

Approved by Council: January 25, 2010

## LAND SALES POLICY

### BACKGROUND

#### General

The Town of Redcliff, being the owner of various land parcels and additionally being an active and predominant developer of lands within its corporate boundaries will endeavor to market and sell these parcels. This is assuming it is beneficial to the ongoing growth and development of the Municipal Corporation of the Town of Redcliff, and it being in the best interests of the Municipal Corporation.

#### Lands Offered

The Town has ownership of lands other than those outlined specifically in this policy. However, any requests/offers for lands not specifically outlined shall be directed to Council for evaluation of whether it is in the best interests of the municipal corporation to offer them for sale. It is the consensus of Council that based on existing infrastructure development and the Redcliff Municipal Development Plan, lands other than those listed herein should not be marketed or offered for sale until further evaluation and servicing requirements are concluded.

#### Purpose

This policy is primarily for the purpose of:

- Defining parcels that may be offered for sale by the Administration.
- Establishing prices or a formula for the calculation of prices on various available parcels.
- Authorizing Administration to prepare related procedural documents.

#### Restrictions

Administration shall not offer any parcel at a price less than those prices stated herein, or agree to the re-negotiation of any Term Purchase Agreement, the only exclusions being discounting as provided for within this policy, or a minor modification to deal with a correction to an existing agreement.

### POLICY

#### 1. **CLASSIFICATION**

Any municipal owned property outlined in Section 3 of this document, "Lands Offered and Pricing", and as identified in an attached schedule, "may" be offered for sale at the established prices by either the Municipal Secretary, the Municipal Manager or individual acting in their capacity for the Town of Redcliff.

It is to be clearly defined in any discussions for the sale of land, and made clear in any offer to purchase, that all lands are priced and offered with the servicing and level of development as it exists at the time of purchase. Any additional servicing or level of development will be the responsibility of the purchaser, unless such servicing or development is specifically provided for in this policy, or in writing on either the Offer to Purchase or a supplemental document to the Offer to Purchase. Any such document must be clearly authorized and endorsed by either the Municipal Secretary or the Municipal Manager, or individual acting in their capacity, for the Town of Redcliff.

## 2. ADMINISTRATIVE AUTHORITY

Administration is hereby authorized to prepare procedural documents to resolve all required documentation required to ensure transactions are properly completed, legal requirements for offer, acceptance, and consideration are met, and the interests and integrity of the municipal corporation of the Town of Redcliff are protected.

## 3. LANDS OFFERED AND PRICING

**Eastside Phase 1 -** Lands and Pricing as outlined below and on Schedule 1

Lot 2, Block 9, Plan 0913590 (Commercial Site)  
Lot 3, Block 9, Plan 0913590 (High Density Residential)  
Lots 4-10, Block 9, Plan 0913590 (High Density Residential)  
Lot 3-9, Block 10, Plan 0913590 (Low Density Residential)  
Lots 10-39, Block 10, Plan 0913590 (Single Family Residential)  
Lots 1-15, Block 12, Plan 0913590 (Single Family Residential)  
Lots 1-24, Block 13, Plan 0913590 (Single Family Residential)

- No discounts for easements or right of ways to apply, as they have been taken into consideration at the time of pricing

### **Specific Terms and Conditions**

#### **Lot 2, Block 9, Plan 0913590 (Commercial Site)**

- This lot is designed for commercial development.
- Fully serviced.
- Building timelines shall be established as 2 years to start construction and 2 years to complete (obtain occupancy). Total 4 years to complete.
- See Attached Schedule 3 for Architectural Controls

#### **Lot 3, Block 9, Plan 0913590 (High Density Residential)**

- This lot is designed for high density residential development.
- Fully serviced.
- Building timelines shall be established as 2 years to start construction and 2 years to complete (obtain occupancy). Total 4 years to complete.
- See Attached Schedule 4 for Architectural Controls

#### **Lots 4-10, Block 9, Plan 0913590 (High Density Residential)**

- These lots are designed for high density residential development.
- Fully serviced.
- There is a restrictive covenant registered to title which restricts these properties from being subdivided.
- Other specific development criteria have been established by Restrictive Covenant registered to title.

#### **Lot 3-9, Block 10, Plan 0913590 (Low Density Residential)**

- These lots are designed for low density residential development.
- Fully serviced.
- Specific development criteria have been established by Restrictive Covenant registered to title.

Lots 10-39, Block 10, Plan 0913590 (Single Family Residential)

- These lots are designed for single family residential development.
- Fully serviced.
- Specific development criteria have been established by Restrictive Covenant registered to title.

Lots 1-15, Block 12, Plan 0913590 (Single Family Residential)

- These lots are designed for single family residential development.
- Fully serviced.
- Specific development criteria has been established by Restrictive Covenant registered to title.

Lots 1-24, Block 13, Plan 0913590 (Single Family Residential)

- These lots are designed for single family residential development.
- Fully serviced.
- Specific development criteria have been established by Restrictive Covenant registered to title.

**Pricing Form (See Schedule 2)**

For purposes of calculating the price for lots as directed by Council, which in the past has typically been for infill lots.

**4. SPECIAL PRICING CONSIDERATIONS**

**Volume Discounts**

A discount in the amount of 5% off the established price may be offered to any individual purchaser who purchases two or more parcels and is prepared to finalize the sale forthwith.

**Easement and Right of Way Discounts**

Unless noted that this discount does not apply in the section “Lands Offered and Pricing”, when an easement or Right of Ways is registered to a property offered for sale, the portion of the parcel encompassed by the easement or right of way may be discounted 50% of the established price.

**Local Improvement Taxes**

In regard to existing local improvement taxes on the tax roll at the time a parcel is offered for sale, the price offered shall include an amount equal to the “principle value” of the tax for the years prior to sale (to be calculated by the Municipal Treasurer). The local improvement tax which is existing on the roll shall stay in effect and remain with the parcel and assumed by the purchaser for the remaining years. In the event the purchaser wishes to have the local improvement tax removed, the purchaser may then, upon acquiring the property, make application under current legislation, for any prepayment of local improvement tax.

In some cases a local improvement tax may not yet be on the tax roll, in these instances the purchaser shall be provided an estimate of the impending local improvement tax.

**5. PROVISION OF LOTS TO BUILDERS AND DEVELOPERS FOR CONSTRUCTION OF SPECULATION HOMES**

In order to encourage the construction of speculation homes in Redcliff, Administration is authorized to enter into an agreement for sale that defers the payment for a maximum of

one year for the purchase of land at the established prices, with contractors who hold a valid "General Contractors" business license with the Town of Redcliff. This Agreement will:

- Provide for a minimum of 10% of the value of the property to be paid to the Town which will be applied to the price of the property. The full amount of GST must be paid at the same time as the deposit is paid unless the purchaser enters into an "Undertaking to Report and Indemnity Agreement".
- Authorize the builder/developer to "apply" for the necessary construction permits and:
  1. **Make it a requirement that development permits are to be applied for within 30 days** of the signing date of the Agreement.
  2. **Make it a requirement that building permits are to be applied for within 60 days** of the signing date of the Agreement.

Note: The purchase agreement stands as authorization that the Town, as owner of the property, has no objection to allowing the permit to be considered for approval. However, this authorization to allow the builder/developer to make a development / building "application" does in no way whatsoever restrict or limit the Town to consider an appeal of any proposed development to the S&DAB. An appeal by the Town would normally be in the event the Town, after an evaluation of any approved application, considered the proposed development inappropriate.

- Authorize the builder/developer to have access to the property for the purpose of construction of an approved residential development upon meeting all conditions applicable.
- Ensure that in the event the terms and obligations outlined in the Agreement are not met, the builder/developer forfeits all rights to the property, including any development thereon, and will further ensure the lot shall be immediately be made available to any other buyers. Additionally, the Agreement is to bind the builder/developer from placing any encumbrance whatsoever against the property.
- Allow for the builder/developer **a maximum of one year from the date of the Agreement,** or at a sooner date in the event of the initiation of the sale of the property to finalize the sale and pay any amount remaining outstanding.
- Ensure the builder/developer shall not permit any occupancy of the home prior to final payment.
- Ensure that transfer of title for the property will not be endorsed until the property has been paid in full and all conditions/obligations are met.

Administration is authorized to enter into a maximum of three (3) Deferred Option Agreements at any one time with the same builder/developer.

In the event that a builder/developer is in contravention of a deferred option agreement, said builder/developer shall not be permitted to purchase any additional land via deferred option agreement, until such time as the issue has been resolved to the Town's satisfaction.

**6. OTHER****Letters to undertake entering into Servicing Agreement**

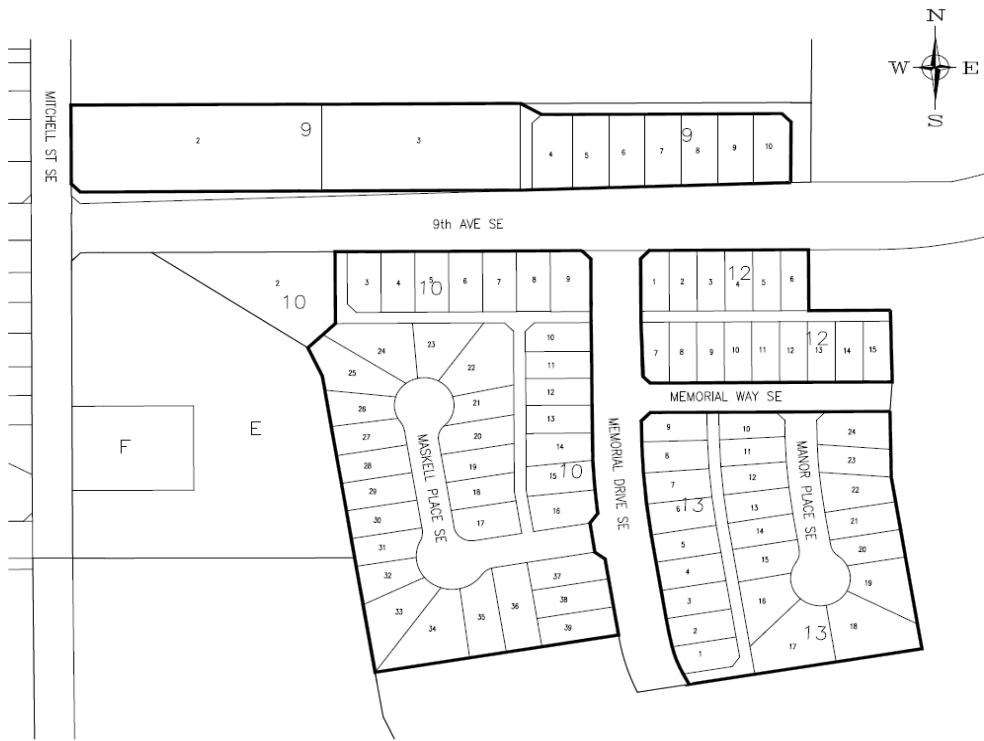
As a requirement to conclude a subdivision, from time to time it is required for the Town to provide the City of Medicine Hat Gas and Electric departments with a letter of undertaking to enter into a servicing agreement with them. These letters serve as the Town's commitment for the responsibility for costs or the allocation of costs associated with the servicing of Gas and Electric to the particular subdivided area where it has been agreed that the Town has responsibility for such cost. Council hereby endorses administration to provide such letters of undertaking, when required for this purpose.

**Administrative fee for land sale refunds**

The administrative fee for processing a land sale refund approved by Council is \$350.00 (includes legal fees). This refund applies to land sale deposits as well as the full purchase price.

**Maximum Lot Sales to One Developer**

Lot sales to one developer at any one time shall be limited to a maximum of five (5), including any deferred option agreements. Upon development and occupancy granted, the developer will become eligible to purchase additional lots.



- Fully Serviced

**Note:** No discounts for easements or right of ways to apply, as they have been taken into consideration at the time of pricing

**Block 9, Plan 091 3590**

Lot 2	\$801,820.00
Lot 3	\$648,380.00
Lot 4	\$110,630.00
Lot 5	\$108,730.00
Lot 6	\$108,020.00
Lot 7	\$107,310.00
Lot 8	\$106,600.00
Lot 9	\$105,890.00
Lot 10	\$106,870.00

**Block 10, Plan 0913590,**

Lot 2	Not Established
Lot 3	\$91,480.00
Lot 4	\$92,240.00
Lot 5	\$92,240.00
Lot 6	\$92,240.00
Lot 7	\$92,240.00
Lot 8	\$92,240.00
Lot 9	\$109,700.00
Lot 10	\$84,280.00
Lot 11	\$79,120.00
Lot 12	\$79,120.00
Lot 13	\$82,430.00
Lot 14	\$86,730.00
Lot 15	\$86,770.00
Lot 16	\$98,640.00
Lot 17	\$96,310.00
Lot 18	\$84,200.00
Lot 19	\$86,910.00
Lot 20	\$89,240.00
Lot 21	\$84,690.00
Lot 22	\$124,530.00
Lot 23	\$99,540.00
Lot 24	\$107,260.00
Lot 25	\$116,850.00
Lot 26	\$84,310.00
Lot 27	\$98,710.00
Lot 28	\$95,810.00
Lot 29	\$95,810.00
Lot 30	\$95,810.00
Lot 31	\$93,070.00
Lot 32	\$89,450.00
Lot 33	\$115,550.00
Lot 34	\$129,230.00
Lot 35	\$110,360.00
Lot 36	\$116,260.00
Lot 37	\$89,750.00
Lot 38	\$90,510.00
Lot 39	\$91,220.00

**Block 12, Plan 091 3590**

Lot 1	\$76,830.00
Lot 2	\$75,960.00
Lot 3	\$75,960.00
Lot 4	\$75,960.00
Lot 5	\$75,960.00
Lot 6	\$75,960.00
Lot 7	\$75,930.00
Lot 8	\$74,880.00
Lot 9	\$74,880.00
Lot 10	\$74,880.00
Lot 11	\$75,960.00
Lot 12	\$75,960.00
Lot 13	\$75,960.00
Lot 14	\$75,960.00
Lot 15	\$77,470.00

**Block 13, Plan 091 3590**

Lot 1	\$81,270.00
Lot 2	\$83,990.00
Lot 3	\$84,100.00
Lot 4	\$84,100.00
Lot 5	\$77,220.00
Lot 6	\$86,500.00
Lot 7	\$86,350.00
Lot 8	\$85,320.00
Lot 9	\$83,600.00
Lot 10	\$75,940.00
Lot 11	\$74,790.00
Lot 12	\$78,460.00
Lot 13	\$80,090.00
Lot 14	\$73,630.00
Lot 15	\$93,050.00
Lot 16	\$110,940.00
Lot 17	\$149,120.00
Lot 18	\$165,700.00
Lot 19	\$128,000.00
Lot 20	\$101,230.00
Lot 21	\$100,880.00
Lot 22	\$148,360.00
Lot 23	\$86,110.00
Lot 24	\$92,270.00

Schedule 2

"Pricing Form"

1.	Basic land price	\$459.00	\$459.00
2.	Services		
	a) Water mains	74.00	_____
	b) Sanitary Sewer mains	74.00	_____
	c) Natural gas	7.00	_____
	d) Electricity	35.00	_____
	e) Pavement (fronting)	245.00	_____
	f) Storm sewer	88.00	_____
	g) Street lighting	18.00	_____
Total cost per effective front foot		1000.00	\$ _____

Summary

1. Number of effective frontage feet \_\_\_\_\_ x Cost per foot \_\_\_\_\_ = \$

2. Previous frontage assessments (Principle portion only)

Frontage type (IE. Water or sewer)	Number of Prev. years	Rate Per Effective Foot (Principal only)	=	\$ _____
A) _____	_____	\$ _____	=	\$ _____
B) _____	_____	\$ _____	=	\$ _____
C) _____	_____	\$ _____	=	\$ _____

SUB-TOTAL \$ \_\_\_\_\_

3. Goods and Services Tax \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

Service Line Extensions \$ \_\_\_\_\_

GRAND TOTAL \$ \_\_\_\_\_

**Schedule 3  
Eastside Phase 1 – Lot 3, Block 9, Plan 0913590  
Architectural Control Guidelines**

**USE**

1. (a) The lands shall be used for the construction of medium density residential developments only.
- (b) Notwithstanding paragraph 1(a), nothing contained therein shall limit or prohibit an owner from applying for and obtaining from the appropriate municipal planning authority a home occupation permit pursuant to the appropriate municipal bylaw.

**DEVELOPMENT CONTROL**

2. Each dwelling to be constructed on the said lands shall not cover more than 50% of the lot size, including the size and dimensions of any garage, patio, covered deck, porch or like part of a building.
3. Any outbuildings shall not exceed 200 square feet (19 square metres). Outbuildings shall include: sheds, gazebos, or ancillary buildings to the dwellings. All outbuildings shall be constructed with exterior finishing or material similar to the dwellings.

**DESIGN AND ARCHITECTURAL CONTROL**

4. No dwellings or outbuildings shall be erected on the lands unless the plans and specifications relating thereto are submitted to the Development Officer for approval and the Development Officer has communicated the approval in writing. The plans and specifications relating to all buildings to be erected upon the lands which require approval of the Development Officer shall include:
  - a) Final building and landscape grade;
  - b) Setback of the residence from all property lines;
  - c) The architectural style for the construction of the dwelling;
  - d) The form, size, exterior material surfaces, color, location of windows, number of stories, roof structure and profile of the dwelling and any outbuildings; and
  - e) Driveways and parking areas with respect to location and surface materials.

**BUILDING MASS AND SITE DESIGN**

5. (a) Siting of building(s) and architectural characteristics shall ensure an appropriate fit with adjacent development(s) and ensure integration with the streetscape.
- (b) Each dwelling in a multi-family development that has no associated private ground level courtyard requires a balcony or terrace.
- (c) Consideration should be given to the location, orientation, window placement, building height, and location of on-site open spaces to preserve privacy of adjacent development.

- (d) Buildings shall include articulation along the facades that face streets, and box-like buildings shall be discouraged.
- (e) Main building and individual unit entrances should be designed towards pedestrian walkways that connect pedestrians to the street and emphasized by special architectural elements (e.g. verandas).
- (f) Building front facades shall feature a variety of forms, colors, materials, architectural details and styles.
- (g) Front and side facades of a corner building shall address both streets with continuous and consistent architectural design.

**MATERIALS AND COLOR**

- 6. (a) A minimum of 15% of the front elevation must be stone or brick.
- (b) Similar materials shall be used on all sides of each building to achieve a consistent character.
- (c) Buildings greater than 2 storeys shall be a combination of stucco, stone or brick.

**ROOFS**

- 7. (a) All roof slopes must be 5:12 or greater. Steeper pitches than the minimum stated are encouraged where appropriate to the architectural style to ensure roof form variety within the streetscape.
- (b) Gables must include some architectural detail (i.e. projections, vents, patterning) Building rooflines shall be articulated.

**GARAGES**

- 8. (a) Attached garage (if present) should not dominate the massing of the street-facing façade and shall be complimentary in terms of character and quality to the principal dwelling.
- (b) No direct access to public road.

**PARKING LOT**

- 9. (a) Surface parking lots should be located at the rear of the buildings and screened from public sidewalks and streets by architectural site elements and enhanced landscaping.
- (b) Where parking provided within or from a side or rear building setback, is exposed to adjoining properties, suitable landscaping is to be provided along such boundary to soften the visual impact of the parking.

**LANDSCAPING**

10. (a) All lots at a minimum must have entire front yards landscaped and soft landscaping is encouraged. Soft landscaping shall consist of vegetation such as trees, hedges, shrubs, grass and ground cover. All areas of soft landscaping shall be provided with an adequate means of irrigation.
- (b) Sites containing more than 15 dwelling units shall incorporate private outdoor amenity open space which is for the common use of all residents.
- (c) Xeriscape designs are encouraged.
- (d) Side yards shall be fenced in accordance with the Town of Redcliff Land Use Bylaw.

**BUILDING CONSTRUCTION REQUIREMENTS**

11. Construction of the dwellings, once approved by the Developer, shall be commenced within (24) months from the date of the sale/purchase of the lot (“Completion Date”).
12. Completion of the dwellings shall proceed diligently and, in any event, shall be completed within forty-eight (48) months from the Completion Date.
13. Commencement of construction shall mean all the basement walls and the entire sub-floor will be completed and in place, as per the plans submitted and approved by the Developer, and all outside basement excavation backfilled.
14. Completion of the construction shall mean when the dwellings are ready for occupancy as determined by the building inspector for the Town of Redcliff.
15. All driveways must be made out concrete, paving stone, asphalt, or other approved hard surface, and construction must be completed twelve (12) months from the date of the completion of the construction.
16. Landscaping shall be completed within one year after occupancy.
17. Any and all foundations must be certified by a qualified independent engineer.
18. All construction shall be in accordance with the levels or grades as established pursuant to the building grade plan prepared by the Planning and Engineering Department of the Town of Redcliff. The Purchaser, on completion of the dwellings, may be required to provide a Real Property Report, grade slip or other documentation satisfactory to the Planning and Engineering Department of the Town of Redcliff evidencing that rough grade of the lot satisfies the requirements of the established building grade plan.
19. Due to the known existence of fill materials, the Town may require in certain circumstances a bearing certificate from a qualified geotechnical consultant certifying the bearing capacity of certain lots in the subdivision as identified on the Building Grade Plan prepared by the Planning and Engineering Department of the Town of Redcliff. The cost of obtaining such certificate shall be the sole responsibility of the Purchaser.

20. All level or grades of the side yards or rear yards as the case may be of the lots as established in the plan aforesaid shall not be altered in any manner whatsoever.
21. All construction shall be in accordance with the surface contours and surface drainage system as established between the residences constructed on the lots as approved by the engineer of the Town of Redcliff at the time of construction of such residence.
22. All surface contours and surface drainage systems established shall not be altered in any manner whatsoever. Without restricting the generality of the foregoing, the owner or owners from time to time of each of the lots shall not:
  - a) suffer or permit dirt, fill, loam, gravel, paper or other debris, weeds, snow, ice or slush, (collectively referred to as "material") to fill or accumulate or remain on or upon the lands and which material would:
    - i) alter the level or grades of the lot or lots as established by the grade plan;
    - ii) restrict, impair, impede, alter or otherwise interfere with the drainage across the lots, including, without limiting the generality of the foregoing, drainage through or around any drainage control fence, grass swale, concrete or asphalt drainage or other drainage control structure which may be erected on the lots.
  - b) Alter, remove, damage or otherwise interfere with any drainage control fence, grass swale, concrete or asphalt drainage gutter or other drainage control structure which may be erected on the lots.

**Schedule 4  
Eastside Phase 1 – Lot 2, Block 9, Plan 0913590  
Architectural Control Guidelines**

**USE**

1. (a) The lands shall be used for the construction of a variety of commercial development only.
- (b) Notwithstanding paragraph 1(a), nothing contained therein shall limit or prohibit an owner from applying for and obtaining from the appropriate municipal planning authority a business development permit pursuant to the appropriate municipal bylaw.

**DEVELOPMENT CONTROL**

2. Subject to paragraph 1(b), no combination of retail commercial buildings shall be erected which have an area of less than 232m<sup>2</sup>.

**DESIGN AND ARCHITECTURAL CONTROL**

3. No commercial building or outbuilding shall be erected on the lands unless the plans and specifications relating thereto are submitted to the Development Officer for approval and the Development Officer has communicated the approval in writing. The plans and specifications relating to all buildings to be erected upon the lands which require approval of the Developer shall include the following:
  - (a) Final building and landscape grade;
  - (b) Setback of the residence from all property lines;
  - (c) The architectural style for the construction of the building(s);
  - (d) The form, size, exterior material surfaces, color, location of windows, number of storeys, roof structure and profile of the building(s) and any outbuildings; and
  - (e) Driveways and parking areas with respect to location and surface material.

**BUILDING MASSING AND DESIGN**

4. (a) Consider the overall design, scale, character and appearance of buildings so they are compatible with the scale and complimentary to the surrounding buildings.
- (b) Design features that minimize perception of building massing should be incorporated such as architectural details, colour, texture, modulated facades, and variations of detail should be used to provide visual interest to the street.
- (c) Building entries shall be expressed through special architectural features, such as projecting canopies or vertical elements.
- (d) All buildings shall be sited so they are orientated to a public street.

**FAÇADE TREATMENTS**

- 5. (a) Buildings shall include articulation along the facades that face streets, and box-like buildings shall be discouraged.
- (b) Building primary storefront elevation of the ground floor shall have 60% transparent glazing.
- (c) Street-Front and pedestrian walk facades shall include display windows and entrances so that shops present an animated front to the street.
- (d) If there are floors above ground floor, the façade of a building shall have architectural style, detailed and trim features that are consistent with those for the primary façade.

**MATERIALS AND COLOR**

- 6. (a) High quality, low maintenance materials are encouraged to be used on the front elevation.
- (b) A minimum of 15% of the front elevation must be stone or brick.

**ROOFS**

- 7. (a) Roof-mounted mechanical equipment shall be screened from view.
- (b) Flat roofs shall have a parapet wall.

**SIGNAGE**

- 8. (a) All signage shall be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting so that they do not visually compete with the architecture of the building and design of the site.
- (b) Freestanding permanent signs must be designed to visually integrate with the commercial building in materials and forms and along the adjacent roadways.

**LANDSCAPING**

- 9. (a) The site design for a retail commercial development located at street corners shall provide special landscape treatment to anchor the corner.
- (b) A 2.5m of strip adjacent to any public street will be soft landscaped. Soft landscaping shall consist of vegetation such as trees, hedges, shrubs, grass and ground cover. All areas of soft landscaping shall be provided with an adequate means of irrigation.
- (c) Xeriscape designs are encouraged.

**GARBAGE STORAGE**

- 10. (a) All outside garbage containers and garbage areas must be visually screened from all adjacent sites and public streets.

**PARKING**

- 11. (a) Parking lots shall be paved.
- (b) Consider pedestrian movement and safety through the siting of buildings and the configuration of parking lots.

**LIGHTING**

- 12. (a) All site and building lighting must be directed down, to reduce negative affects on adjacent residential dwellings.

**FENCING**

- 13, (a) Rear property line must have an opaque fence or landscaping to screen rear of building from adjacent parcels.

**BUILDING CONSTRUCTION REQUIREMENTS**

- 12. Construction of the building(s), once approved by the Developer, shall be commenced within twenty-four (24) months from the date of the purchase of the lot ("Completion Date").
- 13. Completion of the building(s) shall proceed diligently and, in any event, shall be completed within forty-eight (48) months from the Completion Date.
- 14. Completion of the construction shall mean when the building(s) is ready for occupancy as determined by the building(s) inspector for the Town of Redcliff.
- 15. All driveways must be made out of concrete, paving stone, asphalt, or other hard surface, and construction must be completed within twelve (12) months from the date of the completion of the construction.
- 16. Any and all foundations must be certified by a qualified independent engineer.
- 17. Landscaping shall be completed within one year of occupancy.
- 18. All construction shall be in accordance with the levels or grades as pursuant to the building(s) grade plan prepared by the Planning Engineering Department of the Town of Redcliff. The Purchaser, on completion of the building(s), may be required to provide a Real Property Report, grade slip or other documentation satisfactory to the Planning and Engineering Department of the Town of Redcliff evidencing that rough grade of the lot satisfies the requirements of the established building grade plan.
- 19. Due to the known existence of fill materials, the Town may require in certain circumstances a bearing certificate from a qualified geotechnical consultant certifying the

- bearing capacity of certain lots in the subdivision as identified on the Building Grade Plan prepared by the Planning and Engineering Department of the Town of Redcliff. The cost of obtaining such certificate shall be the sole responsibility of the Purchaser.
20. All level or grades of the side yards or rear yards as the case may be of the lots as established in the plan aforesaid shall not be altered in any manner whatsoever.
  21. All construction shall be in accordance with the surface contours and surface drainage system as established between the residences constructed on the lots as approved by the engineer of the Town of Redcliff at the time of construction of such residence.
  22. All surface contours and surface drainage systems established shall not be altered in any manner whatsoever. Without restricting the generality of the foregoing, the owner or owners from time to time of each of the lots shall not:
    - (a) suffer or permit dirt, fill, loam, gravel, paper or other debris, weeds, snow, ice or slush, (collectively referred to as "material") to fill or accumulate or remain on or upon the lands and which material would:
      - i) alter the level or grades of the lot or lots as established by the grade plan;
      - ii) restrict, impair, impede, alter or otherwise interfere with the drainage across the lots, including, without limiting the generality of the foregoing, drainage through or around any drainage control fence, grass swale, concrete or asphalt drainage or other drainage control structure which may be erected on the lots.
    - (b) Alter, remove, damage or otherwise interfere with any drainage control fence, grass swale, concrete or asphalt drainage gutter or other drainage control structure which may be erected on the lots.