

# Fiction

# FACT

*“Bill (Shaw’s) solution was to preserve an open piece of land from development as a landmark from the original homestead. His families continue to operate the business and are adamant that Bill’s goal be kept intact: to conduct an extremely efficient operation so that the average Calgarian is able to golf on a prime facility at an economical rate.”*

–Per SECA website September 30, 2011

The Shaw land that is to be home to Shawnee Park became a golf course in the 1960s simultaneously to William Shaw starting a construction company called Shaw Construction Inc. The construction company was created for Mr. Shaw to begin to subdivide his own land and thus throughout the 1960’s the Shaw family had portions of their land holdings converted to residential with the community of “Shawnessy” being one of the first-born. In 1977 the golf course became smaller to accommodate more than 80 acres of new residential development – Shawnee Slopes – today, the very Community Board opposing the evolution of remaining golf course land. The remaining golf course was intended as an interim land use before future development would complete the story of Shawnee Slopes – a covenant on all residential lots and properties provided a moratorium on further building until 1992. This restrictive covenant still remains on most titles even though it expired almost 20 years ago. Over time, the golf course had become no longer viable as a business to the Shaw family and was sold to Geo-Energy Enterprises Ltd. (“Geo-Energy”) in 2009 with the intent of development.

*“Land to remain zoned as recreation. Shawnee Evergreen was created with a recreational feature at its core, similar to a lake community.”*

–Per SECA website, October 2 2011.

Much emphasis is placed on the reference to “recreational lands”. It must be clearly understood that Shawnee Slopes Development is proposed on privately held and privately titled land whose Owners over the years have paid appropriate property taxes to the jurisdictional municipality. Upon annexation to the City of Calgary, the land was given, by the municipality, a holding zone for future development. In time, part of the land (Golf Course) was developed residentially and part was continued as an interim use of golf course. The original golf course land area of 220 acres± was subject to a re-zoning and subdivision which resulted in approximately 85 acres ± becoming the first homes built on former golf course land and the remaining 135 acres± continued as the temporary golf course. The title of every developed site was assigned a legal caveat advising of the interim use, on the remaining lands, as golf course.

Also, at the time of development of the existing residential area of the “Shaw” lands, an overall plan showing the future development of the interim golf course lands was reviewed by the approving authority and further confirmed by the the City with the deferral of reserve dedication to the remaining golf course lands. The deferred reserve dedication is included in the current application.

The reference to SP (Special Purpose Recreation District) as given in 2007/2008, is simply a “holding zone” designation provided by the City at the time adoption of By-Law #IP2007 which replaced the UR (Urban Reserve) designation under the previous By-Law #2P80 the purpose being “to protect land from premature subdivision and development,” meaning prior to approval of any land use.

The term “outdoor recreation area” (ORA) does not imply “public land” or “reserve” under the definition in the Municipal Government Act. It is stated and implied that this application should be of concern “to all Calgary residents who live in communities designed with a recreational focus”. This is not a rational response as each golf course, public or private, is a unique situation. Shawnee Slopes is the only sole anomaly golf course by having a UR designation following annexation and on totally private single owner land. This is not a dangerous precedent as suggested.

Regarding “Rezoning of Recreational Land” and the comparables noted. The Lake Communities cited are all encumbered with agreements ensuring continuation as community recreational facilities through resident associations and encumbrances on properties. The only “encumbrance” related to the subject site and on title of all adjacent properties stated the interim use of future development lands as a golf course and was only guaranteed to 1992. As previously stated there are NO other sites similar to this site which is privately owned and has paid taxes forever.

The Shawnee-Slopes Golf Course is unlike and should not be compared to any other golf course in the city due to its private ownership and zoning. Shawnee Park will be adjacent to and increase access to one of North America’s largest natural recreational reserves, Fish Creek Provincial Park.