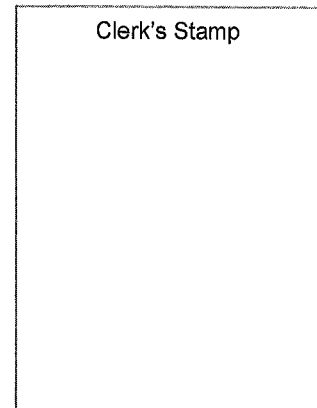


COURT FILE NUMBER 2101-06388  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE **CALGARY**  
PLAINTIFF ATB FINANCIAL  
DEFENDANT ALBERTA FOOTHILLS PROPERTIES LTD.



APPLICANT FTI CONSULTING CANADA INC., in its capacity as the Court appointed Receiver of ALBERTA FOOTHILLS PROPERTIES LTD.

DOCUMENT **AFFIDAVIT OF JEFF GREENE**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
CARON & PARTNERS LLP  
Barristers and Solicitors  
#2120, 237 – 4<sup>th</sup> Avenue SW  
Calgary, AB T2P 4K3  
Telephone: (403) 262-3000  
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Attention: Jennifer D. Sykes

**AFFIDAVIT OF JEFF GREENE**  
**Sworn on September 3, 2021**

I, Jeff Greene, of the Town of Okotoks, in the Province of Alberta, SWEAR AND SAY THAT:

1. I am employed by the Town of Okotoks (the "Town") as Director, Growth, Investment and Sustainability, and as such I have personal knowledge of the matters set out herein save where stated to be based on information and belief, and where so stated, I verily believe the same to be true.

2. On January 11, 2021, the Town adopted a new Municipal Development Plan (the “MDP”). The MDP changed the Town’s approach to growth, including the sequencing of growth within the Town’s boundaries.
3. As a result of the new MDP being adopted, the Town began reviewing the area structure plans it had in place, as well as the status of property developments under those area structure plans. Those area structure plans which supported the new growth strategy identified in the MDP were allowed to keep moving ahead. The Wind Walk Area Structure Plan (“WWASP”) was found not to support the new growth strategy in the MDP, as discussed in paragraph 5 below, and further was the only area structure plan within the Town’s boundaries where work had not commenced on the land itself.
4. As of January 11, 2021 when the MDP was adopted, there has been no active development taking place on the lands legally described as NW 16-20-29-4 (the “Property”) that is the subject of the WWASP. There had been no sub-division of any portion of the Property, and the 7-phase development proposed under the WWASP had not proceeded to the first stage.
5. The development proposed by the WWASP was found not to support the new growth strategy in the MDP as:
  - a. the WWASP contemplates residential growth. The MDP works with a 60-year time horizon, so even though it identifies the Property for residential development, this does not mean such development is appropriate at this time. The Town has estimated that it currently over 40 years’ inventory of residential properties, whereas it has a shortage of other types of property such as industrial properties;
  - b. I am advised by the Town’s community growth and investment department and verily believe that, given the current amount of residential property already available, it is the Town’s priority to service industrial lands first;
  - c. The MDP emphasizes multi-modal transportation and prioritizes pedestrians, cyclists and transit over single occupant vehicles. The Property affected by the WWASP is located across Highway #7 from the majority of the Town. Highway #7 is a provincially controlled highway, creating significant challenges in terms of coordination and barriers in creating safe active transportation connections; and
  - d. The infrastructure that would be required to service the Property crossing Highway 7 would need to cross property owned by third parties for which the Town does not have the necessary rights of way.

Investing in a residential area that is not required for many years and creates such significant cost, coordination and safety challenges was not considered a priority for the Town, hence the decision to propose rescinding the WWASP.

6. I swear this Affidavit on behalf of the Town of Okotoks in relation to the Application for advice and direction and for no improper purpose.

SWORN BEFORE ME AT  
Okotoks, Alberta, this 3 day of  
September, 2021

  
A COMMISSIONER FOR OATHS  
IN AND FOR ALBERTA

  
JEFF GREENE

**Karen L. Humby**

A Commissioner for Oaths  
in and for the Province of Alberta  
My Commission expires January 22, 2022