



**RAY BRYANT
MAYOR**

FORWARDED: APRIL 4, 2013

AGENDA

A PUBLIC HEARING REGARDING THE BYLAWS OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, APRIL 8, 2013 AT 5:00 PM., IMMEDIATELY FOLLOWING THE PUBLIC HEARING MEETING AT 5:00 PM.

ITEM NO. 1. CALL TO ORDER

The Chair will explain the general procedure for the hearing, which may include:

- i) Informing the public of the 10 minute time limit for a speaker that has been established.
- ii) Informing that anyone speaking shall state their name for the record.

ITEM NO. 2. LAND USE AMENDMENT BYLAW NO. 3-2013

- i) Explanation of Purpose of Proposed Bylaw No. 3-2013
 - 1. That Section 1(7) Definitions and Operative Clauses "Definitions" be amended by adding the following definition:
"DWELLING, APARTMENT MIXED USE" means a dwelling comprising one or more dwelling units on upper floors of a building with commercial space, primarily intended for office, retail uses, and personal services, on the ground floor of the same building.
 - 2. That Section 23: Downtown Commercial (DT) District be amended by adding the following to the list of discretionary uses:
 - a) "Dwelling, Apartment Mixed Use"
- ii) Presentation of Written or Oral Briefs **Against** the Proposed Bylaw No. 3-2013.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Bylaw No. 3-2013.

ITEM NO. 3. CLOSE OF MEETING

The Mayor shall declare the hearing closed and Council will deliberate the merits of the information and opinions provided at the Public Hearing.

TOWN OF TABER

BYLAW 3-2013

A BYLAW FOR THE PURPOSE OF AMENDING THE TOWN OF TABER LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED

WHEREAS the Town of Taber adopted Land Use Bylaw 4-2006;

AND WHEREAS Council has received a proposal from Administration to amend Land Use Bylaw No. 4-2006 to add "Dwelling, apartment mixed use" to the list of definitions and to the list of discretionary uses in the Downtown Commercial (DT) District in order to make better use of the downtown.

AND WHEREAS Council, having considered at a public hearing the concerns of persons claiming to be affected by this bylaw amendment, believes that the amendment of the Land Use Bylaw should be allow in order to achieve the orderly, economical and beneficial use of land in the Town of Taber;

NOW THEREFORE, the Municipal Council of the Town of Taber in the Province of Alberta, duly assembled in Council enacts as follows:

1. That Section 1(7) Definitions and Operative Clauses "Definitions" be amended by adding the following definition:

"DWELLING, APARTMENT MIXED USE" means a dwelling comprising one or more dwelling units on upper floors of a building with commercial space, primarily intended for office, retail uses, and personal services, on the ground floor of the same building.

2. That Section 23: Downtown Commercial (DT) District be amended by adding the following to the list of discretionary uses:

- a) "Dwelling, Apartment Mixed Use"

3. The remainder of Land Use Bylaw 4-2006, and its subsections, shall remain unchanged.

RES. 66/13 READ A FIRST TIME THIS 25th DAY OF FEBRUARY, 2013.

RES. ____ READ A SECOND TIME THIS ____ DAY OF _____, 2013.

RES. ____ READ A THIRD TIME THIS ____ DAY OF _____, 2013.

CHIEF ADMINISTRATIVE OFFICER

MAYOR

DRAFT

SECTION 23: Downtown Commercial (DT) DISTRICT

1. Purpose

The purpose of this district is to provide for commercial and new residential development in the downtown area.

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) Banks/Financial Institution
- (b) Caterer
- (c) Clinic
- (d) Convenience Food Store
- (e) Eating Establishment
- (f) Farmers'/Flea Market
- (g) Florist Shop
- (h) Funeral Home
- (i) Gas Bar
- (j) Hotel
- (k) Institutional Use
- (b) Laundromat
- (c) Motel
- (d) Museum
- (e) Office, Medical/Dental
- (f) Office or Office Building
- (g) Park
- (h) Personal Service Shop
- (i) Pharmacy
- (j) Public Use
- (k) Restaurant
- (l) Retail Store
- (m) Theatre
- (n) Theatre, Movie
- (o) Tourist Information Facility
- (p) Utilities

SECTION 23: Downtown Commercial (DT) DISTRICT

Discretionary Uses

- (a) Accessory Use, Building or Structure
- (b) Apartment Building
- (c) Apartment Dwelling Units
- (d) Automobile Repair Garage
- (e) Automobile Service Station
- (f) Automobile Supply Store
- (g) Automotive/Recreation Vehicle Sales and Rental
- (h) Bed and Breakfast Facility
- (i) Boarding or Lodging House
- (j) Day Care Facility
- (k) Drive-through Restaurant
- (l) Dry Cleaning and Laundry Depot
- (m) Duplicating Shop
- (n) Equipment Rental/Repair **(Bylaw amendment 3-2009, March 2, 2009)**
- (o) Food and/or Beverage Service Facility
- (p) Group Care Facility
- (q) Home Occupation
- (r) Parking Lot
- (s) Public Assembly
- (t) Recreation Facility, Commercial
- (u) Recreation Facility, Indoor
- (v) Religious Assembly*
- (w) Row Housing
- (x) Senior Citizens' Complex
- (y) Signs
- (z) Taxi/Bus Depot
- (aa) Vehicle Wash
- (bb) Warehouse Store

*Note Section 3(26) of this Bylaw.

SECTION 23: Downtown Commercial (DT) DISTRICT

3. District Requirements

No person shall use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Minimum Lot Area:	230 m ²
Minimum Lot Width:	7.5 metres
Minimum Front Yard:	At the discretion of the Development Authority.
Minimum Rear Yard:	None required except adjacent to residential districts whereby the rear yard shall be a minimum of 3 metres or greater as required by the Development Authority.
Minimum Side Yard:	None required except adjacent to residential districts whereby the side yard shall be a minimum of 3 metres or greater as required by the Development Authority.
Building Height:	At the discretion of the Development Authority.
Minimum Landscaped Area:	At the discretion of the Development Authority.
Maximum Coverage:	At the discretion of the Development Authority.

4. Special Requirements: Screening and Landscaping

- (a) All sites abutting a residential district shall be screened from view of the residential district to the satisfaction of the Development Authority.
- (b) Garbage containers and accessory outside storage areas shall be screened to the satisfaction of the Development Authority.
- (c) All applications for a development permit shall provide a detailed site plan for the proposed development. The site plan shall include all information required on 'Form A' and in Section 2.7 of this Bylaw. For those applications approved, the proponents shall enter into a Development Agreement with the Town to ensure that the conditions of the Development Permit are fulfilled to the satisfaction of the Town.

5. Special Requirements: Housing

The Development Authority shall refer to the High Density Residential (HDR) District when applying site requirements for housing in the Downtown Commercial District. However, notwithstanding Section 3 of this by-law, parking for housing in the

SECTION 23: Downtown Commercial (DT) DISTRICT

Downtown (DT) District shall not be less than 1.5 stalls per unit with provision for assigned parking for guests.

6. **Special Requirement: Site Design and Exterior Finish of Buildings and Structures in a Condominium Complex**

Where site development guidelines/standards are in effect for a condominium complex and have been provided to the Development Authority, the Development Authority shall address those guidelines when issuing any development permit within the boundaries of the condominium project. Conditions of approval may address landscape design, elevation features of the building or structure including exterior finish/cladding, roof lines, and any other matter intended to ensure consistent and complementary site, building and finishing materials throughout the condominium complex.

Public Notice
Amendment to Land Use Bylaw 4-2006
Proposed Bylaw 3-2013

Take notice that the Town of Taber has initiated a text amendment to Land Use Bylaw 4-2006 by introducing proposed Bylaw 3-2013.

A public hearing and discussion of the proposed amendment will be held on Monday, April 8th, 2013 at 5:00PM in the Town Council Chambers, Administration Building, A - 4900 50 St., Taber, Alberta.

The bylaw proposes:

1. That Section 1(7) Definitions and Operative Clauses "Definitions" be amended by adding the following definition:

"DWELLING, APARTMENT MIXED USE" means a dwelling comprising one or more dwelling units on upper floors of a building with commercial space, primarily intended for office, retail uses, and personal services, on the ground floor of the same building.

2. That Section 23: Downtown Commercial (DT) District be amended by adding the following to the list of discretionary uses:

- a) "Dwelling, Apartment Mixed Use"

Copies of the proposed amendment to Bylaw 4-2006 will be available at the Town Office, A - 4900 50 St., Taber, Alberta.

All those who are interested or who may be affected, are invited to attend the Public Hearing. Oral briefs may be put forward at the Public Hearing and those persons attending may ask questions about the proposed amendment to Land Use Bylaw 4-2006 or any other related matters.

Written briefs may be submitted to the Planning and Development Office. Such briefs should reach the Town Office no later than Monday, April 1, 2013.

Jill Koroluk
Development Officer
Phone: 223-5500, ext 5527
Email: jkoroluk@taber.ca

This public notice was
advertised in the March 20th
and March 27th issues of the
Taber Times