

Response from the Inglewood Community Association

Area Redevelopment Plan

2.7 AVPA (Airport Vicinity Protection Area)

Parts of Inglewood lie under a flight path of the Calgary International Airport and aircraft noise is clearly audible in the area.

In 1979 the Alberta Government adopted the Airport Vicinity Protection Area (AVPA) Regulation as part of the Planning Act primarily to control land use in the areas affected by aircraft noise.

Estimated aircraft noise levels are approximated by noise exposure forecasts (NEF). The NEF contours (see Map 3: Plan Area Attributes) are generated by Transport Canada and serves as the basis for determining allowable land uses in the AVPA Regulation. The Regulation contains a list of uses deemed appropriate (and therefore allowable) on lands within the various noise contours. When the Regulations were implemented, the original intent was to have their existence registered on land titles as a way of notifying current and future land owners of the aircraft noise and the associated land use restrictions. While the federal regulation of the Calgary international Airport Regulation is on title, the AVPA was not registered by the Province. This is an oversight that needs to be rectified as soon as possible.

The Regulation offers an effective way of minimizing land use conflicts relative to the operation of the airport. Similar AVPA Regulations have been successfully applied in other Alberta municipalities. Although technology has reduced the level of noise generated by individual aircrafts, this will likely be offset by the volume increase projected at Calgary International Airport. Airport noise is still a problem in Inglewood and its negative impact on residents should be minimized – i.e. any increase in population within the 30 NEF should be minimal. Nonetheless, application of the Regulation to the Inglewood community, which was developed prior to the airport, has led to some inconsistencies with community planning objectives. The AVPA Regulation, although allowing housing on previously subdivided sites within the NEF 30-35 contour, effectively prohibits further subdivisions which may be necessary to make new development feasible.

1. In Inglewood the problem generally arises in connection with various former industrial sites which, having been vacated, create opportunities for residential development. As these sites are adjacent to or surrounded by residential development, non-residential uses could have negative impacts. Given the need to find acceptable alternative uses for the vacant lands, the ARP proposes that the Provincial Government be requested to amend the Regulations to facilitate new development. Specified industrial and commercial areas in the NEF 30-35 designated non-residential will be allowed to subdivide and develop if approved by City rezoning. The request would apply to those parcels currently designated for residential uses or parcels which are so designated through the implementation of this ARP (Map 3) (*YWCA storage lot, Truck Stop, assisted living on 15A Street, possibly former warehouses along 17 Avenue*).
2. Since the AVPA Regulation was implemented, it has been inconsistently applied by the Development Authority, wherein subdivisions, though prohibited, were inadvertently allowed.
 - a. In order to address this, properties currently designated as residentially zoned may develop to the limits of their zoning, e.g. the proposed relaxation would apply to typical narrow lot infill which occurs when existing 50 ft. lots are subdivided and two houses are built on the resulting 25 ft. lots. This would address the previous inequity created. Such development is not currently permitted within the 30 -35 NEF contour; the proposed change would allow subdivision but no change of land use.

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- b. With regard to allowing secondary suites in the NEF 30-35 contour area (also currently prohibited) a 50' lot with a single residence would be allowed to construct a secondary suite. This will roughly equate to two residential dwellings per 50 ft. which is on a par with what would be permitted by allowing qualified subdivisions.
- c. In order to provide incentive for the preservation of heritage homes which frequently are on narrower lots, any dwelling designated as a heritage resource would be allowed to construct a secondary suite, irrespective of lot frontage (see 3.10).

Recommendations:

- a. The residential development potential of the lands shown on Map 3 should be affirmed in principle subject to the AVPA sound insulation requirements and relevant planning considerations.
- b. Subdivisions and development permits shall be permitted in the normal course of regulation but without land use amendments subject to the AVPA sound insulation requirements.
- c. Secondary suites shall be permitted in the normal course of regulation subject to a minimum frontage of 50 ft.; designated heritage homes would be permitted to have a secondary suite both dwellings subject to the AVPA sound insulation requirements
- d. The Department of Municipal Affairs be requested to take the necessary action to facilitate subdivision and residential development on the properties identified in Map 3, subdivision and secondary suites as allowed by the City through the ARP. It should also be requested to register the AVPA Regulation on all affected titles.