

Hubman Landing Residents: Loop Back Meeting

September 22, 2016, 7:00-9:30 PM

Solara Resort and Spa

Attendees

Trevor Goodfellow
Rimma Goodfellow
Steve Baylin
Paul Ysselmuiden
Curtis Scherer
Sally Scherer
Greg Heath
Glen Werner
Hans Wolf
Jane McClellan
Wendy Gregory
David Eaket
Karen Boyd
Murray Hunter
Dale Bathgate

Support

Lori Van Rooijen- Facilitator
Tracy Woitenko- Town of Canmore
Jessica Karpat- QPD
Jenn Giesbrecht- QPD

Agenda Item #1: Welcome and Introduction

- The Facilitator thanked everyone for attending the meeting and provided a brief overview of what was discussed in previous meetings. Specifically, since the first meeting in June, the Resort Centre and Smith Creek project teams have had a number of conversations related to the proposed ASP land use concept, wildlife and undermining.
- The Facilitator noted that the purpose of the meeting was to loop back to the first meeting and talk about some of the issues and concerns that were identified previously and how the project team responded.

Agenda Item #2: QPD Update

- The Resort Centre and Smith Creek project teams have continued to work on various engagement initiatives with the community. Last week there was an online community conversation on wildlife. The objective was to replicate the conversation that we have been having with small groups for the broader public.

- We received good feedback as well as some criticism. While many people thanked the Project Team for the session and articulated the view that this forum was very effective, others expressed the view that the Project Team was being selective of the questions that were answered at the session.
- The Project Team is working to compile a Q & A document which addresses every question received throughout the session. This document and the video file will be posted to our website early next week. An email update will be sent out when these resources are available.
- As a result of the success of the wildlife online community conversation, the Project Team will be hosting another online community conversation to discuss undermining. The session will take place on October 5, 2016 from 7:00-9:30 PM. Registration will be available through the Smith Creek and Resort Centre Project Websites (www.smithcreekcanmore.ca and www.smithcreekcanmore.ca/resort-centre).
- The Information Sessions, originally scheduled for September 27, 2016 have been rescheduled for October 18th, 2016. The sessions will still be at the Coast Canmore Hotel and Conference Centre. There will be two sessions: 1:00-4:00 PM and 6:00-9:00 PM. The same information will be shared at each session.
- The Town passed a new Municipal Development Plan (MDP) as well as a new EIS policy. The Resort Centre Planning Team will be considering this policy while moving forward with the Resort Centre ASP amendments application.

Agenda Items #3 and #4: What We Heard and How We've Responded

- Through our previous meetings, we heard that there is concern from Hubman Residents related to the types of land uses that were going to be proposed on the land adjacent to Hubman ("the Hubman Triangle"). At the first meeting, the group was provided with the opportunity to think about alternative uses for the area.
 - Overall, the preference would be recreational uses and a trail head with parking to ease some of the parking congestion on Hubman.
- There are concerns related to undermining. The Project Team is hopeful that the undermining session (on August 18, 2016) was helpful in giving more information about the regulatory process for developing on undermined lands, the technical mitigation strategies, and the liability considerations.
- Hubman residents also expressed concerns related to whether wildlife fencing is the right wildlife mitigation strategy, and how the 25 degree slope affects the functionality of the wildlife corridor. Residents also expressed concerns about running the fencing through water and whether the fence would be a full loop.
- Finally, residents expressed interest in fully understanding the process for development and the timelines related to how applications are processed and approved.

Development Process

- First, it was important to loop back to discuss the timeline for planning and development approvals.
- The Town has developed a process diagram detailing the Planning and Development Permitting Process and Opportunities for Public Input.
 - *Note: you can find the diagram here:* <http://canmore.ca/documents/planning-building-development/961-planning-and-development-process-brochure-2016>
- The Town provided an overview of the planning and development approval process and opportunities for public input.
- There are six components of the planning and development process in Canmore:
 1. Municipal Development Plan
 2. Area Structure/Redevelopment Plan
 3. Land Use Bylaw
 4. Subdivision
 5. Development Permit
 6. Building Permit
- Three of these components are statutory (meaning that they have to be formally adopted by Council).
- The MDP is a high-level plan that establishes the Town's overall policy direction for managing growth and land use decisions. A new MDP was approved by Council on September 13, 2016 after two years of revision and engagement. The document will be available on the website this week.
- An ASP is also a statutory plan. After the plan is submitted to the Town, the plan and supporting documents are reviewed by Administration. The plan then goes to Council for a first reading where the Public Hearing is scheduled. First reading is intended to introduce the content of the plan to Council and to the public, but Administration does not make a recommendation until after the public hearing. Typically a public hearing is scheduled about a month after first reading and is advertised for two weeks prior. It is possible to have multiple public hearings. Following the public hearing, the plan goes to second and third readings.
- At the public hearing, members of the public are welcome to support or oppose the proposal either by speaking at the hearing or through a written submission. Written submissions are accepted until the public hearing begins.
 - The developer works through public engagement initiatives related to the ASP.
 - The Town noted that they are attending this meeting (which is primarily related to Resort Centre) because they will be reviewing the plan and would like to get a sense of the types of community feedback that QPD has been receiving.
- The Land Use Re-designation or re-zoning is also approved by Council and results in a more detailed plan for the entire area. Specifically, re-zoning provides information related to what type of use will go where, heights, what size the setbacks are, and allocation for parks and open space.
- In Canmore, the land use phase and the subdivision phase are considered separately, however, TSMV may look to complete a concurrent application for land use and subdivision similar to the City of Calgary Outline Plan process.

Attendee Question: How do you know when the applications will go to council?

- The date of the public hearing is set at first reading and is advertised for at least two weeks prior. We are not yet clear on the timing for the Smith Creek ASP and the Resort Centre ASP Amendment.

Attendee Question: Are there public engagement opportunities at the land use and subdivision phases?

- Given that the land use phase is also statutory and subject to Council approval, the process is the same as detailed above.
- Subdivision is a different process. Notifications are sent to adjacent homeowners. While homeowners are allowed to comment on the application, there are no appeal rights.

Attendee Question: If the development permit falls in line with all of the previous policy, is there an appeal process?

- At the land use phase, two different types of uses are identified: permitted uses and discretionary uses. A permitted use means that there can be no appeal, provided that the application is aligned with the previously approved policies. Any discretionary use or a permitted use with a variance is subject to appeal.

Attendee Question: Are there discretionary uses identified at this phase?

- No, discretionary uses are identified at the land use stage.

Attendee Question: Why are you changing the Resort Centre ASP when it was already approved by Council?

- Changes to ASPs are acceptable as long as they are consistent with the policies identified in the Municipal Development Plan. It is worth noting that an MDP is subject to amendment as well although that is generally a more complicated process.
- TMSV is looking to find alternatives to the lands formerly identified as golf course. The first step to facilitate this is amending the ASP.

Attendee Question: Why is the Resort Centre ASP Amendment application going forward before Smith Creek?

- The Resort Centre ASP application is an amendment and is therefore a simpler application than the Smith Creek ASP submission. The Resort Centre already has approved wildlife corridors and has some land use and infrastructure in place. In addition, Resort Centre is very important to the landowners and will require substantial investment. It is necessary to determine if it will be viable.

Attendee Question: Do you have any dates for this timeline?

- The Resort Centre ASP will be submitted in late October. TSMV made the decision to postpone our information sessions to October 18, 2016 (from 1-4, 6-9). The intention is to submit in October but TSMV will not submit until after the information sessions.

- The Town and TSMV are working together to establish a more detailed timeline for the Town’s internal review process.
 - The Town noted that there are a number of documents that are submitted with the ASP. Because there was no Terms of Reference (TOR) created for Resort Centre and the Town does not know exactly what supporting documentation will be submitted with the ASP. The Town will be able to identify specific timelines once the ASP amendments and documentation are submitted.

Land Use Concept for ASP

- The previous discussion related to the approval process helps to provide context for the types of detail that TSMV can get into in the proposed Resort Centre ASP amendment.
- Since June, TSMV has been exploring alternatives to residential or resort accommodation development in the “Hubman Triangle.”
- QPD has been having conversations with the Town about recreational space and steep creek hazard mitigation in Resort Centre.
 - With regards to steep creek hazards, there is a small amount of high risk steep creek within the creek beds of Three Sisters Creek. QPD is working with the Town to mitigate steep creek hazards both for existing and proposed development. While there will be a steep creek hazard study, the study is not completed until there are more specific details related to what is being proposed on the site. The type of use being proposed will impact the types of mitigations recommended in the steep creek hazard study.
 - We do know that the Town is looking for flat recreational space for regulation soccer and football fields and a trail head. These types of uses could be integrated with steep creek mitigation.
- QPD is proposing to amend the concept map originally shown to Hubman Residents in June to label the Hubman Triangle as Policy Area F and identify the focus for the Hubman Triangle area as recreation with the stipulation that the lands that remain after a municipal reserve (MR) dedication will be developed. This may be residential compatible with Hubman Landing.
- Based on what we heard, the plan is to focus MR for the purpose of recreational fields as well as steep creek mitigation. The amount of dedicated MR would be determined based on the Town’s needs and with the knowledge that some MR dedication will also need to be distributed throughout the Resort Centre ASP area.

Attendee Question: Would the Town’s need for recreation and the steep creek mitigation strategy be determined at the land use phase or before?

- This decision would be made before land use approval but not before ASP amendments were approved.
- When there is existing development that requires mitigation, the Town has to work with landowners to build the mitigation. In Resort Centre, the study will be a joint study between the Town and TSMV regarding strategies to mitigate the steep creeks and this will involve collaboration and negotiation.

Attendee Question: So this defers the decision related to what will be developed until later?

- The Municipal Government Act specifies that a municipality can take up to 10% of land or money as MR at the time of subdivision. While this is the maximum that the Town can ask for, the developer can choose to dedicate more than 10%.
- In addition, there are deferred reserve caveats (DRCs) which can be applied to this area as well. DRCs are created when a Town decides not to accept MR in a given area. The required MR is then deferred to another area.
- These numbers were not available at the time of the meeting so they have been added to the notes as promised. There is about 400 acres in the Resort Centre area and Area F is approximately 50 acres depending on how it is measured.

Attendee Question: So you are offering Hubman Triangle to the Town to satisfy the requirement of MR?

- While MR must be distributed throughout the Resort Centre, a portion of the MR dedication would be concentrated in Area F. TSMV thinks that Area F (the Hubman Triangle”) is an area that offers the potential to provide the types of uses identified in the Recreational Master Plan. This could include amenities such as soccer fields, pickle ball fields and trailheads.
- If the Town is not going to accept all of Area F as MR, TSMV is not able to develop the entire area as recreation.

Attendee Question: What would preclude the Town from accepting MR?

- MR dedication is a negotiation between what is a priority at the time of the development and the type of terrain required for the desired type of MR.

Attendee Question: Where would the steep creek mitigation go?

- Three Sisters Creek mitigations may be in the form of berms. TSMV will not be applying a mitigation similar to Cougar Creek given that the creeks are very different.

Attendee Question: How is the language in the ASP different in Area F than what is written in the other development areas?

- The policy for Area F will be phrased to emphasize recreational uses with additional supporting uses and residential/resort accommodation (low density). Other policy areas (such as the Resort Core or the Resort Expansion areas) emphasize commercial, mixed use, higher density development.

Attendee Question: Will the public will have input again at future phases of the development?

- Yes, the public will have additional opportunity for input at the land use re-designation or re-zoning phase.

Attendee Question: How big is Resort Centre?

- The Planning Team did not have this exact number on hand at the meeting and promised to provide the answer in the notes.

NOTE: Resort Centre ASP area is approximately 400 acres.

- **The Facilitator** asked QPD to elaborate on the possibility of having private recreational uses (in addition to the MR) in the area behind Hubman.
 - Private recreational uses would be recreation that has an associated user fee. This would be activities such as a ropes course, and indoor/outdoor bike park etc.
 - TSMV worked to explore whether there would be opportunities for these types of uses. It is not certain if there is a market for it however, TSMV is comfortable mentioning it in the ASP as one of many possibilities for development.

Attendee Question: Area E used to include Hubman. Is Area F provided to be more specific about what will happen behind Hubman.

- That is correct.

Attendee Question: When you develop this plan, are you indicating the density and the amount of people that will be in each policy area?

- The MGA requires all ASPs to articulate proposed density because it allows the Town to estimate the servicing requirements etc.
- In this plan, it is hard to know exactly how many people will be located in Resort Centre. The population ranges are conservative.

Attendee Question: Why don't you increase the density in the Resort Core and the Resort Expansion areas and reduce the density elsewhere?

- This is what we have proposed within the draft ASP Amendment. The density in the Resort Core and the Resort Expansion areas is greater than the surrounding areas.

Attendee Question: How many more units are you putting in the Resort Centre compared to the previous proposal?

- The existing ASP provides for 1,330-2,525 units while the proposed amendment provides for 1,600-3,450 units.

Attendee Question: Is there an opportunity for this group to see the ASP prior to submission?

- The proposed ASP amendment application will be posted on the project website at the time of the submission (www.smithcreekcanmore.ca/resort-centre).

Attendee Question: The area behind Hubman is undermined. Wouldn't it be expensive to develop on that area?

- It could be less expensive to mitigate a park than it would be to mitigate the area for municipal infrastructure or homes.
- The attendee asked a follow-up question: **when does the Provincial government start the regulatory process?**

- The regulatory process can start at different phases of development depending on when the specific development is proposed. Essentially, the regulatory process begins whenever a specific form of development is proposed on undermined land. The regulatory process for a proposed utility could begin at the subdivision stage, while for a building or a playground the regulatory would start at the development permit stage.
- All undermining reports are subject to an independent third party review by an experienced undermining engineer. Since 1998, the Province approves an individual to act as a third party reviewer for undermining reports. This independent third party reviewer is an individual who is vetted by the Province and experienced with undermining. The role of the third party reviewer is to review undermining reports to ensure that the undermining process has been adhered to and that all of the technical considerations check out. The process of reviewing the report can be iterative as the reviewer may ask the project's engineers to make revision to the report. Once the report is complete and the third party review has accepted the report, the first page is signed and sealed by the project engineer, the second page is sealed by the third party reviewer and the third page is signed by the Province. There is an undermining report for each plot of land detailing the specific mitigation strategies that were applied.

Attendee Comments

- One attendee commented that it feels like TSMV is using this land to facilitate a trade off with the Town to get something elsewhere.
- Another attendee noted that due to undermining and wildlife considerations it seems like the easiest thing would be to put recreation in this area.
- One attendee articulated the opinion that the residents concern is that the ASP may be general enough to allow development and this is a problem. They noted that if the ASP policy is specific enough to eliminate any possibility of development, the group would be in agreement.

Attendee Question: Is it possible to split Area F into two separate parts- an Area F (a) directly behind Hubman, which would provide solely for recreational uses and Area F (b) which could provide for recreational uses and residential? This would provide a buffer for Hubman homes, and would be good for undermining mitigation and for perceived issues related to wildlife movement.

- The Facilitator asked the group what they thought of this idea. Went around the room.
 - One attendee felt that it all depends on where the line is drawn. They also noted that the group of attendees from Hubman are a sub-set of a broader group and so attendees cannot speak for the group without consulting them.
 - QPD responded that at the ASP level, the lines that are drawn are approximate.
 - One attendee noted that it is hard for the group to draw the line until they look at the land again.
 - Another attendee noted that ultimately, the group is trying to be constructive and work with QPD. They stated that group understands where QPD is coming from when you say that development is inevitable.
 - Another attendee stated that the more specificity given in the ASP, the happier Hubman residents will be.

Attendee question: Is QPD willing to draft the policy and share it with the group? Will QPD consider further refining the language with the Hubman residents?

- QPD is not able to share the language from the ASP until it is submitted but will ask if the owners are comfortable with sharing with the Hubman residents. They will also ask the ownership group if they are interested in working on further solutions in the Hubman Triangle.

QPD and Town Questions

QPD Question: If we focus recreation in the area, what would you like to see? Would you prefer recreation directly adjacent to your homes?

- Overall, yes, recreation would be preferred directly adjacent provided that there is a buffer between the Hubman property lines and the recreational use. Again, attendees indicated that they needed to discuss with their community.
- One attendee noted that the worst case scenario would be to put development between the gravel road and the Hubman property lines.

Town Question: What if there were four regulation soccer or football fields directly behind Hubman? The Town likes to cluster the facilities together for servicing.

- Hubman residents specified that they bought the land with the understanding that the land would be recreational and are therefore more supportive of this scenario.
- Residents noted that the only concern with soccer or football fields would be disruptive lighting for night time use for the fields.
 - It was noted that this type of lighting would not be allowed because of wildlife considerations and the necessity to minimize sensory disturbance. In addition, it was noted that most Town facilities closes at 9:00 PM.
- The Town highlighted the fact that recreational uses are not always passive and may have parking lots, washrooms, change rooms etc.
 - One attendee stated that they are concerned that recreational space would result in an increase in people, noise, and traffic and stated that trails would be preferred.
 - It was noted that while trails are a priority for the Recreation Master Plan, the Town also needs flat recreational land.

Attendee Question: How big is a regulation field?

- 110-73 m.

Attendee Question: If the ASP specifies the recreational use behind Hubman, there would still be a determination of the specific recreational uses would be at a later phase.

- That is correct. This would be determined at land use and subdivision.

Attendee Question: Is there a possibility for a cemetery behind there? Does the Town have a need for a cemetery? We have read about natural cemeteries. Would this be an appropriate use?

- There are regulations surrounding the siting of cemeteries in terms of setbacks from residential areas etc. This is something that QPD is willing to look into further.

Attendee Question: With regards to off-leash dog parks are there parameters around the Town? Is this a need of the Town?

- Dog parks need to be at least 1.5 acres, fenced and have a mix of different terrains.
- Yes, dog parks are required by the Town. In order to deter human use in the wildlife corridor, it is necessary to give people an alternate place to run their dogs.
- Through engagement with recreational groups, we heard that it is necessary to have separate areas for more aggressive dogs.

Attendee Question: At the BOWDA lunch, Chris put an illustrative plan that seemed to be different. Will this be brought out at future engagement sessions?

- QPD noted that the plan was not to display it because sometimes it looks overwhelming to people who do not understand that the illustrative plan is only one iteration of what development could look like based on the ASP.
- The attendee asked a follow-up question: have you revised the illustrative plan at all?
 - The map shown at BOWDA was the same Illustrative Plan Hubman residents saw.

Attendee Question: Can we buy the land?

- QPD will ask the ownership group.

Agenda Item #5: Conclusion

- The Hubman residents will talk to the larger group about the types of recreational uses that they would like to see behind their homes and will draft some language for the Area F policy.
- QPD will ask the ownership group if they will allow some of the ASP language to be shared prior to submission. QPD will also commit to circulating the notes as soon as possible.