

APPENDIX

Municipal Government Act

CALGARY INTERNATIONAL AIRPORT VICINITY PROTECTION AREA AMENDMENT REGULATION


1 The *Calgary International Airport Vicinity Protection Area Regulation* (AR 177/2009) is amended by this Regulation.

2 Schedule 3 is amended by adding the following after section 2.2:

Residential affordable housing a permitted use

2.3 Despite any other provision of this Regulation, conversion of an existing hotel for residential affordable housing is permitted with respect to the following land, subject to compliance with the acoustical requirements set out in the Alberta Building Code:

<u>Plan</u>	<u>Block</u>	<u>Lot</u>
0010926	1	20




ALBERTA
 MUNICIPAL AFFAIRS
Office of the Minister
Deputy Government House Leader
 M.L.A. Calgary-Hays

CITY OF CALGARY
RECEIVED
 IN COUNCIL CHAMBER
 FEB 04 2021
 ITEM: 7.2.4 CPC2021-0153
Distribution
 CITY CLERK'S DEPARTMENT

MINISTERIAL ORDER NO. MSD:003/21

I, Ric McIver, Minister of Municipal Affairs, pursuant to Section 693 of the *Municipal Government Act*, make the Calgary International Airport Vicinity Protection Area Amendment Regulation as set out in the attached Appendix.

Dated at Edmonton, Alberta, this 26 day of January, 2021.


 Ric McIver
 Minister of Municipal Affairs

Calgary Planning Commission

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Amended Text to Cover Report

3. Approve, by Resolution, that The City of Calgary apply to The Province of Alberta, including the Minister of Municipal Affairs, for an amendment to the Calgary International Airport Vicinity Protection Area Regulation (AVPA) to permit the residential use of Assisted Living in the existing building on site at 2622 39 Avenue NE.

HIGHLIGHTS

- This application proposes a redesignation to allow for an additional use of Assisted Living added to an existing site for the purposes of a hotel conversion for Seniors Housing.
- Provincial Ministerial approval for an exemption to the Airport Vicinity Protection Area Regulations is required to allow for the additional use of Assisted Living within the existing onsite building. Provincial Ministerial approval was issued on 2021 January 26 for an amendment to the Airport Vicinity Protection Area Regulation to permit the additional use of Assisted Living on the subject site.

The subject site is located at 39 Avenue NE along the perimeter of the community of Horizon. The subject site comprises of one property that is 1.24 hectares (3.07 acres) in size and contains an existing hotel building. The site is located within the Calgary International Airport Vicinity Protection Area (AVPA) noise exposure forecast contour area of 30-35, which permits hotel uses but restricts residential uses on this site according to the AVPA Regulation. To accommodate the proposed use, an exemption to the AVPA Regulation is required by Ministerial consent to be approved by the Province to allow the residential use of assisted living on this site. As per The City AVPA process, Council Resolution is required to apply for the Provincial exemption. To accommodate the proposed use, an amendment to the AVPA Regulation was approved by the Province by Ministerial consent on 2021 January 26 to allow for the residential use of assisted living on this site.

RISK

There is a risk if Silvera for Seniors, the senior care provider, is unable to uphold the RHI criteria and timing, that the funding would be lost and the proposal to re-use the existing building to facilitate the proposed assisted living facility would be cancelled. A secondary risk that the Province would not provide the AVPA exemption also exists. This risk has been mitigated by working with the Province and Calgary Airport Authority throughout the application to help mitigate their concerns.

ATTACHMENT(S)

1. Background and Planning Evaluation
2. Proposed DC Direct Control District
3. Application for an Amendment to the Calgary International AVPA Regulation
Amendment to the Calgary International Airport Vicinity Protection Area Regulation and Signed Ministerial Order
4. Applicant Submission
5. Applicant Outreach Summary

Calgary Planning Commission

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The subject site is entirely located within the 30-35 Noise Emission Forecast (NEF) contour area of the Airport Vicinity Protection Area (AVPA). ~~If this land use redesignation is approved by Council, Council would be tasked to approve a Council Resolution to allow Administration to formally submit an exemption to the AVPA Regulation to permit the residential use of Assisted Living in the existing building only. Any further intensification on the site with the residential use would require an additional exemption with the Development Permit to ensure review of the proposal by the necessary stakeholders.~~ The AVPA Regulation was amended by the Provincial Ministry of Municipal Affairs, by Ministerial Order on 2021 January 26, to permit affordable housing on the subject site.

Calgary International Airport Vicinity Protection Area (2009)
The subject site is located within the AVPA NEF 30-35 contour area and would require an exemption to the AVPA Regulation to facilitate the use of Assisted Living.

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ISC UNRESTRICTED

CPC2021-0153
Attachment 1

~~Administration notified all airport stakeholders of a potential amendment AVPA application to seek preliminary commentary that would be enclosed in the formal application to be reviewed by the Provincial Ministry of Municipal Affairs. The proposed exemption is for the existing building only at this time, as future intensification requires future review of the proposed development by the necessary stakeholders.~~ Administration notified all airport stakeholders of a potential amendment to the AVPA Regulation and sought preliminary commentary on the proposed amendment to the AVPA Regulations. Given the priority of the provision of affordable housing, Administration received the AVPA amendment from the Minister on 2021 February 03.



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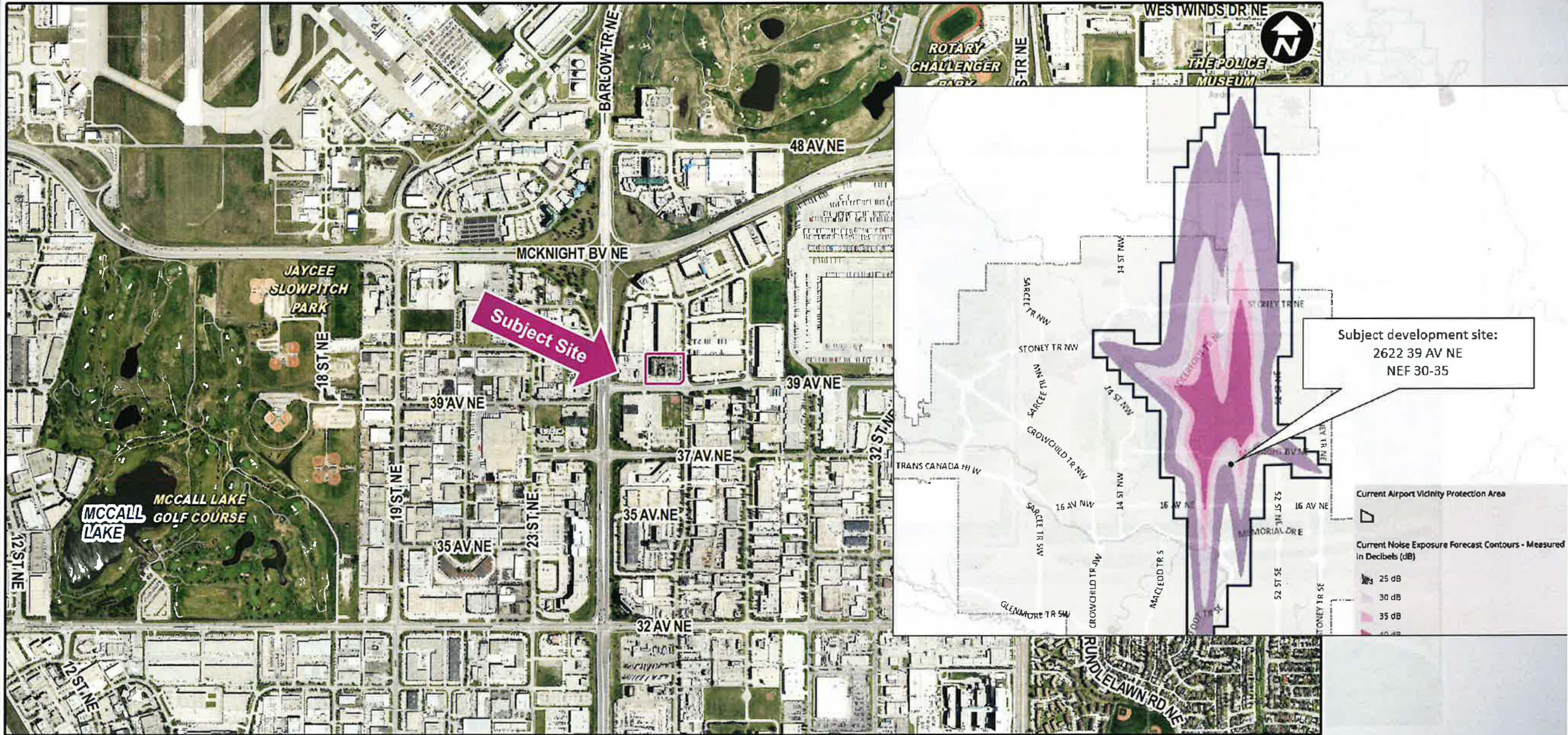
The subject site is located at the intersection of 2622 39 Avenue NE and 26th Street NE in the Aspen Valley Community Plan Area. The subject site is currently zoned C-COR3f1.0h30 and is proposed to be rezoned to DC. The rezoning is necessary to allow for the development of a new residential building on the site. The rezoning is consistent with the City's Official Community Plan and the Aspen Valley Community Plan. The rezoning is also consistent with the City's Strategic Plan and the City's Housing Strategy. The rezoning is supported by the City's Planning and Development Department and the City's Council. The rezoning is also supported by the City's Planning and Development Committee. The rezoning is also supported by the City's Planning and Development Committee. The rezoning is also supported by the City's Planning and Development Committee.

LOC2020-0168
2622 39 AV NE
Land Use Amendment
C-COR3f1.0h30 to DC

A rezoning of the subject site is necessary to allow for the development of a new residential building on the site. The rezoning is consistent with the City's Official Community Plan and the Aspen Valley Community Plan. The rezoning is also consistent with the City's Strategic Plan and the City's Housing Strategy. The rezoning is supported by the City's Planning and Development Department and the City's Council. The rezoning is also supported by the City's Planning and Development Committee. The rezoning is also supported by the City's Planning and Development Committee. The rezoning is also supported by the City's Planning and Development Committee.

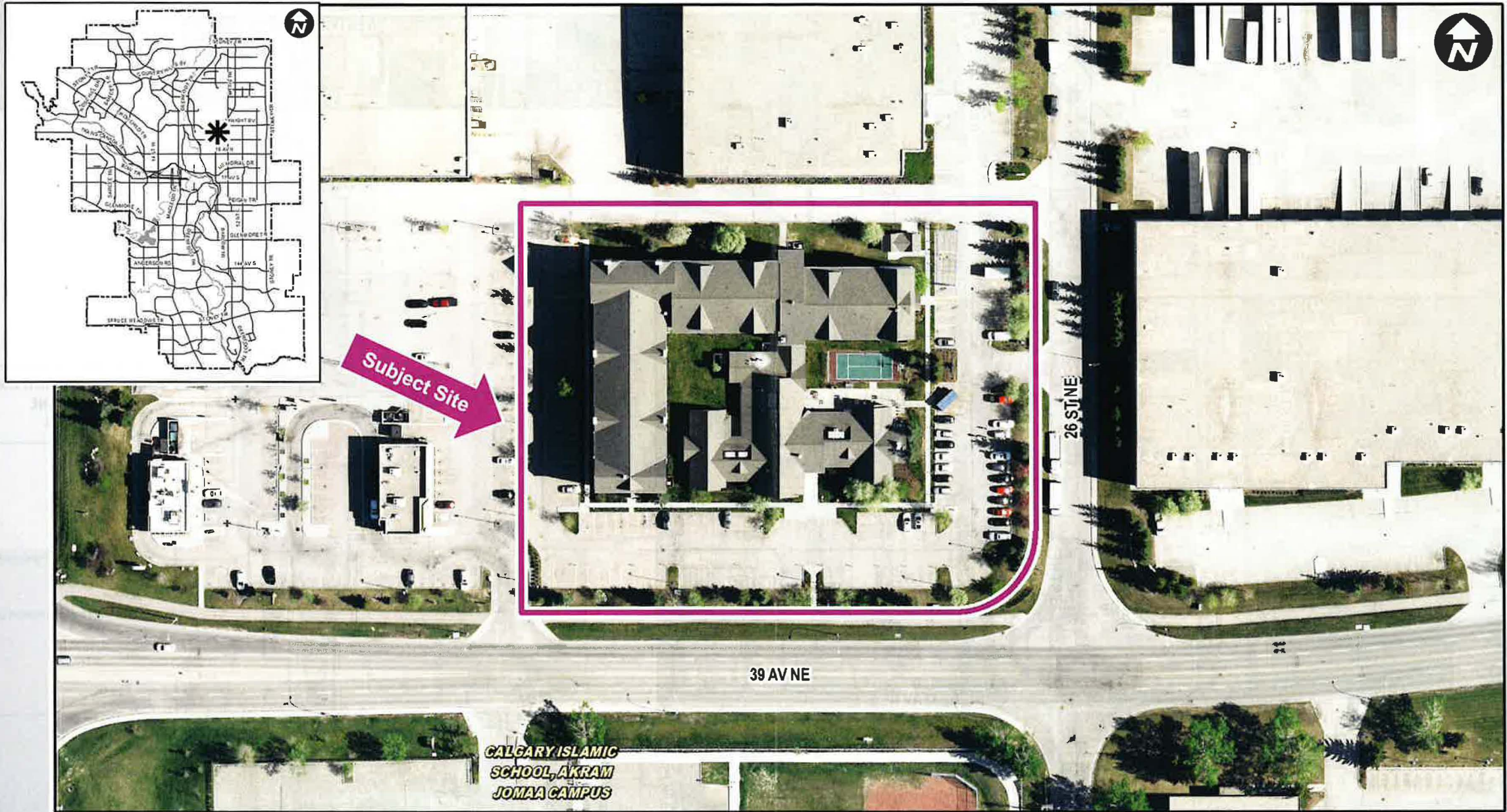
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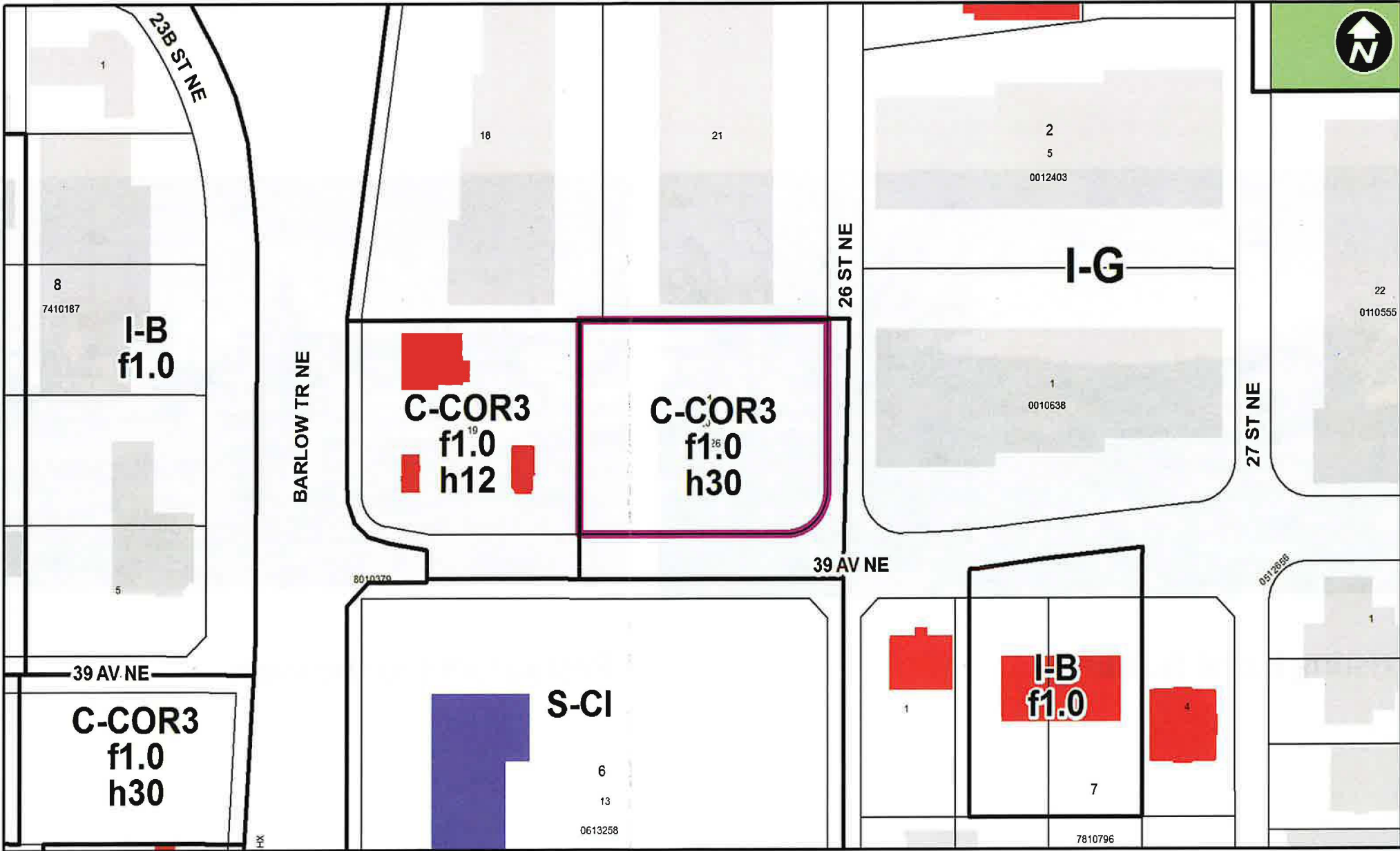




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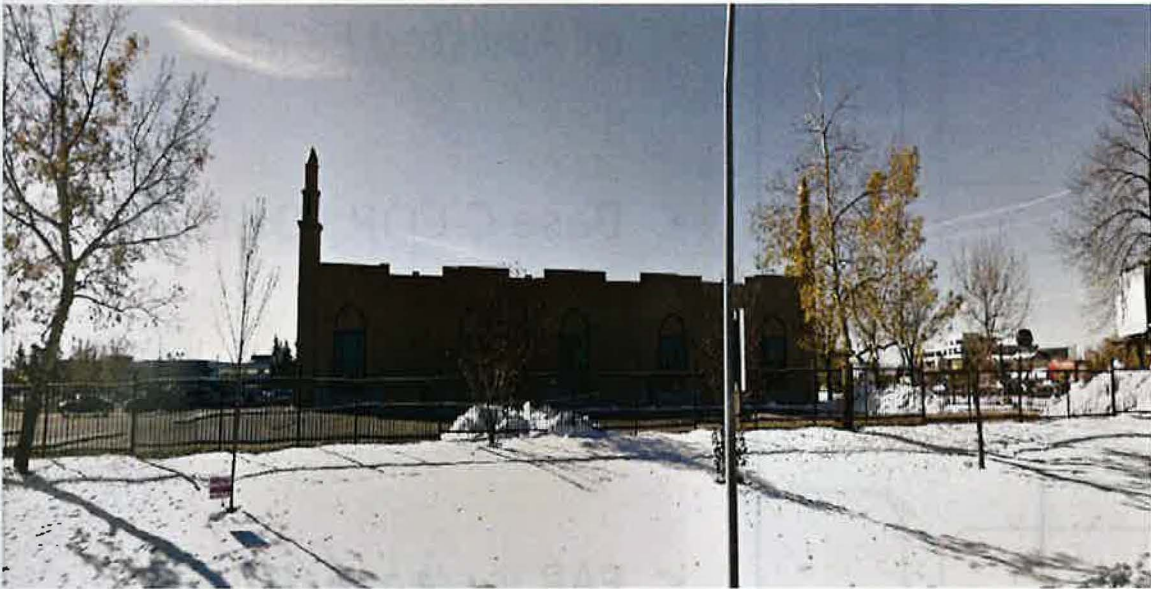
Existing Hotel Building



Restaurants to the west

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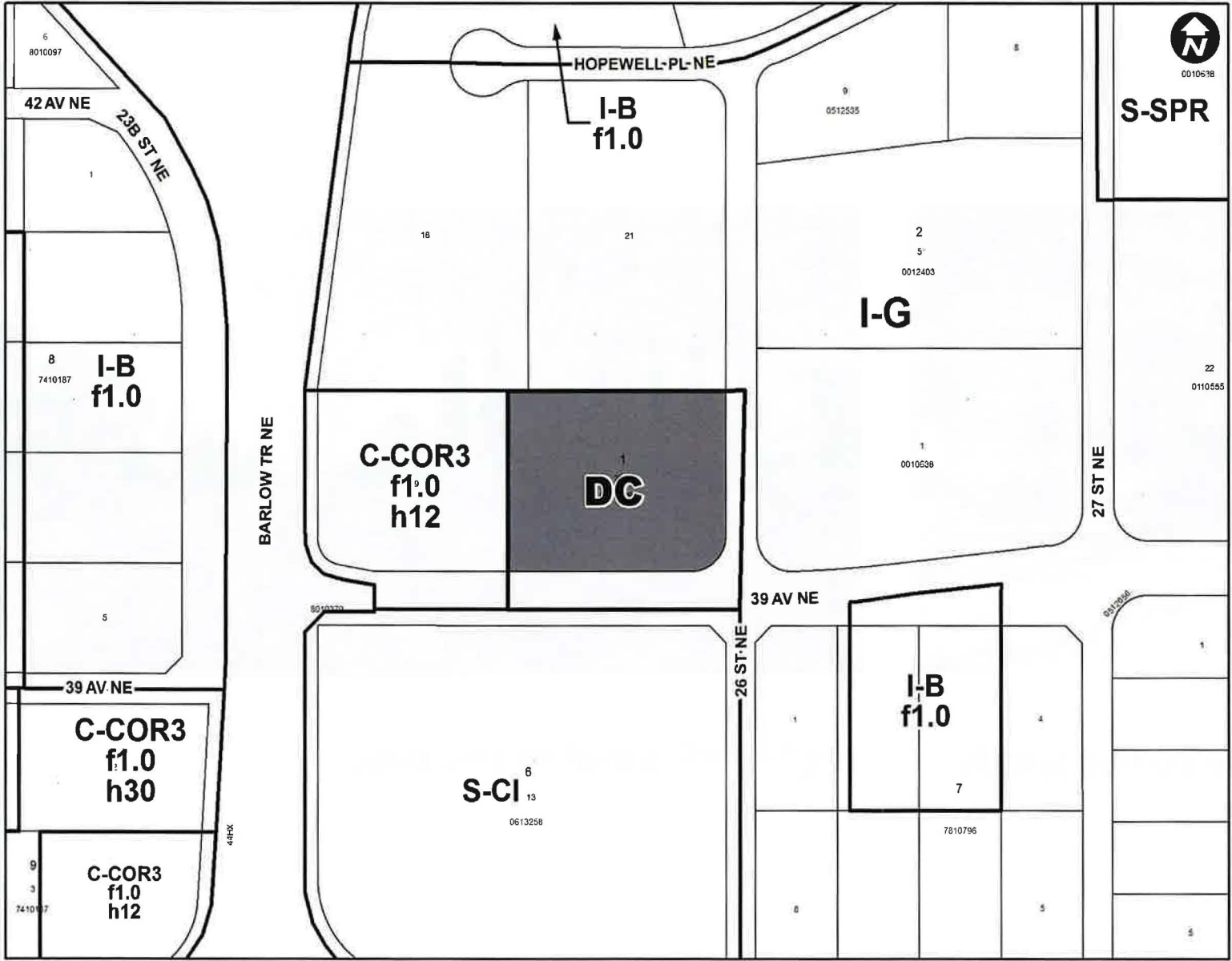


Akram Jomaa Community Centre to the south



Light Industrial to the east

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Proposed DC Bylaw

- Additional discretionary use of Assisted Living
- Base C-COR3 District
- 30 m height modifier
- FAR increase to 1.4
- Allows for Bylaw relaxations



Administration Recommends:

That Calgary Planning Commission recommend that Council:

1. Give three readings to the proposed bylaw for the redesignation of 1.24 hectares \pm (3.07 acres \pm) located at 2622 - 39 Avenue NE (Plan 0010926, Block 1, Lot 20) from Commercial – Corridor 3 f1.0h30 (C-COR3 f1.0h30) District to DC Direct Control District to accommodate the additional use of Assisted Living, with guidelines (Attachment 2); and

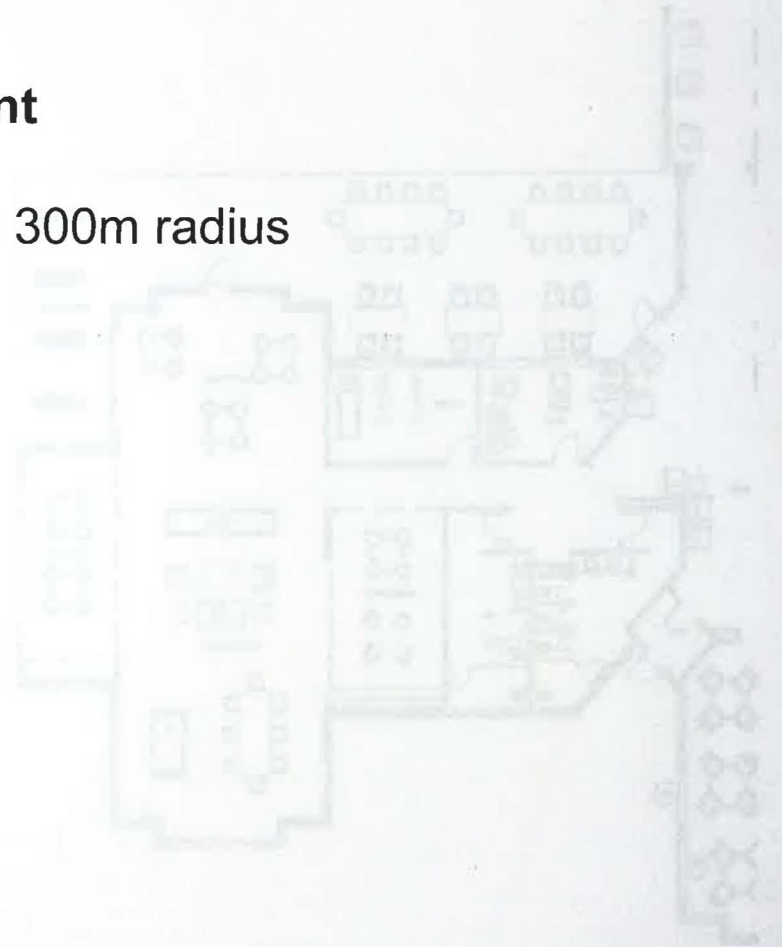
Associated with the development of the site is the proposed use of the site for residential purposes. The site is currently zoned for residential use and the proposed use is consistent with the zoning. The site is located in the City of Calgary and is adjacent to the City of Calgary. The site is located in the City of Calgary and is adjacent to the City of Calgary. The site is located in the City of Calgary and is adjacent to the City of Calgary.

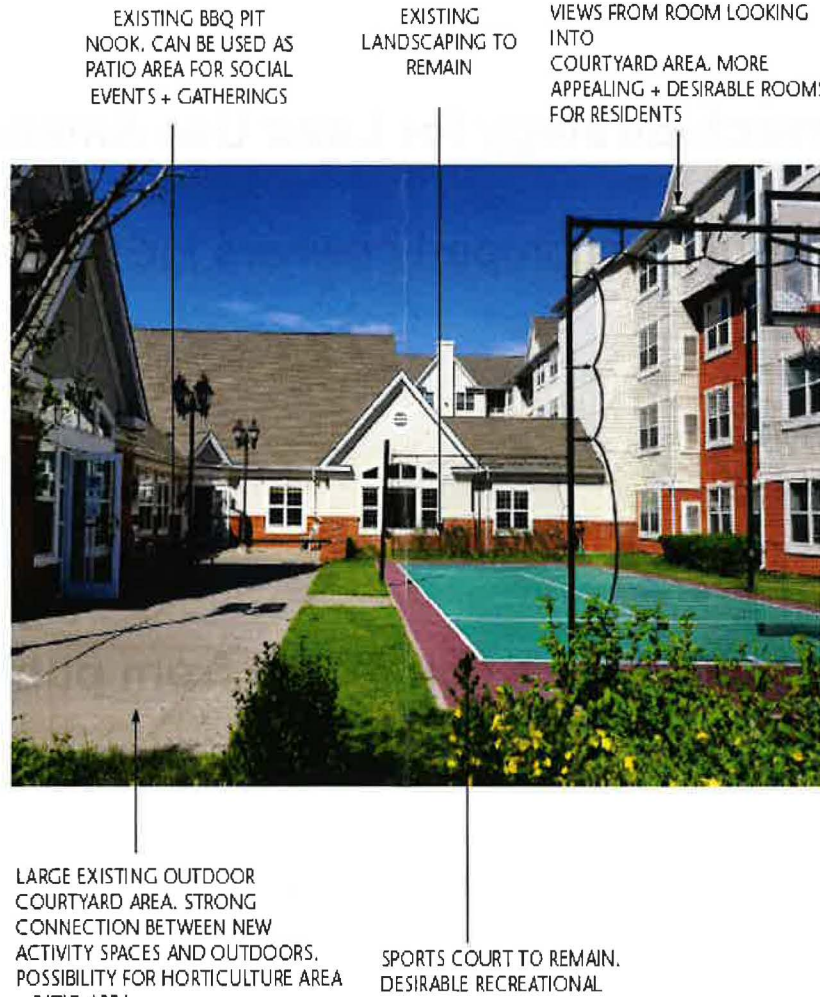
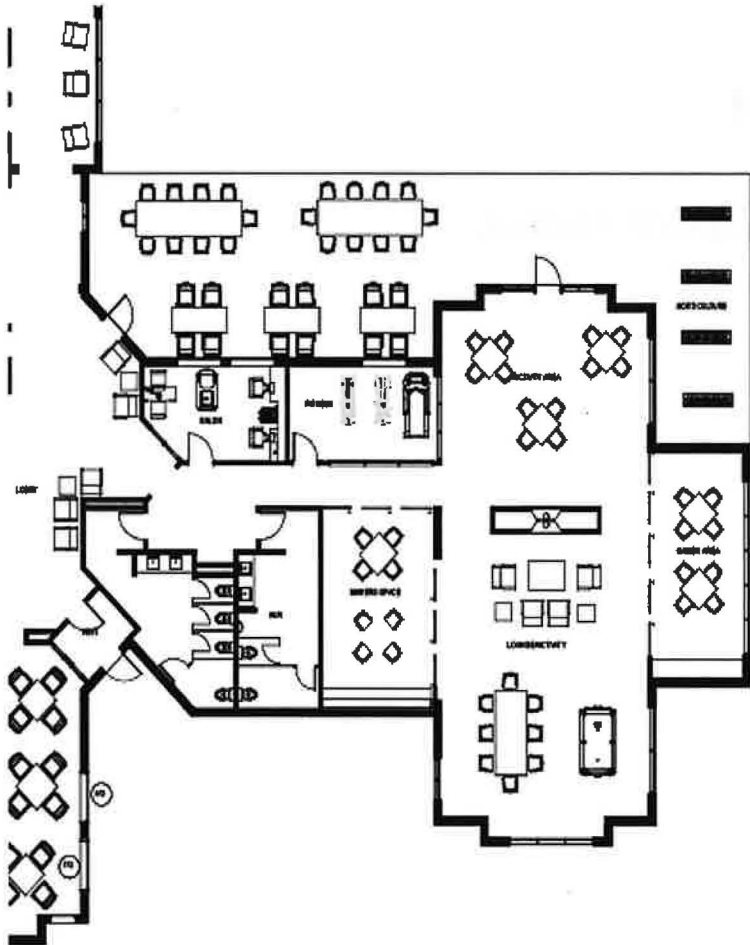


Applicant Outreach Strategy for Land Use Amendment

- Delivered mailers to all property owners located within 300m radius of subject site
- On-site signage

Administration received no comments from public





EXISTING BBQ PIT NOOK. CAN BE USED AS PATIO AREA FOR SOCIAL EVENTS + GATHERINGS

EXISTING LANDSCAPING TO REMAIN

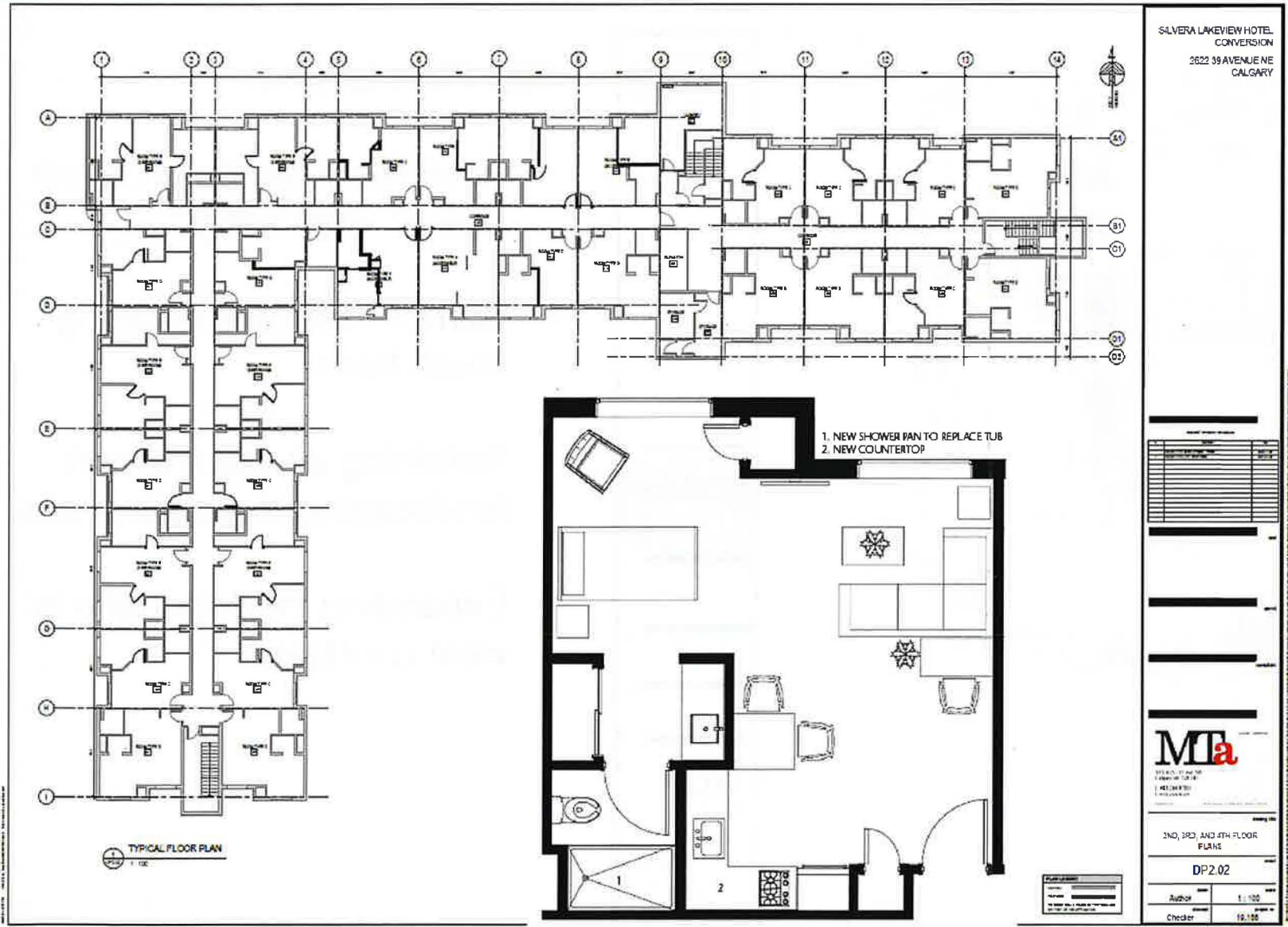
VIEWS FROM ROOM LOOKING INTO COURTYARD AREA. MORE APPEALING + DESIRABLE ROOMS FOR RESIDENTS

LARGE EXISTING OUTDOOR COURTYARD AREA. STRONG CONNECTION BETWEEN NEW ACTIVITY SPACES AND OUTDOORS. POSSIBILITY FOR HORTICULTURE AREA

SPORTS COURT TO REMAIN. DESIRABLE RECREATIONAL

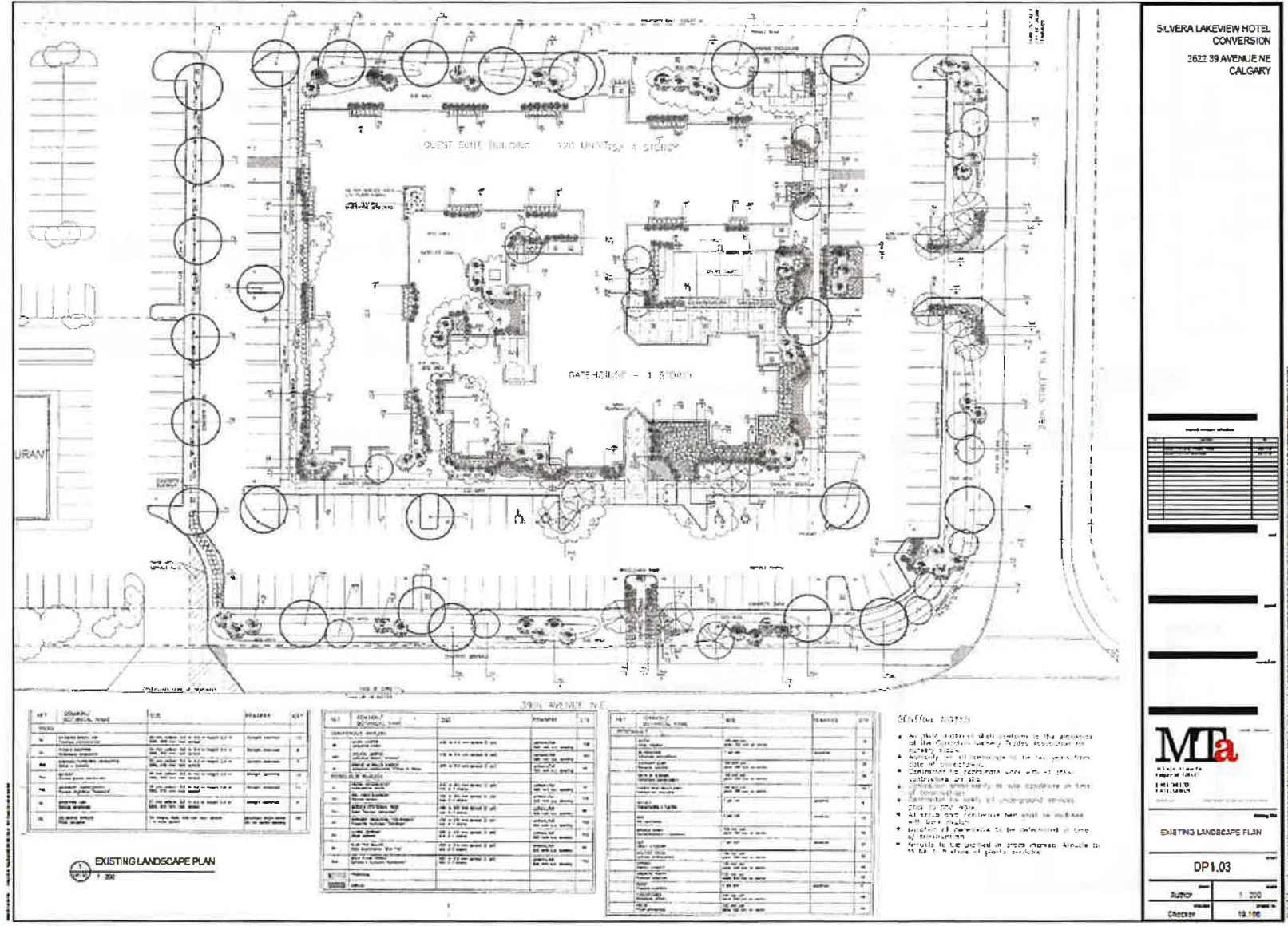
DP2020-7178 Amenities

- 120 new units
- 2 communal dining area (88 seats)
- Hair salon
- Fitness Room
- Activities + Games area
- Communal Lounging area
- Sports court
- Expanded outdoor patio space



DP2020-7178 Floor Layout

- 96 - 1 bedroom & 24 - 2 bedroom units
- 16 Accessibility suites
- Shared laundry facilities
- Homecare



Site Plan Layout

- Accessible ramps on south side at main entry
- Barrier-free parking along south front
- Retaining all existing soft landscaping throughout site
- Expanding outdoor patio in west courtyard