

PUBLIC HEARING FOR BYLAW 11-18 – LAND USE BYLAW AMENDMENT

Purpose

To amend Land Use Bylaw 40-98 to accommodate all on-site advertising signage originally proposed for The Parkhouses project as documented in the November 15, 2017 Subdivision and Development Appeal Board decision.

Readings

First reading of this bylaw was given on February 12, 2018.

Depending on the outcome of the public hearing, this bylaw is ready for consideration of second and third readings.

Public Hearing and/or Public Engagement/Communication Strategy

This Public Hearing was advertised in the Okotoks Western Wheel on February 21 and 28, 2018, and adjacent landowners were notified directly by mail in accordance with the *Municipal Government Act*.

Report, Analysis and Financial Implications

Application

Council passed a motion at the December 11, 2017 Council meeting directing Administration to bring forward amendments to Land Use Bylaw 40-98 that accommodate all the signage originally proposed on-site for The Parkhouses project as documented in the November 15, 2017 Subdivision and Development Appeal Board decision; and that these amendments be drafted as site-specific only; and that the amendments be subject to a public hearing prior to adoption.

Bylaw 11-18 amends the Direct Control (DC) District and will satisfy all conditions of the motion. The Land Use Bylaw amendment allows for a development permit application to be made that would allow on-site advertising signage not presently permitted in any multi-unit residential development. A maximum term of two years is recommended to support the Developer's efforts to market the development. The proposed amendment aligns with Council's broad economic, social, and environmental policy objectives, and Council's intent to treat this temporary, site-specific variance as a pilot project and offer the developer a chance to test a specific market segment.

This Land Use Bylaw amendment was initiated by Council, therefore no fees were collected from the developer of The Parkhouses or any owner of property within The Parkhouses development (1-58 Drake Landing Square/Units 1-31, Plan 1611981) [formerly 11 Drake Landing Heights].

History

The original site was originally intended for the development of a religious institution under the approved Drake Landing Outline Plan and designated as a PS District under Bylaw 14-04 on July 5, 2004. The 1.52 hectare (3.75 ac) lot was approved and registered as part of the Drake Landing Phase 7B Subdivision.

Bylaw 17-14 created a Direct Control (DC) District through a redesignation of the Public Service (PS) District site. The Direct Control (DC) District was created with the intent to facilitate the development of a pocket neighbourhood, where there is a cohesive cluster of homes gathered around common space to facilitate a vibrant, healthy community with a collective sense of ownership.

The developer of the pocket neighbourhood, Lifestyle Homes, applied for signage for The Parkhouses under Development Permit Application 150-17, following discussions with Planning Services and Okotoks Municipal Enforcement. The Development Officer refused the application, with reasons. The applicant appealed to the Subdivision and Development Appeal Board and was granted most of the requested signage, on a temporary basis, under DP 150-17 on November 1, 2017.

Council passed a motion at the December 11, 2017 Council meeting directing Administration to bring forward amendments to Land Use Bylaw 40-98 that accommodate all the signage originally proposed on-site for The Parkhouses project as documented in the November 15, 2017 Subdivision and Development Appeal Board (SDAB) decision, including those signs not approved by the SDAB in its decision; and that these amendments be drafted as site-specific only; and that the amendments be subject to a public hearing prior to adoption.

Policy & Planning Considerations

The subject site is bordered by Residential Single Detached (R1) Lots along the east side, which have a screening fence along their rear property line that is protected from alteration by restrictive covenant. The north side fronts onto Drake Landing Heights and is across from R1 lots and a park area. The west and south of the site is bordered by Milligan Drive, which has a screening fence for Residential Narrow Lot Single Detached (R1N) parcels along the opposite side.

The Land Use Bylaw regulates signage on titled land. The current regulations limit advertising signage in residential areas to the following:

- one (1) interim sign in any district which does not exceed 18m² in area and is intended for identifying and advertising a new development (i.e. subdivision) area;
- signs in most low density residential districts which contain no more than the name, address, and number of a building or occupant, provided the sign area does not exceed 0.2m²;
- signs in most medium to high density residential districts which contain no more than name, address, and number of a building, institution or occupant provided that sign area does not exceed 1.5m²; and
- signs associated with an approved Home Occupation or Bed and Breakfast Accommodation.

The Municipal Development Plan (MDP) speaks to the development of residential areas with a choice of single detached and multi-unit dwellings and lot sizes. The MDP calls for a proportionate increase in multi-unit housing that caters to a diverse market and demographics, and encourages innovative forms of housing. There is a strong desire to facilitate development of innovative housing, site and neighbourhood design, thereby permitting the creation of an innovative set of design and engineering standards.

This parcel falls under the Northeast Okotoks Area Structure Plan (NEOASP). The NEOASP does not contain policies regarding signage.

Bylaw 11-18 amends Land Use Bylaw 40-98 which regulates the use of titled land. Accommodation of signage for The Parkhouses by Lifestyle Homes on non-titled land (e.g. within the road right-of-way such as medians and boulevards) is being accommodated through the recently amended Pageantry Features for New Neighbourhoods Policy. Lifestyle Homes will be allowed, as a test case, to apply for off-site signage in the boulevard and median as comprehensively designed group of homes under the amended Pageantry Features for New Neighbourhoods Policy.

Circulation Comments

This amendment directly affects 31 properties within the Town of Okotoks within the DC District (Parkhouses development). There are also 31 adjacent lots which are a combination of Residential Single Detached (R1) District and Residential NBarrow Lot Single Detached (R1N) District lots.

One letter of opposition was received regarding amendments to developer signage in residential areas. The letter states that “banners, flags and other pageantry signage have no place in residential areas where they will disturb current residents.”

Summary

The Land Use Bylaw amendment to the Direct Control District will satisfy all conditions of Council’s December 11, 2017 motion. The Land Use Bylaw will therefore allow for a development permit application for any or all of the following signage:

1. Two (2) fascia advertising signs in the form of banners to a maximum 2.49m x 5.03m to be mounted on the garage doors of 3 Drake Landing Square and 41 Drake Landing Square;
2. Three (3) in the form of flags each to a maximum 1.21m x 0.61m to be mounted at 1 Drake Landing Square on black flag poles up to 6.4m tall;
3. Three (3) in the form of flags each to a maximum 1.21m x 0.61m to be mounted at 11 Drake Landing Square on black flag poles up to 6.4m tall;
4. One (1) fascia advertising sign in the form of a banner to a maximum 1.39m x 0.61m to be mounted at 1 Drake Landing Square at a height of 0.38m from grade on the black wrought iron fence; and
5. Two (2) fascia advertising signs in the form of banners to a maximum 3.60m x 0.91m to be mounted on the chain link fence along the western property line of the common property of condominium plan number CDE 1611981 at a height no greater than 1.00m from grade on the rear fence.

Additional clauses include application for a development permit on or before November 30, 2018 (date of expiry for temporary signage in the SDAB order), required removal of advertising signage from individual units upon sale, and removal of advertising signage from the greater development site the sooner of two years from Development Permit issuance or sale of the final residential unit in the development.

Strategic Plan Goals

<input checked="" type="checkbox"/>	Manage Community Growth
<input type="checkbox"/>	Provide Quality Community Infrastructure
<input type="checkbox"/>	Maintain Organizational Excellence

<input checked="" type="checkbox"/>	Provide Strong Governance
<input type="checkbox"/>	Healthy and Safe Community
<input checked="" type="checkbox"/>	Foster Economic Vitality
<input type="checkbox"/>	Promote Environmental Stewardship

Alternatives for Consideration

n/a

CAO Comments

I support the recommendation of Administration.

Attachment(s)

1. Bylaw 11-18 First Reading Version
2. Signage Details
3. Circulation Map
4. Letter of Opposition

Prepared by:
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March 08, 2018