



**RAY BRYANT  
MAYOR**

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**FORWARDED: SEPTEMBER 20, 2012**

**AGENDA**

MEETING OF THE SUBDIVISION AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, SEPTEMBER 24, 2012 AT 5:00 PM.

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**MOTION**

**ITEM NO. 1. CALL TO ORDER**

**ITEM NO. 2. ADOPTION OF THE AGENDA**

**X**

**ITEM NO. 3. ADOPTION OF THE MINUTES - NONE**

**ITEM NO. 4. SUBDIVISION APPLICATIONS**

A) RFD TT 12 0 008

i) Explanation of the Subdivision

ii) Decision of the Subdivision Authority

**X**

**ITEM NO. 5. CLOSE OF MEETING**

**X**



**Agenda Item No. 4.A)**

**TOWN OF TABER**  
Subdivision Authority Request for Decision

<b>Subject:</b> Subdivision Application	<b>Date of</b> September 24, 2012 <b>Agenda:</b>
<b>Prepared By:</b> Jillianne Koroluk, Development Officer	
<b>Attachments:</b> Application Tentative Plan Public Notice Low Density Residential (LR-2)	
<b>Topic:</b> Subdivision Application TT-12-0-008 Lot 28, 29 and 30, Block 39, Plan 575 T – 5051-41 <sup>st</sup> AVE. To subdivide 0.087 HA into two residential lots for a semi-detached unit	
<b>Background:</b>	<p>The Town has received a tentative subdivision application, dated August 2<sup>nd</sup>, 2012, for consideration by the Subdivision Authority (Town Council) under the provisions of the Municipal Government Act and Town of Taber Subdivision and Development Authority Bylaw. This subdivision application is intended to subdivide the above noted property into two residential lots for an existing semi-detached dwelling.</p> <p>The application was advertised and circulated to adjacent landowners, Town departments and potentially affected agencies in accordance with the Municipal Government Act. No objections were received from departments or agencies.</p> <p>This subdivision will allow a semi-detached dwelling to be registered on separate titles which was the original intent of this development. Administration supports this application because the duplex has been constructed with all required permits in place Development Permit number 11-0038.</p>
<b>Options:</b>	<ol style="list-style-type: none"> <li>1. THAT Subdivision Application TT-12-0-008 to create 2 residential lots BE APPROVED with conditions.</li> <li>2. THAT Subdivision Application TT-12-0-008 to create 2 residential lots <u>NOT</u> BE APPROVED.</li> <li>3. THAT Subdivision Application TT-12-0-008 to create 2 residential lots BE APPROVED WITH AMENDMENTS.</li> </ol>

Cont'd

**Recommendation:**

THAT Subdivision Application TT-12-0-008 to create 2 residential lots BE APPROVED, subject to the following conditions:

1. That this approval shall apply to **BEING ALL OF LOTS 28, 29 & 30, BLOCK 39, PLAN 575 T - 5051-41<sup>st</sup> AV.**
2. The applicant should enter into an encroachment agreement between Lot 31, Block 39, Plan 575 T and Lot 30, Block 39, Plan 575 T in regards to the garage located along the east side of Lot 31, Block 39, Plan 575 T which has a 0.24m eave encroachment into the applicants lot.
3. Town services shall be provided to the newly subdivided lot at the expense of the future owner of the new lot. In addition engineering design, construction of service extensions, connection and other considerations with regard to this aspect become conditions of the development permit for the new residential dwelling.
4. Append the conditions outlined in number 3 as a caveat on the future title, at the expense of the applicant.
5. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes, if any, shall be paid to the Town of Taber prior to endorsement.
6. That the subdivision be registered in a manner satisfactory to the Land Titles Office.
7. The applicant shall provide an access / driveway onto the proposed lot(s) to the satisfaction of the Town of Taber and in accordance with Town Standards prior to final endorsement of the subdivision.
8. Easements or rights of way shall be registered against the land for the provision of gas, power and other utilities as required. The developer is responsible for making suitable arrangements with the relevant utility companies for the provision of services prior to final endorsement of the plan.

**Approval** September 20, 2012  
**Date:**

CAO: 

FOR OFFICIAL USE ONLY		
DATE of receipt of completed Form 1:	FEES submitted:	FILE No.

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THE SUBJECT OF THE APPLICATION OR BY AN AUTHORIZED PERSON ACTING ON HIS BEHALF.

1. Name of registered owner of land to be subdivided      Address and phone No.  
 RENTAR HOLMES LTD.      5104 - 44 AVENUE, TABER AB T1G 1A9  
 Ryan Geeraert

*Name in block capitals*

2. Name of agent (person authorized to act on behalf of registered owner, if any) THOMAS C. PENNER      Address and Phone No.  
 Box 655, Lethbridge, Alberta T1J 3Z4 329-4688

*Name in block capitals*

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED  
 Being all of lots 28 to 30 block 39 Reg. Plan No. 575 T. C.O.T.No. 111 203 006  
 Area of the above parcel of land to be subdivided 0.087 Hectares (0.22 Acres)  
 Municipal address (if applicable) 5051 - 41 AVENUE, TABER

4. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is situated in the municipality of TOWN OF TABER

b. Is the land situated immediately adjacent to the municipal boundary?      Yes      No X  
 If "yes", the adjoining municipality is

c. Is the land situated within 0.8 kilometres of the right-of-way of a Highway?      Yes X      No  
 If "yes", the Highway is No. 3

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body or by a drainage ditch or canal?      Yes      No X  
 If "yes", state its name

e. Is the proposed parcel within 1.5 kilometres of a sour gas facility?      Yes      No X

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land DUPLEX

b. Proposed use of the land DUPLEX

c. The designated use of the land as classified under a land use bylaw -

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (where appropriate)

a. Describe the nature of the topography of the land: FLAT

b. Describe the nature of the vegetation and water on the land: N/A

c. Describe the kind of soil on the land: SANDY

7. EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED

Describe any buildings and any structures on the land and whether they are to be demolished or removed or moved  
 DUPLEX & TWO GARAGES

8. WATER AND SEWER SERVICES

If the proposed subdivision is to be served to other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal \_

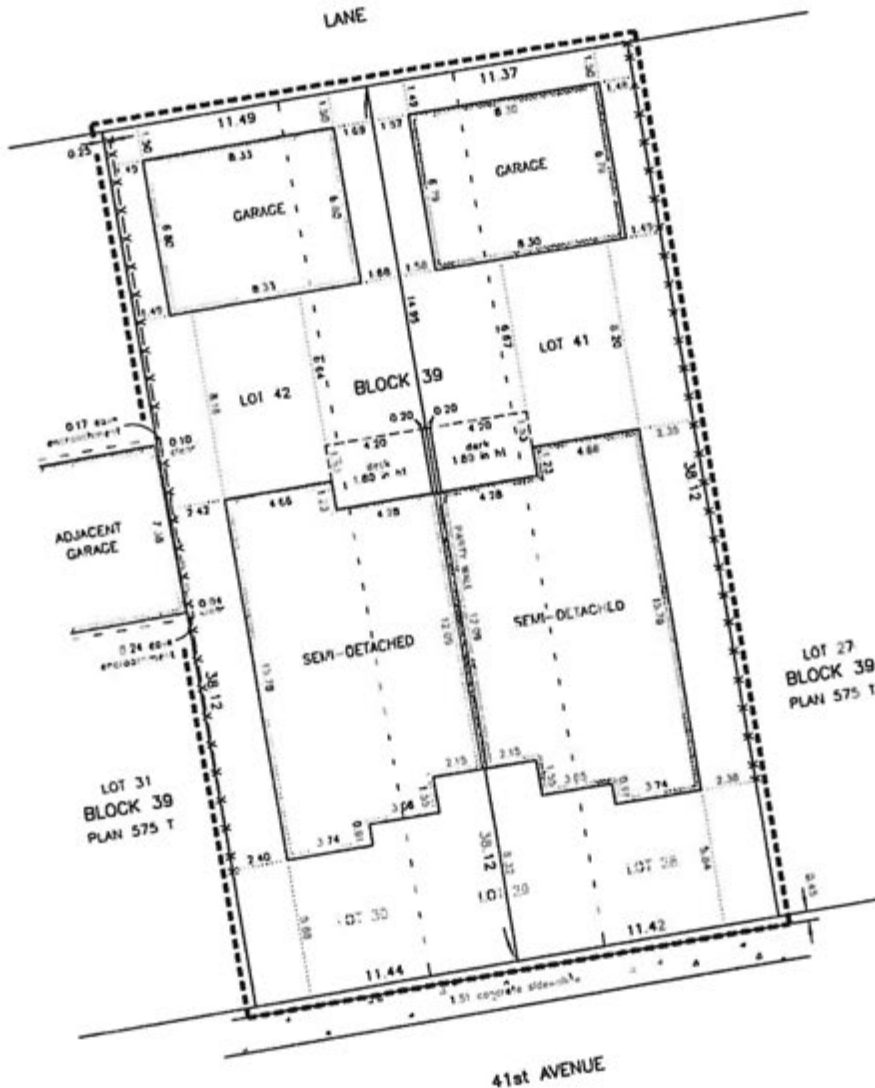
9. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I, THOMAS C. PENNER hereby certify that       I am the registered owner, or

Address: Box 655, Lethbridge, Alberta, T1J 3Z4       I am the agent authorized to act on behalf of the registered owner and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.  
 Phone No. 403 329-4688

(Signed).....  .....

Date August 9, 2012



NOTE: Portion to be approved is outlined thus ----- and contains approximately 0.087 ha.  
 Distances are in metres and decimal parts thereof.  
 Distances and areas are approximate and are subject to change upon final survey.

**RENTAR HOMES**

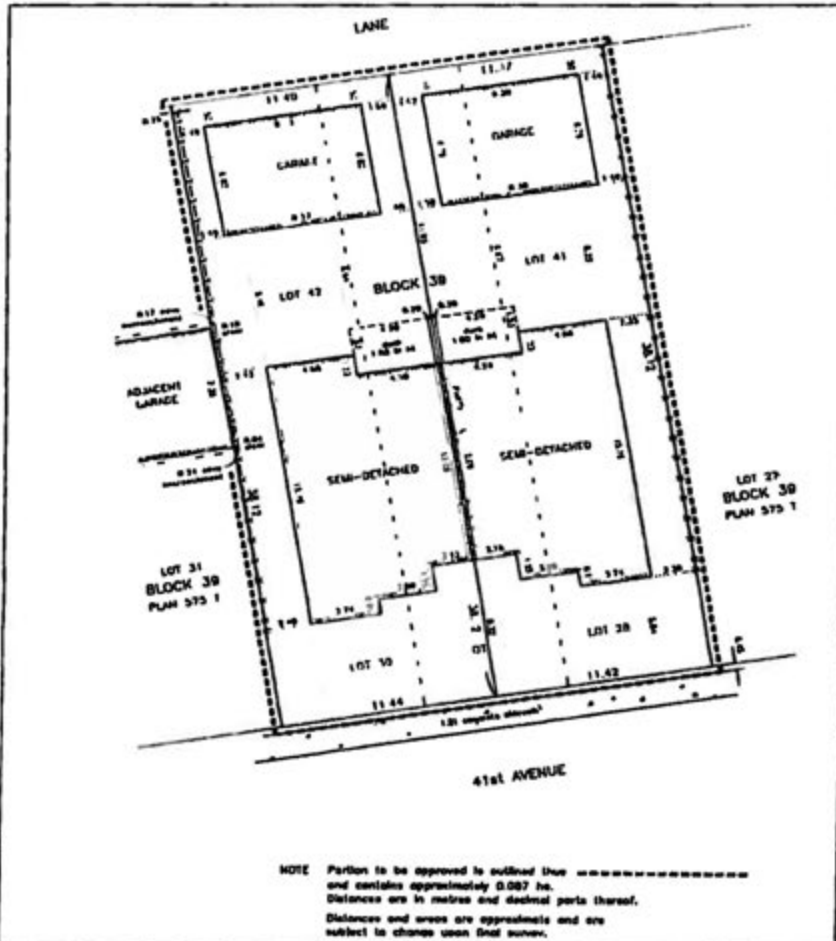
TENTATIVE PLAN SHOWING SUBDIVISION  
 of  
 LOTS 28, 29 & 30, BLOCK 39, PLAN 575 T.  
 within  
 S.W.1/4 SEC. 32, TWP. 9, RGE. 16, W. 4 M.  
 Town of Taber

**boa** brown okamura & associates ltd.  
 Professional Surveyors  
 514 Stefford Drive, Lethbridge, Alberta

APPROVED  T. C. Penner, A.L.S.	DRAWN TH	DATE August 2'12
	CHECKED TCP	JCB 11-11055
	SCALE 1:200	DRAWING 11-11055TA

## THE TOWN OF TABER HEREBY GIVES NOTICE

PURSUANT TO SECTION 653(4) OF THE MUNICIPAL GOVERNMENT ACT, THAT THE FOLLOWING SUBDIVISION APPLICATION IN THE TOWN OF TABER HAS BEEN RECEIVED



**PROPERTY DESCRIPTION**  
SW ¼ SEC 32 TWP 9 RNG 16 W4M

**OWNER(Agent)/PROPOSAL**

**SUBDIVISION APPLICATION TT-12-0-008**  
**5051 41 AV**  
**PLAN 575T, BLOCK 39, LOTS 28-30**

Brown Okamura and Associates Ltd proposes as follows:  
An application intended to subdivide the subject property (0.087 HA) into 2 residential lots.

Any adjacent land owner may comment on the above application by ensuring that the Department of Planning and Economic Development receives a written submission prior to **September 12, 2012**. Any submissions received will be considered by the Subdivision and Development Authority prior to making a decision on the noted application.

Any inquiries on any matter contained within this Notice may be made to the Department of Planning and Economic Development at the Town of Taber, 4900A – 50 Street, Taber, T1G 1T1, Phone (403) 223-5500, ext 5527.

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## **SECTION 6: Low Density Residential (LR-2) DISTRICT**

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### **1. PURPOSE**

This district is intended to allow for a variety of low density housing styles. Although intended to be applied primarily to existing residential areas, it may also be applied to new development. Development legally approved prior to adoption of this Bylaw that does not conform to these regulations is intended to be legal non-conforming development.

### **2. USES**

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

#### **Permitted Uses**

- (a) Garage
- (b) Park
- (c) Single detached dwelling
- (d) Utilities

#### **Discretionary Uses**

- (a) Accessory Building, Structure or Use
- (b) Duplex
- (c) Home Occupation
- (d) Modular Home
- (e) Public Use
- (f) Semi-detached Dwelling
- (g) Sign

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## **SECTION 6: Low Density Residential (LR-2) DISTRICT**

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### **3. DISTRICT REQUIREMENTS**

In addition to the General Land Use Provisions contained in Section 3, the following regulations shall apply to every development in this district.

	<u>Single Detached</u>	<u>Semi-detached Duplex</u>
Minimum Lot Area:		
Fully serviced lot	420m <sup>2</sup>	300 m <sup>2</sup> /unit
Minimum Lot Width:		
Fully serviced lot:	14 metres	18 metres (9 m/side)
Minimum Front Yard:	6 metres	6 metres
Minimum Rear Yard:	6 metres	6 metres
Minimum Interior Side Yard:		
a) Rear Lanes:	1.2 metres	
b) Laneless:	1.2 metres when garage attached	
	3 metres on one side if no attached garage and 1.2 metres on the other, except semis must have 3 metres on both sides with zero (0) metres for semi-detached dwelling units on common lot line only.	
Minimum Exterior Side Yard:	3.0 metres	3.0 metres
Maximum Building Height:	10.5 metres	10.5 metres
Maximum Coverage:	45%	45%
Minimum Landscaped Area:	25%	25%

### **4. SPECIAL REQUIREMENTS: GARAGES, ACCESSORY BUILDINGS AND STRUCTURES**

- (a) No accessory building or structure shall be erected in any yard other than the interior side yard or rear yard and shall be no closer to any lot line than 1 metre (3 feet). This special requirement shall not be applied to garages.
- (b) Garages accessed from a lane shall be setback a minimum of 1.5 metres from the lane right-of-way.