



Proposed Amendment to the AVPA

When the subject of amendments to the AVPA first arose, the Inglewood Community Association (ICA) initiated a full review and discussion with all those affected. The Board's final position was hand-delivered to residents' homes, followed by a full debate, and then successfully passed at a well-attended general meeting. It seems important now to restate, in an abbreviated form, some of the key recommendations made following the initial community consultation and to add several other, more recent, key points.

Amongst other things, our original report read as follows:

"Parts of Inglewood lie under a flight path of the Calgary International Airport (CIA) and aircraft noise is clearly audible in the area. In 1979, the Alberta Government adopted the Airport Vicinity Protection Area (AVPA) Regulation to control land use in the areas affected by aircraft noise. The Regulation contains a list of allowable uses on lands within the various noise contours. When the Regulations were first implemented, the intent was to have them registered on land titles as a way of notifying/informing land owners of the aircraft noise and the associated land use restrictions.

The Regulation offers an effective way of minimizing land use conflicts relative to the operation of the airport. Although technology is gradually reducing the level of noise generated by aircraft, this will be offset by the volume increase (of aircraft) projected at the CIA. **Aircraft 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, 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, prohibits further subdivisions which may be necessary to make new development feasible. During the broad consultation triggered by the March 2016 Notice of Motion to remove the AVPA, the ICA held many forums throughout the community, both independently and in consultation with the City. After much analysis, it concluded that the implementation of

specific AVPA amendments would result in an improved and safe plan for future development of areas affected by the AVPA.”

Our key recommendations, from the original report, included the following:

- Since the AVPA Regulation was implemented, it has been inconsistently applied by the Development Authority, wherein subdivisions, though prohibited, were inadvertently allowed.

In order to address this issue of inconsistent application, 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 – addressing 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.

- 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.
- Secondary suites shall be permitted in the normal course of regulation in a single-family dwelling subject to a minimum frontage of 50 ft. Designated heritage homes would be permitted to have a secondary suite. Both types of dwellings subject to the AVPA sound insulation requirements.

In terms of what is currently being proposed to Council, the proposed (2018) amendments to the AVPA, we have only just received this information, with no prior warning, and it has given us insufficient time to respond. We have tried to maintain close contact and open communication with the Airport Authority, and have had them speak to two general meetings. We were told that the City considered that the consultation done in 2016 was sufficient and that it saw no value added in further community engagement. The rowhouse building form referred to in the proposal was not discussed in 2016 – indeed, it did not even exist then. While we appreciate the courtesy of calls from Ms. Brandy MacInnis and Ms. Deb Hamilton, this does not replace actual consultation.

In the absence of such consultation, it is suggested that, as a compromise, the above recommendations be adopted. In addition, Attachment 1 indicates that any future developments under this proposal will be governed by any applicable statutory plans (presumably including the ARP once passed and implemented). Within the draft ARP, it has been made clear (as a result of community consultation) that row house reorientation at the end of a block is not a building typology that will be supported. Given what is being proposed for end of street corner lot developments (four reoriented row houses plus basement suites), we have to assume that our new ARP will take precedence. We have seen recent examples wherein there seem to be issues arising (as result of a provincial request to clarify legislation hierarchies) as to whether the DAG (Developed Areas Guidebook) will supersede the ARP or the other way around. To our knowledge

this issue has not been resolved – we would want similar assurances that the ARP will indeed be the driving document.

We make the assumption, as previously stated by Ward 9 Councillor Gian-Carlo Carra, that he will recuse himself from discussions of the AVPA and associated amendments. Ethics Commissioner Alice Wooley stated in 2016 that, due to his interest in a property in Inglewood impacted by the AVPA regulations/limitations, his participation in the AVPA debate “would create the risk that you would violate, or would appear to violate, the provisions of the Ethical Conduct Policy for Members of Council”.

We urge the Council to redress the oversight of communication and consultation on this very important matter and adopt our recommendations.

Yours very truly,

A handwritten signature in black ink that reads "Phil Levson". The signature is written in a cursive, flowing style.

Phil Levson

President

INGLEWOOD COMMUNITY ASSOCIATION