

REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD

DATE: November 4, 2021	APPEAL NO.: SDAB2021-0078 FILE NO.: DP2021-1514
APPEAL BY: Outfront Media Canada, represented by Mark Sze	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY for a Temporary Use: Sign – Class G (Digital Third Party Advertising Sign) was refused at <u>9631 Macleod Trail SW</u>	LAND USE DESIGNATION: C-COR3 f1.0h12 Discretionary
COMMUNITY OF: Haysboro	DATE OF DECISION: September 28, 2021
APPLICANT: Outfront Media Canada, represented by Mark Sze	OWNER: Landsdowne Equity Ventures 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.

** Attention: Mac Users **

Do not attempt to complete this form using Mac pdf Preview. To complete and submit this form successfully, right click to select "Open with" and choose your Adobe Reader program. Download a free copy of Adobe Reader at <http://get.adobe.com/reader/>.



NOTICE OF APPEAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

CC 821 (R2020-01)

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

Site Information			
Municipal Address of Site Under Appeal 9631 Macleod Trail SW		Development Permit/Subdivision Application/File Number DP2021-1514	
Appellant Information - must name all appellants			
Name of Appellant OUTFRONT MEDIA		Agent Name (if applicable) MARK SZE	
Street Address (for notification purposes) Box #8 1440 28 Street NE			
City Calgary	Province AB	Postal Code T2A 7W6	Residential Phone # (403) 235 6194 ext 2203
Business Phone # () -	Email Address mark.sze@outfront.ca		

APPEAL AGAINST (Check one box only: for multiple appeals you must submit another Notice of Appeal)

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

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 (Attach a separate page if required):

OUTFRONT will be presenting rationale and materials at the appeal in support of our proposal. We will speak to the planner's discretionary decision along with presentation on the reason of refusal.

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 checked="" type="checkbox"/> No <input 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.

Signature of Appellant/Agent 	Date YYYY MM DD 2021 10 18			
FOR OFFICE USE ONLY				
Final Date of Appeal YYYY MM DD 2021 10 19	SDAB Appeal Number SDAB2021-0078	Fee Paid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date YYYY MM DD 2021 11 04	Date Received October 18, 2021

Print

SDAB2021-0078



2021 September 28

OUTFRONT MEDIA CANADA
Mark Sze
mark.sze@outfrontmedia.ca
(403) 619-2017

RE: Notification of Decision for DP2021-1514
Subject: Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)
Address: 9631 MACLEOD TR SW

This is your notification of the decision by the Development Authority to refuse the above noted application on September 28, 2021. Enclosed are the Reasons for Refusal, along with an appeal form, in the event that you choose to appeal this decision.

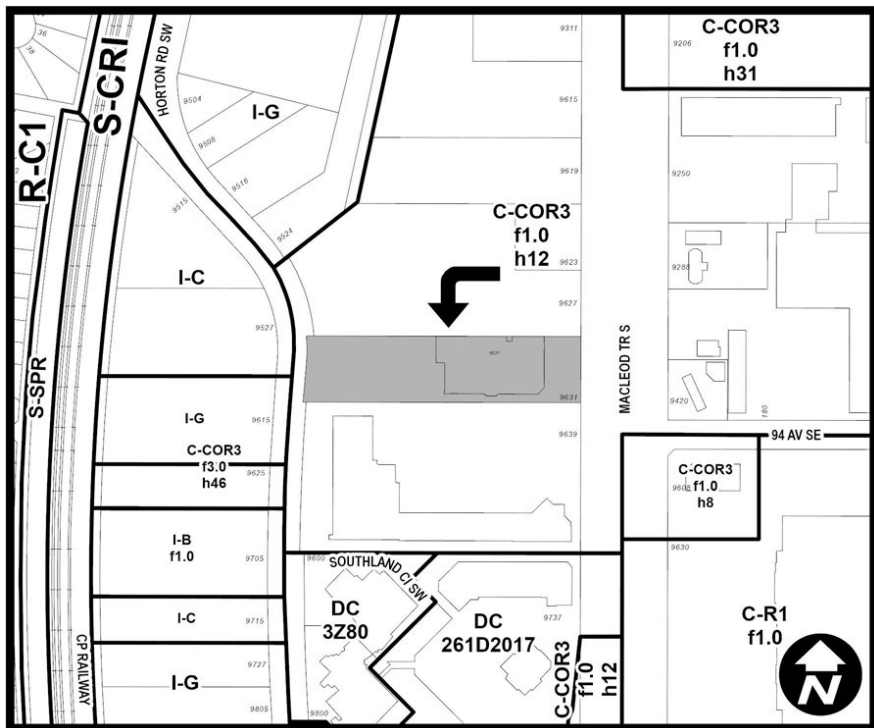
An appeal along with reasons must be submitted, together with payment of \$200.00 fee, to the Subdivision and Development Appeal Board (4th floor, 1212 31 Avenue N.E., Calgary, AB T2E 7S8) within 21 days of receipt of this letter. An appeal may also be filed online at <http://www.calgarysdab.ca>. To 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) 333-5565 or by email at brittany.roy@calgary.ca.

Sincerely,

BRITTANY ROY
Safety Codes Officer Building
Planning and Development

5



SDAB2021-0078



2021 September 28

OUTFRONT MEDIA CANADA

Mark Sze



RE: Notification of Decision for DP2021-1514
Subject: Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)
Address: 9631 MACLEOD TR SW

This is your notification of the decision by the Development Authority to refuse the above noted application on September 28, 2021. Enclosed are the Reasons for Refusal, along with an appeal form, in the event that you choose to appeal this decision.

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Should you have any questions or concerns, please contact me at (403) 333-5565 or by email at brittany.roy@calgary.ca.

Sincerely,

BRITTANY ROY
 Safety Codes Officer Building
 Planning and Development



The City of Calgary
Planning and Development
Technical Planning and Bylaw Review

Reasons for Refusal for DP2021-1514

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 by neighbours, other affected parties and the Community Association; the requested relaxations of the Land Use Bylaw; and other information in support of the decision.

Proposed Use

This application is for a New Digital Third Party Advertising Sign as proposed on the Decision Rendered Plans. The sign is to be located at 9631 MacLeod Trail S.W. in the Haysboro community. The parcel is designated C-COR3; Commercial – Corridor 3 District. Sign – Class G is a discretionary use in this district.

Planning Review and Analysis

The Development Authority's review of this application considered the rules for the Land Use Bylaw, the Calgary Third Party Advertising Sign Guidelines (the Policy) and technical expertise provided by the Traffic Engineering.

The subject parcel shares frontages with MacLeod TR S and Bonaventure DR SE with access from both roads. The parcel contains multiple buildings which serve multiple tenants. The Digital Third Party Advertising Sign is proposed to front McLeod TR S, and therefore the Development Authorities review focused on that context. For a frontage of this width, the rules of the Land Use Bylaw allow for one Freestanding Sign (Class C) as well as one Temporary Sign (Class A). This application proposes to remove the existing Freestanding Sign on the property in favor of the Digital Third Party Advertising Sign. This removes all opportunity for first party signage on this property. The photos provided by the applicant indicate multiple Temporary Signs across the frontage. The multi-building, multi-tenant parcel to the south has a frontage which allows a second Freestanding Sign. Evidence indicates there are also Temporary Signs along the frontages of the parcels to the north and south.

The purpose of signage regulation is to balance the need for signage and expression, with safety and aesthetics. Visual clutter should be avoided. Signs have been assigned typologies with a hierarchy which places greater importance on first party signage and the need to advertise the businesses on a parcel takes priority over third party advertising.


The Land Use Bylaw includes rules requiring that Digital Third Party Advertising Signs, which are much larger than first party signs, be separated a minimum of 300.0 metres from other signs that contain a digital component. The proposed sign is 234.8 metres from approved Digital Message Signs.

In consideration of the broader context, the Development Authority notes that this section of McLeod Trail is an eclectic mix of wide and narrow frontage. Each of these parcels is entitled to a Freestanding Sign. These signs are important as they help identify businesses thus attracting new customers and helping people navigate to a location. Based on the number of Temporary Signs in the area, the Development Authority has concluded that businesses are struggling to identify their businesses. Although adding more signage is often the instinct, the better solution is often to reduce signage and clutter, so that the signs which remain are more distinct. The Development Authority feels it is inappropriate to add additional signage to the area, especially when that signage advertises businesses which are not necessarily in the immediate area.

As a Discretionary Use section 35, 36 and 37 were applied. The Development Authority is of the opinion that the proposed development does not comply with the policies, purpose statement, context, or the test for relaxation. Therefore, the development is refused.

Decision

For the above noted reasons, this application is refused.


 Maurie Loewen, Development Authority

Sep 28, 2021
 Date



Attachments for DP2021-1514

Process

Notice Posting: Not required.

Circulation: Haysboro Community Association – Comments Received – Strongly Opposed
Ward 11 Councillor – No Comments Received
ENMAX – No Objection
City Traffic Engineer Representative – No Objection

Calgary Third Party Advertising Sign Guidelines

3. Approach to Regulating Third Party Advertising Signs

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.

4. Principles of Third Party Advertising Sign Regulation

(B) Location and Siting

The appropriate location and placement of a Third Party Advertising Sign in an area produces a compatible relationship with other buildings, signs and the surrounding context. Achieving an appropriate distribution and spacing of Third Party Advertising Signs along a street or corridor promotes visibility, public safety and a sound streetscape. It also avoids creating visual sign clutter from the proliferation of too many signs.

Principles

III. The placement of a Third Party Advertising Sign on a property must satisfy appropriate minimum setbacks from other buildings and structures on the parcel, street edges and parcel lines, other Freestanding Signs, other Third Party Advertising Signs, and Digital Message Signs. This will reduce sign proliferation and clutter which should be discouraged.

IV. Priority must always be given to a business owner to advertise on their parcel over the ability to have a Third Party Advertising Sign. Any Third Party Advertising Sign that no longer meets the separation rules from other first party signs should be reviewed and discouraged upon renewal of a permit.

V. Along a street or corridor, minimum separation distances between Third Party Advertising Signs on different properties will maintain proper visibility of all signs and avoid visual sign clutter along the streetscape including the undue concentration of Third Party Advertising Signs along a street.

Key Land Use Bylaw Provisions

Purpose

67 This Division is intended to regulate **signs** in order to:

- (a) balance the need for signage and expression with safety and aesthetics;
- (b) support a hierarchy of **signs** which places informational and directional signs at a higher order than commercial **signs** through the regulation of the size, location and structure of **signs**;
- (c) provide many opportunities for the identification of businesses and **buildings**; and
- (d) prevent sign proliferation, to ensure that the effectiveness of informational and identification signage is not undermined through visual clutter.

Development Authority's Discretion

72 (2) Where a type of **sign** is listed as a **discretionary use** in a District, the **Development Authority's** exercise of discretion must be guided by the:



The City of Calgary
Planning and Development
Technical Planning and Bylaw Review

- (a) test for a relaxation referenced in section 36 where the relaxation of a rule is requested;
- (b) purpose statement of this Part;
- (c) rules relating to opportunities for signage;
- (d) character of the District where the **sign** is sought to be located; and
- (e) amount of signage in the nearby surroundings.

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** and to the closest point of another **sign** containing the **digital display** when the **signs** are facing the same oncoming traffic;

Chart of Relaxations

Bylaw Requirement	Provided	Relaxation
A Digital third party advertising sign must be located at least 300.0m 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.	234.8m (DP2021-1359) Digital Message Sign	21.7%



**APPLICATION FOR A DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007**

292614533-001

Taken By:

Application Date **Mar 9, 2021**

APPLICATION NO DP2021-1514

I/We hereby make application for a Development Permit under the provisions of the Land Use Bylaw in accordance with these plans and supporting information submitted herewith and which form part of this application.

Total Fees: \$0.00**Cart #:**

Applicant: **OUTFRONT MEDIA CANADA**Address: **#8 1440 28 ST NE**City: **CALGARY, AB, T2A 7W6**

Phone:

Contact: **Sze, Mark**

Phone:

Fax:

e-mail:

Parcel Address: **9631 MACLEOD TR SW**Legal: **5438JK;9;4**Parcel Owner: **LANSDOWNE EQUITY VENTURES LTD.****350-295 MIDPARK WAY SE****CALGARY AB CANADA T2X 2A8**

e-mail:

Not AvailableL.U.D.: **C-COR3 f1.0h12**Community: **HAYSBORO**Sec. Number: **21S** Ward: **11**Description: **Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)**Proposed Development is: **Discretionary**Proposed Use: **Sign - Class G**

I agree to receive correspondence via electronic message related to this application.

By signing below, I confirm that the contact information provided above is accurate and further, acknowledge the ability of the General Manager - Planning and Development to inactivate and cancel incomplete applications.

Applicant / Agent Signature: _____

Date: _____

The personal information on this form is being collected under the authority of The Municipal Government Act, Section 640, and The City of Calgary Land Use Bylaw 1P2007 (Part 2) and amendments thereto. It will be used for the permit review and inspection processes. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. The name of the applicant and the nature of the permit will be available to the public. 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.

Track your application on-line with **VISTA** Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) **DP2021-1514** or call our Planning Support Centre at (403)268-5311.

SDAB2021-0078



Attention:


The City of Calgary
 Development & Building Approvals
 P.O. Box 2100 Stn. "M", #8108
 Calgary, Alberta
 T2P 2M5

Re: Development Permit(s) for Third Party Advertising Sign(s)

Please accept this letter as authorization to allow Outfront Media to apply for the necessary development permit(s) to install / maintain third party advertising sign(s) on the property located at:

Municipal Address: 9631 Macleod Trail SW, Calgary Alberta

Legal Description: Plan 5438JK Block 9 Lot 4

Registered owner of the land:	Lansdowne Equity Ventures LTD. 350, 295 Midpark Way SE Calgary Alberta T2X 2A8
Name of Signing Authority:	Mark Sze
Signature:	
Date:	February 1, 2021

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1 of 3 First Party signs at 9633 Macleod Trail.
Owner is requesting consideration of City to allow the removal of TD
sign, and using existing sign to its capability.



9631 Macleod Trail SW
Facing South



9631 Macleod Trail SW
Facing West

SDAB2021-0078



9631 Macleod Trail SW
Facing East



9631 Macleod Trail SW
Facing North



Site Contamination Statement

Application # _____
for office use only

Site Address: 6508 & 6520 RUNDLEHORN DRIVE, NE

Legal Description: PLAN 2010359, BLOCK 9A, LOT 25 AND PLAN 1280AJ, BLOCK 9A, LOT 11 & 12

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?
(i.e. development permit, land use redesign or subdivision)

☐ Yes ☒ No

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?
(e.g. certificates of approval, storage tank regulations, plant operating permits)

☐ Yes ☒ No

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 provided 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.

September 11th 2020

Date



Applicant Signature

Ajith Karunasea

Applicant Name (Please Print)

Seika Architecture Ltd

Company Name (Please Print)

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.



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) services. It may also be used to contact you for the purpose of processing payments received for said services. Please send inquiries by mail to the FOIP Program, 1000 17th Avenue, Suite 1000, Calgary, AB T2P 2M5 or contact us by phone at 311.

SDAB2021-0078

District Title: Sign - Class G - Digital 3rd Party Advertising

The information contained herein is intended for information purposes only. Please refer to the Calgary Land Use Bylaw 1P2007 for a complete list of rules and regulations. This form has no legal status and cannot be used as an official interpretation of the Land Use Bylaw 1P2007.

Date:	June 16, 2021
Date Received:	May 25, 2021
F/M:	Brittany Roy
BLC BY:	Brittany Roy
Review Required:	
<div> PARTIAL <div></div> </div>	
Markups Completed Electronically:	
<div> Yes - Refer to Livelink <div></div> </div>	

D.P. #	2021-1514
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For Internal Distribution Only

Modifier(s):	F.A.R		Height		Density		ALL MODIFIER(S) ARE COMPULSORY (Cannot be relaxed)
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Project Description(s):	Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)
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Floodway/Floodfringe/Overland Flow

DOES NOT APPLY

If applicable Complete Flood Sheet

Airport Vicinity Protection Area (AVPA)

DOES NOT APPLY

Right-of-Way Setback(S)					
Rd / St / Av		Required		Provided	
Rd / St / Av		Required		Provided	
Rd / St / Av		Required		Provided	

Main Floor Elevation(S):		Roof Peak Elevation(s):	
Unit 1		Unit 1	
Unit 2		Unit 2	

LDR: For Additions or alterations to existing See Section 358 For Dwellings Deemed Conforming

[illegible]

ISC: Protected

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For Internal Distribution Only

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Page 3

73 Rules Governing All Signs				D.P. # 2021-1514			
Rule	Requirements			Evaluation			
			Notes	Provided/Variance			
73 Rules Governing All Signs	(2) No sign, other than an approved Sign – Class F or Sign – Class G, may display third party advertising.			C	N/C	N/A	N/I
	(4) A sign must not:	(a) have the position, shape, colour, format or illumination which is similar to a traffic sign, signal or device; or		C	N/C	N/A	N/I
		(b) display lights which is similar to lights generally associated with danger or those used by police, fire, ambulance or other emergency vehicles.		C	N/C	N/A	N/I
	(5) Sign in residential districts must not be internally illuminated, but may be illuminated indirectly in a manner that prevents the trespass of light onto adjacent parcels			C	N/C	N/A	N/I
	(6) Signs, sign supports and structures for signs must be located a minimum of 0.75m back from a curb line.			21.35			
	(7) Signs must not be placed in or on a required motor vehicle parking stall or loading stall, and must be placed so as to not reduce the number of required motor vehicle parking stalls or loading stalls required pursuant to this Bylaw or a development permit.		May ask for detail to ensure complies with 122 (11)	C	N/C	N/A	N/I
	(8) Signs must not be placed within a corner visibility triangle where any part of the sign is higher than 0.75m and lower than 4.6m above the lowest elevation of the street.			C	N/C	N/A	N/I
	(9) Signs, sign supports and structures for signs must not be located in the required road rights-of-way setbacks as referenced in section 53 Table 1.			C	N/C	N/A	N/I
	(12) Trees and shrubs must not be removed or damaged to erect a sign, to make a sign more visible, to maintain a sign, or to change copy on a sign.			C	N/C	N/A	N/I
	(14) The Development Authority may only relax the requirement of subsection (12) if the Development Authority is satisfied that new trees or shrubs will be planted to replace any trees and shrubs that are removed or damaged and that the new plantings are consistent with any conditions respecting landscaping on a development permit for the parcel where the sign is located.			C	N/C	N/A	N/I

Page 4

74 Rules Governing Signs containing Digital Displays			D.P. # 2021-1514		
Rule	Requirements		Evaluation		
		Notes	Provided/Variance		
74 Rules Governing Signs containing Digital Displays	(1) Copy shown on a digital display must be static and remain in place for a minimum of 6 seconds before switching to the next copy		COA	N/A	N/I
	(2) The maximum transition time between each digital copy must not exceed 0.25 seconds		COA	N/A	N/I
	(4) Copy must not be shown on the digital display using full motion video or otherwise give the appearance of animation or movement, and the transition between each digital copy must not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects.		COA	N/A	N/I
	(5) Copy must not be shown in a manner that requires the copy to be viewed or read over a series of sequential copy messages on a single digital display, or sequenced on multiple digital displays.		COA	N/A	N/I
	(5.1) All signs containing a digital display must be equipped with an ambient light sensor.		COA	N/A	N/I
	(5.2) A sign containing a digital display must not increase the light levels adjacent to the digital display by more than 3.0 LUX above the ambient light level.		COA	N/A	N/I

Digital Third Party Advertising Signs (Class G)D.P.
#

2021-1514

Rule	Requirements		Evaluation			
		Notes	Provided/Variance			
	(2) Digital third party advertising are prohibited on any site where the sign is positioned such that the copy on the sign is visible from roadways listed in 115.2(2)(a) through to (uu):		C	N/C	N/A	N/I
	(3) Digital third party advertising signs are prohibited on sites adjacent to Bowness Road from 62 street NW to 65 street NW.		C	N/C	N/A	N/I
	(4) Digital third party advertising signs are prohibited on street or utility rights-of-way.		C	N/C	N/A	N/I
	(5) Digital third party advertising signs must be a minimum 450.0 metres from; (a) major parks as identified In section 115 and in map 3; (b) escarpments and pathways; (c) riverbanks; and (d) natural areas. When the copy is visible."		C	N/C	N/A	N/I
	(6) A Digital Third Party Advertising Sign is prohibited if: (a) the digital display is visible from a building containing a Dwelling Unit; and (b) it is located less than 125.0m, measured from the face of the digital display to a building containing a Dwelling Unit.		C	N/C	N/A	N/I
115.3 Sitting of Digital Third Party Advertising Signs	(1) A digital third party advertising sign must not be located within 30.0 metres of any freestanding identification sign, facing the same oncoming traffic;	Ginger Beef Sign - 30.99m Rotating Sign - 30.88m	30.88	0.88		
	(a) must be located at least 300.0m 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;	DP2021-1359 SIGN E	234.75	-65.25		
		DP2010-0295 Shanks				
		Proposed to be Removed				
	(b) must not be located within 75.0m of any Third Party Advertising Sign facing the same on-coming traffic and must not result in more than 2 signs displaying third party advertising greater than 4.6m in height and 4.5 m2 in area within a 225.0m radius of each other facing the same street;		C			
	(3) A Digital third party advertising sign: (c) except where specified in subsection (d), must be located at least the following distances from any property line shared with a street:	(i) 17.0m where the posted speedlimit of the public thoroughfare is 100km/hr or greater;	N/A			
		(ii) 16.0 metres where the posted speed limit of the public thoroughfare is 90 km/hr;	N/A			
		(ii) 14.0 metres where the posted speed limit of the public thoroughfare is 80 km/hr;	N/A			
		(ii) 10.0 metres where the posted speed limit of the public thoroughfare is 70 km/hr; and	N/A			
		(ii) 6.0 metres where the posted speed limit of the public thoroughfare is 60 km/hr or less.	6	0		
	(i) the sign replaces an existing					

Digital Third Party Advertising Signs (Class G)D.P.
#

2021-1514

Rule	Requirements			Evaluation			
				Provided/Variance			
	(d) may be located closer to a property line shared with a street identified in subsection (c) provided that:	approved Sign - Class F on a parcel;		C	N/C	N/A	N/I
		(ii) the development permit approving the Sign - Class F remains in effect; and		C	N/C	N/A	N/I
		(iii) the distance from the sign to any property line is not less than that of the existing approved Sign - Class F.		C	N/C	N/A	N/I
	(4) Tree 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			C	N/C	N/A	N/I
	(5) A digital third party advertising sign must not be located on, or attached to, a roof if a building.			C	N/C	N/A	N/I
	(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;		C	N/C	N/A	N/I
		(b) a street intersection or railway crossing by at least 30.0 metres; and		C	N/C	N/A	N/I
		(c) the curbline or edge of a major street, expressway or freeway, to the satisfaction of the General Manager transportation or his delegate.		C	N/C	N/A	N/I
	(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.			C	N/C	N/A	N/I
	(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 the building or 6.5 metres, whichever is greater.			8.30		0.00	
115.4 Height and Size of Digital Third Party Advertising Signs	(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.		Vertical	3.05		-2.75	
			Horizontal	6.10		-0.90	
	(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.			18.61		-6.39	
	(1) The applicant for a development permit for a digital third party advertising sign must show, to the satisfaction of the development authority, 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.			C	N/C	N/A	N/I
	(1.1) Digital Third Party Advertising Signs with a sign area greater than 4.5m ² may only be located in the CR20-C20/R20 District where:			C	N/C	N/A	N/I
	(a) it forms part of a comprehensive development; and						
	(b) it has be incorporated into the design of a building or structure.						
	(2) A digital third party advertising sign must not block natural light or the			C	N/C	N/A	N/I

Page 7

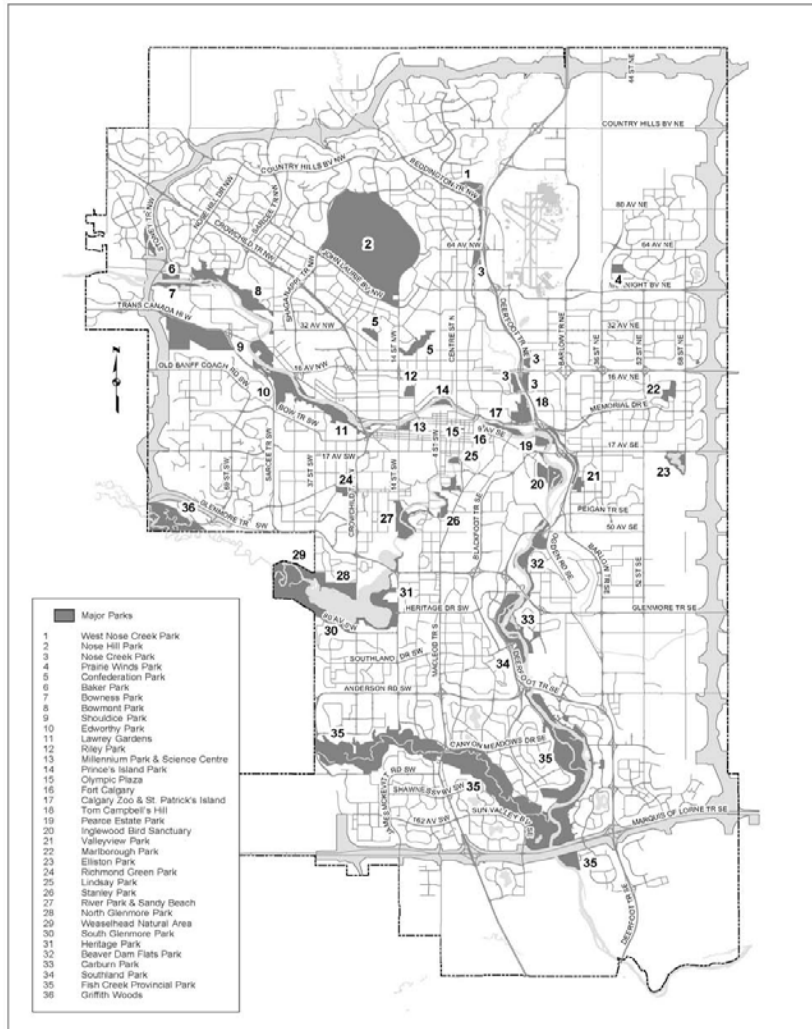
Digital Third Party Advertising Signs (Class G)			D.P. #		2021-1514	
Rule	Requirements		Evaluation			
		Notes	Provided/Variance			
115.5 General Rules for Digital Third Party Advertising Signs	sky from surrounding buildings' windows and doors.		C	N/C	N/A	N/I
	(3) The lighting or orientation of a digital third party advertising sign must not adversely affect any neighbouring residential areas		C	N/C	N/A	N/I
	(4) An auxiliary sign or other material must not be attached to, on, above or below a digital third party advertising sign.		C	N/C	N/A	N/I
	(5) The backs of all digital third party advertising signs and all cut-outs must be enclosed to the satisfaction of the development authority.		C	N/C	N/A	N/I
	(6) The space between the faces of a double-faced digital third party advertising sign must be enclosed		C	N/C	N/A	N/I
	(7) Electrical power supply to the digital third party advertising signs 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 part advertising sign is located in an area where underground power has not commenced.		C	N/C	N/A	N/I
1068 S-CRI Discretionary Uses	(4) The following uses are discretionary uses when carried on by, or on behalf of, the City where located on parcels identified in subsections (5) and (6): (a) Sign – Class F; and (b) Sign – Class G					
	(5) The uses listed in subsection 1068 (4) may be located on a parcel identified as one or more of the following: (a) Block 1 Plan 7611002 excepting Road Plan 8211009 and Subdivision Plan 8911094; (b) Lot 1 Block 13 Plan 7810679; and (c) Block C Plan 7811204.		C	N/C	N/A	N/I

Page 8			Digital Third Party Advertising Signs (Class G)		D.P. #	2021-1514
Rule	Requirements				Evaluation	
				Notes	Provided/Variance	

SDAB2021-0078

- (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 NE from Harvest Hills Bv to Deerfoot Tr;
- (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;
- (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.

1. West Nose Creek Park
2. Nose Hill Park
3. Nose Creek Park
4. Prairie Winds Park
5. Confederation Park
6. Baker Park
7. Bowness Park
8. Bowmont Park
9. Shouldice Park
10. Edworthy Park
11. Lawrey Gardens
12. Riley Park
13. Millennium Park & Science Centre
14. Prince's Island Park
15. Olympic Plaza
16. Fort Calgary
17. Calgary Zoo & St. Patrick's Island
18. Tom Campbell's Hill
19. Pearce Estate Park
20. Inglewood Bird Sanctuary
21. Valleyview Park
22. Marlborough Park
23. Elliston Park
24. Richmond Green Park
25. Lindsay Park
26. Stanley Park
27. River Park & Sandy Beach
28. North Glenmore Park
29. Weaselhead Natural Area
30. South Glenmore Park
31. Heritage Park
32. Beaver Dam Flats Park
33. Carburn Park
34. Southland Park
35. Fish Creek Provincial Park
36. Griffith Woods
37. Ralph Klein Park
38. 12 Mile Coulee Park



FILE: DP 2021-1514

DATE RECEIVED : May 25, 2021

Bylaw Discrepancies		
Regulation	Standard	Provided
115.3 Sitting of Digital Third Party Advertising Signs	(3) A Digital third party advertising sign: (a) must be located at least 300.0m 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;	The proposed sign is 234.75m (-65.25m) from a Digital Message Sign (DP2021-1359).

SDAB2021-0078



July 21, 2021

OUTFRONT MEDIA CANADA
Sze, Mark
mark.sze@outfrontmedia.ca
(403) 619-2017

Dear Sir/Madam:

RE: Detailed Review (DR)

Development Permit Number: DP2021-1514

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) 333-5565 or by email at brittany.roy@calgary.ca.

Sincerely,

BRITTANY ROY
Senior Planning Technician



Detailed Review 1 – Development Permit

Application Number:	DP2021-1514
Application Description:	Temporary Use: Sign - Class G (Digital Third Party Advertising Sign)
Land Use District:	Commercial - Corridor 3
Use Type:	Discretionary
Site Address:	9627 MACLEOD TR SW 9631 MACLEOD TR SW
Community:	HAYSBORO
Applicant:	OUTFRONT MEDIA CANADA
Date DR Sent:	July 21, 2021
Response Due Date:	August 21, 2021
Senior Planning Technician:	BRITTANY ROY - (403) 333-5565 - brittany.roy@calgary.ca

General Comments

The [Calgary Third Party Advertising Sign Guidelines](#) indicate that first party signage and the need to advertise the businesses on a parcel takes priority over third party advertising. There is a focus on the hierarchy of signage to ensure that the businesses which occupy a parcel have the first opportunity to advertise before signage which promotes a third party. The proposed sign would replace the only first party advertising sign on this parcel. As noted in the amended information, there is a rotating first party sign on the adjacent parcel that can be used; however, the high number of temporary signs that have been placed along Macleod Trail for these parcels is an indication that there is not enough first party signage currently available for this development.

The amended information has been reviewed and considered carefully; however, the Development Authority has determined that the sign application cannot be supported.

Bylaw Discrepancies		
Regulation	Standard	Provided
115.3 Sitting of Digital Third Party Advertising Signs	(3) A Digital third party advertising sign: (a) must be located at least 300.0m 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;	The proposed sign is 234.75m (-65.25m) from a Digital Message Sign (DP2021-1359).

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 following reasons:

- **Refer to the General Comments and the Bylaw Discrepancies chart.**

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;

OR,

(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.

Prior to Release Requirements

If this Development Permit is approved, the following requirements shall be met prior to the release of the permit. All requirements shall be resolved to the satisfaction of the Approving Authority:

2. The Prior to Release conditions will be finalized at the time of Development Authority decision.

Permanent Conditions

If this Development Permit is approved, the following permanent conditions shall apply:

3. The permanent conditions will be finalized at the time of Development Authority decision.
4. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.
5. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.
6. A Development Completion Permit shall be applied for and approval obtained, upon installation of the sign, before the use is commenced. Call Development Inspection Services at 403-268-5311 to request a site inspection for the Development Completion Permit.

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.

7. All electrical servicing for site signage must be provided from underground.
8. This permit is valid for a period **three (3) years** from the date of approval. On expiry of this period, the digital display shall be discontinued, and the site restored to a condition acceptable to the Development Authority. A new development permit must be applied for prior to the expiry date of this temporary permit for the use to continue without interruption.
9. The sign owner must provide a contact person and telephone number, who can be reached 24 hours a day and that, has access and control to the digital technology. If the contact person/information should change in the future, the sign owner must inform the Development Authority of any changes.
10. An ambient light sensor must be installed and actively used with the digital display at all times when the sign is in operation and must adjust the sign output to changes to the ambient light levels around the sign, throughout the day. At no time while the digital display is in operation may the ambient light level around the sign location exceed 3.0 LUX.

The maximum light output of the digital display must not exceed:

- **7500 nits (nt)** from sunrise and sunset; and,
- **350 nits (nt)** from sunset to sunrise in the C-COR1, C-COR2, C-COR3, C-R1, C-R2, C-R3, S-CRI and S-FUD districts.

Sunrise and sunset will be determined based by the National Research Council of Canada Sunrise/Sunset calculator.

11. In the event of any malfunction of the technology of the sign, including the ambient light meter, the sign must be turned off and disabled until such time as the malfunction can be repaired and the sign returned to proper operation.
12. A digital display must not employ colours that could be confused as traffic directional or control devices. Colours, symbols or shapes that are the same or similar to those used by emergency vehicles, traffic lights or any traffic sign are prohibited.
13. The digital display must only employ the display of digital images in a static form, which must remain on the digital display for a minimum of six (6) seconds before switching to the next copy. The method of copy change must not include gradual fade, flashing, scrolling, animation or another method, to the satisfaction of the Development Authority.
14. The length of time between changes of advertising copy must not exceed 0.25 seconds.
15. The copy shown on the digital display must not include the display of full motion video, movies, Moving Picture Experts Group (MPEG) or non-static digital copy.
16. The copy shown on the digital display must not be shown in a way that intends for a message to be viewed or read over a series of sequential messages on the digital display or over multiple digital displays.

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.

17. The digital display must be designed such that the sign supports are structurally sound and can support the weight of the sign, and movement of the sign during times of high wind, wet snow, and precipitation.
18. No trees nor shrubs that were approved by a development permit are permitted to be damaged or removed in order to make the sign more visible, to maintain a sign or to change the copy on the sign.
19. If a development permit for a freestanding sign is approved within 30.0 metres of this approved Digital Third Party Advertising Sign, the sign approved by this permit must be removed immediately upon expiry of this permit, at no risk and at no cost to the City of Calgary, and the ground surface restored to the satisfaction of the Development Authority.

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

20. The advisory comments will be finalized at the time of Development Authority decision.
21. The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, please refer to the notification of decision letter for the appropriate appeal body and appeal process.
22. The approval of this development permit does not limit in any way the application of any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline, nor does it constitute any permit or permission under any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline.
23. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property. Property owners must evaluate whether this development is in compliance with any documents registered on title.

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.

June 7, 2021

City of Calgary Planning & Development
3rd Floor Municipal Building, 800 Macleod Trail SE
Calgary, AB
T2G 5E6

Re: DP2021-1514

Temporary Use: Sign- Class G (Digital Third Party Advertising Sign) 9631 Macleod Trail SW

Dear Ms. Brittany Roy,

This letter is in regards to our Digital Third Party Application DP2021-1514 located on 9631 Macleod Trail.

With all due respect we are hoping to request a relaxation to:

115.3 Sitting of Digital Third Party Advertising Signs

(3) A digital third party advertising sign:

(a) must be located at least 300.0m 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 oncoming traffic.

We believe our proposed location is appropriate for the context of Macleod Trail. There is a large commercial frontage on Macleod Trail, with an abundance in first party digital and first party non-digital signs. While we pursue to adhere to the extent of the bylaw, there are very few far and between opportunities for our type of signage on Macleod Trail. The subject site is directly south to a McDonald's electronic message sign measured at 234.75 meters from our subject site. We hope the Development authority can grant us a relaxation, in which we have seen on numerous applications granted where this McDonalds type of digital sign was treated much like an electronic message sign where it displays time and temperature. These time and temperature type of digital message signs are exempted from being 300 meters from Third Party Digital Signs. In turn it was favorable for these applications and an approval was granted by the Development Authority.

This traditional digital message sign is small in size and displays text in black background and red font. Based on numerous locations our industry peers have applied and been approved prior in the past, the DA has given approval for Digital Third Party signs without the requirement of 300 meters separation.

Bay 8 1440 28 St NE, Calgary, Alberta T2A 7W6
T. 403-235-6194 W. outfrontmedia.ca



Currently our industry peers have 21 Digital signs on Macleod Trail stretching from 9th Avenue downtown to Shawnessy Blvd. This very first application for OUTFRONT Media will meet all other separation to other signs first and third, digital and non-digital with this small variance granted of 65.25 meters. Attached separately in our presentation are 8 sites we identified in which the Development Authority granted a variance to allow a digital third party advertising, within 300 meters of a digital first party sign. These were either new applications at the time, or now have been renewed for a further 3 year permit. We respectfully request the Development Authority apply the same discretion for our proposal as displayed in the past, as we too are a non-image digital sign type in which both signs can coexist within 300 meters.

Macleod Trail is a unique high traffic artery road in which businesses rely on signage especially during these times, where businesses are struggling to capture audiences while most are at home.

We hope you support our variance, and thank you for your consideration of our business.

Best regards,

A handwritten signature in black ink, appearing to be "Mark Sze", written over a horizontal line.

Mark Sze
Manager, Real Estate

Existing Third Party Digital Sign within 300m to McDonald's Digital Message Sign (Non image digital, text type)



Approximately 120 meters in separation

Existing Third Party Digital Sign within 300m to Advantage Ford Digital Message Sign (Digital image type)



Approximately 238 meters in separation

Existing Third Party Digital Sign within 300m to Blackfoot Hotel Digital Message Sign (Non image digital, text type)



Approximately 172 meters in separation

6032 6 Street SE to 5940 Blackfoot Trail SE

SDAB2021-0078

OUTFRONT

Existing Third Party Digital Sign within 300m to Blackfoot Hotel Digital Message Sign (Non image digital, text type)



Approximately 182 meters in separation

6204 6a Street SE to 5940 Blackfoot Trail SE

SDAB2021-0078

OUTFRONT

Existing Third Party Digital Sign within 300m to AGAT Labs Digital Message Sign (Digital image type)



Approximately 265 meters in separation

2003 McKnight Blvd to 2420 42 Avenue NE

SDAB2021-0078

OUTFRONT

Existing Third Party Digital Sign within 300m to Inspiration Flooring Digital Message Sign Non image digital, text type)



Approximately 135 meters in separation

4823 Macleod Trail SW to 5010 Macleod Trail SW

SDAB2021-0078

OUTFRONT

Existing Northbound Third Party Digital Sign within 300m to Willow Park Village Digital Message Sign
Non (Digital image type)



Approximately 157 meters in separation

Existing Southbound Third Party Digital Sign within 300m to Willow Park Village Digital Message Sign
Non (Digital image type)



Approximately 157 meters in separation

Existing Third Party Digital Sign within 300m to Blackfoot Hotel Digital Message Sign (Non image digital, text type)



Approximately 118 meters in separation

700 58 Avenue SE to 5940 Blackfoot Trail SE

SDAB2021-0078

OUTFRONT



ENMAX Power Corporation
 141 – 50 Avenue SE
 Calgary, AB T2G 4S7
 Tel (403) 514-3000
 enmax.com

October 22, 2020

File No: DP2020-5865

Development Circulation (#3783)

Location: **6520 Rundlehorn Dr NE**

We would like to advise you that the proposed development does not meet “Alberta Electrical Utility Code” under the Alberta Safety Codes Act and/or ENMAX Power Corporation requirements.

We have identified the following conflict:

The proposed location of the new building is in conflict with ENMAX’s aboveground distribution line and its existing guy wire. Therefore, a new location for the building shall be suggested or bury ENMAX’s aboveground line through GetConnected@enmax.com.

Please contact Ali Sharif at asharif@enmax.com or at 403-604-8603 to further discuss resolution options for this conflict.

Until the above noted safety concerns are adequately addressed, this Development permit is not acceptable to ENMAX Power Corporation. Please contact the Project administrator at EPC_Permits@enmax.com if you have any further concerns, or require additional information regarding this Development Permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Ali Sharif", with a stylized flourish at the end.

Ali Sharif, P.Eng, M.Eng
 Distribution Engineering

SDAB2021-0078

Roy, Brittany

From: Teh, Michael
Sent: Wednesday, March 31, 2021 8:47 AM
To: Roy, Brittany
Cc: Knudtson, Eric; Ge, Michael; Gillingham, Brian
Subject: RE: Review Required for DP2021-1514 (9631 MACLEOD TR SW)
Attachments: DP2021-1514 9633 Macleod Tr SW.PDF

Hi Brittany,

Review of DP2021-1514 is complete. The proposed third party digital sign is outside the intersection restricted area for the southbound direction (see attached PDF). Therefore Traffic has no outstanding comment regarding the proposed location of the Class G sign.

Thanks,

Michael H. P. Teh, P.Eng.
Traffic Engineer

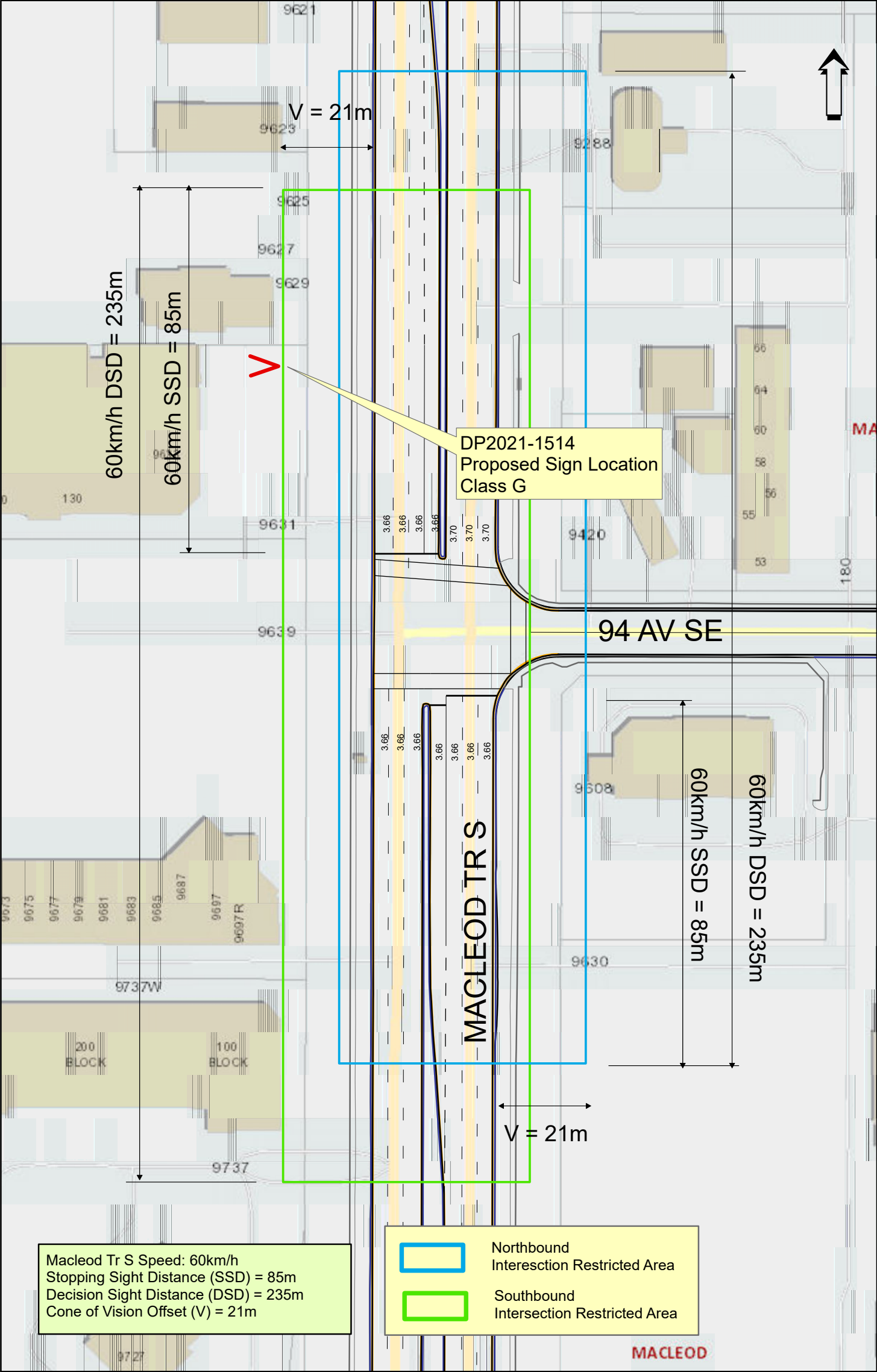
The City of Calgary
ROADS, Traffic Design #4009
P.O. Box 2100, Stn. M, Calgary, AB, T2P 2M5

T: 403.268.4356 C: 403.369.2259
E-mail: michael.teh@calgary.ca

-----Original Message-----

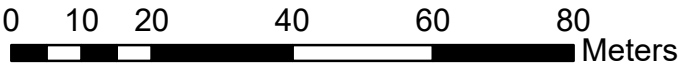
From: do-not-reply@calgary.ca [mailto:do-not-reply@calgary.ca]
 Sent: Friday, March 19, 2021 1:07 PM
 To: Knudtson, Eric <Eric.Knudtson@calgary.ca>; Teh, Michael <Michael.Teh@calgary.ca>; Ge, Michael <Michael.Ge@calgary.ca>
 Subject: Review Required for DP2021-1514 (9631 MACLEOD TR SW)

Your review is required for the above noted file. Click the link to go to your assigned process.
<http://posse.coc.ca/Default.aspx#PosseProcessId=294278897>



DP2021-1514
9633 Macleod Tr SW

SDAB2021-0078



1:1,000

From: [William Baker](#)
To: [DP Circ](#)
Subject: [EXT] DP2021-1514
Date: Friday, April 9, 2021 12:28:48 PM

Community Association Feedback - Haysboro Planning Committee

File Number: DP2021-1514

Application Description: Temporary Use: Sign - Class G (Digital Third Party Advertising Sign) Address: 9627 (9633) MACLEOD TR SW

Please provide your Community Association perspective and respond to the following questions.:

1. What are the strengths and challenges of the proposed development?

The community identifies several areas of concern with the proposal:

- The new digital billboard will add to, and exacerbate the effects of, a highly distracting visual environment in a high-traffic area. We believe the addition, as proposed, will further endanger people in vehicles, on foot, and on bicycles moving within sight of this sign.
- The new sign will introduce a new source of potential disability glare, which can impair driver vision, and discomfort glare, which can also distract attention from important driving tasks. We believe this new glare source, particularly in wet conditions, is likely to contribute to frequency of incidents involving injury and property damage in this complex and heavily used traffic area.
- The new sign will expand the level of visual clutter, making the area where many work and shop feel less personal, less natural, more commercial, and less pleasant for all who visit or travel through this area.
- Further, it appears the installation of the new sign, and the relocation of the existing TD sign, will require the removal of at least three, and probably all four, of the only four trees on the entirety of this lot. We believe that preserving trees— particularly in this region with a paucity of natural features and natural habitat for wild birds – should take precedence over expanding advertising. Further, we believe that when tree removal is required in such an area, at least twice as many new trees – selected for thriving in our region and enduring the harsh conditions of the particular location – should be planted and maintained. There appears to be room for the proper siting of eight trees in this area, but we suspect that the developer will have concerns regarding sight lines if the trees are allowed to reach maturity. Obviously it would be unacceptable to allow an installation under a requirement for tree planting only to see the trees removed a few years later.
- The proposed sign will obviously contribute to skyglow in the region. This will exacerbate cumulative health impacts of exposure to light at night for residents throughout the region. In particular, residential areas such as Wyldewood Estates and other parts of Acadia, Willow Park, and Haysboro, as well as a nearby hotel, will experience increases in ambient light levels.
- The increase in artificial light will also have an effect on wildlife in the urban environment and in nearby natural areas – most notably the bird sanctuary and park areas of Glenmore reservoir where very high concentrations of birds congregate, feed, and nest.

• All of these concerns are multiplied by the alarming acceleration of new signage proposed for and added to this area – particularly the proliferation of artificially lit and digital signs.

• Also note that the application provides two different addresses in its documentation: 9627 MACLEOD TR SW and 9633 MACLEOD TRAIL S.W.

We provide more detail and expand on some of these concerns under question 5.

2. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?

A much smaller, unlighted sign, informing people of the business in the immediate area, would better serve the interests of the community and better match objectives supported by the community in recent, local exercises on community development and design in this area.

3. Provide comments on the following. You may wish to consider height, privacy, parking, vehicle or pedestrian access and landscaping as you respond to these questions.

The use (if identified – not applicable for single-detached houses, semi-detached dwellings or duplexes)

“Temporary Use” - Perhaps this is a term of art or jargon, but in the framework of common English usage it appears to be misleading. The application proposes a new electronic billboard. It obviously does not fit the common definition of “temporary.” The likely longevity of the new structure and powerful display system requires careful

consideration of how the surrounding communities and natural areas may develop over coming decades, and how they will be affected by this installation.

Approval of unnecessary, power-intensive installations such as this, also undermine Calgary's commitment to improving energy efficiency and reducing greenhouse gas emissions.

The site design

The scale and placement of the billboard, and its advertising content, present a powerful disconnect between the installation and the community, local businesses, and workplaces over which it will tower. The sheer scale of the sign, and its orientation, height, and content creates an aesthetic which most highly values not those people living and working in this place, but those in vehicles driving by it. The light and imagery of the billboard reaches out toward the traffic, with its back to the building and parking area where people dwell. The sign will tower over the people who visit here.

The building design

4. Has the applicant discussed the development permit application with the Community

Association? If yes, what information was provided?

We are not aware of any consultation with the Haysboro Community Association on this proposal.

5. Please provide any additional comments or concerns regarding the proposed development.

Safety / Distraction

The proposed installation is located immediately adjacent to a heavily trafficked roadway and intersection, with many lanes of traffic traversed by long pedestrian crosswalks.

The proposed scale, siting, and layout suggest this new billboard is designed to capture the attention of travellers for several hundred meters. It is positioned, by its size, location, and the bright, colourful, and dynamic content it will broadcast, to compete with numerous other signage. The competition includes other digital signs.

Drivers can be distracted by their phones. They can also be dangerously distracted by the multiple, colourful video screens beyond their windshields. Engineers specializing in transportation and roadway design frequently reference research indicating that to avoid dangerous distraction, a driver should not be presented with more than 6 words to read at any given time. More than this takes the driver's attention and visual focus from the task of driving for an unsafe duration. The proposed billboard will almost certainly flash a new message every few seconds. Each of these messages will commonly include more than 6 words of text, plus irresistible, full-colour imagery. Because the images change frequently, we driving in nearby vehicles, will experience additional urgency to process these images as they appear — before they are replaced. This effect will be multiplied by the number of advertising subjects visible from a given location. Many such billboards have been seen with a variety of subtle, dynamic video effects within what should be static images. These, by intention, add to the intensity of distraction. The ability of these dynamic billboards to capture our attention is key to their popularity among advertisers, and their profitability. In this case, that attention is needed elsewhere, to keep members of our community safe.

The applicant proposes adding this billboard to an already very busy and distracting landscape of signage, including other digital signs. The distraction effect in this case is cumulative. Because the proposed billboard is dynamic, it represents the equivalent of adding not one, but several, large and eye-catching distractions to this already dangerous intersection. There is therefore reason to believe the proposed installation presents a significant increase in the hazard of injury, death, and financial costs.

Safety / Glare

We anticipate the proposed digital billboard to contribute significantly to disability glare, which can impair driver vision, and discomfort glare, which can distract attention from

important driving tasks. Research makes clear that human eyes are very sensitive to relative light levels in the glare zone (near horizontal). The proposed electronic billboard operates, by design, entirely in the glare zone. It is critical that the luminance levels be adjusted with changes in the ambient, background lighting. The dynamics of luminance — that is, how the brightness changes from one image to the next — are particularly important to control in digital billboards. Most drivers have had the experience at some point of being shocked when a darker image on a billboard suddenly shifts to a message with an all-white background, causing pain in the back of the eyes. While the proposed digital billboard may have some hardware to enable luminance modulation, the proposal provides no indication of how light intensity will be controlled. No information is provided on the reliability of the sensors and algorithms used, nor on the protocols for maintenance, nor regarding the measurement proposed to ensure compliance.

Other signs operating in the city, and billboards operated elsewhere in the Province, appear to have violated light intensity limits either specified in municipal regulations or commonly understood by lighting professionals. It would not be prudent to expect this sign to be the exception.

Human Health and Environmental Impact

An abundance of research demonstrates the direct harm of excess light at night on migratory birds, mammals, pollinating insects, and many other natural species. A growing body of evidence suggests that such excess light also increases human health risks for sleep disorders, depression, and some forms of cancer. The American Medical Association drew attention to the health risks of excess artificial light at night with a unanimously supported motion endorsing light pollution reduction measures.

The proposed digital billboard will certainly contribute both to skyglow in the region, and to light trespass on adjacent properties. Impacts from light trespass and sky glow are cumulative. That is, each additional source of unnecessary lighting adds to

the environmental and health impacts in the region. The proximity of natural areas give reason for exceptional treatment of proposed, new, unnecessary sources of light at night in this area. Nearby Glenmore Reservoir is a particularly noteworthy example. This area serves as a stopping point for numerous different species of migratory birds, includes a protected bird sanctuary, and is home to an abundant range of resident wildlife.

Community Costs

Calgary's Land Use Bylaw restrictions (Part 3, Division 5:74), if persistently and intensively enforced, could partially address some of the concerns mentioned above. Such enforcement is expensive. As with many communities, it appears that the number of digital billboards to monitor has outstripped community enforcement resources. In addition, the Bylaw Restrictions fall short in providing specific procedures for measurement. This leaves room for the attorneys of billboard operators to challenge and appeal enforcement action.

Installation of the proposed billboards will increase costs to the community, in the form of compliance enforcement as well as incremental adverse effects to public safety, public health, and valued wildlife in the region. Even when the billboard is a significant cause of a mishap in our community, it is extremely unlikely that the owner or operator of the billboard will bear any of the costs. Instead, the costs will be borne by victims and the community.

If the City is to approve such projects, it should require additional fees of the operators to compensate for the added costs of compliance enforcement, as well as health care and emergency services costs that predictably rise with the number of such projects.

Take as much space as you need to answer the questions. If mailing, use separate paper. Please number your responses to correspond to the question being asked



May 25, 2021

City of Calgary Planning & Development
3rd Floor Municipal Building, 800 Macleod Trail SE
Calgary, AB
T2G 5E6

Re: DP2021-1514

9627 & 9631 Macleod Trail South

Dear City of Calgary Development Authority,

This letter is in regards to our Digital Third Party Application DP2021-1514 located on our property at 9627 Macleod Trail and 9631 Macleod Trail.

We have submitted separate development permit applications for the removal of the Shanks digital portion of the Shanks sign, and the full removal of the TD sign at 9627 Macleod Trail and 9633 Macleod Trail. The remainder of the existing sign Shanks sign will remain unaltered as is. Our intention is to only remove the digital portion as per our application. As evidently shown in the photos, the Shanks sign requires repair and is not functioning properly. We have no intention to keep, or utilize the digital sign moving forward.

The TD sign at 9633 is currently an older stucco sign with plywood as support. There is stress cracks along the sign, which will require attention by full restoration or replacement. We no longer require this sign, as TD will be utilizing space currently vacant on our rotating sign on site. Our rotating sign can be fully utilized to serve our tenants, and we are in full support of the removal of the TD sign.

Due to the Pandemic and several factors, we have suffered greatly in lease revenue loss. We look to help offset this with partnering with OUTFRONT Media, and seek approval of our development proposal.

We hope you support our decision, and thank you for your consideration of our business.

Best regards,

Kurtis Nieuwenhuis
Commercial Property Manager

350-295 Midpark Way S.E.
Calgary, Alberta T2X 2A8

SDAB2021-0078



Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-0078

Development Permit number: DP2021-1514

Address: 9631 Macleod TR SW

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

Land Use: Commercial – Corridor 3 (C-COR3)

Community: Haysboro

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: Yes

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:

Chart of Relaxations		
Bylaw Requirement	Provided	Relaxation
A Digital third party advertising sign must be located at least 300.0m 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.	234.8m (DP2021-1359) Digital Message Sign	21.7%

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

- Calgary Third Party Advertising Sign Guidelines

Additional factors, considerations and rationale for the decision:

1. Please see the Reasons for Refusal
2. The Development Authority will provide a presentation prior to the merits hearing