



## AGENDA

REGULAR MEETING OF THE SUBDIVISION AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, JUNE 24, 2024 AT 3:30 PM.

	<u>MOTION</u>
<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: May 27, 2024	<b>X</b>
<b>4. SUBDIVISION APPLICATION(S)</b>	
ITEM No.4.1 TT 24-0-005 4223 56 Avenue	<b>X</b>
<b>5. CLOSE OF MEETING</b>	<b>X</b>



## Subdivision Authority Request for Decision

**Meeting Date:** June 24, 2024

**Subject:**

Minutes of Regular Meeting of Subdivision Authority: May 27, 2024

**Recommendation:**

Subdivision Authority adopts the minutes of the Regular Meeting of Subdivision Authority held on May 27, 2024, 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):**

Subdivision Authority adopts the minutes of the Regular Meeting of Subdivision Authority held on May 27, 2024, as amended.



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**Attachment(s):** May 27, 2024 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, MAY 27, 2024, AT 3:30 PM.

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**Mayor**

Andrew Prokop

**Councillors**

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

**Chief Administrative Officer**

Derrin Thibault

**Staff**

Alaa Abdel Khaliq  
Chris Eagan  
Brittany Gilbertson  
Celina Newberry

**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. 13/2024

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

CARRIED UNANIMOUSLY

14/2024

Meeting Date  
5/27/2024

## ADOPTION OF THE MINUTES

### 1) Minutes of Regular Meeting of Subdivision Authority: March 25, 2024

RES. 14/2024

MOVED by Councillor McLean that the Subdivision Authority adopts the Minutes of the Regular Meeting of Subdivision Authority held on March 25, 2024, as presented.

CARRIED UNANIMOUSLY

## SUBDIVISION APPLICATION(S)

### 1) TT 24-0-004 5500 A, B, C, D 54 Avenue

D. Thibault introduced C. Eagan, Director of Planning, Engineering and Operations, and C. Newberry, Planning Officer, who detailed the Subdivision Application received by Administration for the civic address of 5500 A, B, C, D 54<sup>th</sup> Avenue.

RES. 15/2024

MOVED by Councillor Brewin that the Subdivision Authority approve Subdivision TT 24-0-004, Lot 26, Block 19, Plan 5365L, within S.W. ¼ Sec. 5, Twp. 10, Rge. 16, W4M, civically described as 5500 A, B, C, D 54<sup>th</sup> Avenue, with the following conditions:

1. That approval shall apply to a residential subdivision plan within Lot 26, Block 19, Plan 5365L S.W. ¼ of Sec. 5, Twp. 10, 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.

## SUBDIVISION APPLICATION(S) – CONT'D

### 1) TT 24-0-004 5500 A, B, C, D 54 Avenue – Cont'd

- 3) 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.
- 4) The Developer shall be responsible for keeping the development area in a neat and tidy fashion, particularly, as it pertains to blowing debris and weeds during development of the subdivision.
- 5) 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.
- 6) 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.
- 7) That pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding property taxes shall be paid to the Town of Taber prior to endorsement.
- 8) Compliance is to be maintained with existing policy documents including, but not limited to, Land Use Bylaw 13-2020, to the satisfaction of the Development Authority.

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

**1) TT 24-0-004 5500 A, B, C, D 54 Avenue – Cont'd**

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

CARRIED UNANIMOUSLY

**CLOSE OF MEETING**

RES. 16/2024

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

CARRIED UNANIMOUSLY AT 3:34 PM

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

17/2024

Meeting Date  
5/27/2024

## Subdivision Authority Request for Decision

**Meeting Date: June 24, 2024**

**Subject:**

TT 24-0-005 4223 56 Avenue

**Recommendation:**

That the Subdivision Authority does not approve Subdivision TT 24-0-005 Lot 1, Block 4, Plan 031 1773, within SW ¼ Sec. 6, Twp. 10, Rge. 16, W4M, civically described as 4223 56 Ave., for the following reasons:

1. The application does not meet the Town of Taber Municipal Development Plan Bylaw 7-2016 Section 3.6.4(d) which indicates that “Higher density housing forms shall be encouraged in Residential Areas. This includes detached secondary suites that meet Land Use Bylaw requirements and do not unduly impact adjacent properties”.
2. The application does not meet the Town of Taber Northwest Area Structure Plan 21-2016 which indicates that the land use for the area is to be medium density residential development in Figure 03 – Land Use Concept Plan.
3. The Application also, does not meet the requirements of the *Municipal Government Act: Matters Related to Subdivision and Development Regulation* Part 3 Section 11 which states that “Every proposed subdivision must provide to each lot to be created by it (a) direct access to a road as defined in section 616(aa) of the Act, or (b) lawful means of access satisfactory to the subdivision authority”.

**Background:**

Administration received a complete subdivision application on May 2, 2024, to subdivide one residential lot from a remainder lot. The new lot would be for future residential development. Currently the property is districted as Residential Single Dwelling District (R-1) and the new lot would also be zoned a R-1. Any development would be required to meet the development requirements of this district unless it were redistricted.

The lands currently have a Single Detached Dwelling, a sea can (shipping container), two sheds, septic field and septic tank on them. This property is not currently hooked on to all the town services and appears to only be connected to the Town’s water. The creation of the new lot would cut the existing home off from access to the public road which appears to be accessed via an alley or driveway connected to 56 Avenue at this time. The creation of the new lot will also exacerbate the ability for some of the emergency services to access both lots with out a proper turn around. Any approval would require that an appropriate access be provided for both lots, and none has been provided at this time. Without a legal access to a road the subdivision should not be approved



under Part 3 Section 11 of the Municipal Government Act: Matters Related to Subdivision and Development Regulation.

The future intended use for properties in this area is for medium intensity under the Town of Taber Municipal Development Plan Bylaw 7-2016 (MDP). Therefore, subdivision for two very large R-1 lots is not inline with the MDP.

The property also currently contains a non-conforming use as sea cans (shipping containers) are not permitted in Residential Districts except on a temporary basis. This shipping container appeared on the property sometime between 2017 and 2021. As the property does not comply with the Land Use Bylaw nor the MGA approval should not be given. There are several avenues that the property owner can pursue to bring the property into compliance.

The application package was reviewed and circulated to internal and external stakeholders as well as adjacent properties within 100 m on April 26, 2024. The subdivision was also advertised in the Taber times on May 1 And 7 of 2024.

At the June 17, 2024, regular meeting of the Municipal Planning Commission the Municipal Planning Commission recommended the subdivision not be approved by the Subdivision Authority for the reasons provided in the recommendation.

**Legislation / Authority:**

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

**Strategic Plan Alignment:**

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

**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 not constant with the relevant statutory plans, land use bylaw or *Municipal Government Act*.

**Alternative(s):**

Alternative #1: That the Subdivision Authority approves Subdivision TT 24-0-005 Lot 1, Block 4, Plan 031 1773, within SW ¼ Sec. 6, Twp. 10, Rge. 16, W4M, civically described as 4223 56 Ave., with the following conditions:

1. That approval shall apply to a residential subdivision plan within Lot 1, Block 4, Plan 031 1773, SW ¼ of Sec. 6, Twp. 10, Rge. 16, W4M.

2. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer Development Agreement with the Town of Taber to provide separate services to each lot and provide other municipal improvements as required.
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. The Developer shall provide a stormwater analysis to the Development Authority for approval. The analysis shall show post-development flows do not exceed pre-development flows by using Low Impact Development techniques, or other suitable mitigation to ensure no additional stormwater will contribute to the system as a result of this development.
6. Easements and/or rights of way shall be registered against the land for the provision of storm, drainage, gas, power, and other utilities as required by the utility provider.
7. A shared parking/access agreement/easement is to be registered on titles for the lots created from Lot 1, Block 4, Plan 031 1773.
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 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. Shipping Containers are a prohibited use in Residential Districts.
11. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.

Alternative #2: That the Subdivision Authority does not approve Subdivision TT 24-0-005 Lot 1, Block 4, Plan 031 1773, within SW ¼ Sec. 6, Twp. 10, Rge. 16, W4M, civically described as 4223 56 Ave., with amendments to the conditions.



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**Attachment(s):** Application  
Plan of Subdivision  
Title  
Abandoned Well Map  
Land Use Map  
Taber Times AD  
Subdivision Repost for TT 24-0-005

**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
  - Servicing Agreement (3 copies)
  - Current Copy of Certificate of Title
  - 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: 2830 12 Avenue North	
	Town: Lethbridge	Postal Code: T1H 5J9
	Phone Res: Office 403-329-4688 ext. 132	Phone Cell:
	Email: zach@bokamura.com	
	Business Licence#: Zachary J Prosper, ALS	
	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: Cornelio & Agatha Banman	
	Address: Box 4394	
	Town: Taber	Postal Code: T1G 2C8
	Phone Res: 403-382-0982	Phone Cell:
Email: abebanaman@gmail.com		
<b>Legal Description of Land to be Subdivided:</b>	All/Part of the ___ ¼ of Section ___ Township ___ Range ___ W4M	
	Being all/part of: Lot/Unit 1 Block 4 Plan 0311773	
	Municipal Address (if applicable): 4223 56 Avenue	
<b>Location of Land to be Subdivided:</b>	The land is situated in the Municipality of: <b>Town of Taber</b>	
	Is the land situated immediately adjacent to the municipal boundary?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is the land situated within 0.8 kilometers of the right-of-way of a Highway?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Does the proposed parcel contain or it is bounded by a river, stream, lake, or other body of water, or by a drainage ditch or canal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is the proposed parcel within 1.5 kilometers of a sour gas facility?	<input checked="" type="checkbox"/> Yes <input 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: 0.253 ha.
	Describe the existing use of the land: acreage	
	Describe the proposed use of the land: subdivide acreage in half	
	Current land use designation:	R1
	Proposed land use designation:	R1
<b>Characteristics of the Land to be Subdivided</b>	Describe any existing buildings: House, some outbuildings, see tentative	
	Will any structures be demolished or moved?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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



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

Describe the nature of the topography of the land (flat, rolling, steep, mixed, etc.):	<u>flat</u>
Describe the nature of the vegetation and water on the land (brush, shrubs, trees, woodlots, sloughs, creeks, etc.):	<u>grass</u>
Type of soil (sand, loam, clay, etc.):	<u>unknown</u>
Describe the manner of providing water and sewage services:	<u>Current lot has septic field and tank, water source is from Town</u>

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:** April 15, 2024  
Applicant

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Registered Owner (if different than applicant)

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Development Officer

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

**Right of Entry:**

I, \_\_\_\_\_, 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:** \_\_\_\_\_  
Registered Owner



**Application for Subdivision Approval  
Form E  
Planning and Economic Development**  
A-4900 50<sup>th</sup> 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.):	_____
Describe the nature of the vegetation and water on the land (brush, shrubs, trees, woodlots, sloughs, creeks, etc.):	_____
Type of soil (sand, loam, clay, etc.):	_____
Describe the manner of providing water and sewage services:	_____

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: \_\_\_\_\_ Date: April 15, 2024  
(Applicant)

Signed: Caroline B... Date: April 15 2024  
Registered Owner (if different than applicant)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Development Officer

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

**Right of Entry:**

I, \_\_\_\_\_, 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.

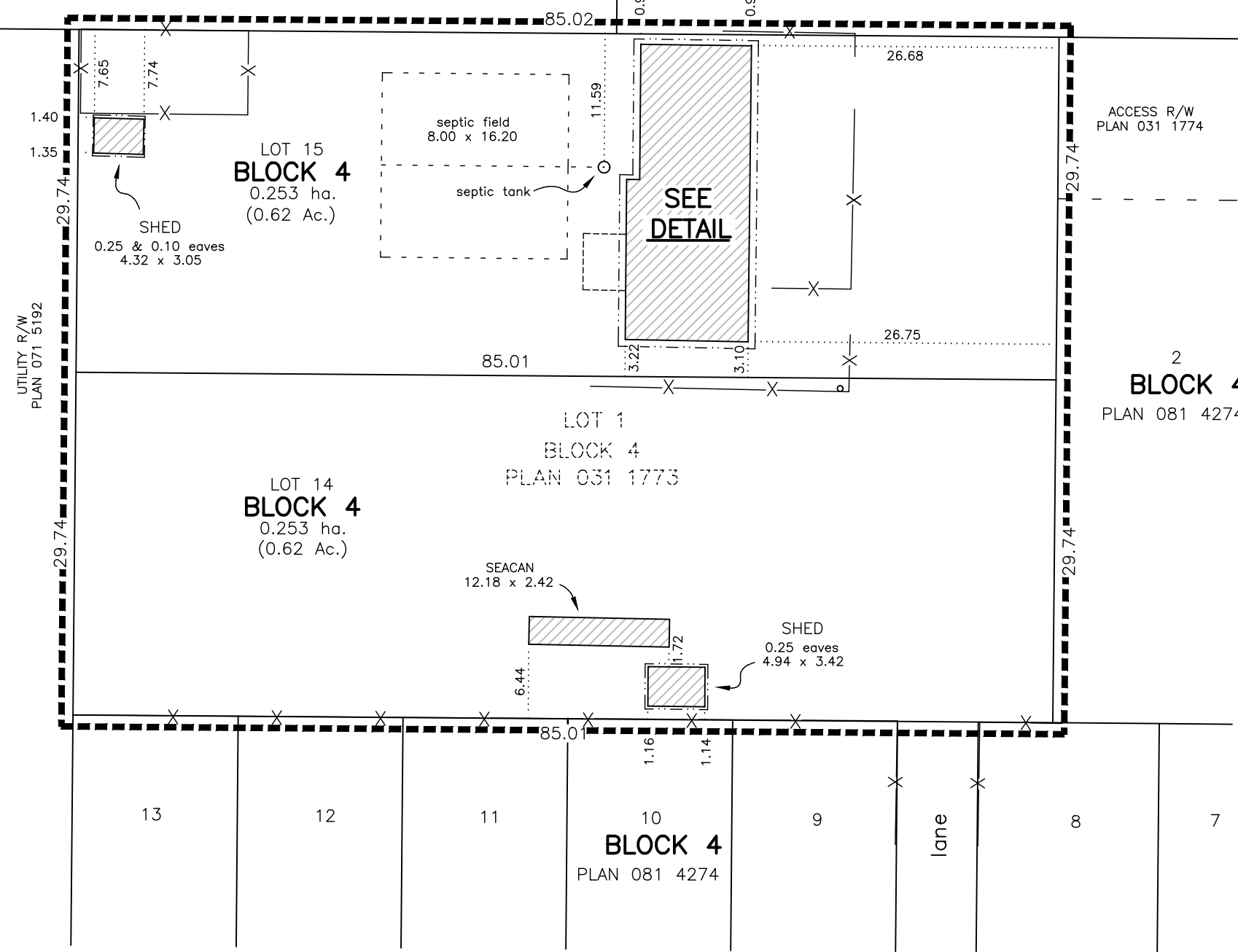
This right is granted pursuant to Section 653(2) of the *Municipal Government Act*.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
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.*

N.W.1/4 SEC. 6 - 10 - 16 - 4

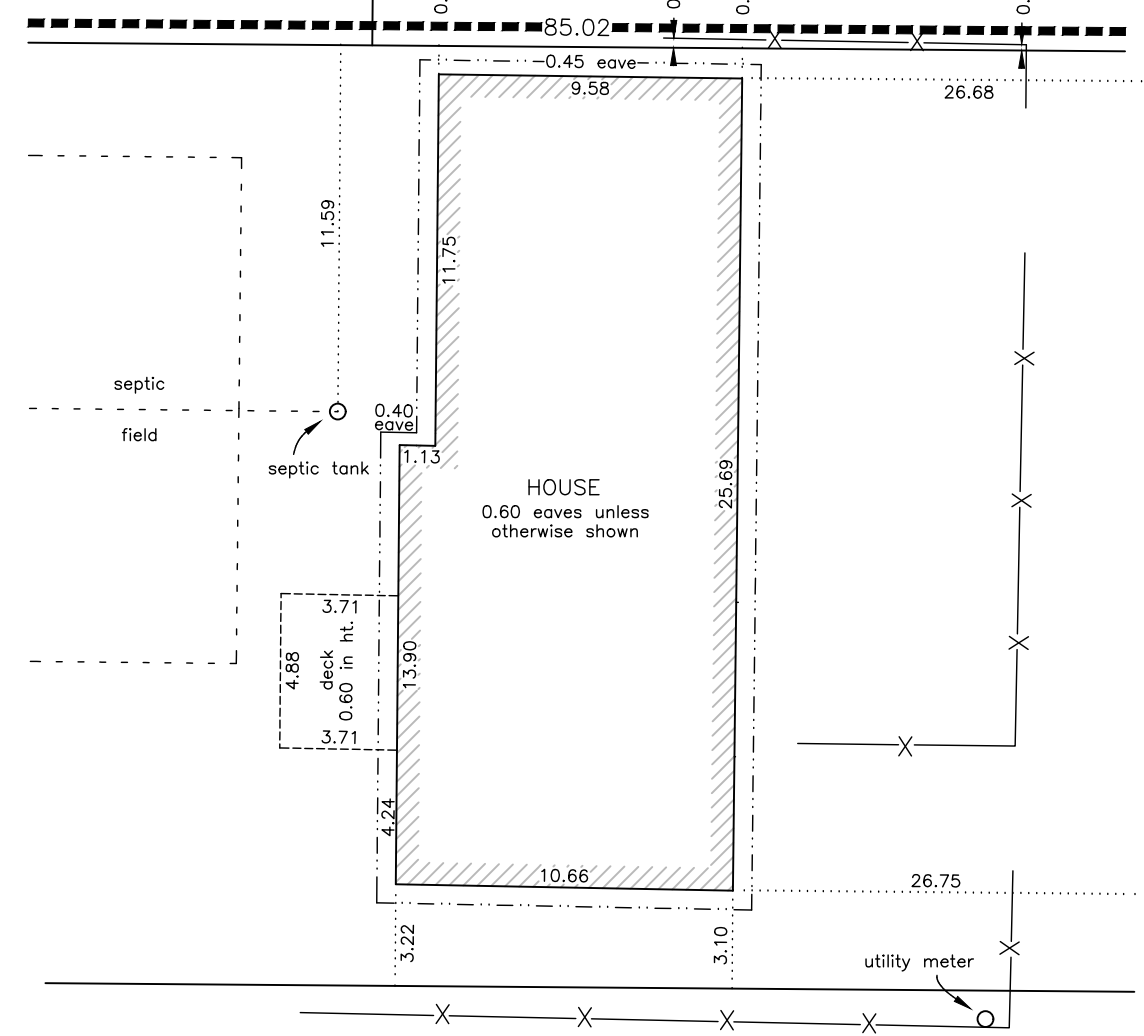
28MR  
BLOCK 5  
PLAN 181 0297



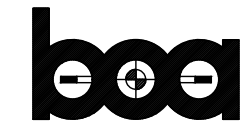
**DETAIL**  
SCALE: 1:250

N.W.1/4 SEC.  
6 - 10 - 16 - 4

28MR  
BLOCK 5  
PLAN 181 0297



CORNELIO BANMAN



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

TENTATIVE PLAN SHOWING SUBDIVISION  
of all of  
LOT 1, BLOCK 4, PLAN 031 1773  
within  
S.W.1/4 SEC. 6, TWP. 10, RGE. 16, W.4 M.  
Town of Taber

APPROVED  Z.J. Prosper, A.L.S.	DRAWN BB	DATE APRIL 12/24
	CHECKED ZJP	JOB 24-16328
	SCALE 1:500	DRAWING 24-16328

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus **-----**  
and contains approximately 0.506 ha.  
Distances are in metres and decimal parts thereof.  
  
Distances and areas are approximate and are  
subject to change upon final survey.



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0029 955 938            0311773;4;1                      221 094 137

LEGAL DESCRIPTION  
PLAN 0311773  
BLOCK 4  
LOT 1  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 0.506 HECTARES (1.25 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;16;10;6;SW

MUNICIPALITY: TOWN OF TABER  
REFERENCE NUMBER: 171 035 918

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE (DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
221 094 137      06/05/2022      TRANSFER OF LAND      \$331,000      NOMINAL

OWNERS  
CORNELIO BANMAN  
AND  
AGATHA BANMAN  
BOTH OF:  
BOX 4394  
TABER  
ALBERTA T1G 2C8  
AS JOINT TENANTS

-----  
ENCUMBRANCES, LIENS & INTERESTS  
REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----  
031 199 682      16/06/2003      CAVEAT  
RE : ACQUISITION OF LAND  
CAVEATOR - THE TOWN OF TABER.



## REGISTRATION

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NUMBER      DATE (D/M/Y)      PARTICULARS  
-----4900 - 50TH STREET  
TABER  
ALBERTA T1G1T1221 094 138      06/05/2022 MORTGAGE  
MORTGAGEE - 1ST CHOICE SAVINGS AND CREDIT UNION  
LTD.  
BOX 1237  
LETHBRIDGE  
ALBERTA T1J4A4  
ORIGINAL PRINCIPAL AMOUNT: \$219,585221 094 139      06/05/2022 CAVEAT  
RE : ASSIGNMENT OF RENTS AND LEASES  
CAVEATOR - 1ST CHOICE SAVINGS AND CREDIT UNION LTD.  
BOX 1237  
LETHBRIDGE  
ALBERTA T1J4A4  
AGENT - MARK A BALDRY

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 19 DAY OF MARCH,  
2024 AT 03:12 P.M.

ORDER NUMBER:    50021661

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

---

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.THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



### Abandoned Well Map

Base Data provided by: Government of Alberta

Author ZJP

Printing Date: 4/12/2024

Date Date (if applicable)

The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright & Disclaimer webpage: <http://www.aer.ca/copyright-disclaimer>.

Scale: 9,602.93

0.15 Kilometers 0

Projection and Datum:

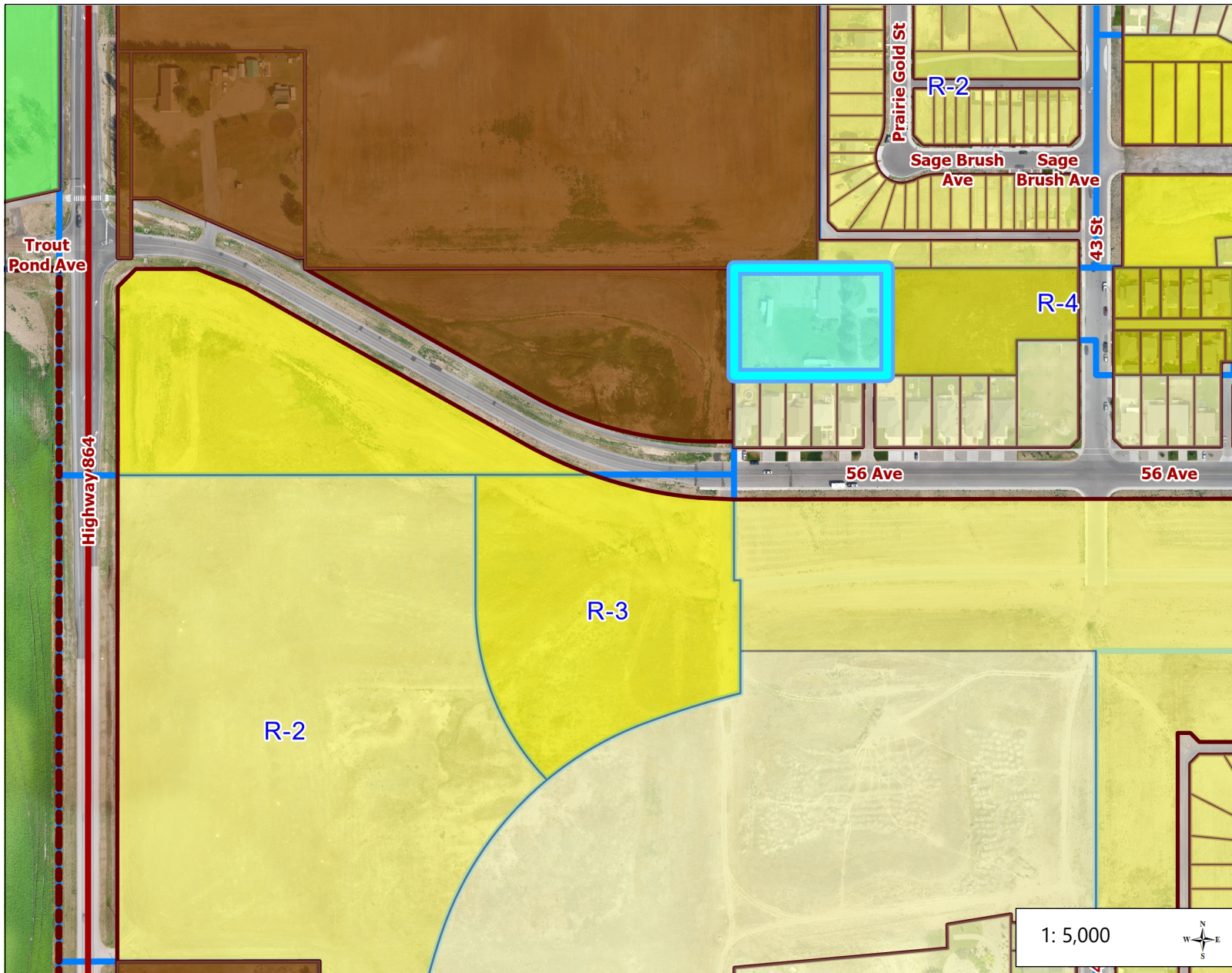
WGS84 Web Mercator Auxiliary Sphere



### 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

# 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

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

# TOWN COUNCIL MEETING

TO BE HELD MONDAY, MAY 13, 2024 AT 3:30 PM

IN THE TOWN COUNCIL CHAMBERS

TOWN COUNCIL TO BE HELD MONDAY, MAY 27, 2024 AT 3:30 PM  
IN THE TOWN COUNCIL CHAMBERS

## BOARD/COMMITTEE/COMMISSION MEETINGS

TABER RECREATION BOARD MEETING TO BE HELD THURSDAY, MAY 2, 2024 AT 5:30 PM  
IN THE TOWN COUNCIL CHAMBERS

TABER LIBRARY BOARD MEETING TO BE HELD THURSDAY, MAY 9, 2024 AT 5:15 PM  
IN THE LIBRARY BOARD ROOM

TABER MUNICIPAL POLICE COMMISSION MEETING TO BE HELD WEDNESDAY, MAY 15, 2024 AT 4:30 PM  
IN THE TOWN COUNCIL CHAMBERS

TABER MUNICIPAL PLANNING COMMISSION MEETING TO BE HELD TUESDAY, MAY 21, 2024 AT 1:30 PM  
IN THE TOWN COUNCIL CHAMBERS

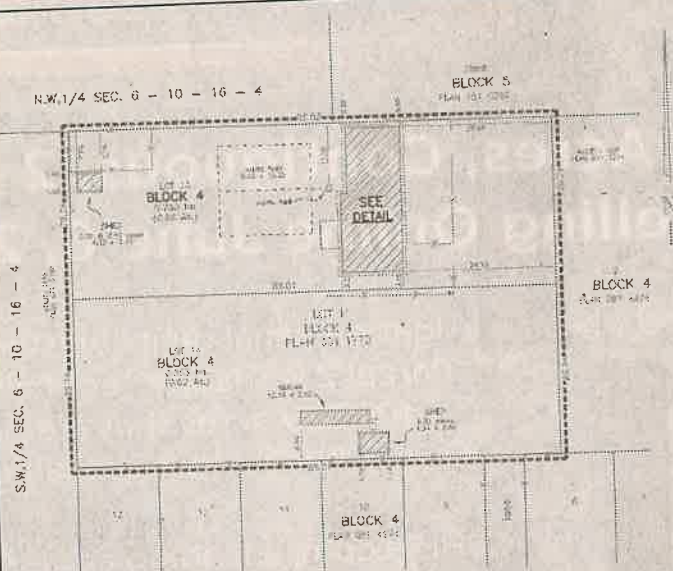
### VOLUNTEER BOARD/COMMITTEE/COMMISSION VACANCIES

- **SUBDIVISION AND DEVELOPMENT APPEAL BOARD:** 1 Resident of the Town of Taber
- **ARTS & HERITAGE COMMITTEE:** 1 Resident of the Town of Taber
- **MUNICIPAL LIBRARY BOARD:** 1 Resident of the Town of Taber

Applications for the above may be picked up at the Town Administration Office,  
or apply easily online at [www.taber.ca/volunteer](http://www.taber.ca/volunteer).  
Further information may be obtained by contacting Kerry Van Ham,  
Administrative Services Manager at 403 223 5519.

## THE TOWN OF TABER HEREBY GIVES NOTICE

PURSUANT TO SECTION 653(4.2) OF THE MUNICIPAL GOVERNMENT ACT AS AMENDED, THAT  
THE FOLLOWING SUBDIVISION APPLICATION IN THE TOWN OF TABER HAS BEEN RECEIVED



PROPERTY  
DESCRIPTION  
SUBDIVISION  
APPLICATION  
TT 24-0-005

SW 1/4 SEC 6 TWP 10  
RGE 16 W4M  
LOT 1, BLOCK 4, PLAN  
031 1773

Civically Described as:  
4223 56 Ave. Taber, AB

### OWNER/AGENT PROPOSAL

BOA proposes to  
subdivide a 0.506 ha or  
1.25-acre parcel into 2  
lots. This property is  
located in the Residential  
Single Dwelling District  
(R-1) and is subject to its  
requirements.

Any adjacent land owner may comment on the above application by ensuring that the  
Planning Department receives a written submission prior to noon on May 27, 2024. Any  
submissions received will be considered by the Town of Taber prior to making a decision on  
the noted application.

Any inquiries on any matter contained within this Notice may be made to the Department of  
Planning at the Town of Taber, 4900A - 50 Street, Taber, T1G 1T1, Phone (403) 223-6003.

A - 4900 50 St. Taber, T1G 1T1  
Phone 403-223-5500 • Fax 403-223-5530  
email: [town@taber.ca](mailto:town@taber.ca) • website: [www.taber.ca](http://www.taber.ca)  
Keeping Our Community Informed



**SUBDIVISION APPROVING AUTHORITY  
DECISION REPORT**

<b>Subject:</b>	<b>TENTATIVE PLAN OF SUBDIVISION – 4223 56 Avenue.</b>
<b>Date:</b>	<b>June 10, 2024</b>
<b>Subdivision Application No:</b>	<b>TT 24-0-005</b>

**Proposed Subdivision Summary:**

<b><i>Applicant</i></b>	Brown Okamura & Associates Ltd.
<b><i>Owner/Developer</i></b>	Cornelio and Agatha Banman
<b><i>Legal Description</i></b>	Lot 1, Block 4, Plan 031 1773
<b><i>Location</i></b>	4223 56 Avenue
<b><i>Subdivision Area</i></b>	0.506 ha (1.25 ac)
<b><i>Proposed Lots</i></b>	1 Single Detached Lot with One Remainder Lot
<b><i>MDP Designation</i></b>	Taber Town Plan Bylaw 7-2016
<b><i>Community ASP</i></b>	NW Area Structure Plan
<b><i>Neighbourhood Structure Plan (NSP)</i></b>	None.
<b><i>LUB District</i></b>	Residential Single Dwelling (R-1) District Land Use Bylaw 13-2020 as amended by Council from time to time.
<b><i>Existing Uses</i></b>	Single Family Dwelling, Seacan, and two sheds along with a septic field and tank

**Internal / External Circulation:**

Circulation was sent out on April 26, 2024, 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 residential area.
<b>Storm Water &amp; Collection</b>	Storm water services are located in the street along 56 Avenue. 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 56 Avenue. 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 one additional single detached lot.  Single detached dwellings are a permitted use in the R-1 District.
<b>Open Space / Parks</b>	None required
<b>Reserves</b>	None required
<b>Land Use Bylaw</b>	<b>R-1 - 1 Lot Single Detached</b> Area of Site: Minimum Standard required: 450.00 m <sup>2</sup> Minimum Standard provided: <b>2530 m<sup>2</sup></b> Width of Site: Minimum Standard required: 14.0 m Minimum Standard provided: <b>29.74 m</b>

**Recommendation:**

That the subdivision application TT 24-0-005 **NOT BE APPROVED** for the following reasons:

1. The application does not meet the Town of Taber Municipal Development Plan Bylaw 7-2016 Section 3.6.4(d) which indicates that “Higher density housing forms shall be encouraged in Residential Areas. This includes detached secondary suites that meet Land Use Bylaw requirements and do not unduly impact adjacent properties”.
2. Nor does the application meet the Town of Taber Northwest Area Structure Plan 21-2016 which indicates that the land use for the area is to be medium density residential development in Figure 03 – Land Use Concept Plan.
3. The Application also, does not meet the requirements of the *Municipal Government Act: Matters Related to Subdivision and Development Regulation* Part 3 Section 11 which states that “Every proposed subdivision must provide to each lot to be created by it (a) direct access to a road as defined in section 616(aa) of the Act, or (b) lawful means of access satisfactory to the subdivision authority”.

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

<b>Prior to entering into a Servicing Agreement</b>	1. That approval shall apply to a residential subdivision plan within Lot 1, Block 4, Plan 031 1773, SW ¼ of Sec. 6, Twp. 10, Rge. 16, W4M.
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<p><b>Prior to construction commencing</b></p>	<ol style="list-style-type: none"> <li>2. That pursuant to Section 655(1)(b) of the Municipal Government Act, the Developer Development Agreement with the Town of Taber to provide separate services to each lot and provide other municipal improvements as required.</li> <li>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.</li> <li>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.</li> <li>5. The Developer shall provide a stormwater analysis to the Development Authority for approval. The analysis shall show post-development flows do not exceed pre-development flows by using Low Impact Development techniques, or other suitable mitigation to ensure no additional stormwater will contribute to the system as a result of this development.</li> </ol>
<p><b>Prior to plan endorsement</b></p>	<ol style="list-style-type: none"> <li>6. Easements and/or rights of way shall be registered against the land for the provision of storm, drainage, gas, power, and other utilities as required by the utility provider.</li> <li>7. A shared parking/access agreement/easement is to be registered on titles for the lots created from Lot 1, Block 4, Plan 031 1773.</li> <li>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.</li> <li>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.</li> <li>10. 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. Shipping Containers are a prohibited use in Residential Districts.</li> <li>11. The subdivision plan shall be registered in a manner satisfactory to the Land Titles Office.</li> </ol>

**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.

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

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

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