

Town of Okotoks LUB ReWrite: Engagement What We Heard Report - Phase 2

February 12, 2021

For: Town of Okotoks

Delivered By: Intelligent Futures and
Plateia Planning

1.0 INTRODUCTION

The Town of Okotoks strives to create a culture of resilience and offer exceptional quality to their residents in every stage of life. To be such a place, the Land Use Bylaw is being updated to respond to current and future needs of Okotoks including policy direction from planning documents such as the Municipal Development Plan (MDP). The Land Use Bylaw regulates the use and development of land and buildings within the Town of Okotoks, and acts as the guiding document for Council and staff when making decisions in order to carry out the holistic vision and overall growth and development of the Town.

To ensure the Land Use Bylaw lines up with the needs and visions of Okotoks residents, a two-phase engagement process was used to engage with the community directly.

Timeline



The engagement process enabled different conversations across varying levels of stakeholder interest, all with the intent of obtaining insights into what kind of community locals want to have. As the Land Use Bylaw is seen as a highly specific and technical document, an element of education was used to ensure that participants learn about the relevant issues to give informed responses.

The first phase of engagement was held in January and February 2020, followed by the creation of the Draft Bylaw. The following report highlights what we did in the second phase of engagement, held in November and December of 2020, and what we heard from participants about the proposed bylaw.

2.0 WHAT WE DID

From November 17 to December 8, 2020 the Okotoks Land Use Bylaw Re-Write project received insights and feedback from 91 residents and targeted stakeholders. The engagement process was implemented to gather input on the Draft Land Use Bylaw and to highlight major shifts and changes in regulating development. The engagement process used three distinct tactics for connecting with its audience, these included: an online survey, a community webinar and targeted stakeholder meetings.

The online survey provided 24/7 opportunities for community members to share their thoughts on the Land Use Bylaw through a more detailed series of closed and open-ended questions. The webinar sought to provide more depth of each draft section of the document and explore community insights using an interactive Q&A format. Finally, Town staff hosted stakeholder and one-on-one meetings with targeted groups including businesses, local committees, builders and developers.

Engagement opportunities were communicated using the following:

- The Town's website
- Direct invitations to key stakeholders
- Social media posts and advertisements
- Community panel email list

2.1 Online Survey

Between November 17 and December 8, 2020 the online survey received 65 responses. The survey was designed to share key changes to the Draft Land-Use Bylaw and seek community insights and feedback on what is being proposed.

2.2 Webinar

Using Zoom, the LUB Re-Write team delivered a webinar-style presentation on the updated Bylaw. This session was used to highlight the key sections and major shifts or changes to the Bylaw and was attended by 5 community residents.. The presentation was followed up with an open Q&A session whereby participants could ask questions or provide comments.

2.3 Key Stakeholder Meetings

The Town also sought feedback on the draft document from 68 targeted stakeholders. Invitations were sent broadly to local organizations and businesses and staff made themselves available to discuss the bylaw one-on-one by request. Groups that took staff up on these conversations include:

Stakeholder	No. of Attendees
Urban Deer Task Force	7
Industry Round Table Follow-up: Home Occupations	5
River District Business Association	8
Industry Round Table Follow-up: Developers, Construction, Realtors	8
Okotoks Entrepreneurial Ecosystem	6
Industry Round Table Follow-up: All other businesses (i.e., retail, restaurants, service)	7
Okotoks Chamber of Commerce	10
Development Industry Session	12
Development Industry Sub-Working Group	12

3.0 WHAT WE HEARD

The following section shares the questions that were asked as part of the community engagement process as well as what was heard from participants in response to these prompts.

3.1 Online Survey Responses

Using the Town's engagement platform the LUB Re-Write team was able to gather feedback on core changes to the Bylaw. When asked to identify the categories that best describes the participant's housing status in Okotoks, 80% responded to one of the following:

- I am a community member living in a different neighbourhood in Okotoks
- I am an Okotoks community member living downtown

These residents were invited to provide their insights and comments on six distinct sections of the updated Bylaw, these were:

- Open Space
- Transportation

- Local Employment
- Housing
- Districts and Uses
- A More Streamlined Bylaw

For each section there was a written explanation of the changes made and the feedback we heard from folks in our first engagement phase (held in January and February 2020). The changes were also described by team members in video format, providing visual and audio aid to articulating some of the less straightforward terminology.

Each section asked two or three closed ended question that sought to understand to what degree respondents support the specified changes to the Bylaw. There was also a comment area at the end of each categorical section. The results for each are further described under their section header below.

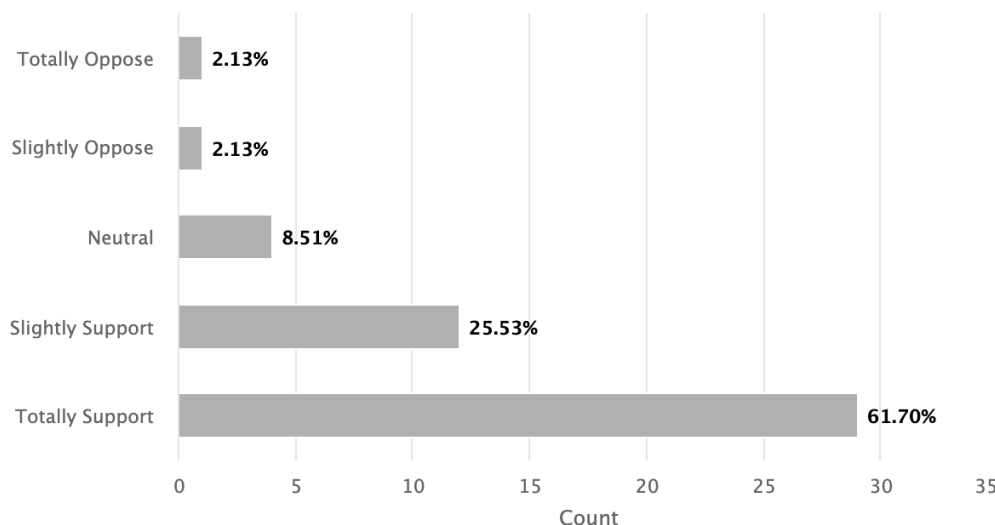
Open Space

The addition of two open space districts 1. the Natural Areas District will protect natural spaces with opportunities for passive recreation such as pathways and natural areas 2. the Recreation & Open Space District will allow for more active forms of recreation such as parks, playgrounds, sports fields, and indoor recreation facilities.

Please indicate to what degree you support the following changes to the Bylaw:

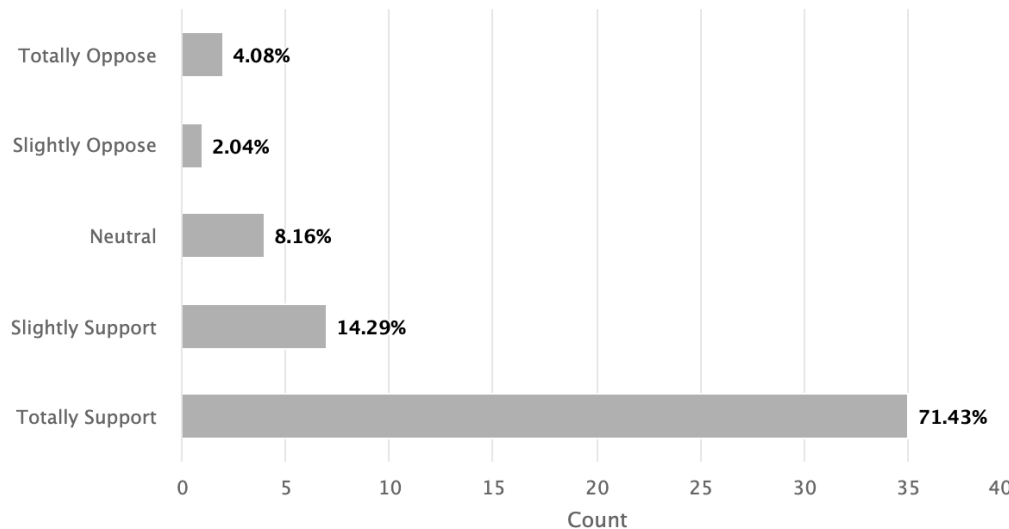
1. Recreation & Open Space District approach for active recreation opportunities.

The majority of respondents showed support for this District with over 87% either 'slightly' or 'totally' supporting the move, 61% of whom said they 'Totally Support' it



2. The Natural Areas District approach to preserving and protecting natural areas.

Nearly 86% of respondents support the Natural Areas District change, with over 70% indicating they 'Totally Support' the move. Receiving more 'Totally Support' responses than any other move.



Comments on Open Space

The major message from folks commenting on the shifts to open space was that that these areas must continue to be preserved and not considered for development. Additionally, we heard that it's important for natural areas to be groomed to a degree that allows for regular use by residents. Other comments heard about open space can be seen below.

- Natural Areas still need to be available as a community amenity, which means they need some form of maintenance or grooming, and shouldn't be abandoned to nature. Keeping these areas maintained keeps them used by and valuable to the community so reducing the risk of them being considered available for alternative use due to their being under-utilized
- If we can control the deer to stop destroying trees in natural areas that would be helpful. So many trees are destroyed in river valley (and yards) from them eating
- It seems the definition of Environmental Reserve has become 'total abandonment'. The new Waller Reserve area is a disgrace, managed by the beaver and deer.
- It is critically important that the river and escarpments are preserved and set aside from development.
- As the town grows, these lands should not be able to be converted to business or retail development.

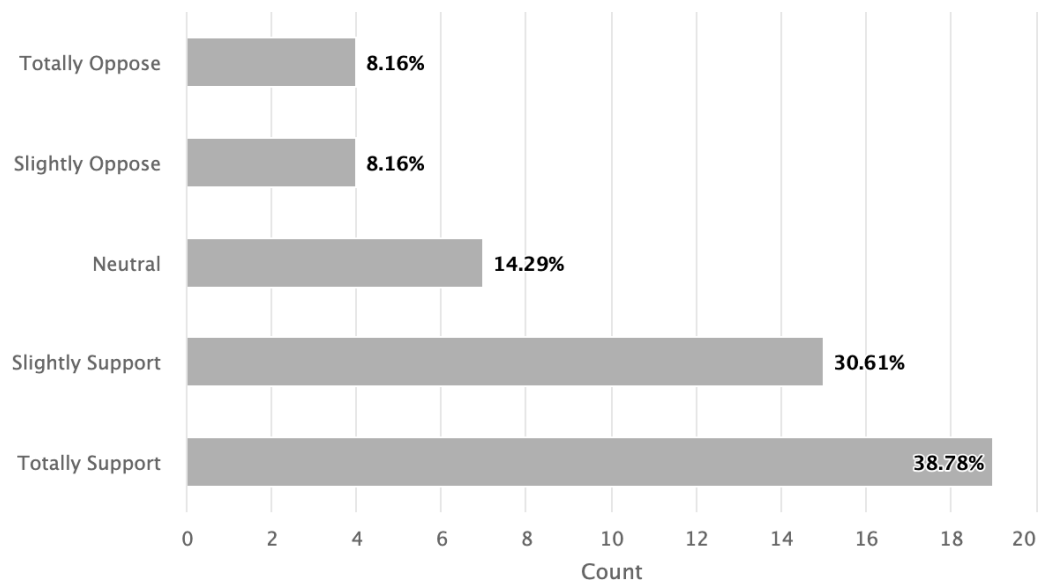
Transportation

The Draft Land Use Bylaw has shifted the focus on transportation to a variety of modes rather than just driving. Parking is still included, but instead of traditional parking minimums, this draft includes parking maximums. This means that instead of a set minimum number of stalls, businesses have more flexibility to share parking spaces, to provide bicycle parking, and to use the space they have to consider a variety of ways to get to their business.

Please indicate to what degree you support the following changes to the Bylaw:

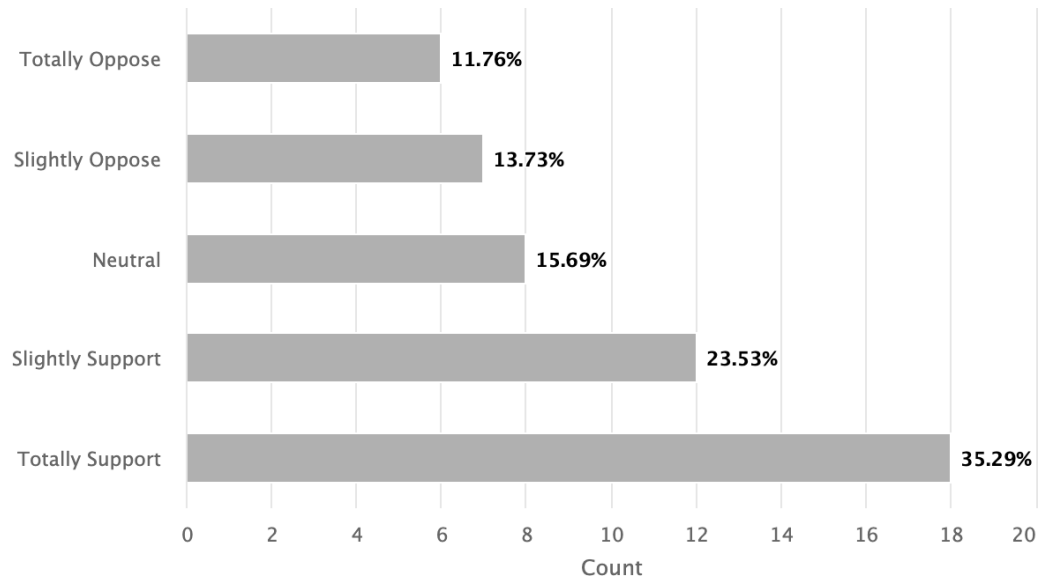
1. Adding pedestrian and cycling connections in Okotoks.

Nearly 70% of respondents chose either 'Slightly Support' or 'Totally Support' when referring to pedestrian and cycling connections. Meanwhile about 16% opposed the move, with 14% indicating they are 'Neutral' with the decision.



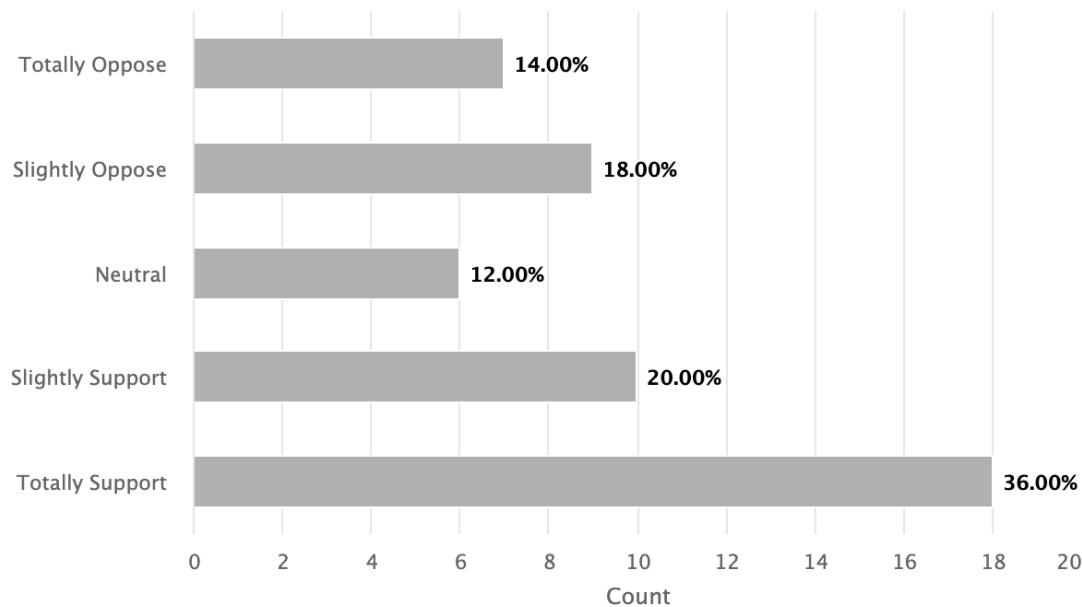
2. Adding pedestrian design standards to parking lots.

Nearly 60% indicated support for the move, while over a quarter of all respondents were in opposition.



3. Removing parking minimums and adding parking maximums

While 56% of respondents say they support the addition of parking maximums, with 36% of whom 'Totally Support' the change. There were 32% in opposition to this move.



Comments on Transportation

The feedback folks provide on transportation changes were mainly in support of the shifts. The most common thoughts related to transportation were about balancing active modes infrastructure with the realities of being in a winter climate. Other issues included the lack of parking for new downtown developments and the risk of no parking minimums resulting in egregious under supply. See more below.

- We need to remember that we live in an environment where walking or even biking is not a reasonable option during at least 2-3 months of the year and therefore some parking for commercial development needs to be considered
- I like more options for pedestrians and bicycles but don't forget we live in a winter climate and cars are not going away tomorrow - it is all about change and balance
- The thing that keeps getting missed is that our town is not and can not be set up for people walking and cycling to work. There's ample parking in the commercial district in the south of town. The main issue is downtown parking. There's a new, large building that is going to have three floors of staff and not enough parking for one floor of the staff. There's a high school in that building and no accommodation for the students who will drive from outside of town (no bussing for most of these students). I can see the town built a beautiful new parking lot for themselves, but it won't be enough. The high school and CTR board staff alone make up at least 36 people. Do we honestly believe that they will all walk or cycle to work?!
- I like having parking maximums but having no parking minimums seems risky. A building built for one purpose may require very little parking so the market dictates it wouldn't need any parking and none would be supplied. That is fine but in the future when the building purpose changes the market may dictate the need for more parking and it is too late then. I'd be in favour of having a smaller parking minimum but no parking minimum seems like it is going a bit too far.
- It would be wonderful to be able to walk and/or cycle everywhere. However, we live in a winter country, walking and biking except for the very committed/foolhardy is not an option.
- Not totally sure what pedestrian design standards to parking lots means. If you are talking about new community retail areas within walking or bicycling distance I somewhat agree. As the town is now you have to drive a vehicle to shop. If you want to encourage bicycle traffic two things have to change. On-street parking has to be eliminated and the current bylaw allowing cycling on sidewalks has to change. You cannot mix bicycles and pedestrians on standard sidewalks. However, come winter there are few cyclists and pedestrians.
- The emphasis on bicycle use is I think overrated, particularly in winter, although it does encourage healthy activity
- Expanding the pathways and supporting pedestrian friendly infrastructure is a good idea

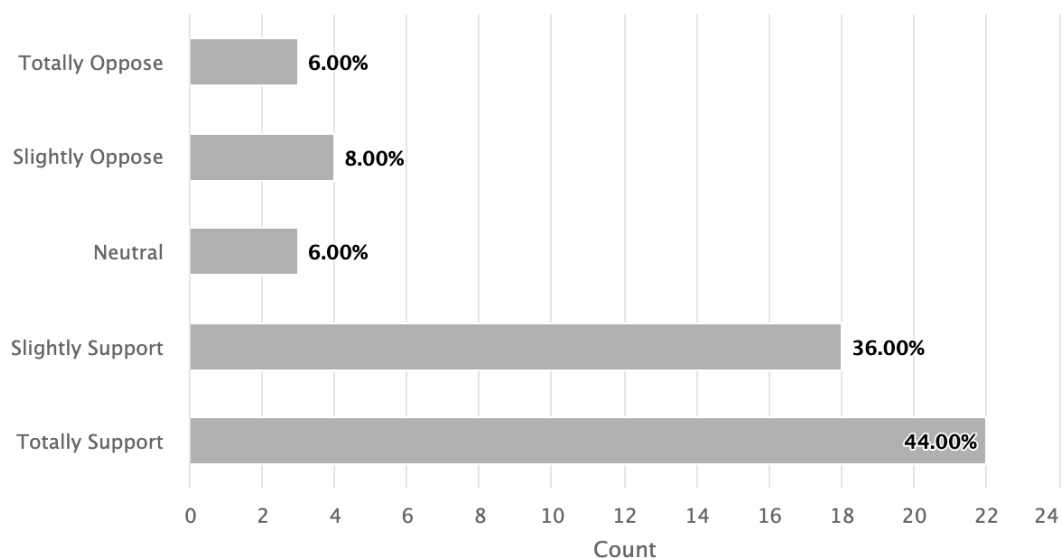
Local Employment

To support local employment opportunities is to support local business development. As we saw with the Districts and Uses, various business-related uses have been simplified and streamlined. Adding of 'missing middle' building options means allowing for small and medium-sized commercial developments to better suit unique neighbourhood context. The draft land use bylaw has also supports local employment by simplifying home occupation regulations.

Please indicate to what degree you support the following changes to the Bylaw:

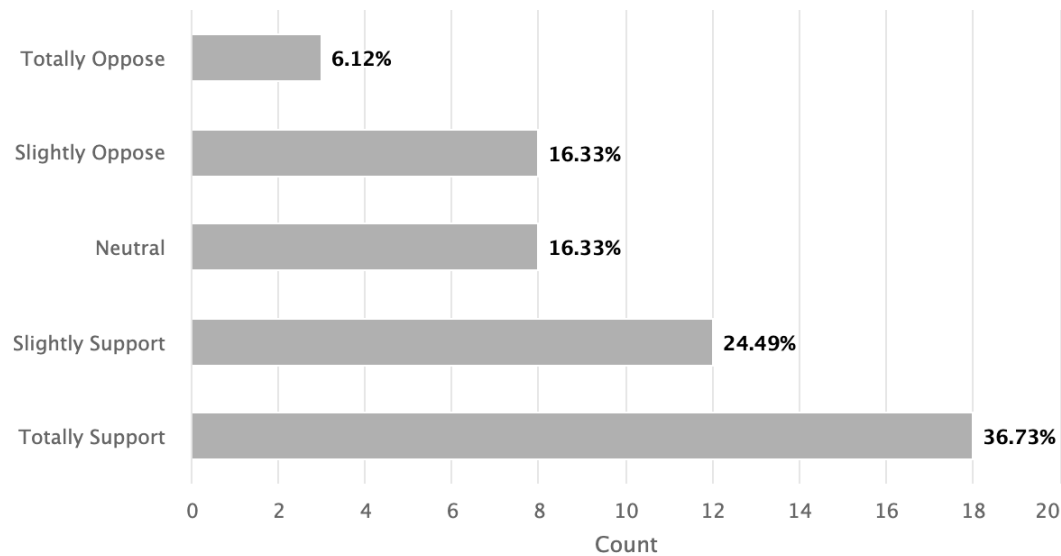
1. Allowing for small and medium-sized commercial buildings in more districts.

Support for these commercial building types was 80% with more than half of those selecting 'Totally Support'.



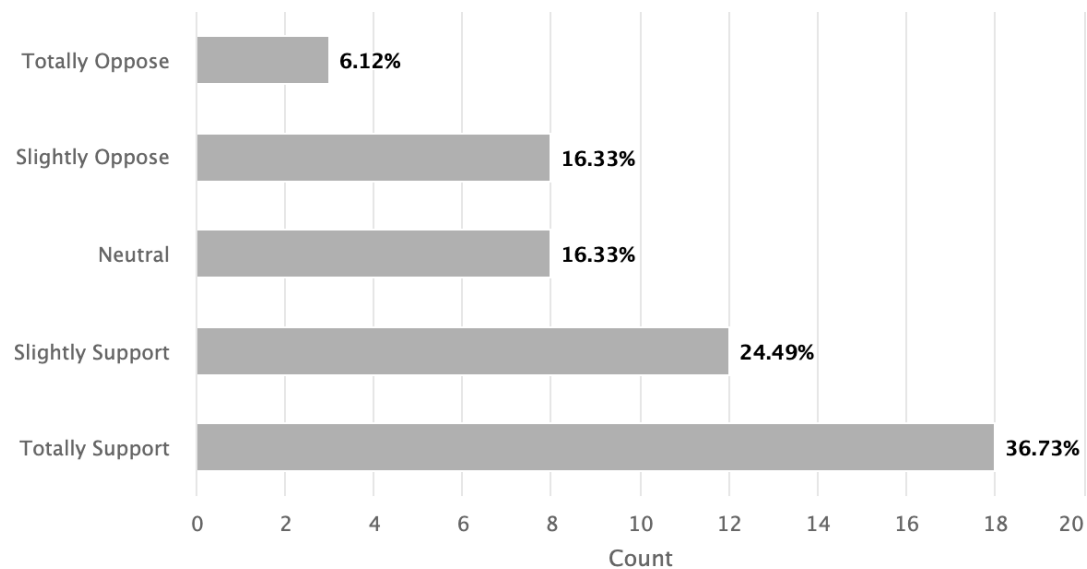
2. Minimizing regulations to establish a home occupation business.

Over 60% of respondents support the regulation changes for home businesses, while 22% oppose it.



3. Simplifying sign standards and processes.

About three-quarters of respondents either 'Slightly Support' or 'Totally Support' this change, while 24% felt neutral on this.



Comments on Local Employment

The major concerns to surface around local employment were parking and material storage. This pertained specifically to home-based occupations. Being clear about what type of business can happen in residential neighbourhoods is paramount. We also heard that the new draft puts more restrictions on home based business as explained below:

- The new draft puts additional and more restrictive requirements on Home occupancy than currently exist. This will complicate enforcement and consistency. Some districts can handle the current regulations while others cannot. HO both minor and major should be considered on a district to district basis. What works in the downtown or where there are larger lots and therefore parking may not work for detached or high density neighbourhoods.
- I like enabling more home based businesses and removing the red tape ... but also ensure that the homes beside the businesses are not unfairly compromised. So if parking is increased and the homeowner cannot park in front of their own house, we have gone too far.
- In a residential neighbourhood parking is always a problem, having additional parking spaces in the rear or off site doesn't solved the problem if visitors continue to park in front of a neighbouring house. Many conflicts occur because of parking. For example if it is legal to park in front of my house then I will make complaints about bylaw offences, eg ice or snow of the sidewalk, a barking dog, or a number of other offences. If it is not in the land use bylaw, it should be an offence to park on the landscaping. The car dealership along Southridge drive are constantly parking on the landscaping.
- Covid-19 has accelerated the trend of working from home so the Bylaw should anticipate this and allow for it. Increased flexibility is good in general.
- If home based business includes storage of materials/client meetings the problems are just beginning.
- Sounds like the town wanting to bolster more taxes by increasing condensed properties. I do not want to see apartments or condos in my neighborhood. Keep high density neighborhoods out of Okotoks.
- My concern would be how to reliably control what is considered a home occupation business. For example, I would rather not have a home-based mechanics shop or a home-based roofing company next door with the possibility of excessive noise or stacks of material piled around the property. I'm sure that there are more examples that could flow from the public.

Housing

In the proposed Land Use Bylaw residential districts are more enabled to allow a variety of housing forms on the same street. For example, duplexes and single detached houses could be built next door to each other. The Draft Bylaw is focused on the location, appearance, and shape of buildings rather than how they are used. Maximum density requirements and design standards have been added for clarity and alignment with the Municipal Development Plan. The two proposed housing districts are: 1. Traditional Neighbourhood District and 2. Neighbourhood Core District.

The Traditional Neighbourhood District is intended for single-detached and semi-attached housing types. Suites are allowed where the parcel is large enough or has additional accesses, such as from a rear lane.

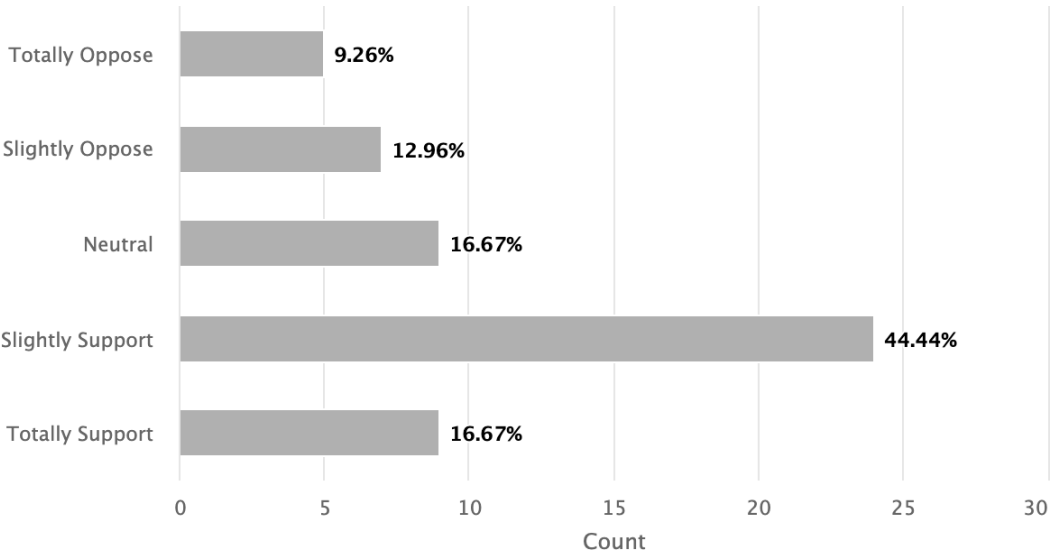
The Neighbourhood Core District is intended for attached housing, either attached in a row or vertically, such as apartment buildings. Opportunities for at-grade retail or commercial are also included for areas where this mix of uses is appropriate, as determined in a Neighbourhood Structure Plan or similar plan.

Both of the districts allow for more sustainable building forms and technologies such as solar or shared yards.

Please indicate to what degree you support the following changes to the Bylaw:

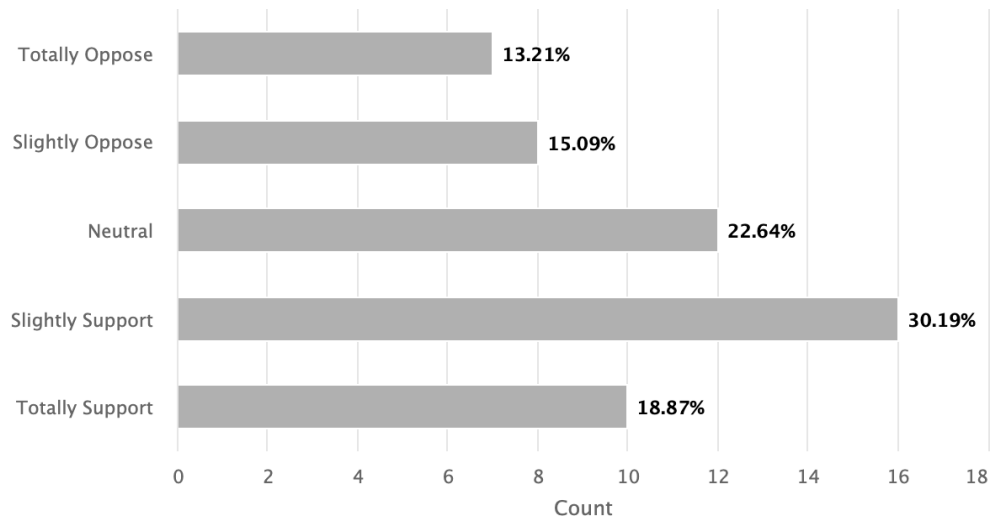
1. *A variety of housing opportunities in the Neighbourhood Core District*

Nearly half of respondents ‘Slightly Support’ the change, with another 16% saying they ‘Totally Support’ the shift. About 20% were in opposition.



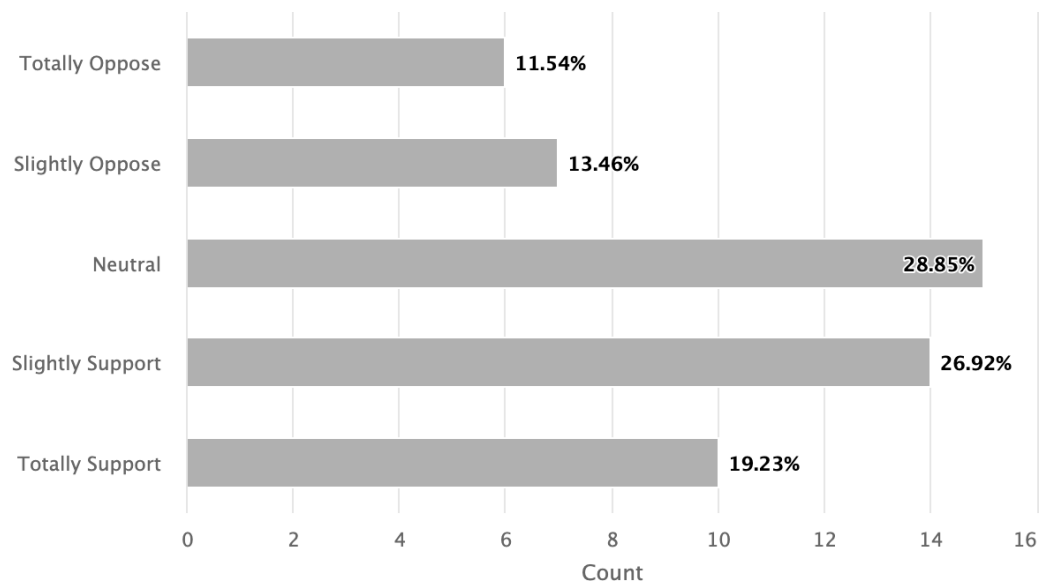
2. A variety of housing opportunities in the Traditional Neighbourhood District

Just under half the respondents were in support of the change to housing in Traditional Neighbourhoods, while 28% oppose the change.



3. Consolidating the residential districts from 12 districts to 2.

The consolidation of districts was seen as 'Neutral' by more than one-quarter of respondents, while almost half support it and another quarter are opposed to it.



Comments on Housing

The feedback on housing mostly surrounded the support for mixed housing options and folks looking forward to seeing a wider variety of home sizes and styles in new communities. One respondent did caveat their support for mixing with the anticipation that a smooth transition between different housing types is applied. All comments about housing are captured here:

- A variety of housing options is important, as is variety in architectural style. Older neighbourhoods have variety, newer subdivisions are homogenous, dull, unattractive and most seem to be designed in a way that doesn't meet the proposed bylaw requirements
- I like variety of housing in neighbourhoods; just being careful with transitions and allowing infills that match so as not to destroy neighbourhood value
- Fully support the variety of housing choices.
- Getting older and required to drive to most location, means that if there isn't significant parking, we just wouldn't shop there.
- Flexibility of housing choices is a worthy goal. I like the direction this is pointing Okotoks.
- I support a housing mix. However new developments should be required to supply off-street parking. Housing density should also increase. Existing green spaces should be maintained
- Never did like the monotone, earthtone, architecturally dictated subdivisions

Districts and Uses

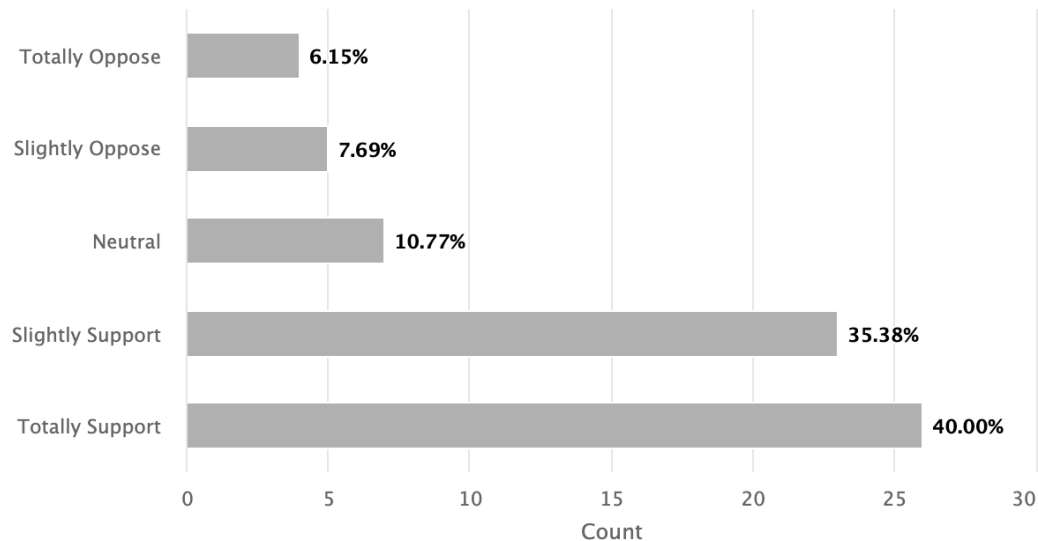
In the proposed Land Use Bylaw residential areas would remain primarily residential with a wider variety of housing options and some small scale commercial, such as corner stores. Commercial and industrial areas would be more responsive to the changing market, which would allow the Town to be more competitive overall to business development. Simplifying the districts and uses also makes the land use bylaw more usable as anyone can see what is allowed and not allowed and can better understand how a proposed change fits into the rules.

The uses for the districts fall within three categories: uses that are allowed, not allowed, or possibly allowed with conditions. In the draft land use bylaw, the proposed uses, or activities, have been simplified in one table.

Please indicate to what degree you support the following changes to the bylaw:

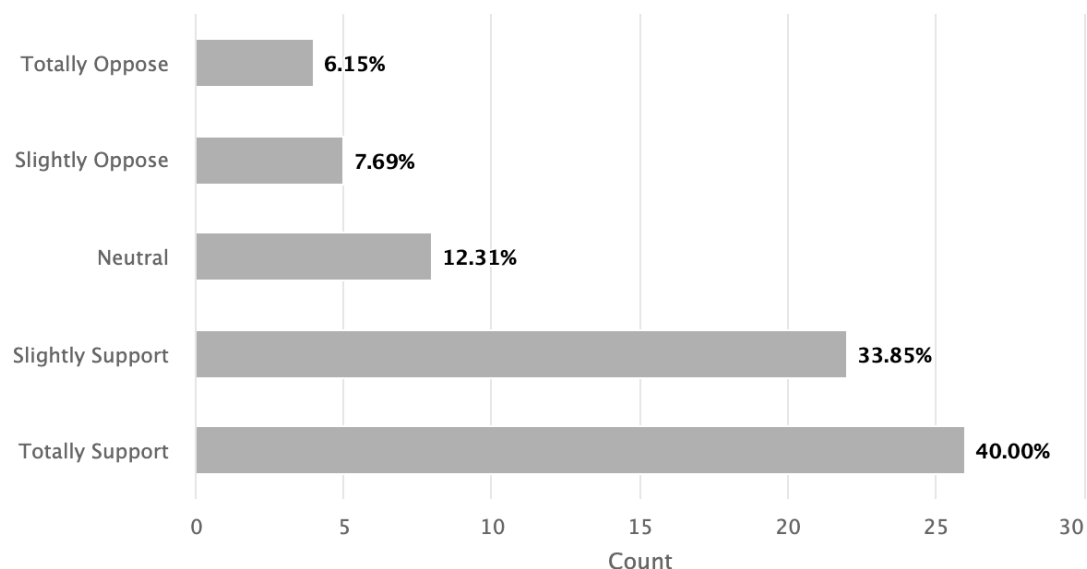
1. Having fewer districts that allow for a greater variety of activities within walking distance.

There was support from 75% of respondents and opposition from about 14%, while 11% felt neutral about the change.



2. More opportunity for a greater variety of businesses in the same district.

About three-quarters of respondents indicated support for increasing the variety of businesses that can operate in the same district. There were about 14% of respondents who opposed the move, while 12% say they are 'Neutral'.



Comments on Districts and Uses

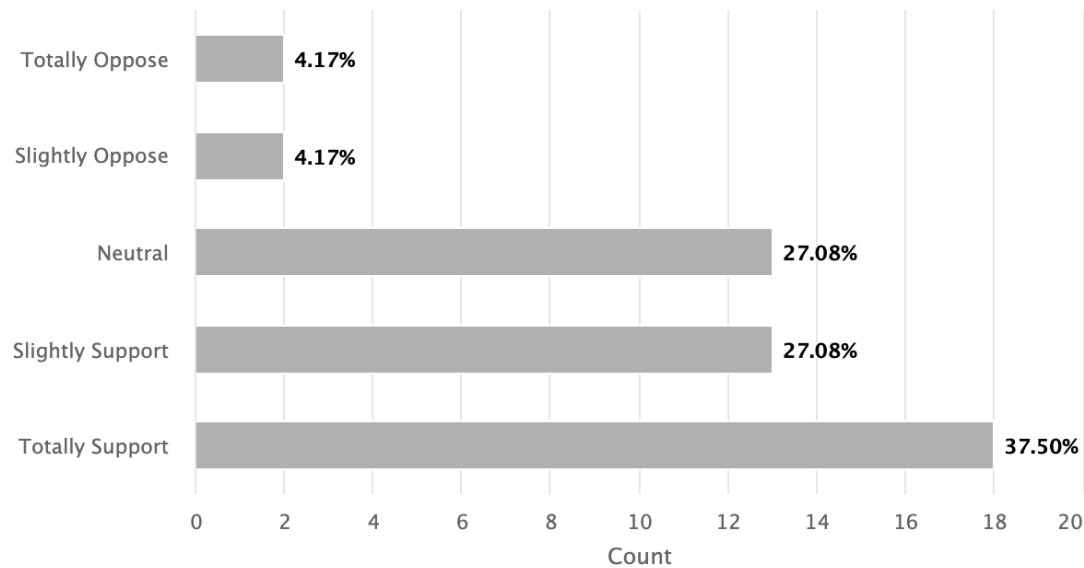
The tone of most comments were positive and in support of the change. Suggestions to tweaking the approach included reducing the number of districts with more mixed uses, allowing commercial uses to be on small parcels and more explicit protection of parks and open spaces among other things. For the full list of comments see the list below.

- Work to combine more districts as true Multi use to encourage development of combined commercial and residential uses, while not giving up on true residential districts. Allowing business owners the flexibility of living close to their work.
- Allowing more uses in the residential district may sound nice until your neighbour creates a suite or two, or starts up a business. These uses are permitted but will have an impact on the neighbourhood feel and aesthetic, which affects home value. Why not force subdivision developers to create / identify small retail pockets within a neighbourhood so that home buyers know what they're getting into from the beginning. Allowing these types of changes in established neighbourhoods will be challenging.
- Self sustaining areas are good.
- Smaller. Commercial lots. For. Purchase
- We need to protect the green spaces it's one thing we have that a lot of bedroom communities in Calgary don't.
- As long as you don't allow a sex shop, vape or cannabis shop next to a preschool or daycare
- Ensure parks and greenspace areas stay at current levels and cannot be re-zoned for retail / business development.
- I would to see some smaller commercial lots made available for purchase so business people can own their property without it having to be a condo
- Parks & greenspace not allowed to be re-zoned for retail or business development.
- Could you please elaborate on the Natural Area's District Mix of Uses: "Minimal development may occur in a few areas that have historical consideration for single detached dwellings or home occupations.". How is historical consideration defined? Can you provide examples of where development could occur, and what it would look like.
- I mentioned in the Q and A on November 17 that I have a fairly self-serving question about temporary structures and the potential to adjust the by-law to allow for some structures to remain in place for longer periods of time - if they meet certain criteria. Specifically, the temporary gymnasium at Ecole Good Shepherd School has proven to be an excellent resource. Maintaining its presence might be a great use of public funds, as it was an expensive (albeit temporary) fix for a significant problem. We really appreciate the flexibility and support that the town has afforded us throughout this challenge - thank you.

A More Streamlined Bylaw

1. *The rewrite of the bylaw has made it more user friendly and easier to understand.*

The majority of respondents showed support with 65% either 'slightly' or 'totally' supporting the move. 27% say they feel 'Neutral' about it while 8% were in opposition to simplifying things.



Comments on A More Streamlined Bylaw

Most of the feedback reinforced the support for this change. Folks understand the value in being useful to a wide audience. There was one comment in regard to the land use maps and the desire for them to accommodate colour blind users. Another respondents suggested a 'cheat sheet' for non-professionals to more quickly gauge whether what they've set out to do is viable.

- It's not colour blind accessible. The maps need numbers or letter to make them easier to recognize them.
- Needs to be tested in practice. It's not the theory but the execution that determines how successful it will be and whether developers embrace the changes.
- Simple is almost always better. Over regulation makes it too hard for non-professionals to interpret the rules which increases costs for everyone. Simple and flexible is a good goal and I like that this Land Use Bylaw rewrite seems to be prioritizing these principles.
- Plain language is important for ease of understanding
- Having worked in the existing LUB and now starting to digest this draft, it is absolutely more user friendly and easier to understand, however it still requires a better than basic understanding of land use in order to properly navigate without outside help. The town should consider a "cheat" sheet or checklist for non-professionals looking to navigate what can and cannot be accommodated based on where they are.

3.2 Virtual Webinar

Using Zoom, the LUB Re-Write team delivered a webinar-style presentation on the updated Bylaw. This session was used to highlight the key sections and major shifts or changes to the Bylaw. The presentation was followed up with an open Q&A session whereby participants could ask questions or provide comments. The two questions asked of the team were:

- Please elaboration on what else has been removed from the initial list of 30 districts and what the rationale is for that shift
- How might temporary structures fit into the Bylaw and is there potential for the Bylaw to address these and possibly include them for longer term use

3.3 Key Stakeholder Interviews

In addition to the public survey the Town held several meetings with various business, development and building stakeholders groups to review the draft land use bylaw. Following these meetings, detailed technical comments were submitted by some of the stakeholders which are included as an Appendix to this document. The following represents a summary of the key themes that was heard through these meetings and the detailed comments submitted:

Overall

- The overall reduction in land use districts and simplification of uses is supported
- This new land use bylaw seems to be make steps towards reducing barriers to business and is a positive step in the right direction
- Affordability is key and the regulations of the land use bylaw must ensure that Okotoks remains competitive with what is offered throughout the Calgary region
- There is a desire for fence standards and provisions in the land use bylaw to be reviewed through the lens of deer management
- There are a lot of detailed design requirements in the draft that may not be challenging to regulate through the land use bylaw, in particular for permitted uses that do not require a development permit

Lot and Building Design

- There are too many details within the bylaw that regulate the built form of structures
- Minimum lot widths for single detached front drive garage are too wide and are not in line with what is offered in other municipalities throughout the region.
- Frontage standard measurements for front garage, specifically the maximum projection of the garage from the front entrance results in a long and narrow unusable foyer space
- Four sided design requirements is excessive for interior lots as it increases costs and impacts affordability

- The mixing of commercial and residential uses in districts may cause confusion when working within the frontage standards, particularly in the residential focused districts

Residential Landscaping Requirements

- Landscaping standards in private frontages for lower density housing forms adds costs and is difficult to enforce when a development permit is not required
- Other challenges with requiring landscaping in private frontages include conflicts with shallow utilities and residents not wanting landscaping in their front yard

Parking Standards

- Support for removing parking minimums is mixed.
- Though some stakeholders supported the removal of parking minimums and allowing site developers to determine appropriate parking, others felt that completely removing parking minimums may be going too far

Non-Residential

- When developing commercial lands the focus is on the needs of the customer, convenience and the direct customer experience and the bylaw should be flexible enough to accommodate this
- Okotoks is a secondary market which can make it challenging to secure tenants and compete with primary markets such as Calgary
- Residential and commercial mixed-use developments, in a vertical form, are challenging to develop in secondary markets as there is little demand for this product, the costs are higher, and there are challenges associated with conflicts between the 2 uses
- Overall, the greater flexibility and simpler standards in commercial and industrial areas is supported as it results in less confusion

4.0 NEXT STEPS

Based on the results of the feedback, the Bylaw team, including Town staff, will revise the draft Bylaw to reflect the major issues and insights that were raised by the community. Following the final revisions to the Bylaw a final What We Heard Report will close the loop with residents and stakeholders on what we heard and how it was used or not used in establishing the final Bylaw.

Appendix A: Land Use Bylaw Re-write Phase 2 Engagement

1.1 Stakeholder Group Meetings

In November and December 2020, Town staff met with a number of key stakeholder groups. These virtual meetings introduced the draft land use bylaw and provided an opportunity for discussion and feedback. The following is a summary of the comments received from various stakeholder groups on the draft land use bylaw.

Urban Deer Task Force November 12, 2020 [Presentation at regular meeting of the Urban Deer Task Force as part of discussion on fencing requirements]
<ul style="list-style-type: none">• Desire for fence standards and provisions in the LUB to reviewed through the lens of deer management.• Additional recommendations around fencing will be provided by the Task Force as part of their mandate
Home Occupations Roundtable November 17, 2020 [Special meeting for operators of home based businesses – 5 Attendees]
<ul style="list-style-type: none">• Desire for additional signage opportunities for home occupations
River District Business Association November 18, 2020 [Presentation at regular meeting of RDBA]
<ul style="list-style-type: none">• Concern over the removal of parking minimums coupled with the desire to increase activity in the Downtown will put additional strain on available parking.• Cycling and walking is not an option for all persons that visit the Downtown, such as those that live in surrounding communities• More businesses = more employees = more parking need• There should be further discussion of a public parking lot or structure and enhanced transit opportunities, especially for large events that frequently occur in the Downtown
Developers, Construction and Realtors Roundtable November 18, 2020 [Special meeting for developers, construction industry, and realtors – 8 Attendees]
<ul style="list-style-type: none">• How feasible is it to have services and daily needs within walking distance of residents and what is meant by ‘walking distance’?<ul style="list-style-type: none">◦ Walking distance is typically defined as a 5-10 minute walk◦ This question was asked in previous engagement to get a sense if it was reasonable to allow some non-residential uses within a neighbourhood context• What is the intended footprint of a neighbourhood scale commercial development?<ul style="list-style-type: none">◦ Within the proposed standards of the Traditional Neighbourhood District this type of development is intended to be located on a corner site with a building footprint no larger than 275m²• Like the approach of focusing on aesthetics rather than rigid uses• The images in the bylaw show higher densities. Parking and water are always the key challenge.

- Can we move towards higher densities without having the water issue addressed?
 - The new land use bylaw includes provisions where any development would be subject to the Town's current water allocation policy
- The way roof height is currently measured under the existing land use bylaw makes it almost impossible to construct a two-storey house without requiring a variance as it doesn't fully account for roof pitch. Can the calculation of roof height be modified to either follow the slope of the land or increase the overall maximum building height
 - In the draft the measurement of height is calculated based on the average grade of the site; however the actual height is measured from grade to each which allows more flexibility to accommodate varying roof pitches
- Under the current land use bylaw it is sometimes challenging to build a house that meets both the minimum land use bylaw requirement and architectural controls for the area
- The draft land use bylaw and discussion today seems to emphasize a move toward more rear lanes; however from a cost standpoint this is sometimes a challenge
- There are some concerns from developers over the prescriptive nature of the draft land use bylaw
- Appreciate the overall reduction in the amount of uses with the draft
- Must be careful about being too prescriptive. The number one concern from businesses since COVID is safety
- The direction in the Municipal Development Plan to preclude drive-thru's is a serious issue when commercial tenants are trying to manage safety.
- Commercial businesses need a high degree of flexibility to adapt to changing conditions
- Mixed use development is important. Are we talking about horizontal mixed-use or multi-storey mixed use?
 - The bylaw has been written to be flexible and include both options within the context and standards of the relevant land use district
- There has been a lot of interest for automotive related uses lately
- Comment that lease rates are both higher and lower than lease rates in Calgary
- In light of more people working from home the trend is moving towards people looking for residences that that allow more room, and more space for a backyard. The demand experienced in Calgary has been focused on smaller single-family townhomes vs. apartment style dwellings.
- Will the shift towards higher densities outlined in the Municipal Development Plan impact the ability to adapt to market demands and perhaps build smaller scale attached homes such as townhomes instead of apartment style units?

Okotoks Environmental Ecosystem

November 19, 2020

[Presentation at regular meeting of OEE – 6 Attendees]

- Is there another municipality that this new land use bylaw has been modeled after?
 - The new land use bylaw follows a form-based code approach which is relatively new in the Alberta context. High River and Beaumont have adopted a similar approach to regulating land use
- Will the new land use bylaw impact existing businesses by disallowing them to continue in their existing location?
 - Existing approvals under the current land use bylaw would remain
 - The overall intent with the new land use bylaw is to be more inclusive and flexible and support change over time
- How is the standard relating to a maximum of 50% of an area being occupied by parking calculated

- The new land use bylaw proposed that no more than 50% of the total area of a lot be occupied by parking areas
- The regulations in the signage section seem to indicate that backlit signage is not allowed within the Downtown District. Is that the intent?
- It is frustrating that we have to drive to everything in this community. I like the approach to integrating a cycling and pedestrian approach to development rather than a purely vehicle approach.
- More walkable neighbourhoods that are connected to the Downtown through other modes is a good thing for the Town
- Greater flexibility and simpler standards in commercial and industrial areas is important as it results in less confusion.
- What is the communication strategy for corresponding back to individuals and stakeholders on what was heard?
 - A comprehensive what we heard report from this phase of engagement will be created
 - Feedback received will be used to adjust the draft and a summary of how and why feedback was or was not incorporated into the final draft will be provided to Council when the bylaw is presented to them
- Do the recent changes to the Municipal Government Act impact the new draft land use bylaw?
 - Does not appear to; however this will be reviewed comprehensively to ensure the new land use bylaw aligns with legislation

Other Businesses Roundtable

November 19, 2020

[Special meeting for Okotoks businesses not included in other sessions – 7 Attendees]

- There was no feedback from this session, most of the attendees had attended a previous land use bylaw session

Okotoks Chamber of Commerce

November 20, 2020

[Special meeting for members of the Okotoks Chamber of Commerce – 10 Attendees]

- The conventional way that land use bylaws are typically written is incomprehensible and has been a challenge to work with. I am pleased with the direction of this new land use bylaw
- This new land use bylaw seems to be make steps towards reducing barriers to business and is a positive step in the right direction
- Decreasing red tape can sometimes create more ambiguity in interpretation. Do you anticipate that happening and how would this issue be handled?
 - The current draft will be refined based on public and stakeholder feedback and will undergo testing under sample applications
 - It is anticipated that there will be a need for monitoring after adoption to ensure it is working the way it is intended to
- It feels like the new land use bylaw is on the right track and direction for more flexibility
- After the March/April public hearing, how long will it take for the new land use bylaw to be fully implemented
 - The March/April public hearing is a tentative target which will be refined once we have a final version of the draft and a more formalized adoption process
- The provincial government recently released changes to the Municipal Government Act that remove the ability of municipalities to establish their own timelines for development approvals. Have these changes been incorporated into the new land use bylaw?

- The Town did not exercise its ability to establish alternate timelines for development approvals and has always followed the provincially mandated timelines so this change would not impact us.
- The proposed changes to the Municipal Government Act will be reviewed against the new land use bylaw to ensure there are no conflicts.
- Is the vision for this bylaw and Okotoks idea or has it been done in other places? Have there been challenges implementing a bylaw such as the one proposed?
 - The document itself is specific to Okotoks however the overall concept is based on the idea of a form-based code which is relatively new in Alberta
 - High River and Beaumont are two Alberta municipalities that have adopted a similar type of land use bylaw that focuses on building design and more flexible uses
 - The form-based code approach to regulating land use is relatively new in Alberta; however the flexibility it affords has shown promise in many areas and we are optimistic that it will be a clearer and improved approach to regulating land use in Okotoks
- Anything that makes development easier is positive. I appreciate the visual nature of the bylaw

Development Industry Meeting

December 3, 2020

[A specific follow up meeting with the development industry was held on request – 12 Attendees]

- People typically move to Okotoks to live in a community with larger lots at a lower price point than Calgary. Budget is often seen as more important than location
- The regulations in the draft LUB do not reflect what attracts customers to Okotoks (the desire of bigger homes, bigger lots, and single use areas) and will have a negative impact on affordability
- The proposed 1.5 m maximum setback from the garage to the front entrance for front garage product does not fit with popular selling house models and builders would have difficulty adapting from current designs. Flexibility is lost when floor plans have to be set up based on this standard
- Requiring architectural detailing on all four sides increases costs and would impact home sales
- level of detail in the draft bylaw is closer to developer architectural controls and typically a land use bylaw is more general and flexible
- The frontage requirements and tree/shrub planting requirements will increase costs and affect affordability
- Minimum lot width standards can have a significant impact on affordability in single detached market – e.g. a one foot difference in lot width could result in a \$13,000 difference in lot price, not accounting for additional standards related to architectural detailing, landscaping, etc.
- With the smaller lots sizes being offered in Calgary for front attached product, affordability in Okotoks is being eroded
- People are not moving to Okotoks solely based on housing type and price, there are broader community aspects that attract people to the town
- Chestermere has seen a lot of growth with smaller more affordable product
- Allowing smaller lots for front attached garage product in Okotoks can enhance home ownership opportunities
- The MDP has lofty density requirements and requiring larger lots for front attached garage product will make it challenging to achieve these density requirements without having larger multi-family housing product that is not marketable

- Consumers are used to a certain traditional type of housing product and layout and the draft bylaw doesn't seem to support what is currently offered
- The reduction in the number of land use districts is positive and should make the redesignation process easier or not necessary in many cases
- The simplification and reduction in the number of land uses is supported
- There is too much detail on the built form, and not enough detail on how certain items would be reviewed which could make the development application process longer
- Mixing commercial uses with residential uses could create some confusion when working through residential standards
- Row housing should be an allowable use within the Traditional Neighbourhood District
- Some concern over the private tree requirement as there are many instances where landowners do not want trees on their lot
- There are challenges with the Towns current line assignment process for boulevard trees and how this is implemented over time as subdivision phases build out
- In other municipalities, what BILD has found most successful is collaboration between the development industry and the municipality to test out elements of the regulations in advance of having them implemented
- The idea of a subcommittee with representatives of the development industry was proposed as an option to collaboratively review and test the draft
- How will the widespread roll out and changing of land uses work as the new land use bylaw is implemented
- Affordability needs to be achieved in every market segment and every product type
- The 12 m minimum lot width requirement for a front drive product is concerning as it does not provide affordability for that product and takes away the ability to compete with other municipalities for people that want that product. Anything below 12 m would improve affordability for that product type
- The end user need to be a key consideration in the bylaw as builders want what the market desires
- Why is there a 6.5 ft (± 2.0 m) side yard requirement for zero lot line configuration when other municipalities have a 5 ft (± 1.5 m) side yard requirement? This requirement negates the upside of allowing a zero lot line product. The market has embraced the zero lot line and the building industry is set up to deliver a zero lot line product with a 5 ft (± 1.5 m) side yard.
- One of the larger builders in Edmonton has stopped building attached homes because they are losing too much of the market to zero lot line detached product
- The look and feel of the document is positive and it seems easier to read than other bylaws
- Elimination of minimum parking requirements and the simplification of districts is encouraging
- One of the products we are building in other communities is back to back style townhomes and drive-under/auto court type of homes. We would primarily be looking at the Neighbourhood Core district

Development Industry Sub-Working Group Meeting

December 15, 2020

[A specific follow up meeting with BILD Calgary and other development industry representatives was held on request – 12 Attendees]

- Issue with the maximum 70% of site garage width for Front Attached Garage frontage standard as it will be a limitation to design options
 - May remove three-car garage option on a number of lots
 - Better than some jurisdictions with 65% maximum

- A maximum width for driveways could be a challenge for marketing properties but may be a better approach
- Issue 1.5 m maximum set back from the front entrance to façade of garage is it creates a long entrance hallway on narrow lots that does not provide usable living space
 - 10 ft (±3.0 m) to 12 (±3.7 m) is about the sweet spot on the distance from the front of garage to the front door
 - 8 ft (±2.4 m) from front garage to front porch roof/column was an approach taken in Mountainview to address this issue – allows since of entrance from street
- Tree requirements for Frontage Standards seen as overkill with boulevard tree requirements on all street standards, concerns over costs and placement with shallow utility right-of-ways
- Significant costs considerations for construction of homes if architectural upgrades are required on all sites, especially for sides that cannot be seen from streets and parks
- Architecture is for low density residential is typically reviewed through Developer and Builder, how would the process work with the Town – would Town be commenting on the architectural style? How would the process work?
 - Architectural standards are a concern for appeal potential – Town and builder would not want to be in a situation where a permitted house is appealed on aspect of the architecture
 - How would similar architecture requirement be applied to an addition or redevelopment of existing property?
- More clarification needed on how the Frontage Standards would be applied to multi-unit development sites, appears to significantly impact development options

1.2 Individual Developer Meetings and Correspondence

Following the December 3, 2020 meeting with the development community, the Town committed to follow up meetings with any interested developers given the variation in the stage of development and individual concerns. The following is the summarized comments received through these meetings and in follow up correspondence grouped by subject area.

General Feedback

- How to Use this Bylaw is a very helpful page
- Overall the document is easy to read and navigate
- An online LUB similar to Calgary would reduce the amount of back and forth a user would need to do in a pdf doc.
- A single table listing all the districts and uses is very helpful. Clear definitions specific to the uses themselves (on the next page maybe or linked) would be helpful
- Consider making dwelling units discretionary (D) in the IBP district. In some ways similar to the mixing of uses in the GC district, were one could envision a business owner living above their “coffee shop” for example. The same could be true if someone wanted to live above their own “wood shop” or small “mechanics” shop. This could be unique to Okotoks.
- The Variance Powers granted to the development officer(s) under Section 5.7.B&C (i.e. 20%) are welcomed.
- Perception that housing affordability is all focussed on multi-family and not how single family can be more affordable
- The more general open-ended definitions are helpful for securing tenants for commercial sites

Traditional Neighbourhood (TN) District:

- 12 m front drive does not allow for affordable front drive detached product, Town should consider lowering to 34 ft (± 10.4 m) or 36 ft (± 11.0 m)
- Zero lot line side yard is too big at 6.5 ft (± 2.0 m). Needs to be 5 ft (± 1.5 m).
- Maximum 1.5 m distance from face of garage to front entrance limits and restricts floor plans and increases lot width requirement
 - results in a long and narrow interior space that is effectively useless
 - perhaps half the garage could be recessed
 - could enhance garage door appearance
 - front veranda could be used to minimize look of garage
- Maximum 50% lot coverage (suggest at least 60% for Front Drive Garage and at least 70% for laned)
- Maximum 2 storeys (would be better to have a max building height – 12m) – maximum 2 storeys makes allowance for walkouts and split levels unclear
- Requirement for buildings to have consistent architectural features, building materials, and colors on all sides could drive up home costs needlessly, and developers already require public backing lots and corner lots to have additional features.
- is the town expected each home to be built with or equipped with Rough-in solar panel as an alternative energy (page 57)?
- 1.2 m rear yards for rear laned access, this would apply to detached accessory/garages and not principle buildings? More clarity on rear setbacks is needed
- 1.8 m front porch/step depth is a bit excessive and increases costs for no reason
- Tree requirements for Frontage Standards are extra development cost downloaded to homebuyers; hard to enforce and apply to FAC requirements
 - Not always enough room, shallow utilities can cause challenges
 - Not all homeowners want trees
- Broader competitiveness across the region is important. If the homes prescribed in Okotoks are drastically different than the rest of the region then they will not sell

Neighbourhood Core (NC) District:

- Section 3.7 - A. Overview - Site & Building Form: Interpretation of parking needs to be clarified
- Section 3.7 – C. Uses – Dwelling Units (P): am I correct to understand, in the simplest terms, if an application for a multi-family project, meets all the bylaw requirements it is approved? Non-appealable? Is a permitted use application expedited as compared to a discretionary application?
- Section 3.7 – C. Uses – Showhome (P): could the definition of “showhome” be expanded to include temporary sales centers and still include the permitted use designation? It is quite common for multi-family and other forms of housing, to have a temporary sales trailer/center onsite whilst the showhome is under construction. Having a temp sales center fall under temporary development would not be ideal as temp dev is discretionary.
- Section 3.7 – C. Uses – Short Term Lodging - General (P): is there a definition of “short term”, what length of time?
- Section 3.7 – E. Building and Placement Standards:
 - Primary/Secondary Frontage(s): I suggest there is not a need for maximum setback (the 2nd number). It could be limiting as far as site programming for multi sites. In addition, how would frontage's be viewed in the case where buildings are behind buildings on a site? Why does the setback differ depending on built form as it is conceivable to have a “stacked” unit building

resemble a rowhouse in massing and scale. Suggest they be the same at 3.0m.

- Detached Interior Sideyard: why the difference between row and stacked? 2.0m vs. 3.0m?
- Rear Yard: Similar to detached interior sideyard question, why the need (in this case) for 3 different setbacks? In addition, similar to the TN district the rear yard setback should be much shallower if not the same as the TN district at 1.2m. How would these rear yard requirements be applied for example on the two concept examples? From a planning perspective, given the site is bordered by 3 streets, it is rationale that there is no rear yard condition but three frontages (2 primary and 1 secondary) and one interior sideyard (on westside). Determination of what kind of “yard” it is should be based on the relationship of the building to the public thoroughfare be it a street or lane.
- Lot Coverage of 70% is good however highly unlikely to achieve if rear yard setbacks remain as is, subject to how rear yards are established/interpreted?
- Optional Courtyard: are there examples in the LUB (images) of what this intended to be? Is the meant to capture for example the common greenspace one would see in a “cottage housing” type of development or is it intended for something else?
- Height:
 - the methodology to measure height is welcomed, grade to eave. Easy to understand. How is it applied were grade transitions occur through a building, I note a walk-out basement is excluded via the definition of basement.
 - Primary Buildings: 2-4 storeys – this is an example of interpretation (i.e. min/max numbers), does this mean single storey buildings are not allowed in the NC district?
 - Primary Buildings: 1st storey height prescription: min. 3.0m from floor to ceiling – this is far too prescriptive and needs to be less if not deleted. 3.0m is roughly 10 ft. and the requirement states floor to ceiling whereas storey is defined as t.o. floor to t.o. floor above which affords at least a little flexibility. Stipulating a minimum ceiling height for the first floor thru-out is far too prescriptive. If this is meant to address the potential for commercial/mixed use on the main floor it should be refined to state that...when commercial is being considered for the 1st floor it should be...that said even that requirement however should be vetted past folks who operate in the commercial development realm.
- Design Standards:
 - Allowable projections: are the stairs leading up to porches/stoops considered part of the porch/stoop or accessibility features or are they exempt from limitations of projecting? Are decks allowed to project into a setback?
 - Architecture: question the need for the LUB to mandate style/architecture, if warranted the wording should be changed from “must” to “should”. It is conceivable and not detrimental to the aesthetic of a buildings’ architecture that it may for example have different materials and/or colors from one side to the other. The present wording is too restrictive.
 - Private Utilities: certain utility infrastructure are required to be open/accessible, at least on one side. Wording of this requirement should take that into account. Not all sides of private utilities can be screened. I raise only because the requirement stipulates “shall”.

- Section 3.7 – F. Frontage Standards: The intent is understood however some of the depictions/desired outcomes would not be possible based off building and placements standards (min yard depths of 3.0m) and/or as mentioned earlier, the contradiction between where parking shall be located and the front drive garage standards noted here. Also concerned about the mandative nature of these standards, is an applicant allowed to mix and match depending on circumstance for example, mandating a maximum 1.5m setback of house to front of garage and requiring porches to wrap around on corner lots is too design limiting, some of the wording needs to be checked (i.e. common yard description) and how would these be applied against primary entrances of buildings which do not face a public throughfare?
- Section 3.7 – G. Landscaping and Screening Standards:
 - 4 Misc: Fencing, Screening & Buffering: Could max. height be increased to 2.0m and how would fence height be interpreted when it is on top of a retaining wall, preferably the height of the retaining wall is excluded from the fence height determination?
- Section 3.7 – H. Active Transportation and Vehicular Circulation Standards:
 - 1.b Misc: width: Is the “active transportation network”, which may exist on a private multi-family site a defined entity? To clarify, the minimum width requirement of 1.5m for sidewalks, does not apply to every sidewalk in a multi-family project, correct?
 - 2.b. Site Access: Maximum 2 accesses for sites with multiple units might be too limiting/restrictive for larger comprehensive multi-family sites? What was the intent?
 - 2.c Private Roads & Driveways: maximum driveway width of 2.4m is too restrictive and questionable as it relates to desired outcome. For example, in the case of concept 2, access to the underdrive double car garages is via an internal drive isle, there's no need to limit driveway/apron width here. In addition, if parking was accessed off a lane, why limit driveway/apron width if it is deemed acceptable in a front yard?
- Section 3.7 – I. Bicycle & Vehicle Parking Standards:
 - 1.b Minimum # of Bicycle Stalls: width: Based on this requirement, looking at the two concept plans, is the correct interpretation that concept 1 would require 24 bicycle stalls and concept 2 would be 30 stalls? A single 4 plex would require 6 bike stalls?
 - 2.b Size: Maximum Total Area of Site: Does the 50% number assume parking is a “stand alone” entity, for example surface parking vs. parking integrated into the building (i.e. garage)? Goes toward how to interpret the requirement and then calculate.
 - 2.c Parking Lot Design/Pedestrian Walkway Design: Size: Minimum width of 1.5m (5 ft.) is excessive for typical multi-family projects, typically it would range from 0.9m (3 ft.) to 1.07m (3.5 ft.).
 - 2.d. Misc / Location: Stipulating to the side or rear (only) is problematic as noted/demonstrated previously. Don't disagree with intent (hide/screen/reduce visual impact of parking) however in some cases, like concept 1 it can be visually minimized, screened from public realm (i.e. achieve desired outcome) yet still be “in front” of building.
- Section 3.7 – M. Additional Standards:
 - 4. Waste and Recycling: Suggest removing stipulation that these be located in either the side or rear of a site. Desired outcome/intention is to screen/hide these elements from view which I suggest the other provisions accomplish w/o the need to limit location on site.
 - 7. Comprehensive Site Planning: Could this requirement be changed from “shall” to “may”, (at the discretion of the development authority) doing so would

afford more flexibility in determining the need based on actual context/scale/scope. Developing an entire development phasing plan, again depending on context, might be overly prohibitive.

- 9. Drive Through Facilities: Suggest add clarity within the wording that these requirements are intended for commercial uses. It is conceivable for example, to have a tandem type of garage, within a dwelling that functions as a drive through type of traffic pattern, (i.e. garage doors at both ends.) Obviously in that case the queuing requirements et al should not be applicable.
- Section 5.15 – Development Permits not Required:
 - 4. Max 2 Dwelling Unit Building(s): Raising this to max 4 units would be one way to enable/encourage the “missing middle” housing form to take root. Presently the LUB essentially goes from the 1-2 dwelling unit built form to multi-family projects be they comprehensive in nature or fee simple conventional block facing. More rules might be required to ensure the 4 unit blend in but this would be a unique opportunity for Okotoks.
- Section 5.16 – Development Permit Application Requirements:
 - A.11.h Coloured Elevations: As a cost cutting and red tape reduction initiative could the present mandatory requirement for colored elevation drawings be moved to the B section of this area, where the development authority has the discretion to request.

General Commercial (GC) District Comments:

- Town is trying to do too much with this district. A “General” commercial district by its name implies a commercial development yet much of the first page talks about residential and mixed use. I know the Town wants to reduce the number of districts but the reality in Alberta is that in growing communities, we often see commercial only strip centers. I think the Town would be well served to have the GC district be a purely commercial/office district and have a commercial/residential mixed use district elsewhere. Interestingly, the overview talks about residential mixed use and then the example site plan provided is commercial/office only.
- The top right photo on page 113 reads “Buildings should be multiple stories with retail at grade and business opportunities above”. It is simply not feasible to incorporate this form into every building on a commercial site and I don’t think that is the intent. Wording should be revised to read: “*Consideration should be given for buildings with multiple stories with retail at grade and business opportunities above where feasible*” (or similar)
- Mixed use development is a desirable goal and should be flexible implementation as vertical buildings are extremely challenging to build in Okotoks as a secondary/smaller market due to:
 - financing,
 - residents typically prefer to live in pure residential buildings,
 - commercial tenants do not want to deal with residential condo issues or complains, and
 - cost to construct (code separation requirements between residential and commercial classifications)
- Section E on page 116 regarding building setbacks is needlessly complicated.
- Section F should be removed entirely. Even if the Town is to incorporate residential mixed use, the entries shown in section F are from single family homes and are in no way applicable to higher density sites.
- Section H on page 121, section 1.b., under the grading section it reads “*minimal or no grade changes at primary entrances...*” this can be nearly impossible to accommodate. Could be rewritten as “*Primary entrances should be designed to*

integrate accessibility requirements including minimal grade changes where site conditions allow.” (or similar)

- Section I on page 122, section 2.c., the first two items (major drive aisles and parking aisles) should both have “wherever possible” added to the end of the wording. The parking rows section should be changed from 20 continuous spaces to 30 continuous spaces.
- Section M.9.b. (page 125): It is not always feasible to not have drive-thrus located in the frontage. I would recommend they add wording to indicate that if drive throughs are located within the frontage, appropriate screening/buffering should be designed.
- Direct to customer is critical to tenants, need for drive-through and pick/locations even though they are challenging for site design
- Continues to be a demand for traditional parking spaces but best approach is for the site developer to manage their parking needs onsite – maximum coverage for parking needs to be clarified if just parking spaces or all vehicle circulation areas – including all circulation areas in 50% coverage would be concerning for site developers

Commercial development in general

- With COVID-19, safety is emerging as a significant consideration in where commercial tenants want to locate
- All commercial tenants, even services like dentist offices, want significant exposure / high visibility locations on major roads
- Convenience of easy access for visitors, be it by vehicle, pedestrian, or cyclist, is critical to tenants
- Okotoks has a challenge as a secondary market has to work harder for attraction of tenants than a primary market like Calgary
- May need additional clarity or parameters regarding Retail General vs Retail Large
 - Perhaps some examples of the types of retail envisioned for both
 - Is the square footage number appropriate to quantify the size/intensity envisioned