

Resort Centre Area Structure Plan Amendment  
Hubman Landing Residents Meeting  
June 20, 2016 at 7 pm  
Stewart Creek Golf and Country Club

#### Hubman Attendees

- Dale Bathgate
- Steve Baylin
- Karen Boyd
- Dave Eaket
- Rimma Goodfellow
- Trevor Goodfellow
- Andrew Grasmuck
- Greg Heath
- Dale Bathgate
- Murray Hunter
- Curtis Scherer
- Carrie Servos,
- Glen Werner

#### Community Advisory Group & Resort Centre Sub-Group Member

- Paul Lessard

#### Support

- Lori Van Rooijen- Facilitator

#### QuantumPlace Developments Ltd.

- Jessica Karpat
- Mitch Braun
- Jenn Giesbrecht

#### Welcome and Introduction

- **The Facilitator** reiterated the intent of the meeting. Specifically the intention is for QuantumPlace Developments (QPD) to provide an informational presentation to talk about the proposed amendments to the Resort Centre ASP and to discuss the proposed amendments and get feedback from the community on potential solutions.
  - QPD is looking to understand Hubman residents' concerns and perceived opportunities with regard to development in Resort Centre
- **The Facilitator** noted that the illustrative plan displayed at the meeting is highly conceptual, subject to change and may not be the plan that will go forward to Council.
  - **QPD specified that components of the illustrative plan may go forward and some may not.**
- **QPD** explained to the group the relationship between the Resort Centre ASP amendments and the proposed Smith Creek ASP
  - The Smith Creek ASP area lies to the East of Town and is known as Site 7,8 and 9 and Thunderstone Quarry land. In 2015, QuantumPlace Developments (as representatives of TSMV) embarked on the collaborative process with the Town to develop an Area

Structure Plan for the Smith Creek area. While the Resort Centre ASP plan was not initially included in the process, during public engagement the community expressed desire for TSMV to address uncertainty over what would happen with the incomplete Resort Golf Course.

- With this public interest incentive, and given the fact that TSMV had exhausted all options to resurrect and complete the golf course, in 2016 QPD undertook the work to amend the Resort Centre ASP to address the golf course lands with an alternate form of development
  - The Resort Centre ASP is independent from the Smith Creek ASP collaborative process but the project team has applied the lessons from Smith Creek to the Resort Centre amendment.
  - It is TSMV's intention that the Smith Creek ASP and the Resort Centre ASP Amendment applications be submitted concurrently.
- **The CAG Representative** explained to the group the role of the Community Advisory Group (CAG) and highlighted what the goals of the Smith Creek ASP are:
    - The CAG was formed as part of the Smith Creek ASP collaborative process. The Smith Creek project team (QPD (on behalf of TSMV), and the Town) selected diverse members of the community to represent the varying viewpoints and perspectives of Canmore residents. Each CAG member represents a different perspective or viewpoint held by members of the Canmore community (for instance, general Canmore residents, those residents concerned with environment, recreation, social amenities and business).
    - The Resort Centre sub-group was developed to advise the project team on the amendment and to provide input into Smith Creek.
    - Members of the CAG are not paid
    - **The CAG representative** outlined the following project goals as being key priority:
      - Respecting our place in the landscape and remediating and reusing brownfield sites (undermining)
      - Accommodating wildlife movement through the wildlife corridor and reducing human and wildlife conflict through mitigation strategies.
      - Ensuring viable commercial nodes are sensitive to their surroundings

## Concerns and Opportunities

### General Concern

- Hubman residents expressed significant concern with development on the Resort Centre land east of Three Sister's Creek because they purchased their homes with the understanding that the land behind their houses would be a golf course. It is believed that the proposed development will negatively impact property values and affect resident's lifestyle.
- Hubman residents are greatly concerned with development on the land east of Three Sister's Creek for the following reasons:
  - Risk of flood hazard due to alluvial fan in area
  - Area is a pinch point for wildlife
  - Undermining under former golf course

- Hubman Residents are among the only residents that are directly impacted by the proposed development (having bought their home knowing the golf course was proposed) and are therefore the only residents that have something to lose with an ASP amendment.
- QPD acknowledged these concerns and agreed to organize two additional meetings to address some of the concerns regarding wildlife and the mitigations proposed to be applied and to discuss and create a better understanding of undermining.
- QPD expressed the intention to work with the residents to find a mutually agreeable solution that is balanced between the needs of the community, the needs of the town and the needs of the developer.

#### Concerns Related to Process

- Residents expressed the concern that even if a mutually agreeable solution is achieved at the ASP phase, there is no guarantee that this (referring to the draft Illustrative Plan) is what will get built (due to changing economic circumstances etc.).
  - QPD noted that while this is correct, there are opportunities for public input at each phase of development. The overarching ASP policy that will inform more detailed planning and how development will unfold as more detailed plans progress (ie land use, subdivision, Development Permit and Building Permits).

*We are working with the Town to provide residents with a Canmore specific overview of the planning process.*

#### Concerns Related to Wildlife

- One community member expressed the opinion that he finds it hard to believe that a golf course would increase human-wildlife conflict more than a developed area considering that a golf course is used only five months of the year compared to a development which is used 24/7.
- Another articulated the view that they were skeptical about why increasing density would help reduce human-wildlife conflict.
  - QPD indicated that they will organize a meeting with the project biologist to discuss this further. The QPD staff in attendance are not wildlife experts and QPD wants to ensure that residents are hearing the information from the technical experts.

#### Concerns Related to Safety

- Residents expressed concern about fire safety. Specifically, they articulated the view that developing closer to the wilderness reduces the buffer between development and any fires up the hill.
  - QPD noted that risk of fire is not just specific to development in Resort Centre, rather it is a concern for the entire Canmore Community. FireSmart is a component of the menu of mitigations that are being applied to the TSMV lands. Specifically, the Town of Canmore requires wildfire risk assessments to be completed as part of the subdivision

approval process and the use of FireSmart principles in subdivision and architectural design.

## Opportunities

- Currently people are parking on Hubman to use the Highline Trail. It was suggested that a parking lot and trail head would be helpful.
- One attendee indicated that not everyone is looking for an extreme mountain experience in Canmore. It was suggested that the area behind Hubman could be used as
  - A flatter more leisurely trail system – not everything needs to be an extreme mountain experience
  - The trail system could lead to a central recreational area near the Three Sisters Creek catchment area with interpretive uses and playgrounds to enjoy the view of Three Sisters.
  - Ultimately residents want to see a recreational use that respects the original intent of the Resort Centre ASP, in the area behind Hubman Landing (the “Hubman Triangle”).
- Single family development behind Hubman (this was viewed as less desirable by most attendees).
- Small bubble of development in the forested area behind Hubman (this was also viewed as undesirable by most attendees but one attendee recognized that it is better than what is currently shown on the illustrative plan).
- QPD noted that they want to work with the community to find a mutually agreeable solution but noted that, in the view of QPD, no development is not an option.
- QPD also pointed out that publically accessible recreation is generally part of comprehensive development.
- Hubman Residents feel that some of the opportunities outlined above are better, more mutually agreeable compromises, than the illustrative plan displayed at the meeting.
- QPD agreed to further explore these aforementioned opportunities.

## Questions

### Project Background and ASP Process

- **What is a “made in Canmore solution”?**
  - A made in Canmore solution refers to a plan that maintains what is authentic to the Canmore community. The Town and the community have taken the time to develop many local planning documents intended to ensure that as development progresses, the authentic Canmore experience is maintained.
  - In the case of the Smith Creek ASP and the Resort Centre Amendment, the CAG wants to ensure that this authenticity is carried forward.
- **How did TSMV come by this land?**
  - In 2013 PwC put forward an ASP application. This ASP was for all of the remaining TSMV lands. As they went through the submission it became clear

that the Town and PwC were not going to agree on the overall direction of the ASP. Consequently PwC withdrew the application.

- In 2013, TSMV purchased the Three Sisters lands from receivership through a court order and in 2015 QPD (on behalf of TSMV) embarked on the collaborative process with the Town in attempts to move past the previous frustrations and inefficiencies associated with the PwC application and to move development through in Smith Creek. The Resort Centre amendment was announced in winter 2016.
- **What was HSBCs involvement?**
  - HSBC was a creditor, one of several creditors to the TSMV entity that went into receivership.
  - After receivership, HSBC provided what is called DIP financing, which stands for “debtor-in-possession” financing. This means that even though TSMV was insolvent, HSBC provided interim financing to try and keep TSMV afloat to solve its issues to get as much recovered from HSBCs outstanding loans. The DIP lender is usually granted “super-priority” status over the claims of other creditors, meaning that the DIP lender will likely have first claim to the assets of the insolvent company in the event that the restructuring is unsuccessful and the company is forced into liquidation.
  - HSBC decided they were no longer willing to continue to provide DIP financing due to the amount expended and risk of recovering those funds, and as a result, PwC (the Receiver) had no source of funding to try and carry on and the previous ASP process ended.
- **How long can an ASP stay in play without anyone acting on it?**
  - An ASP can stay in play indefinitely. There are Area Redevelopment Plans (ARPs) and ASPs in Calgary that are 35-40 years old.
  - An ASP can be updated through amendment by Council at any time.
- **What is DC 1-98?**
  - DC 1-98 is the land use bylaw that resulted from the Settlement Agreement in 1998
  - The Settlement Agreement resulted from mediation stemming from the MGB dispute over the Peaks of Grassi with the Town of Canmore. It outlines how development could move forward pursuant to the NRCB decision.
- **What is Golder’s role in this process? There is a trust issue related to Golder’s work on the 2012 EIS.**
  - Golder has been involved as both wildlife biologists and in the undermining analysis for Three Sisters.
  - The two teams are completely separate and do not operate out of the same offices. Regardless, both teams are professionally designated and operate within their Professional Association’s professional ethics. In the case of Engineers, they also operate under Provincial Legislation that requires engineers to be competent, ethical, professional, and look out for the public interest.

- **Are the applications for Smith Creek and Resort Centre independent? Could the Town accept one and reject the other?**
  - Yes. The Town can choose to accept one application and not the other.
  - Both the Smith Creek ASP and the Resort Centre ASP amendment are vitally important to Three Sisters Mountain Village Properties Ltd. and it is the desire of the owners to see both applications proceed together.
  
- **What is the timeline for this process? At what other stages in development can residents get involved?**
  - It is the intention of QPD to formally submit the Smith Creek ASP and Resort Centre ASP amendment for consideration in early August (may be subject to change).
  - Following submission, 1<sup>st</sup> reading, Public Hearing and 2<sup>nd</sup> and 3<sup>rd</sup> reading could take place prior to Christmas. The date of Council readings and the Public Hearing are subject to Council approval.

Amendment: QPD working with the Town to provide residents with an overview of the planning and development process.

#### Land Use Concept and Future Development

- **Why does there have to be so much housing? Do you have any plans that would not include as much density?**
  - QPD will work with the community on solutions. However these solutions must consider town needs, community desires, and TSMVs desired economic outcomes. Where there is no agreement on the solution TSMV will move forward with an explanation of why a solution could not be accommodated.  
Density is required to make the development proposal work economically.
  
- **What are you proposing east of Three Sisters Creek?**
  - On the draft illustrative plan we have proposed a Seniors Area (an age in place concept), a leisure centre, a variety of residential building forms, roadways and some open space. However QPD is open to suggestions and nothing is set in stone.  
Residents expressed concern that the area east of the creek is not developable given that this area is too small and is a pinch point for wildlife.  
  
*Authors note: QPD is currently exploring the viability of leaving the area behind Hubman as open space.*
  
- **Is there a central recreational area and a trail system in what we are proposing?**
  - Yes, there is a trail system and central recreational area conceptualized as part of the proposed ASP.

- **Why couldn't we leave the land behind Hubman undeveloped as a public place to be enjoyed by all?**

- QPD expressed the intention to work together with Hubman Residents to identify solutions that are amenable to the Town, the developer and the community.

*Authors note: QPD is currently exploring the viability of leaving the area behind Hubman as open space.*

- **Does the ASP identify specific density in each area?**

- The ASP provides ranges of densities that can occur in each policy area.

- **What do you forecast the increase in density from the original Resort Centre ASP to the proposed?**

- The ASP has a maximum increase of 1000 units over the existing ASP but that doesn't mean the Resort will be built to that intensity. There is transferability of units between ASPs, particularly for the purpose of Employee Housing to either build it within the Resort Centre or within Stewart Creek/Smith Creek ASP areas.

- **What was the logic behind increasing the units in Resort Centre by 1000 units? Why would we take units from a new area where there was not going to be any pushback from existing residents and put them into Resort Centre where there would be pushback?**

- Development in Resort Centre is more feasible than Smith Creek because it is closer to existing services and utilities.
- Smith Creek was limited by the proposal for the Provincial wildlife corridor and the terrain/topography.

- **QPD asked residents what they thought of secondary suites.**

- Residents feel that secondary suites increase traffic and create more issues related to parking.

- **QPD asked residents if they would be open to a soccer field east of Three Sisters Creek**

- Mixed opinions- several residents indicated that it would be better than housing or a senior centre, but others felt that it would be a waste of space considering there is a soccer field at the school. Some expressed surprise at the fact that there is a demand for regulation sized soccer fields within Canmore.

## Wildlife

- **What does the fence look like?**

- The fence is a 2.5 m page wire fence, with high tensile wire at the top and a buried apron (to prevent wildlife from digging under the fence).
- There will be swing gates located at set intervals along the fence for the purpose of providing the wildlife an exit point should they get into the enclosure.
- There will also be gates to allow humans to access to trails above the wildlife corridor.

- The proposed fence is not electric and is barely visible
- **What is the difference between the fence along the TransCanada and the fence that we are proposing?**
  - The fence we are proposing is visually similar to the fence along the TransCanada Highway. The fence that we are proposing has a buried apron to prevent wildlife from digging under and a high tensile wire to prevent wildlife from jumping the fence.
- **Where would the fence be located?**



- **Is there a provincial approval for the fence? Can we be involved in the Provincial discussions about the fence?**
  - The Province does not typically have a process for these types of discussions as they are the sole regulator for such items under the Wildlife Act.

## Undermining

- **The undermining technique proposed here sounds like the mitigations used on Dyrgas**
  - There are a suite of undermining mitigations that may be considered for development within the Resort Centre. The specific mitigations applied cannot be determined until we know what type of development is going in and where.
  - In the case of Dyrgas, mesh was laid down because at the time of development, it was known that there was a mine shaft opening but could not precisely locate it. As contingency they laid mesh over the entire area as a safety net. The mitigations worked as proposed because to date there was no threat at any time to buildings or to human safety.



- Repairs have not been conducted because there is a mismatch between the community expectation of what the repair should be and what the Town has the capacity to fund from the Provincial dollars provided.
- From an engineering standpoint, mitigation to address the Dyrgas sinkhole could have been dealt with already. The challenge is matching what is needed for continued public safety versus what the perception of what would make residents feel better. This is best left to technical experts, similar to technical expertise used for water works, utilities and structures.
- **Has there been a large comprehensive study of the cumulative effect of undermining and undermining mitigations within Resort Centre? Is there a study that is available to residents?**
  - We are not able to identify the specific mitigations to be applied at the ASP phase because in order to do this, we need to know specifically what is going to be built and where.
  - **The CAG Representative** noted that he is working in collaboration with members of QPD and Gerry Stevenson (a community member who worked for the Canmore mining company) to better understand undermining in Resort Centre.
- **Who accepts the liability for undermining**
  - Third party liability is still with the Province. TSMV and the Town are working with the Province to clarify third party liability when it comes to Town infrastructure, but it is clear that residents are protected.
- **During the undermining review process, who hires the third party review?**
  - The third party engineer is approved by the Province. While the developer pays for the third party review, they have no contact with the engineer that is working through the third party review other than getting the invoices.
  - Both the engineer of record and the third party must sign and seal the final engineering report.

## Safety

- **Why would you build in an alluvial fan?**
  - QPD and the Town understand the importance of mitigating risks associated with steep creek hazards in order to avoid damage to infrastructure and to ensure that Canmore residents and visitors are safe.
  - As per Town of Canmore's Guidelines for Steep Creeks, Risk Assessments are required prior to development on land at risk of flood hazard. Development can proceed with the appropriate mitigations in place. The Town's Municipal Development Plan and Steep Creek Hazard policy explains the Town's approach in detail.
  - Generally, as more detailed planning is done in these areas, details of how development in low and moderate hazard areas must be mitigated to the satisfaction of the Town.

## Next Steps

- Hubman Residents and QPD agreed to have a more detailed, technical conversation about undermining
  - Provide details pertaining to the general mitigation techniques available and whether they are effective
  - What are the impacts on groundwater?
- As a starting point to the undermining conversation, QPD will organize another meeting where Chris Ollenberger (QPD managing principle) will provide more technical details on undermining. Chris was trained as a geotechnical engineer and has years of experience of working with Golder to mitigate undermining constraints on TSMV lands.
  - Residents indicated that they would also like Gerry Stevenson at this meeting.
  - **QPD** noted that Gerry Stevenson was a mine engineer and is very familiar with mining practice and running underground mines.
- Hubman Residents and QPD agreed to have a more detailed conversation about wildlife mitigation with the Project wildlife biologist (Golder).
- QPD to explore the idea of allocating recreational land uses in the area east of the creek.
- QPD to send meeting attendees notes. Attendees to look over notes to ensure they are reflective of the conversation. Notes can then be distributed to other residents of Hubman Landing.

## Conclusion

- **The Facilitator** concluded the reviewing the questions and concerns posed by residents, highlighting the fact that ultimately residents are looking for certainty surrounding what will happen to the land behind their homes. QPD and the facilitator thanked everyone for coming.

## *End of Meeting*