

Advertising Signs on Transit Property

EXECUTIVE SUMMARY

This report responds to a Council direction from 2017 May 29, and proposes amendments to Land Use Bylaw (LUB) 1P2007 to add both Sign – Class F (conventional paper) and Sign – Class G (digital) Third Party Advertising Signs as discretionary uses on twelve Calgary Transit parcels (Attachment 1). The amendments allow for both vehicle and pedestrian scaled signs, depending on the parcel (Attachment 2).

Third Party Advertising Signs located on Calgary Transit property offer a significant source of revenue for The City that can offset tax support of operations and increases to transit fares. Currently these signs are not listed uses on Calgary Transit property, limiting the ability for the City to generate revenue from this source. Advertising revenues are critical for sustaining transit service in communities.

The proposed parcels were selected in collaboration with Calgary Transit and are in areas where the introduction of these signs would generally meet the existing sign policy and rules. Amendments to the Calgary Third Party Advertising Sign Guidelines (Attachment 3) will support the new uses on select Transit parcels.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Planning and Urban Development:

1. Direct Administration to:
 - a) prepare an amending bylaw to Land Use Bylaw 1P2007, as outlined in Attachment 1;
 - b) prepare amendments to the Calgary Third Party Advertising Sign Guidelines, as outlined in Attachment 3; and
 - c) forward this report, with the proposed bylaw and guideline amendments, directly to the 2018 June 11 Public Hearing of Council to accommodate the required advertising.
2. Recommend that Council hold a Public Hearing and adopt and give three readings to the proposed amending bylaw.
3. Recommend that Council adopt by resolution, amendments to the Calgary Third Party Advertising Sign Guidelines in Attachment 3.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2018 APRIL 30:

That Council:

1. Hold a Public Hearing and give three Reading so Proposed Bylaw 40P2018; and
2. Adopt by resolution, amendments to the Calgary Third Party Advertising Sign Guidelines in Attachment 3.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2017 May 29, Council adopted the Committee Recommendations contained in TT2017-0419:

Advertising Signs on Transit Property

“That the SPC on Transportation and Transit recommend that Council Direct Administration to bring forward a package of land use amendments designed to accommodate Class F&G signs on sites where those signs generally meet the provisions of the existing sign bylaws and are desired by The City.”

On 2017 April 10, Council adopted the Committee Recommendations contained TT2017-0183:

“That the SPC on Transportation and Transit recommend that Council:

1. Direct Administration to develop and bring forward a Calgary Transit Policy to guide the placement and approval of Sign – Class F and Sign – Class G on City (Transit) owned lands prior to planning applications, and return to the SPC on Transportation and Transit no later than Q2 2017; and
2. Direct Administration to initiate an amendment to the Land Use Bylaw to add Sign – Class F and Sign – Class G as Permitted Uses on City (Transit) owned lands within the Special Purpose – City and Regional Infrastructure (S-CRI) District, and any other affected provisions in the Land Use Bylaw.”

On 2016 July 04, Council adopted the Committee Recommendations contained in TT2016-0523:

“That the SPC on Transportation and Transit recommend that Council:

1. Direct Administration to develop and bring forward a Calgary Transit Policy to guide the placement and approval of Sign – Class F and Sign – Class G on City (Transit) owned lands prior to planning applications, and return to the SPC on Transportation and Transit no later than Q1 2017; and
2. Direct Administration to Amend the Land Use Bylaw to add Sign – Class F and Sign – Class G as Permitted Uses on City (Transit) owned lands within the Special Purpose – City and Regional Infrastructure (S-CRI) District, and any other affected provisions in the Land Use Bylaw.”

Previously, at a 2015 March 30, meeting Council directed (TT2015-0289):

“ADOPT, AS AMENDED, Moved by Councillor Keating, Seconded by Councillor Chu, that the SPC on Transportation and Transit Recommendations contained in Report TT2015-0289 be, adopted, as amended, as follows:

That Council:

1. Receive this report for information; and
2. Direct Administration to develop and bring forward a Calgary Transit Policy to guide the placement and approval of Sign – Class F and Sign – Class G on City (Transit) owned lands prior to planning applications, and return to the SPC on Transportation and Transit no later than Q2 2016; and
3. Direct Administration to Amend the Land Use Bylaw to add Sign – Class F and Sign – Class G as Permitted Uses on City (Transit) owned lands within the Special Purpose – City and Regional Infrastructure (S-CRI) District, and any other affected provisions in the Land Use Bylaw.”

Advertising Signs on Transit Property

BACKGROUND

Signs on Calgary Transit properties are governed by multiple bylaws depending on their locations. The Land Use Bylaw provides direction on where signs on titled property can be located in accordance with land use districts. Transit services, including Light Rail Transit (LRT) stations are designated with the Special Purpose – City and Regional Infrastructure (S-CRI) District. This district is only used for City infrastructure and utility facilities and is not used for lands owned by anyone other than Federal, Provincial and municipal levels of government. This report reviews Calgary Transit properties in the S-CRI District that are subject to the Land Use Bylaw rules. Transit signage for stations, platforms, bus shelters and bus/benches are typically allowed within road rights-of-way and are subject to the Street Bylaw and Traffic Bylaw.

Third Party Advertising Signs market products, businesses or activities that are not located on the property where the sign is located. Sizes vary depending on sign location. The format for these signs can be either conventional posters (Sign – Class F) or digital (Sign – Class G). These types of signs are a discretionary use and require a Development Permit. They are approved for either a three (Sign – Class G) or five-year (Sign – Class F) time period. Any changes to the surrounding neighbourhood are taken into consideration during the Development Permit process prior to a permit being approved in the same location.

Over the last five years, a total of 554 Third Party Advertising Sign applications were approved. Approximately 389 of the applications were for conventional paper signs and 165 applications were for digital signs. Of the 554 applications 55 Development Permits were approved at a corridor scale of 4.6 metres high with a 4.5 square metre sign area. The corridor districts are:

- Commercial – Corridor 1 (C-COR1) District,
- Commercial – Corridor 2 (C-COR2) District,
- Centre City Mixed Use District (CC-X), and
- Centre City Commercial Corridor District (CC-COR).

The remaining 499 Development Permits were approved at a vehicle or billboard scale.

The current Land Use Bylaw rules for Third Party Advertising Signs (both Class F and G) generally accommodate large scaled signs because they are appropriate in their current locations. As commercial areas redevelop and transition, or as neighbourhood character evolves to reflect a pedestrian orientation, these temporary sign uses are not supported for renewal.

Policy Background

Excerpts from Council's existing policies on signage are included in Attachment 4. Current City of Calgary policies suggest that Third Party Advertising Signs are not appropriate in S-CRI Districts, as land for transit purposes should have a strong relationship to the human scale and encourage pedestrian-oriented businesses and access. Current City policy directs the design and mix of land uses surrounding transit stops and stations to support transit usage and emphasize a walkable pedestrian environment. Council direction from 2018 May 29, TT2017-0419 (*Class F & G Signs on Transit Property*), was to look for sites where signs would generally meet City policy and rules, despite being S-CRI parcels. The City is also applying the 2015, Transportation Association of Canada, *Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines* (TAC Guidelines) to assess the risks of driver distraction at the time of a development permit application.

Advertising Signs on Transit Property

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Site Selection

Working collaboratively with Calgary Transit, Administration identified twelve Calgary Transit Park & Ride sites that would be viable for Third Party Advertising Signs. The parcels selected are not immediately scheduled for Transit Oriented Development or an Area Redevelopment Plan and Outline Plan process. Until redevelopment occurs around these properties, the amendments are anticipated to have minimal impacts.

The Park & Ride properties identified in Attachment 5, generally meet City policies for Third Party Advertising signs. Of the 12 Calgary Transit properties, vehicle scaled signs are contemplated on three and pedestrian scaled signs are contemplated on all 12. Attachment 2 contains examples of vehicle and pedestrian scaled signs on City properties. To mitigate potential impacts on surrounding homes, new bylaw rules (Attachment 1) for pedestrian scale signs are proposed for these locations. All Park & Ride properties require a sensitive pedestrian treatment to encourage and support ridership.

As part of the site selection process, Transportation Engineers were consulted, and Calgary Transit's proposed sign location diagrams were used to demonstrate the feasibility of adding signs in locations that minimize the potential risks of driver distraction. An Engineering Risk Assessment was conducted using the principles developed by the Transportation Association of Canada, *Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines* (TAC Guidelines). All of Calgary Transit's proposed sign locations are acceptable and will be reviewed again at the time of a Development Permit.

Proposed Policy Amendments

The proposed amendments to the Third Party Advertising Sign Guidelines (City Policy) and the Land Use Bylaw provide the City with an exclusive ability to place Third Party Advertising Signs in pedestrian and future high-density areas. The proposed policy and Land Use Bylaw amendments try to balance this advantage with new rules that limit sign impacts through a reduced scale (height and sign area) and minimum spacing requirements. Proposed rules requiring pedestrian scale signs to orient away from streets and into the Park & Ride property should ensure that nearby commercial businesses are not competing with Third Party Advertising Signs to identify their building or business. Rules are also proposed that would require a blank or black screen at night between 10 p.m. and 7 a.m., if a digital sign is visible and located within 125 metres of a building containing a dwelling unit. This proposed rule is like the rule for Digital Message Signs located in residential districts.

Amendments are proposed to the Calgary Third Party Advertising Sign Guidelines. This non-statutory policy guides the appropriate use and location of Third Party Advertising Signs in Calgary. This policy is also used in conjunction with other applicable Council-approved policies such as an Area Redevelopment Plan. The proposed amendments are highlighted in Attachment 3 and are intended to support advertising sign opportunities on the 12 selected Calgary Transit properties. The major principles place a priority on:

- not competing with businesses and building identification signs,
- predominately orienting signage to pedestrians and a human scale, and

Advertising Signs on Transit Property

- recognizing that select Calgary Transit parcels may be appropriate for large Third Party Advertising Signs when the adjacent area has a commercial or industrial character and there are no conflicts with pedestrians.

Proposed Land Use Bylaw Amendments

The proposed amendments to the Special Purpose – City and Regional Infrastructure (S-CRI) District add Sign – Class F and Sign – Class G to the list of discretionary land uses when carried on by, or on behalf of the City. All Third Party Advertising Signs require a Development Permit.

The proposed Land Use Bylaw amendments build on the current sign rules and introduce specific rules to address the potential impacts of Third Party Advertising Signs in proximity to residential dwellings. A new definition for pedestrian scaled third party advertising is proposed. This means that signs have a maximum height of 2.0 metres with a maximum sign area of 2.0 square metres and must not be located within 20.0 metres of any Freestanding Sign, other Third Party Advertising Sign or Digital Third Party Advertising Sign on the same property. Signage must be oriented to pedestrians and can be visible, but not legible from streets. On properties identified for pedestrian scaled Third Party Advertising, the Development Authority must refuse signs that are larger than the maximum height or sign area. The Development Authority must also refuse signs that are closer than the minimum separation requirements.

Appropriate Sign Locations

Third Party Advertising Signs may be located at Spring Gardens Garage and the following Park & Ride facilities: Brentwood (south of Crowchild Trail NW), Dalhousie, Franklin (south of Memorial DR SE), Heritage, Marlborough, North Point, Sandstone, Sirocco, Somerset, Southland, and Tuscany. Any digital sign that is located within 125 metres of a dwelling unit and is visible, must be turned off at night. The current rules for digital displays require ambient light sensors and a 24-hour contact along with prohibiting the appearance of full motion or movement.

The Franklin LRT Park & Ride (north of Memorial DR SE) and the Spring Gardens Garage properties have existing grandfathered vehicle scaled Third Party Advertising Signs. These grandfathered signs may remain on the property with a valid Development Permit. One additional vehicle scaled Sign – Class F or G is proposed for these sites and on the Southland LRT Park & Ride property. A variation from the 300 metre separation requirement is proposed at the Franklin LRT Park & Ride north of Memorial DR SE. A 200.0 metre separation is proposed and will meet the Transportation Association of Canada Guidelines.

Transit Signs in Other Municipalities

A brief scan of third party advertising undertaken by other municipal Transit Departments included the Toronto Transit Commission, City of Edmonton and Société de transport de Montreal. The review found advertising on transit properties was in digital format. Additionally, the number of pedestrian scaled digital signs has increased, however, the size and scale must be conducive to the surroundings. The typical size of the sign has a maximum sign area of approximately 2.0 square metres.

Anticipated Benefits

Advertising Signs on Transit Property

Advertising is an important non-fare revenue stream in Calgary Transit's operating budget. The budget for advertising revenue accounts for approximately 5 per cent of the total revenue budget. Increased advertising revenue and inventory of signs help reduce pressure from transit fares and the property tax base.

The proposed amendments will facilitate new contracts for Third Party Advertising Signs on parcels, providing additional guaranteed minimum payments that contribute to revenues. These amendments will not impact contracts on advertising on vehicles, LRT Stations, shelters and benches.

Stakeholder Engagement, Research and Communication

Internal engagement has been done with members of Administration from Calgary Transit, Roads, Community Planning, Customer Advisory Services and Calgary Growth Strategies.

Consultation

Project information was mailed on February 8, 2018 to 1,893 landowners adjacent to the twelve Park & Ride properties identified in Attachment 5. Administration received nine adjacent landowner responses and one general email supporting generating revenues to offset Transit fares and taxes. The adjacent landowners were predominately concerned with potential digital signs and the management of lighting impacts at night. One commercial developer had no issues, but asked if there would be impacts on future digital signage applications for their site. Two residents felt that it was inappropriate to use City lands for advertising. There were positive comments made related to the pedestrian sign scale and the landscaping at the Tuscany LRT Park & Ride.

General project information was sent to the Federation of Calgary Communities on 2018 January 9, to determine the best way to reach out to Community Associations. The Federation decided they would distribute information. The Federation Blog included information on 2018 February 1. The Federation also reached out to the Community Associations closest to the Park & Ride sites to see if they are interested in receiving Development Permit circulations. The Brentwood Community Association would like to receive circulations related to advertising on the Brentwood LRT Park & Ride. No other responses were received.

Building Industry and Land Development (BILD) Calgary Region and Building Owners & Managers Association (BOMA) received project information on 2018 February 1. They are monitoring the project for their members.

Urban Design reviewed the proposed bylaw rules and advise there are likely no visibility impacts with scale, massing, or compatibility with architecture in vicinity. All sign applications will require a Development Permit and visual impacts can be assessed based on site specific details.

Strategic Alignment

The Municipal Development Plan policies for site and building design are supported by the proposed Land Use Bylaw amendments introducing new rules for pedestrian scaled signs at select Park & Ride locations. The size of the signs is at a pedestrian scale that is sensitive to the public realm.

Advertising Signs on Transit Property

Social, Environmental, Economic (External)

Social

Revenue from Third Party Advertising Signs would provide a public benefit for the citizens of Calgary and would offset the operating cost of improvements to the urban realm and transit service that have Triple Bottom Line benefits.

Environmental

The proposed sign rules are sensitive to the impacts of potential light spill from signage into adjacent properties. Digital sign rules are designed to ensure that impacts on adjacent dwellings are minimized as they must be turned off at night.

Economic

Increasing the use of non-fare revenue sources that do not impact property taxes and customer fares is aligned with the direction outlined in Action Plan 2015-2018.

Financial Capacity

Current and Future Operating Budget:

There are no Operating Budget impacts associated with these recommendations.

Current and Future Capital Budget:

There are no Capital Budget impacts anticipated.

Risk Assessment

There are risks that these signs may impact potential future development and intensification around Park & Ride properties. The limited term approval for these sign uses will allow the Development Authority to consider new developments in the area and mitigate any signage impacts as surrounding properties redevelop.

REASON(S) FOR RECOMMENDATION(S):

The proposed policy amendments and rules will provide additional signage opportunities for Calgary Transit and the sign industry. New advertising contracts will contribute to Calgary Transit revenues to potentially offset transit fare increases and augment funding for service delivery. The impacts of Third Party Advertising Signs may be mitigated with proposed rules for a new pedestrian scale and requiring lights be turned off at night.

ATTACHMENT(S)

1. Attachment 1 – **Proposed Bylaw 40P2018**
2. Attachment 2 – Photo Examples of Vehicle and Pedestrian Scaled Signs
3. Attachment 3 – Proposed Amendments to the Calgary Third Party Advertising Sign Guidelines
4. Attachment 4 – Third Party Advertising Sign – Policy Excerpts
5. Attachment 5 – Maps and Descriptions of Calgary Transit Properties