



AGENDA

REGULAR MEETING OF THE SUBDIVISION AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, JANUARY 22, 2024 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: November 14, 2023	X
4. SUBDIVISION APPLICATION(S)	
ITEM No.4.1 Subdivision TT 23-0-005 - 50 Barton Drive	X
5. CLOSE OF MEETING	X

Subdivision Authority Request for Decision

Meeting Date: January 22, 2024

Subject:

Minutes of Regular Meeting of Subdivision Authority: November 14, 2023

Recommendation:

Subdivision Authority adopts the minutes of the Regular Meeting of Subdivision Authority held on November 14, 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 November 14, 2023, as amended.

Attachment(s): November 14, 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 TUESDAY, NOVEMBER 14, 2023, AT 3:30 PM.

Mayor

Andrew Prokop

Councillors

Garth Bekkering
Jack Brewin
Carly Firth
Monica McLean
Daniel Remfert
Joanne Sorensen

Chief Administrative Officer

Derrin Thibault

Staff

Chris Eagan
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. 9/2023

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

CARRIED UNANIMOUSLY

11/2023

Meeting Date
11/14/2023

ADOPTION OF THE MINUTES

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

RES. 10/2023 MOVED by Councillor Sorensen that the Subdivision Authority adopts the Minutes of the Regular Meeting of Subdivision Authority held on September 25, 2023, as presented.

CARRIED UNANIMOUSLY

SUBDIVISION APPLICATION(S)

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

D. Thibault stated that at the September 25, 2023 Regular Meeting of the Subdivision Authority, Administration had presented a Subdivision Application with the incorrect block number.

D. Thibault stated that the application should have read as Subdivision TT 23-0-002, Lot 8, Block 5, Plan 891 0110, but had been presented as Subdivision TT 23-0-002, Lot 8, Block 15, Plan 891 0110.

RES. 11/2023 MOVED by Councillor Brewin that the Subdivision Authority rescinds:

"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.*

12/2023

Meeting Date
11/14/2023

SUBDIVISION APPLICATION(S) – CONT'D

1) Correction for TT 23-0-002 – 6003 60 Avenue – Cont'd

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.*

SUBDIVISION APPLICATION(S) – CONT'D

1) Correction for TT 23-0-002 – 6003 60 Avenue – Cont'd

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.*

CARRIED UNANIMOUSLY”

14/2023

Meeting Date
11/14/2023

SUBDIVISION APPLICATION(S) – CONT'D

1) Correction for TT 23-0-002 – 6003 60 Avenue – Cont'd

RES. 12/2023

MOVED by Councillor Brewin that the Subdivision Authority approves 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;

15/2023

Meeting Date
11/14/2023

SUBDIVISION APPLICATION(S) – CONT'D

1) Correction for TT 23-0-002 – 6003 60 Avenue – Cont'd

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; and,

SUBDIVISION APPLICATIONS – CONT'D

1) Correction for TT 23-0-002 – 6003 60 Avenue – Cont'd

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

CARRIED UNANIMOUSLY

2) Subdivision TT 23-0-004 - 5120 47 Avenue

D. Thibault introduced C. Eagan, Director of Planning, Engineering and Operations, who presented the Subdivision Application TT 23-0-004, to be located at 5120 47 Avenue.

RES. 13/2023

MOVED by Councillor McLean that the Subdivision Authority approves 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;

17/2023

Meeting Date
11/14/2023

SUBDIVISION APPLICATION(S) – CONT'D

2) Subdivision TT 23-0-004 – 5120 47 Avenue

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

CARRIED UNANIMOUSLY

CLOSE OF MEETING

RES. 14/2023

MOVED by Councillor Sorensen that this Regular Meeting of the Subdivision Authority is hereby Closed.

CARRIED UNANIMOUSLY AT 3:39 PM

MAYOR

CHIEF ADMINISTRATIVE OFFICER

19/2023

Meeting Date
11/14/2023

Subdivision Authority Request for Decision

Meeting Date: January 22, 2024

Subject:

Subdivision TT 23-0-005 - 50 Barton Drive

Recommendation:

That the Subdivision Authority does not approve Subdivision TT 23-0-005, for Lot 4, Block 2, Plan 961 1815 in the NE ¼ Sec. 32, Twp. 9, Rge. 16 W4M, civically described as 50 Barton Drive, for the following reasons:

1. The Town of Taber Municipal Development Plan Bylaw 7-2016 Section 3.7.2(j) indicates that an Area Structure Plan of Area Redevelopment Plan will be required for lands within the Wal-Mart Commercial Area with boundaries approximately as shown in Map 3: Land Use prior to any significant redevelopment in this area, in which the property is located and no plan has been provided;
2. The Town of Taber Municipal Development Plan Bylaw 7-2016 Appendix B 1.5(n)(o) indicates that an application for a subdivision must not be approved by the Subdivision Authority unless it conforms to the provisions of any statutory plan and any land use bylaw that affects the land proposed to be subdivided and that it complies with Part 17 of the *Municipal Government Act*, which this property does not as the existing use is Non-Conforming.

Background:

Administration received a complete subdivision application on December 8, 2023 to subdivide one commercial lot from a larger remainder lot. The new lot would be for future commercial development. Currently the property is districted as Comprehensive Commercial (CC) and the new lot would also be zoned a CC. Any development would be required to meet the development requirements of this district unless it were redistricted.

The lands currently have a campground/RV park that has several long-term tenants and a smaller building on them. The use of the campground/RV Park on this property is a Non-Conforming Use. Non-Conforming Uses occur when a use on the property is not a listed use in the district, but was a previously approved use. They can be allowed to continue as is, but can not make any changes and can not expand the use to other areas of the property. As long as a property has a non-conforming use development is greatly restricted on the property until it is brought in conformance with the current bylaws and *Municipal Government Act* (MGA). Section 643 of the MGA allows for the continuation of the use unless it is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect. Also, a non-conforming use of part of a lot may not be extended or transferred in whole or in part to any

other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

As this property is currently a non-conforming use it does not comply with the Land Use Bylaw nor the MGA at this point in time. There are several avenues that the property owner can pursue to bring the property into compliance.

Additionally, this property is located in an area where policy of the MDP indicates an Area Structure Plan of Area Redevelopment would be required for any significant redevelopment in the area. These plans are more commonly referred to as Area Redevelopment Plans and are statutory documents that are taken to council in the form of a bylaw.

The application package was reviewed and circulated to internal and external stakeholders as well as adjacent properties within 100 m on December 8, 2023. Comments have been considered in the subdivision conditions and are attached for review should the Subdivision Authority wish to approved the application. The subdivision was also advertised in the Taber times on December 13 & 20, 2023.

At the January 15, 2024 regular meeting of the Municipal Planning Commission the Development Authority recommended the subdivision not be approved by the Subdivision Authority.

Legislation / Authority:

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

Strategic Plan Alignment:

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

Enhance Sense of Community #4: Continue the growth of Taber as a healthy and safe community.

Financial Implication:

The cost of advertising 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 not constant with the relevant statutory plan, land use bylaw or *Municipal Government Act*.

Alternative(s):

Alternative 1:

That the Subdivision Authority approve Subdivision TT 23-0-005, for Lot 4, Block 2, Plan 961 1815 in the NE ¼ Sec. 32, Twp. 9, Rge. 16 W4M, civically described as 50 Barton Drive, with the following conditions:

1. That approval shall apply to a residential subdivision plan within Lot 4, Block 2, Plan 961 1815 NE ¼ of Sec. 32, Twp. 9, Rge. 16, W4M.
2. On site stormwater retention and low impact development considerations should be utilized in development, to the satisfaction of the Development Authority.
3. The Developer will be obligated to pay any outstanding offsite levies owing required by the Town of Taber Off-Site Levy Bylaw 19-2015 as amended.
4. An area redevelopment plan shall be prepared and approved prior to the execution any agreement.
5. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer shall enter into a Development Agreement with the Town of Taber, 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 will be registered on all forthcoming titles.
6. The Developer will be obligated to post security, in the amount and form approved by Procedure PLN-2 Appendix B, Section 14.3(b)(i) at 100% of all estimated construction costs.
7. 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.
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. 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.
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.



Alternative 2:

That the Subdivision Authority approve Subdivision TT 23-0-005, for Lot 4, Block 2, Plan 961 1815 in the NE ¼ Sec. 32, Twp. 9, Rge. 16 W4M, civically described as 50 Barton Drive, with amendments to the conditions:

- Attachment(s):**
- Application
 - Plan of Subdivision
 - Subdivision Report
 - Land District Map
 - Abandoned Well Map
 - Title

APPROVALS:

Originated By:
Celina Newberry

Chief Administrative Officer (CAO) or Designate: _____



TABER

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:
 - o Application fee
 - o Tentative Plan of Subdivision prepared by an Alberta Land Surveyor (include a digital copy)
 - o Servicing Agreement (3 copies)
 - o 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: Brown Okamura & Associaes 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. Amantea, ALS, P. Eng	
Registered Owner: (if different from applicant)	Name: Clearwater Campground Ltd.	
	Address: 92 Tuscaro Springs Terrace NW	
	Town: Calgary	Postal Code: T3L 2V4
	Phone Res: 1-403-399-3542	Phone Cell:
	Email: rtrisz@cbe.ab.ca	
	Municipal Address (if applicable): 50 Barton Drive	
Legal Description of Land to be Subdivided:	All/Part of the <u>NE</u> ¼ of Section <u>32</u> Township <u>9</u> Range <u>16</u> W4M	
	Being all/part of: Lot/Unit <u>4</u> Block <u>2</u> Plan <u>9611815</u>	
Location of Land to be Subdivided:	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: MD of Taber
	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
Use of Land to be Subdivided:	Total Number of lots to be created: <u>1</u>	Size of Lot(s) or range: <u>0.41 ha</u>
	Describe the existing use of the land:	
	Describe the proposed use of the land:	
	Current land use designation:	Comprehensive Commercial (CC)
Proposed land use designation:	No Change	
Characteristics of the Land to be Subdivided	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-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.):	Gravel
Type of soil (sand, loam, clay, etc.):	Unknown
Describe the manner of providing water and sewage services:	Tw-OWN

I (we), _____ 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: Nov 27/23
Applicant

Signed: [Signature] Date: Nov. 28, 2023
Registered Owner (if different than applicant)

Signed: [Signature] Date: Dec 1, 2023
Development Officer

To be completed by the registered owner(s):

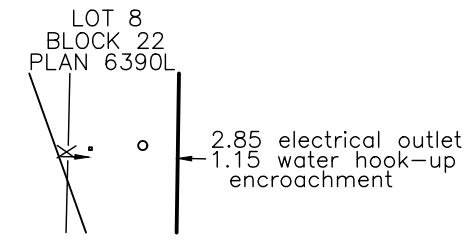
Right of Entry:
I, Raja T. Raj hereby authorize representatives of the Town of Taber to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision.
This right is granted pursuant to Section 653(2) of the *Municipal Government Act*.

Signed: [Signature] Date: Nov. 28, 2023
Registered Owner

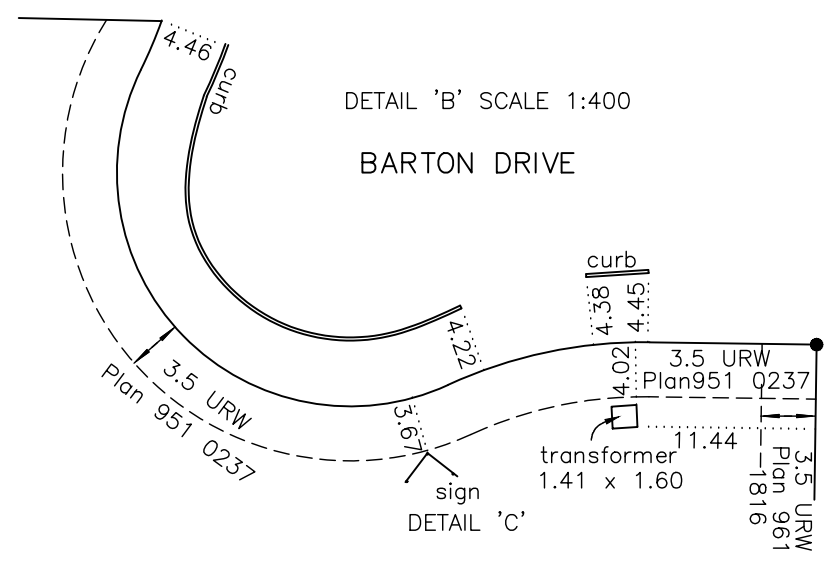
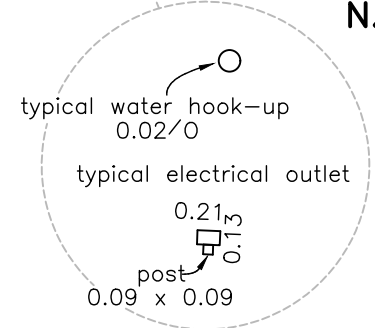
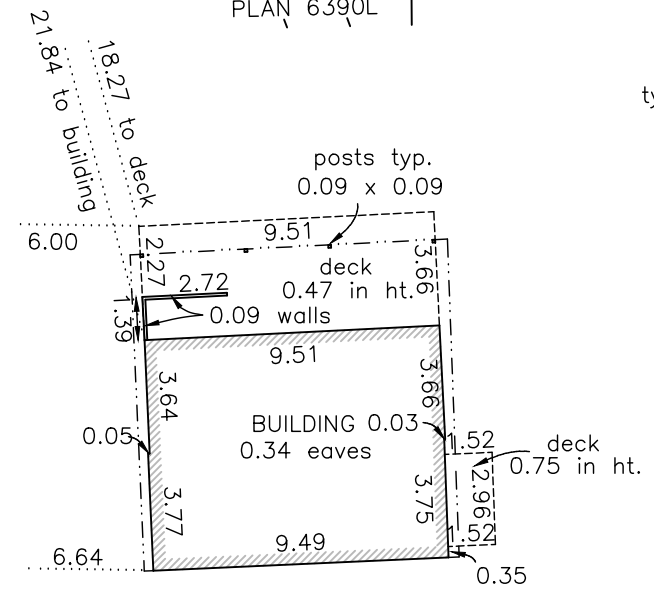
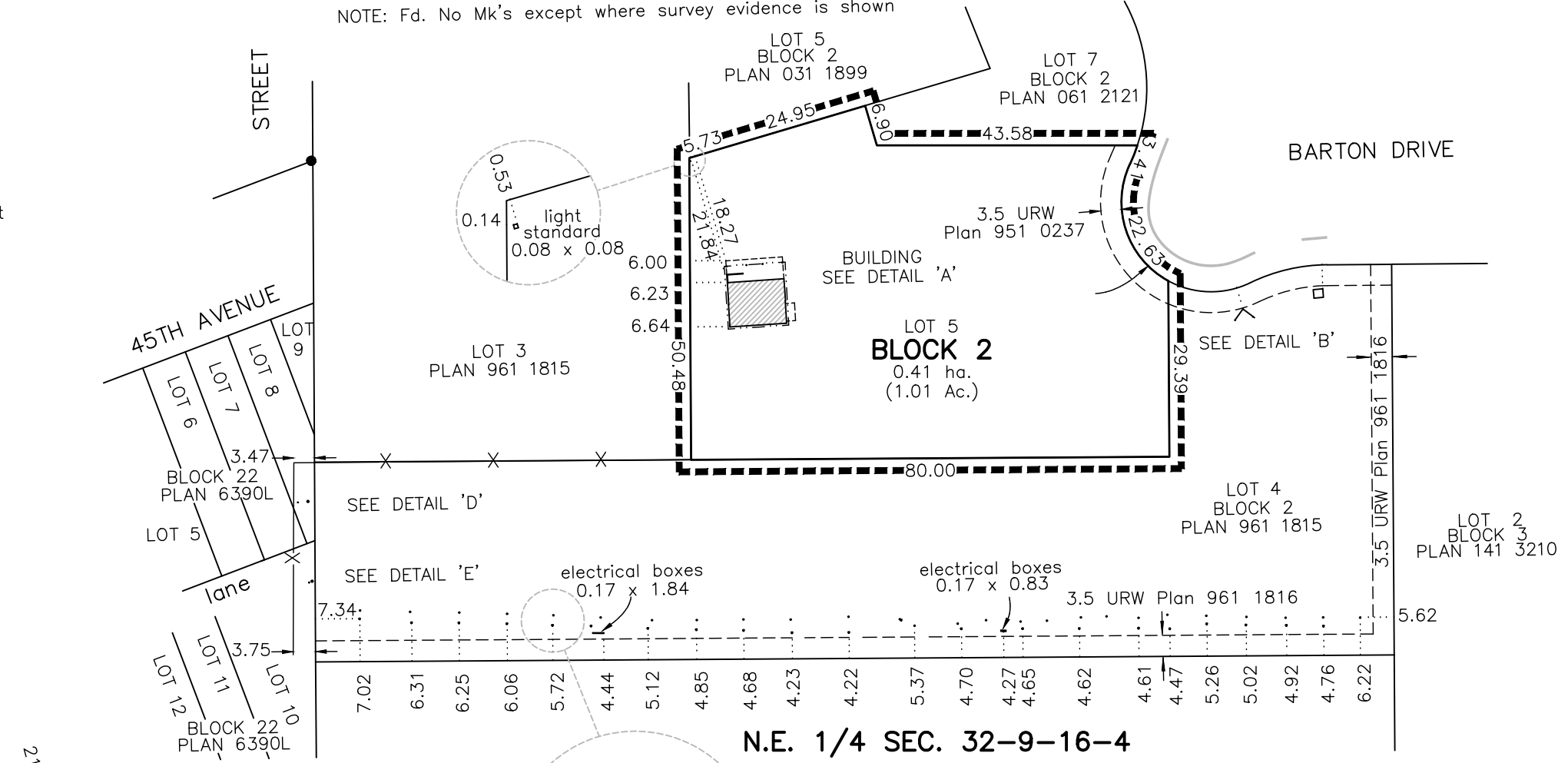
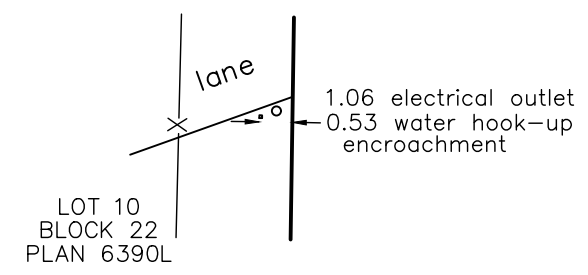
BOA FILE: 23-16179

NOTE: Fd. No Mk's except where survey evidence is shown

DETAIL 'D' SCALE 1:200



DETAIL 'E' SCALE 1:200



DETAIL 'A' SCALE 1:200

DETAIL 'C' SCALE 1:100

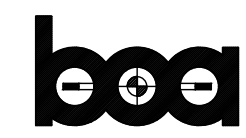
DETAIL 'B' SCALE 1:400

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus **-----** and contains approximately 0.41 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

CLEARWATER CAMPGROUND LTD

TENTATIVE PLAN SHOWING SUBDIVISION within
 PLAN 961 1815, BLOCK 2, LOT 4
 of part of
 N.E.1/4 SEC. 32, TWP. 9, RGE. 16, W.4 M.
 Town of Taber



brown okamura & associates ltd.

Professional Surveyors
 2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED D.J. Amantea, A.L.S.	DRAWN BB	DATE NOV 23/22
	CHECKED DJA	JOB 23-16179
	SCALE 1:1000	DRAWING 23-16179T

**SUBDIVISION APPROVING AUTHORITY
DECISION REPORT**

Subject:	TENTATIVE PLAN OF SUBDIVISION – Barton Drive
Date:	January 8, 2024
Subdivision Application No:	TT 23-0-005

Proposed Subdivision Summary:

Applicant	Brown Okamura & Associates Ltd.
Owner/Developer	Clearwater Campground Ltd.
Legal Description	Lot 4, Block 2, Plan 961 1815
Location	50 Barton Drive
Subdivision Area	1.126 ha (2.78 ac)
Proposed Lots	1 Commercial Lot 1 Remainder Lot
MDP Designation	Town of Taber Municipal Development Plan Bylaw 7-2016 as amended
Community ASP	None in place
Neighbourhood Structure Plan (NSP)	None.
LUB District	Comprehensive Commercial District (CC) Land Use Bylaw 13-2020 as amended by Council from time to time.
Existing Uses	Non-Conforming Use of a Campground

Internal / External Circulation:

Circulation was sent out on December 8, 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 at the edge of developed commercial area and adjacent to the MD of Taber.
Storm Water & Collection	There is no stormwater service in place for this area. A stormwater management plan will be required for approval prior to development.
Water Supply, Sewage Disposal and Solid Waste Disposal	Services are located in Barton Drive for this area. Engineered drawings reflecting design to tie into the municipal services will need to be submitted for approval prior to development.
Subdivision Design - Roads, Accessibility, & Circulation	The plan of subdivision is intended to create one new commercial lot with one remainder lot. Any development on the newly created lot would be required to meet the requirements of the land use district in effect at that time. The campground use on the remainder lot is and will remain a Non-Conforming Use and is subject to the rules of the Municipal Government Act and Land Use Bylaw for development.
Open Space / Parks	No open space/park has been proposed.
Reserves	No land Municipal Reserve lot has been provided within the plan area. The MDP allows the subdivision authority to waive requirements for municipal reserve or cash-in-lieu in Comprehensive Commercial areas.
Land Use Bylaw	CC - 1 Lot and 1 Remainder Lot Comprehensive Commercial New Lot Area of Site: Minimum Standard required: 2000.00 m ² Minimum Standard provided: 4100 m² Width of Site: Minimum Standard required: 20.0 m Minimum Standard provided: 29.39 m

Recommendation:

That the subdivision application by the Town of Taber be **NOT BE APPROVED** for the following reasons:

1. Town of Taber Municipal Development Plan Bylaw 7-2016 Section 3.7.2(j) indicates that an Area Structure Plan of Area Redevelopment Plan will be required for lands within the Wal-Mart Commercial Area with boundaries approximately as shown in Map 3: Land Use prior to any significant redevelopment in this area and none has been provided;
2. Town of Taber Municipal Development Plan Bylaw 7-2016 Appendix B 1.5(n)(o) indicates that an application for a subdivision must not be approved by the Subdivision Authority unless it conforms to the provisions of any statutory plan and any land use bylaw that affects the land proposed to be subdivided and that it complies with Part 17 of the *Municipal Government Act*, which this property does not.

However; should the subdivision authority wish to approve we would recommend doing so with the following conditions:

Prior to entering into a Servicing/Development Agreement	<ol style="list-style-type: none"> 1. That approval shall apply to a residential subdivision plan within Lot 4, Block 2, Plan 961 1815 NE ¼ of Sec. 32, Twp. 9, Rge. 16, W4M. 2. On site stormwater retention and low impact development considerations should be utilized in development, to the satisfaction of the Development Authority. 3. The Developer will be obligated to pay any outstanding offsite levies owing required by the Town of Taber Off-Site Levy Bylaw 19-2015 as amended. 4. An area redevelopment plan shall be prepared and approved prior to the execution any agreement.
Prior to construction commencing	<ol style="list-style-type: none"> 5. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer shall enter into a Development Agreement with the Town of Taber, 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 will be registered on all forthcoming titles. 6. The Developer will be obligated to post security, in the amount and form approved by Procedure PLN-2 Appendix B, Section 14.3(b)(i) at 100% of all estimated construction costs. 7. 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. 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. 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.
Prior to plan endorsement	<ol style="list-style-type: none"> 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.

Notations

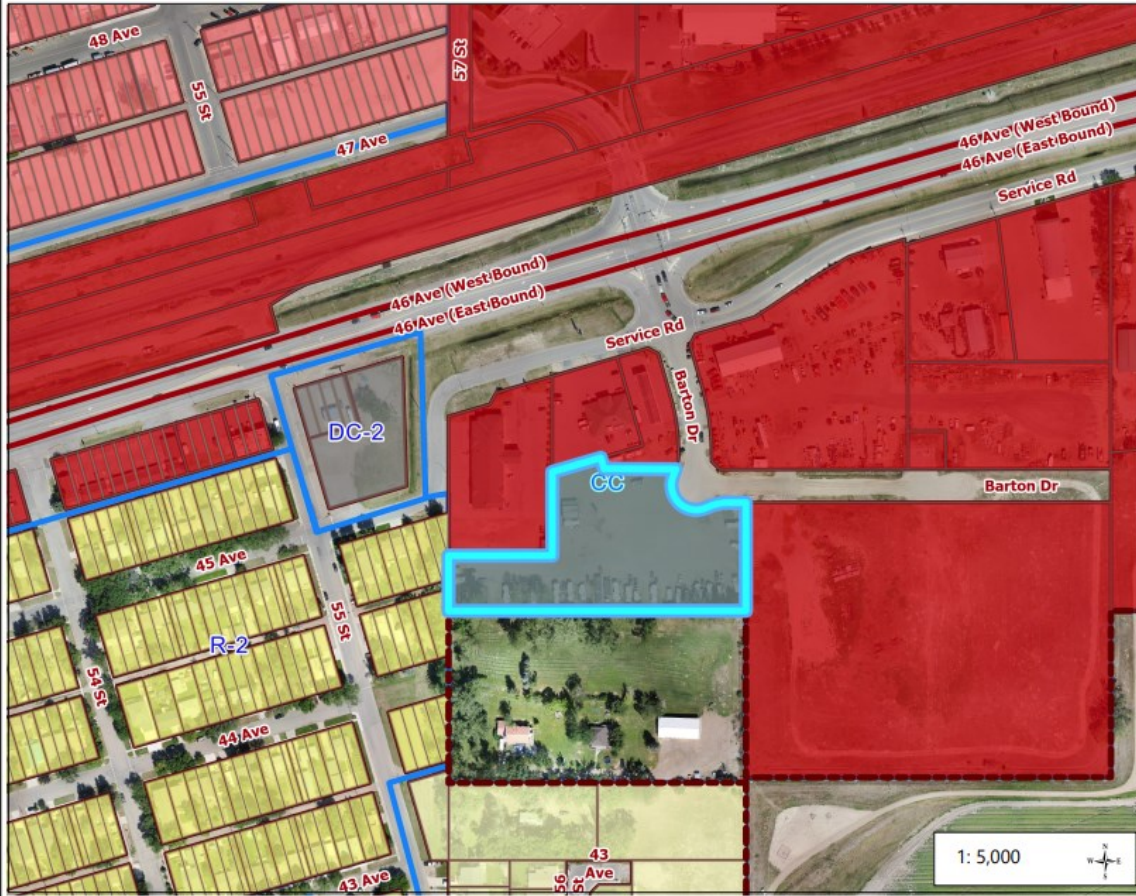
1. This approval is subject to all relevant environmental legislation and the Alberta Environmental Protection and Enhancement Act.
2. It is the developer's responsibility to ensure that boundary grades tie in with adjacent properties.
3. It is the developer's responsibility to determine whether the 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

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

0.3 0 0.13 0.3 Kilometers
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 © OpenStreetMap contributors

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Land Use District Map for Proposed Subdivision TT 23-0-005

Subject Property is highlighted in blue and is district.



Abandoned Well Map

Base Data provided by: Government of Alberta

Author XXX

Printing Date: 11/28/2023

Date Date (if applicable)

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Scale: 4,513.99

0.07 Kilometers 0

Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere



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

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

211 031 299

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		ALBERTA T2S2Y1 AS TO PORTION OR PLAN:9510237 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001301225) (DATA UPDATED BY: CHANGE OF NAME 051028516)
951 058 907	13/03/1995	UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF TABER. AS TO PORTION OR PLAN:9510237
951 063 310	17/03/1995	POSTPONEMENT OF UTRW 951020464 TO UTRW 951058907
181 003 583	05/01/2018	EASEMENT
191 070 097	10/04/2019	CAVEAT RE : ENCROACHMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT
191 070 098	10/04/2019	ENCROACHMENT AGREEMENT OVER AND FOR BENEFIT OF:SEE INSTRUMENT
211 031 300	04/02/2021	MORTGAGE MORTGAGEE - SMART LIFE INC. 5700 - 46 AVE TABER ALBERTA T1G2B1 ORIGINAL PRINCIPAL AMOUNT: \$643,000
211 031 301	04/02/2021	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - SMART LIFE INC. 244 PRAIRIE ROSE PLACE SOUTH LETHBRIDGE ALBERTA T1K5V7 AGENT - DAVID D JUNG

TOTAL INSTRUMENTS: 008

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF
OCTOBER, 2023 AT 02:26 P.M.

ORDER NUMBER: 48505082

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
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SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

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