

COUNTY OF LETHBRIDGE NO. 26

BY-LAW NO. 744

BY-LAW NO. 744 OF THE COUNTY OF LETHBRIDGE NO. 26 BEING A BY-LAW PURSUANT TO SECTION 64(1) OF THE PLANNING ACT, CHAPTER P-9, REVISED STATUTES OF ALBERTA, 1980.

WHEREAS Gordon P. Davy and Ilona R. Davy wish to develop residential subdivision on land described as:

Firstly: That portion of legal subdivision five (5) in the south west quarter of Section six (6), Township ten (10) Range twenty-one (21), West of the Fourth Meridian, lying to the south of the southerly limit of Graves Street on Plan Diamond City 6510A.E. and the north of the northerly limit of the right of way on Plan R.W. 189, containing nine and ninety nine hundredths (9.99) hectares (24.69 acres) more or less, and Excepting thereout the roadway on Plan 7437 H.X. containing four thousandths (.004) hectares/more or less (0.01 acres).

Secondly: That portion of legal subdivision six (6) in the said south west quarter of said section six (6) lying south westerly of the south westerly limit of Third Street on Plan Diamond City 705A.A. and north westerly of the north westerly limit of said railway right of way on Plan R.W. 189, containing four hundred and eighty six thousandths (.486) hectares (1.20 acres) more or less. Excepting thereout all mines and minerals and the right to work the same.

As described on Certificate of Title 791098001.

AND WHEREAS the Area Structure Plan prepared by Underwood McLellan Ltd. and submitted by the developer known as the DAVY AREA STRUCTURE PLAN provides a framework for subsequent subdivision and development of the lands which is satisfactory to the Council of the County of Lethbridge No. 26.

NOW THEREFORE BE IT RESOLVED that the Council of the County of Lethbridge No. 26 does hereby approve to the DAVY AREA STRUCTURE PLAN as attached as Schedule "A". *Attached to back of B.R.B.R.*

GIVEN first reading this 16th day of June 1983.

R. W. Lapworth  
Reeve  
[Signature]  
County Manager

GIVEN second reading this 12th day of September 1983.

R. W. Lapworth  
Reeve  
[Signature]  
County Manager

GIVEN third and final reading and passed in Council this 12th day of September 1983.

R. W. Lapworth  
Reeve  
[Signature]  
County Manager

REPORT ON SUBDIVISION OF  
PART OF SW 1/4 SEC. 6-10-21-W4M  
FOR MR. GORDON DAVY  
DIAMOND CITY, ALBERTA

*SCHEDULE "A" OF BY-LAW 744*

Submitted to:

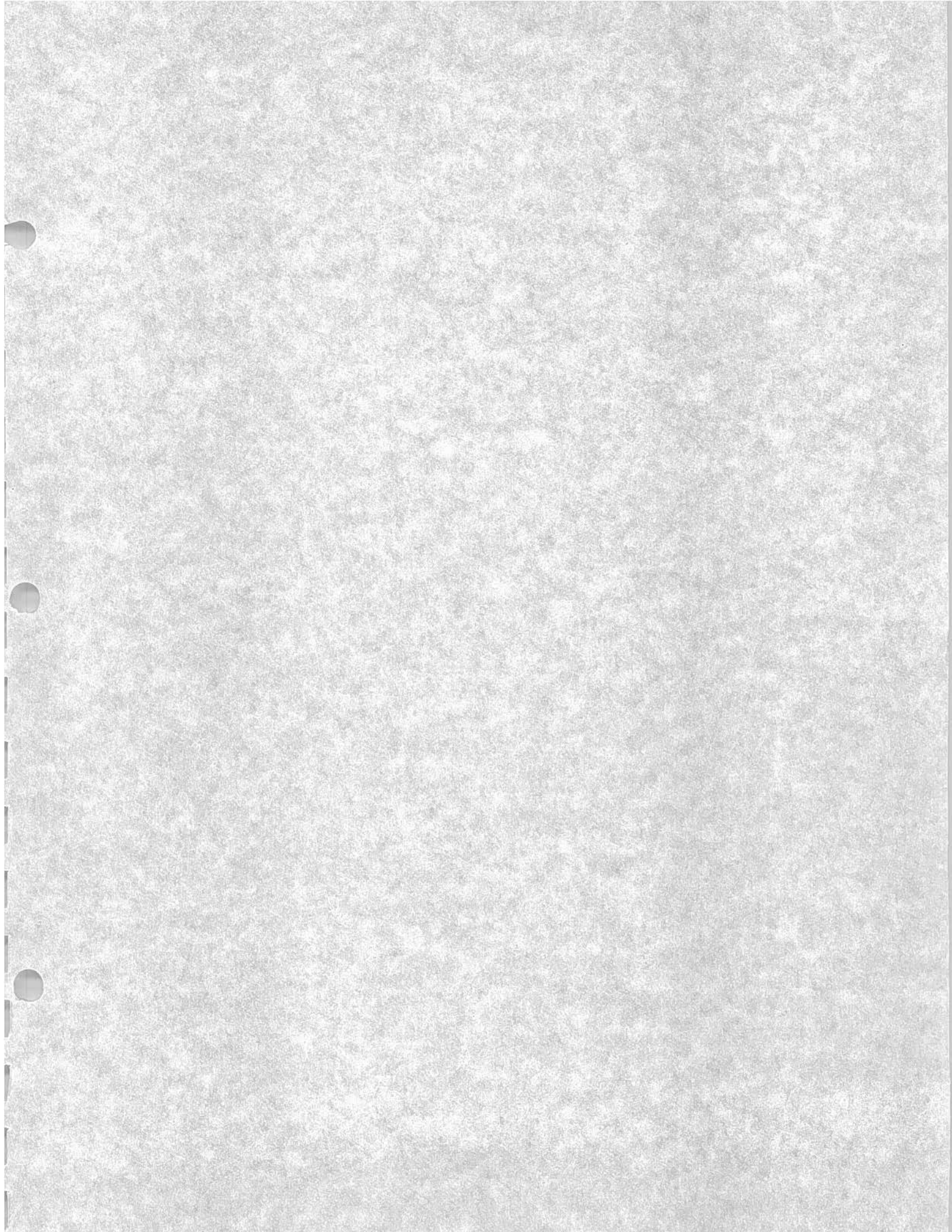
Reeve and Council

County of Lethbridge No. 26

Prepared by:

UNDERWOOD McLELLAN LTD.

June, 1983



# Underwood McLellan Ltd.

P.O. Box 655  
514 Stafford Drive North,  
Lethbridge, Alberta T1J 3Z4  
Telephone (403) 329-4822

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June 8, 1983

OUR FILE NO 2502-8325-018

County of Lethbridge No. 26  
905-4th Avenue South  
Lethbridge, Alberta  
T1J 0P3

Attention: Reeve and Council

Dear Sirs:

Re: Proposed Subdivision  
of Part of S.W.1/4 Sec. 6-10-21-W4M  
For Mr. Gordon Davy  
Diamond City

Our firm was commissioned to prepare a preliminary feasibility report for Mr. Gordon Davy for the above mentioned property.


The preliminary report covers the general items identified in the County of Lethbridge No. 26 Handbook on major developments and or major rezonings as approved by Council planning meeting of June 7, 1982.

We trust this information is satisfactory to permit Council to consider this development.

Mr. Gordon Davy and the writer look forward to attending the meeting with Council at 11:30 a.m. on June 13, 1983 to answer any questions that Council may have.

Yours very truly,

UNDERWOOD McLELLAN LTD.

  
Nick Geremia, C.E.T.  
Municipal Designer

NG:mk  
cc: Mr. G. Davy

Consulting Engineers and Planners

the  
**uma**  
group

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APPENDIX

1. Letter- Alberta Labour-Plumbing and Gas Safety Services Branch, dated May 18, 1983.
2. Letter- Alberta Culture-Historical Resources, dated May 19, 1983.
3. Letter- Lethbridge Northern Irrigation District, dated June 1, 1983.
4. Letter- TransAlta Utilities, dated May 30, 1983.
5. Sketch- Canadian Western Natural Gas Company Limited

LIST OF DRAWINGS (In Envelope)

Key Plan

Drawing No. 1 Proposed Road and Site Grading

Drawing No. 2 Proposed Irrigation System

## 1.0 INTRODUCTION

Underwood McLellan Ltd. was commissioned by Mr. Gordon Davy to prepare a preliminary feasibility report for the proposed subdivision located in Diamond City in Part of SW 1/4, Section 6, Twp. 10, Rge. 21, W4M.

The boundary of the hamlet was recently extended by the county to include this property for residential use.

The subdivision consists of ten lots which range from 0.9 acres to 2.6 acres in size. The subdivision is intended for small country residential with an encompassing open space for the use of all residents.

This preliminary report will try to provide council with pertinent data as outlined in the County of Lethbridge No. 26, Handbook and approved by Council planning meeting of June 7, 1982.

## 2.0 PLANS AND DRAWINGS

We are attaching one set of drawings with the preliminary report.

The drawings contain the following:

- Contours
- Proposed Grading
- Proposed earth storage, pumping station, supply main and service lines to the property of each lot for irrigation purposes.

Standards illustrated on enclosed plans will be finalized in a Development Agreement.



### 3.0 TOPOGRAPHIC DETAILS

A survey of the proposed development was carried out on a 100 foot grid. From this survey one foot contours were developed. The contours are shown on the enclosed drawing.

## 4.0 SERVICING

### 4.1 Sanitary Sewer System

Sanitary sewerage will be handled individually on each lot with private sewage disposal systems (letter attached from Alberta Labour, Plumbing and Gas Safety Services Branch, pertaining to private sewage disposal systems).

### 4.2 Water System

#### 4.2.1 Irrigation

The developer will provide a raw water storage, pumping station, water main and services to the property line of each lot within the development. Water lines will be of a type that could in the future carry potable water. The water system will be used for irrigation of these lots. The source of water will be from the Lethbridge Northern Irrigation District canal located on the north west corner of the development. This canal will provide raw water to the proposed reservoir located within the utility lot shown as lot 3 block 1. Lethbridge Northern Irrigation District has indicated that they have no objection to supplying of water (see attached letter).

The reservoir will be constructed according to standards agreed to in a Development Agreement, and will have a capacity sufficient to provide irrigation water to the subdivision. Each owner within the development will be part of a water cooperative association.

A 20 foot easement to the reservoir will be provided between lot 8 and 9, of Block 1.

A pumping station is proposed at the east end of the reservoir to provide water under pressure to the property line by the developer. Provision will be made in that the individual owner will have the option to tap into the service whether above or below ground. The depth of the main and services will be below frostline.

#### 4.2.2. Fire Protection

During the summer months the reservoir can be refurnished from the Lethbridge Northern Irrigation District canal, prior to the shut down of the irrigation canal, the reservoir will be filled to provide winter storage. For this reason, the reservoir may be used for fire protection throughout the year.

#### 4.2.3 Potable Water

The individual owner will be responsible for the supplying of his own potable water. Each house is to have individual cisterns as part of the development permit at time of construction. Raw water from the irrigation system is not to be piped directly into the house.

#### 4.2.4. Gas and Power

The developer has made arrangements with Canadian Western Natural Gas Company Limited and TransAlta Utilities for providing services to the subdivision.

## 5.0 ROADS

The cul-de-sac area will be developed to the County of Lethbridge No. 26 Standards. The surface will be graveled and oiled with shallow ditches provided on each side. These ditches may either be graveled or seeded with grass. At the cul-de-sac, the road will be widened to allow for school buses to turn.

## 6.0 GRADING

As indicated on the enclosed drawings, grading will be provided throughout the development to ascertain that all lots and roads will drain. All drainage will be directed to the existing drainage ditches and culverts.

## 7.0 ACCESS

Access to the subdivision will be from the existing road located northeast of the development on 3rd Street.

## 8.0 ARCHITECTURAL CONTROLS

It is the developer intent to meet the standards as set out by the County of Lethbridge No. 26, with the exception that no mobile homes will be allowed within this development. These standards can be incorporated into the development agreement.



## 9.0 ARCHITECTURAL CONTROLS

It is the developer intent to meet the standards as set out by the County of Lethbridge, No. 26., with the exception that no mobile homes will be allowed within this development. These standards can be incorporated into the development agreement.

## 10.0 POPULATION

The 1979 census indicates the population for the Hamlet of Diamond City is 82 persons. The proposed development is anticipated to have a population of 30 persons. The population calculation is based on three persons per dwelling units times ten units.

It is felt that this development will be beneficial to the hamlet and to the County of Lethbridge No. 26. Some of the benefits would be an increase in tax basis and possible school enrollment.

The development is self contained and therefore no constrain is anticipated on the existing hamlet on such services as water, sanitary and roads.

APPENDIX

LABOUR

General Safety Services Division

403/329-5484

Plumbing & Gas Safety Services Branch

360 Provincial Building

200 - 5th Avenue, South

Lethbridge, Alberta, Canada

May 18, 1983

T1J 4C7

Mr. Gordon Davy  
General Delivery  
Diamond City, AB TOK OT0

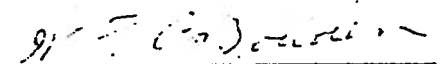
Dear Sir:

Re: Private Sewage Disposal Systems for  
Proposed Sub-Division

Private sewage disposal systems for the acreages in your proposed sub-division would be acceptable to this Branch, providing that each system is covered by a permit and is installed in accordance with the regulations.

A copy of the regulations is enclosed for your information.

Yours very truly

  
W. C. Bowden  
Regional Supervisor

WCB/al

Encls.

May 19, 1983

Mr. Gordon Davy  
Box 36  
SHAUGHNESSY, Alberta

Dear Mr. Davy:

SUBJECT: DAVY, GORDON  
COUNTY OF LETHBRIDGE NO. 26  
PROPOSED SUBDIVISION  
PORTIONS OF LSDs 5 & 6, SECTION 6, TWP. 10, RGE. 21, W4M

As you are aware, on April 7, 1983, I wrote to you requesting that, prior to Alberta Culture providing you with clearance to develop the above-noted subdivision, an Historical Resources Impact Assessment and any work resulting from this assessment be conducted on your behalf by an historian trained in historical research, analysis and synthesis.

In requesting that such an assessment be undertaken I advised you that staff of my division had provided me with the following comments concerning the potential impact of this project on historical resources:

"Given that the location of the Hardite Mine is in the same LSD as the above-noted subdivision, and due to the fact that coal mining was an important industry within the immediate environs of the development area (e.g., the Black Diamond Mine at Diamond City), there is a high probability that historic resources will be impacted by any major disturbance in the area".

Mr. Dean Wetzel of my division has notified me that on April 21, 1983, you contacted staff of the Resource Management Section of the Archaeological Survey of Alberta indicating that the Hardite Mine was not situated on lands affected by the proposed subdivision and requested that Alberta Culture reassess whether an Historical Resources Impact Assessment was in fact warranted.

Staff of Alberta Culture have complied with your request and have recently re-evaluated the potential impact of the proposed subdivision on historical resources. Our initial efforts during the re-evaluation process were

Mr. Gordon Davy  
May 19, 1983  
Page 2

directed towards verifying the location of the remains of the Hardite Mine. In order to verify the location of the remains of the Hardite Mine, staff of Alberta Culture's Lethbridge office visited the development area. This visitation confirmed that the remains of the Hardite Mine are not situated on lands included within the proposed subdivision. Rather, the remains of the Hardite Mine are located south of the railway tracks between the said tracks and the Belly River.

It is my understanding that, as illustrated on the plan of survey enclosed with the 'Application For Subdivision Approval', the proposed subdivision project entails the development of 25.89 acres in LSDs 5 and 6 of Section 6, Township 19, Range 21, W4M for Country Residential use. Apparently, 25.69 acres of the proposed subdivision are situated within LSD 5 while 1.20 acres are situated within LSD 6. Those properties situated within LSD 6 and located within the proposed subdivision consist of:

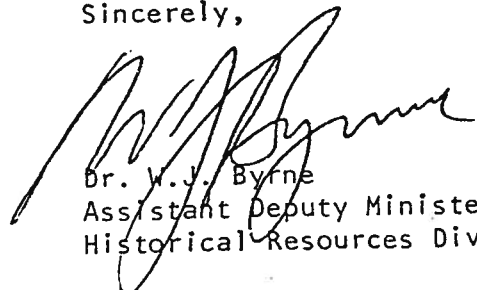
"That portion of L.S.D. 6 in the said SW  $\frac{1}{4}$  of said Sec. 6, lying Southwesterly of the Southwesterly limit of Third Street on Plan Diamond City 705 A.A. and Northwesterly of the Northwesterly limit of said Railway Right-of-Way on Plan RW 189 containing .486 hectare (1.20 acres), more or less".

Please be advised that, as the proposed subdivision is clearly located northwest of the railway tracks while the remains of the Hardite Mine are situated south of the railway tracks, Alberta Culture has no further concerns with and no objections to development proceeding on the proposed subdivision. Henceforth, my request that an Historical Resources Impact Assessment be conducted is rescinded.

On behalf of Alberta Culture, I would like to thank you for bringing the above matters to our attention and for your cooperation in our endeavour to conserve Alberta's past.

If you require additional information or have any questions concerning our review of this project, please contact Mr. Dean Wetzel of the Archaeological Survey of Alberta (427-2355, or Resource Management Section, 8820 - 112 Street, Edmonton, Alberta, T6G 2P8).

Sincerely,



Dr. W.J. Byrne  
Assistant Deputy Minister  
Historical Resources Division

DEW/hsd

c.c. Oldman River Regional Planning Commission, File 83-0-23  
Ian Clarke

# Lethbridge Northern Irrigation District

334 - 13TH STREET NORTH, LETHBRIDGE, ALBERTA T1H 2R8  
TELEPHONE NBR. 327-3302

YOUR FILE NBR. ....

OUR FILE NBR. ....

June 1st, 1983

Mr. Gordon P. Davy  
Box 36,  
Shaughnessy, Alberta.  
TOK 2A0

Dear Sir:-

Re:- PT. S.W. 6-10-21-4

With the proper easements in place the Lethbridge Northern Irrigation District would supply water to your dugout.

The water to be used for your sub-division would be at a cost of \$125.00 per parcel for 1983 and at the current rate for reservoirs in subsequent years.

Yours very truly,

  
F. A. ROSS,  
General Manager

/sea



## TransAlta Utilities Corporation

920 - 3rd Avenue N., Mailing Address: Box 1088, Lethbridge, Alberta T1J 4A2 Telephone: (403) 328-8191

May 30, 1993

Mr. Gordon Davy  
Box 36  
SHAUGHNESSY, Alberta  
TOK 2A0

Dear Sir:

Re: Proposed 9 Lot Underground Subdivision  
Location: SW 6-10-21-W4  
Our File: 11502-35977

We have completed our investigation as to the cost of providing underground electrical service to the above subdivision.

TransAlta Utilities will require payment as follows:

Construction Contribution:

Distribution System:	\$12,649.00
Street Lights:	NIL

Construction Advance:

Distribution System:	6,030.00
Street Lights:	1,810.00

Total Payment: \$20,489.00

The Construction Advance shall be refunded as groups of 3 lots are occupied and permanently connected. TransAlta Utilities will refund \$670.00 per lot until the Construction Advance is fully refunded.

The advance on the 2 - 100 HPS lights shall be refunded upon permanent connection.

. . . . 2



May 30, 1983

Prior to proceeding with this project, TransAlta Utilities will require the following:

- 1) Completion of the attached "Agreement for Installation of Underground Distribution System".
- 2) A fully registered plan of this subdivision.
- 3) A letter advising TransAlta Utilities that the subdivision is within 15 cm of final grade.
- 4) Your payment of \$20,489.00.
- 5) Approval from the County of Lethbridge, No. 26 accepting the monthly street light billing in the amount of \$26.90 per month.

Please keep in mind that our estimate is based on summer construction rates and as such, if in the Company's opinion construction will take place under winter conditions (snow and/or frost), it shall reserve the right to adjust the customer contribution to reflect actual cost.

This proposal is open for your acceptance and approval to proceed within ninety (90) days of the above date, after which it will be subject to review. Our lead time is normally eight (8) weeks.

If you have any questions regarding the above, please feel free to contact this office.

Yours very truly,



W. Maeder

Customer Service Representative

WM:el

cc: Project Coordinator  
District 51 - Picture Butte  
County of Lethbridge, No. 26  
905 - 4 Avenue South  
Lethbridge, Alberta  
T1J 4E4

Reg'd. Plan 6510 A.E.

410  
101.00  
410

198.85  
140

of T. 791096001

LOCK

200

445

400

395

8

1.9 Ac.

7  
1.8 Ac.

300

483

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1.5 Ac.

200

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220

770

9

2.1 Ac.

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0.9 Ac.

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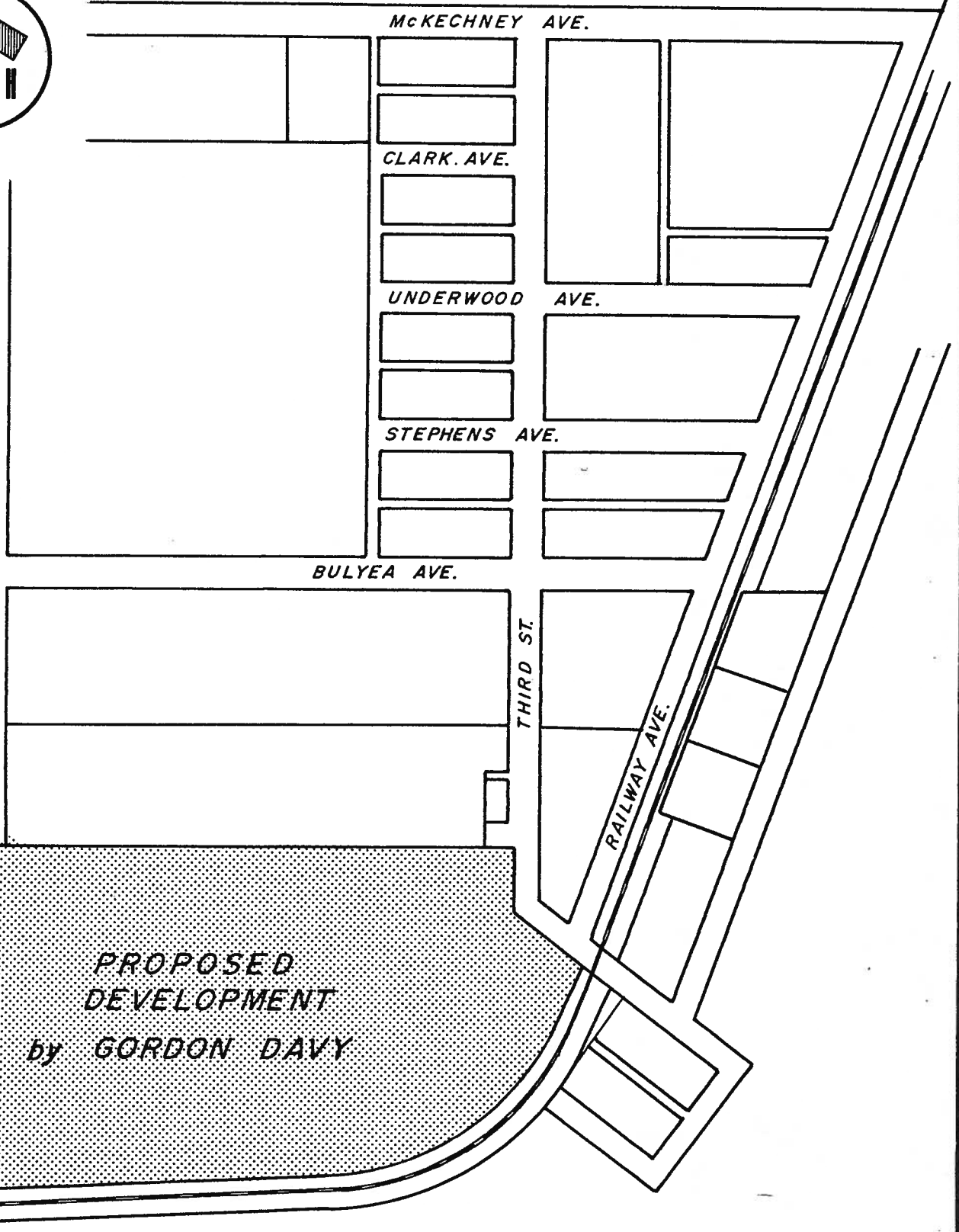
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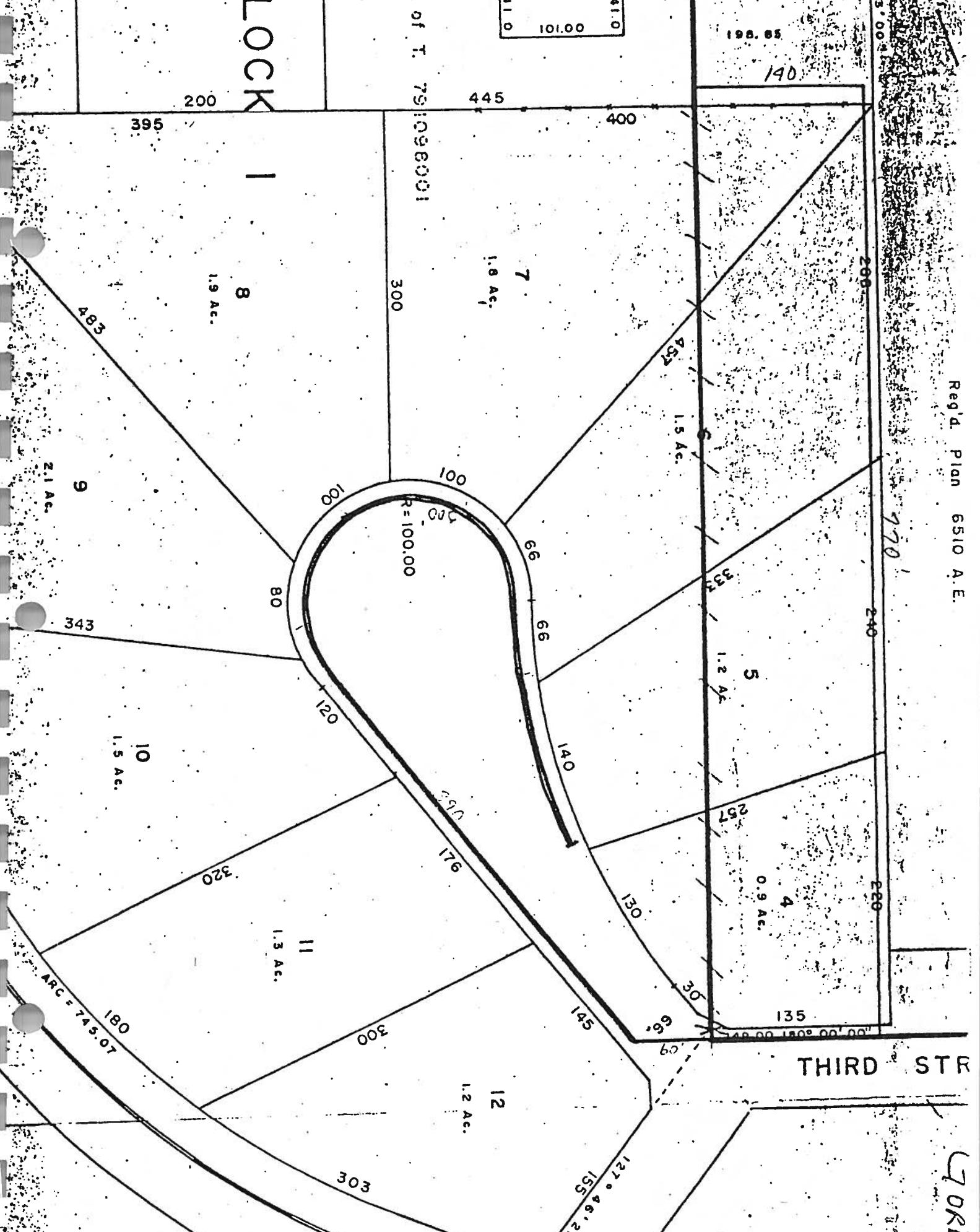
*Handwritten Signature*  
JON DAVY

Plan Showing



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REV	D	M	Y	REVISION DESCRIPTION				DRN	SUPV	DES	CHK	ENG						
							MR. GORDON DAVY DIAMOND CITY SUBDIVISION — KEY PLAN —				CODE	DRAWING No.	REV					
											A							

A SIZE 8 1/2 x 11



GORDON WAY - 327-9607

290m New Installation 950'  
278m Relocation 910'

Canadian Western Natural Gas  
Company Limited

Total Cost of Mains  
Installation = \$8920.  
- Credit of \$8170 / See  
For Maximum of 5 Yrs

MR. GORDON DAVY  
*R. P. Davy*

Client Plan Showing