

July 16, 2024

From: Patricia and Brenda Ralston  
Phil Norregaard  
282073 TWP RD 262  
Rocky View County, AB T4A 2L6

To: Planning Services Department  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB, T4A 0X2

Re: Opposition to creation of  $\pm$  4.05-hectare parcel (Lot 1) with a  $\pm$  4.02-hectare remainder on the SW-35-25-28-W04M. File # 05335005 Application # PL20240108 Division 5

I am the owner of 800 acres of farmland (E  $\frac{1}{2}$ -10-26-28 W4, E  $\frac{1}{2}$  -3-26-28 W4, NE  $\frac{1}{4}$  -34-25-28 W4) adjacent to the proposed subdivision parcel (SW  $\frac{1}{4}$  -35-25-28 W4). I farm this area with my daughter (Brenda Ralston) and son-in-law (Phil Norregaard) under Twin Lakes Ranch Ltd. They also rent an additional 480 acres of adjacent farmland for a total of 1280 acres to constitute our 106-year-old operation currently of 300 breeding cows, 640 acres of annual crop land and 640 acres of hay/pasture.

The subdivision of parcel SW-35-25-28-W04M into 2 parcels is not compatible with existing adjacent land parcel uses of animal and cropping agriculture. Issue of concern and reason why we are opposed to this application include the following:

1. **Current Limited Ground Water Availability** – Access to water for the proposed creation of an additional parcel and likely construction of an additional dwelling is an issue which would constitute an additional strain on an already depleted and limited ground water supply. The current holdings (32 individual 20-acre holdings on section 35-25-28 W4) to the north of the parcel and our livestock operations on quarter sections directly west, northwest and southwest from the proposed creation of an additional parcel are already experiencing water limitations that are creating pressures for our 100+ year old livestock operation that relies solely on ground/surface water to water cattle for food production. Further strain on this water supply by small holding development in this area, which do not contribute to the production of food in any significant way would cause undue hardship on our primary based agriculture operation. Trucking in water for 300+ cow calf pairs 7500 gallons per day and investing in a distribution system that would service all pastures in our rotational grazing operation would be economically unfeasible and would necessitate the abandonment of livestock production on our ranch, which is our primary source of income. Through the development and continual upgrading of our 10+ year Twin Lakes Ranch Environmental Farm Plan in consultation with Rocky View County and Alberta Agriculture we have identified water availability and access as a critical component to our operation's sustainability to continue to provide food for the Alberta/Canadian population. The application does not have a water access plan.

We do not support the creation of an additional parcel with the likelihood of an additional dwelling due to the current limited ground water availability in the area. For this reason we do not support this application and we would be happy to discuss our concerns further at your convenience.

Sincerely,

Patricia & Brenda Ralston  
Phil Norregaard  
Twin Lakes Ranch Ltd.

I, Gunilla Kelly, of Grassland Hydroseed Ltd., strongly oppose to the approval of the subdivision application - application and roll number, PL20240108 and 05335005, respectively, for the following reasons:

- The landowner, Rehana Shah, is in breach of a legal contract which was executed for and on her behalf by Mohammed (Mike) Shah on June 29, 2023 and emailed to Western Water Resources (WWR) Inc. on July 29, 2023, by Mr. Shah's technical representative Sam, whose legal first name, last name and title have never been disclosed despite the numerous requests respectfully made by Van A. Ridout, P.Eng., President and CEO of Western Water Resources (WWR) Inc., and by Gunilla S Kelly VP Grassland Hydroseed Ltd., and by Corey Mandrusiak, P.Ag, CPESC, CESSWI, Regional Manager – Alberta Reclamation (Brett Young).
- The contract with the landowner was executed in good faith by WWR who in turn executed a contract with Grassland Hydroseed Ltd. to provide hydroseeding to complete the restoration of the seasonal wetland and ephemeral channel.
- Mr. Mike Shah and/or Shah Family Corp. provided our retainer of \$7,126.88, equal to 50% of the total contract amount, to WWR on or about July 29, 2023, as specified by the remuneration terms of WWR's contract with Shah, which was immediately paid to Grassland Hydroseed Ltd. in accordance with the remuneration terms of Grasslands contract with WWR.
- Following the receipt of the retainer by WWR, the hydroseeding for the wetland restoration works commenced on August 14, 2023 and was completed on August 15, 2023, during which time their technical director, Sam, appeared at the wetland restoration site for the express purpose of reviewing the completed restoration works and requested that an additional seed application load be applied to the southwest quadrant of the seasonal wetland, notwithstanding that the seed mixture and quantity exceeded the standards specified by the City of Calgary for the restoration of the seasonal wetland, and notwithstanding that the agreed upon materials specified by Grassland Hydroseed Ltd. was applied in accordance with the terms and conditions of both contracts.
- As a value-added service to the landowner, Grassland Hydroseed Ltd. agreed to provide the additional application of seed, and carried that out, again under the direction and supervision of WWR, on August 15, 2023.
- After the completion of the restoration works, Shah Family Corp. was invoiced by WWR for the outstanding balance of the contract in accordance with the remuneration terms, Net14, and subsequently Grassland Hydroseed invoiced WWR. Two weeks after Shah Family Corp. was invoiced by WWR, WWR followed up with Shah's technical representative, Sam, to inquire why the payment had not been received, and told Mr. Ridout that none of the seeds had germinated and were "dead seeds", notwithstanding that they had agreed with the terms and conditions with WWR and Grassland Hydroseed Ltd., which included that Grassland Hydroseed Ltd. and WWR would evaluate the germination

- progress on October 28, 2023, to allow enough time for some of the seed to germinate, with the understanding that the majority of the seed needed to overwinter and would germinate over the following couple of years, consistent with the timeline specified by both Alberta Environment and Parks (AEP) to evaluate the success of wetland restoration projects, and by the City of Calgary, making the statement made by Shah's technical representative, grossly incongruent with the general governing standards of such projects and unrealistic based on Grassland Hydroseeding Ltd.'s years of experience in this industry.
- On September 6, 2023, three (3) weeks after the hydroseeding application, Van Ridout and Gunilla Kelly went out to inspect the site, approximately two months earlier than the contract date when we agreed to inspect the progress of the germination. Please note that Mike Shah and his technical representative, Sam, both understood that because they were extended a discounted price, that no warranty could be offered, similar to a quotation that was provided to them by Alberta Hydroseeding Inc. that could not warranty the hydroseeding works from or against any defects at such a price, which they accepted.
  - On said date of our inspection, we observed and photographed that the seeds were already vigorously germinating, diametrically incongruent with said statement made by Mike Shah's technical representative, Sam. Our observations were immediately reported back to Mike Shah's technical representative, Sam, which included photographs, who continued to state that the seeds were "dead". In response to this, we contacted said Cory Mandrusiak, P.Ag., with Brett Young who offered to speak with Sam and meet him at the hydroseeding restoration site. Sam agreed to speak with him over the phone but would not agree to a site meeting. Following their phone call, Cory Mandrusiak contacted both Grassland Hydroseed Ltd. and WWR to report back that Sam refuted his over 20 years as a restoration expert and insisted that the seeds provided by Brett Young were "dead", despite also having been provided with a Seed Certificate, a strict government document required by all seed providers.
  - We have documented in detail, photographs, texts, and emails with Mike Shah and his technical representative Sam, which I/we would be pleased to provide to you if you need further evidence to resolve this outstanding matter with Mike Shah and Sam, notwithstanding that they refused to allow us access to the land to inspect the progress of the germination as agreed to under the contract.
  - Despite making every reasonable effort to peacefully resolve this matter, which has included numerous requests made by WWR to Mike Shah and his technical representative, Sam, to settle the outstanding balance, the outstanding balance was never settled.

In conclusion, it appears from our experiences that this is the way that these individuals deal with professionals and professional contractors. As such, we want to ensure that other professionals and professional contractors are safeguarded and protected against such unethical actions, either during the subdivision phase, or after. Therefore, I/we

strongly recommend that the subdivision application not be granted until such time that the outstanding balance, interest, legal and process server fees, have been settled in full.

**From:** [Linda Pozniak](#)  
**To:** [Oksana Newmen](#)  
**Subject:** File number 05335005 Application number PL20240108  
**Date:** Saturday, June 29, 2024 11:12:00 AM

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Hi Oksana,

I am a bit confused as to why the Shah family has reapplied to subdivide their 20 acre parcel into two 10 acre parcels. It was my understanding that they had been approved to do this 2 years ago when they had previously applied.

I was part of the group that was against this the first time and my opinion hasn't changed. The reasons for our opposition are on file.

The Shahs stated that they wanted to build a home for their Grandmother so she could be closer to her family but to date I haven't seen any evidence of a new home being built. If they are indeed planning to build a house for her then that is fine but I'm a bit concerned that once the 10 acre parcels have again been approved that it is going to open the gates for further subdivision and development into smaller parcels in the future.

Any explanation you could provide me would be greatly appreciated as their plans for the subdivision are not clearly stated in the notice we received.

Thank you for your time

Linda Pozniak

**From:** [Keith Adams](#)  
**To:** [Oksana Newmen](#)  
**Subject:** PL20240108  
**Date:** Wednesday, July 17, 2024 4:39:51 PM

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Hi Oksana,

RE: PL20240108 - subdivision of Shah property

I'm a little confused about this application. There was a previous application (under PL20220014) for which significant matters of objection were filed. Can you explain please how this application and the previous application differ? There have been no changes to the objections or concerns raised, and no further information has been provided to address any of those concerns. I am needing to know if Rocky View County is considering the information filed with the previous application in the current one.

Thank you,  
Keith Adams  
255103 Range Road 281

**From:** [Keith Adams](#)  
**To:** [Oksana Newmen](#)  
**Subject:** Re: PL20240108  
**Date:** Friday, October 18, 2024 6:11:14 PM

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Hi Oksana,

This highlights precisely the concern I was alluding to. These unresolved concerns from the prior application are not carried forward and considered in the next round, leaving the applicant with a clean slate and "unopposed". The onus seems to be on the residents to press on this, and it leads to fatigue, frustration and disengagement from the County processes.

Were any of the concerns raised in the prior application addressed? Was any meaningful feedback from the application and review process provided back to those who voiced concerns? Is the subdivision application considerate of these? No, no and no.

Too much time has been spent already in addressing what concerns me and other residents. To summarize:

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- There have been no significant changes since the previous application in November 2022, to which we filed our reasons for opposition, and our reasons are unchanged. Further, the recommended mitigation advisements from the November application and hearing have not been acted upon and the unsightly, animal travel blocking fence remains; no trees have been planted as promised/recommended and earthwork appears to continue in the slough area.
- There has been **NO plan** provided for how potential future sub-division would be developed.
- Despite evidence provided about the extent of surface water and impacts on the drainage into the Serviceberry Creek aquifer, no consideration of this has been made
- There has been no follow-up from RVC regarding the promise that no further subdivision less than the 20 acre parcels between RR 282 and RR 281
- The evidence previously provided under PL20220014 have not been considered.

Regards,  
Keith Adams  
255103 Range Road 281

On Fri, Oct 18, 2024 at 3:57 PM Oksana Newmen <[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca)> wrote:

Hi Keith,