



## **AGENDA**

REGULAR MEETING OF THE SUBDIVISION AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON TUESDAY, NOVEMBER 14, 2023 AT 3:30 PM.

	<b><u>MOTION</u></b>
<b>1. CALL TO ORDER</b>	
<b>2. ADOPTION OF AGENDA</b>	<b>X</b>
<b>3. ADOPTION OF THE MINUTES</b>	
ITEM No.3.1      Minutes of Regular Meeting of Subdivision Authority: September 25, 2023	<b>X</b>
<b>4. SUBDIVISION APPLICATION(S)</b>	
ITEM No.4.1      Correction for TT 23-0-002 - 6003 60 Avenue	<b>X</b>
ITEM No.4.2      Subdivision TT 23-0-004 - 5120 47 Avenue	<b>X</b>
<b>5. CLOSE OF MEETING</b>	<b>X</b>



## Subdivision Authority Request for Decision

**Meeting Date:** November 14, 2023

**Subject:**

Minutes of Regular Meeting of Subdivision Authority: September 25, 2023

**Recommendation:**

Subdivision Authority adopts the Minutes of the Regular Meeting of Subdivision Authority held on September 25, 2023, 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 September 25, 2023, as amended.

**Attachment(s):** September 25, 2023 Subdivision Authority Draft Minutes

**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, SEPTEMBER 25, 2023, AT 3:30 PM.

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**Mayor**

Andrew Prokop

**Councillors**

Garth Bekkering  
Monica McLean  
Joanne Sorensen

**Absent**

Jack Brewin  
Carly Firth  
Daniel Remfert

**Chief Administrative Officer**

Derrin Thibault

**Staff**

Jordan Florchinger  
Celina Newberry  
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.

## **ADOPTION OF THE AGENDA – CONT'D**

RES. 5/2023

MOVED by Councillor Bekkering that the Subdivision Authority adopts the Agenda, as presented.

CARRIED UNANIMOUSLY

## **ADOPTION OF THE MINUTES**

### **1) Minutes of Regular Meeting of Subdivision Authority: July 17, 2023**

RES. 6/2023

MOVED by Councillor Sorensen that the Subdivision Authority adopts the Minutes of the Regular Meeting of the Subdivision Authority held on July 17, 2023, as presented.

CARRIED UNANIMOUSLY

## **SUBDIVISION APPLICATION(S)**

### **1) Subdivision TT 23-0-003 - 6002 54 Street**

D. Thibault introduced C. Newberry, Planning Officer, who stated that Administration had received a Subdivision Application for the civic address of 6002 54<sup>th</sup> Street. C. Newberry stated that the proposed lot would be slightly under standard measurement.

The Subdivision Authority inquired about comments that had been received from surrounding property owners.

C. Newberry stated that the majority of the comments that had been received from property owners near this location are addressed by other bylaws within the Town of Taber.

7/2023

Meeting Date  
9/25/2023

## SUBDIVISION APPLICATION(S) – CONT'D

### 1) Subdivision TT 23-0-003 – 6002 54 Street – Cont'd

RES. 7/2023

MOVED by Councillor Bekkering that the Subdivision Authority approves Subdivision TT 23-0-003, Lot 11, Block A, Plan 7092 G. G., within the N.W. ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 6002 54 Street, with the following ten (10) conditions:

1. That approval shall apply to a residential subdivision plan within Lot 11 inclusive, Block A, Plan 7092 G. G., N.W. ¼ Sec. 5, Twp. 10, Rge. 16, W4M.
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 with the Town of Taber, 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. 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.
6. The accessory structures must meet the requirements of Land Use Bylaw 13-2020, and therefore, need to be removed from the newly created lot prior to endorsement.

8/2023

Meeting Date  
9/25/2023

## SUBDIVISION APPLICATION(S) – CONT'D

### 1) Subdivision TT 23-0-003 – 6002 54 Street – Cont'd

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. 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.
9. 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.
10. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

### 2) Subdivision TT 23-0-002 - 6003 60 Avenue

D. Thibault noted that an amendment needed to be made to the recommendation for the Subdivision Application TT 23-0-002-6003 60 Avenue, removing the word “until” in the second item of the recommendation.

D. Thibault re-introduced C. Newberry, who presented the Subdivision Application TT 23-0-002-6003 60 Avenue for the Subdivision Authority to review.

RES. 8/2023

MOVED by Councillor McLean that the Subdivision Authority approves Subdivision TT 23-0-002, Lot 8, Block 15, Plan 891 0110, within the N.E. ¼ Sec. 5, Twp 10, Rge. 16, W4M, civically described as 6003 60 Avenue, with the following nine (9) conditions:

9/2023

Meeting Date  
9/25/2023

## SUBDIVISION APPLICATION(S) – CONT'D

### 2) Subdivision TT 23-0-002 – 6003 Avenue – Cont'd

1. That approval shall apply to the industrial subdivision plan within Lot 8, Block 15, Plan 891 0110, within the N.E. ¼ Sec. 5, Twp 10, Rge. 16, W4M.
2. That pursuant to Section 655(1)(b) of the *Municipal Government Act*, the Developer shall enter into a Servicing or Development Agreement with the Town of Taber, to provide separate services to the newly created lot, with careful attention being paid to the applicant installing or paying for municipal services, road improvements and the installation of public utilities that are necessary to service the subdivision. This is to be registered on all forthcoming titles.
3. Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any future development permit applications.
4. 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.
5. 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.

10/2023

Meeting Date  
9/25/2023



**SUBDIVISION APPLICATION(S) – CONT'D**

**2) Subdivision TT 23-0-002 – 6003 Avenue – Cont'd**

6. An encroachment agreement shall be entered into between the properties for the fence and registered concurrently with the plan of subdivision. Alternatively, the fence shall be removed from the property or relocated to the property line.
7. The shipping containers and shed located on the eastern side of the property shall be moved to a location that is fully on the remainder lot
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.
9. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

**CLOSE OF MEETING**

Mayor Prokop declared the Regular Meeting of the Subdivision Authority hereby Closed at 3:36 PM.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

11/2023

Meeting Date  
9/25/2023

## Subdivision Authority Request for Decision

**Meeting Date: November 14, 2023**

**Subject:**

Correction for TT 23-0-002 - 6003 60 Avenue

**Recommendation:**

1. That the Subdivision Authority rescinds UNADOPTED RES 8/2023 MOVED by Councillor McLean for the approval Subdivision TT 23-0-002, Lot 8, Block 15, Plan 891 0110, within NE ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 6003 60 Ave., with the following nine (9) conditions as amended:
  1. That approval shall apply to the industrial subdivision plan within Lot 8, Block 15, Plan 891 0110 NE ¼ of Sec. 5, Twp. 10, Rge. 16, W4M.
  2. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer shall enter into a Servicing or Development Agreement with the Town of Taber, to provide separate services to the newly created lot, with careful attention being paid to the applicant installing or paying for municipal services, road improvements and the installation of public utilities that are necessary to service the subdivision. This is to be registered on all forthcoming titles until .
  3. Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any future development permit applications.
  4. 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.
  5. 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.
  6. An encroachment agreement shall be entered into between the properties for the fence and registered concurrently with the plan of subdivision. Alternatively, the fence shall be removed from the property or relocated to the property line.
  7. The shipping containers and shed located on the eastern side of the property shall be moved to a location that is fully on the remainder lot
  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.
  9. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

2. That the Subdivision Authority approve Subdivision TT 23-0-002, Lot 8, Block 5, Plan 891 0110, within NE ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 6003 60 Ave., with the following nine (9) conditions:
  1. That approval shall apply to the industrial subdivision plan within Lot 8, Block 5, Plan 891 0110 NE ¼ of Sec. 5, Twp. 10, Rge. 16, W4M.
  2. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer shall enter into a Servicing or Development Agreement with the Town of Taber, to provide separate services to the newly created lot, with careful attention being paid to the applicant installing or paying for municipal services, road improvements and the installation of public utilities that are necessary to service the subdivision. This is to be registered on all forthcoming titles.
  3. Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any future development permit applications.
  4. 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.
  5. 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.
  6. An encroachment agreement shall be entered into between the properties for the fence and registered concurrently with the plan of subdivision. Alternatively, the fence shall be removed from the property or relocated to the property line.
  7. The shipping containers and shed located on the eastern side of the property shall be moved to a location that is fully on the remainder lot.
  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.
  9. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

**Background:**

On September 23, 2023 Subdivision TT 23-0-002 was approved under UNADOPTED RES 8/2023 MOVED by Councillor McLean. Shortly after this approval it was brought to administration's attention that the written legal description on the Plan of Subdivision had an error in it which, was in turn copied throughout the subdivision process. The written description had the Block listed as Block 15 instead of Block 5.

Administration then began to determine the correct steps to fix the error. The result was that we recirculated it to the required agencies noting the error and requesting that provide us with a confirmation that this did not change their original responses. We also, mailed out letters explaining

the correction to all the original landowners on October 27, 2023 and ran an advertisement in the November 1 and 8 Taber Times notifying the public of the correction.

Below is the Background from the Original Request for Decision;

Administration received a complete subdivision application on August 3, 2023 to subdivide one industrial lot from a larger remainder lot. The new lot would be to split the existing industrial/commercial development from each other. The current lot is districted as Medium Industrial (M-2) 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 several buildings on them which house a few different businesses. These buildings will be split between the remainder lot and the newly created lot.

The large building on what will be the newly created lot does not currently meet the exterior yard setback and will not meet the setback as it sits. A development permit was found in the file granting a variance for a front yard setback for this building DP 11-0061. This building would meet all other district requirements. The other accessory structures that will be located on the newly created lot would not meet all of the district setback requirements once the subdivision occurs.

The large building on the remainder lot does currently meet the setback requirements for the district and would remain so after the subdivision. There are several accessory structures and shipping containers located on this lot that do not currently meet the district requirements and the subdivision will not change this. The two larger sheds at the back do have an “as is” permit on file.

The application package was reviewed and circulated to internal and external stakeholders as well as adjacent properties within 100 m on August 3, 2023. Comments have been considered in the subdivision conditions and are attached for review. The subdivision was also advertised in the Taber times on August 16 & 23, 2023.

At the September 18, 2023 regular meeting of the Municipal Planning Commission the Municipal Planning Commission recommended the subdivision for approval by the Subdivision Authority.

**Legislation / Authority:**

Bylaw 10-2018 Part 2(13) Subdivision and Development Authority.

**Strategic Plan Alignment:**

Develop Community & Promote Growth – Review Town Policies and regulations that pertain to development.



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**Financial Implication:**

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

**Service Level / Staff Resource Implication:**

Subdivisions fall under the regular duties of the Planning Department.

**Justification:**

This will correct the previous error in the appropriate manner.

**Alternative(s):**

That the Subdivision Authority provide further direction to administration.

**Attachment(s):**      Application  
                                    Original Plan of Subdivision  
                                    Corrected Plan of Subdivision

**APPROVALS:**

**Originated By:**  
Celina Newberry

**Chief Administrative Officer (CAO) or Designate:** \_\_\_\_\_



**Application for Subdivision Approval**

**Planning and Economic Development**

A-4900 50<sup>th</sup> 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.

<b>Applicant:</b>	Name: Brown Okamura & Associales Ltd.	
	Address: Box 655 (514 Stafford Drive North)	
	Town: Lethbridge	Postal Code: T1J 3Z4
	Phone Res: Office 403-329-4688 ext. 29	Phone Cell:
	Email: d.amantea@bokamura.com	
	Business License#: David J. Amanlea, ALS, P.Eng	
	Interest in the proposed subdivision, if not the registered owner: <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Tenant <input type="checkbox"/> Other explain:	
<b>Registered Owner:</b> (if different from applicant)	Name: R. Tymko Group Ltd.	
	Address: 6003A - 60 Avenue	
	Town: Taber	Postal Code: T1G 2C1
	Phone Res:	Phone Cell: 403-634-4577
	Email: kimlymko@gmail.com	
<b>Legal Description of Land to be Subdivided:</b>	All/Part of the <u>NE</u> ¼ of Section <u>5</u> Township <u>10</u> Range <u>16</u> W4M	
	Being all/part of: Lot/Unit <u>8</u> Block <u>5</u> Plan <u>8910110</u>	
	Municipal Address (if applicable): 6003 - 60 Avenue	
<b>Location of Land to be Subdivided:</b>	The land is situated in the Municipality of: <u>Town of Taber</u>	
	Is the land situated immediately adjacent to the municipal boundary? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, name of Municipality:
	Is the land situated within 0.8 kilometers of the right-of-way of a Highway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, Highway No: <u>36</u>
	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	If yes, name:
	Is the proposed parcel within 1.5 kilometers of a sour gas facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Use of Land to be Subdivided:</b>	Total Number of lots to be created: <u>1</u> Size of Lot(s) or range:	
	Describe the existing use of the land: <u>Commercial</u>	
	Describe the proposed use of the land: <u>Splitting existing users</u>	
	Current land use designation: <u>No Change</u>	
	Proposed land use designation: <u>No Change</u>	
<b>Characteristics of the Land to be Subdivided</b>	Describe any existing buildings:	
	Will any structures be demolished or moved? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, explain <u>See Sketch</u>

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.



TABER

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.): Flat
Describe the nature of the vegetation and water on the land (brush, shrubs, trees, woodlots, sloughs, creeks, etc.): Grass
Type of soil (sand, loam, clay, etc.): Unknown
Describe the manner of providing water and sewage services: Town existing service

I (we), David J. Amantea, ALS, P.Eng hereby certify that I am (we are) Pnnl full name(s)

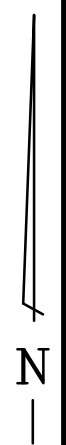
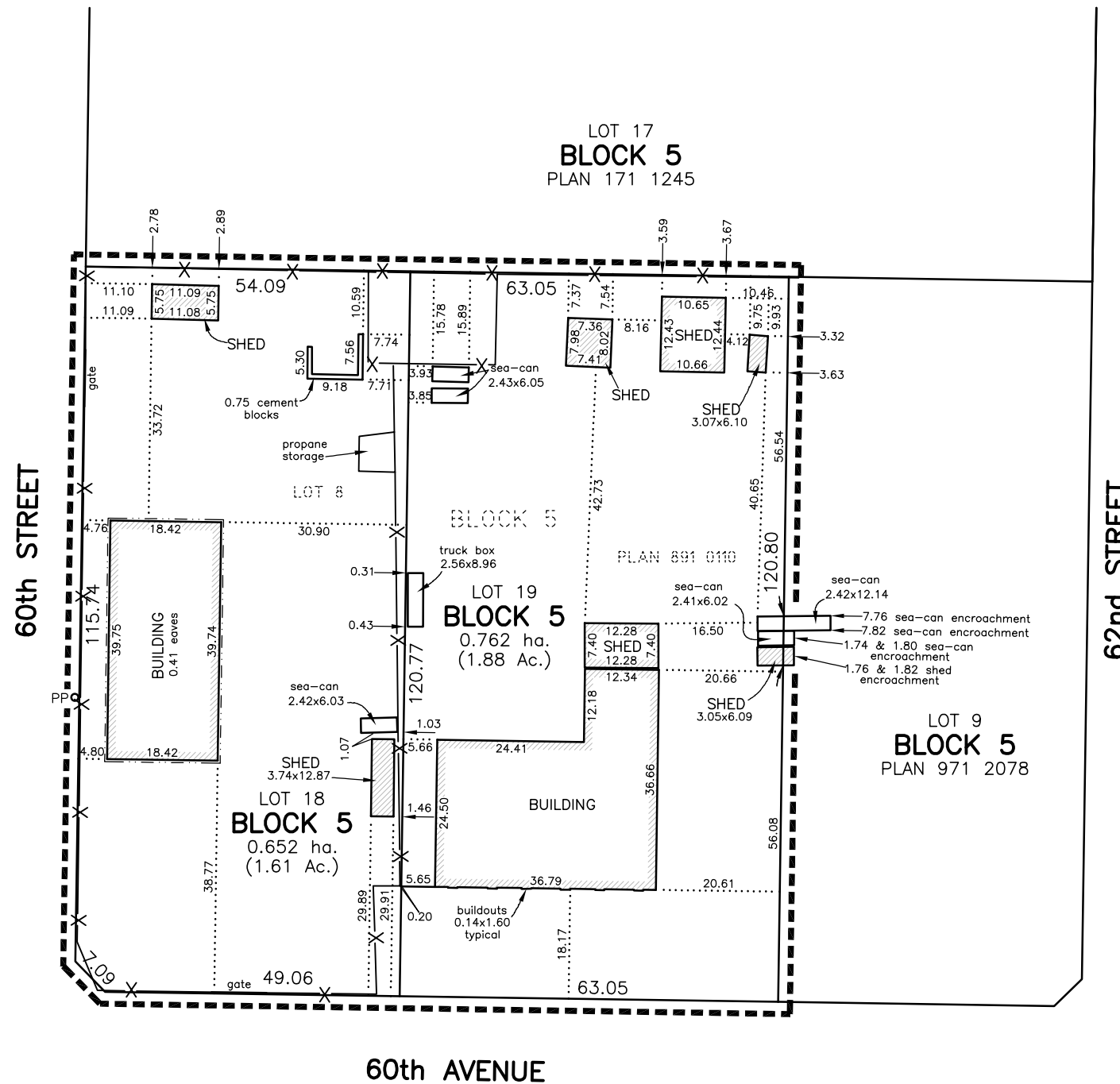
- the registered owner(s)
authorized to act on behalf of the registered owner(s)

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: JULY 20/2023
Applicant
Signed: Kim Tymko Date: July 21/2023
Registered Owner (if different than applicant)
Signed: [Signature] Date: July 25/2023
Development Officer

To be completed by the registered owner(s):
Right of Entry:
Kim Tymko 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: Kim Tymko Date: July 21/2023
Registered Owner

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.

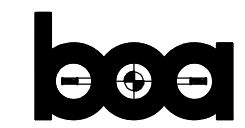


NO.	REVISION	DATE	BY

Improvements shown were surveyed on July 6th, 2023  
 NOTE : Portion to be approved is outlined thus **-----**  
 and contains approximately 1.414 ha.  
 Distances are in metres and decimal parts thereof.  
 Overhead line is shown thus **— OP — OP —**  
 PP stands for utility pole.  
 Fence lines are shown thus **— X — X —**  
 Distances and areas are approximate and are  
 subject to change upon final survey.

**R. TYMKO GROUP LTD.**

TENTATIVE PLAN SHOWING SUBDIVISION  
 of all of  
**LOT 8; BLOCK 15; PLAN 891 0110**  
 all within  
**N.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	DRAWN CJB	DATE JULY 10/23
	CHECKED DJA	JOB 23-16085
D. J. Amantea, A.L.S.	SCALE	DRAWING
	1:1000	23-16085T





TOWN OF TABER

PLAN SHOWING SURVEY OF

**SUBDIVISION**

OF ALL OF

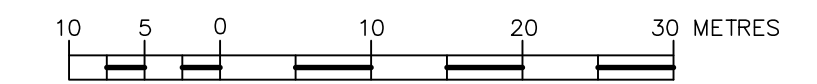
**LOT 8; BLOCK 5; PLAN 891 0110**

ALL WITHIN

**N.E.1/4 SEC. 5; TWP. 10; RGE. 16; W.4 M.**

BY: D. J. AMANTEA, A.L.S.

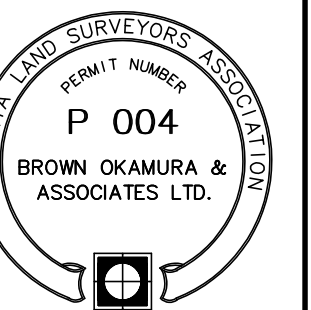
SCALE 1:500



Fd.I. - Statutory Iron Posts found shown thus marked 'P004'  
P.I.I. - Statutory Iron Posts placed shown thus   
Distances are shown in metres and decimal parts thereof.  
Bearings are GRID and are derived from GNSS observations on Plan 171 1245  
PROJECTION - 3TM  
DATUM - NAD'83 (original)  
REFERENCE MERIDIAN - 111°  
COMBINED SCALE FACTOR - 0.999858  
RP - Geo-reference point shown thus RP  
Coordinate value for Geo-reference point is N: 5518278.70 E: -81588.35  
Portion to be registered is bound in heavy black lines and contains 1.414 ha.

**SURVEYOR**

NAME : D. J. AMANTEA, A.L.S.  
SURVEYED BETWEEN THE DATES OF JULY 6th, 2023  
AND SEPTEMBER 19th, 2023, IN ACCORDANCE WITH  
THE PROVISIONS OF THE SURVEYS ACT.



**REGISTERED OWNER**

R. TYMKO GROUP LTD.

**SUBDIVISION AUTHORITY**

NAME : TOWN OF TABER  
FILE NO. : TT-23-0-002  
DATE APPROVED :

DRAWING FILE : 23-16085.DWG

CLIENT : R. TYMKO GROUP LTD.

FILE NO. : 23-16085

CJB (6.0 sq.ft.)

## Subdivision Authority Request for Decision

**Meeting Date: November 14, 2023**

**Subject:**

Subdivision TT 23-0-004 - 5120 47 Avenue

**Recommendation:**

That the Subdivision Authority approve Subdivision TT 23-0-004, Block 1, Plan 921 0689, within NW ¼ Sec. 32, Twp. 9, Rge. 16, W4M, civically described as 5120 47 Ave., with the following seven (7) conditions:

1. That approval shall apply to a commercial subdivision plan within Block 1, Plan 921 0689 NW ¼ of Sec. 32, Twp. 9, Rge. 16, W4M.
2. On site stormwater retention and low impact development considerations should be utilized in the development, to the satisfaction of the Development Authority.
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 future development permit applications.
5. 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.
6. 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.
7. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

**Background:**

Administration received a complete subdivision application as of September 28, 2023 to create one commercial lot with one remainder lot in the Downtown District (DT). The lot currently contains a church. The remainder lot will contain the church and the newly created lot will be empty for future development of a park. The lots are currently designated as Downtown District (DT) and will remain as DT after subdivision.

The package was reviewed and circulated to internal and external stakeholders as well as adjacent properties within 100 m by September 27, 2023. Comments have been considered in the subdivision

conditions and are attached for review. The subdivision was advertised in the October 4 & 11, 2023 editions of the Taber Times.

The lot will be created with the intention of future development of park. The newly created lot will not require new services at this time, should this change a service agreement would be a requirement of any development permit.

Administration has not received any written submissions for this application at the time this request for decision was prepared. The newly created does not meet the required minimum lot width or lot area for the DT District.

At the November 6, 2023, special meeting of the Municipal Planning Commission the Municipal Planning Commission recommended the subdivision for approval by the Subdivision Authority.

**Legislation / Authority:**

Bylaw 10-2018 Part 2(13) Subdivision and Development Authority.

**Strategic Plan Alignment:**

Develop Community and Promote Growth

**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 and Economic Development Department.

**Justification:**

That the proposed subdivision is in accordance with the relevant statutory plan and in the opinion of the development authority does not unduly impact the neighboring properties.

**Alternative(s):**

1. That the Subdivision Authority approve Subdivision TT 23-0-004, Block 1, Plan 921 0689, within NW ¼ Sec. 32, Twp. 9, Rge. 16, W4M, civically described as 5120 47 Ave., with the following amendments to the conditions:
2. That the Subdivision Authority does not approve Subdivision TT 23-0-004, Block 1, Plan 921 0689, within NW ¼ Sec. 32, Twp. 9, Rge. 16, W4M, civically described as 5120 47 Ave., with reasons:



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**Attachment(s):** Plan of Subdivision  
Subdivision Report TT 23-0-004  
Application  
Abandoned Well  
Title  
Land Use District Map

**APPROVALS:**

**Originated By:**  
Celina Newberry

**Chief Administrative Officer (CAO) or Designate:** \_\_\_\_\_



**SUBDIVISION APPROVING AUTHORITY  
DECISION REPORT**

<b>Subject:</b>	<b>TENTATIVE PLAN OF SUBDIVISION 5120 47 Avenue</b>
<b>Date:</b>	<b>October 31, 2023</b>
<b>Subdivision Application No:</b>	<b>TT 23-0-004</b>

**Proposed Subdivision Summary:**

<b><i>Applicant</i></b>	Brown Okamura & Associates Ltd.
<b><i>Owner/Developer</i></b>	Victory Christian Fellowship of Lethbridge
<b><i>Legal Description</i></b>	Block 1, Plan 921 0689
<b><i>Location</i></b>	5120 47 Avenue
<b><i>Subdivision Area</i></b>	0.042 ha (0.10 ac)
<b><i>Proposed Lots</i></b>	1 New Commercial Lots and 1 Remainder Lot
<b><i>MDP Designation</i></b>	Municipal District Plan Bylaw 7-2016 as amended
<b><i>Community ASP</i></b>	None
<b><i>Neighbourhood Structure Plan (NSP)</i></b>	Downtown & Gateway Redevelopment Development Plan Bylaw 5-2004
<b><i>LUB District</i></b>	Downtown District (DT) Land Use Bylaw 13-2020 as amended by Council from time to time.
<b><i>Existing Uses</i></b>	Currently used as a Church

**Internal / External Circulation:**

Circulation was sent out on September 27, 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:**

<b>Topography/Soil Characteristics/ Physical Characteristics</b>	The subject lands are mainly flat as the site is within a developed commercial area.
<b>Storm Water &amp; Collection</b>	Storm water services are located at the corner of 47 <sup>rd</sup> Avenue and 51 <sup>st</sup> Street. Engineered drawings reflecting design to tie into the municipal services will need to be submitted for approval prior to development.
<b>Water Supply, Sewage Disposal and Solid Waste Disposal</b>	Services are located in the street along 47 <sup>th</sup> Avenue. There is also a water service in 51 Street. Engineered drawings reflecting design to tie into the municipal services will need to be submitted for approval prior to development.
<b>Subdivision Design - Roads, Accessibility, &amp; Circulation</b>	The plan of subdivision is intended to create 1 new lot that is to be used as a park and one remainder lot which would continue its current use as a church. Parks are a permitted use in the Downtown District (DT).
<b>Open Space / Parks</b>	The 0.10-acre parcel that is to be created will provide a park within the plan area. A landscaping plan will need to be submitted for approval prior to development.
<b>Reserves</b>	No Reserve is required at this time.
<b>Land Use Bylaw</b>	<b>DT - 1 Lot Commercial</b> Area of Site: Minimum Standard required: 230.00 m <sup>2</sup> Minimum Standard provided: <b>420.00 m<sup>2</sup></b> Width of Site: Minimum Standard required: 7.5 m Minimum Standard provided: <b>10.62 m</b>

**Recommendation:**

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

<b>Prior to entering into a Servicing Agreement</b>	<ol style="list-style-type: none"> <li>That approval shall apply to a commercial subdivision plan within Block 1, Plan 921 0689 NW ¼ of Sec. 32, Twp. 9, Rge. 16, W4M.</li> <li>On site stormwater retention and low impact development considerations should be utilized in development, to the satisfaction of the Development Authority.</li> </ol>
<b>Prior to construction commencing</b>	<ol style="list-style-type: none"> <li>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.</li> <li>Development Permits will be required for any new development on the lots. Approval of this subdivision does not constitute approval of any future development permit applications.</li> </ol>
<b>Prior to plan endorsement</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>

	7. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.
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**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.

<b>Author: <i>Celina Newberry</i></b>
<b>Departmental Review:</b>

\_\_\_\_\_  
Subdivision Approving Authority

\_\_\_\_\_  
Approval Date





Application for Subdivision Approval

Planning and Economic Development

A-4900 50<sup>th</sup> 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:
  - o Application fee
  - o Servicing Agreement (3 copies)
  - o Current Copy of Certificate of Title
  - o Tentative Plan of Subdivision prepared by an Alberta Land Surveyor ( include  a digital copy)

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

<b>Applicant:</b>	Name:	Brown Okamura & Associates Ltd.							
	Address:	Box 655 (514 Stafford Drive North)							
	Town:	Lethbridge	Postal Code:	T1J 3Z4					
	Phone Res: Office	403-329-4688 ext. 29	Phone Cell:						
	Email:	d.amanlea@bokamura.com							
	<b>Business License:</b>	David J. Amanlea, ALS, P.Eng							
	Interest in the proposed subdivision, if not the registered owner:	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Tenant <input type="checkbox"/> Other explain:							
<b>Registered Owner:</b> (if different from applicant)	Name:	Victory Christian Fellowship of Lethbridge (1983) Inc.							
	Address:	Box 1780							
	Town:	Lethbridge	Postal Code:	T1J 4K4					
	Phone Res:		Phone Cell:	403-223-5524 Chris Eagan					
	Email:								
<b>Legal Description of Land to be Subdivided:</b>	All/Part of the	NW	¼ of Section	32	Township	9	Range	16	W4M
	Being all/part of:	Lot/Unit		Block	1	Plan	9210689		
	Municipal Address (if applicable):	5120 - 47 Avenue							
<b>Location of Land to be Subdivided:</b>	The land is situated in the Municipality of:	Town of Taber							
	Is the land situated immediately adjacent to the municipal boundary?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, name of Municipality:					
	Is the land situated within 0.8 kilometers of the right-of-way of a Highway?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, Highway No: # 3					
	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	If yes, name:					
	Is the proposed parcel within 1.5 kilometers of a sour gas facility?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No						
<b>Use of Land to be Subdivided:</b>	Total Number of lots to be created:	1	Size of Lot(s) or range:	0.047 ha					
	Describe the existing use of the land:	Parking Lot							
	Describe the proposed use of the land:	Town Park							
	Current land use designation:								
	Proposed land use designation:								
<b>Characteristics of the Land to be Subdivided</b>	Describe any existing buildings:	See Sketch							
	Will any structures be demolished or moved?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, explain					

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-4800 50<sup>th</sup> St  
 Taber, Alberta T1G 1T1  
 Phone: 403-223-8009  
 Fax: 403-223-5530

Describe the nature of the topography of the land (flat, rolling, steep, mbsed, etc.):	<u>Flat, Parking Area</u>
Describe the nature of the vegetation and water on the land (brush, shrubs, trees, woodlots, sloughs, creeks, etc.):	<u>Parking Lot</u>
Type of soil (sand, loam, clay, etc.):	<u>Unknown</u>
Describe the manner of providing water and sewage services:	<u>N/A</u>

I (we), David J. Amantea, ALS 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 true and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.

Signed:  Date: SEPT 12/2023  
Applicant

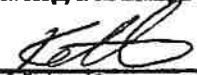
Signed:  Date: SEPT 18/2023  
Registered Owner (if different than applicant)

Signed:  Date: SEP 26/2023  
Development Officer

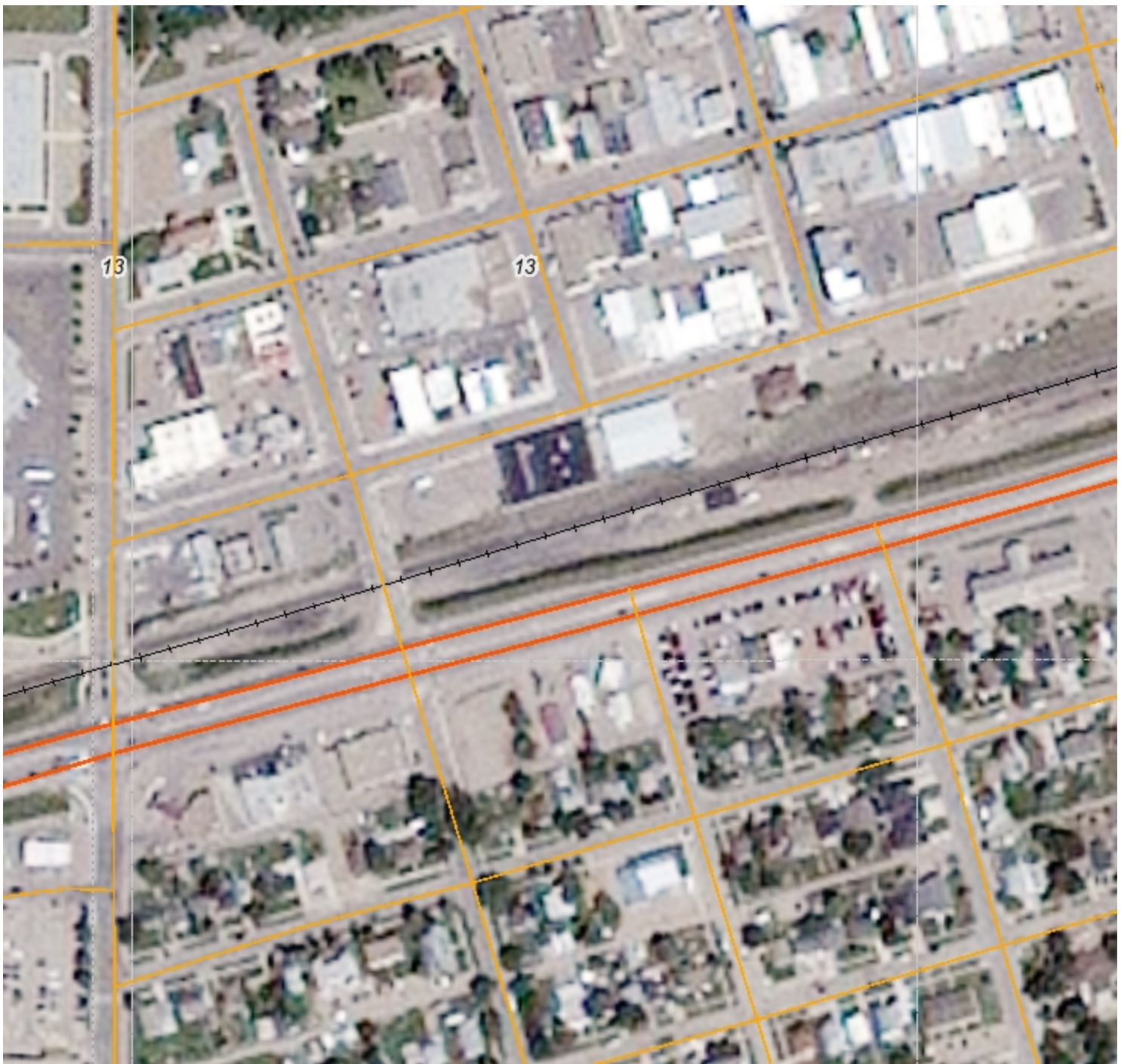
**To be completed by the registered owner(s):**

Right of Entry:  
 I, Kelly Strickland, 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:  Date: SEPT 18/2023  
Registered Owner

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### Abandoned Well Map

Base Data provided by: Government of Alberta

Author XXX

Printing Date: 9/11/2023

Date Date (if applicable)

#### 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

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: 4,513.99

0.07 Kilometers 0



Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0022 205 786              9210689;1                      191 122 499

LEGAL DESCRIPTION  
PLAN 9210689  
BLOCK 1  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;16;9;32;NW

MUNICIPALITY: TOWN OF TABER

REFERENCE NUMBER: 071 449 795

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REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 122 499	25/06/2019	TRANSFER OF LAND	\$250,000	\$250,000

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OWNERS

VICTORY CHRISTIAN FELLOWSHIP OF LETHBRIDGE (1983) INC.  
OF P.O. BOX 1780  
LETHBRIDGE  
ALBERTA T1J 4K4

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ENCUMBRANCES, LIENS & INTERESTS

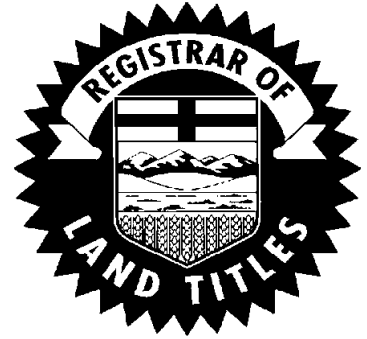
REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
921 086 908	16/04/1992	UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF TABER. PORTION DESCRIBED IN INSTRUMENT
041 461 412	06/12/2004	CAVEAT RE : ENCROACHMENT AGREEMENT

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 11 DAY OF  
SEPTEMBER, 2023 AT 03:53 P.M.

ORDER NUMBER: 48307414

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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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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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

# Town of Taber



## Legend

- Road Label
- Town Boundary
- Adjacent Roads
- Symbol
- Line
- Symbol
- Line
- Symbol
- Line
- Reservoirs
- Oldman River
- Taber Lake
- Land Use
  - NO LAND USE
  - RESIDENTIAL SINGLE DWELLING
  - RESIDENTIAL SINGLE AND TWO R-2
  - RESIDENTIAL STREET-ORIENTE DISTRICT R-3
  - RESIDENTIAL MEDIUM DENSITY
  - RESIDENTIAL MANUFACTURED I
  - DOWNTOWN DISTRICT DT
  - COMPREHENSIVE COMMERCIAL
  - NEIGHBOURHOOD COMMERCIA
  - LIGHT INDUSTRIAL DISTRICT M-
  - MEDIUM INDUSTRIAL DISTRICT I
  - HEAVY INDUSTRIAL DISTRICT M

## Notes

© Town of Taber

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Land Use District Map for Proposed Subdivision TT 23-0-004

Subject Property is highlighted in blue.