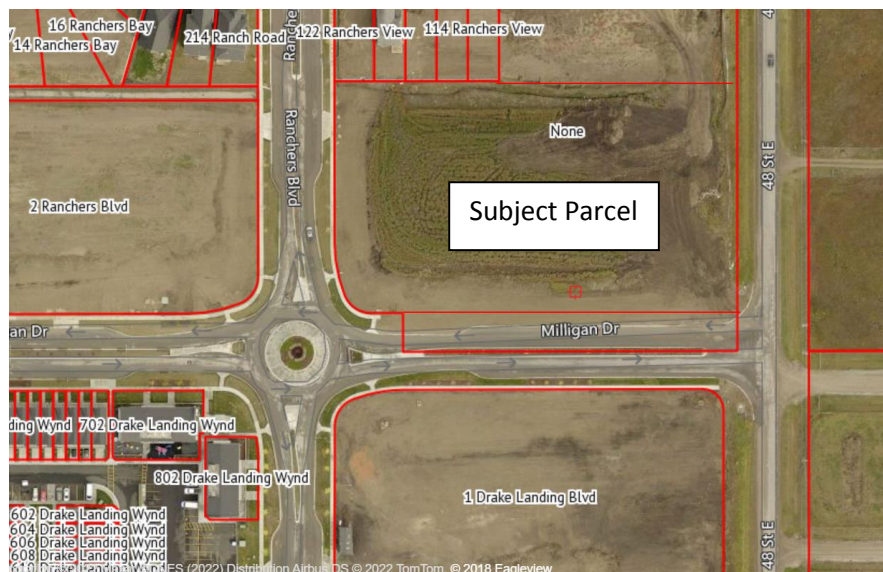


Development Permit Application No:	128-22
Applicant/Owner:	Arup Datta Architect Ltd. / Vibe Developments Inc.
Location/Legal:	1 Ranchers Boulevard / Lot 62, Block 1, Plan 011 0204
Land Use Designation:	General Commercial District (GC)
Proposal:	Five (5) Commercial Buildings – Service Station, Wash Station, Education (Child Care Facility), Retail and Restaurant

Overview

The Applicant is proposing a five-building commercial development at the corner of Ranchers Boulevard and Milligan Drive on the parcel addressed 1 Ranchers Boulevard. It is bordered by 48th Street to the East, single-detached homes/vacant lots in Ranchers Rise to the North, Ranchers Boulevard to the west and Milligan Drive to the south. Across the roadways to the west, south and kitty corner to the site are multi-residential developments.

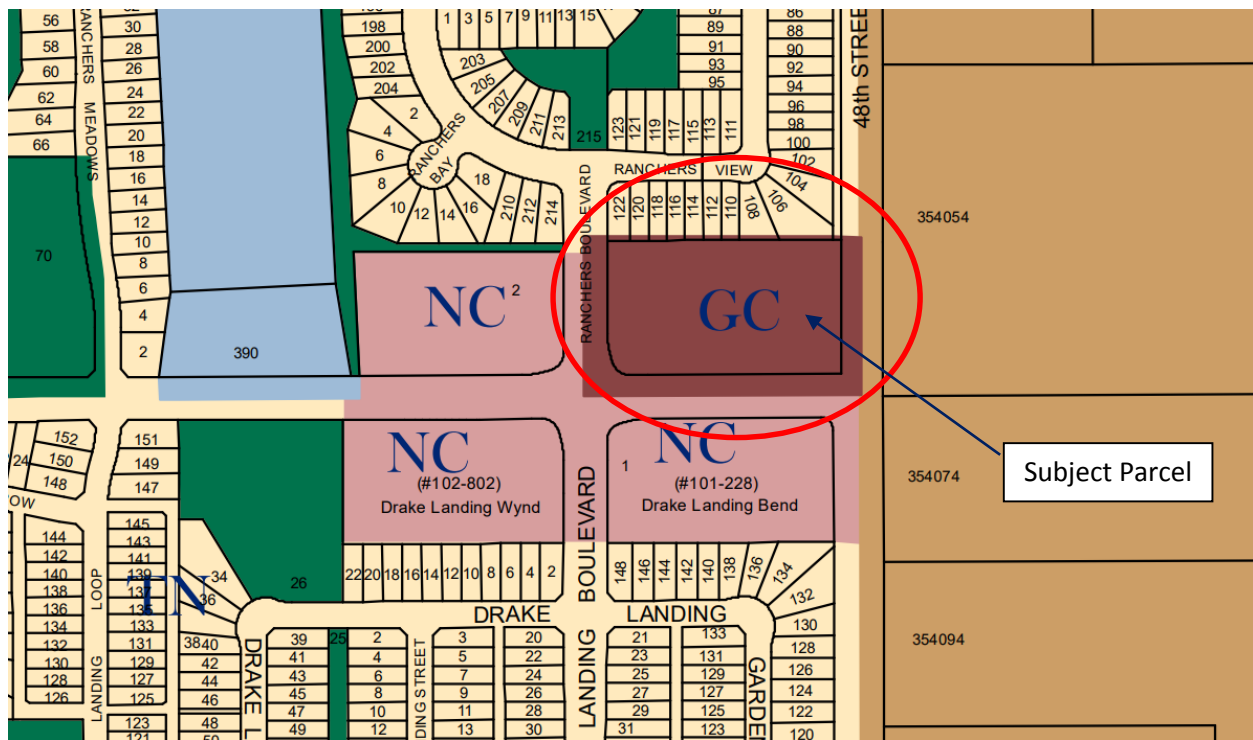


If approved, this commercial development will provide for a service station, car wash, child-care facility and retail / restaurant opportunities in leasable bays. It has been designed to be pedestrian-friendly for nearby residents as well as to take advantages of existing vehicular traffic off of the neighbouring roadways for the gas station and car wash. The development was designed to incorporate an outdoor play area for a future child care facility as well as integrated patio spaces for future restaurants who may choose to lease space in the area.

In the interests of future-proofing and alignment with the environmental and multi-modal transportation goals of the Municipal Development Plan (MDP), the development will provide for bicycle parking in accordance with the LUB and six electric charging stations.

From an urban design perspective, the development is designed to have a high degree of aesthetic finishes for building facades fronting onto adjacent streets as well as internal to the site for access from the parking areas. The gas station was also designed to be shielded from adjacent residential areas and in proximity to the highest traffic road of 48th Street. The gas bar will be designed to fit in with the overall commercial development rather than having alternate colouration and excessive signage as is more common in traditional highway-commercial type gas station developments. This should allow it to more effectively integrate into the neighbourhood feel of the commercial site.

Overall, this commercial development will provide a range of services for the nearby communities of Air Ranch, Ranchers Rise, Drake Landing, Crystal Green and the broader Town. As it is centrally located in a higher-density hub with multiple multi-residential developments in close proximity, that should assist in it succeeding as a walkable destination for a higher number of pedestrians. Although a vertically-mixed use development better aligns with policy intentions of this area, approval is being recommended given market realities and the anticipation that this development can redevelop over time through its overall design.



Site Development History

June, 2022 – Subdivision registration was completed which separated this parcel from the parent parcel.

May, 2021 – Site was redesignated from Urban Holdings District to Gateway Commercial (GC) District. With the adoption of the new Land Use Bylaw in June 2021, the site transitioned to General Commercial (GC) District which most closely aligned with the previous zoning.

July, 2013 – In the Outline Plan approved in 2013, the site was identified to be a future MUM-designated site. Despite many years on the market, the challenges of vertical mixed-use or horizontal within the parcel have posed a challenge for builders looking to develop the site. This is due to its location on the periphery of Town, challenges with cost implications of underground parking and other site upgrades that may be necessary to make the site feasible with a mix of residential and commercial development.

October, 2012 – The Northeast Okotoks ASP was amended to provide direction that this site and the other sites at this intersection of Milligan/Ranchers Boulevard and Drake Landing Boulevard be developed as as a mixed-use, transit-oriented hub with a range of multi-residential and commercial development opportunities.

Report

Policy Overview

Municipal Development Plan

Economic Development

One of the core focuses of the MDP's policy framework and strategic objectives is to build Okotoks non-residential tax base and to facilitate more employment-generating land uses such as commercial and industrial developments. This commercial development aligns with the MDP as it proposes a commercial development within existing largely built-out residential neighbourhoods that will provide child care, entertainment / eating and job opportunities for area residents.

Policy 1.2.2(d) of the MDP notes: "Prioritize and encourage employment-generating land uses and mixed-use development that can contribute to a more equal ratio of jobs to housing when considering proposals for new greenfield development areas". This application will work to build on that MDP policy and overall Council strategic objective.

Water Prioritization

Another key focus of the MDP is appropriate water allocation. Policy 1.3.1(a) of the MDP notes to "ensure that development approvals for development are granted in a fair and equitable manner in accordance with the Town's Water Allocation Policy". It further notes in Policy 1.3.1(b) to "prioritize water allocation for industrial, commercial, institutional or mixed-use developments". This application has been reviewed in accordance with the Town's Water Allocation Policy. As a condition of approval, the landowner will be required to install either a water-reuse system for the carwash or purchase additional water allocation for the subject parcel.

Neighbourhood Planning + Design

Policy 2.1.1(b)(i) has policy outlining that neighbourhoods are mixed-use to create a variety of jobs, shopping, education, recreation, leisure, and other amenities within 800m walking distance of a variety of homes. It notes to vary density across a community to create neighbourhood hubs and unique places.

This proposal will provide a commercial node within a higher density neighbourhood-hub like node of the Air Ranch / Drake Landing communities. The neighbouring parcels are all approved for multi-residential higher-density developments which will complement this commercial area. In addition to this, the surrounding residential neighbourhoods will provide a base of consumers to support this commercial development.

This application was considered through the lens of a Neighbourhood Hub in the MDP. This requires it to include a mix of uses, prioritize pedestrian activity, include outdoor public amenity areas and provide clear on and off-site pedestrian connections. It also requires an attractive interface towards adjacent streets, orientation of building towards adjacent collector roads and the minimization of large-surface parking lots. This development has strong pedestrian connections to the adjacent public streets and internally, a 2.0m wide network of pathways and clearly delineated cross-walks facilitates a strong pedestrian experience.

Design-wise, buildings are designed for multi-frontages with attention given to both adjacent roads (Ranchers Boulevard, Milligan Drive and 48th Street) as well as internal to the site. Parking is broken up throughout the site with landscaped areas so there are not large surface parking lots. A large public amenity space is provided from the southwest corner of the site which invites pedestrians into the overall development and provides opportunities for future patio spaces for restaurants in this development that facilitates further vibrancy for this neighbourhood hub.

In addition to this, policy in the MDP prohibits drive-thrus in commercial areas designed to be neighbourhood focused with a higher prioritization for pedestrians. No drive-thrus (with the exception of the gas station / car wash) were permitted in this development to allow for stronger pedestrian flow and connectivity. Pedestrian-scale lighting, street furniture, urban trees and other human-scale aspects are also incorporated into the development to ensure alignment with the placemaking policies of the MDP and ensure a more attractive and user-friendly public realm. Although Administration has concerns with the auto-oriented nature of the car wash and gas station, the Applicant worked to incorporate them into the site in a manner that worked to minimize impacts. In the future, the site is designed for redevelopment opportunities as market needs may shift in regards to these type of uses.

The proposed electric charging stations (6) work to future-proof the site and allow it to build on the environmental objectives of the MDP and provide electric infrastructure for the future in Town. Policy 4.5.3 of the MDP notes that to support a low-carbon future developers should “install electric vehicle chargers in public spaces”. This development provides those to address this policy.

Overall, the application works to align with the MDP policies of the neighbourhood. As the site is zoned General Commercial, the Applicant designed the site with a pedestrian-oriented focus while also working to incorporate the more auto-oriented gas station and car wash into the development.

Northeast Okotoks Area Structure Plan

This proposed development falls within the Northeast Okotoks ASP Plan Area. Further to this, it falls within the “Mixed Use Area” identified in Section 4.5 of the ASP. The objective of this area is to support neighbourhood retail and service commercial needs as well as transit service in the Plan Area and to provide employment opportunities in addition to the jobs offered by the educational facilities in the community.

Policies of this section note that this area should be a community focal point with commercial uses and a variety of medium and high density residential uses. This proposed development will provide the commercial uses that the policy aims to see in this part of Town that helps complement the residential developments. Policies in this section of the ASP also encourage daycare facilities. The proposed development incorporates a child care facility into its design and also includes the outdoor play area from the outset into the overall commercial design. In many parts of Town, this area (required by the Province) is added later on and not effectively integrated into the overall plan of a commercial development.

Finally, policies for this area in the ASP speak to connections to the surrounding residential and open spaces. This proposed development provides pathway connections to the adjacent public sidewalks and will allow for ample connectivity to neighbouring developments.

Northeast Okotoks Outline Plan

The Northeast Okotoks Outline Plan identifies this site under the now-defunct zonings of the previous land use bylaw as Mixed-Use Medium Density (MUM) District. The road network, parcel configurations and overall neighbourhood design are unchanged from the approved Outline Plan..

Site Servicing – A Development Site Servicing Plan (DSSP) has been required as a prior-to-release condition for development permit approval. As a condition of development permit approval, final sign-off and acceptance of the Development Site Servicing Plan will be required.

Parking – The development proposes 88 parking spaces in total, including 6 barrier-free spaces. As the General Commercial (GC) District has no parking minimums, this aligns with the Bylaw. Given the proposed mix of uses, Administration is of the opinion that this is a reasonable amount of parking for what is proposed on the site. In line with the policies of the MDP and the regulations of the LUB, the parking is broken up throughout the site to prevent large, monotonous open parking areas that are not well-defined. Pedestrian connectivity to the parking is designed so that those driving to the site do not have to walk through the parking lot to their destination, but can easily access internal defined pedestrian routes.

Bicycle Racks – The Land Use Bylaw requires six bicycle spaces per building (if less than 4,500m² in size). As there are five buildings on the site, thirty (30) bicycle spaces are required per building in close proximity to building entrances and accessible from pathways. The proposal meets this requirement by providing adequate bicycle parking for each building on the site.

Landscaping – The Land Use Bylaw has a number of landscaping requirements. At the highest level, 1 tree / 35m² of landscaped area and 1 shrub / 35m² of landscaped area is required. The proposed development exceeds the minimum requirements of the Land Use Bylaw and provides 83 trees and 117 shrubs. A minimum of 65 trees and 65 shrubs was required. Given the location and frontages to multiple streets and the residential interface, Administration is of the opinion that the additional landscaping is a key component of working to integrate the site into this context. It also provides buffering opportunities from the single-detached residential lots.

As a condition of approval, revisions will be required to provide for Karl Forester (or similar) grasses along the frontage of Milligan Drive. As there is a URW that runs along this roadway, it is not possible to plant trees or woody shrubs, however Administration feels that a variety of grasses which are allowed within right-of-ways would be a suitable approach to soften the building facades on this edge. As a condition of development permit approval, final approval of a landscape plan prepared by a professional landscape architect will be required.

Okotoks Airport – As per Policy 1.10.1(b) of the MDP, new development within proximity to the Okotoks Air Ranch Airport should consider the Transport Canada Land Use in the Vicinity of Aerodromes (T1P1247E), as amended, in terms of impact of aircraft noise and incompatible uses with airport operations. It is the Applicant's responsibility to secure Transport Canada aeronautical obstacle approvals in coordination with the airport authority prior to moving forward with on-site construction. This is a general condition that puts the responsibility on the Applicant to obtain these approvals as the Town is not involved in this approvals process.

Foothills County Circulation – This application is within the Foothills County / Town of Okotoks Intermunicipal Referral Area. The County responded that they reviewed and have no comments on the proposed application.

Lighting – Lighting details have been submitted as shown on the site details sheet in the attachments. They will provide a sense of place and suitable lighting for the pedestrian-oriented areas of the plan as well as for vehicular traffic.

Waste and Recycling Facilities – The applicant is proposing a below ground cylindrical waste removal system. This eliminates the requirement for fence screening as these enclosures integrated into the overall development with the majority of the waste stored below ground. Truck turning templates have been submitted to the Town to ensure they are easily accessible for pick-up trips. There are two separate areas where the moloks are located to provide ease of access for both sides of the development.

Car Wash – In order to ensure minimal impact between the car wash and adjacent residential lots, Administration reviewed regulations in Calgary's Land Use Bylaw when considering this use. Although Calgary's LUB has no statutory significance in Okotoks, it ensured we were being consistent regionally with how separation distances and mitigating factors from car wash noise were being approached with this application. The City of Calgary requires a minimum of 23.0m from a residential property line to a existing door from the car wash. The exiting doors are a minimum of 27.0m from the rear property line and the activities are fully enclosed in the building to minimize adjacent noise impacts. The aforementioned landscape buffer and solid fence will further buffer this use from the adjacent residential lots.

The GC District also notes that a Wash Station "must demonstrate water usage and water conservation methods to the satisfaction of the Development Authority. Through the development permit process, a review of the water consumption was undertaken and the development will be required to be in conformance with the Water Allocation Policy.

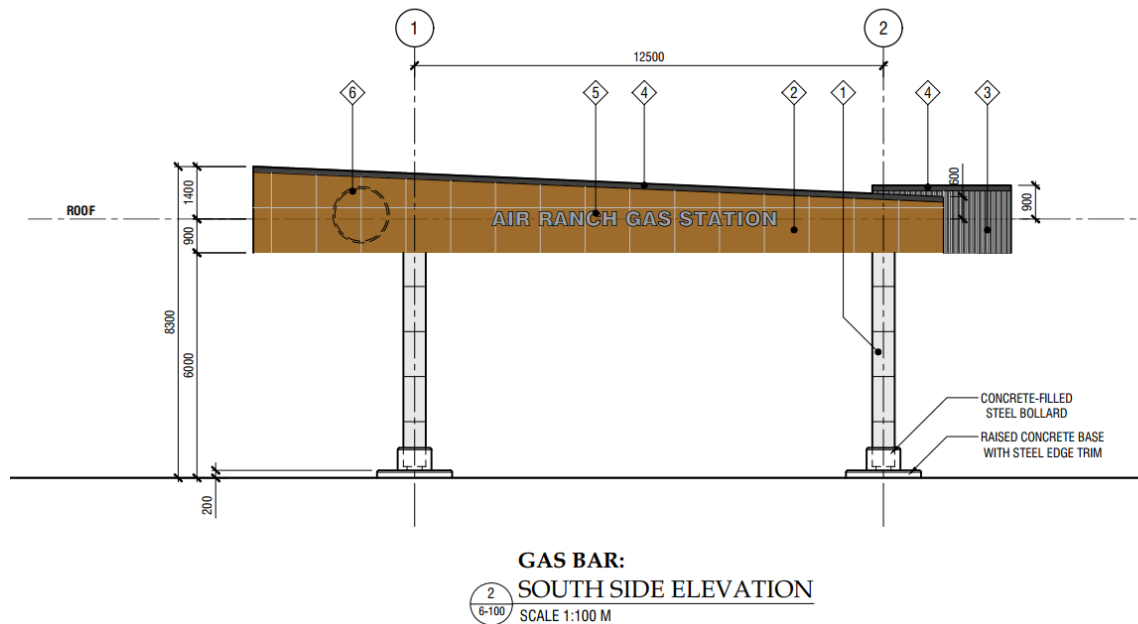
Although a car wash is not an ideal use in a neighborhood hub, Administration recognizes that design considerations in this application provide the opportunity for it to be integrated in the site with less impact on adjacent developments. In the future, the site design provides the opportunity for redevelopment if market needs shift over time.

Service Station – The General Commercial (GC) District requires that Service Stations are located in buildings adjacent to a primary thoroughfare. The proposed Service Station has visibility off of 48th Street and is located on the primary thoroughfare of Milligan Drive as well. It includes electric charging stations to anticipate shifting consumer demands over time.

Building Exteriors – Administration is satisfied with the building exteriors and the fact that the Architect utilized a double-frontage approach to maintain visual interest and a high degree of architectural quality on both the street-facing building frontages as well as those internal to the site. Frontages are broken up to visually show smaller retail bays for the most part with a high degree of glazing and quality materials.

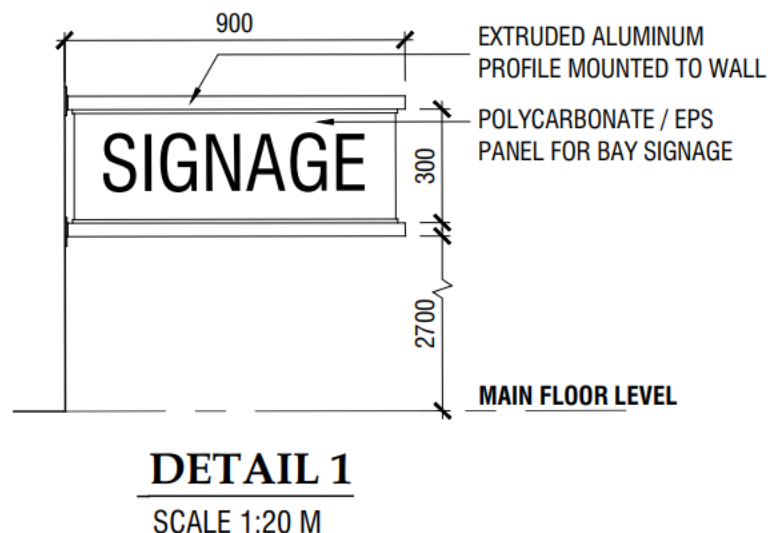


Administration requested that the gas bar roof also match the overall development. In many developments, they are specifically branded and colored to the brand of the gas chain. Given the neighbourhood context, it was required that the elevation for the gas bar match in coloration and materials with the surrounding buildings so it would fit into the overall development more cohesively. This was achieved with this application.



Retaining Wall – Any required retaining walls on the site, particularly the retaining wall in front of Building #2 onto Milligan Drive will be required to be completed as a stamped concrete or equivalent finish. Bare concrete will not be supported for any retaining walls on the site. As a Prior-to-Release condition, details on the finish for site retaining walls will be required.

Signage – Façade signage will be required to align with the attached tenant signage criteria prepared for this application. Façade signage is required to not exceed 5.0m² per tenant bay. In addition to this, projecting signage is required for this development to enhance place-making and ease of pedestrian use. Projecting signs will be required for each retail bay in this development.



Overall, signage will be required to be unified across the site and integrate architecturally into each building bay.

The Applicant chose not to apply for freestanding signage with this application and advised that would be forthcoming at a later date. A separate development permit application will be required for any freestanding signage. It will not be allowed to be located in right-of-ways and will also be required to integrate architecturally into the site.

Fencing/Buffering – As the site is bordered on three frontages by roadways, it was important that the design interacts and provides seamless connectivity to these edges. No fencing is provided for on these edges as the building facades are designed to activate these edges and provide visual interest and connection to the overall community. The treatment along 48th Street with the auto-oriented uses is more acceptable as it is a higher-traffic, auto-oriented street compared to the more pedestrian-focused edges of Milligan Drive and Ranchers Boulevard.

Along the rear of the site, buffering considerations were a key design aspect reviewed by Town Administration to ensure compatibility with the overall site. This buffering includes a landscape buffer of a mix of tree types in addition to a 2.40m high PVC or equivalent no-maintenance fence that will effectively screen the commercial site from the residential area. Further to this, the rear yard setback of 7.5m will provide a separation between the rear residential yards and the commercial development.

Variances – This application proposes two variances.

1. The first proposed variance is to the loading space's minimum length. The applicant proposes 9.1m, where the minimum required is 9.2m. Given the minor nature of the change and the fact that the truck templates show that this is a reasonable minimum, Administration is in support of this proposed variance.
2. The second proposed variance is to the secondary frontage setback of a minimum of 4.0m. The application proposes a minimum setback of 3.0m. As this site has three frontages, Administration was of the opinion that the critical frontages for the site are Ranchers Boulevard and Milligan Drive from a pedestrian and neighbourhood connectivity standpoint. 48th Street is more auto oriented in nature and the proposed setback still allows for adequate landscaping from the roadway. In addition to this, in the interim, Administration has required that the undeveloped roadway area be seeded in the interim until the eventual road widening of 48th Street to maintain visual appeal. Although variances to the setbacks for the primary frontages and the rear would not be supported with this site due to potential impacts on neighbours, the adjacent 48th Street and proposed landscaping buffer and building edges (rather than surface parking) provided rationale to support this variance from a built form / urban design perspective.

Public Notice – Notification was completed in accordance with the Land Use Bylaw. The subject site was previously the subject to a public hearing process through the redesignation in 2021.

Summary – Conditional approval is recommended.

Appeal of the MPC's decision lies with the Subdivision and Development Appeal Board.

Recommendation:

That Development Permit Application Number 128-22 for five (5) commercial buildings be approved with variances subject to the following conditions:

1. Prior to the release of the Development Permit, the Developer shall:
 - a. Provide a pattern and finish that is not blank concrete for retaining walls on site (can be stamped concrete, brick, etc.);
 - b. 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 that includes:
 - i. Karl Forester grasses (or similar) in the URW landscaped area that fronts onto Milligan Drive to provide landscape buffering for the parking spaces.
 - c. Provide a revised Site Servicing Plan in accordance with Section 3.2.1(I) of the LUB;
 - d. Submit a revised site plan that removes fencing along the northern property edge of the subject parcel;
 - e. 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;
 - f. Submit a water-reuse plan for the Wash Station to re-utilize the existing water or apply for an additional 4,450 m³ of development capacity under the terms of the Water Allocation Policy for assignment the subject parcel;
 - g. Submit a revised site plan that incorporates any changes in the landscaping and servicing plans pertinent to the site including;
 - h. 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
 - i. payment of all applicable off-site levies, performance securities and fees.conditions 1a to 1h above 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;
 - ii. the plans approved by the Municipal Planning Commission on July 21, 2022; and
 - iii. any other revised plans submitted and approved as a requirement of this approval;
 - b. The developer is responsible to remediate any public works including boulevard landscaping damaged by construction;
 - c. A sign with a rendering of the development and overview of proposed uses (car wash, gas station, commercial) should be put up on the site by September 1st, 2022 and be in alignment with the sign regulations of the LUB;

- d. Submit a grade plan prepared by a qualified surveyor or engineer detailing finished grades at building perimeters and finished main floor elevation.
- e. Construct a sidewalk and boulevard crossings to the standards specified by the Municipal Engineer;
- f. Screen all mechanical equipment with high quality, low maintenance materials;
- g. Install vertical face concrete curb between all driving surfaces and landscaped areas;
- h. 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; and
- i. This approval does not include any freestanding signage on the property. A separate development permit will be required for any proposed freestanding signage;
- j. The tenant signage criteria approved as a condition on this development permit outlines what is permitted for signage on this development. All signage must be in conformance with the tenant signage criteria package;
- k. This development permit approvals includes the following uses:
 - a) Education
 - b) Restaurant/Café
 - c) Retail and Service General
 - d) Service Station
 - e) Wash Station
 - f) Human Services
- l. All lighting shall be Dark Sky Compliant. An As-Built site lighting plan must be submitted post-approval to ensure conformance with the application submitted lighting plan;
- m. Submit documentation that Transport Canada aeronautical assessment requirements have been met to the satisfaction of the Town;
- n. No part of any building may project on, or be constructed over a utility right-of-way; and
- o. 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.

VARIANCE

The following sections of the Land Use Bylaw are varied pursuant to Section 5.7(C) of the Land Use Bylaw:

1. Section 3.9.J [Loading Standards] To allow a minimum loading space size of 9.1m in length, where the minimum required is 9.2m, a variance of .01m.
2. Section 3.9.E.A(b) [Secondary Frontage Setbacks] To allow a secondary frontage setback of 3.0m, where the minimum required is 4.0m, a variance of 1.0m.

Attachments:

1. Approved and Accepted Plans
2. Tenant Signage Criteria
3. General Commercial (GC) District Land Use Bylaw Section

Prepared by:
Planning Team (CN)
July 5th, 2022