

PRESENTATION DELIVERED BY JOHN B. TATLOW
January 10, 2024 – City of Calgary Infrastructure and Planning Committee
Meeting
Item 7.3, Panel 3

"John B. Tatlow"

"I request to the Chair of this meeting that written copies of my presentation be distributed to the Committee".

"I respectfully submit to the Committee that this meeting has not been properly called and as a result cannot be properly constituted or called to order.

The public has not been aware of this meeting and in particular that the public is able to speak at the meeting by way of a public notice. The two "Public Notices" that were placed in the Calgary Herald pursuant to section 70 of the Municipal Government Act do not refer to this Committee meeting, are deficient and do not satisfy the legal requirements pursuant to the Municipal Government Act and otherwise at law to "advertise" the proposed transaction. "Advertise" has a meaning beyond the simple placing of a brief and incomplete notice in the newspaper. The Public Notices do not describe the proposed buyer. These Public Notices do not describe the transaction, do not describe the terms and conditions of the proposed sale, do not refer to a proposed closing date, and do not disclose the purchase price for the lands. In correspondence from the City, a land exchange was referred to. This is not described in the Public Notices. The agreement of purchase and sale as between the City of Calgary and Rio Can is being withheld by the City and not disclosed, which is contrary to the Municipal Government Act. How can such an important document be kept secret and not disclosed to the public? The Traffic Impact Assessment relating to the proposed redevelopment of Glenmore Landing is not being made available. How can the citizens

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of Calgary fully comment on the proposed sale of public park when such information is being withheld?

This meeting has not been properly called and cannot proceed as presently proposed.”

“An understanding of the history of the ownership of the lands on which Glenmore Landing is located is critical to assess the validity and appropriateness of the proposed redevelopment of Glenmore Landing and adjacent parklands.

In the 1970's and into the 1980's a corporation called Campeau Corporation owned approximately 38 acres of land at the corner of 90th Avenue SW and 14th Street SW. Campeau Corporation applied to the City of Calgary twice to develop the lands for a retail and high rise residential project. The City of Calgary denied both of these applications. The City at the time was adamant that all 38 acres of the lands owned by Campeau Corporation be parklands, presumably to form part of the parks that surround the Glenmore Reservoir including the bike path system and the walking path system and provide leisure and recreational facilities for all Calgarians. Campeau Corporation commenced legal proceedings against the City arguing that in denying the applications, the City had erred by relying on an irrelevant consideration, that being the predetermined position that the lands must be parklands. That litigation went all the way to the Supreme Court of Canada. The Supreme Court agreed with the developer and ordered the City to rehear the application. Thereafter, the City stated that it would buy and/or expropriate the lands as the City was insistent that the lands be parklands. After negotiations that lasted years, a settlement was agreed upon as between the City and Campeau Corporation. Campeau Corporation was allowed to develop approximately 10

acres of the lands for a low height, “village” style shopping centre, which had low height restrictions and was to be designed to interface with the adjacent parklands. The balance of the Campeau Corporation lands, being about 28 acres (including the lands under consideration by this committee) was transferred to the City as parklands. The parklands that are proposed to be sold to Rio Can form part of these lands. The City's files relating to the settlement and relating to the original land use, subdivision, and development approvals for Glenmore landing are unequivocally clear in referring to these lands as parklands. As part of the approvals, an agreement (which the City calls the “Park Agreement”) was put into place which requires the owner of Glenmore Landing to maintain the parklands to the west, to the south, and to the east of the shopping centre and the City agrees that no structures will ever be built on these lands and that the lands will be only used as parklands. That agreement was registered on the title to Glenmore Landing. In the City's file relating to the original land use amendment to facilitate the development of Glenmore Landing, there is a comment from City administration that the parklands would be maintained as parklands “in perpetuity”. These parklands continue to this day to provide important enhanced setbacks and landscaped areas, including with trees, creating the designed environment of a park setting around the shopping centre, including to provide a visual barrier to the shopping centre, all as was originally planned (and fought for) by the City.

The zoning of the lands that are proposed to be sold to Rio Can includes as a permitted use “Park” and the City's definition of “Park” in the Land Use Bylaw includes lands that are used as park. Any argument that these lands are not park because they are not zoned as municipal reserve is invalid and must be rejected. The lands that are under

consideration by this committee are parklands and the City fought long and hard for them to be and to continue to be, parklands. That vision is arguably more important today as the City grows and simply must be respected.”