

COUNTY OF LETHBRIDGE
IN THE PROVINCE OF ALBERTA

BY-LAW NO. 1332

A BY-LAW OF THE COUNTY OF LETHBRIDGE
BEING A BY-LAW PURSUANT TO SECTION 633(1) OF
THE MUNICIPAL GOVERNMENT ACT, CHAPTER M.26.1

WHEREAS Martin Geomatics (on behalf of the Landowners) wishes to develop a Grouped Country Residential Subdivision on a portion of the N.W. ¼ of Section 6, Township 10, Range 21, West of the Fourth Meridian;

AND WHEREAS the property is presently classified as Grouped Country Residential (G.C.R.);

AND WHEREAS the Developer has submitted the "Diamond City North" Area Structure Plan which will provide a framework for subsequent subdivision and development of the area;

NOW THEREFORE BE IT RESOLVED that the Council of the County of Lethbridge does hereby adopt the "Diamond City North" Area Structure Plan attached as Appendix "A"

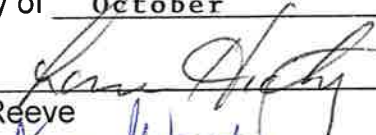
GIVEN first reading this 3rd day of September, 2009.




Reeve


County Manager

GIVEN second reading this 15 day of October, 2009.



Reeve


County Manager

GIVEN third reading this 15 day of October, 2009.



Reeve


County Manager



DIAMOND CITY NORTH

AREA STRUCTURE PLAN

COUNTY OF LETHBRIDGE
BYLAW #1332

Prepared By:
Martin Geomatic Consultants &
Plains West Consultants

OCTOBER, 2009

**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

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1. INTRODUCTION

a. PURPOSE OF THE PLAN

- i. Diamond City North will create a residential housing cluster not unlike the many existing properties within the Hamlet of Diamond City itself. Prior to consideration of subdividing or re-subdividing property, the County of Lethbridge requires preparation of an Area Structure Plan to address all planning issues related thereto. The purpose of this area structure plan is thus to provide all pertinent information to the County and its advisors that will enable re-subdivision of the subject property.

b. BACKGROUND TO THE AREA STRUCTURE PLAN

- i. The subject properties will be re-subdivided to create minimum lot sizes of 1 acre to facilitate septic field construction.

c. THE APPROVAL PROCESS

- i. The County of Lethbridge requires submission of planning documents that are of sufficient detail and clarity to permit comprehensive review by the various agencies, government departments, and utility companies which provide community planning advice to the County.
- ii. In this case, a draft plan will be submitted, reviewed, commented upon and amended accordingly by the consulting team.
- iii. The amended plan will then be resubmitted for approval according to provincial statutory requirements. This plan will also support a land use reclassification pursuant to County of Lethbridge Land Use Bylaw #1211 if required.

d. PLAN PREPARATION

i. PRELIMINARY CONSULTATION

- (a) Prior to commencing the preparation of the area structure plan document, Martin Geomatic Consultants Limited met with:
 - (i) the landowners within the proposed plan area; and
 - (ii) the County of Lethbridge Utilities Supervisor,
- (b) to assess the "as-built" situation to determine what, if any, issues would need to be resolved in undertaking a residential subdivision north of

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McKechney Avenue. Issues that were identified, relating to existing services, will be discussed under the appropriate headings in the utilities section of this plan.

ii. PLAN CONSULTANTS

(a) The plan has been prepared by the following consultants:

- (i) land use planning, plan graphics and plan compilation was undertaken by Plains West Planning;
- (ii) civil engineering, land surveying, plan graphics was undertaken by Martin Geomatic Consultants Ltd.; and
- (iii) soil testing will be undertaken by a Geotechnical Engineering firm prior to Detailed Engineering design.

e. LEGISLATIVE FRAMEWORK

i. THE MUNICIPAL GOVERNMENT ACT

(a) The Diamond City North Area Structure Plan has been produced in accordance with Section 633 of the Municipal Government Act. It is the intention of this plan to create a framework for the future subdivision of this existing Grouped Country Residential classified area. In particular, this document will outline:

- (i) the sequence of development;
- (ii) proposed land uses;
- (iii) the proposed population density;
- (iv) the access and circulation;
- (v) the location of public utilities;
- (vi) other related matters.

ii. COUNTY MUNICIPAL DEVELOPMENT PLAN

(a) The County Municipal Development Plan (MDP) Bylaw #1190 encourages the orderly development of designated hamlets in order to relieve development pressure on agricultural land and to optimize investment in existing infrastructure. County policy also endeavors to ensure that development proposals do not compromise future growth and development of hamlets.

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- (b) Further, the MDP indicates that the County prefers to have area structure plans prepared for its growing hamlets so that matters of growth, land use, hamlet expansion and related issues are identified and addressed.
 - (c) County development and subdivision decisions are intended to direct non-agricultural development toward existing hamlets as well.
 - iii. COUNTY LAND USE BYLAW
 - (a) Through intensification of the subject property adjacent to the hamlet boundary, an option that the County Council could consider would be expansion of the Diamond City Hamlet boundary to include these lands. Inclusion within the hamlet may permit smaller lots to be created than would be the case if the land were to remain outside the hamlet.
 - (b) The Hamlet Residential Land Use District (HR) is intended to provide for a high quality living environment for hamlet residents pursuant to the municipal development plan. The minimum lot size is 5000 square feet (464.5 m²) if lots are serviced with public water and sewage disposal systems whereas the minimum parcel size in the existing Grouped Country Residential District (GCR) is 1 acre (0.4 ha.).
 - (c) Additional requirements of the Land Use Bylaw will be noted in subsequent sections of the plan where necessary.
- f. INTERPRETATION
 - i. This document shall be referred to as "*Diamond City North Area Structure Plan*", County of Lethbridge Bylaw # 1332.
 - ii. All terms referred to in this Bylaw shall have the same meaning as in the Municipal Government Act, the Municipal Development Plan or the Land Use Bylaw unless otherwise indicated.

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2. THE PLAN AREA

a. REGIONAL & COUNTY LOCATION

- i. Diamond City North is located in the County of Lethbridge, immediately north of the Hamlet of Diamond City which in turn is adjacent to Highway 25, about midway between Lethbridge and Picture Butte (*refer to Figures 1 and 2*).

b. DEFINITION OF PLAN AREA

i. BOUNDARIES OF AREA STRUCTURE PLAN AREA

- (a) The plan area encompasses all of the land: between the north side of McKechney Avenue and the southern boundary of SW $\frac{1}{4}$ of section 7; Township 10; Range 21; West of Meridian 4 and between the east boundary of the Highway 25 right-of-way and the westerly boundary of the former CPR right-of-way (*refer to Figure 3*).

ii. GENERAL PHYSICAL DESCRIPTION

- (a) The site is within the Canada Land Inventory Class 3T category and is generally flat with an average slope of 1.0% running from west to east of the study area.

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3. PLAN GOALS AND OBJECTIVES

a. PLAN GOALS

- i. Diamond City North Area Structure Plan will respond to the needs, issues and requirements identified by the owners, the County of Lethbridge as well as those agencies and organizations having an interest in the planning of this area.
- ii. When adopted by the County Council, this Area Structure Plan will create the framework for subdividing and developing the subject property.
- iii. This document will function as the required plan and as such will outline:
 - (a) the sequence of development;
 - (b) proposed land use;
 - (c) proposed lot layout;
 - (d) the access and circulation;
 - (e) the location of public utilities;
 - (f) other related matters

b. PLAN OBJECTIVES

- i. Diamond City North Area Structure Plan will adhere to the following objectives:
 - (a) mesh the development pattern and circulation system with that of surrounding development;
 - (b) establish the supporting internal roadway(s) and public utilities;
 - (c) institute a storm water management system that responds to public utility functions;
 - (d) utilize water from the North County Water Co-op;
 - (e) create a distinctive residential area by establishing development standards; and
 - (f) during the initial Stage, provide lots with minimum size of 1 acre to allow for septic field construction.

4. SITE ANALYSIS

a. SITE CHARACTERISTICS

- i. The site is comprised of \pm 19.10 ha. (\pm 47.30 ac.). As indicated previously,

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the majority of the westerly portion of the plan area is dry land pasture land with the easterly portion mostly irrigated land.

- ii. The plan area consists of 11 parcels owned by 9 owners.
 - iii. There is a mature farmstead/small holding in the north-easterly portion of the parcel that is distinguished by a well-established tree line along its west boundary. This site is already serviced with sanitary sewer and potable water.
 - iv. Three county residences creating a pleasant rural landscape are situated along McKechney Avenue towards the east end of the plan area. Another two residences are situated on the west section of the plan area. These properties are also serviced with sanitary sewer and potable water.
 - v. There are various restrictive covenants, caveats, road right-of-way, easements and notices on the properties within the plan area as indicated on *Figure 5.0*. Any implications of these encumbrances on the subdivision or development of land within the area structure plan will be duly referenced in the appropriate sections of the plan document.
- b. SOILS
- i. A Geotechnical Report will be prepared prior to Detailed Engineering Design stage as part of the County of Lethbridge requirements for new developments.
- c. TOPOGRAPHY
- i. The site is a plain that slopes gradually from west to east on an average slope of 1.0%. as shown on *Figure 5.0*. The common property line between Lot 2 & Lot 12: Block 19 roughly defines the drainage split within the study area. Drainage runoff west of the split is directed to a low point adjacent to the intersection of McKechney Avenue and 3rd Street while the runoff from the east split flows towards a low point on the northeast corner of the subject area adjacent to the CPR.
- d. WATER AND HYDROLOGY
- i. There are no natural bodies of water within the plan area. Lethbridge Northern Irrigation District conveys water for irrigation within the plan area. Steps will be taken so that the LNID water will not cause flooding within the

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proposed subdivision development on Phase 1 while still being able to provide the necessary irrigation water to individual lots within the ASP area that are not part of the initial development.

e. HABITAT AND VEGETATION

- i. The plan area consists mainly of mixed grasses that produce a hay crop and is also used for grazing purposes. There are mature trees around the existing residential sites within the plan area providing habitat for birds and small animals.

f. ENVIRONMENTAL, HISTORICAL AND ARCHAEOLOGICAL SIGNIFICANCE

- i. The "Environmentally Significant Areas in the Oldman River Region" report prepared for the County of Lethbridge indicates:
 - (a) no environmentally significant sites within the plan area;
 - (b) no hazard lands; and
 - (c) no archaeologically significant sites.

g. EXISTING LAND USE

- i. There are two houses situated on the westerly portion of the plan area of flat pasture land. The easterly portion of the plan area consists of an agriculturally oriented small holding that includes a home [Lot 2, Block 19]; immediately south of this property are three smaller country residential lots with one home each (*refer to Figure 5.0*).
- ii. At present, there is a trucking operation conducted on property adjacent to the plan area south of McKechney Avenue which could be considered incompatible with the proposed use.
- iii. The remaining property adjacent to the south side of the plan area is primarily residential in nature.
- iv. Land north of the plan area consists of a farmstead and an irrigated field.
- v. Highway 25 passes along the west side of the site but does not provide any site access. There is, however, an existing service road easement parallel to Highway 25 that serves as an access to the current occupants of Lot 6 (see Appendix 3).
- vi. Adjacent to the plan area west of Highway 25 is parcel of land containing an

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5. CONSTRAINTS & OPPORTUNITIES

a. CONSTRAINT EVALUATION

i. SOIL CAPABILITY FOR RESIDENTIAL DEVELOPMENT

(a) A geotechnical Evaluation of the plan area particularly the Phase 1 development will be conducted prior to Detailed Engineering Design stage to provide the necessary information on the ground and/or sub-surface characteristics that is necessary for proper design of both the surface and underground utilities for the subdivision as well as the appropriate footings and foundations for houses.

ii. TOPOGRAPHY

(a) The gentle slope of the site will require careful grading of the lots as well as the internal roads and swales/ditches to ensure proper drainage is achieved through an approved storm water management design to be submitted at the detailed design stage.

iii. TRAFFIC IMPACT & ACCESS CONSIDERATIONS

(a) Direct access is not permitted to Highway 25, thus traffic must utilize the internal street system of Diamond City, primarily McKechney Avenue for access beyond the plan area.

(b) It may be necessary to include visual buffering and /or sound attenuation for lots adjacent to Highway 25 because of headlights and noise from highway traffic.

(c) In consideration to the above and during previous discussions with the Alberta Transportation concerning the Area Structure Plan, they said that at present, a Traffic Impact Analysis (T.I.A) for the plan area is not required, however Alberta Transportation reserve the right to request for such a study to be conducted as it deemed necessary. . If a T.I.A. will be required during the subdivision and/or prior to the final approval of the subdivision detailed design plans, the T.I.A. will have to be prepared by a qualified transportation engineer at the expense of the developer. A T.I.A. should include, but may not be limited to an analysis and evaluation of:

(i) potential impact of a proposed subdivision and/or development on the

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existing transportation network; and

- (ii) a program of future expansion an/or improvement of the transportation network to accommodate the proposed growth and to preserve the function and integrity of the transportation network.

iv. AGRICULTURAL CONSIDERATIONS

- (a) The most widespread land use within a 0.8 km (½ mile) radius of the plan area is irrigated cropland of various types.
- (b) The proposed development of the plan area is not likely to constrain any existing agricultural land use. Agricultural operations in the vicinity of the development area may, at times, create dust or noise. This is normal rural farming activity which may have to be explained to potential residents as a factor to consider when choosing rural living.
- (c) Development setbacks and screening may be employed to help mitigate visual or audible impacts.

v. NATURAL RESOURCE DEVELOPMENT

- (a) There is no natural resource development within the vicinity of the study area which can either restrict or be impacted by the proposed subdivision development.

b. DEVELOPMENT OPPORTUNITIES

i. LOCATION

- (a) Diamond City North has a significant locational advantage because it is adjacent to the Hamlet of Diamond City and mid-way between Lethbridge and Picture Butte which offer a wide variety of educational, medical, commercial recreational and community services and amenities.

ii. HOUSING CHOICE

- (a) Diamond City North provides for rural lifestyle in an urban-like setting.

iii. FUTURE LAND USE CLASSIFICATION

- (a) The County Land Use Bylaw (L.U.B.), has already designated the plan area for clustered country residential development. As indicated previously, it may be advantageous at a future date for the plan area to be incorporated within the Hamlet of Diamond City and re-classified to

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Hamlet Residential which may allow for smaller lots.

iv. EASE OF DEVELOPMENT

- (a) All of the basic utilities are at or near the site boundary which will make it easier and less expensive to service and develop the new lots.

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6. PLAN POLICIES

a. THE PLAN CONCEPT

- i. The Diamond City North ASP will create a residential housing cluster not unlike the many existing properties within Diamond City itself and is envisioned to be fully integrated with the public utilities services within the County.
- ii. Shadow planning will extend over adjacent lands that are not owned by Ed Mulder and Company to ensure planning continuity and related matters.
- iii. Site contours will be utilized to minimize site grading.
- iv. Storm water within the Phase 1 development will be managed such that runoff will be directed towards the appropriate discharge point along the existing storm water management system of the Hamlet adjacent to the proposed development.
- v. Post-development flows will not exceed pre-development flows as per the County of Lethbridge's "Engineering Guidelines and Minimum Service Standards".

b. LAND USE COMPONENTS

- i. Diamond City North residential land use will remain as group country residential consisting of 12 lots during the Initial Stage. If at a future time County Council approves its inclusion into the Hamlet and allows it to be tied-in to Diamond City's infrastructure system, the development may be allowed to reduce its lot sizes to a minimum of 0.40 or 0.50 acre (0.162 or 0.202 ha) and shall be re-zoned as a low density residential thereby creating possibly 21 residential lots on the property owned by Ed Mulder and Company.
- ii. Property owned by others could yield at least twice as many lots of similar size to that of Ed Mulder and Company.

c. PHASING

- i. Diamond City North will be undertaken in one phase which comprises the lands owned by Ed Mulder and Company in the westerly portion of the plan area (lots 6 to 9, Blk. 19; 971 0186) with a potential for a future phased area east of Ed Mulder and Company's development area (lots 2-5, 10-12, Blk.19;

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971 0186).

- ii. The development of Phase 1 can be staged into sub-phases depending on the wishes of the various owners.
- iii. The development of future phases on the eastern section of the plan area will depend on and vary with the wishes of the various owners.

d. **DENSITY AND POPULATION**

- i. The housing density within Phase 1 corresponding to 12 lots during the initial stage is 0.85 units per acre (2.11 units per ha.) of net area. The density will increase to 1.49 units per acre (3.69 units per ha.) corresponding to an increase in the number of lots if the development is allowed to tie-in to the Hamlet's sanitary sewer system.
- ii. The housing density within future phases is 0.68 units per ac (1.65 units per ha.) if subdivided and developed at a density based from the input of the current owner of Lot 2: Block 19.
- iii. The population within Phase 1 of the plan area during the initial stage will be approximately 38 persons [12 lots x 3.18 persons per dwelling¹].
- iv. Population within future phases to the east could be approximately 48 persons if subdivided and developed at a density based from the input of the current owner of Lot 2: Block 19.
- v. The population density in phase one during the initial stage will be approximately 6.68 persons per hectare of net area.
- vi. The population density for future phases will be approximately 5.3 persons per hectare of net area if subdivided and developed at a density based from the input of the current owner of Lot 2: Block 19.

e. **NEIGHBOURHOOD CHARACTERISTICS**

- i. Diamond City North is intended to blend into the grid system prevalent within the Hamlet of Diamond City.

f. **RESERVE REQUIREMENTS**

i. **MUNICIPAL AND SCHOOL**

- (a) There is no land within the proposed area structure plan dedicated for

¹ Sec.4.A "Sanitary Sewer and Potable Water Study" Hamlet of Diamond City, AB

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either municipal or school reserve. It is proposed to meet the reserve requirements at the time of subdivision by providing money in place of land. Where there may already be deferred reserve caveats in place, those will be requested to be discharged as money is paid to the County to satisfy the requirement.

ii. ENVIRONMENTAL

(a) There is no apparent need for environmental reserve within the plan area.

g. TRANSPORTATION

i. SITE ACCESS AND CIRCULATION

(a) The main access into the proposed development area will be on McKechny Avenue. During previous discussions with Alberta Transportation, they indicated that a TIA study is not required at this time; however they reserve the right to request for such study as they deemed necessary.

(b) The internal road will have a paved width of 8.0m and a 20.0m right of way as per the County of Lethbridge's "Engineering Guidelines and Minimum Service Standards".. A typical road cross section is as shown on Figure 11. It is proposed that the road will have gravel surface and remain unpaved for three (3) years to facilitate any possible upgrading of the water distribution and installation of sanitary sewer line within the development if the subdivision becomes part of the Hamlet and allowed to tie-in to its public utilities. If not, then the road will be paved as per service agreement.

(c) Access to the westerly lots via the existing access road will be allowed until the permanent cul-de-sac is constructed, as per discussion with Alberta Transportation.

ii. EXTERNAL ROADWAYS

(a) Highway 25, although not providing direct access to the future subdivision, may require widening along its easterly boundary which will impact lots along the west side of the plan area. Lot design should bear this in mind and any land required for road widening should be acquired at the time of

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subdivision.

- (b) Discussion with the County indicates that McKechney Avenue may be upgraded to a truck route in the future.

h. SERVICING

i. POTABLE WATER SUPPLY AND DISTRIBUTION

(a) Domestic Water and Fire Protection for Diamond City

- (i) The City of Lethbridge currently supplies the treated water requirements for the Hamlet of Diamond City thru the North County Water Co-op. The pressure is variable depending on demand of the upstream and downstream water users (north and south of Diamond City). The supply of treated water enters the small-buried concrete reservoir based on level/flow control. Booster pumps located above the concrete storage reservoir, at present, are only capable of providing the domestic flows for the distribution and truck loading systems

(b) Domestic Water and Fire Protection Requirement for ASP Area

- (i) During the initial stage, the domestic water requirements for the subdivision will be supplied by the North County Water Co-op via a new water distribution pipe running parallel along the north boundary property line of the ASP area as shown on Figure 10.0. This will be either a metered turnout or a trickle system with individual cisterns. There is no fire protection within the subdivision which is also true for the whole of Diamond City.
- (ii) All water mains shall be installed in accordance to the latest County of Lethbridge Engineering Guidelines.

ii. SEWAGE DISPOSAL

(1) Initial Phase – Septic Fields

- (a) - During the Initial Stage, a total of 12 lots will be created in Phase 1 with Individual lot having a minimum size of 1.0 acre (0.404ha) to allow for septic field construction. At least 8 of the new lots will be using septic

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fields until such time that the County Council and Administration allows the subdivision to connect into the Hamlet's sanitary sewer system. Presently, the 4 lots within Phase 1 fronting McKechney Avenue are already connected to the Hamlet's sanitary sewer and water distribution systems.

iii. STORM WATER MANAGEMENT

(a) EXISTING CONDITION

- (i) The subject parcel is located within the catchment of a coulee the upper end of which is located at the end of Township Road 10-1 at Range Road 21-5. This coulee discharges onto the Oldman River floodplain approximately 2.0 km east of the subject parcel. This coulee receives runoff from approximately 94 ha of land including much of Diamond City via a drainage ditch parallel Township Road 10-1. Overflow water from several Lethbridge and Northern Irrigation District (LNID) customers is directed to this coulee via the above-noted ditch.
- (ii) The subject area itself can be divided into two catchment areas with the drainage split corresponding very roughly with the common property line between Lot 2, Block 19, Plan 8410616 and Lot 12, Block 19, Plan 9710186.
- (iii) Runoff from the area west of the split is directed to a low point adjacent the intersection of McKechney Avenue and Third Street. This low point is drained by a 400-mm diameter corrugated steel pipe (CSP) culvert. The culvert discharges south of McKechney Avenue into the east ditch of Third Street. Here it follows Third Street south to Underwood Avenue, where the ditch deflects eastward. Runoff follows Underwood Avenue east to Railway Street, where it deflects northward. Approximately 130 m north of Underwood Avenue, there exists a low point in the ditch which is drained by a 600-mm diameter CSP culvert under Railway Street. From the discharge of 600-mm diameter culvert on the east side of Railway Street south of McKechney Avenue, the ditch slopes northward for approximately 35 m, where a 600-mm CSP culvert passes under the CPR. Here flows from the west part of the

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subject area joins flow from the east half of the subject area.

- (iv) Runoff from east of the drainage split flows eastward to the embankment of the CPR. From here, a ditch drains south toward McKechney Avenue where a low point exists north of the intersection with Railway Street. At this point, a culvert exists which discharges in the east ditch of Railway Street. This ditch is graded southward for approximately 70 m to the 600-mm diameter CSP culvert under the CPR, where it joins flows from the west part of the subject parcel and much of Diamond City.
- (v) The culvert under the railway discharges into the railway's east ditch, which flows north toward McKechney Avenue. Immediately southeast of the McKechney Avenue railway crossing, the channel deflects eastward through a 600-mm diameter CSP culvert under a driveway. The channel then deflects northward, passing through a 600-mm diameter culvert under a gravel road. The channel then runs along the east side of gravel road immediately east of the CPR for approximately 200 m to Township Road 10-1. At this point the channel passes through a 600-mm diameter CSP culvert under a farm access. At the discharge end of this culvert, the channel receives flow from lands immediately west of the CPR as well as various overflows from LNID.

(b) DRAINAGE CONCEPT

- (i) The development is to be surface-drained. Generally, runoff will be directed from the lots into grass ditches paralleling the subdivision roads. These roads will convey runoff to the existing road ditches. Where practical, lot drainage will be routed by shallow swales to ensure it flows to public rights-of-way without crossing other private property. Where it is not practical to route drainage directly to public rights of way, drainage easements will be registered on titles of lots which offsite drainage crosses. Drainage from public rights of way will not be routed across private property – where required, public utility

DIAMOND CITY NORTH AREA STRUCTURE PLAN OCTOBER 2009

lots will be provided to accommodate these flows. Culverts will be constructed within the subdivision where required (i.e. at driveway crossings). To ensure adequate drainage and to reduce blockage, the minimum culvert size proposed is 400 mm. Larger culverts will be provided under the subdivision roads at their intersection with McKechney Avenue.

- (ii) Ditches and culverts will act similar to the "minor system" (storm sewers) in urbanized areas insofar as they are intended to ensure runoff does not pond for extended periods. The ditches and culverts will be designed to drain lesser-intensity, more frequent storm events (e.g. 5-year return period storm) without allowing runoff to overtop driveways or inundate roads.
- (iii) Larger storms may flood over driveways, roads and may pond into adjacent property. However, it is assumed that property will be graded to provide positive drainage to public rights-of-way and that buildings will be situated on lots to ensure flooding from major (e.g. 100-year return period) storms will not cause damage. To this end, certain elevations are critical in setting minimum building elevations:
 - No building ground elevations in the western portion of the site should be set lower than the elevation of the crown of McKechney Avenue at Fourth Street, 910.0 m.
 - No building ground elevations in the eastern (future) portion of the site should be set lower than an elevation from which flood waters can drain overland.
 - Notwithstanding the above, building elevations should be set a minimum 0.6 m above the crown of the adjacent road.
 - Location of any storm water management facility (i.e. pond) will be determined during the detailed design stage.
 - Post development flows will not exceed pre-development flows as per the County of Lethbridge's "Engineering Guidelines and

**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

Minimum Service Standards”.

- Provision for the potential of a higher density development will be included in the design of the storm water management system/facility.

(c) SITE GRADING

- (i) The subdivision will be graded to be consistent with the overall stormwater management plan. Individual lots will be graded such that all surface runoff will be directed to perimeter swales designed to carry the stormwater runoff into the road ditches and towards the designated storm water management facility. The required size and cross section of these conveyance facilities will be determined during Detailed Design stage in accordance with the County of Lethbridge’s “Engineering Guidelines and Minimum Service Standards”.

i. UTILITIES

i. ELECTRICITY

- (a) Epcor is the electricity provider for the County of Lethbridge and the distributor is Fortis Alberta. All necessary applications for the detailed design and installation of electric utilities will be submitted to Fortis for their approval.

ii. NATURAL GAS

- (a) Natural gas is available through ATCO Gas. A domestic gas line will be located within the road right-of-way.

iii. TELECOMMUNICATIONS/CABLE SERVICE

- (a) Telephone service may be provided through the TELUS network in underground cable throughout the development. Alternatively, cellular phone service may be available. Shaw Communications provides cable service for the area.

iv. SOLID WASTE MANAGEMENT

- (a) Individual/Private solid waste will be disposed of at local transfer station for the development unless a municipal fee-for-service is available.

j. PROTECTIVE SERVICES

**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

i. FIRE PROTECTION

(a) The County of Lethbridge has emergency services stationed in Picture Butte which includes a command unit and a pumper truck that can be called upon if needed. Picture Butte is approximately 13 kilometers from the plan area.

ii. POLICE PROTECTION

(a) Policing in the County of Lethbridge is provided by the R.C.M.P. which has detachments located in the City of Lethbridge and in Picture Butte. The City and Picture Butte detachments are approximately 16 kilometers and 13 kilometers respectively from the plan area.

7. SUBDIVISION & DEVELOPMENT STAGING

- a. Future subdivisions will comply with the land use concept illustrated on Figure 7.0 and the County of Lethbridge's "Engineering Guidelines and Minimum Service Standards"..
- b. Diamond City North will be serviced in 2 or more phases beginning with the westerly portion as indicated on Figure 8.0.

**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

8. DEVELOPMENT CONTROL

- a. Purchasers must apply for development approval according to the process in effect for the appropriate Land Use District in the County of Lethbridge Land Use Bylaw # 1211. Unless the plan area is added to the Hamlet of Diamond City and reclassified to Hamlet Residential, the Grouped Country Residential policies and requirements will apply.
- b. Subject to approval of the County development authority, residents may be restricted in the number of pets allowed to be kept on each development site. For occupants in lots 1 to 12, phase 1 (westerly portion of ASP area – figure 7) that may own adjacent lots with a combined size of at least 1.5 acres or more, they are allowed to raise only 2 of either cows or horses. Other animals inappropriate to a residential environment or the size of the lot would not be allowed. These include roosters, fowl, dogs that are normally considered dangerous such as Pit Bulls, Rottweilers, and Dobermans etc. The easterly portion of the ASP area (Potential Future Development) will determine the amount of pets at the development stage.

**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

9. DEVELOPMENT AGREEMENT

- a. The Developer will enter into a Development Agreement with the County of Lethbridge regarding the following matters:
 - i. access and egress to McKechney Avenue along the south side of the development site;
 - ii. road construction;
 - iii. storm water easements; and
 - iv. other services or matters considered necessary by the County of Lethbridge.

**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

10. BUILDING CONTROL STANDARDS

a. INDIVIDUAL SITE DEVELOPMENT

- i. Diamond City North is intended to optimize its location adjacent to Diamond City and close to Lethbridge and all of its amenities. In addition to the technical features noted previously, individual site development will utilize a basic level of control to achieve quality within the development site as well as to protect property values.

b. BUILDING CONTROL ELEMENTS

i. HOUSING FORM

- (a) Single detached houses will be the dwelling type allowed within the development.
- (b) Mobile homes, double-wide mobile homes and moved-in homes will be not be allowed within the west phase 1 development.

ii. HOUSE SIZE

- (a) Primary dwellings within the subdivision will be required to have a minimum footprint of 1000 square feet (92.9 m²) in area.

iii. SITE DESIGN FEATURES

(a) HOUSE DESIGN

- (i) Residents will be encouraged to work with a designer in the planning and design of their homes to ensure that a consistent level of development is achieved.

(b) HOUSE PLACEMENT

- (i) In the initial phase of Phase 1, residents will be required to place their house on pre-designated building envelopes to allow for septic fields and future subdivision of the lots upon approval to tie-in to the Hamlets infrastructure. Residents are also encouraged to work with a designer in the placing of their homes and accessory buildings to ensure that;
- uniform site grading takes place especially for drainage purposes;
 - driveway locations are optimized;
 - landscaping details are considered and coordinated or where possible or practical

DIAMOND CITY NORTH AREA STRUCTURE PLAN OCTOBER 2009

- privacy is optimized; and
- Proper setbacks are maintained especially for lots where an existing ATCO Pipeline or any other easement runs thru the property. The lot owner or its representative should consult with the County of Lethbridge or the holder of the particular easement with regards to their setback requirements

(c) ACCESSORY BUILDINGS

- (i) Accessory buildings, such as garages may be allowed subject to the appropriate control guidelines and approval by the Municipal District development authority.

(d) BUILDING MATERIALS

- (i) Residents will be encouraged to co-ordinate the finishing materials for their homes in order to achieve a unified appearance within the development site.

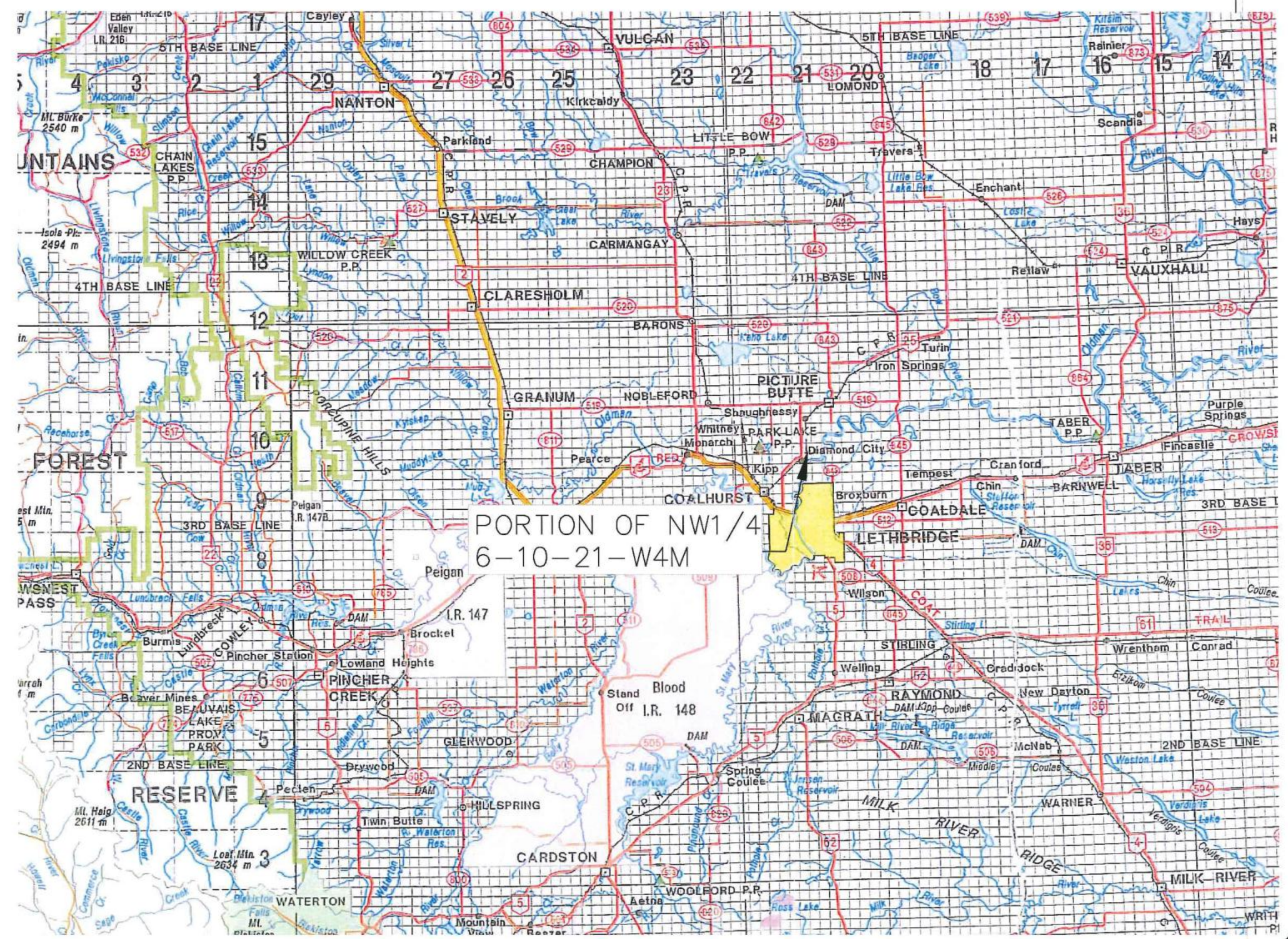
**DIAMOND CITY NORTH AREA STRUCTURE PLAN
OCTOBER 2009**

11. IMPLEMENTATION

- a. This Area Structure Plan will become a Bylaw of the County of Lethbridge.
- b. If necessary, the County of Lethbridge will be requested to amend its Land Use Bylaw, in accordance with the Area Structure Plan to create the appropriate land use district to regulate land use matters within the A.S.P boundaries.
- c. All subsequent subdivision applications must adhere to provisions of this A.S.P. Bylaw and the Land Use Bylaw.
- d. Subdivision of land can only occur through established provincial (Municipal Government Act and Subdivision Regulation) in conjunction with the Oldman River Regional Services Commission; and municipal processes that will ensure appropriate municipal and environmental reserves are bestowed and that appropriate fees, levies and service agreements are provided.
- e. Development applications, within the boundaries of the plan area, must comply with the requirements of the respective land use districts for which they are proposed.
- f. Building permits must be reviewed through a safety codes process approved by the County of Lethbridge.
- g. The developer of Diamond City North will establish a level of architectural standards and development limitations in order to achieve the desired results within the proposed subdivision. These standards and limitations are beyond the normal statutory requirements of the County of Lethbridge and will thus be administered by either the Diamond City North Developers or agents acting on their behalf and within their legal authority.
- h. The County of Lethbridge may utilize other bylaws and policies that will regulate aspects of activity within the boundaries of the Area Structure Plan.
- i. Farming on adjacent lands is considered a compatible land use activity in the County of Lethbridge and future purchasers will be advised of the types of agricultural activities that take place in the vicinity of Diamond City North.

FIGURES (MAPS)

ED MULDER AND CO.
 DIAMOND CITY
 COUNTY OF LETHBRIDGE



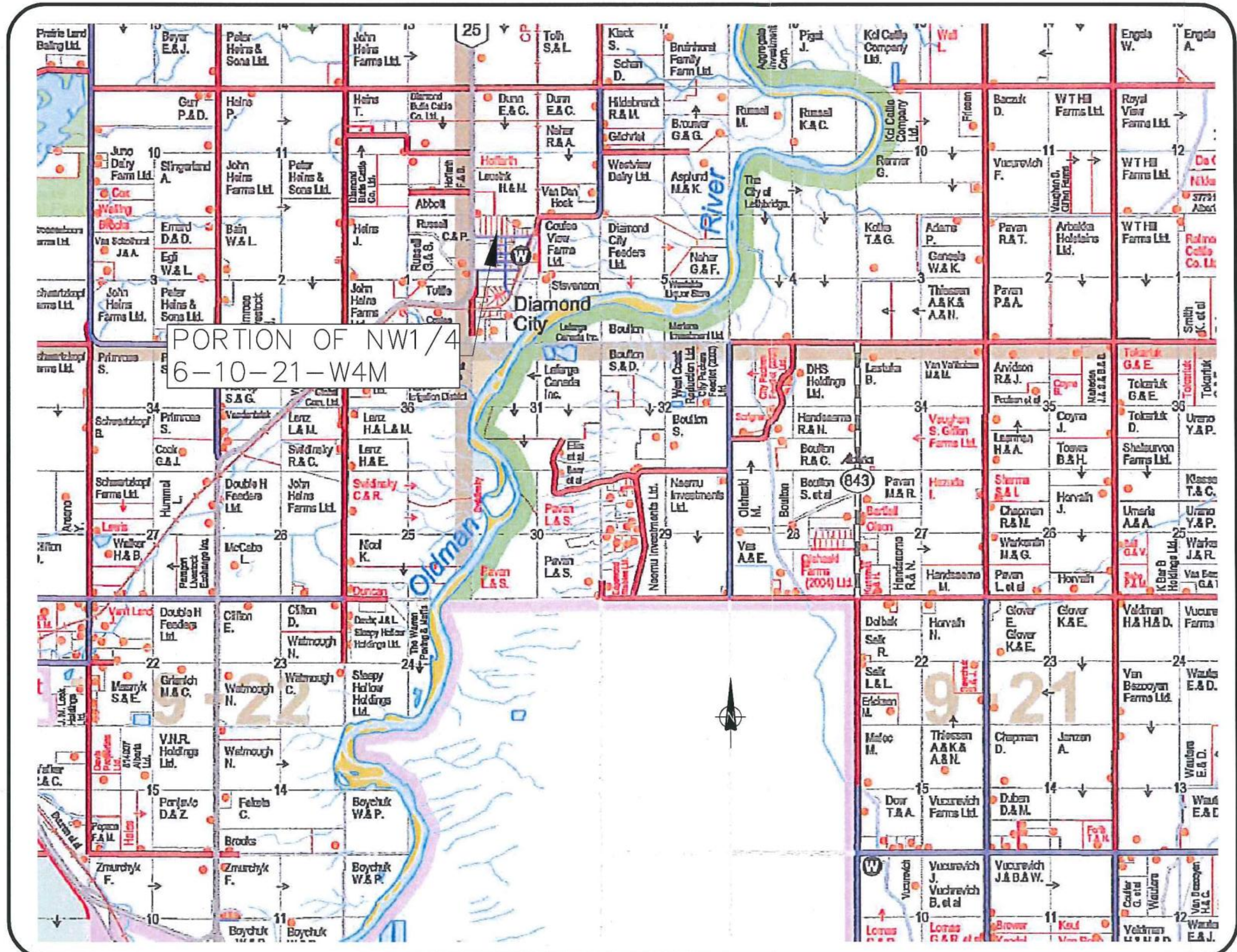
SCALE:N.T.S.

MARTIN
 GEOMATIC CONSULTANTS LTD.
 CONSULTING ENGINEERS, PLANNERS AND LAND SURVEYORS
 255-3157 NORTH, LETHBRIDGE, ALBERTA T1M 3Z4
 PH: (403) 329-0050 E-mail: geomatic@mgcl.net FAX: (403) 329-6094

FIGURE 1.0
 REGIONAL MAP -
 SITE LOCATION

DATE: JAN. 2009 DRAWN BY: DP

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COUNTY OF LETHBRIDGE



PORTION OF NW1/4
6-10-21-W4M

SCALE: N.T.S.

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255-31ST NORTH, LETHBRIDGE, ALBERTA T1H 3Z4
PH: (403) 329-0050 E-mail: geomart@mpd.net FAX: (403) 329-6594

FIGURE 2.0
COUNTY MAP -
SITE LOCATION

DATE: JAN, 2009 DRAWN BY: DP

Z:\Active Projects\081346 Mulder\CADD\Planning-ASP\dwg\Jan0809.dwg

ED MULDER AND CO.
 DIAMOND CITY
 COUNTY OF LETHBRIDGE

LEGEND:

--- ASP BOUNDARY

SCALE: 1: 4000

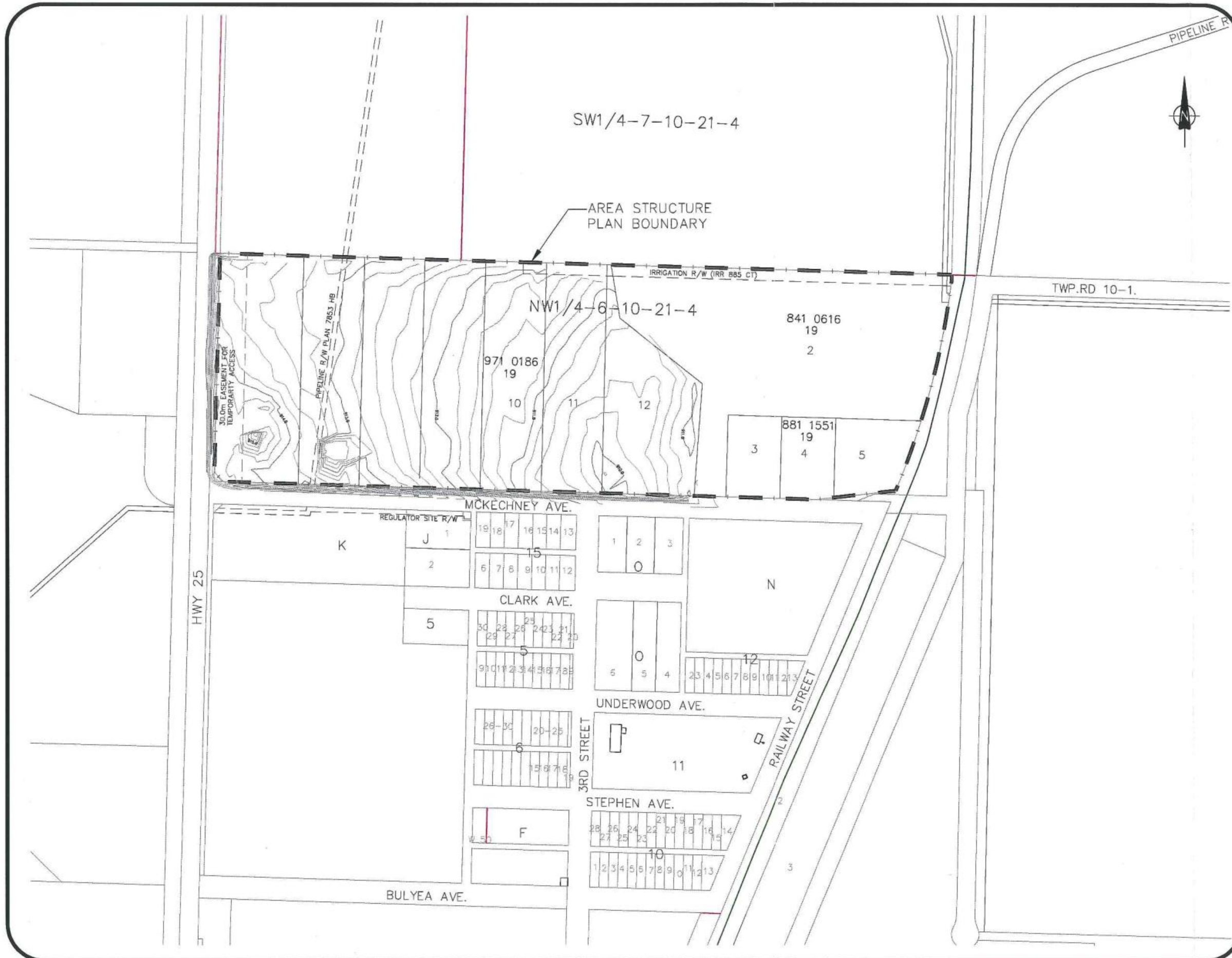


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FIGURE 3.0
 SITE LOCATION

DATE: JAN. 2009

DRAWN BY: DP



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DIAMOND CITY
COUNTY OF LETHBRIDGE

LEGEND:

--- ASP BOUNDARY

SCALE: 1: 3000

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FIGURE 4.0

LAND OWNERSHIP

DATE: JAN. 2009

DRAWN BY: DP

SW1/4-7-10-21-4



AREA STRUCTURE
PLAN BOUNDARY

IRRIGATION R/W (IRR 885 CT)

NW1/4-6-10-21-4

841 0616
19
2

DONALD DYER
MACLENNAN

971 0186
19

10

11

12

DONALD DYER
MACLENNAN
&
THEONE MARIE
MACLENNAN

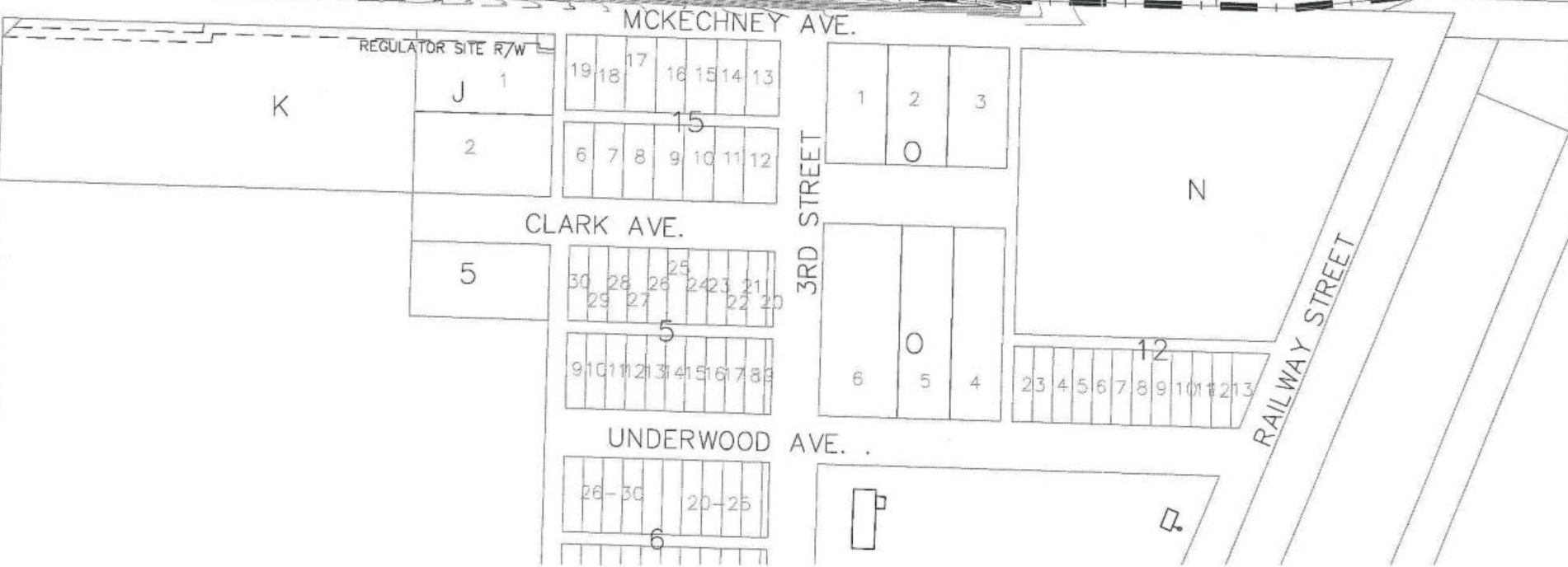
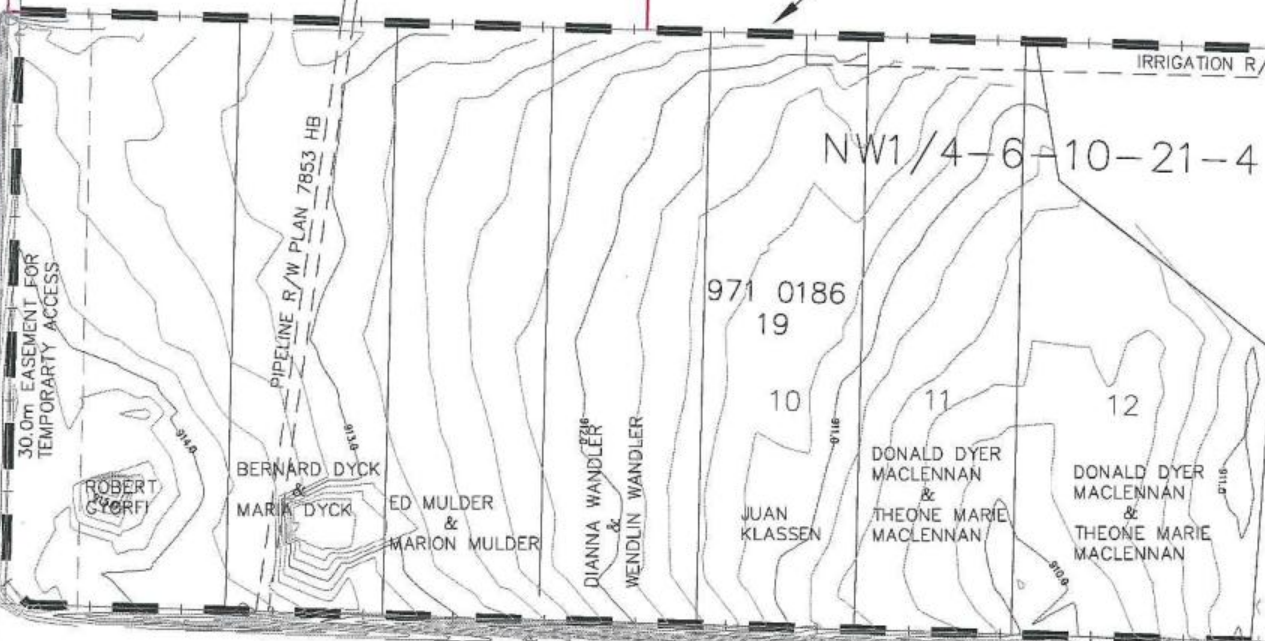
DONALD DYER
MACLENNAN
&
THEONE MARIE
MACLENNAN

LAURENCE GORDON
DEVERALL
&
SHARON CAROLINE
DEVERALL

881 1551
19
4

LEENDERT
VAN RHIJN
&
ANNA
JOHANNA
VAN RHIJN

ANDRE
VANDERBRUINHORST
&
CAROLYN JOY
VANDERBRUINHORST



HWY 25

ED MULDER AND CO.
DIAMOND CITY
COUNTY OF LETHBRIDGE

SW1/4-7-10-21-4



AREA STRUCTURE
PLAN BOUNDARY

IRRIGATION R/W (IRR 885 CT)

NW1/4-6-10-21-4

841 0616
19
2

971 0186
19
10 11 12

881 1551
19
3 4 5

MCKECHINLEY AVE.

REGULATOR SITE R/W

HWY 25

K

J

2

5

CLARK AVE

3rd STREET

N

G

RAILWAY STREET

UNDERWOOD AVE.

26-30

6

LEGEND:

- ASP BOUNDARY
- LS ✕ LIGHT STANDARD
- PP ● POWER POLE w/ OH LINE
- ⬡ TS TRAFFIC SIGNAL
- ⊠ PED TELEPHONE PEDESTALS
- EX. HOUSES/STRUCT.
- C.S.P. EX. C.S.P.
- G EX. GAS LINE
- T EX. TELUS LINE
- 911.0 EX. CONTOUR LINE

SCALE: 1: 3000



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FIGURE 5.0







EXISTING CONDITION

DATE: JAN. 2009

DRAWN BY: DP

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COUNTY OF LETHBRIDGE

LEGEND:

-  ASP BOUNDARY
-  GROUPED CONTRY RESIDENTIAL (GCR)
-  HAMLET RESIDENTIAL (HR)
-  HAMLET TRANSITIONAL/AGR'L.(HT/A)
-  HAMLET COMM'L. (HC)
-  HAMLET PUBLIC/INSTITUTIONAL(HP/I)

SCALE: 1: 5000

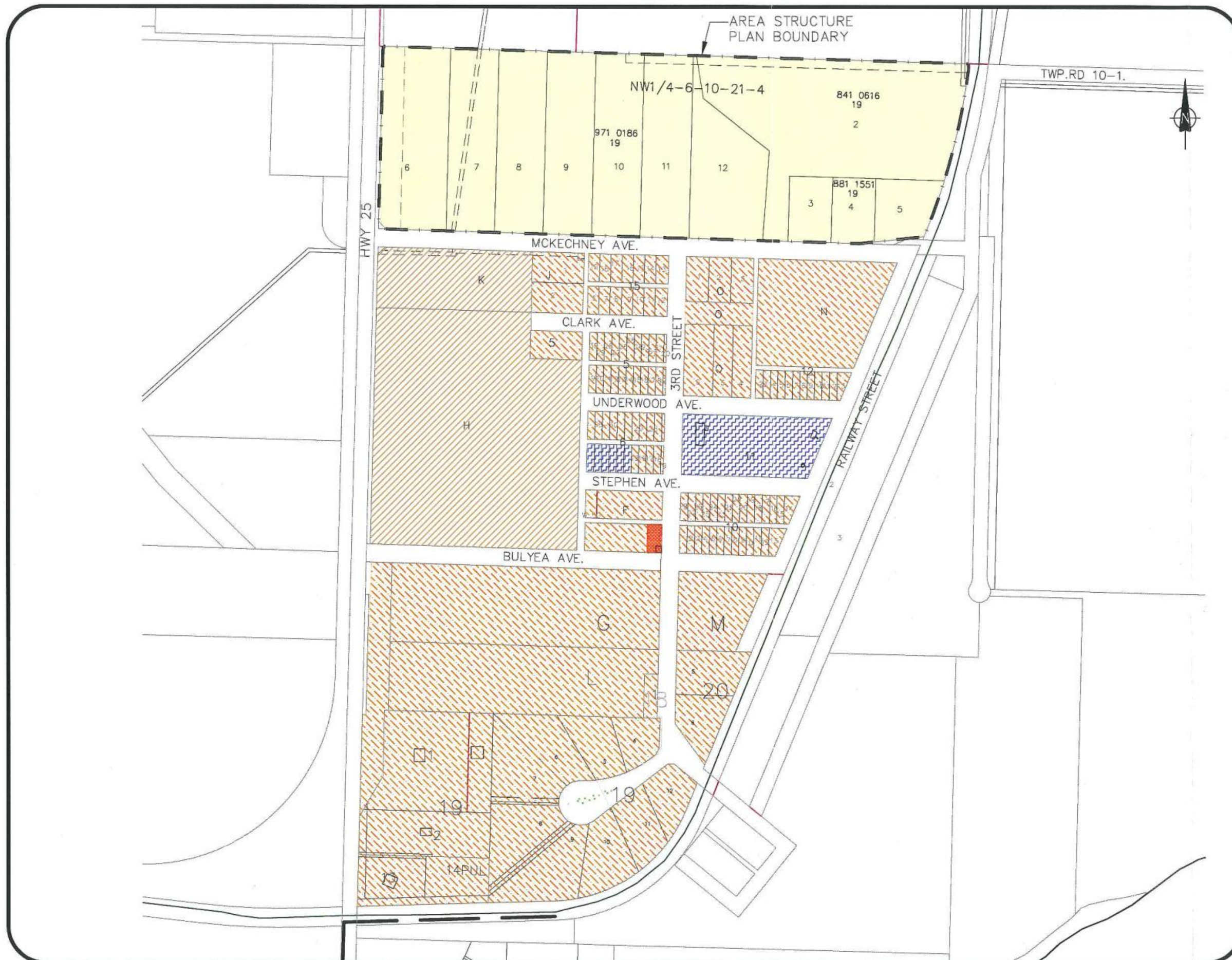


FIGURE 6.0

EXISTING LAND USE

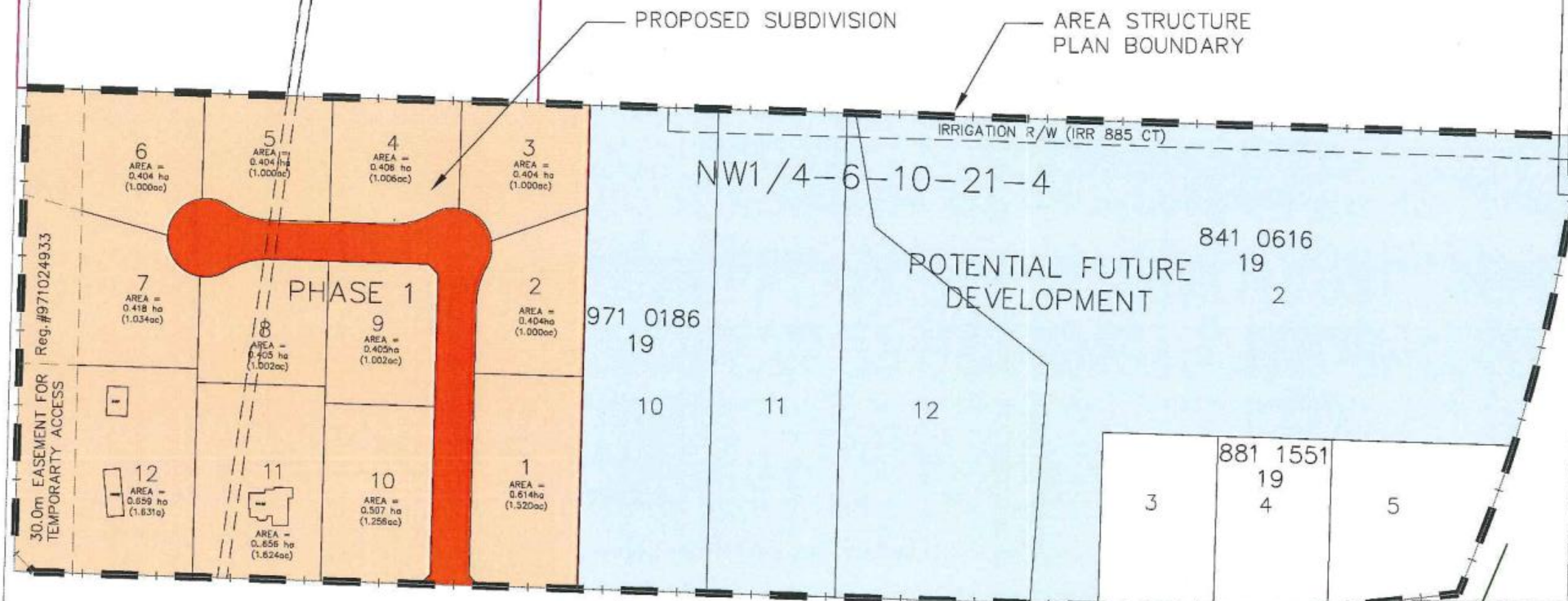
DATE: JAN. 2009

DRAWN BY: DP



ED MULDER AND CO.
 DIAMOND CITY
 COUNTY OF LETHBRIDGE

SW1/4-7-10-21-4



LEGEND:

- ASP BOUNDARY
- PHASE 1 HAMLET RESIDENTIAL (HR)
- POTENTIAL FUTURE DEVELOPMENT
- GROUPED CONTRY RESIDENTIAL (GCR)
- HAMLET RESIDENTIAL (HR)
- HAMLET TRANSITIONAL/AGR'L.(HT/A)
- HAMLET COMM'L.(HC)
- HAMLET PUBLIC/INSTITUTIONAL(HP/I)
- PROPOSED LOCAL ROAD

SCALE: 1: 3000

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FIGURE 7.0

LAND USE CONCEPT

DATE: JAN. 2009

DRAWN BY: DP

HWY 25

MCKECHNEY AVE.

CLARK AVE.

UNDERWOOD AVE.

3RD STREET

RAILWAY STREET

ED MULDER AND CO.
 DIAMOND CITY
 COUNTY OF LETHBRIDGE

LEGEND:
 - - - - - ASP BOUNDARY

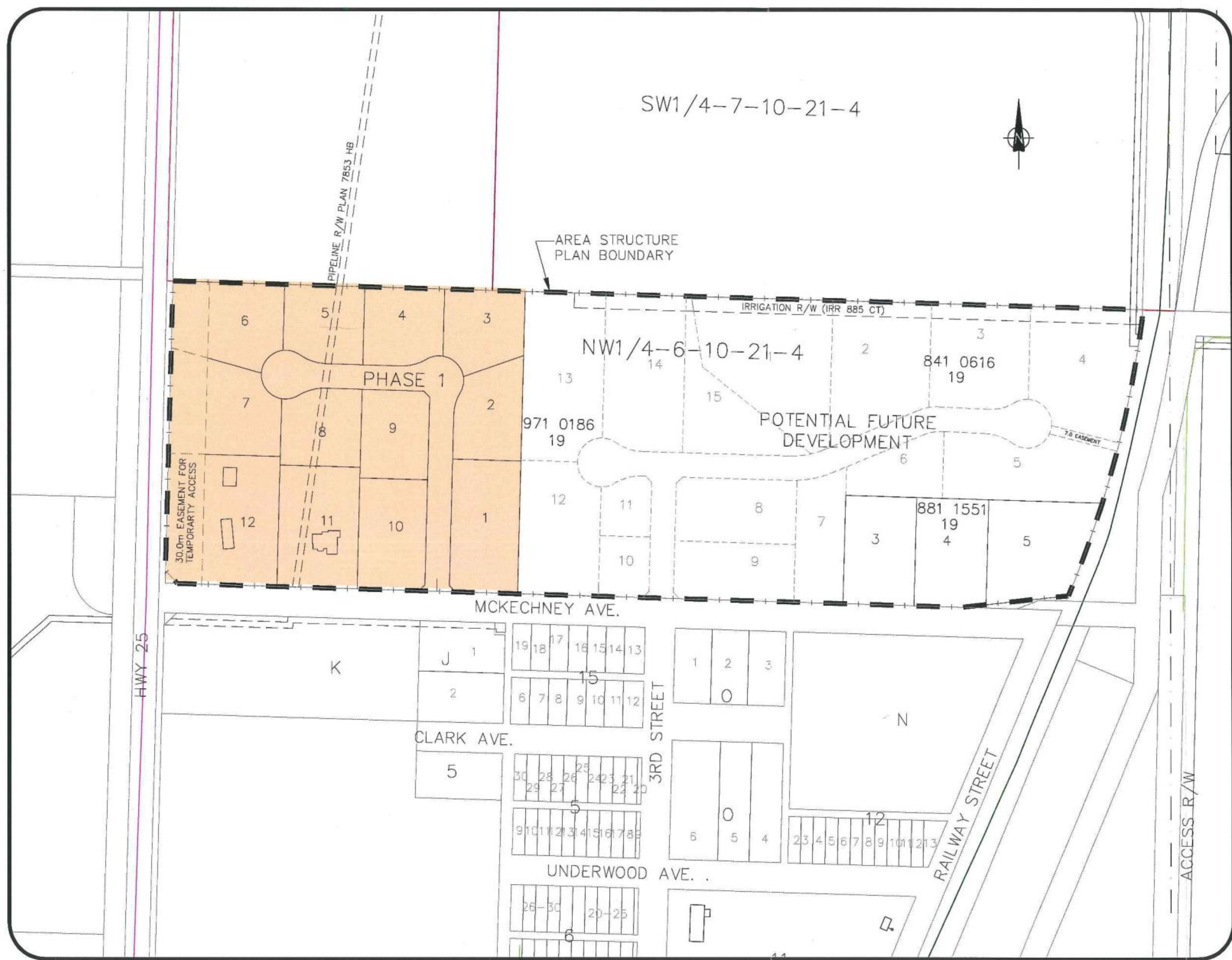
SCALE: 1: 3000



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FIGURE 8.0
FUTURE SUBDIVISION
AND
DEVELOPMENT PHASES

DATE: JAN. 2009 DRAWN BY: DP















Diamond City North Area Structure Plan

October 2009

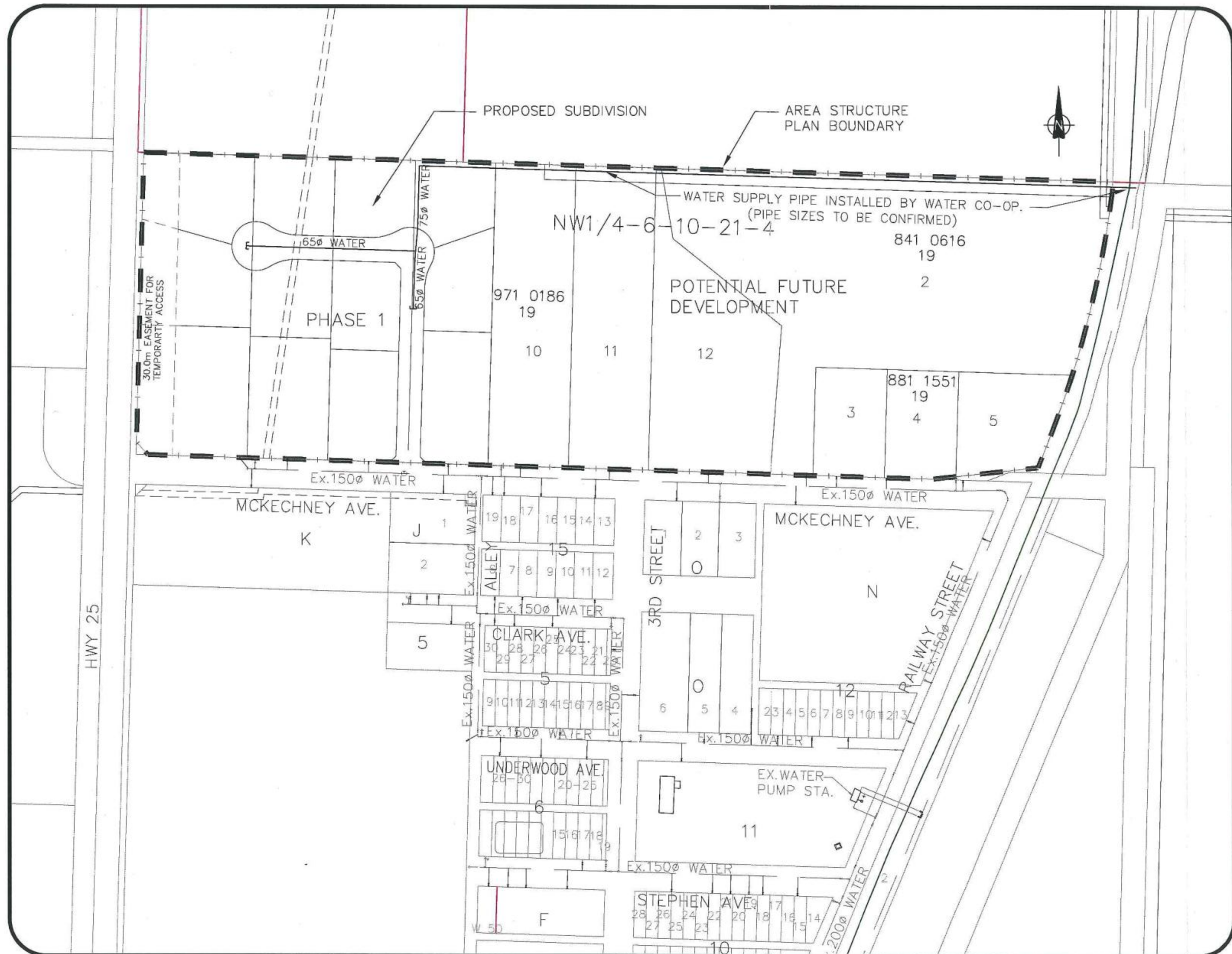
Figure 9 Stormwater Management and Drainage

Legend

-  Existing Irr. Canal
-  Drainage Ditch (Main)
-  Drainage Ditch (Lateral)
-  Overland Flow
-  Overland Flow (Direction Assumed)
-  ASP Boundary
-  Lot Lines
-  Existing Culvert
- Site Contour (MGCL)
 -  1-m Interval
 -  0.2-m Interval
- Hamlet Contours (Others)
 -  5-m Interval
 -  1-m Interval



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COUNTY OF LETHBRIDGE



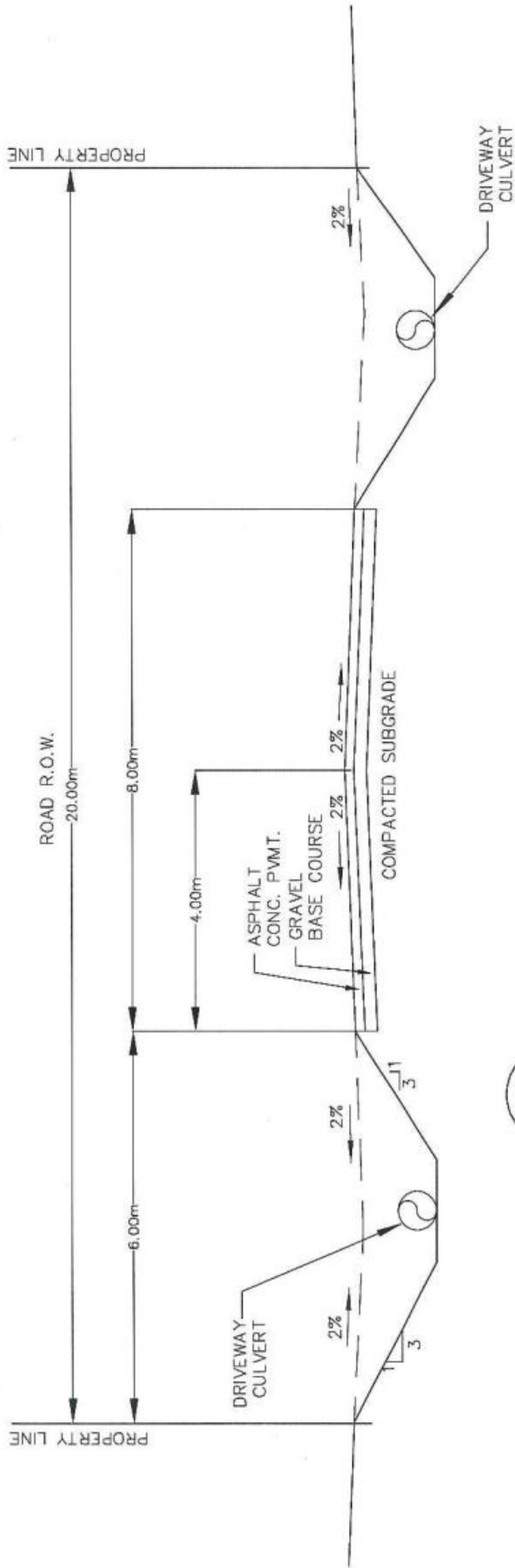
- LEGEND:**
- ASP BOUNDARY
 - 750 WATER WATER CO-OP INSTALLED PIPE (INTERIM STAGE)
 - 2000 WATER PROPOSED WATER MAIN (AT FULL INTEGRATION)
 - 1500 WATER EXIST. WATER MAIN

SCALE: 1: 3000

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FIGURE 10.0
WATER DISTRIBUTION LAYOUT

DATE: JAN 9, 2009 DRAWN BY: DP



A TYP. ASPHALT PAVED ROAD
N.T.S.

NOTE:
ROAD SPEC'S. SHALL BE IN ACCORDANCE TO THE
LATEST COUNTY OF LETHBRIDGE STANDARD.

HAMLET OF DIAMOND CITY
COUNTY OF LETHBRIDGE
ED MULDER & Co.
AREA STRUCTURE PLAN

TYP. ROAD X-SECTION

FIGURE - 11.0



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Consulting Engineers, Planners, and Land Surveyors

APPENDIX

APPENDIX 1 ~ PROPERTY OWNERSHIP [TITLES]



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0011 263 498 8811551;19;5 031 231 994

LEGAL DESCRIPTION
PLAN 8811551
BLOCK 19
LOT 5
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.648 HECTARES (1.6 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 981 108 731

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
031 231 994	11/07/2003	TRANSFER OF LAND	\$125,000	\$1

OWNERS

ANDRE VANDERBRUINHORST

AND
CAROLYN JOY VANDEBRUINHORST
BOTH OF:
BOX 101
DIAMOND CITY
ALBERTA T0K 0T0
AS JOINT TENANTS

(CONTINUED)

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
0026 968 370 9710186;19;8 071 358 951

LEGAL DESCRIPTION
PLAN 9710186
BLOCK 19
LOT 8
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.63 HECTARES (4.03 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 971 024 898 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 358 951	18/07/2007	TRANSFER OF LAND	\$175,000	\$175,000

OWNERS

ED MULDER

AND

MARION MULDER
BOTH OF:
BOX 163
PICTURE BUTTE
ALBERTA T0K 1V0
AS JOINT TENANTS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
071 358 951

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

741 091 031	27/09/1974	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE NORTHERN IRRIGATION DISTRICT
071 270 983	01/06/2007	RESTRICTIVE COVENANT
071 358 952	18/07/2007	MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. 702-3 AVE SOUTH LETHBRIDGE ALBERTA T1J0H6 ORIGINAL PRINCIPAL AMOUNT: \$140,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 9 DAY OF JANUARY, 2009 AT 03:41 P.M.

ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



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
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PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR
THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0026 968 420 9710186;19;7 071 303 478

LEGAL DESCRIPTION
PLAN 9710186
BLOCK 19
LOT 7
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.63 HECTARES (4.03 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 971 024 898 +6

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

071 303 478 18/06/2007 TRANSFER OF LAND \$160,000 \$160,000

OWNERS

BERNARD DYCK

AND
MARIA DYCK
BOTH OF:
GENERAL DELIVERY
DIAMOND CITY
ALBERTA TOK 0T0
AS JOINT TENANTS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
071 303 478

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

548HF	31/08/1956	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. AS TO PORTION OR PLAN:7853HB
741 091 031	27/09/1974	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE NORTHERN IRRIGATION DISTRICT
071 270 983	01/06/2007	RESTRICTIVE COVENANT
081 226 488	27/06/2008	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD.. AS TO PORTION OR PLAN:PORTION

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 9 DAY OF JANUARY, 2009 AT 03:41 P.M.

ORDER NUMBER:13056388

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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
0026 968 388 9710186;19;9 071 369 327

LEGAL DESCRIPTION
PLAN 9710186
BLOCK 19
LOT 9
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.63 HECTARES (4.03 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 971 024 898 +2

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

071 369 327 24/07/2007 TRANSFER OF LAND \$175,000 \$175,000

OWNERS

DIANNA WANDLER

AND
WENDLIN WANDLER
BOTH OF:
BOX 96
PICTURE BUTTE
ALBERTA T0K 1V0
AS JOINT TENANTS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
071 369 327

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
741 091 031	27/09/1974	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE NORTHERN IRRIGATION DISTRICT
071 270 983	01/06/2007	RESTRICTIVE COVENANT
071 369 328	24/07/2007	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 12TH FLOOR, 180 WELLINGTON STREET WEST TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$136,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 9 DAY OF JANUARY, 2009 AT 03:41 P.M.

ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE
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THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0026 968 396 9710186;19;10 071 526 567

LEGAL DESCRIPTION
PLAN 9710186
BLOCK 19
LOT 10
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.63 HECTARES (4.03 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 971 024 898 +3

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 526 567	24/10/2007	TRANSFER OF LAND	\$200,000	\$200,000

OWNERS

JUAN KLASSEN
OF 276 ABERDEEN ROAD WEST
LETHBRIDGE
ALBERTA T1J 0N2

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 091 031	27/09/1974	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE NORTHERN IRRIGATION DISTRICT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
071 526 567

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
071 270 983	01/06/2007	RESTRICTIVE COVENANT
071 526 568	24/10/2007	MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. 702-3 AVE SOUTH LETHBRIDGE ALBERTA T1J0H6 ORIGINAL PRINCIPAL AMOUNT: \$130,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
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ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



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ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
881 217 617

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

NORTHERN IRRIGATION DISTRICT

881 217 618 29/11/1988 CAVEAT
RE : RESTRICTIVE COVENANT
CAVEATOR - THE OLDMAN RIVER REGIONAL PLANNING
COMMISSION.

951 077 585 04/04/1995 CAVEAT
RE : RIGHT OF WAY AGREEMENT
CAVEATOR - AGT LIMITED.
10025 JASPER AVE
EDMONTON
ALBERTA T5J1S6
AGENT - LESLEY PEREGOODOFF

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
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ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



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THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0012 831 483 8811551;19;3 891 025 365

LEGAL DESCRIPTION
PLAN 8811551
BLOCK 19
LOT 3
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.519 HECTARES (1.28 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

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

891 025 365 10/02/1989 \$15,000

OWNERS

LAURENCE GORDON DEVERALL

AND

SHARON CAROLINE DEVERALL

BOTH OF:

GENERAL DELIVERY

DIAMOND CITY

ALBERTA TOK 0T0

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

741 091 031 27/09/1974 IRRIGATION ORDER/NOTICE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
891 025 365

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE
NORTHERN IRRIGATION DISTRICT

891 025 366 10/02/1989 MORTGAGE
MORTGAGEE - ALBERTA MORTGAGE AND HOUSING
CORPORATION.
9405 - 50 STREET, EDMONTON ,
ALBERTA T6B2T4
ORIGINAL PRINCIPAL AMOUNT: \$83,460

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 9 DAY OF JANUARY, 2009 AT 03:41 P.M.

ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



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THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0012 831 491 8811551;19;4 911 075 048

LEGAL DESCRIPTION
PLAN 8811551
BLOCK 19
LOT 4
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.515 HECTARES (1.27 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 881 217 617 B .

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
911 075 048	16/04/1991	TRANSFER OF LAND	\$16,000	\$16,000

OWNERS

LEENDERT VAN RHIJN (SALES PERSON)

AND
ANNA JOHANNA VAN RHIJN
BOTH OF:
GENERAL DELIVERY
DIAMOND CITY
ALBERTA
AS JOINT TENANTS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
911 075 048

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

741 091 031 27/09/1974 IRRIGATION ORDER/NOTICE
THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE
NORTHERN IRRIGATION DISTRICT

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
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ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



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THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0026 968 404 9710186;19;11 971 024 898 +4

LEGAL DESCRIPTION
PLAN 9710186
BLOCK 19
LOT 11
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.63 HECTARES (4.03 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;21;10;6;NW

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 941 096 133

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

971 024 898 24/01/1997 SUBDIVISION PLAN

OWNERS

DONALD DYER MACLENNAN (COUNTY ASSESSOR)

AND

THEONE MARIE MACLENNAN (HOMEMAKER)

BOTH OF:

GENERAL DELIVERY

DIAMOND CITY

ALBERTA T0K 0T0

AS JOINT TENANTS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
971 024 898 +4

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

741 091 031 27/09/1974 IRRIGATION ORDER/NOTICE
THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE
NORTHERN IRRIGATION DISTRICT

071 270 983 01/06/2007 RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 002

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ORDER NUMBER:13056388

CUSTOMER FILE NUMBER: 081346



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ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
971 024 898 +5

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

741 091 031 27/09/1974 IRRIGATION ORDER/NOTICE
THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE
NORTHERN IRRIGATION DISTRICT

071 270 983 01/06/2007 RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 002

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APPENDIX

APPENDIX 2 ~ CAVEAT – SERVICE ROAD AGREEMENT

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

971024933

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.

File No. 20-MH-90(3)

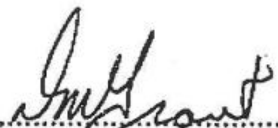
To The Registrar Of The SOUTH Alberta Land Registration District:

Take notice that HER Majesty the QUEEN in the Right of the Province of Alberta as represented by the Minister of Transportation and Utilities ("the Caveator") claims an interest in the LOT ^{low} BLOCK 19, PLAN _____ under an Agreement dated the 16TH day of OCTOBER 1996, and made between DONALD DYER MACLENNAN AND THEONE MARIE MACLENNAN of DIAMOND CITY, ALBERTA and the Caveator, whereby it was agreed on certain consideration to transfer to the Caveator a portion of the aforementioned land required for the establishing of a (SERVICE ROAD) upon the said land standing in the register in the name of DONALD DYER MACLENNAN AND THEONE MARIE MACLENNAN and I forbid the registration of any person as transferee or owner of, or of any instrument affecting that estate or interest, unless the certificate of title is expressed to be subject to such claim.

I designate the following address as the place at which notices and proceedings relating hereto may be served:

Section Head, Land & Aggregates
Alberta Transportation and Utilities
Twin Atria Building, Main Floor
4999 - 98 Avenue
Edmonton, Alberta, T6B 2X3

Dated this 17th day of OCTOBER, 1996


Section Head, Land & Aggregates
For: Minister of Transportation and Utilities

I, Donald M. Grant make oath and say:

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

Sworn before me at Edmonton in the

Province of Alberta, this 17th day

of OCTOBER, 1996


A Commissioner for Oaths

A Commissioner for Oaths in and for the Province of Alberta
SYLVIA R. M. DeBRUYN - COMMISSION EXPIRES MAY 9, 1992

20MH903

SERVICE ROAD AGREEMENT

THIS AGREEMENT made as of the 16th day of October, A.D. 1994

BETWEEN:

Her Majesty the Queen in Right of the Province of Alberta, herein represented by the Minister of Transportation and Utilities (hereinafter called "the Department")

- and -

Donald Dyer MacLennan and Theone Marie MacLennan of Diamond City, Alberta, (hereinafter called "the Owner")

WHEREAS the Owner has applied to create a subdivided parcel in Lot 1, Block 19, Plan 841 0616 in the North West Quarter of Section Six (6), Township Ten (10), Range Twenty-one (21), West of the Fourth (4th) Meridian, and the Oldman River Regional Planning Commission has approved the subdivision subject to certain conditions,

AND WHEREAS pursuant to Section 24 of the Subdivision Regulation made under the Planning Act a service road is required, being the most Westerly Thirty (30) metres (98.43 Feet) in perpendicular width throughout of Lot 3, 6 Block 19, Plan _____ which lies parallel and adjacent to the East boundary of Road Plan 7032 EZ (Highway 25) said service road containing 0.742 Hectares, (1.83 Acres), more or less,

AND WHEREAS the Department has stated that the service road need not be constructed at this time,


NOW THEREFORE the Parties agree as follows:

1. In consideration of the approval of the subdivision, the Owner hereby agrees to grant to the Department all his right, title and interest in the above described service of road right-of-way, at no cost to the Department when and if required.
2. The Department agrees to perform the necessary survey of the

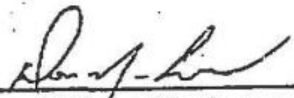
right-of-way, and the Owner agrees that this survey need not be performed until such time as the Department may so desire. Upon completion of the survey, the land within the service road right-of-way shall be excepted from the title to the Owner's land.

3. The Owner agrees that a Caveat may be filed with the Registrar of the Land Titles Office as a condition of this agreement.
4. The recital paragraphs form an integral part of this agreement.
5. This agreement shall enure to the benefit of and be binding on the heirs, executors, assigns and successors of the Parties hereto, and it is the intention of the Parties that this agreement shall run with the land.

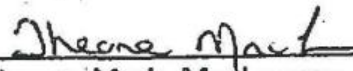
SIGNED, SEALED AND DELIVERED
by the Owner in the presence of:



Witness



Donald Dyer MacLennan



Theone Marie MacLennan

SIGNED, SEALED AND DELIVERED
on behalf of the Department of
Transportation and Utilities



~~Director of Property Services~~
For Section Head - Land & Aggregates

971024933 REGISTERED 1997 01 24
CAVEAT - CAVEAT
DOC 1 OF 1 DRR#: 6639778 ADR/ABENNETT
L.T.O./S: 0026968362