

**MISCELLANEOUS – DIGITAL MESSAGE SIGNS
CITY WIDE
BYLAW 56P2017**

EXECUTIVE SUMMARY

Land Use Bylaw (LUB) 1P2007 contains rules for a number of different types of signs, including Digital Message Signs, which are defined as signs that have digital copy (no full motion video or animation) that advertise information which directly relates to a business located on the same parcel as the sign. Currently, Digital Message Signs are prohibited along Deerfoot Trail and are also subject to separation (distance) requirements. These amendments are being considered as they open up more opportunities for on-premise/first party business signage, while still ensuring driver distraction is minimized.

This report contains proposed amendments that remove the Land Use Bylaw rule prohibiting Digital Message Signs adjacent to Deerfoot Trail and add a new visibility setback table for these types of signs when they are adjacent to Provincial Highways. A sign may be visible, but is not intended to be legible from highways. Other provincially controlled highways are added to the proposed amendments, so they are all subject to the same rules. The amendments will remove a 300 metre separation requirement between Digital Message Signs and Digital Third Party Advertising Signs. In addition, the proposed amendments add pedestrian crosswalks to the current rule that requires a 30 metre setback from intersections and railway crossings; further reducing the risk of driver distraction.

APPENDIX I contains a descriptive table of the proposed amendments and APPENDIX II contains the proposed amendments. APPENDIX III contains a summary table of what we heard during engagement. APPENDIX IV contains a map showing current provincial highways within the City of Calgary.

PREVIOUS COUNCIL DIRECTION

On 2014 September 22, Council Moved by Councillor Chabot, Seconded by Councillor Pootmans, that the SPC on Planning and Urban Development Recommendation contained in Report PUD2014-0607 (Digital Sign Separation Distance), be adopted.

On 2013 February 11 and 12, Council Moved by Alderman Lowe, Seconded by Alderman Pincott, that Bylaw 4P2013, being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 to update the interim rules for Digital Message Signs and Third Party Advertising Signs, be read a third time as corrected.

On 2012 July 30, Council Moved by Alderman D. Farrell, Seconded by Alderman D. Colley-Urquhart, that the SPC on Planning and Urban Development Recommendations contained in Corrected Report PUD2012-0380 (Framework and Guideline for Digital and Third Party Advertising Signs) be adopted, as corrected, as follows:

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That Council:

1. Adopt, by resolution, the proposed Calgary Third Party Advertising Sign Guidelines; to replace the current Billboard Development Policy Guide for Calgary as contained in Attachment 3, as amended.
2. Accept in principle the attached regulation framework; and direct Administration to prepare amendments to Land Use Bylaw 1P2007 to implement the framework contained in Attachment 5.
3. Direct Administration to bring the proposed amendments to Calgary Planning Commission no later than 2012 December; and
4. Direct Administration to consult with stakeholders and to bring a Report to the SPC on Planning and Urban Development in 18 months following passage of the Bylaw with recommendations for the spacing between Digital Third Party Advertising and Digital Message Signs.

On 2011 November 07, Council Moved by Alderman G. Lowe, Seconded by Alderman D. Farrell, that Bylaw 35P2011 (CPC2011-105 Textual Amendments To Land Use Bylaw 1P2007), Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be read a third time, as amended.

On 2011 July 04, Council, Moved by Alderman A. Chabot, Seconded by Alderman G. Lowe, that Bylaw 30P2011 (LPT2011-56 Recommendations Of The Regulation Of Digital, Electronic And Computer Signage Special Task Force – Interim Land Use Bylaw Amendments), Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be read a third time, as amended.

ADMINISTRATION RECOMMENDATION(S)	2017 July 27
That Calgary Planning Commission recommends APPROVAL of the proposed amendments to Land Use Bylaw 1P2007.	
RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION	
That Council hold a Public Hearing on Bylaws 56P2017; and	
<ol style="list-style-type: none">1. ADOPT the proposed amendments to Land Use Bylaw 1P2007, in accordance with Administration's recommendation; and2. Give three readings to the proposed Bylaw 56P2017	

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REASON(S) FOR RECOMMENDATION:

Administration recommends approval of the proposed amendments because they:

- Minimize driver distraction risks along highways and within 30 metres of pedestrian crosswalks.
- Align with the most recent Transportation Association of Canada, Road Safety Assessment Guidelines (2015).
- Align with the LUB hierarchy of signs in Division 5: Signs, Purpose, Section 67, which places a priority on business information and directional signs (on-premise/first-party) at a higher order than commercial (off-premise/third-party) signs.
- Provide more opportunities for the identification of businesses and buildings.
- Reduce sign clutter caused by Temporary Signs and Third Party Advertising Signs.

Minimized Driver Distraction Risks and the Transportation Association of Canada

The amendments introduce a sliding visibility scale for Digital Message Signs located on parcels along provincially controlled highways. The sliding scale will allow the Development Authority to approve Digital Message Signs that are visible from provincially controlled highways, and was developed based on guidelines published by the *Transportation Association of Canada, Digital and Projected Advertising Displays: Regulatory and Road Safety Guidelines* (2015). The further away the sign is from the highway, the bigger the sign copy can be. The sign may be visible, but is not intended to be legible to drivers on the highway while travelling at high speeds. This allows messages to be displayed, while minimizing driver distraction on highways.

The copy on these signs must be static (i.e. no motion or animation) which also decreases driver distraction. The Roads Department reviewed the proposed amendments to ensure that they minimize the risk of driver distraction next to provincial highways. These amendments will allow parcels adjacent to Deerfoot Trail to have similar opportunities for Digital Message Signs as other parcels.

Digital Message Signs have a 30 metre setback if the sign area is larger than 2.0 square metres from intersections and railway crossings. Amendments are proposed that add pedestrian crosswalks to these driver decision areas, which also aligns with the Transportation Association of Canada, Road Safety Assessment Guidelines (2015).

Hierarchy of Signs and reduced sign clutter

The amendments deleting distances between Digital Message Signs and Third Party Advertising Signs corrects gaps in the current rules which place a priority on the first digital sign installed, regardless of its purpose. The amendments refocus signage priorities to on-premise (first party) businesses. This change aligns with the LUB hierarchy of signs (Division 5: Signs, Section 67) by balancing the need for business signage with minimized driver distraction risk and aesthetics. If a Digital Message Sign is approved, Temporary Signs on the same parcel and Third Party Advertising Signs within 300 metres must be removed when their temporary

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permits lapse. The risks of sign proliferation could also be minimized in pedestrian areas when the Development Authority applies the current LUB provisions for comprehensive and pedestrian signage on shopping streets or in large shopping centres. The limited term approvals for Digital Message Signs ensure an evaluation of the changing context prior to a Development Permit renewal. The Development Authority may respond to complaints or areas transitioning from an automobile to pedestrian areas by applying the existing comprehensive and pedestrian corridor provisions in the LUB. Digital proliferation may also be controlled in this manner and/or through local area planning policy.

ATTACHMENT

1. Proposed Bylaw 56P2017

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed amendments to Land Use Bylaw 1P2007 (APPENDIX II).

Moved by: L. Juan

Carried: 7 – 1

Opposed: D. Leighton

Reasons for Opposition from Mr. Leighton:

- I opposed this application because:
 1. This will open the door to sign proliferation and negative visual effects;
 2. The Administration report addresses on technical and traffic issues: Planning issues have not been considered; and
 3. The proliferation of digital message signs enabled by this proposal is contrary to two objectives of the MDP, “Creating great communities” and “Good urban design” and in direct conflict with “enhancing community character”, creating “quality environments”, “vibrant public spaces” and “making Calgary an attractive city”.

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REGULATORY DISCUSSION

CURRENT LAND USE BYLAW RULES

Digital Message Signs have a digital display (electronic screens, television, computer video monitors, etc.). Copy must be still message text or graphics (not full motion video or the appearance of animation or movement). All digital signs are subject to the same rules prohibiting the appearance of animation or movement, light levels, ambient light sensors, transition times and a 24 hour contact to correct any sign malfunctions.

The LUB groups many types of signs into use classes from A - G. Digital Message Signs are a Sign – Class E use and are always paired in combination with another supporting use that determines the physical nature of the sign, such as Sign – Class B (Fascia Sign), Sign – Class C (Freestanding Sign), or Sign – Class D (Projecting Sign). This means that Digital Message Signs are also subject to the rules for these supporting uses.

Digital Messages Signs that display more than the date, time, temperature, fuel price or drive through menu board are approved for a maximum of three years. Prior to a Development Permit expiring, the Development Authority may check to see if there are any complaints or any contextual changes. A discretionary Development Permit is required and as part of that process there is a notice posting requirement, if the Digital Message Sign is adjacent to a home. Notice posting gives people an opportunity to comment on the proposed development and its potential impacts prior to a decision being made on the application. Digital Message Signs are a discretionary use, which means the Development Authority may impose conditions on individual applications in response to the context or unique circumstance. For example, conditions may regulate message display time.

Currently, a Digital Message Sign must not be located on a parcel adjacent to Deerfoot Trail when the copy on the sign is visible from Deerfoot Trail. A Digital Message Sign must also be located at least 300 metres from another Digital Message Sign or Digital Third Party Advertising Sign containing the digital display when the signs are facing the same oncoming traffic. This means that the first sign approved freezes the Digital Message Sign opportunities for the surrounding businesses within 300 metres.

A Digital Message Sign may be located in a variety of Commercial, Industrial or Mixed Use Districts. A Digital Message Sign advertising events, activities or services offered, may also be approved in the Low Density Residential, Multi-Residential Districts, some Centre City, Special and East Village Districts, when it is part of a community or recreation facility, place of worship, library, museum, park or school. Digital Message Signs in these areas are common.

Digital Message Signs larger than 2.0 square metres may not be located less than 30.0 metres from a driver decision point like an intersection or railway crossing. When visible from dwelling units and within 125 metres; Digital Message Signs must display a black screen during the night.

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PROPOSED LAND USE BYLAW RULES

Administration reviewed the LUB rules for Digital Message Signs and the prohibition when visible from Deerfoot Trail.

Sliding Visibility Scale

Since the evaluation of digital sign separation rules in 2014 September, the Transportation Association of Canada released *Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines*. Application of these guidelines is intended to minimize the risks associated with driver distraction. Using these guidelines, the Roads Department developed a sliding visibility scale for Digital Message Sign size and proximity to the edge of highway pavement. The scale of the sign increases in 50 metre increments, the further the sign is away from the highway. There is support for applying the same standards to other provincial highways within the City as shown in APPENDIX IV. The proposed amendments would allow businesses on parcels adjacent to Deerfoot Trail to have similar opportunities for Digital Message Signs as other parcels.

Removal of Separation Requirement

During engagement, our stakeholders asked us to look at deleting the current requirement for a 300 metre separation between Digital Message Signs (see Engagement section below and APPENDIX III for further details). This rule considers aesthetics and was also intended to reduce the proliferation impacts of digital signs; however, there is an impact on businesses that may want a Digital Message Sign but cannot have one because another digital sign exists within 300 metres.

The 300 metre separation may have allowed the first digital sign in to freeze Digital Message Sign opportunities for adjacent on-premise/first-party business signage. The proposed amendments will ensure there is an opportunity for on-premise/first-party signage regardless of a nearby Third Party Advertising sign. The prioritization of sign types in the LUB seeks to ensure that the effectiveness of business information and identification signage is not undermined through visual clutter.

If there are situations where neighbouring parcels have the appearance and function of a single site by virtue of having cross-access easements, shared parking, connecting internal roadways, or common access points that function comprehensively, the Development Authority may decide that these areas should have comprehensive signage and apply development permit conditions. Policy documents may also identify areas where comprehensive signage or pedestrian-oriented signage is appropriate. These tools may be used to limit Digital Message Sign proliferation. The current LUB rules address potential proliferation issues or areas transitioning from an auto focus to a pedestrian area, in Sections 70, 71, 72(2), and 89(2) that deal with comprehensive signage, the use of the Development Authority's discretion, the character of the District, the amount of signage in the nearby surroundings and the identification of pedestrian areas.

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Driver decision points

Crosswalks are identified in the Transportation Association of Canada, Safety Assessment Guidelines as a driver decision point. The LUB rules state the Development Authority must not approve any sign containing a digital display with a sign area greater than 2.0 square metres if the sign is located less than 30 metres from an intersection or railway crossing. The addition of pedestrian crosswalks to this rule will help to further minimize the risks of driver distraction in the vicinity of a driver decision point.

APPENDIX I contains a descriptive table of the proposed amendments. The proposed amending bylaw is contained in APPENDIX II.

ENGAGEMENT

The engagement approach considered the needs of local community associations, businesses looking to install signage and companies that supply digital signage to businesses. Information was provided to the Federation of Calgary Communities (FCC) for distribution to their members. The FCC added project and meeting information to their planning blog on 2017 May 10. An email was also sent to community associations on 2017 May 15.

Between 2014 and 2017 April 30, The City of Calgary had a total of 141 Sign – Class E (Digital Message Sign) applications. Repeat applicants were telephoned to ask if they were interested in participating in engagement meetings. Two targeted meetings were held on 2017 May 16 and 25. Participants included signage manufacturers, a planner with the FCC, digital sign shops/manufacturers, companies who work with wholesalers and are in charge of doing sign applications and navigating the application process for clients, light emitting diode (LED) signage wholesalers and distributors, and small businesses selling digital message signs. There were ten participants at the May 16 meeting and four at the May 25 meeting. Information was compiled and overall themes were developed to confirm what we heard and facilitate further discussion at the second meeting. A summary table of the themes, what we heard and what we did is contained in APPENDIX III.

Administration was able to address most of the issues raised during engagement. There are current Land Use Bylaw rules for message timing, hours of sign operation next to dwelling units, dimming and brightness levels. Amendments propose changes to the rules for Digital Message Signs in proximity to a highway, as well as, the deletion of a 300 metre separation rule. Unfortunately, the Land Use Bylaw amendments cannot address inconsistency for sign companies between Federal Airport Lands and Provincial legislation that exempts the University of Calgary from the Land Use Bylaw rules. See APPENDIX III for a summary of sign industry comments.

APPENDIX V contains letters received in support of the proposed amendments.

CONCLUSION

The proposed amendments respond to stakeholder engagement and reduce the risks of driver distraction for Digital Message Signs in alignment with the Transportation Association of Canada, Road Safety Assessment Guidelines (2015).

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APPENDIX I

DESCRIPTIVE TABLE OF PROPOSED LAND USE BYLAW AMENDMENTS

Proposed Amendments	Existing Rule Showing Amendments
<p>(a) Renumber subsection 7(6.1) as 7(6.2).</p> <p>(b) Add a new subsection to Section 7 as follows:</p> <p>(6.1) “<i>Highways Development and Protection Act</i>” means the <i>Highways Development and Protection Act</i>, S.A. 2004.”</p>	<p>Referenced Legislation</p> <p>7(6.1) “<i>Highways Development and Protection Act</i>” means the <i>Highways Development and Protection Act</i>, S.A. 2004.”</p> <p>7(6.2) “<i>Historical Resources Act</i>”, means the <i>Historical Resources Act</i>, R.S.A. 2000.</p>
<p>Rationale: The LUB does not regulate streets or provincial highways. This reference to provincial legislation is added in (g), and (i) to describe the provincially controlled highways within the City of Calgary, as may be amended from time to time. For example, control of Deerfoot Trail has shifted from the City to the Province and a new highway will be added within the City at either side of the Tsuu T’ina Nation.</p>	

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Proposed Amendments	Existing Rule Showing Amendments
<p>(c) Delete and replace the text in subsection 73.1(2) with:</p> <p>“(2) Notwithstanding section 93(3.1), signs located within the Stephen Avenue Mall heritage area may utilize only the following means of illumination:</p> <p>(a) incandescent lighting;</p> <p>(b) fluorescent lighting not visible to pedestrians at grade;</p> <p>(c) neon lighting when used only for text or imagery in a sign area; and</p> <p>(d) LED lighting.”</p> <p>(d) Delete and replace the text in subsection 93(3.1)(a) with:</p> <p>“(a) have a height greater than 0.6 metres;”</p>	<p>Rules Governing All Signs in the Stephen Avenue Mall Heritage Area</p> <p>73.1(2) Unless otherwise referenced in section 93(5); Notwithstanding section 93(3.1), signs located within the Stephen Avenue Mall heritage area may utilize only the following means of illumination:</p> <p>(a) incandescent lighting;</p> <p>(b) fluorescent lighting not visible to pedestrians at grade;</p> <p>(c) neon lighting when used only for text or imagery in a sign area; and</p> <p>(d) LED lighting.”</p> <p>Rules for Fascia Signs</p> <p>93(3.1) In the Stephen Avenue Mall heritage area, a Fascia Sign must not:</p> <p>(a) have a height greater then than 0.6 metres;</p> <p>(b) contain copy that is greater than 0.4 metres;</p> <p>(c) be located within 0.6 metres of each edge of a façade parallel to Stephen Avenue Mall; and</p> <p>(d) be internally illuminated.</p>
<p>Rationale: Housekeeping amendments for signage in the Stephen Avenue Mall heritage area. Corrects an incorrect section reference, simplifies language and corrects a typographical error.</p>	

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Proposed Amendments	Existing Rule Showing Amendments
<p>(e) Delete and replace the text in subsection 104(3) with:</p> <p>“(3) A maximum of one Digital Message Sign may be located on a <i>parcel</i> with the exception that <i>corner parcels</i> may have one Digital Message Sign on the <i>street</i> side of each <i>street</i>.”</p>	<p>Digital Message Sign 104(3) A Digital Message Sign 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. A maximum of one Digital Message Sign may be located on a <i>parcel</i> with the exception that <i>corner parcels</i> may have one Digital Message Sign on the <i>street</i> side of each <i>street</i>.</p>
<p>Rationale: Responds to what we heard at the engagement sessions and places a priority on on-premise/first-party businesses signage over Third Party Advertising Signage. Both Temporary and Third Party Advertising Signage must be removed if a Digital Message Sign is approved. The Roads Department supports the proposed amendments and will apply the Transportation Safety Assessment Guidelines (2015) when reviewing these discretionary use applications.</p>	
Proposed Amendments	Existing Rule Showing Amendments
<p>(f) Delete and replace the text in subsection 104(4) with:</p> <p>“(4) Subsection (3) does not apply to a Digital Message Sign with <i>copy</i> that only displays the date, time, temperature, <i>motor vehicle parking stall</i> information, motor vehicle fuel price or a Drive Through menu board.”</p>	<p>Digital Message Sign 104(4) Subsection (3) does not apply to a Digital Message Sign with <i>copy</i> that only displays the date, time, temperature, <i>motor vehicle parking stall</i> information, motor vehicle fuel price or a Drive Through menu board.</p>
<p>Rationale: The proposed amendments recognize the need for parkades to display stall availability information.</p>	

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Proposed Amendments	Existing Rule Showing Amendments						
<p>(g) Delete and replace the text in subsection 104(5) with:</p> <p>“(5) Notwithstanding subsection (3), a Digital Message Sign must not be located on a parcel adjacent to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail, or any provincial highway under the <i>Highways Development and Protection Act</i> when the copy on the sign is visible from these streets or highways.”</p> <p>(h) Renumber subsection 104(5.1) as 104(5.3).</p> <p>(i) Add a new subsection to Section 104 as follows:</p> <p>“(5.1) Notwithstanding subsection (5), a Digital Message Sign may be located on a parcel adjacent to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail or any provincial highway under the <i>Highways Development and Protection Act</i> when in accordance with Table 1.1.</p> <p>Table 1.1: Maximum Digital Message Sign areas facing the same oncoming traffic and minimum distance from Deerfoot Trail, Spruce Meadows Trail, Stoney Trail or provincially controlled highway</p> <table> <tr> <th>Maximum sign area (square metres)</th><th>Minimum Distance from edge of pavement to sign (metres)</th></tr> <tr> <td>5.0</td><td>400</td></tr> <tr> <td>4.0</td><td>350</td></tr> </table>	Maximum sign area (square metres)	Minimum Distance from edge of pavement to sign (metres)	5.0	400	4.0	350	<p>Digital Message Sign</p> <p>104(5) <i>Notwithstanding subsection (3), a A Digital Message Sign must not be located on a parcel adjacent to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail, or any provincial highway under the <i>Highways Development and Protection Act</i> when the copy on the sign is visible from Deerfoot Trail these streets or highways.</i></p> <p><i>Proposed (i) and (j) do not alter or change any existing rules. The new rules for subsections 104(5.1) and 104(5.2) will be located here.</i></p> <p>104(5.3) A Digital Message Sign must not be located within the Stephen Avenue Mall heritage area.</p>
Maximum sign area (square metres)	Minimum Distance from edge of pavement to sign (metres)						
5.0	400						
4.0	350						

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<table border="1" data-bbox="393 409 818 678"> <tr> <td>3.0</td><td>300</td></tr> <tr> <td>2.0</td><td>250</td></tr> <tr> <td>1.0</td><td>200</td></tr> </table> <p>“</p> <p>(j) Add a new subsection to Section 104 as follows:</p> <p>“(5.2) The Development Authority must not relax the minimum distance from the edge of pavement to a Digital Message Sign as shown in Table 1.1.”</p>	3.0	300	2.0	250	1.0	200	
3.0	300						
2.0	250						
1.0	200						
<p>Rationale: All highways within the City should be treated the same. Where Digital Message Signs were previously prohibited, whether freestanding or on the façade of a building, there will now be a Digital Message Sign opportunity for on-premise/first-party businesses where the risks of driver distraction can be minimized.</p>							
Proposed Amendments	Existing Rule Showing Amendments						
<p>(k) Delete and replace the text in subsection 104(9) with:</p> <p>“(9) The Development Authority must not approve any sign containing a digital display with a sign area greater than 2.0 square metres if the sign is located less than 30.0 metres from an intersection, pedestrian crosswalk, or railway crossing.”</p>	<p>Digital Message Sign</p> <p>104(9) The Development Authority must not approve any sign containing a digital display with a sign area greater than 2.0 square metres if the sign is located less than 30.0 metres from an intersection, pedestrian crosswalk, or railway crossing.</p>						
<p>Rationale: The Transportation Association of Canada, Safety Assessment Guidelines (2015) include pedestrian crosswalks as a driver decision making points.</p>							

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APPENDIX II

PROPOSED AMENDMENT BYLAW WORDING

1. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
 - (a) Renumber subsection 7(6.1) as 7(6.2).
 - (b) Add a new subsection to Section 7 as follows:

“(6.1) “Highways Development and Protection Act” means the *Highways Development and Protection Act*, S.A. 2004.”
 - (c) Delete and replace the text in subsection 73.1(2) with:

“(2) Notwithstanding section 93(3.1), *signs* located within the **Stephen Avenue Mall heritage area may utilize only the following means of illumination:**

 - (a) incandescent lighting;
 - (b) fluorescent lighting not visible to pedestrians at **grade**;
 - (c) neon lighting when used only for text or imagery in a **sign area**; and
 - (d) LED lighting.”
 - (d) Delete and replace the text in subsection 93(3.1)(a) with:

“(a) have a height greater than 0.6 metres;”
 - (e) Delete and replace the text in subsection 104(3) with:

“(3) A maximum of one **Digital Message Sign may be located on a **parcel** with the exception that **corner parcels** may have one **Digital Message Sign** on the **street** side of each **street**.”**
 - (f) Delete and replace the text in subsection 104(4) with:

“(4) Subsection (3) does not apply to a **Digital Message Sign with **copy** that only displays the date, time, temperature, **motor vehicle parking stall** information, motor vehicle fuel price or a **Drive Through** menu board.”**

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(g) Delete and replace the text in subsection 104(5) with:

“(5) Notwithstanding subsection (3), a **Digital Message Sign** must not be located on a ***parcel adjacent*** to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail, or any provincial highway under the *Highways Development and Protection Act* when the ***copy*** on the ***sign*** is visible from these streets or highways.”

(h) Renumber subsection 104(5.1) as 104(5.3).

(i) Add a new subsection to Section 104 as follows:

“(5.1) Notwithstanding subsection (5), a **Digital Message Sign** may be located on a ***parcel adjacent*** to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail or any provincial highway under the *Highways Development and Protection Act* when in accordance with Table 1.1.

Table 1.1: Maximum **Digital Message Sign** areas facing the same oncoming traffic and minimum distance from Deerfoot Trail, Spruce Meadows Trail, Stoney Trail or provincially controlled highway

Maximum <i>sign area</i> (square metres)	Minimum Distance from edge of pavement to <i>sign</i> (metres)
5.0	400
4.0	350
3.0	300
2.0	250
1.0	200

”

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- (j) Add a new subsection to Section 104 as follows:

“(5.2) The ***Development Authority*** must not relax the minimum distance from the edge of pavement to a ***Digital Message Sign*** as shown in Table 1.1.”

- (k) Delete and replace the text in subsection 104(9) with:

“(9) The ***Development Authority*** must not approve any ***sign*** containing a ***digital display*** with a ***sign area*** greater than 2.0 square metres if the ***sign*** is located less than 30.0 metres from an intersection, pedestrian crosswalk, or railway crossing.”

2. This Bylaw comes into force on 2017 September 25.

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APPENDIX III

WHAT WE HEARD WHAT WE DID TABLE

Appendix III
Digital Message Sign Land Use Bylaw Review - Engagement Results

This table summarizes the feedback collected from stakeholders and demonstrates where changes were made to the land use bylaw as a result. It also notes areas of feedback that were out of scope for this project and where changes were not made.

What we Heard	What we Did	
	Proposed Change	No Change
	Distance from Deerfoot	
Businesses located near Deerfoot not able to install Digital Message signage even though it's located on a side street away from Deerfoot	Remove the prohibition from Deerfoot Trail of Digital Message Signs whether installed as a Facia Sign on a building, or on a Freestanding Sign. Update the rules by applying the most recent road safety assessment guidelines from the Transportation Association of Canada. Apply the proposed rules to all provincial highways.	
Want signage to be able to be read by drivers on Deerfoot, good audience for promoting the business	Introduce a proposed sliding visibility scale for Digital Message Signs. The further away the sign is from the highway, the bigger the sign copy can be. The proposed sliding visibility scale will allow messages to be displayed, without impacting driver attention on highways.	Digital Message Signage is not for users of Deerfoot Trail or other highways.
	Size of signage	
Working with smaller sized signs is challenging. 1 square metre is very impractical. These are more expensive signs due to the technology needed to clearly display an image on a sign that small.	The proposed sliding visibility scale for Digital Message Sign sizes balances the need for on-premise business signage while limiting the risks of driver distraction on the highway.	Signage for high speed highways is directional or safety related messages in the road rights-of-way and is not regulated by the Land Use Bylaw.
Smaller signs may cause strain as people are trying to read them. These may be more distracting if people are trying to read a small sign.		
The size of the signage needs to be balanced with roads at higher speeds and new sign opportunities.		

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Message timing		
Timing (how long each message is visible before switching) can create as big of a challenge as some of the other rules (brightness, visibility, type of message displayed).	Changes to minimum message timing are not required city wide at this time. The proposed sliding visibility scale will mean that the sign is visible, however the copy will not be legible to highway drivers.	Section 74 (1) contains rules for minimum message timing. Sign owners may make message timing longer to suit their needs. If required, longer message timing may also be applied as a condition of a Development Permit.
Multiple messages could be displayed over longer time frames than currently outlined in the bylaw, such as changing every 30 seconds, 20 minutes, or 1 hour.		
Hours signs are lit up		
The times during the day that the signs are lit up can make a sign more or less effective (night vs day). Don't always need to have them turned on at night depending on the business		No amendments are required as current rule in Section 104(7) contains hours signs can be visible when located within 125.0 m of a building with dwelling units.
Signs can be difficult to see in the day, and would technically need to be brighter during daylight hours, although this is not apparent to those looking at the sign at that time. Many businesses would be interested in multiple slower moving messages during the day, and turned off during the night.		
Dimming brightness levels on signage		
Brightness standards are important as it is in everyone's best interest to have appropriate sign brightness at night otherwise people aren't able to read the sign because it's too bright.		Section 74 (5.1) contains rules requiring an ambient light sensor on any sign that has a digital display. At this time, no amendments are proposed.
Being able to adjust the sign for day vs. night would be advantageous and allow for appropriate visibility while minimizing distraction.		

MISCELLANEOUS – DIGITAL MESSAGE SIGNS
CITY WIDE
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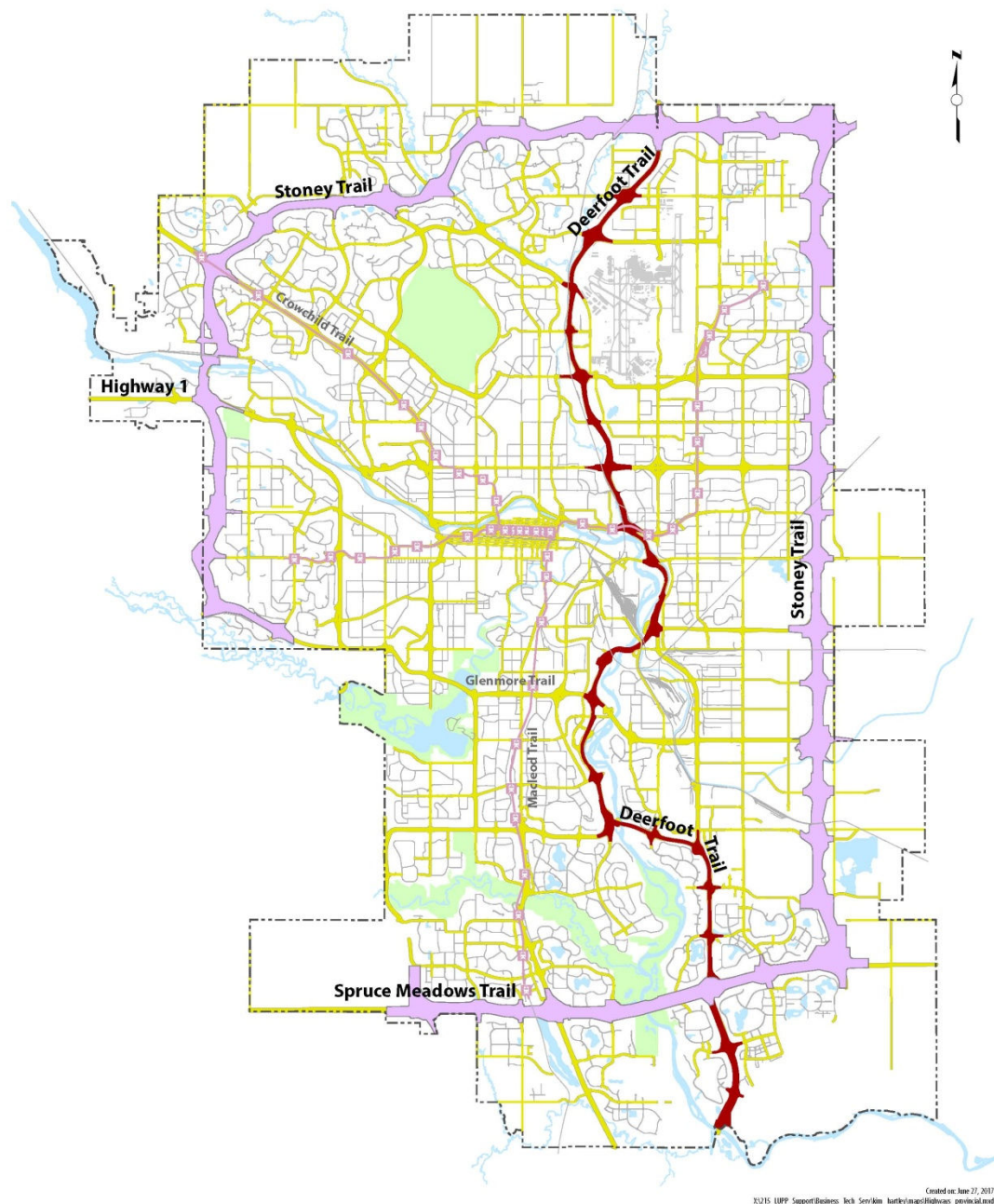
Additional Roadways		
Expanding the bylaw could possibly include other areas like Stoney or Glenmore (higher speed roadways) would be accepted as it would open different opportunities for their clients/businesses.	The proposed amendments will apply to provincial highways.	
Out of Scope: Consistency in regulations between land owners		
Inconsistency of rules within municipalities creates challenges (airport lands vs. university vs. commercial areas).		The Land Use Bylaw does not apply to the University of Calgary or Airport lands.
Out of Scope: Other sections of the Land Use Bylaw		
The requirement to have a 300 m separation distance between signs makes it difficult for new applicants to get signage when neighbours already have one within that distance.	The 300 m separation was not originally contemplated as part of the project. After listening to the concerns of the Stakeholders, amendments are now proposed providing parcels with additional opportunities for Digital Message Signs.	
Owners can be blocked from a digital message sign opportunity.	The current rule may place the emphasis on prohibiting a Digital Message Sign opportunity when there is an existing Digital Message Sign or Digital Third Party Advertising Sign. The Development Authority has also noticed this limitation in the current wording of the rule. Proposed amendments delete the current 300 m separation rule.	

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APPENDIX IV



Provincial Highways within the City of Calgary



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BYLAW 56P2017

APPENDIX V
LETTERS RECEIVED



July 4, 2017

To Whom It May Concern,

I am writing this letter to show my support for the proposed deleting of the current bylaw subsection 104(3) and replacing it with the following: (3) "A maximum of one **Digital Message Sign** may be located on a parcel with the exception that **corner parcels** may have one **Digital Message Sign** on the street side of each public street."

Unfortunately, the current 300m bylaw only benefits the first business that applies within any 300m area. In many situations, you could have dozens of business's within 300m of each other. A new business in the area would have no opportunity to benefit from a digital Message Sign if someone years earlier had already been given a permit. In these tough economic times, retailers need every advantage they can get. With this potential amendment, a landlord of a strip mall for instance, could purchase a Digital Sign and then offer his/her tenants the opportunity to advertise on his/her display, thus giving them a chance to expose their business to many new potential clients.

I know that some are concerned about Calgary becoming lit up like Las Vegas. No one, even in the Digital Sign industry, wants that for Calgary. Myself and many others within the industry, do however think that we can tweak the current bylaws without anyone having to lose or be negatively affected.

If Digital Message Signs are regulated and bylaws are enforced, then I strongly believe that these signs would have no more negative impact on the surrounding environment than any other illuminated sign. In some case I would argue that they would actually have less impact. Modern, **quality** Digital displays can be programmed to emit very low light levels after dark. 300-400 nits after dark is easily obtained. There are even certain situations where these displays can emit as little as 180 nits depending on the ambient light. This would have less output than a television that on average would come in around 400-500 nits or higher. If the message is static and only changes every 6-10 seconds, then I fail to see how this could be deemed as a distraction or considered too bright when the fascia sign right beside it can easily burn at a higher nit level.

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All Digital Message Signs are not created equal. Poor quality displays have given some a sour taste due to their poor brightness control systems. Digital Sign technology has advanced by leaps and bounds over the last number of years. Light level controls are easily managed when dealing with a **quality** Led Message Sign. Even the direction of the light can be controlled if viewing angles are a concern.

I truly believe that if controls are put in place and monitored, that Digital signage can become common place with very little impact to their surrounding areas.

Respectfully,

Larry Jackson

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CITY WIDE
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www.fivestarpermits.com

July 6, 2017

Kim Hartley, Senior Planner
Planning and Development
City of Calgary

Via email: Kim.Hartley@Calgary.ca

Dear Ms. Hartley:

Re: Draft Bylaw Amendments re Digital Signs

Thank you for keeping us up to date on the progress of this project.

We are very pleased to see a proposal to eliminate the 300 m separation requirement between digital signs. This has been the most problematic regulation for Calgary businesses. It has meant that businesses who got their sign first gained an economic advantage over their neighbours. Clearly, this is an unfair practice.

I sincerely hope that this amendment is adopted.

I look forward to hearing about the outcome of your meetings.

Sincerely,

Cy Atkinson
Co-Founder/Permit Specialist

Cy@FiveStarPermits.com

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CITY WIDE
BYLAW 56P2017



July 5, 2017

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

Re: Letter of Support of the Digital Message Signs Bylaw Amendments

Pacific Sign Group Inc dba Knight Signs writes this letter in support of the proposed Digital Message Signs - Current Bylaw Rule Excerpts & Bylaw Amendments:

- Part 3: Rules Governing All Districts; Division 5; Digital Message Sign subsections 104(3); 104(4); 104(5); 104(5.1); 104(5.2); 104(5.3); 104(9)

Knight Signs is Canadian custom manufacturer and has been serving retail commercial, construction and institutional clients with exterior, interior, and custom architectural signage since 1968. Knight Signs Calgary office handles all Alberta projects, such as YYC, Kelley Ramsey and Shaw Communications.

Sincerely,

Steve Mander
President & COO
Pacific Knight Signs Inc dba Knight Signs



VRCA



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