

SUBDIVISION AND DEVELOPMENT APPEAL BOARD FOR ROCKY VIEW COUNTY

File:	2 - DC2025RC06-0993
Appellant(s):	David Clark
Applicant(s):	David Clark
Owner(s):	David Clark

Exhibit	Description	Pages
1.	Notice of Appeal	176
2.	Notice of Hearing	2
3.	Stop Order	4
4.	Development Authority Report	173

Exhibits can be submitted to the Board until 9:00 am the day before the hearing. This exhibit package will be updated and republished if more submissions are received. Check the [County's website](#) for any updates.

NOTICE OF APPEAL

Subdivision & Development Appeal Board for Rocky View County
Enforcement Appeal Committee for Rocky View County

APPELLANT INFORMATION			
Name of Appellant David Clark			
Appellant Property Address 84 Eagle Butte Ranch		Municipality Calgary	Province Alberta
Mailing Address (if different than above)		Municipality	Postal Code T3Z-1K3
Primary Phone # [REDACTED]	Alternate Phone #	Email Address [REDACTED]	

PROPERTY UNDER APPEAL	
Address 84 Eagle Butte Ranch, Calgary, AB T3Z 1K3	Legal Land Description (Lot, Block, Plan OR Quarter-Section-Township-Range-Meridian) PLAN 0811953; Block 1; Lot 1
Property Roll # 04735035	Development Permit, Subdivision Application, or Enforcement Order # 2025RC06-0993

I AM APPEALING THE DECISION ISSUED BY		
☒ Development Authority	☐ Subdivision Authority	☐ Enforcement Services

REASONS FOR APPEAL (include as much detail as possible as to why you are appealing the decision, attach a separate page if required)
Please see attached document.

Personal information collected on this form is collected under section 4(c) of the Alberta *Protection of Privacy Act* (POPA) for the Subdivision and Development Appeal Board or the Enforcement Appeal Committee for Rocky View County and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 13(1)(c) of POPA. Your personal contact information, including your phone number and email address, may be redacted prior to your appeal being made available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.

Received by Legislative
Services on
DATE RECEIVED STAMP
August 01, 2025

Reasons for Appeal

Background

1. On or about January 18, 2008, Rocky View County approved a subdivision plan (the “Subdivision Approval”) affecting the following property:

PLAN 771 0693
LOT 5
WITHIN N.W. ¼ SEC. 35, TWP. 24, RGE 3, W.5M

A copy of the subdivision plan is hereto attached as **Exhibit “A”**

2. As a result, the property was subdivided into two properties. The first is municipally described as 76 Eagle Butte Ranch, Calgary, Alberta T3Z 1K3, and owned by Evelyn Cote (“Ms. Cote” and the “Cote Property”):

PLAN 0811953
BLOCK 1
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS

A copy of the Land Title to the Cote Property is hereto attached as **Exhibit “B”**.

3. The second property is municipally described as 84 Eagle Butte Ranch, Calgary, Alberta T3Z 1K3, and owned by David Clark (“Mr. Clark” and the “Clark Property”):

PLAN 0811953
BLOCK 1
LOT 1
EXCEPTING THEREOUT ALL MINES AND MINERALS

A copy of Land Title to the Clark Property are hereto attached as **Exhibit “C”**.

4. Amongst other requirements for Subdivision Approval, the applicant was required to meet the following condition:

“A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality.”

This condition was made a requirement as the subdivision application included the request for a common driveway in the tentative plan – not because it was needed but due to ease and a cost-effective approach. This was not questioned and turned into a requirement on this basis. This requirement was therefore met, and a 2007 Access Easement Agreement (the “Access Easement Agreement”) was registered on title to both properties. A copy of the Access Easement Agreement is hereto attached as **Exhibit “D”**.

5. Mr. Clark purchased the Clark Property on or about May 28, 2014.
6. On June 19, 2025, Mr. Clark received a bylaw compliance notice alleging that he had constructed a fence and planted trees along the Easement Boundary of the Clark Property, causing a violation of the Access Easement Agreement and Subdivision Approval. A copy of the Bylaw Compliance Notice is hereto attached as **Exhibit “E”**.
7. On July 11, 2025, Mr. Clark received a Stop Order, a copy of which is hereto attached as **Exhibit “F”**. The Stop Order alleged that a bylaw officer for Rocky View County had determined that Mr. Clark had placed a fence and trees within the Easement Area and the fence and trees are obstructing the access points to the Cote Property, which is an alleged contravention of Section 4 of the Access Easement Agreement which reads as follows:

“The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.”

8. The Stop Order ordered that “All fencing and trees placed within the Easement Area must be removed on or before July 25, 2025, beginning with the obstructions to the access points to the neighbouring property at 76 Eagle Butte Ranch.”

Issues:

9. Whether Mr. Clark has contravened the provisions of the Subdivision Approval dated January 18, 2008, and/or the Access Easement Agreement dated December 3, 2007 by constructing a fence and planting trees within the Easement Area.

Position of the Appealing Party

10. Mr. Clark, while erecting a fence and planting trees within the Easement Boundary, ensured that such fence and trees did not, and continue to not, prevent or hinder the exercise by the grantee (“Ms. Cote”) of any of the rights pursuant to the Access Easement Agreement. To this end, counsel for Mr. Clark engaged in negotiations with counsel for Rocky View County to attempt to resolve this dispute without the need for an Appeal or Court Application.
11. On July 25, 2025, counsel for Rocky View County confirmed that the fence and trees planted in the Easement Area were acceptable – and that the width of the access points to the Cote Property were at issue. It was advised that if Mr. Clark were to remove the obstruction and widen the width of the access points, the County would deem the enforcement order complied with. A copy of this email between counsel is attached as **Exhibit “G”**.
12. It is Mr. Clark’s position that the Bylaw Notice and Stop Order did not stipulate a minimum width, and he is unable to comply with this requirement.

13. Clarification on the width requirement was requested by counsel for Mr. Clark, and counsel for Rocky View County confirmed that access points were required to have a minimum width of 5.1 meters. A copy of the email confirming this width is hereto attached as **Exhibit “H”**.
14. In response, counsel for Mr. Clark advised that the access point from the public road to the shared driveway (hereafter referred to as the “Gate Access Point”) was just shy of the width of 5.1 meters, but the gate at the Gate Access Point had been existing and was a common gate in the community. Further, the access point from the shared driveway into the Cote Property (hereafter referred to as “Access Point 1”) exceeded the 5.1 meter requirement.
15. On July 29, 2025, counsel for Rocky View County confirmed that the Gate Access Point and Access Point 1 were acceptable. It was then raised that there is a purported “second access point” (hereafter referred to as “Access Point 2”) to the Cote Property – located further down the shared driveway – and did not meet these requirements. A copy of the email from counsel for Rocky View County confirming this fact is hereto attached as **Exhibit “I”**.
16. In a thorough review of the Subdivision Approval and the Access Easement Agreement, there is no reference to a second access point. It is not contained in the proposed or approved plans for the subdivision, nor stipulated as a requirement by either Agreement.
17. It is Mr. Clark’s position that there is no requirement, responsibility, or obligation to maintain a second access point to the property as it is not contained in any of the aforementioned agreements.
18. Furthermore, Mr. Clark maintains a vacation rental unit on his property. A requirement of this vacation rental unit is the inspection and confirmation by County Fire Operations that the access to the property meets their requirements (among others for the unit itself). This inspection was recently carried out, and after the Bylaw Notice was issued. Confirmation of the Permit, which evidences the condition of confirmation by the County Fire Operations, was issued on July 18, 2025. A copy of Development Permit #PRDP20251242 is hereby attached as **Exhibit “J”**.
19. The Bylaw Notice and Stop Order are therefore not issued appropriately and should be revoked for the following reasons:
 - a. Mr. Clark did not violate the terms of the Subdivision Approval or the Access Easement Agreement, as there is no requirement to maintain an additional access point to the Cote Property and he has dutifully ensured his obligations regarding the actual access points.
 - b. The Bylaw Notice erred in not providing the specific dimensions required for the Access Points so that Mr. Clark could confirm his compliance before the issuance of a Stop Order.
 - c. The Stop Order erred in not providing the aforementioned dimensions, which further restricted Mr. Clark’s ability to comply without the need to proceed to an Appeal.

- d. The Stop Order is overbroad, and prejudicial to Mr. Clark in its wording to remove “all fencing and trees placed within the Easement Area”. This is evident in the narrowed scope of the Stop Order obtained in communication with counsel for Rocky View County.

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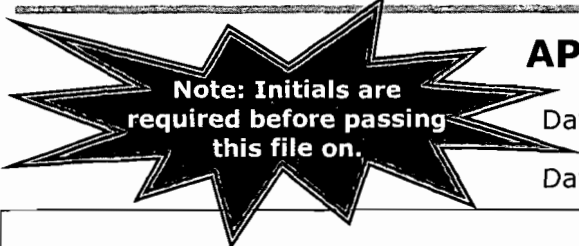
Position of the Appealing Party

10. Mr. Clark, while erecting a fence and planting trees within the Easement Boundary, ensured that such fence and trees did not, and continue to not, prevent or hinder the exercise by the grantee (“Ms. Cote”) of any of the rights pursuant to the Access Easement Agreement. To this end, counsel for Mr. Clark engaged in negotiations with counsel for Rocky View County to attempt to resolve this dispute without the need for an Appeal or Court Application.
11. On July 25, 2025, counsel for Rocky View County confirmed that the fence and trees planted in the Easement Area were acceptable – and that the width of the access points to the Cote Property were at issue. It was advised that if Mr. Clark were to remove the obstruction and widen the width of the access points, the County would deem the enforcement order complied with. A copy of this email between counsel is attached as **Exhibit “G”**.
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16. In a thorough review of the Subdivision Approval and the Access Easement Agreement, there is no reference to a second access point. It is not contained in the proposed or approved plans for the subdivision, nor stipulated as a requirement by either Agreement.
17. It is Mr. Clark’s position that there is no requirement, responsibility, or obligation to maintain a second access point to the property as it is not contained in any of the aforementioned agreements.
18. Furthermore, Mr. Clark maintains a vacation rental unit on his property. A requirement of this vacation rental unit is the inspection and confirmation by County Fire Operations that the access to the property meets their requirements (among others for the unit itself). This inspection was recently carried out, and after the Bylaw Notice was issued. Confirmation of the Permit, which evidences the condition of confirmation by the County Fire Operations, was issued on July 18, 2025. A copy of Development Permit #PRDP20251242 is hereby attached as **Exhibit “J”**.
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SUBDIVISION / REDESIGNATION
APPLICATION INFORMATION FORM



APPLICATION STATUS TRACKING

Date Application Received Sept 11/06
Date Application Complete _____

	DATE COMPLETE	INITIALS
FILE ASSIGNMENT – Coordinator (24 hours)	<u>Sept 21/06</u>	<u>JM</u>
PLANNER REVIEW – Planner (24 hours)	<u>Sept 26/06</u>	<u>AM</u>
FILE SET-UP– Technician	<u>Sept 26/06</u>	<u>AM</u>
FILE READY FOR CIRCULATION - Technician	<u>Oct 5/06</u>	<u>CP</u>

FILE ON HOLD (IF REQUIRED)

Reasons _____

Supervisor’s Approval _____ Date Hold Released _____

APPLICATION INFORMATION

Tax Roll # 04735020 Application Accepted by Drew/Lesley
Application # 2006-RV-530 Assigned Planner Jared

APPLICATION CONTACT INFORMATION

APPLICANT: Allan Cote Phone: [REDACTED]
E-Mail: _____ Fax: [REDACTED]

OWNER - Same as above ☒
or: _____ Phone: _____
E-Mail: _____ Fax: _____

COMPLETED APPLICATION CHECKLIST

- ☒ Signed and Completed Application Forms
- ☐ Letter of Authorization
- ☒ Required Fees
- ☒ Current Certificate of Title
- ☐ Time Extension Agreement
- ☐ Appraisal Fee
- ☒ Sketch Plan (All Dimensions)
- ☒ Water Supply Information

PLANNER	TECH	TECH
Application Summary Form ☒	FILE SETUP ☒	CIRCULATION ☒
Proposal line ☒	Graphics ordered ☒	Remaining data entry ☒
Identify referrals ☒	Send applicant letter ☒	Area landowner list printed ☒
Check reserves ☒	Instrument(s) ordered ☐	Circulation to agencies ☒
Check tentative plan ☒	Reserve verification ☐	Circulation to adjacent landowners ☒
		Councillor letter sent ☒
		Appraisal ordered ☐
		Soil information entered ☒

ADDITIONAL INFORMATION



SUBDIVISION AUTHORITY APPROVAL

Re: PLAN PREPARED BY NOEL ROSS WOOLGAR, A.L.S.

(Surveyor's file no. E07035G01SD01.dwg)

M.D. of Rocky View file no. 2006-RV-530 04735020

**PLAN SHOWING SURVEY OF
SUBDIVISION
AFFECTING
PLAN 771 0693, LOT 5
WITHIN
N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.**

**We, the Municipal District of Rocky View No. 44, approve for
registration the above plan.**

**January 18, 2008
Date Valid**

**January 18, 2009
Date Expires**



**Sandra Peterson-Keyes,
Municipal Secretary**

**The plan is approved subject to the concurrent registration of the
following:**

- 1. ACCESS EASEMENT**
- 2. ACCESS RIGHT-OF-WAY PLAN**
- 3. OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE
CONENANT**
- 4. OVERLAND DRAINAGE RIGHT-OF-WAY PLAN**

Municipal Reserves were previously provided on Plan 771 0693

Endorsement Checklist

Application Number: 2006530

File Number: 04735020

Proposal: To create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder.

Approval Date: 2/27/2007

1. ☐ Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;

Date

Dec. 17/07

Plan of Survey Dated
Dec. 13, 2007

Initials

JK.

WDW

2. ☒ A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;

Date

Dec. 7/09

Road Inspection Dated
Sept. 6/07.

Initials

JK.

WDW

3. ☐ The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement

Date

Dec. 13, 07

4.0 Acres x \$1,888.00
\$7,552.00

Initials

C. Wolfe

Require
Plan of Survey
to calculate.

WDW

4. ☐ The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;

Date

Sept. 25/07

Sabatini Report Dated
Aug. 13/07

Initials

JE

WDW

5. ☐ Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;

Date

Sept. 25/07

Sabatini Report
Dated July 27, 2007

Initials

JE

WDW

6. ☐ The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;

Date

Nov. 12/07

OLD Row Plan &
Easement Prepared
By Eclipse, and signed
on Dec. 3, 2007

Initials

JE

Require a WDW
overland Drainage
Row Plan to
Protect natural
Drainage course.

Endorsement Checklist

7. ☐ The Owner is to undertake a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify a suitable building envelope consisting of one contiguous acre containing stable slopes of less than 15% and at least 20% of the identified acre must not be within the setback requirements of the applicable Land Use District on proposed Lot 2, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction, as amended, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;

WDW

Sept. 25/07
Date

Letter From Eclipse
Dated June 13, 2007

JE
Initials

8. ☒ All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

WDW

Dec. 17/07
Date

Taxes Paid as of
Dec. 17, 2007.

JK
Initials

NUMBER OF NEW LOTS ENDORSED: 1

Endorsement Fees:

Planning Fees	275.00
Transportation Fees	750.00
Utility Fees	Ø
Sub Total	
Less Appeal Deposit (if applicable):	-(425.00)
TOTAL ENDORSEMENT FEES:	600.00
OUTSTANDING TAXES	Ø
ROAD NETWORK FEES:	Ø
TOTAL FEES PAYABLE	\$ 600.00

PLANNING DEPARTMENT REVIEW

WDW
(Initials)

DATE: JAN/16/08

LINEN ENDORSED

Sandra Peterson-Keyes

DATE: Jan. 18/08.

**Groundwater Supply Assessment
Proposed Lot
Well #6108
NW-35-024-03-W5
Municipal District of Rocky View No. 44**

Prepared For:
Allan Cote

Prepared By:
Sabatini Earth Technologies Inc.

July, 2007

SABATINI EARTH TECHNOLOGIES INC.

203, 6919 - 32nd AVENUE N.W.
CALGARY, ALBERTA T3B 0K6
TEL: (403) 247-1813
FAX: (403) 247-1814

12323 - 67th STREET
EDMONTON, ALBERTA T5B 1N1
TEL: (780) 438-0844
FAX: (780) 435-1812

July 27, 2007

File: 0707-6213

76 Eagle Butte Ranch
Calgary, Alberta
T3Z 1K3

Attention: Allan Cote

Dear Sir:

RE: Groundwater Supply Evaluation – NW-35-024-03-W5

A groundwater supply evaluation was undertaken to determine if sufficient groundwater supplies are available to support a residential development with needs estimated at 1250 m³/year (0.53 imperial gallons per minute).

A 115 m deep well was installed on the subject site in August of 2006. A 41 hour and 20 minute pump test was conducted on the well on July 10, 2007. Water supplies are obtained from bedrock sandstones of the Dalehurst Member of the Paskapoo Formation. Calculations of the pump test results show a transmissivity of 3.074 m²/day and twenty year safe yield of 4379 m³/year (1.83 imperial, sufficient for the intended use. No adverse effect to existing users is anticipated.

A water sample analyzed from the Cote well for routine dissolved constituents show that the water is acceptable as a drinking water source. The water should be tested for coliform bacteria content prior to use within the house.

Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,
SABATINI EARTH TECHNOLOGIES INC.



Table of Contents

A) Introduction.....-1-

B) Drillers Report-1-

C) Well Survey-1-

D) Hydrogeologic Conditions.....-3-

E) Pump Test and Well Yield-4-

 I Details of Pump Test-4-

 II Aquifer Transmissivity and Well Yield-4-

F) Change in Water Level With Time -5-

G) Water Quality.....-5-

List of Plates

Plate 1	M.D . of Rocky View Land Use Map
Plate 2	Subdivision Map Showing Well Location
Plate 3	Water Well Drilling Report
Plate 4	Depth to Water vs. Time Graph
Plate 5-9	Pump Test Report
Plate 10	Pump Test Results (Dougherty-Babu Solution)
Plate 11	Water Chemical Analysis

A) Introduction

At the request of Allan Cote, a groundwater supply assessment was undertaken for a proposed subdivision within the NW $\frac{1}{4}$ of Section 35, Township 24, Range 3, West of the 5th Meridian of the Municipal District of Rocky View. The lot has legal description of Lot 5, Plan 771 0693, with street address of 76 Eagle Butte Ranch, Calgary, Alberta. The location of the quarter section that contains the proposed subdivision is shown on the Land Use Map for the subject township within the MD of Rocky View No. 44 map (Plate 1 attached). The well is located near the north west corner of the subject site location. A map showing the proposed subdivision and water supply well location is attached on Plate 2.

The purpose of the assessment was to determine if groundwater could be provided at a rate, as defined in the *Water Act* of 1250 m³/year, for the proposed new lot in the quarter section without causing affects on existing groundwater users.

B) Drillers Report

A 115 foot (35 m) deep well was installed on the site in August of 2006 by personnel from Aaron Drilling Ltd. of De Winton. This well has 6.62 inch steel casing from surface to a depth of 57 feet and 5 inch diameter liner from 55 to 115 feet. The well was perforated from 75 to 115 feet and obtains water from a sandstone aquifer from 76 to 107 feet. The water well drillers report is attached on Plate 3.

C) Well Survey

Alberta Environment's water well database was reviewed to describe the nature of water wells within a $\frac{1}{4}$ section radius around the subject site. A summary of the well records is as follows:

Well ID #	Date	LSD	Sec	Township	Well Owner's Name	Well Depth	Static Water Level	Screen Perfs From	Screen Perfs To	Test Rate (igpm)	Test Type	Lithology
0394709	-	NE	35	024	MARSH, D.	250	-	-	-	-	-	-
0354357	-	NE	35	024	PELLETIER, JANICE/GREG	-	-	-	-	-	-	-
0356271	-	NE	35	024	KRISTENSEN, LINDA	-	-	-	-	-	-	-
0356272	-	NE	35	024	AC, PATRICIA	-	-	-	-	-	-	-
0356273	-	NE	35	024	NEWTON, GARY	300	-	-	-	-	-	-
0366625	-	NE	35	024	SCHMIDT,	-	-	-	-	-	-	-

Well ID #	Date	LSD	Sec	Township	Well Owner's Name	Well Depth	Static Water Level	Screen Perfs From	Screen Perfs To	Test Rate (igpm)	Test Type	Lithology
					TAMARA/MARK							
0356274	-	00	35	024	BOHL, WANDA	200	-	-	-	-	-	-
0394693	1976	NW	35	024	MACDONALD, GORDON	132	40	-	-	7	Bailer	-
0394694	1976	NW	35	024	MACDONALD, GORDON	172	74	130	172	15	Bailer, pump	Sandstone
0394698	1976	NW	35	024	MACDONALD, GORDON	242	48	-	-	1	Bailer	-
0394700	-	NW	35	024	LAIDLAW, B.K.	150	-	-	-	-	-	-
0394701	-	NW	35	024	COTE, ALLAN	172	-	-	-	-	-	-
0351470	1989	NE	35	024	BERBEKAR, ROSALAIA	200	90	160	200	8.0	Bailer	Sandstone, shale
0394706	-	NH	35	024	MACDONALD, GORDON	160	-	-	-	-	-	-
1021263	2006	NW	35	024	COTE, ALLAN	115	70.10	75	115	5	Pump	Sandstone
0394711	1978	NE	35	024	WOROBY, MIKE	110	60	95	108	10	Bailer	Sandstone
0394716	-	NE	35	024	GLIMM, W.	140	-	-	-	-	-	-
0394723	1989	NE	35	024	ZUCHETTO, PETER	175	108	135	175	4.5	Bailer	Sandstone
0394728	-	NE	35	024	KRISTENSON, JAN	100	-	-	-	-	-	-
0349650	1987	NE	35	024	WOROBY, MIKE	300	0	260	300	10	Bailer	Sandstone
0349651	1987	NE	35	024	WOROBY, MIKE	130	55	100	130	10	Bailer	Sandstone
0349652	1987	NE	35	024	WOROBY, MIKE	125	60	85	125	10	Bailer	Sandstone
0467150	1997	SW	35	024	NOLAN, PAT	118	52.2	58	108	17	Pump	Sandstone
0467151	1996	SW	35	024	NOLAN, PAT	220	-	-	-	-	-	-
0492940	1999	NE	35	024	SCHMIDT, MARK/TAMARA	143	75	85	105	5.45	Pump	Sandstone
0492940	1999	NE	35	024	SCHMIDT, MARK/TAMARA	143	75	85	105	5.45	Pump	Sandstone
0394703	1962	NW	35	024	HARTNETT, M.E.	184	84	-	-	16	-	-
0349461	1985	SE	34	024	LONGEWAY, CLARENCE	320	200	280	320	20	Bailer	Sandstone
0394691	1973	NE	34	024	BATEMAN FARMS	90	32	70	90	10	Bailer	Shale, hard rocks
0394684	1973	NE	34	024	BATEMAN FARMS	295	97	190	230	1.8	Pump	-
0394680	-	SE	34	024	LEVACK, JEFFREY	-	-	-	-	-	-	Sandstone
0394673	1974	SE	34	024	LONGEWAY, CLARENCE	140	80	125	136	7	Bailer	-
0394670	-	SE	34	024	LONGEWAY, C.	190	-	-	-	-	-	Sandstone
0356080	1989	NE	34	024	WALSH, FRANK	76	50	56	74	7.0	Bailer	Sandstone
1465027	2003	NE	34	024	WALSH, FRANK	100	44	60	100	4.7	Pump	Sandstone
0357652	1991	SE	02	025	GAJTANI, MUHARREM	400	290	360	400	15.0	Pump	Sandstone
0388236	1974	SW	02	025	MAKSYMUK, NIEK	95	10	-	-	-	-	-
0388238	-	04	02	025	BIGGS, C.P.	95	80	-	-	-	-	-
0388240	-	04	02	025	CALLING HOUSE RANCH	126	115	-	-	-	-	-
0356377	-	SE	02	025	GAJTANI, MUHARREM	400	-	-	-	-	-	-
0416373	1972	SE	02	025	SEMPLE, BRUCE	300	170	280	292	3	Pump	Sandstone
0416374	1974	SW	02	025	CAMERON, DON	145	95	125	145	8	Bailer	Sandstone

Well ID #	Date	LSD	Sec	Township	Well Owner's Name	Well Depth	Static Water Level	Screen Perfs From	Screen Perfs To	Test Rate (igpm)	Test Type	Lithology
0388268	-	EH	02	025	THORNBERRY, ALAN	-	-	-	-	-	-	-
0349566	1985	SE	03	025	RUBIS, FRED	75	35	52	75	20	Bailer	Fractured Shale

Note: All depths are in feet; igpm=imperial gallons per minute

Most wells in the area are for residential uses. Well depths range from 75 to 400 feet and the aquifers consist mostly of sandstone and shale. Discontinuous aquifers in the area are indicated by various well depths and initial static water levels. Several dry holes are reported, indicating no aquifers. Conversely some pump tests are in excess of 10 gpm, indicating relatively productive wells.

A review of Alberta Environment's database for water licenses and registrations was undertaken. Three registrations were found within Section 35 of Township 24, Range 3, West of the 5th Meridian. One registration is held by Eagle Butte Ranches under the *Water Resources Act* for the purposes of municipal use. The other two registrations are held by Pat Nolan under the *Water Act*.

D) Hydrogeologic Conditions

The strata immediately underlying the site consists of approximately 50 feet of unconsolidated units consisting of topsoil, clay, till, sand stringers, and rocks.

The Regional Groundwater Assessment report for the M.D. of Rockyview, prepared by Agriculture and Agri-Food Canada was reviewed to determine the nature of strata in the area. Groundwater supplies are obtained from the Dalehurst of the Paskapoo Formation. Yields for this aquifer in the area are estimated 10 to 75 m³/day.

According to the Groundwater Assessment study, the water typically has a total dissolved solid concentration of greater than 1000 mg/L. The changing water level greatly varies around the subject site location, with some areas experiencing a decline, while other area having rising water levels.

E) Pump Test and Well Yield

I Details of Pump Test - Personnel from Aaron Drilling conducted a 41 hour and 20 minute pump test on the well on July 10-12, 2007. The pump test was conducted at a rate of 2 imperial gallons per minute. The pump test report from Aaron Drilling is shown on Plates 5-9 with a graph showing depth to water with time on Plate 4. Water levels declined by 10.5 feet during the flow period (24 hours and 30 minutes) and recovered to 100% of static water levels 16 hours and 50 minutes after pumping ceased.

II Aquifer Transmissivity and Well Yield - The pump test data was interpreted with the aid of the AQTESOLV program developed by HydroSoft Inc. The Dougherty-Babu solution method was used for the aquifer conditions which accounts for well bore storage and yield. A confined radial flow model was selected which is likely representative of aquifer conditions. The pump test interpretation is shown on Plate 10. A transmissivity of $3.074 \text{ m}^2/\text{day}$ is calculated.

The twenty year safe yield (Q_{20}) of the well can be calculated through the Farvolden Equation as recommended by Alberta Environment:

$$Q_{20} = 0.68 \times T \times H \times 0.7$$

Where T is the transmissivity from the pump test ($3.074 \text{ m}^2/\text{day}$), H is the available head, or the distance between the static water level and the top of the aquifer (8.2 m), 0.68 is a factor accounting for well bore radius, aquifer storativity and twenty year time frame, and 0.7 is a safety factor.

Substituting these values a twenty year safe yield of $4379 \text{ m}^3/\text{year}$ (1.83 imperial gallons per minute) is calculated. This is in excess of the anticipated water needs ($1250 \text{ m}^3/\text{year}$) and shows that the well can supply the required water needs.

F) Changes in Water Level With Time

A review of the static water levels was undertaken to determine if indications of the aquifer being over utilized is evident. Initial static water levels from wells that have completion depths within the range of the well (65-165 feet) were examined to determine water level changes with time. A summary of the average water level in each decade for wells of this depth range is as follows:

Decade	Number of	Average Static Water Level
1970s	6	52.83
1980s	4	50
1990s	3	67.4
2000s	2	57.05

Based on the available information, the data from the wells surrounding the quarter section indicates stable water levels from the 1970s to the present. No indications of aquifer dewatering are present.

G) Water Quality

A water sample was collected from the well and submitted to WSH Labs (1992) Ltd. on July 14, 2007 for analysis of parameters as outlined in Alberta Environments Groundwater Evaluation Guideline. The lab analysis report is shown on Plate 11. A summary of the results, with a comparison to drinking water criteria as established by the Canadian Council of Ministers of the Environment (CCME) is as follows:

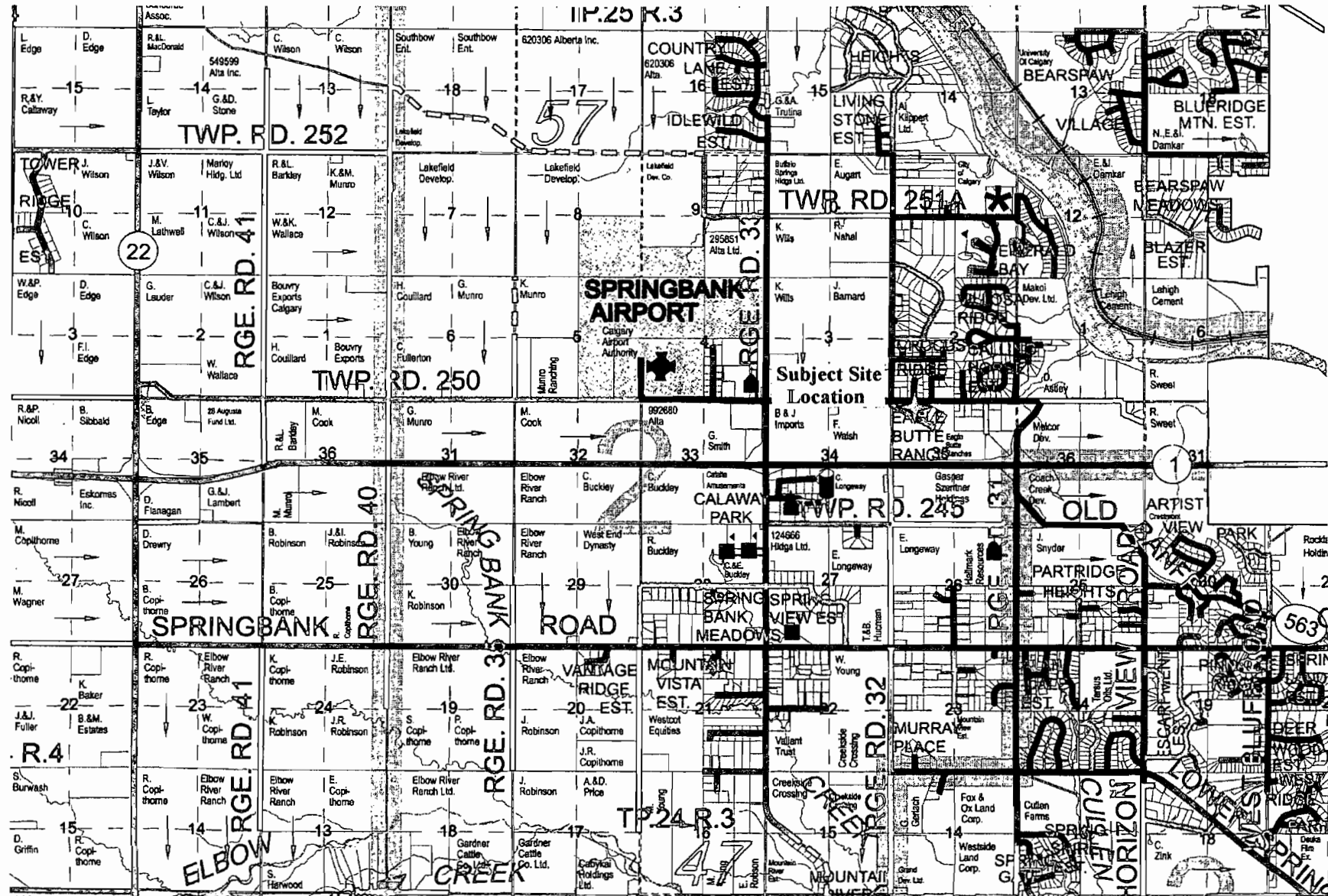
Parameter	Well	CCME Limits
Well Depth (ft)	115	-
Calcium	59.5	-
Magnesium	20.4	-
Sodium	518	200
Iron	0.24	0.3
Manganese	0.08	0.05
Bicarbonate	818	-
Chloride	0.4	250
Fluoride	0.27	1.5
Nitrates as N	<0.05	10
Nitrites as N	1.6	1
Sulphate	647	500
Potassium	8.3	-
pH	8.09	6.5 - 8.5

Total Dissolved Solids	1658	500

Note: All results are in mg/L (ppm) except pH, which is in pH units; NA – Not Analysed; **Bold** exceed criteria

The results show that the water exceeds the limits established by CCME for the parameters of sodium, manganese, nitrites as N, sulphates, and total dissolved solids. These parameters are based upon aesthetic criteria and no health risks are noted. The water can be treated by reverse osmosis or distillation if desired to removed the excess parameters.

It is recommended that another sample be collected from the well prior to water use within the residence and tested for routine dissolved constituents and coliform bacteria to confirm the acceptability of the water source for a drinking water supply.



SABATINI EARTH TECHNOLOGIES INC.

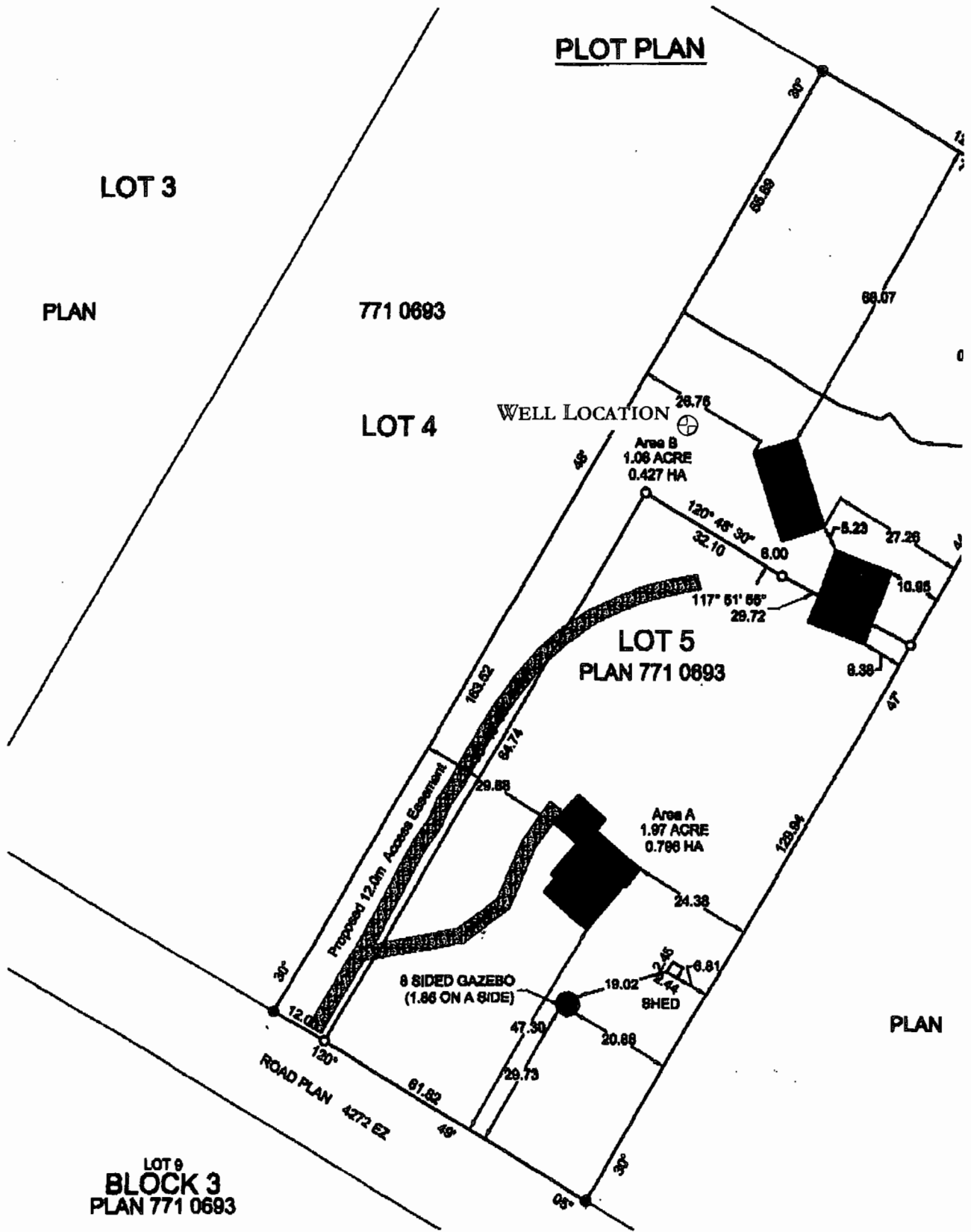
Allan Cote

MD of Rocky View No. 44
NW-25-24-3-W5
Key Map

Date: July 2007

Job No: 0707-6213

Plate No:1



SABATINI EARTH TECHNOLOGIES INC.

Allan Cote

Municipal District of Rocky View No. 44
NW-25-24-03-W5
Site Map

Date: July 2007

Job No: 0707-6213

Plate No: 2

ALBERTA ENVIRONMENTAL PROTECTION

COMPUTER GENERATED WATER WELL DRILLER'S REPORT FORM

WELL I.D. 339719

THIS DATA MAY NOT BE FULLY CHECKED; THE PROVINCE DISCLAIMS ALL RESPONSIBILITY FOR ITS ACCURACY:

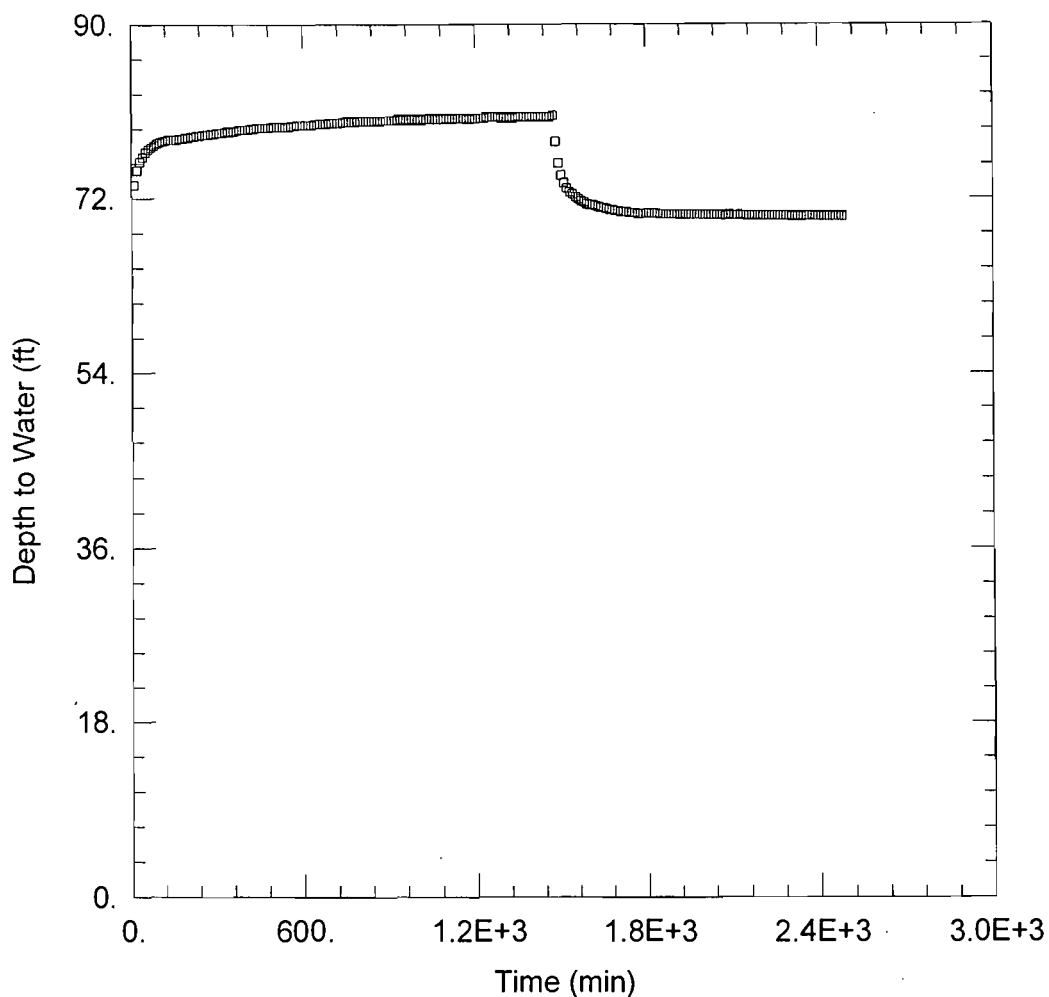
Page 1 of 1

CONTRACTOR: NAME: AARON/INTERPROVINCIAL WATERWELL DRILLING ADDRESS: Box 28, Site 9, R.R.1 DeWinton, Alberta T0L-0X0 LICENCE NO.: 0892 JOURNEYMAN NO.: VA4996		WELL OWNER: NAME: COTE, ALLAN #6108 ADDRESS: 76 EAGLE BUTTE RANCH CALGARY POSTAL CODE: T3Z 1K3		WELL LOCATION: IC#: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>1/4 OR LSD</td> <td>SEC</td> <td>TWP</td> <td>RGE</td> <td>W. MER</td> </tr> <tr> <td>NW</td> <td>35</td> <td>024</td> <td>03</td> <td>W5</td> </tr> </table> LOCATION VERIFICATION METHOD: FIELD LOCATION IN QUARTER:		1/4 OR LSD	SEC	TWP	RGE	W. MER	NW	35	024	03	W5															
1/4 OR LSD	SEC	TWP	RGE	W. MER																										
NW	35	024	03	W5																										
FORMATION LOG DESCRIPTION: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Depth (Feet)</th> <th>Lithology</th> </tr> </thead> <tbody> <tr> <td>Ground to:</td> <td></td> </tr> <tr> <td>1</td> <td>Topsoil</td> </tr> <tr> <td>23</td> <td>Clay</td> </tr> <tr> <td>31</td> <td>Till & Sand Stringers</td> </tr> <tr> <td>50</td> <td>Clay & Rocks</td> </tr> <tr> <td>55</td> <td>Brown Shale</td> </tr> <tr> <td>76</td> <td>Gray Shale</td> </tr> <tr> <td>107</td> <td>Water Bearing Sandstone</td> </tr> <tr> <td>115</td> <td>Gray Shale</td> </tr> </tbody> </table>		Depth (Feet)	Lithology	Ground to:		1	Topsoil	23	Clay	31	Till & Sand Stringers	50	Clay & Rocks	55	Brown Shale	76	Gray Shale	107	Water Bearing Sandstone	115	Gray Shale	DRILLING METHOD: ROTARY TYPE OF WORK: NEW WELL FLOWING WELL: RATE: GAS PRESENT: No OIL PRESENT: No DATE OF ABANDONMENT: MATERIAL USED: PROPOSED USE: DOMESTIC		LOT: BLOCK: PLAN: WELL ELEV: Feet How obtain: SURVEY-AIR						
Depth (Feet)	Lithology																													
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115	Gray Shale																													
WELL COMPLETION DATA: WELL FINISH: CASING/PERFORATED LINER TOTAL HOLE DEPTH: 115 Feet CASING TYPE: STEEL SIZE OD: 6.62 Inch WALL THICKNESS: 0.188 Inch BOTTOM AT: 57 Feet PERFORATED CASING/LINER: TYPE: PLASTIC SIZE OD: 5.00 Inch ID: Inch WALL THICKNESS: 0.219 Inch TOP AT: 55 Feet BOTTOM AT: 115 Feet PERFORATED FROM: 75 Feet TO: 115 Feet Feet TO: Feet Feet TO: Feet SIZE OF PERFORATIONS: 0.188 Inch X 6.000 Inch HOW PERFORATED: SAW SEAL TYPE: DRIVEN INTERVAL TOP: 55 Feet TO: 57 Feet GEOPHYSICAL LOG TAKEN: RETAINED ON FILE: SCREEN: MATERIAL: SIZE ID (CLEAR): Inch SLOT SIZE: Inch INTERVAL TOP: Feet TO: Feet Feet TO: Feet INSTALLATION METHOD: TOP FITTINGS: BOTTOM FITTINGS: PACK TYPE: GRAIN SIZE: AMOUNT:		PRODUCTION TEST: TEST DATE: August 31, 2006 START TIME: 15:00 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Elapsed Time In Min:Sec</th> <th>Depth to Water Level During Pumping (Feet)</th> <th>Depth to Water Level During Recovery (Feet)</th> </tr> </thead> <tbody> <tr> <td>10:00</td> <td>73.58</td> <td>80.14</td> </tr> <tr> <td>20:00</td> <td>76.36</td> <td>78.7</td> </tr> <tr> <td>30:00</td> <td>78.6</td> <td>74.57</td> </tr> <tr> <td>40:00</td> <td>80.12</td> <td>73.38</td> </tr> <tr> <td>50:00</td> <td>81.37</td> <td>72.54</td> </tr> <tr> <td>60:00</td> <td>82.38</td> <td></td> </tr> <tr> <td>120:00</td> <td>86.11</td> <td></td> </tr> <tr> <td>140:00</td> <td>86.19</td> <td></td> </tr> </tbody> </table>		Elapsed Time In Min:Sec	Depth to Water Level During Pumping (Feet)	Depth to Water Level During Recovery (Feet)	10:00	73.58	80.14	20:00	76.36	78.7	30:00	78.6	74.57	40:00	80.12	73.38	50:00	81.37	72.54	60:00	82.38		120:00	86.11		140:00	86.19	
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120:00	86.11																													
140:00	86.19																													
PITLESS ADAPTER TYPE: DROP PIPE TYPE: LENGTH: Feet DIAMETER: Inch ADDITIONAL PUMP INFORMATION:		WATER REMOVAL RATE DURING TEST: 5 Gal/Min TEST DURATION: 2 Hours 34 Minutes TESTING METHOD: PUMP DEPTH OF PUMP/DRILL STEM: 105 Feet WATER LEVEL AT END OF TEST: 86 Feet NON-PUMPING (STATIC) WATER LEVEL: 70.1 FEET TOTAL DRAWDOWN: 16 Feet RECOMMENDED PUMPING RATE: 4 Gal/Min RECOMMENDED PUMP INTAKE AT: 105 Feet TYPE OF PUMP INSTALLED: MODEL: H.P.:																												
DATE WORK STARTED: August 23, 06 DATE WORK COMPLETED: August 23, 06 ADDITIONAL TEST AND/OR PUMP DATA: CHEMISTRIES HELD: DOCUMENTS HELD: 1 WELL OWNER'S ANTICIPATED WATER REQUIREMENTS PER DAY: 500 Gallons				COMMENTS: TDS 2300 IRON <.5 HARD 6 (Maximum of 8 lines printed) use H = 8.2m																										

DATE FORM PRINTED: September 7, 2006 09:03:52 DATE DATA KEYED: September 7, 2006

GIC5

DC



WELL TEST ANALYSIS

Data Set: Z:\A-Job Folders\Reports\6001-6500\6213 Allan Cote Aquifer NW-35-24-3-W5M\aqtesolv.aqt

Date: 07/27/07

Time: 08:18:35

PROJECT INFORMATION

Company: Sabatini Earth Technologies

Client: Aaron Drilling

Project: 0707-6213

Location: NW-35-024-03-W5

Test Well: Allan Cote #6108

Test Date: July 10, 2007

AQUIFER DATA

Saturated Thickness: 36.9 ft

Anisotropy Ratio (Kz/Kr): 1.

WELL DATA

Pumping Wells

Observation Wells

Well Name	X (ft)	Y (ft)
Cote #6108	0	0

Well Name	X (ft)	Y (ft)
□ Cote #6108	0	0

AARON DRILLING PUMP TEST RESULTS

Job ID 6108
 Well Depth 115 ft.
 N.P.W.L 70.3 ft.

 Logger Set At: 89.6 ft.
 Test Rate 2 igpm
 Time Intervals 10 min.

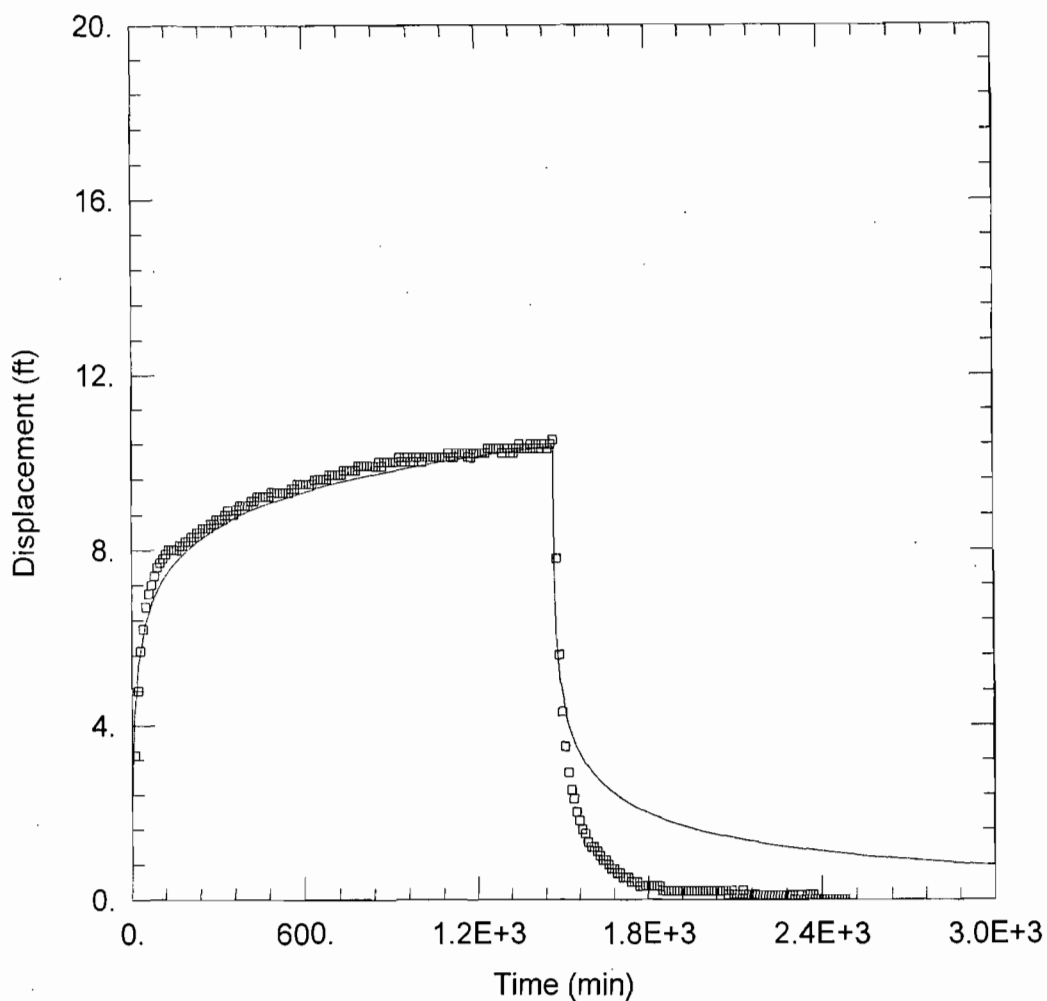
<u>Data Point</u>	<u>Date</u>	<u>Minutes</u>	<u>Water Above</u>	<u>Logger Level</u>	<u>Water Level</u>
1	7/10/2007	0	19.3	89.6	70.3
2	7/10/2007	10	16	89.6	73.6
3	7/10/2007	20	14.5	89.6	75.1
4	7/10/2007	30	13.6	89.6	76
5	7/10/2007	40	13.1	89.6	76.5
6	7/10/2007	50	12.6	89.6	77
7	7/10/2007	60	12.3	89.6	77.3
8	7/10/2007	70	12.1	89.6	77.5
9	7/10/2007	80	11.9	89.6	77.7
10	7/10/2007	90	11.7	89.6	77.9
11	7/10/2007	100	11.6	89.6	78
12	7/10/2007	110	11.5	89.6	78.1
13	7/10/2007	120	11.4	89.6	78.2
14	7/10/2007	130	11.3	89.6	78.3
15	7/10/2007	140	11.3	89.6	78.3
16	7/10/2007	150	11.3	89.6	78.3
17	7/10/2007	160	11.3	89.6	78.3
18	7/10/2007	170	11.2	89.6	78.4
19	7/10/2007	180	11.2	89.6	78.4
20	7/10/2007	190	11.1	89.6	78.5
21	7/10/2007	200	11.1	89.6	78.5
22	7/10/2007	210	11	89.6	78.6
23	7/10/2007	220	11	89.6	78.6
24	7/10/2007	230	10.9	89.6	78.7
25	7/10/2007	240	10.9	89.6	78.7
26	7/10/2007	250	10.8	89.6	78.8
27	7/10/2007	260	10.8	89.6	78.8
28	7/10/2007	270	10.8	89.6	78.8
29	7/10/2007	280	10.7	89.6	78.9
30	7/10/2007	290	10.7	89.6	78.9
31	7/10/2007	300	10.6	89.6	79
32	7/10/2007	310	10.6	89.6	79
33	7/10/2007	320	10.6	89.6	79
34	7/10/2007	330	10.5	89.6	79.1
35	7/10/2007	340	10.4	89.6	79.2
36	7/10/2007	350	10.5	89.6	79.1
37	7/10/2007	360	10.5	89.6	79.1
38	7/10/2007	370	10.4	89.6	79.2
39	7/10/2007	380	10.3	89.6	79.3
40	7/10/2007	390	10.3	89.6	79.3
41	7/10/2007	400	10.3	89.6	79.3
42	7/10/2007	410	10.3	89.6	79.3

43	7/10/2007	420	10.2	89.6	79.4
44	7/10/2007	430	10.2	89.6	79.4
45	7/10/2007	440	10.1	89.6	79.5
46	7/10/2007	450	10.1	89.6	79.5
47	7/11/2007	460	10.1	89.6	79.5
48	7/11/2007	470	10.1	89.6	79.5
49	7/11/2007	480	10.1	89.6	79.5
50	7/11/2007	490	10	89.6	79.6
51	7/11/2007	500	10	89.6	79.6
52	7/11/2007	510	10	89.6	79.6
53	7/11/2007	520	10	89.6	79.6
54	7/11/2007	530	10	89.6	79.6
55	7/11/2007	540	10	89.6	79.6
56	7/11/2007	550	10	89.6	79.6
57	7/11/2007	560	9.9	89.6	79.7
58	7/11/2007	570	9.9	89.6	79.7
59	7/11/2007	580	9.8	89.6	79.8
60	7/11/2007	590	9.8	89.6	79.8
61	7/11/2007	600	9.8	89.6	79.8
62	7/11/2007	610	9.8	89.6	79.8
63	7/11/2007	620	9.8	89.6	79.8
64	7/11/2007	630	9.8	89.6	79.8
65	7/11/2007	640	9.7	89.6	79.9
66	7/11/2007	650	9.7	89.6	79.9
67	7/11/2007	660	9.7	89.6	79.9
68	7/11/2007	670	9.7	89.6	79.9
69	7/11/2007	680	9.7	89.6	79.9
70	7/11/2007	690	9.6	89.6	80
71	7/11/2007	700	9.6	89.6	80
72	7/11/2007	710	9.6	89.6	80
73	7/11/2007	720	9.6	89.6	80
74	7/11/2007	730	9.6	89.6	80
75	7/11/2007	740	9.5	89.6	80.1
76	7/11/2007	750	9.5	89.6	80.1
77	7/11/2007	760	9.5	89.6	80.1
78	7/11/2007	770	9.5	89.6	80.1
79	7/11/2007	780	9.5	89.6	80.1
80	7/11/2007	790	9.4	89.6	80.2
81	7/11/2007	800	9.4	89.6	80.2
82	7/11/2007	810	9.4	89.6	80.2
83	7/11/2007	820	9.4	89.6	80.2
84	7/11/2007	830	9.4	89.6	80.2
85	7/11/2007	840	9.4	89.6	80.2
86	7/11/2007	850	9.4	89.6	80.2
87	7/11/2007	860	9.3	89.6	80.3
88	7/11/2007	870	9.4	89.6	80.2
89	7/11/2007	880	9.3	89.6	80.3
90	7/11/2007	890	9.3	89.6	80.3
91	7/11/2007	900	9.3	89.6	80.3
92	7/11/2007	910	9.3	89.6	80.3
93	7/11/2007	920	9.3	89.6	80.3
94	7/11/2007	930	9.2	89.6	80.4

95	7/11/2007	940	9.3	89.6	80.3
96	7/11/2007	950	9.2	89.6	80.4
97	7/11/2007	960	9.2	89.6	80.4
98	7/11/2007	970	9.3	89.6	80.3
99	7/11/2007	980	9.3	89.6	80.3
100	7/11/2007	990	9.2	89.6	80.4
101	7/11/2007	1000	9.2	89.6	80.4
102	7/11/2007	1010	9.3	89.6	80.3
103	7/11/2007	1020	9.2	89.6	80.4
104	7/11/2007	1030	9.2	89.6	80.4
105	7/11/2007	1040	9.2	89.6	80.4
106	7/11/2007	1050	9.2	89.6	80.4
107	7/11/2007	1060	9.2	89.6	80.4
108	7/11/2007	1070	9.2	89.6	80.4
109	7/11/2007	1080	9.2	89.6	80.4
110	7/11/2007	1090	9.2	89.6	80.4
111	7/11/2007	1100	9.1	89.6	80.5
112	7/11/2007	1110	9.2	89.6	80.4
113	7/11/2007	1120	9.2	89.6	80.4
114	7/11/2007	1130	9.1	89.6	80.5
115	7/11/2007	1140	9.1	89.6	80.5
116	7/11/2007	1150	9.1	89.6	80.5
117	7/11/2007	1160	9.1	89.6	80.5
118	7/11/2007	1170	9.2	89.6	80.4
119	7/11/2007	1180	9.2	89.6	80.4
120	7/11/2007	1190	9.1	89.6	80.5
121	7/11/2007	1200	9.1	89.6	80.5
122	7/11/2007	1210	9.1	89.6	80.5
123	7/11/2007	1220	9.1	89.6	80.5
124	7/11/2007	1230	9.1	89.6	80.5
125	7/11/2007	1240	9	89.6	80.6
126	7/11/2007	1250	9	89.6	80.6
127	7/11/2007	1260	9	89.6	80.6
128	7/11/2007	1270	9	89.6	80.6
129	7/11/2007	1280	9	89.6	80.6
130	7/11/2007	1290	9.1	89.6	80.5
131	7/11/2007	1300	9	89.6	80.6
132	7/11/2007	1310	9	89.6	80.6
133	7/11/2007	1320	9.1	89.6	80.5
134	7/11/2007	1330	9.1	89.6	80.5
135	7/11/2007	1340	9	89.6	80.6
136	7/11/2007	1350	8.9	89.6	80.7
137	7/11/2007	1360	9	89.6	80.6
138	7/11/2007	1370	9	89.6	80.6
139	7/11/2007	1380	9	89.6	80.6
140	7/11/2007	1390	8.9	89.6	80.7
141	7/11/2007	1400	9	89.6	80.6
142	7/11/2007	1410	8.9	89.6	80.7
143	7/11/2007	1420	9	89.6	80.6
144	7/11/2007	1430	8.9	89.6	80.7
145	7/11/2007	1440	8.9	89.6	80.7
146	7/11/2007	1450	9	89.6	80.6

147	7/11/2007	1460	8.9	89.6	80.7
148	7/11/2007	1470	8.8	89.6	80.8
149	7/11/2007	1480	11.5	89.6	78.1
150	7/11/2007	1490	13.7	89.6	75.9
151	7/11/2007	1500	15	89.6	74.6
152	7/11/2007	1510	15.8	89.6	73.8
153	7/11/2007	1520	16.4	89.6	73.2
154	7/11/2007	1530	16.8	89.6	72.8
155	7/11/2007	1540	17	89.6	72.6
156	7/11/2007	1550	17.3	89.6	72.3
157	7/11/2007	1560	17.5	89.6	72.1
158	7/11/2007	1570	17.7	89.6	71.9
159	7/11/2007	1580	17.8	89.6	71.8
160	7/11/2007	1590	18	89.6	71.6
161	7/11/2007	1600	18.1	89.6	71.5
162	7/11/2007	1610	18.1	89.6	71.5
163	7/11/2007	1620	18.2	89.6	71.4
164	7/11/2007	1630	18.3	89.6	71.3
165	7/11/2007	1640	18.4	89.6	71.2
166	7/11/2007	1650	18.4	89.6	71.2
167	7/11/2007	1660	18.5	89.6	71.1
168	7/11/2007	1670	18.6	89.6	71
169	7/11/2007	1680	18.6	89.6	71
170	7/11/2007	1690	18.7	89.6	70.9
171	7/11/2007	1700	18.7	89.6	70.9
172	7/11/2007	1710	18.8	89.6	70.8
173	7/11/2007	1720	18.8	89.6	70.8
174	7/11/2007	1730	18.8	89.6	70.8
175	7/11/2007	1740	18.9	89.6	70.7
176	7/11/2007	1750	18.9	89.6	70.7
177	7/11/2007	1760	18.9	89.6	70.7
178	7/11/2007	1770	19	89.6	70.6
179	7/11/2007	1780	19	89.6	70.6
180	7/11/2007	1790	19	89.6	70.6
181	7/11/2007	1800	19	89.6	70.6
182	7/11/2007	1810	19	89.6	70.6
183	7/11/2007	1820	19	89.6	70.6
184	7/11/2007	1830	19	89.6	70.6
185	7/11/2007	1840	19	89.6	70.6
186	7/11/2007	1850	19.1	89.6	70.5
187	7/11/2007	1860	19.1	89.6	70.5
188	7/11/2007	1870	19.1	89.6	70.5
189	7/11/2007	1880	19.1	89.6	70.5
190	7/11/2007	1890	19.1	89.6	70.5
191	7/12/2007	1900	19.1	89.6	70.5
192	7/12/2007	1910	19.1	89.6	70.5
193	7/12/2007	1920	19.1	89.6	70.5
194	7/12/2007	1930	19.1	89.6	70.5
195	7/12/2007	1940	19.1	89.6	70.5
196	7/12/2007	1950	19.1	89.6	70.5
197	7/12/2007	1960	19.1	89.6	70.5
198	7/12/2007	1970	19.1	89.6	70.5

199	7/12/2007	1980	19.1	89.6	70.5
200	7/12/2007	1990	19.1	89.6	70.5
201	7/12/2007	2000	19.1	89.6	70.5
202	7/12/2007	2010	19.1	89.6	70.5
203	7/12/2007	2020	19.1	89.6	70.5
204	7/12/2007	2030	19.1	89.6	70.5
205	7/12/2007	2040	19.1	89.6	70.5
206	7/12/2007	2050	19.1	89.6	70.5
207	7/12/2007	2060	19.1	89.6	70.5
208	7/12/2007	2070	19.1	89.6	70.5
209	7/12/2007	2080	19.2	89.6	70.4
210	7/12/2007	2090	19.1	89.6	70.5
211	7/12/2007	2100	19.2	89.6	70.4
212	7/12/2007	2110	19.2	89.6	70.4
213	7/12/2007	2120	19.2	89.6	70.4
214	7/12/2007	2130	19.1	89.6	70.5
215	7/12/2007	2140	19.2	89.6	70.4
216	7/12/2007	2150	19.2	89.6	70.4
217	7/12/2007	2160	19.2	89.6	70.4
218	7/12/2007	2170	19.2	89.6	70.4
219	7/12/2007	2180	19.2	89.6	70.4
220	7/12/2007	2190	19.2	89.6	70.4
221	7/12/2007	2200	19.2	89.6	70.4
222	7/12/2007	2210	19.2	89.6	70.4
223	7/12/2007	2220	19.2	89.6	70.4
224	7/12/2007	2230	19.2	89.6	70.4
225	7/12/2007	2240	19.2	89.6	70.4
226	7/12/2007	2250	19.2	89.6	70.4
227	7/12/2007	2260	19.2	89.6	70.4
228	7/12/2007	2270	19.2	89.6	70.4
229	7/12/2007	2280	19.2	89.6	70.4
230	7/12/2007	2290	19.2	89.6	70.4
231	7/12/2007	2300	19.2	89.6	70.4
232	7/12/2007	2310	19.3	89.6	70.3
233	7/12/2007	2320	19.3	89.6	70.3
234	7/12/2007	2330	19.2	89.6	70.4
235	7/12/2007	2340	19.3	89.6	70.3
236	7/12/2007	2350	19.2	89.6	70.4
237	7/12/2007	2360	19.2	89.6	70.4
238	7/12/2007	2370	19.2	89.6	70.4
239	7/12/2007	2380	19.3	89.6	70.3
240	7/12/2007	2390	19.3	89.6	70.3
241	7/12/2007	2400	19.3	89.6	70.3
242	7/12/2007	2410	19.3	89.6	70.3
243	7/12/2007	2420	19.3	89.6	70.3
244	7/12/2007	2430	19.3	89.6	70.3
245	7/12/2007	2440	19.3	89.6	70.3
246	7/12/2007	2450	19.3	89.6	70.3
247	7/12/2007	2460	19.3	89.6	70.3
248	7/12/2007	2470	19.3	89.6	70.3
249	7/12/2007	2480	19.3	89.6	70.3



WELL TEST ANALYSIS

Data Set: Z:\A-Job Folders\Reports\6001-6500\6213 Allan Cote Aquifer NW-35-24-3-W5M\aqtesolv.aqt

Date: 07/27/07

Time: 08:26:12

PROJECT INFORMATION

Company: Sabatini Earth Technologies

Client: Aaron Drilling

Project: 0707-6213

Location: NW-35-024-03-W5

Test Well: Allan Cote #6108

Test Date: July 10, 2007

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
Cote #6108	0	0

Observation Wells

Well Name	X (ft)	Y (ft)
□ Cote #6108	0	0

SOLUTION

Aquifer Model: Confined

Solution Method: Dougherty-Babu

$T = 3.074 \text{ m}^2/\text{day}$

$S = 0.1306$

$Kz/Kr = 1804.4$

$Sw = 0.$

$r(w) = 0.2747 \text{ ft}$

$r(c) = 0.2075 \text{ ft}$



3851B - 21 Street N.E.
 Calgary, Alberta
 Canada T2E6T5
 Ph: (403) 250-9164
 Fax: (403) 291-4597
 Website: www.wshlabs.com

Aaron Drilling
 Box 28, Site 9, RR 1
 De Winton, AB T0L 0X0

Phone: 938-4961
Fax: 938-3324
Email:

Lab Number: 57610
PO Number:

Attention:		Sampled By:	
Client ID:	6108	Date Sampled:	
Location:	Cote	Date Received:	7/14/2007
Legal:		Date Reported:	7/19/2007

Analyte	Units	Result	Canadian Drinking Water Guideline Maximum
Calcium	mg/L	59.5	No Guideline
Iron	mg/L	0.24	0.3
Magnesium	mg/L	20.4	No Guideline
Manganese	mg/L	0.08	0.05
Potassium	mg/L	8.3	No Guideline
Sodium	mg/L	518	200
Bicarbonates	mg/L	818	No Guideline
Bromides	mg/L	< 0.1	No Guideline
Carbonates	mg/L	0	No Guideline
Chlorides	mg/L	0.4	250
Fluorides	mg/L	0.27	1.5
Nitrates as N	mg/L	< 0.05	10
Nitrites as N	mg/L	1.6	1
NO ₃ + NO ₂ as N	mg/L	1.6	No Guideline
Sulfates	mg/L	647	500

Parameter	Units	Result	Canadian Drinking Water Guideline Maximum
Electrical Conductivity	µS/cm	2460	No Guideline
pH	pH	8.09	6.5 - 8.5
Hardness (as CaCO ₃)	mg/L	233	No Guideline
Total Alkalinity (as CaCO ₃)	mg/L	671	No Guideline
P-Alkalinity (as CaCO ₃)	mg/L	0	No Guideline
Hydroxide (as CaCO ₃)	mg/L	0	No Guideline
Total Dissolved Solids	mg/L	1658	500
Total Organic Carbon	mg/L	-	No Guideline
Sulfides as S	mg/L	-	0.05

Microbiology	Units	Result	Canadian Drinking Water Guideline Maximum
Total Coliform	CFU/100 mL	-	Zero
Escherichia Coliform	CFU/100 mL	-	Zero
Fecal Coliform	CFU/100 mL	-	Zero

Sum of Cations	27.38	TDS / EC Ratio	0.67
Sum of Anions	26.92	SAR	14.77
Ion Balance	1.02	Saturation Index	1.1

Certified By: 

Accredited by CAEAL to ISO/IEC 17025 for specific tests.

SAR = Sodium Adsorption Ratio, TNTC = Too Numerous To Count (>200 colonies), < denotes less than detection limit

The results above are related only to the items analyzed. Total Dissolved Solids is determined by calculation.

Control No: WSH-BKW060113B-Rev1.2

CIRCULATION RESPONSE SUMMARY

Application Number: 2006529

File Number: 04735020

Start: 03-Oct-06

End: 03-Nov-06

Application Type: Redesignation

Application Name: Cote

Planner: Jared Kassel

Agency Name	Date Received	Comments?	Response
☒ Alberta Energy and Utilities Board			
☒ Alberta Infrastructure & Transportation			
☒ Alberta Land Titles Office			
☒ AltaLink Management Ltd.			
☒ Atco Gas			
☒ Atco Pipelines			
☒ Calgary Health Region			
☒ Catholic Francophone Education			
☒ Catholic School Center			
☒ EnCana Corporation			
☒ FortisAlberta			
☒ Public Francophone Education			
☒ Rocky View Agricultural Service Board			
☒ Rocky View Development Services			
☒ Rocky View Emergency Services			
☒ Rocky View GeoGraphics			
☒ Rocky View I & O Mgr			
☒ Rocky View I & O Project Delivery Mgr			
☒ Rocky View School Division #41			
☒ Rocky View West Recreation Board			
☒ Springbank Airport			
☒ Telus Communications Inc.			
☒ TransAlta Utilities Ltd. Div. # 1			
Total Circulations:		23	



Graham Smith
Development Authority
M.D. of Rocky View

PAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed

Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

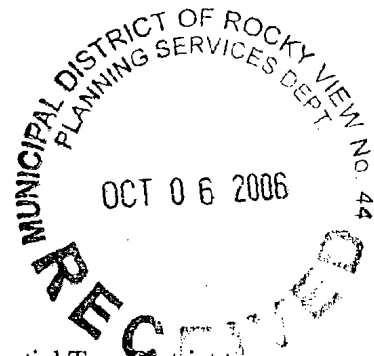
Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.



✓

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

Trent R. West
Fire Chief
M.D. of Rocky View

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
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2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

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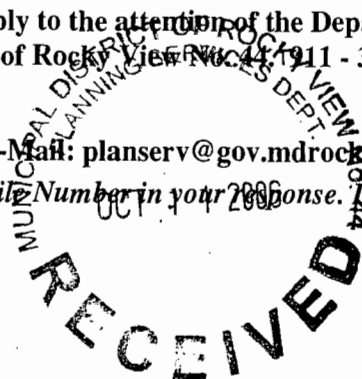
Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

NO CONCERNS



**MUNICIPAL DISTRICT OF ROCKY VIEW No. 44**

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
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File Number: 04735020

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Applicant(s) Allan Cote

Owner(s) Allan Cote

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Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

Approved - No Objection - Fortis Alberta Inc.
It would be a Fortis Alberta preference, that the Developer is responsible to electrically pre service the lots.

Signed M. Goretche

Date Oct 13/06

Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

**MUNICIPAL DISTRICT OF ROCKY VIEW No. 44**

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E-mail: comments@gov.mdrockyview.ab.ca

06-3159

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

No HY

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Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

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Owner(s) Allan Cote

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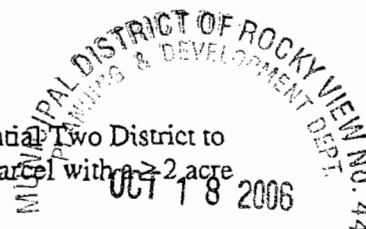
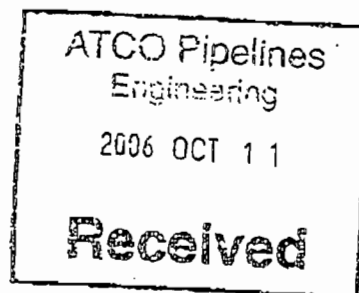
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M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006



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Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number if necessary to return this package with your repl.

ATTN: Jared Kassel

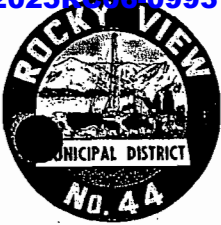
FAX#: 403-277-3066

ATCO PIPELINES

Has No Objection

DATE: Oct. 18/06

INITIALS: JK.



MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
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 Website: www.gov.mdrockyview.ab.ca
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M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

No Comment Req.

 A handwritten signature in black ink, appearing to be 'Allan Cote', is written over the word 'Applicant(s)' in the information block.

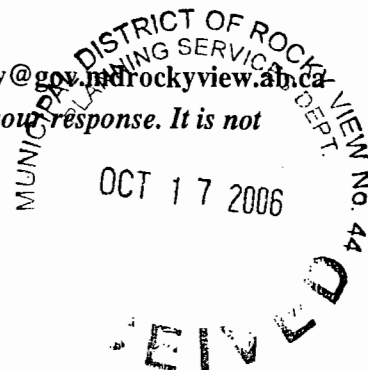
Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401

Fax: 277-3066

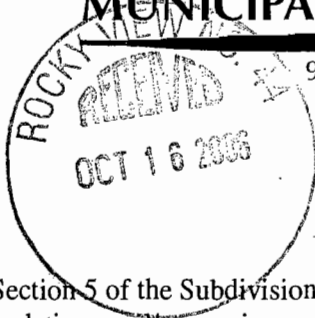
E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.





MUNICIPAL DISTRICT OF ROCKY VIEW No. 44



911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
 Telephone (403) 230-1401 • Fax (403) 277-5977
 Website: www.gov.mdrockyview.ab.ca
 E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
 2006-RV-530 Subdivision

File Number: 04735020

Date Completed

Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

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M.D. Contact: Jared Kassel

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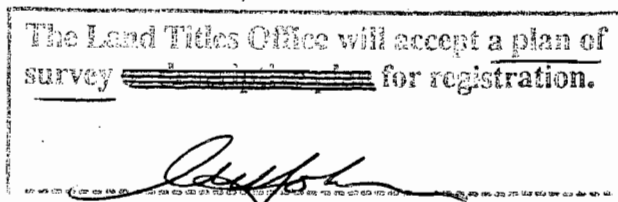
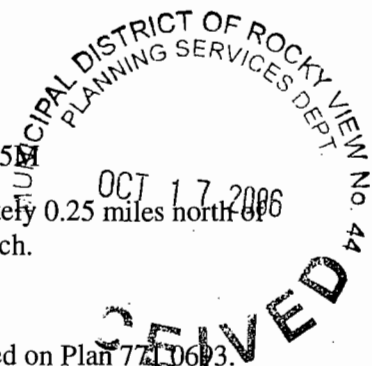
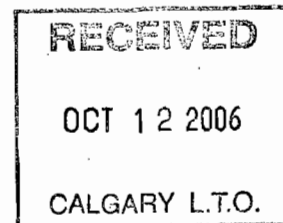
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MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

OCT 11 2006

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
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M.D. Contact: Jared Kassel

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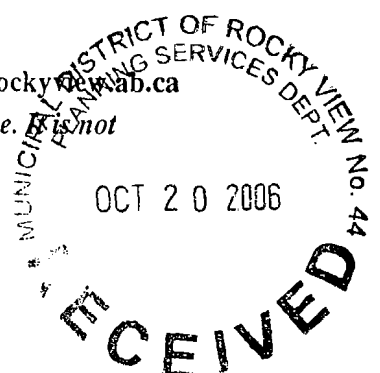
E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

ROCKY VIEW SCHOOL DIVISION NO. 41

☒ NO OBJECTIONS OR COMMENTS

☐ THIS APPLICATION AFFECTS US.
SEE ATTACHED LETTER.



**FAX**DATE: Oct 20/06

ATCO File No: 233-24-03-35-02

Your File No: 2006530-04735020

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44 (FAX: 277-3066)

ATTENTION: Planning Services Section - Dept. of Planning & Development

RE: Allan Cote- SUBDIVISION

Lot 5, Plan 771 0693 within NW 35-24-03-W5M

Assigned MD Planner: Jared Kassel

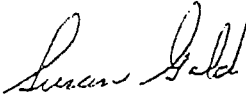


In reference to the above noted subdivision, please be advised of the following;

- _____ - ATCO Gas and Pipelines Ltd. has no existing Utility Right of Way on the subject property, or the existing Utility Right of Way is not sufficient for subdivision servicing. We therefore will require the landowner(s) to execute a Utility Right of Way to the satisfaction of ATCO Gas. Once the Utility Right of Way has been registered we will notify you of the same.
- _____ - ATCO Gas and Pipelines Ltd. has no need for a Utility Right of Way on the subject property at this time, and therefore, has no objection to the proposed subdivision.
- ☒ - Please be advised that our existing/future gas line(s) on the subject property are protected by way of an Utility Right of Way Agreement, registered as Instrument(s) # 741 105 568. Therefore, ATCO Gas and Pipelines Ltd. has no objection to the proposed subdivision.
- _____ - ***ATCO Pipelines has high pressure facilities located within the above noted legal description. We have forwarded this subdivision application to: Joanne Vansickle, 9th Floor, ATCO Pipelines, 10035 - 105 Street, Edmonton, Alberta T5J 2V6, Telephone: (780) 420-7562, Fax: (780) 420-7411 for comments.

Before any ground disturbance commences on the subject property, the land owner or developer must ensure that the exact location of all natural gas pipeline(s) are determined by calling Alberta One-Call Corporation at 1-800-242-3447. Please also note that a crossing agreement may be required if the developer and/or landowner plans to cross over/under an existing natural gas pipeline(s) with a new subdivision facility. Please contact the Land Department at 245-7845 for further information.

Sincerely,
ATCO Gas
a division of ATCO Gas and Pipelines Ltd.


Susan Gold
Land Department

- cc: Rural Designer @
- ATCO Gas Engineering [major subdivision (10 lots or more) or that require upgrading]





Infrastructure and Transportation
Transportation & Civil Engineering

Regional Services
SOUTHERN REGION

2nd Floor, 803 Manning Road NE
Calgary Alberta T2E 7M8

Toll-Free Connection
Outside Edmonton - Dial 310-0000
Telephone 403/297-6311
Fax 403/297-7682
www.trans.gov.ab.ca

Our File: 24/0335-15
Your File: 2006-RV-529, 530 – 04735020

October 20, 2006

Mr. Jared Kassel
Municipal District of Rocky View No. 44
911 – 32nd Avenue NE
Calgary AB T2E 6X6

Dear Mr. Kassel:

**RE: PROPOSED REDESIGNATION AND SUBDIVISION
LOT 5, PLAN 7710693; NW-35-24-03-W5M
HIGHWAY 1, WEST OF THE CITY OF CALGARY**

This will acknowledge receipt of your circulation memorandum regarding the above noted proposal, which must meet the requirements of Section 14 of the Subdivision and Development Regulation, due to the proximity of Highway 1. Presently, the application does not appear to comply with any category of Section 14 of the Regulation.

The department recognizes that the land involved in this application is removed from the provincial highway system, and relies on the municipal road network for access. Additionally, it appears that the single residential parcel being created by this application should not have a significant impact on the provincial highway system.

Alberta Infrastructure and Transportation, therefore, is not opposed to the proposal and, in this instance the department grants an unconditional waiver of the requirements of Section 14 of the Regulation.

Please note, from the department's perspective, any appeals received regarding this application may be dealt with by the local Subdivision and Development Appeal Board rather than by the Municipal Government Board.

Yours truly,

Trevor Richelhof
Development and Planning Technologist

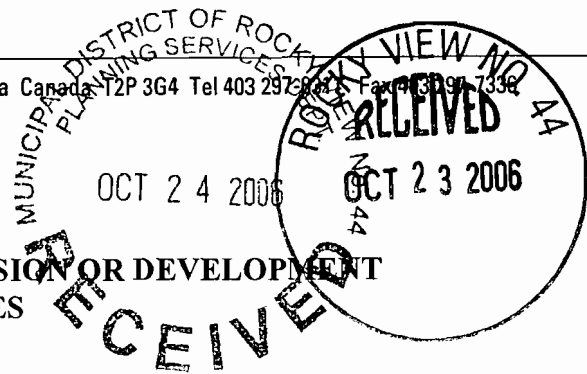
TBR/fm

cc: Mr. G. Tjostheim – Roadside Planning

S:\PUBLIC\WP51\INFRA\TRAN\24\0335-15.doc



Calgary Office 640 – 5 Avenue SW Calgary, Alberta Canada T2P 3G4 Tel 403 297-8944 Fax 403 297-7336



REFERRAL REPLY FOR PROPOSED SUBDIVISION OR DEVELOPMENT REGARDING SOUR GAS WELLS OR PIPELINES Updated January 2006

The *Alberta Regulation 43/2002, Municipal Government Act, Subdivision and Development Regulation* states that the Alberta Energy and Utilities Board (EUB) must provide comments relevant to your proposed application that is within 1.5 kilometres of a sour gas facility.

The EUB has reviewed and completed a search of EUB regulated wells and pipelines in the vicinity of your referred subdivision or development application in an effort to provide you with the information that is relevant to this specific application.

EUB Setback Distances

A setback distance is the minimum distance that must be maintained between an energy facility and various surface developments for land use and public safety purposes. This distance may increase where sour gas is present. Sour gas is a natural gas that contains hydrogen sulphide (H_2S).

Setback distances are dependant on the development density classification the EUB assigns to your referral and the level assigned to a well or pipeline. The level of a well is determined by the licensed H_2S release rate measured in cubic metres per second (m^3/s). The level of a pipeline is determined by the licensed H_2S release volume measured in cubic metres (m^3). The development classification is a tool used by the EUB to provide you with specific setback distance information for your referred application. The development density classifications; Permanent Dwelling, Unrestricted Country Development, Urban Centre and Public Facility are defined within *Interim Directive (ID) 81-3 Minimum Distance Requirements Separating New Sour Gas Facilities From Residential and Other Developments* and *ID 97-6 Sour Well Licensing and Drilling Requirements*, available on the EUB's website. Setback distances corresponding to these development density classifications are found within these documents. If you feel your referred application has been incorrectly classified, please contact the person named on this letter.

Wells

When any well licence is granted, the EUB requires the licensee to maintain a minimum setback distance of 100 metres (m) from the wellhead to a surface improvement with a possible greater setback distance required if the well contains sour gas. Exceptions to this are surveyed roadways or road allowances that may be as close as 40 m. While the EUB does not regulate land development, EUB sour gas setback distances are reflected in the *Municipal Government Act (MGA) Subdivision and Development Regulation*. Both jurisdictions' regulations are intended to complement one another.

2

Wells may exist within the area of this application. However, the EUB has determined that these wells either meet the setback distance requirements associated specific to your referral or they must observe the 100 m setback distance.

For a listing of EUB wells in a specific area, contact the Information Services Group at the EUB (403) 297-8190.

Abandoned Wells

The EUB recommends the applicant locate abandoned wells prior to the land use development planning phase and no structure be placed over top of an abandoned well. Setback recommendations for abandoned wells are explained in a document called *Advisory Land Use Planning Notes - Abandoned Oil and Gas Wells*. These notes have been prepared jointly by the EUB and Alberta Municipal Affairs and can be viewed on the Municipal Affairs website at, <http://municipalaffairs.gov.ab.ca/ms/AbandonedWellSites.cfm>.

For a listing of EUB abandoned wells in a specific area, contact the Information Services Group at the EUB (403) 297-8190.

Pipelines

When a pipeline licence is granted for a pipeline transmitting sour natural gas or sour oil effluent containing greater than 10 moles of H₂S gas per kilomole of natural gas, the EUB requirement for setback distances are stated within *ID 81-3 and Directive 26 Setback Requirements for Oil Effluent Pipelines* respectively. When licences are granted for pipelines transmitting other substances or for abandoned pipelines there is no regulated setback distance. However, land use and construction activity on the pipeline right-of-way is restricted by the right-of-way agreement. The EUB's *Guide 30, Guidelines for Safe Construction near Pipelines* is available on our website; this can be useful in understanding safe construction practices. All pipeline licensees are required to register with the Alberta One-Call service, 1-800-242-3447.

Please note that pipelines may exist within the area of your referred application. However, the EUB has determined that these pipelines either meet the setback distance requirement associated specific to your referral and/or the pipeline right-of-way must be observed.

Questions concerning this reply may be directed to Jenny Miller, Technician, at (403) 297-2529 or alternatively jenny.miller@gov.ab.ca.

Enclosure: Front page of referred application

**MUNICIPAL DISTRICT OF ROCKY VIEW No. 44**

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

JCA

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

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The information regarding this proposal is as follows:

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2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

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Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

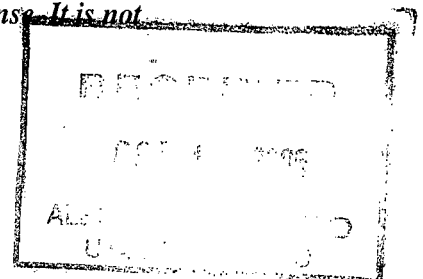
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Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.





MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
PLANNING SERVICES APPLICATION FOR
REDESIGNATION

FOR OFFICE USE ONLY	
Date of Receipt <i>Sept 11/06</i>	File Number <i>04735-00</i>
Fee Submitted <i>2425-00</i>	Accepted by <i>Drew/Heskey</i>

PLEASE PRINT

Name of Applicant Allan Cote Email _____Mailing Address 76- Eagle Butte Ranch
Calgary Ab Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDEDLot 5 Block _____ Plan 7710693 in the NW ¼ Section 35 Township 24 Range 03 West of the 5 meridian.Existing / Proposed Water Source: Communal well / New well (drilled)Existing / Proposed Sewage Disposal: Septic Field / Septic Field**2. EXISTING AND PROPOSED USE OF LAND**Existing Land Use Designation R2 Proposed Land Use Designation R1
(as prescribed in the Land Use Bylaw)

If the application is for a Farmstead Isolation, the age of the existing house, in years _____

Description of proposed new development on site: None**3. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF**

ALLAN A COTE hereby certify that ☒ I am the registered owner
(Full Name in Block Capitals)

☐ I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for redesignation.

Address Allan A Cote (Signed) _____Phone No. _____ Date SEPT 11 2006**4. RIGHT OF ENTRY**

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for redesignation.

Allan A Cote
Owner's Signature

**Southeast Community Portfolio
Centre 15**
Environmental Health
1509 Centre Street SW
Calgary, Alberta T2G 2E6
Phone: (403) 943-8095
Fax: (403) 943-8056

MUNICIPAL DISTRICT OF ROCKY VIEW
PLANNING & DEVELOPMENT
OCT 30 2006

Dear Sir or Madam:

FILE NO: 04735020
APPLICATION NO: 2006-RV-529/530 Subdivision/Redesignation
LEGAL: Lot 5 Plan 771 0693 NW-35-24-3-W5M
PROPOSAL: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

☒ No Objections or Concerns

☐ Please See Attached Concerns

If a land use changes in the future, or if any evidence of public health concern and/or contamination is identified during any phase of development, we wish to be notified. If you have any questions or require further information, please call the File Manager:

Usha Mulukutla (403-943-8046) usha.mulukutla@calgaryhealthregion.ca

Thank you for inviting our comments concerning the above referenced application.

Sincerely,

Usha Mulukutla
Land Development and Reclamation Specialist
Environmental Health Risk Assessment & Management Section
Environmental Health

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

Agricultural Services Board
M.D. of Rocky View

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
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West

Thursday, October 5, 2006

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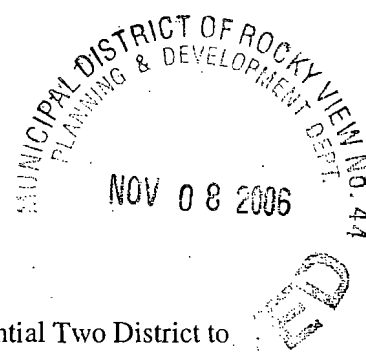
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Owner(s) Allan Cote

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**Sign**

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Size: +/- 4 acres

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M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

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Phone: 230-1401 Fax: 277-3066 E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

Consider piped sewer system for this area.

TD.

**MUNICIPAL DISTRICT OF ROCKY VIEW No. 44**

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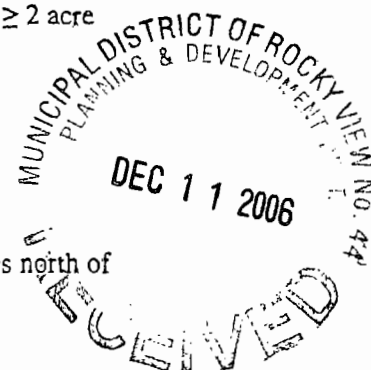
Phone: 230-1401 **Fax:** 277-3066 **E-Mail:** planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

RECEIVED

OCT 26 2006

Telus Communications
Access Eng.



TELUS COMMUNICATIONS CO**GERALD SONNENBERG**

OUTSIDE PLANT ENGINEERING

(403) 530-4895

fax: 530-4720

Provisioning Technician

715-41 Ave N.E.

T2E 3P8

Wed., Nov. 22, 2006

MD of Rocky View No. 44.

911-32nd AVE N.E.

Calgary, AB

T2E 6X6

Attention: Dept. of Planning and Development

Subdivision Request: Application Number: 2006-RV-529**File Number: 04735020****Applicant(s) Allen Cote**

In response to information received Oct. 26, 2006, Telus Communications CO. has no objection to the proposed subdivision easement registration, provided that an easement for both properties will be accessible from roadway to building. Any trespass of utilities across a property as a result of this subdivision will be rectified at developers expense.

Should additional information be required please contact GERALD SONNENBERG at 403-530-4589 in Calgary (FAX 403-530-4720), or by direct correspondence to the above address.

Yours Truly

per. Telus Communications Inc

GERALD SONNENBERG

Outside Plant Engineering

Provisioning Technician

**INFRASTRUCTURE & OPERATIONS (I&O) DEPARTMENT
ENGINEERING SERVICES SECTION
ADDITIONAL CIRCULATION COMMENTS**

FILE NUMBER(S): 04735020– 2006-RV-529 **REDESIGNATION**
04735020– 2006-RV-530 **SUBDIVISION**

LEGAL DESCRIPTION: NW-35-24-03-W5M

APPLICANT/ OWNER: Cote

DATE: Tuesday, January 09, 2007

This report has been prepared to supplement the recommendations and comments with regards to the above mentioned application(s). Please reference the attached Inspection Report for recommendations along with the following additional comments:

Recommendations:

General

- ES have no concerns with the approval of this application, subject to the recommendations below & on the attached report. It would be prudent to advise the applicant to obtain and review the Municipality's Servicing Standards for Subdivision and Road Construction at this stage. The document can be purchased at the MD's office or obtained from the MD's website at "<http://www.rockyview.ca>".
- Owner to endorse Deferred Services Agreement(s) as a condition to approval.

Geotechnical - Section 300.0 requirements:

- Confirmation of one contiguous acre as per Servicing Standards required for the northerly +/- 2 acre proposed parcel.

Transportation - Section 400.0 requirements:

- See attached Inspection Report.
- ES recommends removing and reclaiming road approach #1 as it does not meet the requirements of the Servicing Standards.
- ES recommends to construct new road approaches along Eagle Butte Ranch, as per the requirements of the Servicing Standards, to provide access for both of the +/- 2 acre proposed lot(s).
- AIT Waiver required as this property is within 800m of PH #1.
- Access to remainder to be in accordance with AIT comments / requirements.
- Applicant to provide payment of the Transportation Offsite Levy in accordance with Bylaw C-6273-2006, as amended, for all proposed lots. Rate applied will be ~~\$1,888.00~~ per acre as determined from plan of survey submitted for registration.
1,888.00

Sanitary/Waste Water - Section 500.0 requirements:

- PNSWT & SAR required for the northerly +/- 2 acre proposed lot.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- Current quarter section contains six or more lots and therefore requires:
 - Phase 1 Preliminary Groundwater Evaluation Report required as there are more than 6 lots on the quarter section.
 - Phase 2 Detailed Groundwater Evaluation Report required.

Storm Water Management – Section 700.0 requirements:

- ES recommends that a site-specific Stormwater Management Study to be undertaken. A existing drainage run is located at the rear of the property, the SWMS should identify this drainage run and any required easements

**INFRASTRUCTURE & OPERATIONS (I&O) DEPARTMENT
ENGINEERING SERVICES SECTION
ADDITIONAL CIRCULATION COMMENTS**

Discussion:

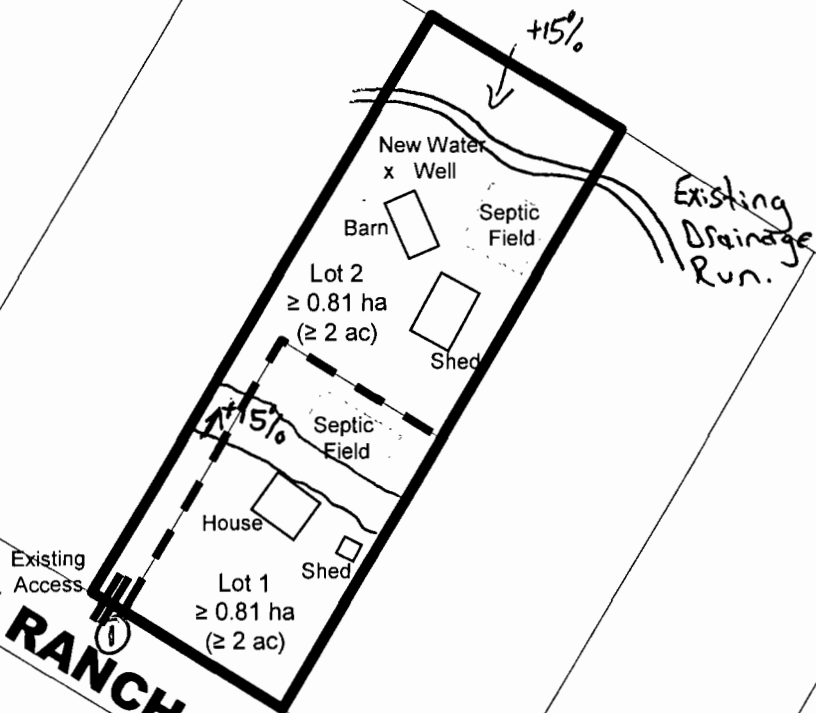
If you have any further questions or require clarification with regards to the above, please do not hesitate to contact the undersigned at your earliest convenience.

Regards,

A handwritten signature in black ink, appearing to read "Jim Ennis".

Jim Ennis, E.I.T.
Engineering Services

Page ____ of ____

TWP. RD. 250**EAGLE BUTTE RANCH****Surveyor's Notes**

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

File: <u>04735020</u>	Name/ Owner: <u>Cote</u>	
Legal: <u>NW-35-24-03-W5M</u>	M.D. Address: <u>HN 76 Eagle Butte Ranch</u>	
Deadline: _____	Inspection Date: _____	

1. SITE CONDITIONSBOUNDARY ADJUSTMENT ☐REDESIGNATION ☐SUBDIVISION ☐

Topography:	☐ Flat	☐ Sloping	☒ Rolling		Other <u>+15% on existing lot</u>
Vegetation:	☒ Trees	☐ Pasture	☐ Cultivated	☐ Shelterbelt	Other <u>Landscaped grass</u>
Drainage:	☐ Ponding	☐ Water Body	☐ Coulee	☒ Drainage Run	☐ Dugout
	☐ Stream	☐ River	☐ Irrigation Canal	☒ Sheet Runoff	
Flood Potential:	☐ High	☐ Limited	☒ Isolated	☐ Not apparent	
Building Sites:	☒ Yes	☐ No	☐ Requires verification (see Recommendations)		
Development Constraints:	☐ 15% slopes	☐ Water Table	☐ Environmental	☐ Not apparent	
M.R. Lot (Condition):	☐ M.R. Required (see comments)		☐ Not Required	☐ Cash in lieu	
Comments:	<u>Drainage Run @ rear of lot.</u>				

2. EXISTING ROADS AND APPROACHES

Existing Roads	Road Name/ Classification	Surface Type	Condition	Width (m)	
North/South					
East/West	<u>Eagle Butte Ranch</u>	<u>chip seal</u>	<u>Fair</u>	<u>6.0</u>	
Other					
Existing Approaches	Classification	Surface Type	Condition	Sight Dist. (m)	Width (m)
Approach 1	<u>Res.</u>	<u>Gravel</u>	<u>Fair</u>	<u>E/WOK</u>	<u>4.0</u>
Approach 2					
Approach 3					
Approach 4					
Comments:					

3. DEVELOPMENT REQUIREMENTS

☒ Levy Required (Residential ≤10 acres)	☐ Levy Required (Commercial, Industrial)	☐ Defer Levy (>10 acres)
Required Documents:		
☐ D.A. Required	☐ Infrastructure Cost Recovery Policy	☐ Road Acquisition Agreement
☐ Endeavours to Assist		

4. DEVELOPMENT RECOMMENDATIONSRoads:

- ☒ Not required ☐ Construct roads in accordance with the Municipality's Servicing Standards
- ☐ Within M.D. Road Allowance ☐ Undeveloped/ Developed (circle one) ☐ Open/ Closed (circle one)
- ☐ Internal Road Required CR50/ CR60/ UCU50/ UCU80 (circle one) Surface Type _____ ☐ See Comments

New Road Approaches:

- ☒ Provide approaches to all newly created parcels in accordance with the Municipality's Servicing Standards
- ☒ Approach(es) Required Number Required 2 Surface Type gravel/ paved (circle one)
- ☐ Single Approach(es) ☐ Mutual Approach(es) ☐ See Comments
- ☐ Remove & Reclaim existing Approach(es) ☐ Upgrade existing approach(es) to M.D. standards ☐ See Comments

Roads Miscellaneous:

- ☐ Alberta Transportation comments and/or approval required. ☒ AT Waiver ☐ Roadside D.P.
- ☐ Subdivision Road naming required prior to development approval. Planning Services to ensure developer submits application and fees.

Water Supply:

- ☒ 6 or more lots: ☒ Stage 1 - Preliminary Groundwater Evaluation Report required. ☒ Y/N Submitted w/ SD application.
- ☒ Stage 2 - Detailed Groundwater Evaluation Report; required. Includes 1 - 24hr pump/ recovery test + Q20/ aquifer and 12hr pump/ recovery test + Q20 for additional lots w/in same aquifer.
- ☐ <6 lots: ☐ Q20 ☐ 24/24 ☐ 12/12 ☐ 2/2 ☐ H2O Well Drillers Report ☐ RPR confirming setbacks and location of well
- ☐ New Water Well to be drilled for each new lot ☐ Cistern Required ☐ Other (see additional comments).
- ☐ Water to be provided by piped surface water supply (co-op or other). ☐ Confirmation of supply & AE approvals required
- ☐ Developer is to provide water supply for fire fighting in accordance with M.D. requirements. ☐ Fire Services comments required
- ☐ Building & Development Services comments required

Sanitary Sewerage:

- ☐ PNSWT (Percolation & Near Surface Water Test) & SAR (Sodium Adsorption Ratio) required for each newly created lot.
- ☐ Pump out tank, no testing required ☐ Other (see comments)

Developable Area:

- ☒ 1 Contiguous Developable Acre, Must include septic fields, slopes $\leq 15\%$, no easements or R.O.W.'s, no environmental features, must meet setbacks, etc.
- ☐ Slope Stability, Geotechnical Report required.
- ☐ Hamlet, Not required.

Setbacks:

- ☐ AEUB setbacks to be considered due to proximity to resource facility installations (see comments).

Miscellaneous:

- ☐ Stormwater Management Report required c/w required Overland Drainage Plan of Survey, Easement Agreement and/ or R/C if necessary.
- ☐ Developer is to submit plan for protection of new development adjoining railways, to the satisfaction of the Municipality and the appropriate railway owner.
- ☐ Provide utility easements (gas, phone, power) to each newly created lots
- ☒ Additional Comment sheet attached.

Inspector: Jim Ennis

019981



RECEIPT

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
 911 - 32 AVENUE N.E., CALGARY, AB T2E 6X6
 (403) 230-1401 FAX (403) 277-5977

RECEIVED FROM:

Date: 12/15/2007

Allan Cote 04735020/2006-RV-53

Official
 Receipt No: 100956

Receipt Type	Account	Description	Amount	Balance
General	TOL	Transportation Offsite Levy	\$7,552.00	\$0.00
General	SUB4	Subd'n Appeal Deposit	(\$325.00)	\$0.00
General	SUB3	Subd'n Approval Fees - Plan	\$275.00	\$0.00
General	SUB5 -1	Subd'n Approval Fees -Dev	\$759.00	\$0.00

Sub-total \$8,152.00

Tax \$0.00

Total \$8,152.00

Cash \$0.00

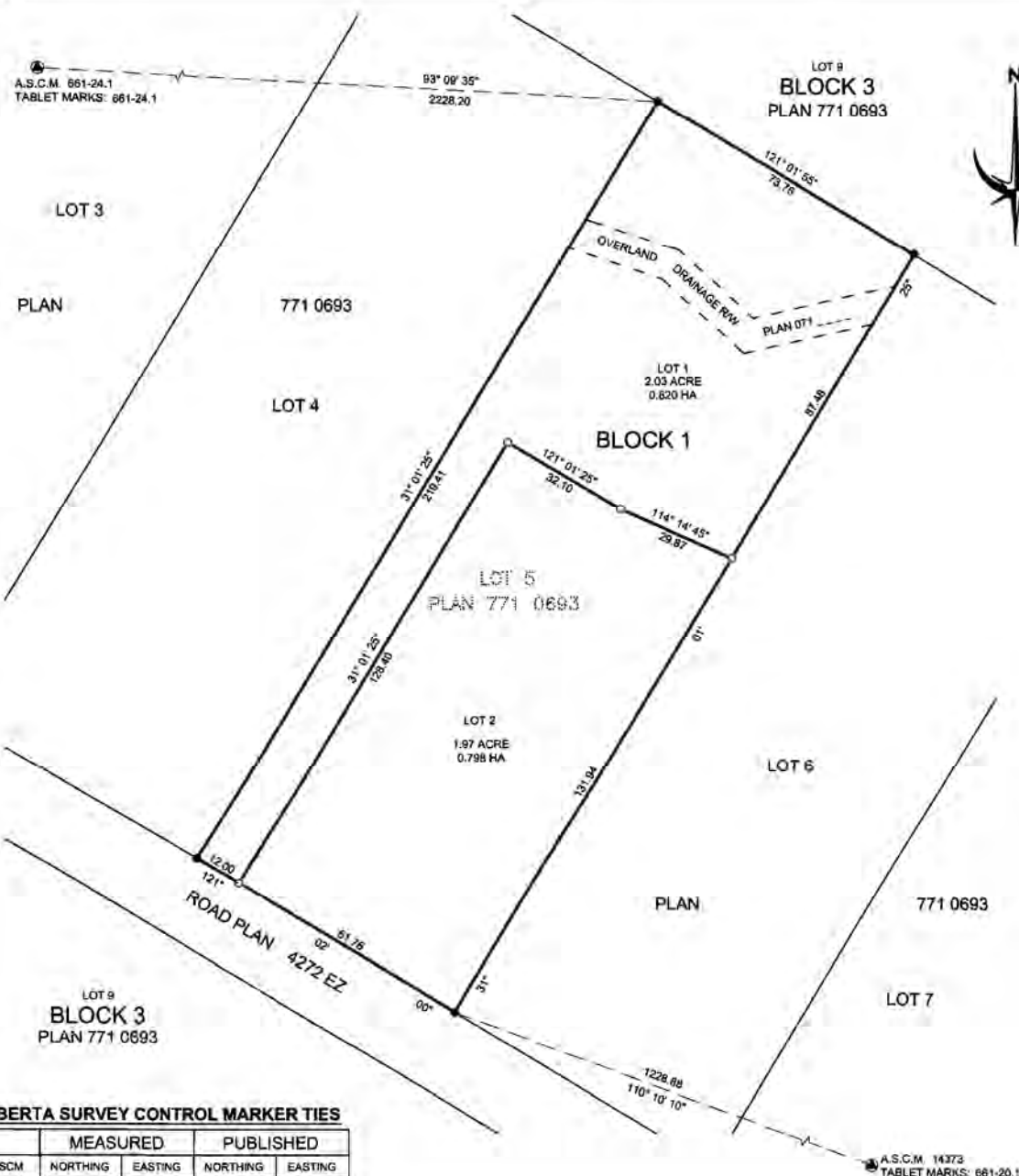
Cheque \$0.00

Credit Card:

Credit Card \$8,152.00

Debit Card \$0.00

Change \$0.00



M.D. ROCKY VIEW No. 44
ALBERTA

**PLAN SHOWING SURVEY OF
SUBDIVISION**

AFFECTING

PLAN 771 0693, LOT 5

WITHIN

N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.

BY NOEL ROSS WOOLGAR, A.L.S. 2007

LEGEND:

- ALBERTA SURVEY CONTROL MARKER (ASCM) FOUND SHOWN THUS:
- STATUTORY IRON POSTS FOUND SHOWN THUS:
- STATUTORY IRON POSTS PLANTED AND MARKED P229 SHOWN THUS:
- AREA AFFECTED BY THE REGISTRATION OF THIS PLAN SHOWN BOUNDED THUS: AND CONTAINS 2 LOTS, AND 1.618 ha

NOTES:

- ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
- THE BASIS OF THIS PLAN IS AS FOLLOWS:
DATUM: NORTH AMERICAN DATUM 1984
PROJECTION: 3TM
REFERENCE MERIDIAN: 114°
COMBINED SCALE FACTOR: .999724
- BEARINGS ARE GRID AND DERIVED USING GPS METHODS FROM ASCM 14373

SCALE 1:1000



SURVEYOR:

NOEL ROSS WOOLGAR, A.L.S.

Surveyed between the dates of MARCH 26, 2007
and November 29, 2007 in accordance with the
provisions of the Surveys Act.

REGISTERED OWNER:

ALLAN COTE

SUBDIVISION AUTHORITY:

M.D. ROCKY VIEW No. 44
FILE No:2006- RV -530/04735020

REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____

ENTERED AND REGISTERED

ON _____

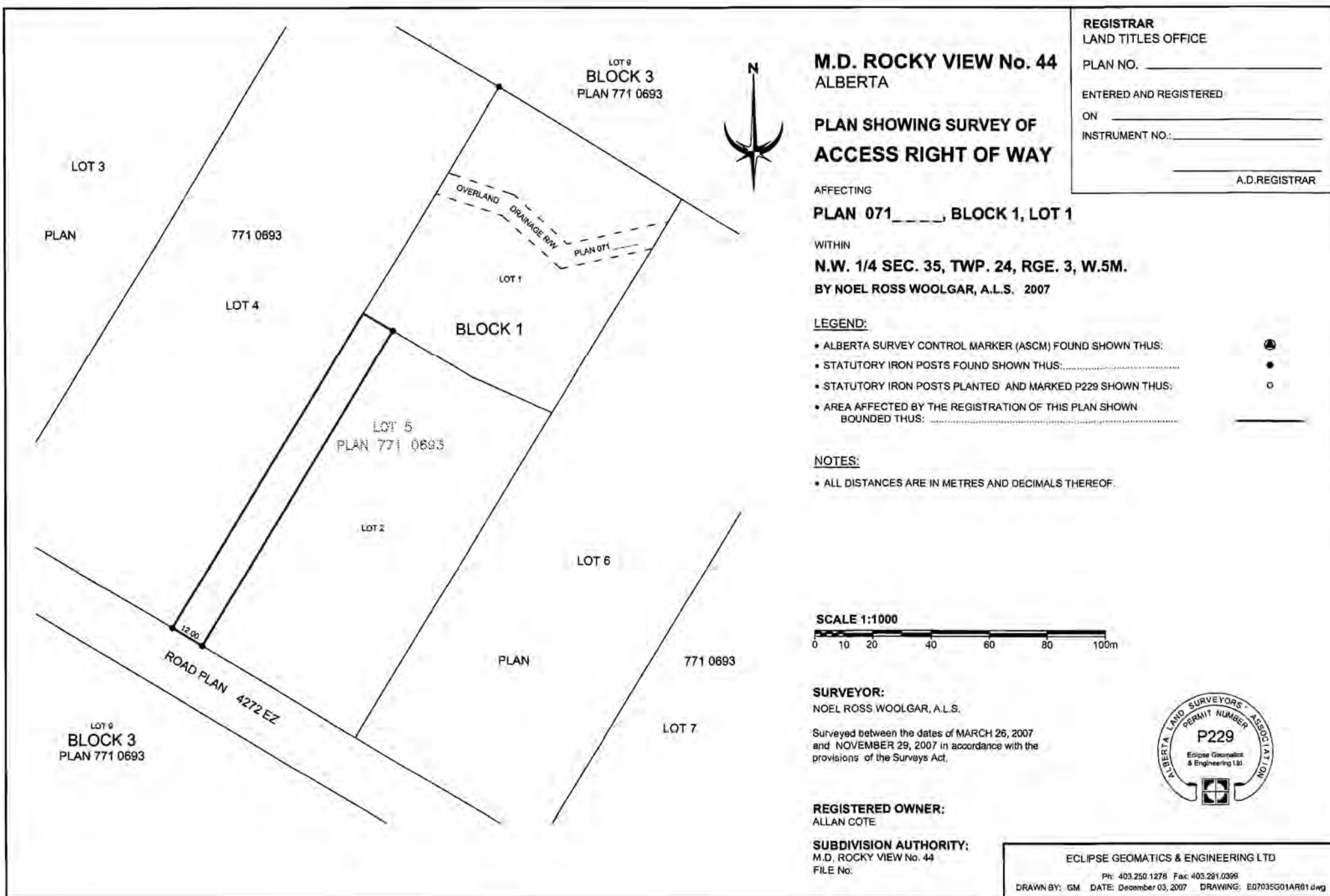
INSTRUMENT NO.: _____

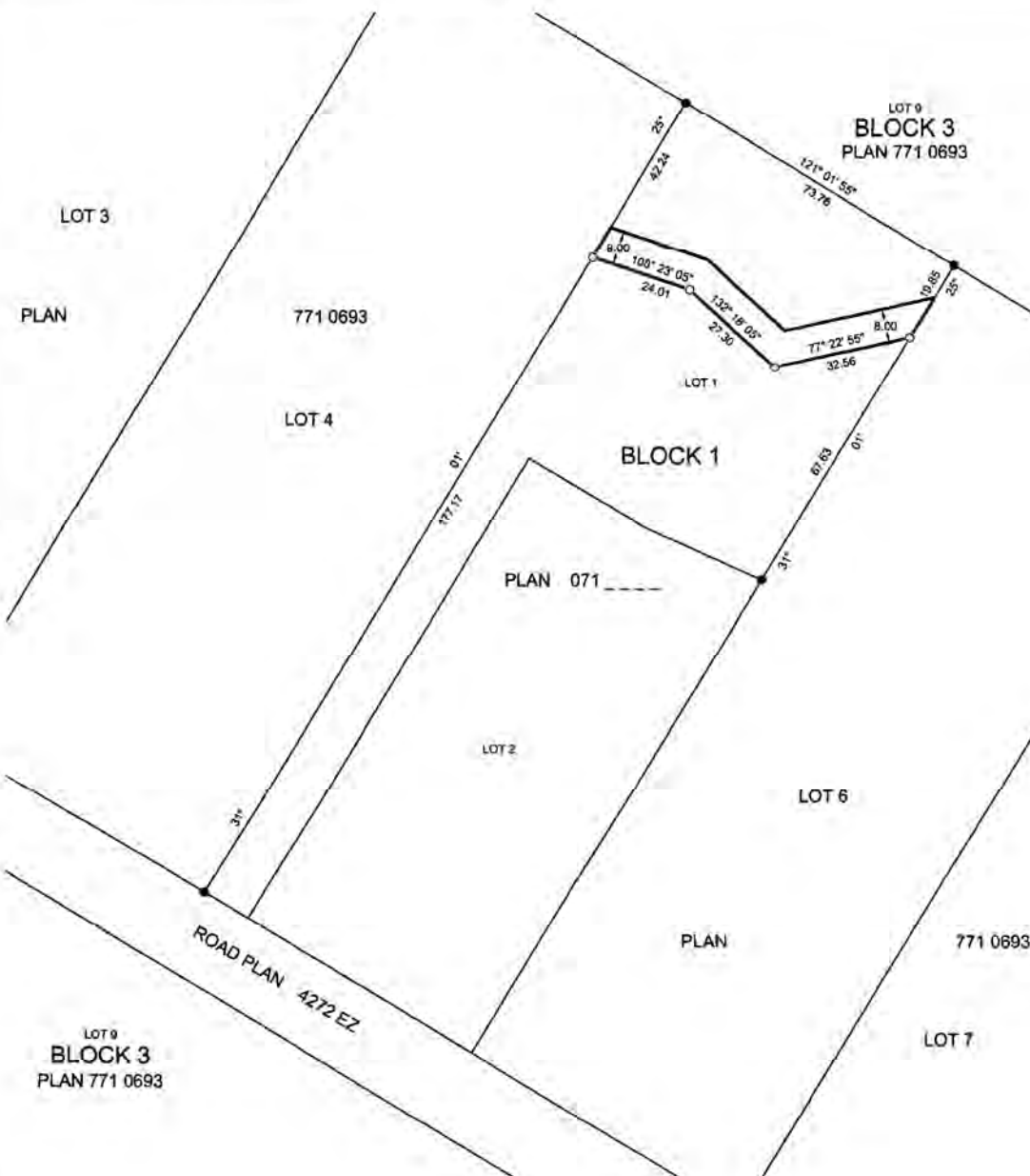
A.D. REGISTRAR



ECLIPSE GEOMATICS & ENGINEERING LTD

Ph: 403.250.1278 Fax: 403.291.0399
DRAWN BY: GM DATE: December 13, 2007 DRAWING: E07035G01SD01.dwg





REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____

ENTERED AND REGISTERED

ON _____

INSTRUMENT NO.: _____

A.D. REGISTRAR

M.D. ROCKY VIEW No. 44 ALBERTA

PLAN SHOWING SURVEY OF OVERLAND DRAINAGE RIGHT-OF-WAY

AFFECTING

PLAN 071 _____, BLOCK 1, LOT 1

WITHIN

N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.
BY NOEL ROSS WOOLGAR, A.L.S. 2007

LEGEND:

- STATUTORY IRON POSTS FOUND SHOWN THUS:
- STATUTORY IRON POSTS PLANTED AND MARKED P229 SHOWN THUS: ○
- AREA AFFECTED BY THE REGISTRATION OF THIS PLAN SHOWN BOUNDED THUS:

NOTES:

- ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
- BEARINGS ARE GRID AND REFERRED TO PLAN 071 _____

SCALE 1:1000



SURVEYOR:

NOEL ROSS WOOLGAR, A.L.S.

Surveyed between the dates of MARCH 26, 2007
and November 29, 2007 in accordance with the
provisions of the Surveys Act.

REGISTERED OWNER:

ALLAN COTE

SUBDIVISION AUTHORITY:

M.D. ROCKY VIEW No. 44
FILE No:



ECLIPSE GEOMATICS & ENGINEERING LTD

Ph: 403.250.1278 Fax: 403.291.0395
DRAWN BY: GM DATE: December 03, 2007 DRAWING: E07035G010001.cwg

Date: 12/17/2007 10:42:49 AM
User: CathyF

M.D. of Rocky View No. 44
Tax Roll Transaction Journal

Page:

From Roll # 04735020 to 04735020
All Customers
All Tax Classes
All Trx Sources
All Dates
All Documents

* indicates voided document

Roll #: 04735020 Lot Block Plan 5 7710693
Cote, Allan Qtr Sec Twp Rge Mer NW -35 -24 -03 -05
Subdivision Eagle Butte Ran

Document Type	Document	Trx Source	Year	Date	Description	Amount
Adjustment	LEVY	1 CRADJ000000001	1992	5/22/1992	1992 Levy	\$3,551.82
Adjustment	PAYMN	1 CRADJ000000001	1992	6/30/1992	CK	(\$3,551.82)
Adjustment	LEVY	1 CRADJ000000001	1993	5/5/1993	1993 Levy	\$3,701.13
Adjustment	PAYMN	1 CRADJ000000001	1993	6/30/1993	3 - 6 - CK	(\$3,701.13)
Adjustment	LEVY	1 CRADJ000000001	1994	5/12/1994	1994 Levy	\$3,687.88
Adjustment	PAYMN	1 CRADJ000000001	1994	6/30/1994	CK	(\$3,687.88)
Adjustment	LEVY	1 CRADJ000000001	1995	5/3/1995	1995 Levy	\$3,443.11
Adjustment	PAYMN	1 CRADJ000000001	1995	6/30/1995		(\$3,443.11)
Adjustment	LEVY	1 CRADJ000000001	1996	5/14/1996	1996 Levy	\$3,395.72
Adjustment	PAYMN	1 CRADJ000000001	1996	6/30/1996		(\$3,395.72)
Levy	LEVY	5337 PTLVY000000001	1997	5/15/1997	Annual Levy1997	\$3,513.54
Cash Receipt	CRREC	3444 CRREC000000077		6/30/1997	Cash Receipt	(\$3,513.54)
Assessment Change	ACHNG	5701 PTASM000000018		12/31/1997	Assessment \$368,870	\$0.00
Levy	LEVY	21644 PTLVY000000013	1998	5/12/1998	Annual Levy1998	\$3,335.55
Cash Receipt	CRREC	19225 CRREC000000500		6/30/1998	Cash Receipt	(\$3,335.55)
Assessment Change	ACHNG	23096 PTASM000000068		12/31/1998	Assessment \$395,080	\$0.00
Assessment Change	ACHNG	40157 PTASM000000069		12/31/1998	Assessment \$395,080	\$0.00
Levy	LEVY	73061 PTLVY000000049	1999	5/14/1999	Annual Levy 1999	\$3,224.64
Cash Receipt	CRREC	33434 CRREC00001045		6/30/1999	Cash Receipt	(\$3,224.64)
Assessment Change	ACHNG	56026 PTASM00000111		12/31/1999	Assessment \$412,900	\$0.00
Levy	LEVY	90340 PTLVY000000086	2000	5/17/2000	Annual Levy 2000	\$3,475.90
Cash Receipt	CRREC	46818 CRREC00001766		6/30/2000	Cash Receipt	(\$3,475.90)
Tax Certificate	TXCRT	6527 PTCRT000000690		8/2/2000	Tax Certificate	\$0.00
Assessment Change	ACHNG	73597 PTASM00000143		12/31/2000	Assessment \$420,400	\$0.00
Levy	LEVY	108390 PTLVY00000116	2001	5/17/2001	Annual Levy 2001	\$3,250.06
Cash Receipt	CRREC	67435 CRREC00002517		6/30/2001	Cash Receipt	(\$3,250.06)
Assessment Change	ACHNG	92003 PTASM00000175		12/31/2001	Assessment \$435,600	\$0.00
Levy	LEVY	126976 PTLVY00000140	2002	4/30/2002	Annual Levy 2002	\$3,369.79
Cash Receipt	CRREC	81898 CRREC00003167		6/30/2002	Cash Receipt	(\$3,369.79)
Assessment Change	ACHNG	110906 PTASM00000205		12/31/2002	Assessment \$445,300	\$0.00
Levy	LEVY	146092 PTLVY00000173	2003	4/29/2003	Annual Levy 2003	\$3,569.62
Cash Receipt	CRREC	100914 CRREC00004032		6/30/2003	Cash Receipt	(\$3,569.62)
Assessment Change	ACHNG	132858 PTASM00000239		3/24/2004	Assessment \$466,700	\$0.00
Levy	LEVY	165898 PTLVY00000193	2004	5/5/2004	Annual Levy 2004	\$3,774.48
Cash Receipt	CRREC	116885 CRREC00005352		6/29/2004	Cash Receipt	(\$3,774.48)
Assessment Change	ACHNG	154196 PTASM00000290		2/28/2005	Assessment \$497,900	\$0.00
Levy	LEVY	186206 PTLVY00000230	2005	5/3/2005	Annual Levy 2005	\$3,917.08
Cash Receipt	CRREC	136688 CRREC00007348		6/30/2005	Cash Receipt	(\$3,917.08)
Assessment Change	ACHNG	170702 PTASM00000332		1/31/2006	Assessment \$622,400	\$0.00
Levy	LEVY	206470 PTLVY00000257	2006	5/10/2006	Annual Levy 2006	\$4,674.00
Cash Receipt	CRREC	157871 CRREC00009526		6/30/2006	Cash Receipt	(\$4,674.00)
Assessment Change	ACHNG	193480 PTASM00000355		12/31/2006	Assessment \$791,700	\$0.00
Levy	LEVY	248140 PTLVY00000267	2007	5/11/2007	Annual Levy 2007	\$5,129.90
Cash Receipt	CRREC	174066 CRREC00011823		6/29/2007	Cash Receipt	(\$5,129.90)

Total for Roll # 04735020

\$0.00

Report Total:

\$0.00

*** END OF REPORT ***

ECLIPSE GEOMATICS & ENGINEERING LTD.

201, 1530 – 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca

December 3, 2007

File #: E07035G01

M.D. of Rocky View No.44911 – 32 Avenue N.E.
Calgary, Alberta
T2E 6X6

Attn: Jared Kassel

Re: Subdivision affecting Plan 771 0693, Lot 5
Allan Cote lands, Your file: 2006-RV-530/04735020**Dear Sirs:**

Enclosed are the following:

- Copy of Subdivision Plan
- Copy of Overland Drainage Right of Way Plan
- Copy of Access Right of Way Plan
- Copy of Surveyor's Affidavits
- Surveyor's confirming letter re: digital submissions
- Copy of Owner's Consents To Register
- Planning Authority Approval Document
- Copy of Overland Drainage Caveat and Restrictive Covenant
- Copy of Access Easement
- ACAD digital

Please process the above and have the Municipal District of Rocky View No.44 endorse the appropriate documents. Should you require further information, please contact the undersigned.

Regards

**Darcy H. Pittman, C.S.T.**

Project Supervisor

cc: Allan Cote



ECLIPSE GEOMATICS & ENGINEERING LTD.

201, 1530 – 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca



November 30, 2007

File # : E07035G01

M.D. of Rocky View No.44

911 – 32 Avenue N.E.

Calgary, Alberta

T2E 6X6

Attn: Jared Kassel

Re: Subdivision, Allan Cote lands, Your file: 2006-RV-530/04735020

Dear Mr. Kassel

Enclosed are prints of the final plans, to be registered at the South Alberta Land Titles Office.

This letter will confirm that the digital files are the same as the prints to be registered.

Please process at your earliest convenience and call for pick up (403) 250-1278.

Regards

A handwritten signature in black ink, appearing to read "N.R. Woolgar".

N.R. (Ross) Woolgar, A.L.S.

SURVEY
FORM 1

SURVEYOR'S AFFIDAVIT

(Surveyor's file no. E07035G01)

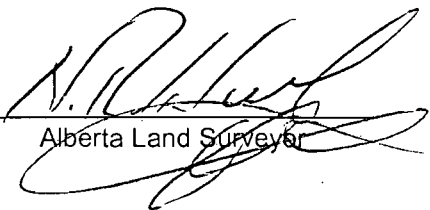
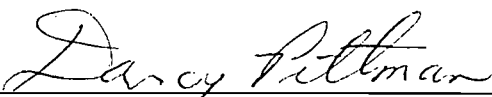
PLAN SHOWING SURVEY OF SUBDIVISION

AFFECTING: PLAN 771 0693, LOT 5WITHIN: N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.

I, NOEL ROSS WOOLGAR, of the City of Calgary, in the Province of Alberta, Alberta Land Surveyor, make oath and say:

1. That the survey represented by this plan was made under my personal supervision;
2. That the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveyors Act;
3. That the survey was performed between the dates of March 26, 2007 and November 29, 2007, and that this plan is true and correct, and is prepared in accordance with the provisions of the Land Titles Act.

SWORN before me at the City of
Calgary, in the Province of Alberta
this 3rd day of December, 2007


Alberta Land Surveyor
DARCY H. PITTMAN
A Commissioner for Oaths in and for the Province of Alberta
My commission expires May 20, 2009

SURVEY
FORM 1

SURVEYOR'S AFFIDAVIT

(Surveyor's file no. E07035G01)

PLAN SHOWING SURVEY OF OVERLAND DRAINAGE RIGHT OF WAY

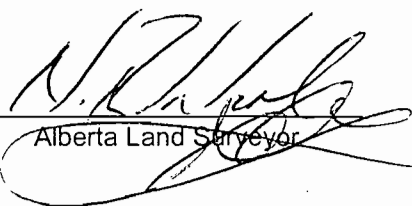
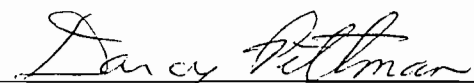
AFFECTING: PLAN 071 _____, BLOCK 1, LOT 1

WITHIN: N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.

I, NOEL ROSS WOOLGAR, of the City of Calgary, in the Province of Alberta,
Alberta Land Surveyor, make oath and say:

1. That the survey represented by this plan was made under my personal supervision;
2. That the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveyors Act;
3. That the survey was performed between the dates of March 26, 2007 and November 29, 2007, and that this plan is true and correct, and is prepared in accordance with the provisions of the Land Titles Act.

SWORN before me at the City of
Calgary, in the Province of Alberta
this 3rd day of December, 2007


Alberta Land Surveyor
DARCY H. PITTMAN
A Commissioner for Oaths in and for the Province of Alberta
My commission expires May 20, 2009

SURVEY
FORM 1

SURVEYOR'S AFFIDAVIT

(Surveyor's file no. E07035G01)

PLAN SHOWING SURVEY OF ACCESS RIGHT OF WAY

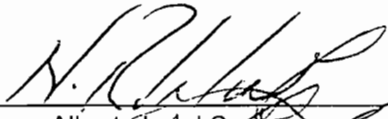
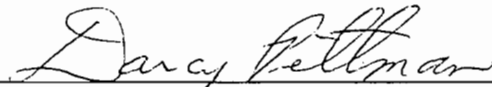
AFFECTING: PLAN 071 _____, BLOCK 1, LOT 1

WITHIN: N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.

I, NOEL ROSS WOOLGAR, of the City of Calgary, in the Province of Alberta,
Alberta Land Surveyor, make oath and say:

1. That the survey represented by this plan was made under my personal supervision;
2. That the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveyors Act;
3. That the survey was performed between the dates of March 26, 2007 and November 29, 2007, and that this plan is true and correct, and is prepared in accordance with the provisions of the Land Titles Act.

SWORN before me at the City of
Calgary, in the Province of Alberta.
this 2nd day of December 2007


Alberta Land Surveyor
DARCY H. PITTMAN
A Commissioner for Oaths in and for the Province of Alberta
My commission expires May 20, 2009

SURVEY
FORM 3

CONSENT TO REGISTER A PLAN

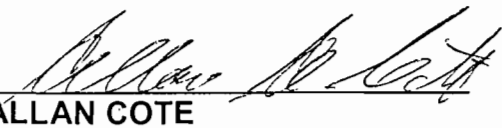
I / We, **ALLAN COTE**

being the registered owners

hereby consent to the registration of the plan prepared by

NOEL ROSS WOOLGAR, A.L.S.(file no. **E07035G01**) in respect of the following:**PLAN SHOWING SURVEY OF SUBDIVISION
AFFECTING
PLAN 771 0693, LOT 5****WITHIN
N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.**Dated Dec 3rd, 2007

Signed by the above named in the presence of


Witness
ALLAN COTE

NOTE:

1. Corporations must sign and seal this form
OR
An officer or director must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*) and complete FORM 31.1
2. Individuals must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*).

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman, of Calgary, in the
province of Alberta, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;

or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

2. The instrument was signed at Calgary, in the province of Alberta and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at The City of Calgary
in the Province of Alberta.
this 3RD day of December
A.D. 2007

Darcy Pittman
(Witness Signature)

Roberta K. Pittman
A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010.

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

SURVEY
FORM 3

CONSENT TO REGISTER A PLAN

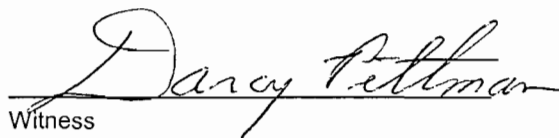
I / We, **ALLAN COTE**

being the registered owners

hereby consent to the registration of the plan prepared by

NOEL ROSS WOOLGAR, A.L.S.(file no. **E07035G01**) in respect of the following:**PLAN SHOWING SURVEY OF ACCESS RIGHT OF WAY
AFFECTING
PLAN 071 _____, BLOCK 1, LOT 1****WITHIN
N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.**Dated Dec. 3rd, 2007

Signed by the above named in the presence of


Witness
ALLAN COTE**NOTE:**

1. Corporations must sign and seal this form
OR
An officer or director must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*) and complete FORM 31.1
2. Individuals must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*).

FORM 31

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(Sections 155 and 156)

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or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

2. The instrument was signed at Calgary, in the
province of Alberta and I am the subscribing witness
thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18)
years of age.

SWORN before me at the City of Calgary
in the Province of Alberta
this 3rd day of December
A.D. 2007

Darcy Pittman
(Witness Signature)

Roberta K. Pittman
A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

SURVEY
FORM 3

CONSENT TO REGISTER A PLAN

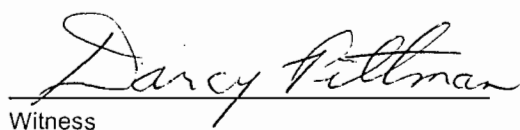
I / We, **ALLAN COTE**

being the registered owners

hereby consent to the registration of the plan prepared by

NOEL ROSS WOOLGAR, A.L.S.(file no. **E07035G01**) in respect of the following:**PLAN SHOWING SURVEY OF OVERLAND DRAINAGE RIGHT OF WAY
AFFECTING
PLAN 071 _____, BLOCK 1, LOT 1****WITHIN
N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.**Dated Dec. 3rd, 2007

Signed by the above named in the presence of


Witness
ALLAN COTE**NOTE:**

1. Corporations must sign and seal this form
OR
An officer or director must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*) and complete FORM 31.1
2. Individuals must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*).

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman, of Calgary, in the
province of Alberta, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;

or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

2. The instrument was signed at Calgary, in the
province of Alberta and I am the subscribing witness
thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18)
years of age.

SWORN before me at the City of Calgary
in the Province of Alberta
this 3rd day of December
A.D. 2007

Darcy Pittman
(Witness/Signature)

Roberta K. Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
Commissioner for Oaths
for the Province of Alberta
Commission Expires August 27, 2010

CAVEAT
FORBIDDING REGISTRATION

To the Registrar of the South Alberta Land Registration District

Take Notice that **ALLAN COTE** of 76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3, claims an interest in the under-mentioned lands pursuant to the provisions of an Overland Drainage Easement and Restrictive Covenant dated the _____ day of _____, 2007, a true copy of which is attached hereto and marked as Schedule "A":

PLAN 071 _____,
BLOCK 1,
LOTS 1 & 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

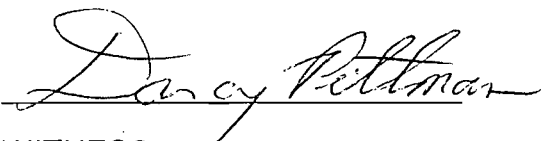
("the said lands")

Standing in the register in the name of **ALLAN COTE**, Alberta, , and it forbids the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument of certificate or title, as the case may be, is expressed to be subject to its claim.

We appoint the following office as the place at which notices and proceedings relating hereto may be served:

76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3

DATED this 3rd day of December, 2007.


WITNESS


ALLAN COTE

CANADA
PROVINCE OF ALBERTA
TO WIT:

} I, Darcy Pittman
of the City of Calgary
in the Province of Alberta, Canada, make oath and say:

1. That I am the agent for the above named Caveator
2. That I believe that the said Caveator has a good and valid claim upon the said lands and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN BEFORE ME at The City of)
Calgary in the Province of Alberta,)
this 3RD day of December A.D. 2007)

Roberta K. Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010.

Darcy Pittman

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

CAVEAT

FORBIDDING REGISTRATION

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman, of Calgary, in the province of
Alberta, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;

or

I was personally present and did see **ALLAN COTE** who, ~~on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument,~~ duly sign the instrument;

2. The instrument was signed at Calgary, in the province of
Alberta and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at The City of Calgary
in the Province of ALBERTA
this 3RD day of December
A. D. 2007

Darcy Pittman
(Witness Signature)

Roberta K Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
in and for the Province of Alberta
My Commission Expires August 27, 2010

CONSENT OF SPOUSE

I, Evelyn Cote being married to the within named Allan Cote do hereby give my consent to the disposition of our homestead, legally described as:

Made in the instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, to the extent necessary to give full effect to the said disposition.

Evelyn M Cote
SPOUSE SIGNATURE

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

1. This document was acknowledged before me by Evelyn Cote apart from her husband/~~his wife~~.
2. acknowledged to me that she/~~he~~:

a) Is aware of the nature of this disposition;

b) Is aware that the Dower Act, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;

c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, to the extent necessary to give effect to the said disposition;

d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at the City of Calgary, in the Province of Alberta, this 3rd day of December A.D. 2007

Darcy Pittman

A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires on _____, 20____
DARCY H. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires May 20, 2009.

SCHEDULE 'A'

OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE COVENANT

PURSUANT TO SECTION 71 (1) OF THE LAND TITLES ACT

This Agreement made as of the 3rd day of December A.D. 2007.

Between:

ALLAN COTE
Of 76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3

(hereinafter called the "Grantor")

OF THE FIRST PART

ALLAN COTE
Of 76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is registered as an owner in fee simple subject to registered encumbrances, liens, and interests, if any, of the lands in the M. D. of Rocky View No. 44 described in Schedule "A" attached hereto; and

WHEREAS the Subdivision Approving Authority approved the subdivision of the lands which includes the Parcels described in Schedule "A" on the condition, amongst other things, that the Grantor and Grantee enter into this Agreement; and

WHEREAS Section 71 (1) of the Land Titles Act of Alberta, provides that an owner may grant to himself an easement or restrictive covenant for the benefit of land which he owns and against land which he owns and the easement or restrictive covenant may be registered under the said Act;

AND WHEREAS the Grantor wishes to restrict the rights of, use and development of the Schedule 'B' Lands to ensure that the surface grades and contours as established in the engineering design drawings prepared by Eclipse Geomatics & Engineering Ltd. for the Schedule 'B' Lands are maintained to provide for the orderly drainage system constructed by the Grantor and for the greater enjoyment and benefit of all of the lots comprising the Schedule 'A' Lands;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

1. In this agreement, including this paragraph, unless the context otherwise requires:
- (a) "Benefited Lands" means any one or more of the Parcels in favour of which an easement is granted under this Agreement;

(b) "Burdened Lands" means the Parcels which are the subject of an easement under this Agreement;

(c) "Engineer" means the Engineer who designed the storm water management plan and the location of all the overland drainage facilities and is Eclipse Geomatics & Engineering Ltd.;

(d) "Easement Area" means that portion or portions of the Parcels described as such in Schedule "B" attached hereto;

(e) "Parcel" means any one of the parcels of land or any one of those portions of parcels of land described in Schedule "A" attached hereto;

(f) "Parcels" means all of the parcels of land and all of any portion of parcels of land described in Schedule "A" attached hereto;

(g) "Overland Drainage Facility" means any facility or facilities for the drainage or control of storm water including without restricting the foregoing:

(i) a grass swale;

(ii) the sloping and contouring of land to facilitate the drainage or control of storm water;

(iii) a drainage ditch, retention pond or slough;

(h) "Owner" means the registered owner of any one or more of the Parcels and "Owners" has a comparable meaning.

2. (a) Subject to the terms and conditions herein contained, the Grantor as registered owner in fee simple of the Parcels does for itself and its successors-in-title and assigns HEREBY COVENANT AND AGREE AND GRANT unto itself for the benefit of each Parcel (being the "Benefited Lands") and unto the Municipality, as owner of the streets, lanes and public reserves adjacent to the Parcels, the following rights, privileges and easement (but not the obligation under this agreement) in, under, over, across and through the remainder of the Parcels (being the "Burdened Lands"):
 - (i) to drain storm water onto, over and across the Easement Area;
 - (ii) to construct, operate, inspect, maintain, repair and replace an Overland drainage Facility in, under, over, across and through the Easement Area; and
 - (ii) to alter the surface grades on any of the Burdened Lands so that such surface grades conform to the surface grades approved by the Engineer for such lands; and
 - (iii) for the Owners of the Benefited Lands, the Grantor, the Municipality and their employees, contractors, servants and agents, to have ingress and egress and to pass and to repass over those portions of the Burdened Lands which and only for so long as such portions are not occupied by a building or structure other than a fence, either on foot or by means of vehicles or necessary machines whatsoever, and to remain on any portion of the Burdened Lands, in order to exercise any of the rights herein granted provided always that such rights shall be exercised in a manner so as to cause as little damage as reasonably practicable to existing landscaping.
 - (b) An Overland Drainage Facility shall only be constructed in a manner and at the location approved by the Engineer.
 - (c) Notwithstanding anything elsewhere contained herein, an Owner other than the Grantor or the Municipality, shall not exercise any of the rights granted in paragraph 2(a) or in paragraph 6(b) with respect to any Parcel unless such Owner has first obtained a judgment from a Court of competent jurisdiction declaring that the Owner of the Parcel has failed to comply with a notice given pursuant to paragraph 6(a).
3. The Grantor covenants and agrees for itself and its successors in title that, with respect to the Burdened Lands, it will not:
 - (a) build, erect or maintain nor permit or suffer to be built, erected or maintained on the Easement Area any building or structure (except for the Overland Drainage Facility which does not obstruct the flow of water through the Overland Drainage Facility) that would prevent, restrict or interfere with construction, operation, inspection, maintenance, replacement or repair of the Overland Drainage Facility;
 - (b) cause, permit or maintain any deviation from the surface grades approved for the Burdened Lands by the Engineer;
 - (c) plant or maintain on the Easement Area any trees, shrubs or landscaping which would or could prevent, restrict or interfere with the exercise of any of the rights herein granted;
 - (d) cause or permit any interference with, alteration to, removal of or damage to the Overland Drainage Facility;
 - (e) suffer or permit dirt, fill, loam, gravel, paper debris, plant material, snow, ice or slush to accumulate on the Burdened Lands in such a manner that:
 - (i) the surface grades approved by the Engineer are altered to the extent that, in the opinion of the Engineer, the drainage of the Benefited Lands is adversely affected; or
 - (ii) the use or operation of the Overland Drainage Facility is interfered with, restricted or prevented.

4. Any person entitled to carry out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the Owner or occupier of the Burdened Lands as is reasonably possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition. The replacement of trees, shrubs and landscaping within the Easement Area other than grass shall be deemed to be impracticable. When exercising a right pursuant to paragraph 2(a) (ii), the person carrying out such operations shall not be required to replace any trees, shrubs or landscaping other than grass.
5. The Owner of the Burdened Lands upon which an Overland Drainage Facility or portion thereof has been constructed or installed shall, at its expense, maintain and repair in good operating condition that portion of the Overland Drainage Facility constructed or installed on any Parcel owned by such Owner.
6. (a) If any Owner of the Burdened Lands:
 - (i) fails to maintain or repair the Overland Drainage Facility as required in paragraph 5; or
 - (ii) alters or maintains any surface grades other than those approved by the Engineer;

the Municipality, the Grantor or any Owner of the Benefited Lands may, at its option, serve a notice in writing on the Owner of the Burdened Lands requiring such Owner to remedy the default within such reasonable period of time as may be specified in the notice;

- (b) subject to paragraph 2 (c), if the Owner of the Burdened Lands fails to remedy such default within the time specified in the notice, the person who gave the notice shall have the right (but not the obligation under this Agreement) to enter upon the Burdened Lands and remedy the default at the expense of such Owner of the Burdened Lands. The Owner of the Burdened Lands shall, upon demand, forthwith reimburse such person for all expenses incurred in remedying the default. Any dispute in regard to the costs incurred in remedying the default may be referred to arbitration in accordance with paragraph 7;
 - (c) In the event of any emergency related to or caused by the Overland Drainage Facility, the Municipality, the Grantor and any one or more of the Owners of the Benefited Lands, or any of them, shall have the right (but not the obligation under this Agreement) to enter upon such portion of the Burdened Lands as is reasonably necessary to rectify the situation and take such action as is reasonably necessary to rectify the situation, all at the expense of such Owner of the Burdened Lands. The owner of the Burdened Lands shall, upon demand, forthwith reimburse the person who incurred such expenses. Any dispute in regard to the expenses so incurred may be referred to arbitration in accordance with paragraph 7.
7. Any dispute as to any of the matters which, if no agreement is reached upon them by the provisions of this Agreement, are to be determined by arbitration, shall be settled and determined by three (3) arbitrators appointed in the manner following, that is to say:
 - (a) either party may appoint an arbitrator and on doing so shall forthwith give notice in writing thereof to the other party;
 - (b) the party in receipt of a notice of the appointment of an arbitrator as aforesaid shall, unless it has already done so, within seven (7) days from the date of receiving the notice, appoint an arbitrator and give notice thereof to the other party;
 - (c) if either party does not appoint an arbitrator within the time limited under the preceding subsection (b), the other party may apply to a Justice of the Court of Queen's Bench of Alberta to appoint an arbitrator on behalf of and at the expense of the party so in default;
 - (d) the arbitrators appointed by or for the parties hereto shall appoint a third arbitrator and, if they fail to do so within fourteen (14) days after the last of them was appointed, either party on notice to the other may apply to a Justice of the Court of Queen's Bench of Alberta to appoint a third arbitrator;

- (e) the appointment of all arbitrators except those appointed by a Justice as herein provided shall be in writing;
 - (f) the arbitrators shall have the power to obtain the assistance, advice or opinion of such professional engineer, architect, surveyor, appraiser, valuer or other expert as they may think fit and shall have the discretion to act upon any assistance, advice or opinion so obtained;
 - (g) the arbitration award may include an award of costs and interest, and, notwithstanding the provisions of the Arbitration Act of Alberta, the amount of costs shall not be limited to the scale of rates provided in the Arbitration Act of Alberta;
 - (h) each of the parties will do all acts and things and execute all deeds and instruments necessary to give effect to any award made upon any such arbitration.
8. Any and all owners of the Benefited Lands shall indemnify and save harmless the Grantor and the Municipality against all actions, claims and demands which may be made or brought against the Grantor or the Municipality by reason of anything done by such owners, or any of them, in the exercise of the rights, privileges and liberties herein granted, or anyone using the easement, with the express or implied permission of such owner or occupier of the Benefited Lands, it being expressly understood and agreed that all persons using the easement do so entirely at their own risk.
9. Where more than one person enters into this Agreement as Grantor, all of the agreements, covenants, terms, provisions, and conditions contained herein shall be construed as being both joint and several with respect to each such person.
10. Where the context so requires, the singular number shall be read as if the plural were expressed and the masculine or neuter gender as if the masculine, feminine or neuter were expressed.
11. If any covenant or term of this Agreement or the application thereto to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, other than such term, shall be valid and in force to the extent permitted by law.
12. (a) This easement and the covenants, restrictions and conditions herein contained are and shall be deemed to be covenants running with the Parcels and annexed to the Parcels and this Agreement, including all of the covenants, terms and conditions herein contained, shall extend to and be binding upon and enure to the benefit of the owners of the Parcels and their respective heirs, executors, administrators, successors-in-title and assigns;
- (b) It is declared and agreed that the rights, privileges and easements, but not the obligation, granted to the Municipality hereunder are granted to the Municipality by virtue of its ownership of street, lanes and public reserves adjacent to the Parcels.
13. (a) The recitals set forth above shall form part of this Agreement to the same extent as if repeated herein at length;
- (b) Schedules "A" and "B" attached hereto shall form part of this Agreement.
14. Notwithstanding any provision contained in this Agreement to the contrary, any charge or lien which may be registered pursuant to the terms thereof shall in any event be subordinate to and is hereby postponed to each and every mortgage and every other security relating to the relevant Parcel and to each and every advance made thereunder, whenever and however granted.
15. Time shall, in all respects, be of the essence of this Agreement.
16. Any notice, communication or request to be given to the Grantor or the Owners hereunder shall be in writing by registered mail, postage prepaid or by personal delivery to such person at the address for such person currently shown on the tax rolls of the Municipality provided that if postal service is interrupted by strikes, slowdown or other cause the notice, communication or request shall be personally delivered to ensure prompt receipt.
17. No action shall be commenced against any person for damages or otherwise for breach of any one or more of the covenants contained in this agreement which are alleged or proven by a Court of competent jurisdiction to be in breach of this Agreement, unless such person is registered as

owner of the Burdened Lands in respect of which the breach has occurred at the time of commencement of the action. This covenant shall constitute an absolute defence of any such action and may be pleaded as such.

18. These stipulations, restrictions and provisions may not be altered or deleted without the express written permission of the Municipal District of Rocky View No. 44.

IN WITNESS WHEREOF the parties hereto have executed these presents under seal as of the day and year first above written.

GRANTOR

Darcy Pittman
WITNESS

Allan Cote
ALLAN COTE

GRANTEE

Darcy Pittman
WITNESS

Allan Cote
ALLAN COTE

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman, of Calgary, in the province of Alberta, make oath and say:

4. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;

or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

5. The instrument was signed at Calgary, in the province of Alberta, and I am the subscribing witness thereto;
6. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at The City of Calgary
in the Province of Alberta
this 3rd day of December
A.D. 2007

Darcy Pittman
(Witness Signature)

Roberta K. Pittman
A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

SCHEDULE "A"
TO OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE COVENANT
PURSUANT TO SECTION 71 (1) OF THE LAND TITLES ACT

ALL THOSE PARCELS CONTAINED WITHIN SUBDIVISION PLAN M.D. OF ROCKY VIEW No. 44

PLAN 071 _____,

BLOCK ,

LOTS 1 & 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

SCHEDULE "B"

TO OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE COVENANT

PURSUANT TO SECTION 71 (1) OF THE LAND TITLES ACT

PARAGRAPH 1D

The Easement Area is that portion or portions of the Parcels (set out in Schedule "A") shown or identified on the overland drainage right of way plan which has been registered at the Land Titles for the South Alberta Land Registration District as:

PLAN M.D. OF ROCKY VIEW NO. 44 071_____

EXCEPTING THEREOUT ALL MINES AND MINERALS

ACCESS EASEMENT AGREEMENT

This agreement made this *3rd* day of *December*, 2007

BETWEEN:

ALLAN COTE

(hereinafter referred to as "the grantor")

Of The First Part

And

ALLAN COTE

(hereinafter referred to as "the grantee")

Of The Second Part

WHEREAS the grantor is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN 071 _____,
BLOCK 1,
LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "A")

WHEREAS the grantee is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN 071 _____,
BLOCK 1,
LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "B")

AND WHEREAS Parcel "A" and "B" are parcels immediately adjoining each other;

(Parcel "A" and Parcel "B" hereinafter sometimes collectively referred to as "the lands" or "the parcels")

AND WHEREAS the grantor wishes to create a right, privilege and easement over a portion of the grantor's land for the purpose of an Access Right Of Way.

NOW THEREFORE in consideration of the premises and the sum of One Dollar (\$1.00) now exchanged between the parties hereto (receipt whereof is hereby acknowledged) the parties hereto agree as follows:

1. The grantor, as owner of Parcel "A" (the servient tenement), does hereby give, grant, and transfer and make over unto the grantee, as owner of Parcel "B" (the dominant tenement), the privileges, covenants and easement of a right of way in, through, and over the following lands namely:

THOSE PORTIONS OF THE ABOVE SAID LANDS WHICH LIE WITHIN ACCESS RIGHT OF WAY AS SHOWN ON PLAN 071 _____.

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to the "right of way")

For the constructing, repairing, replacing, maintaining, inspecting an Access Right Of Way the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the grantee and the grantor, namely:

1. This Agreement shall come into full force and effect on the date noted on the first page of this Agreement and shall continue in full force and effect in perpetuity unless terminated, discharged, varied or amended by the unanimous and mutual written agreement of the grantor and the grantee.
2. The grantee, their tenants, contractors, subcontractors, officers, servants, agents, workmen shall have the full and free right and liberty to have ingress, egress and to pass and repass on the right of way either by foot or by means of vehicles or necessary machines whatsoever, and to remain on the right of way for all purposes of repairing, replacing, using for access to the dominant tenement, maintaining and inspecting the Access Right Of Way.
3. The grantee in carrying out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the owners or occupiers of the said land, as is possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition.
4. The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.
5. The grantee will indemnify and save harmless the grantor from and against all claims, damages, deaths, dues, suits, liabilities, actions and causes of actions, costs or sums of money that the grantor may suffer or be put to by reason of anything done by the grantee in the exercise of the rights and privileges herein granted.
6. Any provision herein found or made void or unenforceable by any court under law shall not void or render unenforceable the remaining provisions hereof.
7. The rights conferred by this Agreement **does not and shall not** be deemed to include a right to park vehicles on the access right of way.
8. The rights, privileges and easements granted and the restrictive covenants and conditions made herein shall run with and be legally annexed to the parcels and shall extend to and enure to the

benefit of and be binding upon the respective heirs, executors, administrators, successors-in-title and signs of the parties hereto respectively.

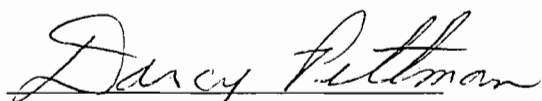
9. The rights, privileges, covenants and easements hereby granted shall not be extinguished in the event that the title to or ownership of either of the Parcels which adjoin each other shall be vested in the same person. The successors in title to such Parcels shall be and remain bound to and in respect of the rights, privileges, covenants and easements hereby granted and entitled to the benefits thereof as rights, privileges and obligations which are created under and by virtue of this Agreement.

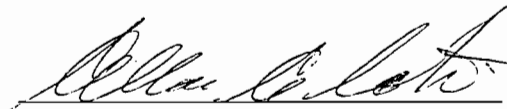
10. The Parties acknowledge and agree that The Municipal District Of Rocky View is a party to this Agreement for the purpose of ensuring that it is not discharged from the title to either the dominant or servient tenements without its written consent, and to receive the benefit of the indemnities granted herein. The parties hereto shall give notice to The Municipal District Of Rocky View in the event that they plan to modify or discharge this Agreement from title. The parties further acknowledge and agree that The Municipal District Of Rocky View is not responsible or obliged to resolve any disputes, including those related to cost sharing and maintenance obligations contained herein, or to cover or contribute to the costs related to the cost sharing and maintenance obligations contained herein.

11. The use of the right of way by the owners from time to time of Parcel "A" and "B" shall be perpetual but no covenant herein shall be personally binding upon a party from time to time except in respect of a breach occurring during the period that they are the owners of the Parcel "A" or of the Parcel "B", as the case may be.

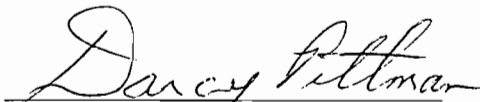
IN WITNESS WHEREOF the parties have executed this agreement on the date first written above.

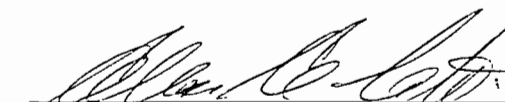
The Grantor


Witness


ALLAN COTE

The Grantee


Witness


ALLAN COTE

ACOT
COTE
2025

FORM 31

LAND TITLES ACT
(Sections 161)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman of Calgary, in the
PROVINCE OF ALBERTA, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument:

or

~~I was personally present and did see **ALLAN COTE** who on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument.~~

2. The instrument was signed at Calgary, in the
PROVINCE OF ALBERTA and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at the City of Calgary

in the PROVINCE OF ALBERTA,

this 3rd day of December,

year A.D. 2007

Darcy Pittman
(Signature)

Roberta K. Pittman

A Commissioner for Oaths in and for the
Province of ALBERTA.

My Commission Expires on AUGUST 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

CONSENT OF SPOUSE

I, Evelyn Cote being married to the within named Allan Cote do hereby give my consent to the disposition of our homestead, legally described as:

Made in the instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, to the extent necessary to give full effect to the said disposition.

Evelyn M. Cote
SPOUSE SIGNATURE

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

1. This document was acknowledged before me by Evelyn Cote apart from her husband/his wife:
2. acknowledged to me that she/he:
 - a) Is aware of the nature of this disposition;
 - b) Is aware that the Dower Act, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
 - c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, to the extent necessary to give effect to the said disposition;
 - d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at the City of Calgary, in the Province of Alberta,
this 3rd day of December A.D. 2007

Darcy Pittman

A Commissioner for Oaths in and
For the Province of Alberta

My Commission Expires on _____, 20____

~~My Commission Expires May 20, 20____
In and for the Province of Alberta
A Commissioner for Oaths
DARCY H. PITTMAN~~

DARCY H. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires May 20, 2009

TO :
FROM : COT'S EQPT SVC LTD 288 5677

PHONE NO. : 2773066

NOV. 20. 2007 11:39AM P 1
PHONE NO. : 403 288 5677

4735080

1 - Page Fax # 277-3066

Municipal District of Rocky View #4
Attn: Jared Kassel, Re: Plan #
771 0693 Lot 5

This letter is to confirm the
shed located on the 2 acres to
be subdivided has been removed.

Signed Evelyn M. Cote
Evelyn M. Cote



ROAD APPROACH INSTALLATION AS A CONDITION OF SUBDIVISION (POLICY 402)

TO: INFRASTRUCTURE and OPERATIONS

DATE OF REQUEST: SEPT. 4 / 07 REQUESTED BY: ALLAN COTELEGAL DESCRIPTION: NW 35-24-3-W5 ROLL NO.: 4735020APPLICANT'S NAME: COTE HOME PHONE: [REDACTED]PRE-CONST: ☐ INTERIM: ☐ INSPECTION: ☒ WORK PHONE: [REDACTED]

			COMMENTS	pass - ☒ fail - ☒
1	NUMBER OF APPROACHES	<u>1</u>	<u>MUTUAL</u>	
2	SIGHT DISTANCE LEFT	<u>+155</u> m		☒
3	SIGHT DISTANCE RIGHT	<u>+155</u> m		☒
4	ANGLE TO ROAD	<u>90</u> deg		☒
5	GRADE, PROPERTY LINE TO ROAD	<u>0</u> %		☒
6	CULVERT DIAMETER	<u>450</u> mm		☒
7	CULVERT LENGTH	<u>8.5</u> m		☒
8	DRAINAGE MAINTAINED?	<u>YES</u> (y/n)		☒
9	FINISHED WIDTH	<u>7.0</u> m		☒
10	SIDESLOPE RATIO	<u>3</u> :1		☒
11	ACCEPTABLE FILL USED?	<u>YES</u> (y/n)		☒
12	ADEQUATE COMPACTION?	<u>YES</u> (y/n)		☒
13	SIDESLOPES TOPSOILED?	<u>YES</u> (y/n)		☒
14	SIDESLOPES SEEDED?	<u>YES</u> (y/n)		☒
15	ROAD APPROACH SURFACE TYPE	☒ gravel ☐ coldmix ☐ chipseal ☐ hotmix		☒
16	ROAD APPROACH SURFACE CONDITION	☒ excellent ☐ fair ☒ good ☐ poor		☒
17	MAJOR ROAD SURFACE TYPE	☒ gravel ☐ coldmix ☐ chipseal ☐ hotmix	<u>DUST CONTROL OIL</u>	N/A
18	MAJOR ROAD SURFACE CONDITION	☒ excellent ☐ fair ☒ good ☐ poor		N/A
19	DAMAGE TO MD OR PRIVATE PROPERTY	<u>NO</u> (y/n)		☒
20	DISTANCE FROM NEAREST INTERSECTION	<u>479</u> m	<u>EAST OF RR 32</u>	

RE-INSPECTION REQUIRED: YES: _____ NO: ☒GENERAL COMMENTS: APPROACH MEETS MUTUAL STANDARDSDATE INSPECTED: SEPT. 6 / 07 INSPECTED BY: [Signature]APPLICANT NOTIFIED OF RESULTS?: YES ☒ NO _____

SABATINI EARTH TECHNOLOGIES INC.

203, 6919 - 32nd AVENUE N.W.
CALGARY, ALBERTA T3B 0K6
TEL: (403) 247-1813
FAX: (403) 247-1814

12323 - 67th STREET
EDMONTON, ALBERTA T5B 1N1
TEL: (780) 438-0844
FAX: (780) 435-1812

Aug 13, 2007

File: 0707-6192

Al Cote
76 Eagle Butte Ranch N.W.
Calgary, AB
T3Z 1K3

**RE: Septic Field Evaluation
76 Eagle Butte Ranch N.W.
Calgary, AB**

Dear Mr. Cote:

A septic field evaluation was undertaken on the above-mentioned site, which is in northwest Calgary, Alberta under the jurisdiction of the MD of Rockyview. A percolation test was performed to determine the percolation rate, septic field volume and area required as outlined in Alberta Safety Codes Council's *Alberta Private Sewage System Standards of Practice (1999)*.

Percolation Test

Details of Field Investigation

The investigation was initiated on July 19, 2007. A 2.4m shallow water table monitoring hole, dug by a backhoe the previous week, was verified to contain no freestanding water. As hole had been left to recover for the required time and this monitoring site remained dry, the site met the requirement for a septic field by having a water table depth of greater than 1.8m.

Two 200 mm diameter percolation holes were drilled to a depth of 900 mm. The soil walls of the percolation test holes were scoured with a wire brush and water was added to the top of the holes to allow for percolation tests to be undertaken the following day. The fluid levels were maintained at approximately 450 mm depth in both of the percolation test holes. After the initial soaking period the following morning, the water levels were measured and recorded from a fixed reference point in 30-minute intervals. After each measurement the water level was readjusted to a depth of 450 mm. This procedure was repeated for one and a half hours until the rates were within 3 mm of each other. A sitemap of the entire parcel of land is provided on Plate 1, which includes the locations of the test holes and the monitoring well.

Percolation Test Results

Details of the percolation rates are as follows:

Test #	Test Hole #1			Test Hole #3		
	Time (min)	Water Drop (in.)	Perc Rate (min/in.)	Time (min)	Water Drop (in.)	Perc Rate (min/in.)
1	30	3 1/4	9.2	30	3 1/2	8.6
2	30	3 1/2	8.6	30	3 3/8	8.9
3	30	3 3/8	8.9	30	3 3/8	8.9

Conversion to metric units provides the following data:

Test #	Test Hole #1			Test Hole #3		
	Time (min)	Water Drop (cm)	Perc Rate (min/cm)	Time (min)	Water Drop (cm)	Perc Rate (min/cm)
1	30	8.26	3.6	30	8.89	3.4
2	30	8.89	3.4	30	8.57	3.5
3	30	8.57	3.5	30	8.57	3.5

Acceptable percolation rates are between 5.0min/25mm to 60min/25mm (2.0min/cm to 23.6min/cm), indicating that both percolation rates of the test holes were within the acceptable range. The slowest percolation rate of the last set of measurements is to be considered the actual percolation rate for the site, in this case 8.9min/25mm (3.5min/cm). This percolation rate is included in the acceptable range and therefore the site qualifies as an acceptable site for septic field disposal as per the guidelines.

Using Alberta Safety Codes Council's *Alberta Private Sewage System Standards of Practice (1999)* guidelines and the above percolation rate of 8.9min/25mm (3.5min/cm) the following table summarizes the calculated effluent volume and corresponding septic field area that the new house will need, based upon the number of bedrooms the house will have.

No. of Bedrooms	Calculated Effluent Volumes		Required Septic Field Area	
	L/day	Gal/day	m ²	ft ²
2	1380	300	50	533
3	1530	338	56	600
4	2040	450	74	799
5	2550	563	93	1000
6	3060	675	111	1199
7	3570	788	130	1399
8	4080	900	148	1598
9	4590	1013	167	1799
10	5100	1125	185	1998

Site Water & Soil Properties

A water sample was collected from the well and submitted to WSH Labs (1992) Ltd. on July 14, 2007 for analysis of parameters as outlined in Alberta Environments Groundwater Evaluation Guideline. The lab analysis report is shown on Plate 2. Using the sodium, calcium, and magnesium values provided, the SAR (Sodium Absorption Ratio) can be calculated as follows:

$$SAR = \frac{Na(meq/L)}{\sqrt{\frac{Ca(meq/L) + Mg(meq/L)}{2}}} = 14.67$$

Alberta Private Sewage System Standards of Practice (1999) recommends that a soil saturation test should be completed if the source water provides a SAR value greater than six. This soil property test was performed on August 10, 2007 in the SETI laboratory, and resulted in a saturation percentage of 67.4. The SAR value multiplied by this percentage gives a reference value that indicates whether problems caused by swelling clays are to be expected. The value that for this site is 989, and is compared to the following table:

1200 – 1550	Future problems due to swelling not expected
1500 – 2200	Slight problems possible – recommend 20% increase in septic field size
2200 – 3000	Some problems expected – recommend 50% increase in septic field size
> 3000	Disposal field should not be installed

As the value calculated for the site is below even the lowest reference value, any significant swelling is not expected.

It should be noted that the source water has a high salinity (reported EC of 2.46 mS/cm). *Alberta Private Sewage System Standards of Practice* notes that an EC of between 1.3 and 3.0 amounts to an increasing problem, as it will increase the salinity of the soil over time, and reduce the capability of the soil to transport fluids, or possibly leading to adverse affects to plant growth.

Conclusion

Based on the most conservative percolation rate of 8.9min/25mm (3.5min/cm), the subsurface soils at the site are suitable for septic field disposal. Due to the fact that the source water at the site is highly saline and will therefore affect the soils ability to drain fluid, a small increase in the size of the septic field may be warranted.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

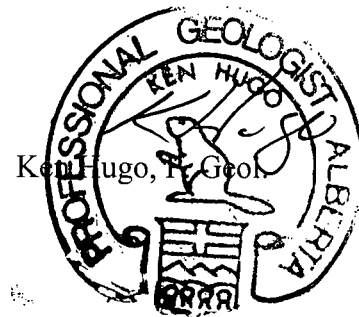
Yours truly,

Sabatini Earth Technologies Inc.

APEGGA Permit to Practice: P5773



David Vaughan, B. A. Sc.





LEGEND

-  MONITORING WELL LOCATION
-  TEST HOLE LOCATIONS

SABATINI EARTH TECHNOLOGIES INC.

Al Cote Septic
#76 Eagle Butte Ranch
Site Map with Test Hole Locations



3851B - 21 Street N.E.
Calgary, Alberta
Canada T2E6T5
Ph: (403) 250-9164
Fax: (403) 291-4597
Website: www.wshlabs.com

Aaron Drilling
Box 28, Site 9, RR 1
De Winton, AB T0L 0X0

Phone: 938-4961
Fax: 938-3324
Email:

Lab Number: 57610
PO Number:

Attention:
Client ID: 6108
Location: Cote
Legal:

Sampled By:
Date Sampled:
Date Received: 7/14/2007
Date Reported: 7/19/2007

Analyte	Units	Result	Canadian Drinking Water Guideline Maximum
Calcium	mg/L	59.5	No Guideline
Iron	mg/L	0.24	0.3
Magnesium	mg/L	20.4	No Guideline
Manganese	mg/L	0.08	0.05
Potassium	mg/L	8.3	No Guideline
Sodium	mg/L	518	200
Bicarbonates	mg/L	818	No Guideline
Bromides	mg/L	< 0.1	No Guideline
Carbonates	mg/L	0	No Guideline
Chlorides	mg/L	0.4	250
Fluorides	mg/L	0.27	1.5
Nitrates as N	mg/L	< 0.05	10
Nitrites as N	mg/L	1.6	1
NO ₃ + NO ₂ as N	mg/L	1.6	No Guideline
Sulfates	mg/L	647	500

Parameter	Units	Result	Canadian Drinking Water Guideline Maximum
Electrical Conductivity	µS/cm	2460	No Guideline
pH	pH	8.09	6.5 - 8.5
Hardness (as CaCO ₃)	mg/L	233	No Guideline
Total Alkalinity (as CaCO ₃)	mg/L	671	No Guideline
P-Alkalinity (as CaCO ₃)	mg/L	0	No Guideline
Hydroxide (as CaCO ₃)	mg/L	0	No Guideline
Total Dissolved Solids	mg/L	1658	500
Total Organic Carbon	mg/L	-	No Guideline
Sulfides as S	mg/L	-	0.05

Microbiology	Units	Result	Canadian Drinking Water Guideline Maximum
Total Coliform	CFU/100 mL	-	Zero
Escherichia Coliform	CFU/100 mL	-	Zero
Fecal Coliform	CFU/100 mL	-	Zero

Sum of Cations	27.38	TDS / EC Ratio	0.67
Sum of Anions	26.92	SAR	14.77
Ion Balance	1.02	Saturation Index	1.1

Certified By: 

Accredited by CAEAL to ISO/IEC 17025 for specific tests.

SAR = Sodium Adsorption Ratio, TNTC = Too Numerous To Count (>200 colonies), < denotes less than detection limit

The results above are related only to the items analyzed. Total Dissolved Solids is determined by calculation.

Control No: WSH-BKW060113B-Rev1.2

Page 1

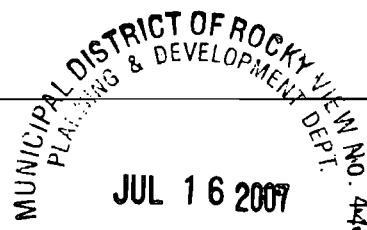
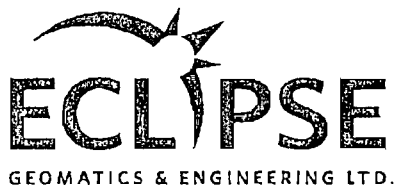
SABATINI EARTH TECHNOLOGIES INC.

Allan Cote
#76 Eagle Butte Ranch
Calgary, Alberta
Lab Results - Water Sample

Date: Aug 2007

Job No: 0707-6192

Plate No: 2



FAX COVER SHEET

Company: M.D. of ROCKY VIEW No.44

Date: JULY 16, 2007

To: JARED KASSEL

From: DARC Y PITTMAN

Fax: 277-3066

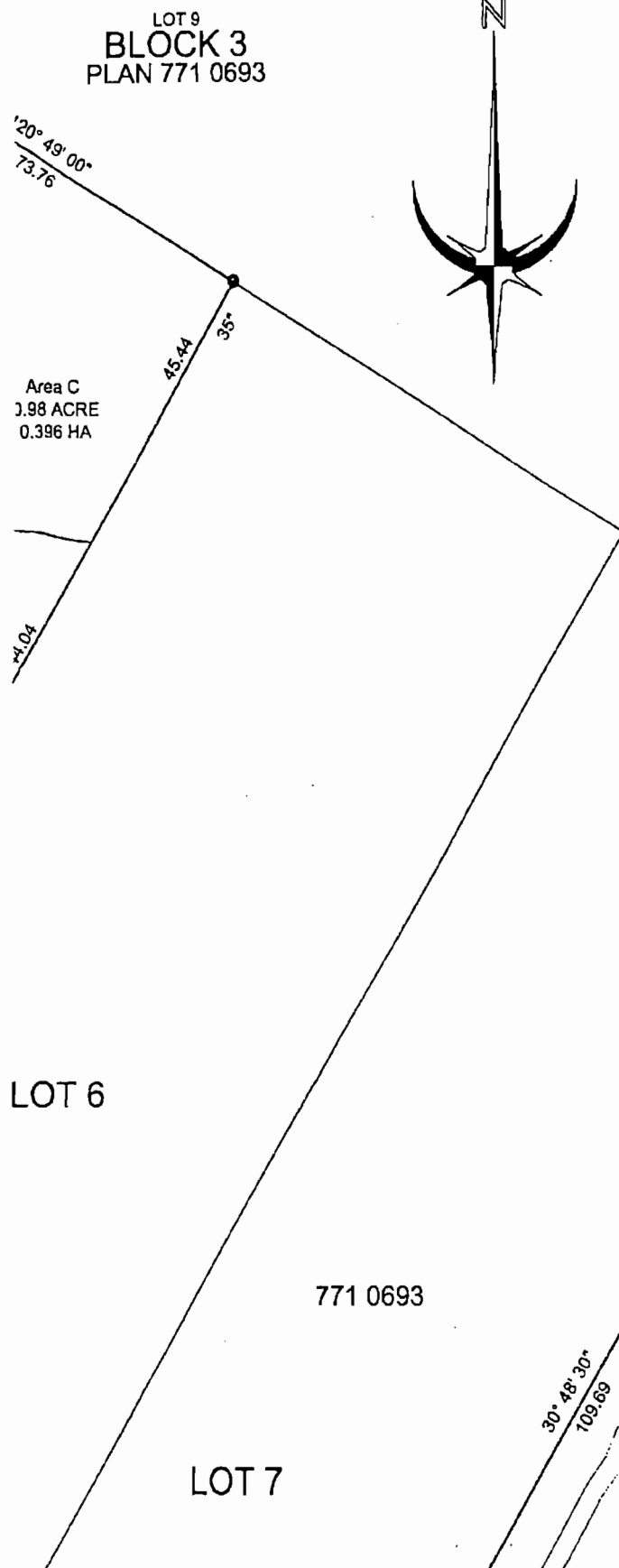
Pages: 3

Re: PROPOSED SUBDIVISION YOUR FILE: 2006-RV-530/04735020

Remarks: Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment ☐

Comments: ATTACHED IS THE SKECTH INDICATING THE REVISED PROPERTY LINE BETWEEN PROPOSED
LOTS. WE HAVE SHIFTED THE INTERSECTION POINT WITH THE SOUTH EASTERLY BOUNDARY
SLIGHTLY NORTH TO MAINTAIN A MINIMUM OF 0.796 ha (1.97 ACRES).
IF THIS MEETS WITH YOUR APPROVAL, WE WILL PROCEED WITH FINAL POSTING AND
DRAFTING OF THE FINAL SUBDIVISION PLAN
SHOULD THERE BE ANYTHING ELSE YOU REQUIRE, PLEASE CALL.

Signature: Darcy Pittman



Client: ALLAN COTE

Site 21 Box 5 RR #2

Calgary, Alberta T2P 2G5

Re: Plan 771 0693, Lot 5
Calgary, Alberta

LEGEND

Dimensions shown are in metres and decimals thereof.

Dimensions refer to exterior of foundation walls.

Sidyard distances are perpendicular to the property lines and are shown thus: —15.00—

Area referred to is shown bounded thus: _____

SCALE 1:1000




ECLIPSE

GEOMATICS & ENGINEERING LTD.

#201, 1530 - 27th AVENUE N.E., CALGARY, ALBERTA, T2E 7S6

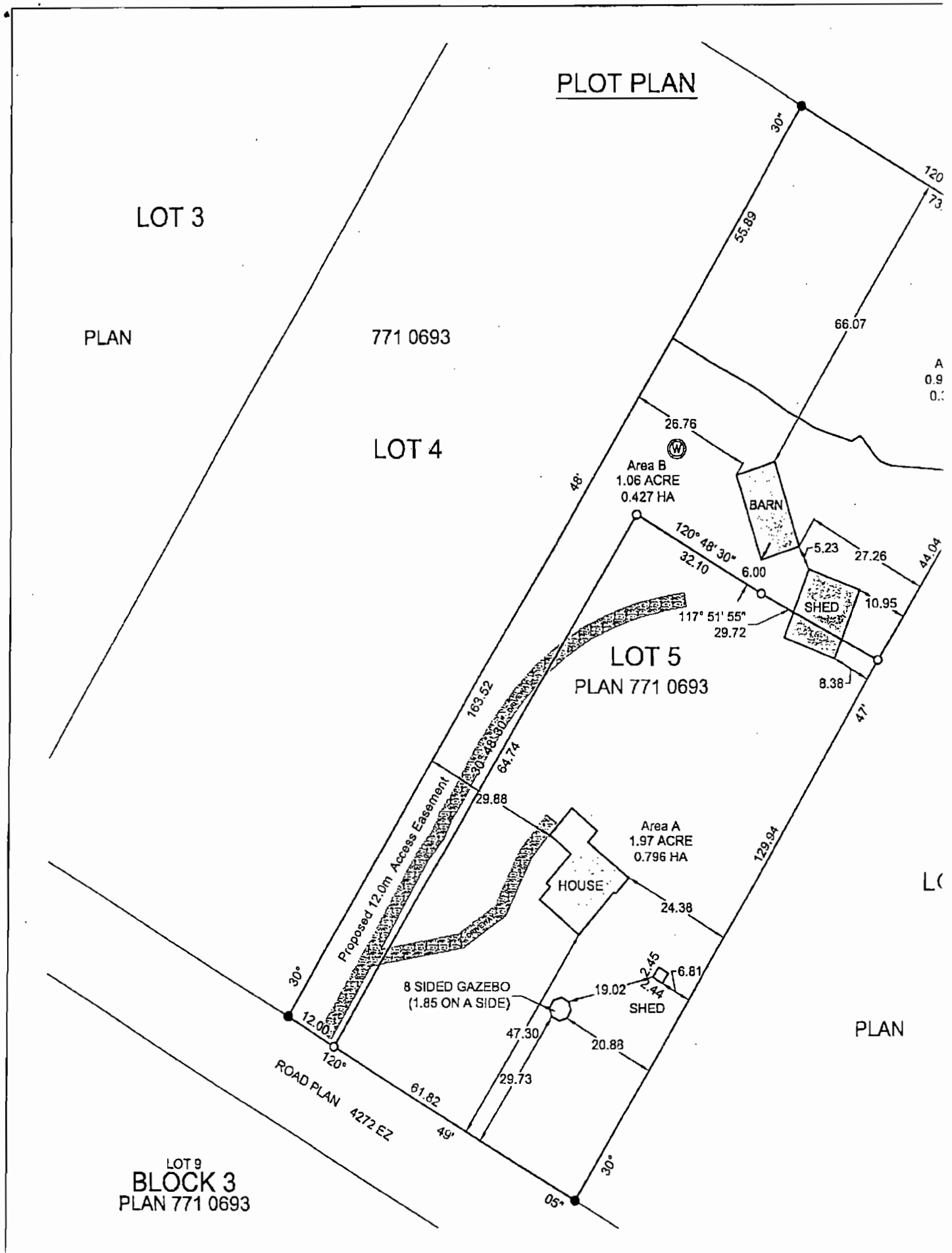
Ph: 403.250.1278 Fax: 403.291.0399

DRAWN BY: JMK

DATE: July 11, 07 11:39:48

CHK'D BY: NRW

DRAWING: E07035-G01+SS.dwg



201, 1530 - 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca



June 20, 2007

Municipal District of Rocky View

#911 32 Ave. NE

Calgary, Alberta

T2M 4L6

FX# (403) 277 - 5977

Attention: Jared Kassel

RE: Proposed Subdivision Lot 5 Plan 7710693 for Mr. Al Cote

Dear Sir

Accompanying is a brief Storm Water Management Plan for Mr. Cote's property. The Recommendation is that we simply identify and protect the existing drainage course through the lands.

Yours truly,

A handwritten signature in black ink, appearing to read "Thomas Doran". The signature is fluid and cursive, with a large initial "T" and "D".

Thomas Doran P. Eng.

C/c Al Cote / Client

Darcy Pittman Project Supervisor



Storm Water Management Plan

Lot 5 Plan 7710693 for Mr. Al Cote

Objective of Storm Water Management

The objective of on site Storm Water Management is to protect drainage courses, preserve water quality and reduce the potential for flooding in down stream water courses.

Description of Site (See attached Photo)

The area around the existing house is flat with many trees and shrubs. The land behind the house gently slopes down to the barn. Except for the 3.0m wide access road, the area is grassy with trees and shrubs along the perimeter. The area behind the barn has a relatively steep hill down to the drainage channel at the bottom; but the hill is stabilized by a large number of bushes. From the drainage channel to the back lot the area slopes upward and is completely grassed.

Options

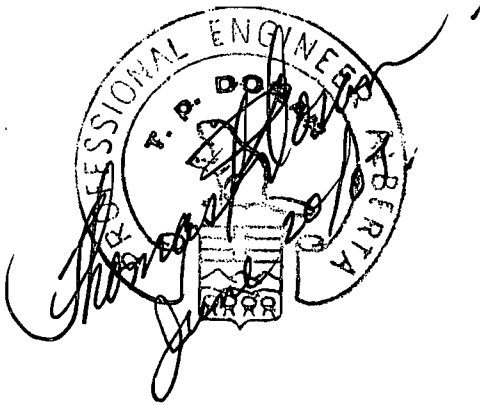
Options are as follows:

1. The site could be ditched to collect any increased runoff from development, to a common point where a pond and / or berm could be constructed to contain the runoff and release it in a controlled fashion. This would have to be up slope from the natural drainage course at the back of the subject property. To do this however would create considerable disturbance to a nicely grassed and landscaped lot.
2. A second option is to simply protect the existing drainage course by way of a restrictive coven out. The drainage course is defined on the attached plan.



Recommendation

It is our opinion that to ditch the property and construct a storm pond where storm water could be managed will create more damage than it will ever prevent. We therefore simply recommend that the balance of the land be left with an establish grass cover and landscaping and that the existing drainage course be protected by caveat.







New Application Summary

Application #2006-RV-530Roll #04735020

Type:

☐ Redesignation

☒ Subdivision

☐ Concept Plan

☐ ASP

Proposal LineTo subdivide two - 2 acre parcels from the parent parcel.

CONFIRM DIVISION # (Planner to confirm)2

LOCATIONOn Township Rd. 250 approximately 1/4 mile north of Highway 1, adjacent to Eagle Butte Ranch

Confirm Reserve StatusPreviously taken as per Plan 77/0693

Circulate as is

☐

ORPlease highlight any additional selections

Air/Land Transportation ☐ CN Railway ☐ Canadian Pacific Railway ☐ Calgary Airport Authority ☐ Airdrie Airpark ☒ Springbank Airport Adjacent Municipalities ☐ City of Airdrie ☐ Town of Beiseker ☐ City of Calgary ☐ Town of Chestermere ☐ Town of Cochrane ☐ Town of Crossfield ☐ Town of Irricana ☐ Mountain View County ☐ Wheatland County ☐ Kananaskis Improvement District #5 ☐ MD of Bighorn ☐ MD of Foothills ☐ MD of Kneehill Alberta First Nations ☐ Tsuu Tina Nation ☐ Stoney Tribal Administration ☐ AB Environment - Aboriginal Relations Alberta Provincial Agencies ☒ Energy and Utilities Board (AEUB) ☐ Natural Resources and Conservation Board (NRCB) ☐ Community Development ☐ Cultural Facilities & Historical Resources ☒ Environment ☒ Infrastructure & Transportation ☒ Land Titles ☐ Municipal Affairs ☐ Sustainable Resources Dev. ☐ Public Lands Division ☐ Fish & Wildlife ☐ Parks and Protected Areas ☒ Calgary Health Region	Canada Federal Agencies ☐ Canada Post ☐ Dept of Fisheries & Oceans ☐ Revenue Canada ☐ Transport Canada Community Stakeholder Groups ☐ Town of Cochrane Rec. District ☐ Ducks Unlimited Energy Sector ☒ EnCana Corporation ☐ Prime West ☐ Petro Canada ☐ Wildcat Hills ☐ Jumping Pound ☐ Calpine Energy Center ☐ Interpipe Cochrane Ext. Plant ☐ Nexen Pipelines ☒ Recreation Board ☐ Airdrie Community Services ☐ Bears paw-Glendale ☐ Beiseker ☐ Bow North ☐ Chestermere-Conrich ☐ Crossfield ☐ Irricana ☐ Madden ☐ Ranchlands ☒ Rocky View West School Divisions ☒ Catholic School Centre ☐ Christ the Redeemer School Division ☒ Rocky View School Division ☒ Public Francophone District ☒ Catholic Francophone District Note: ☒ Subject lands located within an ASP Which oneCentral Springbank.	Utilities ☒ ATCO Gas ☒ ATCO Pipelines ☐ Cochrane Gas Coop ☐ Rocky View Gas Coop ☒ AltaLink Management ☒ TransAlta Utilities ☒ FortisAlberta ☐ Enmax ☒ Telus Communications ☐ Shaw Cablesystems ☐ Persona Communications (Langdon) Water Utility Companies ☐ Bears paw Village Water Coop ☐ Langdon Waterworks ☐ North Springbank Water Coop ☐ Pirmez Ck Water Supply Coop ☐ Rocky View Water Coop ☐ Westridge Water Supply ☐ Western Irrigation District MD OF ROCKY VIEW (INTERNAL) Planning & Community Services ☒ Agricultural Services ☐ Municipal Lands ☒ Development Authority ☐ Long Range Planning Infrastructure & Operations ☒ Technical Services Manager ☒ Project Delivery Manager Other ☐ Economic Development Officer ☒ Emergency Services ☒ Geo Graphics – Address & Road Naming

Additional Circulation Agencies not listed above:

Planner's Notes

Planner's Signature

DateSept. 26, 2006.

Supervisor's Notes

Supervisor's Signature



MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

September 26, 2006

Allan Cote
76 Eagle Butte Ranch
Calgary, AB T3Z 1K3

Dear: Allan Cote

RE: *Redesignation and Subdivision of Lot 5, Plan 771 0693 within NW 35-24-3-W5M to subdivide two >= 2 acre parcels from the parent parcel.*

We are in receipt of your application for Redesignation and have commenced its processing. In order to assist you in tracking your application through the process, the following information will be important to you:

M.D. of Rocky View File Numbers: 2006-RV-529 – Redesignation

2006-RV-530 - Subdivision

Roll Number: 04735020

Municipal Planner processing your application: Jared Kassel

Jared Kassel will be pleased to assist you with any questions that you may have relating to Municipal policies and procedures regarding your application. We may also require additional information as the file proceeds through internal review and circulation.

You will be notified of the scheduled Council meeting dates. Please note that Staff Reports and recommendations will be available at the Planning, Development and Building Services counter on the afternoon of the Wednesday prior to the scheduled meeting.

Our responsibility is to process your application in accordance with the provisions of the Municipal Government Act 2000, Chapter M-26 and the Subdivision and Development Regulation.

Your responsibility is to maintain contact with Staff and provide any information that may be relevant to your application.

Please contact Jared Kassel with your questions and concerns.

ALBERTA ENVIRONMENTAL PROTECTION

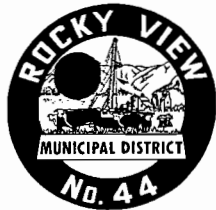
COMPUTER GENERATED WATER WELL DRILLER'S REPORT FORM

WELL I.D. 339719

THIS DATA MAY NOT BE FULLY CHECKED; THE PROVINCE DISCLAIMS ALL RESPONSIBILITY FOR ITS ACCURACY:

Page 1 of 1

CONTRACTOR: NAME: AARON/INTERPROVINCIAL WATERWELL DRILLING ADDRESS: Box 28, Site 9, R.R.1 DeWinton, Alberta T0L-0X0 LICENCE NO.: 0892 JOURNEYMAN NO.: VA4996		WELL OWNER: NAME: COTE, ALLAN #6108 ADDRESS: 76 EAGLE BUTTE RANCH CALGARY POSTAL CODE: T3Z 1K3		WELL LOCATION: IC#: <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width:15%;">1/4 OR LSD</td> <td style="width:15%;">SEC</td> <td style="width:15%;">TWP</td> <td style="width:15%;">RGE</td> <td style="width:15%;">W. MER</td> </tr> <tr> <td>NW</td> <td>35</td> <td>024</td> <td>03</td> <td>W5</td> </tr> </table> LOCATION VERIFICATION METHOD: FIELD LOCATION IN QUARTER:		1/4 OR LSD	SEC	TWP	RGE	W. MER	NW	35	024	03	W5																																					
1/4 OR LSD	SEC	TWP	RGE	W. MER																																																
NW	35	024	03	W5																																																
FORMATION LOG DESCRIPTION: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Depth (Feet)</th> <th style="width:85%;">Lithology:</th> </tr> <tr> <td>Ground to:</td> <td style="background-color: #cccccc;"></td> </tr> <tr> <td>1</td> <td>Topsoil</td> </tr> <tr> <td>23</td> <td>Clay</td> </tr> <tr> <td>31</td> <td>Till & Sand Stringers</td> </tr> <tr> <td>50</td> <td>Clay & Rocks</td> </tr> <tr> <td>55</td> <td>Brown Shale</td> </tr> <tr> <td>76</td> <td>Gray Shale</td> </tr> <tr> <td>107</td> <td>Water Bearing Sandstone</td> </tr> <tr> <td>115</td> <td>Gray Shale</td> </tr> </table>		Depth (Feet)	Lithology:	Ground to:		1	Topsoil	23	Clay	31	Till & Sand Stringers	50	Clay & Rocks	55	Brown Shale	76	Gray Shale	107	Water Bearing Sandstone	115	Gray Shale	DRILLING METHOD: ROTARY TYPE OF WORK: NEW WELL FLOWING WELL: RATE: GAS PRESENT: No OIL PRESENT: No DATE OF ABANDONMENT: MATERIAL USED: PROPOSED USE: DOMESTIC		PRODUCTION TEST: TEST DATE: August 31, 1906 START TIME: 15:00 <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Elapsed Time in Min:Sec</th> <th style="width:35%;">Depth to Water Level During Pumping (Feet)</th> <th style="width:35%;">Depth to Water Level During Recovery (Feet)</th> </tr> <tr><td>10:00</td><td>73.58</td><td>80.14</td></tr> <tr><td>20:00</td><td>76.36</td><td>76.7</td></tr> <tr><td>30:00</td><td>78.6</td><td>74.57</td></tr> <tr><td>40:00</td><td>80.12</td><td>73.38</td></tr> <tr><td>50:00</td><td>81.37</td><td>72.54</td></tr> <tr><td>60:00</td><td>82.38</td><td></td></tr> <tr><td>120:00</td><td>86.11</td><td></td></tr> <tr><td>140:00</td><td>86.19</td><td></td></tr> </table>		Elapsed Time in Min:Sec	Depth to Water Level During Pumping (Feet)	Depth to Water Level During Recovery (Feet)	10:00	73.58	80.14	20:00	76.36	76.7	30:00	78.6	74.57	40:00	80.12	73.38	50:00	81.37	72.54	60:00	82.38		120:00	86.11		140:00	86.19	
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120:00	86.11																																																			
140:00	86.19																																																			
WELL COMPLETION DATA: WELL FINISH: CASING/PERFORATED LINER TOTAL HOLE DEPTH: 115 Feet CASING TYPE: STEEL SIZE OD: 6.62 Inch WALL THICKNESS: 0.188 Inch BOTTOM AT: 57 Feet PERFORATED CASING/LINER: TYPE: PLASTIC SIZE OD: 5.00 Inch ID: Inch WALL THICKNESS: 0.219 Inch TOP AT: 55 Feet BOTTOM AT: 115 Feet PERFORATED FROM: 75 Feet TO: 115 Feet Feet TO: Feet Feet TO: Feet SIZE OF PERFORATIONS: 0.188 Inch X 6.000 Inch HOW PERFORATED: SAW SEAL TYPE: DRIVEN INTERVAL TOP: 55 Feet TO: 57 Feet GEOPHYSICAL LOG TAKEN: RETAINED ON FILE: SCREEN: MATERIAL: SIZE ID (CLEAR): Inch SLOT SIZE: Inch INTERVAL TOP: Feet TO: Feet Feet TO: Feet INSTALLATION METHOD: TOP FITTINGS: BOTTOM FITTINGS: PACK TYPE: GRAIN SIZE: AMOUNT: PITLESS ADAPTER TYPE: DROP PIPE TYPE: LENGTH: Feet DIAMETER: Inch ADDITIONAL PUMP INFORMATION:		WATER REMOVAL RATE DURING TEST: 5 Gal/Min TEST DURATION: 2 Hours 34 Minutes TESTING METHOD: PUMP DEPTH OF PUMP/DRILL STEM: 105 Feet WATER LEVEL AT END OF TEST: 86 Feet NON-PUMPING (STATIC) WATER LEVEL: 70.1 FEET TOTAL DRAWDOWN: 16 Feet RECOMMENDED PUMPING RATE: 4 Gal/Min RECOMMENDED PUMP INTAKE AT: 105 Feet TYPE OF PUMP INSTALLED: MODEL: H.P.:																																																		
DATE WORK STARTED: August 23, 1906 DATE WORK COMPLETED: August 23, 1906 ADDITIONAL TEST AND/OR PUMP DATA: CHEMISTRIES HELD: DOCUMENTS HELD: 1 WELL OWNER'S ANTICIPATED WATER REQUIREMENTS PER DAY: 500 Gallons		COMMENTS: TDS 2300 IRON <.5 HARD 6 (Maximum of 9 lines printed)																																																		



MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

04735020

File Number

TIME EXTENSION AGREEMENT FOR SUBDIVISION APPLICATION

APPLICANT: Allan CoteLEGAL
DESCRIPTION: NW-35-24-3-WSMLot 5 Plan 7710693

Section 6 of the Subdivision and Development Regulations requires the Municipal District of Rocky View No. 44 to make a decision on a completed application within **60 days** of its receipt, unless an agreement is entered into with the applicant to extend this period.

In order to permit the M.D. of Rocky View to make a decision on your application, we are requesting that you enter into the time extension agreement as set out below. Without this agreement, we will be unable to deal with your application after the 60 day period has expired.

If you concur with our request, please complete the agreement set out below and forward it to:

THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
Department of Planning and Development
911 -- 32nd Avenue N.E.
Calgary, Alberta
T2E 6X6

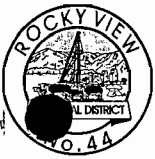
In accordance with Section 681(1)(b) of the Municipal Government Act,

I/We, _____
hereby enter into an agreement with the Municipal District of Rocky View No. 44 to extend the time prescribed under Section 6 of the Subdivision and Development Regulations to _____.

Sept 11/06
Date

Applicant's Signature

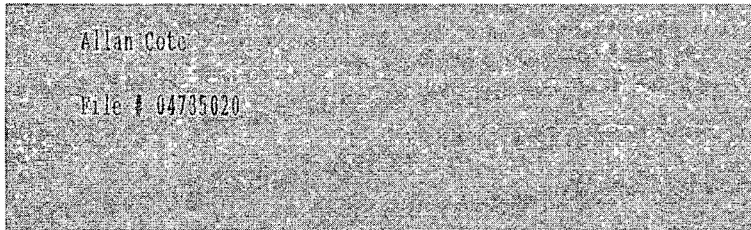
012621



RECEIPT

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
 911 - 32 AVENUE N.E., CALGARY, AB T2E 6X6
 (403) 230-1401 FAX (403) 277-5977

RECEIVED FROM:



Date: 9/11/2006

Official
 Receipt No: 162393

Receipt Type	Account	Description	Amount	Balance
General	RDDP	Redesignation Fees	\$1,000.00	\$0.00
General	SUB2	Subd'n Application Fees	\$1,000.00	\$0.00
General	SUB3	Subd'n Approval Fees - Plan	\$425.00	\$0.00

transfer
to SUB4

Sub-Total \$2,425.00
 Tax \$0.00

Total \$2,425.00

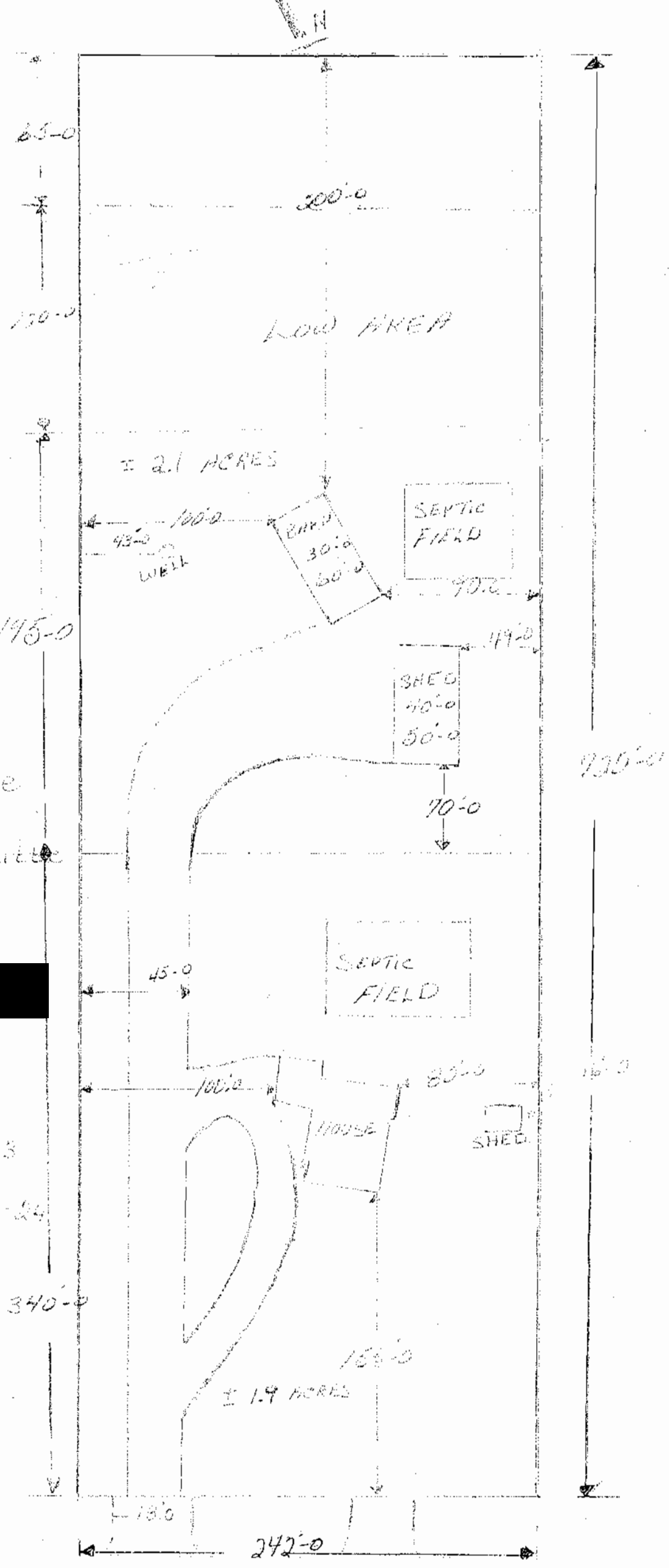
Cash \$0.00
 Cheque \$2,425.00

Credit Card \$0.00
 Debit Card \$0.00

Change \$0.00

Cheque Number: 765

Allan Cote
#76 Eagle Butte
Ranch
Phone [REDACTED]
Lot # 5
Flag # 7710693
N.W 1/4 - 35 - 24
- 3 W 5 m.





MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
PLANNING SERVICES APPLICATION FOR
SUBDIVISION

FOR OFFICE USE ONLY	
Date of Receipt <u>Sept 11/06</u>	File Number <u>04735020</u>
Fee Submitted <u>2425.00</u>	Accepted by <u>Drew/Hesley</u>

Name of Applicant ALLAN COTE Email _____

Mailing Address 76 - Eagle Butte Ranch
Calgary Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- All / part of the NW ¼ section 35 township 24 range 03 west of 5 meridian
- Being all / parts of lot 5 block _____ Registered Plan Number 7710693 Certificate of Title Number _____
- Municipal Address (if applicable) _____
- Total Area of the above parcel of land to be subdivided is _____ hectares (4 acres)

2. LOCATION OF LAND TO BE SUBDIVIDED

- The land is situated in the municipality of **ROCKY VIEW NO. 44**
- Is the land situated immediately adjacent to the municipal boundary? Yes _____ No ☒
If "yes", the adjoining municipality _____
- Is the land situated within 0.8 kilometres of the right-of-way of a highway? Yes ☒ No _____
If "yes", the highway is No. _____
- Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes _____ No ☒
If "yes", state its name _____
- Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No ☒
- Is the sour gas facility active, abandoned, or currently being reclaimed _____
- Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No ☒

3. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- Existing use of the land Residential 2
- Proposed use of the land Residential 1
- The designated use of the land as classified under the Land Use Bylaw _____

4. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots etc., sloughs, creeks, etc.) _____
- Describe the kind of soil on the land (sandy, loam, clay, etc.) _____

6. WATER SERVICES

- a. Existing Source of Water: Communal Well
- b. Proposed water source: If the application will result in six or more lots on the quarter section in total, according to Section 23(3)(a) and (b) of the Water Act (Provincial Statutes) an application for subdivision is considered incomplete until one of the following requirements regarding water supply for the proposed subdivision is submitted. Please check one (or more) of the following:

 Proposed water supply to new lots by a licensed (surface) water distribution system

✓ Proposed water supply to new lots by individual water wells, and; (Well Drillers report)

 Attached to the application is a report certified by a professional engineer, hydrogeologist or geophysicist which states that there is sufficient water to supply 1250 cubic metres of water per year to each proposed lot, and that the proposed diversion will not interfere with any existing household user, licensees, or traditional agricultural users who currently exist, or

 The diversion of water by water wells for each proposed lot conforms with an applicable, approved water management plan.

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal: Septic field
- b. Proposed sewage disposal: Septic field (already in place)

8. PROPOSED LOTS

- a. Number of parcels being created 1 b. Size of parcels being created ±/- 2 ac

9. MUNICIPAL RESERVE STATUS

- c. Disposition of Municipal Reserve, please check appropriate box:

☐ Deferral ☒ If dedicated, area of Reserves and designation Plan 7710693.

☐ Deferral to balance ☐ Cash in lieu of land, value to be determined by appraisal.

10. EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED

- a. Describe any buildings (historical or otherwise), and any structures on the land and whether or not they are to be demolished or moved None
- b. If the application is for a Farmstead Isolation, the age of the existing house, in years

11. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALLAN A COTE hereby certify that ✓ I am the registered owner
(Print Full Name)

 I am authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Address

(Signed) Allan A Cote

Phone No.

Date SEPT 11th 2008

12. RIGHT OF ENTRY

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision approval.

Allan A Cote
Owner's Signature

The logo for Eclipse Geomatics & Engineering Ltd. features a stylized graphic of a sun or moon partially obscured by a horizontal line, with the word "ECLIPSE" in a bold, sans-serif font to its right.

June 13, 2007

Municipal District of Rocky View
#911 32Ave. NE
Calgary, Alberta
T2M 4L6

Fx#: (403) 277 - 5977

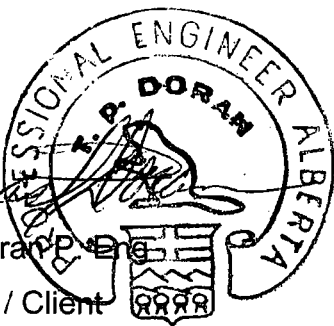
Attention: Mr. Jared Kassel

Re: Proposed Subdivision of Lot 5 Plan 7710693 for Mr. Al Cote

Dear Sir,

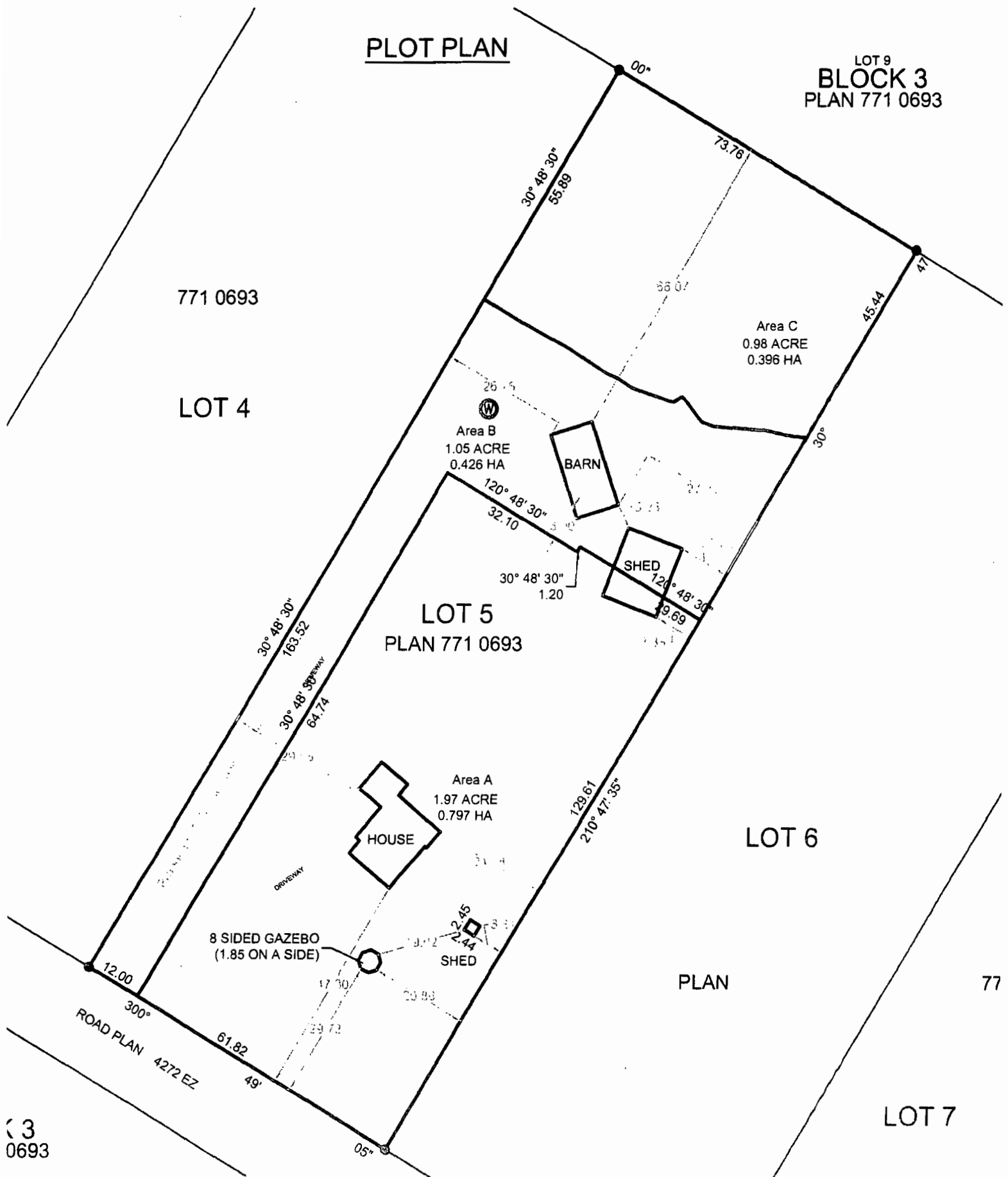
Further to your discussions with Mrs. Jennifer King of our firm this letter will confirm that: The proposed subdivision creates a lot with 1.05 acre of Contiguous land with less than 15 % slopes, 80% of which is not in the pan handle and set back areas. On that basis we recommend it for subdivision.

Yours Truly

A circular professional seal for Thomas P. Doran, a Professional Engineer in Alberta. The seal contains the text "PROFESSIONAL ENGINEER ALBERTA" around the perimeter and "T. P. DORAN" in the center. A signature is written across the seal.

Thomas Doran P. Eng
C/c Al Cote / Client

Darcy Pittman Project Supervisor



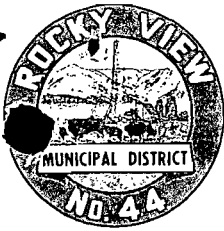
Municipal District of Rocky View No. 44

Att. Jared S. Kassel

As requested at our meeting May 30th., 2007 we agree to remove or
relocate the steel shed from the two acres we wish to subdivide.

Yours truly, Allan A. Cote

A handwritten signature in black ink, appearing to read "Allan A. Cote", written in a cursive style.



MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Date Mailed: MAR 06 2007

Application Number: 2006-RV-530
File Number: 04735020

Allan Cote
76 Eagle Butte Ranch
Calgary, AB T3Z 1K3

RE: TRANSMITTAL OF DECISION

Prior to the submission of any final documents, we advise that it is the APPLICANT'S responsibility to ensure that all conditions of approval have been met and all final approval fees are paid within ONE YEAR of the approval date, and that the Municipality has received documented evidence to this effect.

Pursuant to a decision of Council for the Municipal District of Rocky View No. 44, on Tuesday, February 27, 2007, your Subdivision Application was conditionally approved. The conditions of approval are outlined below:

- A. That the application to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder in Lot 5, Plan 771 0693 within NW 35-24-3-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, the application is approved as per the Tentative Plan for the reasons listed below:
 1. There are no apparent development constraints;
 2. The subject land has the appropriate land use designation;
 3. The application is consistent with the Central Springbank Area Structure Plan;
 4. Alberta Infrastructure and Transportation granted waiver of Section 14 of the Subdivision and Development Regulation.
- B. Further, in accordance with Section 654 of the Municipal Government Act, the application is approved subject to the following conditions:
 1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;
 2. A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;
 3. The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;

4. The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;
5. Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;
6. The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;
7. The Owner is to undertake a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify a suitable building envelope consisting of one contiguous acre containing stable slopes of less than 15% and at least 20% of the identified acre must not be within the setback requirements of the applicable Land Use District on proposed Lot 2, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction, as amended, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;
8. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

Pursuant to the Municipal Government Act, and in keeping with the instructions set out in the attached Notice of Appeal form, an appeal or dispute from this decision, or the conditions, may be commenced within 19 days from the date of this letter by:

- a) the Applicant;
- b) a Government Department where a referral is required pursuant to the Subdivision and Development Regulation; and/or
- c) a school authority with respect to Reserve

An appeal to this decision rests with the Subdivision and Development Appeal Board. Use of the attached Notice of Subdivision Appeal form is required for submission of the appeal.

DUE TO THE POSSIBILITY OF APPEALS, any development or steps necessary to meet the conditions of approval should not occur within 19 days from the date of this letter.

The Subdivision Authority reserves the right to make corrections to any technical or clerical errors or omissions to this decision.

Should you have any questions or concerns, please contact File Manager Jared Kassel for assistance and quote the file and roll numbers as noted above.

Yours truly,



Sandra Peterson-Keyes
Municipal Secretary

/fe
encl.

c.c.: Springbank Airport
Alberta Energy and Utilities Board
Alberta Land Titles Office
AltaLink Management Ltd.
Atco Gas
Atco Pipelines
Calgary Health Region
Catholic Francophone Education
Catholic School Center
EnCana Corporation
FortisAlberta
Public Francophone Education
Rocky View West Recreation Board
Rocky View Agricultural Service Board
Rocky View Development Services
Rocky View Emergency Services
Rocky View GeoGraphics
Rocky View I & O Mgr
Rocky View I & O Project Delivery Mgr
Rocky View School Division #41
Telus Communications Inc.
TransAlta Utilities Ltd. Div. # 1
Alberta Infrastructure & Transportation

Page 0

TWP. RD. 250**EAGLE BUTTE RANCH**

Access Easement

Road Approach #1
to be removed,
Mutual Approach
to be constructedExisting Drainage
CourseWater
x Well

Barn

Septic
FieldLot 2
≥ 0.81 ha
(≥ 2 ac)

Shed

Septic
Field

House

Shed

Lot 1
≥ 0.81 ha
(≥ 2 ac)

Municipal District of Rocky View No. 44

CONDITIONAL APPROVAL ON:

Feb 27/07

This Tentative Plan forms part of the
Subdivision Authority's decision for
this Subdivision and must accompany
the Transmittal of Decision letter dated:

MAR 06 2007

Signed: _____

Surveyor's Notes

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale



Council Motion Log By Assignee

Meeting Date: February 27, 2007

Assignee: Mr. Jared Kassel, Municipal Planner

Application to create a ≥ 1.97 acre with a ≥ 1.97 acre remainder in
Lot 5, Plan 771 0693 within NW 35-24-3-W5M. Located south of
Township Road 250, approximately 0.25 miles north of Highway 1
and adjacent to Eagle Butte Ranch
File Number: 04735020 – 2006-RV-530
Agenda Number: 1-07B27-10

J-3

Date Completed:



Council Motion Log By Assignee

Meeting Date: February 27, 2007

Assignee: Mr. Jared Kassel, Municipal Planner

MOVED by Councillor Goode that the application to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder in Lot 5, Plan 771 0693 within NW 35-24-3-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:

1. There are no apparent development constraints;
2. The subject land has the appropriate land use designation;
3. The application is consistent with the Central Springbank Area Structure Plan;
4. Alberta Infrastructure and Transportation granted waiver of Section 14 of the Subdivision and Development Regulation.

Further, in accordance with Section 654 of the Municipal Government Act, the application be approved subject to the following conditions:

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;
2. A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;
3. The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;
4. The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;
5. Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;
6. The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality.
7. The Owner is to undertake a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify a suitable building envelope consisting of one contiguous acre containing stable slopes of less than 15% and at least 20% of the identified acre must not be within the setback requirements of the applicable Land Use District on proposed Lot 2, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction, as amended, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;
8. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

CARRIED

J-3
1 of 16

PLANNING & COMMUNITY SERVICES REPORT

TO: Council

DATE: February 27, 2007

FILE: 07402030

SUBJECT: Subdivision Application

DIVISION: 2

APPLICATION: 2006-RV-530

STAFF RECOMMENDATION: Staff is recommending approval of this application in accordance with **Option 1**.

EXECUTIVE SUMMARY:

The purpose of this application is to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder. Staff notes this proposal contains no apparent technical constraints and an application to redesignate the subject lands from Residential Two (R-2) District to Residential One (R-1) District was approved by Council on January 23, 2007.

The subject lands are located within the Central Springbank Area Structure Plan area, in a mixed country residential and agricultural land use area. The proposed infill subdivision represents an appropriate intensification of the land in a transitioning area of the Municipality. Further, there would unlikely be any traffic or density impacts associated with one additional residential parcel located on Eagle Butte Road. Therefore, Staff is recommending approval of this application.

PROPOSAL: To create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder.	GENERAL LOCATION: Located south of Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.
LEGAL DESCRIPTION: Lot 5, Plan 771 0693 within NW 35-24-3-W5M	GROSS AREA: ± 4 acres
APPLICANT/OWNER: Allan Cote	SOILS: 3T - Moderate limitations due to adverse topography 4T - Severe limitations due to adverse topography
EXISTING LAND USE DESIGNATION: Residential One District	RESERVE STATUS: Municipal Reserves were previously provided on Plan 771 0693.
DATE REDESIGNATION APPLICATION RECEIVED: September 11, 2006 DATE SUBDIVISION APPLICATION RECEIVED: September 11, 2006	TRANSPORTATION LEVY: Required in the amount of \$1,888.00 per acre for both the proposed and remainder parcel.

CIRCULATION:

EXTERNAL AGENCIES: AEUB: No sour gas facilities located near the subject lands require additional setbacks; **Alberta Land Titles:** Will accept a plan of survey; **Alberta Infrastructure and Transportation:** The subject lands are removed from the provincial highway system, and rely on the municipal road network for access. It appears that the single residential parcel being created by the application should not have a significant impact on the provincial highway system. Therefore the department is prepared to grant an unconditional waiver of the requirement of Section 14 of the Subdivision and Development Regulation; **AltaLink:** No response; **Atco Gas:** No objection; **Atco Pipelines:** No objection; **Catholic Francophone Education:** No response; **Catholic School Centre:** No response; **CHR:** Any new/existing water wells must be completely contained within the proposed boundaries. Drinking water source must conform to recent *Canadian Drinking Water Quality Guidelines* and *The Alberta Public Health Act and Nuisance and General Sanitation Regulation 243/2003*. Any existing and/or new private sewage disposal systems, including septic tanks and tile field must be completely contained within proposed property boundaries and comply with setback distances outlined in the most recent *Alberta Sewage Systems Standard of Practice*; **EnCana:** No response; **FortisAlberta:** No objection; **Public Francophone Education:** No response; **RVSD:** No objections; **Telus:** No objection to the application. The Applicant shall also provide any applicable easements for Telus structures and facilities as required to service the new subdivision; **TransAlta Utilities:** No response.

J-3
2 of 16

INTERNAL AGENCIES: **ASB:** Suggest piped sewage system; **Development Authority:** No concerns; **Emergency Services:** All weather access roads conforming to Alberta Fire and Building Code, provision of street, block and numbering system; **Infrastructure and Operations: Engineering Services - Transportation Comments:** The existing Road Approach #1 is a decomposing log structure which does not comply with Municipal Standards. Engineering Services recommends removal of Road Approach #1 and construction of a new road approach on the panhandle along Eagle Butte Ranch to provide mutual access for Lots 1 & 2. Applicant to provide payment of the transportation Offsite Levy in accordance with Bylaw C-6273-2006. Rate applied will be \$1,888.00 per acre as determined from the Plan of Survey submitted for registration. **Utility Comments:** Phase 2 Groundwater Evaluation Reports are required as there are more than 6 lots on the quarter section. Recommends that a site-specific Stormwater Management Study be completed to locate and describe a drainage course at the rear of the proposed Lot 2, and identify any required easements to maintain the drainage course.

ADJACENT LANDOWNERS: Two letters of support and one letter of concern were received from 18 landowner notifications.

HISTORY:

January 23, 2007 – Council approved redesignation of the subject land from R-2 District to R-1 District.

TECHNICAL CONSIDERATIONS:

This application has been evaluated in accordance with the matters listed in Section 7 & 14 of the Subdivision and Development Regulations, which are as follows:

a) The site's topography

The subject lands are of slightly rolling topography.

b) The site's soil characteristics

There are no development constraints due to the sites soil characteristics.

c) Storm water collection and disposal

There is a drainage course towards the rear of Lot 2. Although the drainage does not present a major development constraint for the property, Engineering Services recommends a site-specific Stormwater Management Study be completed to locate and describe the drainage course, and identify any required easements to maintain the drainage course.

d) Any potential for flooding, subsidence or erosion of the land

Isolated flood potential.

e) Accessibility to a road

Eagle Butte Ranch is hard surfaced and has been evaluated in fair condition. There are no sight distance concerns with the existing approach. However the existing Road Approach #1 is a decomposing log structure which does not comply with Municipal Standards. As the application proposes a mutual approach from Eagle Butte Ranch, Engineering Services recommends that the existing Road Approach #1 be removed and a new mutual approach constructed to Municipal Standards.

The Transportation Off-site Levy (Bylaw C-6273-2006) is owing in the amount of \$1,888.00 per gross acre prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;

f) Water supply, sewage and solid waste disposal

The existing residence is serviced for potable water by a community water well which services all residences in the subdivision. The Applicant has already established a new water well for the proposed lot, and if this application is approved, Staff recommends completing a Phase 2 Groundwater Evaluation report to ensure long term groundwater sustainability in accordance with the Water Act.

The existing residence is serviced by a Private Sewage Disposal System (PSDS). Engineering Services recommends the Applicant undertake Percolation and Near Surface Water testing within the proposed Lot 2 as a condition of subdivision.

J-3
3 of 16

Solid waste disposal is the responsibility of the landowner.

g) The use of the land in the vicinity of the site

The subject lands are located approximately 1/3 mile north of Highway 1 and 2 miles east of the current City of Calgary boundary. This area of the Municipality has several land use districts including R-2, R-1, and R-F. The subject quarter section is entirely designated R-2 for country residential land use. The majority of parcels on the quarter section are approximately 4 acres in size. The quarter section to the north is subdivided and contains the Crocus Ridge residential subdivision. The quarter sections to the east, south and southeast are designated Ranch and Farm District.

h) Other Matters

Municipal Reserve – Municipal Reserves were previously provided on Plan 771 0693.

POLICY CONSIDERATIONS:

As noted, the subject lands are located within the Central Springbank Area Structure Plan (CSASP) area. The CSASP identifies the lands as being within the Infill Residential Area which and will range in size between 2-4 acres in size.

Council approved the application for redesignation to R-1 District on January 23, 2007; therefore this application meets the minimum parcel size for this designation.

CONCLUSION:

The subject lands are located in a fragmented area of the Municipality with considerable presence of residential uses, and the proposed subdivision is considered appropriate. Furthermore, the Residential Policies of the Central Springbank ASP encourage infilling of existing residential lands. Therefore, Staff recommends approval, in accordance with Option #1.

OPTIONS

OPTION #1 – APPROVAL

OPTION #2 – REFUSAL

STAFF RECOMMENDATION: Staff recommends approval **Option #1**.

A. That the application to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder in Lot 5, Plan 771 0693 within NW 35-24-3-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:

1. There are no apparent development constraints;
2. The subject land has the appropriate land use designation;
3. The application is consistent with the Central Springbank Area Structure Plan;
4. Alberta Infrastructure and Transportation granted waiver of Section 14 of the Subdivision and Development Regulation.

B. Further, in accordance with Section 654 of the Municipal Government Act, the application be approved subject to the following conditions:

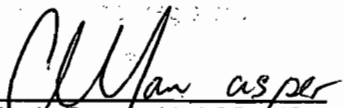
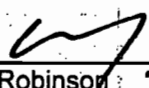
1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;
2. A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;

J-3
4 of 16

3. The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;
4. The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;
5. Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;
6. The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality.
7. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

Respectfully submitted:

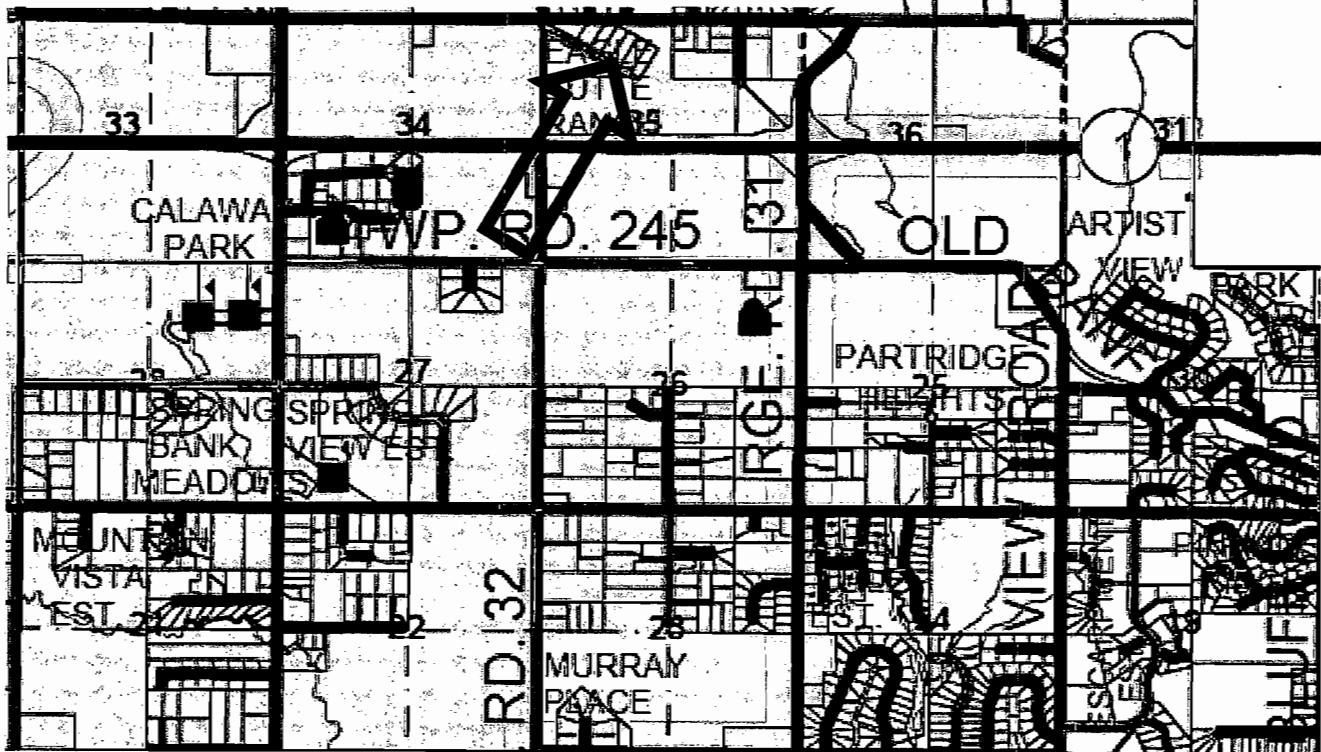
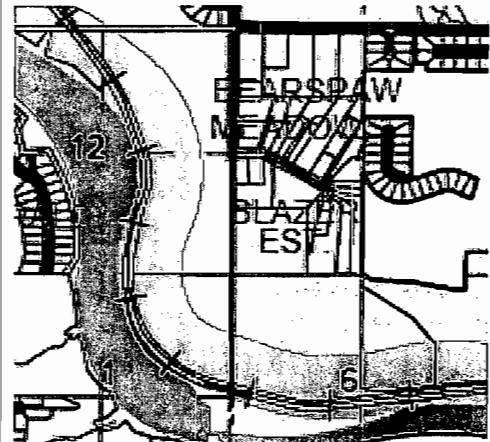
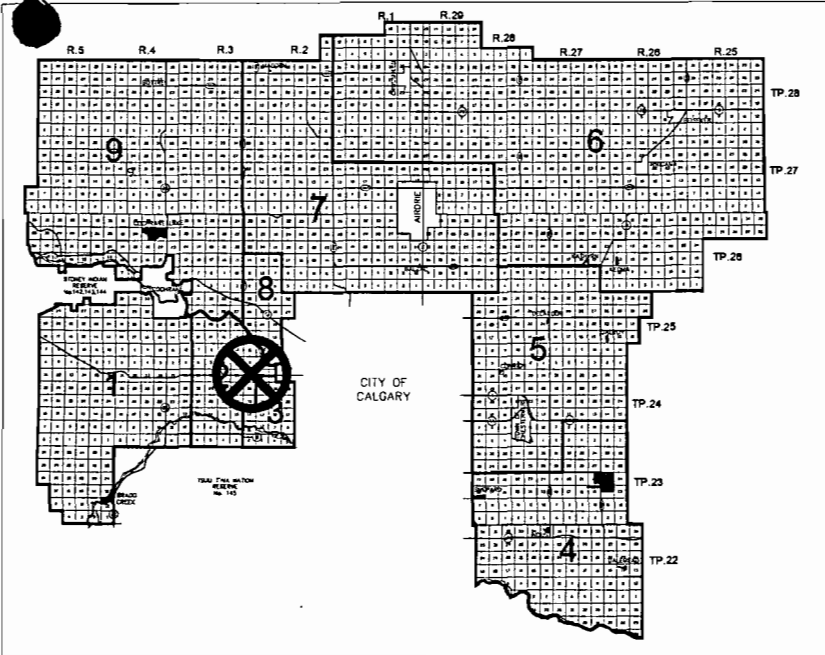
Concurrence, in accordance with


Lore Pesowski, ACP, MCIP
Planning & Community Services Director
Kent Robinson
Acting Chief Administrative Officer

JK/sj



J-3
Page 5 of 16



LOCATION PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 6 of 6

3

2

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35

HIGHWAY 1

KEY PLAN

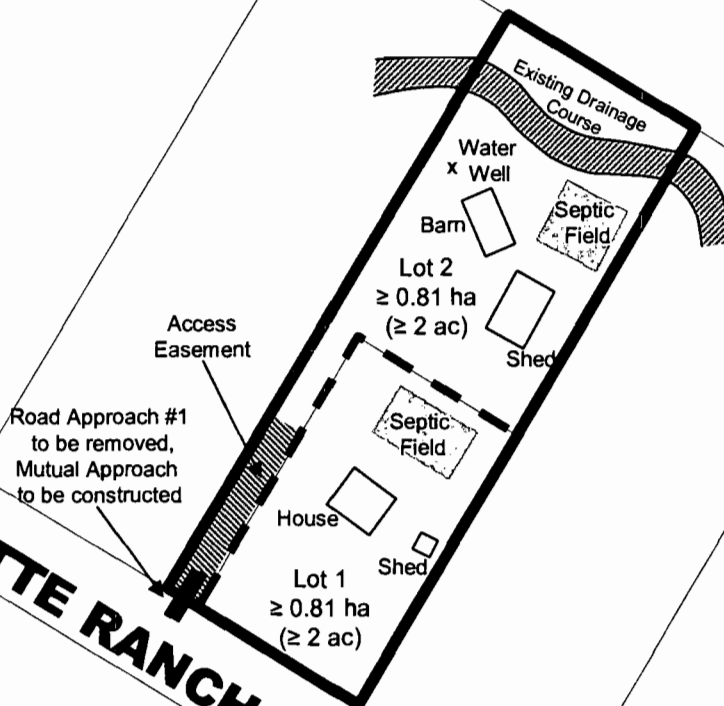
Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

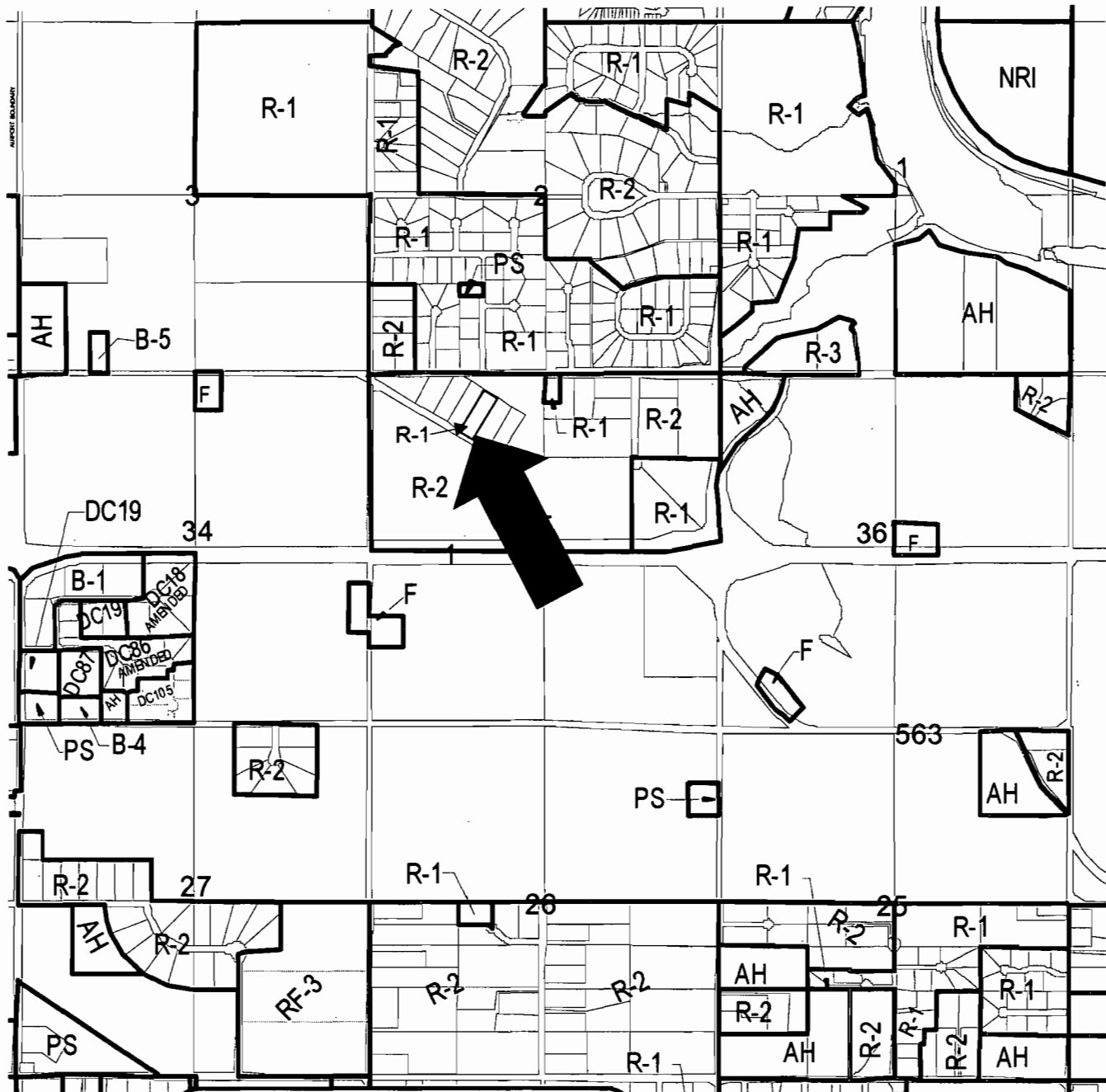
J-3
Page 7 of 16**TWP. RD. 250****EAGLE BUTTE RANCH****Surveyor's Notes**

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

J-3
Page 8 of 16



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 9 of 16

AIR PHOTO

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

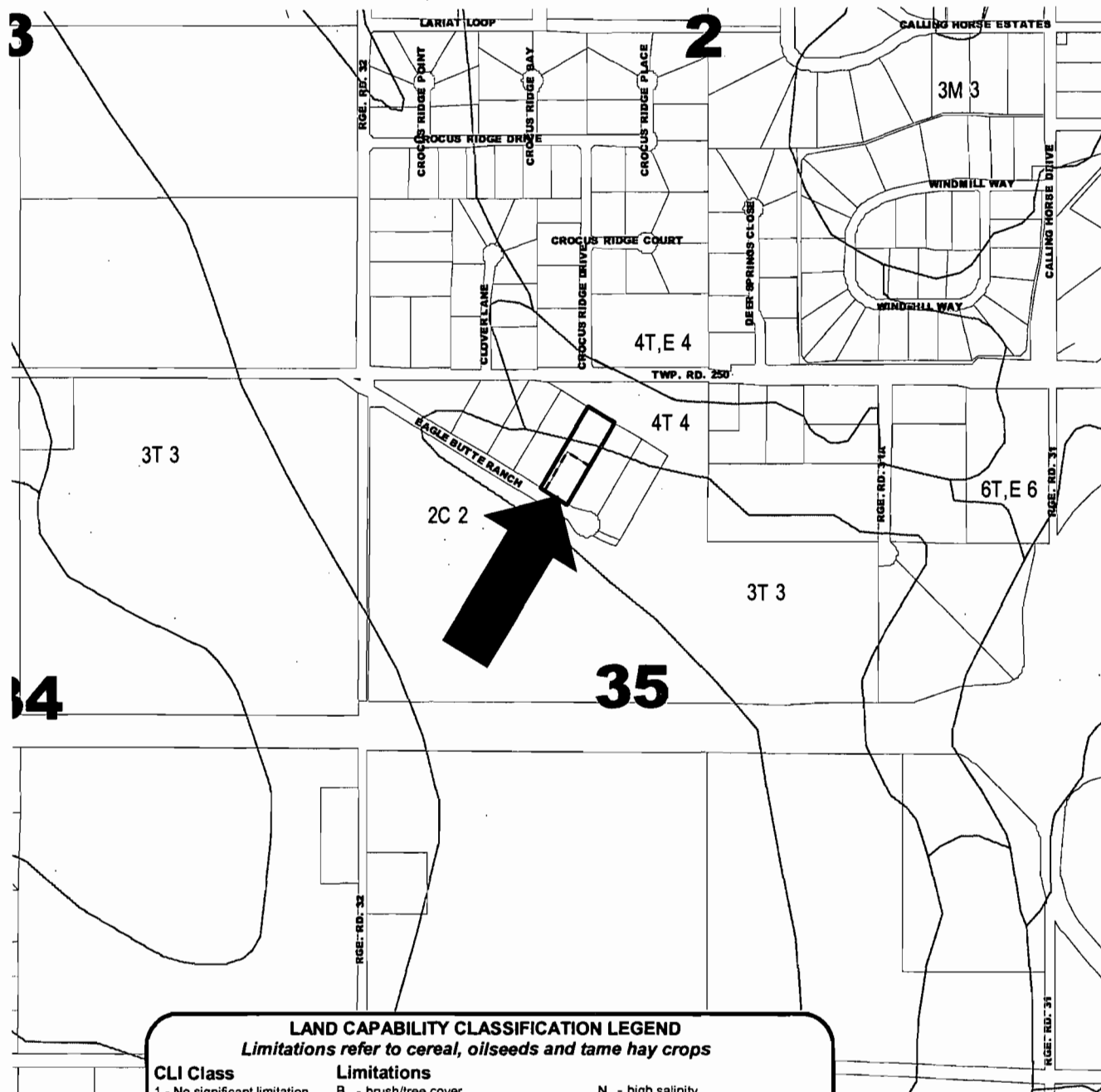
Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 10 of 16



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 11 of 16**TOPOGRAPHY**

Contour Interval 2 M

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

J-3
Page 12 of 16

3

2

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35

HIGHWAY 1

Legend - Plan numbers

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

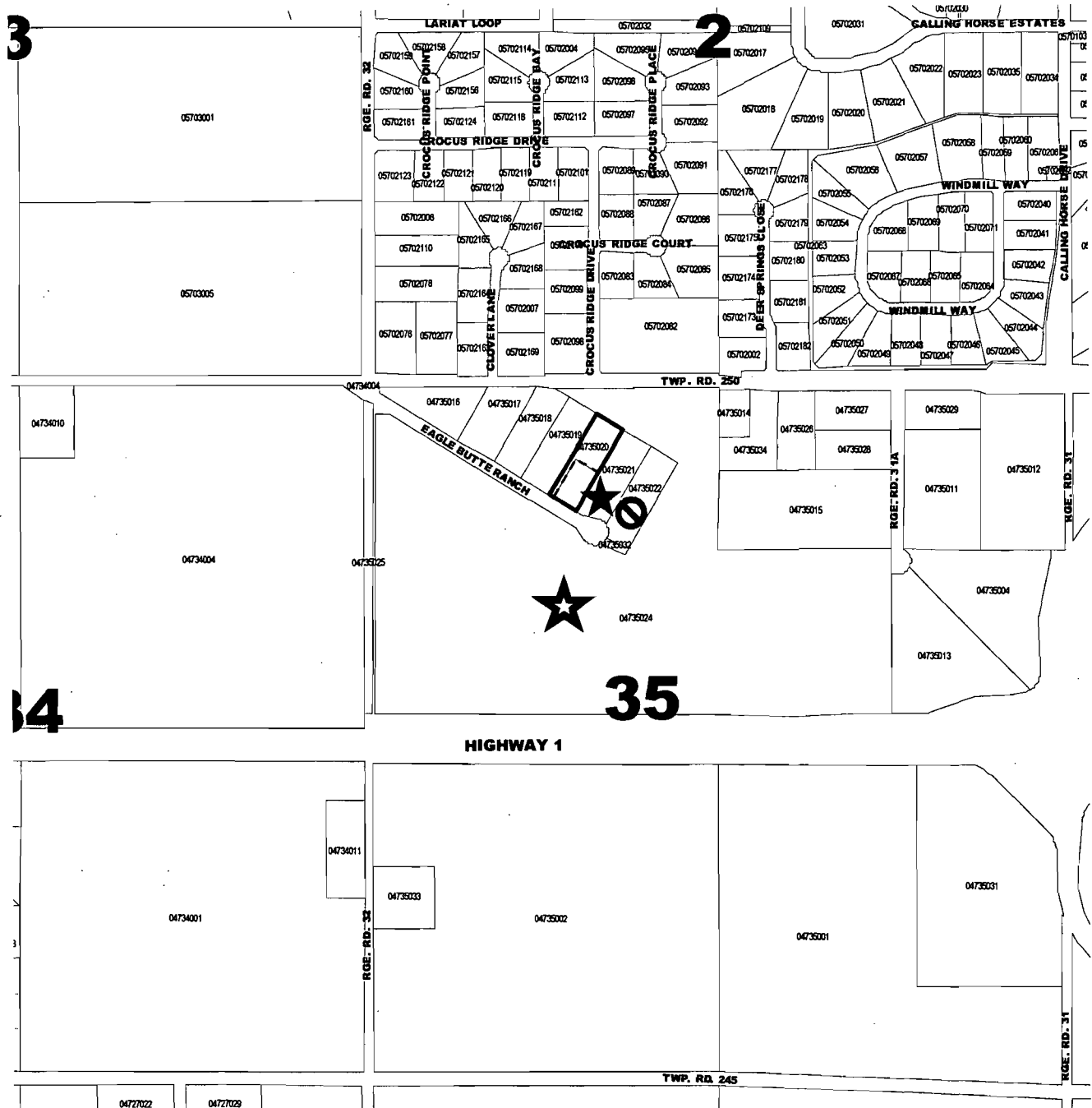
HISTORIC SUBDIVISION MAP

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

J-3
Page 13 of 16



Letters of Concern

Letters in Support

LANDOWNER LETTERS

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

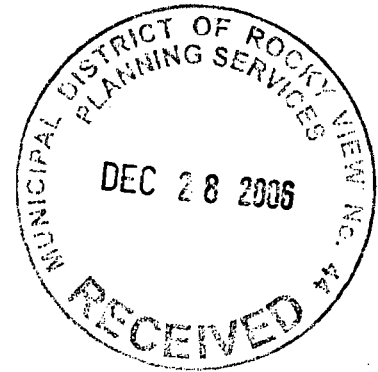
Division # 2

File: 04735020

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GORDON D. MACDONALD

J-3
14 of 16

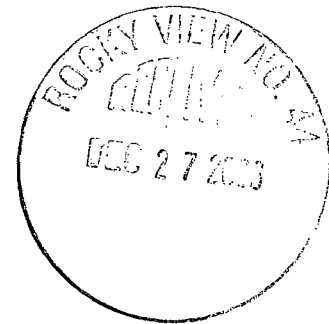


VIA FACSIMILE:
277-3066

December 22, 2006

Municipal District of Rocky View #44
911 – 32 Avenue N.E.
CALGARY, AB T2E 6X6

Attention: **Linda Ratzlaff**
Coordinator of Current Planning Services

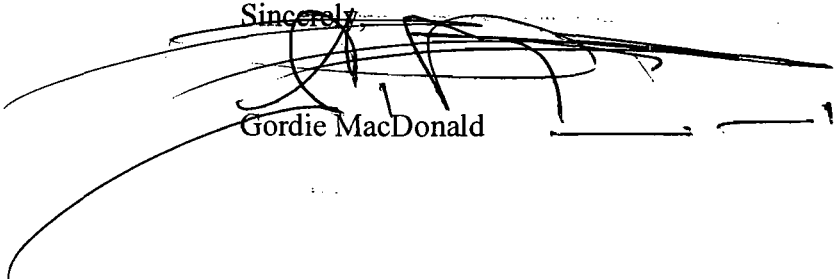


Dear Linda:

Re: Application by Allan Cote
File: 04735020 – 2006-RV-529

As an adjacent lot owner (Lot 6, Plan 7710693), I support the subject application by Allan Cote to redesignate Lot 5, Plan 7710693 from Residential Two District to Residential One District to create a 2-acre parcel with a 2-acre remainder.

Sincerely,


Gordie MacDonald

GDM/cjt
06MDRV.doc

EAGLE BUTTE RANCHES LTD.

J-3
15 of 16

VIA FACSIMILE:
277-3066

December 22, 2006

Municipal District of Rocky View #44
911 – 32 Avenue N.E.
CALGARY, AB T2E 6X6

Attention: **Linda Ratzlaff**
Coordinator of Current Planning Services

Dear Linda:

Re: Application by Allan Cote
File: 04735020 – 2006-RV-529

We support the subject application by Allan Cote to redesignate Lot 5, Plan 7710693 from Residential Two District to Residential One District to create a 2-acre parcel with a 2-acre remainder.

Sincerely,

EAGLE BUTTE RANCHES LTD.

Gordie MacDonald, President

GDM/cjt
06MDRV3.doc

J-3
16 of 16

MUNICIPAL DISTRICT OF ROCKY MOUNTAIN
 PLANNING & DEVELOPMENT
 OCT 27 2006
 RECEIVED

Harry & Joan Stellmach .



Harry & Joan Stellmach
102 Eagle Butte Ranch
Calgary, AB. Canada
T3Z 1K3

October 20, 2006

Municipal District of Rockyview
Planning Services - Attention: Jared Kassel
911 – 32nd Ave. NE,
Calgary, AB T2E 6X6

Re: **Application Number** 2006-RV-529 Redesignation **File Number:** 04735020
 2006-RV-530 Subdivision
Applicant: Allan Cote
Legal: Lot 5, Plan 7710693, within NW 35-24-3-W5M

We are the owners of Lot 7, Plan 7710693, within NW 35-24-3-W5M, which is located in the immediate vicinity of the land subject of the above Application.

We have no objection to the redesignation or subdivision of the above land. However, we are concerned about the impact of the new subdivision on our present water supply. Our current pressurized water supply system is already severely taxed by the current users. Watering restrictions had to be imposed during the recent dry conditions and our current system cannot support any additional demand for the new Subdivision 2006-RV-530. A new source would have to be found.

Yours truly,

Harry S. Stehman

Harry & Joan Stellmach .



MUNICIPAL DISTRICT OF ROCKY VIEW

NOTICE TO LANDOWNER

Thursday, October 5, 2006

«OwnerName»

«OwnerAddress»

«OwnerAddress2»

«OwnerCity», «OwnerProvince» «OwnerPostalCode»

TO THE LANDOWNER

TAKE NOTICE that an application for Redesignation and Subdivision has been received by the Department of Planning and Community Services of the Municipal District of Rocky View No. 44. As your property is adjacent to, or in the immediate vicinity of the land subject to the application, we are notifying you in the event that you may wish to provide comments.

NOTE: Any COMMENTS ON THE REDESIGNATION APPLICATION should address whether the proposed use is compatible with the other existing uses in your neighbourhood.

NOTE: Any COMMENTS ON THE SUBDIVISION APPLICATION should address technical matters only, such as parcel size, access, provision of water, disposal of sewage, etc.

There is a map of the proposal shown on the back of this notice. The following information is provided regarding this application:

Application Number 2006-RV-529 Redesignation **File Number:** 04735020
2006-RV-530 Subdivision

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Applicant(s) Allan Cote

Owner(s) Allan Cote

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Size: +/- 4 acres

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Please be advised that any response to this letter will become a matter of Public Record at a future Council meeting and may be forwarded to the Applicant prior to the Council Meeting for their consideration. Your response is considered your consent to the distribution of your response.

Should you have any questions regarding this application, please call the File Manager for this file, **Jared Kassel** at 230-1401. Please mail your comments or suggestions to Planning Services, **Attention: Jared Kassel**, 911 - 32nd Ave. NE, Calgary, AB T2E 6X6, or via fax at 277-3066, no later than **Monday, November 6, 2006**.

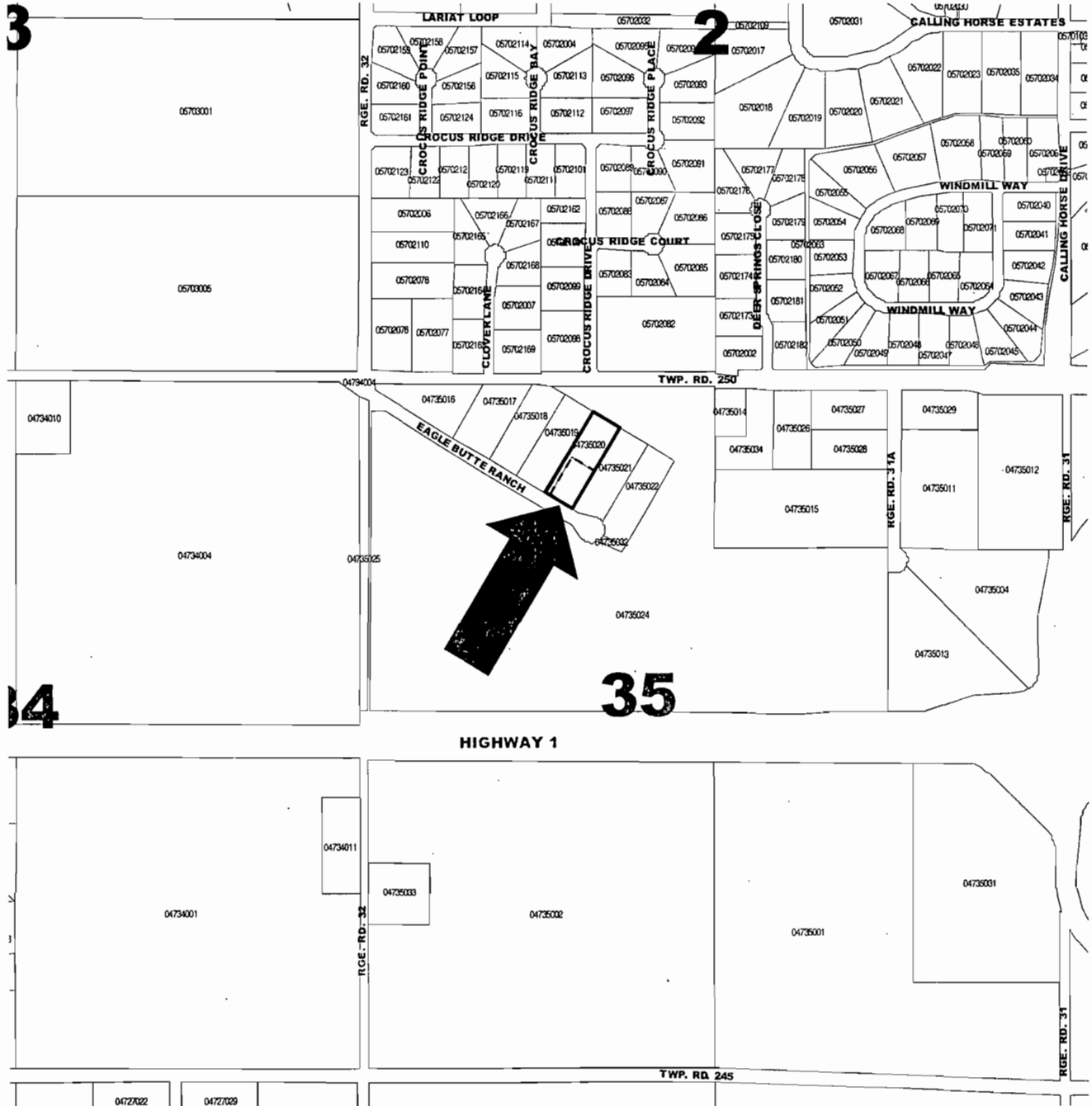
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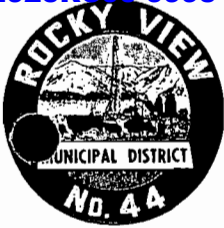
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**KEY PLAN**

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

Date: Sept. 26/06 Division # 2 File: 04735020 Not to Scale

**MUNICIPAL DISTRICT OF ROCKY VIEW No. 44**

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

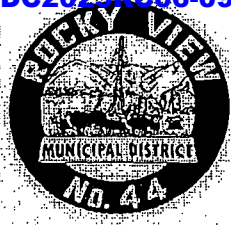
M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401 Fax: 277-3066 E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.



MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

PLANNING SERVICES APPLICATION FOR

REDESIGNATION

FOR OFFICE USE ONLY	
Date of Receipt <i>Sept 11/06</i>	File Number <i>0473120</i>
Fee Submitted <i>2425-00</i>	Accepted by <i>Drew/Heskey</i>

PLEASE PRINT

Name of Applicant Allan Cote Email _____Mailing Address 76- Eagle Butte RanchCalgary Ab Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

Lot 5 Block _____ Plan 7710693 in the NW ¼ Section 35 Township 24 Range 03 West of the 5 meridian.Existing / Proposed Water Source: Communal well / New well (drilled)Existing / Proposed Sewage Disposal: Septic Field / Septic Field

2. EXISTING AND PROPOSED USE OF LAND

Existing Land Use Designation R2 Proposed Land Use Designation R1
(as prescribed in the Land Use Bylaw)

If the application is for a Farmstead Isolation, the age of the existing house, in years _____

Description of proposed new development on site: None

3. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALLAN A COTE hereby certify that ☒ I am the registered owner
(Full Name in Block Capitals)

_____ I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for redesignation.

Address Allan A Cote (Signed) _____Phone No. _____ Date SEPT 11 2006

4. RIGHT OF ENTRY

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for redesignation.

Owner's Signature



MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
PLANNING SERVICES APPLICATION FOR
SUBDIVISION

FOR OFFICE USE ONLY	
Date of Receipt <u>Sept 11/06</u>	File Number <u>04735020</u>
Fee Submitted <u>2425.00</u>	Accepted by <u>Drew/Hesley</u>

Name of Applicant ALLAN COTE Email _____

Mailing Address 76 - Eagle Butte Ranch

Calgary Postal Code T32 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- All / part of the NW $\frac{1}{4}$ section 35 township 24 range 03 west of 5 meridian
- Being all / parts of lot 5 block _____ Registered Plan Number 7710693 Certificate of Title Number _____
- Municipal Address (if applicable) _____
- Total Area of the above parcel of land to be subdivided is _____ hectares (4 acres)

2. LOCATION OF LAND TO BE SUBDIVIDED

- The land is situated in the municipality of **ROCKY VIEW NO. 44**
- Is the land situated immediately adjacent to the municipal boundary? Yes _____ No ☒
If "yes", the adjoining municipality _____
- Is the land situated within 0.8 kilometres of the right-of-way of a highway? Yes ☒ No _____
If "yes", the highway is No. _____
- Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes _____ No ☒
If "yes", state its name _____
- Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No ☒
- Is the sour gas facility active, abandoned, or currently being reclaimed _____
- Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No ☒

3. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- Existing use of the land Residential 2
- Proposed use of the land Residential 1
- The designated use of the land as classified under the Land Use Bylaw _____

4. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots etc., sloughs, creeks, etc.) _____

- a. Existing Source of Water: Communal Well
- b. Proposed water source: If the application will result in six or more lots on the quarter section in total, according to Section 23(3)(a) and (b) of the Water Act (Provincial Statutes) an application for subdivision is considered incomplete until one of the following requirements regarding water supply for the proposed subdivision is submitted. Please check one (or more) of the following:

 Proposed water supply to new lots by a licensed (surface) water distribution system

✓ Proposed water supply to new lots by individual water wells, and; (Well Drillers report)

 Attached to the application is a report certified by a professional engineer, hydrogeologist or geophysicist which states that there is sufficient water to supply 1250 cubic metres of water per year to each proposed lot, and that the proposed diversion will not interfere with any existing household user, licensees, or traditional agricultural users who currently exist, or

 The diversion of water by water wells for each proposed lot conforms with an applicable, approved water management plan.

SEWER SERVICES

Describe:

- a. Existing sewage disposal: Septic field
- b. Proposed sewage disposal: Septic Field (already in place)

PROPOSED LOTS

- a. Number of parcels being created 1 b. Size of parcels being created +/- 2 ac

MUNICIPAL RESERVE STATUS

- c. Disposition of Municipal Reserve, please check appropriate box:

☐ Deferral ☒ If dedicated, area of Reserves and designation Plan 7710693

☐ Deferral to balance ☐ Cash in lieu of land, value to be determined by appraisal.

EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED

- a. Describe any buildings (historical or otherwise), and any structures on the land and whether or not they are to be demolished or moved None
- b. If the application is for a Farmstead Isolation, the age of the existing house, in years

REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALLAN A COTE hereby certify that ✓ I am the registered owner
(Print Full Name)

 I am authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Address

(Signed) Allan A Cote

Phone No.

Date SEPT 11 2008

RIGHT OF ENTRY

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision approval.

Allan A Cote
Owner's Signature



ALBERTA REGISTRIES
LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0017 811 548	7710693;;5	781 206 588

LEGAL DESCRIPTION
PLAN 7710693
LOT 5
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;24;35;NW

MUNICIPALITY: MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

781 206 588	20/12/1978		\$65,000	

OWNERS

ALLAN COTE (BUSINESSMAN)



ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		

741 105 568	18/11/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "PORTION WITHIN BLK 2 - 731625"
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

PAGE 2
781 206 588

771 176 589 13/12/1977 CAVEAT
 CAVEATOR - GORDON D MACDONALD
 CAVEATOR - EAGLE BUTTE RANCHES LTD.

771 176 594 13/12/1977 CAVEAT
 CAVEATOR - GORDON D MACDONALD

781 206 589 20/12/1978 MORTGAGE
 MORTGAGEE - COTE'S EQUIPMENT SERVICES LTD.
 ORIGINAL PRINCIPAL AMOUNT: \$50,000

001 227 868 15/08/2000 MORTGAGE
 MORTGAGEE - ALBERTA TREASURY BRANCHES.
 217-16 AVE NW
 CALGARY
 ALBERTA T2M4N7
 ORIGINAL PRINCIPAL AMOUNT: \$145,000

001 227 869 15/08/2000 POSTPONEMENT
 OF MORT 781206589
 TO MORT 001227868

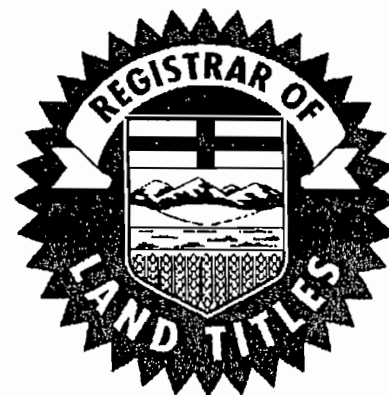
051 385 893 14/10/2005 AMENDING AGREEMENT
 AMOUNT: \$540,000
 AFFECTS INSTRUMENT: 001227868

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 8 DAY OF SEPTEMBER, 2006 AT 01:06 P.M.

ORDER NUMBER:6253415

CUSTOMER FILE NUMBER: AT/counter



END OF CERTIFICATE

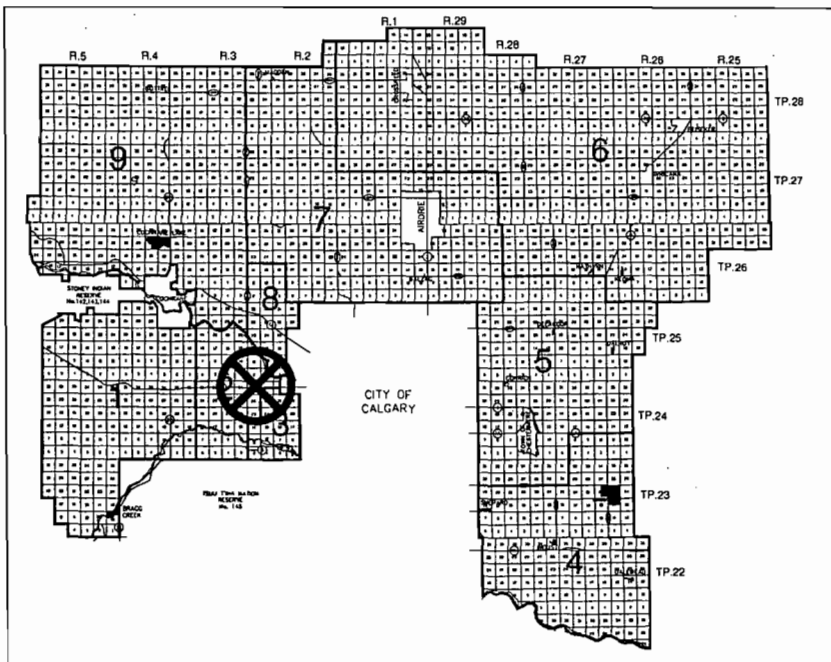
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE
SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS

(CONTINUED)

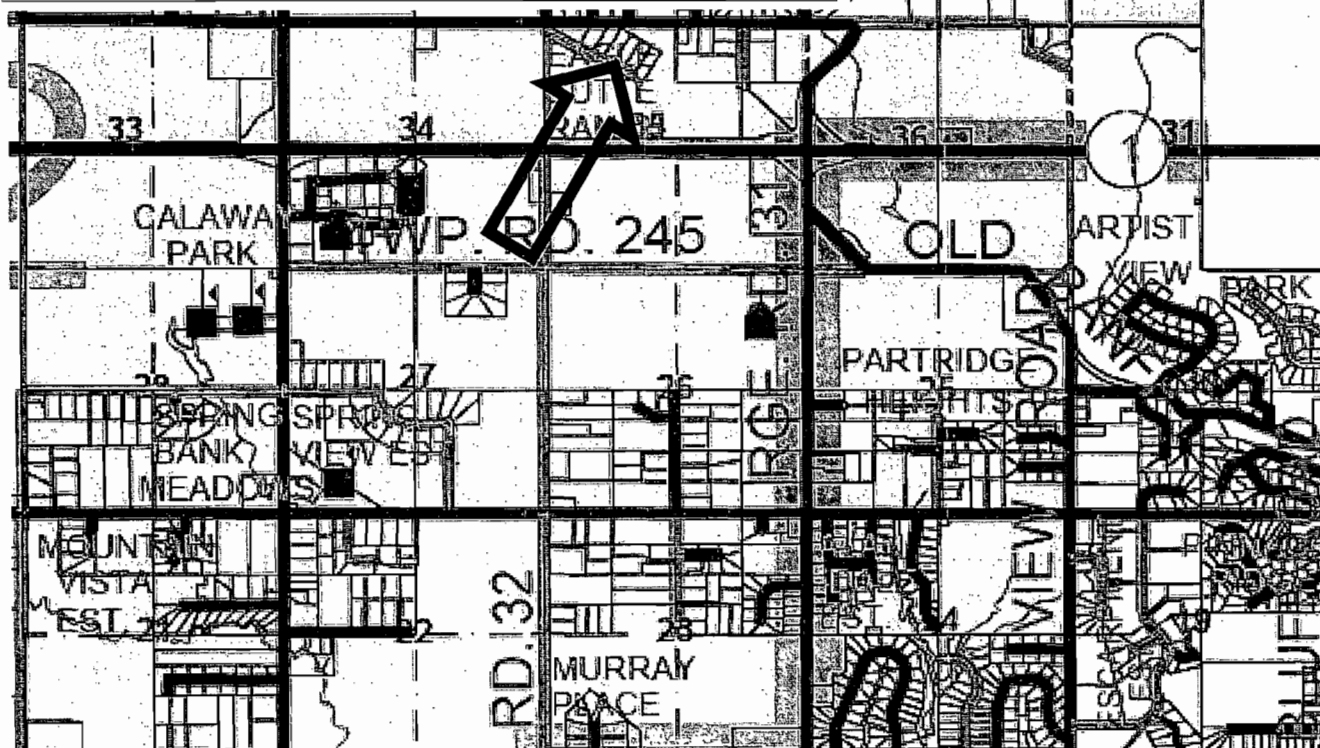
PAGE 3

SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



Page



LOCATION PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

Page ____ of ____

3

2

4

35

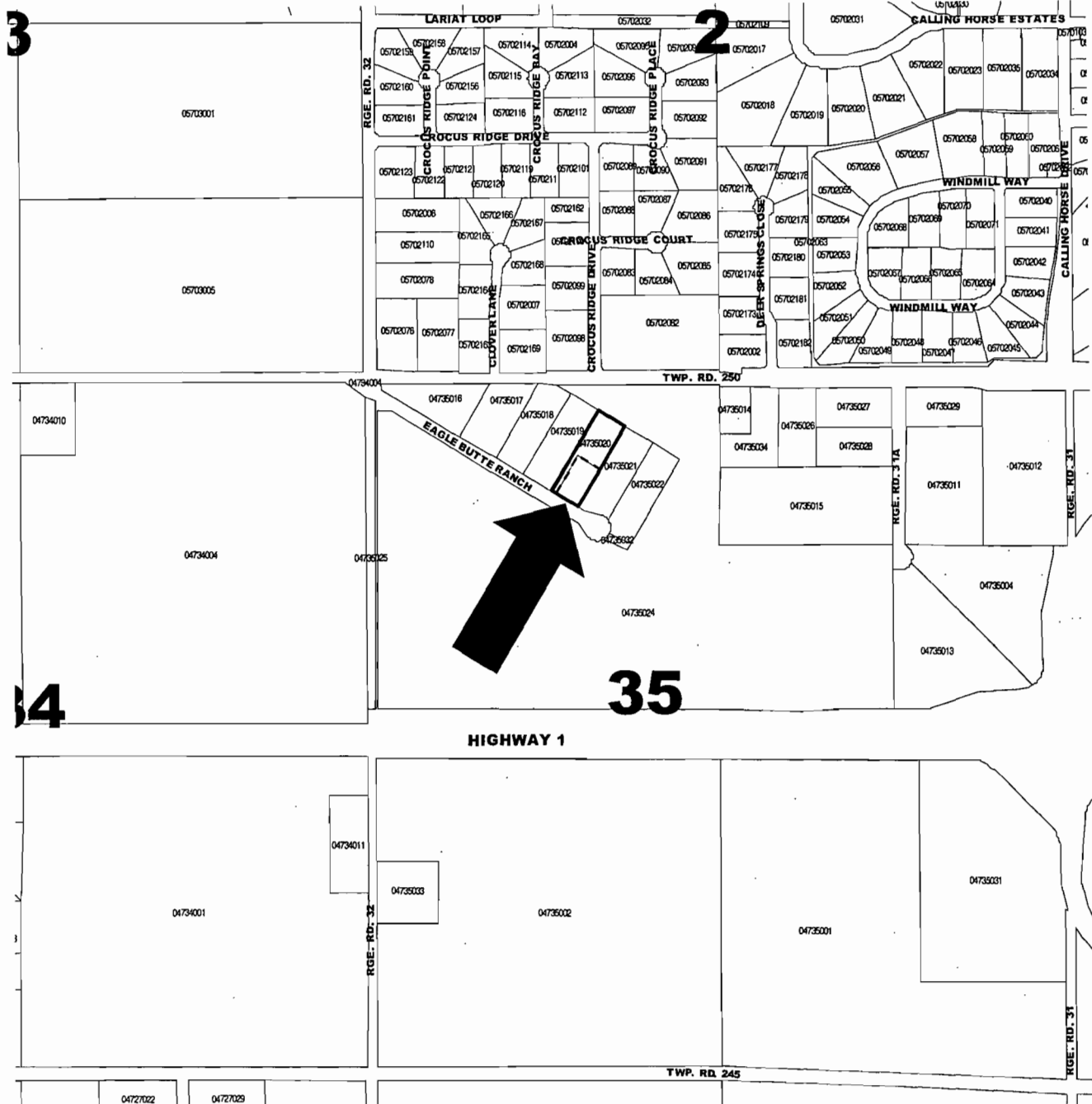
HIGHWAY 1

KEY PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale



Page _____

TWP. RD. 250**EAGLE BUTTE RANCH**R-2→R-1
≥ 2 acresR-2→R-1
≥ 2 acres**Redesignation Proposal:**

To redesignate the subject lands from Residential Two District to Residential One District

Subdivision Proposal:

To create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Surveyor's Notes

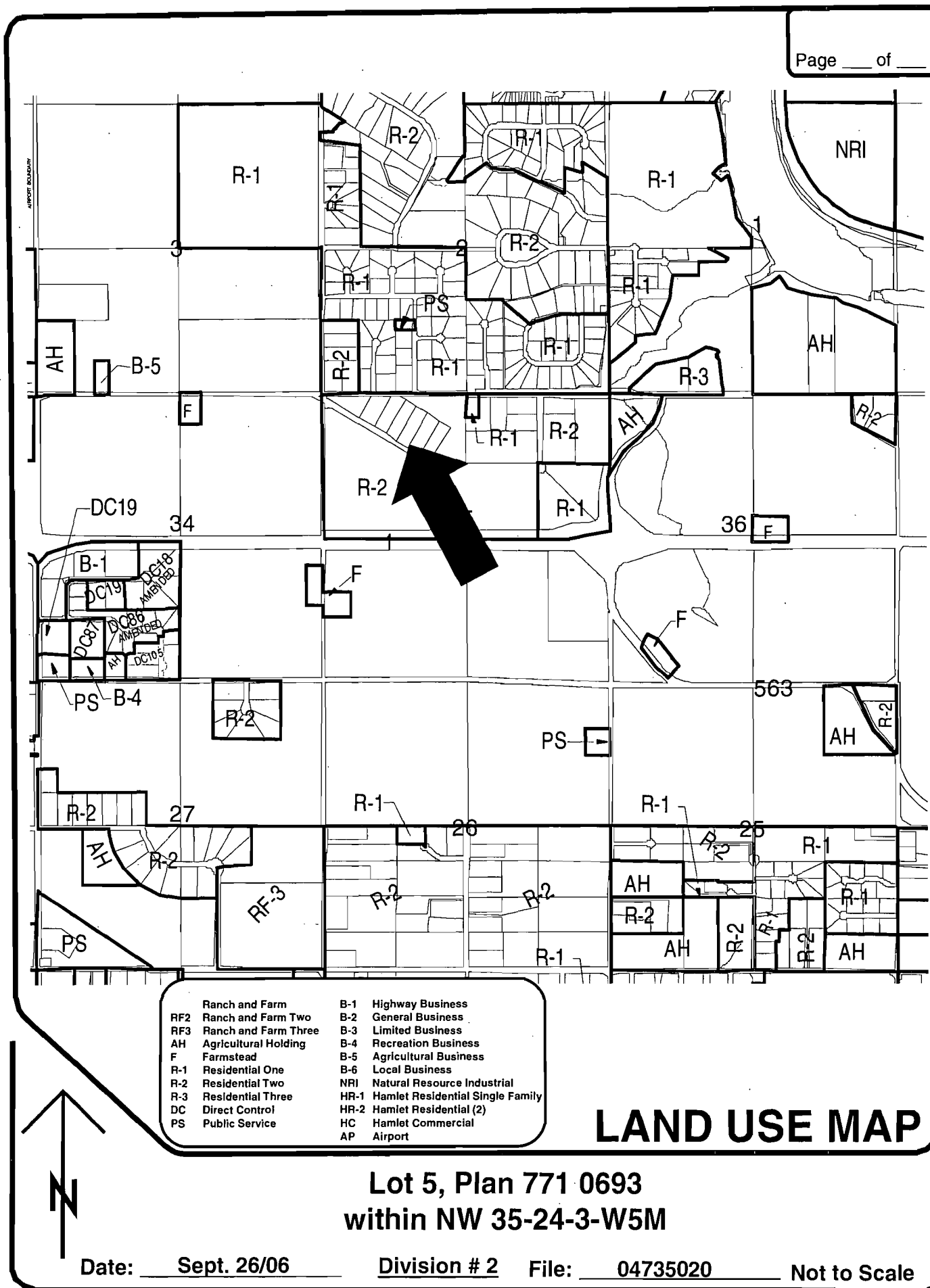
1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale



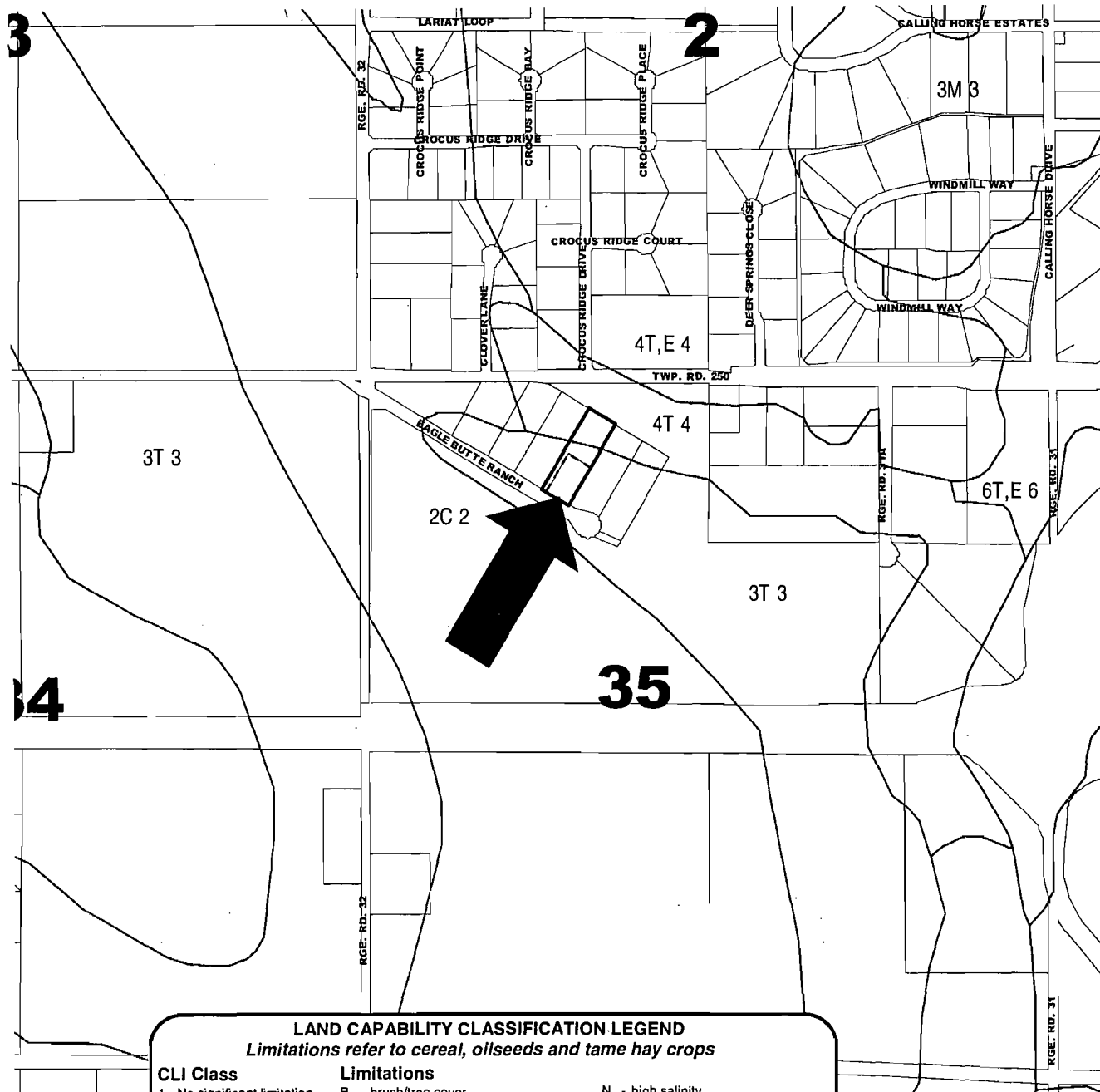
Page

**AIR PHOTO**

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06 Division # 2 File: 04735020 Not to Scale

Page ____ of ____

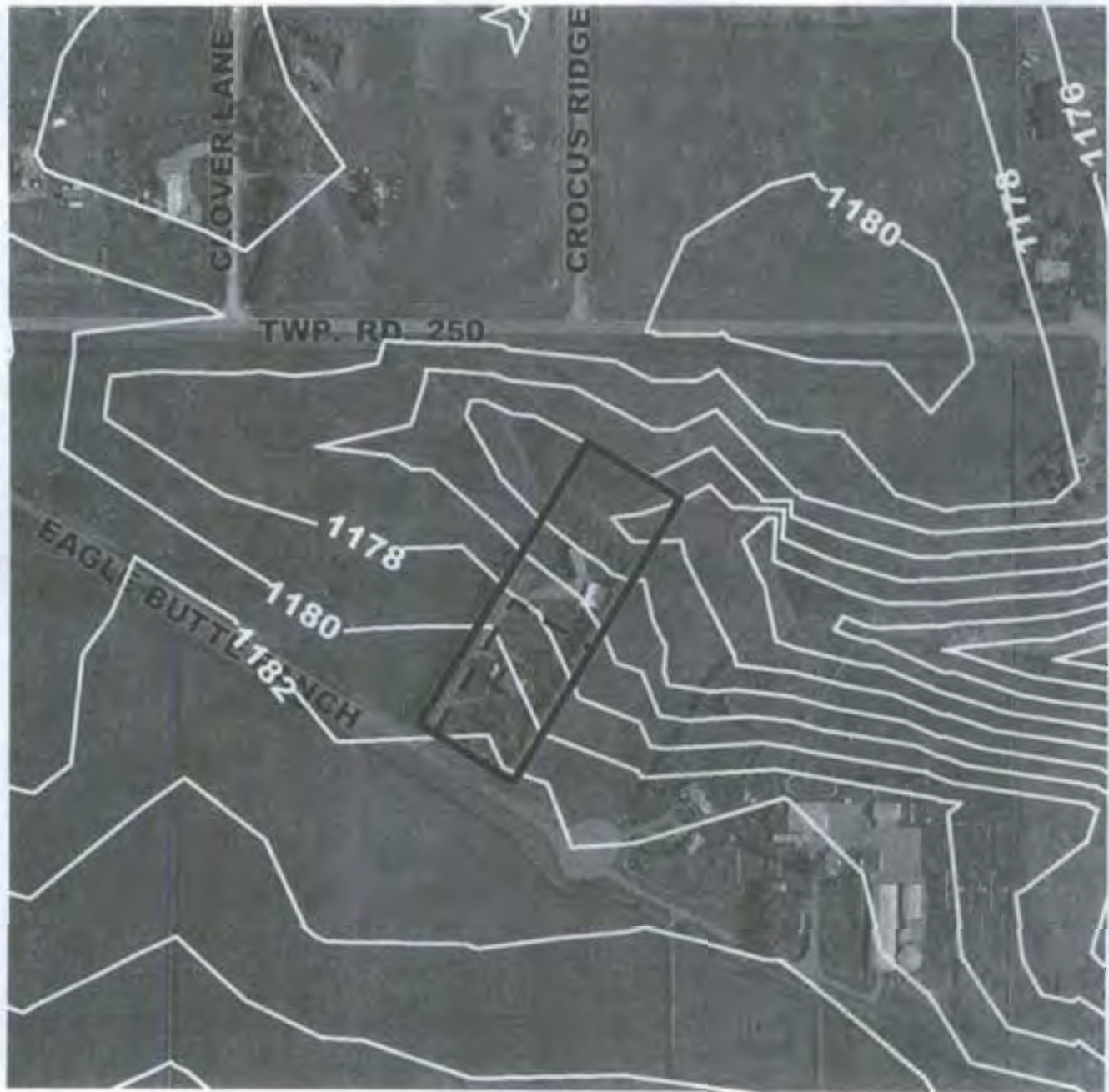
**SOIL MAP**

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

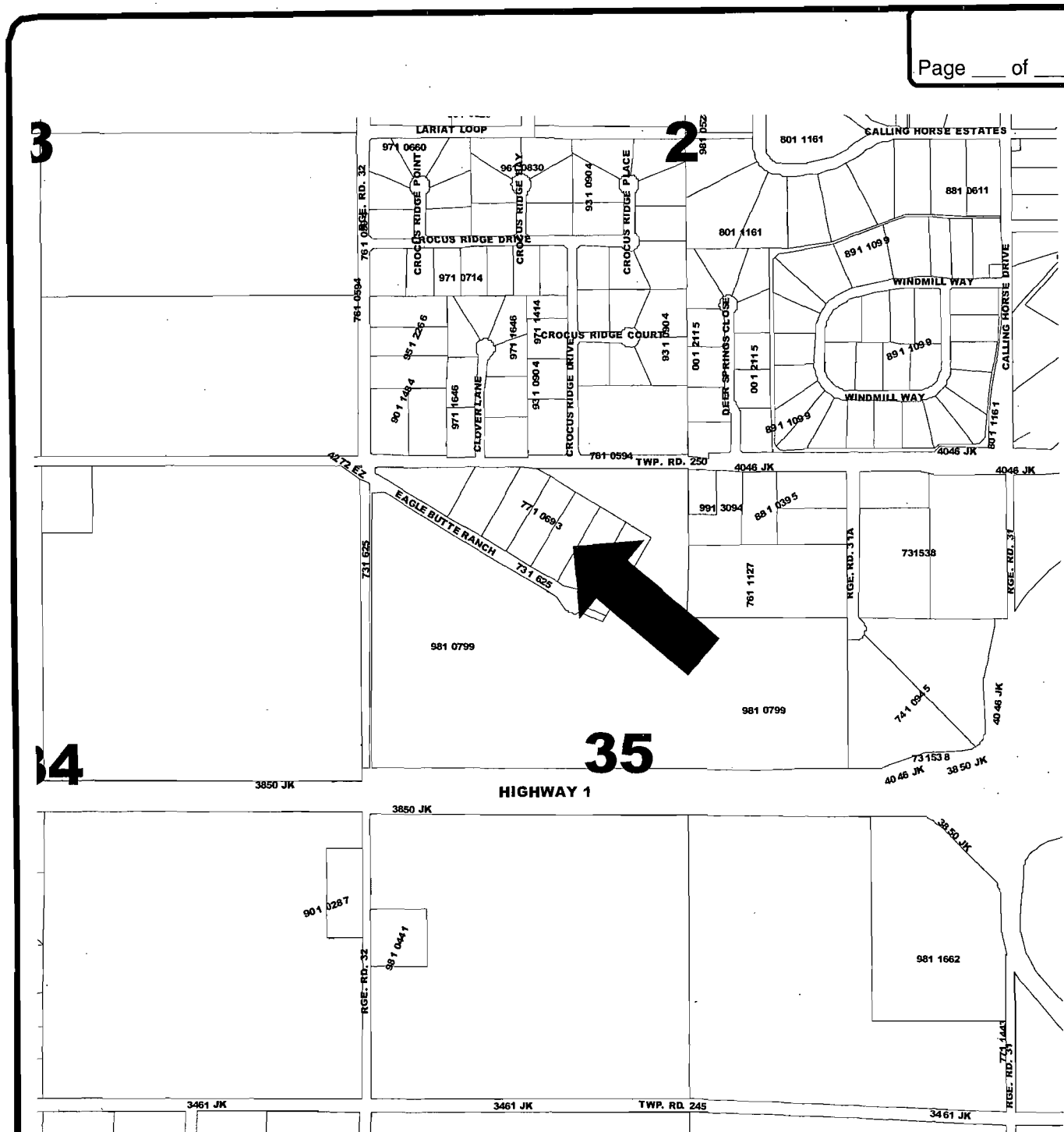
Page

**TOPOGRAPHY***Contour Interval 2 M*

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale



HISTORIC SUBDIVISION MAP

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0033 186 594 0811953;1;2 111 322 274

LEGAL DESCRIPTION
 PLAN 0811953
 BLOCK 1
 LOT 2
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AREA: 0.798 HECTARES (1.97 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 5;3;24;35;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 111 322 273

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
111 322 274	09/12/2011	TRANSFER OF LAND	\$761,300	ESTATE

OWNERS

EVELYN COTE

[REDACTED]
 [REDACTED]
 [REDACTED]

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 105 568	18/11/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "PORTION WITHIN BLK 2 - 731625"
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS
001 227 868	15/08/2000	MORTGAGE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

111 322 274

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS

MORTGAGEE - ALBERTA TREASURY BRANCHES.
 217-16 AVE NW
 CALGARY
 ALBERTA T2M4N7
 ORIGINAL PRINCIPAL AMOUNT: \$145,000

051 385 893 14/10/2005 AMENDING AGREEMENT
 AMOUNT: \$540,000
 AFFECTS INSTRUMENT: 001227868

081 145 414 22/04/2008 EASEMENT
 AS TO PORTION OR PLAN:0811954
 OVER AND FOR BENEFIT OF -
 SEE INSTRUMENT

081 145 415 22/04/2008 CAVEAT
 RE : EASEMENT AND RESTRICTIVE COVENANT

151 084 393 27/03/2015 CAVEAT
 RE : AGREEMENT CHARGING LAND
 CAVEATOR - GORDON D MACDONALD
 136 EAGLE BUTTE RANCH
 CALGARY
 ALBERTA T3Z1K3

151 084 402 27/03/2015 CAVEAT
 RE : SEE CAVEAT
 CAVEATOR - GORDON D MACDONALD
 CAVEATOR - GLOBAL CANUCK ENERGY LTD.
 BOTH OF:
 136 EAGLE BUTTE RANCH
 CALGARY
 ALBERTA T3Z1K3
 AGENT - NANCY MACDONALD
 (DATA UPDATED BY: 191076372)
 (DATA UPDATED BY: CHANGE OF NAME 191076378)
 (DATA UPDATED BY: CHANGE OF NAME 191223603)

221 187 346 03/09/2022 EASEMENT
 AS TO PORTION OR PLAN:PORTION

241 165 726 28/06/2024 CAVEAT
 RE : AGREEMENT CHARGING LAND
 CAVEATOR - HIS MAJESTY THE KING IN RIGHT OF ALBERTA
 AS REPRESENTED BY MINISTER OF SENIORS, COMMUNITY
 AND SOCIAL SERVICES
 C/O OFFICE OF THE SENIORS PROPERTY TAX DEFERRAL
 PROGRAM
 PO BOX 1200 STN MAIN
 EDMONTON

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

REGISTRATION

111 322 274

NUMBER	DATE (D/M/Y)	PARTICULARS

ALBERTA T5J2M4

AGENT - LEEANN KUCHERAWAY

TOTAL INSTRUMENTS: 010

PENDING REGISTRATION QUEUE

DRR NUMBER	RECEIVED DATE (D/M/Y)	SUBMITTER	LAND ID
G0060VE	04/06/2025	SENIORS PROPERTY TAX DEFERRAL PROGRAM 780-638-5608	
001		CAVEAT	0811953;1;2

TOTAL PENDING REGISTRATIONS: 001

DISCLAIMER: THE DOCUMENT INFORMATION REFLECTED IN THE PENDING
REGISTRATION QUEUE HAS NOT BEEN VERIFIED BY LAND TITLES AND MAY BE
SUBJECT TO CHANGE UPON REVIEW AND REGISTRATION.

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF JUNE,
2025 AT 11:48 A.M.

ORDER NUMBER: 54095623

CUSTOMER FILE NUMBER: SK



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0033 186 586 0811953;1;1 141 130 054

LEGAL DESCRIPTION
 PLAN 0811953
 BLOCK 1
 LOT 1
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AREA: 0.82 HECTARES (2.03 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 5;3;24;35;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 081 244 157

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 130 054	28/05/2014	TRANSFER OF LAND	\$485,000	\$485,000

OWNERS

DAVID CLARK



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 105 568	18/11/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "PORTION WITHIN BLK 2 - 731625"
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS
081 145 414	22/04/2008	EASEMENT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

141 130 054

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS

AS TO PORTION OR PLAN:0811954
OVER AND FOR BENEFIT OF -
SEE INSTRUMENT

081 145 415 22/04/2008 CAVEAT
RE : EASEMENT AND RESTRICTIVE COVENANT

161 250 468 21/10/2016 MORTGAGE
MORTGAGEE - SCOTIA MORTGAGE CORPORATION.
C/O THE BANK OF NOVA SCOTIA
404, 8888 COUNTRY HILS BLVD NW
CALGARY
ALBERTA T3G5T4
ORIGINAL PRINCIPAL AMOUNT: \$990,000

221 187 346 03/09/2022 EASEMENT
AS TO PORTION OR PLAN:PORTION

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 18 DAY OF JULY,
2025 AT 12:44 P.M.

ORDER NUMBER: 54338615

CUSTOMER FILE NUMBER: PC



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

ACCESS EASEMENT AGREEMENT

This agreement made this 3rd day of December, 2007

BETWEEN:

ALLAN COTE

(hereinafter referred to as "the grantor")

Of The First Part

And

ALLAN COTE

(hereinafter referred to as "the grantee")

Of The Second Part

WHEREAS the grantor is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN ~~071~~ 081 1953,
BLOCK 1,
LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "A")

WHEREAS the grantee is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN ~~071~~ 081 1953,
BLOCK 1,
LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "B")

AND WHEREAS Parcel "A" and "B" are parcels immediately adjoining each other;

(Parcel "A" and Parcel "B" hereinafter sometimes collectively referred to as "the lands" or "the parcels")

AND WHEREAS the grantor wishes to create a right, privilege and easement over a portion of the grantor's land for the purpose of an Access Right Of Way.

NOW THEREFORE in consideration of the premises and the sum of One Dollar (\$1.00) now exchanged between the parties hereto (receipt whereof is hereby acknowledged) the parties hereto agree as follows:

1. The grantor, as owner of Parcel "A" (the servient tenement), does hereby give, grant, and transfer and make over unto the grantee, as owner of Parcel "B" (the dominant tenement), the privileges, covenants and easement of a right of way in, through, and over the following lands namely:

THOSE PORTIONS OF THE ABOVE SAID LANDS WHICH LIE WITHIN ACCESS RIGHT OF WAY AS SHOWN ON PLAN *081195A*

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to the "right of way")

For the constructing, repairing, replacing, maintaining, inspecting an Access Right Of Way the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the grantee and the grantor, namely:

1. This Agreement shall come into full force and effect on the date noted on the first page of this Agreement and shall continue in full force and effect in perpetuity unless terminated, discharged, varied or amended by the unanimous and mutual written agreement of the grantor and the grantee.
2. The grantee, their tenants, contractors, subcontractors, officers, servants, agents, workmen shall have the full and free right and liberty to have ingress, egress and to pass and repass on the right of way either by foot or by means of vehicles or necessary machines whatsoever, and to remain on the right of way for all purposes of repairing, replacing, using for access to the dominant tenement, maintaining and inspecting the Access Right Of Way.
3. The grantee in carrying out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the owners or occupiers of the said land, as is possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition.
4. The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.
5. The grantee will indemnify and save harmless the grantor from and against all claims, damages, deaths, dues, suits, liabilities, actions and causes of actions, costs or sums of money that the grantor may suffer or be put to by reason of anything done by the grantee in the exercise of the rights and privileges herein granted.
6. Any provision herein found or made void or unenforceable by any court under law shall not void or render unenforceable the remaining provisions hereof.
7. The rights conferred by this Agreement **does not and shall not** be deemed to include a right to park vehicles on the access right of way.
8. The rights, privileges and easements granted and the restrictive covenants and conditions made herein shall run with and be legally annexed to the parcels and shall extend to and enure to the

benefit of and be binding upon the respective heirs, executors, administrators, successors-in-title and assigns of the parties hereto respectively.

9. The rights, privileges, covenants and easements hereby granted shall not be extinguished in the event that the title to or ownership of either of the Parcels which adjoin each other shall be vested in the same person. The successors in title to such Parcels shall be and remain bound to and in respect of the rights, privileges, covenants and easements hereby granted and entitled to the benefits thereof as rights, privileges and obligations which are created under and by virtue of this Agreement.

10. The Parties acknowledge and agree that The Municipal District Of Rocky View is a party to this Agreement for the purpose of ensuring that it is not discharged from the title to either the dominant or servient tenements without its written consent, and to receive the benefit of the indemnities granted herein. The parties hereto shall give notice to The Municipal District Of Rocky View in the event that they plan to modify or discharge this Agreement from title. The parties further acknowledge and agree that The Municipal District Of Rocky View is not responsible or obliged to resolve any disputes, including those related to cost sharing and maintenance obligations contained herein, or to cover or contribute to the costs related to the cost sharing and maintenance obligations contained herein.

11. The use of the right of way by the owners from time to time of Parcel "A" and "B" shall be perpetual but no covenant herein shall be personally binding upon a party from time to time except in respect of a breach occurring during the period that they are the owners of the Parcel "A" or of the Parcel "B", as the case may be.

IN WITNESS WHEREOF the parties have executed this agreement on the date first written above.

The Grantor

Darcy Pittman
Witness

Darcy Pittman

Allan Cote
ALLAN COTE

Evelyn M Cote

The Grantee

Darcy Pittman
Witness

Darcy Pittman

Allan Cote
ALLAN COTE

Evelyn M Cote

**ROCKY VIEW COUNTY**262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca**BYLAW COMPLIANCE NOTICE****JUNE 19, 2025**☐ **HAND DELIVERED**☐ **REGISTERED MAIL**

Tracking No: _____

TO: CLARK, David
84 Eagle Butte Ranch
Calgary, AB
T3Z 1K3**Roll Number #:** 04735035
Case Number #: 2025RC06-0993**RE: NW-35-24-03-W05M**
Linc Number: 0033186586
Title Number: 141130054
Parcel Area: 2.03Acres
Municipal Address: 84 Eagle Butte Ranch**HERINAFTER REFERRED TO AS THE “LANDS”**

It has come to the attention of Rocky View County Enforcement Services that a fence and trees (the “obstruction”) have been placed along the Easement Boundary of the Lands.

The obstruction is in violation of both the Easement Agreement and Subdivision Agreement, and is therefore a contravention of section 557 of the *Municipal Government Act*; which reads as follows:

“A person who contravenes or does not comply with;

(a.4) a development permit or subdivision approval or a condition of a permit or approval under Part 17,

or who obstructs or hinders any person in the exercise or performance of the persons powers under Part 17 or the regulations under Part 17, is guilty of an offence.”

In addition to violating the Easement Agreement and Subdivision Agreement, the obstruction restricts access to the neighbouring property for emergency services – this is a contravention of section 67(s) of the Rocky View County *Fire Services Bylaw C-7886-2019*, which reads as follows:

“No person shall:

67(s) impede, obstruct, or otherwise hinder access to property or Equipment required for use by a member of the Fire Department or Enforcement Officer in carrying out their duties under this Bylaw or related legislation.”

As the registered owner, or individual authorized by the owner of the Lands, you are responsible for remedying the contraventions and bringing the Lands into compliance.

1. All fencing and trees placed along the Easement Boundary must be removed **on or before July 04, 2025.**

Please note that if the Lands are not brought into compliance as outlined above, enforcement action will be taken, which includes – but is not limited to:

1. A \$1,000 fine under the Rocky View County *Fire Services Bylaw C-7886-2019*. As this offence is of a continuing nature, each day that the access is impeded, obstructed, or hindered is a new offence.
2. Under Section 557 of the Municipal Government Act, if you do not comply with this Bylaw Compliance Notice within the specified time, Rocky View County will issue a stop order and take whatever actions the municipality determines are necessary to remedy the contraventions set out in this Bylaw Compliance Notice, at your expense.

Please govern yourself accordingly.

Sincerely,



Aaron Meiklejohn
Bylaw Officer, Enforcement Services
Rocky View County
403.230.1401



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca**STOP ORDER OF THE DEVELOPMENT AUTHORITY****Section 645 of the *Municipal Government Act***

July 11, 2025

☒ **Registered mail**☒ **Email****Roll #:** 04735035**Report #:** 2025RC06-0993

To: David Clark
84 Eagle Butte Ranch
Calgary, AB T3Z 1K3
Email: [REDACTED]

Re: NW-35-24-03-W05M
LINC NUMBER: 0033186586
TITLE NUMBER: 141130054
PARCEL AREA: 2.03ACRES
MUNICIPAL ADDRESS: 84 EAGLE BUTTE RANCH

HEREIN AFTER REFERRED TO AS THE "LANDS"

As a Designated Officer for Rocky View County (the "County"), I hereby issue this Stop Order of the Development Authority pursuant to section 645 of the *Municipal Government Act* (the "Act") with respect to the Lands.

Section 645 of the Act reads as follows:

- 645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with
- (a) this Part or a land use bylaw or regulations under this Part, or
 - (b) a development permit or subdivision approval, the development authority may act under subsection (2).
- (2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove, or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit, or a subdivision approval,

within the time set out in the notice.

The Subdivision Approval for the Lands dated January 18, 2008 includes the following condition of approval:

A mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required...

An Access Easement Agreement dated December 3, 2007 was registered against title to the Lands.

My inspections of the Lands have determined that you have placed, or allowed to be placed, a fence and trees within the Easement Area and the fence and trees are obstructing the access points to the neighbouring property at 76 Eagle Butte Ranch. This is a contravention of section 4 of the Access Easement Agreement:

The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.

This contravention of the Access Easement Agreement is not in accordance with the conditions of the Subdivision Approval on the Lands. The condition of the Subdivision Approval referenced above requires both the registration of an easement and the ongoing utilization of a mutual road to provide access to both the Lands and 76 Eagle Butte Ranch.

Therefore, in accordance with section 645 of the Act, **David Clark** is **HEREBY ORDERED** to take the following action within the time limit set out in this Stop Order:

1. All fencing and trees placed within the Easement Area must be removed on or before July 25, 2025, beginning with the obstructions to the access points to the neighbouring property at 76 Eagle Butte Ranch.

Be advised that pursuant to section 646 of the Act in the event that you fail to comply with this Stop Order within the time limits set out herein, the County may enter onto the Lands or any building on the Lands in accordance with section 542 to carry out the Stop Order and eliminate the contraventions.

If you do not comply with any part of this Stop Order within the specified deadline, the County will take whatever actions it determines to be necessary to remedy the contraventions set out in this Stop Order, at your expense. This may include entry onto the Lands and/or commencing an application in the Court of King's Bench under section 554 of the Act, for a permanent injunction and other orders necessary to address the contraventions.

Please be advised that the expenses and costs of actions or measures taken by the County under section 646 are an amount owing to the County by the person or persons to whom this Stop Order has been issued. Pursuant to section 553(1)(h.1), costs and expenses incurred by the County may be added to the tax roll of the Lands and recovered in the same manner as property taxes.

The County may also register this Stop Order against the Certificate of Title to the Lands, pursuant to section 646 of the Act, until such time as this Stop Order has been fully complied with.

You may appeal this Stop Order. An appeal must be filed with the Rocky View County Subdivision and Development Appeal Board within 21 days of the date of this Stop Order, in accordance with sections 685 and 686 of the Act, by delivering a written notice of appeal, setting out the reasons for the appeal, and accompanied by the \$500 appeal fee. For more information on filing an appeal, contact Legislative Services at sdab@rockyview.ca or 403-230-1401.

Please govern yourself accordingly.

Sincerely,



Aaron Meiklejohn
Bylaw Officer, Enforcement Services
Rocky View County
403.230.1401

Attachment: Schedule 'A': Summary of communication and enforcement steps relating to the Lands

cc: Atilla Nadori, Barrister & Solicitor, Agahi Law
Legal counsel for David Clark
#101, 6420 6A Street SE
Calgary, AB T2H 2B7
Email: attila@agahilaw.ca
(via registered mail and email)

Schedule 'A'**Summary of communication and enforcement steps relating to the Lands**

1. On June 16, 2025, Enforcement Services was advised by County Planning and Development of a breach of an Access Easement Agreement, dated December 3, 2007, occurring at 84 Eagle Butte Ranch. It was reported that a fence and trees had been placed within the easement, contrary to the Access Easement Agreement. The fence and trees restricted access to the neighbouring property at 76 Eagle Butte Ranch.
2. On June 19, 2025, Officer Meiklejohn attended the Lands and obtained photographs and measurements of the fence and trees in the easement area, noting that a recreational vehicle pad and secondary access to the neighbouring property at 76 Eagle Butte Ranch had been blocked. Additionally, the single remaining access to the neighbouring property was not wide enough to accommodate emergency services vehicles according to the National Building Code (Alberta Edition), hindering access. A Bylaw Compliance Notice was left at 84 Eagle Butte Ranch, with a digital copy sent via email. The Bylaw Compliance Notice outlined the landowner's responsibility to adhere to the terms of the Easement Agreement and Subdivision Agreement. The registered landowner is David Clark.
3. On June 30, 2025, a digital copy of a letter was received by Officer Meiklejohn from Atilla Nadori, legal counsel retained by Mr. Clark. The letter requested that the enforcement action against Mr. Clark be terminated. The letter was forwarded to County legal counsel who advised that they would respond.
4. On July 03, 2025, legal counsel for Mr. Clark contacted Enforcement Services, and requested an extension to bring the Lands into compliance. As Officer Meiklejohn was out of the office until July 07, 2025, an extension was granted by the County Bylaw Supervisor until July 07, 2025.
5. On July 07, 2025 the Enforcement Services Manager advised Mr. Clark's legal counsel that a further extension would be granted, requiring the Lands to be brought into compliance on or before July 25th, 2025.
6. On July 08, 2025, with no response from Mr. Clark's legal counsel regarding the possible extension, an additional email was sent by Officer Meiklejohn requesting that Mr. Clark's legal counsel make contact by no later than 1700hrs on July 09, 2025.
7. On July 09, 2025, no response was received from Mr. Clark's legal counsel regarding the possible extension. In the absence of contact from Mr. Clark's legal counsel, the decision was made to move forward with a Stop Order.

To: attila@agahilaw.ca

Cc: Daina J. Young <DYoung@rmrf.com>; Michelle L. Neveu <MNeveu@rmrf.com>

Subject: RE: Clark v. Cote; 84 Eagle Butte Ranch; Rocky View County Stop Order

Hello Attila,

The County has confirmed that if Mr. Clark were to remove the obstruction (fence and trees) from both access points and widen them per the width stipulated by the enforcement officer, the County would deem the enforcement order complied with. They are seeking a deadline of August 1, 2025 and the officer would inspect on August 4 or 5, 2025.

Please let us know whether your client would be prepared to comply with these terms.

Thank you,



Lauren N. Chalaturnyk (she/her) | Partner
Reynolds Mirth Richards & Farmer LLP
Direct: [780.497.3352](tel:780.497.3352)

From: attila@agahilaw.ca <attila@agahilaw.ca>

Sent: Thursday, July 24, 2025 3:38 PM

To: Lauren N. Chalaturnyk <LChalaturnyk@rmrf.com>

Cc: Daina J. Young <DYoung@rmrf.com>; Michelle L. Neveu <MNeveu@rmrf.com>

Subject: RE: Clark v. Cote; 84 Eagle Butte Ranch; Rocky View County Stop Order

*** EXTERNAL ***

Hi Lauren,

Thanks for your email and confirmation on the enforcement steps by the County. Can you advise if you have received instructions yet?

On an aside – and I need to confirm that my client would be agreeable – can he simply widen the fence at the neighbours access point in order to comply with the Stop Order? The stop order uses the following language:

“All fencing and trees placed within the Easement Area must be removed on or before July 25, 2025, beginning with the obstructions to the access points to the neighbouring property at 76 Eagle Butte Ranch”.

My reading of the bylaw notice – was that the access to the neighbour property is inadequate (for clarity, our position is that this is in dispute), but I am concerned that if he were to widen the access point, he would still not have complied with the remainder of the stop order requirement. Given the bylaw notice, it seems to be excessive to remove all fencing and trees along the boundary as the term of Access Easement Agreement stipulated that such fencing/ tress cannot infringe on the access to the nieghbour. In short, the remaining fence and trees don't infringe on 76 Eagle Butte Ranch and wouldn't be required to be removed.

The second access point, being the access point from the shared driveway into the neighbouring property – is 17.5 feet, which complies with the requirement.

Finally, our client maintains a rental unit on his residence. He just had the fire services inspector attend the property to confirm that he's met their requirements, and such confirmation was received on July 18, 2025. I have attached a copy for your reference.

Given the foregoing, is Rocky View in a position to confirm that our client has met the requirements of the Stop Order? We are prepared to proceed with the appeal but, if possible, would prefer to resolve this on the above basis.

Thank you.

Regards,

Attila Nadori
Barrister & Solicitor

Agahi Law
#101, 6420 6A Street SE
Calgary, Alberta T2H 2B7
Tel: (403) 404-2894
Fax: (587) 332-0822
Email: attila@agahilaw.ca

This email address is not a valid address for service pursuant to Rule 11.21 of the *Alberta Rules of Court*. If you need to serve legal documents on Agahi Law, as a lawyer of record, please do so by courier, recorded mail or fax.

THIS MESSAGE IS INTENDED ONLY FOR THE PERSON TO WHOM IT IS ADDRESSED PRIVILEGED, CONFIDENTIAL AND PERSONAL. This documentation transmitted by electronic mail is intended for the use of the individual to whom or the entity to which it is addressed and may contain information which is confidential and privileged. Confidentiality and privilege are not lost by this documentation having been sent to the wrong electronic mail address. If you are not the intended recipient or the person responsible for delivering it to the intended recipient please notify the sender immediately and destroy this document as well as any copies of it. Any distribution, reproduction or other use of this document is strictly prohibited.

From: Lauren N. Chalaturnyk <LChalaturnyk@rmrf.com>

Sent: July 28, 2025 2:39 PM

To: attila@agahilaw.ca

Cc: Daina J. Young <DYoung@rmrf.com>; Michelle L. Neveu <MNeveu@rmrf.com>

Subject: RE: Clark v. Cote; 84 Eagle Butte Ranch; Rocky View County Stop Order

Hi Attila,

The enforcement officer, in consultation with fire services, has indicated that both access points need to be at least 5.1 m wide.

Thanks,

Lauren N. Chalaturnyk (she/her) | Partner



Reynolds Mirth Richards & Farmer LLP
Direct: [780.497.3352](tel:780.497.3352)

From: attila@agahilaw.ca <attila@agahilaw.ca>

Sent: Friday, July 25, 2025 12:07 PM

To: Lauren N. Chalaturnyk <LChalaturnyk@rmrf.com>

Cc: Daina J. Young <DYoung@rmrf.com>; Michelle L. Neveu <MNeveu@rmrf.com>

Subject: RE: Clark v. Cote; 84 Eagle Butte Ranch; Rocky View County Stop Order

*** EXTERNAL ***

Hi Lauren,

Thanks for letting me know. Further to the County's confirmation – what is the width stipulated by the enforcement officer? There are no dimensions stipulated in either the bylaw notice or the stop order (re-attached for your reference).

I've also canvassed the bylaw/ sub-division requirements and can't find reference to the dimensions.

Thank you.

Regards,

Attila Nadori
Barrister & Solicitor

Agahi Law
#101, 6420 6A Street SE
Calgary, Alberta T2H 2B7
Tel: (403) 404-2894
Fax: (587) 332-0822
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From: Lauren N. Chalaturnyk <LChalaturnyk@rmrf.com>

Sent: July 25, 2025 10:03 AM

The second access point, being the access point from the shared driveway into the neighbouring property – is 17.5 feet, which complies with the requirement.

Finally, our client maintains a rental unit on his residence. He just had the fire services inspector attend the property to confirm that he's met their requirements, and such confirmation was received on July 18, 2025. I have attached a copy for your reference.

Given the foregoing, is Rocky View in a position to confirm that our client has met the requirements of the Stop Order? We are prepared to proceed with the appeal but, if possible, would prefer to resolve this on the above basis.

Thank you.

Regards,

Attila Nadori
Barrister & Solicitor

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Subject: RE: Clark v. Cote; 84 Eagle Butte Ranch; Rocky View County Stop Order

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Thanks,

Lauren N. Chalaturnyk (she/her) | Partner



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

DEVELOPMENT PERMIT (Page 1 of 2)

Clark, David
84 Eagle Butte Ranch
Calgary, AB T3Z 1K3

Development Permit #: PRDP20251242

Date of Issue: July 18, 2025

Roll #: 04735035

Your Application dated February 24, 2025 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-8000-2020 of Rocky View County in respect of:

Renewal of a Vacation Rental (existing accessory dwelling unit)

at Lot 1, Block 1, Plan 0811953, NW-35-24-03-05; 84 EAGLE BUTTE RANCH,

has been considered by the Development Officer and the decision in the matter is that your application be **APPROVED** subject to the following conditions:

Description:

1. That the Vacation Rental may continue to operate on the subject parcel, within the existing accessory dwelling unit, in accordance with the approved site plan, floor plans and the conditions of this permit.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall contact County Fire Services (firepermitsinspections@rockyview.ca) to book an occupancy inspection, to determine fire safety requirements for the *Vacation Rental* use. The inspection will confirm if any fire safety requirements are to be complied with.
 - i. That the Applicant/Owner shall complete any requirements or improvements that may be required as a result of the occupancy inspection to comply with fire safety requirements.
 - ii. Written confirmation shall be received from County Fire Operations confirming the status of this condition.

Permanent:

3. That if the prior to release conditions have not been met by **September 30, 2025**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
4. That there shall be a maximum of **four (4) guests** associated with the Vacation Rental at any time.
5. That there shall be no non-resident employees associated with Vacation Rental on the subject parcel at any time, with the exception of cleaning/maintenance staff.
6. That no on-site and/or off-site advertisement signage associated with the Vacation Rental shall be permitted.
7. That the Vacation Rental shall be ancillary to the primary residential use of the parcel.
8. That all guest parking shall be wholly contained within the subject parcel, and there shall be no parking within any public road right-of-way at any time.
9. That this approval does not include any on-site Special Events or other commercial business activities, including the uses of *Special Function Business* or *Home-Based Business (Type II)*.
10. That the Applicant/Owner shall be responsible for ensuring that any guests are familiar with the property boundaries, whether that be by means of a fence, wayfinding signage, or other means, to ensure no trespassing to adjacent properties.
 - i. That such wayfinding signage does not require a Development Permit
11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.
 - i. That the Applicant/Owner shall adhere to any requirements and approved technical studies of Development Permits PRDP20164152, PRDP20191886 and PRDP20214147.



262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

DEVELOPMENT PERMIT (Page 2 of 2) PRDP20251242

Clark, David

12. That the Vacation Rental shall not generate noise, smoke, steam, odor, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times the privacy of the adjacent residential dwellings shall be preserved. The Vacation Rental shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighboring or adjacent residents.
13. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 225-227 of the *County's Land Use Bylaw C-8000-2020*. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
14. That the Vacation Rental permit shall be valid for **five (5) years** from the date of issuance of the Development Permit.

Advisory:

- That a building permit and applicable sub-trade permits for the operation of Vacation Rental are required through the County's Building Services department, prior to any construction taking place. Compliance with the *National Energy Code* is also required.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- That it is recommended that the Applicant/Owner prepare and implement onsite an Emergency Management Plan for all guests, in case of incident or an emergent event.
- That the subject development shall conform to the County's *Noise Control Bylaw C-8067-2020* & *Road Use Agreement Bylaw C-8323-2022*, in perpetuity.

A handwritten signature in black ink, appearing to read "D. K. Singh", written over a horizontal line.

Development Authority
Phone: 403-230-1401
E-Mail: development@rockyview.ca

NOTE: It is the responsibility OF THE APPLICANT to ensure that all conditions of approval are met.
Please be informed, that the conditions of the Development Permit must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Permit.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, Alberta T4A 0X2
403-230-1401 | sdab@rockyview.ca

NOTICE OF HEARING

Issued: August 12, 2025

An appeal has been filed with the Subdivision and Development Appeal Board for Rocky View County (the “Board”) against the Development Authority’s decision to issue a stop order pursuant to section 645 of the *Municipal Government Act* for erecting fencing and trees within the easement area and obstructing access points to the neighbouring property at 76 Eagle Butte Ranch in contravention of the Access Easement Agreement and conditions of subdivision.

INFORMATION ABOUT THE PROPERTY UNDER APPEAL	
File:	DC2025RC06-0993
Location:	84 Eagle Butte Ranch (Plan 0811953, Block 1, Lot 1, NW-35-24-03-W05M), located approximately 0.20 km (0.13 mile) south of Township Road 250 and 1.21 km (0.75 mile) west of Range Road 31.
Appellant(s):	David Clark
Applicant(s):	David Clark
Owner(s):	David Clark

APPEAL HEARING INFORMATION	
Further information about the appeal will be available in the Board’s agenda six days before the hearing on www.rockyview.ca .	
Date and time:	August 21, 2025 at or after 1:00 p.m.
Location:	Council Chambers - County Hall 262075 Rocky View Point, Rocky View County, Alberta T4A 0X2

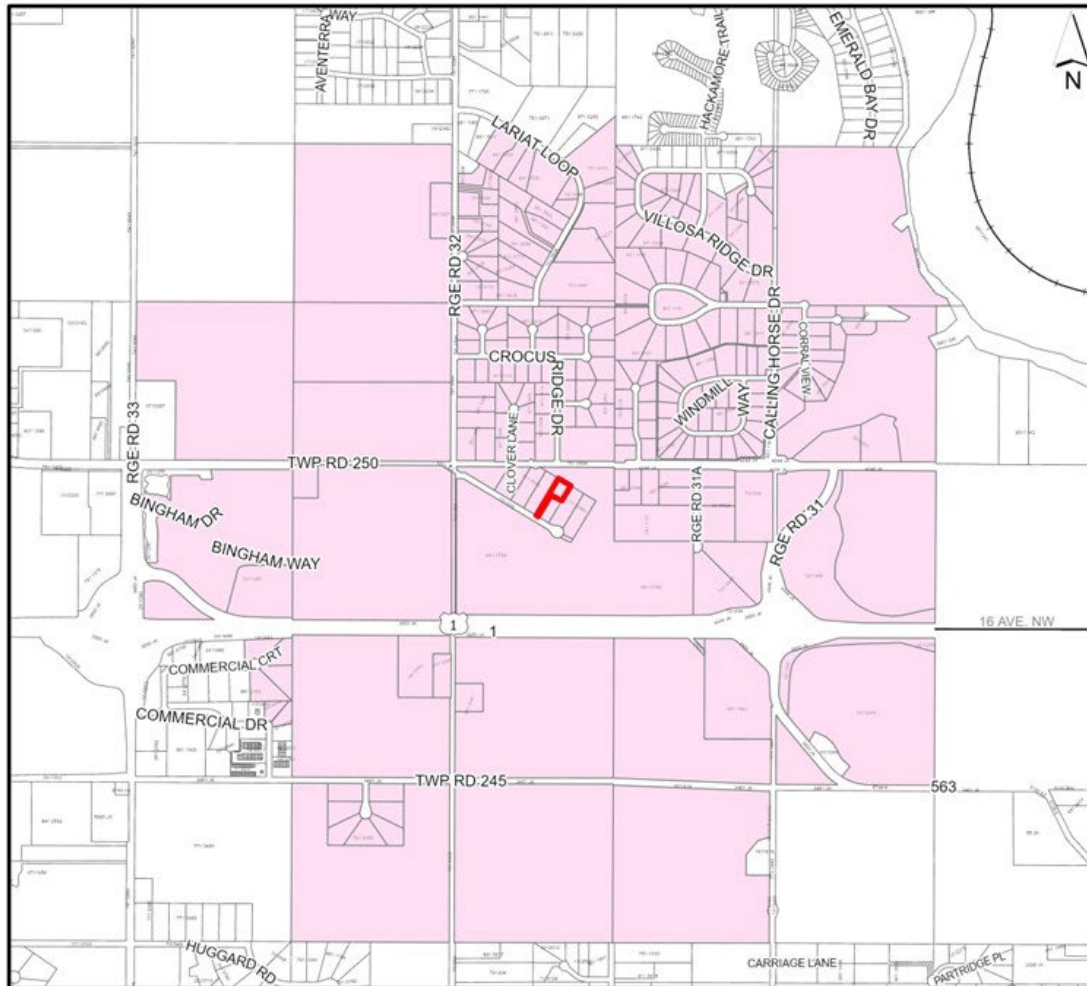
HOW TO PARTICIPATE IN THE HEARING	
If you feel you are affected by this appeal, you can provide a submission or present at the hearing as noted below.	
Before the hearing:	In your submission, clearly state how you are affected and include where you live in relation to the property under appeal. Submissions are due by 9:00 a.m. the last business day before the hearing . It is at the Board’s discretion whether late submissions are accepted. Submissions can be provided by: - email to sdab@rockyview.ca; or - mail to the SDAB Clerk at 262075 Rocky View Point, Rocky View County, Alberta T4A 0X2
At the hearing:	Add your name to the sign-in sheet to present to the Board at the hearing
Watch the hearing online:	Watch the hearing online: Access the live stream at www.rockyview.ca/meetings-hearings

If you have questions about the development permit application, contact Planning Services at development@rockyview.ca. For inquiries about the hearing procedure, contact the Board clerk at sdab@rockyview.ca.

SITE MAP

LEGEND

Bolded: property under appeal
Shaded: notification area



Landowner Circulation Area

This is where the
Development
Proposal would go.

Legend

Support



Not Support



Division: 2
 Roll: 04735035
 Printed: 8/6/2025
 Legal: A portion of
 NW-35-24-03-W05M

Submissions may be made available to the public on www.rockyview.ca in accordance with section 13(1)(c) of the Alberta *Protection of Privacy Act* (POPA). Personal information contained in your submission is collected under section 4(c) of POPA for the purpose of public participation in the Board's decision-making process. Your name, legal land description, street address, and any opinions provided in your submission will be made available to the public and form part of the public record. Your personal contact information, including your phone number and email address, may be redacted prior to making your submission available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca**STOP ORDER OF THE DEVELOPMENT AUTHORITY****Section 645 of the *Municipal Government Act***

July 11, 2025

☒ **Registered mail**☒ **Email****Roll #: 04735035****Report #: 2025RC06-0993**

To: David Clark
84 Eagle Butte Ranch
Calgary, AB T3Z 1K3
Email: [REDACTED]

Re: NW-35-24-03-W05M
LINC NUMBER: 0033186586
TITLE NUMBER: 141130054
PARCEL AREA: 2.03ACRES
MUNICIPAL ADDRESS: 84 EAGLE BUTTE RANCH

HEREIN AFTER REFERRED TO AS THE "LANDS"

As a Designated Officer for Rocky View County (the "County"), I hereby issue this Stop Order of the Development Authority pursuant to section 645 of the *Municipal Government Act* (the "Act") with respect to the Lands.

Section 645 of the Act reads as follows:

- 645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with
- (a) this Part or a land use bylaw or regulations under this Part, or
 - (b) a development permit or subdivision approval, the development authority may act under subsection (2).
- (2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove, or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit, or a subdivision approval,

within the time set out in the notice.

The Subdivision Approval for the Lands dated January 18, 2008 includes the following condition of approval:

A mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required...

An Access Easement Agreement dated December 3, 2007 was registered against title to the Lands.

My inspections of the Lands have determined that you have placed, or allowed to be placed, a fence and trees within the Easement Area and the fence and trees are obstructing the access points to the neighbouring property at 76 Eagle Butte Ranch. This is a contravention of section 4 of the Access Easement Agreement:

The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.

This contravention of the Access Easement Agreement is not in accordance with the conditions of the Subdivision Approval on the Lands. The condition of the Subdivision Approval referenced above requires both the registration of an easement and the ongoing utilization of a mutual road to provide access to both the Lands and 76 Eagle Butte Ranch.

Therefore, in accordance with section 645 of the Act, **David Clark** is **HEREBY ORDERED** to take the following action within the time limit set out in this Stop Order:

1. All fencing and trees placed within the Easement Area must be removed on or before July 25, 2025, beginning with the obstructions to the access points to the neighbouring property at 76 Eagle Butte Ranch.

Be advised that pursuant to section 646 of the Act in the event that you fail to comply with this Stop Order within the time limits set out herein, the County may enter onto the Lands or any building on the Lands in accordance with section 542 to carry out the Stop Order and eliminate the contraventions.

If you do not comply with any part of this Stop Order within the specified deadline, the County will take whatever actions it determines to be necessary to remedy the contraventions set out in this Stop Order, at your expense. This may include entry onto the Lands and/or commencing an application in the Court of King's Bench under section 554 of the Act, for a permanent injunction and other orders necessary to address the contraventions.

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Please govern yourself accordingly.

Sincerely,



Aaron Meiklejohn
Bylaw Officer, Enforcement Services
Rocky View County
403.230.1401

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cc: Atilla Nadori, Barrister & Solicitor, Agahi Law
Legal counsel for David Clark
#101, 6420 6A Street SE
Calgary, AB T2H 2B7
Email: attila@agahilaw.ca
(via registered mail and email)

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1. On June 16, 2025, Enforcement Services was advised by County Planning and Development of a breach of an Access Easement Agreement, dated December 3, 2007, occurring at 84 Eagle Butte Ranch. It was reported that a fence and trees had been placed within the easement, contrary to the Access Easement Agreement. The fence and trees restricted access to the neighbouring property at 76 Eagle Butte Ranch.
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4. On July 03, 2025, legal counsel for Mr. Clark contacted Enforcement Services, and requested an extension to bring the Lands into compliance. As Officer Meiklejohn was out of the office until July 07, 2025, an extension was granted by the County Bylaw Supervisor until July 07, 2025.
5. On July 07, 2025 the Enforcement Services Manager advised Mr. Clark's legal counsel that a further extension would be granted, requiring the Lands to be brought into compliance on or before July 25th, 2025.
6. On July 08, 2025, with no response from Mr. Clark's legal counsel regarding the possible extension, an additional email was sent by Officer Meiklejohn requesting that Mr. Clark's legal counsel make contact by no later than 1700hrs on July 09, 2025.
7. On July 09, 2025, no response was received from Mr. Clark's legal counsel regarding the possible extension. In the absence of contact from Mr. Clark's legal counsel, the decision was made to move forward with a Stop Order.



ROCKY VIEW COUNTY Enforcement Services

Subdivision and Development Appeal Board

Roll #: 04735035

Report #: 2025RC06-0993

Date:	August 21, 2025
Presenter:	Aaron Meiklejohn, Bylaw Officer
Subject:	Stop Order Appeal

EXECUTIVE SUMMARY

On June 16, 2025, Enforcement Services was advised by County Planning and Development of a breach of Land Title Easement Agreement 081145414 (the "Access Easement Agreement") at 84 Eagle Butte Ranch (the "Lands"). The Access Easement Agreement is in place to ensure access to both 76 Eagle Butte Ranch and the Lands. The Access Easement Agreement is a condition of the Subdivision Approval on the Lands, dated January 18, 2008.

Enforcement Services was advised that David Clark (the Appellant), owner of the Lands, had erected a fence and planted trees along the easement area, blocking the northern access and recreational vehicle pad at 76 Eagle Butte Ranch. The width of the southern access was also reported as non-compliant with fire code requirements.

On June 19, 2025, Officer Meiklejohn attended the Lands and obtained photographs and measurements of the fence and trees confirming their placement within the easement area and that a recreational vehicle pad and secondary access to the property at 76 Eagle Butte Ranch had been blocked. The placement of the fence and trees constitutes a violation of section 4 of the Access Easement Agreement, which forms a condition of the Subdivision Approval. Legal precedent establishes that where a party breaches an agreement forming a condition of their Subdivision Approval, they are not in compliance with that Subdivision Approval.

A review of the Subdivision Approval showed two access points from 76 Eagle Butte Ranch as part of the proposed Access Easement Agreement on pages 87, 95, and 102. Based on available aerial photography, it was noted that two access points to the easement area from 76 Eagle Butte Ranch – in addition to the recreational vehicle parking pad – existed as early as 1998.

On June 21, 2025, Officer Meiklejohn met with a County Fire Inspector to review the fire access requirements. The review concluded that access to the property at 76 Eagle Butte Ranch complied with the *National Building Code (Alberta Edition)*, as it did not meet the size thresholds necessitating a larger fire access. Accordingly, while the placement of the fence and trees remained a violation of the Subdivision Approval, the fire code issue was no longer a relevant consideration.

Several attempts were made by Enforcement Services to work with the Appellant and the Appellant's legal counsel to bring the Lands into compliance. As the Lands continued to violate the Subdivision Approval, a Stop Order was issued on July 11, 2025, pursuant to section 645 of the *Municipal Government Act* (Attachment A). The Stop Order directed the removal of all fencing and trees placed within the easement area.

After the Stop Order was issued, Enforcement Services continued to communicate with the Appellant's legal counsel, proposing a compromise that would see only the fence and tree(s) blocking the northern access to the property at 76 Eagle Butte Ranch having to be removed. This proposal was not agreed to, and the Appellant's legal counsel was advised that an appeal to the Subdivision and Development Appeal Board would be the next step in the process.

OVERVIEW

Appellant	David Clark
Landowner	David Clark
Subject Lands	84 Eagle Butte Ranch (NW-35-24-03-W05M)
Land Use District	R-CRD
Parcel Area	2.03 acres (0.82 hectares)

SITE MAPS

Figure 1 – Site Location

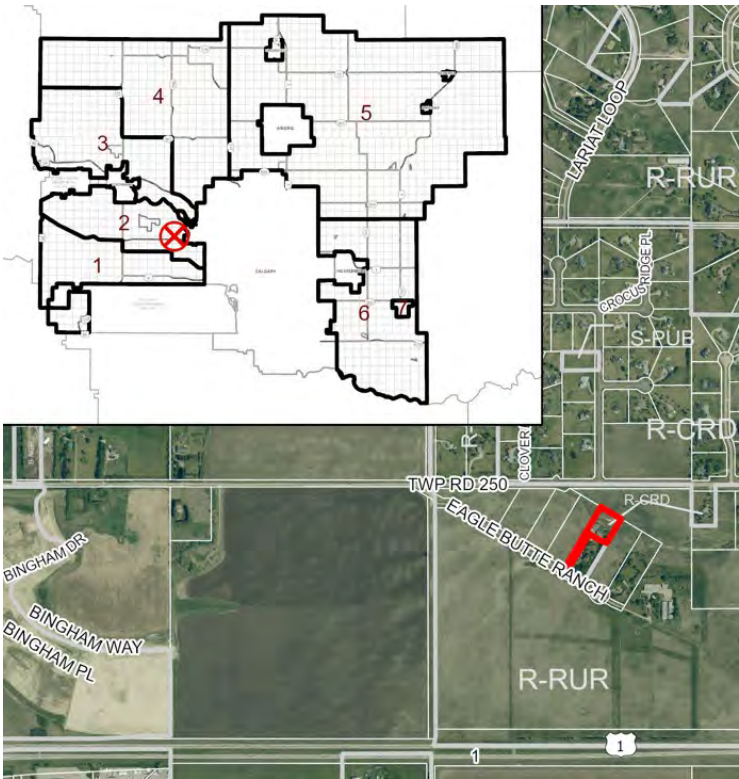


Figure 2 – Site Plan



Figure 3 – Easement Area



LEGISLATION/BYLAW REVIEW

Municipal Government Act

Section 645 of the *Municipal Government Act* reads as follows:

- 645(1) *Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with*
- (a) this Part or a land use bylaw or regulations under this Part, or*
 - (b) a development permit or subdivision approval,*
- the development authority may act under subsection (2).*
- (2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to*
- (a) stop the development or use of the land or building in whole or in part as directed by the notice,*
 - (b) demolish, remove, or replace the development, or*
 - (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit, or a subdivision approval,*
- within the time set out in the notice.*
- (2.1) A notice referred to in subsection (2) must specify the date on which the order was made, must contain any other information required by the regulations and must be given or sent to the person or persons referred to in subsection (2) on the same day the decision is made.*
- (3) A person who receives a notice referred to in subsection (2) may appeal the order in the notice in accordance with section 685.*

HISTORY

1. On June 16, 2025, Enforcement Services was advised by County Planning and Development of a breach of an Access Easement Agreement, dated December 3, 2007, occurring at the Lands. It was reported that a fence and trees had been placed within the easement area, contrary to the Access Easement Agreement. The fence and trees restricted access to the neighbouring property at 76 Eagle Butte Ranch.
2. On June 19, 2025, Officer Meiklejohn attended the Lands and obtained photographs and measurements of the fence and trees in the easement area, noting that a recreational vehicle pad and secondary access to the neighbouring property at 76 Eagle Butte Ranch had been blocked. Additionally, the single remaining access to the neighbouring property was not wide enough to accommodate emergency services vehicles according to the *National Building Code (Alberta Edition)*, hindering access. A Bylaw Compliance Notice was left at the Lands, with a digital copy sent via email. The Bylaw Compliance Notice outlined the landowner's responsibility to adhere to the terms of the Access Easement Agreement and Subdivision Agreement. The registered landowner is David Clark (the Appellant). A review of the Subdivision Approval showed two access points from 76 Eagle Butte Ranch as part of the proposed Access Easement Agreement on pages 87, 95, and 102. Based on available aerial photography, it was noted that two access points to the easement area from 76 Eagle Butte Ranch – in addition to the recreational vehicle parking pad – existed as early as 1998.

3. On June 21, 2025, Officer Meiklejohn met with a County Fire Inspector to review the fire access requirements. The review concluded that access to the property at 76 Eagle Butte Ranch complied with the *National Building Code (Alberta Edition)*, as it did not meet the size thresholds necessitating a larger fire access. Accordingly, while the placement of the fence and trees remained a violation of the Subdivision Approval, the fire code issue was no longer a relevant consideration in this matter.
4. On June 30, 2025, a digital copy of a letter was received by Officer Meiklejohn from Atilla Nadori, legal counsel for the Appellant. The letter requested that the enforcement action against the Appellant be terminated. The letter was forwarded to County legal counsel who advised that they would respond.
5. On July 3, 2025, the Appellant's legal counsel contacted Enforcement Services, and requested an extension to bring the Lands into compliance. As Officer Meiklejohn was out of the office until July 7, 2025, an extension was granted by the County Bylaw Supervisor until July 7, 2025.
6. On July 7, 2025 the Enforcement Services Manager advised the Appellant's legal counsel that a further extension would be granted, requiring the Lands to be brought into compliance on or before July 25th, 2025.
7. On July 8, 2025, with no response from the Appellant's legal counsel regarding the possible extension, an additional email was sent by Officer Meiklejohn requesting that the Appellant's legal counsel make contact by no later than 1700hrs on July 9, 2025.
8. On July 9, 2025, no response was received from the Appellant's legal counsel regarding the possible extension. In the absence of contact from the Appellant's legal counsel, the decision was made to move forward with a Stop Order.
9. On July 11, 2025, a Stop Order ordering the removal of the fence and trees from the easement area was issued to the Appellant.
10. Between July 21, 2025 and August 1, 2025, legal counsel for Enforcement Services continued to work with the Appellant's legal counsel, proposing a compromise that would see only the fence and tree(s) blocking the access to the property at 76 Eagle Butte having to be removed. This proposal was not agreed to.
11. An appeal of the Stop Order was received by Legislative Services on August 1, 2025.

DISCUSSION

Stop Order issuance

Enforcement Services issued the Stop Order on July 11, 2025 in accordance with section 645 of the *Municipal Government Act*. The Stop Order was issued to the Appellant and his legal counsel, Atilla Nadori. The Stop Order was delivered to both parties via registered mail and email. The registered mail sent to the Appellant was not claimed, whereas the registered mail sent to the Appellant's legal counsel was claimed on July 16, 2025. The email addresses used for delivery had previously been used by both the Appellant and his legal counsel in prior communications with Enforcement Services.

Subdivision Approval and Access Easement Agreement contravention

The Subdivision Approval for the Lands (Attachment C) includes the following condition of approval:

A mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required.

The Access Easement Agreement (Attachment D) was registered against title to the Lands, as required by the Subdivision Approval. Section 4 states:

The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.

As supported by the history outlined above, and the photographs provided in Attachment B, a wooden rail fence has clearly been constructed within the easement area and it hinders the right of the property owner of 76 Eagle Butte Ranch to use both pre-existing access points. The placement of trees along the fence — particularly those positioned at regular intervals within previously unobstructed access points — further constitutes a clear contravention of the Access Easement Agreement.

The Alberta Court of Appeal has interpreted that if a party has not completed the terms and conditions of an agreement that was required as part of a subdivision approval, then the party is not in accordance with that subdivision approval (see *Focaccia Holdings Ltd. v Parkland Beach (Summer Village Subdivision and Development Appeal Board)*, 2014 ABCA 132. Accordingly, by violating the Access Easement Agreement, the Appellant is not compliant with the Subdivision Approval.

It is the position of Enforcement Services that, because the Appellant is not compliant with the Subdivision Approval, Enforcement Services acted within its full authority to issue the Stop Order pursuant to section 645 of the *Municipal Government Act*.

Issues before the Board

The Subdivision and Development Appeal Board (the Board) is responsible for determining:

- 1) Whether the Stop Order was issued properly under section 645 of the *Municipal Government Act*; and
- 2) Whether the placement of the fence and trees is in accordance with the Subdivision Approval.

RECOMMENDATION

Enforcement Services recommends that the Board uphold the Stop Order as it was properly issued and the Subdivision Approval has been contravened. If the Board is to consider varying the length of time the parties have to meet the conditions of the Stop Order, Enforcement Services recommends a two-week time period from the date the Board's decision is issued.

ATTACHMENTS

Attachment A: Stop Order 2025RC06-0993

Attachment B: Site Inspection Photos

Attachment C: Subdivision Approval

Attachment D: Land Title Easement Agreement 081145414 (the "Access Easement Agreement")



ROCKY VIEW COUNTY

Attachment A: Stop Order 2025RC06-0993

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca

STOP ORDER OF THE DEVELOPMENT AUTHORITY

Section 645 of the *Municipal Government Act*

July 11, 2025

☒ Registered mail☒ Email

Roll #: 04735035

Report #: 2025RC06-0993

To: David Clark
84 Eagle Butte Ranch
Calgary, AB T3Z 1K3
Email: [REDACTED]

Re: NW-35-24-03-W05M
LINC NUMBER: 0033186586
TITLE NUMBER: 141130054
PARCEL AREA: 2.03ACRES
MUNICIPAL ADDRESS: 84 EAGLE BUTTE RANCH

HEREIN AFTER REFERRED TO AS THE "LANDS"

As a Designated Officer for Rocky View County (the "County"), I hereby issue this Stop Order of the Development Authority pursuant to section 645 of the *Municipal Government Act* (the "Act") with respect to the Lands.

Section 645 of the Act reads as follows:

- 645(1) Despite section 545, if a development authority finds that a development, land use or use of a building is not in accordance with
- (a) this Part or a land use bylaw or regulations under this Part, or
 - (b) a development permit or subdivision approval, the development authority may act under subsection (2).
- (2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove, or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit, or a subdivision approval,

within the time set out in the notice.

The Subdivision Approval for the Lands dated January 18, 2008 includes the following condition of approval:

A mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required...

An Access Easement Agreement dated December 3, 2007 was registered against title to the Lands.

My inspections of the Lands have determined that you have placed, or allowed to be placed, a fence and trees within the Easement Area and the fence and trees are obstructing the access points to the neighbouring property at 76 Eagle Butte Ranch. This is a contravention of section 4 of the Access Easement Agreement:

The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.

This contravention of the Access Easement Agreement is not in accordance with the conditions of the Subdivision Approval on the Lands. The condition of the Subdivision Approval referenced above requires both the registration of an easement and the ongoing utilization of a mutual road to provide access to both the Lands and 76 Eagle Butte Ranch.

Therefore, in accordance with section 645 of the Act, **David Clark** is **HEREBY ORDERED** to take the following action within the time limit set out in this Stop Order:

1. All fencing and trees placed within the Easement Area must be removed on or before July 25, 2025, beginning with the obstructions to the access points to the neighbouring property at 76 Eagle Butte Ranch.

Be advised that pursuant to section 646 of the Act in the event that you fail to comply with this Stop Order within the time limits set out herein, the County may enter onto the Lands or any building on the Lands in accordance with section 542 to carry out the Stop Order and eliminate the contraventions.

If you do not comply with any part of this Stop Order within the specified deadline, the County will take whatever actions it determines to be necessary to remedy the contraventions set out in this Stop Order, at your expense. This may include entry onto the Lands and/or commencing an application in the Court of King's Bench under section 554 of the Act, for a permanent injunction and other orders necessary to address the contraventions.

Please be advised that the expenses and costs of actions or measures taken by the County under section 646 are an amount owing to the County by the person or persons to whom this Stop Order has been issued. Pursuant to section 553(1)(h.1), costs and expenses incurred by the County may be added to the tax roll of the Lands and recovered in the same manner as property taxes.

The County may also register this Stop Order against the Certificate of Title to the Lands, pursuant to section 646 of the Act, until such time as this Stop Order has been fully complied with.

You may appeal this Stop Order. An appeal must be filed with the Rocky View County Subdivision and Development Appeal Board within 21 days of the date of this Stop Order, in accordance with sections 685 and 686 of the Act, by delivering a written notice of appeal, setting out the reasons for the appeal, and accompanied by the \$500 appeal fee. For more information on filing an appeal, contact Legislative Services at sdab@rockyview.ca or 403-230-1401.

Please govern yourself accordingly.

Sincerely,



Aaron Meiklejohn
Bylaw Officer, Enforcement Services
Rocky View County
403.230.1401

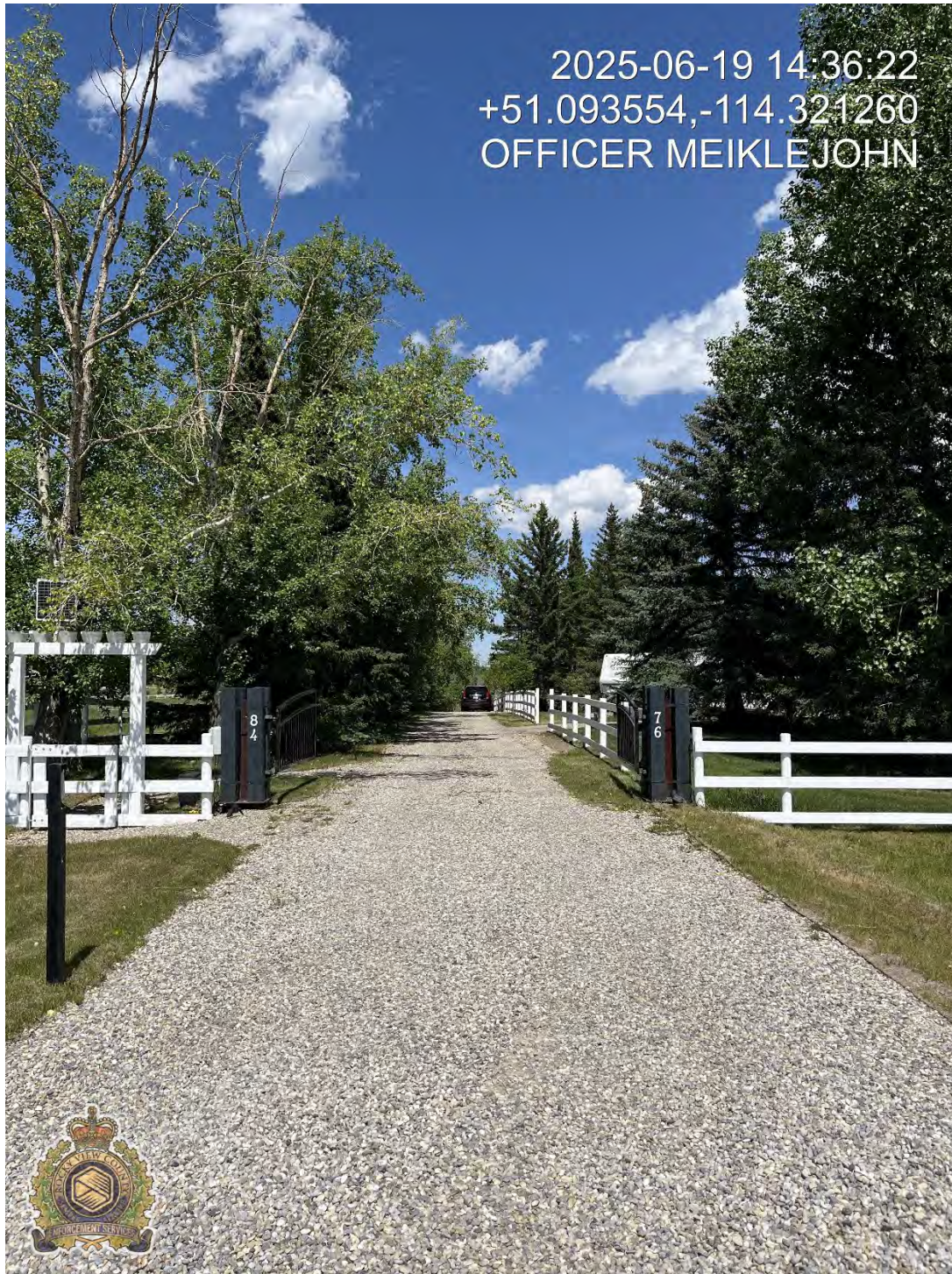
Attachment: Schedule 'A': Summary of communication and enforcement steps relating to the Lands

cc: Atilla Nadori, Barrister & Solicitor, Agahi Law
Legal counsel for David Clark
#101, 6420 6A Street SE
Calgary, AB T2H 2B7
Email: attila@agahilaw.ca
(via registered mail and email)

Schedule 'A'**Summary of communication and enforcement steps relating to the Lands**

1. On June 16, 2025, Enforcement Services was advised by County Planning and Development of a breach of an Access Easement Agreement, dated December 3, 2007, occurring at 84 Eagle Butte Ranch. It was reported that a fence and trees had been placed within the easement, contrary to the Access Easement Agreement. The fence and trees restricted access to the neighbouring property at 76 Eagle Butte Ranch.
2. On June 19, 2025, Officer Meiklejohn attended the Lands and obtained photographs and measurements of the fence and trees in the easement area, noting that a recreational vehicle pad and secondary access to the neighbouring property at 76 Eagle Butte Ranch had been blocked. Additionally, the single remaining access to the neighbouring property was not wide enough to accommodate emergency services vehicles according to the National Building Code (Alberta Edition), hindering access. A Bylaw Compliance Notice was left at 84 Eagle Butte Ranch, with a digital copy sent via email. The Bylaw Compliance Notice outlined the landowner's responsibility to adhere to the terms of the Easement Agreement and Subdivision Agreement. The registered landowner is David Clark.
3. On June 30, 2025, a digital copy of a letter was received by Officer Meiklejohn from Atilla Nadori, legal counsel retained by Mr. Clark. The letter requested that the enforcement action against Mr. Clark be terminated. The letter was forwarded to County legal counsel who advised that they would respond.
4. On July 03, 2025, legal counsel for Mr. Clark contacted Enforcement Services, and requested an extension to bring the Lands into compliance. As Officer Meiklejohn was out of the office until July 07, 2025, an extension was granted by the County Bylaw Supervisor until July 07, 2025.
5. On July 07, 2025 the Enforcement Services Manager advised Mr. Clark's legal counsel that a further extension would be granted, requiring the Lands to be brought into compliance on or before July 25th, 2025.
6. On July 08, 2025, with no response from Mr. Clark's legal counsel regarding the possible extension, an additional email was sent by Officer Meiklejohn requesting that Mr. Clark's legal counsel make contact by no later than 1700hrs on July 09, 2025.
7. On July 09, 2025, no response was received from Mr. Clark's legal counsel regarding the possible extension. In the absence of contact from Mr. Clark's legal counsel, the decision was made to move forward with a Stop Order.

ATTACHMENT B: SITE INSPECTION PHOTOS





2025-06-19 14:36:57
+51.093749,-114.321084
OFFICER MEIKLEJOHN







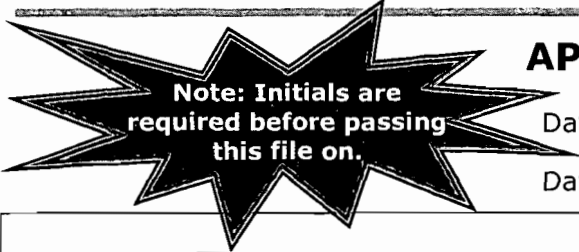








SUBDIVISION / REDESIGNATION
APPLICATION INFORMATION FORM



APPLICATION STATUS TRACKING

Date Application Received Sept 11/06
Date Application Complete _____

		DATE COMPLETE	INITIALS
FILE ASSIGNMENT – Coordinator (24 hours)		<u>Sept 21/06</u>	<u>JM</u>
PLANNER REVIEW – Planner (24 hours)		<u>Sept 26/06</u>	<u>AM</u>
FILE SET-UP– Technician	} 5 Days	<u>Sept 26/06</u>	<u>AM</u>
FILE READY FOR CIRCULATION - Technician		<u>Oct 5/06</u>	<u>CP</u>

FILE ON HOLD (IF REQUIRED)

Reasons _____

Supervisor’s Approval _____ Date Hold Released _____

APPLICATION INFORMATION

Tax Roll # 04735020 Application Accepted by Drew/Lesley
Application # 2006-RV-530 Assigned Planner Jared

APPLICATION CONTACT INFORMATION

APPLICANT: Allan Cote Phone: [REDACTED]
E-Mail: _____ Fax: [REDACTED]

OWNER - Same as above ☒
or: _____ Phone: _____
E-Mail: _____ Fax: _____

COMPLETED APPLICATION CHECKLIST

- ☒ Signed and Completed Application Forms
- ☐ Letter of Authorization
- ☒ Required Fees
- ☒ Current Certificate of Title
- ☐ Time Extension Agreement
- ☐ Appraisal Fee
- ☒ Sketch Plan (All Dimensions)
- ☒ Water Supply Information

PLANNER		TECH		TECH	
Application Summary Form ☒		FILE SETUP ☒		CIRCULATION ☒	
Proposal line	☒	Graphics ordered	☒	Remaining data entry	☒
Identify referrals	☒	Send applicant letter	☒	Area landowner list printed	☒
Check reserves	☒	Instrument(s) ordered		Circulation to agencies	☒
Check tentative plan	☒	Reserve verification		Circulation to adjacent landowners	☒
				Councillor letter sent	☒
				Appraisal ordered	
				Soil information entered	☒

ADDITIONAL INFORMATION

Attachment C: Subdivision Approval

**SUBDIVISION AUTHORITY APPROVAL**

Re: PLAN PREPARED BY NOEL ROSS WOOLGAR, A.L.S.

(Surveyor's file no. E07035G01SD01.dwg)

M.D. of Rocky View file no. 2006-RV-530 04735020

**PLAN SHOWING SURVEY OF
SUBDIVISION
AFFECTING
PLAN 771 0693, LOT 5
WITHIN
N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.**

**We, the Municipal District of Rocky View No. 44, approve for
registration the above plan.**

**January 18, 2008
Date Valid**

**January 18, 2009
Date Expires**



**Sandra Peterson-Keyes,
Municipal Secretary**

**The plan is approved subject to the concurrent registration of the
following:**

- 1. ACCESS EASEMENT**
- 2. ACCESS RIGHT-OF-WAY PLAN**
- 3. OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE
CONENANT**
- 4. OVERLAND DRAINAGE RIGHT-OF-WAY PLAN**

Municipal Reserves were previously provided on Plan 771 0693

Endorsement Checklist

Application Number: 2006530

File Number: 04735020

Proposal: To create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder.

Approval Date: 2/27/2007

1. ☐ Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;

Date

Dec. 17/07

Plan of Survey Dated
Dec. 13, 2007JK
Initials

WDW

2. ☒ A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;

Date

Dec. 7/09

Road Inspection Dated
Sept. 6/07JK
Initials

WDW

3. ☐ The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement

Date

Dec. 13, 07

4.0 Acres x \$1,888.00
\$7,552.00C. Wolfe
InitialsRequire
Plan of Survey
to calculate.

WDW

4. ☐ The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;

Date

Sept. 25/07

Sobatini Report Dated
Aug. 13/07JE
Initials

WDW

5. ☐ Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;

Date

Sept. 25/07

Sobatini Report
Dated July 27, 2007JE
Initials

WDW

6. ☐ The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;

Date

Nov. 12/07

OLD Row Plan &
Easement Prepared
By Eclipse, and signed
on Dec. 3, 2007JE
InitialsRequire a WDW
overland Drainage
Row Plan to
Protect natural
Drainage course.

Endorsement Checklist

7. ☐ The Owner is to undertake a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify a suitable building envelope consisting of one contiguous acre containing stable slopes of less than 15% and at least 20% of the identified acre must not be within the setback requirements of the applicable Land Use District on proposed Lot 2, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction, as amended, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;

Sept. 25/07
Date

Letter From Eclipse
Dated June 13, 2007

JE
Initials

8. ☒ All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

Dec. 17/07
Date

Taxes Paid as of
Dec. 17, 2007.

JK
Initials

NUMBER OF NEW LOTS ENDORSED: 1

Endorsement Fees:

Planning Fees	275.00
Transportation Fees	750.00
Utility Fees	Ø
Sub Total	
Less Appeal Deposit (if applicable):	-(425.00)
TOTAL ENDORSEMENT FEES:	600.00
OUTSTANDING TAXES	Ø
ROAD NETWORK FEES:	Ø
TOTAL FEES PAYABLE	\$ 600.00

PLANNING DEPARTMENT REVIEW

WDW
(Initials)

DATE: JAN/16/08

LINEN ENDORSED

Sandra Peterson-Keyes

DATE: Jan 18/08.

**Groundwater Supply Assessment
Proposed Lot
Well #6108
NW-35-024-03-W5
Municipal District of Rocky View No. 44**

Prepared For:
Allan Cote

Prepared By:
Sabatini Earth Technologies Inc.

July, 2007

Attachment C: Subdivision Approval

SABATINI EARTH TECHNOLOGIES INC.

203, 6919 - 32nd AVENUE N.W.
CALGARY, ALBERTA T3B 0K6
TEL: (403) 247-1813
FAX: (403) 247-1814

12323 - 67th STREET
EDMONTON, ALBERTA T5B 1N1
TEL: (780) 438-0844
FAX: (780) 435-1812

July 27, 2007

File: 0707-6213

76 Eagle Butte Ranch
Calgary, Alberta
T3Z 1K3

Attention: Allan Cote

Dear Sir:

RE: Groundwater Supply Evaluation – NW-35-024-03-W5

A groundwater supply evaluation was undertaken to determine if sufficient groundwater supplies are available to support a residential development with needs estimated at 1250 m³/year (0.53 imperial gallons per minute).

A 115 m deep well was installed on the subject site in August of 2006. A 41 hour and 20 minute pump test was conducted on the well on July 10, 2007. Water supplies are obtained from bedrock sandstones of the Dalehurst Member of the Paskapoo Formation. Calculations of the pump test results show a transmissivity of 3.074 m²/day and twenty year safe yield of 4379 m³/year (1.83 imperial, sufficient for the intended use. No adverse effect to existing users is anticipated.

A water sample analyzed from the Cote well for routine dissolved constituents show that the water is acceptable as a drinking water source. The water should be tested for coliform bacteria content prior to use within the house.

Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,

SABATINI EARTH TECHNOLOGIES INC.



Table of Contents

A) Introduction.....-1-

B) Drillers Report-1-

C) Well Survey-1-

D) Hydrogeologic Conditions.....-3-

E) Pump Test and Well Yield-4-

 I Details of Pump Test-4-

 II Aquifer Transmissivity and Well Yield-4-

F) Change in Water Level With Time -5-

G) Water Quality.....-5-

List of Plates

Plate 1	M.D . of Rocky View Land Use Map
Plate 2	Subdivision Map Showing Well Location
Plate 3	Water Well Drilling Report
Plate 4	Depth to Water vs. Time Graph
Plate 5-9	Pump Test Report
Plate 10	Pump Test Results (Dougherty-Babu Solution)
Plate 11	Water Chemical Analysis

A) Introduction

At the request of Allan Cote, a groundwater supply assessment was undertaken for a proposed subdivision within the NW $\frac{1}{4}$ of Section 35, Township 24, Range 3, West of the 5th Meridian of the Municipal District of Rocky View. The lot has legal description of Lot 5, Plan 771 0693, with street address of 76 Eagle Butte Ranch, Calgary, Alberta. The location of the quarter section that contains the proposed subdivision is shown on the Land Use Map for the subject township within the MD of Rocky View No. 44 map (Plate 1 attached). The well is located near the north west corner of the subject site location. A map showing the proposed subdivision and water supply well location is attached on Plate 2.

The purpose of the assessment was to determine if groundwater could be provided at a rate, as defined in the *Water Act* of 1250 m³/year, for the proposed new lot in the quarter section without causing affects on existing groundwater users.

B) Drillers Report

A 115 foot (35 m) deep well was installed on the site in August of 2006 by personnel from Aaron Drilling Ltd. of De Winton. This well has 6.62 inch steel casing from surface to a depth of 57 feet and 5 inch diameter liner from 55 to 115 feet. The well was perforated from 75 to 115 feet and obtains water from a sandstone aquifer from 76 to 107 feet. The water well drillers report is attached on Plate 3.

C) Well Survey

Alberta Environment's water well database was reviewed to describe the nature of water wells within a $\frac{1}{4}$ section radius around the subject site. A summary of the well records is as follows:

Well ID #	Date	LSD	Sec	Township	Well Owner's Name	Well Depth	Static Water Level	Screen Perfs From	Screen Perfs To	Test Rate (igpm)	Test Type	Lithology
0394709	-	NE	35	024	MARSH, D.	250	-	-	-	-	-	-
0354357	-	NE	35	024	PELLETIER, JANICE/GREG	-	-	-	-	-	-	-
0356271	-	NE	35	024	KRISTENSEN, LINDA	-	-	-	-	-	-	-
0356272	-	NE	35	024	AC, PATRICIA	-	-	-	-	-	-	-
0356273	-	NE	35	024	NEWTON, GARY	300	-	-	-	-	-	-
0366625	-	NE	35	024	SCHMIDT,	-	-	-	-	-	-	-

Attachment C: Subdivision Approval

Well ID #	Date	LSD	Sec	Township	Well Owner's Name	Well Depth	Static Water Level	Screen Perfs From	Screen Perfs To	Test Rate (igpm)	Test Type	Lithology
					TAMARA/MARK							
0356274	-	00	35	024	BOHL, WANDA	200	-	-	-	-	-	-
0394693	1976	NW	35	024	MACDONALD, GORDON	132	40	-	-	7	Bailer	-
0394694	1976	NW	35	024	MACDONALD, GORDON	172	74	130	172	15	Bailer, pump	Sandstone
0394698	1976	NW	35	024	MACDONALD, GORDON	242	48	-	-	1	Bailer	-
0394700	-	NW	35	024	LAIDLAW, B.K.	150	-	-	-	-	-	-
0394701	-	NW	35	024	COTE, ALLAN	172	-	-	-	-	-	-
0351470	1989	NE	35	024	BERBEKAR, ROSALIA	200	90	160	200	8.0	Bailer	Sandstone, shale
0394706	-	NH	35	024	MACDONALD, GORDON	160	-	-	-	-	-	-
1021263	2006	NW	35	024	COTE, ALLAN	115	70.10	75	115	5	Pump	Sandstone
0394711	1978	NE	35	024	WOROBY, MIKE	110	60	95	108	10	Bailer	Sandstone
0394716	-	NE	35	024	GLIMM, W.	140	-	-	-	-	-	-
0394723	1989	NE	35	024	ZUCHETTO, PETER	175	108	135	175	4.5	Bailer	Sandstone
0394728	-	NE	35	024	KRISTENSON, JAN	100	-	-	-	-	-	-
0349650	1987	NE	35	024	WOROBY, MIKE	300	0	260	300	10	Bailer	Sandstone
0349651	1987	NE	35	024	WOROBY, MIKE	130	55	100	130	10	Bailer	Sandstone
0349652	1987	NE	35	024	WOROBY, MIKE	125	60	85	125	10	Bailer	Sandstone
0467150	1997	SW	35	024	NOLAN, PAT	118	52.2	58	108	17	Pump	Sandstone
0467151	1996	SW	35	024	NOLAN, PAT	220	-	-	-	-	-	-
0492940	1999	NE	35	024	SCHMIDT, MARK/TAMARA	143	75	85	105	5.45	Pump	Sandstone
0492940	1999	NE	35	024	SCHMIDT, MARK/TAMARA	143	75	85	105	5.45	Pump	Sandstone
0394703	1962	NW	35	024	HARTNETT, M.E.	184	84	-	-	16	-	-
0349461	1985	SE	34	024	LONGEWAY, CLARENCE	320	200	280	320	20	Bailer	Sandstone
0394691	1973	NE	34	024	BATEMAN FARMS	90	32	70	90	10	Bailer	Shale, hard rocks
0394684	1973	NE	34	024	BATEMAN FARMS	295	97	190	230	1.8	Pump	-
0394680	-	SE	34	024	LEVACK, JEFFREY	-	-	-	-	-	-	Sandstone
0394673	1974	SE	34	024	LONGEWAY, CLARENCE	140	80	125	136	7	Bailer	-
0394670	-	SE	34	024	LONGEWAY, C.	190	-	-	-	-	-	Sandstone
0356080	1989	NE	34	024	WALSH, FRANK	76	50	56	74	7.0	Bailer	Sandstone
1465027	2003	NE	34	024	WALSH, FRANK	100	44	60	100	4.7	Pump	Sandstone
0357652	1991	SE	02	025	GAJTANI, MUHARREM	400	290	360	400	15.0	Pump	Sandstone
0388236	1974	SW	02	025	MAKSYMUK, NIEK	95	10	-	-	-	-	-
0388238	-	04	02	025	BIGGS, C.P.	95	80	-	-	-	-	-
0388240	-	04	02	025	CALLING HOUSE RANCH	126	115	-	-	-	-	-
0356377	-	SE	02	025	GAJTANI, MUHARREM	400	-	-	-	-	-	-
0416373	1972	SE	02	025	SEMPLE, BRUCE	300	170	280	292	3	Pump	Sandstone
0416374	1974	SW	02	025	CAMERON, DON	145	95	125	145	8	Bailer	Sandstone

Attachment C: Subdivision Approval

Well ID #	Date	LSD	Sec	Town-ship	Well Owner's Name	Well Depth	Static Water Level	Screen Perfs From	Screen Perfs To	Test Rate (igpm)	Test Type	Lithology
0388268	-	EH	02	025	THORNBERRY, ALAN	-	-	-	-	-	-	-
0349566	1985	SE	03	025	RUBIS, FRED	75	35	52	75	20	Bailer	Fractured Shale

Note: All depths are in feet; igpm=imperial gallons per minute

Most wells in the area are for residential uses. Well depths range from 75 to 400 feet and the aquifers consist mostly of sandstone and shale. Discontinuous aquifers in the area are indicated by various well depths and initial static water levels. Several dry holes are reported, indicating no aquifers. Conversely some pump tests are in excess of 10 gpm, indicating relatively productive wells.

A review of Alberta Environment's database for water licenses and registrations was undertaken. Three registrations were found within Section 35 of Township 24, Range 3, West of the 5th Meridian. One registration is held by Eagle Butte Ranches under the *Water Resources Act* for the purposes of municipal use. The other two registrations are held by Pat Nolan under the *Water Act*.

D) Hydrogeologic Conditions

The strata immediately underlying the site consists of approximately 50 feet of unconsolidated units consisting of topsoil, clay, till, sand stringers, and rocks.

The Regional Groundwater Assessment report for the M.D. of Rockyview, prepared by Agriculture and Agri-Food Canada was reviewed to determine the nature of strata in the area. Groundwater supplies are obtained from the Dalehurst of the Paskapoo Formation. Yields for this aquifer in the area are estimated 10 to 75 m³/day.

According to the Groundwater Assessment study, the water typically has a total dissolved solid concentration of greater than 1000 mg/L. The changing water level greatly varies around the subject site location, with some areas experiencing a decline, while other area having rising water levels.

E) Pump Test and Well Yield

I Details of Pump Test - Personnel from Aaron Drilling conducted a 41 hour and 20 minute pump test on the well on July 10-12, 2007. The pump test was conducted at a rate of 2 imperial gallons per minute. The pump test report from Aaron Drilling is shown on Plates 5-9 with a graph showing depth to water with time on Plate 4. Water levels declined by 10.5 feet during the flow period (24 hours and 30 minutes) and recovered to 100% of static water levels 16 hours and 50 minutes after pumping ceased.

II Aquifer Transmissivity and Well Yield - The pump test data was interpreted with the aid of the AQTESOLV program developed by HydroSoft Inc. The Dougherty-Babu solution method was used for the aquifer conditions which accounts for well bore storage and yield. A confined radial flow model was selected which is likely representative of aquifer conditions. The pump test interpretation is shown on Plate 10. A transmissivity of $3.074 \text{ m}^2/\text{day}$ is calculated.

The twenty year safe yield (Q_{20}) of the well can be calculated through the Farvolden Equation as recommended by Alberta Environment:

$$Q_{20} = 0.68 \times T \times H \times 0.7$$

Where T is the transmissivity from the pump test ($3.074 \text{ m}^2/\text{day}$), H is the available head, or the distance between the static water level and the top of the aquifer (8.2 m), 0.68 is a factor accounting for well bore radius, aquifer storativity and twenty year time frame, and 0.7 is a safety factor.

Substituting these values a twenty year safe yield of $4379 \text{ m}^3/\text{year}$ (1.83 imperial gallons per minute) is calculated. This is in excess of the anticipated water needs ($1250 \text{ m}^3/\text{year}$) and shows that the well can supply the required water needs.

Attachment C: Subdivision Approval**F) Changes in Water Level With Time**

A review of the static water levels was undertaken to determine if indications of the aquifer being over utilized is evident. Initial static water levels from wells that have completion depths within the range of the well (65-165 feet) were examined to determine water level changes with time. A summary of the average water level in each decade for wells of this depth range is as follows:

Decade	Number of	Average Static Water Level
1970s	6	52.83
1980s	4	50
1990s	3	67.4
2000s	2	57.05

Based on the available information, the data from the wells surrounding the quarter section indicates stable water levels from the 1970s to the present. No indications of aquifer dewatering are present.

G) Water Quality

A water sample was collected from the well and submitted to WSH Labs (1992) Ltd. on July 14, 2007 for analysis of parameters as outlined in Alberta Environments Groundwater Evaluation Guideline. The lab analysis report is shown on Plate 11. A summary of the results, with a comparison to drinking water criteria as established by the Canadian Council of Ministers of the Environment (CCME) is as follows:

Parameter	Well	CCME Limits
Well Depth (ft)	115	-
Calcium	59.5	-
Magnesium	20.4	-
Sodium	518	200
Iron	0.24	0.3
Manganese	0.08	0.05
Bicarbonate	818	-
Chloride	0.4	250
Fluoride	0.27	1.5
Nitrates as N	<0.05	10
Nitrites as N	1.6	1
Sulphate	647	500
Potassium	8.3	-
pH	8.09	6.5 - 8.5

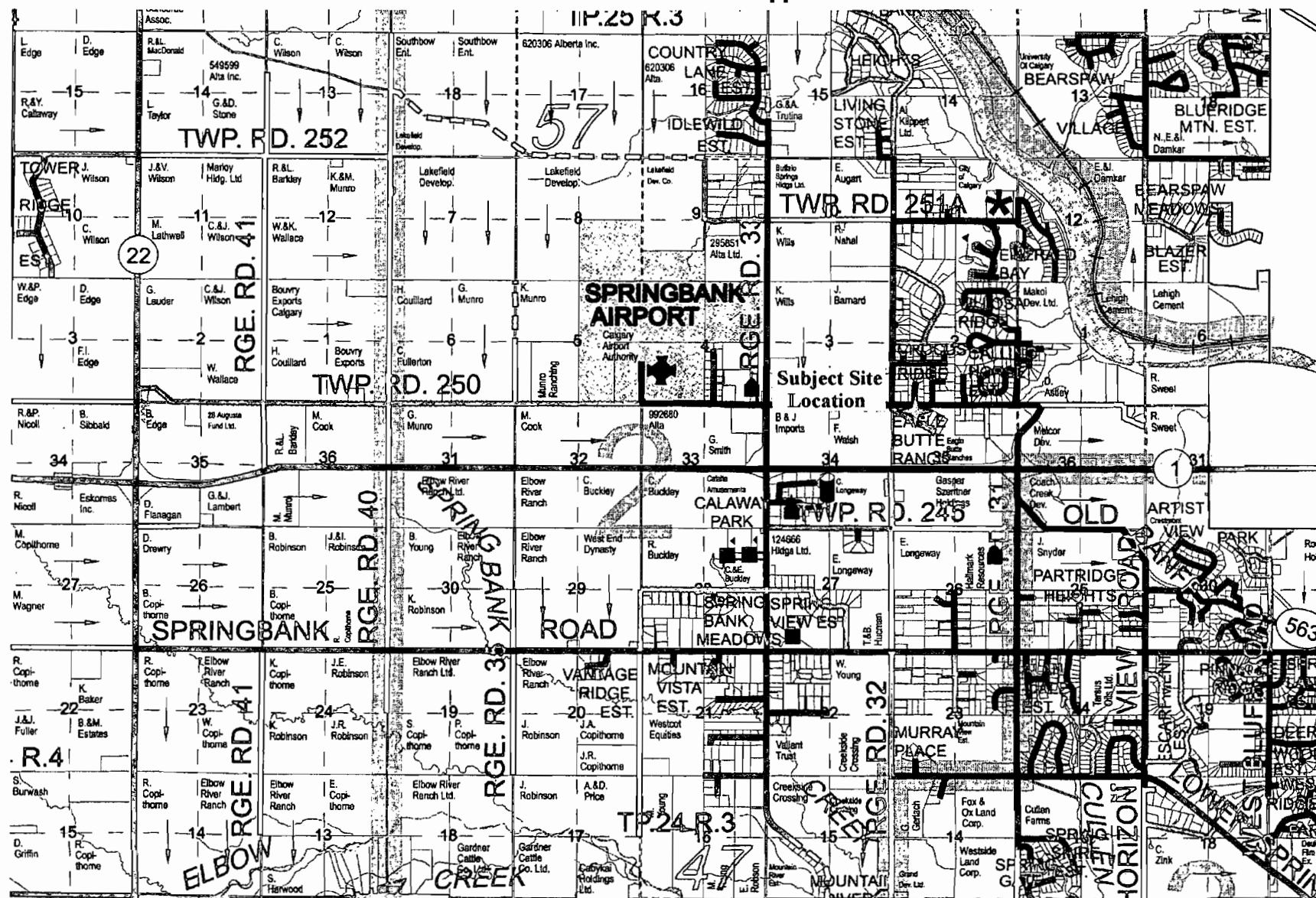
Total Dissolved Solids	1658	500

Note: All results are in mg/L (ppm) except pH, which is in pH units; NA – Not Analysed; **Bold** exceed criteria

The results show that the water exceeds the limits established by CCME for the parameters of sodium, manganese, nitrites as N, sulphates, and total dissolved solids. These parameters are based upon aesthetic criteria and no health risks are noted. The water can be treated by reverse osmosis or distillation if desired to removed the excess parameters.

It is recommended that another sample be collected from the well prior to water use within the residence and tested for routine dissolved constituents and coliform bacteria to confirm the acceptability of the water source for a drinking water supply.

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SABATINI EARTH TECHNOLOGIES INC.

Allan Cote

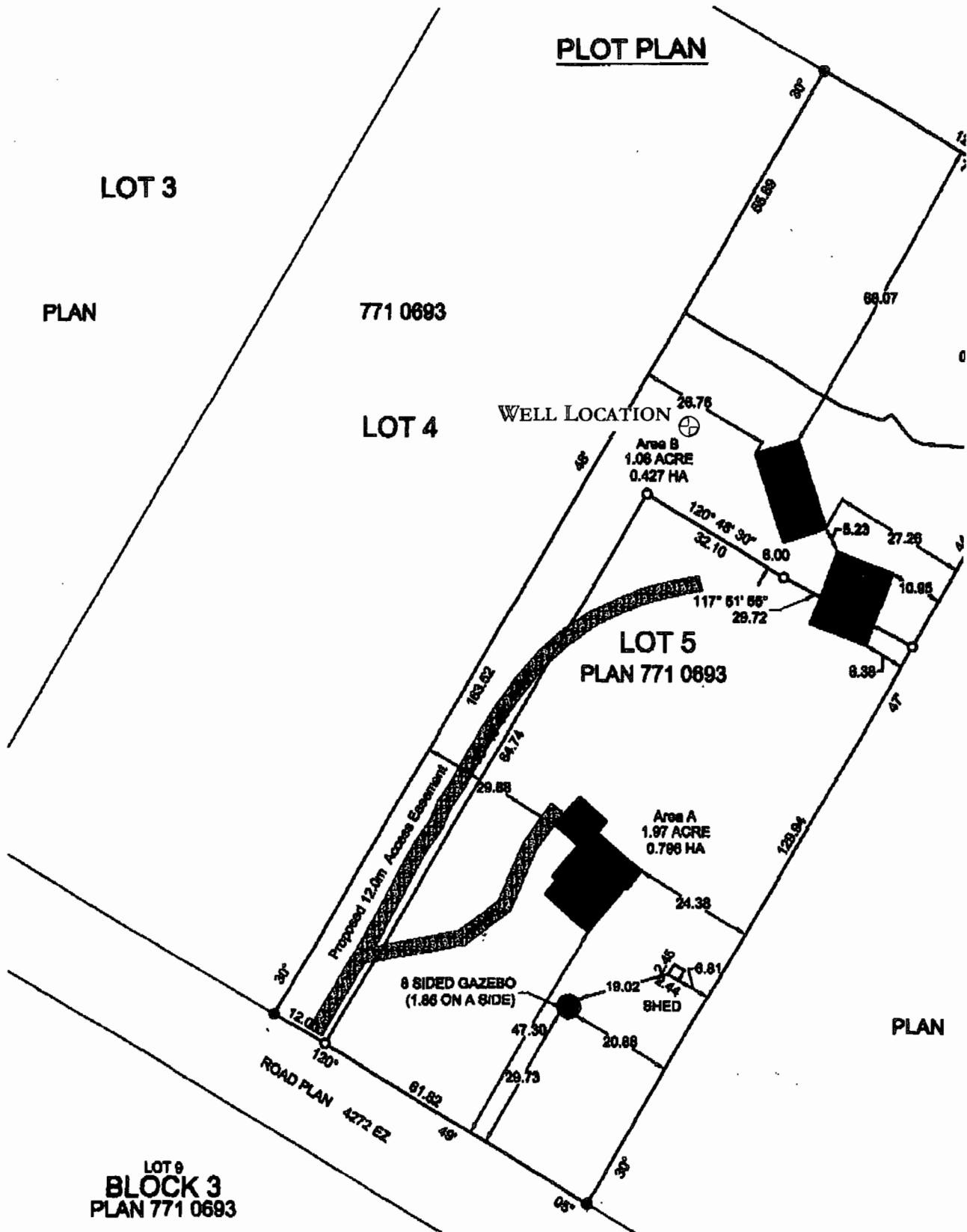
MD of Rocky View No. 44
NW-25-24-3-W5
Key Map

Date: July 2007

Job No: 0707-6213

Plate No:1

Attachment C: Subdivision Approval



SABATINI EARTH TECHNOLOGIES INC.

Allan Cote

**Municipal District of Rocky View No. 44
NW-25-24-03-W5
Site Map**

Date: July 2007

Job No: 0707-6213

Plate No: 2

Attachment C: Subdivision Approval

ALBERTA ENVIRONMENTAL PROTECTION

COMPUTER GENERATED WATER WELL DRILLER'S REPORT FORM

WELL I.D. 339719

THIS DATA MAY NOT BE FULLY CHECKED; THE PROVINCE DISCLAIMS ALL RESPONSIBILITY FOR ITS ACCURACY:

Page 1 of 1

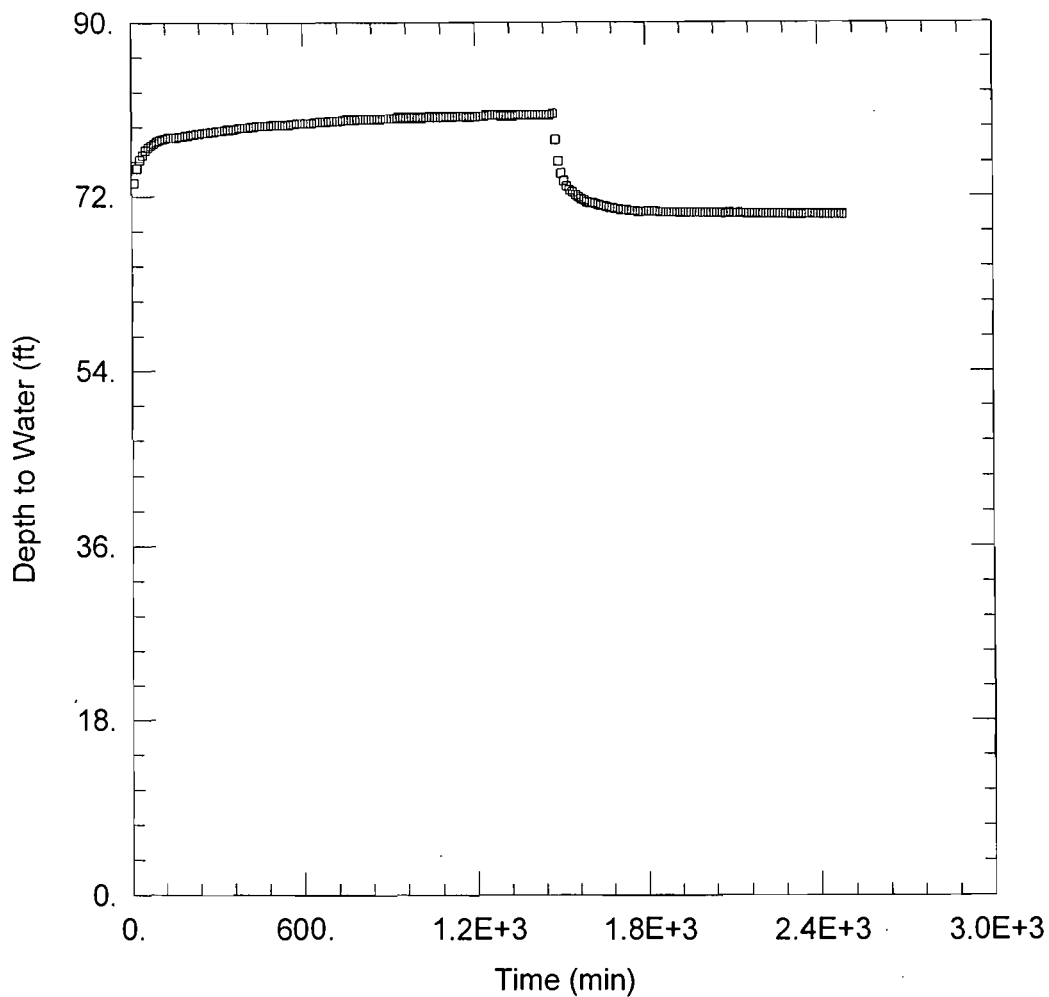
CONTRACTOR:		WELL OWNER:		WELL LOCATION:		IC#:
NAME: AARON/INTERPROVINCIAL WATERWELL DRILLING		NAME: COTE, ALLAN #6108		1/4 OR LSD	SEC	TWP
ADDRESS: Box 28, Site 9, R.R.1 DeWinton, Alberta T0L-0X0		ADDRESS: 76 EAGLE BUTTE RANCH CALGARY		NW	35	024
LICENCE NO.: 0892 JOURNEYMAN NO.: VA4996		POSTAL CODE: T3Z 1K3		RGE	03	W. MER
				LOCATION VERIFICATION METHOD: FIELD		
				LOCATION IN QUARTER:		
				LOT:	BLOCK:	PLAN:
				WELL ELEV:	Feet	How obtain: SURVEY-AIR
FORMATION LOG DESCRIPTION:		DRILLING METHOD: ROTARY		PRODUCTION TEST:		
Depth (Feet)	Lithology	TYPE OF WORK: NEW WELL		TEST DATE: August 31, 2006		
Ground to:		FLOWING WELL: RATE:		START TIME: 15:00		
1	Topsoil	GAS PRESENT: No OIL PRESENT: No		Elapsed Time In Min:Sec		
23	Clay	DATE OF ABANDONMENT:		Depth to Water Level During Pumping (Feet)		
31	Till & Sand Stringers	MATERIAL USED:		Depth to Water Level During Recovery (Feet)		
50	Clay & Rocks	PROPOSED USE: DOMESTIC		10:00 73.58 80.14		
55	Brown Shale	WELL COMPLETION DATA:		20:00 76.36 78.7		
76	Gray Shale	WELL FINISH: CASING/PERFORATED LINER		30:00 78.6 74.57		
107	Water Bearing Sandstone	TOTAL HOLE DEPTH: 115 Feet		40:00 80.12 73.38		
115	Gray Shale	CASING TYPE: STEEL		50:00 81.37 72.54		
		SIZE OD: 6.62 Inch WALL THICKNESS: 0.188 Inch		60:00 82.38		
		BOTTOM AT: 57 Feet		120:00 86.11		
		PERFORATED CASING/LINER:		140:00 86.19		
		TYPE: PLASTIC				
		SIZE OD: 5.00 Inch ID: Inch				
		WALL THICKNESS: 0.219 Inch				
		TOP AT: 55 Feet BOTTOM AT: 115 Feet				
		PERFORATED FROM: 75 Feet TO: 115 Feet				
		Feet TO: Feet				
		Feet TO: Feet				
		SIZE OF PERFORATIONS: 0.188 Inch X 6.000 Inch				
		HOW PERFORATED: SAW				
		SEAL TYPE: DRIVEN				
		INTERVAL TOP: 55 Feet TO: 57 Feet				
		GEOPHYSICAL LOG TAKEN:				
		RETAINED ON FILE:				
		SCREEN:				
		MATERIAL:				
		SIZE ID (CLEAR): Inch SLOT SIZE: Inch				
		INTERVAL TOP: Feet TO: Feet				
		Feet TO: Feet				
		INSTALLATION METHOD:				
		TOP FITTINGS:				
		BOTTOM FITTINGS:				
		PACK TYPE:				
		GRAIN SIZE: AMOUNT:				
		PITLESS ADAPTER TYPE:				
		DROP PIPE TYPE: LENGTH: Feet				
		DIAMETER: Inch				
		ADDITIONAL PUMP INFORMATION:				
DATE WORK STARTED: August 23, 06		COMMENTS: TDS 2300 IRON <.5 HARD 6				
DATE WORK COMPLETED: August 23, 06		(Maximum of 8 lines printed)				
ADDITIONAL TEST AND/OR PUMP DATA:						
CHEMISTRIES HELD:		DOCUMENTS HELD: 1				
WELL OWNER'S ANTICIPATED WATER REQUIREMENTS PER DAY: 500 Gallons		use H = 8.2m				

DATE FORM PRINTED: September 7, 2006 09:03:52 DATE DATA KEYED: September 7, 2006

GIC5

DC

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WELL TEST ANALYSISData Set: Z:\A-Job Folders\Reports\6001-6500\6213 Allan Cote Aquifer NW-35-24-3-W5M\aqtesolv.aqtDate: 07/27/07Time: 08:18:35PROJECT INFORMATIONCompany: Sabatini Earth TechnologiesClient: Aaron DrillingProject: 0707-6213Location: NW-35-024-03-W5Test Well: Allan Cote #6108Test Date: July 10, 2007AQUIFER DATASaturated Thickness: 36.9 ftAnisotropy Ratio (Kz/Kr): 1.WELL DATAPumping Wells

Well Name	X (ft)	Y (ft)
Cote #6108	0	0

Observation Wells

Well Name	X (ft)	Y (ft)
□ Cote #6108	0	0

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AARON DRILLING PUMP TEST RESULTS

Job ID 6108
 Well Depth 115 ft.
 N.P.W.L 70.3 ft.

 Logger Set At: 89.6 ft.
 Test Rate 2 igpm
 Time Intervals 10 min.

<u>Data Point</u>	<u>Date</u>	<u>Minutes</u>	<u>Water Above</u>	<u>Logger Level</u>	<u>Water Level</u>
1	7/10/2007	0	19.3	89.6	70.3
2	7/10/2007	10	16	89.6	73.6
3	7/10/2007	20	14.5	89.6	75.1
4	7/10/2007	30	13.6	89.6	76
5	7/10/2007	40	13.1	89.6	76.5
6	7/10/2007	50	12.6	89.6	77
7	7/10/2007	60	12.3	89.6	77.3
8	7/10/2007	70	12.1	89.6	77.5
9	7/10/2007	80	11.9	89.6	77.7
10	7/10/2007	90	11.7	89.6	77.9
11	7/10/2007	100	11.6	89.6	78
12	7/10/2007	110	11.5	89.6	78.1
13	7/10/2007	120	11.4	89.6	78.2
14	7/10/2007	130	11.3	89.6	78.3
15	7/10/2007	140	11.3	89.6	78.3
16	7/10/2007	150	11.3	89.6	78.3
17	7/10/2007	160	11.3	89.6	78.3
18	7/10/2007	170	11.2	89.6	78.4
19	7/10/2007	180	11.2	89.6	78.4
20	7/10/2007	190	11.1	89.6	78.5
21	7/10/2007	200	11.1	89.6	78.5
22	7/10/2007	210	11	89.6	78.6
23	7/10/2007	220	11	89.6	78.6
24	7/10/2007	230	10.9	89.6	78.7
25	7/10/2007	240	10.9	89.6	78.7
26	7/10/2007	250	10.8	89.6	78.8
27	7/10/2007	260	10.8	89.6	78.8
28	7/10/2007	270	10.8	89.6	78.8
29	7/10/2007	280	10.7	89.6	78.9
30	7/10/2007	290	10.7	89.6	78.9
31	7/10/2007	300	10.6	89.6	79
32	7/10/2007	310	10.6	89.6	79
33	7/10/2007	320	10.6	89.6	79
34	7/10/2007	330	10.5	89.6	79.1
35	7/10/2007	340	10.4	89.6	79.2
36	7/10/2007	350	10.5	89.6	79.1
37	7/10/2007	360	10.5	89.6	79.1
38	7/10/2007	370	10.4	89.6	79.2
39	7/10/2007	380	10.3	89.6	79.3
40	7/10/2007	390	10.3	89.6	79.3
41	7/10/2007	400	10.3	89.6	79.3
42	7/10/2007	410	10.3	89.6	79.3

Attachment C: Subdivision Approval

43	7/10/2007	420	10.2	89.6	79.4
44	7/10/2007	430	10.2	89.6	79.4
45	7/10/2007	440	10.1	89.6	79.5
46	7/10/2007	450	10.1	89.6	79.5
47	7/11/2007	460	10.1	89.6	79.5
48	7/11/2007	470	10.1	89.6	79.5
49	7/11/2007	480	10.1	89.6	79.5
50	7/11/2007	490	10	89.6	79.6
51	7/11/2007	500	10	89.6	79.6
52	7/11/2007	510	10	89.6	79.6
53	7/11/2007	520	10	89.6	79.6
54	7/11/2007	530	10	89.6	79.6
55	7/11/2007	540	10	89.6	79.6
56	7/11/2007	550	10	89.6	79.6
57	7/11/2007	560	9.9	89.6	79.7
58	7/11/2007	570	9.9	89.6	79.7
59	7/11/2007	580	9.8	89.6	79.8
60	7/11/2007	590	9.8	89.6	79.8
61	7/11/2007	600	9.8	89.6	79.8
62	7/11/2007	610	9.8	89.6	79.8
63	7/11/2007	620	9.8	89.6	79.8
64	7/11/2007	630	9.8	89.6	79.8
65	7/11/2007	640	9.7	89.6	79.9
66	7/11/2007	650	9.7	89.6	79.9
67	7/11/2007	660	9.7	89.6	79.9
68	7/11/2007	670	9.7	89.6	79.9
69	7/11/2007	680	9.7	89.6	79.9
70	7/11/2007	690	9.6	89.6	80
71	7/11/2007	700	9.6	89.6	80
72	7/11/2007	710	9.6	89.6	80
73	7/11/2007	720	9.6	89.6	80
74	7/11/2007	730	9.6	89.6	80
75	7/11/2007	740	9.5	89.6	80.1
76	7/11/2007	750	9.5	89.6	80.1
77	7/11/2007	760	9.5	89.6	80.1
78	7/11/2007	770	9.5	89.6	80.1
79	7/11/2007	780	9.5	89.6	80.1
80	7/11/2007	790	9.4	89.6	80.2
81	7/11/2007	800	9.4	89.6	80.2
82	7/11/2007	810	9.4	89.6	80.2
83	7/11/2007	820	9.4	89.6	80.2
84	7/11/2007	830	9.4	89.6	80.2
85	7/11/2007	840	9.4	89.6	80.2
86	7/11/2007	850	9.4	89.6	80.2
87	7/11/2007	860	9.3	89.6	80.3
88	7/11/2007	870	9.4	89.6	80.2
89	7/11/2007	880	9.3	89.6	80.3
90	7/11/2007	890	9.3	89.6	80.3
91	7/11/2007	900	9.3	89.6	80.3
92	7/11/2007	910	9.3	89.6	80.3
93	7/11/2007	920	9.3	89.6	80.3
94	7/11/2007	930	9.2	89.6	80.4

Attachment C: Subdivision Approval

95	7/11/2007	940	9.3	89.6	80.3
96	7/11/2007	950	9.2	89.6	80.4
97	7/11/2007	960	9.2	89.6	80.4
98	7/11/2007	970	9.3	89.6	80.3
99	7/11/2007	980	9.3	89.6	80.3
100	7/11/2007	990	9.2	89.6	80.4
101	7/11/2007	1000	9.2	89.6	80.4
102	7/11/2007	1010	9.3	89.6	80.3
103	7/11/2007	1020	9.2	89.6	80.4
104	7/11/2007	1030	9.2	89.6	80.4
105	7/11/2007	1040	9.2	89.6	80.4
106	7/11/2007	1050	9.2	89.6	80.4
107	7/11/2007	1060	9.2	89.6	80.4
108	7/11/2007	1070	9.2	89.6	80.4
109	7/11/2007	1080	9.2	89.6	80.4
110	7/11/2007	1090	9.2	89.6	80.4
111	7/11/2007	1100	9.1	89.6	80.5
112	7/11/2007	1110	9.2	89.6	80.4
113	7/11/2007	1120	9.2	89.6	80.4
114	7/11/2007	1130	9.1	89.6	80.5
115	7/11/2007	1140	9.1	89.6	80.5
116	7/11/2007	1150	9.1	89.6	80.5
117	7/11/2007	1160	9.1	89.6	80.5
118	7/11/2007	1170	9.2	89.6	80.4
119	7/11/2007	1180	9.2	89.6	80.4
120	7/11/2007	1190	9.1	89.6	80.5
121	7/11/2007	1200	9.1	89.6	80.5
122	7/11/2007	1210	9.1	89.6	80.5
123	7/11/2007	1220	9.1	89.6	80.5
124	7/11/2007	1230	9.1	89.6	80.5
125	7/11/2007	1240	9	89.6	80.6
126	7/11/2007	1250	9	89.6	80.6
127	7/11/2007	1260	9	89.6	80.6
128	7/11/2007	1270	9	89.6	80.6
129	7/11/2007	1280	9	89.6	80.6
130	7/11/2007	1290	9.1	89.6	80.5
131	7/11/2007	1300	9	89.6	80.6
132	7/11/2007	1310	9	89.6	80.6
133	7/11/2007	1320	9.1	89.6	80.5
134	7/11/2007	1330	9.1	89.6	80.5
135	7/11/2007	1340	9	89.6	80.6
136	7/11/2007	1350	8.9	89.6	80.7
137	7/11/2007	1360	9	89.6	80.6
138	7/11/2007	1370	9	89.6	80.6
139	7/11/2007	1380	9	89.6	80.6
140	7/11/2007	1390	8.9	89.6	80.7
141	7/11/2007	1400	9	89.6	80.6
142	7/11/2007	1410	8.9	89.6	80.7
143	7/11/2007	1420	9	89.6	80.6
144	7/11/2007	1430	8.9	89.6	80.7
145	7/11/2007	1440	8.9	89.6	80.7
146	7/11/2007	1450	9	89.6	80.6

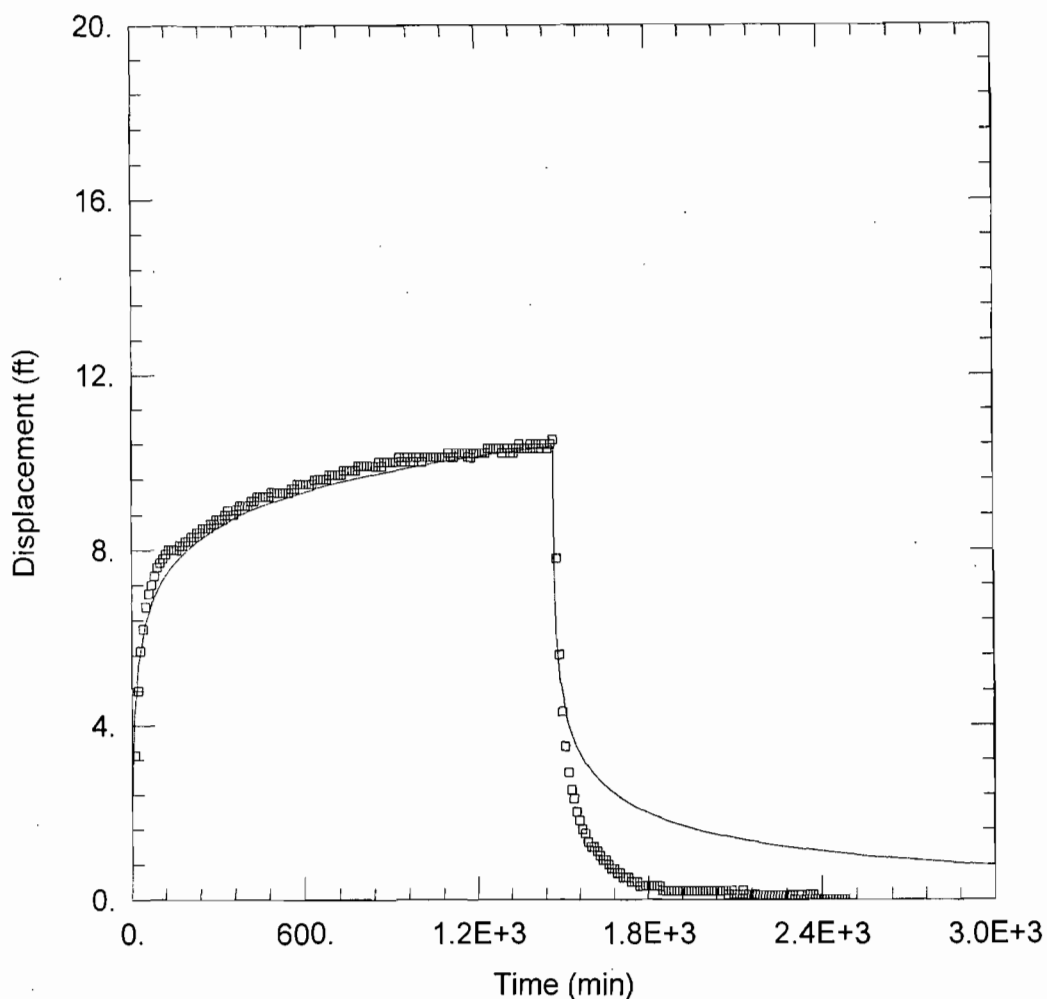
Attachment C: Subdivision Approval

147	7/11/2007	1460	8.9	89.6	80.7
148	7/11/2007	1470	8.8	89.6	80.8
149	7/11/2007	1480	11.5	89.6	78.1
150	7/11/2007	1490	13.7	89.6	75.9
151	7/11/2007	1500	15	89.6	74.6
152	7/11/2007	1510	15.8	89.6	73.8
153	7/11/2007	1520	16.4	89.6	73.2
154	7/11/2007	1530	16.8	89.6	72.8
155	7/11/2007	1540	17	89.6	72.6
156	7/11/2007	1550	17.3	89.6	72.3
157	7/11/2007	1560	17.5	89.6	72.1
158	7/11/2007	1570	17.7	89.6	71.9
159	7/11/2007	1580	17.8	89.6	71.8
160	7/11/2007	1590	18	89.6	71.6
161	7/11/2007	1600	18.1	89.6	71.5
162	7/11/2007	1610	18.1	89.6	71.5
163	7/11/2007	1620	18.2	89.6	71.4
164	7/11/2007	1630	18.3	89.6	71.3
165	7/11/2007	1640	18.4	89.6	71.2
166	7/11/2007	1650	18.4	89.6	71.2
167	7/11/2007	1660	18.5	89.6	71.1
168	7/11/2007	1670	18.6	89.6	71
169	7/11/2007	1680	18.6	89.6	71
170	7/11/2007	1690	18.7	89.6	70.9
171	7/11/2007	1700	18.7	89.6	70.9
172	7/11/2007	1710	18.8	89.6	70.8
173	7/11/2007	1720	18.8	89.6	70.8
174	7/11/2007	1730	18.8	89.6	70.8
175	7/11/2007	1740	18.9	89.6	70.7
176	7/11/2007	1750	18.9	89.6	70.7
177	7/11/2007	1760	18.9	89.6	70.7
178	7/11/2007	1770	19	89.6	70.6
179	7/11/2007	1780	19	89.6	70.6
180	7/11/2007	1790	19	89.6	70.6
181	7/11/2007	1800	19	89.6	70.6
182	7/11/2007	1810	19	89.6	70.6
183	7/11/2007	1820	19	89.6	70.6
184	7/11/2007	1830	19	89.6	70.6
185	7/11/2007	1840	19	89.6	70.6
186	7/11/2007	1850	19.1	89.6	70.5
187	7/11/2007	1860	19.1	89.6	70.5
188	7/11/2007	1870	19.1	89.6	70.5
189	7/11/2007	1880	19.1	89.6	70.5
190	7/11/2007	1890	19.1	89.6	70.5
191	7/12/2007	1900	19.1	89.6	70.5
192	7/12/2007	1910	19.1	89.6	70.5
193	7/12/2007	1920	19.1	89.6	70.5
194	7/12/2007	1930	19.1	89.6	70.5
195	7/12/2007	1940	19.1	89.6	70.5
196	7/12/2007	1950	19.1	89.6	70.5
197	7/12/2007	1960	19.1	89.6	70.5
198	7/12/2007	1970	19.1	89.6	70.5

Attachment C: Subdivision Approval

199	7/12/2007	1980	19.1	89.6	70.5
200	7/12/2007	1990	19.1	89.6	70.5
201	7/12/2007	2000	19.1	89.6	70.5
202	7/12/2007	2010	19.1	89.6	70.5
203	7/12/2007	2020	19.1	89.6	70.5
204	7/12/2007	2030	19.1	89.6	70.5
205	7/12/2007	2040	19.1	89.6	70.5
206	7/12/2007	2050	19.1	89.6	70.5
207	7/12/2007	2060	19.1	89.6	70.5
208	7/12/2007	2070	19.1	89.6	70.5
209	7/12/2007	2080	19.2	89.6	70.4
210	7/12/2007	2090	19.1	89.6	70.5
211	7/12/2007	2100	19.2	89.6	70.4
212	7/12/2007	2110	19.2	89.6	70.4
213	7/12/2007	2120	19.2	89.6	70.4
214	7/12/2007	2130	19.1	89.6	70.5
215	7/12/2007	2140	19.2	89.6	70.4
216	7/12/2007	2150	19.2	89.6	70.4
217	7/12/2007	2160	19.2	89.6	70.4
218	7/12/2007	2170	19.2	89.6	70.4
219	7/12/2007	2180	19.2	89.6	70.4
220	7/12/2007	2190	19.2	89.6	70.4
221	7/12/2007	2200	19.2	89.6	70.4
222	7/12/2007	2210	19.2	89.6	70.4
223	7/12/2007	2220	19.2	89.6	70.4
224	7/12/2007	2230	19.2	89.6	70.4
225	7/12/2007	2240	19.2	89.6	70.4
226	7/12/2007	2250	19.2	89.6	70.4
227	7/12/2007	2260	19.2	89.6	70.4
228	7/12/2007	2270	19.2	89.6	70.4
229	7/12/2007	2280	19.2	89.6	70.4
230	7/12/2007	2290	19.2	89.6	70.4
231	7/12/2007	2300	19.2	89.6	70.4
232	7/12/2007	2310	19.3	89.6	70.3
233	7/12/2007	2320	19.3	89.6	70.3
234	7/12/2007	2330	19.2	89.6	70.4
235	7/12/2007	2340	19.3	89.6	70.3
236	7/12/2007	2350	19.2	89.6	70.4
237	7/12/2007	2360	19.2	89.6	70.4
238	7/12/2007	2370	19.2	89.6	70.4
239	7/12/2007	2380	19.3	89.6	70.3
240	7/12/2007	2390	19.3	89.6	70.3
241	7/12/2007	2400	19.3	89.6	70.3
242	7/12/2007	2410	19.3	89.6	70.3
243	7/12/2007	2420	19.3	89.6	70.3
244	7/12/2007	2430	19.3	89.6	70.3
245	7/12/2007	2440	19.3	89.6	70.3
246	7/12/2007	2450	19.3	89.6	70.3
247	7/12/2007	2460	19.3	89.6	70.3
248	7/12/2007	2470	19.3	89.6	70.3
249	7/12/2007	2480	19.3	89.6	70.3

Attachment C: Subdivision Approval



WELL TEST ANALYSIS

Data Set: Z:\A-Job Folders\Reports\6001-6500\6213 Allan Cote Aquifer NW-35-24-3-W5M\aqtesolv.aqtDate: 07/27/07Time: 08:26:12

PROJECT INFORMATION

Company: Sabatini Earth TechnologiesClient: Aaron DrillingProject: 0707-6213Location: NW-35-024-03-W5Test Well: Allan Cote #6108Test Date: July 10, 2007

WELL DATA

Pumping Wells

Observation Wells

Well Name	X (ft)	Y (ft)
Cote #6108	0	0

Well Name	X (ft)	Y (ft)
□ Cote #6108	0	0

SOLUTION

Aquifer Model: ConfinedSolution Method: Dougherty-BabuT = 3.074 m²/dayS = 0.1306Kz/Kr = 1804.4Sw = 0.r(w) = 0.2747 ftr(c) = 0.2075 ft



3851B - 21 Street N.E.
 Calgary, Alberta
 Canada T2E6T5
 Ph: (403) 250-9164
 Fax: (403) 291-4597
 Website: www.wshlabs.com

Aaron Drilling
 Box 28, Site 9, RR 1
 De Winton, AB T0L 0X0

Phone: 938-4961
 Fax: 938-3324
 Email:

Lab Number: 57610
 PO Number:

Attention:		Sampled By:	
Client ID:	6108	Date Sampled:	
Location:	Cote	Date Received:	7/14/2007
Legal:		Date Reported:	7/19/2007

Analyte	Units	Result	Canadian Drinking Water Guideline Maximum
Calcium	mg/L	59.5	No Guideline
Iron	mg/L	0.24	0.3
Magnesium	mg/L	20.4	No Guideline
Manganese	mg/L	0.08	0.05
Potassium	mg/L	8.3	No Guideline
Sodium	mg/L	518	200
Bicarbonates	mg/L	818	No Guideline
Bromides	mg/L	< 0.1	No Guideline
Carbonates	mg/L	0	No Guideline
Chlorides	mg/L	0.4	250
Fluorides	mg/L	0.27	1.5
Nitrates as N	mg/L	< 0.05	10
Nitrites as N	mg/L	1.6	1
NO ₃ + NO ₂ as N	mg/L	1.6	No Guideline
Sulfates	mg/L	647	500

Parameter	Units	Result	Canadian Drinking Water Guideline Maximum
Electrical Conductivity	µS/cm	2460	No Guideline
pH	pH	8.09	6.5 - 8.5
Hardness (as CaCO ₃)	mg/L	233	No Guideline
Total Alkalinity (as CaCO ₃)	mg/L	671	No Guideline
P-Alkalinity (as CaCO ₃)	mg/L	0	No Guideline
Hydroxide (as CaCO ₃)	mg/L	0	No Guideline
Total Dissolved Solids	mg/L	1658	500
Total Organic Carbon	mg/L	-	No Guideline
Sulfides as S	mg/L	-	0.05

Microbiology	Units	Result	Canadian Drinking Water Guideline Maximum
Total Coliform	CFU/100 mL	-	Zero
Escherichia Coliform	CFU/100 mL	-	Zero
Fecal Coliform	CFU/100 mL	-	Zero

Sum of Cations	27.38	TDS / EC Ratio	0.67
Sum of Anions	26.92	SAR	14.77
Ion Balance	1.02	Saturation Index	1.1

Certified By: 

Accredited by CAEAL to ISO/IEC 17025 for specific tests.

SAR = Sodium Adsorption Ratio, TNTC = Too Numerous To Count (>200 colonies), < denotes less than detection limit

The results above are related only to the items analyzed. Total Dissolved Solids is determined by calculation.

Control No: WSH-BKW060113B-Rev1.2

Attachment Q - Subdivision Approval

Application Number: 2006529 File Number: 04735020 Start: 03-Oct-06 End: 03-Nov-06
 Application Type: Redesignation Application Name: Cote
 Planner: Jared Kassel

Agency Name	Date Received	Comments?	Response
☒ Alberta Energy and Utilities Board			
☒ Alberta Infrastructure & Transportation			
☒ Alberta Land Titles Office			
☒ AltaLink Management Ltd.			
☒ Atco Gas			
☒ Atco Pipelines			
☒ Calgary Health Region			
☒ Catholic Francophone Education			
☒ Catholic School Center			
☒ EnCana Corporation			
☒ FortisAlberta			
☒ Public Francophone Education			
☒ Rocky View Agricultural Service Board			
☒ Rocky View Development Services			
☒ Rocky View Emergency Services			
☒ Rocky View GeoGraphics			
☒ Rocky View I & O Mgr			
☒ Rocky View I & O Project Delivery Mgr			
☒ Rocky View School Division #41			
☒ Rocky View West Recreation Board			
☒ Springbank Airport			
☒ Telus Communications Inc.			
☒ TransAlta Utilities Ltd. Div. # 1			
Total Circulations:	23		

Attachment C: Subdivision Approval



Graham Smith
Development Authority
M.D. of Rocky View

PAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed

Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

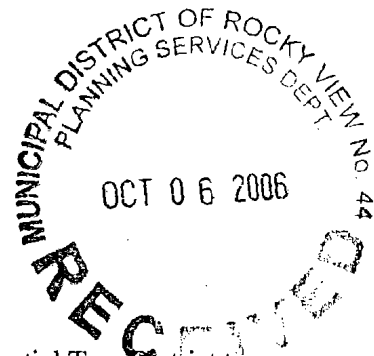
Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.



✓

Attachment 4: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

Trent R. West
Fire Chief
M.D. of Rocky View

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

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If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44, 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

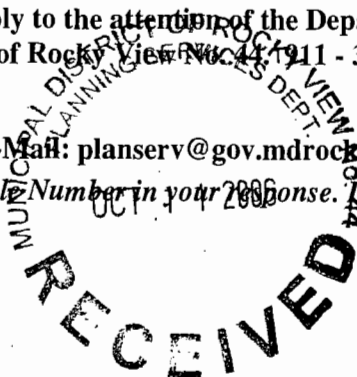
Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

NO CONCERNS



**MUNICIPAL DISTRICT OF ROCKY VIEW No. 44**

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

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The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed

Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

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Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

Approved - No Objection - Fortis Alberta Inc.
It would be a Fortis Alberta preference, that the Developer is responsible to electrically pre service the lots.

Signed M. Garetche

Date Oct 13/06

Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.



Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6

Telephone (403) 230-1401 • Fax (403) 277-5977

Website: www.gov.mdrockyview.ab.ca

E-mail: comments@gov.mdrockyview.ab.ca

06-3159

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

No HY

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

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Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

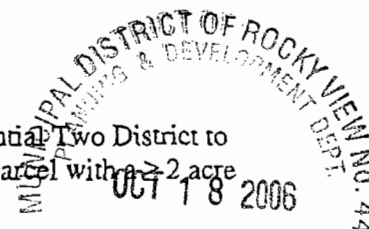
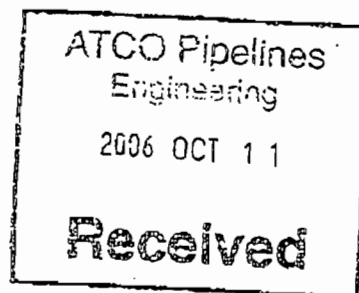
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Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006



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Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number c necessary to return this package with your repl

ATTN: Jared Kassel

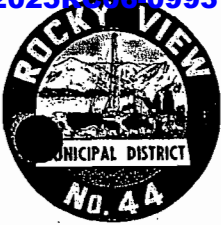
FAX#: 403-277-3066

ATCO PIPELINES

Has No Objection

DATE: Oct. 18/06

INITIALS: JK.



MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
 Telephone (403) 230-1401 • Fax (403) 277-5977
 Website: www.gov.mdrockyview.ab.ca
 E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

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Owner(s) Allan Cote

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Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

No Comment Req.

 A handwritten signature in black ink, appearing to be "Allan Cote", written over a horizontal line.

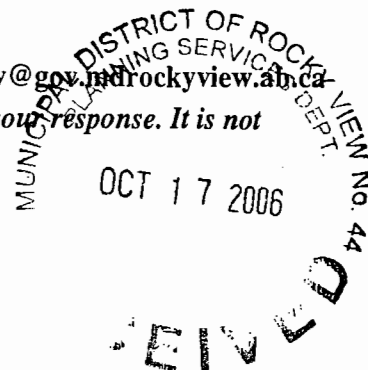
Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

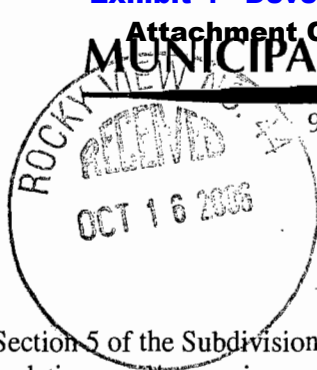
Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.





Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
 Telephone (403) 230-1401 • Fax (403) 277-5977
 Website: www.gov.mdrockyview.ab.ca
 E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
 2006-RV-530 Subdivision

File Number: 04735020

Date Completed

Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

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M.D. Contact: Jared Kassel

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Phone: 230-1401

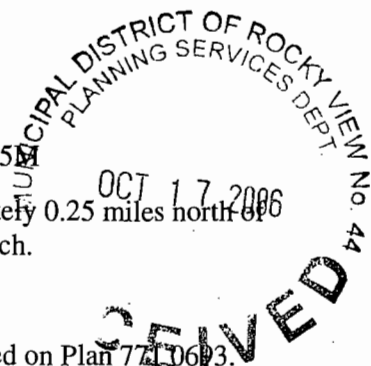
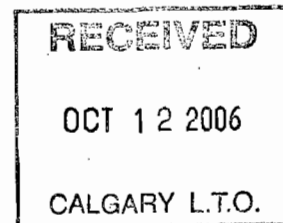
Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

The Land Titles Office will accept a plan of survey ~~_____~~ for registration.

[Signature]





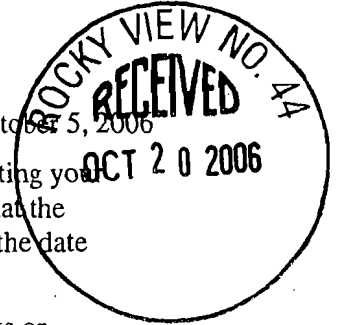
MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

OCT 11 2006

PLANNING

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
 Telephone (403) 230-1401 • Fax (403) 277-5977
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Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

ROCKY VIEW SCHOOL DIVISION NO. 41	
☒	NO OBJECTIONS OR COMMENTS
☐	THIS APPLICATION AFFECTS US. SEE ATTACHED LETTER.

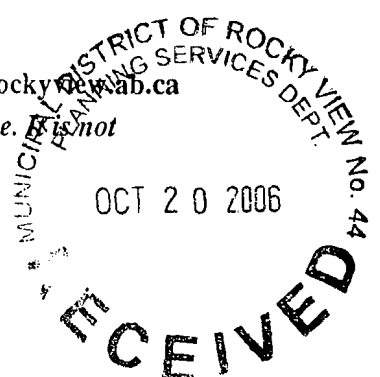
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Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

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Attachment C: Subdivision Approval

ATCO Gas**FAX**DATE: Oct 20/06

ATCO File No: 233-24-03-35-02

Your File No: 2006530-04735020

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44 (FAX: 277-3066)

ATTENTION: Planning Services Section - Dept. of Planning & Development

RE: Allan Cote- SUBDIVISION

Lot 5, Plan 771 0693 within NW 35-24-03-W5M

Assigned MD Planner: Jared Kassel

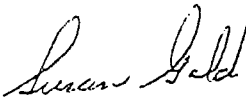


In reference to the above noted subdivision, please be advised of the following:

- _____ - ATCO Gas and Pipelines Ltd. has no existing Utility Right of Way on the subject property, or the existing Utility Right of Way is not sufficient for subdivision servicing. We therefore will require the landowner(s) to execute a Utility Right of Way to the satisfaction of ATCO Gas. Once the Utility Right of Way has been registered we will notify you of the same.
- _____ - ATCO Gas and Pipelines Ltd. has no need for a Utility Right of Way on the subject property at this time, and therefore, has no objection to the proposed subdivision.
- ☒ - Please be advised that our existing/future gas line(s) on the subject property are protected by way of an Utility Right of Way Agreement, registered as Instrument(s) # 741 105 568. Therefore, ATCO Gas and Pipelines Ltd. has no objection to the proposed subdivision.
- _____ - ***ATCO Pipelines has high pressure facilities located within the above noted legal description. We have forwarded this subdivision application to: Joanne Vansickle, 9th Floor, ATCO Pipelines, 10035 - 105 Street, Edmonton, Alberta T5J 2V6, Telephone: (780) 420-7562, Fax: (780) 420-7411 for comments.

Before any ground disturbance commences on the subject property, the land owner or developer must ensure that the exact location of all natural gas pipeline(s) are determined by calling Alberta One-Call Corporation at 1-800-242-3447. Please also note that a crossing agreement may be required if the developer and/or landowner plans to cross over/under an existing natural gas pipeline(s) with a new subdivision facility. Please contact the Land Department at 245-7845 for further information.

Sincerely,
ATCO Gas
a division of ATCO Gas and Pipelines Ltd.


Susan Gold
Land Department

- cc: Rural Designer @
- ATCO Gas Engineering [major subdivision (10 lots or more) or that require upgrading]



Infrastructure and Transportation
Transportation & Civil EngineeringRegional Services
SOUTHERN REGION2nd Floor, 803 Manning Road NE
Calgary Alberta T2E 7M8Toll-Free Connection
Outside Edmonton - Dial 310-0000
Telephone 403/297-6311
Fax 403/297-7682
www.trans.gov.ab.caOur File: 24/0335-15
Your File: 2006-RV-529, 530 - 04735020

October 20, 2006

Mr. Jared Kassel
Municipal District of Rocky View No. 44
911 - 32nd Avenue NE
Calgary AB T2E 6X6

Dear Mr. Kassel:

**RE: PROPOSED REDESIGNATION AND SUBDIVISION
LOT 5, PLAN 7710693; NW-35-24-03-W5M
HIGHWAY 1, WEST OF THE CITY OF CALGARY**

This will acknowledge receipt of your circulation memorandum regarding the above noted proposal, which must meet the requirements of Section 14 of the Subdivision and Development Regulation, due to the proximity of Highway 1. Presently, the application does not appear to comply with any category of Section 14 of the Regulation.

The department recognizes that the land involved in this application is removed from the provincial highway system, and relies on the municipal road network for access. Additionally, it appears that the single residential parcel being created by this application should not have a significant impact on the provincial highway system.

Alberta Infrastructure and Transportation, therefore, is not opposed to the proposal and, in this instance the department grants an unconditional waiver of the requirements of Section 14 of the Regulation.

Please note, from the department's perspective, any appeals received regarding this application may be dealt with by the local Subdivision and Development Appeal Board rather than by the Municipal Government Board.

Yours truly,

Trevor Richelhof
Development and Planning Technologist

TBR/fm

cc: Mr. G. Tjostheim - Roadside Planning

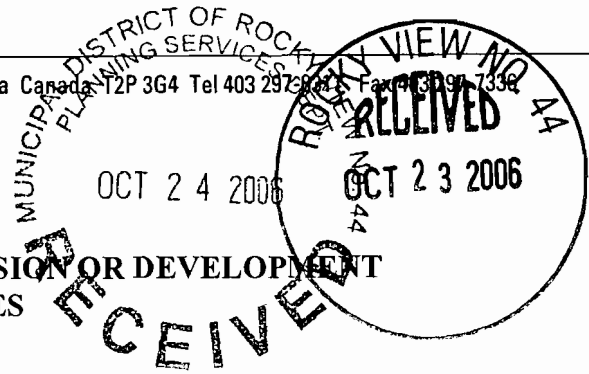
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Attachment C: Subdivision Approval



Alberta Energy and Utilities Board

Calgary Office 640 – 5 Avenue SW Calgary, Alberta Canada T2P 3G4 Tel 403 297-8944 Fax 403 297-7336



**REFERRAL REPLY FOR PROPOSED SUBDIVISION OR DEVELOPMENT
REGARDING SOUR GAS WELLS OR PIPELINES**
Updated January 2006

The *Alberta Regulation 43/2002, Municipal Government Act, Subdivision and Development Regulation* states that the Alberta Energy and Utilities Board (EUB) must provide comments relevant to your proposed application that is within 1.5 kilometres of a sour gas facility.

The EUB has reviewed and completed a search of EUB regulated wells and pipelines in the vicinity of your referred subdivision or development application in an effort to provide you with the information that is relevant to this specific application.

EUB Setback Distances

A setback distance is the minimum distance that must be maintained between an energy facility and various surface developments for land use and public safety purposes. This distance may increase where sour gas is present. Sour gas is a natural gas that contains hydrogen sulphide (H_2S).

Setback distances are dependant on the development density classification the EUB assigns to your referral and the level assigned to a well or pipeline. The level of a well is determined by the licensed H_2S release rate measured in cubic metres per second (m^3/s). The level of a pipeline is determined by the licensed H_2S release volume measured in cubic metres (m^3). The development classification is a tool used by the EUB to provide you with specific setback distance information for your referred application. The development density classifications; Permanent Dwelling, Unrestricted Country Development, Urban Centre and Public Facility are defined within *Interim Directive (ID) 81-3 Minimum Distance Requirements Separating New Sour Gas Facilities From Residential and Other Developments* and *ID 97-6 Sour Well Licensing and Drilling Requirements*, available on the EUB's website. Setback distances corresponding to these development density classifications are found within these documents. If you feel your referred application has been incorrectly classified, please contact the person named on this letter.

Wells

When any well licence is granted, the EUB requires the licensee to maintain a minimum setback distance of 100 metres (m) from the wellhead to a surface improvement with a possible greater setback distance required if the well contains sour gas. Exceptions to this are surveyed roadways or road allowances that may be as close as 40 m. While the EUB does not regulate land development, EUB sour gas setback distances are reflected in the *Municipal Government Act (MGA) Subdivision and Development Regulation*. Both jurisdictions' regulations are intended to complement one another.

2

Wells may exist within the area of this application. However, the EUB has determined that these wells either meet the setback distance requirements associated specific to your referral or they must observe the 100 m setback distance.

For a listing of EUB wells in a specific area, contact the Information Services Group at the EUB (403) 297-8190.

Abandoned Wells

The EUB recommends the applicant locate abandoned wells prior to the land use development planning phase and no structure be placed over top of an abandoned well. Setback recommendations for abandoned wells are explained in a document called *Advisory Land Use Planning Notes - Abandoned Oil and Gas Wells*. These notes have been prepared jointly by the EUB and Alberta Municipal Affairs and can be viewed on the Municipal Affairs website at, <http://municipalaffairs.gov.ab.ca/ms/AbandonedWellSites.cfm>.

For a listing of EUB abandoned wells in a specific area, contact the Information Services Group at the EUB (403) 297-8190.

Pipelines

When a pipeline licence is granted for a pipeline transmitting sour natural gas or sour oil effluent containing greater than 10 moles of H₂S gas per kilomole of natural gas, the EUB requirement for setback distances are stated within *ID 81-3 and Directive 26 Setback Requirements for Oil Effluent Pipelines* respectively. When licences are granted for pipelines transmitting other substances or for abandoned pipelines there is no regulated setback distance. However, land use and construction activity on the pipeline right-of-way is restricted by the right-of-way agreement. The EUB's *Guide 30, Guidelines for Safe Construction near Pipelines* is available on our website; this can be useful in understanding safe construction practices. All pipeline licensees are required to register with the Alberta One-Call service, 1-800-242-3447.

Please note that pipelines may exist within the area of your referred application. However, the EUB has determined that these pipelines either meet the setback distance requirement associated specific to your referral and/or the pipeline right-of-way must be observed.

Questions concerning this reply may be directed to Jenny Miller, Technician, at (403) 297-2529 or alternatively jenny.miller@gov.ab.ca.

Enclosure: Front page of referred application



Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
 Telephone (403) 230-1401 • Fax (403) 277-5977
 Website: www.gov.mdrockyview.ab.ca
 E-mail: comments@gov.mdrockyview.ab.ca

UCC

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

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The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
 2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within ~~NW 35-24-3-W5M~~

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

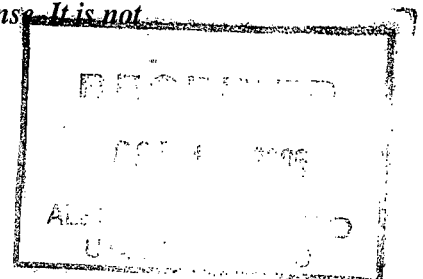
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Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.



MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
Attachment C: Subdivision Approval

PLANNING SERVICES APPLICATION FOR

REDESIGNATION

FOR OFFICE USE ONLY	
Date of Receipt <i>Sept 11/06</i>	File Number <i>04735-00</i>
Fee Submitted <i>2425-00</i>	Accepted by <i>Drew/Heskey</i>

PLEASE PRINT

Name of Applicant Allan Cote Email _____Mailing Address 76- Eagle Butte RanchCalgary Ab Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDEDLot 5 Block _____ Plan 7710693 in the NW ¼ Section 35 Township 24 Range 03 West of the 5 meridian.Existing / Proposed Water Source: Communal well / New well (drilled)Existing / Proposed Sewage Disposal: Septic Field / Septic Field**2. EXISTING AND PROPOSED USE OF LAND**Existing Land Use Designation R2 Proposed Land Use Designation R1
(as prescribed in the Land Use Bylaw)

If the application is for a Farmstead Isolation, the age of the existing house, in years _____

Description of proposed new development on site: None**3. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF**ALLAN A COTE hereby certify that ☒ I am the registered owner
(Full Name in Block Capitals)☐ I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for redesignation.

Address Allan A Cote

(Signed) _____

Phone No. _____

Date SEPT 11 2006**4. RIGHT OF ENTRY**

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for redesignation.

Allan A Cote
Owner's Signature

Attachment C: Subdivision Approval

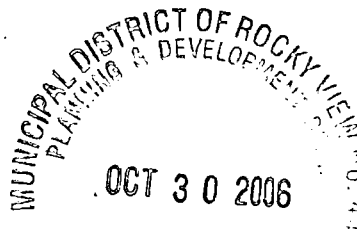
Southeast Community Portfolio
Centre 15
Environmental Health
 1509 Centre Street SW
 Calgary, Alberta T2G 2E6
 Phone: (403) 943-8095
 Fax: (403) 943-8056

10/30/2006 1:19:00 PM



calgary health region

Department of Planning and Development
Municipal District of Rocky View No. 44
 911-32nd Avenue NE
 Calgary, Alberta
 T2E 6X6



VIA Fax: 403-277-3066

Dear Sir or Madam:

The Calgary Health Region (CHR) wishes to submit the following comments and/or concerns respecting the application outlined below:

FILE NO: 04735020
APPLICATION NO: 2006-RV-529/530 Subdivision/Redesignation
LEGAL: Lot 5 Plan 771 0693 NW-35-24-3-W5M
PROPOSAL: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.



No Objections or Concerns



Please See Attached Concerns

If a land use changes in the future, or if any evidence of public health concern and/or contamination is identified during any phase of development, we wish to be notified. If you have any questions or require further information, please call the File Manager:

Usha Mulukutla (403-943-8046) usha.mulukutla@calgaryhealthregion.ca

Thank you for inviting our comments concerning the above referenced application.

Sincerely,



for

Usha Mulukutla
Land Development and Reclamation Specialist
Environmental Health Risk Assessment & Management Section
Environmental Health

Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

Agricultural Services Board
M.D. of Rocky View

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

West

Thursday, October 5, 2006

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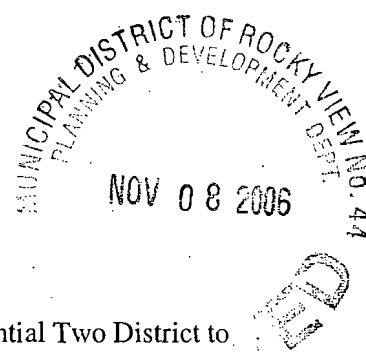
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Owner(s) Allan Cote

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Sign

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M.D. Contact: Jared Kassel

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Phone: 230-1401

Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

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Consider piped sewer system for this area.

TD.



Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

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Telephone (403) 230-1401 • Fax (403) 277-5977
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Buus

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Fax: 277-3066

E-Mail: planserv@gov.mdrockyview.ab.ca

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RECEIVED

OCT 26 2006

Telus Communications
Access Eng.



Attachment C: Subdivision Approval

TELUS COMMUNICATIONS CO

GERALD SONNENBERG

OUTSIDE PLANT ENGINEERING

(403) 530-4895

fax: 530-4720

Provisioning Technician

715-41 Ave N.E.

T2E 3P8

Wed., Nov. 22, 2006

MD of Rocky View No. 44.

911-32nd AVE N.E.

Calgary, AB

T2E 6X6

Attention: Dept. of Planning and Development

Subdivision Request: Application Number: 2006-RV-529**File Number: 04735020****Applicant(s) Allen Cote**

In response to information received Oct.26, 2006, Telus Communications CO. has no objection to the proposed subdivision easement registration, provided that an easement for both properties will be accessable from roadway to building. Any trespass of utilities across a property as a result of this subdivision will be rectified at developers expense.

Should additional information be required please contact GERALD SONNENBERG at 403-530-4589 in Calgary (FAX 403-530-4720), or by direct correspondence to the above address.

Yours Truly

per. Telus Communications Inc

GERALD SONNENBERG

Outside Plant Engineering

Provisioning Technician

**Attachment C: Subdivision Approval
INFRASTRUCTURE & OPERATIONS (I&O) DEPARTMENT
ENGINEERING SERVICES SECTION
ADDITIONAL CIRCULATION COMMENTS**

FILE NUMBER(S): 04735020– 2006-RV-529 **REDESIGNATION**
04735020– 2006-RV-530 **SUBDIVISION**

LEGAL DESCRIPTION: NW-35-24-03-W5M

APPLICANT/ OWNER: Cote

DATE: Tuesday, January 09, 2007

This report has been prepared to supplement the recommendations and comments with regards to the above mentioned application(s). Please reference the attached Inspection Report for recommendations along with the following additional comments:

Recommendations:

General

- ES have no concerns with the approval of this application, subject to the recommendations below & on the attached report. It would be prudent to advise the applicant to obtain and review the Municipality's Servicing Standards for Subdivision and Road Construction at this stage. The document can be purchased at the MD's office or obtained from the MD's website at "<http://www.rockyview.ca>".
- Owner to endorse Deferred Services Agreement(s) as a condition to approval.

Geotechnical - Section 300.0 requirements:

- Confirmation of one contiguous acre as per Servicing Standards required for the northerly +/- 2 acre proposed parcel.

Transportation - Section 400.0 requirements:

- See attached Inspection Report.
- ES recommends removing and reclaiming road approach #1 as it does not meet the requirements of the Servicing Standards.
- ES recommends to construct new road approaches along Eagle Butte Ranch, as per the requirements of the Servicing Standards, to provide access for both of the +/- 2 acre proposed lot(s).
- AIT Waiver required as this property is within 800m of PH #1.
- Access to remainder to be in accordance with AIT comments / requirements.
- Applicant to provide payment of the Transportation Offsite Levy in accordance with Bylaw C-6273-2006, as amended, for all proposed lots. Rate applied will be ~~\$1,888.00~~ **1,888.00** per acre as determined from plan of survey submitted for registration.

Sanitary/Waste Water - Section 500.0 requirements:

- PNSWT & SAR required for the northerly +/- 2 acre proposed lot.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- Current quarter section contains six or more lots and therefore requires:
 - Phase 1 Preliminary Groundwater Evaluation Report required as there are more than 6 lots on the quarter section.
 - Phase 2 Detailed Groundwater Evaluation Report required.

Storm Water Management – Section 700.0 requirements:

- ES recommends that a site-specific Stormwater Management Study to be undertaken. A existing drainage run is located at the rear of the property, the SWMS should identify this drainage run and any required easements

**Attachment C: Subdivision Approval
INFRASTRUCTURE & OPERATIONS (I&O) DEPARTMENT
ENGINEERING SERVICES SECTION
ADDITIONAL CIRCULATION COMMENTS**

Discussion:

If you have any further questions or require clarification with regards to the above, please do not hesitate to contact the undersigned at your earliest convenience.

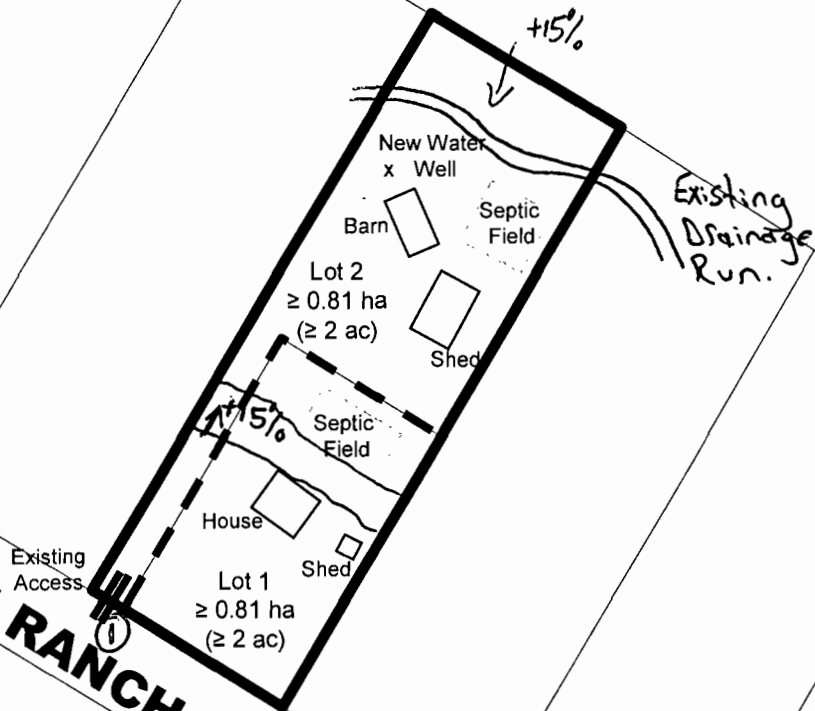
Regards,

A handwritten signature in black ink, appearing to read "Jim Ennis". The signature is fluid and cursive, with a large initial "J" and a stylized "E".

Jim Ennis, E.I.T.
Engineering Services

Attachment C: Subdivision Approval

Page ____ of ____

TWP. RD. 250**EAGLE BUTTE RANCH****Surveyor's Notes**

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

Attachment C: Subdivision Approval

File: <u>04735020</u>	Name/ Owner: <u>Cote</u>
Legal: <u>NW-35-24-03-W5M</u>	M.D. Address: <u>HN 76 Eagle Butte Ranch</u>
Deadline: _____	Inspection Date: _____

1. SITE CONDITIONSBOUNDARY ADJUSTMENT ☐REDESIGNATION ☐SUBDIVISION ☐

Topography:	☐ Flat	☐ Sloping	☒ Rolling	Other <u>+15% on existing lot</u>
Vegetation:	☒ Trees	☐ Pasture	☐ Cultivated	Other <u>Landscaped grass</u>
Drainage:	☐ Ponding	☐ Water Body	☐ Coulee	☒ Drainage Run
	☐ Stream	☐ River	☐ Irrigation Canal	☒ Sheet Runoff
Flood Potential:	☐ High	☐ Limited	☒ Isolated	☐ Not apparent
Building Sites:	☒ Yes	☐ No	☐ Requires verification (see Recommendations)	
Development Constraints:	☐ 15% slopes	☐ Water Table	☐ Environmental	☐ Not apparent
M.R. Lot (Condition):	☐ M.R. Required (see comments)	☐ Not Required	☐ Cash in lieu	
Comments:	<u>Drainage Run @ rear of lot.</u>			

2. EXISTING ROADS AND APPROACHES

Existing Roads	Road Name/ Classification	Surface Type	Condition	Width (m)	
North/South					
East/West	<u>Eagle Butte Ranch</u>	<u>chip seal</u>	<u>Fair</u>	<u>6.0</u>	
Other					
Existing Approaches	Classification	Surface Type	Condition	Sight Dist. (m)	Width (m)
Approach 1	<u>Res.</u>	<u>Gravel</u>	<u>Fair</u>	<u>E/WOK</u>	<u>4.0</u>
Approach 2					
Approach 3					
Approach 4					
Comments:					

3. DEVELOPMENT REQUIREMENTS

☒ Levy Required (Residential ≤10 acres)	☐ Levy Required (Commercial, Industrial)	☐ Defer Levy (>10 acres)
Required Documents:		
☐ D.A. Required	☐ Infrastructure Cost Recovery Policy	☐ Road Acquisition Agreement
☐ Endeavours to Assist		

4. DEVELOPMENT RECOMMENDATIONS **Attachment C: Subdivision Approval****Roads:**

- ☒ Not required ☐ Construct roads in accordance with the Municipality's Servicing Standards
- ☐ Within M.D. Road Allowance ☐ Undeveloped/ Developed (circle one) ☐ Open/ Closed (circle one)
- ☐ Internal Road Required CR50/ CR60/ UCU50/ UCU80 (circle one) Surface Type _____ ☐ See Comments

New Road Approaches:

- ☒ Provide approaches to all newly created parcels in accordance with the Municipality's Servicing Standards
- ☒ Approach(es) Required Number Required 2 Surface Type gravel/ paved (circle one)
- ☐ Single Approach(es) ☐ Mutual Approach(es) ☐ See Comments
- ☐ Remove & Reclaim existing Approach(es) ☐ Upgrade existing approach(es) to M.D. standards ☐ See Comments

Roads Miscellaneous:

- ☐ Alberta Transportation comments and/or approval required. ☒ AT Waiver ☐ Roadside D.P.
- ☐ Subdivision Road naming required prior to development approval. Planning Services to ensure developer submits application and fees.

Water Supply:

- ☒ 6 or more lots: ☒ Stage 1 - Preliminary Groundwater Evaluation Report required. ☒ Y/N Submitted w/ SD application.
- ☒ Stage 2 - Detailed Groundwater Evaluation Report; required. Includes 1 - 24hr pump/ recovery test + Q20/ aquifer and 12hr pump/ recovery test + Q20 for additional lots w/in same aquifer.
- ☐ <6 lots: ☐ Q20 ☐ 24/24 ☐ 12/12 ☐ 2/2 ☐ H2O Well Drillers Report ☐ RPR confirming setbacks and location of well
- ☐ New Water Well to be drilled for each new lot ☐ Cistern Required ☐ Other (see additional comments).
- ☐ Water to be provided by piped surface water supply (co-op or other). ☐ Confirmation of supply & AE approvals required
- ☐ Developer is to provide water supply for fire fighting in accordance with M.D. requirements. ☐ Fire Services comments required
- ☐ Building & Development Services comments required

Sanitary Sewerage:

- ☐ PNSWT (Percolation & Near Surface Water Test) & SAR (Sodium Adsorption Ratio) required for each newly created lot.
- ☐ Pump out tank, no testing required ☐ Other (see comments)

Developable Area:

- ☒ 1 Contiguous Developable Acre, Must include septic fields, slopes $\leq 15\%$, no easements or R.O.W.'s, no environmental features, must meet setbacks, etc.
- ☐ Slope Stability, Geotechnical Report required.
- ☐ Hamlet, Not required.

Setbacks:

- ☐ AEUB setbacks to be considered due to proximity to resource facility installations (see comments).

Miscellaneous:

- ☐ Stormwater Management Report required c/w required Overland Drainage Plan of Survey, Easement Agreement and/ or R/C if necessary.
- ☐ Developer is to submit plan for protection of new development adjoining railways, to the satisfaction of the Municipality and the appropriate railway owner.
- ☐ Provide utility easements (gas, phone, power) to each newly created lots
- ☒ Additional Comment sheet attached.

Inspector: Jim Ennis



Attachment C: Subdivision Approval

RECEIPT

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
 911 - 32 AVENUE N.E., CALGARY, AB T2E 6X6
 (403) 230-1401 FAX (403) 277-5977

RECEIVED FROM:

Date: 12/15/2007

Allan Cote 04735020/2006-RV-53

Official

Receipt No: 100955

Receipt Type	Account	Description	Amount	Balance
General	TOL	Transportation Offsite Levy	\$7,552.00	\$0.00
General	SUB4	Subd'n Appeal Deposit	(\$325.00)	\$0.00
General	SUB3	Subd'n Approval Fees - Plan	\$275.00	\$0.00
General	SUB5 -1	Subd'n Approval Fees -Dev	\$759.00	\$0.00

Sub-total \$8,152.00

Tax \$0.00

Total \$8,152.00

Cash \$0.00

Cheque \$0.00

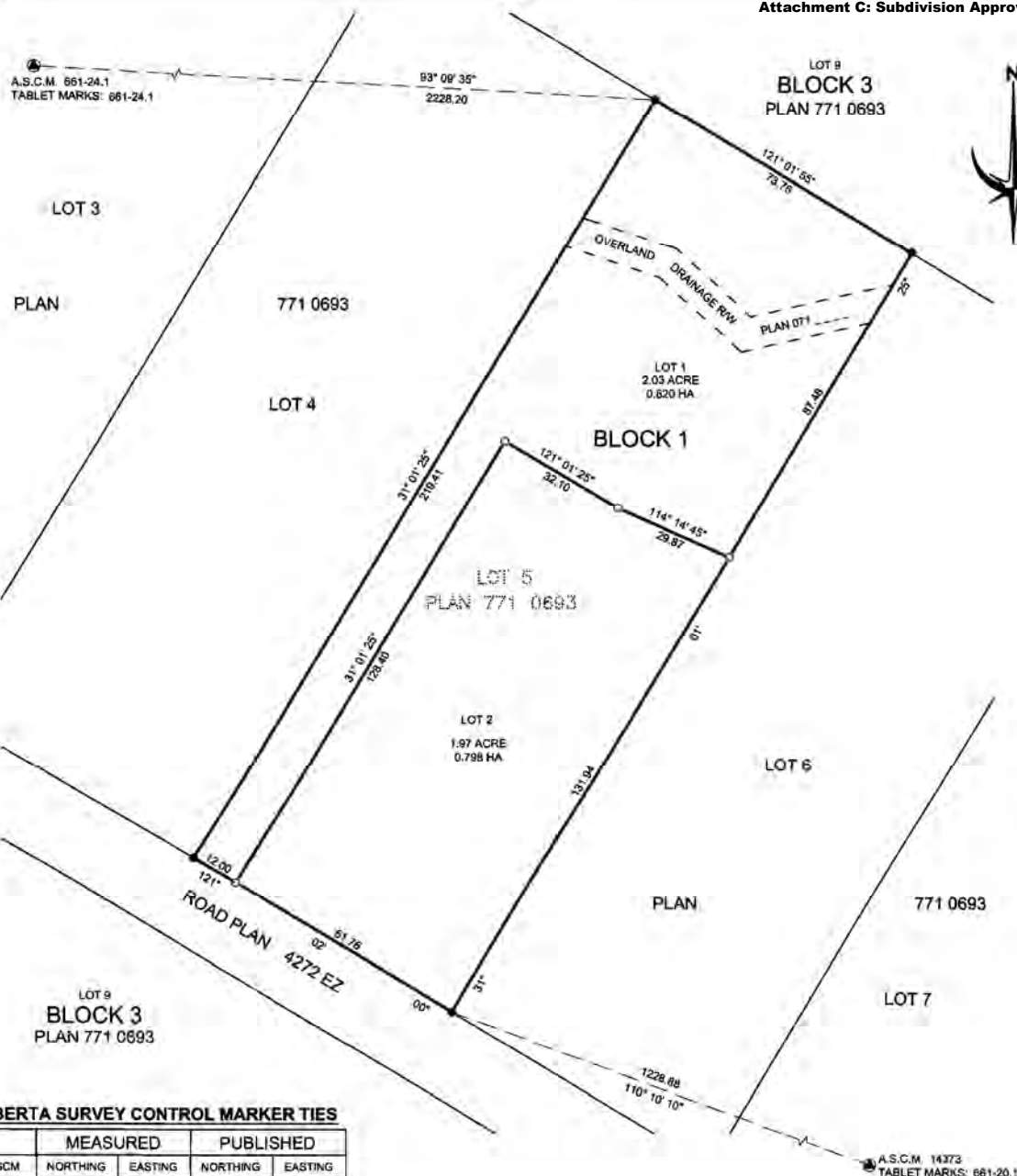
Credit Card:

Credit Card \$8,152.00

Debit Card \$0.00

Change \$0.00

Attachment C: Subdivision Approval



M.D. ROCKY VIEW No. 44
ALBERTA

**PLAN SHOWING SURVEY OF
SUBDIVISION**

AFFECTING

PLAN 771 0693, LOT 5

WITHIN

N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.

BY NOEL ROSS WOOLGAR, A.L.S. 2007

LEGEND:

- ALBERTA SURVEY CONTROL MARKER (ASCM) FOUND SHOWN THUS:
- STATUTORY IRON POSTS FOUND SHOWN THUS:
- STATUTORY IRON POSTS PLANTED AND MARKED P229 SHOWN THUS:
- AREA AFFECTED BY THE REGISTRATION OF THIS PLAN SHOWN BOUNDED THUS: AND CONTAINS 2 LOTS, AND 1.618 ha

NOTES:

- ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
- THE BASIS OF THIS PLAN IS AS FOLLOWS:
DATUM: NORTH AMERICAN DATUM 1984
PROJECTION: 3TM
REFERENCE MERIDIAN: 114°
COMBINED SCALE FACTOR: .999724
- BEARINGS ARE GRID AND DERIVED USING GPS METHODS FROM ASCM 14373

SCALE 1:1000



SURVEYOR:

NOEL ROSS WOOLGAR, A.L.S.

Surveyed between the dates of MARCH 26, 2007
and November 29, 2007 in accordance with the
provisions of the Surveys Act.

REGISTERED OWNER:

ALLAN COTE

SUBDIVISION AUTHORITY:

M.D. ROCKY VIEW No. 44
FILE No:2006- RV -530/04735020

REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____

ENTERED AND REGISTERED

ON _____

INSTRUMENT NO.: _____

A.D. REGISTRAR

ALBERTA SURVEY CONTROL MARKER TIES

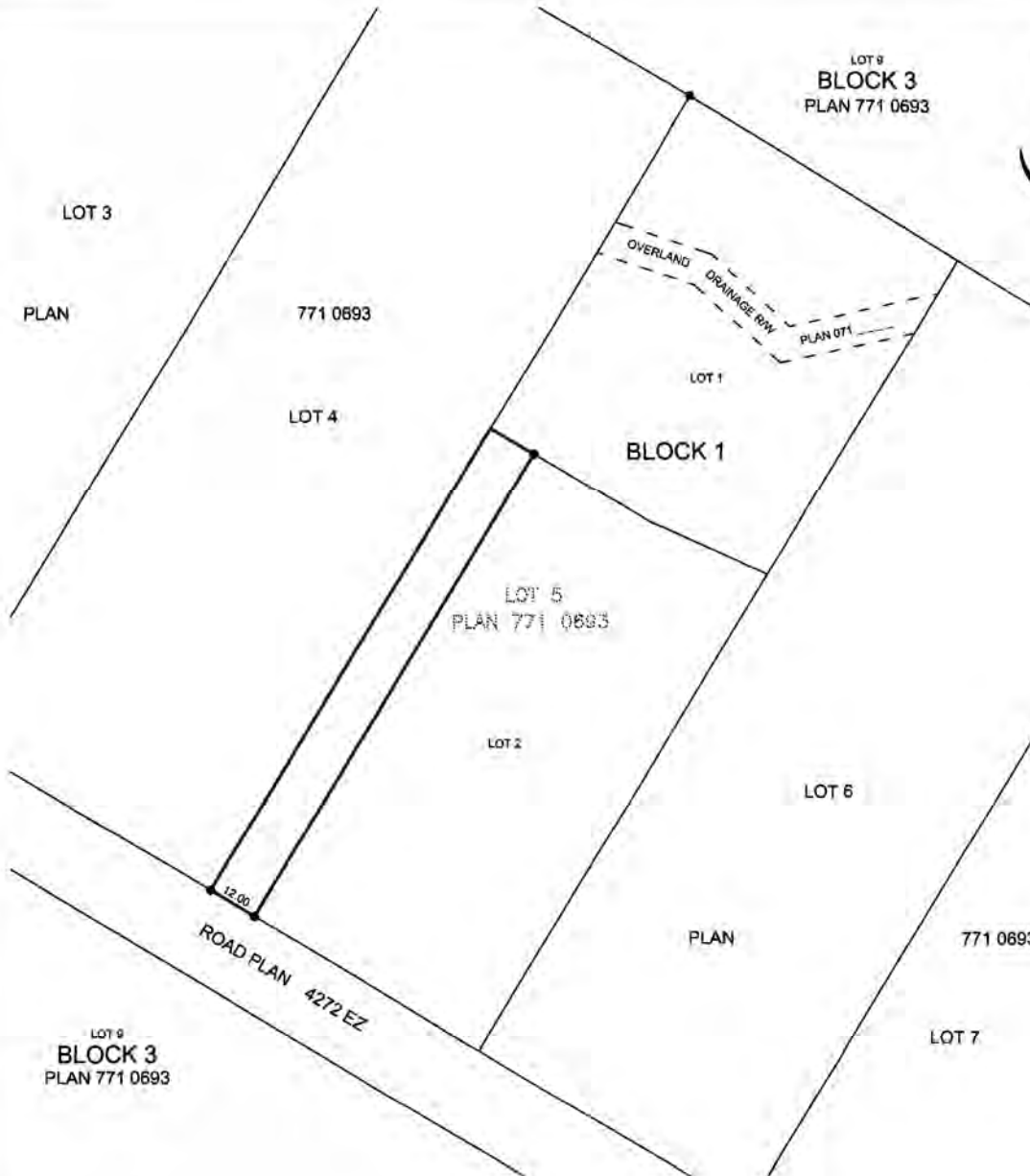
	MEASURED		PUBLISHED	
ASCM	NORTHING	EASTING	NORTHING	EASTING
14373	5861532.327	-21285.477	5861532.327	-21285.477
151894	5862304.651	-24613.020	5862304.666	-24613.037



ECLIPSE GEOMATICS & ENGINEERING LTD

Ph: 403.250.1278 Fax: 403.291.0399
DRAWN BY: GM DATE: December 13, 2007 DRAWING: E07035G01SD01.dwg

Attachment C: Subdivision Approval



M.D. ROCKY VIEW No. 44
ALBERTA

**PLAN SHOWING SURVEY OF
ACCESS RIGHT OF WAY**

AFFECTING

PLAN 071____, BLOCK 1, LOT 1

WITHIN

N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.

BY NOEL ROSS WOOLGAR, A.L.S. 2007

LEGEND:

- ALBERTA SURVEY CONTROL MARKER (ASCM) FOUND SHOWN THUS: 
- STATUTORY IRON POSTS FOUND SHOWN THUS: 
- STATUTORY IRON POSTS PLANTED AND MARKED P229 SHOWN THUS: 
- AREA AFFECTED BY THE REGISTRATION OF THIS PLAN SHOWN BOUNDED THUS: 

NOTES:

- ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.

SCALE 1:1000



SURVEYOR:

NOEL ROSS WOOLGAR, A.L.S.

Surveyed between the dates of MARCH 26, 2007
and NOVEMBER 29, 2007 in accordance with the
provisions of the Surveys Act.

REGISTERED OWNER:

ALLAN COTE

SUBDIVISION AUTHORITY:

M.D. ROCKY VIEW No. 44
FILE NO:

REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____

ENTERED AND REGISTERED

ON _____

INSTRUMENT NO.: _____

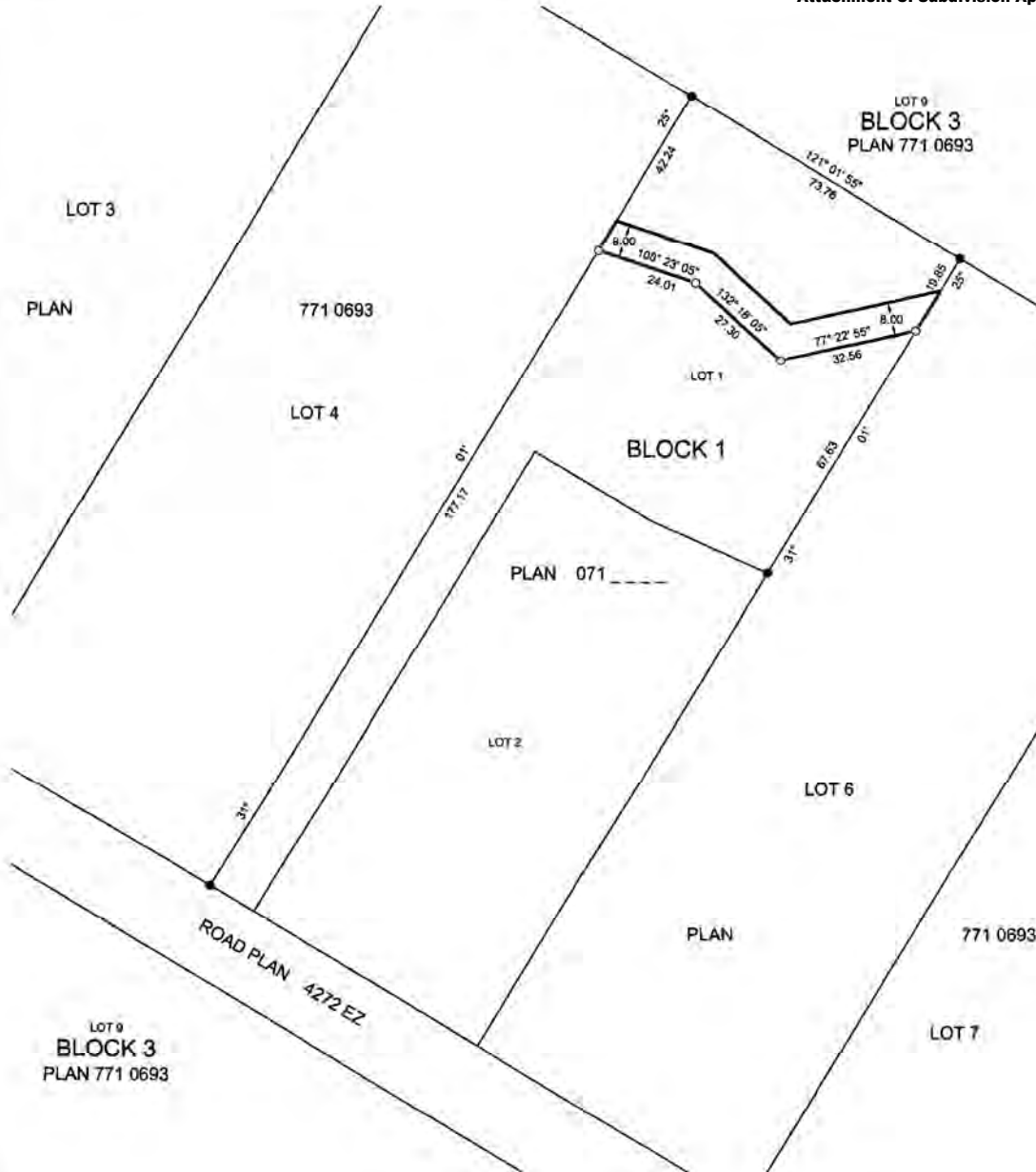
A.D. REGISTRAR



ECLIPSE GEOMATICS & ENGINEERING LTD

Ph: 403.250.1278 Fax: 403.291.0399
DRAWN BY: GM DATE: December 03, 2007 DRAWING: E07035G01AR01.dwg

Attachment C: Subdivision Approval



REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____

ENTERED AND REGISTERED

ON _____

INSTRUMENT NO.: _____

A.D. REGISTRAR

M.D. ROCKY VIEW No. 44 ALBERTA

PLAN SHOWING SURVEY OF OVERLAND DRAINAGE RIGHT-OF-WAY

AFFECTING

PLAN 071 _____, BLOCK 1, LOT 1

WITHIN

N.W. 1/4 SEC. 35, TWP. 24, RGE. 3, W.5M.
BY NOEL ROSS WOOLGAR, A.L.S. 2007

LEGEND:

- STATUTORY IRON POSTS FOUND SHOWN THUS:
- STATUTORY IRON POSTS PLANTED AND MARKED P229 SHOWN THUS: ○
- AREA AFFECTED BY THE REGISTRATION OF THIS PLAN SHOWN BOUNDED THUS:

NOTES:

- ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
- BEARINGS ARE GRID AND REFERRED TO PLAN 071 _____

SCALE 1:1000



SURVEYOR:

NOEL ROSS WOOLGAR, A.L.S.

Surveyed between the dates of MARCH 26, 2007
and November 29, 2007 in accordance with the
provisions of the Surveys Act.

REGISTERED OWNER:

ALLAN COTE

SUBDIVISION AUTHORITY:

M.D. ROCKY VIEW No. 44
FILE No:



ECLIPSE GEOMATICS & ENGINEERING LTD

Ph: 403.250.1278 Fax: 403.291.0395

DRAWN BY: GM DATE: December 03, 2007 DRAWING: E07035G010001.cwg

Date: 12/17/2007 10:42:49 AM

Page:

User: CathyF

Attachment C: Subdivision Approval

Tax Roll Transaction Journal

From Roll # 04735020 to 04735020

All Customers
All Tax Classes
All Trx Sources
All Dates
All Documents

* indicates voided document

Roll #: 04735020 Lot Block Plan 5 7710693
Cote, Allan Qtr Sec Twp Rge Mer NW -35 -24 -03 -05
Subdivision Eagle Butte Ran

Document Type	Document	Trx Source	Year	Date	Description	Amount
Adjustment	LEVY	1 CRADJ000000001	1992	5/22/1992	1992 Levy	\$3,551.82
Adjustment	PAYMN	1 CRADJ000000001	1992	6/30/1992	CK	(\$3,551.82)
Adjustment	LEVY	1 CRADJ000000001	1993	5/5/1993	1993 Levy	\$3,701.13
Adjustment	PAYMN	1 CRADJ000000001	1993	6/30/1993	3 - 6 - CK	(\$3,701.13)
Adjustment	LEVY	1 CRADJ000000001	1994	5/12/1994	1994 Levy	\$3,687.88
Adjustment	PAYMN	1 CRADJ000000001	1994	6/30/1994	CK	(\$3,687.88)
Adjustment	LEVY	1 CRADJ000000001	1995	5/3/1995	1995 Levy	\$3,443.11
Adjustment	PAYMN	1 CRADJ000000001	1995	6/30/1995		(\$3,443.11)
Adjustment	LEVY	1 CRADJ000000001	1996	5/14/1996	1996 Levy	\$3,395.72
Adjustment	PAYMN	1 CRADJ000000001	1996	6/30/1996		(\$3,395.72)
Levy	LEVY	5337 PTLVY000000001	1997	5/15/1997	Annual Levy1997	\$3,513.54
Cash Receipt	CRREC	3444 CRREC000000077		6/30/1997	Cash Receipt	(\$3,513.54)
Assessment Change	ACHNG	5701 PTASM000000018		12/31/1997	Assessment \$368,870	\$0.00
Levy	LEVY	21644 PTLVY000000013	1998	5/12/1998	Annual Levy1998	\$3,335.55
Cash Receipt	CRREC	19225 CRREC000000500		6/30/1998	Cash Receipt	(\$3,335.55)
Assessment Change	ACHNG	23096 PTASM000000068		12/31/1998	Assessment \$395,080	\$0.00
Assessment Change	ACHNG	40157 PTASM000000069		12/31/1998	Assessment \$395,080	\$0.00
Levy	LEVY	73061 PTLVY000000049	1999	5/14/1999	Annual Levy 1999	\$3,224.64
Cash Receipt	CRREC	33434 CRREC00001045		6/30/1999	Cash Receipt	(\$3,224.64)
Assessment Change	ACHNG	56026 PTASM00000111		12/31/1999	Assessment \$412,900	\$0.00
Levy	LEVY	90340 PTLVY000000086	2000	5/17/2000	Annual Levy 2000	\$3,475.90
Cash Receipt	CRREC	46818 CRREC00001766		6/30/2000	Cash Receipt	(\$3,475.90)
Tax Certificate	TXCRT	6527 PTCRT000000690		8/2/2000	Tax Certificate	\$0.00
Assessment Change	ACHNG	73597 PTASM00000143		12/31/2000	Assessment \$420,400	\$0.00
Levy	LEVY	108390 PTLVY00000116	2001	5/17/2001	Annual Levy 2001	\$3,250.06
Cash Receipt	CRREC	67435 CRREC00002517		6/30/2001	Cash Receipt	(\$3,250.06)
Assessment Change	ACHNG	92003 PTASM00000175		12/31/2001	Assessment \$435,600	\$0.00
Levy	LEVY	126976 PTLVY00000140	2002	4/30/2002	Annual Levy 2002	\$3,369.79
Cash Receipt	CRREC	81898 CRREC00003167		6/30/2002	Cash Receipt	(\$3,369.79)
Assessment Change	ACHNG	110906 PTASM00000205		12/31/2002	Assessment \$445,300	\$0.00
Levy	LEVY	146092 PTLVY00000173	2003	4/29/2003	Annual Levy 2003	\$3,569.62
Cash Receipt	CRREC	100914 CRREC00004032		6/30/2003	Cash Receipt	(\$3,569.62)
Assessment Change	ACHNG	132858 PTASM00000239		3/24/2004	Assessment \$466,700	\$0.00
Levy	LEVY	165898 PTLVY00000193	2004	5/5/2004	Annual Levy 2004	\$3,774.48
Cash Receipt	CRREC	116885 CRREC00005352		6/29/2004	Cash Receipt	(\$3,774.48)
Assessment Change	ACHNG	154196 PTASM00000290		2/28/2005	Assessment \$497,900	\$0.00
Levy	LEVY	186206 PTLVY00000230	2005	5/3/2005	Annual Levy 2005	\$3,917.08
Cash Receipt	CRREC	136688 CRREC00007348		6/30/2005	Cash Receipt	(\$3,917.08)
Assessment Change	ACHNG	170702 PTASM00000332		1/31/2006	Assessment \$622,400	\$0.00
Levy	LEVY	206470 PTLVY00000257	2006	5/10/2006	Annual Levy 2006	\$4,674.00
Cash Receipt	CRREC	157871 CRREC00009526		6/30/2006	Cash Receipt	(\$4,674.00)
Assessment Change	ACHNG	193480 PTASM00000355		12/31/2006	Assessment \$791,700	\$0.00
Levy	LEVY	248140 PTLVY00000267	2007	5/11/2007	Annual Levy 2007	\$5,129.90
Cash Receipt	CRREC	174066 CRREC00011823		6/29/2007	Cash Receipt	(\$5,129.90)

Total for Roll # 04735020

\$0.00

Report Total:

\$0.00

*** END OF REPORT ***

Attachment C: Subdivision Approval

ECLIPSE GEOMATICS & ENGINEERING LTD.

201, 1530 – 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca

December 3, 2007

File #: E07035G01

M.D. of Rocky View No.44

911 – 32 Avenue N.E.

Calgary, Alberta

T2E 6X6

Attn: Jared Kassel

Re: Subdivision affecting Plan 771 0693, Lot 5

Allan Cote lands, Your file: 2006-RV-530/04735020

Dear Sirs:

Enclosed are the following:

- Copy of Subdivision Plan
- Copy of Overland Drainage Right of Way Plan
- Copy of Access Right of Way Plan
- Copy of Surveyor's Affidavits
- Surveyor's confirming letter re: digital submissions
- Copy of Owner's Consents To Register
- Planning Authority Approval Document
- Copy of Overland Drainage Caveat and Restrictive Covenant
- Copy of Access Easement
- ACAD digital

Please process the above and have the Municipal District of Rocky View No.44 endorse the appropriate documents. Should you require further information, please contact the undersigned.

Regards

A handwritten signature in cursive script, reading "Darcy Pittman".
Darcy H. Pittman, C.S.T.

Project Supervisor

cc: Allan Cote



Attachment C: Subdivision Approval

ECLIPSE GEOMATICS & ENGINEERING LTD.

201, 1530 – 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca



November 30, 2007

File # : E07035G01

M.D. of Rocky View No.44

911 – 32 Avenue N.E.

Calgary, Alberta

T2E 6X6

Attn: Jared Kassel

Re: Subdivision, Allan Cote lands, Your file: 2006-RV-530/04735020

Dear Mr. Kassel

Enclosed are prints of the final plans, to be registered at the South Alberta Land Titles Office.

This letter will confirm that the digital files are the same as the prints to be registered.

Please process at your earliest convenience and call for pick up (403) 250-1278.

Regards

A handwritten signature in black ink, appearing to read "N.R. Woolgar".

N.R. (Ross) Woolgar, A.L.S.

SURVEY
FORM 1

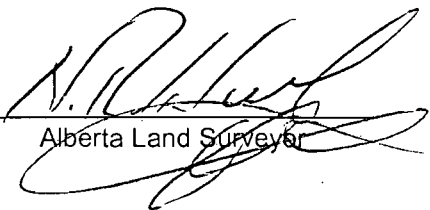
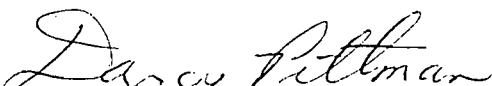
SURVEYOR'S AFFIDAVIT

(Surveyor's file no. E07035G01)

PLAN SHOWING SURVEY OF SUBDIVISION

AFFECTING: PLAN 771 0693, LOT 5WITHIN: N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.I, NOEL ROSS WOOLGAR, of the City of Calgary, in the Province of Alberta,
Alberta Land Surveyor, make oath and say:

1. That the survey represented by this plan was made under my personal supervision;
2. That the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveyors Act;
3. That the survey was performed between the dates of March 26, 2007 and November 29, 2007, and that this plan is true and correct, and is prepared in accordance with the provisions of the Land Titles Act.

SWORN before me at the City of
Calgary, in the Province of Alberta
this 3rd day of December, 2007
Alberta Land Surveyor
DARCY H. PITTMAN
A Commissioner for Oaths in and for the Province of Alberta
My commission expires May 20, 2009

SURVEY
FORM 1

SURVEYOR'S AFFIDAVIT

(Surveyor's file no. E07035G01)

PLAN SHOWING SURVEY OF OVERLAND DRAINAGE RIGHT OF WAY

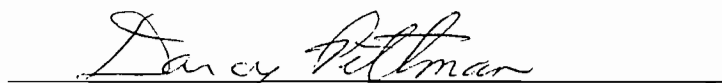
AFFECTING: PLAN 071 _____, BLOCK 1, LOT 1

WITHIN: N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.

I, NOEL ROSS WOOLGAR, of the City of Calgary, in the Province of Alberta,
Alberta Land Surveyor, make oath and say:

1. That the survey represented by this plan was made under my personal supervision;
2. That the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveyors Act;
3. That the survey was performed between the dates of March 26, 2007 and November 29, 2007, and that this plan is true and correct, and is prepared in accordance with the provisions of the Land Titles Act.

SWORN before me at the City of
Calgary, in the Province of Alberta
this 3rd day of December, 2007


Alberta Land Surveyor
DARCY H. PITTMAN
A Commissioner for Oaths in and for the Province of Alberta
My commission expires May 20, 2009

SURVEY
FORM 1

SURVEYOR'S AFFIDAVIT

(Surveyor's file no. E07035G01)

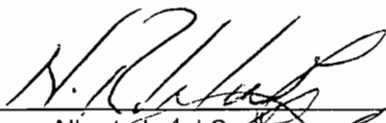
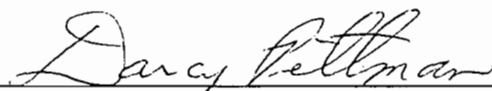
PLAN SHOWING SURVEY OF ACCESS RIGHT OF WAY

AFFECTING: PLAN 071 _____, BLOCK 1, LOT 1

WITHIN: N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.

I, NOEL ROSS WOOLGAR, of the City of Calgary, in the Province of Alberta,
Alberta Land Surveyor, make oath and say:

1. That the survey represented by this plan was made under my personal supervision;
2. That the survey was made in accordance with good surveying practices and in accordance with the provisions of the Surveyors Act;
3. That the survey was performed between the dates of March 26, 2007 and November 29, 2007, and that this plan is true and correct, and is prepared in accordance with the provisions of the Land Titles Act.

SWORN before me at the City of
Calgary, in the Province of Alberta.
this 2nd day of December 2007
Alberta Land Surveyor
DARCY H. PITTMAN
A Commissioner for Oaths in and for the Province of Alberta
My commission expires May 20, 2009

SURVEY
FORM 3

CONSENT TO REGISTER A PLAN

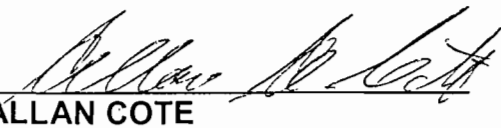
I / We, **ALLAN COTE**

being the registered owners

hereby consent to the registration of the plan prepared by

NOEL ROSS WOOLGAR, A.L.S.(file no. **E07035G01**) in respect of the following:**PLAN SHOWING SURVEY OF SUBDIVISION
AFFECTING
PLAN 771 0693, LOT 5****WITHIN
N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.**Dated Dec 3rd, 2007

Signed by the above named in the presence of


Witness
ALLAN COTE

NOTE:

1. Corporations must sign and seal this form
OR
An officer or director must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*) and complete FORM 31.1
2. Individuals must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*).

Attachment C: Subdivision Approval

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman, of Calgary, in the
province of Alberta, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;

or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

2. The instrument was signed at Calgary, in the
province of Alberta and I am the subscribing witness
thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18)
years of age.

SWORN before me at The City of Calgary
in the Province of Alberta.
this 3RD day of December
A.D. 2007

Darcy Pittman
(Witness Signature)

Roberta K. Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010.

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

SURVEY
FORM 3

CONSENT TO REGISTER A PLAN

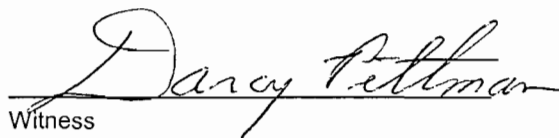
I / We, **ALLAN COTE**

being the registered owners

hereby consent to the registration of the plan prepared by

NOEL ROSS WOOLGAR, A.L.S.(file no. **E07035G01**) in respect of the following:**PLAN SHOWING SURVEY OF ACCESS RIGHT OF WAY
AFFECTING
PLAN 071 _____, BLOCK 1, LOT 1****WITHIN
N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.**Dated Dec. 3rd, 2007

Signed by the above named in the presence of


Witness
ALLAN COTE**NOTE:**

1. Corporations must sign and seal this form
OR
An officer or director must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*) and complete FORM 31.1
2. Individuals must sign this form in the presence of a witness (*who must sign this form and complete FORM 31*).

Attachment C: Subdivision Approval

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

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SWORN before me at the City of Calgary
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this 3rd day of December
A.D. 2007

Darcy Pittman
(Witness Signature)

Roberta K. Pittman
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SURVEY
FORM 3

CONSENT TO REGISTER A PLAN

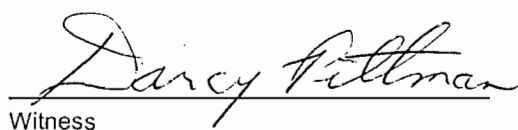
I / We, **ALLAN COTE**

being the registered owners

hereby consent to the registration of the plan prepared by

NOEL ROSS WOOLGAR, A.L.S.(file no. **E07035G01**) in respect of the following:**PLAN SHOWING SURVEY OF OVERLAND DRAINAGE RIGHT OF WAY
AFFECTING
PLAN 071 _____, BLOCK 1, LOT 1****WITHIN
N.W. ¼ SEC. 35, TWP. 24, RGE. 3, W.5M.**Dated Dec. 3rd, 2007

Signed by the above named in the presence of


Witness
ALLAN COTE**NOTE:**

1. Corporations must sign and seal this form
OR
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FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

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or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

2. The instrument was signed at Calgary, in the
province of Alberta and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at the City of Calgary
in the Province of Alberta
this 3rd day of December
A.D. 2007

Darcy Pittman
(Witness/Signature)

Roberta K. Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
Commissioner for Oaths
for the Province of Alberta
Commission Expires August 27, 2010

CAVEAT
FORBIDDING REGISTRATION

To the Registrar of the South Alberta Land Registration District

Take Notice that **ALLAN COTE** of 76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3, claims an interest in the under-mentioned lands pursuant to the provisions of an Overland Drainage Easement and Restrictive Covenant dated the _____ day of _____, 2007, a true copy of which is attached hereto and marked as Schedule "A":

PLAN 071 _____,
BLOCK 1,
LOTS 1 & 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

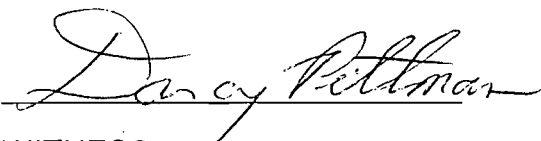
("the said lands")

Standing in the register in the name of **ALLAN COTE**, Alberta, , and it forbids the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument of certificate or title, as the case may be, is expressed to be subject to its claim.

We appoint the following office as the place at which notices and proceedings relating hereto may be served:

76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3

DATED this 3rd day of December, 2007.


WITNESS


ALLAN COTE

CANADA
PROVINCE OF ALBERTA
TO WIT:

}

I, Darcy Pittman
of the City of Calgary
in the Province of Alberta, Canada, make oath and say:

1. That I am the agent for the above named Caveator
2. That I believe that the said Caveator has a good and valid claim upon the said lands and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN BEFORE ME at The City of)
Calgary in the Province of Alberta,)
this 3RD day of December A.D. 2007)

Roberta K. Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010.

Darcy Pittman

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

CAVEAT
FORBIDDING REGISTRATION

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman, of Calgary, in the province of
Alberta, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;

or

I was personally present and did see **ALLAN COTE** who, ~~on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument,~~ duly sign the instrument;

2. The instrument was signed at Calgary, in the province of
Alberta and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at The City of Calgary
in the Province of ALBERTA
this 3RD day of December
A. D. 2007

Darcy Pittman
(Witness Signature)

Roberta K Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
in and for the Province of Alberta
My Commission Expires August 27, 2010

CONSENT OF SPOUSE

I, Evelyn Cote being married to the within named Allan Cote do hereby give my consent to the disposition of our homestead, legally described as:

Made in the instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, to the extent necessary to give full effect to the said disposition.

Evelyn M Cote
SPOUSE SIGNATURE

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

1. This document was acknowledged before me by Evelyn Cote apart from her husband/~~his wife~~.
2. acknowledged to me that she/~~he~~:

a) Is aware of the nature of this disposition;

b) Is aware that the Dower Act, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;

c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, to the extent necessary to give effect to the said disposition;

d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at the City of Calgary, in the Province of Alberta, this 3rd day of December A.D. 2007

Darcy Pittman

A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires on _____, 20____
DARCY H. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires May 20, 2009.

SCHEDULE 'A'

OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE COVENANT

PURSUANT TO SECTION 71 (1) OF THE LAND TITLES ACT

This Agreement made as of the 3rd day of December A.D. 2007.

Between:

ALLAN COTE
Of 76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3

(hereinafter called the "Grantor")

OF THE FIRST PART

ALLAN COTE
Of 76 Eagle Butte Ranch, Calgary, Alberta, T3Z 1K3

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is registered as an owner in fee simple subject to registered encumbrances, liens, and interests, if any, of the lands in the M. D. of Rocky View No. 44 described in Schedule "A" attached hereto; and

WHEREAS the Subdivision Approving Authority approved the subdivision of the lands which includes the Parcels described in Schedule "A" on the condition, amongst other things, that the Grantor and Grantee enter into this Agreement; and

WHEREAS Section 71 (1) of the Land Titles Act of Alberta, provides that an owner may grant to himself an easement or restrictive covenant for the benefit of land which he owns and against land which he owns and the easement or restrictive covenant may be registered under the said Act;

AND WHEREAS the Grantor wishes to restrict the rights of, use and development of the Schedule 'B' Lands to ensure that the surface grades and contours as established in the engineering design drawings prepared by Eclipse Geomatics & Engineering Ltd. for the Schedule 'B' Lands are maintained to provide for the orderly drainage system constructed by the Grantor and for the greater enjoyment and benefit of all of the lots comprising the Schedule 'A' Lands;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

1. In this agreement, including this paragraph, unless the context otherwise requires:
- (a) "Benefited Lands" means any one or more of the Parcels in favour of which an easement is granted under this Agreement;

(b) "Burdened Lands" means the Parcels which are the subject of an easement under this Agreement;

(c) "Engineer" means the Engineer who designed the storm water management plan and the location of all the overland drainage facilities and is Eclipse Geomatics & Engineering Ltd.;

(d) "Easement Area" means that portion or portions of the Parcels described as such in Schedule "B" attached hereto;

(e) "Parcel" means any one of the parcels of land or any one of those portions of parcels of land described in Schedule "A" attached hereto;

(f) "Parcels" means all of the parcels of land and all of any portion of parcels of land described in Schedule "A" attached hereto;

(g) "Overland Drainage Facility" means any facility or facilities for the drainage or control of storm water including without restricting the foregoing:

(i) a grass swale;

(ii) the sloping and contouring of land to facilitate the drainage or control of storm water;

(iii) a drainage ditch, retention pond or slough;

(h) "Owner" means the registered owner of any one or more of the Parcels and "Owners" has a comparable meaning.

Attachment C: Subdivision Approval

2. (a) Subject to the terms and conditions herein contained, the Grantor as registered owner in fee simple of the Parcels does for itself and its successors-in-title and assigns HEREBY COVENANT AND AGREE AND GRANT unto itself for the benefit of each Parcel (being the "Benefited Lands") and unto the Municipality, as owner of the streets, lanes and public reserves adjacent to the Parcels, the following rights, privileges and easement (but not the obligation under this agreement) in, under, over, across and through the remainder of the Parcels (being the "Burdened Lands"):
- (i) to drain storm water onto, over and across the Easement Area;
 - (ii) to construct, operate, inspect, maintain, repair and replace an Overland drainage Facility in, under, over, across and through the Easement Area; and
 - (ii) to alter the surface grades on any of the Burdened Lands so that such surface grades conform to the surface grades approved by the Engineer for such lands; and
 - (iii) for the Owners of the Benefited Lands, the Grantor, the Municipality and their employees, contractors, servants and agents, to have ingress and egress and to pass and to repass over those portions of the Burdened Lands which and only for so long as such portions are not occupied by a building or structure other than a fence, either on foot or by means of vehicles or necessary machines whatsoever, and to remain on any portion of the Burdened Lands, in order to exercise any of the rights herein granted provided always that such rights shall be exercised in a manner so as to cause as little damage as reasonably practicable to existing landscaping.
- (b) An Overland Drainage Facility shall only be constructed in a manner and at the location approved by the Engineer.
- (c) Notwithstanding anything elsewhere contained herein, an Owner other than the Grantor or the Municipality, shall not exercise any of the rights granted in paragraph 2(a) or in paragraph 6(b) with respect to any Parcel unless such Owner has first obtained a judgment from a Court of competent jurisdiction declaring that the Owner of the Parcel has failed to comply with a notice given pursuant to paragraph 6(a).
3. The Grantor covenants and agrees for itself and its successors in title that, with respect to the Burdened Lands, it will not:
- (a) build, erect or maintain nor permit or suffer to be built, erected or maintained on the Easement Area any building or structure (except for the Overland Drainage Facility which does not obstruct the flow of water through the Overland Drainage Facility) that would prevent, restrict or interfere with construction, operation, inspection, maintenance, replacement or repair of the Overland Drainage Facility;
 - (b) cause, permit or maintain any deviation from the surface grades approved for the Burdened Lands by the Engineer;
 - (c) plant or maintain on the Easement Area any trees, shrubs or landscaping which would or could prevent, restrict or interfere with the exercise of any of the rights herein granted;
 - (d) cause or permit any interference with, alteration to, removal of or damage to the Overland Drainage Facility;
 - (e) suffer or permit dirt, fill, loam, gravel, paper debris, plant material, snow, ice or slush to accumulate on the Burdened Lands in such a manner that:
 - (i) the surface grades approved by the Engineer are altered to the extent that, in the opinion of the Engineer, the drainage of the Benefited Lands is adversely affected; or
 - (ii) the use or operation of the Overland Drainage Facility is interfered with, restricted or prevented.

Attachment C: Subdivision Approval

4. Any person entitled to carry out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the Owner or occupier of the Burdened Lands as is reasonably possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition. The replacement of trees, shrubs and landscaping within the Easement Area other than grass shall be deemed to be impracticable. When exercising a right pursuant to paragraph 2(a) (ii), the person carrying out such operations shall not be required to replace any trees, shrubs or landscaping other than grass.
5. The Owner of the Burdened Lands upon which an Overland Drainage Facility or portion thereof has been constructed or installed shall, at its expense, maintain and repair in good operating condition that portion of the Overland Drainage Facility constructed or installed on any Parcel owned by such Owner.
6. (a) If any Owner of the Burdened Lands:
 - (i) fails to maintain or repair the Overland Drainage Facility as required in paragraph 5; or
 - (ii) alters or maintains any surface grades other than those approved by the Engineer;

the Municipality, the Grantor or any Owner of the Benefited Lands may, at its option, serve a notice in writing on the Owner of the Burdened Lands requiring such Owner to remedy the default within such reasonable period of time as may be specified in the notice;

- (b) subject to paragraph 2 (c), if the Owner of the Burdened Lands fails to remedy such default within the time specified in the notice, the person who gave the notice shall have the right (but not the obligation under this Agreement) to enter upon the Burdened Lands and remedy the default at the expense of such Owner of the Burdened Lands. The Owner of the Burdened Lands shall, upon demand, forthwith reimburse such person for all expenses incurred in remedying the default. Any dispute in regard to the costs incurred in remedying the default may be referred to arbitration in accordance with paragraph 7;
 - (c) In the event of any emergency related to or caused by the Overland Drainage Facility, the Municipality, the Grantor and any one or more of the Owners of the Benefited Lands, or any of them, shall have the right (but not the obligation under this Agreement) to enter upon such portion of the Burdened Lands as is reasonably necessary to rectify the situation and take such action as is reasonably necessary to rectify the situation, all at the expense of such Owner of the Burdened Lands. The owner of the Burdened Lands shall, upon demand, forthwith reimburse the person who incurred such expenses. Any dispute in regard to the expenses so incurred may be referred to arbitration in accordance with paragraph 7.
7. Any dispute as to any of the matters which, if no agreement is reached upon them by the provisions of this Agreement, are to be determined by arbitration, shall be settled and determined by three (3) arbitrators appointed in the manner following, that is to say:
 - (a) either party may appoint an arbitrator and on doing so shall forthwith give notice in writing thereof to the other party;
 - (b) the party in receipt of a notice of the appointment of an arbitrator as aforesaid shall, unless it has already done so, within seven (7) days from the date of receiving the notice, appoint an arbitrator and give notice thereof to the other party;
 - (c) if either party does not appoint an arbitrator within the time limited under the preceding subsection (b), the other party may apply to a Justice of the Court of Queen's Bench of Alberta to appoint an arbitrator on behalf of and at the expense of the party so in default;
 - (d) the arbitrators appointed by or for the parties hereto shall appoint a third arbitrator and, if they fail to do so within fourteen (14) days after the last of them was appointed, either party on notice to the other may apply to a Justice of the Court of Queen's Bench of Alberta to appoint a third arbitrator;

Attachment C: Subdivision Approval

- (e) the appointment of all arbitrators except those appointed by a Justice as herein provided shall be in writing;
 - (f) the arbitrators shall have the power to obtain the assistance, advice or opinion of such professional engineer, architect, surveyor, appraiser, valuer or other expert as they may think fit and shall have the discretion to act upon any assistance, advice or opinion so obtained;
 - (g) the arbitration award may include an award of costs and interest, and, notwithstanding the provisions of the Arbitration Act of Alberta, the amount of costs shall not be limited to the scale of rates provided in the Arbitration Act of Alberta;
 - (h) each of the parties will do all acts and things and execute all deeds and instruments necessary to give effect to any award made upon any such arbitration.
8. Any and all owners of the Benefited Lands shall indemnify and save harmless the Grantor and the Municipality against all actions, claims and demands which may be made or brought against the Grantor or the Municipality by reason of anything done by such owners, or any of them, in the exercise of the rights, privileges and liberties herein granted, or anyone using the easement, with the express or implied permission of such owner or occupier of the Benefited Lands, it being expressly understood and agreed that all persons using the easement do so entirely at their own risk.
9. Where more than one person enters into this Agreement as Grantor, all of the agreements, covenants, terms, provisions, and conditions contained herein shall be construed as being both joint and several with respect to each such person.
10. Where the context so requires, the singular number shall be read as if the plural were expressed and the masculine or neuter gender as if the masculine, feminine or neuter were expressed.
11. If any covenant or term of this Agreement or the application thereto to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, other than such term, shall be valid and in force to the extent permitted by law.
12. (a) This easement and the covenants, restrictions and conditions herein contained are and shall be deemed to be covenants running with the Parcels and annexed to the Parcels and this Agreement, including all of the covenants, terms and conditions herein contained, shall extend to and be binding upon and enure to the benefit of the owners of the Parcels and their respective heirs, executors, administrators, successors-in-title and assigns;
- (b) It is declared and agreed that the rights, privileges and easements, but not the obligation, granted to the Municipality hereunder are granted to the Municipality by virtue of its ownership of street, lanes and public reserves adjacent to the Parcels.
13. (a) The recitals set forth above shall form part of this Agreement to the same extent as if repeated herein at length;
- (b) Schedules "A" and "B" attached hereto shall form part of this Agreement.
14. Notwithstanding any provision contained in this Agreement to the contrary, any charge or lien which may be registered pursuant to the terms thereof shall in any event be subordinate to and is hereby postponed to each and every mortgage and every other security relating to the relevant Parcel and to each and every advance made thereunder, whenever and however granted.
15. Time shall, in all respects, be of the essence of this Agreement.
16. Any notice, communication or request to be given to the Grantor or the Owners hereunder shall be in writing by registered mail, postage prepaid or by personal delivery to such person at the address for such person currently shown on the tax rolls of the Municipality provided that if postal service is interrupted by strikes, slowdown or other cause the notice, communication or request shall be personally delivered to ensure prompt receipt.
17. No action shall be commenced against any person for damages or otherwise for breach of any one or more of the covenants contained in this agreement which are alleged or proven by a Court of competent jurisdiction to be in breach of this Agreement, unless such person is registered as

Attachment C: Subdivision Approval

owner of the Burdened Lands in respect of which the breach has occurred at the time of commencement of the action. This covenant shall constitute an absolute defence of any such action and may be pleaded as such.

18. These stipulations, restrictions and provisions may not be altered or deleted without the express written permission of the Municipal District of Rocky View No. 44.

IN WITNESS WHEREOF the parties hereto have executed these presents under seal as of the day and year first above written.

GRANTOR

Darcy Pittman
WITNESS

Allan Cote
ALLAN COTE

GRANTEE

Darcy Pittman
WITNESS

Allan Cote
ALLAN COTE

FORM 31

LAND TITLES ACT
(Sections 155 and 156)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

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or

I was personally present and did see **ALLAN COTE** who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument;

5. The instrument was signed at Calgary, in the province of Alberta, and I am the subscribing witness thereto;
6. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at The City of Calgary
in the Province of Alberta
this 3rd day of December
A.D. 2007

Darcy Pittman
(Witness Signature)

Roberta K. Pittman

A Commissioner for Oaths in and for the Province of Alberta
My commission expires August 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

SCHEDULE "A"

TO OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE COVENANT

PURSUANT TO SECTION 71 (1) OF THE LAND TITLES ACT

ALL THOSE PARCELS CONTAINED WITHIN SUBDIVISION PLAN M.D. OF ROCKY VIEW No. 44

PLAN 071 _____,

BLOCK ,

LOTS 1 & 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

SCHEDULE "B"

TO OVERLAND DRAINAGE EASEMENT AND RESTRICTIVE COVENANT

PURSUANT TO SECTION 71 (1) OF THE LAND TITLES ACT

PARAGRAPH 1D

The Easement Area is that portion or portions of the Parcels (set out in Schedule "A") shown or identified on the overland drainage right of way plan which has been registered at the Land Titles for the South Alberta Land Registration District as:

PLAN M.D. OF ROCKY VIEW NO. 44 071_____

EXCEPTING THEREOUT ALL MINES AND MINERALS

~~Attachment C: Subdivision Approval~~
ACCESS EASEMENT AGREEMENT

This agreement made this 3rd day of December, 2007

BETWEEN:

ALLAN COTE

(hereinafter referred to as "the grantor")

Of The First Part

And

ALLAN COTE

(hereinafter referred to as "the grantee")

Of The Second Part

WHEREAS the grantor is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN 071 _____,
BLOCK 1,
LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "A")

WHEREAS the grantee is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN 071 _____,
BLOCK 1,
LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "B")

AND WHEREAS Parcel "A" and "B" are parcels immediately adjoining each other;

(Parcel "A" and Parcel "B" hereinafter sometimes collectively referred to as "the lands" or "the parcels")

AND WHEREAS the grantor wishes to create a right, privilege and easement over a portion of the grantor's land for the purpose of an Access Right Of Way.

NOW THEREFORE in consideration of the premises and the sum of One Dollar (\$1.00) now exchanged between the parties hereto (receipt whereof is hereby acknowledged) the parties hereto agree as follows:

Attachment C: Subdivision Approval

1. The grantor, as owner of Parcel "A" (the servient tenement), does hereby give, grant, and transfer and make over unto the grantee, as owner of Parcel "B" (the dominant tenement), the privileges, covenants and easement of a right of way in, through, and over the following lands namely:

THOSE PORTIONS OF THE ABOVE SAID LANDS WHICH LIE WITHIN ACCESS RIGHT OF WAY AS SHOWN ON PLAN 071 _____.

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to the "right of way")

For the constructing, repairing, replacing, maintaining, inspecting an Access Right Of Way the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the grantee and the grantor, namely:

1. This Agreement shall come into full force and effect on the date noted on the first page of this Agreement and shall continue in full force and effect in perpetuity unless terminated, discharged, varied or amended by the unanimous and mutual written agreement of the grantor and the grantee.
2. The grantee, their tenants, contractors, subcontractors, officers, servants, agents, workmen shall have the full and free right and liberty to have ingress, egress and to pass and repass on the right of way either by foot or by means of vehicles or necessary machines whatsoever, and to remain on the right of way for all purposes of repairing, replacing, using for access to the dominant tenement, maintaining and inspecting the Access Right Of Way.
3. The grantee in carrying out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the owners or occupiers of the said land, as is possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition.
4. The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.
5. The grantee will indemnify and save harmless the grantor from and against all claims, damages, deaths, dues, suits, liabilities, actions and causes of actions, costs or sums of money that the grantor may suffer or be put to by reason of anything done by the grantee in the exercise of the rights and privileges herein granted.
6. Any provision herein found or made void or unenforceable by any court under law shall not void or render unenforceable the remaining provisions hereof.
7. The rights conferred by this Agreement **does not and shall not** be deemed to include a right to park vehicles on the access right of way.
8. The rights, privileges and easements granted and the restrictive covenants and conditions made herein shall run with and be legally annexed to the parcels and shall extend to and enure to the

Attachment C: Subdivision Approval

benefit of and be binding upon the respective heirs, executors, administrators, successors-in-title and signs of the parties hereto respectively.

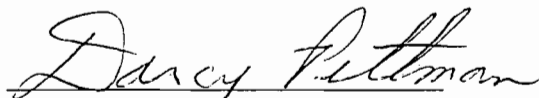
9. The rights, privileges, covenants and easements hereby granted shall not be extinguished in the event that the title to or ownership of either of the Parcels which adjoin each other shall be vested in the same person. The successors in title to such Parcels shall be and remain bound to and in respect of the rights, privileges, covenants and easements hereby granted and entitled to the benefits thereof as rights, privileges and obligations which are created under and by virtue of this Agreement.

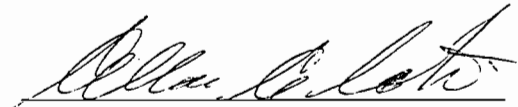
10. The Parties acknowledge and agree that The Municipal District Of Rocky View is a party to this Agreement for the purpose of ensuring that it is not discharged from the title to either the dominant or servient tenements without its written consent, and to receive the benefit of the indemnities granted herein. The parties hereto shall give notice to The Municipal District Of Rocky View in the event that they plan to modify or discharge this Agreement from title. The parties further acknowledge and agree that The Municipal District Of Rocky View is not responsible or obliged to resolve any disputes, including those related to cost sharing and maintenance obligations contained herein, or to cover or contribute to the costs related to the cost sharing and maintenance obligations contained herein.

11. The use of the right of way by the owners from time to time of Parcel "A" and "B" shall be perpetual but no covenant herein shall be personally binding upon a party from time to time except in respect of a breach occurring during the period that they are the owners of the Parcel "A" or of the Parcel "B", as the case may be.

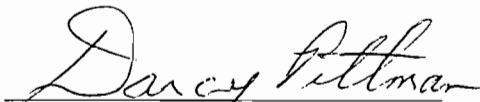
IN WITNESS WHEREOF the parties have executed this agreement on the date first written above.

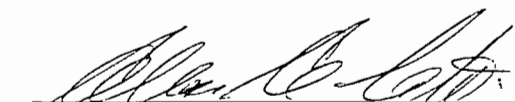
The Grantor


Witness


ALLAN COTE

The Grantee


Witness


ALLAN COTE

AC...
Cote...
2025

FORM 31

LAND TITLES ACT
(Sections 161)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman of Calgary, in the
PROVINCE OF ALBERTA, make oath and say:

1. I was personally present and did see **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument:

or

~~I was personally present and did see **ALLAN COTE** who on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument.~~

2. The instrument was signed at Calgary, in the
PROVINCE OF ALBERTA and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at the City of Calgary

in the PROVINCE OF ALBERTA,

this 3RD day of December,

year A.D. 2007

Darcy Pittman
(Signature)

Roberta K. Pittman

A Commissioner for Oaths in and for the
Province of ALBERTA.

My Commission Expires on AUGUST 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

Attachment C: Subdivision Approval

CONSENT OF SPOUSE

I, Evelyn Cote being married to the within named Allan Cote do hereby give my consent to the disposition of our homestead, legally described as:

Made in the instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, to the extent necessary to give full effect to the said disposition.

Evelyn M. Cote
SPOUSE SIGNATURE

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

1. This document was acknowledged before me by Evelyn Cote apart from her husband/his wife:
2. acknowledged to me that she/he:
 - a) Is aware of the nature of this disposition;
 - b) Is aware that the Dower Act, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
 - c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, to the extent necessary to give effect to the said disposition;
 - d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at the City of Calgary, in the Province of Alberta, this 3rd day of December A.D. 2007

Darcy Pittman

A Commissioner for Oaths in and
For the Province of Alberta

My Commission Expires on _____, 20____

~~My Commission Expires May 20, 20____
In and for the Province of Alberta
A Commissioner for Oaths
DARCY H. PITTMAN~~

DARCY H. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires May 20, 2009

4735080

1 - Page Fax # 277-3066

Municipal District of Rocky View #4
Attn: Jared Kassel, Re: Plan #
771 0693 Lot 5

This letter is to confirm the
shed located on the 2 acres to
be subdivided has been removed.

Signed Evelyn M. Cote
Evelyn M. Cote



ROAD APPROACH INSTALLATION AND CONDITION OF SUBDIVISION (POLICY 402)

TO: INFRASTRUCTURE and OPERATIONS

DATE OF REQUEST: SEPT. 4 / 07REQUESTED BY: ALLAN COTELEGAL DESCRIPTION: NW 35-24-3-W5ROLL NO.: 4735020APPLICANT'S NAME: COTEHOME PHONE: [REDACTED]PRE-CONST: ☐ INTERIM: ☐ INSPECTION: ☒WORK PHONE: [REDACTED]

			COMMENTS	pass - ☒ fail - ☒
1	NUMBER OF APPROACHES	<u>1</u>	<u>MUTUAL</u>	
2	SIGHT DISTANCE LEFT	<u>+155</u> m		☒
3	SIGHT DISTANCE RIGHT	<u>+155</u> m		☒
4	ANGLE TO ROAD	<u>90</u> deg		☒
5	GRADE, PROPERTY LINE TO ROAD	<u>0</u> %		☒
6	CULVERT DIAMETER	<u>450</u> mm		☒
7	CULVERT LENGTH	<u>8.5</u> m		☒
8	DRAINAGE MAINTAINED?	<u>YES</u> (y/n)		☒
9	FINISHED WIDTH	<u>7.0</u> m		☒
10	SIDESLOPE RATIO	<u>3</u> :1		☒
11	ACCEPTABLE FILL USED?	<u>YES</u> (y/n)		☒
12	ADEQUATE COMPACTION?	<u>YES</u> (y/n)		☒
13	SIDESLOPES TOPSOILED?	<u>YES</u> (y/n)		☒
14	SIDESLOPES SEEDED?	<u>YES</u> (y/n)		☒
15	ROAD APPROACH SURFACE TYPE	☒ gravel ☐ chipseal ☐ excellent ☐ coldmix ☐ hotmix		☒
16	ROAD APPROACH SURFACE CONDITION	☒ good ☐ excellent ☐ fair ☐ poor		☒
17	MAJOR ROAD SURFACE TYPE	☒ gravel ☐ chipseal ☐ coldmix ☐ hotmix	<u>DUST CONTROL OIL</u>	N/A
18	MAJOR ROAD SURFACE CONDITION	☒ good ☐ excellent ☐ fair ☐ poor		N/A
19	DAMAGE TO MD OR PRIVATE PROPERTY	<u>NO</u> (y/n)		☒
20	DISTANCE FROM NEAREST INTERSECTION	<u>479</u> m	<u>EAST OF RR 32</u>	

RE-INSPECTION REQUIRED: YES: _____

NO: ☒

GENERAL COMMENTS:

APPROACH MEETS MUTUAL STANDARDSDATE INSPECTED: SEPT. 6 / 07INSPECTED BY: [Signature]

APPLICANT NOTIFIED OF RESULTS?:

YES ☒NO ☐

Attachment C: Subdivision Approval

SABATINI EARTH TECHNOLOGIES INC.

203, 6919 - 32nd AVENUE N.W.
CALGARY, ALBERTA T3B 0K6
TEL: (403) 247-1813
FAX: (403) 247-1814

12323 - 67th STREET
EDMONTON, ALBERTA T5B 1N1
TEL: (780) 438-0844
FAX: (780) 435-1812

Aug 13, 2007

File: 0707-6192

Al Cote
76 Eagle Butte Ranch N.W.
Calgary, AB
T3Z 1K3

**RE: Septic Field Evaluation
76 Eagle Butte Ranch N.W.
Calgary, AB**

Dear Mr. Cote:

A septic field evaluation was undertaken on the above-mentioned site, which is in northwest Calgary, Alberta under the jurisdiction of the MD of Rockyview. A percolation test was performed to determine the percolation rate, septic field volume and area required as outlined in Alberta Safety Codes Council's *Alberta Private Sewage System Standards of Practice (1999)*.

Percolation Test

Details of Field Investigation

The investigation was initiated on July 19, 2007. A 2.4m shallow water table monitoring hole, dug by a backhoe the previous week, was verified to contain no freestanding water. As hole had been left to recover for the required time and this monitoring site remained dry, the site met the requirement for a septic field by having a water table depth of greater than 1.8m.

Two 200 mm diameter percolation holes were drilled to a depth of 900 mm. The soil walls of the percolation test holes were scoured with a wire brush and water was added to the top of the holes to allow for percolation tests to be undertaken the following day. The fluid levels were maintained at approximately 450 mm depth in both of the percolation test holes. After the initial soaking period the following morning, the water levels were measured and recorded from a fixed reference point in 30-minute intervals. After each measurement the water level was readjusted to a depth of 450 mm. This procedure was repeated for one and a half hours until the rates were within 3 mm of each other. A sitemap of the entire parcel of land is provided on Plate 1, which includes the locations of the test holes and the monitoring well.

Percolation Test Results

Details of the percolation rates are as follows:

Test #	Test Hole #1			Test Hole #3		
	Time (min)	Water Drop (in.)	Perc Rate (min/in.)	Time (min)	Water Drop (in.)	Perc Rate (min/in.)
1	30	3 1/4	9.2	30	3 1/2	8.6
2	30	3 1/2	8.6	30	3 3/8	8.9
3	30	3 3/8	8.9	30	3 3/8	8.9

Conversion to metric units provides the following data:

Test #	Test Hole #1			Test Hole #3		
	Time (min)	Water Drop (cm)	Perc Rate (min/cm)	Time (min)	Water Drop (cm)	Perc Rate (min/cm)
1	30	8.26	3.6	30	8.89	3.4
2	30	8.89	3.4	30	8.57	3.5
3	30	8.57	3.5	30	8.57	3.5

Acceptable percolation rates are between 5.0min/25mm to 60min/25mm (2.0min/cm to 23.6min/cm), indicating that both percolation rates of the test holes were within the acceptable range. The slowest percolation rate of the last set of measurements is to be considered the actual percolation rate for the site, in this case 8.9min/25mm (3.5min/cm). This percolation rate is included in the acceptable range and therefore the site qualifies as an acceptable site for septic field disposal as per the guidelines.

Using Alberta Safety Codes Council's *Alberta Private Sewage System Standards of Practice (1999)* guidelines and the above percolation rate of 8.9min/25mm (3.5min/cm) the following table summarizes the calculated effluent volume and corresponding septic field area that the new house will need, based upon the number of bedrooms the house will have.

No. of Bedrooms	Calculated Effluent Volumes		Required Septic Field Area	
	L/day	Gal/day	m ²	ft ²
2	1380	300	50	533
3	1530	338	56	600
4	2040	450	74	799
5	2550	563	93	1000
6	3060	675	111	1199
7	3570	788	130	1399
8	4080	900	148	1598
9	4590	1013	167	1799
10	5100	1125	185	1998

Site Water & Soil Properties

A water sample was collected from the well and submitted to WSH Labs (1992) Ltd. on July 14, 2007 for analysis of parameters as outlined in Alberta Environments Groundwater Evaluation Guideline. The lab analysis report is shown on Plate 2. Using the sodium, calcium, and magnesium values provided, the SAR (Sodium Absorption Ratio) can be calculated as follows:

$$SAR = \frac{Na(meq/L)}{\sqrt{\frac{Ca(meq/L) + Mg(meq/L)}{2}}} = 14.67$$

Alberta Private Sewage System Standards of Practice (1999) recommends that a soil saturation test should be completed if the source water provides a SAR value greater than six. This soil property test was performed on August 10, 2007 in the SETI laboratory, and resulted in a saturation percentage of 67.4. The SAR value multiplied by this percentage gives a reference value that indicates whether problems caused by swelling clays are to be expected. The value that for this site is 989, and is compared to the following table:

1200 – 1550	Future problems due to swelling not expected
1500 – 2200	Slight problems possible – recommend 20% increase in septic field size
2200 – 3000	Some problems expected – recommend 50% increase in septic field size
> 3000	Disposal field should not be installed

As the value calculated for the site is below even the lowest reference value, any significant swelling is not expected.

It should be noted that the source water has a high salinity (reported EC of 2.46 mS/cm). *Alberta Private Sewage System Standards of Practice* notes that an EC of between 1.3 and 3.0 amounts to an increasing problem, as it will increase the salinity of the soil over time, and reduce the capability of the soil to transport fluids, or possibly leading to adverse affects to plant growth.

Conclusion

Based on the most conservative percolation rate of 8.9min/25mm (3.5min/cm), the subsurface soils at the site are suitable for septic field disposal. Due to the fact that the source water at the site is highly saline and will therefore affect the soils ability to drain fluid, a small increase in the size of the septic field may be warranted.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

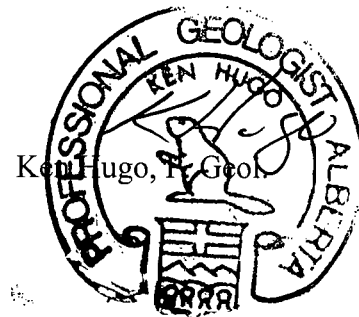
Yours truly,

Sabatini Earth Technologies Inc.

APEGGA Permit to Practice: P5773



David Vaughan, B. A. Sc.



10513107



LEGEND

-  MONITORING WELL LOCATION
-  TEST HOLE LOCATIONS

SABATINI EARTH TECHNOLOGIES INC.

Al Cote Septic
#76 Eagle Butte Ranch
Site Map with Test Hole Locations

Attachment C: Subdivision Approval



3851B - 21 Street N.E.
Calgary, Alberta
Canada T2E6T5
Ph: (403) 250-9164
Fax: (403) 291-4597
Website: www.wshlabs.com

Aaron Drilling
Box 28, Site 9, RR 1
De Winton, AB T0L 0X0

Phone: 938-4961
Fax: 938-3324
Email:

Lab Number: 57610
PO Number:

Attention:		Sampled By:	
Client ID:	6108	Date Sampled:	
Location:	Cote	Date Received:	7/14/2007
Legal:		Date Reported:	7/19/2007

Analyte	Units	Result	Canadian Drinking Water Guideline Maximum
Calcium	mg/L	59.5	No Guideline
Iron	mg/L	0.24	0.3
Magnesium	mg/L	20.4	No Guideline
Manganese	mg/L	0.08	0.05
Potassium	mg/L	8.3	No Guideline
Sodium	mg/L	518	200
Bicarbonates	mg/L	818	No Guideline
Bromides	mg/L	< 0.1	No Guideline
Carbonates	mg/L	0	No Guideline
Chlorides	mg/L	0.4	250
Fluorides	mg/L	0.27	1.5
Nitrates as N	mg/L	< 0.05	10
Nitrites as N	mg/L	1.6	1
NO ₃ + NO ₂ as N	mg/L	1.6	No Guideline
Sulfates	mg/L	647	500

Parameter	Units	Result	Canadian Drinking Water Guideline Maximum
Electrical Conductivity	µS/cm	2460	No Guideline
pH	pH	8.09	6.5 - 8.5
Hardness (as CaCO ₃)	mg/L	233	No Guideline
Total Alkalinity (as CaCO ₃)	mg/L	671	No Guideline
P-Alkalinity (as CaCO ₃)	mg/L	0	No Guideline
Hydroxide (as CaCO ₃)	mg/L	0	No Guideline
Total Dissolved Solids	mg/L	1658	500
Total Organic Carbon	mg/L	-	No Guideline
Sulfides as S	mg/L	-	0.05

Microbiology	Units	Result	Canadian Drinking Water Guideline Maximum
Total Coliform	CFU/100 mL	-	Zero
Escherichia Coliform	CFU/100 mL	-	Zero
Fecal Coliform	CFU/100 mL	-	Zero

Sum of Cations	27.38	TDS / EC Ratio	0.67
Sum of Anions	26.92	SAR	14.77
Ion Balance	1.02	Saturation Index	1.1

Certified By: 

Accredited by CAEAL to ISO/IEC 17025 for specific tests.

SAR = Sodium Adsorption Ratio, TNTC = Too Numerous To Count (>200 colonies), < denotes less than detection limit

The results above are related only to the items analyzed. Total Dissolved Solids is determined by calculation.

Control No: WSH-BKW060113B-Rev1.2

Page 1

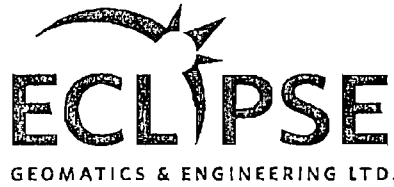
SABATINI EARTH TECHNOLOGIES INC.

Allan Cote
#76 Eagle Butte Ranch
Calgary, Alberta
Lab Results - Water Sample

Date: Aug 2007

Job No: 0707-6192

Plate No: 2



FAX COVER SHEET

Company: M.D. of ROCKY VIEW No.44 Date: JULY 16, 2007

To: JARED KASSEL From: DARC Y PITTMAN

Fax: 277-3066 Pages: 3

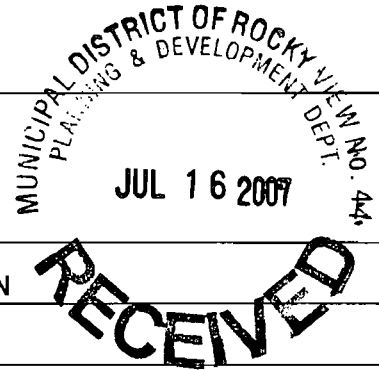
Re: PROPOSED SUBDIVISION YOUR FILE: 2006-RV-530/04735020

Remarks: Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment ☐

Comments: ATTACHED IS THE SKECTH INDICATING THE REVISED PROPERTY LINE BETWEEN PROPOSED
LOTS. WE HAVE SHIFTED THE INTERSECTION POINT WITH THE SOUTH EASTERLY BOUNDARY
SLIGHTLY NORTH TO MAINTAIN A MINIMUM OF 0.796 ha (1.97 ACRES).
IF THIS MEETS WITH YOUR APPROVAL, WE WILL PROCEED WITH FINAL POSTING AND
DRAFTING OF THE FINAL SUBDIVISION PLAN
SHOULD THERE BE ANYTHING ELSE YOU REQUIRE, PLEASE CALL.

Signature: _____

Darcy Pittman



Attachment C: Subdivision Approval

Client: ALLAN COTE
Site 21 Box 5 RR #2
Calgary, Alberta T2P 2G5

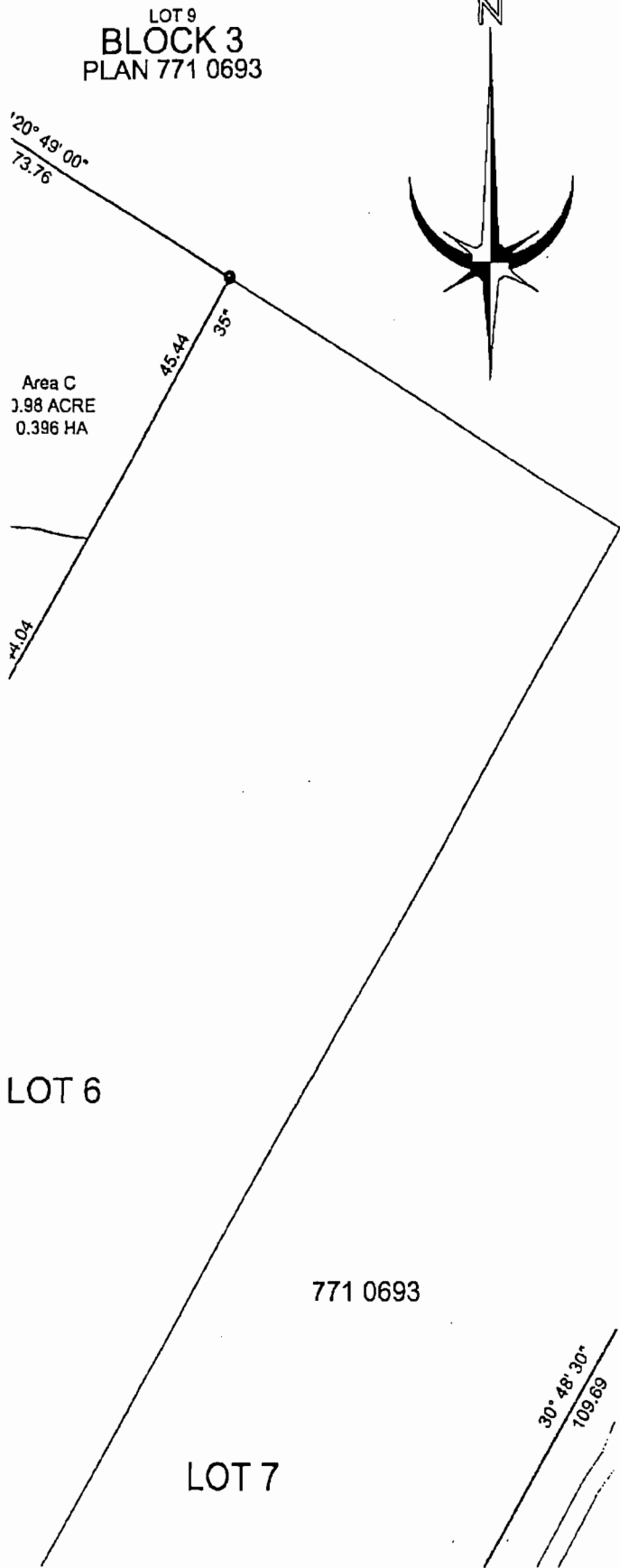
Re: Plan 771 0693, Lot 5
Calgary, Alberta

LEGEND

Dimensions shown are in metres and decimals thereof.
Dimensions refer to exterior of foundation walls.
Sideyard distances are perpendicular to the
property lines and are shown thus: —15.00—

Area referred to is shown bounded thus: _____

SCALE 1:1000



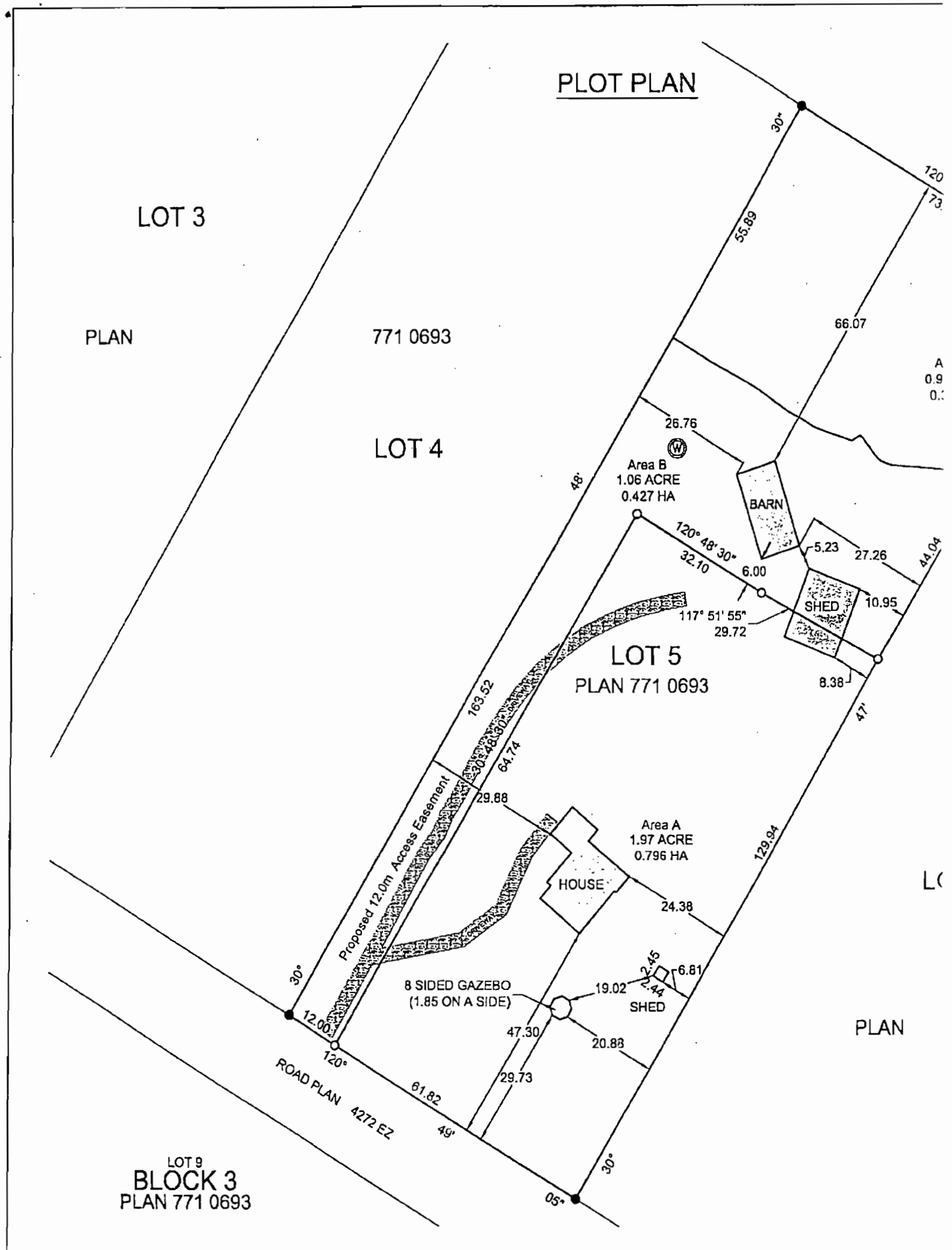
GEOMATICS & ENGINEERING LTD.

#201, 1530 - 27th AVENUE N.E., CALGARY, ALBERTA, T2E 7S6
Ph: 403.250.1278 Fax: 403.291.0399

DRAWN BY: JMK
CHK'D BY: NRW

DATE: July 11, 07 11:39:48
DRAWING: E07035-G01+SS.dwg

Attachment C: Subdivision Approval



Attachment C: Subdivision Approval

1, 1530 - 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca



June 20, 2007

Municipal District of Rocky View

#911 32 Ave. NE

Calgary, Alberta

T2M 4L6

FX# (403) 277 - 5977

Attention: Jared Kassel

RE: Proposed Subdivision Lot 5 Plan 7710693 for Mr. Al Cote

Dear Sir

Accompanying is a brief Storm Water Management Plan for Mr. Cote's property. The Recommendation is that we simply identify and protect the existing drainage course through the lands.

Yours truly,

Thomas Doran P. Eng.

C/c Al Cote / Client

Darcy Pittman Project Supervisor



Storm Water Management Plan

Lot 5 Plan 7710693 for Mr. Al Cote

Objective of Storm Water Management

The objective of on site Storm Water Management is to protect drainage courses, preserve water quality and reduce the potential for flooding in down stream water courses.

Description of Site (See attached Photo)

The area around the existing house is flat with many trees and shrubs. The land behind the house gently slopes down to the barn. Except for the 3.0m wide access road, the area is grassy with trees and shrubs along the perimeter. The area behind the barn has a relatively steep hill down to the drainage channel at the bottom; but the hill is stabilized by a large number of bushes. From the drainage channel to the back lot the area slopes upward and is completely grassed.

Options

Options are as follows:

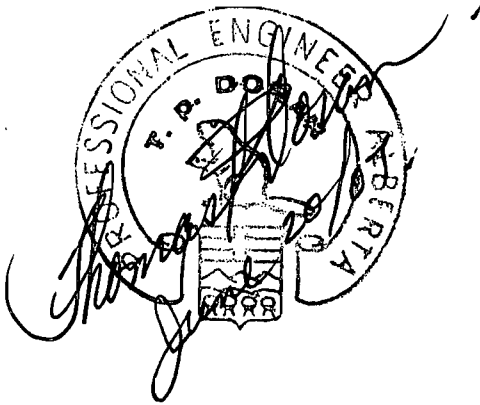
1. The site could be ditched to collect any increased runoff from development, to a common point where a pond and / or berm could be constructed to contain the runoff and release it in a controlled fashion. This would have to be up slope from the natural drainage course at the back of the subject property. To do this however would create considerable disturbance to a nicely grassed and landscaped lot.
2. A second option is to simply protect the existing drainage course by way of a restrictive coven out. The drainage course is defined on the attached plan.

Attachment C: Subdivision Approval

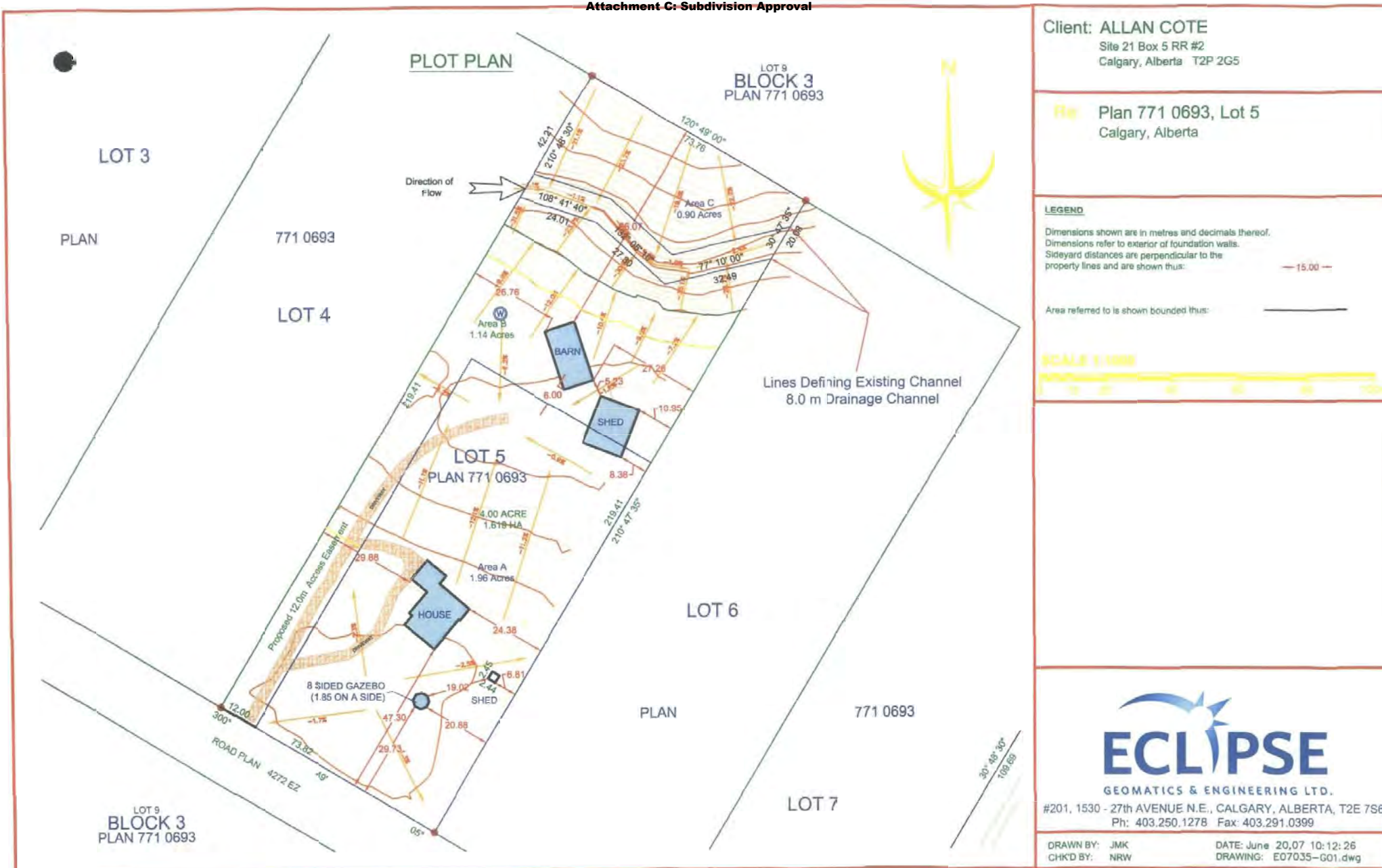
1530 - 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseltd.ca

**Recommendation**

It is our opinion that to ditch the property and construct a storm pond where storm water could be managed will create more damage than it will ever prevent. We therefore simply recommend that the balance of the land be left with an establish grass cover and landscaping and that the existing drainage course be protected by caveat.



Attachment C: Subdivision Approval



Attachment C: Subdivision Approval



New Application Summary

Attachment C: Subdivision Approval

Application # 2006-RV-250 Roll # 04135020

Type: ☐ Redesignation ☒ Subdivision ☐ Concept Plan ☐ ASP

Proposal Line To subdivide two - 2 acre parcels from the parent parcel.

CONFIRM DIVISION # (Planner to confirm) 2

LOCATION On Township Rd. 250 approximately 1/4 mile north of Highway 1, adjacent to Eagle Butte Ranch

Confirm Reserve Status Previously taken as per Plan 77/0693

Circulate as is ☐ OR Please highlight any additional selections

Air/Land Transportation ☐ CN Railway ☐ Canadian Pacific Railway ☐ Calgary Airport Authority ☐ Airdrie Airpark ☒ Springbank Airport Adjacent Municipalities ☐ City of Airdrie ☐ Town of Beiseker ☐ City of Calgary ☐ Town of Chestermere ☐ Town of Cochrane ☐ Town of Crossfield ☐ Town of Irricana ☐ Mountain View County ☐ Wheatland County ☐ Kananaskis Improvement District #5 ☐ MD of Bighorn ☐ MD of Foothills ☐ MD of Kneehill Alberta First Nations ☐ Tsuu Tina Nation ☐ Stoney Tribal Administration ☐ AB Environment - Aboriginal Relations Alberta Provincial Agencies ☒ Energy and Utilities Board (AEUB) ☐ Natural Resources and Conservation Board (NRCB) ☐ Community Development ☐ Cultural Facilities & Historical Resources ☒ Environment ☒ Infrastructure & Transportation ☒ Land Titles ☐ Municipal Affairs ☐ Sustainable Resources Dev. ☐ Public Lands Division ☐ Fish & Wildlife ☐ Parks and Protected Areas ☒ Calgary Health Region	Canada Federal Agencies ☐ Canada Post ☐ Dept of Fisheries & Oceans ☐ Revenue Canada ☐ Transport Canada Community Stakeholder Groups ☐ Town of Cochrane Rec. District ☐ Ducks Unlimited Energy Sector ☒ EnCana Corporation ☐ Prime West ☐ Petro Canada ☐ Wildcat Hills ☐ Jumping Pound ☐ Calpine Energy Center ☐ Interpipe Cochrane Ext. Plant ☐ Nexen Pipelines ☒ Recreation Board ☐ Airdrie Community Services ☐ Bears paw-Glendale ☐ Beiseker ☐ Bow North ☐ Chestermere-Conrich ☐ Crossfield ☐ Irricana ☐ Madden ☐ Ranchlands ☒ Rocky View West School Divisions ☒ Catholic School Centre ☐ Christ the Redeemer School Division ☒ Rocky View School Division ☒ Public Francophone District ☒ Catholic Francophone District Note: ☒ Subject lands located within an ASP Which one Central Springbank.	Utilities ☒ ATCO Gas ☒ ATCO Pipelines ☐ Cochrane Gas Coop ☐ Rocky View Gas Coop ☒ AltaLink Management ☒ TransAlta Utilities ☒ FortisAlberta ☐ Enmax ☒ Telus Communications ☐ Shaw Cablesystems ☐ Persona Communications (Langdon) Water Utility Companies ☐ Bears paw Village Water Coop ☐ Langdon Waterworks ☐ North Springbank Water Coop ☐ Pirmez Ck Water Supply Coop ☐ Rocky View Water Coop ☐ Westridge Water Supply ☐ Western Irrigation District MD OF ROCKY VIEW (INTERNAL) Planning & Community Services ☒ Agricultural Services ☐ Municipal Lands ☒ Development Authority ☐ Long Range Planning Infrastructure & Operations ☒ Technical Services Manager ☒ Project Delivery Manager Other ☐ Economic Development Officer ☒ Emergency Services ☒ Geo Graphics – Address & Road Naming

Additional Circulation Agencies not listed above:

Planner's Notes

Planner's Signature Date Sept. 26, 2006.

Supervisor's Notes

Supervisor's Signature



Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6

Telephone (403) 230-1401 • Fax (403) 277-5977

Website: www.gov.mdrockyview.ab.caE-mail: comments@gov.mdrockyview.ab.ca

September 26, 2006

Allan Cote
76 Eagle Butte Ranch
Calgary, AB T3Z 1K3

Dear: Allan Cote

RE: Redesignation and Subdivision of Lot 5, Plan 771 0693 within NW 35-24-3-W5M to subdivide two $\geq$ 2 acre parcels from the parent parcel.

We are in receipt of your application for Redesignation and have commenced its processing. In order to assist you in tracking your application through the process, the following information will be important to you:

M.D. of Rocky View File Numbers: 2006-RV-529 – Redesignation

2006-RV-530 - Subdivision

Roll Number: 04735020

Municipal Planner processing your application: Jared Kassel

Jared Kassel will be pleased to assist you with any questions that you may have relating to Municipal policies and procedures regarding your application. We may also require additional information as the file proceeds through internal review and circulation.

You will be notified of the scheduled Council meeting dates. Please note that Staff Reports and recommendations will be available at the Planning, Development and Building Services counter on the afternoon of the Wednesday prior to the scheduled meeting.

Our responsibility is to process your application in accordance with the provisions of the Municipal Government Act 2000, Chapter M-26 and the Subdivision and Development Regulation.

Your responsibility is to maintain contact with Staff and provide any information that may be relevant to your application.

Please contact Jared Kassel with your questions and concerns.

ALBERTA ENVIRONMENTAL PROTECTION
Attachment C Subdivision Approval

COMPUTER GENERATED WATER WELL DRILLER'S REPORT FORM

WELL I.D. 339719
Page 1 of 1

THIS DATA MAY NOT BE FULLY CHECKED; THE PROVINCE DISCLAIMS ALL RESPONSIBILITY FOR ITS ACCURACY:

CONTRACTOR: NAME: AARON/INTERPROVINCIAL WATERWELL DRILLING ADDRESS: Box 28, Site 9, R.R.1 DeWinton, Alberta T0L-0X0 LICENCE NO.: 0892 JOURNEYMAN NO.: VA4996		WELL OWNER: NAME: COTE, ALLAN #6108 ADDRESS: 76 EAGLE BUTTE RANCH CALGARY POSTAL CODE: T3Z 1K3		WELL LOCATION: IC#: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">1/4 OR LSD</td> <td style="width:15%;">SEC</td> <td style="width:15%;">TWP</td> <td style="width:15%;">RGE</td> <td style="width:15%;">W. MER</td> </tr> <tr> <td>NW</td> <td>35</td> <td>024</td> <td>03</td> <td>W5</td> </tr> </table> LOCATION VERIFICATION METHOD: FIELD LOCATION IN QUARTER:		1/4 OR LSD	SEC	TWP	RGE	W. MER	NW	35	024	03	W5															
1/4 OR LSD	SEC	TWP	RGE	W. MER																										
NW	35	024	03	W5																										
FORMATION LOG DESCRIPTION: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Depth (Feet)</th> <th style="width:85%;">Lithology:</th> </tr> <tr> <td>Ground to:</td> <td style="background-color: #cccccc;"></td> </tr> <tr> <td>1</td> <td>Topsoil</td> </tr> <tr> <td>23</td> <td>Clay</td> </tr> <tr> <td>31</td> <td>Till & Sand Stringers</td> </tr> <tr> <td>50</td> <td>Clay & Rocks</td> </tr> <tr> <td>55</td> <td>Brown Shale</td> </tr> <tr> <td>76</td> <td>Gray Shale</td> </tr> <tr> <td>107</td> <td>Water Bearing Sandstone</td> </tr> <tr> <td>115</td> <td>Gray Shale</td> </tr> </table>		Depth (Feet)	Lithology:	Ground to:		1	Topsoil	23	Clay	31	Till & Sand Stringers	50	Clay & Rocks	55	Brown Shale	76	Gray Shale	107	Water Bearing Sandstone	115	Gray Shale	DRILLING METHOD: ROTARY TYPE OF WORK: NEW WELL FLOWING WELL: RATE: GAS PRESENT: No OIL PRESENT: No DATE OF ABANDONMENT: MATERIAL USED: PROPOSED USE: DOMESTIC		LOT: BLOCK: PLAN: WELL ELEV: Feet How obtain: SURVEY-AIR						
Depth (Feet)	Lithology:																													
Ground to:																														
1	Topsoil																													
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76	Gray Shale																													
107	Water Bearing Sandstone																													
115	Gray Shale																													
WELL COMPLETION DATA: WELL FINISH: CASING/PERFORATED LINER TOTAL HOLE DEPTH: 115 Feet CASING TYPE: STEEL SIZE OD: 6.62 Inch WALL THICKNESS: 0.188 Inch BOTTOM AT: 57 Feet PERFORATED CASING/LINER: TYPE: PLASTIC SIZE OD: 5.00 Inch ID: Inch WALL THICKNESS: 0.219 Inch TOP AT: 55 Feet BOTTOM AT: 115 Feet PERFORATED FROM: 75 Feet TO: 115 Feet Feet TO: Feet Feet TO: Feet SIZE OF PERFORATIONS: 0.188 Inch X 6.000 Inch HOW PERFORATED: SAW SEAL TYPE: DRIVEN INTERVAL TOP: 55 Feet TO: 57 Feet GEOPHYSICAL LOG TAKEN: RETAINED ON FILE: SCREEN: MATERIAL: SIZE ID (CLEAR): Inch SLOT SIZE: Inch INTERVAL TOP: Feet TO: Feet Feet TO: Feet INSTALLATION METHOD: TOP FITTINGS: BOTTOM FITTINGS: PACK TYPE: GRAIN SIZE: AMOUNT:		PRODUCTION TEST: TEST DATE: August 31, 1906 START TIME: 15:00 <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Elapsed Time in Min:Sec</th> <th style="width:30%;">Depth to Water Level During Pumping (Feet)</th> <th style="width:30%;">Depth to Water Level During Recovery (Feet)</th> </tr> <tr><td>10:00</td><td>73.58</td><td>80.14</td></tr> <tr><td>20:00</td><td>76.36</td><td>76.7</td></tr> <tr><td>30:00</td><td>78.6</td><td>74.57</td></tr> <tr><td>40:00</td><td>80.12</td><td>73.38</td></tr> <tr><td>50:00</td><td>81.37</td><td>72.54</td></tr> <tr><td>60:00</td><td>82.38</td><td></td></tr> <tr><td>120:00</td><td>86.11</td><td></td></tr> <tr><td>140:00</td><td>86.19</td><td></td></tr> </table>		Elapsed Time in Min:Sec	Depth to Water Level During Pumping (Feet)	Depth to Water Level During Recovery (Feet)	10:00	73.58	80.14	20:00	76.36	76.7	30:00	78.6	74.57	40:00	80.12	73.38	50:00	81.37	72.54	60:00	82.38		120:00	86.11		140:00	86.19	
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10:00	73.58	80.14																												
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PITLESS ADAPTER TYPE: DROP PIPE TYPE: LENGTH: Feet DIAMETER: Inch ADDITIONAL PUMP INFORMATION:		WATER REMOVAL RATE DURING TEST: 5 Gal/Min TEST DURATION: 2 Hours 34 Minutes TESTING METHOD: PUMP DEPTH OF PUMP/DRILL STEM: 105 Feet WATER LEVEL AT END OF TEST: 86 Feet NON-PUMPING (STATIC) WATER LEVEL: 70.1 FEET TOTAL DRAWDOWN: 16 Feet RECOMMENDED PUMPING RATE: 4 Gal/Min RECOMMENDED PUMP INTAKE AT: 105 Feet TYPE OF PUMP INSTALLED: MODEL: H.P.:																												
DATE WORK STARTED: August 23, 1906 DATE WORK COMPLETED: August 23, 1906 ADDITIONAL TEST AND/OR PUMP DATA: CHEMISTRIES HELD: DOCUMENTS HELD: 1 WELL OWNER'S ANTICIPATED WATER REQUIREMENTS PER DAY: 500 Gallons				COMMENTS: TDS 2300 IRON <.5 HARD 6 (Maximum of 9 lines printed)																										



Attachment C: Subdivision Approval
**MUNICIPAL DISTRICT
OF ROCKY VIEW NO. 44**

04735020

File Number

**TIME EXTENSION AGREEMENT FOR
SUBDIVISION APPLICATION**

APPLICANT: Allan Cote

**LEGAL
DESCRIPTION:** NW-35-24-3-WSM

 Lot 5 Plan 7710693

Section 6 of the Subdivision and Development Regulations requires the Municipal District of Rocky View No. 44 to make a decision on a completed application within **60 days** of its receipt, unless an agreement is entered into with the applicant to extend this period.

In order to permit the M.D. of Rocky View to make a decision on your application, we are requesting that you enter into the time extension agreement as set out below. Without this agreement, we will be unable to deal with your application after the 60 day period has expired.

If you concur with our request, please complete the agreement set out below and forward it to:

THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
Department of Planning and Development
911 -- 32nd Avenue N.E.
Calgary, Alberta
T2E 6X6

In accordance with Section 681(1)(b) of the Municipal Government Act,

I/We, _____
hereby enter into an agreement with the Municipal District of Rocky View No. 44 to extend the time prescribed under Section 6 of the Subdivision and Development Regulations to _____.

Sept 11/06
Date

Applicant's Signature

012621



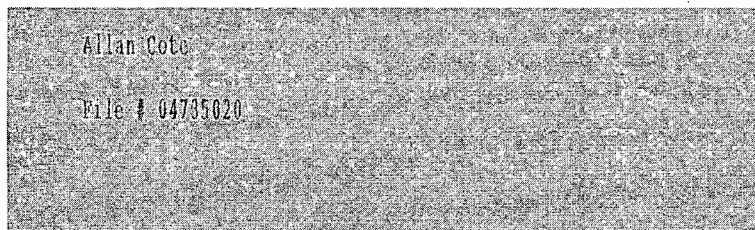
Attachment C: Subdivision Approval
RECEIPT

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

911 - 32 AVENUE N.E., CALGARY, AB T2E 6X6

(403) 230-1401 FAX (403) 277-5977

RECEIVED FROM:



Date: 9/11/2006

Official
 Receipt No: 162393

Receipt Type	Account	Description	Amount	Balance
General	RDDP	Redesignation Fees	\$1,000.00	\$0.00
General	SUB2	Subd'n Application Fees	\$1,000.00	\$0.00
General	SUB3	Subd'n Approval Fees - Plan	\$425.00	\$0.00

transfer
to SUB4

Sub-Total \$2,425.00
 Tax \$0.00

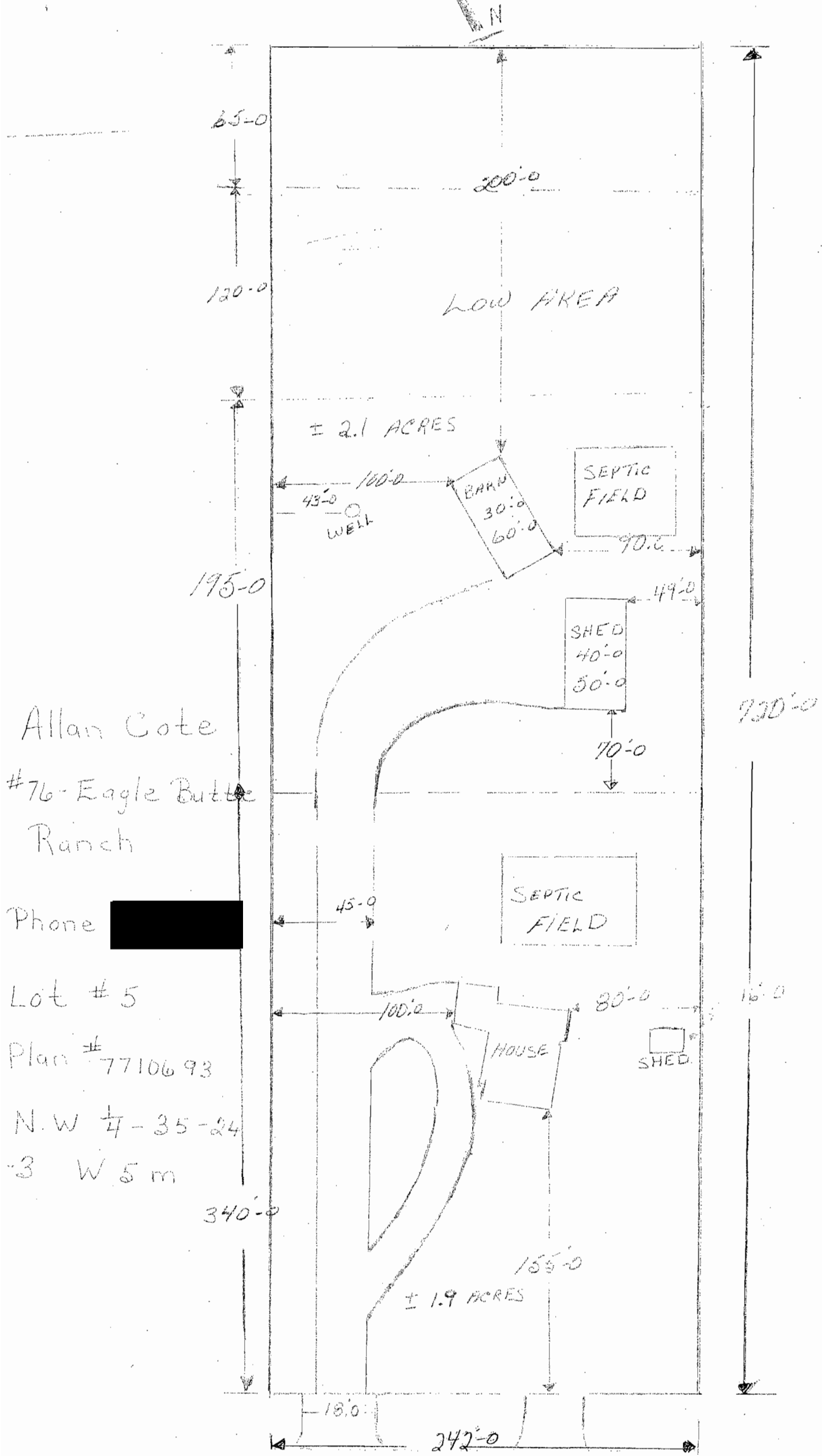
Total \$2,425.00

Cash \$0.00
 Cheque \$2,425.00

Credit Card \$0.00
 Debit Card \$0.00

Change \$0.00

Cheque Number: 765



Allan Cote

#76-Eagle Butte
Ranch

Phone [REDACTED]

Lot # 5

Plan # 7710693

N.W 1/4-35-24

3 W 5 m

Attachment C: Subdivision Approval



MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
PLANNING SERVICES APPLICATION FOR
SUBDIVISION

FOR OFFICE USE ONLY	
Date of Receipt <u>Sept 11/06</u>	File Number <u>04735020</u>
Fee Submitted <u>2425.00</u>	Accepted by <u>Drew/Lesley</u>

Name of Applicant ALLAN COTE Email _____

Mailing Address 76 - Eagle Butte Ranch
Calgary Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____
Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- All / part of the NW ¼ section 35 township 24 range 03 west of 5 meridian
- Being all / parts of lot 5 block _____ Registered Plan Number 7710693 Certificate of Title Number _____
- Municipal Address (if applicable) _____
- Total Area of the above parcel of land to be subdivided is _____ hectares (4 acres)

2. LOCATION OF LAND TO BE SUBDIVIDED

- The land is situated in the municipality of **ROCKY VIEW NO. 44**
- Is the land situated immediately adjacent to the municipal boundary? Yes _____ No ☒
If "yes", the adjoining municipality _____
- Is the land situated within 0.8 kilometres of the right-of-way of a highway? Yes ☒ No _____
If "yes", the highway is No. _____
- Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes _____ No ☒
If "yes", state its name _____
- Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No ☒
- Is the sour gas facility active, abandoned, or currently being reclaimed _____
- Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No ☒

3. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- Existing use of the land Residential 2
- Proposed use of the land Residential 1
- The designated use of the land as classified under the Land Use Bylaw _____

4. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots etc., sloughs, creeks, etc.) _____
- Describe the kind of soil on the land (sandy, loam, clay, etc.) _____

Attachment C: Subdivision Approval

6. WATER SERVICES

- a. Existing Source of Water: Communal Well
- b. Proposed water source: If the application will result in six or more lots on the quarter section in total, according to Section 23(3)(a) and (b) of the Water Act (Provincial Statutes) an application for subdivision is considered incomplete until one of the following requirements regarding water supply for the proposed subdivision is submitted. Please check one (or more) of the following:

 Proposed water supply to new lots by a licensed (surface) water distribution system

✓ Proposed water supply to new lots by individual water wells, and; (Well Drillers report)

 Attached to the application is a report certified by a professional engineer, hydrogeologist or geophysicist which states that there is sufficient water to supply 1250 cubic metres of water per year to each proposed lot, and that the proposed diversion will not interfere with any existing household user, licensees, or traditional agricultural users who currently exist, or

 The diversion of water by water wells for each proposed lot conforms with an applicable, approved water management plan.

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal: Septic field
- b. Proposed sewage disposal: Septic field (already in place)

8. PROPOSED LOTS

- a. Number of parcels being created 1 b. Size of parcels being created +/- 2 ac

9. MUNICIPAL RESERVE STATUS

- c. Disposition of Municipal Reserve, please check appropriate box:

☐ Deferral ☒ If dedicated, area of Reserves and designation Plan 7710693.

☐ Deferral to balance ☐ Cash in lieu of land, value to be determined by appraisal.

10. EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED

- a. Describe any buildings (historical or otherwise), and any structures on the land and whether or not they are to be demolished or moved None
- b. If the application is for a Farmstead Isolation, the age of the existing house, in years

11. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALLAN A COTE hereby certify that ✓ I am the registered owner
(Print Full Name)

 I am authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Address

(Signed) Allan A Cote

Phone No.

Date SEPT 11th 2008

12. RIGHT OF ENTRY

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision approval.

Allan A Cote
Owner's Signature

Attachment C: Subdivision Approval

ECLIPSE GEOMATICS & ENGINEERING LTD.

201, 1530 - 27 Avenue NE Calgary AB T2E 7S6
p: 403.250.1278 f: 403.291.0399 www.eclipseld.ca

ECLIPSE

June 13, 2007

Municipal District of Rocky View
#911 32Ave. NE
Calgary, Alberta
T2M 4L6

Fx#: (403) 277 - 5977

Attention: Mr. Jared Kassel

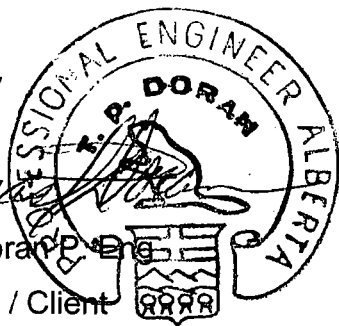
Re: Proposed Subdivision of Lot 5 Plan 7710693 for Mr. Al Cote

Dear Sir,

Further to your discussions with Mrs. Jennifer King of our firm this letter will confirm that: The proposed subdivision creates a lot with 1.05 acre of Contiguous land with less than 15 % slopes, 80% of which is not in the pan handle and set back areas. On that basis we recommend it for subdivision.

Yours Truly


Thomas Doran P. Eng
C/c Al Cote / Client



Darcy Pittman Project Supervisor

Attachment C: Subdivision Approval

PLOT PLAN

LOT 9
BLOCK 3
PLAN 771 0693

771 0693

LOT 4

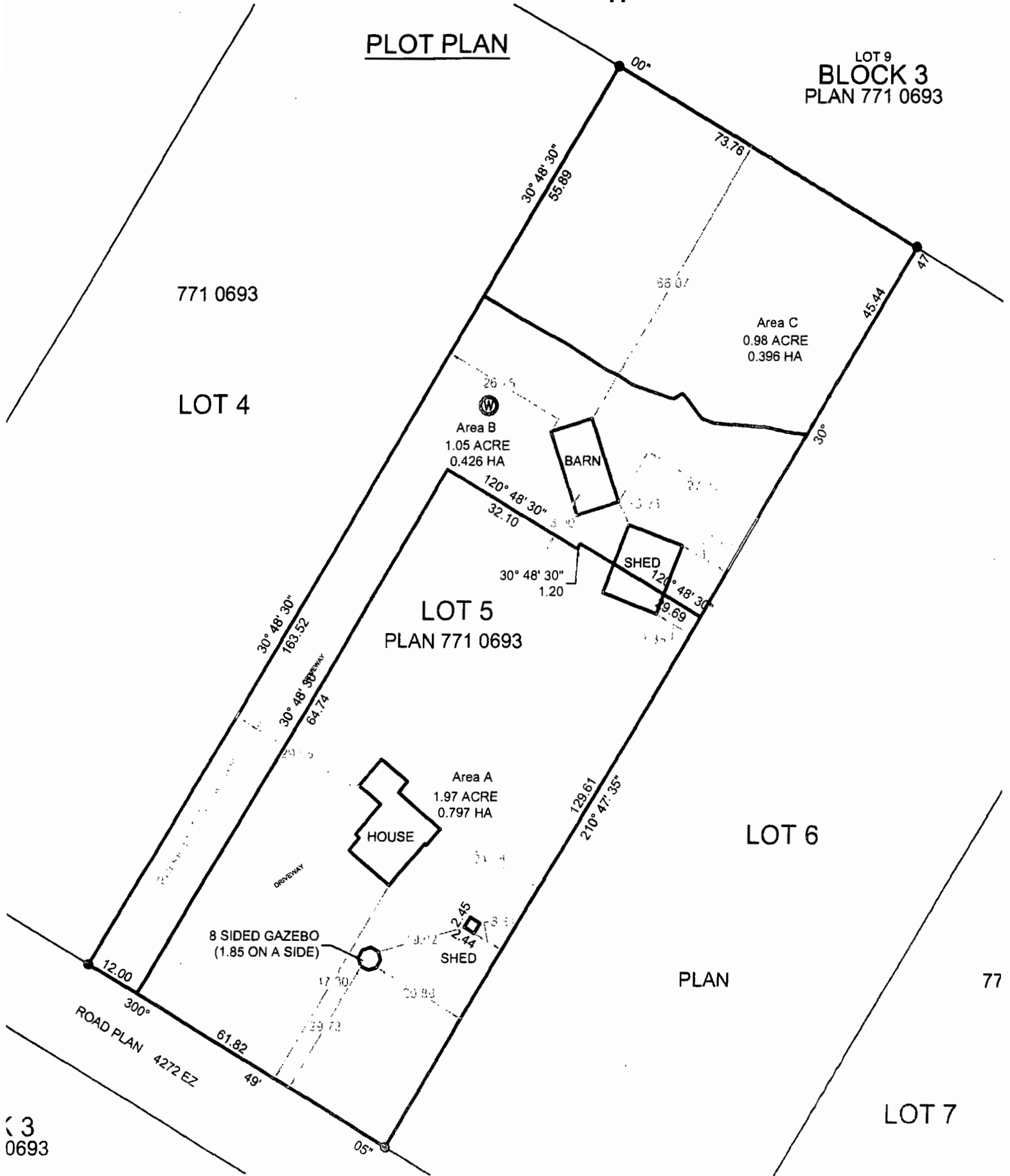
LOT 5
PLAN 771 0693

LOT 6

PLAN

LOT 7

3
0693

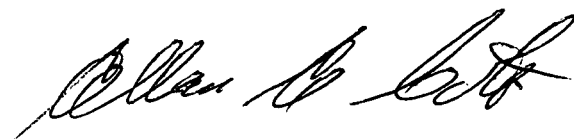


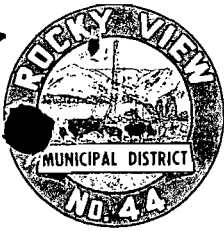
Municipal District of Rocky View No. 44

Att. Jared S. Kassel

As requested at our meeting May 30th., 2007 we agree to remove or
relocate the steel shed from the two acres we wish to subdivide.

Yours truly, Allan A. Cote

A handwritten signature in black ink, appearing to read "Allan A. Cote", written in a cursive style.



Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6

Telephone (403) 230-1401 • Fax (403) 277-5977

Website: www.gov.mdrockyview.ab.caE-mail: comments@gov.mdrockyview.ab.caDate Mailed: MAR 06 2007

Application Number: 2006-RV-530

File Number: 04735020

Allan Cote
76 Eagle Butte Ranch
Calgary, AB T3Z 1K3

RE: TRANSMITTAL OF DECISION

Prior to the submission of any final documents, we advise that it is the APPLICANT'S responsibility to ensure that all conditions of approval have been met and all final approval fees are paid within ONE YEAR of the approval date, and that the Municipality has received documented evidence to this effect.

Pursuant to a decision of Council for the Municipal District of Rocky View No. 44, on Tuesday, February 27, 2007, your Subdivision Application was conditionally approved. The conditions of approval are outlined below:

- A. That the application to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder in Lot 5, Plan 771 0693 within NW 35-24-3-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, the application is approved as per the Tentative Plan for the reasons listed below:
 1. There are no apparent development constraints;
 2. The subject land has the appropriate land use designation;
 3. The application is consistent with the Central Springbank Area Structure Plan;
 4. Alberta Infrastructure and Transportation granted waiver of Section 14 of the Subdivision and Development Regulation.
- B. Further, in accordance with Section 654 of the Municipal Government Act, the application is approved subject to the following conditions:
 1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;
 2. A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;
 3. The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;

Attachment C: Subdivision Approval

4. The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;
5. Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;
6. The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;
7. The Owner is to undertake a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify a suitable building envelope consisting of one contiguous acre containing stable slopes of less than 15% and at least 20% of the identified acre must not be within the setback requirements of the applicable Land Use District on proposed Lot 2, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction, as amended, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;
8. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

Pursuant to the Municipal Government Act, and in keeping with the instructions set out in the attached Notice of Appeal form, an appeal or dispute from this decision, or the conditions, may be commenced within 19 days from the date of this letter by:

- a) the Applicant;
- b) a Government Department where a referral is required pursuant to the Subdivision and Development Regulation; and/or
- c) a school authority with respect to Reserve

An appeal to this decision rests with the Subdivision and Development Appeal Board. Use of the attached Notice of Subdivision Appeal form is required for submission of the appeal.

DUE TO THE POSSIBILITY OF APPEALS, any development or steps necessary to meet the conditions of approval should not occur within 19 days from the date of this letter.

The Subdivision Authority reserves the right to make corrections to any technical or clerical errors or omissions to this decision.

Attachment C: Subdivision Approval

Should you have any questions or concerns, please contact File Manager Jared Kassel for assistance and quote the file and roll numbers as noted above.

Yours truly,



Sandra Peterson-Keyes
Municipal Secretary

/fe
encl.

c.c.: Springbank Airport
Alberta Energy and Utilities Board
Alberta Land Titles Office
AltaLink Management Ltd.
Atco Gas
Atco Pipelines
Calgary Health Region
Catholic Francophone Education
Catholic School Center
EnCana Corporation
FortisAlberta
Public Francophone Education
Rocky View West Recreation Board
Rocky View Agricultural Service Board
Rocky View Development Services
Rocky View Emergency Services
Rocky View GeoGraphics
Rocky View I & O Mgr
Rocky View I & O Project Delivery Mgr
Rocky View School Division #41
Telus Communications Inc.
TransAlta Utilities Ltd. Div. # 1
Alberta Infrastructure & Transportation

Attachment C: Subdivision Approval

Page 0

TWP. RD. 250**EAGLE BUTTE RANCH**

Access Easement

Road Approach #1
to be removed,
Mutual Approach
to be constructedExisting Drainage
CourseWater
x Well

Barn

Septic
FieldLot 2
≥ 0.81 ha
(≥ 2 ac)

Shed

Septic
Field

House

Shed

Lot 1
≥ 0.81 ha
(≥ 2 ac)

Municipal District of Rocky View No. 44

CONDITIONAL APPROVAL ON:

Feb 27/07

This Tentative Plan forms part of the
Subdivision Authority's decision for
this Subdivision and must accompany
the Transmittal of Decision letter dated:

MAR 06 2007

Signed: _____

Surveyor's Notes

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

Attachment C: Subdivision Approval

**Council Motion Log By Assignee**

Meeting Date: February 27, 2007

Assignee: Mr. Jared Kassel, Municipal Planner

Application to create a ≥ 1.97 acre with a ≥ 1.97 acre remainder in
Lot 5, Plan 771 0693 within NW 35-24-3-W5M. Located south of
Township Road 250, approximately 0.25 miles north of Highway 1
and adjacent to Eagle Butte Ranch

File Number: 04735020 – 2006-RV-530

Agenda Number: 1-07B27-10

J-3

Date Completed:

Attachment C: Subdivision Approval



Council Motion Log By Assignee

Meeting Date: February 27, 2007

Assignee: Mr. Jared Kassel, Municipal Planner

MOVED by Councillor Goode that the application to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder in Lot 5, Plan 771 0693 within NW 35-24-3-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:

1. There are no apparent development constraints;
2. The subject land has the appropriate land use designation;
3. The application is consistent with the Central Springbank Area Structure Plan;
4. Alberta Infrastructure and Transportation granted waiver of Section 14 of the Subdivision and Development Regulation.

Further, in accordance with Section 654 of the Municipal Government Act, the application be approved subject to the following conditions:

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2. A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;
3. The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;
4. The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;
5. Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;
6. The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality.
7. The Owner is to undertake a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify a suitable building envelope consisting of one contiguous acre containing stable slopes of less than 15% and at least 20% of the identified acre must not be within the setback requirements of the applicable Land Use District on proposed Lot 2, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction, as amended, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality;
8. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

CARRIED

Attachment C: Subdivision Approval

J-3
1 of 16

PLANNING & COMMUNITY SERVICES REPORT

TO: Council

DATE: February 27, 2007

FILE: 07402030

SUBJECT: Subdivision Application

DIVISION: 2

APPLICATION: 2006-RV-530

STAFF RECOMMENDATION: Staff is recommending approval of this application in accordance with **Option 1**.

EXECUTIVE SUMMARY:

The purpose of this application is to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder. Staff notes this proposal contains no apparent technical constraints and an application to redesignate the subject lands from Residential Two (R-2) District to Residential One (R-1) District was approved by Council on January 23, 2007.

The subject lands are located within the Central Springbank Area Structure Plan area, in a mixed country residential and agricultural land use area. The proposed infill subdivision represents an appropriate intensification of the land in a transitioning area of the Municipality. Further, there would unlikely be any traffic or density impacts associated with one additional residential parcel located on Eagle Butte Road. Therefore, Staff is recommending approval of this application.

PROPOSAL: To create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder.	GENERAL LOCATION: Located south of Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.
LEGAL DESCRIPTION: Lot 5, Plan 771 0693 within NW 35-24-3-W5M	GROSS AREA: ± 4 acres
APPLICANT/OWNER: Allan Cote	SOILS: 3T - Moderate limitations due to adverse topography 4T - Severe limitations due to adverse topography
EXISTING LAND USE DESIGNATION: Residential One District	RESERVE STATUS: Municipal Reserves were previously provided on Plan 771 0693.
DATE REDESIGNATION APPLICATION RECEIVED: September 11, 2006 DATE SUBDIVISION APPLICATION RECEIVED: September 11, 2006	TRANSPORTATION LEVY: Required in the amount of \$1,888.00 per acre for both the proposed and remainder parcel.

CIRCULATION:

EXTERNAL AGENCIES: AEUB: No sour gas facilities located near the subject lands require additional setbacks; **Alberta Land Titles:** Will accept a plan of survey; **Alberta Infrastructure and Transportation:** The subject lands are removed from the provincial highway system, and rely on the municipal road network for access. It appears that the single residential parcel being created by the application should not have a significant impact on the provincial highway system. Therefore the department is prepared to grant an unconditional waiver of the requirement of Section 14 of the Subdivision and Development Regulation; **AltaLink:** No response; **Atco Gas:** No objection; **Atco Pipelines:** No objection; **Catholic Francophone Education:** No response; **Catholic School Centre:** No response; **CHR:** Any new/existing water wells must be completely contained within the proposed boundaries. Drinking water source must conform to recent *Canadian Drinking Water Quality Guidelines* and *The Alberta Public Health Act and Nuisance and General Sanitation Regulation 243/2003*. Any existing and/or new private sewage disposal systems, including septic tanks and tile field must be completely contained within proposed property boundaries and comply with setback distances outlined in the most recent *Alberta Sewage Systems Standard of Practice*; **EnCana:** No response; **FortisAlberta:** No objection; **Public Francophone Education:** No response; **RVSD:** No objections; **Telus:** No objection to the application. The Applicant shall also provide any applicable easements for Telus structures and facilities as required to service the new subdivision; **TransAlta Utilities:** No response.

Attachment C: Subdivision Approval

J-3
2 of 16

INTERNAL AGENCIES: ASB: Suggest piped sewage system; **Development Authority:** No concerns; **Emergency Services:** All weather access roads conforming to Alberta Fire and Building Code, provision of street, block and numbering system; **Infrastructure and Operations: Engineering Services - Transportation Comments:** The existing Road Approach #1 is a decomposing log structure which does not comply with Municipal Standards. Engineering Services recommends removal of Road Approach #1 and construction of a new road approach on the panhandle along Eagle Butte Ranch to provide mutual access for Lots 1 & 2. Applicant to provide payment of the transportation Offsite Levy in accordance with Bylaw C-6273-2006. Rate applied will be \$1,888.00 per acre as determined from the Plan of Survey submitted for registration. **Utility Comments:** Phase 2 Groundwater Evaluation Reports are required as there are more than 6 lots on the quarter section. Recommends that a site-specific Stormwater Management Study be completed to locate and describe a drainage course at the rear of the proposed Lot 2, and identify any required easements to maintain the drainage course.

ADJACENT LANDOWNERS: Two letters of support and one letter of concern were received from 18 landowner notifications.

HISTORY:

January 23, 2007 – Council approved redesignation of the subject land from R-2 District to R-1 District.

TECHNICAL CONSIDERATIONS:

This application has been evaluated in accordance with the matters listed in Section 7 & 14 of the Subdivision and Development Regulations, which are as follows:

a) The site's topography

The subject lands are of slightly rolling topography.

b) The site's soil characteristics

There are no development constraints due to the sites soil characteristics.

c) Storm water collection and disposal

There is a drainage course towards the rear of Lot 2. Although the drainage does not present a major development constraint for the property, Engineering Services recommends a site-specific Stormwater Management Study be completed to locate and describe the drainage course, and identify any required easements to maintain the drainage course.

d) Any potential for flooding, subsidence or erosion of the land

Isolated flood potential.

e) Accessibility to a road

Eagle Butte Ranch is hard surfaced and has been evaluated in fair condition. There are no sight distance concerns with the existing approach. However the existing Road Approach #1 is a decomposing log structure which does not comply with Municipal Standards. As the application proposes a mutual approach from Eagle Butte Ranch, Engineering Services recommends that the existing Road Approach #1 be removed and a new mutual approach constructed to Municipal Standards.

The Transportation Off-site Levy (Bylaw C-6273-2006) is owing in the amount of \$1,888.00 per gross acre prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;

f) Water supply, sewage and solid waste disposal

The existing residence is serviced for potable water by a community water well which services all residences in the subdivision. The Applicant has already established a new water well for the proposed lot, and if this application is approved, Staff recommends completing a Phase 2 Groundwater Evaluation report to ensure long term groundwater sustainability in accordance with the Water Act.

The existing residence is serviced by a Private Sewage Disposal System (PSDS). Engineering Services recommends the Applicant undertake Percolation and Near Surface Water testing within the proposed Lot 2 as a condition of subdivision.

Attachment C: Subdivision Approval

J-3
3 of 16

Solid waste disposal is the responsibility of the landowner.

g) The use of the land in the vicinity of the site

The subject lands are located approximately 1/3 mile north of Highway 1 and 2 miles east of the current City of Calgary boundary. This area of the Municipality has several land use districts including R-2, R-1, and R-F. The subject quarter section is entirely designated R-2 for country residential land use. The majority of parcels on the quarter section are approximately 4 acres in size. The quarter section to the north is subdivided and contains the Crocus Ridge residential subdivision. The quarter sections to the east, south and southeast are designated Ranch and Farm District.

h) Other Matters

Municipal Reserve – Municipal Reserves were previously provided on Plan 771 0693.

POLICY CONSIDERATIONS:

As noted, the subject lands are located within the Central Springbank Area Structure Plan (CSASP) area. The CSASP identifies the lands as being within the Infill Residential Area which and will range in size between 2-4 acres in size.

Council approved the application for redesignation to R-1 District on January 23, 2007; therefore this application meets the minimum parcel size for this designation.

CONCLUSION:

The subject lands are located in a fragmented area of the Municipality with considerable presence of residential uses, and the proposed subdivision is considered appropriate. Furthermore, the Residential Policies of the Central Springbank ASP encourage infilling of existing residential lands. Therefore, Staff recommends approval, in accordance with Option #1.

OPTIONS

OPTION #1 – APPROVAL

OPTION #2 – REFUSAL

STAFF RECOMMENDATION: Staff recommends approval **Option #1.**

A. That the application to create a ≥ 1.97 acre parcel with a ≥ 1.97 acre remainder in Lot 5, Plan 771 0693 within NW 35-24-3-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:

1. There are no apparent development constraints;
2. The subject land has the appropriate land use designation;
3. The application is consistent with the Central Springbank Area Structure Plan;
4. Alberta Infrastructure and Transportation granted waiver of Section 14 of the Subdivision and Development Regulation.

B. Further, in accordance with Section 654 of the Municipal Government Act, the application be approved subject to the following conditions:

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District;
2. A Mutual road approach is to be utilized to serve as access to Lots 1 & 2 as shown on the approved Tentative Plan with respective easements prepared and registered on each title by the owner at their own expense where required, and the existing road approach shall be upgraded at the owners expense in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction, to the satisfaction of the Municipality;

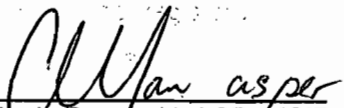
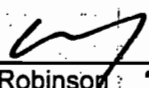
Attachment C: Subdivision Approval

J-3
4 of 16

3. The Owner shall, in accordance with the Transportation Off-site Levy Bylaw C-6273-2006 and Section 648 of the Municipal Government Act, pay to the Municipality the amount of \$1,888.00 per gross acre for lots up to 10 acres, prior to Municipal endorsement of the Plan of Survey, to the satisfaction of the Municipality. The Municipality shall calculate the total amount owing from the Plan of Survey submitted for endorsement;
4. The Owner is to undertake percolation and near-surface water table testing on the proposed Lot 2, to be conducted by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Servicing Standards for Subdivisions and Road Construction, as amended. If the results of the testing do not fall within the guidelines of the Servicing Standards, the subdivision shall not be endorsed nor registered;
5. Water is to be supplied by a well on the new lot. The Owner is to prepare and submit a Groundwater Evaluation Report, which is to include aquifer testing and the location of the well for the new lot, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Water Wells Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council, as amended. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed nor registered;
6. The Owner is to provide a Stormwater Management Plan, prepared by a qualified professional licensed to practice in the Province of Alberta, in accordance with the Stormwater Issues Section of the Servicing Standards for Subdivisions and Road Construction, as amended, and the Owner is to provide for the implementation of the recommendations of the Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, prior to the stripping and grading of any portion of the site, all to the satisfaction of the Municipality.
7. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the Municipality prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

Respectfully submitted:

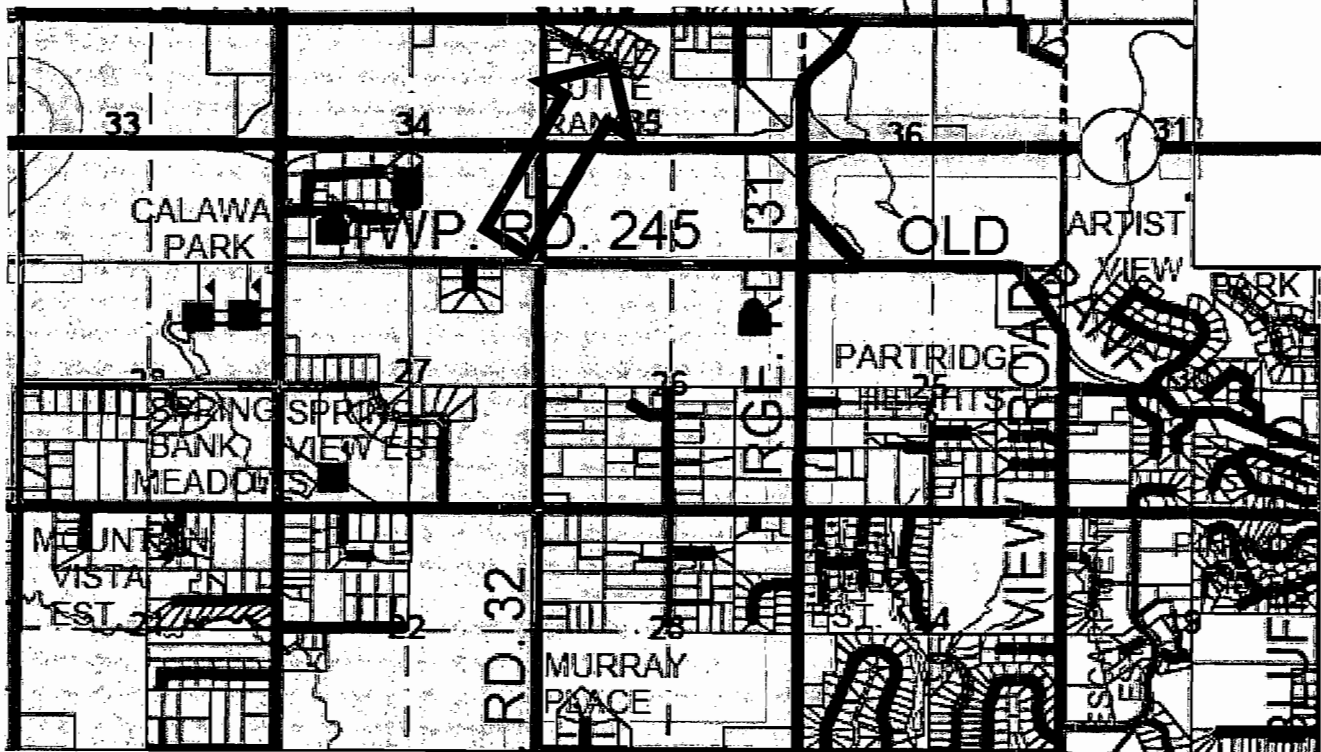
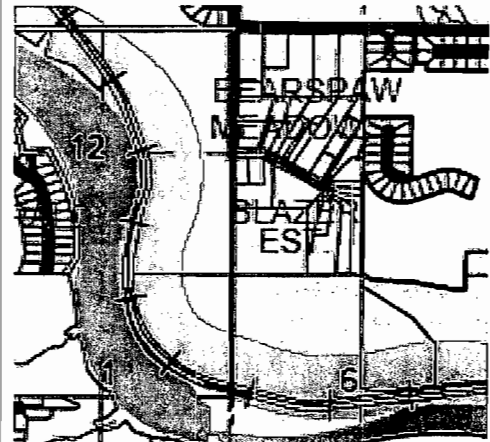
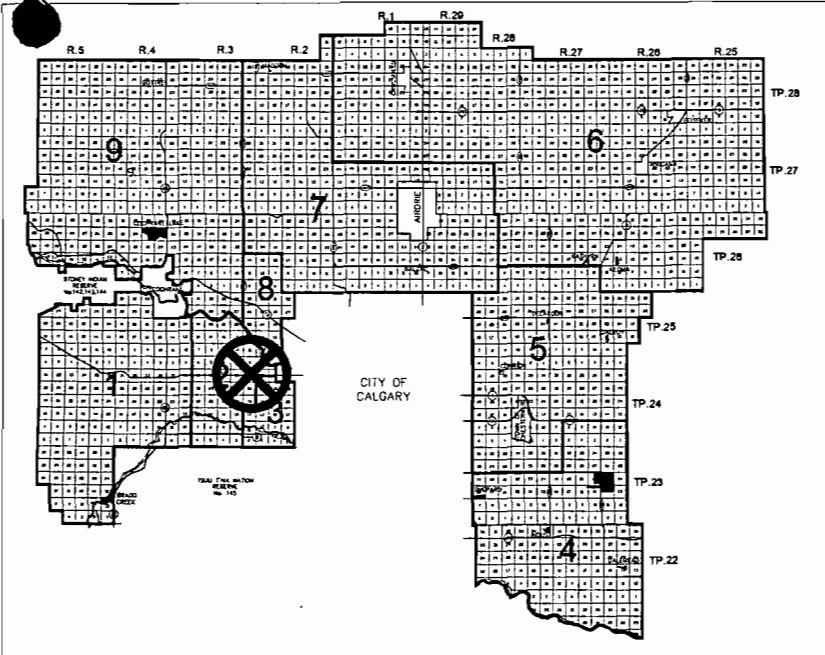
Concurrence, in accordance with


Lore Pesowski, ACP, MCIP
Planning & Community Services Director
Kent Robinson
Acting Chief Administrative Officer

JK/sj



Attachment C: Subdivision Approval

J-3
Page 5 of 16

LOCATION PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

Attachment C: Subdivision Approval

J-3
Page 6 of 6

3

2

4

35

HIGHWAY 1

KEY PLAN

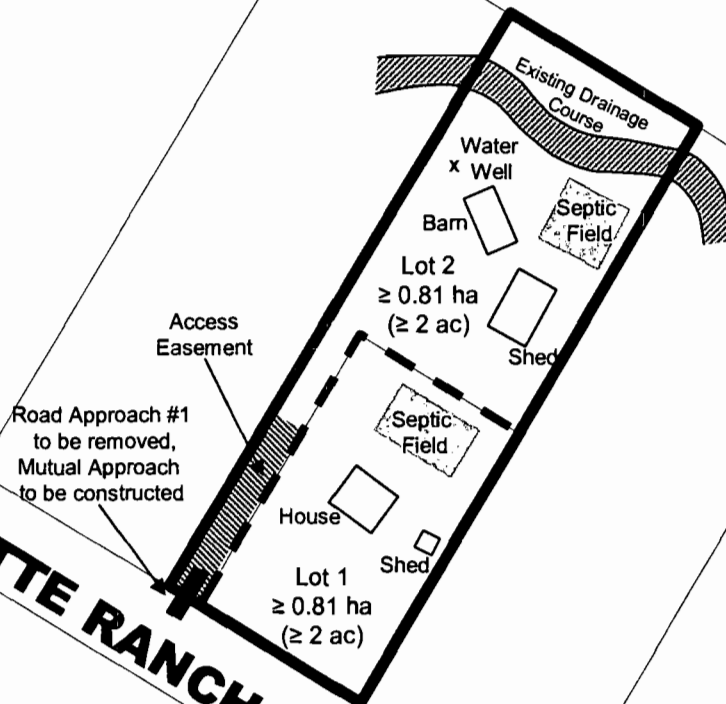
Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 7 of 16**TWP. RD. 250****EAGLE BUTTE RANCH****Surveyor's Notes**

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

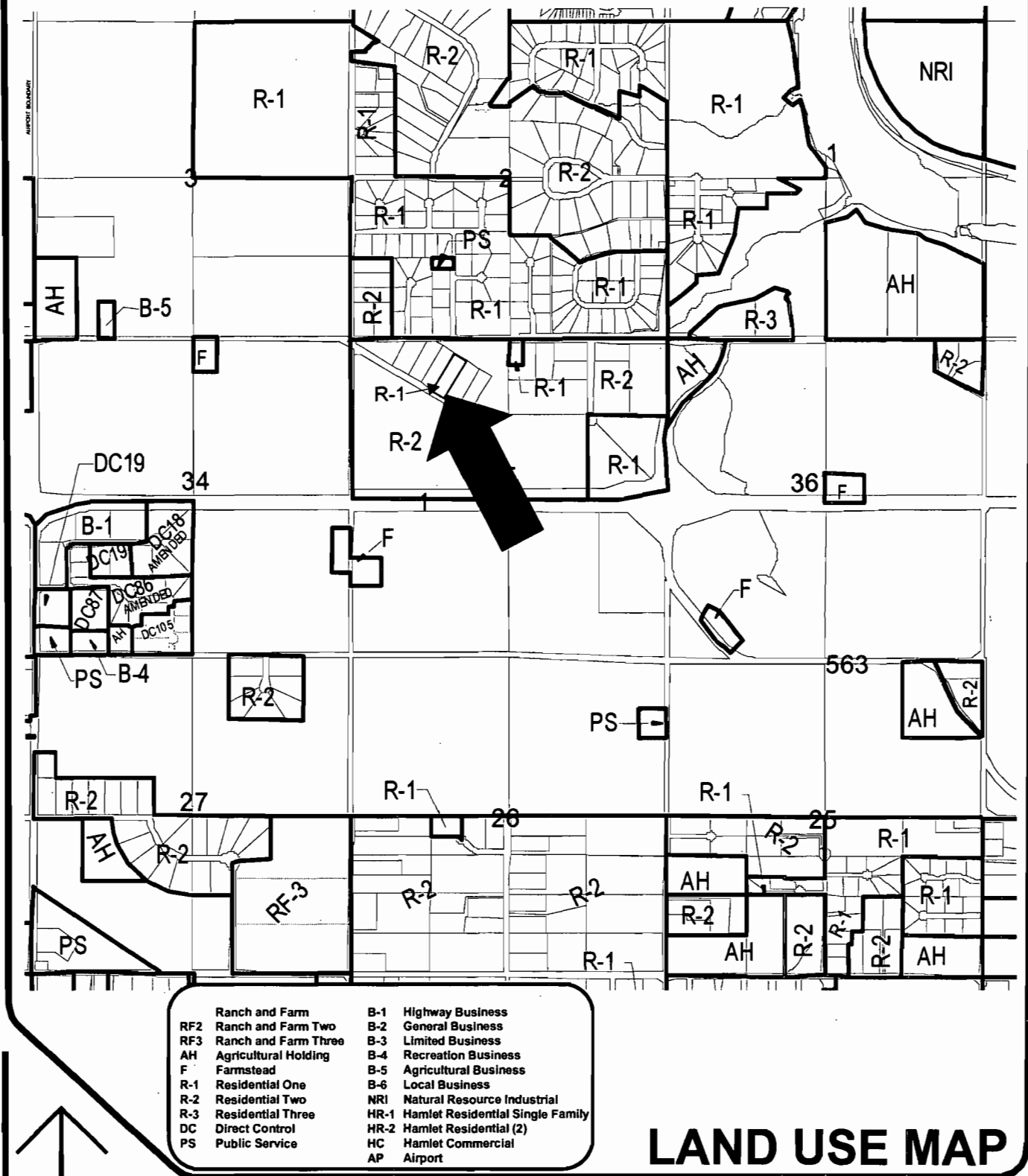
TENTATIVE PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

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Attachment C: Subdivision Approval

J-3
Page 8 of 16

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 9 of 16



AIR PHOTO



**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

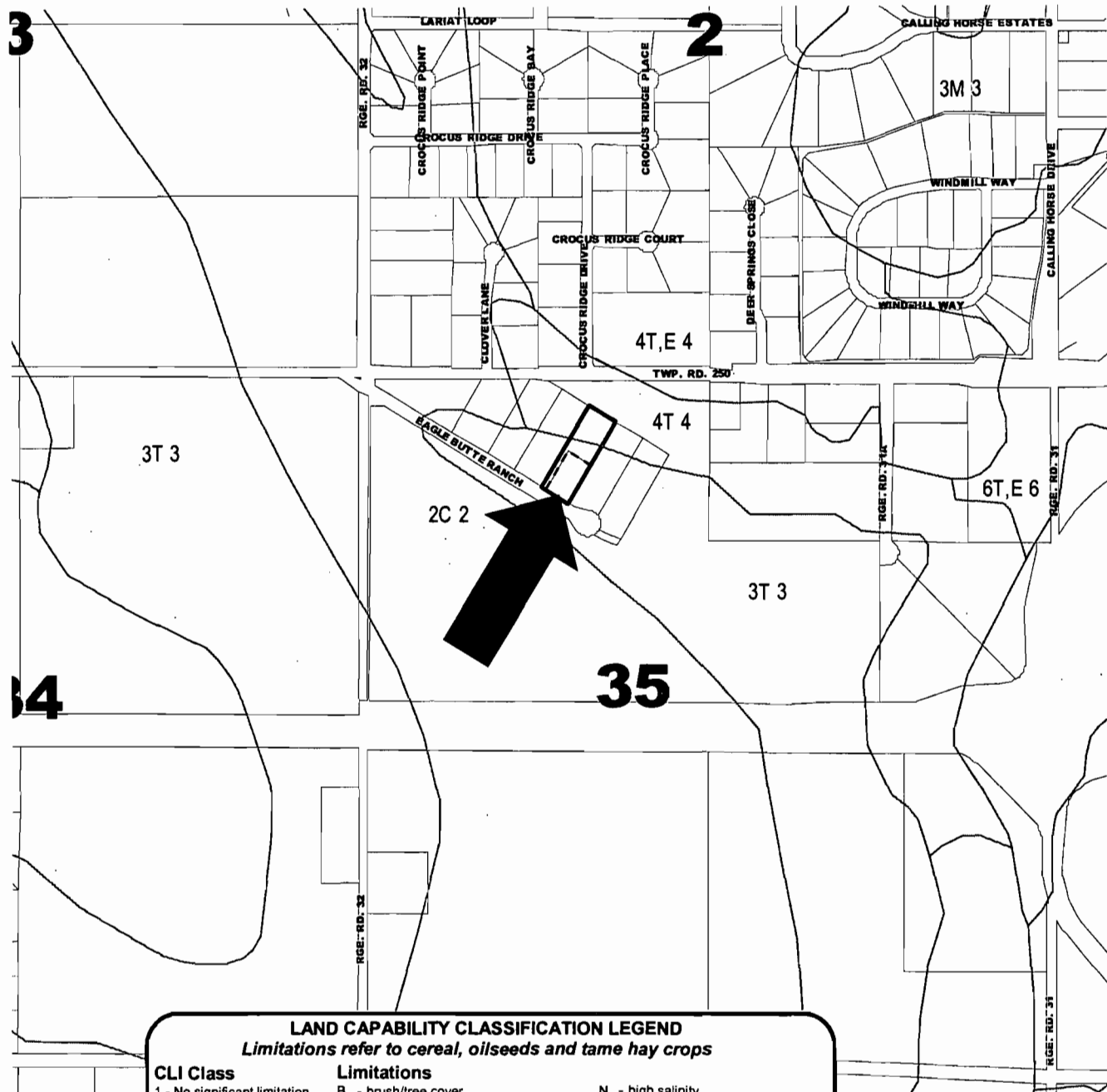
Date: Sept. 26/06

Division # 2

File: 04735020

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Attachment C: Subdivision Approval

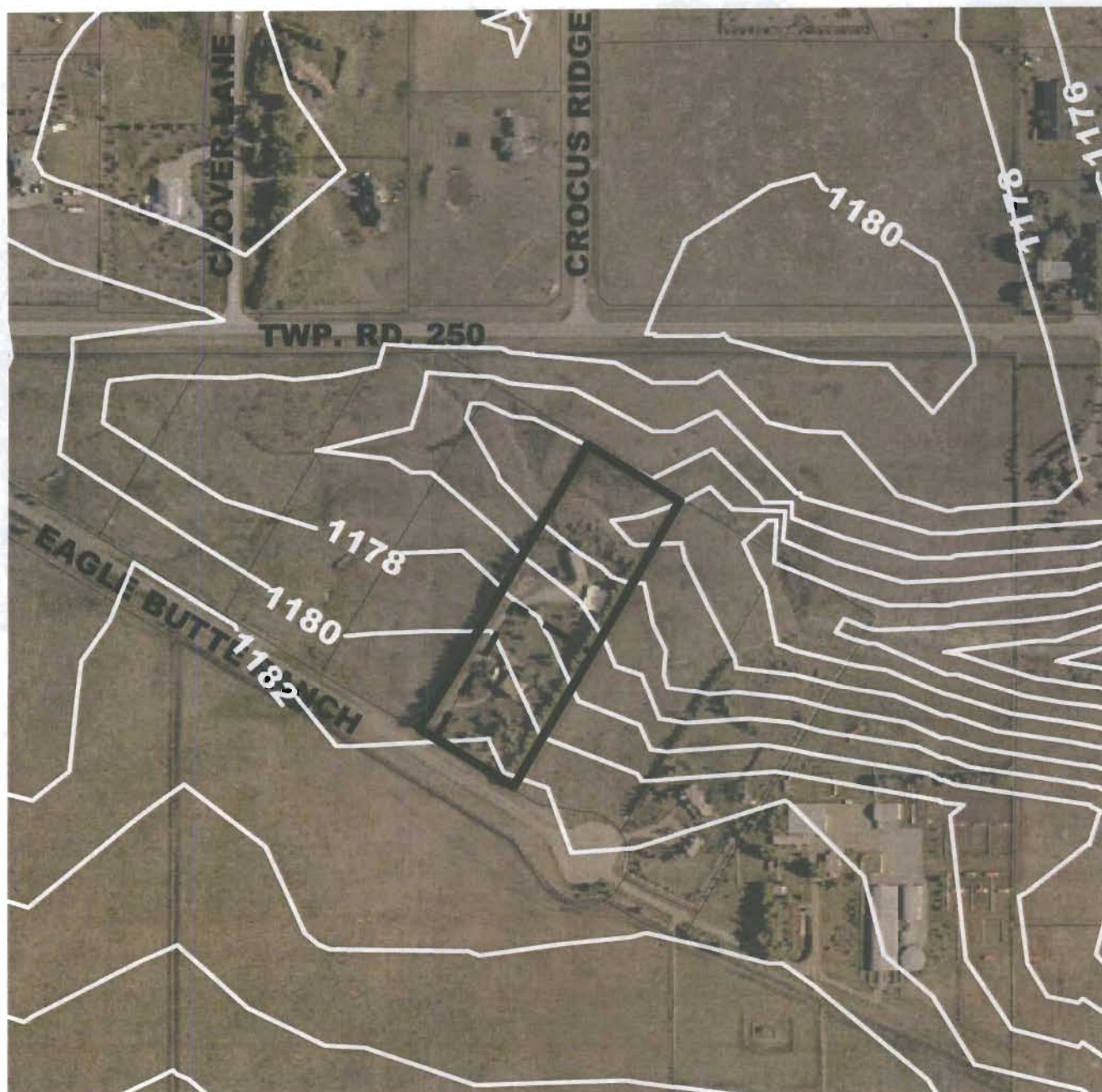
J-3
Page 10 of 16**SOIL MAP**

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

Attachment C: Subdivision Approval

J-3
Page 11 of 16**TOPOGRAPHY***Contour Interval 2 M*

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

Attachment C: Subdivision Approval

J-3
Page 12 of 16

3

2

4

35

HIGHWAY 1

Legend - Plan numbers

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

J-3
Page 13 of 16



Letters in Support

LANDOWNER LETTERS

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

Date: Sept. 26/06

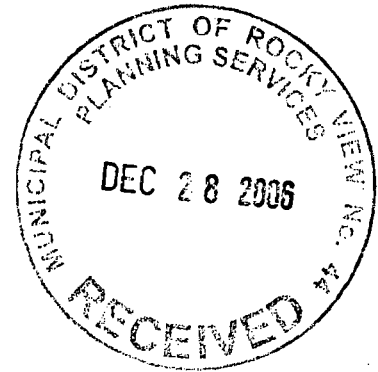
Division # 2

File: 04735020

Not to Scale

Attachment C: Subdivision Approval

GORDON D. MACDONALD

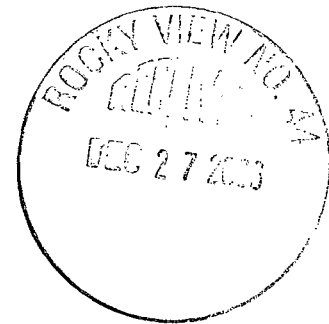
J-3
14 of 16

VIA FACSIMILE:
277-3066

December 22, 2006

Municipal District of Rocky View #44
911 - 32 Avenue N.E.
CALGARY, AB T2E 6X6

Attention: **Linda Ratzlaff**
Coordinator of Current Planning Services

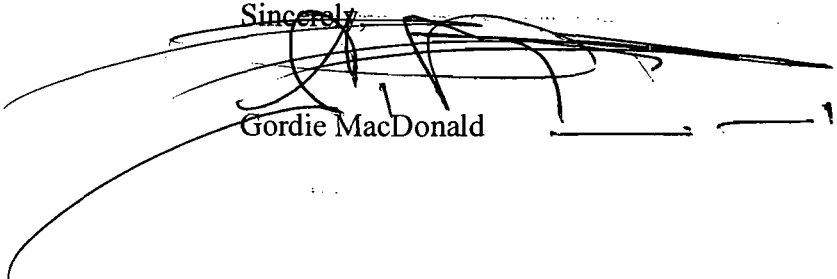


Dear Linda:

Re: **Application by Allan Cote**
File: 04735020 - 2006-RV-529

As an adjacent lot owner (Lot 6, Plan 7710693), I support the subject application by Allan Cote to redesignate Lot 5, Plan 7710693 from Residential Two District to Residential One District to create a 2-acre parcel with a 2-acre remainder.

Sincerely,


Gordie MacDonald

GDM/cjt
06MDRV.doc

Attachment C: Subdivision Approval

EAGLE BUTTE RANCHES LTD.

J-3
15 of 16

VIA FACSIMILE:
277-3066

December 22, 2006

Municipal District of Rocky View #44
911 - 32 Avenue N.E.
CALGARY, AB T2E 6X6

Attention: **Linda Ratzlaff**
Coordinator of Current Planning Services

Dear Linda:

Re: Application by Allan Cote
File: 04735020 - 2006-RV-529

We support the subject application by Allan Cote to redesignate Lot 5, Plan 7710693 from Residential Two District to Residential One District to create a 2-acre parcel with a 2-acre remainder.

Sincerely,

EAGLE BUTTE RANCHES LTD.

Gordie MacDonald, President

GDM/cjt
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J-3
16 of 16

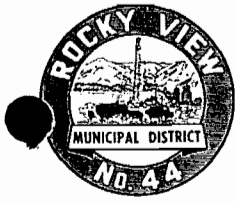
Harry & Joan Stellmach
102 Eagle Butte Ranch
Calgary, AB. Canada
T3Z 1K3

Re: **Application Number** 2006-RV-529 Redesignation **File Number:** 04735020
 2006-RV-530 Subdivision
Applicant: Allan Cote
Legal: Lot 5, Plan 7710693, within NW 35-24-3-W5M

Harry & Joan Stellmach .

RECEIVED
OCT 27 2006
MUNICIPAL DISTRICT
PLANNING & DEVELOPMENT

Harry & Joan Stellmach .



Attachment C: Subdivision Approval

MUNICIPAL DISTRICT OF ROCKY VIEW**NOTICE TO LANDOWNER**

Thursday, October 5, 2006

«OwnerName»

«OwnerAddress»

«OwnerAddress2»

«OwnerCity», «OwnerProvince» «OwnerPostalCode»

TO THE LANDOWNER

TAKE NOTICE that an application for Redesignation and Subdivision has been received by the Department of Planning and Community Services of the Municipal District of Rocky View No. 44. As your property is adjacent to, or in the immediate vicinity of the land subject to the application, we are notifying you in the event that you may wish to provide comments.

NOTE: Any COMMENTS ON THE REDESIGNATION APPLICATION should address whether the proposed use is compatible with the other existing uses in your neighbourhood.

NOTE: Any COMMENTS ON THE SUBDIVISION APPLICATION should address technical matters only, such as parcel size, access, provision of water, disposal of sewage, etc.

There is a map of the proposal shown on the back of this notice. The following information is provided regarding this application:

Application Number 2006-RV-529 Redesignation **File Number:** 04735020
2006-RV-530 Subdivision

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Applicant(s) Allan Cote

Owner(s) Allan Cote

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Size: +/- 4 acres

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

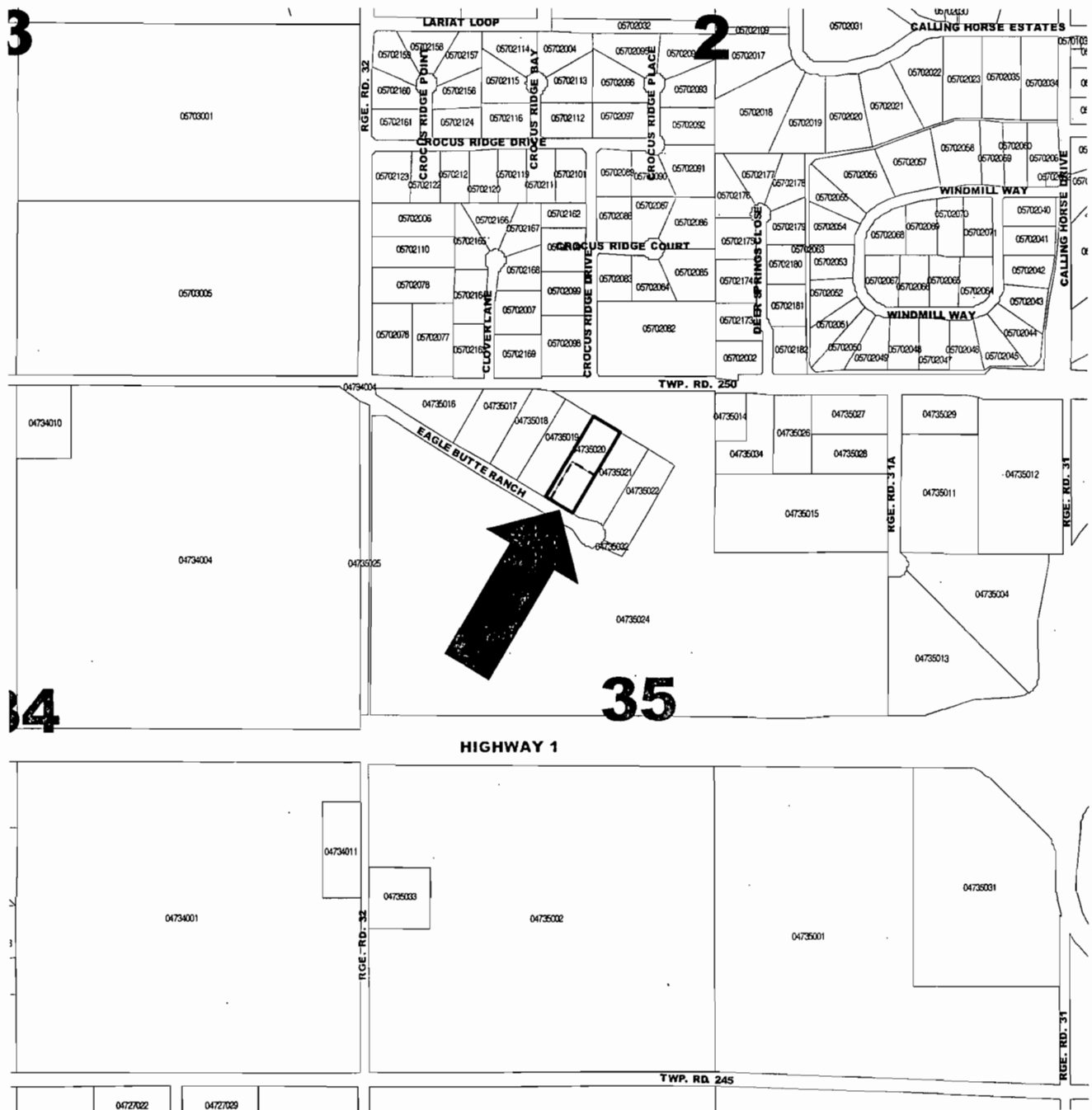
Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Please be advised that any response to this letter will become a matter of Public Record at a future Council meeting and may be forwarded to the Applicant prior to the Council Meeting for their consideration. Your response is considered your consent to the distribution of your response.

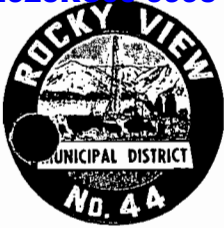
Should you have any questions regarding this application, please call the File Manager for this file, **Jared Kassel** at 230-1401. Please mail your comments or suggestions to Planning Services, **Attention: Jared Kassel**, 911 - 32nd Ave. NE, Calgary, AB T2E 6X6, or via fax at 277-3066, no later than **Monday, November 6, 2006**.

Attachment C: Subdivision Approval

Page **KEY PLAN**

**Lot 5, Plan 771 0693
within NW 35-24-3-W5M**

Date: Sept. 26/06 Division # 2 File: 04735020 Not to Scale

**Attachment C: Subdivision Approval**
MUNICIPAL DISTRICT OF ROCKY VIEW No. 44

911 - 32nd Avenue N.E., Calgary, Alberta T2E 6X6
Telephone (403) 230-1401 • Fax (403) 277-5977
Website: www.gov.mdrockyview.ab.ca
E-mail: comments@gov.mdrockyview.ab.ca

Thursday, October 5, 2006

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by our Council, we would appreciate receiving your reply by the date stated.

If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

Application Number: 2006-RV-529 Redesignation
2006-RV-530 Subdivision

File Number: 04735020

Date Completed
Application Received: Monday, September 11, 2006

Applicant(s) Allan Cote

Owner(s) Allan Cote

Proposal: To redesignate the subject lands from Residential Two District to Residential One District to create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Existing Land Use Designation: Residential Two District

Proposed Land Use Designation: Residential One District

Legal: Lot 5, Plan 771 0693 within NW 35-24-3-W5M

Location: Located on Township Road 250, approximately 0.25 miles north of Highway 1, and adjacent to Eagle Butte Ranch.

Size: +/- 4 acres

Reserve Status: Municipal Reserves were previously provided on Plan 771 0693.

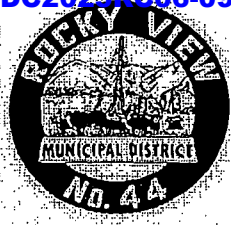
M.D. Contact: Jared Kassel

Please Reply Prior To: Monday, November 6, 2006

Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Community Services, Municipal District of Rocky View No. 44. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: 230-1401 Fax: 277-3066 E-Mail: planserv@gov.mdrockyview.ab.ca

Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.



Municipal District of Rocky View No. 44

Attachment of Subdivision Approval
PLANNING SERVICES APPLICATION FOR

REDESIGNATION

FOR OFFICE USE ONLY	
Date of Receipt <u>Sept 11/06</u>	File Number <u>0473120</u>
Fee Submitted <u>2425-00</u>	Accepted by <u>Draw/leskey</u>

PLEASE PRINT

Name of Applicant Allan Cote Email _____Mailing Address 76- Eagle Butte RanchCalgary Ab Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

Lot 5 Block _____ Plan 7710693 in the NW ¼ Section 35 Township 24 Range 03 West of the 5 meridian.Existing / Proposed Water Source: Communal well / New well (drilled)Existing / Proposed Sewage Disposal: Septic Field / Septic Field

2. EXISTING AND PROPOSED USE OF LAND

Existing Land Use Designation R2 Proposed Land Use Designation R1
(as prescribed in the Land Use Bylaw)

If the application is for a Farmstead Isolation, the age of the existing house, in years _____

Description of proposed new development on site: None

3. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALLAN A COTE hereby certify that ☒ I am the registered owner
(Full Name in Block Capitals)

_____ I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for redesignation.

Address Allan A Cote (Signed) _____Phone No. _____ Date SEPT 11 2006

4. RIGHT OF ENTRY

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for redesignation.

Owner's Signature

Attachment C: Subdivision Approval



MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
PLANNING SERVICES APPLICATION FOR
SUBDIVISION

FOR OFFICE USE ONLY	
Date of Receipt <u>Sept 11/06</u>	File Number <u>04735020</u>
Fee Submitted <u>2425.00</u>	Accepted by <u>Drew/Hesley</u>

Name of Applicant ALLAN COTE Email _____

Mailing Address 76 - Eagle Butte Ranch

Calgary Postal Code T3Z 1K3

Telephone (B) _____ (H) _____ Fax _____

Registered Owner (if not applicant) Same

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- All / part of the NW $\frac{1}{4}$ section 35 township 24 range 03 west of 5 meridian
- Being all / parts of lot 5 block _____ Registered Plan Number 7710693 Certificate of Title Number _____
- Municipal Address (if applicable) _____
- Total Area of the above parcel of land to be subdivided is _____ hectares (4 acres)

2. LOCATION OF LAND TO BE SUBDIVIDED

- The land is situated in the municipality of **ROCKY VIEW NO. 44**
- Is the land situated immediately adjacent to the municipal boundary? Yes _____ No ☒
- If "yes", the adjoining municipality _____
- Is the land situated within 0.8 kilometres of the right-of-way of a highway? Yes ☒ No _____
- If "yes", the highway is No. _____
- Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes _____ No ☒
- If "yes", state its name _____
- Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No ☒
- Is the sour gas facility active, abandoned, or currently being reclaimed _____
- Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No ☒

3. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- Existing use of the land Residential 2
- Proposed use of the land Residential 1
- The designated use of the land as classified under the Land Use Bylaw _____

4. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots etc., sloughs, creeks, etc.) _____

Attachment C: Subdivision Approval

- a. Existing Source of Water: Communal Well
- b. Proposed water source: If the application will result in six or more lots on the quarter section in total, according to Section 23(3)(a) and (b) of the Water Act (Provincial Statutes) an application for subdivision is considered incomplete until one of the following requirements regarding water supply for the proposed subdivision is submitted. Please check one (or more) of the following:

_____ Proposed water supply to new lots by a licensed (surface) water distribution system

☒ Proposed water supply to new lots by individual water wells, and; (Well Drillers report)

_____ Attached to the application is a report certified by a professional engineer, hydrogeologist or geophysicist which states that there is sufficient water to supply 1250 cubic metres of water per year to each proposed lot, and that the proposed diversion will not interfere with any existing household user, licensees, or traditional agricultural users who currently exist, or

_____ The diversion of water by water wells for each proposed lot conforms with an applicable, approved water management plan.

SEWER SERVICES

Describe:

- a. Existing sewage disposal: Septic field
- b. Proposed sewage disposal: Septic Field (already in place)

PROPOSED LOTS

- a. Number of parcels being created 1 b. Size of parcels being created +/- 2 ac

MUNICIPAL RESERVE STATUS

- c. Disposition of Municipal Reserve, please check appropriate box:

☐

Deferral

☒

If dedicated, area of Reserves and designation Plan 7710693.

☐

Deferral to balance

☐

Cash in lieu of land, value to be determined by appraisal.

EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED

- a. Describe any buildings (historical or otherwise), and any structures on the land and whether or not they are to be demolished or moved None

- b. If the application is for a Farmstead Isolation, the age of the existing house, in years _____

REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALLAN A COTE hereby certify that ☒ I am the registered owner
(Print Full Name)

_____ I am authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Address _____

(Signed) Allan A Cote

Phone No. _____

Date SEPT 11 2008

RIGHT OF ENTRY

I hereby authorize the Municipal District of Rocky View No. 44 to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision approval.

Allan A Cote
Owner's Signature

Attachment C: Subdivision Approval



ALBERTA REGISTRIES
LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0017 811 548	7710693;;5	781 206 588

LEGAL DESCRIPTION
PLAN 7710693
LOT 5
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;24;35;NW

MUNICIPALITY: MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

781 206 588	20/12/1978		\$65,000	

OWNERS

ALLAN COTE (BUSINESSMAN)



ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		

741 105 568	18/11/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "PORTION WITHIN BLK 2 - 731625"
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
771 176 589	13/12/1977	CAVEAT CAVEATOR - GORDON D MACDONALD CAVEATOR - EAGLE BUTTE RANCHES LTD.
771 176 594	13/12/1977	CAVEAT CAVEATOR - GORDON D MACDONALD
781 206 589	20/12/1978	MORTGAGE MORTGAGEE - COTE'S EQUIPMENT SERVICES LTD. ORIGINAL PRINCIPAL AMOUNT: \$50,000
001 227 868	15/08/2000	MORTGAGE MORTGAGEE - ALBERTA TREASURY BRANCHES. 217-16 AVE NW CALGARY ALBERTA T2M4N7 ORIGINAL PRINCIPAL AMOUNT: \$145,000
001 227 869	15/08/2000	POSTPONEMENT OF MORT 781206589 TO MORT 001227868
051 385 893	14/10/2005	AMENDING AGREEMENT AMOUNT: \$540,000 AFFECTS INSTRUMENT: 001227868

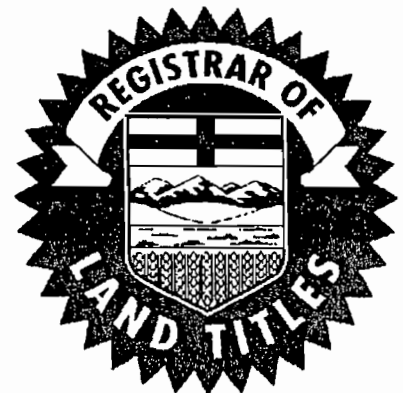
TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 8 DAY OF SEPTEMBER, 2006 AT 01:06 P.M.

ORDER NUMBER:6253415

CUSTOMER FILE NUMBER: AT/counter

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE
SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS

(CONTINUED)

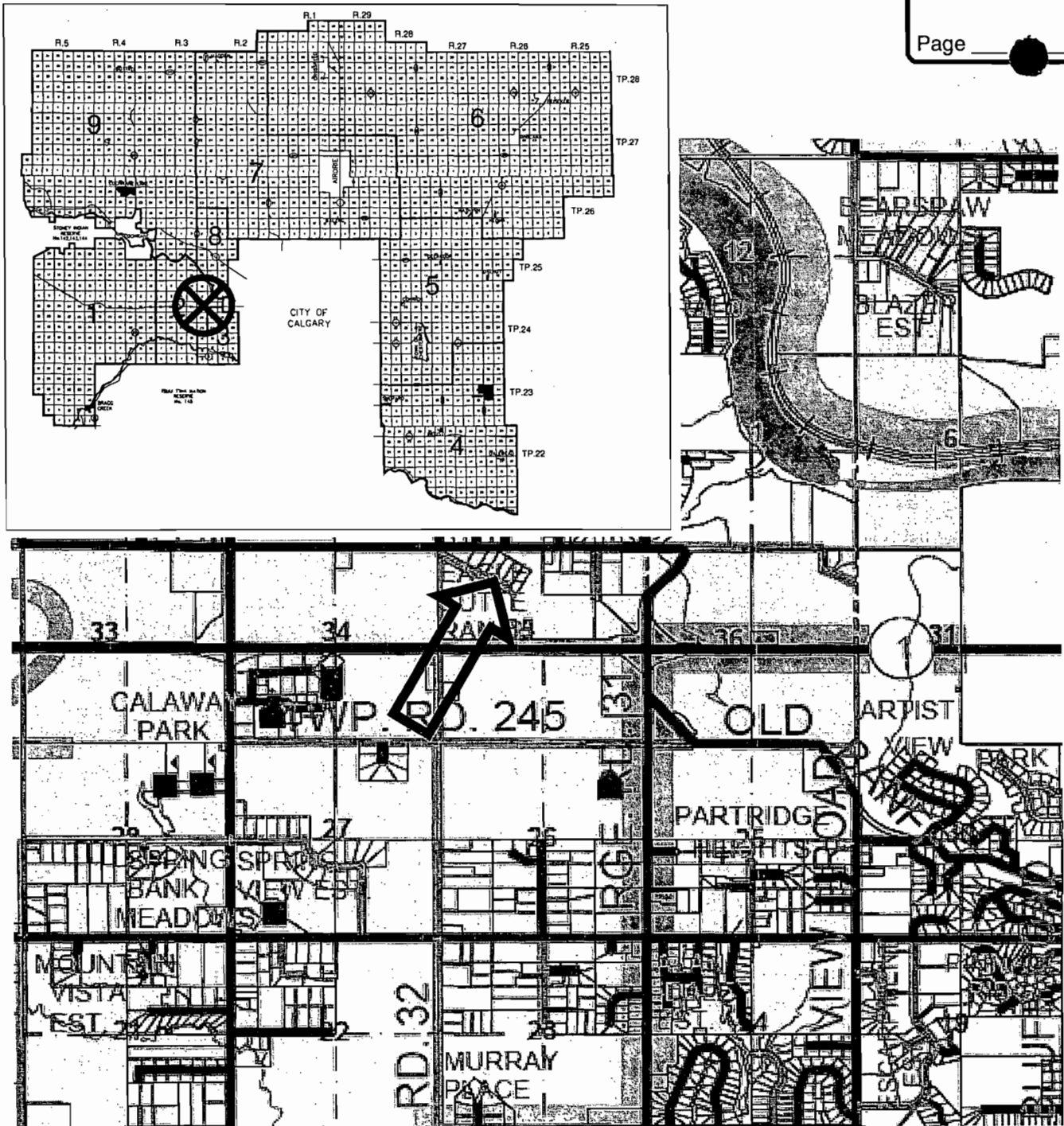
PAGE 3

SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Attachment C: Subdivision Approval

Page _____



LOCATION PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

Attachment C: Subdivision Approval

Page ____ of ____

3

2

4

35

HIGHWAY 1

KEY PLAN

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

Attachment C: Subdivision Approval

Page _____

TWP. RD. 250**EAGLE BUTTE RANCH**R-2→R-1
≥ 2 acresR-2→R-1
≥ 2 acres**Redesignation Proposal:**

To redesignate the subject lands from Residential Two District to Residential One District

Subdivision Proposal:

To create a ≥ 2 acre parcel with a ≥ 2 acre remainder.

Surveyor's Notes

1. Parcel size must meet minimum size requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

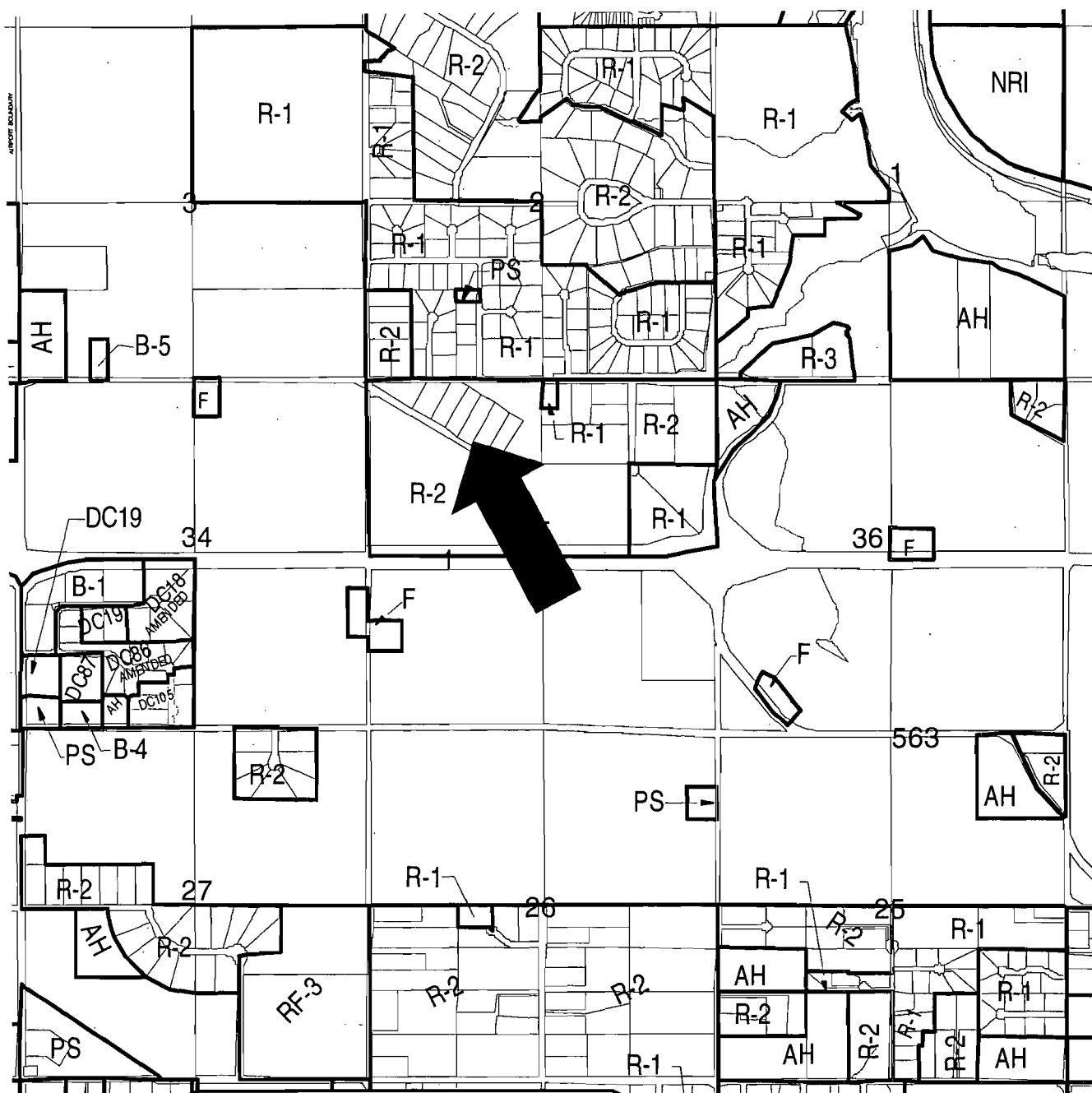
Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

Attachment C: Subdivision Approval

Page ____ of ____



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06

Division # 2

File: 04735020

Not to Scale

Page

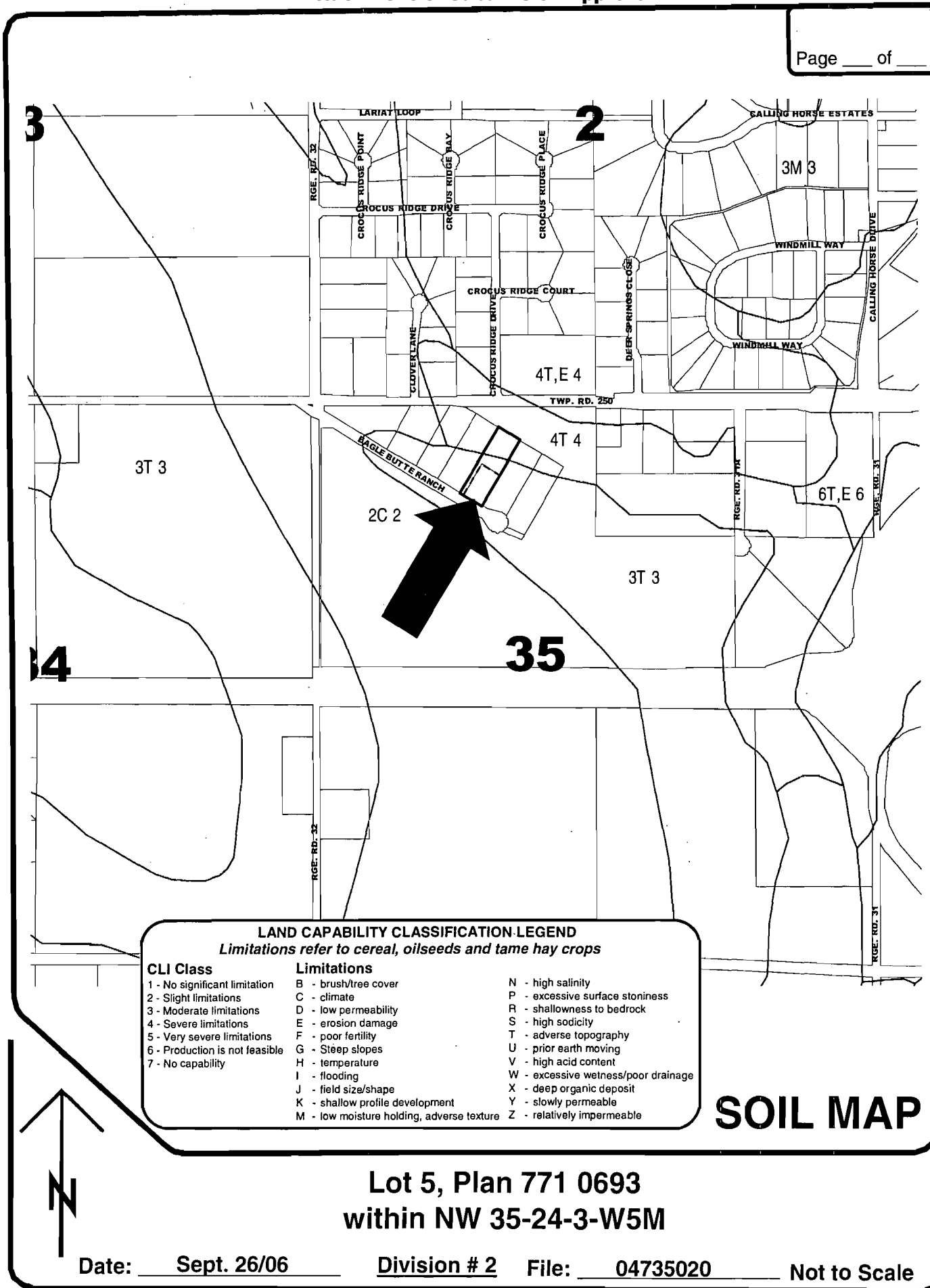


AIR PHOTO

Lot 5, Plan 771 0693
within NW 35-24-3-W5MDate: Sept. 26/06 Division # 2 File: 04735020 Not to Scale

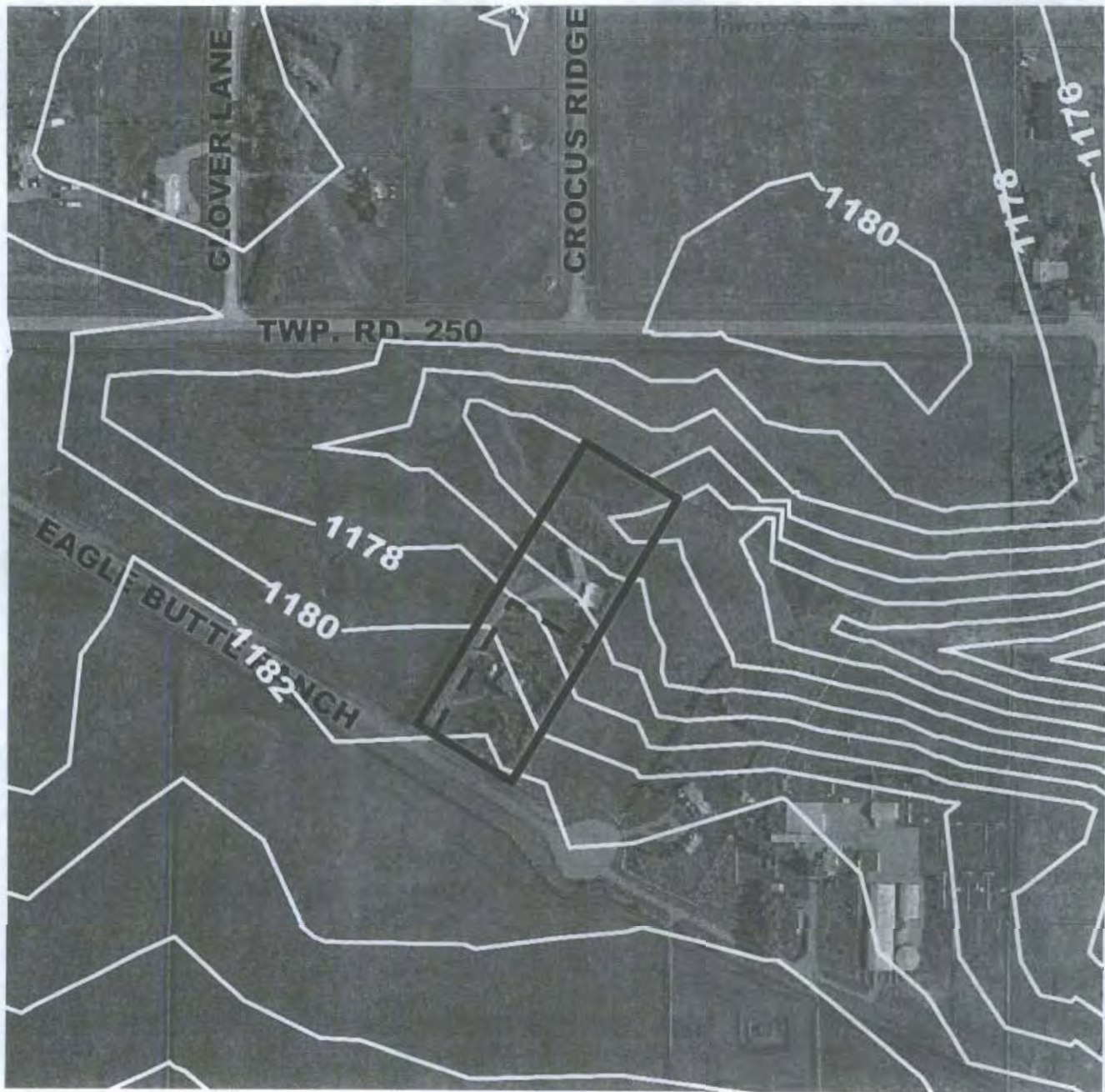
Attachment C: Subdivision Approval

Page ____ of ____



Attachment C: Subdivision Approval

Page

**TOPOGRAPHY***Contour Interval 2 M*

Lot 5, Plan 771 0693
within NW 35-24-3-W5M

Date: Sept. 26/06Division # 2File: 04735020

Not to Scale

Page ____ of ____

Not to Scale

ALBERTA GOVERNMENT SERVICES LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

081145414

ORDER NUMBER: 25511417

ADVISORY

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

ACCESS EASEMENT AGREEMENT

This agreement made this 3rd day of December, 2007

BETWEEN:

ALLAN COTE

(hereinafter referred to as "the grantor")

Of The First Part

And

ALLAN COTE

(hereinafter referred to as "the grantee")

Of The Second Part

WHEREAS the grantor is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN ~~071~~ 0811953,
BLOCK 1,
LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "A")

WHEREAS the grantee is the registered owner of all those certain lands situated in the Province of Alberta, and more particularly described as follows:

PLAN ~~071~~ 0811953,
BLOCK 1,
LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as the Parcel "B")

AND WHEREAS Parcel "A" and "B" are parcels immediately adjoining each other;

(Parcel "A" and Parcel "B" hereinafter sometimes collectively referred to as "the lands" or "the parcels")

AND WHEREAS the grantor wishes to create a right, privilege and easement over a portion of the grantor's land for the purpose of an Access Right Of Way.

NOW THEREFORE in consideration of the premises and the sum of One Dollar (\$1.00) now exchanged between the parties hereto (receipt whereof is hereby acknowledged) the parties hereto agree as follows:

1. The grantor, as owner of Parcel "A" (the servient tenement), does hereby give, grant, and transfer and make over unto the grantee, as owner of Parcel "B" (the dominant tenement), the privileges, covenants and easement of a right of way in, through, and over the following lands namely:

THOSE PORTIONS OF THE ABOVE SAID LANDS WHICH LIE WITHIN ACCESS RIGHT OF WAY AS SHOWN ON PLAN ~~0811454~~ 0811954.

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter referred to the "right of way")

For the constructing, repairing, replacing, maintaining, inspecting an Access Right Of Way the said right, privilege and easement being subject to the following terms and conditions which are hereby agreed to by and between the grantee and the grantor, namely:

1. This Agreement shall come into full force and effect on the date noted on the first page of this Agreement and shall continue in full force and effect in perpetuity unless terminated, discharged, varied or amended by the unanimous and mutual written agreement of the grantor and the grantee.
2. The grantee, their tenants, contractors, subcontractors, officers, servants, agents, workmen shall have the full and free right and liberty to have ingress, egress and to pass and repass on the right of way either by foot or by means of vehicles or necessary machines whatsoever, and to remain on the right of way for all purposes of repairing, replacing, using for access to the dominant tenement, maintaining and inspecting the Access Right Of Way.
3. The grantee in carrying out any of the aforesaid operations will do so in a good and workmanlike manner and will cause or do as little damage and inconvenience to the owners or occupiers of the said land, as is possible, and any excavations or workings made or done in connection therewith shall, so far as is reasonably practicable, be restored to its former condition.
4. The grantor covenants that they will not build, erect or maintain nor permit or suffer to be built, erected or maintained on the right of way any fence, building or structure, nor allow changes to the design of existing surface grades, nor plant or maintain, nor allow or suffer to be planted or maintained thereon any trees or shrubs which would or could prevent or hinder the exercise by the grantee of any of the rights hereinbefore granted.
5. The grantee will indemnify and save harmless the grantor from and against all claims, damages, deaths, dues, suits, liabilities, actions and causes of actions, costs or sums of money that the grantor may suffer or be put to by reason of anything done by the grantee in the exercise of the rights and privileges herein granted.
6. Any provision herein found or made void or unenforceable by any court under law shall not void or render unenforceable the remaining provisions hereof.
7. The rights conferred by this Agreement **does not and shall not** be deemed to include a right to park vehicles on the access right of way.
8. The rights, privileges and easements granted and the restrictive covenants and conditions made herein shall run with and be legally annexed to the parcels and shall extend to and enure to the

benefit of and be binding upon the respective heirs, executors, administrators, successors-in-title and assigns of the parties hereto respectively.

9. The rights, privileges, covenants and easements hereby granted shall not be extinguished in the event that the title to or ownership of either of the Parcels which adjoin each other shall be vested in the same person. The successors in title to such Parcels shall be and remain bound to and in respect of the rights, privileges, covenants and easements hereby granted and entitled to the benefits thereof as rights, privileges and obligations which are created under and by virtue of this Agreement.

10. The Parties acknowledge and agree that The Municipal District Of Rocky View is a party to this Agreement for the purpose of ensuring that it is not discharged from the title to either the dominant or servient tenements without its written consent, and to receive the benefit of the indemnities granted herein. The parties hereto shall give notice to The Municipal District Of Rocky View in the event that they plan to modify or discharge this Agreement from title. The parties further acknowledge and agree that The Municipal District Of Rocky View is not responsible or obliged to resolve any disputes, including those related to cost sharing and maintenance obligations contained herein, or to cover or contribute to the costs related to the cost sharing and maintenance obligations contained herein.

11. The use of the right of way by the owners from time to time of Parcel "A" and "B" shall be perpetual but no covenant herein shall be personally binding upon a party from time to time except in respect of a breach occurring during the period that they are the owners of the Parcel "A" or of the Parcel "B", as the case may be.

IN WITNESS WHEREOF the parties have executed this agreement on the date first written above.

The Grantor

Darcy Pittman
Witness

Darcy Pittman

Allan Cote
ALLAN COTE

Ervelyn M Cote

The Grantee

Darcy Pittman
Witness

Darcy Pittman

Allan Cote
ALLAN COTE

Ervelyn M Cote

FORM 31

LAND TITLES ACT
(Sections 161)

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT

I, Darcy Pittman of Calgary, in the

PROVINCE OF ALBERTA, make oath and say:

1. I was personally present and did see + Evelyn Cote **ALLAN COTE** who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument:

or

I was personally present and did see **ALLAN COTE** who on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument, duly sign the instrument.

2. The instrument was signed at Calgary, in the PROVINCE OF ALBERTA and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN before me at the City of Calgary

in the PROVINCE OF ALBERTA,

this 3rd day of December,year A.D. 2007

Darcy Pittman
(Signature)

Roberta K. PittmanA Commissioner for Oaths in and for the
Province of ALBERTA.My Commission Expires on AUGUST 27, 2010

ROBERTA K. PITTMAN
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires August 27, 2010

CONSENT OF SPOUSE

I, Evelyn Cote being married to the within named Allan Cote do hereby give my consent to the disposition of our homestead, legally described as:

Made in the instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, to the extent necessary to give full effect to the said disposition.

Evelyn M Cote
SPOUSE SIGNATURE

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

1. This document was acknowledged before me by Evelyn Cote apart from her husband/~~his wife~~.
2. acknowledged to me that she/~~he~~:
 - a) Is aware of the nature of this disposition;
 - b) Is aware that the Dower Act, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
 - c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, to the extent necessary to give effect to the said disposition;
 - d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at the City of Calgary, in the Province of Alberta,
this 3rd day of December A.D. 2007

Darcy Pittman

A Commissioner for Oaths in and
For the Province of Alberta

My Commission Expires on _____, 20____

Darcy H. Pittman
A Commissioner for Oaths
in and for the Province of Alberta
My Commission Expires May 20, 2009

Darcy H. Pittman
A Commissioner for Oaths
in and for the Province of Alberta
My Commission Expires May 20, 2009



081145414

081145414 REGISTERED 2008 04 22
EASE - EASEMENT
DOC 4 OF 5 DRR#: B011FCA ADR/DMACNEIL