



AGENDA

REGULAR MEETING OF THE SUBDIVISION AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, JULY 17, 2023 AT 3:30 PM.

	<u>MOTION</u>
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	X
3. ADOPTION OF THE MINUTES	
ITEM No.3.1 Minutes of Regular Meeting of Subdivision Authority: March 28, 2022	X
4. SUBDIVISION APPLICATION(S)	
ITEM No.4.1 Subdivision TT 23-0-001 - 5115 57 Street	X
5. CLOSE OF MEETING	X



Subdivision Authority Request for Decision

Meeting Date: July 17, 2023

Subject:

Minutes of Regular Meeting of Subdivision Authority: March 28, 2022

Recommendation:

Subdivision Authority adopts the minutes of the Regular Meeting of Subdivision Authority held on March 28, 2022, as presented.

Background:

Approval of minutes is in accordance with the *Municipal Government Act*, Section 208.

Legislation / Authority:

Municipal Government Act, Section 208(1)(a)(c).

Strategic Plan Alignment:

N/A

Financial Implication:

N/A

Service Level / Staff Resource Implication:

N/A

Justification:

Approval of minutes is in accordance with the *Municipal Government Act*, Section 208.



Alternative(s):

Council adopts the minutes of the Regular Meeting of Subdivision Authority held on March 28, 2022, as amended.

Attachment(s): March 28, 2022 Subdivision Authority Meeting Minutes Draft

APPROVALS:

Originated By:
Brittany Gilbertson

Chief Administrative Officer (CAO) or Designate: _____

MINUTES OF THE REGULAR MEETING OF THE SUBDIVISION
AUTHORITY OF THE TOWN OF TABER, IN THE PROVINCE OF
ALBERTA, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION
BUILDING, ON MONDAY, MARCH 28, 2022, AT 3:30 PM.

Mayor

Andrew Prokop

Councillors

Garth Bekkering
Carly Firth
Monica McLean
Alf Rudd
Joanne Sorensen

Absent

Jack Brewin

Chief Administrative Officer

Derrin Thibault

Staff

Kattie Schlamp
Kerry Van Ham

CALL TO ORDER

Mayor Prokop called the meeting to Order at 3:30 PM.

ADOPTION OF AGENDA

Mayor Prokop inquired if there were any additions or deletions to the Agenda, and there were none.

RES. 1/2022 MOVED by Councillor Firth that the Subdivision
Authority adopts the Agenda, as presented.

CARRIED UNANIMOUSLY

1/2022

Meeting Date
3/28/2022

ADOPTION OF THE MINUTES

1) Minutes of Regular Meeting of Subdivision Authority: May 25, 2021

RES. 2/2022 MOVED by Councillor Bekkering that the Subdivision Authority adopts the minutes of the Regular Meeting of Subdivision Authority held on May 25, 2021, as presented.

CARRIED UNANIMOUSLY

SUBDIVISION APPLICATION(S)

1) Subdivision TT 22-0-001 - 3901 64 Ave.

K. Schlamp, Subdivision and Development Officer, stated that Administration received a subdivision application on January 31, 2022 to subdivide one residential lot from a larger remainder lot. She stated that the owner intends to sell the newly created lot for future development of a single-detached dwelling.

K. Schlamp stated that the subject property was annexed into the Town in 2020, and in accordance with the Annexation Agreement, the property owner is entitled to subdivide their property once to create a total of two lots without triggering a change from the stipulations outlined in the agreement. She stated that the newly created lot and the remainder lot will continue to be a part of the Rural/Urban Fringe Land Use District and are subject to the requirements of the Municipal District of Taber Land Use Bylaw 1979.

RES. 3/2022 MOVED by Councillor Firth that the Subdivision Authority approves Subdivision TT 22-0-001, Lot 2, Block 1, Plan 061 0282, within SE ¼ Sec. 12, Twp. 10, Rge. 17, W4M, civically described as 3901A & 3901B 64 Ave., with the following eighteen (18) conditions:

- 1) That approval shall apply to a residential subdivision plan within Lot 2, Block 1, Plan 061 0282;

2/2022

Meeting Date
3/28/2022

SUBDIVISION APPLICATION(S) – CONT'D

1) Subdivision TT 22-0-001 - 3901 64 Ave. – CONT'D

- 2) That pursuant to Section 655(1)(b) of the *Municipal Government Act*, the Developer shall enter into a Servicing Agreement or Deferred Servicing Agreement, to be registered on Title via Caveat, with the Town of Taber to provide separate services and access to the newly created lot;
- 3) A soils analysis and report prepared by a qualified professional shall be required at the time of Development Permit application to demonstrate the site is suitable for a septic field system to the satisfaction of the Director of Planning and Economic Development;
- 4) The Developer shall be responsible for keeping the development area in a neat and tidy fashion, particularly, as it pertains to blowing debris and weeds during development of the subdivision;
- 5) Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any development permit applications;
- 6) The subject property is within the noted control lines of Alberta Transportation, any new development on the lots shall require a permit from Alberta Transportation;
- 7) The Developer shall provide a stormwater analysis to the Director of Planning and Economic Development for approval by Taber Irrigation District. The analysis shall show post-development flows do not exceed pre-development flows by using Low Impact Development techniques, or other suitable mitigation to ensure no additional stormwater will contribute to the system as a result of this development;

SUBDIVISION APPLICATION(S) – CONT'D

1) Subdivision TT 22-0-001 - 3901 64 Ave. – CONT'D

- 8) Easements and/or rights of way shall be registered against the land for the provision of storm, drainage, gas, power, and other utilities as required by the utility provider;
- 9) The Developer shall register an easement and/or right of way against the land to protect existing Telus facilities, to the satisfaction of Telus;
- 10) The Developer shall register an easement and/or right of way against the land to protect existing Atco facilities, to the satisfaction of Atco Gas;
- 11) The Developer shall ensure legal access and conveyance from the Taber Irrigation District designated point of delivery to the point of use on each parcel for which irrigation water is intended to be used;
- 12) The newly subdivided parcel is subject to water use agreement if irrigation water is intended to be used on it;
- 13) All outstanding charges owing to the Taber Irrigation District shall be paid to The Taber Irrigation District prior to endorsement;
- 14) That pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding property taxes shall be paid to the Town of Taber prior to endorsement;
- 15) Compliance is to be maintained with existing policy documents including but not limited to Municipal District of Taber Land Use Bylaw 1979, to the satisfaction of the Development Authority;
- 16) The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office;

SUBDIVISION APPLICATION(S) – CONT'D

1) Subdivision TT 22-0-001 - 3901 64 Ave. – CONT'D

- 17) Copies of the new Titles are to be sent to Taber Irrigation District and the applicant is responsible for the cost to discharge or add any necessary instruments with respect to the new subdivision; and,
- 18) Any further subdivision of the parcel shall be considered a triggering event as defined in the Town of Taber Notice of Annexation & Annexation Negotiations Report finalized in May 2019.

CARRIED UNANIMOUSLY

2) Subdivision TT 22-0-002 - 5031 45 Ave.

K. Schlamp, stated that Administration received a subdivision application February 22, 2022 to subdivide one residential lot with one remainder lot in an existing neighbourhood. She stated that the remainder lot contains a single detached dwelling and the newly created lot will be empty for future development of a single detached dwelling.

K. Schlamp stated that both lots are designated as Residential Single and Two Dwelling (R-2) District, and would remain as R-2 after subdivision. She stated that the application was presented to the Municipal Planning Commission at their Regular Meeting held on March 21, 2022, and the Commission passed a resolution not recommending the approval of the subdivision as it did not meet the minimum subdivision standards of Land Use Bylaw 13-2020. She stated that the Commission also expressed concern over the buildability of the lot as the buildable area would be smaller than a standard size lots within the Town.

Council discussed the proposed lot size, potential buildability, and inquired if there were other narrow lots in the Town of Taber.

K. Schlamp stated that there are lots within the Town with narrow widths, but not single lot dwellings. She stated that the majority of the lots she located contained half of a building, such as a duplex.

SUBDIVISION APPLICATION(S) – CONT'D

2) Subdivision TT 22-0-002 - 5031 45 Ave. – CONT'D

RES. 4/2022

MOVED by Councillor Bekkering that the Subdivision Authority approves Subdivision TT 22-0-002, within Lots 23-25 Inclusive, Block 17, Plan 6390L, within N.W. ¼ Sec. 32, Twp. 9, Rge. 16, W4M., civically described as 5031 45 Avenue., with the following (9) conditions:

- 1) That approval shall apply to a residential subdivision plan within Lots 23-25 Inclusive, Block 17, Plan 6390 L;
- 2) That pursuant to Section 655(1)(b) of the *Municipal Government Act*, the Developer shall enter into a Servicing Agreement or Deferred Servicing Agreement, to be registered on Title via Caveat, to provide separate services to each lot;
- 3) The Developer shall be responsible for keeping the development area in a neat and tidy fashion, particularly, as it pertains to blowing debris and weeds during development of the subdivision;
- 4) Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any development permit applications;
- 5) At the time of Development, a stormwater analysis will be required to be submitted to the Director of Planning and Economic Development for approval by Taber Irrigation District. The analysis shall show post-development flows do not exceed pre-development flows by using Low Impact Development techniques, or other suitable mitigation to ensure no additional stormwater will contribute to the system as a result of this development;

6/2022

Meeting Date
3/28/2022

SUBDIVISION APPLICATION(S) – CONT'D

2) Subdivision TT 22-0-002 - 5031 45 Ave. – CONT'D

- 6) Easements and/or rights of way shall be registered against the land for the provision of storm, drainage, gas, power, and other utilities as required by the utility provider;
- 7) That pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding property taxes shall be paid to the Town of Taber prior to endorsement;
- 8) Compliance is to be maintained with existing policy documents including but not limited to Land Use Bylaw 13-2020, to the satisfaction of the Development Authority; and,
- 9) The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

DEFEATED

CLOSE OF MEETING

Mayor Prokop declared the Regular Meeting of the Subdivision Authority hereby Closed at 3:39 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

7/2022

Meeting Date
3/28/2022

Subdivision Authority Request for Decision

Meeting Date: July 17, 2023

Subject:

Subdivision TT 23-0-001 - 5115 57 Street

Recommendation:

That the Subdivision Authority approve Subdivision TT 23-0-001, Lot 1, Block 1, Plan 141 2121, within SE ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 5115 57th Street, with the following twelve (12) conditions:

1. That approval shall apply to an industrial subdivision plan within Lot 1, Block 1, Plan 141 2121.
2. Pre and post storm water modelling that ensures post-development flows do not exceed pre-development flows shall be required, to the satisfaction of the Development Authority.
3. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer shall enter into a Development/Service Agreement, to be registered on Title via Caveat, with the Town of Taber to provide separate services and access to the newly created lot. Drawing and Securities will be required as part of this process.
4. The Developer shall be responsible for keeping the development area in a neat and tidy fashion, particularly, as it pertains to blowing debris and weeds during development of the subdivision.
5. Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any development permit applications.
6. The Developer shall provide a stormwater analysis to the Development Authority for approval by SMRID Irrigation District. The analysis shall show post-development flows do not exceed pre-development flows by using Low Impact Development techniques, or other suitable mitigation to ensure no additional stormwater will contribute to the system as a result of this development.
7. Easements and/or rights of way shall be registered against the land for the provision of storm, drainage, gas, power, and other utilities as required by the utility provider.
8. An encroachment agreement be entered into with the Town of Taber for the building that measures 7.31 m by 10.38 m and registered on title;
9. Either the tank that has a radius of 1.06 m, which is on the newly proposed property line, shall be moved to a location that is fully on Lot 3, or an Encroachment Agreement shall be entered into and registered against the titles;

10. That pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Town of Taber prior to endorsement.
11. Compliance is to be maintained with existing policy documents including but not limited to Land Use Bylaw 13-2020, to the satisfaction of the Development Authority.
12. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

Background:

Administration received a complete subdivision application on June 15, 2023 to subdivide one industrial lot from a larger remainder lot. The new lot would be for future industrial/commercial development. The current lot is districted as Light Industrial (M-1) and this land use will remain, should they want to change the district they would need to amend the Land Use Bylaw at that time.

The lands currently have a large building and a smaller building on them. These buildings will remain on the remainder lot. The large building would still meet the district setback requirements. The small building does not currently meet the setback requirements for the district as there is a setback shortfall between the north side of this building and the northern property line, nor would it after the subdivision. The building itself is encroaching onto the road right of way. An encroachment agreement shall be entered into with the Town of Taber and registered on the title.

The newly created lot would have no buildings on it, but there is a right of way that would limit development on a portion of the property. It should also be noted that there is a tank that would be located on the newly proposed lot line. The tank shall either be moved to a location that is fully on the remainder lot, or an encroachment agreement shall be entered in to and registered against the titles.

The application package was reviewed and circulated to internal and external stakeholders as well as adjacent properties within 100 m on June 16, 2023. Comments have been considered in the subdivision conditions and are attached for review. The subdivision was also advertised in the Taber times on June 21 & 29, 2023.

At the July 10, 2023 regular meeting of the Municipal Planning Commission the Development Authority recommended the subdivision for approval by the Subdivision Authority.

Legislation / Authority:

Bylaw 10-2018 Part 3(17)(b) Subdivision and Development Authority.

Strategic Plan Alignment:

Develop Community and Promote Growth #2: Review Town policies and regulations that pertain to development.

Financial Implication:

The cost of advertising and registering the subdivision is covered by the subdivision fees.

Service Level / Staff Resource Implication:

Processing subdivisions is a part of the ongoing responsibilities of the Planning Development Department.

Justification:

Approval of the subdivision will be in line with the statutory plans. The subdivision will allow for a new industrial lot within the Town of Taber.

Alternative(s):

That the Subdivision Authority approve Subdivision TT 23-0-001, Lot 1, Block 1, Plan 141 2121, within SE ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 5115 57 Street., with amendments to the conditions.

That the Subdivision Authority does not approve Subdivision TT 23-0-001, Lot 1, Block 1, Plan 141 2121, within SE ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 5115 57 Street, with reasons.

Attachment(s):

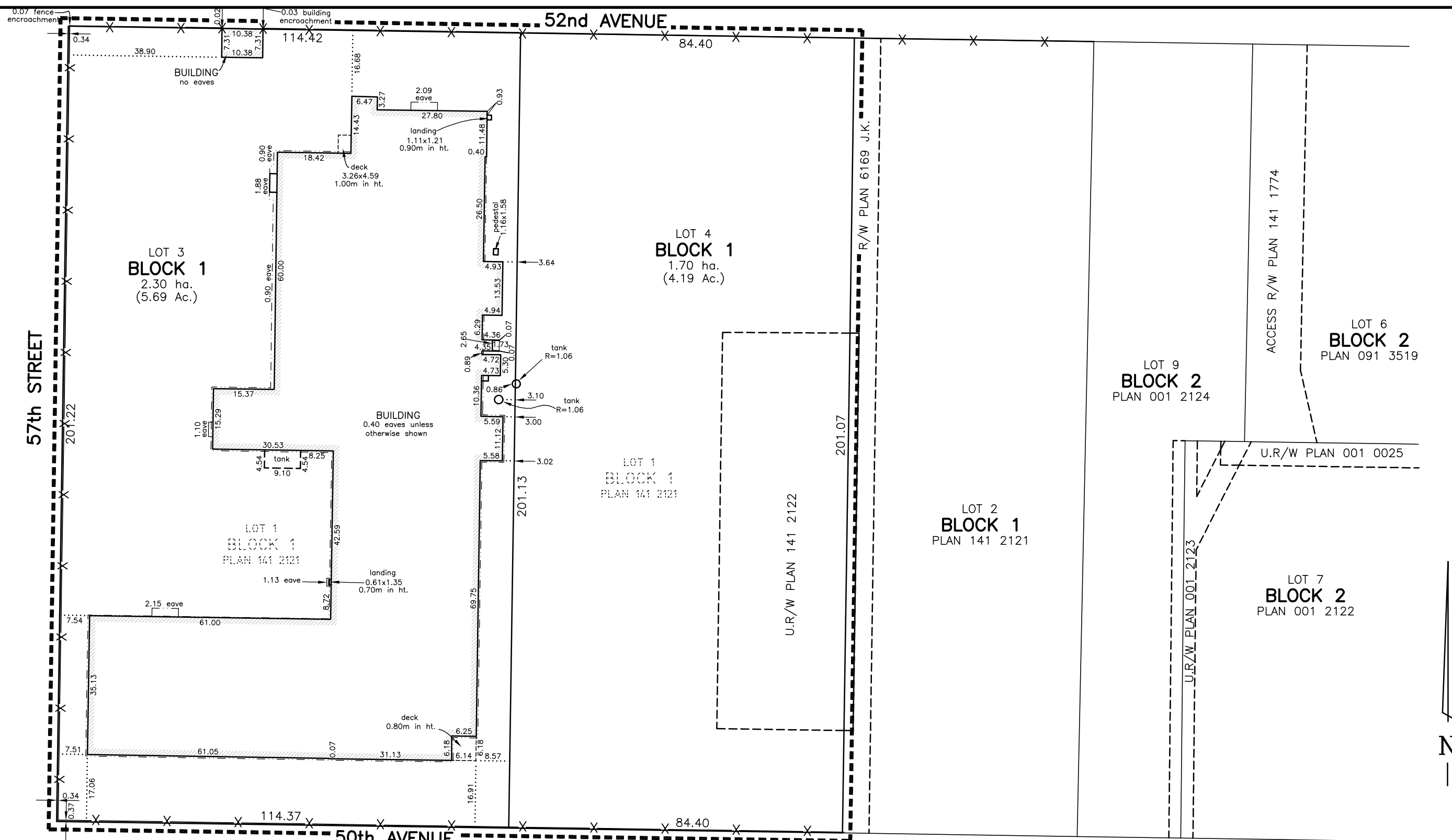
- Plan of Subdivision
- Application
- Subdivision Report
- Site Map
- Land Title
- Abandoned Well Map
- Comments



APPROVALS:

Originated By:
Celina Newberry

Chief Administrative Officer (CAO) or Designate: _____



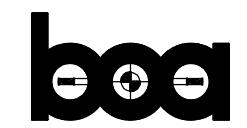
NO.	REVISION	DATE	BY

Improvements shown were surveyed on December 14th, 2022
 NOTE : Portion to be approved is outlined thus **-----**
 and contains approximately 4.00 ha.
 Distances are in metres and decimal parts thereof.

Fence lines are shown thus **-----X-----X-----**
 Distances and areas are approximate and are
 subject to change upon final survey.

SPITFIRE INVESTMENTS LTD.

TENTATIVE PLAN SHOWING SUBDIVISION
 of all of
LOT 1; BLOCK 1; PLAN 141 2121
(5115 - 57th STREET)
 all within
S.E.1/4 SEC. 5; TWP. 10; RGE. 16; W.4 M.
 TOWN OF TABER



brown okamura & associates ltd.
 Professional Surveyors
 2830 - 12th Avenue North, Lethbridge, Alberta

APPROVED Z. J. Prosper A.L.S.	DRAWN CJB	DATE JAN. 5/23
	CHECKED ZJP	JOB 22-15870
	SCALE 1:1000	DRAWING 22-15870T



Application for Subdivision Approval

Planning and Economic Development

A-4900 50th St.
 Taber, Alberta T1G 1T1
 Phone: 403-223-6009
 Fax: 403-223-5530

Office Use Only			
Use: <input type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Prohibited	Land Use District:	Roll No:	
Subdivision No:	Subdivision Fee \$	Off-Site Levy: \$	Security Deposit: \$
Application Received:	Date Advertised:	Permit Effective:	Total Fees: \$

- The issuance of building permits cannot take place until certain conditions outlined by the subdivision approval process, including the requirements outlined by the Subdivision Servicing Agreement, have taken place.
- The parcel will not officially be subdivided until Land Titles registers the plan and creates the new Certificate of Title. It is the land owner's responsibility to initiate registration with Land Titles.
- Please attach the follow:
 - Application fee
 - Tentative Plan of Subdivision prepared by an Alberta Land Surveyor (include a digital copy)
 - Servicing Agreement (3 copies)
 - Current Copy of Certificate of Title

I/We hereby make application for Subdivision in accordance with the requirements of the Municipal Government Act and the Subdivision and Development Regulations.

Applicant:	Name: Spitfire Investments Ltd.	
	Address: box 4905	
	Town: Taber	Postal Code: T1G2E1
	Phone Res: 403-915-8023	Phone Cell:
	Email: jon@rocketleasing.com	
	Business License#:	
Interest in the proposed subdivision, if not the registered owner: <input type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Tenant <input type="checkbox"/> Other explain:		
Registered Owner: (if different from applicant)	Name: Plus 1 Storage	
	Address: Box 4905	
	Town: Taber AB	Postal Code: T1G 2E1
	Phone Res: 4039158023	Phone Cell:
	Email: jon@rocketleasing.com	
Legal Description of Land to be Subdivided:	All/Part of the ___ ¼ of Section ___ Township ___ Range ___ W4M	
	Being all/part of: Lot/Unit 1 Block 1 Plan	
	Municipal Address (if applicable): 5115 57 ave (Street)	
Location of Land to be Subdivided:	The land is situated in the Municipality of: Taber	
	Is the land situated immediately adjacent to the municipal boundary?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is the land situated within 0.8 kilometers of the right-of-way of a Highway?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Does the proposed parcel contain or it is bounded by a river, stream, lake, or other body of water, or by a drainage ditch or canal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is the proposed parcel within 1.5 kilometers of a sour gas facility?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Use of Land to be Subdivided:	Total Number of lots to be created: 2	Size of Lot(s) or range:
	Describe the existing use of the land:	bare land beside building
	Describe the proposed use of the land:	Create 1 commercial lot
	Current land use designation:	M1
	Proposed land use designation:	M1
Characteristics of the Land to be Subdivided	Describe any existing buildings: Currently 1 a building on current lot	
	Will any structures be demolished or moved?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

The personal information requested on this form is being collected for a Subdivision application and is protected by the Freedom of Information and Protection of Privacy (FOIP) Act. If you have questions about the collection, contact our FOIP Coordinator at (403) 223-5500.



**Application for Subdivision Approval
Form E
Planning and Economic Development**
A-4900 50th St.
Taber, Alberta T1G 1T1
Phone: 403-223-6009
Fax: 403-223-5530

Describe the nature of the topography of the land (flat, rolling, steep, mixed, etc.):	<u>Flat</u>
Describe the nature of the vegetation and water on the land (brush, shrubs, trees, woodlots, sloughs, creeks, etc.):	<u>Grass and gravel</u>
Type of soil (sand, loam, clay, etc.):	<u>Sand/clay</u>
Describe the manner of providing water and sewage services:	<u>Run Sewer and water to new lot</u>

I (we), Spitfire Investments Ltd. hereby certify that I am (we are)
Print full name(s)

- the registered owner(s)
 authorized to act on behalf of the registered owner(s)

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.

Signed: [Signature] Date: 06/01/2023
Applicant

Signed: [Signature] Date: 06/01/2023
Registered Owner (if different than applicant)

Signed: [Signature] Date: 06/05/2023
Development Officer

To be completed by the registered owner(s):

Right of Entry:
I, Rob Tams, hereby authorize representatives of the Town of Taber to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision.

This right is granted pursuant to Section 653(2) of the *Municipal Government Act*.

Signed: [Signature] Date: 06/01/2023
Registered Owner

**SUBDIVISION APPROVING AUTHORITY
DECISION REPORT**

Subject: TENTATIVE PLAN OF SUBDIVISION – Address 5115 57 Street

Date: July 5, 2023

Subdivision Application No: TT 23-0-001

Proposed Subdivision Summary:

<i>Applicant</i>	Spitfire Investments Ltd.
<i>Owner/Developer</i>	Plus 1 storage
<i>Legal Description</i>	Lot 1, Block 1, Plan 141 2121
<i>Location</i>	5115 57 Street
<i>Subdivision Area</i>	4 ha (9.88 ac)
<i>Proposed Lots</i>	1 new commercial/industrial lot and 1 remainder commercial/industrial lot.
<i>MDP Designation</i>	Taber Town Plan Bylaw 7-2016
<i>Community ASP</i>	None.
<i>Neighbourhood Structure Plan (NSP)</i>	None.
<i>LUB District</i>	Light Industrial District M-1
<i>Existing Uses</i>	Industrial – An existing building that was previously a factory, but is now used for storage. There is also a smaller building and there are some tanks on the site.

Internal / External Circulation:

Circulation was sent out on June 16, 2023 all relevant comments are addressed within the Planning Considerations and Conditions of approval. All circulation comments are on file for review as required.

Planning Considerations:

Topography/Soil Characteristics/ Physical Characteristics	The subject lands are mainly flat as the site is within a developed industrial area.
Storm Water & Collection	Existing, any changes are to be approved by the Development Authority.
Water Supply, Sewage Disposal and Solid Waste Disposal	Town Services are within proximity to the subdivision area.
Subdivision Design - Roads, Accessibility, & Circulation	The plan of subdivision is intended to create one lot for future industrial use and one remainder lot that is already developed. The newly created lot will require a new access to be created from 50 Ave.
Open Space / Parks	N/A
Reserves	N/A
Land Use Bylaw	<p>M-1 - 2 Lots Primary Commercial/Industrial</p> <p>Area of Site: Minimum Standard required: 900 m² or 0.22 acres Standard provided: 18170 m and 23027 m or (4.49 and 5.69 acres)</p> <p>Width of Site: Minimum Standard required: 25 m Standard provided: 84.4 m and 114.37m</p>

Recommendation:

That the subdivision application by the Town of Taber be **APPROVED** with the following conditions:

Prior to entering into a Servicing Agreement	<ol style="list-style-type: none"> 1. That approval shall apply to an industrial subdivision plan within Lot 1, Block 1, Plan 141 2121. 2. Pre and post storm water modelling that ensures post-development flows do not exceed pre-development flows shall be required, to the satisfaction of the Development Authority.
Prior to construction commencing	<ol style="list-style-type: none"> 3. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer shall enter into a Development/Servicing Agreement, to be registered on Title via Caveat, with the Town of Taber to provide separate services and access to the newly created lot. Drawing and Securities will be required as part of this process. 4. The Developer shall be responsible for keeping the development area in a neat and tidy fashion, particularly, as it pertains to blowing debris and weeds during development of the subdivision. 5. Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any development permit applications. 6. The Developer shall provide a stormwater analysis to the Development Authority for approval by SMRID Irrigation District. The analysis shall show post-development flows do not exceed pre-development flows by

	<p>using Low Impact Development techniques, or other suitable mitigation to ensure no additional stormwater will contribute to the system as a result of this development.</p> <p>7. Easements and/or rights of way shall be registered against the land for the provision of storm, drainage, gas, power, and other utilities as required by the utility provider.</p> <p>8. An encroachment agreement must be entered into with the Town of Taber for the building that measures 7.31 m by 10.38 m and registered on title;</p>
Prior to plan endorsement	<p>9. Either the tank that has a radius of 1.06 m, which is on the newly proposed property line, shall be moved to a location the is fully on Lot 3, or an Encroachment Agreement shall be entered into and registered against the titles;</p> <p>10. That pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Town of Taber prior to endorsement.</p> <p>11. Compliance is to be maintained with existing policy documents including but not limited to Land Use Bylaw 13-2020, to the satisfaction of the Development Authority.</p> <p>12. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.</p>

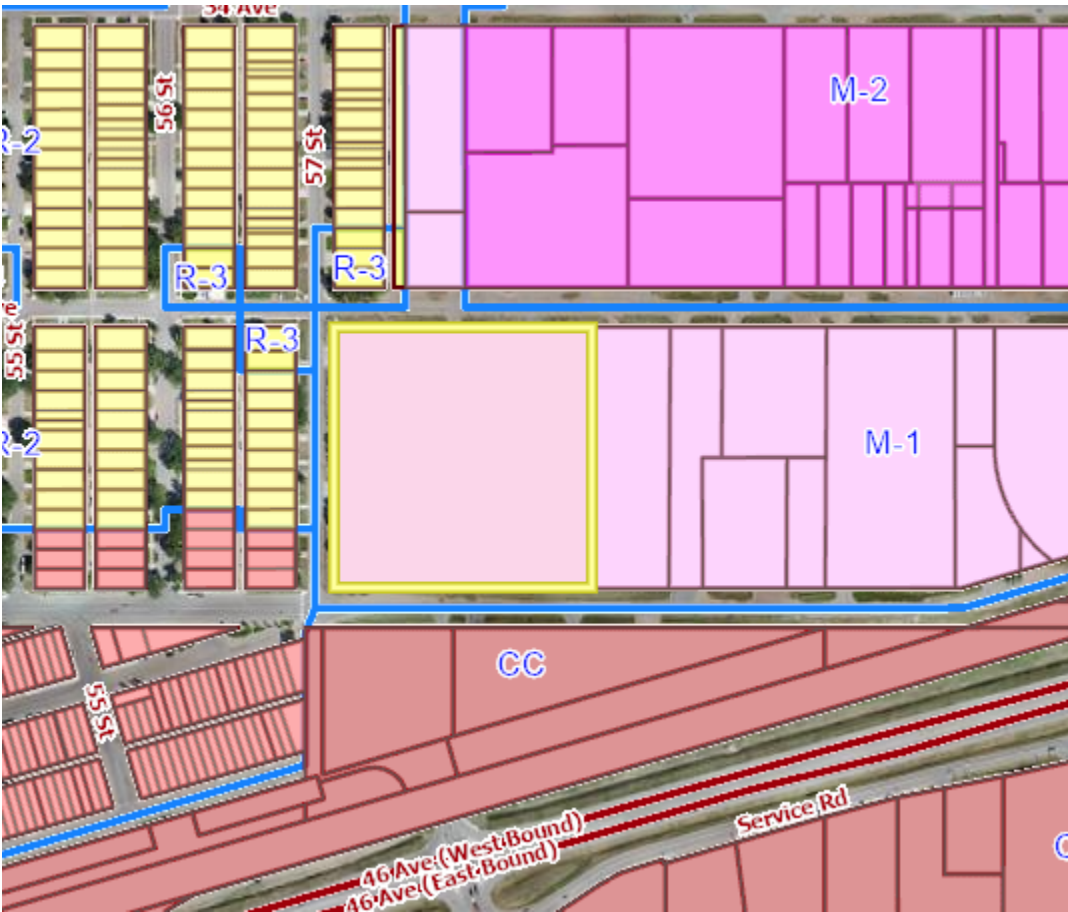
Notations

1. This approval is subject to all relevant environmental legislation and the Alberta Environmental Protection and Enhancement Act.
2. It is the developer's responsibility to ensure that boundary grades tie in with adjacent properties.
3. It is the developer's responsibility to determine whether the use approved by this tentative plan of subdivision is achievable or whether such use may be constrained or precluded by site conditions, including constraints on use resulting from environmental conditions or legislation or both.

Author: Celina Newberry
Departmental Review:

Subdivision Approving Authority

Approval Date



Land Use District Map for Proposed Subdivision TT 23-0-001

The property subject to subdivision is indicated in yellow



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0036 248 508 1412121;1;1 171 158 881

LEGAL DESCRIPTION
PLAN 1412121
BLOCK 1
LOT 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 4 HECTARES (9.88 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;16;10;5;SE

MUNICIPALITY: TOWN OF TABER

REFERENCE NUMBER: 171 011 353

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
171 158 881	18/07/2017	TRANSFER OF LAND	\$2,250,000	CASH & MORTGAGE

OWNERS

PLUS 1 STORAGE LTD.
OF 5801 54 AVENUE
TABER
ALBERTA T1G 1X4

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
141 205 165	06/08/2014	EASEMENT OVER AND FOR BENEFIT: SEE INSTRUMENT AS TO PLAN: SEE INSTRUMENT
171 011 354	13/01/2017	CAVEAT RE : ENCROACHMENT AGREEMENT , ETC. (DATA UPDATED BY: TRANSFER OF CAVEAT 171158882)

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
171 158 881

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

(DATA UPDATED BY: 171158895)

171 158 883 18/07/2017 MORTGAGE
MORTGAGEE - CANADIAN IMPERIAL BANK OF COMMERCE.
595 BAY ST,SUITE 500
TORONTO
ONTARIO M5G2C2
ORIGINAL PRINCIPAL AMOUNT: \$2,000,000

171 158 884 18/07/2017 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - CANADIAN IMPERIAL BANK OF COMMERCE.
595 BAY ST,SUITE 500
TORONTO
ONTARIO M5G2C2
AGENT - MICHAEL J MORCOM

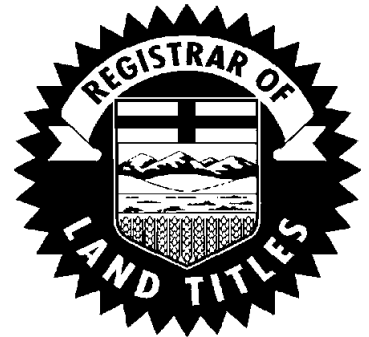
191 122 647 25/06/2019 CAVEAT
RE : AGREEMENT CHARGING LAND , ETC.
CAVEATOR - FORTISALBERTA INC.
15 KINGSVIEW ROAD SE
ATTN:LAND DEPT
AIRDRIE
ALBERTA T4A0A8
AGENT - ERIN ALDCROFT.

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 31 DAY OF MAY,
2023 AT 01:09 P.M.

ORDER NUMBER: 47384388

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

(CONTINUED)

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.

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Abandoned Well Map	Base Data provided by: Government of Alberta	
	Author: XXX	Printing Date: 6/16/2023
Legend ◇ Abandoned Well (Large Scale) ○ Revised Well Location (Large Scale) — Revised Location Pointer Paved Road (20K) — Primary Divided — Primary Undivided 4L — Primary Undivided 2L — Primary Undivided 1L — Interchange Ramp — Secondary Divided — Secondary Undivided 4L	Date Date (if applicable)	
	The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright & Disclaimer webpage: http://www.aer.ca/copyright-disclaimer .	
	Scale: 9,027.98 0.16 Kilometers 0	
	Projection and Datum: WGS84 Web Mercator Auxiliary Sphere	

From: Newberry, Celina
To: [Weiss, Donna](#); [Eagan, Chris](#); [Flaherty, Christopher](#); [Abela, Graham](#); [Hamilton, Brent](#); [Van Ham, Kerry](#); [Martin, Brian](#); [Lahiji, Ramin](#); [Munshaw, Steve](#); [Thibault, Derrin](#)
Subject: Subdivision TT 23-0-001 5117 57 Street
Date: Friday, June 16, 2023 11:02:00 AM
Attachments: [Application.pdf](#)
[Abandoned Well Map.pdf](#)
[Land Title.pdf](#)
[Plan of Subdivision.pdf](#)
[Land Use Map.docx.pdf](#)
[image001.png](#)

Good Morning,

Please see the attachments for the subdivision outlined below:

APPLICATION FOR SUBDIVISION OF LAND

Our File: TT 23-0-001

Subject: **SUBDIVISION APPLICATION**

LOT 1 BLOCK 1, PLAN 141 2121.

SE ¼ SEC 5 TWP 10 RNG 16 W4M

5115 57 St., Taber, AB

The applicant has applied, to subdivide a 4.19-acre lot from the larger remainder lot to facilitate future industrial/commercial development. The lot is in the Light Industrial District (M-1) land use district and all developments must conform to the M-1 District requirements. Please see the attached application form and Plan of Subdivision for further details.

To assist with creating conditions of subdivision for this file, please respond with comments by **noon on July 5, 2023. If you have no comments, please reply with “No Comments”**. This subdivision will be taken to the July 10, 2023 MPC meeting and July 17, 2023 Subdivision Authority meeting.

Thank you,

Celina Newberry
Planning Officer
Town of Taber

From: [Van Ham, Kerry](#)
To: [Newberry, Celina](#)
Subject: RE: Subdivision TT 23-0-001 5117 57 Street
Date: Monday, June 19, 2023 10:31:30 AM
Attachments: [image001.png](#)
[image002.png](#)

Thank you. No concerns.

Kind regards,



Kerry Van Ham
Administrative Services Manager
FOIP Coordinator
Commissioner for Oaths
Pronouns: she/her
P: 403 223 5519

From: Newberry, Celina
To: [AHS Referrals](mailto:ahsreferrals@atco.com); [Atco Gas Subdivision Notices \(southdistrictengineering1@atco.com\)](mailto:atco_gas_subdivision_notices@southdistrictengineering1.atco.com); [Fortis Alberta \(landserv@fortisalberta.com\)](mailto:fortis_alberta_landserv@fortisalberta.com); jake.heide@horizon.ab.ca; [Lisa Palmarin \(palmarinl@holyspirit.ab.ca\)](mailto:lisa.palmarin@holyspirit.ab.ca); [Shaw Circulations \(ProjectManagerSouthernAlberta@sjrb.ca\)](mailto:shaw_circulations@projectmanagersouthernalberta@sjrb.ca); [Taber Irrigation District \(tid@taberirrigationdistrict.ca\)](mailto:tid@taberirrigationdistrict.ca); [Telus Subdivision notices \(circulations@telus.com\)](mailto:telus_subdivision_notices@telus.com); [Kim Mannion](mailto:kim.mannion@telus.com)
Subject: Subdivision TT 23-0-01 5117 57 Street
Date: Friday, June 16, 2023 10:51:00 AM
Attachments: [Application.pdf](#)
[Abandoned Well Map.pdf](#)
[Land Title.pdf](#)
[Plan of Subdivision.pdf](#)
[Land Use Map.docx.pdf](#)
[image001.png](#)

Hello,

Please see the attachments for the subdivision outlined below:

APPLICATION FOR SUBDIVISION OF LAND

Our File: TT 23-0-001

Subject: **SUBDIVISION APPLICATION**

LOT 1, BLOCK 1, PLAN 141 2121

SE ¼ SEC 5 TWP 10 RGE 16 W4M

5115 57 Street, Taber, AB

The applicant has applied, to subdivide a 4.19-acre lot from the larger remainder lot to facilitate future industrial/commercial development. The lot is in the Light Industrial District (M-1) land use district and all developments must conform to the M-1 District requirements. Please see the attached application form and Plan of Subdivision for further details.

In accordance with Section 7 of the Province of Alberta Municipal Government Act Subdivision and Development Regulation, please submit your comments respecting the proposed subdivision by noon on July 6, 2023.

Please contact this office at 403-223-6003 or email celina.newberry@taber.ca if you require any further information.

Thank you,


Celina Newberry
Planning Officer

From: [Glodzinski, Claudia](mailto:glodzinski.claudia@atco.com)
To: [Newberry, Celina](mailto:newberry.celina@atco.com)
Subject: RE: Subdivision TT 23-0-01 5117 57 Street
Date: Thursday, June 22, 2023 8:06:01 AM
Attachments: [image003.png](#)

Hi Celina,

No objections form ATCO.

Claudia Glodzinski

Engineer in Training, South District Engineering
Natural Gas

E. claudia.glodzinski@ATCO.com

D. SouthDistrictEngineering1@atco.com

From: MANNION, Kimberly <Kimberly.Mannion@canadapost.postescanada.ca>
Sent: Monday, June 19, 2023 2:40 PM
To: Newberry, Celina <Celina.Newberry@taber.ca>
Subject: RE: Subdivision TT 23-0-01 5117 57 Street

Good Afternoon,

Canada Post has no comments at this time. I did however, notice on the application it states the address as 5115 57 Ave not street as it should.

Thank you,

Kim Mannion
Delivery Services Officer
Canada Post Corporation

From: Newberry, Celina
To: "MANNION, Kimberly"
Subject: RE: Subdivision TT 23-0-01 5117 57 Street
Date: Monday, June 19, 2023 3:25:00 PM
Attachments: [image001.png](#)

Hi,

Thank you the applicant put it wrong on the application, but it was right on the Plan of Subdivision. I will make sure to make the necessary corrections.

From: MANNION, Kimberly <Kimberly.Mannion@canadapost.postescanada.ca>
Sent: Monday, June 19, 2023 2:40 PM
To: Newberry, Celina <Celina.Newberry@taber.ca>
Subject: RE: Subdivision TT 23-0-01 5117 57 Street

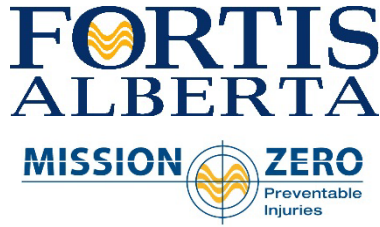
From: [circulations](#)
To: [Newberry, Celina](#)
Subject: RE: Subdivision TT 23-0-01 5117 57 Street
Date: Tuesday, June 20, 2023 2:21:00 PM
Attachments: [image003.png](#)

Good afternoon,

TELUS Communications Inc. has no objection to the above circulation.

Thank you,

Tanya Roberts
Sr Real Estate Specialist
Network Engineering & Operations (NEO) | TELUS | Rights of Way
2930 Centre Avenue NE, Calgary, AB T2A 4Y2
circulations@telus.com



Diana Pounall
Land Department

FortisAlberta Inc.
320 - 17 Ave SW
Calgary, AB
T2S 2V1
Phone# 587-775-6264
Cell#
www.fortisalberta.com
Email:
Diana.Pounall@fortisalberta.com

June 27, 2023

Town of Taber
4900A - 50 Street
Taber, Alberta
T1G 1T1

Attention: Celina Newberry

RE: FortisAlberta Condition for Subdivision Approval

FortisAlberta Reference No.: 320130626

MD File No.: TT 23-0-01

Location/Legal Description: SE 05-10-16 W4

Customer Name: PLUS 1 STORAGE LTD.

Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Pounall', is written over a light blue circular stamp.

Diana Pounall

RE: 320130626

June 16, 2023

Email: Celina.newberry@taber.ca

Celina Newberry
Planning Officer
Town of Taber
A – 4900 50 Street
Taber AB T1G 1T1

Re: Subdivision Application
Lot 1, Block 1, Plan 1412121 (5115 57 Street, Taber AB)
Your File: TT 23-0-001

Dear Celina,

The St. Mary River Irrigation District (SMRID) has reviewed the above-referenced application. The proposed development is located within sub-catchment H5 that drains to Taber Reservoir. Therefore, the applicant shall ensure that post-development flows into roads or ditches do not exceed pre-development flows. SMRID will require the implementation of on-site storage or low impact development initiatives. Provision of these details should form part of the grading and drainage plan or be provided on a landscaping plan and drawing provided by and stamped by a professional engineer.

Sincerely,



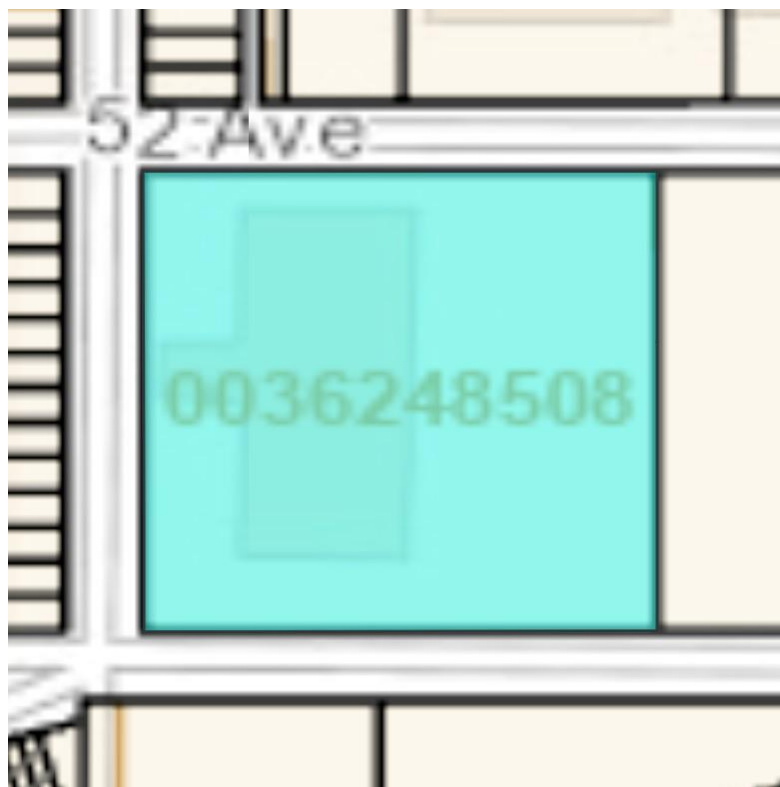
Kyla Ross
Land Administrator

cc: C. Haugan, R. Oliver

Transportation and Economic Corridors Notification of Referral Decision

Subdivision in Proximity of a Provincial Highway

Municipality File Number:	Subdivision TT23-0-001	Highway(s):	3, 36
Legal Land Location:	QS-SE SEC-05 TWP-010 RGE-16 MER-4	Municipality:	Taber
Decision By:	Leah Olsen	Issuing Office:	Southern Region / Lethbridge
Issued Date:	2023-06-21 08:14:15	Appeal Authority:	Subdivision and Development Appeal Board
RPATH Number:	RPATH0036034		
Description of Development:	Subdivision of a 4.19 Ac. parcel from a larger remainder lot.		



This will acknowledge receipt of your circulation regarding the above noted proposal. The subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 3, 36

Transportation and Economic Corridors offers the following comments with respect to this application:

The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.

The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.

Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:

1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act

Please contact Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions, or require additional information.



Issued by **Leah Olsen**, on **2023-06-21 08:14:15** on behalf of the Minister of Transportation and Economic Corridors pursuant to *Ministerial Order 52/20 – Department of Transportation and Economic Corridors Delegation of Authority*