

Palaschuk, Jordan

From: Kate Kerans <keransva@gmail.com>
Sent: Monday, November 05, 2018 10:59 AM
To: Public Submissions
Subject: [EXT] Land Use Redesignation - Pine Creek and Residual Sub-Area Bylaw 268D2018

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
PO Box 2100 Stn M
Calgary, AB T2P 2M5

I am writing in regards to the above development and upcoming Land Use Designation amendment.

As one of possibly three landowners (who are not developers) and only 2 who actually live adjacent to the area in question, this development will massively impact the surrounding area. It will alter forever an untouched, undisturbed Pine Creek Valley and surrounding area that is home to an amazing variety of wildlife including deer, moose, elk, golden eagles, bald eagles, owls and many others. While the consideration for walking paths and reserve areas is somewhat addressed, I have some additional concerns.

I contacted the city in June of 2017 to inquire as to the historical teepee sites that were identified by the original survey done by the developer located at the bottom of the valley just south of 210th Avenue. As a First Nations person myself, it seemed to be pertinent and relevant. I understand from further correspondence that "an HRIA report and summary were provided to the City from the applicant". I gather that as part of the City's comments to the applicant further follow up reporting was requested. "The report was approved, but either further studies or avoidance of the sites were required. We haven't seen the follow up work yet." This was the last correspondence I received regarding my inquiries and it does not seem to be addressed in this application.

My other area of concern would be the development's access from the south to which my understanding at this time is not supported by the MD of Foothills and possible future CP Rail crossings. Firstly, our property is intersected by the railway (8 acres on the west of the line and 5 acres to the east of the line) and we have a private crossing and accompanying agreement with CP Rail to access our residence. Secondly, our property and that of the neighbor to the south (also a property intersected by the railway and also accessed by a private crossing with CP Rail), is at the dead end of a road that originates off an MD access point via 226 Avenue W and this is also of concern. The last correspondence I received from the City indicated that "CPR has refused to allow the at-grade crossings that were proposed for the emergency access to the plan area from the south, so at least for the construction phase there will not be any access from the south. They are looking at grade separated crossings for the future but I anticipate that these would not be constructed until such time as the lands to the south are annexed by the City and I don't think the MD would be supportive otherwise, as our road infrastructure is not sufficient to support the traffic that would be created."

The land use redesignation addresses this issue by saying "To the south, an emergency-only access at the southeast corner of the plan area, connecting across Canadian Pacific Railway at-grade via 226 Avenue W to Macleod Trail SE will allow full development of the subject lands. If this emergency access option is not available, development will be staged to a maximum of 99 units."

Further regarding this, we have been approached by the developer asking if we would be ageeable to having our crossing closed and access to our property reduced to being only from the west and have indicated this is not

acceptable. Our property is not merely accessed from the east side of the CP railway tracks but actually intersected by it so this is not an option. I gather that the neighboring landowner directly to the south of us has also been approached by the developer for roadway access to the proposal area and that would also not be agreeable to us. In 2015, we appealed to the City of Calgary SDAB against an RV Storage application approval and successfully defeated it (2016 CGYSDAB 13) and part of that dealt directly with the roadway access that is currently in question. I would like to know the what the plans for dealing with CP rail access and roadway access from the south are to be in light of all of the above.

Thank you in advance,
Kate Kerans and George Ross
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