



Choose an item – AGENDA REPORT

Meeting Date: 19 September 2024

Subject: PL2401079 – SDAB Report

Boards Routed Through: N/A

Date: 13 September 2024

Issue:

The Subdivision and Development Appeal Board (SDAB) is being asked to make a decision on an appeal against the conditional approval of Development Permit PL2401079: an application for renewal of a double-sided 'V' shaped Billboard Sign with two digital faces (north face and south face) visible to both southbound and northbound traffic on the QE II Highway at 5994 Range Road 294 SE, Airdrie, AB.

Background:

In May 2024, Current Planning received a development permit application for renewal of an existing Billboard Sign located at 5994 Range Road 294 SE, Airdrie, AB. The subject Billboard Sign is double-sided with two digital faces (north face and south face) visible to both southbound and northbound traffic on the QE II Highway. There is no change to the subject Billboard Sign in this development permit application.

The application was deemed complete by the file manager in May 2024. The development permit application (PL2401079) including supporting documents were reviewed by the file manager, other internal departments of the City of Airdrie (the City), as well as external agency. The full application package including the site plan are attached to this report for viewing as Attachment 1. The City asked the applicant to enter into a time extension agreement to allow the City to make a decision on the development permit application.

The application was conditionally approved on August 2, 2024, based on the merit of application submission details, compliance with Land Use Bylaw regulation, meeting the general intent of applicable planning policy direction, and circulation comments. The Notice of Decision and Conditions of Approval are provided as Attachment 2. The approval decision was advertised in accordance with the Land Use Bylaw, and a written notice was mailed to property owners within 60m of the subject properties. The legislated 21-day appeal period started on August 2, 2024, and the final day to submit an appeal by property owners concluded end of day August 9, 2024.

An appeal by the applicant on behalf of the property owner Steve Bacovsky Holdings Ltd. was submitted to the SDAB Clerk on August 21, 2024 regarding the condition of approval that the development permit is temporary and expires one (1) year from the date of issuance. The appellant requests the development permit term to be extended to three (3) years for the following reasons:

- Section 5.8 (7) (c) of the City's Land Use Bylaw allows for three (3) years permit term;
- Previous 2 development permits for the Billboard Sign were approved for three (3) years term;
- The other development permits for Billboard Signs along QE II Highway were granted three (3) years permit renewal term.

File History

- On February 16, 2016, the City's Municipal Planning Commission (the MPC) approved the Development Permit application (PL1600566) for the Billboard Sign which was double-sided with two digital faces for a three (3) years term. The Billboard Sign was located on the same property at 5994 Range Road 294 SE but was about 640m north to the current sign location;
- On March 16, 2017, the Development Authority issued Development Permit PL1600566 and expired on March 16, 2020;
- On February 28, 2020, the applicant submitted a development permit application (PL2000295) to renew the Billboard Sign development permit (PL1600566);
- April 2020 to September 2020, the City placed PL2000295 on hold and allowed the Billboard Sign to remain in place without a valid development permit;
- On September 25, 2020, the applicant was notified by a written notice that the City of Airdrie would not be renewing the development permit for the Billboard Sign;
- On April 21, 2021, the applicant submitted a development permit application (PL2100677) to relocate the Billboard Sign from the north portion of the parcel to the southern boundary of the property which is the current location;
- On June 3, 2021, the development permit application (PL2100677) was referred to the MPC for decision. The MPC refused the development permit application;
- On June 25, 2021, the applicant appealed the MPC decision to the Subdivision and Development Appeal Board (SDAB);
- The SDAB held the appeal hearing on July 20, 2021 and made the decision on August 4, 2021 to issue the development permit PL2100677 with a condition that the development permit would expire three (3) years from the issuance;

Site Context:

The subject property is located at 5994 Range Road 294 SE, Airdrie, AB within the Annexation Area. It is located in South East Airdrie adjacent to Range Road 294 SE directly to the west, adjacent to the City of Airdrie/Rockyview County Boundary directly to the east and Sharp Hill Way/40th Avenue directly to the north. A sign location map is attached as Attachment 3.

The subject property is designated UH, Urban Holdings and appears to be undeveloped, with the exception of the existing Billboard Sign.

Land Use Bylaw Review:

The purpose of the Land Use Bylaw is to regulate and control the use and development of land and buildings within the City of Airdrie. The Current Planning Department evaluates development permit applications for regulatory compliance and compatibility with the surrounding neighborhood, as well as potential impacts on neighbouring properties.

As per Section 2.1.2(7)(e) of the Land Use Bylaw B-01/2016, the Development Officer shall make decisions on signs listed as "Discretionary" under Part 5 (Sign Regulations). While Billboard Signs are not a use within the UH, Urban Holdings District, Billboard Signs are a discretionary use within the band along the QE II Highway, as identified in Map 2 (Attachment 4).

A Discretionary use is the use of a site or a building for which a Development Authority may in its discretion issue a Development Permit to an applicant if the application meets the purpose and intent of the land use district, the provisions of this Bylaw and makes good planning sense with regard to compatibility.

The entire sign structure of a Billboard Sign within the QE II Highway corridor must be located within 20m of the site's boundary abutting the highway right of way, as per Section 5.8(7). The approved Billboard Sign meets this, and all other regulations of Section 5.8(7) "Billboard Sign", in Land Use Bylaw B01/2016

The Land Use Bylaw also states that where a Billboard Sign is permitted to incorporate Digital Media or Changeable Copy, a minimum of 10% of the copy rotation shall be used to advertise City of Airdrie events or initiatives. In the letter submitted with the development permit renewal application (Attachment 1), the applicant has confirmed to follow the rules. In addition, the Billboard Sign also made the following commitments, including offering discounted pricing for local businesses, providing free advertising space to non-profit community groups, and providing free amber alert messages when needed. Those commitments fulfill the Land Use Bylaw requirements that the Sign will increase the community and economic potential of the City's local businesses and events to the satisfaction of the Development Authority.

Alignment with AirdrieONE and Airdrie City Plan:

The AirdrieONE Sustainability Plan does not speak to Billboard Signs specifically, however, the Plan does have strategies for enhancing arts, culture and recreation which include developing and maintaining a program to enhance the City's identity through distinctive gateway signage, decorative landscaping, wayfinding and commemorative signage.

Airdrie City Plan (MDP, 2014) sets a general goal to "improve the economic prosperity and resiliency of Airdrie" and Administration notes that there is an economic benefit to having advertising for Airdrie businesses along the highway corridor. This connection has been further expressed through the Land Use Bylaw by regulations that the Billboard Sign shall provide the required 10% copy rotation for City of Airdrie events and initiatives.

By providing the required 10% copy rotation for City of Airdrie events and initiatives as well as commitments to promoting local businesses and community groups, the sign meets the objectives of AirdrieONE and the MDP as articulated through the LUB regulations.

However, the MDP also acknowledges potential visual impacts of signs and certain types of development, and Policy 5.30(c) specifically calls to restrict billboard signs and other visually impactful uses from gateway locations. The 40th Avenue Interchange is close to the Airdrie entrance signage, which will become a gateway location to Airdrie and therefore to align with the MDP, Billboard Signs should be restricted from being located on the subject property with its proximity to the future gateway location.

Planning Considerations & Reasons for One (1) Year Approval:

As the Development Authority, it is our responsibility to exercise fair, honest, and independent judgement to best facilitate smart growth and good design. This application involved due consideration to the merits of the application submission, high-level policy direction, and the Land Use Bylaw B-01/2016.

The Development Officer's decision to approve the development permit application PL2401079 with one (1) year period, as opposed to the maximum three (3) years period allowed under the Land Use Bylaw, is grounded in the ongoing efforts to update and refine the standards for signage in the QE II Highway corridor.

Since 2023, staff have been diligently working on these new standards in response to the province's evolving stance on sign placement and types. This work has involved comprehensive public engagement with the province, billboard operators, and residents. With the proposed changes set to be presented to Council for further direction, staff recommended a one-year approval period for the sign to ensure that future decisions reflect the updated guidelines and feedback from the Council. This cautious approach aligns with the ongoing efforts to adapt to the new provincial information, with formal work on these changes beginning in the fall of 2023 and anticipated Council consideration in Q4 of 2024. Given the proximity to finalizing new regulations and the need for a more informed decision, limiting the approval to a one-year period allows for alignment with the forthcoming Council direction and ensures prudent management of sign development in the city.

Boards Routed Through:

N/A

Recommendation:

City Administration recommends that the SDAB deny the appeal and uphold the decision of the Development Officer in approving Development Permit application PL2401079 with one (1) year period.

Shengxu Li
Planner I

Presenter:	Shengxu Li
Department:	Current Planning
Reviewed by:	Gail G beau, Team Leader, Current Planning
Attachments:	Attachment 1: Application Submission Package
	Attachment 2: NOD and Conditions of Approval
	Attachment 3: Sign Location Map
	Attachment 4: Highway Bil board Sign Locations

CITY OF
AIRDRIE**Sign****Application for Development Permit****Property Information****Municipal Address (if applicable)**

5994 RANGE ROAD 294 SE,

Legal Description (all/parts of)

Lot 1

Block 1

Registered Plan 0110936Is this property located within 30m of a residential district? ☐ Yes ☒ No**Type of Sign****Group** **Form (see reverse for list)** **Quantity**☐ Building☒ Freestanding☐ Other☐ Not-for-profit

1

Signage Posting Details☒ Permanent☐ Temporary

From:

Until:

Authorization & Consent☐ **Use of Information**

I hereby consent to the use of information included in this application for promotional purposes, news, research and/or educational purposes.

☒ **Right of Entry**

I authorize Planning Department staff to access my property for the purposes of evaluating this application.

Declarations**Name of Applicant:*** Chris Roubekas**Signature of Applicant:*** Chris Roubekas**Date:** 5/16/2024**Application Info (for office use only)****DP #**

Fees \$

Receipt #

Date**Approved By**☐ CISG / ☐ DO / ☐ SDAB**Refused By**☐ CISG / ☐ DO / ☐ SDAB

Permit Issuance

Permit Expiry

Applicant**Name** Chris Roubekas**Business Name****Mailing Address**

147 Signal Ridge Link SW

City

Calgary

Province

Alberta

Postal Code

T3H 2J8

Phone**Email (required)****Registered Landowner (if not the applicant)****Name** Steve Bacovsky Holdings Ltd.**Business Name****Sign Company (if not the applicant)****Name****Business Name****Mailing Address****City****Province****Postal Code****Phone****Email (required)**

The information on this form is collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy Act and the Land Use Bylaw. It is used solely for Planning, Engineering, Economic Development, and Assessment/Taxation purposes. Questions on collecting this information can be directed to the Team Leader, Planning & Development Department at 400 Main Street SE, Airdrie, Alberta, T4B 3C3, telephone 403-948-8832.

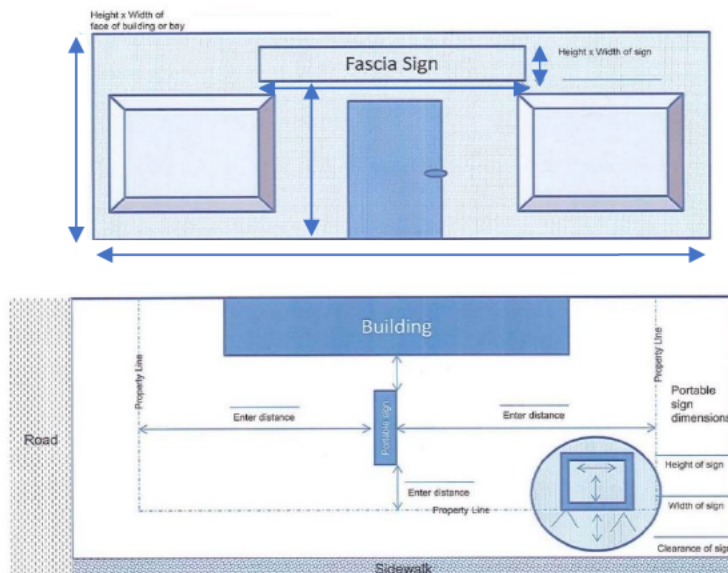
See reverse for application requirements



Sign Minimum Application Requirements

Item	Format Requirements
<input checked="" type="checkbox"/> Application Fee	See the current planning fee schedule.
<input checked="" type="checkbox"/> Authorization Letter	An original letter of authorization from the registered landowner. (if the applicant is not the landowner)
<input checked="" type="checkbox"/> Certificate of Title(s)	One copy of the property Certificate of Title dated no later than 30 days from the date of the application. For a copy of the Certificate of Title(s), visit the land titles website at www.spin.gov.ab.ca or visit a local registry office.
<input checked="" type="checkbox"/> Site Plan	Scaled plan showing (dimensions/distances in metric): <ul style="list-style-type: none"> • Location of all structures on the property. • Location of the sign(s) and setbacks from structures and property lines.
<input checked="" type="checkbox"/> Coloured Drawings	Scaled (1:100) plan set showing (dimensions/distances in metric): <ul style="list-style-type: none"> • The face and dimensions of the building or bay where the sign will be located (fascia, canopy, awning). • Elevations of the sign, including height, width, projection, area, copy area, etc.
<input checked="" type="checkbox"/> Description of Sign Details	A brief written description of the purpose of the sign, sign features, means of support, and physical form proposed. For example: <ul style="list-style-type: none"> • Purpose: standard, community identification, construction, developer marketing, developer directional, election, limited use, real estate, etc. • Feature: changeable copy, digital media, illumination (backlit), illumination (exterior, rotating, third-party advertising, etc. • Support: pylons, guy wires, brackets, bracing, etc. • Form: neon, cabinet, box, individual letters, symbols, etc.

Sign Types
Building Signs
Awning Sign
Fascia Sign
Projecting Sign
Roof Sign
Window Sign
Freestanding Signs
A-Frame Sign
Billboard Sign
Lawn Sign
Monument Sign
Portable Sign
Pylon Sign
Other Signs
Banner Sign
Mounted Sign
Specialized Sign



The above list is a generalized list of requirements. The Development Authority may require additional information (see Land Use Bylaw No. B-01/2016).

Steve Bacovsky Holdings Ltd.

Owner

Steve Bacovsky

Contact Name

3606 – 50 Avenue SE, Calgary, T2B 2M7

Contact address

403-240-1992

Contact phone

sbacovsky@nationalmotorcoach.com

Contact e mail

City of Airdrie

Planning & Development

400 Main Street SE

Airdrie, Alberta

T4B 3C3

To Whom It May Concern,

With regards to 5994 Range Road 294 SE

Property address

Please be advised that I, Steve Bacovsky am the owner of the above mentioned

Full name

property, and that I authorize Chris Roubekas to apply for any and all Sign Permits/Development Permits for the above mentioned property.

I further agree to immediately notify the City of Airdrie of any changes regarding the above information.

May 16, 2024

Date Signed

A handwritten signature in black ink, appearing to read 'S Bacovsky', with a long horizontal flourish extending to the right.

Signature of owner

Steve Bacovsky

Name of owner (printed)



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0038 939 286	0110936;1;1	211 168 255 +1

LEGAL DESCRIPTION

PLAN 0110936
 BLOCK 1
 LOT 1
 CONTAINING 54.78 HECTARES (135.36 ACRES) MORE OR LESS
 EXCEPTING THEREOUT:

	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 2111415 PUBLIC WORKS	13.167	32.54	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;29;26;21;NW
 ATS REFERENCE: 4;29;26;28;W
 ESTATE: FEE SIMPLE

MUNICIPALITY: CITY OF AIRDRIE

REFERENCE NUMBER: 081 051 178

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
211 168 255	02/09/2021	PUBLIC WORKS PLAN		

OWNERS

STEVE BACOVSKY HOLDINGS LTD.
 OF BOX 3220, STATION 'B'
 CALGARY
 ALBERTA T2M 4L7

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
3425AF		RESTRICTIVE COVENANT "AS TO LSD 11"

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

211 168 255 +1

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

771 147 064 20/10/1977 ZONING REGULATIONS
SUBJECT TO CALGARY INTERNATIONAL AIRPORT ZONING
REGULATIONS

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 16 DAY OF MAY,
2024 AT 12:27 P.M.

ORDER NUMBER: 50532998

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

May 16, 2024

City of Airdrie
Planning & Development
400 Main Street SE
Airdrie, Alberta
T4B 3C3

To Whom It May Concern; Via email: planning@airdrie.ca

Re: Application for Development Permit Renewal
5994 Range Road 294 SE, Airdrie
Plan: 0110936; Block: 1; Lot: 1

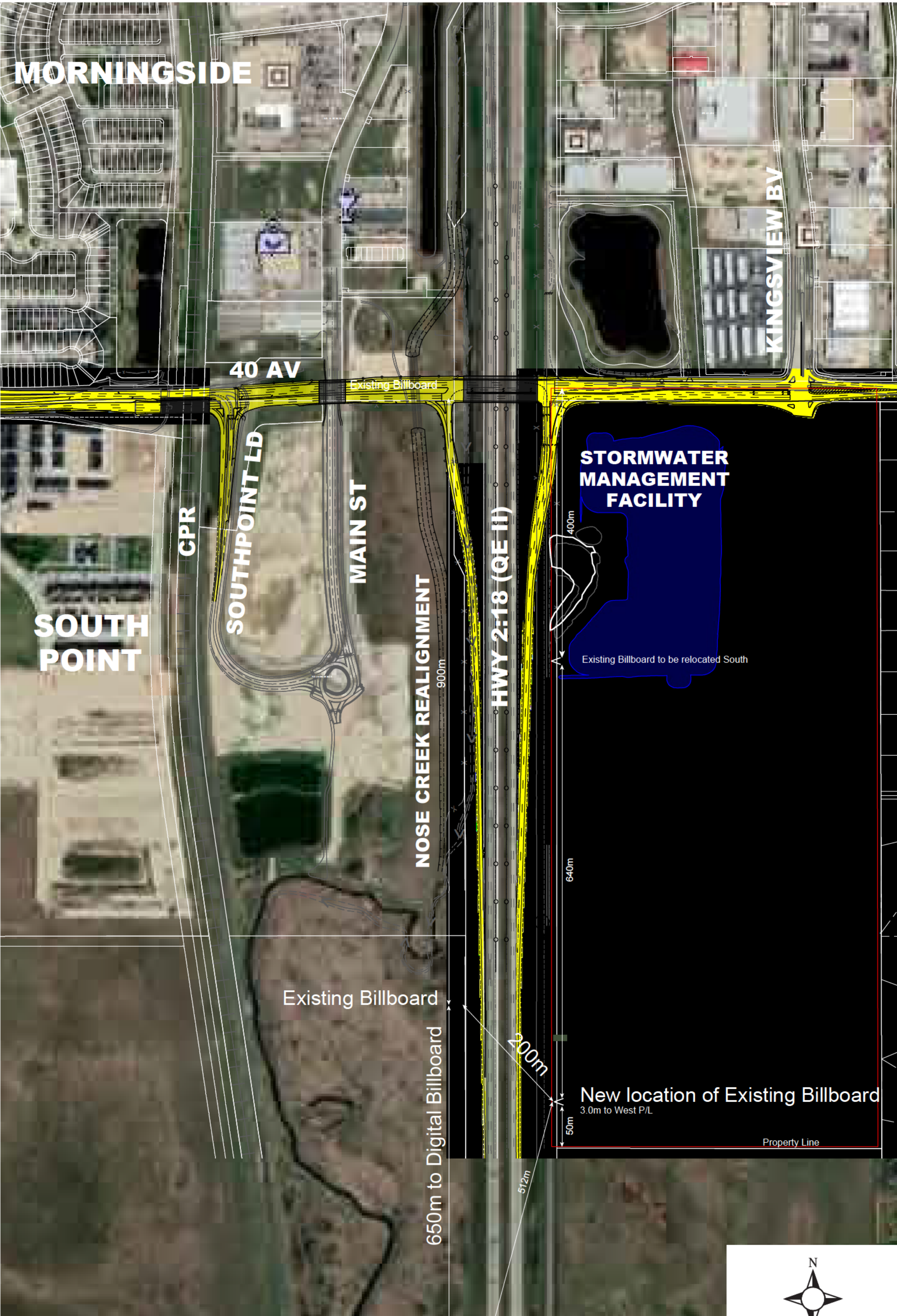
Attached please find Development Permit Application to renew the permit for the existing sign located at the above referenced address. As per Land Use Bylaw B-01/2016, a minimum 10% of the copy rotation shall be used to advertise City of Airdrie events or initiatives. In addition the application includes the following commitments:

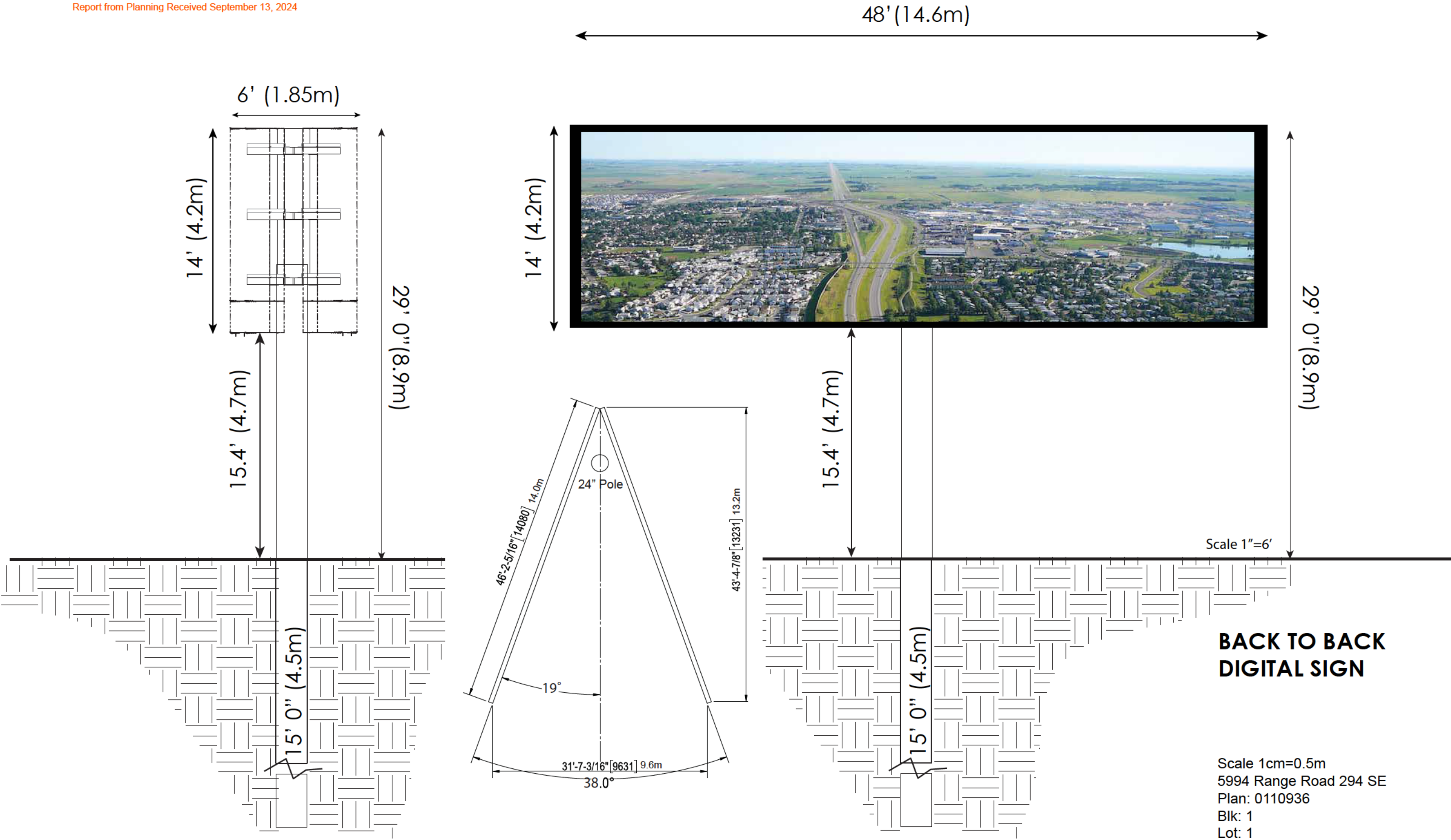
- The marketing of advertising space to local businesses and companies who sell goods and services in the City of Airdrie;
- Subject to time of year and space availability, we are committed to offering discounted rates to local businesses;
- Provide free advertising space to non for profit community groups; and
- Provide free Amber Alert messages when needed.

We also wish to make you aware that unlike previous applications you have received for Highway bulletins, this application and potential permit is being handled by the owner of the property himself, not an advertising company. Steve Bacovsky has owned this property for a number of years and his goal is to own, operate and sell this Highway bulletin as a means to earn revenue from what is now, only a vacant piece of land.

Thank you for your review and consideration of attached application.

Regards,
Chris Roubekas





**BACK TO BACK
DIGITAL SIGN**

Scale 1cm=0.5m
5994 Range Road 294 SE
Plan: 0110936
Blk: 1
Lot: 1



Planning & Development

400 Main Street SE, Airdrie, AB T4B 3C3
Phone: 403.948.8848 Email: planning@airdrie.ca
www.airdrie.ca/planning

Date Printed: August 02, 2024

CHRIS ROUBEKAS
147 Signal Ridge Link SW
Calgary, AB T3H 2J8

Application Number: PL2401079

Proposed Use: Billboard Sign - Digital Media (Double Sided)

Property Address

5994 RANGE ROAD 294 SE, AIRDRIE, AB

Legal Description

Lot: 1, Block: 1, Plan: 0110936

NOTICE OF DECISION

Dear Applicant,

Your development permit application was **CONDITIONALLY APPROVED** by the Development Authority, subject to compliance of the conditions and notifications below.

The attached permanent conditions of approval form part of the approval decision. Advisory comments, if applicable, are also attached to help obtain additional permits and information for your development.

Mandatory appeal period

This is not a Development Permit or approval to start development. A permit may not be issued if an appeal is successful, or the conditions of the approval are not met.

Pursuant to provincial statutes, there is a mandatory 21-day appeal period where the decision must be advertised at www.airdrie.ca/developments. The appeal period starts on August 02, 2024 and ends on August 23, 2024. If no appeals are filed and all prior to issuance conditions are complied with, your Development Permit will be issued within two to four business days of the end of the appeal end date.

If you have any questions regarding this matter please contact the file manager Shengxu Li at Shengxu.Li@airdrie.ca. For more information about filing an appeal, visit www.airdrie.ca/sdab or contact the SDAB Clerk at 403.948.8816 or appeals@airdrie.ca.

Yours truly,

Gail R. Gibeau RPP, MCIP
Development Officer
Planning & Development
City of Airdrie

Phone: 403-948-8832
Email: planning@airdrie.ca

CONDITIONS OF APPROVAL & ADVISORY COMMENTS

Application Number: PL2401079

Approved Use: Billboard Sign - Digital Media (Double Sided)

Property Address

5994 RANGE ROAD 294 SE, AIRDRIE, AB

Legal Description

Lot: 1, Block: 1, Plan: 0110936

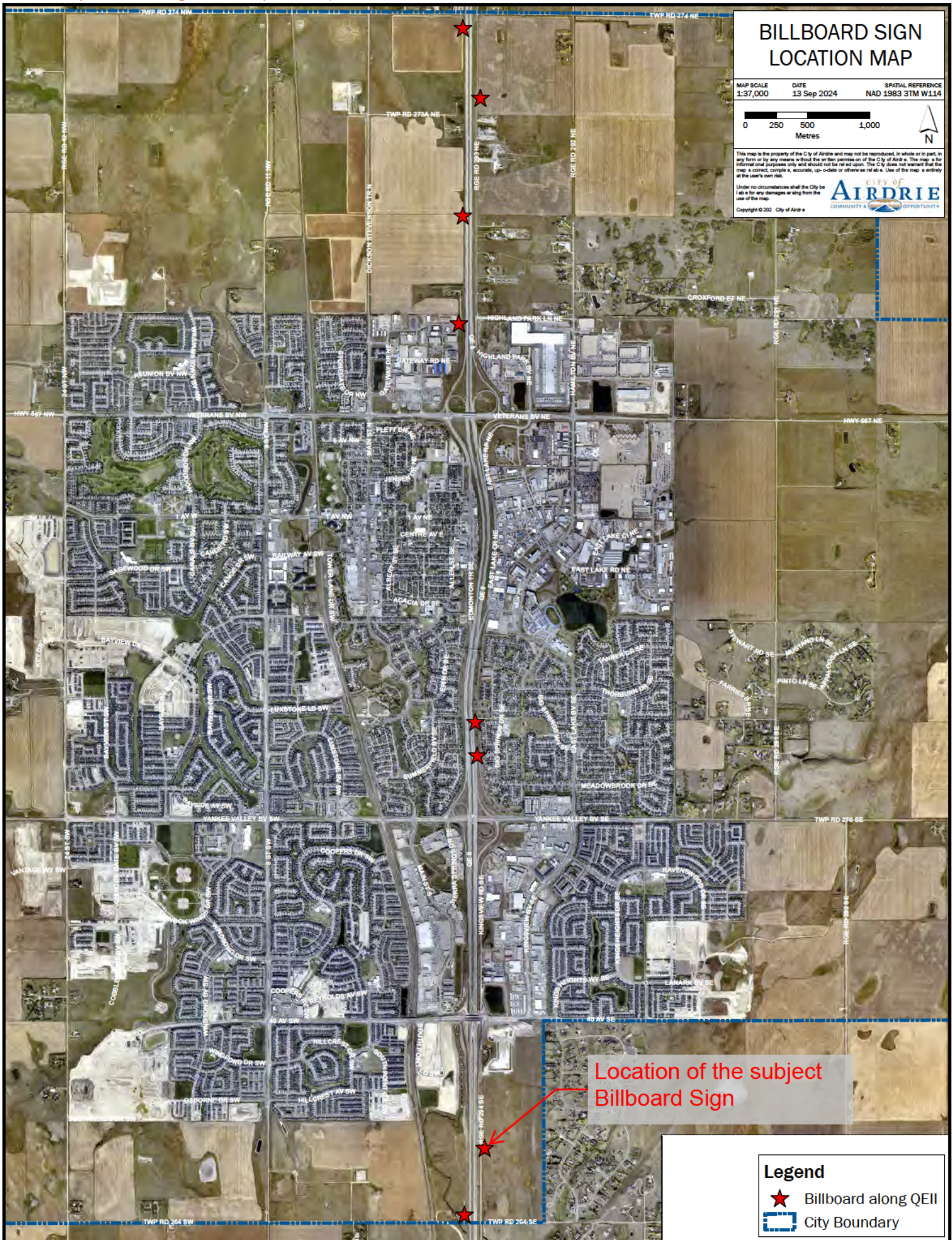
Conditions of Approval

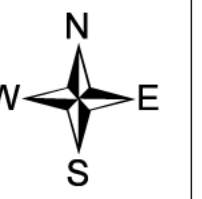
1. This development permit authorizes the development of Billboard Sign - Digital Media (Double-Sided) in Urban Holdings District, on the lands legally described as LOT - 1, Block - 1, PLAN - 0110936.
2. All development, including the location, orientation, capacity, intensity, and use of buildings and any landscaping and site improvements, must be completed in accordance with Approved Plans.
3. Any changes to the design, format, location, orientation, capacity, intensity or use of any part of the development requires approval by the Development Authority.
4. All development must be carried out in accordance with the Land Use Bylaw and the Engineering Standards.
5. All signs identified in the Approved Plans may be constructed and installed without need of a new Development Permit. All other signage will require a separate Development Permit application and approval prior to placement.
6. This development permit is temporary and expires One (1) year from the date of issuance, upon which re-assessment and a new permit approval must be obtained. Should the new permit not be re-issued, the owner of the sign has six (6) months to remove the sign.
7. A minimum of 10% of the copy rotation in this Billboard Sign shall be used to advertise City of Airdrie events or initiatives.
8. At all times, the Billboard Sign containing digital media shall meet the requirements in accordance with the Land Use Bylaw.
9. The developer is solely responsible for the maintenance of the Billboard Sign to an acceptable standard, to the satisfaction of the Development Authority.
10. The developer is solely responsible for any costs related to removal and/or relocation of the Billboard Sign at the expiration of this development permit.
11. In the event the Billboard Sign becomes located within a temporary road work and construction zone, the Billboard Sign must operate as a static sign or be shut off at all times.
12. At all times, the Billboard Sign shall not contain statements, words or pictures that are offensive, obscene, or racist, in the opinion of the Development Authority.
13. Prior to construction commencing, the developer or applicant shall provide stamped engineering drawings with the structure technical specifications for the Billboard Sign.

Advisory Comments

- a) The Developer is responsible for complying with all relevant municipal, provincial, and federal legislation.
- b) All other necessary permits and inspections are the responsibility of the applicant including, but not limited to, Building Permits and Fire Approval and shall be submitted to the City as required. Please contact the Building Department at 403-948-8832 and/or the Fire Department at 403-948-8880.
- c) The Developer shall contact utility providers (gas, electric, telecommunications) and arrange for utilities to be installed or relocated in accordance with the utility provider requirements, at the Developer's sole cost.
- d) The Municipality shall not be held liable for any injury, loss or damage suffered by any person or corporate body which is caused by any sign located in the Municipality whether or not the sign is in accordance with the requirements of this Bylaw.

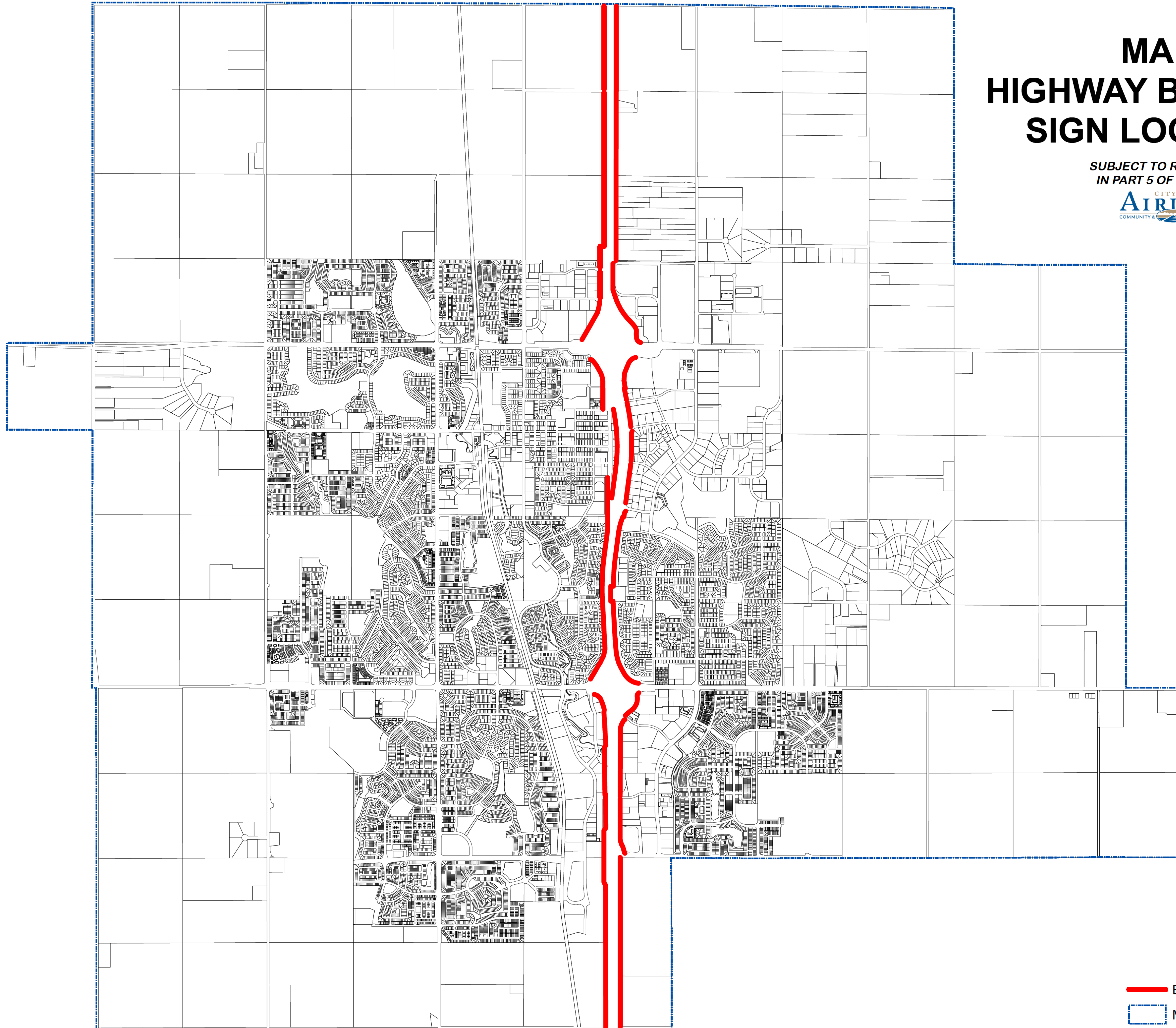
- e) All contractors working on this development may require a valid Airdrie Business Licence prior to the commencement of any work and must maintain the licence for the full duration of the construction period.







MAP 2 HIGHWAY BILLBOARD SIGN LOCATIONS

SUBJECT TO REGULATIONS
IN PART 5 OF THIS BYLAW



-  BILLBOARD SIGN LOCATIONS
-  MUNICIPAL BOUNDARY

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GIS Department | Projection: 31TM WGS 1984 W114 | 12 Mar 2021
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