

## JANUARY 23<sup>RD</sup> MESSAGE UPDATE

I had the opportunity to attend the Open House January 22 at the Delta Hotel along with Mr. Tony Cleveland, Chairman of the Ward 13 LUMAC (Land Use and Mobility Advisory Council). We were there for the entire presentation and Q and A with residents. It was very helpful to hear your concerns and questions. I spoke with city planners today to brief them on the meeting and the intentions of the applicant. The planners will keep me briefed on the process as we move forward.

Having considered my motion to update the LRT plan and the Midnapore 2 ASP, Administration is not recommending that these two initiatives proceed in 2009. The Midnapore 2 Area Structure Plan was approved in June 1991 and has provided guidance for the development of this part of the City since that time. The area is largely developed, with the exception of city owned parcels totaling approximately 10 ha (25 acres) next to the Fish Creek Lacombe Station LRT Station. The "Highbury" complex, is currently under construction near the LRT Station and Geo-Energy, a private developer, intends to purchase the existing Shawnee Golf Course with a view to redeveloping it for residential uses.

Redevelopment of the golf course lands would require an amendment to the Land Use Bylaw 1P2007 and an amendment to the Midnapore 2 ASP. The developer must make application to The City for such changes and a process of review and evaluation by Administration would be required before the matter would be considered by Calgary Planning Commission and finally, at a Public Hearing of City Council. Both the land use amendment process and the amendment of the ASP would include opportunities for public engagement. Although no application for a land use change has yet been made to The City, the developer has confirmed that such an application is being prepared and will be submitted within the next couple of months.

With regard to the City owned lands at the Fish Creek Lacombe Station, Administration is developing a City Wide Transit Oriented Development (TOD) Strategy to address development issues around a number of LRT Stations. This strategy is intended to provide direction regarding the scale and form of development suitable for a variety of station contexts throughout the City as recent experience indicates that not every station needs a plan. In addition, an inter-departmental team is currently reviewing the priorities identified in the *Priority Stations Report-Transit Oriented Development* (LPT 2005-00032) in light of current economic realities and more recent experience with Transit Oriented Development. Once the priorities have been reviewed, Administration will be in a better position to advise on the status of the City owned lands at Fish Creek Lacombe.

Most of the land within the 600m radius (5 to 10 min. walking distance) of the station is already developed (Attachment 2). The main issues appear to be the golf course lands and the City owned lands (see attached map) which are not likely to be developed in the near term.

Administration believes that it is possible to fully address the issues outlined in the Notice of Motion without a review and update of the Midnapore 2 ASP or the preparation of a Station Area Plan for Fish Creek Lacombe, which would each require considerable staff resources. In addition to considering questions of planning impact such as density, height, built form etc., any land use application for the golf course will require a full transportation and utility impact analysis. As part of that analysis, assumptions will be made about potential land uses and densities for the city owned lands to enable a full analysis to be completed. These assumptions will not have any policy status, but will simply be used for analytical purposes. Any future

proposal for development of the City owned lands would also require a land use amendment application and an ASP amendment and would include *extensive* public consultation.

I appreciate that some residents are very concerned about the potential for significant change in their neighbourhood. Tony and I will be hosting a half day workshop with the community once an application is circulated. We will invite the developer to make a presentation, and also ask the City Planning Department to make a presentation. This will be a working session with members of the community and be based on the design charette process.

I felt clarity was required as a result of questions and responses made last evening with regard to the current land use designation for the golf course lands.

The definition is as follows:

### **Purpose**

- 1041 (1)** The Special Purpose – Recreation District is intended to:
- (a) accommodate a range of indoor and outdoor recreation uses;
  - (b) provide for complementary uses located within buildings occupied by indoor and outdoor recreation uses; and
  - (c) be applied to parcels of various sizes with a greater range of use intensities.
- (2)** The Special Purpose – Recreation District should not be applied to land dedicated as reserve pursuant to the *Municipal Government Act* or its predecessors.

### **Permitted Uses**

- 1042** The following uses are permitted uses in the Special Purpose – Recreation District:
- (a) Natural Area;
  - (b) Park;
  - (c) Park Maintenance Facility – Small;
  - (d) Power Generation Facility – Small;
  - (e) Sign – Class A;
  - (f) Special Function Tent – Recreational; and
  - (g) Utilities.

### **Discretionary Uses**

- 1043 (1)** The following uses are discretionary uses in the Special Purpose – Recreation District:
- (a) Community Entrance Feature;
  - (b) Community Recreation Facility;
  - (c) Kiosk;
  - (d) Indoor Recreation Facility;
  - (e) Library;
  - (f) Museum;
  - (g) Outdoor Café;
  - (h) Outdoor Recreation Area;
  - (i) Park Maintenance Facility – Large;
  - (j) Performing Arts Centre;

- (l) Power Generation Facility – Medium;
- (m) Protective and Emergency Services;
- (n) Sign – Class B;
- (o) Sign – Class C;
- (p) Sign – Class D;
- (q) Sign – Class E;
- (q.1) Sign – Class F; and
- (r) Spectator Sports Facility.

## **JANUARY 15<sup>TH</sup> MESSAGE UPDATE**

Recently Geo-energy Enterprises Ltd. distributed a flyer to Shawnee/Evergreen residents outlining their intentions and inviting residents to an information session to present their plans for development of the SNSGC. On January 22, at the Delta South Calgary, Geo-Energy will meet with residents and present their vision for the area. Specific dates and timelines are not yet known, however, Geo-Energy intends to close on the purchase of the SNSGC in the summer of 2009.

- Geo-Energy with a letter of authorization from the current land owners, can submit a Land Use Redesignation Application to the City of Calgary prior to closing on the purchase if they so choose. They would work with City Administration and the city planner assigned to their application.
- As part of the City process, copies will be distributed to the Community Association, myself as Ward Alderman, and a number of city and provincial departments and business units for comments and input. This process also includes community meetings hosted by the applicant, city administration and Tony Cleveland and myself.
- Once all the circulation comments have been received, Administration makes its' recommendations on the application to the Calgary Planning Commission (CPC). The CPC only reviews the technical merits of the application and in turn makes their recommendations to City Council. They can either support the application as submitted, make amendments, or disapprove. City Administration can either approve or disapprove of the application. The public can attend the CPC meeting and submit written comments for inclusion with the application, however, the public cannot address the CPC unless invited to do so. As the Ward Alderman, I too can formally submit concerns or suggestions I have on behalf of the community.
- Once the land use application completes this aspect of the process, it is then put onto the Public Hearing schedule of City Council. The Public Hearing is held by City Council prior to making a decision on the application. The public can speak either for, or against the application for 5 minutes, or, can make a combined presentation with a number of citizens presenting. The public is then notified by :
  - a sign on the site indicating the Council public hearing date
  - letters sent to adjacent owners
  - an ad in the Thursday newspapers under Public Notices
  - Alderman Diane sending out email and newsletter notification
- It is very difficult to determine how long this entire process can take. My experience on other land use applications is that it can be anywhere from 6 months to 5 years depending on the circumstances.

## **DECEMBER 15TH COUNCIL MEETING**

My motion to have the City of Calgary explore potential municipal/recreational opportunities to acquire the golf course had to be filed when Council set its' Agenda on Monday, December 15th, 2008. I was directed to do this as a result of a letter sent to myself and all Members of Council by Mr. Christopher Davis, legal counsel for Geo-Energy Enterprises Ltd. In this letter dated Friday, December 12, 2008, Davis made the following statements:

- Geo-Energy has entered into an agreement with the legal owner of the Shaw-Nee Slopes lands to buy the golf course.
- The agreement is unconditional and will be closing next summer.
- Geo-Energy does not wish to sell its interest in the subject lands.
- Geo-Energy is committed to working with the City of Calgary and the stakeholder community-living, playing and working in proximity to the existing golf course site-towards possible site redevelopment.

### **DECEMBER 5TH MEETING WITH GEO-ENERGY**

I had the opportunity to facilitate a meeting with Administration and Geo-Energy on Friday, December 5 at my office. This was the first time that I had met this development group and heard about their ideas for acquisition and development of the Shawnee Slopes Golf Course site.

Over my 9 years of serving this area as Aldermen, I have met several potential new owners who have all had a variety of ideas for this 143 acre site. These ideas have ranged from leaving the golf course in as either a 9 or 18 hole course and developing around its edges with single family and high density development, to putting in an urban village with commercial and retail components, to building a hotel and seniors housing, to completely removing the golf course. For one reason or another, none of these have proceeded.

This is what I learned at this meeting:

- Geo-Energy has made an "unconditional offer" to purchase the SSGC. They have every intention of closing on the deal by summer irregardless of getting a land use change by City Council in order to fully develop out the site. Geo-Energy believes the golf course is not viable.
- Geo-Energy presented some very preliminary ideas on what they intend to do with the site. They did not present detailed drawings but a high level conceptual overview of what they intend to do. This would include working with the topography of the site, leaving in trees and incorporating into their design, greenspace and interactive urban pathways, high density as well as single family dwellings. Part of Geo-Energy's strategy is to also incorporate high density as part of the Fish Creek /Lacombe LRT Station and the City TOD (transit orientated development) policy.
- Geo-Energy will unveil their plans to the community at large in January 2009 and submit a Land Use Application to the City of Calgary within six months. They intend to organize and plan these community meetings and have offered to present their plans to the Shawnee Evergreen Community Association as well.

- Geo-Energy is open to receiving feedback and input on their concept and vision for developing out the area as discussed above. This does not include a golf course.

This is what I said at the conclusion of the meeting:

- Council approved my motion (attached) with Alderman Fox-Mellway to ask Administration to include in their 2009 Workplan, a review and update of the Midnapore Phase 2 Area Structure Plan. This work could take up to 18 months, during which time I would not support any land use change in this area. Administration will report back to Council on this Work Plan in January 2009. That is when we will know if this will proceed. If we are unsuccessful in getting onto the Work Plan for 2009, we will again make the request for 2010.
- We have been waiting for 6 years to do a LRT station plan since a year after the station opened. This was delayed for a variety of reasons including waiting for the Somerset LRT Station to open to determine parking requirements, and, waiting for Council to approve the TOD policy which was done about 18 months ago. Council then approved a priority list of stations in the city to get into the queue for a station plan. All the south line stations were ranked # 1 but the Fish Creek / Lacombe station was put off for up to 3 years. The Anderson Station LRT was chosen as the "marquee" first station to be studied and this has been underway for over 1.5 years. This plan will be coming to Council soon. Amid this delay in planning for the Fish Creek Lacombe LRT Station, the high density HighBury development came forward and was approved by the community and City Council.
- A landowner has the right to sell their property at anytime, and anyone has the right under property rights to purchase land. I do not support or agree with those who are trying to "stop the sale" of the Shawnee Slopes Golf Course. As an elected official, I am unequivocally not in a position to engage in such actions.
- I understand that the owners of the property can walk into City Hall at anytime they so chose and submit a land use application and seek a land use amendment. Further, Administration must receive and process the filing of any such land use application. Whether or not Administration supports or endorses such an application is another matter. In fact, an applicant can request that their application go directly to the CPC and a Public Hearing of Council even without Administration's support. When Geo-Energy stated that they were proceeding one way or the other on their timeline and with their plans, I responded by stating that they were taking a risk in acquiring the site on an unconditional basis and assuming that Council would grant a land use amendment based on their concept. They responded by advising that they fully understood the risks and were proceeding irregardless. I also understand that members of the community and Geo-Energy and their representatives intend to meet with my Council colleagues.
- I conveyed my disappointment that none of their ideas or conceptual plans included a golf course.
- I provided a copy of my most recent Notice of Motion (see attached) going to Council for the City to consider acquiring the site for municipal purposes. I also emphasized that I was looking for an innovative approach to finding a compromise with the golf course and development with the Province, the City and the private sector.

## **UPDATE OF THE MIDNAPORE PHASE 2 AREA STRUCTURE PLAN**

On Monday, October 6th, Alderman Fox-Mellway and I took forward a Notice of Motion (see attached) requesting that Administration include for consideration in their 2009 Land Use Planning and Policy Work Program, a review and update of the Midnapore Phase 2 Area Structure Plan (ASP). This would also include the preparation of a Station Area Plan for the Fish Creek / Lacombe LRT Station. Council was in support of this motion and it passed. Administration will now consider this request in the context of all the other requests they have for projects and initiatives to be added to their 2009 Work Program. They will report back to Council no later than January, 2009 on their Work Program and seek final approval by Council. This is when we will know if our request has been included in the Work Program.

The Midnapore Phase 2 (ASP) was first approved by Calgary City Council in 1991. Much has changed over the years including new policy initiatives such as the development of the Transit Orientated Design Policy (TOD). This is a very complex and sensitive planning area that includes:

- ✓ 25 acres of undeveloped City of Calgary land within the Fish Creek/Lacombe LRT station area o A mixture of residential, recreational and commercial areas including but not limited to the communities of Sundance, Shawnessy, Millrise, Shawnee Slopes · Fish Creek Provincial Park · Shawnee Slopes Golf Course · Green Gate Nursery Center · CP Railway · St. Mary's University
- ✓ Fish Creek/Father Lacombe LRT Station
- ✓ The TOD policy has accelerated considerable interest in high density development such as the three high-rise developments called Highbury. Such high density developments have considerable impact on the Midnapore 2 ASP and requires considerable planning, consultation and consideration with the community to build a vision and plan for this area. There is a need for a comprehensive land use plan to guide development, while ensuring an appropriate interface with and connections to residential, recreation and commercial areas. A comprehensive public consultation process is an essential and integral component of the planning process.
- ✓ If this work gets added to the 2009 Work Plan it may entail:
  - o The potential preparation of a Station Area Plan for the Fish Creek~Lacombe LRT Station.
  - o A review and update of the ASP which would likely take close to 12 -16 months from project commencement to being brought before Council for their consideration.
  - o The focus of the work would be to develop the most appropriate land uses for this area. The work would examine a range of issues including, but not limited to transportation network, including pedestrian and cyclist connections, environmental and park issues, site layout and design guidelines. The process of the preparation of these plans would involve meetings with community groups, general public, landowners and other stakeholders. This may include open house meetings, design charette(s), and/or other applicable processes to ensure accessible public input into the planning process.
  - o The commencement of this planning work, if approved by Council would likely commence in the fall of 2009.