



**RAY BRYANT
MAYOR**

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FORWARDED: FEBRUARY 21, 2013

AGENDA

MEETING OF THE SUBDIVISION AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, FEBRUARY 25, 2013 AT 5:00 PM.

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 0 007

- i) Explanation of the Amendment to Subdivision Approval
- ii) Decision of the Subdivision Authority

X

ITEM NO. 5. CLOSE OF MEETING

X



Agenda Item 4.A)

TOWN OF TABER Subdivision Authority Request for Decision

| | |
|--|--|
| Subject: Amendment to Subdivision Approval | Date of February 25, 2013 Agenda: |
| Prepared By: Jillian Koroluk, Development Officer | |
| Attachments: Tentative Plan Low Density Residential (LR-2) District Requirements Approval on Condition | |
| Topic: Application to amend condition of approval on subdivision of land Lot B, Block 60, Plan 4348 R – 4930-62 nd Ave. | |
| Background: | <p>On August 13, 2012 the Subdivision Authority approved subdivision application TT-12-0-007 with conditions. The applicant has since requested an amendment to condition #2 of the approval of the subdivision. The original condition reads as follows:</p> |
| | <p>"Prior to final endorsement of the subdivision, applicant to ensure the former building meets the Alberta Building Code, Alberta Fire Code and Town of Taber Land Use Bylaw 4-2006 setback requirements".</p> |
| | <p>The change requested is as follows:</p> |
| | <p>"Prior to final endorsement of the subdivision, applicant to ensure the former building meets the Alberta Building Code, Alberta Fire Code and Town of Taber Land Use Bylaw 4-2006.</p> |
| | <p>The applicant is seeking temporary approval by way of development permit for the existing home to remain on proposed Lot 2. This will provide him occupancy during construction of a new dwelling on newly created Lot 1. The existing older home will then be demolished. By amending condition 2, as noted, a waiver can be granted to allow the existing home to remain temporarily and still meet the requirements of the Town of Taber Bylaw 4-2006. A condition will be placed on the development permit to require a demolition of the older home.</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>Administration supports this application as an amendment of this type will allow for a temporary side yard setback waiver for the existing house. Once the remainder of the house on Lot 1 is demolished the applicant will no longer require the waiver.</p> | |
| | Cont'd |

Options:

1. THAT Subdivision Application TT-12-0-007 approval condition #2 **BE AMENDED** to read "Prior to final endorsement of the subdivision, applicant to ensure the former building meets the Alberta Building Code, Alberta Fire Code and Town of Taber Land Use Bylaw 4-2006," with all other previously approved conditions remaining unchanged.
2. THAT Subdivision Application TT-12-0-007 approval condition #2 NOT BE AMENDED.

Recommendation:

1. THAT Subdivision Application TT-12-0-007 approval condition #2 **BE AMENDED** to read "Prior to final endorsement of the subdivision, applicant to ensure the former building meets the Alberta Building Code, Alberta Fire Code and Town of Taber Land Use Bylaw 4-2006," with all other previously approved conditions remaining unchanged.

**Approval
Date:**

February 21, 2013

CAO: TGB



SUBDIVISION OF LAND

APPROVAL ON CONDITION

Our File: TT12-0-007
Your File: 10-10572

August 22, 2012

Brown Okamura & Associates
Box 655
Lethbridge, AB T1J 3Z4

Attention: D. Amantea

Subject: **SUBDIVISION APPLICATION**
Lot B, Block 60, Plan 4348R
4930 62 AV.

Dear Mr. Amantea:

The Town of Taber is hereby giving notice of its decision with regard to the above subdivision application. As of August 20, 2012, the Town of Taber approved the application. The approval is subject to fulfilling the conditions as attached.

An appeal to this decision lies with the Subdivision and Development Appeal Board of the Town of Taber. Those who may appeal this decision include: the applicant; any Government Department to which the application was referred; the municipal council, or a school authority with respect to municipal or school reserves.

An appeal may be commenced by filing a notice of appeal within 14 days of receipt of the decision of the subdivision authority. The date of receipt is deemed to be 5 days from the date the decision is mailed.

A notice of appeal must contain the following:

1. the legal land description of the land being subdivided.
2. the municipal location of the land being subdivided.
3. the reasons for the appeal including issues in the decision or the conditions imposed in the approval.

Following the appeal period, the subdivision may be finalized.

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Town of Taber
August 22, 2012

In order to finalize the subdivision approval, you will be required to:

- a) Meet the conditions of final approval as per attached Schedule "A". Please contact the Town and/or agency referred to in the conditions, for further details on their requirements. Should you require any further clarification on meeting conditions, please contact the Planning Department.
- b) Submit your plan of Subdivision or other instrument (as prepared by your Surveyor or Lawyer), to the Town of Taber, Planning Department. ***The Town will charge a finalization fee of \$250.00 plus \$150.00 per lot at time of endorsement.***

Please note that if you are unable to finalize the subdivision within one year of the date of approval, you will have to contact the Town of Taber, Planning Department in order to extend the validity of the Town's decision beyond the one year time limit.

Again, if you require assistance, please do not hesitate to contact this office.

Sincerely,

Dale Culler
Interm CAO

/lb

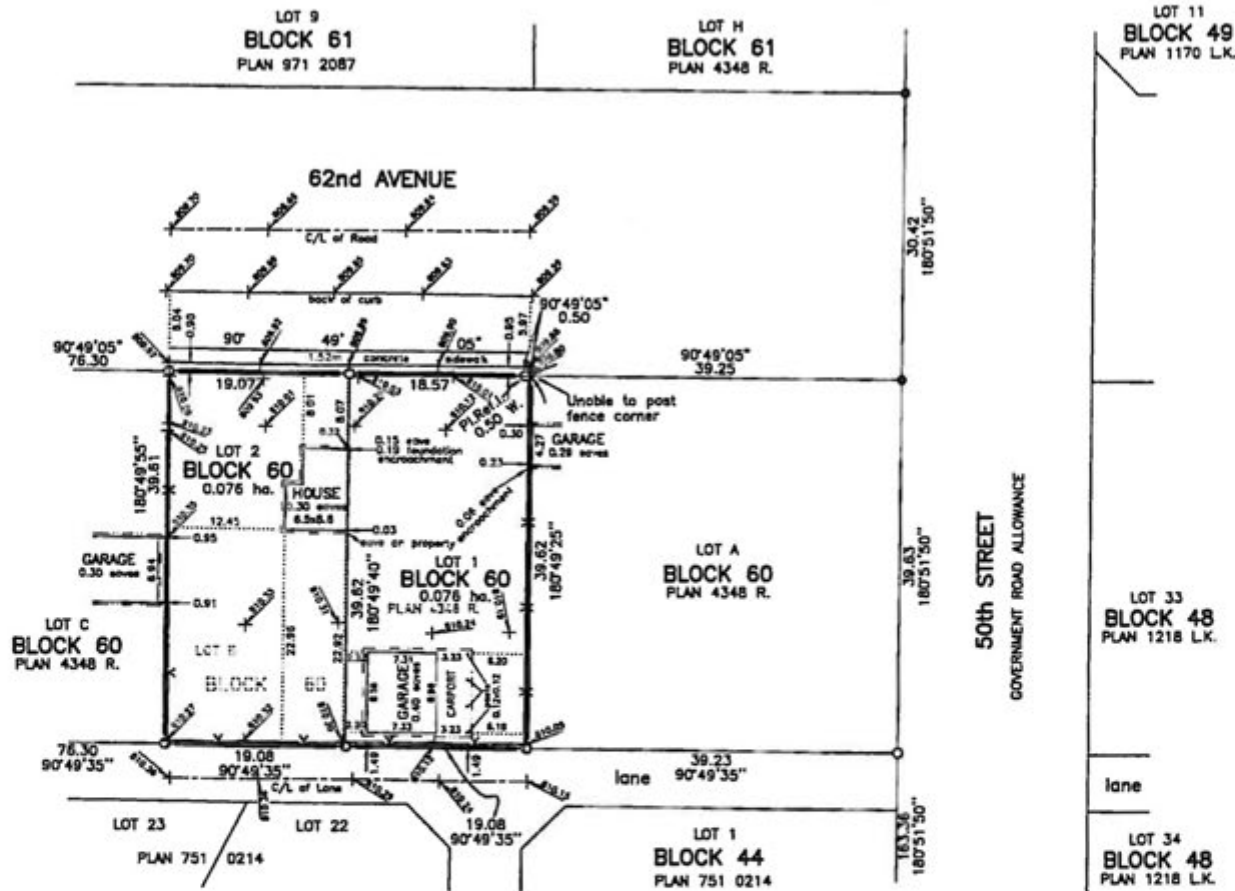
cc: Sid Stonehouse
TELUS
Fortis Network Alberta
ATCO Gas
Shaw Cable
Alberta Health Services
Horizon School Division #67
Holy Spirit RC Separate Regional Division #4.



Schedule "A"

CONDITIONS – SUBDIVISION APPLICATION TT12-0-007

1. That this approval shall apply to **Lot 8, BLOCK 60, PLAN 4348 R - 4930 62 AV.**
2. Prior to the final endorsement of the subdivision applicant to ensure the former building meets the Alberta Building Code, Alberta Fire Code and Town of Taber Land Use Bylaw 4-2006 setback requirements.
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. The applicant should enter into an encroachment agreement between Lot B, Block 60, Plan 4348R and Lot A, block 60, Plan 4348R in regards to the garage located along the east side of Lot A, Block 60, Plan 4348R which has a 0.06m eave encroachment into the applicants lot.
6. 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.
7. That the subdivision be registered in a manner satisfactory to the Land Titles Office.
8. 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.
9. 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.



CHERYL READER & SIDNEY STONEHOUSE

TENTATIVE PLAN SHOWING SUBDIVISION
of all of
LOT B; BLOCK 60; PLAN 4348 R.
within
N.E.1/4 SEC. 6; TWP. 10; RGE. 16; W.4 M.
TOWN OF TABER



brown okamura & associates ltd.
Professional Surveyors
314 Stafford Drive, Lethbridge, Alberta

APPROVED

D. J. Amonte, A.L.S.

DRAWN CJB

CHECKED DJA

SCALE

1:500

DATE NOV. 8/12

JOB 10-10572

DRAWING

10-10572SKC

| NO. | REVISION | DATE | BY |
|-----|----------|------|----|
| | | | |

LEGEND
 Fd.I. - Statutory Iron Posts found shown thus
 Pl.I. - Statutory Iron Posts placed shown thus
 Distances are shown in metres and decimal parts thereof.
 Bearings are GRID and are derived from a line between
 A.S.C.M. 220079 and A.S.C.M. 130658
 PROJECTION - 3TM
 DATUM - NAD'83 (original)
 REFERENCE MERIDIAN - 111°
 COMBINED SCALE FACTOR - 0.999860
 Elevations are shown thus
 Elevations are Geodetic (Benchmark A.S.C.M. 220079, elev. 809.97).

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

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

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

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 ² | 300 m ² /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.