



## **AGENDA**

A PUBLIC HEARING REGARDING THE BYLAWS OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON SEPTEMBER 28, 2015 AT 5:00 PM.

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### **ITEM NO. 1. CALL TO ORDER**

The Chair will explain the general procedure for the hearing, which may include:

- i) Informing the public of the 10 minute time limit for a speaker that has been established.
- ii) Informing that anyone speaking shall state their name for the record.

### **ITEM NO. 2. DEVELOPMENT PERMIT**

- i) Explanation of Purpose of Proposed Development Permit 15-085.
- ii) Presentation of Written or Oral Briefs **Against** the Proposed Development Permit 15-085.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Development Permit 15-085.

### **ITEM NO. 3. CLOSE OF MEETING**

The Mayor shall declare the hearing closed and Council will deliberate the merits of the information and opinions provided at the Public Hearing.



<b>Council Request for Decision</b>	
<b>Meeting Date: September 28, 2015</b>	
<b>Subject:</b> DP 15-085 Automotive Sales Direct Control District 5508 46 Ave	
<b>Recommendation:</b>	That Council accepts the information heard from the Public Hearing for DP-15-085, Bob Haase, o/a 1916179 AB Ltd/ Siman Auto Sales, 5508 46 Ave, Lot 23, Block 21, Plan 1410557.
<b>Background:</b>	<p>At the September 14, 2015 meeting, Council approved a Public Hearing to be held at the September 28, 2015 meeting for the above application. This hearing was required as this parcel of land was designated DC-2 (Direct Control) by Bylaw 16-2013 and it is subject to the DC (Direct Control) provisions of the current Land Use Bylaw. As per Sec. 28(4), before Council considers and application for a use the Direct Control district they shall:</p> <ul style="list-style-type: none"> <li>(i) Cause notice to be issued by the Development Officer in accordance with the notification procedures of Section 2 of this Bylaw to all those located within 100 meters of the boundaries of the property subject to the application.</li> <li>(ii) Hear any persons that claim to be affected by the decision on the application</li> <li>(iii) Council may then approve the application with or without conditions or refuse the application</li> <li>(iv) Council hereby delegates to the Development Officer Decision making authority for all discretionary uses listed for this district, including District Requirements.</li> </ul> <p>Administration has circulated notices to the adjacent neighbours and placed advertisements in 2 editions of the Taber Times in order to give an opportunity for those affected by the application to have an opportunity to be heard.</p> <p>To date no enquiries or correspondence has been received by Administration in regard to the application.</p> <p>The application, site plan, LUB references, and recommendations for a Development Permit are attached.</p>
<b>Legislation / Authority:</b>	Town of Taber Land Use Bylaw 4-2006, Sec. 28(4), MGA 641



<b>Strategic Plan Alignment:</b>	Part of the Town of Taber Strategic Plan is to create conditions for business success and economic development.
<b>Financial Implication:</b>	The fee for this application is \$210.
<b>Service Level / Staff Resource Implication:</b>	Processing development permit applications is part of the ongoing responsibilities of the Planning and Economic Development Department.
<b>Justification:</b>	The proposed development would introduce a new business opportunity in the Town as well put to use a parcel land that is currently undeveloped.
<b>Alternative(s):</b>	That Council not approve DP 15-085, Bob Haase, o/a 1916179 AB Ltd/Siman Auto Sales, 5508 46 Ave, Lot 23, Block 21, Plan 1410557 with reasons.

<b>Attachment(s):</b>	Application Package Bylaw 16-2013 DC- Direct Control - Section 28 Development Permit Overhead Map
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<b>APPROVALS:</b>	
<b>Originated By:</b>	Lorraine Belanger
<b>Chief Administrative Officer (CAO) or Designate:</b>	



**Application For A Development Permit**  
**FORM A**  
(OFFICE USE ONLY)



Planning Department  
A4900-50 Street  
Taber AB T1G 1T1  
ph: (403) 223-5500  
fx: (403) 223-5530  
email: planning@taber.ca

Land Use District: DC-2 Roll Number: 4555050 Application Number 15085  
Date of Application: August 28/2015 Date Application Deemed Complete: Aug 28 1.5

I hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

New Construction:  Addition:  Renovation:  Change of Use:  Moved in Building:   
Discretionary Use:  Waiver:  Other:  (explain: \_\_\_\_\_)

Applicant: Bob Haase (1916179 Alberta Ltd O/A Siman Auto Sales  
Address: 1305 24 Ave Coaldale AB Phone Res: \_\_\_\_\_ Bus: \_\_\_\_\_  
TIM 1C9 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Registered Owner: Frank Klassen Phone Res: \_\_\_\_\_ Bus: \_\_\_\_\_  
Address: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Postal Code: \_\_\_\_\_

Legal Description of Property to be Developed: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

Municipal Address: 5508 46 ave

Proposed Use of Site: Used Car dealership - 30-50 vehicles  
*(describe in detail - attach additional information if necessary)*  
8x12 office to be moved in  
Franchised dealership (Siman Auto Sales)  
1-9 year old vehicles.

Existing Use of Site: Un developed land

If Development is Temporary, State for What Period: 1 year

Adjacent to Highway: Yes: \_\_\_\_\_ No: \_\_\_\_\_

Proposed Setback from Property Lines:  
Front Yard: \_\_\_\_\_ Side Yards: <sup>1</sup> \_\_\_\_\_ <sup>2</sup> \_\_\_\_\_ Rear Yard: \_\_\_\_\_

Present Use of Adjacent Properties: Commercial, Residential

	Existing	Proposed	NA
<b>Access:</b>			
Provincial Highway # _____			
Municipal Road .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Internal Subdivision Road .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undeveloped Road Allowance .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Road (i.e. Condominium) .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) _____			
<b>Services:</b>			
<b>Water Supply</b>			
Municipally owned and operated piped water system .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) _____			
<b>Sewage Disposal</b>			
Municipally owned and operated sanitary sewer system .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) _____			
<b>Storm Drainage</b>			
Municipal Sewers .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ditches .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Swales .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Additional Information (Based on Proposed Development)**  
 2 Copies of Site Plan Attached?  yes  no  
 Drainage Plan/Elevations Included?  yes  no  
 Will you be applying for a Building Permit?  yes  no  
 Will you be applying for a Business License?  yes  no

Lot Width: _____	Lot Depth: _____
Lot Area: _____	New Construction Area (ft <sup>2</sup> ): _____
Lot Coverage By New Construction (%): _____	Total Site Coverage (%): _____
Number of Loading Spaces: _____	Building Height: _____
Driveway Width: _____	Landscaped Open Space (%): _____
Number of Units: _____	No. Off Street Parking Spaces: _____

Estimated Commencement Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
 Application Fee: \_\_\_\_\_ Construction Value \$: \_\_\_\_\_

**NOTE: THIS DEVELOPMENT PERMIT APPLICATION WILL NOT BE ACCEPTED UNLESS THE APPROPRIATE FEE IS SUBMITTED WITH THE APPLICATION.**

The personal information provided as part of this application is collected under Section 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Town of Taber FOIP Coordinator at A4900 - 50<sup>th</sup> Street, Taber, Alberta T1G 1T1 or phone (403) 223-5500.

I swear/affirm the information contained in this application is true to the best of my knowledge, and that no further progress will occur on the development until a decision on the permit has been rendered.

Signature of Applicant or Agent: BSB Home Print Name Bob Haase

Letter of Authorization from Registered Owner or Signature of Registered Owner Print Name Frank Klassen  
 (if different from Applicant): \_\_\_\_\_









55th STREET

164'

MAIN ACCESS FROM 55TH ST.

CUSTOMER PARKING AREA

EXISTING PAVED GRAVEL LOT

SALES OFFICE 12'X8'

45th ave

312'-0<sup>3</sup>/<sub>4</sub>"

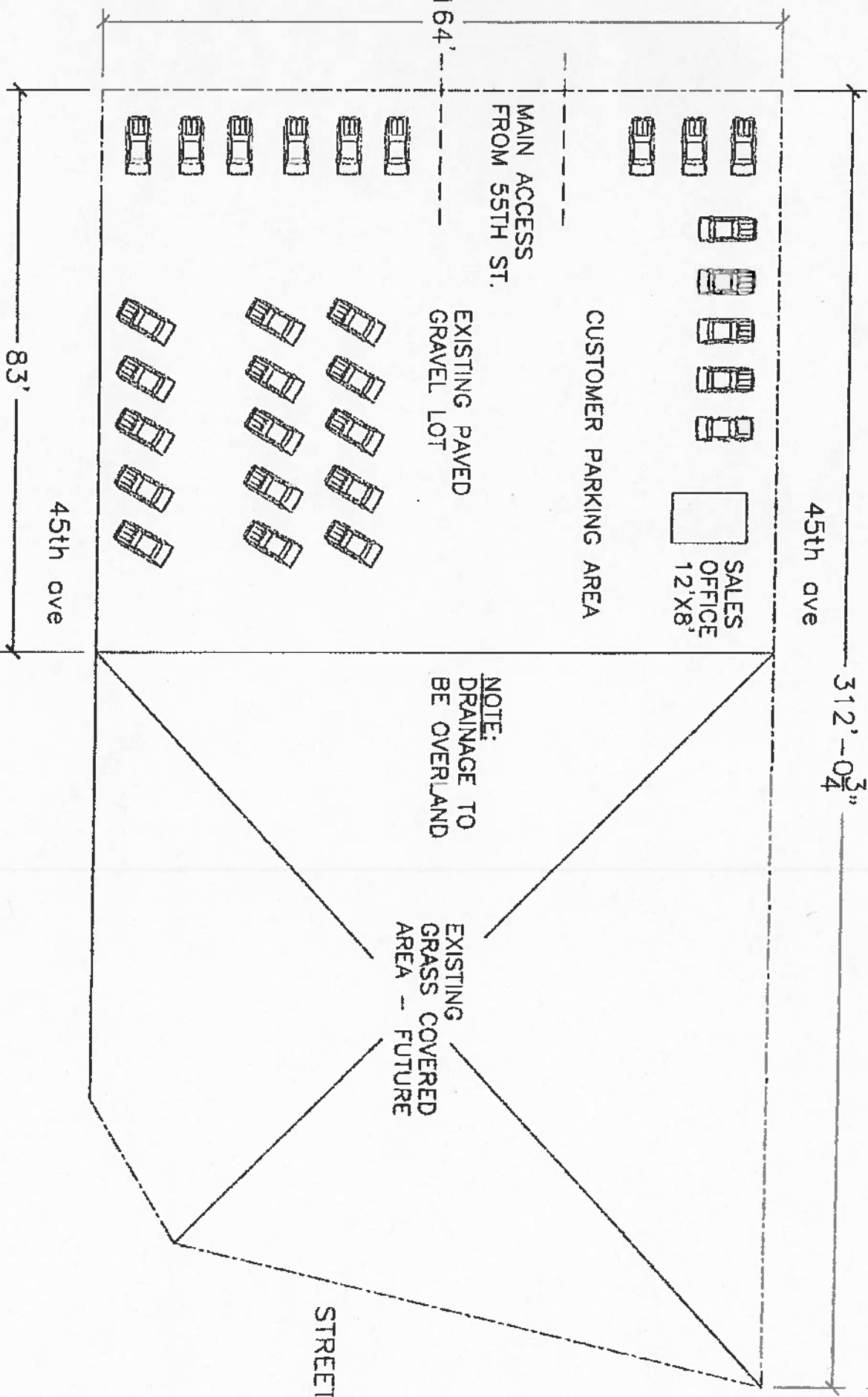
83'

45th ave

NOTE: DRAINAGE TO BE OVERLAND

EXISTING GRASS COVERED AREA - FUTURE

STREET



55th STREET

164'

22

21

20

19

18

17

16

15

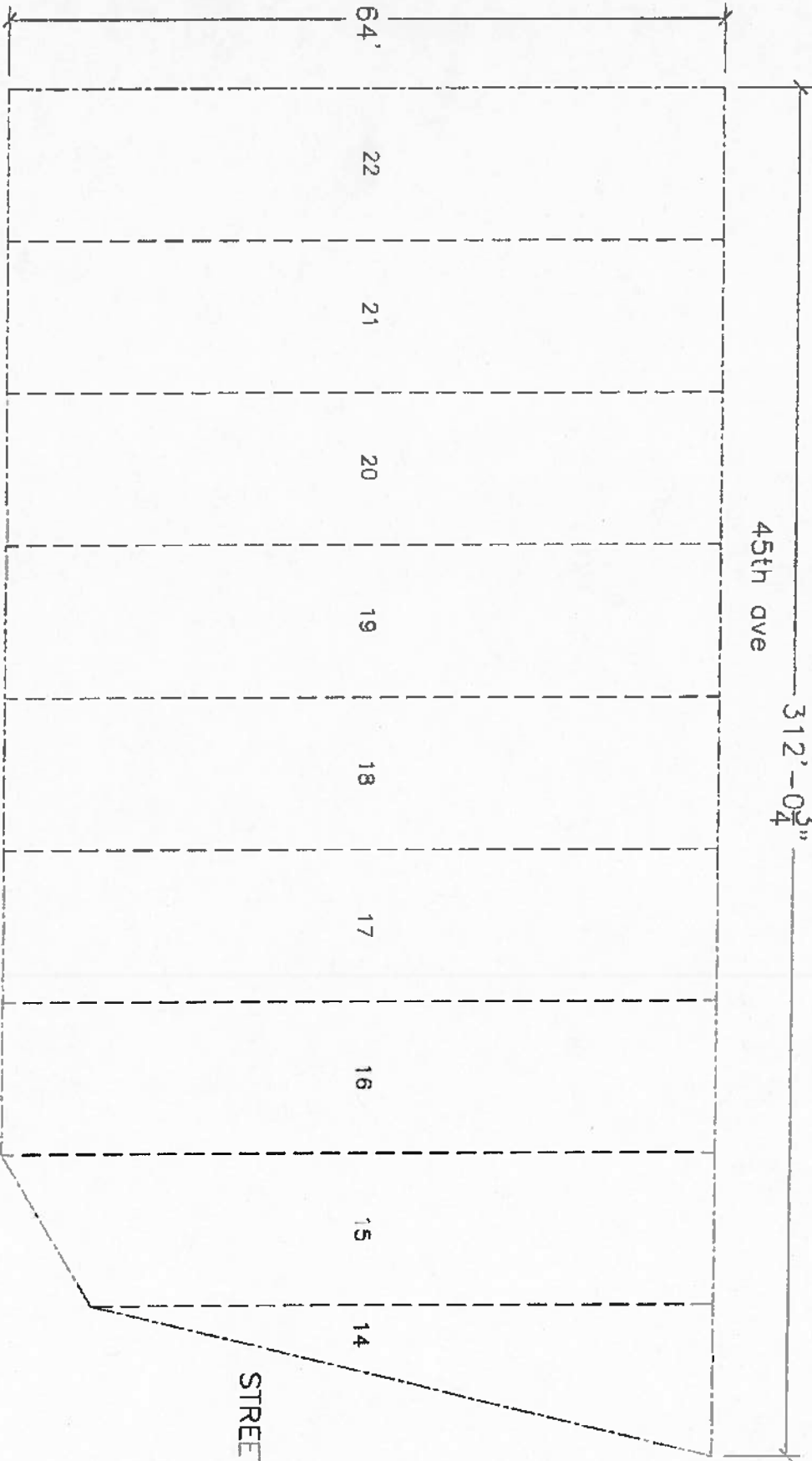
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STREET

45th ave

312'-0 $\frac{3}{4}$ "

45th ave



IMG\_8372 - Windows Photo Viewer





acer

OLDMAN RIVER

MUNICIPAL DISTRICT OF TABER PARK

TABER MEMORIAL GARDENS



TOWN OF TABER

FOR MORE INFORMATION PLEASE CONTACT THE TOWN OF TABER AT (403)-273-6000



- Town Boundary
- Primary Highway
- Secondary Highway
- Railway
- Pedestrian Trail
- Residential
- Commercial
- Downtown Commercial
- Institutional
- Aquafun Centre, Civic Centre, Rinks, Information
- Public Library
- Taber Police Service
- Hospital
- Parks
- Cemetery
- Undeveloped

KEN McDONALD SPORTS FIELD COMPLEX

HAROLD TURNBULL PARK

TABER AGRIPLEX

864



To Coufs

36

5508  
46 Ave  
Taber  
AB

TABER GOLF CLUB

DR. HAWMAN ELEMENTARY SCHOOL

CONFEDERATION PARK

HERITAGE DR

ST. MARY'S PAROCHIAL HIGH SCHOOL

ST. PATRICK'S ELEMENTARY SCHOOL

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**TOWN OF TABER  
BYLAW 16-2013**

A BYLAW FOR THE PURPOSE OF AMENDING THE TOWN OF TABER LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED

**WHEREAS** the Town of Taber adopted Land Use Bylaw No. 4-2006.

**AND WHEREAS** Council has received a proposal from Administration to amend Land Use Bylaw No. 4-2006 to add Section 30 - "Direct Control 2 (DC-2)" to the list of Land Use Districts and to redesignate 5506 – 46<sup>TH</sup> AVE; PLAN 6390L, BLOCK 21, LOT(S) 1, 2, 3, 4 AND THE WEST 5 FEET OF LOT 5, EXCEPTING THE HIGHWAY ON PLAN 711EZ; 5510 – 46<sup>TH</sup> AVE; PLAN 6390L, BLOCK 21, LOTS 5-22 from Comprehensive Commercial (CC) to Direct Control 2 (DC-2) in order to better achieve the development objectives of the landowners in accordance with the Town of Taber Land Use Bylaw 4-2006;

**AND WHEREAS** Council, having considered at a public hearing the concerns of persons claiming to be affected by this bylaw amendment application, believes that the amendment of the Land Use Bylaw should be allowed in order to achieve the orderly, economical and beneficial use of land in the Town of Taber;

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

**1.** That Direct Control 2 (DC-2) District be created and is hereby given the following unique direct control requirements:

**1. Purpose**

To facilitate development on the subject parcel in consideration of Council being the development approval authority due to irregular parcel dimensions.

**2. Uses**

Those uses designated as permitted and discretionary in the Comprehensive Commercial (CC) District.

**3. District Requirements**

Minimum Lot Area:	As per the approval of Town of Taber Council
Minimum Lot Width:	As per the approval of Town of Taber Council
Minimum Front Yard:	As per the approval of Town of Taber Council
Minimum Rear Yard:	As per the approval of Town of Taber Council
Minimum Side Yard:	As per the approval of Town of Taber Council
Building Height:	As per the approval of Town of Taber Council
Maximum Coverage:	As per the approval of Town of Taber Council
Minimum Landscaped Area:	10%

#### 4. Special Requirements: Landscaping

Further to the landscape requirements contained in Section 3 – General Provisions, landscaping shall be determined as follows:

- (a) All areas not covered by buildings and parking shall be landscaped. Protective barriers with a minimum height of 15 cm (6 inches) shall be placed around all landscaped areas.
- (b) The minimum landscaped area shall be concentrated in front yards, but additional landscaping may be required in other yards to separate uses or to provide buffers or screening from other uses or roads. All landscaping shall be identified on the site plan.
- (c) Final landscaping plans shall be approved by the Development Officer prior to installation of plant materials.

#### 5. Special Requirement: Storage Areas

All storage areas shall be appropriately fenced or screened. All sites abutting residential districts shall be screened from view of the residential district to the satisfaction of the Development Authority. All storage shall be accessory to the main use of the land or main building on the site and shall comply with the yard and setback requirements of this Section. "Outdoor storage" may be allowed only as an accessory use; exclusive or primary use of lots for "outdoor storage" is not permitted in this District.

#### 6. Special Requirements: Parking

Further to the parking requirements found in Section 3 – General Regulations, all required parking, circulation, and access areas shall be paved with a hard, durable, weather resistant surface.

#### 7. Special Requirement: Building Location and Front Yard

Notwithstanding any other provision in this Bylaw, the yard of any lot abutting a highway shall be deemed to be the front yard. The front of all buildings should face the front yard. Where, in the opinion of the Development Authority, this is not possible or practical for the effective development of a site, those exterior walls of buildings that must face the highway shall have special facade treatment. This treatment shall be to the satisfaction of the Development Authority.

#### 8. Special Requirements: Site Plan and Development Agreement

All applications for a development permit shall provide a detailed site plan for the proposed development. The site plan shall include all information required on 'Form A' and Section 2.7 of this Bylaw. For those applications approved, the proponents shall enter into a Development Agreement with the Town to ensure that the conditions of the Development Permit are fulfilled to the satisfaction of the Town.





9. Other Requirements

All other requirements shall be as Council deems necessary.

2. The Land Use Map contained in Land Use Bylaw No. 4-2006 is amended by the re-districting of:

CIVIC ADDRESS 5506 – 46<sup>TH</sup> AVENUE  
PLAN 6390L  
BLOCK 21  
LOTS 1, 2, 3, 4 AND THE  
WEST 5 FEET OF LOT 5  
EXCEPTING THE HIGHWAY ON PLAN 711EZ

And

CIVIC ADDRESS 5510-46<sup>TH</sup> AVENUE  
PLAN 6390L  
BLOCK 21  
LOTS 5-22

RES.414/13 READ A FIRST TIME THIS 25<sup>TH</sup> DAY OF NOVEMBER, 2013.

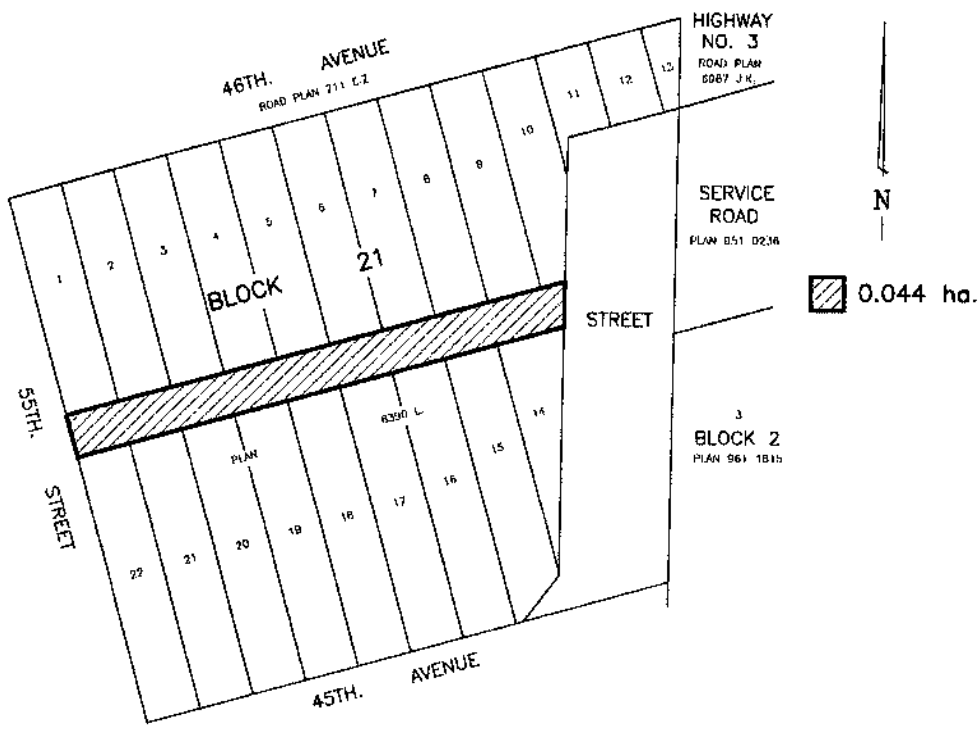
RES.458/13 READ A SECOND TIME THIS 16<sup>TH</sup> DAY OF DECEMBER, 2013.

RES.459/13 READ A THIRD TIME THIS 16<sup>TH</sup> DAY OF DECEMBER, 2013.

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

  
\_\_\_\_\_  
MAYOR

# Schedule A



Subject portion of: CIVIC ADDRESS 5506 – 46<sup>TH</sup> AVENUE  
PLAN 6390L  
BLOCK 21  
LOT(S) 1, 2, 3, 4 AND THE  
WEST 5 FEET OF LOT 5  
EXCEPTING THE HIGHWAY ON PLAN 711EZ

CIVIC ADDRESS 5510-46<sup>TH</sup> AVENUE  
PLAN 6390L  
BLOCK 21  
LOTS 5-22

**From: CC District**  
**To: DC-2 District**

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## **SECTION 28: Direct Control (DC) DISTRICT**

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### **Purpose**

This district is intended to allow flexibility for approval of uses on suitable sites which have potential for a variety of different uses. On sites designated as Direct Control, Council is willing to consider proposals that do not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

### **2. Uses**

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

#### **Permitted Uses**

- (a) Any use Council considers appropriate

#### **Discretionary Uses**

- (a) Accessory Buildings and Structures
- (b) Public Uses
- (c) Utilities

### **3. District Requirements**

In addition to the General Land Use Provisions contained in Section 3, the following regulations shall apply to every development in this district.

Minimum Lot Area and Lot Width:	As Council deems necessary having regard to the nature of the use.
Maximum Lot Density:	As Council deems necessary.
Minimum Setbacks:	As Council deems necessary.
Maximum Height:	As Council deems necessary.
Minimum Landscaped Area:	As Council deems necessary.
Signage:	As Council deems necessary.

### **4. Approval Procedures**

- (a) Before Council considers an application for a use in the Direct Control district, they shall:
  - (i) cause notice to be issued by the Development Officer in accordance with the notification procedures of Section 2 of this by-law to all those located within 100 metres of the boundaries of the property subject to the application.
  - (ii) hear any persons that claim to be affected by the decision on the application.

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## **SECTION 28: Direct Control (DC) DISTRICT**

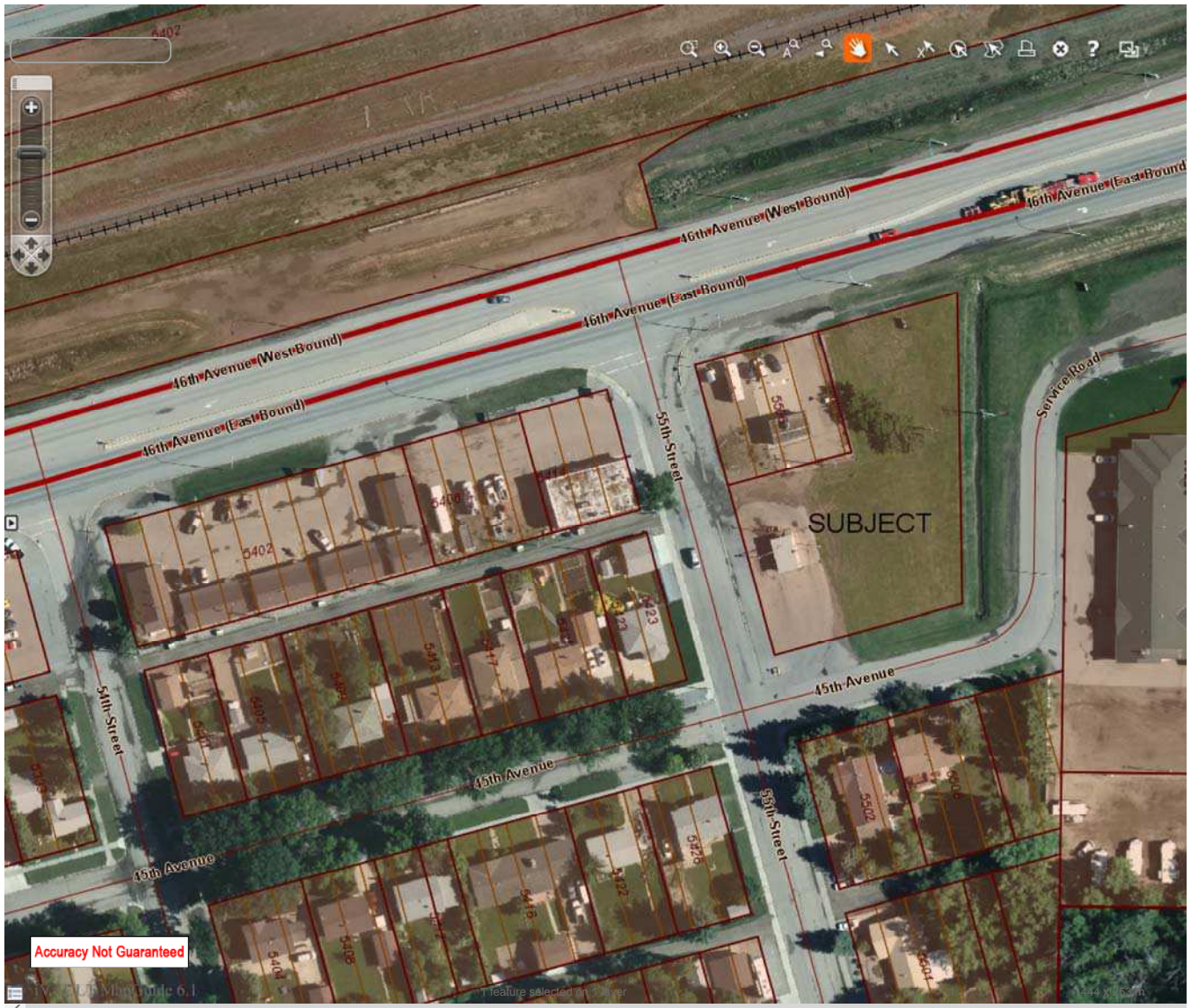
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- (a) Council may then approve the application with or without conditions or refuse the application.
- (b) Council hereby delegates to the Development Officer decision-making authority for all discretionary uses listed for this district, including district requirements.
- (c) Each site to which Direct Control is applied shall be given its own unique Direct Control requirements or provisions. In order to distinguish one Direct Control site from another, each site shall be identified on the Land Use maps by its own unique DC suffix number. For example, the first time Direct Control is applied under the provisions of this Land Use by-law, that Direct Control district will be identified as DC-1.

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**SECTION 28: Direct Control (DC) DISTRICT**

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**Development Permit**  
**FORM B**



Planning Department  
A4900-50 Street  
Taber AB T1G1T1  
ph: (403) 223-5500  
fx: (403) 223-5530  
email: planning@taber.ca

PERMIT NO. DP 15-085 ZONING: DC-2  
ISSUE DATE: \_\_\_\_\_ ROLL NO. 4555050

Applicant

Owner of Land

Name: Bob Haause/ 1916179 AB/ Siman Auto Sales 1689191 AB Ltd.  
Address: \_\_\_\_\_  
Tel: \_\_\_\_\_

Location

Municipal Address: 5508 46 Ave  
Legal Description: Lot: 23  
Block: 21 Plan: 1410557

Description of Work Temporary Location for Used Automotive Sales DC-2, Direct Control 2 (as per Development Permit Application 15-085)

Permit Conditions (see Standard Conditions on Reverse)

1. The site is to be developed as per the site plan submitted,
2. The term of the development permit is for 3 years and may be renewed for up to a maximum of 10 years, by the Director of Planning and Economic Development,
3. Access to the site is to be from 55 St,
4. A Landscaping plan is to be submitted and to the satisfaction of the Planning and Economic Development Department,
5. The applicant must ensure the development complies with the Alberta Fire Code, Alberta Building Code, Alberta Health Services, AMVIC and all other applicable codes. (Town of Taber Business License will be issued after AMVIC documentation has been obtained),
6. Operating hours are not to be past 9pm,
7. All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development.
8. A maximum of 30 vehicles are to be permitted on the site, unsightly vehicles or vehicles causing any soil contamination will not be permitted,
9. All customer parking is to be kept on the subject site,
10. The applicant is responsible for servicing, utility right of ways and easements on the site,
11. No excavation, trenching or other soil disturbance is to occur on site without further consultation and the permission of the Planning and Economic Development Department.

Issued by: \_\_\_\_\_

The personal information provided as part of this application is collected under Section 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request.

If you have any questions about the collection or use of the personal information provided, please contact the Town of Taber FOIP Coordinator at A4900 – 50<sup>th</sup> Street, Taber, Alberta T1G 1T1 or phone at (403) 223-5500.

### **STANDARD DEVELOPMENT CONDITIONS**

The development outlined on the reverse side is subject to the following conditions:

1. This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the Land Use By-law, and in no way relieves or excuses the applicant from complying with the Land Use By-law or any other by-law, laws, order and/or regulations affecting such development.
2. This permit, issued in accordance with the Notice of Decision, is valid for a period of 24 months from the date of issue if development has commenced within 12 months. If, at the expiry of 12 months, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
3. If this Development Permit is issued for the construction of a building,
  - a) all finished grades shall be consistent with the approved site/grading plan.
  - b) the finished exterior cladding shall be consistent with that shown in the submitted architectural plans.
  - c) the exterior of the building, including painting, shall be completed within 24 months from the date of the issue of the Development Permit.
4. The development officer may, in accordance with the Municipal Government Act, take such action as is necessary to ensure that the provisions of this by-law are complied with.
5. This Permit is not transferable.
6. **Compliance with Town of Taber Bylaws, Alberta Building Code, and all other Provincial Codes and Regulations. It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits from an accredited agency.**
7. **Any alterations or improvements deemed necessary to Municipal Services or Local Improvements adjacent to the property shall be the sole responsibility of the applicant.**