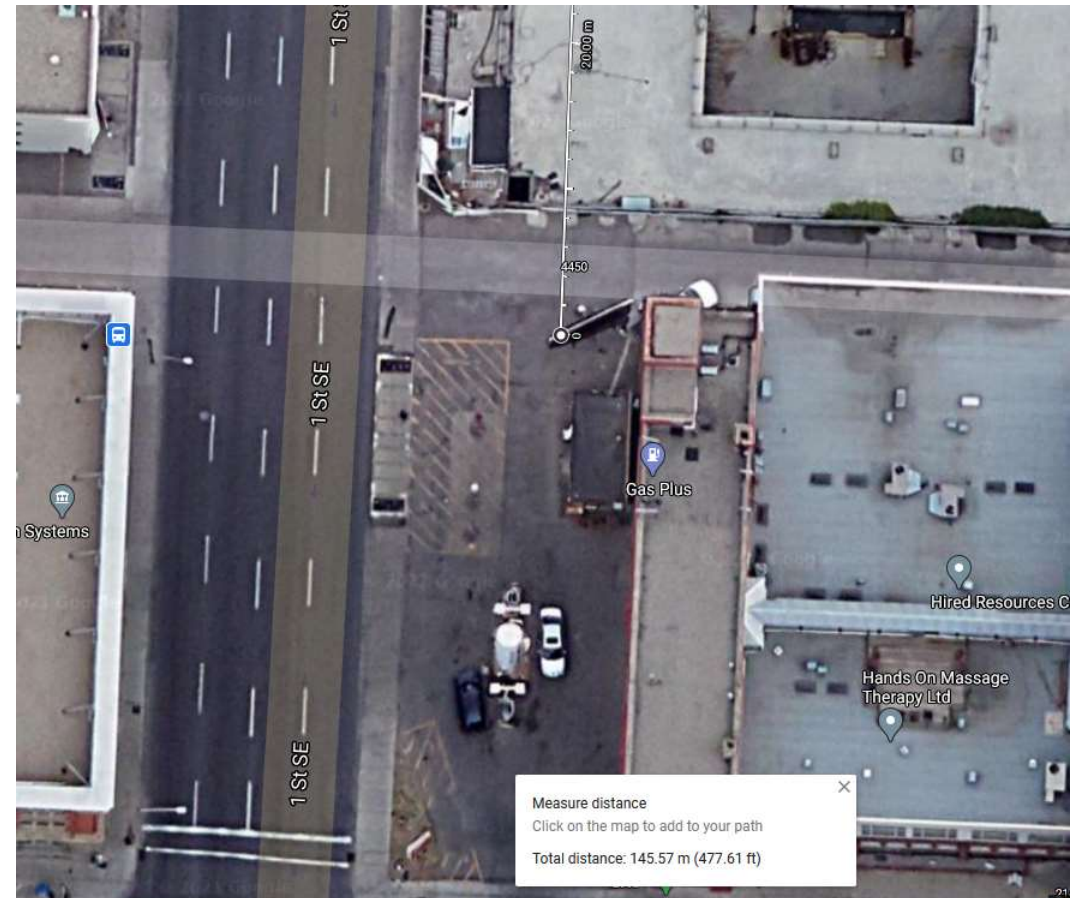
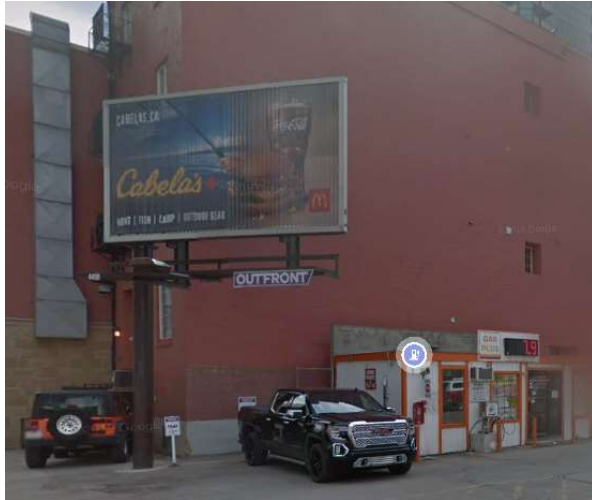
Far west overpass third party signs approx. 11m away
(signs are approximately 7m by 2m each)



Proposed digital sign



Oufront sign approx. 145m away







November 27, 2020

City of Calgary
 Planning and Development #8094
 P.O. Box 2100, Station M
 Calgary, AB
 T2P 2M5

Attn: Senior Planning Technician

Via: Online Submission

Re: New Development Application for
 205 – 9th Avenue S.E.

Attached please find Leading Outdoor's Development Permit application for the above referenced address. This application is for a single digital face adjacent to 1 Street S.E. and is targeting traffic heading south bound along 1st Street S.E.

Upon review you will note this parcel is in a CR20-C20/R20 District where Class G is listed as a discretionary use and may only be located in this District "where it forms part of a comprehensive development and it has been incorporated into the design of a building or structure". We are asking for your consideration to allow this freestanding digital display for the following reasons:

1. As per the attached site plan the proposed location for the digital display is at the rear of the parcel;
2. As a result of the depth of the parcel towards the south Property Line, the display is located outside the fence and entirely outside of the surface parking lot;
3. The proposed location is over 60 m to the middle of the intersection of 1 Street and 9 Avenue SE;
4. The proposed location is abutting four (4) sets of railway tracks and when looking towards the SE and southerly directions, the surrounding area has an industrial look to it (see attached photos);
5. The building elevations are predominantly concrete and would not make sense to incorporate display into the design of existing building;
6. Furthermore, this property was recently purchased from the previous owner, Teck Coal and it is the intent of the new owner to develop this parcel. Therefore, only a short term, 5-year lease was entered into for the proposed digital display;
7. The proposed display is a desired interim use by the owner for the parcel as a result of the current state of the economy and the fact this 11-story office building is nearly empty;
8. The City has shown an openness to allowing digital displays in this type of District (i.e. 221 – 9 Avenue S.E. and its recent renewal - DP2020-3120). In



addition, this existing digital display faces west unlike the proposed digital display which faces north.; and

9. It is our opinion that a digital display will add color and vibrancy to this parcel and as per the City's intent for this District, will "contribute to the Downtown's role as the predominant destination for business, retail, entertainment and cultural activities in the City".

As a result of the above planning rationale we do not believe that an interim use of a digital display will have any negative impacts to the surrounding area and its commercial developments.

Thank you for your consideration of our request. We look forward to your positive response upon review of our application.

Sincerely,
Leading Outdoor

Vance Macdonald



From: [Chris Roubekas](#)
To: [Farrell, Druh](#)
Cc: [Giesbrecht, Shelagh M.](#)
Subject: [EXT] DP2020-7705 DETAILED REVIEW 205 9 AV SE
Date: Wednesday, February 17, 2021 10:56:36 AM
Attachments: [Cidex letter dated Feb 17, 2021.pdf](#)
[200309-Site-Rev6.pdf](#)
[January 8, 2021 Detailed review.pdf](#)

Good morning Ms. Farrell. I trust you are well.

On behalf of Cidex Group of Companies, please find attached letter for your consideration and response in regards to the above referenced Development Permit application.

Please note on the Detailed Review there is an error that occurred when application was submitted on-line in that the applicant is not Sweet Tree Cannabis Co., it is Leading Outdoor.

Please confirm receipt of this email.

We look forward to hearing from you.

Regards,
Chris Roubekas




February 17, 2021

The City of Calgary
Office of the Councillors (8001)
P.O. Box 2100, Station M
Calgary, AB
T2P 2M5

Attention: Councillor Druh Farrell

Via email

Re: Proposed Class G Digital Third-Party Advertising Single-sided Display
205 – 9 Avenue S.E. - DP2020-7705

I am reaching out with respect to our partner, Leading Outdoor's above referenced application that was submitted for 205 – 9 Avenue SE. We are the owners of that parcel, that includes an office tower and surface parking and recently purchased it as of August 2020. You most likely know the building by its previous name of many years, Fording Place or by its more recent name of Teck Place.

Cidex made this acquisition as we believe in the Calgary market and are invested in its long-term success. As an Alberta based developer for over 30 years, Cidex has spent the last eight focused on the rental market. This ensures our group keeps a long-term focus and involvement with the projects it builds and operates. This parcel is being held for future development once the market bounces back. In the meantime, an approval of this project would help pay some of the operating costs associated with holding the asset.

It is our understanding the proposed placement of the display is at the southern edge of your ward. Vance of Leading Outdoor recently brought to my attention the Detailed Review that was presented by the File Manager regarding the application, in particular the comments that were provided by your office.

Ms. Farrell we are asking for your reconsideration of your position with respect to this application based on the following reasons:

- We have made a substantial investment for this corner parcel,
- Our intention is to fully develop this site that will result in the future betterment of this area,
- Upon redevelopment the display will no longer remain,
- We are simply looking for creative ways to generate ancillary revenue during these difficult economic times,



- Currently the entire 10 floor office tower is vacant except for two tenants at street level,
- The property taxes for the site are in excess of \$140,000 pe year,
- Due to the initial concerns put forth by Transportation, the placement of the sign location has been relocated further east. Please see attached revised site plan. Transportation is aware of this change and no longer have any concerns with the revised location,
- We understand the concern of the streetscape and the goal of a pedestrian-oriented City-center, but until the economy DT office market recovers and pedestrians return, we are in support of this temporary display. In addition to the revenue stream the digital display will provide color and vibrancy to the surrounding area as well as much needed light for security and comfort levels. Currently the back of our parcel is dark and dreary as there are no developments, only four sets of unsightly railway tracks and an ENMAX substation abutting our south property line, and
- We believe these that these types of displays are important for supporting local businesses and charities and play an important role in the fabric of a City Center.

Ms. Farrell thank you for taking the time to read this and hopefully you will understand our perspective as a vested owner in the City of Calgary's downtown core.

I look forward to your thoughts on the above upon your review.

Feel free to reach out to me for discussion on this at any time.

Sincerely,
Cidex Group of Companies

A handwritten signature in blue ink that reads "Sarah Itani".

Sarah Itani

Cc: Shelagh Giesbrecht
Senior Planning Technician
Shelagh.giesbrecht@calgary.ca

From: [Down, David](#)
To: [Giesbrecht, Shelagh M.](#)
Cc: [Zhang, Xia](#); [CAWard7 - Dale Calkins](#); [Lockwood, Scott](#)
Subject: DP2020-7705 at 205 9 AV SE; Freestanding Sign Application, Urban Design Comments
Date: Monday, December 21, 2020 5:03:50 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.jpg](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
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[image013.png](#)
[image015.jpg](#)

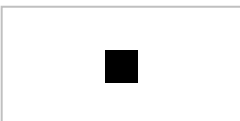
Hi Shelagh:

I asked Xia Zhang to review this file and provide comments which I have included below. She had worked with Lothar Wiwjorra on the Underpass Urban Design Guidelines so brings that experience. Based on our review, and taking into account those guidelines as well as our general urban design objectives for Greater Downtown, City Wide Urban Design cannot support this application.

Our main concern is that this sign does not contribute to our objective of improving the quality of the pedestrian experience through underpasses like this, and in this case it is located at a key "gateway" location facing two major civic institutions (Glenbow and Arts Commons) which will both be undergoing future improvements to enhance and open up their street edges to encourage pedestrian activity. As well, a sign of this size and at this challenging location may contribute to traffic safety concerns through driver distraction. If you have not already connected with Transportation/Roads on this aspect they may be helpful. I believe that Brian Gillingham worked on the 2018 CPR signage file where similarly sized signage was proposed for a number of these underpasses. There was considerable opposition to that proposal at the time which resulted in the applicants not proceeding; I believe that this is a sensitive topic, both politically and with the adjacent community. Please review the comments below, we would be happy to discuss them further.

Note that I have Cc'd Dale Calkins of Ward 7 as he had requested our review and comments as well.

Regards
David



DAVID A. DOWN ARCHITECT, AAA, FRAIC, LEED AP

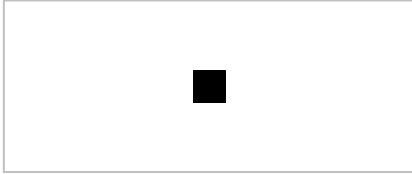
Chief Urban Designer

City Wide Urban Design | Community Planning
The City of Calgary | Mail code: #8075

ISC: Protected

SDAB2021-0069

C 403.510.9782 | **E** david.down@calgary.ca



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City Wide Urban Design does not support the proposed digital signage based on the following:

- The proposed signage is located near an underpass gateway from Downtown Core to Beltline community. It's an area in transition from a civic cultural district to a residential mixed use neighbourhood, passing an underpass with recent public improvements (mural project) and potential future additional improvement investment. The area where the signage is visible is a busy street intersection at 9 Avenue SE and 1 Street SE, which involves high pedestrian and vehicular movement and significant civic activities (Arts Commons, Glenbow). As well, there is significant existing commercial advertising on the balustrades of the underpass which already add to the visual clutter of the area.
- Based on the location and context it is suggested that the proposed signage will distract drivers' attention away from the traffic lanes at a narrowing and descending condition, causing potential safety concerns. Where high contrast, high luminance lighting elements are proposed care should be taken to avoid negatively impact drivers' ability to navigate by impacting vision through the contrast of light and dark.
- The signage is large in scale (8.3m high and 7.0m wide) and highly visible to both drivers and pedestrians in an area where improving walkability and pedestrian comfort is an objective; the scale of the signage, being entirely automobile oriented, does not improve the pedestrian character and human scale.
- Local signage policy asks that new signage be incorporated into the design of buildings or structures. Given the current economy, these lands may not develop for some time – likely longer than the proposed 5-year term.
- In summary, the proposed signage does not contribute to the vibrancy of the area considering that it is auto-orientation along a high pedestrian volume street. City Wide Urban Design does not support the proposed digital signage of this scale at this location.

For your information: following is excerpted from the Calgary Planning Commission recommendations on the 2018 CPR Signage application for a number of Downtown underpasses:



From: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>

Sent: Wednesday, December 16, 2020 9:19 AM

To: Down, David <David.Down@calgary.ca>

Cc: McKeown, Lynn <Lynn.McKeown@calgary.ca>; Rupert, Marie <Marie.Rupert@calgary.ca>

Subject: RE: Electronic Circulation for DP2020-7705 at 205 9 AV SE

Hi David,

I messaged you last week about this one & I'm glad that Dale reached out to you once he received the circulation package (see below) . I was looking for someone from the DT team to comment on the DT Underpass Urban Design Guidelines. I've attached the plans here as well as the cover letter from the applicant where they maintain that the sign will only be visible to drivers travelling south on 1 St SW. The applicant initially submitted a block plan showing only the signage along 1 St SW. I requested an updated block plan showing the signage along 9 Av SE as well because drivers on 9 Av SE will definitely see this sign. Especially when they are at the intersection of 9 Av and 1 ST.

I agree with the Ward Councillor's comments that the proposed auto oriented sign is not only an affront to pedestrians travelling through the underpass, it also poses a safety risk to drivers who should be paying attention to the narrow lanes as they approach the underpass. Furthermore, the 8.3 metre high sign (measured from grade) will appear to be much higher from the pedestrian vantage point as they travel below grade towards the underpass. So it's a height of 8.3 meters plus the height of the retaining wall adjacent to the sidewalk as it progresses through the underpass.

My plan is to send a DR early in the New Year once circulation is complete.

The bylaw discrepancies are:

115.3 (3)(a)

Must not be within 300 metres of any other Digital Sign when the signs are facing the same oncoming traffic.

The applicant initially submitted a block plan showing only the signage on 1 St SW because they maintain that the sign will not be visible to drivers on 9 Av SE. I disagree. The proposed sign will be clearly visible to drivers who are at the intersection of 9av and 1 ST. There is an existing sign on the same site further east on 9 Av SE and it's 115.3 metres from the proposed sign. (there is a building in between the two signs and they would not both be visible to drivers at the same time, however that's two distractions to the same driver within a few seconds travel time along 9 av SE)

115.3(4)

Trees must not be removed or altered in any way to accommodate the placement or visibility of a Digital third Part Advertising Sign.

FM note: The existing spruce trees on the south west corner of the intersection could be at risk – they are on private property and obstruct the view of the intersection. I think if the proposed sign was to be installed, at some point, the sign owner would approach the property owner across the street to discuss the trees being removed. Not sure that I can include this rule in the DR – still thinking on this.

115.5(1)

The applicant for a development permit for a Digital Third Party Advertising Sign must show that the Digital Third Party Advertising Sign is compatible with the general architectural lines and forms of nearby buildings and the character of the streetscape or area within which I is to be located and does not severely obstruct the horizon line.

-

115. 5(1.1)

Digital Third Party Advertising Signs with a sign area greater than 4.5 square metres may only be located in CR20-C20/R20 District where:

- a. it forms part of a comprehensive development, and
- b. it has been incorporated into the design of a building or structure.

I will include any comments I receive through the Circulation Process in the DR as well as Policy Review: Third Party Advertising Sign Guidelines; Downtown Underpass Urban Design Guidelines. Is there other Policy I should reference for the Downtown?

If you would like to have a quick meeting, I'm in.

Sincerely,

Shelagh Giesbrecht

Senior Planning Technician

Technical Planning | Community Planning

Planning & Development

T 403.333-5642| **E** shelagh.giesbrecht@calgary.ca

“Check out www.calgary.ca/pdmap to learn more about the development activity in your community.”

SDAB2021-0069

ISC: Unrestricted



From: Down, David
Sent: Wednesday, December 16, 2020 7:36 AM
To: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>
Subject: Electronic Circulation for DP2020-7705 at 205 9 AV SE

Hi Shelagh. Note the comment from Clr. Farrell's office below. Can we connect on this please? If you could send me the circ documents and let me know your position on this I would appreciate it. Thanks.

David



DAVID A. DOWN ARCHITECT, AAA, FRAIC, LEED AP
Chief Urban Designer
 City Wide Urban Design | Community Planning
 The City of Calgary | Mail code: #8075
 C 403.510.9782 | E david.down@calgary.ca ISC: Protected



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From: CAWard7 - Dale Calkins <caward7@calgary.ca>
Sent: Tuesday, December 15, 2020 6:36 PM
To: Lockwood, Scott <Scott.Lockwood@calgary.ca>; Down, David <David.Down@calgary.ca>
Subject: FW: Electronic Circulation for DP2020-7705 at 205 9 AV SE

FYI. Would appreciate some additional scrutiny on this.

A similar digital sign was proposed and refused on the parking lot to the east of this but the refusal was overturned at SDAB because there were no objections from stakeholders. We weren't actually circulated on that one, so hopefully now that we were circulated on this one, and provided some pretty clear comments, there will be stronger backing for refusal.

Dale Calkins (he/him)
 Senior Policy & Planning Advisor
 Druh Farrell – Ward 7 Councillor
 Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5

e CAWard7@Calgary.ca w www.DruhFarrell.ca



From: CAWard7 - Dale Calkins

Sent: Tuesday, December 15, 2020 18:33

To: DP Circ <DP.Circ@calgary.ca>

Cc: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>; 'Jennifer Rempel' <jenniferr@downtowncalgary.com>

Subject: RE: Electronic Circulation for DP2020-7705 at 205 9 AV SE

Hello Shelagh,

Councillor Farrell reviewed DP2020-7705 and strongly recommends refusal of this application:

- The proposed signage is entirely auto-oriented and is a highly inappropriate use for the Centre City. The signage is diametrically opposed to the creation of a more pedestrian-oriented Centre City. It is non-compliant with policies that promote a more pedestrian-scaled and pedestrian-oriented Centre City.
- The applicant has made no efforts to try and produce a pedestrian-oriented sign given its 8+ metre height and near 25 metre squared signage area. That said, the inappropriate size is secondary to the inappropriate use.
- On top of being auto-oriented, the signage is also distracting to passing motorists and poses a safety issue. This is particularly noteworthy because it will distract motorists as they enter the tight underpass situation that requires an even higher level of attention from motorists.
- We are disappointed that this application is proposed.

Best regards,

Dale Calkins (he/him)

Senior Policy & Planning Advisor

Druh Farrell – Ward 7 Councillor

Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5

e CAWard7@Calgary.ca w www.DruhFarrell.ca



From: Ou-Bobinski, Chandy <Chandy.Ou-Bobinski@calgary.ca> **On Behalf Of** DP Circ

Sent: Thursday, December 10, 2020 09:58

Cc: DP Circ <DP.Circ@calgary.ca>; Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>

Subject: Electronic Circulation for DP2020-7705 at 205 9 AV SE

For more

Calgary banner (generic).png



information
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Good day,

Please find attached the circulation package for the above noted Development Permit application.

Included are the following documents:

1. Circulation Package
 - Guidelines for Electronic Circulation
 - Request for Comment Sheet
 - Complete Set of Plans
2. Community Association Feedback Form
Please note, you can also [submit feedback online](#).

Please respond electronically to DP.Circ@calgary.ca.

Thank you.

Chandy Ou-Bobinski

Applications Processing Representative

Calgary Building Services

Planning & Development

The City of Calgary | Mail Code: 8108


T 403.268.5744 | E DP.Circ@calgary.ca

Floor #3, Municipal Building - 800 Macleod Tr. S.E.

P.O. Box 2100, Station M, Calgary, AB T2P 2M5



ISC: Unrestricted

From: [CAWard7 - Dale Calkins](#)
To: [Down, David](#); [Giesbrecht, Shelagh M.](#)
Cc: [Zhang, Xia](#); [Lockwood, Scott](#)
Subject: RE: DP2020-7705 at 205 9 AV SE; Freestanding Sign Application, Urban Design Comments
Date: Monday, December 21, 2020 5:07:21 PM
Attachments: 

Hello all,

Thanks for your prompt attention to this file. Much appreciated.

Happy holidays,

Dale Calkins (he/him)

Senior Policy & Planning Advisor

Druh Farrell – Ward 7 Councillor

Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5

[e CAWard7@Calgary.ca](mailto:CAWard7@Calgary.ca) [w www.DruhFarrell.ca](http://www.DruhFarrell.ca)



From: Down, David <David.Down@calgary.ca>
Sent: Monday, December 21, 2020 17:04
To: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>
Cc: Zhang, Xia <Xia.Zhang@calgary.ca>; CAWard7 - Dale Calkins <caward7@calgary.ca>; Lockwood, Scott <Scott.Lockwood@calgary.ca>
Subject: DP2020-7705 at 205 9 AV SE; Freestanding Sign Application, Urban Design Comments

Hi Shelagh:

I asked Xia Zhang to review this file and provide comments which I have included below. She had worked with Lothar Wiwjorra on the Underpass Urban Design Guidelines so brings that experience. Based on our review, and taking into account those guidelines as well as our general urban design objectives for Greater Downtown, City Wide Urban Design cannot support this application.

Our main concern is that this sign does not contribute to our objective of improving the quality of the pedestrian experience through underpasses like this, and in this case it is located at a key “gateway” location facing two major civic institutions (Glenbow and Arts Commons) which will both be undergoing future improvements to enhance and open up their street edges to encourage pedestrian activity. As well, a sign of this size and at this challenging location may contribute to traffic safety

concerns through driver distraction. If you have not already connected with Transportation/Roads on this aspect they may be helpful. I believe that Brian Gillingham worked on the 2018 CPR signage file where similarly sized signage was proposed for a number of these underpasses. There was considerable opposition to that proposal at the time which resulted in the applicants not proceeding; I believe that this is a sensitive topic, both politically and with the adjacent community. Please review the comments below, we would be happy to discuss them further.

Note that I have Cc'd Dale Calkins of Ward 7 as he had requested our review and comments as well.

Regards

David



DAVID A. DOWN ARCHITECT, AAA, FRAIC, LEED AP

Chief Urban Designer

City Wide Urban Design | Community Planning

The City of Calgary | Mail code: #8075

C 403.510.9782 | **E** david.down@calgary.ca ISC: Protected



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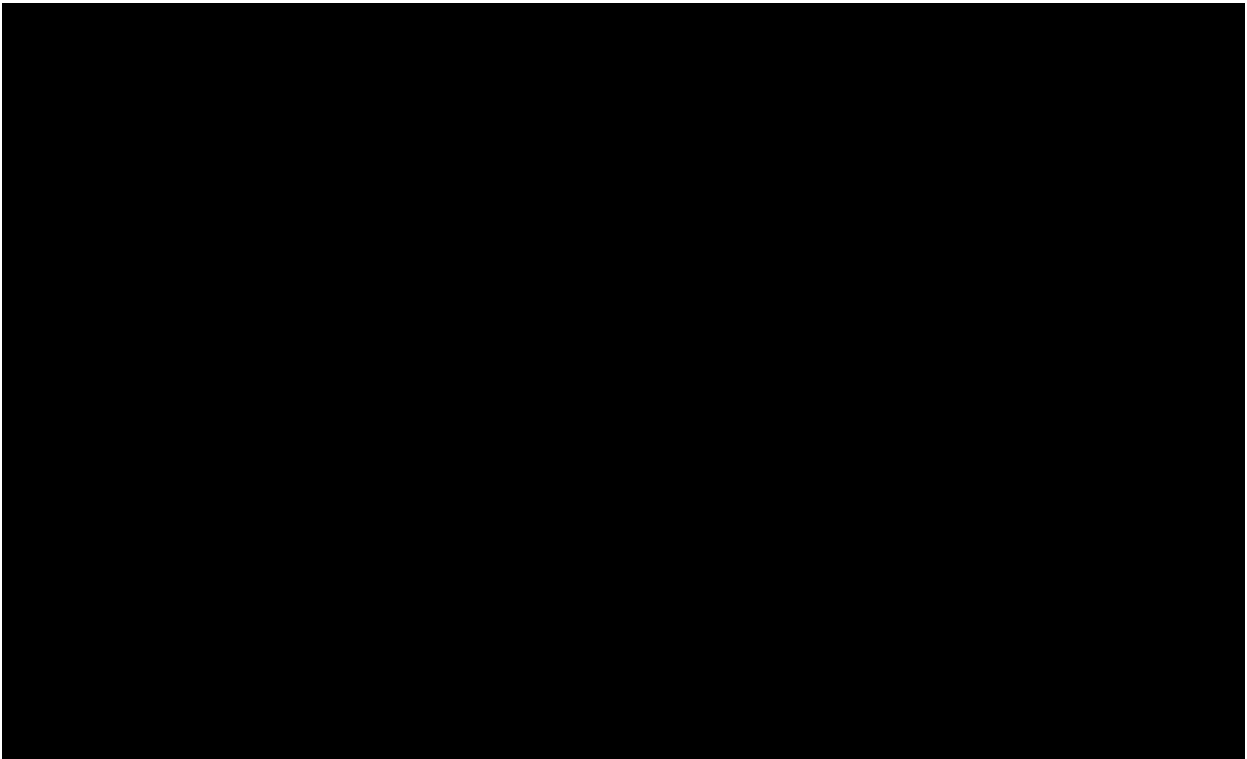
City Wide Urban Design does not support the proposed digital signage based on the following:

- The proposed signage is located near an underpass gateway from Downtown Core to Beltline community. It's an area in transition from a civic cultural district to a residential mixed use neighbourhood, passing an underpass with recent public improvements (mural project) and potential future additional improvement investment. The area where the signage is visible is a busy street intersection at 9 Avenue SE and 1 Street SE, which involves high pedestrian and vehicular movement and significant civic activities (Arts Commons, Glenbow). As well, there is significant existing commercial advertising on the balustrades of the underpass which already add to the visual clutter of the area.
- Based on the location and context it is suggested that the proposed signage will distract drivers' attention away from the traffic lanes at a narrowing and descending condition, causing potential safety concerns. Where high contrast, high luminance lighting elements are proposed care should be taken to avoid negatively impact drivers' ability to navigate by impacting vision through the contrast of light and dark.
- The signage is large in scale (8.3m high and 7.0m wide) and highly visible to both drivers and pedestrians in an area where improving walkability and pedestrian comfort is an objective; the scale of the signage, being entirely automobile oriented, does not improve the pedestrian

character and human scale.

- Local signage policy asks that new signage be incorporated into the design of buildings or structures. Given the current economy, these lands may not develop for some time – likely longer than the proposed 5-year term.
- In summary, the proposed signage does not contribute to the vibrancy of the area considering that it is auto-orientation along a high pedestrian volume street. City Wide Urban Design does not support the proposed digital signage of this scale at this location.

For your information: following is excerpted from the Calgary Planning Commission recommendations on the 2018 CPR Signage application for a number of Downtown underpasses:



From: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>

Sent: Wednesday, December 16, 2020 9:19 AM

To: Down, David <David.Down@calgary.ca>

Cc: McKeown, Lynn <Lynn.McKeown@calgary.ca>; Rupert, Marie <Marie.Rupert@calgary.ca>

Subject: RE: Electronic Circulation for DP2020-7705 at 205 9 AV SE

Hi David,

I messaged you last week about this one & I'm glad that Dale reached out to you once he received the circulation package (see below) . I was looking for someone from the DT team to comment on the DT Underpass Urban Design Guidelines. I've attached the plans here as well as the cover letter

from the applicant where they maintain that the sign will only be visible to drivers travelling south on 1 St SW. The applicant initially submitted a block plan showing only the signage along 1 St SW. I requested an updated block plan showing the signage along 9 Av SE as well because drivers on 9 Av SE will definitely see this sign. Especially when they are at the intersection of 9 Av and 1 ST.

I agree with the Ward Councillor's comments that the proposed auto oriented sign is not only an affront to pedestrians travelling through the underpass, it also poses a safety risk to drivers who should be paying attention to the narrow lanes as they approach the underpass. Furthermore, the 8.3 metre high sign (measured from grade) will appear to be much higher from the pedestrian vantage point as they travel below grade towards the underpass. So it's a height of 8.3 meters plus the height of the retaining wall adjacent to the sidewalk as it progresses through the underpass.

My plan is to send a DR early in the New Year once circulation is complete.

The bylaw discrepancies are:

115.3 (3)(a)

Must not be within 300 metres of any other Digital Sign when the signs are facing the same oncoming traffic.

The applicant initially submitted a block plan showing only the signage on 1 St SW because they maintain that the sign will not be visible to drivers on 9 Av SE. I disagree. The proposed sign will be clearly visible to drivers who are at the intersection of 9av and 1 ST. There is an existing sign on the same site further east on 9 Av SE and it's 115.3 metres from the proposed sign. (there is a building in between the two signs and they would not both be visible to drivers at the same time, however that's two distractions to the same driver within a few seconds travel time along 9 av SE)

115.3(4)

Trees must not be removed or altered in any way to accommodate the placement or visibility of a Digital third Part Advertising Sign.

FM note: The existing spruce trees on the south west corner of the intersection could be at risk – they are on private property and obstruct the view of the intersection. I think if the proposed sign was to be installed, at some point, the sign owner would approach the property owner across the street to discuss the trees being removed. Not sure that I can include this rule in the DR – still thinking on this.

115.5(1)

The applicant for a development permit for a Digital Third Party Advertising Sign must show that the Digital Third Party Advertising Sign is compatible with the general architectural lines and forms of nearby buildings and the character of the streetscape or area within which it is to be located and does not severely obstruct the horizon line.

-

115. 5(1.1)

Digital Third Party Advertising Signs with a sign area greater than 4.5 square metres may only be located in CR20-C20/R20 District where:

- a. it forms part of a comprehensive development, and

- b. it has been incorporated into the design of a building or structure.

I will include any comments I receive through the Circulation Process in the DR as well as Policy Review: Third Party Advertising Sign Guidelines; Downtown Underpass Urban Design Guidelines. Is there other Policy I should reference for the Downtown?

If you would like to have a quick meeting, I'm in.

Sincerely,

Shelagh Giesbrecht

Senior Planning Technician

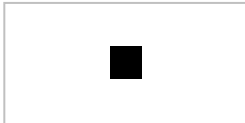
Technical Planning | Community Planning

Planning & Development

T 403.333-5642 | **E** shelagh.giesbrecht@calgary.ca

"Check out www.calgary.ca/pdmap to learn more about the development activity in your community."

ISC: Unrestricted



From: Down, David

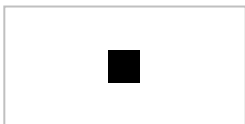
Sent: Wednesday, December 16, 2020 7:36 AM

To: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>

Subject: Electronic Circulation for DP2020-7705 at 205 9 AV SE

Hi Shelagh. Note the comment from Clr. Farrell's office below. Can we connect on this please? If you could send me the circ documents and let me know your position on this I would appreciate it. Thanks.

David



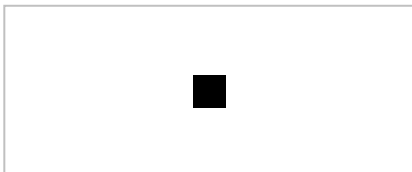
DAVID A. DOWN ARCHITECT, AAA, FRAIC, LEED AP

Chief Urban Designer

City Wide Urban Design | Community Planning

The City of Calgary | Mail code: #8075

C 403.510.9782 | **E** david.down@calgary.ca ISC: Protected



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From: CAWard7 - Dale Calkins <caward7@calgary.ca>

Sent: Tuesday, December 15, 2020 6:36 PM

To: Lockwood, Scott <Scott.Lockwood@calgary.ca>; Down, David <David.Down@calgary.ca>

Subject: FW: Electronic Circulation for DP2020-7705 at 205 9 AV SE

FYI. Would appreciate some additional scrutiny on this.

A similar digital sign was proposed and refused on the parking lot to the east of this but the refusal was overturned at SDAB because there were no objections from stakeholders. We weren't actually circulated on that one, so hopefully now that we were circulated on this one, and provided some pretty clear comments, there will be stronger backing for refusal.

Dale Calkins (he/him)

Senior Policy & Planning Advisor

Druh Farrell – Ward 7 Councillor

Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5

e CAWard7@Calgary.ca w www.DruhFarrell.ca



From: CAWard7 - Dale Calkins

Sent: Tuesday, December 15, 2020 18:33

To: DP Circ <DP.Circ@calgary.ca>

Cc: Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>; 'Jennifer Rempel' <jenniferr@downtowncalgary.com>

Subject: RE: Electronic Circulation for DP2020-7705 at 205 9 AV SE

Hello Shelagh,

Councillor Farrell reviewed DP2020-7705 and strongly recommends refusal of this application:

- The proposed signage is entirely auto-oriented and is a highly inappropriate use for the Centre City. The signage is diametrically opposed to the creation of a more pedestrian-oriented Centre City. It is non-compliant with policies that promote a more pedestrian-scaled and pedestrian-oriented Centre City.
- The applicant has made no efforts to try and produce a pedestrian-oriented sign given its 8+ metre height and near 25 metre squared signage area. That said, the inappropriate size is secondary to the inappropriate use.
- On top of being auto-oriented, the signage is also distracting to passing motorists and poses a safety issue. This is particularly noteworthy because it will distract motorists as they enter the tight underpass situation that requires an even higher level of attention from motorists.
- We are disappointed that this application is proposed.

Best regards,

Dale Calkins (he/him)

Senior Policy & Planning Advisor

Druh Farrell – Ward 7 Councillor

Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5
 e CAWard7@Calgary.ca w www.DruhFarrell.ca



From: Ou-Bobinski, Chandy <Chandy.Ou-Bobinski@calgary.ca> **On Behalf Of** DP Circ
Sent: Thursday, December 10, 2020 09:58
Cc: DP Circ <DP.Circ@calgary.ca>; Giesbrecht, Shelagh M. <Shelagh.Giesbrecht@calgary.ca>
Subject: Electronic Circulation for DP2020-7705 at 205 9 AV SE

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Good day,

Please find attached the circulation package for the above noted Development Permit application.

Included are the following documents:

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Please note, you can also [submit feedback online](#).

Please respond electronically to DP.Circ@calgary.ca.

Thank you.

Chandy Ou-Bobinski

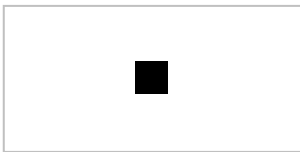
Applications Processing Representative
 Calgary Building Services
 Planning & Development

The City of Calgary | Mail **Code:** 8108

T 403.268.5744 | **E** DP.Circ@calgary.ca

Floor #3, Municipal Building - 800 Macleod Tr. S.E.

P.O. Box 2100, Station M, Calgary, AB T2P 2M5



ISC: Unrestricted

From: [CAWard7 - Dale Calkins](#)
To: ["Chris Roubekas"](#)
Cc: [Giesbrecht, Shelagh M.](#); [McKeown, Lynn](#)
Subject: RE: [EXT] Fwd: DP2020-7705 DETAILED REVIEW 205 9 AV SE
Date: Thursday, February 25, 2021 10:18:17 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hello Chris,

Thanks for reaching out and for your patience on a response. I was able to discuss your request with Councillor Farrell and we discussed your application with Community Planning Centre-West management today. I've copied your file manager, Shelagh, and her coordinator, Lynn, in this email.

Councillor Farrell maintains her strong recommendation of refusal for this application. The changes to location do not change our concerns. The application is not bylaw compliant, it is not policy compliant, and it is not appropriate development for this location. The City's regulatory environment for large-format auto-oriented third-party digital signage is clear and no planning rationale is provided for why this site warrants a significant exception. Especially given the additional underpass guidelines specific to this location. There are many sites in the Downtown being held for future development once the market bounces back, as you say. That is not a reason we would support a significant exception here. We also well-know that "temporary" uses in the Downtown actually mean uses that exist for decades on end.

Druh often notes that when we plan in booms and busts, we make bad decisions that outlast both. When we're in a boom we rush decisions to take advantage of a limited window. When we're in a bust, we also rush decisions, and more often bad ones. In this case, approving this application would be one of those bad decisions.

While we appreciate the investment in the parcel, the City of Calgary and Councillor Farrell are greatly invested in fostering a high-quality and pedestrian-oriented built environment for our Downtown. The subject application is not compliant with that vision and actually frustrates our work to achieve it.

Thanks for reaching out and taking the time to make your case.

Best regards,

Dale Calkins (he/him)

Senior Policy & Planning Advisor

Druh Farrell – Ward 7 Councillor

Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5

e CAWard7@Calgary.ca w www.DruhFarrell.ca



From: Chris Roubekas <chris@leadingoutdoor.com>

Sent: Wednesday, February 17, 2021 11:01

To: CAWard7 - Dale Calkins <caward7@calgary.ca>

Subject: [EXT] Fwd: DP2020-7705 DETAILED REVIEW 205 9 AV SE

Good morning Dale.

Please find email below and related attachments.

SDAB2021-0069

Regards,
Chris

[REDACTED]

----- Forwarded message -----

From: **Chris Roubekas** <chris@leadingoutdoor.com>

Date: Wed, Feb 17, 2021 at 10:56 AM

Subject: DP2020-7705 DETAILED REVIEW 205 9 AV SE

To: <druh.farrell@calgary.ca>

Cc: Giesbrecht, Shelagh M. <shelagh.giesbrecht@calgary.ca>

Good morning Ms. Farrell. I trust you are well.

On behalf of Cidex Group of Companies, please find attached letter for your consideration and response in regards to the above referenced Development Permit application.

Please note on the Detailed Review there is an error that occurred when application was submitted on-line in that the applicant is not Sweet Tree Cannabis Co., it is Leading Outdoor.

Please confirm receipt of this email.

We look forward to hearing from you.

Regards,
Chris Roubekas

[REDACTED]

From: [CAWard7 - Dale Calkins](#)
To: [DP Circ](#)
Cc: [Giesbrecht, Shelagh M.](#); ["Jennifer Rempel"](#)
Subject: RE: Electronic Circulation for DP2020-7705 at 205 9 AV SE
Date: Tuesday, December 15, 2020 6:32:50 PM

Hello Shelagh,

Councillor Farrell reviewed DP2020-7705 and strongly recommends refusal of this application:

- The proposed signage is entirely auto-oriented and is a highly inappropriate use for the Centre City. The signage is diametrically opposed to the creation of a more pedestrian-oriented Centre City. It is non-compliant with policies that promote a more pedestrian-scaled and pedestrian-oriented Centre City.
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Best regards,

Dale Calkins (he/him)

Senior Policy & Planning Advisor

Druh Farrell – Ward 7 Councillor

Office of the Councillors, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5

e CAWard7@Calgary.ca w www.DruhFarrell.ca



From: Ou-Bobinski, Chandy **On Behalf Of** DP Circ

Sent: Thursday, December 10, 2020 09:58

Cc: DP Circ ; Giesbrecht, Shelagh M.

Subject: Electronic Circulation for DP2020-7705 at 205 9 AV SE

-
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 - Complete Set of Plans
2. Community Association Feedback Form
Please note, you can also [submit feedback online](#).

Please respond electronically to DP.Circ@calgary.ca.

Thank you.

Chandy Ou-Bobinski

Applications Processing Representative

Calgary Building Services

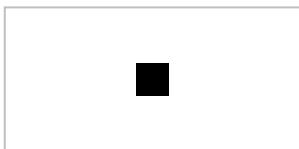
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Floor #3, Municipal Building - 800 Macleod Tr. S.E.

P.O. Box 2100, Station M, Calgary, AB T2P 2M5



ISC: Unrestricted



Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-0069

Development Permit number: DP2020-7705

Address: 205 9 AV SE

Description: Temporary Use: Sign – Class G (Digital Third Party Advertising Sign)

Land Use: Commercial Residential (CR20-C20-R20) District

Community: Downtown Commercial Core

Jurisdiction Criteria:

Subject to National Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board, Alberta Utilities Commission or Minister of Environmental and Parks license, permit, approval, or other authorization: No

DA Attendance: No

Use: Discretionary

Notice Posted: Not required

Objections: No

Support: No

Bylaw relaxations:

The development, requires the following relaxations of the rules of the Land Use Bylaw:

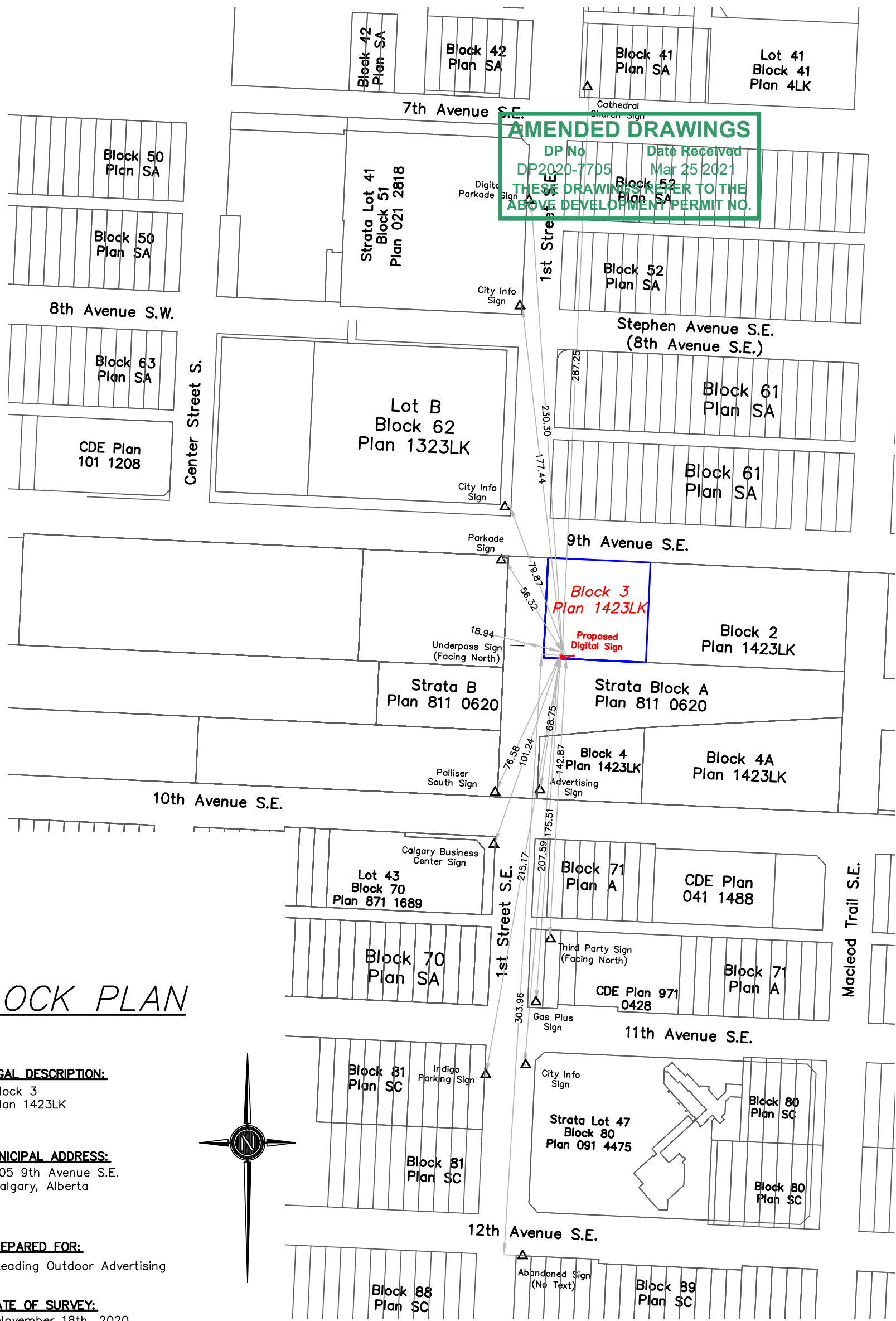
Bylaw Discrepancies		
Bylaw Requirement	Provided	Relaxation
114 (1.1)(a&b) Third Party Advertising Signs with a sign area greater than 4.5 square metres may only be located in the CR20-C20/R20 District where it forms part of a comprehensive development , and it has been incorporated into the design of a building or structure.	(a) Not comprehensive	100%
	(b) Not Freestanding	100%
115.3 (3)(b) A Digital Third Party Advertising Sign must not be located within 75.0 metres of any Third Party Advertising Sign facing the same on-coming traffic and must not result in more than two (2) signs displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same street ,	Adjacent to Third Party Advertising Sign location (18.9 metres (westerly))(east sign not installed, no dimensions)	-56.1 metres 25%
	Three signs in 225.0 metre radius: 1) Subject sign 2) West Underpass sign 18.9 metres 3) East Underpass sign 4) 1 ST & 10 AV SE Sign 142.9 metres	1 additional sign 50%

Applicable ARP, ASP or Design Brief (in addition to the MDP):

- Calgary Third Party Advertising Sign Guidelines
- Downtown Underpass Urban Design Guidelines

Additional factors, considerations and rationale for the decision:

1. Please see the Reasons for Refusal
2. The Development Authority may provide additional submission prior to the merits hearing



BLOCK PLAN

LEGAL DESCRIPTION:
Block 3
Plan 1423LK

MUNICIPAL ADDRESS:
205 9th Avenue S.E.
Calgary, Alberta

PREPARED FOR:
Leading Outdoor Advertising

DATE OF SURVEY:
November 18th, 2020

SCALE: 1:2000

LEGEND
— denotes Property line
Δ ----- denotes Sign

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Element Land Surveys Inc.	
#203, 1201 5th Street SW Ph.: 286-7937	
Calgary, Alberta T3C 2G3 Fax: 247-0325	
Surveyed: AA	Drawn: AR
File No.: 200309	Date: Feb. 17, 2021

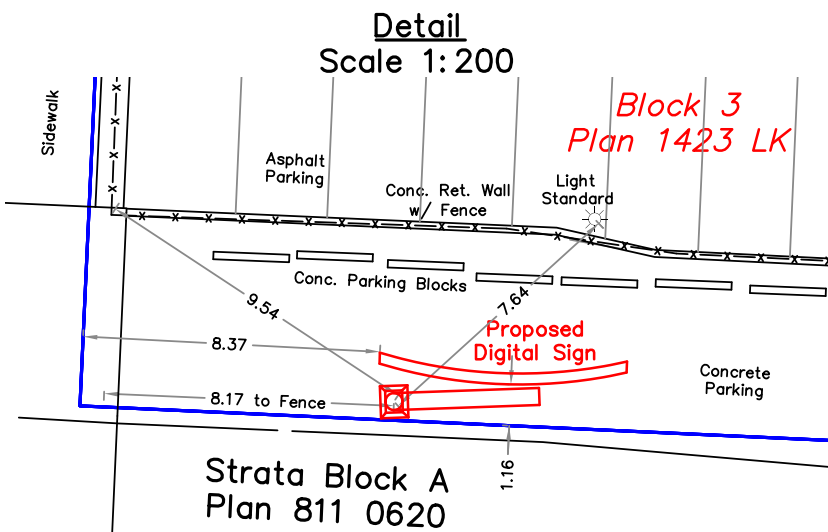
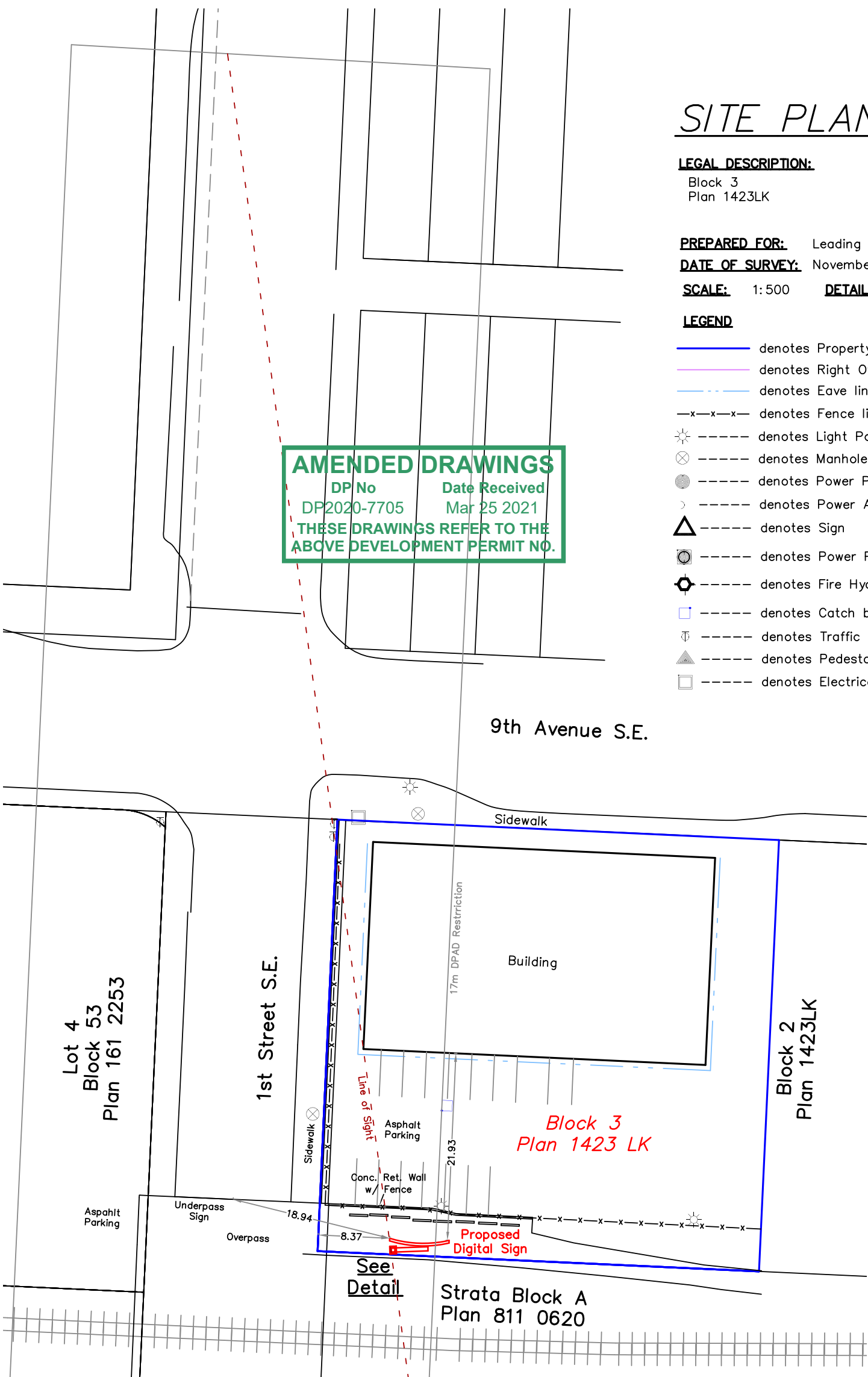
SITE PLAN

LEGAL DESCRIPTION: Block 3 Plan 1423LK
MUNICIPAL ADDRESS: 205 9th Avenue S.E. Calgary, Alberta

PREPARED FOR: Leading Outdoor Advertising
DATE OF SURVEY: November 18th, 2020
SCALE: 1:500 DETAIL SCALE: 1:200

- LEGEND
- denotes Property line
 - denotes Right Of Way line
 - denotes Eave line
 - x-x-x- denotes Fence line
 - denotes Light Pole
 - denotes Manhole
 - denotes Power Pole
 - > denotes Power Anchor
 - denotes Sign
 - denotes Power Pole With Light Sweep
 - denotes Fire Hydrant
 - denotes Catch basin Cover
 - denotes Traffic Light Pole
 - denotes Pedestals
 - denotes Electrical Cabinet

AMENDED DRAWINGS
DP No DP2020-7705 Date Received Mar 25 2021
THESE DRAWINGS REFER TO THE ABOVE DEVELOPMENT PERMIT NO.



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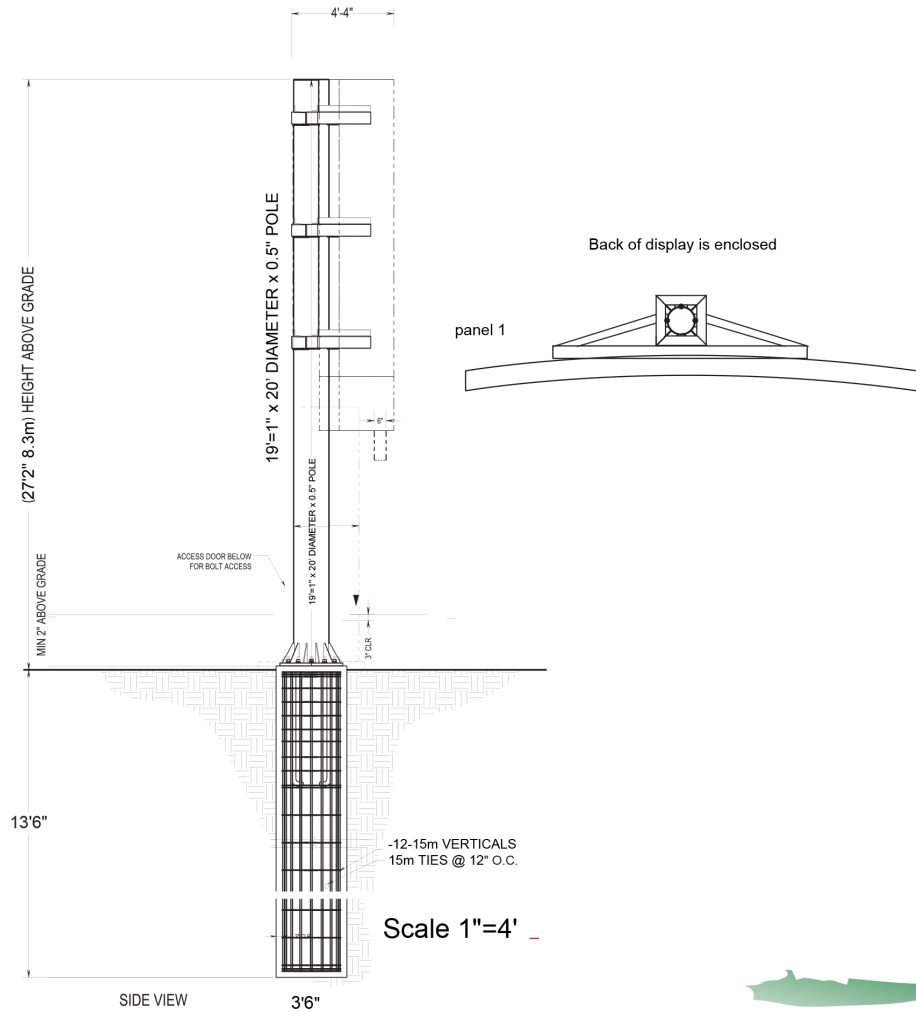
Element Land Surveys Inc.
#203, 1201 5th Street SW Ph.: 286-7937
Calgary, Alberta T3C 2G3 Fax: 247-0325

Surveyed: AA	Drawn: AR
File No.: 200309	Date: Feb. 17, 2021

(1) DIGITAL ELECTRONIC MESSAGE BOARD

Sign Dimensions:
11'6" x 22'10"
208 x 416 - 16mm
20" diameter pipe
27'2" OAH/DF

Ambient Light meter: located on upper right retainer
Camera: Located on first qtr away from street side



SDAB2021-0069

