

TOWN OF TABER
BYLAW NO.13 - 2023

BEING A BYLAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE TOWN OF TABER LAND USE BYLAW 13-2020 WITHIN THE TOWN OF TABER.

WHEREAS section (640) of the *Municipal Government Act* (Alberta, R.S.A. 2000, Chapter M-26, and amendments thereto) permits a Council to prohibit or regulate and control the use and development of land and buildings in a municipality by passing a land use bylaw;

AND WHEREAS the Council of the Town of Taber adopted Land Use Bylaw No. 13-2020;

AND WHEREAS Council wishes to amend Land Use Bylaw No. 13-2020 to provide for the addition of a new Direct Control District-5;

AND WHEREAS Council wishes to re-designate civic address 5701 Highway 864 Lot 1, Block 1, Plan 9512421 containing 0.92 Hectares (2.28 acres) more or less, from Urban Reserve District (UR) to Direct Control 5 (DC-5) in order to facilitate residential development.

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

1.0 NAME OF BYLAW

This Bylaw may be cited as the "Land Use Bylaw DC-5 Amendment"

2.0 DEFINITIONS

In this Bylaw:

Act	means the <i>Municipal Government Act</i> , Revised Statutes of Alberta 2000, Chapter M-26, as amended;
Bylaw	means the Town of Taber Land Use Bylaw 13-2020 established by the Municipality;
Chief Administrative Officer	means the Chief Administrative Officer for the Town, regardless of the specific title that may be conferred on the Officer by Council from time to time;
Council	means the Council for the Town of Taber;
Municipality	means the Town of Taber;

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3.0 GENERAL

- 3.1 That attached "Schedule A" for a Direct Control (DC-5) district to be added to Land Use Bylaw 13-2023 as section 3.23.
- 3.2 That the Land Use Map contained in Land Use Bylaw No. 13-2020 is amended, as reflected in Schedule 'B', by the re-districting of:

CIIVC ADDRESS 5701 HIGWAY 864
LOT 1
BLOCK 1
PLAN9512421
EXCEPTING THEREOUT ALL MINES AND MINERALS

4.0 INTENTION OF TOWN COUNCIL

It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

5.0 RESCINDED OR AMENDED BYLAWS


- 5.1 Bylaw 13-2020 is hereby amended as indicated in the attached "Schedule A".
- 5.2 Bylaw 13-2020 is hereby amended as indicated in the attached "Schedule B".
- 5.3 The remainder of Bylaw 13-2020 being the Land Use Bylaw is not amended by Bylaw 13-2023 and remains in full force and effect.

6.0 EFFECTIVE DATE


This Bylaw shall take effect on the day of the final passing and the signatures of the chief elected official and duly authorized designated officer thereof.

- RES. 282/2023 Read a first time this 25th day of September, 2023.
- RES. 325/2023 Read a second time this 23rd day of October, 2023.
- RES. 326/2023 Read a third time and finally passed this 23rd day of October, 2023.

TOWN OF TABER



MAYOR



CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

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Schedule "A"
Direct Control District (DC-5)

3.23 DIRECT CONTROL DISTRICT 5 (DC-5)

Purpose

- (1) The purpose of this District is to permit and regulate the development of two dwellings on Lot 1, Block 1, Plan 9512421.

Uses

1) Permitted Uses	2) Discretionary Uses
a) Single Detached Dwelling	a) Manufactured Home
b) Accessory Structure (also see Section 2.11)	b) Secondary Detached Dwelling or Manufactured Home
c) Accessory Use (also see Section 2.12)	c) Park
d) Child Care - Limited	d) Group Care - Limited
e) Sign – Class A	e) Home Occupation – Class 2 (also see Section 2.19)
f) Utilities	

Standards

1) Subdivision Standards	
a) Minimum Parcel Area:	450.0 m ²
b) Minimum Parcel Width:	14.0 m
2) Development Standards	
a) Minimum Front Yard:	6.0 m
b) Minimum Rear Yard:	7.0 m
c) Minimum Interior Side Yard:	
i) Interior Parcel without attached garage:	3.0 m on one side and 1.2 m on the other
ii) Interior Parcel with attached garage:	1.2 m on both sides
iii) Corner Parcel:	

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Schedule "A"
Direct Control District (DC-5)

d) Minimum Separation Between Residential Buildings:	3.0 m
e) Maximum Building Height:	10.5
f) Maximum Coverage	45%
g) Maximum Site Density	2 dwelling units per property

Special Requirements

(1) Landscaping Requirements:

- (a) All areas not covered by buildings and parking shall be landscaped.
- (b) All dwelling units must plant and maintain at least one (1) tree in the front yard and one (1) tree in the rear or side yard.
- (c) All landscaping shall be identified on the site plan.

(2) Accessory Structures:

- (a) Unless otherwise noted, the following requirements pertain to all Accessory Structures, including structures under 10.0 m².
- (b) An Accessory Structure must not be used or maintained as a Dwelling Unit or Home Occupation, unless otherwise permitted in this Bylaw.
- (c) The total floor area of all Accessory Structures, excluding decks and patios, must not exceed 75.0 m² per dwelling unit.
- (d) The maximum height of an accessory structure is 5.0 metres.
- (e) All Accessory Structures must have an exterior finish that is complimentary to the Principal Building, to the satisfaction of the Development Authority.
- (f) Accessory Structures, including decks, shall be located:
 - (i) No closer to the front property line than the front line of the Principal Building, and must not be located within the front yard setback;
 - (ii) A minimum of 3.0 m from a side or rear property line shared with a street;
 - (iii) A minimum of 1.2 m from a side or rear property line not shared with a street;

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Schedule "A"
Direct Control District (DC-5)

(iv) A minimum of 1 m from another.

(3) Building Location and Front Yard:

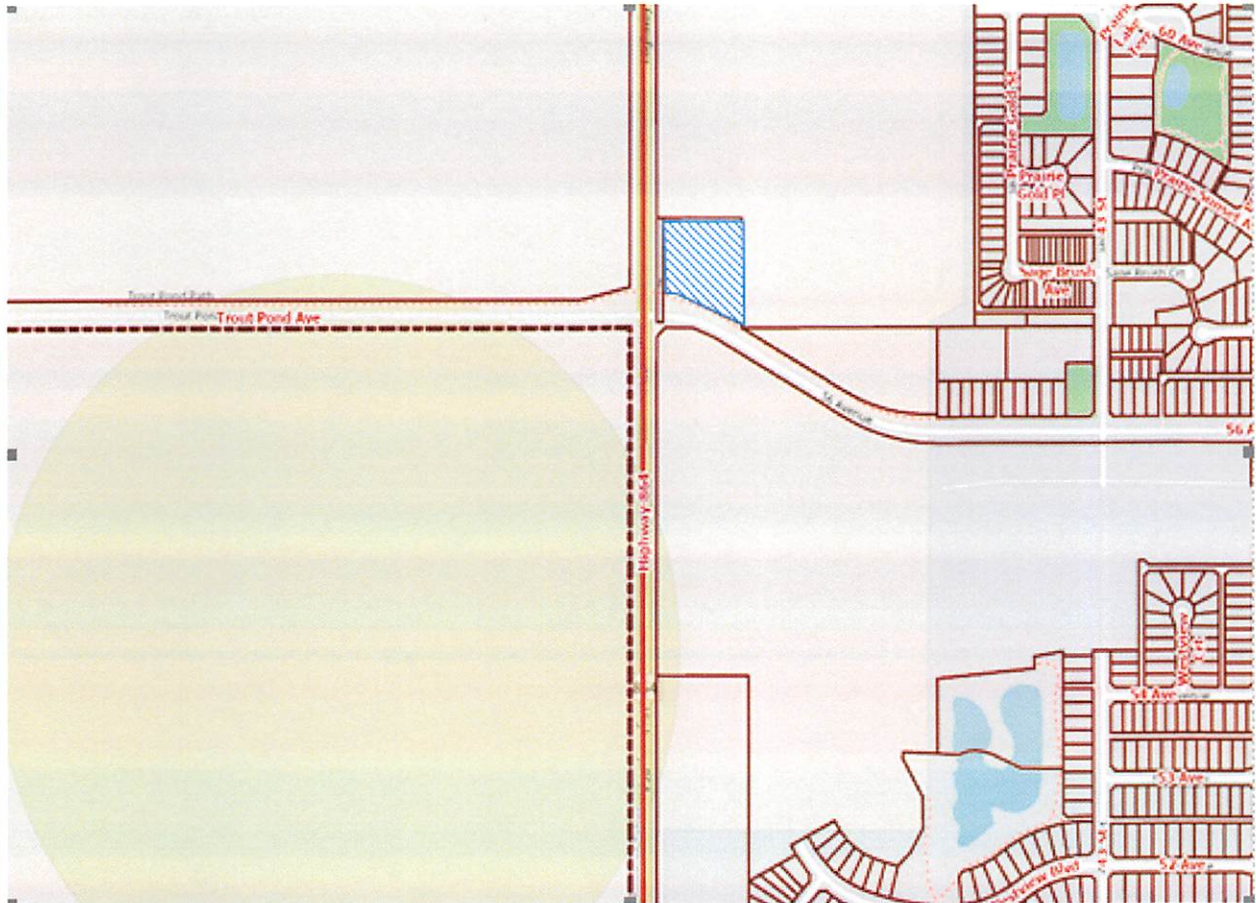
- (a) Notwithstanding other provisions in this bylaw, the yard abutting the highway of the existing dwelling shall be deemed the front yard. For any new dwellings the yard abutting 56th Avenue shall be considered the front yard;
- (b) The front of the dwellings shall face the front yard unless other wise approved by Council;

(4) District Approval Procedures:

- (1) Before Council considers an application for a discretionary use in the Direct Control District, Council shall:
 - (a) Cause a notice to be issued by the Development Authority of this By-law to all those located within 100 m of the boundaries of the property subject to the application;
 - (b) Hold a Public hearing, and said Public hearing shall be advertised in accordance with the municipal Public Hearing procedures;
 - (c) At the Public Hearing, hear any persons that claim to be affected by the decision on the application.
- (2) Council hereby delegates to the Development Authority decision-making authority for all permitted uses listed in the District, including District Requirements.

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Schedule "B"
5701 Highway 864, Lot 1, Block 1, Plan 9512421
From: Urban Reserve (UR)
To: Direct Control District (DC-5)



LAND USE DISTRICT REDESIGNATION



From: Urban Reserve UR
To: Direct Control District DC-5