

June 20, 2022

Delivered Via Process Server

The Municipal Council of the Town of Okotoks and
The Town of Okotoks
c/o The Town of Okotoks
5 Elizabeth Street
Okotoks, Alberta, T1S 2C1

Attention: Elaine Vincent, Chief Administrative
Officer

Dear Madam:

Re: Notice of Objection - 30 South Railway Street, Okotoks (Plan 841043, Station Grounds "A")

We enclose, by way of service, our Notice of Objection provided in accordance with Section 10 (1) (a) of the *Expropriation Act*.

Yours truly,

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Ryder

Enclosure

Form 2

Expropriation Act
(Section 10)

NOTICE OF OBJECTION

TAKE NOTICE THAT:

1. Lansdowne Equity Ventures Ltd. ("Owner"), of 350, 295 Midpark Way SE, Calgary, Alberta, T2X 2A8, hereby objects to the expropriation of the interest in the lands set forth in the Notice of Intention to Expropriate dated the 30th day of May, 2022, namely:

PLAN 8410463
STATION GROUNDS "A"
CONTAINING 1.139 HECTARES
EXCEPTING THEREOUT:
ROAD PLAN 9110253 CONTAINING 0.013 HECTARES (0.032 ACRES)
MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

("Lands"),

relating to the proposed expropriation by The Town of Okotoks (the "Town"), 5 Elizabeth Street, Okotoks, Alberta, T1S 2C1.

2. The nature of the Owner's objection is that expropriation of the Lands is unfair, unsound, and not reasonably necessary in order to achieve the Town's objectives of redeveloping the downtown riverfront area and associated facilities, and for ancillary purposes, as more fully described in paragraph 3 of the Notice of Intention to Expropriate (collectively, the "Town's Objectives").
3. The grounds of the Owner's objection include the following:
 - (a) the Lands are not required in order to achieve the Town's Objectives. The owner has been actively pursuing development plans for this area and offered to modify their proposed concept, to align with the Town's goals and objectives for the area.;
 - (b) alternatives to expropriation have not been reasonably considered, as the Town representatives would not entertain the idea of the Owner completing the development project;
 - (c) specifically, and without limiting the foregoing, the Town's Objectives can be achieved by other means such as proposed by the owner to the Town;

- (d) in the alternative, if the Lands are required, which is denied, then the taking would have a significant negative impact on the Owner's adjacent parcel of land.;
 - (e) the interests of the Owner, which would be extinguished by expropriation, have not been appropriately weighed and balanced;
 - (f) specifically, and without limiting the foregoing, the proposed expropriation represents more than minimal incursion on the interests of the Owner;
 - (g) the proposed expropriation is not consistent with the public interest;
 - (h) specifically, and without limiting the foregoing, the proposed expropriation is not consistent with the Town's goals and objectives as outlined in the *Municipal Development Plan*;
 - (i) the processes and procedures followed by the Town regarding expropriation were flawed and unauthorized, specifically, and without limiting the foregoing, the Town failed to negotiate adequately and in good faith with the Owner prior to issuing the Notice of Intention to Expropriate;
 - (j) the proposed expropriation is speculative in nature and premature; and
 - (k) such further and other grounds as may be raised at the hearing.
4. The Owner pleads and relies on:
- (a) *Expropriation Act*, RSA 2000, c E-13;
 - (b) *Municipal Government Act*, RSA 2000, c M-26;
 - (c) *Land Use Bylaw 17-21*, Town of Okotoks;
 - (d) *Okotoks Municipal Development Plan*, Town of Okotoks; and
 - (e) such further acts, regulations, and bylaws as counsel may advise.

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5. The nature of the Owner's interest in the Lands is that of a registered owner of an estate in fee simple.

Dated this 20th day of June, 2022.

DENTONS CANADA LLP

Per: _____

Jonathan [REDACTED] and Tim Bardsley
Counsel for the Person Objecting,
Lansdown Equity Ventures Ltd.

To: The Municipal Council of The Town of Okotoks and The Town of Okotoks
c/o
The Town of Okotoks
5 Elizabeth Street
Okotoks, Alberta T1S 2C1
Attn: Elaine Vincent, Chief Administrative Officer
Email: evincent@okotoks.ca

NOTICE OF OBJECTION

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Calgary, Alberta, T2P 0R8
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Counsel for the Person Objecting,
Lansdown Equity Ventures Ltd.

Dentons Canada LLP File No.:
Law and Legislative Services File No.:
