

Development Permit 164-19 – New Commercial Building (Child Care Facility & Retail Store)

Issue

This Development Permit application is for the development of a Child Care Facility and Retail Store (New Commercial Building) and associated signage at 55 Riverside Gate. As the land use designation is Direct Control (DC) District (Amending Bylaw 35-00), Council is the Development Authority responsible for making a decision on this development permit application.

Motion Proposed by Administration

That Development Permit Application 164-19 for a Child Care Facility and Retail Store and associated signage be approved subject to the following conditions:

1. Prior to the release of the Development Permit, the Developer shall:
 - a. Submit a revised site plan as follows, to the satisfaction of the Town:
 - i. extend the curb beside the sidewalk on the southwest corner of the site 2.5m to the east and remove the parking space affected by this curb movement;
 - ii. identify a minimum of (2) two permanent table fixtures at the additional patio location identified in Condition 1a(i);
 - iii. provide the minimum distances from the retaining wall to the planting bed; and
 - iv. remove the note on the western edge of the site plan regarding bicycle rack locations that have since been relocated on the plan to the eastern edge of the site.
 - b. Provide a site detail of the proposed tables to be identified on the revised site plan (Condition 1a) to the satisfaction of the Town;
 - c. Submit a Site Lighting Plan in accordance with Section 9.21.0 of the Land Use Bylaw 40-98 to the satisfaction of the Town;
 - d. Submit a revised landscaping plan prepared by a qualified Landscape Architect in accordance with Sections 3.2.1 and 9.5.0 of the LUB to the satisfaction of the Town;
 - f. Provide a site servicing plan in accordance with Section 3.2.1(l) of the LUB;
 - g. Provide a Tree Protection Plan prepared by a Landscape Architect or ISA Certified Arborist for boulevard trees and any existing trees on the site or in close proximity that may be disturbed by the construction to the satisfaction of the Town;
 - h. Provide a revised site detail of the fence surrounding the play area and retaining wall guardrail that notes black powder coating as the material for this fence;
 - i. Enter into a Development Agreement regarding, but not limited to:
 - i. submission of the necessary performance securities pursuant to Section 4.3.6 of the LUB;

- ii. provision for the installation of off-site services including, but not limited to storm sewage, sanitary sewage, curb replacement, sidewalks and improvements to adjoining roadways;
- iii. provision for indemnifying the Municipality against any damages that may occur;
- iv. recovery of professional costs incurred by the Town associated with this development; and
- v. payment of all applicable off-site levies and fees;

Conditions 1a through I(v) above to the satisfaction of the Town.

2. Development Conditions:

a. The Developer shall construct the development in accordance with:

- i. all conditions of this approval;
- ii. the site, elevation, signage, floor and detail plans approved by Council on March 23, 2020; and
- iii. any other plans submitted and approved as a requirement of this approval;

b. The Developer shall:

- i. screen any rooftop apparatus or other mechanical units within the buildings;
- ii. provide vertical face concrete curb between all driving surfaces and landscaped areas as well as barrier-free parking signage;
- iii. pave all required parking surfaces and associated driving lanes, delineate all paved parking spaces with painted lines and sign the barrier-free parking spaces with freestanding signage;
- iv. install signs prohibiting parking along the Access & Utility R/W Plan 0210289;
- v. develop the site in accordance with Section 9.11.0 Land Subject to Flooding; and
- vi. provide documentation to the satisfaction of the Municipal Engineer that all buildings have been flood proofed. The main floor elevation must be a minimum of 0.5m above the 1:100 year flood elevation.

c. Trees shall be provided in the number specified on the revised landscape plan (25) at the ratio of at least 33% coniferous, with at least 50% of the trees to be large at time of planting as outlined Section 9.5.0 of the LUB;

d. No signage interfacing with the river valley on the south, west or east elevations shall be illuminated;

e. The Developer is responsible to remediate any public works or impacts to the adjacent river valley during construction;

f. This approval includes all listed commercial uses of the Special Commercial District having a minimum parking ratio of 1/37m²;

g. No permanent development shall be allowed within the 10.0m floodway

buffer with the exception of the metal perimeter fence identified on DP2;

to the satisfaction of the Development Officer.

- h. The issuance of a development permit by the Town of Okotoks does not relieve the permit holder of the responsibility of complying with all other relevant municipal bylaws and requirements, nor excuse violation of any regulation or act, which may affect this project.

VARIANCES

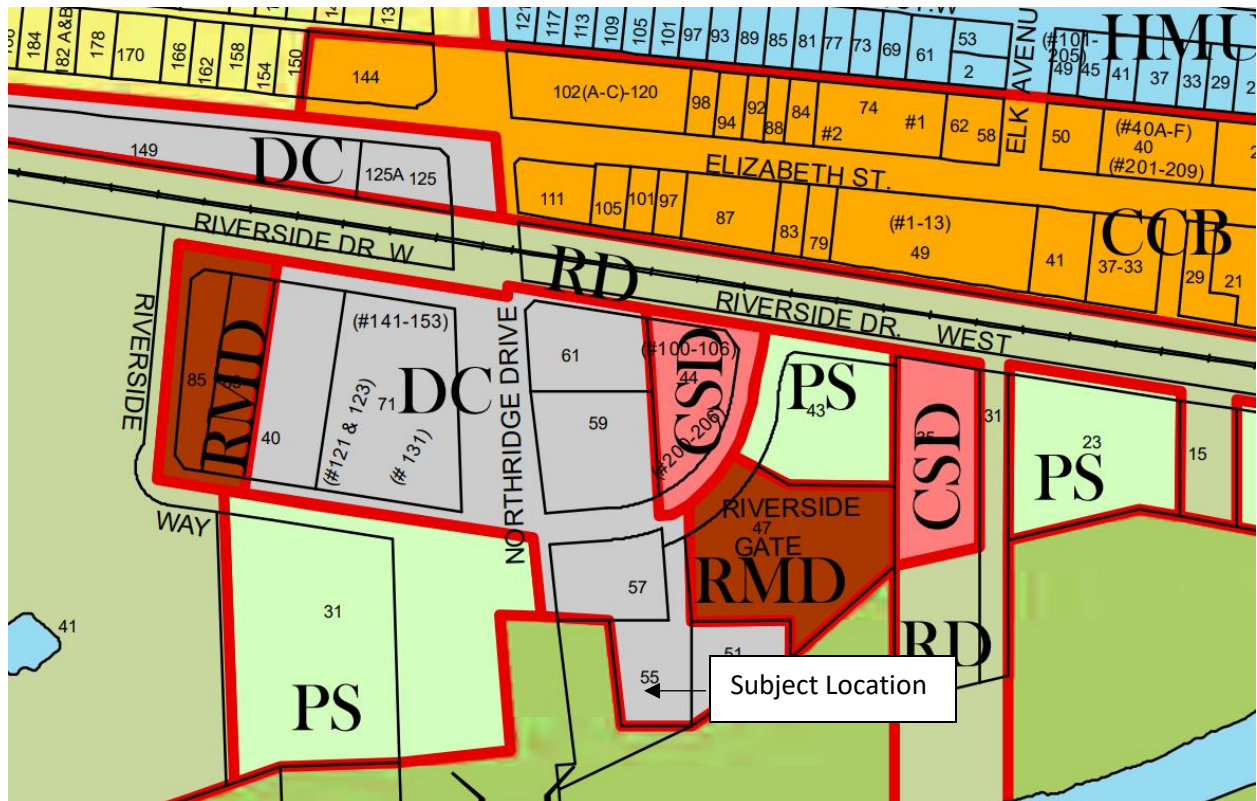
The following Sections of the Land Use Bylaw are varied pursuant to Section 4.4.1:

1. Section 14E.2.2 [Minimum Parking Required] to allow for 29 parking spaces, where the minimum required is 34 parking spaces, a variance of 5 parking spaces.

Report, Analysis and Financial Implications

Background

This proposed parcel is designated Direct Control (DC) District. The Direct Control (DC) allows the site to be developed with any uses listed in the Special Development Commercial (CSD) District. The development regulations of this district are also to be used as a guide when considering a development permit on the site.



Proposed Development & Policy Analysis

The proposed development for 55 Riverside Gate is a single-level building that will include a Child Care Facility and Retail Store. There is no Area Structure Plan or Area Redevelopment Plan currently adopted for the area in which this parcel is located. This proposal was therefore reviewed to ensure alignment with the MDP, Downtown Urban Design Master, the Sheep River Valley Management Plan and the Land Use Bylaw.

Plan + Policy Framework

Municipal Development Plan (MDP)

The proposed development aligns with the vision and policies set out in Okotoks current MDP. At a high level, the proposal furthers the vision and targets in the MDP to proportionately shift the assessment base through promotion of mixed-use neighbourhoods and more commercial/industrial development. This development is located within a central area of Town that is largely developed which means that services will not need to be extended significantly to accommodate it. It is walkable from nearby residential properties and the overall downtown area which furthers the goals of the MDP in terms of diversification and intensification of the built areas of Okotoks.

At a more policy-specific level, the proposed development aligns with the Commercial section of the MDP in many ways. Firstly, the vision for new commercial development in the draft MDP is to promote new commercial areas that are pedestrian-friendly and complement the existing downtown. As this proposal is in close proximity to the downtown, walkability and connectivity is an important consideration. The proposed development will provide for a connecting sidewalk to Riverside Gate and the site. In addition, the site proposes site elements that add to the pedestrian realm.

The draft MDP also has policies that speak to ensuring future commercial development in the downtown provides other special pedestrian features and buildings that build on the attractiveness and amenities available in the area. The proposed building will include a small public patio area that will be able to be utilized and support human-scale interactions on the site. Further to this, the comprehensive landscaping, lighting and inclusion of green space furthers the alignment of this development to the goals and policies of the MDP.

Although the draft MDP discourages strip mall development in the downtown area, the policy does note that if the façade is broken up into different modules, they may be supported. The proposal has a façade that is differentiated and broken up through rooflines, materials and massing which addresses these goals. Further to this, the site is configured in a way that it can be intensified in the long-term as Okotoks shifts to a higher-density municipality.

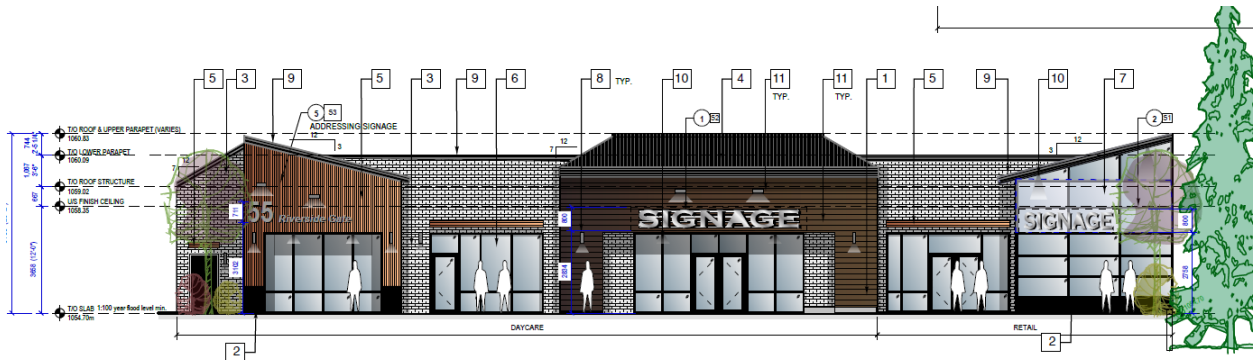
Architecturally, the MDP speaks to commercial developments having high architectural merit that integrates with adjacent land uses. In the opinion of

Administration, the proposed design sufficiently balances considerations of the site context – between the natural themes of the river valley and adjacent downtown core.

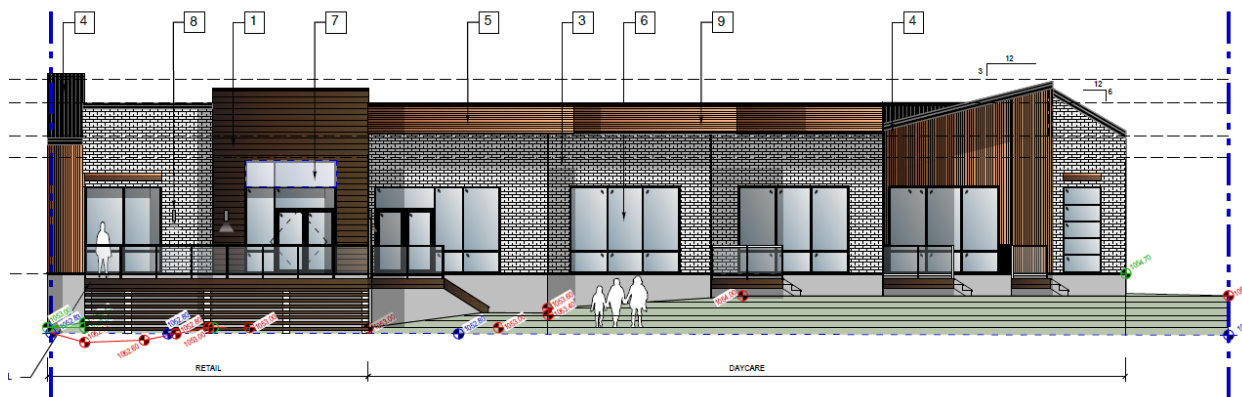
Downtown Urban Design Master Plan

The proposed development falls within the plan study area of the Downtown Urban Design Master Plan (DUDMP). The DUDMP divides the downtown area into four “character areas”. These areas have differentiated identities based on existing development, site constraints and opportunities and their unique identities. This development is located within the Riverfront and Public Market district and was reviewed against the guidelines and policies of this district in particular.

The development utilizes materials and design considerations that complement the vision of this character area and the natural surroundings. This includes a “dark natural walnut” longboard material on the elevations that ties it to the natural landscape as well as stronger elements such as brick to further anchor the building. The retaining walls on the site will have stamped stone aesthetic to further blend the site with the surrounding environmental reserve areas.

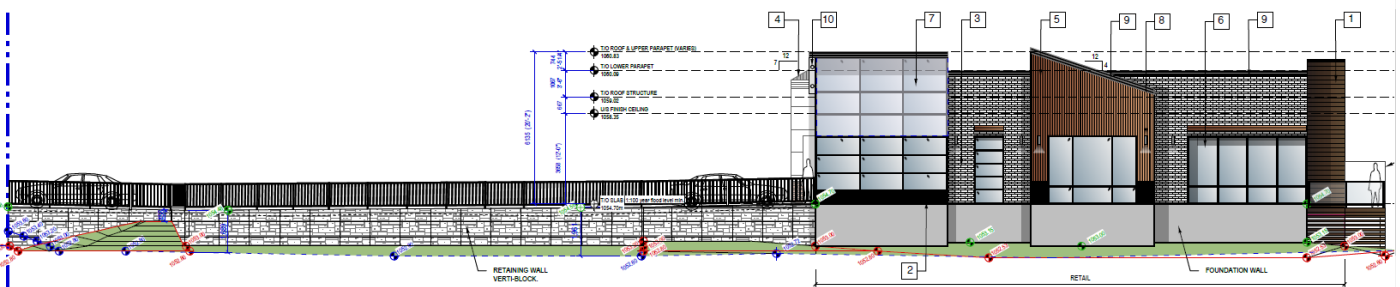


North Elevation (Building Frontage)



SOUTH ELEVATION

SCALE: 1/8\"/>



WEST ELEVATION
SCALE: 1/8\"/>

Sheep River Valley Management Plan

The development was reviewed at a high level against the Sheep River Valley Management Plan as it does provide considerations and direction for privately-owned lands in close proximity to the river valley. Overall, the key considerations of the plan are focused on effectively integrating private development with the river valley in a way that minimizes physical and visual impacts and maintains the riparian health and aesthetic of this key part of Okotoks.

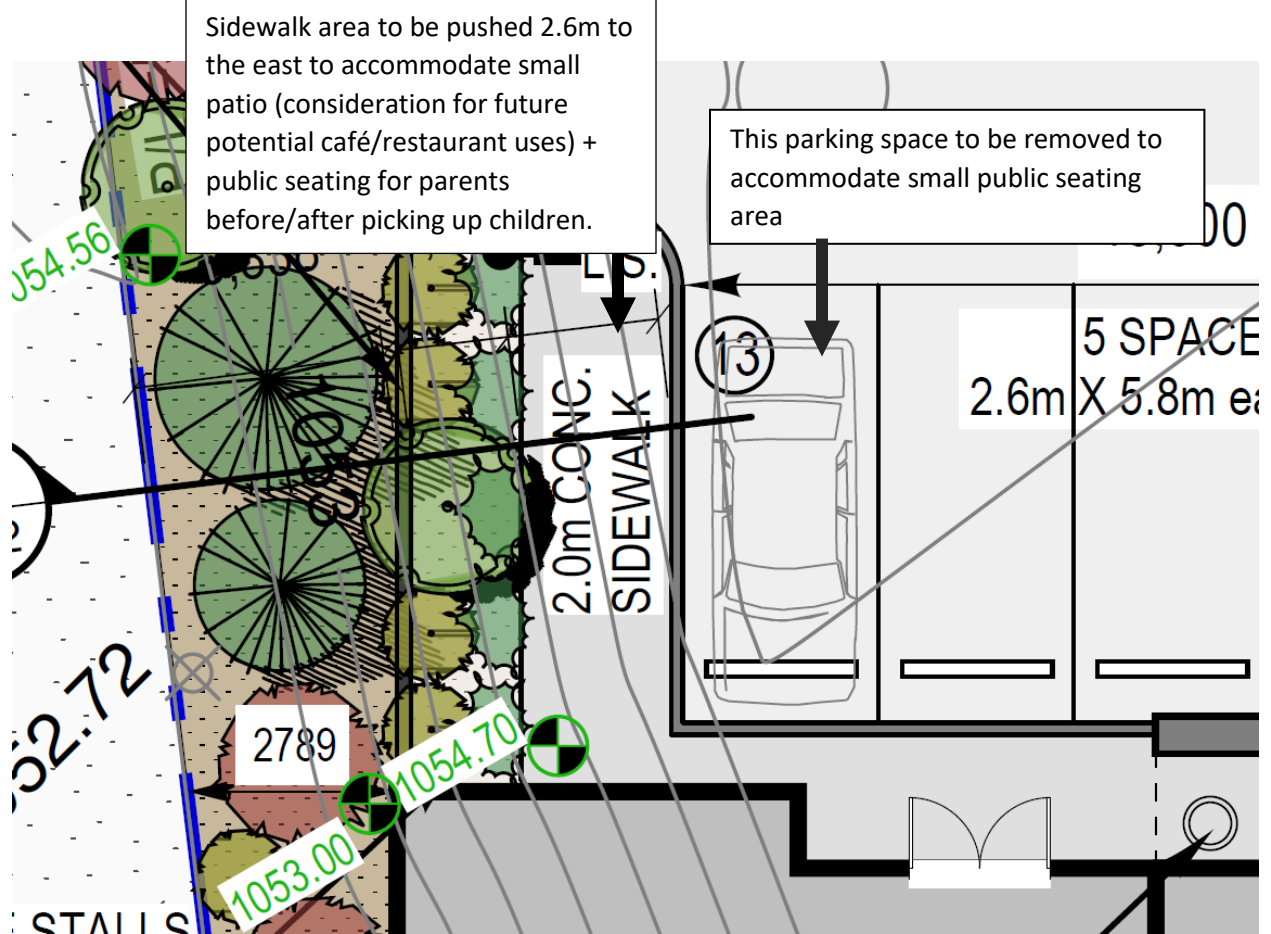
One policy outlined in the plan is ensuring that new development along the valley and natural areas is be screened or buffered from the natural areas by vegetation. The site plan provides for landscaping along the key edges of the site which effectively buffers it from the adjacent river valley. It also helps to break up the long retaining wall on the western edge of the site. Parks will remain involved in ensuring the site development and landscaping further complements and provides an effective interface between the development and the river valley.

Notice Posting – There are no notice posting requirements under the Land Use Bylaw for this zoning or site and there are no requirements in the LUB for an Open House.

Site Servicing – A Development Site Servicing Plan (DSSP) is a standard ‘Prior to Release’ condition of approval. The Site Servicing Plans must be based upon the details of the final site plan. The DSSP, once accepted will form a part of the Development Agreement with the Developer (owner). The Developer has noted this will be submitted following approval of the development permit.

Parking and Loading Facilities – The DC district for this parcel references the standards of the Special Commercial District (CSD), however it notes higher parking requirements than this district for retail stores. Therefore, the parking calculations were based on 1/17m² for the retail store component of the site whereas the Child Care Facility is following the requirements outlined in the CSD district.

Use	Measurement	Parking Required	Total Parking Required	Total Parking Provided
Child Care Facility	1 space / employee + 1 space / 10 children + 1 space/vehicle used to transport children	14 staff + 85 total children + 0 transport vehicles = 23 spaces	34 spaces	29 spaces (once factoring in site plan revision noted as a PTR condition)
Retail Store	1 space / 17m ²	185.92m ² / 17m ² = 11 spaces		



The parking lot is sufficiently screened with a range of trees and shrubs and is broken up by one landscaped boulevard. No parking signs will be located along the private access and utility R/W easement as noted in the attached site plans.

A variance of five parking spaces is supported by Administration given the proposed uses for the commercial building. With the largest tenant being a child care facility, it will likely be busy at morning and afternoon pick/-up/drop-off times, but largely vacant for the remainder of the day, with the exception of the employee parking. The retail store location will still have available parking and likely be busier in counter-peak times from the child care facility. That said, administration also reviews development applications for new buildings, not just on the current uses, but the range of potential uses that could be located within the building. Based on the active transportation strategy, introduction of Okotoks Transit and the pedestrian connections to this somewhat central site, a small parking variance is supported.

One commercial loading space is identified on the site plan. It is adequately screened from Riverside Gate and Northridge Drive to the west. As deliveries will not be significant in size given the proposed building uses, commercial loading is not expected to create undue congestion or parking lot maneuvering issues. The property owner is responsible to ensure safe loading operations on the site.

Three barrier-free parking spaces, conforming to minimum dimensions under the Alberta Building Code, are shown in close proximity to commercial building entrances. Freestanding barrier-free parking signage is a standard condition of approval.

Four Class 2 bicycle stalls are proposed on a concrete pad in alignment with the Land Use Bylaw.

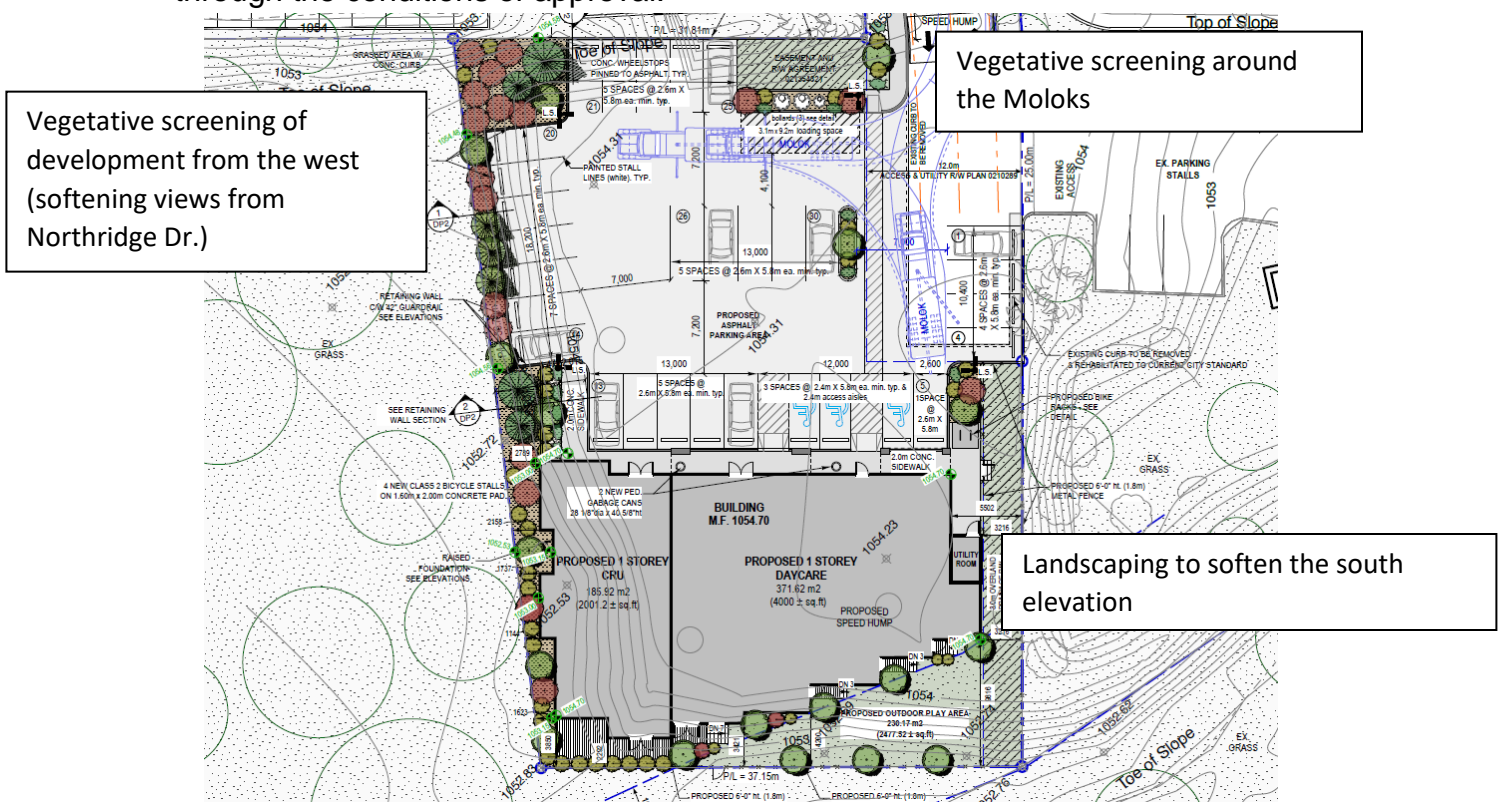
Fencing – The proposed fencing for this site is a permanent steel pipe guardrail frame. As a condition of approval, the fence and guardrail along the retaining wall will be required to be black powder-finish coating to aesthetically balance with the surrounding context.

Landscaping – A detailed Landscaping Plan prepared by a qualified Landscape Architect is a standard ‘prior to release’ condition of approval. Landscape drawings have been submitted and are under review. Revisions and/or additional information may be required prior to acceptance. The Landscape Plans, once accepted, will form a part of the Development Agreement with the Developer (owner).

The landscaping was designed in a way to align with the Sheep River Valley Management Plan in terms of effectively screening the development from the adjacent natural areas. The landscaping will provide screening and break up the façade of the long retaining wall that runs along the western edge of the site as well.

The total landscaped area, at 606.09m² / 21.8% of the site. The landscaping section of the Special Commercial District notes that landscaping should be concentrated near pedestrian areas such as sidewalks and entrances and include boulevard trees. The proposed design incorporates landscaping along the portion of sidewalk within the site and adjacent to the additional patio area at the front of the building – therefore aligning with the intent of this section of the Bylaw.

All of the detailed landscaping requirements of the Land Use Bylaw will be adhered to through the conditions of approval.



Waste and Recycling Facilities – Waste and recycling collection is intended to be by private contractor using Molok bins. The site plan shows a commercial enclosure on the north side of the lot. It will be screened on the west and east sides by landscaping. Additional landscaping on the rear of the enclosure is not possible due to an easement and right-of-way agreement. That said, the building behind the site further screens the Molok bins.

Floodplain Considerations – 55 Riverside Gate falls on the flood fringe section of the floodway mapping for the Town of Okotoks. The floodway also runs close to the border of the parcel on the southern edge. As per Section 9.11.0 Land Subject to Flooding of the Land Use Bylaw, the structure will be raised to the 1:100 year flood level. Further to this, the building and all electrical and mechanical equipment will be located a minimum of 0.5m above the 1:100 year flood level. The design flood elevations would be approximately 1054.23m at the west boundary of the property and 1054.07 along the east boundary of the property.

This information is based on the 2007 Okotoks flood risk mapping study. The new Sheep River Hazard Study is nearing completion, but any associated mapping is in draft form and not publicly available. At this time, the 2007 flood mapping continues to apply when reviewing development permits.



Orange – Flood Fringe

Blue – Flood Plain

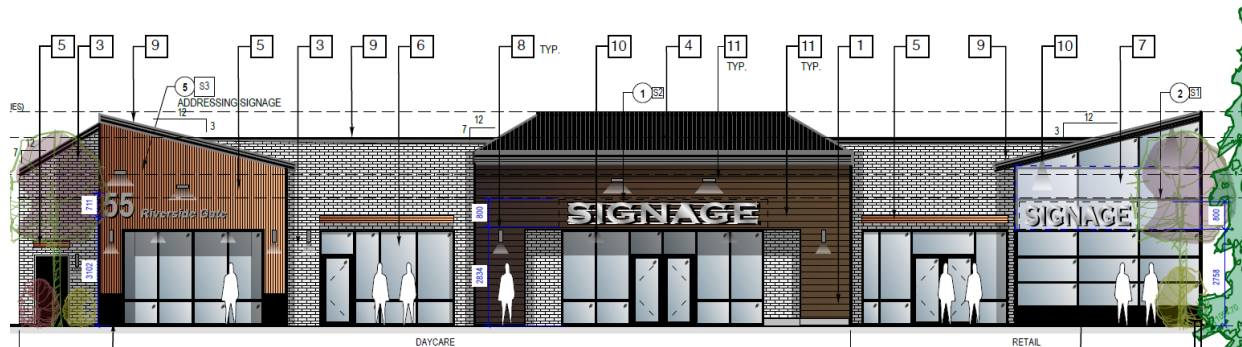
*As per 2007 Sheep River flood mapping

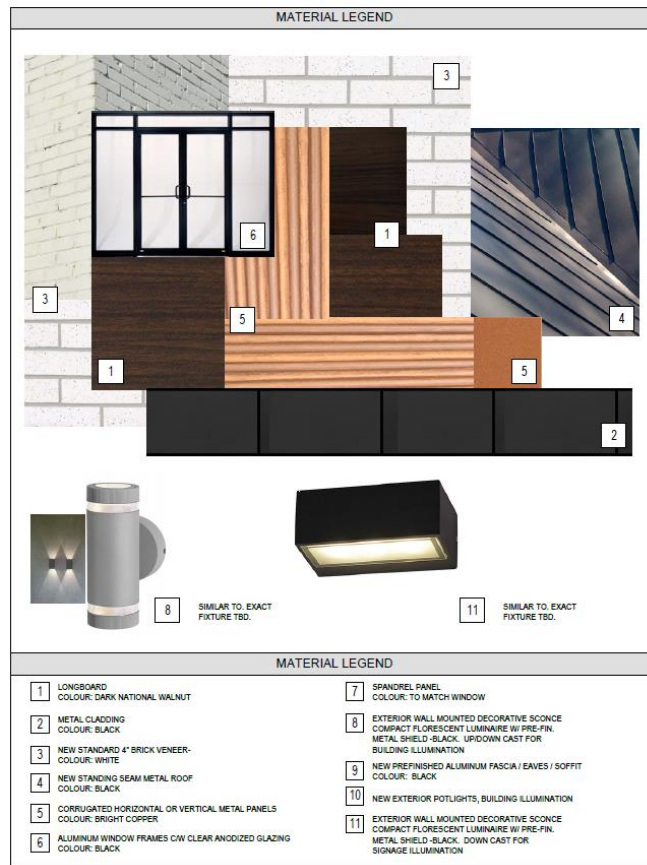
Building Exteriors – The proposed elevations align with the Land Use Bylaw’s building exteriors section of the Land Use Bylaw, the vision of the MDP and the guidelines of the Downtown Urban Design Master Plan. Exterior finishing materials include a dark walnut longboard, black metal cladding and white brick veneer. The roof is proposed to be a standing seam metal that is black in color.

The proposed designs provide elements common in Okotoks downtown in terms of the brick while also effectively blending wood elements onto the elevations to align with the context of the adjacent river valley. The building proposes substantial glazing along the main level to further connect the building with the exterior.

The Special Development Commercial District (CSD) notes that buildings should be small in scale to create an environment friendly for pedestrians and maintain a pattern of small lot development. If larger buildings are proposed, they should be designed to look like a series of smaller buildings. The proposed building does have a long façade, but it is broken up architecturally to create a varied front elevation that creates the impression of distinct internal business units.

The architectural guidelines on distinguished entrances, continuous large display windows with a greater vertical dimension and varied rooflines are also elements of this proposal that align with the CSD District which the DC notes should be followed.





Vehicular and Pedestrian Access – The proposed site plan provides for a pedestrian connection to be built connecting the site to Riverside Gate. This is beneficial in terms of aligning the development with higher level Town policies and the existing pedestrian network.

The site is also suitable for vehicular access for both patrons of the building and loading trucks and/or emergency vehicles.

Outdoor Lighting – A Site Lighting Plan prepared by a Qualified Lighting Consultant is a standard, ‘prior to release’ condition of approval. The Site Lighting Plan, once accepted, will form a part of the Development Agreement with the Developer. Lighting will be required to be dark sky compliant and minimize lighting spill effects on the river valley.

Child Care Facilities – The Child Care Facilities section of the Land Use Bylaw notes that the Development Authority take into consideration site design, proximity to parks, relationship with adjacent uses and availability of the site to accommodate an outdoor play area. The proposed development proposes a suitable outdoor play area that falls outside of the 10.0m buffer area from the floodway. The adjacent uses do not pose any conflicts with child care facilities and the proximity to an array of open space areas and natural amenities.

Signage & Addressing – Fascia signs are shown on the elevations for the commercial buildings. The CSD District notes that signage should be sensitive to the architecture of the building and be integrated into the façade. It notes that neon and fluorescent signage, plastic signs and freestanding signs are prohibited on this site. The proposed signage aligns with the requirements of the CSD District and the signage section of the Land Use Bylaw.

Signage is only proposed on the north (frontage) and east elevations of the building. The proposed fascia signage on the north frontage (two signs) covers 8.54% of the building façade which does not exceed the maximum requirements outlined in the Land Use Bylaw. The east elevation proposes a sign that covers 7.62% of the building façade. As per Administration’s request, there is no signage proposed on the west elevation to maintain the character of the river valley. All of the signage is non-illuminated and mounted directly on a flat panel frame to be mounted to the wall.

Addressing is also prominently displayed on the building frontage in a design consistent with the overall building architecture and other signage.

SIGNAGE CHART					
ELEVATION	SIGN NUMBER	SIGN TYPE (SEE FOR DIMENSIONS)	COPY AREA (sq.m)	AREA OF BUILDING FACE AT SIGN LOCATION (sq.m)	TOTAL % OF ELEVATION COVERED BY SIGNAGE
NORTH	①	S2	4.80	122.11	8.54%
	②	S1	2.72		
	⑤	S3	2.92		
WEST	REMOVED			REMOVED	
EAST	④	S2	4.80	62.95	7.62%

SIGNAGE TYPE		SCALE: 1:50
S1		QUANTITY: 2 SIZE: 3400mm x 800mm AREA: 2.72 sq.m.
S2		QUANTITY: 2 SIZE: 6000mm x 800mm AREA: 4.80 sq.m.
S3		QUANTITY: 1 SIZE: 3650mm x 800mm AREA: 2.92 sq.m.

SIGNAGE NOTES: DESIGNATED SIGNAGE AREAS AS PER DETAILS ABOVE, INDIVIDUAL CHANNEL CUT LETTERING, NON ILLUMINATED, MOUNTED DIRECTLY ON FLAT PANEL FRAME TO BE MOUNTED TO WALL. TYPICAL AT ALL SIGNAGE LOCATIONS. ALL FASTENERS & POWER SUPPLY TO BE CONCEALED.

Access – The site is accessible through a shared Access and Utility Right-of-Way. This is an existing driveway that provides access to 47 Riverside Gate (Revera Senior’s Living) and 51 Riverside Gate (Law Office). The proposed development will remove the existing curb on the western edge of this driveway and add an additional access from it.

Summary – In summary, this proposed development aligns with the high-level policies of Okotoks as well as the detailed regulations of the DC District, associated CSD District and general regulations of the Land Use Bylaw.

The proposal is a new building that respects the site context in terms of balancing its natural setting and adjacent ER parcels with the fact that it falls within the Downtown area. The architecture is pedestrian-scale, promotes visual interest and utilizes a range of materials that complement the surrounding area. The building utilizes a high degree of glazing along the façade on all sides and has a range of angles, materials and massing to further break up the building visually.

From a site design standpoint, the proposal incorporates pedestrian-friendly elements, connects to Riverside Gate and is designed for potential future uses that may choose to locate here. The landscaping effectively screens the development from adjacent views and helps to break up longer harder site details such as the retaining wall, parking lot and waste enclosure areas.

The location, being on the flood fringe, will require the building to be build to the Land use Bylaw’s section on land subject to flooding. Further to this, with the floodway running adjacent to the parcel, a 10.0m buffer will be required between any permanent development on the site and this floodway line.

Overall, this development will build upon the Town’s image in the downtown/river valley area, respect and consider its location on the flood fringe while furthering economic vitality for Okotoks.

Strategic Plan Goals

<input checked="" type="checkbox"/>	Manage Community Growth	<input type="checkbox"/>	Provide Strong Governance
<input checked="" type="checkbox"/>	Provide Quality Community Infrastructure	<input checked="" type="checkbox"/>	Healthy and Safe Community
<input type="checkbox"/>	Enhance Organizational Excellence	<input checked="" type="checkbox"/>	Foster Economic Vitality
		<input checked="" type="checkbox"/>	Promote Environmental Excellence

Public Hearing / Participation Strategy

As per the Direct Control (DC) District section of the Land Use Bylaw (Section 16E.3.2), a Public Hearing can be held at Council’s discretion. This Public Hearing is the extent of the public engagement for this development.

The Applicant did have discussions with the adjacent landowners that are a part of the shared access and utility R/W plan. They provided letters to the Town noting that the adjacent landowners had no concerns with the four proposed parking spaces located within the Access and Utility Right-of-Way Plan 0210289.

Alternatives for Consideration

If Council does not feel that the proposed development aligns with the Town's high-level policies and the Land Use Bylaw, they have the option to refuse the development permit. As it is proposed in a DC District, there is no appeal opportunity for the Applicant or affected parties.

CAO Comments

Attachment(s)

1. DPA 164-19 Proposed Site Plan, Floor Plan & Elevations
2. DPA 164-19 Site Details Sheet
3. LUB Section 14E: Special Development Commercial District (CSD)
4. LUB Section 16E: 55 Riverside Gate DC District

Prepared by:
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Development Planner
March 11, 2020