

MINUTES OF THE REGULAR MEETING OF THE DEVELOPMENT
AUTHORITY OF THE TOWN OF TABER, IN THE PROVINCE OF
ALBERTA, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION
BUILDING, ON MONDAY, OCTOBER 16, 2023, AT 1:30 PM.

Chairperson

Roger Miles

Vice Chairperson

Ron Hadden

Members

Jack Brewin

Cody Fletcher - Absent

Monica McLean - Absent

Chief Administrative Officer

Derrin Thibault - Absent

Staff

Chris Eagan

Emily Hembrough

Celina Newberry

CALL TO ORDER

R. Miles called the meeting to order at 1:31 pm.

ADOPTION OF THE AGENDA

Discussion was had regarding the date of the Minutes that was listed in the Agenda. It was noted that the minutes for this agenda should have been listed as the Minutes for the September 18, 2023 Regular Municipal Planning Commission Meeting.

RES 91/2023 MOVED by J. Brewin that the Agenda be Adopted
as Amended.

CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES

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Minutes for the August 14, 2023 Regular Municipal Planning Commission Meeting

RES 92/2023 MOVED by R. Hadden that the Municipal Planning Commission adopts the minutes of the Regular Municipal Planning Commission meeting held September 18, 2023 as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

None

ACTION ITEMS

DP 23-125 - 5115 48 Avenue - Change of Use

RES 93/2023 MOVED by J. Brewin that the Municipal Planning Commission approves Development Permit DP 23-125 for a Change of Use located at 5115 48 Avenue, Lot 18-20, Block 11, Plan 5638L, with the following eight (8) conditions:

- 1) The development shall otherwise conform to the district requirements of the Downtown District (DT);
- 2) A fire inspection shall be completed prior to occupancy;
- 3) The applicant shall obtain a Building Permit if necessary to ensure the development complies with the National Fire Code 2019 (AE) and the National Building Code 2019 (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
- 4) Occupancy for this use must be granted by the Building Inspector prior to operation, this requirement is triggered by the change of use;
- 5) Any further changes in the type of use, or increases in the intensity of use outside of this application shall require an additional Development Permit;

- 6) Any signage requires an additional Development Permit
- 7) The applicant shall obtain a business license for the operation of a new business,
- 8) All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development.

CARRIED UNANIMOUSLY

DP 23-128 - 5703 54 Avenue - New Greenhouse

RES 94/2023

MOVED by J. Brewin that the Municipal Planning Commission approve Development Permit DP 23-128 for a addition new greenhouse located at 5703 54 Avenue, Lot 13, Block 6, plan 6404JK with the following twelve (12) conditions:

- 9) That the site is developed as per the submitted site plan and building drawings;
- 10) This green house shall be in the located in the same location as the previous one which has been demolished and may not be closer to the eastern property line than 6.2 metres nor closer than 7.00 m to the northern property line;
- 11) The development shall otherwise conform to the requirements of the Light Industrial District (M-1) except where a variance has been granted;
- 12) Prior to construction a stormwater management plan is required and shall be submitted to the Planning Department for approval by no later than November 30, 2023. The applicant shall ensure that stormwater does not enter adjacent properties, and that post development flows into roads or ditches does not exceed pre-development flows and volumes. This may require the implementation of low impact development initiatives such as on-site storage, permeable gravel or grass on-site landscaping, rain barrels or rain gardens, for example. Provision of these details should form part of

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the grading and drainage plan, or be provided on a landscaping plan;

- 13)** That prior to proceeding with development all outstanding taxes, if any, shall be paid in full to the Town of Taber;
- 14)** The applicant shall obtain a Building Permit to ensure the development complies with the National Fire Code 2019 (AE) and the National Building Code 2019 (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
- 15)** The applicant shall ensure that the foundation is be staked by a qualified professional;
- 16)** Any contractors commissioned for construction must have a valid Business License for the Town of Taber;
- 17)** The Applicant shall ensure that water will not accumulate at or near the buildings (positive drainage) on site, nor accumulate on the lot, and that the construction of the proposed development will not adversely affect such drainage on adjacent properties;
- 18)** The applicant shall ensure that stormwater from this property does not enter adjacent properties, and that post development flows into roads or ditches does not exceed pre-development flows;
- 19)** During construction, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by construction activity. This includes parking of construction vehicles and storage of construction materials, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired at the cost of the applicant/owner. Erosion shall be controlled so that soil and dust is not conveyed off site. Standing water on the site shall also be controlled by the applicant. (Non-compliance of these items

are subject to fines as indicated under Bylaw 13-2021);

- 20) That prior to occupancy an updated Real Property Report shall be supplied to the Town of Taber and a Compliance Certificate must be obtained.

Please note that:

The Municipal Planning Commission approved a minimum side yard setback on November 21, 2022. The minimum side yard setback was varied by 0.59 m from 3.00 m to 2.41 m.

The Municipal Planning Commission approved a minimum rear yard setback on November 21, 2022. The minimum rear yard setback was varied by 5.48 m from 7.00 to 1.52 m.

The Municipal Planning Commission approved an 8% variance for the maximum allowable building coverage was granted by Municipal Planning Commission on September 18, 2023. The maximum building coverage shall be varied from 50% to 58%

The Municipal Planning Commission approved a variance of 0.60 m for the front yard setback was granted by on September 18, 2023. The front yard setback shall be varied from 7.0 m to 6.4 m; A \$2,500 Damage deposit was received for development permit DP 23-106 and will remain on file until the completion of DP 23-126.

CARRIED UNANIMOUSLY

DP 23-129 - 3 Westview Boulevard - New SFD

RES 95/2023

MOVED by R. Hadden that the Municipal Planning Commission approves Development Permit DP 23-129 for a new Single Detached Dwelling located at 3 Westview Boulevard, Lot 1, Block 7, Plan 0815248, with the following fifteen (15) conditions with condition number 3 amended as follows:

- 1) The site is developed as per the approved site plan submitted;
- 2) A lot coverage variance of 5% was approved for this parcel by the Municipal Planning Commission on October 16, 2023. Maximum allowable is 45%, this permit grants 50%;
- 3) The development shall provide a minimum of 2 stalls measuring no less than 3m by 6m each on the property;
- 4) The development otherwise conforms to the district requirements of the Residential Single Dwelling District (R-1);

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- 5) The developer shall contact the Planning Department a minimum of 5 days prior to construction commencing to arrange for a pre-inspection. Failure to do so could result in the applicant being held accountable for repairing existing damage to the surrounding infrastructure;
- 6) The foundation must be staked by a qualified professional;
- 7) The applicant must obtain a Building Permit to ensure the development complies with the National Fire Code 2019 (AE) and the National Building Code 2019 (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
- 8) The architectural controls and vertical grade points must be approved by the developer;
- 9) The contractor commissioned for construction must have a valid Business License for the Town of Taber;
- 10) A lot drainage (grade) plan illustrating water will not accumulate at or near the buildings (positive drainage), nor accumulate on the lot, and will not adversely affect adjacent properties shall be produced by a qualified professional and supplied to the Town of Taber prior to the Building Permit being issued. In addition, the foundation must be staked by a qualified professional;
- 11) The curb stop shall only be operated by the Town of Taber's Public Services. Any attempt to contravene this may be subject to a fine as outlined in Bylaw 20-2020 part 8.0. The water curb stop shall be set at finished grade elevation to ensure accessibility by Public Services prior to installation of water metre and access to Town water. Public Services shall determine if water curb stop is acceptable and so advise the Town office prior to occupancy of the dwelling. As per Bylaw 20-2020 part 5.30, temporary water

service for a maximum of 60 days must be arranged through the Town Office;

- 12) During construction, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by construction activity. This includes parking of construction vehicles and storage of construction materials, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired. Erosion shall be controlled so that soil and dust is not conveyed off site. Standing water on the site shall also be controlled by the applicant. (Non-compliance of these items are subject to fines as indicated under Bylaw 13-2021);
- 13) Prior to occupancy, the shallow utilities, curb and gutter must be installed to the satisfaction of the Development Authority;
- 14) Prior to occupancy, the applicant will provide an Updated Real Property Report to the Town of Taber;
- 15) All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development.

CARRIED UNANIMOUSLY

DP 23-130 - 5101 & 5103 58 Avenue - 4 Unit Addition

RES 96/2023

MOVED by J. Brewin that the Municipal Planning Commission approves Development Permit DP 23-130 for 4 new units located at 5101 & 5103 58 Avenue, Lot 24, Block 47, Plan 3578JK, with the following seventeen (17) conditions with condition number 2 amended as follows:

- 1) The site is developed as per the site plan submitted;
- 2) The minimum number of parking stalls required for this development is 12. The applicant has proposed 11 stalls. The Municipal Planning Commission has granted a

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reduction of 5 stalls and a reduction on the minimum length for the stalls on the property. The minimum number of stalls has been varied to 7. The stalls shall have the minimum length varied from 6 m to 5.4 metres. The 4 stalls (2 new) on the south side shall be added but are not included as part of the 7 stalls;

- 3) The development conforms to the district requirements of the Residential Street-Oriented Multiple Dwelling District (R-3);
- 4) A lot drainage (grade) plan illustrating water will not accumulate at or near the buildings (positive drainage), nor accumulate on the lot, and will not adversely affect adjacent properties shall be produced by a qualified professional and supplied to the Planning Department for approval prior to construction;
- 5) An approved landscaping plan which demonstrates that the landscaping requirements of the site has been met shall be provided to the Planning Department for approval prior to construction;
- 6) The developer shall contact the Planning Department a minimum of 5 days prior to construction commencing to arrange for a pre-inspection. Failure to do so could result in the applicant being held accountable for repairing existing damage to the surrounding infrastructure;
- 7) The foundation must be staked by a qualified professional;
- 8) The applicant must obtain a Building Permit to ensure the development complies with the National Fire Code 2019 (AE) and the National Building Code 2019 (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
- 9) An easement and/or rights of way shall be entered into with Telus and registered against the land for the provision telecommunications

and proof of this shall be provided to the Planning Department;

- 10) After construction is completed the applicant will change the residential garbage / recycling cart system for the commercial / multi-family cart system through the Town of Taber Public Works Department;
- 11) The contractor commissioned for construction must have a valid Business License for the Town of Taber;
- 12) The applicant must submit a servicing plan to the Development Department and enter into a servicing agreement;
- 13) The curb stop shall only be operated by the Town of Taber's Public Services. Any attempt to contravene this may be subject to a fine as outlined in Bylaw 20-2020 part 8.0. The water curb stop shall be set at finished grade elevation to ensure accessibility by Public Services prior to installation of water metre and access to Town water. Public Services shall determine if water curb stop is acceptable and so advise the Town office prior to occupancy of the dwelling. As per Bylaw 20-2020 part 5.30, temporary water service for a maximum of 60 days must be arranged through the Town Office;
- 14) During construction, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by construction activity. This includes parking of construction vehicles and storage of construction materials, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired. Erosion shall be controlled so that soil and dust is not conveyed off site. Standing water on the site shall also be controlled by the applicant. (Non-compliance of these items are subject to fines as indicated under Bylaw 13-2021);

- 15) Prior to occupancy, the shallow utilities, curb and gutter must be installed to the satisfaction of the Development Authority;
- 16) Prior to occupancy, the applicant will provide an Updated Real Property Report to the Town of Taber;
- 17) All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development.

CARRIED UNANIMOUSLY

DP 23-134 - 5105 40 Avenue - Semi Detached

RES 97/2023

MOVED by R. Hadden that the Municipal Planning Commission approve Development Permit DP 23-134 for a new semi-detached dwelling with variances located at 5105 40 Avenue, Lot 18, Block 51, Plan 1911630 with the following twenty (20) conditions:

Location

- 1) The site is developed as per the site plan submitted;
- 2) The development conforms to the district requirements of the Residential Single and Two Dwelling District (R-2);
- 3) The Municipal Planning Commission approved a variance for the total covered area to be 65% (from the land use bylaw R-2 maximum coverage is 50%) on October 16, 2023.

Prior to Construction

- 4) All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development;
- 5) A lot drainage (grade) plan illustrating water will not accumulate at or near the buildings (positive drainage), nor accumulate on the lot, and will not adversely affect adjacent properties shall be produced by a qualified professional and supplied to the Planning Department for approval;

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- 6) The landowner shall enter into a shall enter into a servicing/development agreement if required;
- 7) The vertical grades must be submitted for approved by the Town of Taber;
- 8) In accordance with policy PLN-4, a \$2,500.00 damage deposit shall be forwarded to the Town office (Planning Department) prior to construction. Any damages to any of the Town's infrastructure including, but not limited to, public streets, sidewalks, or services as a result of construction of this project shall be restored to Town standards at the applicant's expense prior to issuance of an occupancy permit;
- 9) The applicant shall enter into servicing/development agreement with the Town of Taber.
- 10) The applicant must obtain a Building Permit to ensure the development complies with the National Fire Code 2019 (AE) and the National Building Code 2019 (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
- 11) The foundation must be staked by a qualified professional, and a foundation elevation inspection must be done by the Town of Taber to ensure the foundation meets with the approved vertical grading;
- 12) The developer shall contact the Planning Department a minimum of 5 days prior to construction and/or servicing commencing to arrange for a pre-inspection. Failure to do so could result in the applicant being held accountable for repairing existing damage to the surrounding infrastructure;
- 13) A New Home Warranty documentation must be supplied prior to the issuance of the Building Permit;

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- 14)** Prior to occupancy, a Party Wall Agreement must be registered on the titles of Lots 17 & 18, Block 51 Plan 1911630;
- 15)** In accordance with Section 2.15.3(5) of the Land Use Bylaw 13-2020 a minimum of 2 parking spaces per residential unit are required;
- 16)** The contractor commissioned for construction must have a valid Business License for the Town of Taber; The developer shall enter into a Development/Servicing Agreement with the Town of Taber, to provide new services to the property;
- 17)** The curb stop shall only be operated by the Town of Taber's Public Services. Any attempt to contravene this may be subject to a fine as outlined in Bylaw 20-2020 part 8.0. The water curb stop shall be set at finished grade elevation to ensure accessibility by Public Services prior to installation of water metre and access to Town water. Public Services shall determine if water curb stop is acceptable and so advise the Town office prior to occupancy of the dwelling. As per Bylaw 20-2020 part 5.30, temporary water service for a maximum of 60 days must be arranged through the Town Office;
- 18)** During construction, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by construction activity. This includes parking of construction vehicles and storage of construction materials, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired. Erosion shall be controlled so that soil and dust is not conveyed off site. Standing water on the site shall also be controlled by the applicant. (Non-compliance of these items are subject to fines as

- indicated under Bylaw 13-2021);
- 19) Prior to occupancy, the shallow utilities, curb and gutter must be installed to the satisfaction of the Development Authority;
 - 20) Prior to occupancy, the applicant will provide an Updated Real Property Report to the Town of Taber and obtain a compliance letter.

CARRIED UNANIMOUSLY

DP 23-135 - 5107 40 Avenue - Semi Detached

RES 98/2023

MOVED by J. Brewin that the Municipal Planning Commission approve Development Permit DP 23-134 for a new semi-detached dwelling with variances located at 5107 40 Avenue, Lot 17, Block 51, Plan 1911630 with the following Twenty (20) conditions:

Location

- 1) The site is developed as per the site plan submitted;
- 2) The development conforms to the district requirements of the Residential Single and Two Dwelling District (R-2);
- 3) The Municipal Planning Commission approved a variance for the total covered area to be 59% (from the land use bylaw is 50%) on October 16, 2023.

Prior to Construction

- 4) All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development;
- 5) The landowner shall enter into a shall enter into a servicing/development agreement if required;
- 6) A lot drainage (grade) plan illustrating water will not accumulate at or near the buildings (positive drainage), nor accumulate on the lot, and will not adversely affect adjacent properties shall be produced by a qualified

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- professional and supplied to the Planning Department for approval;
- 7) The vertical grades must be submitted for approved by the Town of Taber;
 - 8) In accordance with policy PLN-4, a \$2,500.00 damage deposit shall be forwarded to the Town office (Planning Department) prior to construction. Any damages to any of the Town's infrastructure including, but not limited to, public streets, sidewalks, or services as a result of construction of this project shall be restored to Town standards at the applicant's expense prior to issuance of an occupancy permit;
 - 9) The applicant shall enter into servicing/development agreement with the Town of Taber.
 - 10) The applicant must obtain a Building Permit to ensure the development complies with the National Fire Code 2019 (AE) and the National Building Code 2019 (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
 - 11) The foundation must be staked by a qualified professional, and a foundation elevation inspection must be done by the Town of Taber to ensure the foundation meets with the approved vertical grading;
 - 12) The developer shall contact the Planning Department a minimum of 5 days prior to construction and/or servicing commencing to arrange for a pre-inspection. Failure to do so could result in the applicant being held accountable for repairing existing damage to the surrounding infrastructure;
 - 13) A New Home Warranty documentation must be supplied prior to the issuance of the Building Permit;

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- 14) Prior to occupancy, a Party Wall Agreement must be registered on the titles of Lots 17 & 18, Block 51 Plan 1911630;
- 15) In accordance with Section 2.15.3(5) of the Land Use Bylaw 13-2020 a minimum of 2 parking spaces per residential unit are required;
- 16) The contractor commissioned for construction must have a valid Business License for the Town of Taber; The developer shall enter into a Development/Service Agreement with the Town of Taber, to provide new services to the property;
- 17) The curb stop shall only be operated by the Town of Taber's Public Services. Any attempt to contravene this may be subject to a fine as outlined in Bylaw 20-2020 part 8.0. The water curb stop shall be set at finished grade elevation to ensure accessibility by Public Services prior to installation of water metre and access to Town water. Public Services shall determine if water curb stop is acceptable and so advise the Town office prior to occupancy of the dwelling. As per Bylaw 20-2020 part 5.30, temporary water service for a maximum of 60 days must be arranged through the Town Office;
- 18) During construction, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by construction activity. This includes parking of construction vehicles and storage of construction materials, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired. Erosion shall be controlled so that soil and dust is not conveyed off site. Standing water on the site shall also be controlled by the applicant. (Non-compliance of these items are subject to fines as

- indicated under Bylaw 13-2021);
- 19) Prior to occupancy, the shallow utilities, curb and gutter must be installed to the satisfaction of the Development Authority;
 - 20) Prior to occupancy, the applicant will provide an Updated Real Property Report to the Town of Taber and obtain a compliance letter.

CARRIED UNANIMOUSLY

Building Permit Statistics

No Motion Required

Standing Items

Non

DELEGATIONS

None

MEDIA INQUIRIES

None

CLOSED SESSION

None

OPEN SESSION

None

CLOSE OF MEETING

RES 99/2023

MOVED by R. Hadden that the meeting be closed at 2:20 p.m.

CARRIED UNANIMOUSLY

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CHAIRPERSON

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CHIEF ADMINISTRATIVE OFFICER OR DESIGNATE

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