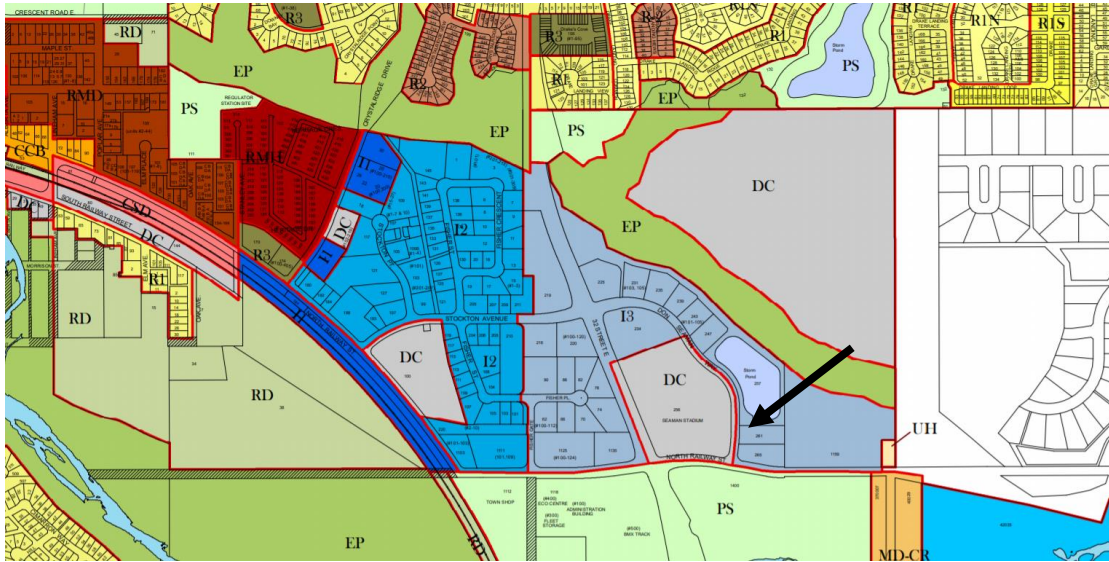


**DEVELOPMENT PERMIT 119-21 - 256 DON SEAMAN WAY**

## Issue

A Development Permit (DP) Application has been received for an amendment to DP109-19 at 256 Don Seaman Way in Okotoks and for which Council is the Development Authority.



### **Motion Proposed by Administration**

That Development Permit Application Number 119-21 for a Community Baseball Diamond (Amendments to DP109-19 and Addition of Shipping Container Concession) 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 indicating the location and layout of the required six (6) temporary washrooms including screening;
  - b. submit a revised elevation plan showing the shipping container concession colouration and design to match the existing stadium to the satisfaction of the Development Officer.
2. Development Conditions:
  - a) The Developer shall construct the development in accordance with:
    - i) all conditions of this approval; and
    - ii) the revised site and elevation plans to be approved by the Development Officer;
  - b) The maximum occupant load of the Community Baseball Diamond facilities is limited to 5,048 people at any time;
  - c) This approval does not include signage and a separate DP is required for any new signage;
  - d) Six (6) temporary washrooms must be provided and screened to the satisfaction of the Development Officer prior to the commencement of the baseball season, and maintained on-site throughout the season, on an annual basis;
  - e) 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.

### **Report, Analysis and Financial Implications**

This amendment involves the addition of a concession in a shipping container-like structure and removal of the previously approved permanent concession and washrooms on the new viewing area. The site is zoned Direct Control (DC) and Council is the Development Authority.

The site is located on the east side of 32<sup>nd</sup> Avenue and currently serves as the home of the Okotoks Dawgs baseball team. The lands were designated Direct Control by Bylaw 12-15 on May 25, 2015.

The Bylaw for this Direct Control District is specific to the site and does not refer to another district in the Bylaw. All development and parking regulations are at the discretion of the development authority - in which case the General Land Use Regulations and Provisions of Land Use Bylaw Section 9 are in most instances applied as a guideline - however, there is no obligation on Council's part to do so. As the landowner, the Town is acting as the Applicant on this DP Application.



### Site Plan

This proposed DP amends DP109-19 which approved a permanent structure to be utilized for a concession and washrooms in the expansion area of Seaman Stadium. This DP proposes a concession that is located within a shipping container that will be finished to match and reflect the existing colours and accessory details of the existing stadium structure.

In 2019, the original DP was approved, partially on the basis of the fact it would address the permanent washroom deficiency for the stadium based on the occupant load. In 2020, Planning Services became aware that the expansion was not completed in accordance with the approved DP plans. This means that the washroom deficiency was not addressed and the exteriors of the structures were not completed in accordance with the plans approved by Council.

Historically, the Town of Okotoks has been hesitant to allow for building exteriors to be completed with materials that do not reflect the existing built form and surrounding area as it contradicts the Land Use Bylaw. The utilization of a shipping container would represent a departure from the Building Exteriors section of the Land Use Bylaw to allow this to be utilized in this location. After internal discussion and review, Administration was of the opinion that provided the elevations of the shipping container are finished in a way that reflects the overall design of the stadium, the location will have minimal impact on the overall aesthetic of this part of Town. Landscaping, exterior fencing, and the interior nature of the container to the stadium will minimize its overall impact on the streetscape and add to the feel and design of the overall stadium. The “porta-potties” that are proposed as a substitute to the previously approved permanent washrooms will also be effectively screened by fencing bordering the southern and western peripheries of this expanded seating area.



Example Image: Exact container will be designed to match Seaman Stadium colouration and branding.

#### Servicing

The additional expansion area has existing servicing in place to service the proposed concession as the original plans contemplated a more permanently built concession structure.

#### Access

Supplies to the shipping container concession will be transported across the existing walkway connecting the main entrance and stadium area. The porta-potties will be serviced and accessed for this servicing via the parking area or ramp with suction hoses.

#### Landscaping

With DP109-19, landscaping was a condition of approval and it is to be completed in accordance with the approved landscaping plans. The landscaping ensures an attractive site edge along North Railway Street. This proposed amendment does not require additional landscaping as the proposed amendments are occurring within the existing built-out seating area.

#### Washroom Capacity

DP109-19, approved by Council in 2019, proposed additional washroom fixtures to the expansion area that is the subject of this report to address deficiencies from previous approvals. In 2018, a DP for seating expansion noted a deficiency of twenty washroom fixtures. Following this, renovations took place within the existing washrooms to expand their capacity. This resulted in a subsequent deficiency remaining of six washroom fixtures. The proposed expansion (DP109-19) proposed to address this by providing these outstanding fixtures. The expansion area was not fully built in accordance with the approved plans and these permanent washrooms were not completed. This initial approval in 2019 was prefaced on the inclusion of the permanent washrooms to address building code deficiencies within the stadium. In 2020, Planning Services became aware that the expansion area was not built in accordance with the plans approved by Council. The permanent concession and washrooms were not built and only the expanded viewing platforms were completed.

In 2021, this DP application was submitted for a shipping container concession to be utilized. It proposed addressing the washroom deficiency by adding two “porta-potties” on the viewing area. In order to comply with provincial building code requirements, Administration will be conditioning an additional four porta-potties for a total of six temporary washrooms to bring the facility into compliance with Alberta Building Code.

#### Lighting

If any changes to the site in terms of pole or fixture locations is undertaken, a revised site lighting plan will be completed by the Town to ensure it aligns with the Land Use Bylaw and general standards.

### Flood Fringe

As the portion of the site where this concession is proposed is not located within the flood fringe, as-built drawings will not be required once the development is completed.

### Signage

This DP does not include the allowance for any additional signage. Any new signage proposed would require a new DP application.

### **Strategic Plan Goals**

<input 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"/>	Maintain Organizational Excellence	<input checked="" type="checkbox"/>	Foster Economic Vitality
		<input type="checkbox"/>	Promote Environmental Stewardship

### **Governing Policies/Bylaws/Legislation or Agreements**

#### Municipal Development Plan

The proposed use furthers the MDP's vision that all community facilities in Okotoks are architecturally significant landmarks that provide focus for community life, and lend to Okotoks's distinction of being "unique". Through the DP application process, it was confirmed that the shipping container structure will match the design, character, and colouration of the existing stadium. It will further this facility as a significant community hub for entertainment and recreational purposes in the community that makes Okotoks distinct in the region.

#### Okotoks Recreation, Parks, and Leisure Master Plan

The vision outlined in the Recreation, Parks, and Leisure Master Plan is that Okotoks allows residents and visitors alike to be engaged in meaningful, accessible recreation, parks, and leisure activities. This will increase the viability of this facility as one that aligns with this vision in terms of providing a quality experience for both Okotoks baseball teams, and visiting teams with the additional clubhouse. The Master Plan outlines the fact that partnerships such as the one between the Town and the Dawgs has allowed the Town to leverage available resources and involve various sectors of the community in the provision of more cost effective services and opportunities for residents. This project will continue to build on that Strategic Focus Area of the Plan in terms of coordination between the Town and Dawgs organization on a well-designed stadium.

#### Land Use Bylaw

The Direct Control District for 256 Don Seaman Way notes that the site shall be used for a Community Baseball Diamond. The proposed application aligns with the intent of the DC District that the parcel is zoned in terms of supporting the primary use of the Community Baseball Diamond.

It must be noted that, if approved, this will not conform to the Building Exteriors section of the Land Use Bylaw as the structure is not permanent in nature and rather, a portable shipping container. Given the interior location of the concession and the fact it will be largely screened by a fence and that the stadium is in somewhat of an

industrial location, Administration is in support of these proposed deviations to the Bylaw.

#### Restrictive Covenant

Land uses on this parcel are limited by a Restrictive Covenant (RC) registered at time of donation of the lands to the Town by Nexen.

#### **Public Engagement/Communication Strategy**

In a DC District where Council is the Development Authority, a Public Hearing may be held in advance of Council making a decision on a Development Permit in a Direct Control (DC) District at the request of Administration or Council. This is outlined in Section 16E.3.2 of the Land Use Bylaw. As this amendment is considered to be minimal in nature and the proposed structure aligns with uses expected at a baseball stadium with minimal to no impacts on adjacent properties, a Public Hearing was not considered necessary for this application.

#### **Alternatives for Consideration**

n/a

#### **CAO Comments**

This revised Development Permit is before Council as it is the Development Authority. In essence, this Development Permit is the same as the previous application received; just moving the concession and bathrooms from a permanent fixture(s) to a temporary fixture(s). Wearing Council's other hat of budget, these changes are being accommodated within the current budget allocation and no amendments are required.

#### **Attachment(s)**

1. Proposed Plans
2. DP109-19 Council Report

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April 05, 2021