

Planning & Development Report to
Calgary Planning Commission
2020 February 20

ISC: UNRESTRICTED
CPC2020-0185

**Land Use Amendment in Mayland (Ward 10) at 233 and 235A Mayland Place NE
LOC2019-0192**

EXECUTIVE SUMMARY

This application was submitted by Manu Chugh Architect on 2019 December 13, on behalf of Noble Grounds Inc. Located in the Mayland industrial area, this land use amendment application proposes the redesignation of two parcels with a combined size of approximately 0.89 hectares (2.20 acres) from Industrial – General (I-G) District to Industrial – Commercial (I-C) District to provide greater flexibility of uses. Specifically, the proposed amendment will allow for:

- small scale commercial uses that are compatible with and complement light industrial uses;
- a maximum height of 12 metres (a decrease from the current maximum of 16 metres);
- a maximum floor area ratio of 1.0 (the same as the current maximum); and
- the uses listed in the I-C District.

The proposed land use amendment is consistent with the applicable policies of the *Municipal Development Plan*.

No development permit has been submitted with this application.

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ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing and:

1. **ADOPT**, by bylaw, the proposed redesignation of 0.89 hectares ± (2.20 acres ±) located at 233 and 235A Mayland Place NE (Condominium Plan 0010627, Unit 1; Plan 0610231; Unit 6) from Industrial – General (I-G) District **to** Industrial – Commercial (I-C) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 20:

That Council:

1. Adopt, by bylaw, the proposed redesignation of 0.89 hectares ± (2.20 acres ±) located at 233 and 235A Mayland Place NE (Condominium Plan 0010627, Unit 1; Plan 0610231; Unit 6) from Industrial – General (I-G) District to Industrial – Commercial (I-C) District; and
2. Give three readings to **Proposed Bylaw 46D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

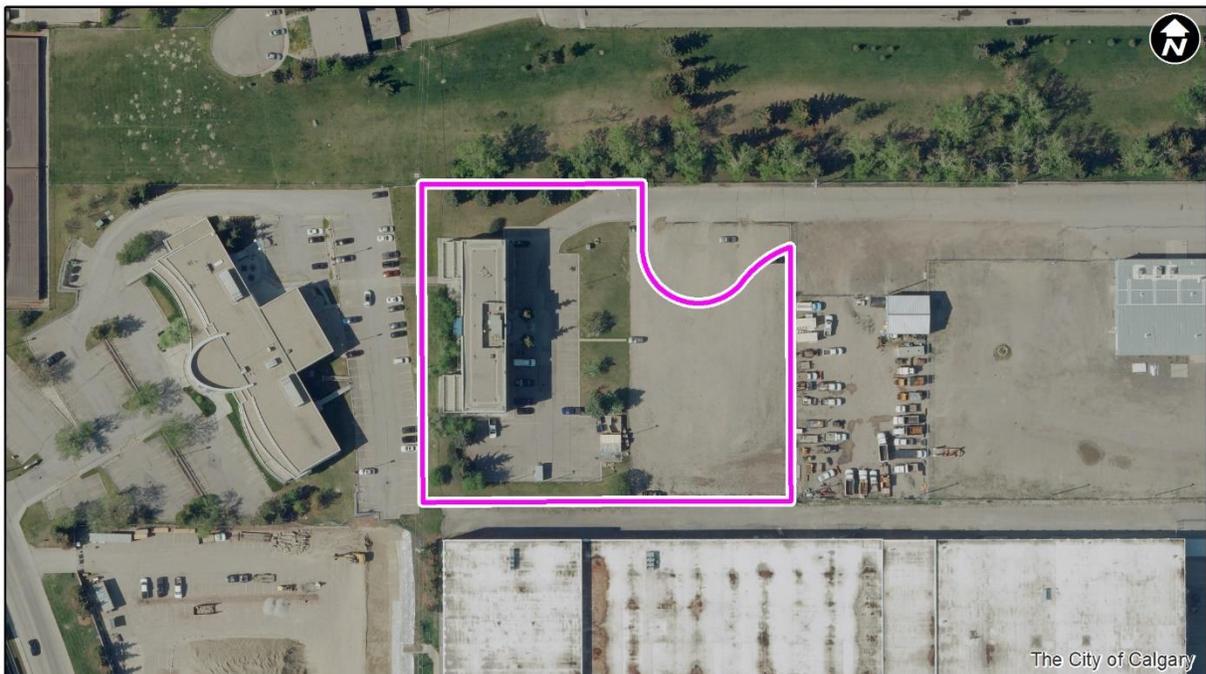
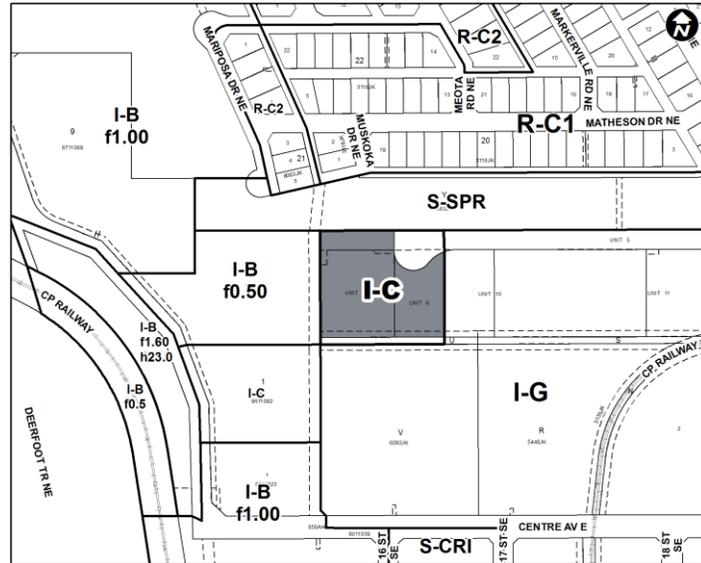
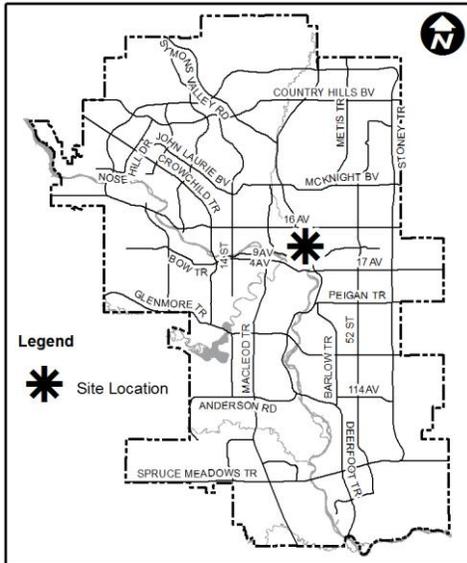
None.

BACKGROUND

This application was submitted by Manu Chugh Architect on 2019 December 13, on behalf of Noble Grounds Inc, to provide greater flexibility of uses as noted in the Applicant's Submission (Attachment 1).

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Location Maps



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Site Context

The site is located in the Mayland industrial area, north of Centre Avenue E, between Deerfoot Trail and 19 Street SE. The site fronts onto Mayland Place NE, which is a private road. The site consists of two parcels with a combined size of approximately 0.89 hectares (2.20 acres).

The western parcel (235A Mayland Place NE) is developed with a gravel parking lot. The eastern parcel (233 Mayland Place NE) is developed with a three-storey office building.

To the east and south of the site are industrial developments in Industrial – General (I-G) District designated lands. To the southwest and west of the site are office and industrial developments in Industrial – Business (I-B) District and Industrial – Commercial (I-C) District designated lands. To the north of the site is an approximately 45 metre-wide off-leash dog park in a Special Purpose – School, Park and Community Reserve (S-SPR) District. To the north of the park are single detached dwellings in Residential – Contextual One Dwelling (R-C1) District lands.

The subject site is located within the Calgary International Airport Vicinity Protection Area (AVPA). The lands are also subject to the *Subdivision and Development Regulation (SDR)* setback for the Nose Creek Landfill. Further information can be found in the Strategic Alignment section of this report.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

This land use amendment will further facilitate the development of the subject site in a way that is contextually appropriate. This will contribute to the growth of this developing industrial area, as envisioned by the *Municipal Development Plan*.

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

The existing I-G District allows for a wide variety of general light and medium industrial uses and a limited number of support commercial uses. Parcels within I-G Districts have limits on sales and office activities to preserve a diverse industrial land base. The I-G District allows for a maximum floor area of 1.0 and a maximum building height of 16.0 metres.

The proposed I-C District allows for light industrial uses and small scale commercial uses that are intended to be compatible with industrial use areas. Accordingly, the I-C District contains provisions to ensure that developments provide an appropriate transition between other land use districts and the I-G District. These provisions include setbacks, screening, landscaping and building design controls that are intended to address the aesthetics of more visible locations. The I-C District allows for a maximum floor area ratio of 1.0 (8,900 square metres) and a maximum building height of 12.0 metres.

Beyond maximum building height and a slightly different suite of allowable uses, key differences between the I-C and I-G Districts are that the I-C District has no use area restrictions for office and retail and consumer service uses (with maximum use area limits) are allowed. This is in contrast to the I-G District where retail sales activities and office uses are restricted by rules to ensure that these uses may only exist as ancillary components of the principal I-G uses.

The eastern parcel (233 Mayland Place NE) is developed with a three-storey office building with a height of approximately 14 metres (BP1990-02893). The height of the existing building is non-compliant with the rules of the proposed I-C District. A land use redesignation would make the existing development a non-conforming building, as per subsection 616(q)(i) of the Municipal Government Act and subsection 13(95)(a) of Land Use Bylaw 1P2007. Both the Municipal Government Act and Land Use Bylaw 1P2007 include rules regarding non-conforming buildings.

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Development and Site Design

The design of the site will be assessed at the time of submission of a complete development permit application.

Environmental

There are no known outstanding environmentally-related concerns associated with the site nor proposal. Therefore, an environmental site assessment was not required for this application.

Transportation

Pedestrian and vehicular access to the site is available via 19 Street NE, through a private condominium road referred to as "Mayland Place NE", registered on an easement. The area is served by Calgary Transit bus route 33 Vista Heights / Rundle, with a bus stop approximately 100 meters walking distance from the site on 19 Street NE. On-street parking on 19 Street NE is unregulated. A transportation impact assessment was not required to support this land use redesignation application. However, further parking and/or traffic analysis may be required at the time of development permit application review depending on the proposed use.

Utilities and Servicing

The site and associated lands consist of multiple existing bareland condominium units. Water, sanitary, and storm services exist and appear tie to the site and existing development, either from adjacent public water, sanitary, and storm utilities within the existing, adjacent utility right-of-way (Plan 6084 JK), and/or from the adjacent, related bareland condominium units to the east.

Public storm services are immediately available adjacent to the site, from the utility right-of-way. Public water and sanitary services exist adjacent to the easterly bareland condominium units (units 8 and 9) from the utility right-of-way. Development site servicing requirements will be determined at the time of development permit application review.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online.

No public meetings were held by the applicant or Administration in association with this application.

No community association exists for this area, and therefore no comments were received.

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Administration received one letter from the public not supporting food services on this parcel.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Calgary Planning Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Towns and promotes efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment and policy amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Industrial - Employee Intensive area as identified on [Map 1: Urban Structure](#) in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage primarily industrial uses at relatively higher intensities and other uses that support the industrial function of this area and cater to the day-to-day needs of area businesses and their employees.

The proposal is consistent with relevant MDP policies as the purpose of I-C District is to allow for small scale commercial uses that are compatible with and complement light industrial uses. The I-C District provides a transition between other land use districts and the I-G District.

There is no local area plan for the subject area.

Subdivision and Development Regulations (Alberta Regulation – 2002)

A western portion of the subject parcel is within the legislated setbacks from the non-operating Mayland Landfill and is governed by Section 13 of the [Province of Alberta Subdivision and Development Regulation](#) (AR 43/2002). These regulations will limit certain uses (residences, food establishments, schools, hospitals) from locating within the prescribed setback (300 metres from disposal area) through the development permit process.

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Calgary International Airport Vicinity Protection Area Regulation (2009)

The site is within the 25-30 and 30-35 Noise Exposure Forecast area of the [Airport Vicinity Protection Area Regulation](#) (AVPA). The AVPA Regulation was created to ensure that only compatible land uses are developed in close proximity to airport flight paths. The AVPA Regulation establishes prohibitive uses in certain locations, identified within Noise Exposure Forecast (NEF) areas.

Social, Environmental, Economic (External)

The proposed land use district will provide opportunities for additional commercial uses while maintaining the industrial character of the area.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this application.

REASON(S) FOR RECOMMENDATION(S):

The proposed land use redesignation is aligned with applicable policies and the urban structure of the subject site as identified in the *Municipal Development Plan* which allow for greater flexibility of uses on the site.

ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 46D2020**